

CITY OF ELKO
PLANNING COMMISSION
REGULAR MEETING MINUTES
6:30 P.M., P.S.T., TUESDAY, DECEMBER 7, 2010
ELKO CITY HALL, COUNCIL CHAMBERS,
1751 COLLEGE AVENUE, ELKO, NEVADA

CALL TO ORDER

The meeting was called to order by Chairman Jeff Thompson.

ROLL CALL

Present: Jeff Thompson, Rich Perry, Reece Keener, Doug Owen,
Brent Elmore, Alene Sutherland

Absent/Excused: John Anderson

City Staff: Ed Wynes, City Planner
Scott Wilkinson, Development Manager
Mike Hecht, Deputy Fire Chief

PLEDGE OF ALLEGIANCE

APPROVAL OF MINUTES: August 3, 2010 – Regular Meeting

****Commissioner Perry moved to approve the August 3, 2010, regular meeting minutes as submitted. Commissioner Keener seconded the motion and the motion passed with Commissioners Owen and Sutherland abstaining.**

September 7, 2010 – Regular Meeting

****Commissioner Owen moved to approve the September 7, 2010, regular meeting minutes in their entirety. Commissioner Sutherland seconded the motion and the motion passed with Commissioner Elmore abstaining.**

I. PUBLIC COMMENT PERIOD

This agenda item is to provide time for the general public to address the Planning Commission regarding items of concern not specifically listed on the agenda. Action cannot be taken at this time, but a matter can be set on the agenda for a future meeting, as appropriate.

There were no comments made at this time.

II. NEW BUSINESS

A. PUBLIC HEARINGS

1. Review and consideration of Variance No. 7-10, filed by National EWP, for the reduction of the required rear yard setback from ten feet (10') down to zero feet (0') in connection with constructing a steel wash out bay in an LI (Light Industrial) Zoning District. **ACTION ITEM**

The subject property is located generally northeast of the corner of Silver Street and Errecart Boulevard (580 W. Silver Street).

Commissioner Keener said I would like the record to show that I own a parcel in close proximity to the subject property. I do not think that it will affect my judgment and I do not have any kind of financial interest in the subject application.

Wade Kelly, Kelly Builders, said I'm representing NWEF for this variance. We're proposing to do a structure on that north side of that building. At the time, we were considering doing a wash bay on that side and in the last few days we've reconsidered actually putting a wash bay there, but we still would like to do some sort of a structure there at some point. The amount of space that's available on that side just didn't accommodate us to get a drill rig in there and equipment around it to wash it properly. We still want to do something structural there at some point though, so we would still need the variance to encroach that easement.

Chairman Thompson said can we do that?

Mr. Wynes said according to what Mr. Kelly has said Staff would recommend the application either be tabled or withdrawn because there is no specific plan for which to make a final approval with. I have talked to Mr. Kelly before the meeting and he has agreed that we can either table it or ask that it be withdrawn. Tabling would give them a chance to come back at a later date with a revised application for what they want to do and we can put it back on the agenda. Withdrawal would be the same thing except they would have to come back with a new fee. Tabling would just carry it over.

Mr. Wilkinson said the Development Department would concur with that approach to table it. A lot of the hardship that was addressed in the application had to do with construction of a wash bay, environmental concerns with having a separated wash bay and stuff like that. Just as a note, I believe a business like this does need a wash bay in order to function properly. If you look at some of the major drilling companies in Elko, they have wash bays and in order to function and be able to perform maintenance on those rigs you have to clean them. We're certainly not going to accept a steam cleaning operation sitting out in the open out there. I'm not sure how they're going to address that, but that will have to be addressed as they go through a remodel. That's not specific to this issue tonight now but as they go through that remodel we would expect to see that issue addressed on the plan submittal. With that said, if you look at the application, since a lot

of the application focused on that issue I think they'd have to come back, revise their application, justify the need for the expansion other than a wash bay and be able to attempt to justify that hardship to the Planning Commission. I think tabling it would be appropriate.

Mr. Kelly said we are in the process right now of entertaining another building on site that we can stand the drill rig actually up in it and wash it properly and do it correctly. The more we looked at it, it just didn't work for us on that side of the building.

Chairman Thompson said it's pretty narrow up to the front.

Mr. Kelly said yes, it's 18' in the front.

