

ZONING MEETING DECEMBER 19, 2007

>> I'LL CALL THE MEETING TO ORDER, GOOD MORNING.

>> GOOD MORNING COMMISSIONERS. THE FIRST ITEM OF THE AGENDA, AFTER CONSIDERING ANY ADDITIONS OR DELETIONS OF ANY ITEMS WE'VE RECEIVED THE FOLLOWING REQUEST.

ITEM NUMBER 11, UC-23-07 HOLD TO THE JANUARY MEETING, AND THE BOARD OF COUNTY COMMISSIONERS MEETING PER STAFF.

ITEM 14, ZC-03-07 HOLD TO THE JANUARY 3rd MEETING AND JANUARY 16th, 2008 BOARD OF COUNTY COMMISSIONERS MEETING RESTAFF TO RENOTIFY.

ITEM NUMBER 15, ZC-106-3007 HOLD TO THE JANUARY 10, 2008 TOWN BOARD MEETING AND JANUARY 16th BOARD OF COUNTY COMMISSIONERS MEETING FOR THE APPLICANT TO ATTEND THE TOWN BOARD.

ITEM 16 ZC-135-07 HOLD TO THE JANUARY 9th BOARD MEETING AND THE JANUARY 16th^BOARD OF COUNTY COMMISSIONERS MEETING, TO ADD A USE PERMIT.

ITEM 17, VS-13-18-07 HOLD TO THE JANUARY 9th TOWN BOARD MEETING AND JANUARY 16th BOARD OF COUNTY COMMISSIONERS MEETING TO ZC-52-307.

ITEM 22, HOLD TO THE JANUARY 10th, 2008 BOARD MEETING AND THE JANUARY 16th BOARD OF COUNTY COMMISSIONERS MEET PORTION THE APPLICANT.

ITEM 25, ZC-1366-07, HOLD THE JANUARY 8th, 2008 SPRING VALLEY TOWN BOARD MEETING TAN JANUARY 16th, 2008 BOARD OF COUNTY COMMISSIONERS MEETING FOR THE APPLICANT TO ATTEND THE TOWN BOARD.

ITEM NUMBER 28, UC-114-07 HOLD TO THE JANUARY 16th BOARD OF COUNTY COMMISSIONERS MEETING PER THE APPLICANT.

ITEM 30, WS-124-07 WITHDRAW WITHOUT PREJUDICE PER THE APPLICANT.

ITEM 32. WS-03-07, HOLD TO THE JANUARY 8 ON BOARD MEETING AND BOARD OF COUNTY COMMISSIONERS MEETING PER THE APPLICANT.

THESE PUBLIC HEARING ITEMS WILL BE OPEN AS A PUBLIC HEARING AND IMMEDIATELY RECESSED UNTIL THE DATES STATED.

ITEMS 11, 14, 15, 16, 17, 22, 25, 28, 30 AND 32 AND IF THERE'S NO OBJECTION FROM THE AUDIENCE THE MORNING AGENDA LOOKING FOR YOUR APPROVAL.

>> ANY DISCUSSION ON THE AGENDA.

>> YES.

>> COMMISSIONER WEEKLY.

>> IS THE ITEM FOR MILLIMETER 20 PRESENT? I WOULD LIKE TO ASK A COUPLE QUESTIONS AND MAKE A STATEMENT ON RECORD PLEASE.

>> ALL RIGHT.

>> CAN I GO THAT NOW OR DO I WAIT.

>> WHY DON'T WE APPROVE THE AGENDA AND WE'LL DO THAT WHEN WE TALK ABOUT THE ROUTINE ACTION.

>> THANK YOU, SIR.

>> YOU DON'T WANT TO IT, YOU WANT TO DISCUSS IT.

>> I'M ACTUALLY GOING TO ALLOW THAT HOLD OVER TO HAPPEN BUT I NEED TO MAKE A STATEMENT ABOUT THAT HOLDOVER, PLEASE.

>> LET'S DO THAT NOW. IF THE APPLICANT WILL STEP FORWARD.

>> THANK YOU MR. CHAIRMAN. GOOD MORNING SIR, I JUST WANTED TO JUST KIND OF PUT ON RECORD ONCE AGAIN BUS 4 WILL BE THIRD HOLDOVER FROM THE APPLICANT AND I UNDERSTAND THAT THE APPLICANT MISSED THE LAST BOARD MEETING DUE TO THE FAMILY EMERGENCY, WOULD THAT BE CORRECT?

>> YES, SIR.

>> WHAT I WANT TO SAY AND PUT ON THE RECORD HERE TODAY IS I'LL SUPPORT THE HOLDOVER, AND I WILL ASK THAT YOU ALL DO EVERYTHING POSSIBLE THAT YOU CAN TO MAKE IT TO THE TOWN BOARD BECAUSE WHAT I WAS GOING TO ASK MR. MENDOZA WAS TO ACTUALLY WITHDRAW THIS APPLICATION AND FIND OUT WHAT YOU GUYS ARE TRULY TRYING TO DO IN THE THIS NEIGHBOURHOOD.

