

**MINUTES
CITY OF ELKO NEW MARKET
SPECIAL PLANNING COMMISSION MEETING
APRIL 22, 2019
5:00 PM**

1. CALL TO ORDER

Chairman Smith called the meeting of the Elko New Market Planning Commission to order at 5:04 p.m.

Commission members present: Smith, Kruckman, Hanson, and Humphrey.

Members absent and excused: Priebe and Ex-officio member Anderson

Staff Present: Community Development Specialist Christianson

2. PLEDGE OF ALLEGIANCE

Chairman Smith led the Planning Commission in the Pledge of Allegiance.

3. APPROVAL OF AGENDA

A motion was made by Kruckman and seconded by Hanson to approve the agenda as submitted. Motion carried: (4-0).

4. GENERAL BUSINESS

A. Review Grading Permit Application – R & F Properties

Christianson presented information regarding the application for grading permit submitted to the City by R & F Properties (AKA Elko Speedway), allow fill to be placed in a certain area within their property. The area in which they are proposing to fill was formerly known as the motocross track, and is currently designated as an overflow parking area.

Christianson explained that the uses at the site operate by way of Planned Unit Development (PUD) zoning. Elko Speedway, and the uses that occur on the overall property, have continued to change and evolve over the years and the PUD zoning has been amended multiple times. The PUD was completely amended and restated on March 23, 2017. The restated PUD outlines all of the permitted uses on the site and well as approved site plans. It was explained that the subject area is used for overflow parking approximately once each year, typically during the Eve of Destruction event. This could change from year to year depending on the events that are scheduled at the track, however, in recent years the area has been used on average once per year.

Aerial photographs of the subject area and the proposed grading plan were displayed for the Commission to see. It was noted that the area proposed to be filled is surrounded by DNR Protected Wetlands. Christianson explained that the City's Comprehensive Plan depicts a

future extension of Whispering Hills Lane through the subject site that would ultimately connect to France Avenue.

Chairman Smith asked about the proposed elevation of the site in relation to the existing homes in Whispering Hills. Christianson displayed the grading plan, which depicts a proposed elevation of 1141 to 1142 at the proposed high/flat area, and also showed some of the existing elevations at the back of the homes along Oak Street in Whispering Hills, which appeared to range from 1140 to 146.

It was noted that the City Engineer has reviewed the application and has recommended approval via email, and his formal memorandum containing his recommendations is pending.

Commissioner Humphrey questioned what would happen if the applicant did not complete the grading and leveling of the site as requested and approved by the City. Christianson explained that the City would issue a grading permit containing stipulations of approval, and also require a financial security that would allow the City to complete certain items, should there be problems with erosion or nonperformance. Humphrey questioned whether the City could withhold future grading permits if the current permit was not complied with. Christianson noted that she would mention the concern to the City Attorney who would be drafting the grading permit.

Kruckman questioned why the original application contained a request to do the work over a three year time period. She stated that if grading occurred over such a significant length of time it would be a change of land use, from the required overflow parking area to potentially a construction staging or stockpile area. The Commission concurred with staff's recommendation to have all site grading completed in 2019.

Chairman Smith stated that there has been storage of contractor equipment in the subject area, especially during the winter months. He noted that the area is not approved for such use. Smith provided some history regarding the allowance of the offices for Ryan Contracting but not the exterior storage of construction equipment.

Following discussion, it was moved by Smith and seconded by Hanson to recommend approval of the application for grading permit #G1-2019 to the City Council, subject to the following conditions:

- 1) Approval is based on the grading plan containing 1 sheet, prepared by Probe Engineering, dated 4/10/19 and revised 4/16/19.
- 2) Approval is based on the Storm Water Pollution Prevention Plan containing 10 sheets, prepared by Probe Engineering, and dated 4/16/19.
- 3) The applicant shall comply with all recommendations of the City Engineer.
- 4) The applicant shall enter into a Grading Authorization Permit with the City.
- 5) Fill shall be stockpiled until it can be equally spread over the entire overflow parking area; the required overflow parking area must be maintained and usable throughout the summer months.

- 6) All access to the site for purposes of filling and grading shall be via France Avenue through the R & F Properties property. No access to the site shall occur on Whispering Hills Lane.
- 7) Fill shall be leveled and the site shall be fully stabilized by the end of the construction season, 2019.
- 8) The permit shall be granted for a period not to exceed one-year in length.
- 9) The area depicted as “Area 4 – South Lot” on the approved PUD Overflow Parking Exhibit shall be used and designated as overflow parking and not used for the exterior storage of contractor equipment.

And noting the following:

- 1) The City’s Comprehensive Plan depicts a future extension of Whispering Hills Lane, easterly, into the area proposed to be filled to eventually connect with France Avenue / Main Street. Future extension of the roadway will likely require removal or moving of some of the proposed fill at applicant / developer’s expense.

Motion carried: (4-0)

10. ADJOURNMENT

A motion was made to adjourn the meeting at 5:25 p.m. Motion carried: (4-0).

Submitted by:



Renee Christianson
Community Development Specialist