Mr. Wynes said I would suggest that we table it to a date specific that way we don't have to re-notice everything.

Chairman Thompson asked Mr. Kelly if he had any problems with the first Tuesday in January.

Mr. Wynes said we can always table it again after that if you're not ready.

Mr. Kelly said that would be fine.

****Commissioner Perry moved to table Variance No. 7-10 to the January 4, 2011, meeting to give the applicant time to make modifications to the application. Commissioner Keener seconded the motion and the motion passed unanimously.**

B. MISCELLANEOUS ITEMS, PETITIONS AND COMMUNICATIONS

1. Review and consideration of Temporary Use Permit No. 2-10 filed by National EWP, to allow the placement and use of a trailer for sales offices on a temporary basis and matters related thereto. **ACTION ITEM**

The subject property is located generally northeast of the corner of Silver Street and Errecart Boulevard (580 W. Silver Street).

****The applicant sent an email asking that Temporary Use Permit No. 2-10 be withdrawn.**

III. REPORTS

- A. Summary of City Council Actions.

Mr. Wynes said at the last City Council meeting they did approve the alley vacation between 10th and 11th Streets and Idaho and Railroad Streets filed by Romero. They have

moved the annexations for the Elko Vet and for Rogers to final hearing and they did approve the rezone for one of those.

B. Summary of Redevelopment Agency Actions.

Mr. Wynes said there was no action on the Redevelopment Agency. We just had a short meeting.

C. Professional articles, publications, etc.

1. Zoning Bulletin
2. Zoning Practice

D. Preliminary agendas for Planning Commission meetings.

Mr. Wynes said we were off on the Master Plan for the month. We did get an email today from Laura Hanson asking if we had any comments and Mr. Wilkinson has indicated those comments are going back to her at the end of the week, so there will be some more comments going back to her for their review. They'd like to have something ready for us for the January Planning Commission meeting.

Chairman Thompson asked if that would be for the regular meeting.

Mr. Wynes said the regular meeting.

Mr. Wilkinson said we're looking to move through the adoption process starting in January.

Mr. Wynes said yes we'll probably start it in January or February.

Mr. Wilkinson said we hope to have our comments back to CRSA by the end of the week. Maybe they'll have the document revised, hopefully before the holidays, and post it online. People could review that and then be somewhat up to speed by the time they're bringing that back to the Planning Commission. I think we were looking at maybe a two month adoption process there.

Mr. Wynes said I would not want to put a time frame on the adoption. We could say it's going to take us two months and it may take us four, but then again it may take us two months. Hopefully we've got people out there who are at least aware of it and don't have any problems with it, but it could be contentious someplace along the line.

Chairman Thompson said you never know until it happens.

Commissioner Perry said on a positive note, there's been a lot of public involvement in it in meetings so that's good early on in the process.

Mr. Wilkinson said there has, and we're moving into a phase here where it's just really going to be before the Planning Commission in public meetings and depending on the amount of public comments you get in those meetings, it may move along pretty quickly. I really envision it being comment from the Planning Commission and then maybe the City Council; get it in front of them. Like you said we had a lot of public involvement and that's tapered off towards the end here. I don't know that we're going to have a lot of opportunity for a lot more public comment going forward.

Commissioner Perry asked if Staff was still having working sessions on Fridays.

Mr. Wilkinson said we haven't had those since we got through that last round. We probably would want to have maybe one or two more as we go through these final comments. We have kicked everything out to Staff citywide. We've received some minimal comment back from our Engineering and Utility Departments. We'll have our comments from Planning, Development, and from the Assistant City Manager. We're waiting for comments back from the City Manager. I know he's at least got through the Parks and Rec chapter of the document. We did receive a cross reference table from the new plan versus the old plan. Staff needs to go through that and finalize their comments and get them out by the end of the week. After that maybe the following week it would be good to have a meeting on what our final comments were for the Planning Commission.

Commissioner Perry said it would be interesting to see what the Land Use Map looks like now too after our meeting about six weeks ago when we spent quite a bit of time discussing that. I don't know if they've made those changes or not.