PLEASE HAVE YOUR APPLICANT RYE TO MAKE THE TOWN BOARD MEETING SO THE RESIDENTS HERE CAN HAVE AN OPPORTUNITY TO HEAR WHAT YOUR VISIONS AND PLANS ARE FOR YOUR PROPERTY.

THAT'S NOT GOING TO HAPPEN OR YOU DON'T SHOW UP, WHATEVER REASON, WHEN IT COMES BACK TO THE COMMISSION MEETING I'M GOING TO DENY IT WITH PREJUDICE. OKAY? AND THAT'S GOING TO BE THE FINAL DRAW.

>> OKAY.

>> I'M IN A GOOD HOLIDAY SPIRIT TODAY, SO HAPPY HOLIDAYS TO MR. MENDOZA AND TELL HIM PLEASE MAKE IT HAPPEN FOR '08.

>> WE SEE YOU NODS BUT CAN YOU STATE YOUR NAME AND SAY SOMETHING AUDIBLE.

>> YEAH, MY NAME IS AL LASCO AND I'M REPRESENTING MR. MENDOZA.

>> AND YOU HEARD THE COMMISSIONER.

>> YES, SIR.

>> THANK YOU MR. CHAIRMAN.

>> ANY OTHER DISCUSSION ON THE AGENDA. COMMISSIONER GIUNCHIGLIANI.

>> ITEM 1 NEEDS TO BE OFF TO CLARIFY.

>> WE'RE NOT THERE YET, WE'LL GET THERE. ALL RIGHT. IF THERE'S NO OTHER DISCUSSION ON THE AGENDA WE NEED A MOTION TO APPROVE IT. A MOTION TO APPROVE THE AGENDA, CAST YOUR VOTE.

>> MOTION CARRIES.

>> NEXT ON THE AGENDA IS APPROVAL OF THE MINUTES AND THERE ARE NO MINUTES TO APPROVE. NEXT IS ROUTINE ACTION ITEM WAS CONSIST OF ITEMS 3 THROUGH EXCEPT FOR ANY ITEMS THAT HAVE BEEN HELD OR DELETED. THESE MAY BE CONSIDERED TOGETHER IN ONE MOTION AND ARE SUBJECT TO THE CONDITIONS LISTED WITH EACH AGENDA ITEM. WE HAVE THE FOLLOWING AMENDMENTS.

ITEM 10, TM-06-07, ENGINEERING CONDITION TO READ COMPLIANCE WITH ZC 1070-07, AND ZC-^0327-05.

ITEM 1, AMEND CURRENT PLANNING THIRD CONDITION TO REMOVE THE WORLD "ALWAYS." DELETE CONDITION AND REPLACE WITH CONSTRUCTION OF THE BRIDGE AUTHORIZED BY REVOCABLE LICENSE AND AGREEMENT ENTERED INTO BETWEEN THE COUNTY AND LAS VEGAS SANDS LLC.

ITEM 18 ZC-4-07, CIVIL ENGINEERING TO READ DEMONSTRATE DUST-FREE LEGAL ACCESS AND TO LEAD CIVIL ENGINEERING SECOND CONDITION.

ITEM NUMBER 19, ZC-1355-07, AMEND CIVIL ENGINEERING FIRST CONDITION TO READ DEMONSTRATE DUST-FREE LEGAL ACCESS AND DELETE CIVIL ENGINEERING SECOND CONDITION.

FOR THE COMMISSIONERS INFORMATION, ITEM THREE.

HAS RECEIVED ONE CARD IN PROTEST. ITEM NUMBER 12, WS-1258-07, STAFF HAS RECEIVED FIVE CARDS IN SUPPORT AND SIX MANY PROTEST.

ITEM 13, WS.

1344-07, THAT READS PINE TREES ON BEST SIDE OF THE PLOT.

STAFF HAS RECEIVED TWO CARDS SUPPORT AND TWO CARDS IN PROTEST.

THERE WERE ALSO TWO SPEAKERS IN SUPPORT AND TO SPEAKERS IN PROTEST AT TOWN BOARD MEETING.

ITEM NUMBER 19, ZC-155-0, ONE CARD IN SUPPORT AND TWO IN PROTEST.

ITEM 20, HAS RECEIVED ONE CARD IN SUPPORT AND ONE CARD IN PROTEST.

ANY PERSON WHO DOES NOT AGREE WITH THE RECOMMENDED BY STAFF AS LISTED ON THE AGENDA SHALL REQUEST THE ITEM BE REMOVED FROM THIS PORTION OF THE AGENDA AND BE HEARD SEPARATELY WHEN THE PUBLIC HEARING HAS BEEN OPENED.

WITH THESE AMENDMENTS AND NO OBJECTION FROM THE AUDIENCE THIS PORTION OF THE MORNING AGENDA STANDS READY FOR YOUR APPROVAL.

>> ANY DISCUSSION ON ROUTINE ACTION ITEMS?

>> GOOD MORNING, WE WOULD LIKE TO HEAR NUMBER 13 SEPARATELY.

>> YES, MA'AM.

>> OTHER DISCUSSION? TO REQUEST TO HEAR ITEM 12 SEPARATELY AS WELL? ANY OTHERS? OKAY FOR PURPOSES OF DISCLOSURE, I NEED TO STATE THAT ON ITEM NUMBER FIVE, NO THAT WASN'T HELD, WAS IT? NO IT WASN'T, MY FIRM DOES UNRELATED WORK FOR AN AFTER PILL YATE OF THE APPLICANT, SO I ASSUME I CAN VOTE, COUNSEL.

>> YES.

>> COMMISSIONER MAXFIELD.

>> YES MR. CHAIRMAN I NEED TO DISCLOSE ITEM 20, I HAVE AN ONGOING RELATIONSHIP WITH ONE OF THE APPLICANTS. IN A BUSINESS SENSE. [LAUGHTER] CLARIFY THAT. KATHY, YOU'RE THE ONLY ONE.

>> WE ALL KNOW WHAT THE HEADLINE IS GOING TO BE TOMORROW. [LAUGHTER] ANYTHING ELSE? HOW ABOUT A MOTION?

>> MOVE FOR APPROVAL. NON-ROUTINE OR ROUTINE. HOLDING ITEMS 12. AND 13.

>> SEPARATELY. OKAY. CAST YOUR VOTE ON THE MOTION. MOTION CARRIES.

>> FOR THE AUDIENCE'S INFORMATION MINUTE WHO WISHES TO SPEAK ON AN ITEM THIS MORNING SHOULD MOVE TO THE FIRST COUPLE ROWS AND BE PREPARED TO SPEAK AS EACH ITEM IS HEARD. THERE ARE SEVERAL SPEAKERS ON ONE ITEM, IT WAS RECOMMENDED ONE SPEAKER SPEAK ON THE ISSUES. AMENDED HOLDOVER WAIVER OF DEVELOPMENT STANDARDS TO REDUCE ON SITE PARKING REQUIREMENTS PREVIOUSLY NOT NOTIFIED. MOVED TO MODIFICATION TO A CONVENTION FACILITY ON 18.9 ACRES IN THE OVERLAY DISTRICT. GENERALLY LOCATED ON THE SOUTH SIDE OF SAMS AVENUE, EAST OF COBALT LANE. DESCRIBED MANY YOUR AGENDA. CONVENTION CENTERS IN CLARK COUNTY ARE APPROVED MANY CONJUNCTION WITH RESORT HOTELS THAT HAVE POKING UP TO 30%. THEREFORE THE RESULTING PARKS FOR THE CONVENTION CENTER IS LESS THAN REQUIRED ONE SPACE PER 1,000 SQUARE FEET. HOWEVER MANY OF THE LARGE RESORT HOTELS SUCH AS M.G.M. GRAND, MANDALAY BAY OPERATE WITH THE REICHD PARKING PER CODE. THIS CONVENTION CENTER IS NOT LOCATED ON THE SAME PARCEL AS THE HAVE A KNEE SHEN AND THEREFORE IS CONSIDERED A FREE STANDING DEVELOPMENT WHICH REQUIRES TWO PARKING SPACES PER 1,000 SQUARE FEET. HOWEVER THE APPLICANT PROVIDED A TRAFFIC ANALYSIS THAT ADEQUATELY JUSTIFIES THE REDUCTION AND CONSTRUCTING A CLIMATE-CONTROLLED PUBLIC PEDESTRIAN BRIDGE THAT WILL REDUCE VEHICULAR TRAFFIC TO THE SITE. STAFF RECOMMENDS APPROVAL WITH THE CONDITIONS LISTED IN

THE AGENDA WITH TWO CHANGES TO THE CONDITIONS ON CONDITION NUMBER THREE, REMOVE THE WORD "ALWAYS" SO THE CONDITION READS PARKING FOR THE CONVENTION CENTER SHALL WILL CONSIDERED SEPARATE FROM THE VENETIAN. PLANNING FOUR SHOULD BE DELETED AND REPLACED WITH CONSTRUCTION OF THE PEDESTRIAN BRIDGE AUTHORIZED BY THE REVOCABLE LICENSE AND MAINTENANCE AGREEMENT ENTERED INTO BETWEEN COUNTY AND LAS VEGAS SANDS LLC. THE PARADISE TOWN BOARD RECOMMENDS APPROVAL. WE'VE RECEIVED NINE CARDS IN SUPPORT AND SIX IN PROTEST.