Mr. Wilkinson said they haven't and I'll have quite a bit of comment with regard to that map and I'm not sure they agree with some of our suggestions on where we should have some commercial nodes and things like that. In conversations with them we've told them that as the consultant and experts if we present comment that they disagree with we'd like to hear their reasons for that and just sort that out. That may be one thing that has to really come before the Planning Commission to sort those issues out. I think they believe we're going to have too much commercial based on our comments, but I think it seems appropriate the way the City of Elko develops, so we'll just work through that.

Chairman Thompson said if they disagree it's still our Master Plan, so I guess we get to make the final decision.

Mr. Wilkinson said we're paying them right We want to rely on their expertise to help guide us there, but not to have any commercial nodes on Errecart just doesn't seem realistic to me. Maybe they can explain in layman's terms why we shouldn't have commercial on Errecart, but having a major boulevard over there and no commercial, we're going to see commercial develop there if the road gets constructed. I think it's appropriate myself.

Commissioner Perry said there was a lot of discussion on the Land Use Map about the protocol they use which used land use right down to boundaries of properties versus the old Master Plan which more or less had swaths, which I think we kind of expressed that we liked swaths particularly in some areas of higher density in between commercial and residential because there was such apposite of it in the former Master Plan and we've seen so much activity in that realm in the last few months. I look forward to seeing the new map.

Chairman Thompson said there's been discussion back and forth between some on the Planning Commission and some on Staff about some of the Zoning Ordinances and I thought it might be a good idea to discuss some of those and maybe pass those emails along to other Planning Commissioners and get their thoughts and views. Next month is going to be busy probably with our consultants in town but February might not be quite as busy and if it's slow like this we could have a discussion regarding some of those zoning issues.

Mr. Wynes said what I'd like to be able to do is get the Master Plan done so we can see what the consultants think would be critical, go through that list, make up a list of things we think are critical and then present them to the Planning Commission for their review which ones they want to put at the top of the order of the list as far as changes to the Zoning Ordinance and other things.

Chairman Thompson said is that part of their purview?

Mr. Wynes said they're probably going to provide us some information on things that we should be including in the Zoning Ordinance and changes, yes. I see some things coming out of that, yes. Once we get that list and get it finalized through the Council then we can bring something back to you to let you prioritize it out to figure out what you think is critical. We have our list and things that we think are critical. You may have something else.

Mr. Wilkinson said I think they may have some general observations, but I don't think their scope was to review all of our Zoning Ordinance in detail. We'll just see how that shakes out. The other thing we have to do as Staff is they have, correct me if I'm wrong, four categories; rural, low, medium and high density. Oh we only have two so they went to three, so what we need to do is look at those densities and how they relate to our current Ordinances because that will really drive some of that. If we adopt this Master Plan and we have some conflicts there we have to address them quickly.

Chairman Thompson said basically we want to table that until after the adoption.

Mr. Wilkinson said that might be best. I think as we go through that Master Plan if we're seeing those types of conflicts the Planning Commission and our City Council needs to be aware of them because there's no guarantee that an Ordinance gets passed or changed. We have to be aware of that and make people aware of it. If the conflict exists then we would need to attempt to do that.

Chairman Thompson said it will take time.

Mr. Wilkinson said correct. I don't see a problem with changing those Ordinances, but if for some reason we had some public comment that was opposed to it the City Council may decide that those changes aren't appropriate. I'm hesitant to have a Master Plan that goes out and requires us to do wholesale changes to our Codes. First of all, that's a huge workload that we don't have enough Staff to accommodate that in a reasonable period of time. We don't have a year to have a Master Plan adopted and have conflicts with our Code so we need to be aware of what we're doing to ourselves as we go through that process.

- E. Elko County Agendas and Minutes.
- F. Planning Commission evaluation. General discussion pertaining to motions, findings, and other items related to meeting procedures.
- G. Staff.

Mr. Wynes said we need all of your ethics report statements in ASAP. I have two of them in front of me. If anybody else turned theirs in, thank you, if not, we need them back.

Commissioner Perry said you mean financial disclosure statements. Ethics reports are different.

Chairman Thompson said there were those in there too wasn't there?

Mr. Wynes said I think they're both in there. I don't know what's in there now. I don't fill one out anymore.

NOTE: The Chairman or Vice Chairman reserves the right to change the order of the agenda and if the agenda is not completed, to recess the meeting and continue on another specified date and time.

IV. ADJOURNMENT

There being no further business, the meeting was adjourned.

Jeff Thompson, Chairperson

Reece Keener, Secretary