>> GOOD MORNING, MR. CHAIRMAN AND MEMBERS OF THE COMMISSIONED FOR, MY NAME IS RICHARD BRIAN OF THE LAW FIRM OF SAWYER AND COLLINS. LAS VEGAS, NEVADA. ON BEHALF OF THE APPLICANT I'M HERE AT THE PODIUM WITH MR. GREG BORGEL OUR PLANNING CONSULTANT. COMMISSIONER, THE ISSUE BEFORE THE COMMISSION THIS MORNING IS A VERY NARROW AND SIMPLE ONE. THAT IS WHETHER ONE PARK SPACE PER 1,000 SQUARE FOOT PROVIDES SUFFICIENT PARKING FOR THE PROPOSED NEW CONVENTION BUILDING THAT WOULD LIKE THE TO BUILD. YOUR STAFF HAS CONSIDERED ALL BACKGROUND INFORMATION AND CONCURS, AND WE RECEIVE THE AMENDED CONDITIONS WHICH THE STAFF HAS PROPOSED WITH RESPECT THIS APPLICATION. I THINK IT MIGHT BE HELPFUL TO PROVIDE VERY BRIEFLY A BIT OF BACKGROUND. THIS ITEM FIRST APPEARED ON YOUR AGENDA ON NOVEMBER 20th AS A DESIGN REVIEW ON THE CONSENT CALENDAR. ALSO WITH THE STAFF RECOMMENDATION AT ONE PARKING PACE PER 1,000-SQUARE FOOT WAS SUFFICIENT. SHORTLY BEFORE THAT MEETING MR. BICE WROTE A LETTER TO MR. WAHOLA AND RAISED LEGAL ISSUES, ISSUES WHICH WE RESPECTFULLY DISAGREE WITH AND MR. BORGEL WILL ADDRESS BRIEFLY. BUT THE FACT THAT DID NOT BELIEVE THIS WAS A CONVENTION FACILITY IN CONJUNCTION WITH A RESORT HOLD PROPERTY. WE DISAGREE WITH THAT, BUT OBVIOUSLY WE'RE NOT HERE TO DEBATE AT LENGTH OF THAT LEGAL ISSUE. SO, MANY EFFECT THAT FORCED WE TOLD YOU AT YOUR MEETING ON DECEMBER 5th TO COME BACK AND FILE THIS IN THE FORM OF A WAIVER FOR A 50% RECONSTRUCTION BUT BOTH THE ORIGINAL ON THE DESIGN REVIEW AND THE WAIVER REACHED THE SAME CONCLUSION AND CONCURRED THAT ONE PARKING SPACE PER 1,000 SQUARE FEET WAS SUFFICIENT PARKING. I'M MIGHT JUST NOTE THAT NO PRIVATE CONVENTION FACILITY IN THE VALLEY, NONE, HAS MORE THAN ONE PARKING SPACE PER 1,000 SQUARE FEET, AND INDEED SEVERAL HAVE LESS. ONLY OTHER CONVENTION FACILITY, THE LAS VEGAS VISITORS AUTHORITY PARKING SPACE IS ONE PARKING SPACE PER 1.1 PER 1,000 SQUARE FEET. SO THAT NONE WOULD HAVE MORE THAN WHAT WE ARE ASKING FOR AND SOME WOULD HAVE LESS. SO WE APPROACH THIS, MEMBERS OF THE COMMISSION, AS A MATTER OF FAIRNESS AND TO BE TREATED EQUALLY WITH OTHER CONVENTION FACILITIES THAT ARE BEING BUILT BY HOTEL PROPERTIES. I THINK NONE OF US MANY THIS ROOM, MANY OF YOU WHO ARE MEMBERS OF THE COMMISSION, ARE MINDFUL THAT THERE'S A HISTORY HERE THAT HAS OPPOSED SEVERAL OF THE APPLICATIONS OVER LAST THREE OR FOUR YEARS. I DON'T THINK THAT IT IS HEALTHY TO AND PRODUCTIVE USE OF YOUR TIME TO BELABOUR THE PAST AND SO I CHOOSE NOT TO DO SO.

HOWEVER I WOULD REQUEST THE RIGHT INTENDS TO OPEN THAT ISSUE UP TO BE ABLE TO RESPOND TO ANY COMMENTS HE MAY HAVE TO MAKE WITH RESPECT TO THAT. NOW I WOULD LIKE TO REFER TO MR. BORGEL MANY MORE DETAIL THE NATURE OF THE APPLICATION.

>> GREG BORGEL. JUST ON ADDITIONAL BACKGROUND ON HOW WE GOT HERE, WHEN THE VENETIAN FIRST DECIDED THE PROPERTY WAS APPROPRIATE TO DEVELOP AS AN ADDITION TO THEIR CONVENTION FACILITIES WE APPROACHED STAFF. STAFF SAID THAT ABSENT ANY CONNECTION BETWEEN THIS PROPERTY AND THE EXISTING FACILITY, THAT IT WAS A FREE-STANDING FACILITY AND IT WOULD TRIGGER THE TWO PER THOUSAND PARKING RATIO INVOLVED AND WOULD NOT ALLOW US TO PROCEED WITH AN APPLICATION UNLESS WE COULD SHOW HOW WE COULD PROVIDE TWO PER THOUSAND IF THAT WERE REQUIRED. AND THAT APPLICATION WAS PROCESSED AND APPROVED. SUBSEQUENTLY AN AGREEMENT WAS REACHED TO CONNECT THE TWO PROPERTIES TO THE BRIDGE AT THE LAS VEGAS CONVENTION AND VISITORS AUTHORITY THAT CONNECTS MUCH OF THEIR PARKING TO THEIR MAIN PROPERTY. STAFF CONCURRED THAT BROUGHT THIS FACILITY INTO THE RULE OF ONE PER THOUSAND BY VIRTUE OF CONTRIBUTED TO YOU. HERE'S WHAT WE RELIED ON AND WHAT STAFF AGREED TO. THAT THE TWO PER THOUSAND RULE FOR PARKING APPLIES TO CONVENTION FACILITIES QUOTE, NOT IN CONJUNCTION WITH THE RESORT HOTEL, AND AGAIN STAFF HELD IT WAS NOT IN CONJUNCTION. THE BRIDGE AGREEMENT WAS PROCESSED AND APPROVED. THERE'S A CONDITION TO REQUIRE IT. STAFFING AGREED AT THAT TIME THAT MEANT IT WAS IN CONJUNCTION WITH THE RESORT HOLD. IN CONJUNCTION A DEFINED TERM IN LAW AND MEANS IN ASSOCIATION WITH. IT DOESN'T MEAN ADJACENT TO, IT DOESN'T MEAN ON THE SAME PARCEL. IT DOESN'T MEAN IT'S AN ACCESSORY USE. IT MEANS IT'S ASSOCIATED WITH. I DON'T THINK ANYONE WOULD DISPUTE, PARTICULARLY WITH THE CONNECTION THAT THE VENETIAN HAS AGREED TO DO THAT THIS DEVELOPMENT IS IN ASSOCIATION IN CONJUNCTION WITH THE PALAZZO AND THE VENETIAN. WE THOUGHT THE APPROPRIATE RATIO WAS NOT TWO PER THOUSAND NOTWITHSTANDING AND RECOGNIZING BOARD DOESN'T PARTICULARLY LIKE SYMANTEC AND TECHNICAL ARGUMENTS WE COULD REFILE AS A WAIVER. THE IT IS BEFORE YOU AS A WAIVER BUT IT HAS ALL PARKS IT EVER HAD AND HAS A CONNECTION BETWEEN THE TWO PROPERTIES. AND YOUR STAFF HAS AGAIN RECOMMENDED APPROVAL. WITH THAT I'M INCLINED TO SAY WE'VE ALREADY MADE OUR CASE AND TAKE ANY QUESTIONS, UNLESS THE SENATOR WISHES TO ADD.

>> THIS IS A PUBLIC HEARING, IS THERE ANYONE ELSE HERE SPEAK ON THIS ITEM?

>> GOOD MORNING COMMISSIONERS. TODD BICE. REPRESENTING WYNN LAS VEGAS. I'LL USE THIS MIKE INSTEAD. YOU ALL KNOW THE HISTORY OF THIS AND YOU HAVE A BUSY DAY SO I'M NOT GOING TO BELABOUR THE POINT. HA MAY HAVE TO BE ADDRESSED BY A DISTRICT COURT JUDGE. BUT JUST BRIEFLY FOR PURPOSES OF WHAT HAS TRANSPIRED, THIS IS A PROPOSAL TO ACTUALLY MOD PIE WHAT WAS PREVIOUSLY APPROVED. WHEN

THE SAND WAS HERE, THE LAST TIME SEEKING TO HAVE THIS CONVENTION CENTER CONSTRUCTED. THEY HAD TOLD THE COMMISSION, THEY HAD TOLD US AND TOLD EVERYONE ELSE THAT THEY WERE GOING TO HAVE 3,310 PARKING SPACES ON THIS. THAT'S WHAT THEY TOLD ALL OF US. THERE WAS NO CLAIM BY ANYONE, THAT BY THE WAY THIS WAS ONLY BEING PROPOSED FOR PLANNING PURPOSES. WE DON'T INTEND TO BUILD THIS PARKING. THAT WAS NEVER DISCLOSED TO US, AND CERTAINLY ON MY DISCUSSIONS WITH THE OWNER'S OFFICE, IT WAS NEVER DISCLOSED TO THEM. BUT, WE'RE NOT HEARING I GUESS THAT THE PLAN OR REAL INTENTION ALONG WAS TO SUBMIT THAT APPLICATION, GET IT APPROVED WITH THE PARKING THAT WAS NEVER REALLY GOING TO BE BUILT. YOU KNOW, THE ANSWER TO THAT, IS IF YOU SPEAK, THE LAW REQUIRES YOU TO SPEAK COMPLETELY. THE LAW DOESN'T REQUIRE PEOPLE TO NOT TO SPEAK AFFIRMATIVELY IF THEY HAVE NO OBLIGATION TO SPEAK. BUT WHEN YOU SPEAK YOU HAVE TO TELL WHAT YOU'RE PROPOSING TO DO AND NOW WHAT WE'RE HEARING IS THAT THEY SUBMITTED PLANS CLEAR BACK MONTHS AGO THAT REPRESENTED 3,310 PARKING SPACES AND THE INTENT AT THAT TIME WAS NOT TO BUILD THEM. WHAT HAPPENED AFTER THAT OF COURSE AS YOU ALL KNOW AND WE'VE GONE OVER THIS IS THEY NEEDED OUR COOPERATION AND THEY NEEDED THE COUNTY'S COOPERATION BECAUSE CONTRARY TO WHAT YOU JUST HEARD THE BRIDGE WAS A CONDITION ON THAT FIRST APPLICATION. THAT WAS A CONDITION IN THE APPLICATION FOR THE PARKING THAT WAS GOING TO BE 3,310 SPACES FOR THIS FACILITY. SO THE NOTION THAT THE BRIDGE WASN'T THERE, AND THE BRIDGE WASN'T A CONDITION AND SO THAT'S WHY WE DIDN'T DISCLOSE THE TRUE LEVEL OF INTENDED PARKING, WITH ALL THE RESPECT, CANNOT BE TRUE BECAUSE THAT WAS A CONDITION AT THAT POINT IN TIME. SO WHAT HAPPENED WAS THEY NEEDED TO GET OUR COOPERATION AND THE COUNTY'S COOPERATION OVER CERTAIN EASEMENTS OVER THE BRIDGE BECAUSE IT WAS THEIR TRAFFIC STUDY THAT SAID A BRIDGE IS REQUIRED IF YOU'RE GOING TO PUT THIS MUCH SPACE ON THIS MUCH PROPERTY. SO IT WIND STAFF OR ANYONE ELSE THAT WAS IMPOSING THE BRIDGE OBLIGATION, IT WAS THEIR OWN ENGINEERS THAT SAID IT HAD TO BE DONE. AND MANY OF YOU WILL REMEMBER, SOME OF YOU WEREN'T ON THE BOARD AT THAT POINT IN TIME. THE SANDS REPRESENTATIVES WERE TELLING EVERYONE LOOK, WE'RE ACTUALLY GOING TO HAVE MORE PARKING THAN WE'RE REQUIRED TO HAVE FOR THIS FACILITY. AND THAT OBVIOUSLY WAS DONE BECAUSE OF THE HISTORY THAT WE DON'T NEED TO GO INTO THAT ALL OF YOU KNOW ABOUT, ABOUT THEIR NOT HAVING ADEQUATE PARKING UNDER THE CODE FOR MANY, MANY YEARS. THIS WASN'T AN OVERSIGHT THAT THE PLAN WAS TO REDUCE THE PARKING ALL ALONG. IT JUST WASN'T DISCLOSED TO US AND WASN'T DISCLOSED TO THE D.A.'S OFFICE AND WASN'T DISCLOSED TO ANY OF YOU. WHAT HAPPENED INSTEAD IS THOSE PLANS WENT FORWARD TO GET US TO SIGN AN EASEMENT AGREEMENT. WHICH WE HAD TO SIGN. BECAUSE THIS BRIDGE HAS WHAT THEY NEED BY THEIR OWN TRAFFIC ENGINEERS ANALYSIS HAS TO CUT THROUGH OUR BRIDGE. THAT'S WHAT HAS TO HAPPEN. AND THE COUNTY HAD TO GIVE AN EASEMENT BECAUSE IT'S OUT INTO THE PUBLIC RIGHT OF WAY. IN FACT IT'S A PUBLIC BRIDGE.

SO, THE SHORT OF THE STORY IS WE NEGOTIATE THAT EASEMENT BECAUSE THEY TELL US WE'RE GOING TO BUILD THIS CONVENTION, NOT THAT ONE HERE, HEY TOLD US THEY WERE GOING TO BUILD A DIFFERENT CONVENTION CENTER HA THEY ALWAYS PLANNED ON HAVING. AND THIS IS WHAT THEY ACTUALLY HAD SUBMITTED. THIS IS WHAT THEY GOT APPROVED WITH THE PARKING OF 3,3150 SPACES. WE ALL SIGNED THE EASEMENT AGREEMENTS. EVERYTHING GOES FORWARD. WHEN WE GET THIS APPLICATION TO SAY WE WANT TO BUILD A MUCH LARGER FACILITY, I THINK IT'S 258,000 FEET SOMETHING LIKE THAT. AND WE WANT TO SLASH THE PARKING IN HALF. TOO BAD WYNN, WE DIDN'T TELL YOU ABOUT THIS, BUT THIS WAS OUR PLAN ALL ALONG. AND TOO BAD COMMISSIONERS WE DIDN'T TELL YOU THAT, BUT THAT WAS OUR PLAN ALL ALONG, SO WE HAVE BEEN TOLD. SO THE SHORT OF THE STORY IS, THIS ISN'T WHAT I SAID BEFORE, THIS ISN'T THE FORUM TO DECIDE WHETHER THE EASEMENTS ARE VALID IN LIGHT OF WHAT WE MAINTAIN WERE MISREPRESENTATIONS TO US AND COIN THAT, WILL HAVE TO BE IF WYNN SO DECIDES TO BE DECIDED BY A COURT. BUT THAT BRINGS US THEN TO THIS NEXT ISSUE ABOUT, WELL THE JUSTIFICATION FOR THIS REDUCTION OF 50% IS BECAUSE AS THEIR TRAFFIC ENGINEER SAYS, THIS IS REALLY EVEN THOUGH IT TECHNICALLY DOESN'T MEET THE CODE TO BE DEEMED IN CONJUNCTION WITH, CONTRARY TO WHAT MR. BORGEL ARGUES. IT SHOULD BE TREATED THERE BECAUSE OF THE BRIDGE. IT'S APPROPRIATE TO HAVE A ONE PER THOUSAND SQUARE FEET BECAUSE IT REALLY IS PART OF THE QUOTE, CAMPUS. THAT'S THE WORD THEY USE. THE CAMPUS. NOW I'M CONCERNED ABOUT A NEW CONDITION THAT WAS JUST RACED BECAUSE WE'RE UNCLEAR ON WHAT THAT MEANS. THERE WAS A CONDITION THAT I ASKED 16 TO EXPLAIN TO ME. THE NEW CONDITION PROPOSED WAS PARKING FOR THIS NEW CONVENTION CENTER WOULD NOT BE COUNTED AS PARKING FOR VENETIAN, IT HAS TO BE COUNTED AS SEPARATE.

>> YEAH THIS, FACILITY WOULD BE TREATED AS A STAND ALONE FACILITY.

>> IT WILL BE TREATED AS A STAND ALONE FACILITY. WELL, COMMISSIONERS THE PROBLEM WITH THAT IS THAT THE WHOLE JUSTIFICATION FOR THE PARKING AND REDUCTION OF 50% IS IT'S NOT A STAND ALONE FACILITY. SO HOW ARE WE ALL GOING TO HAVE A CONDITION THAT SAYS THIS THE PARKING IS TREATED AS THOUGH IT IS A STAND ALONE FACILITY. WHAT THAT PERMITS THEN IS IF THE BRIDGE ISN'T DEVELOPED, HEN THEY ONLY HAVE TO HAVE ONE PER THOUSAND NOTWITHSTANDING THE BRIDGE. THE WHOLE JUSTIFICATION FOR HAVING THIS DRASTIC PARKING REDUCTION IS IT'S NOT IN REALITY A STAND ALONE FACILITY. SO WE'RE VERY CONCERNED ABOUT THAT NEW CONDITION THAT WE'RE HEARING FOR THE FIRST TIME THIS MORNING BECAUSE THAT DOES NOT CONFORM TO THE WHOLE JUSTIFICATION FOR HAVING THIS THING. BUT MORE FUNDAMENTALLY LET ME CUT WEIGHT TO THE POINT. IT IS PART OF THIS FACILITY HA THAT'S WHAT THEY'RE SAYING, HEN THE CONDITIONS ON THE SANDS APPROVAL WERE AND ARE STILL TO THIS DAY AND HAVE NEVER BEEN WAIVED, A MINUTE MULL OF 70% OF CODE REQUIRED PARKING. SO THIS IS GOING TO BE TREATED AS PART OF THE

OVERALL CAMPUS, WHICH IS NOW THE JUSTIFICATION FOR IT, HEN THEY HAVE TO HAVE 70% OF ALL CODE REQUIRED PARKING. THERE'S BEEN NO WAIVER OF CONDITIONS. THERE'S BEEN NO APPLICATION FOR WAIVER OF EXISTING CONDITIONS. IT CAN'T BE REDUCED BY 50% BECAUSE THAT WAS THE DEAL THAT WE ALL STRUCK AT THAT POINT IN TIME. THAT IT WOULD BE A MINIMUM OF 70% TOTAL PARKING. THAT IS SOMETHING I DO THINK IS PROPERLY ADDRESSED TO THIS COMMISSION BASE. THAT WAS A CONDITION THAT YOU ALL IMPOSED ON THEM ONLY. AND LASTLY, I WOULD SAY ON THE ISSUE ABOUT THE BRIDGE, THE CONCERN WE HAVE ABOUT BRIDGE IS MUCH, AND THIS APPLICATION I THINK SORT OF CONFIRMS IT. HOW DO WE NOT KNOW THAT THE BRIDGE PROPOSAL ISN'T JUST A PLACE HOLDER LIKE THIS ORIGINAL PARKING WAS. OF 3,310 SPACES. BRIDGE IF IT'S NOT BUILT WILL CAUSE HUGE TRAFFIC PROBLEMS FOR US. AND ALL WE'RE ASKING YOU TO DO WITH VIS-A-VIS THE BRIDGE ISSUE IS, THEY SHOULD HAVE TO SUBMIT ENGINEERED DRAWINGS THAT BRIDGE IS FEASIBLE AND DOABLE BEFORE THEY'RE ALLOWED TO PULL A BUILDING PERMIT FOR THE CONVENTION CENTER BECAUSE WHAT WE'RE CONCERNED WITH HAPPENING IS AND SOME OF THE COMMISSIONERS WILL REMEMBER THIS, THEY ORIGINALLY SAID THEY WERE GOING TO BUILD SIX LEVELS OF PARKING AND OUR ENGINEERS LOOKED AT THAT AND SAID THAT'S NEVER GOING TO HAPPEN. TRUST US BUT THEY KEPT TELLING YOU, IT'S GOING TO HAPPEN SO GIVE US THE APPROVAL AND YOU DID. IT WASN'T 90 DAYS LATER WHEN THEY WERE BACK IN FRONT OF YOU SAYING WE NEED TO MODIFY THAT BECAUSE WE CAN'T BUILD IT. AND WHAT I DON'T WANT TO HAVE HAPPEN IS YOU GIVE THEM AN APPROVAL FOR THIS, THEY THEN THEY SAY WE'VE ALREADY TORNADO STEEL AND DUG THE HOLE AND OUR ENGINEERS SAY WE CAN'T BUILD THE BRIDGE BECAUSE THIS BRIDGE IS VERY UNIQUE, IT HAS TO GO UNDERNEATH THE MONORAIL. SO THIS NOTION THAT IF THE BRIDGE DOESN'T BECOME A REALITY THEY CAN COME BACK AND SAY WE WANT TO WAIVE THAT CONDITION BECAUSE IT'S A HARDSHIP. WE'VE ALREADY ALL THE MONEY, THAT SHOULDN'T BE ACCEPTED AND THE EASIEST WAY FOR THE COUNTY TO PROTECT ITSELF FROM THIS IS TO SAY BEFORE YOU CAN PULL A BUILDING PERMIT, YOU'VE GOT TO GIVE STAFF ENGINEER DRAWINGS THAT THIS BRIDGE IS DOABLE BECAUSE OUR ENGINEERS AT WYNN LOOKED AT IT AND SCRATCHED THEIR HEAD AND EXPRESSED CONCERN THAT IT IS DOABLE. MUCH LIKE THE SIX-LEVEL GARAGE WAS DOABLE. AND I AGREE, WE'RE NOT GOING TO BELABOUR THE POINTS. SENATOR BRIAN EVEN CAME HERE AND APOLOGIZED TO THE COMMISSION OVER ALL THE TRANSGRESSIONS THAT THE SAND HAS HAD REGARDING PRIOR PERMITS AND FAILURE TO PROPERLY COME OR PROVIDE THE PARKING THAT THEY REPRESENTED WOULD HAVE BEEN IN AND THERE ISN'T ANY NEED FOR US GO INTO THAT TODAY. SO WITH THAT UNLESS YOU HAVE QUESTIONS FOR ME, WHAT WE WOULD ASK OBVIOUSLY IS NUMBER ONE, THEY SHOULD BE ASKED TO LIVE WITH WHAT THEY RECOMMENDED TO US, WHICH IS 3,310 PARKING SPACE STATIONS. IF YOU DIDN'T INTEND TO BUILD THAT, YOU SHOULD HAVE TOLD US ALL THAT AT THE TIME. JUST SAID. IT WOULD HAVE BEEN SO SIMPLE TO SAY. WE'VE APPLIED FOR THIS, WE CONTINUE BELIEVE IT IS REQUIRED BUT WE NEED TO SO THAT THE STAFF WILL PROCESS OUR PERMIT. IT WOULD HAVE BEEN SO EASY TO HAVE JUST TOLD

THE WHOLE TRUTH. BUT, YOU WEREN'T TOLD THAT. YOU WERE TOLD 3,310. WE WERE TOLD 3,310 AND THAT WAS PROCESSED ALL ALONG AS THOUGH IT WAS A REALITY WHEN THEY NOW SAY IT WAS NEVER A REALITY IT WAS ALWAYS A FICTION. THEY SHOULD BE ASKED TO JUST LIVE WITH WHAT THEY REPRESENTED TO YOU. BUT WE HAVE ACKNOWLEDGED AND I TOLD MANY OF YOU THIS, WE MADE A DEAL ON 70% OF CODE REQUIRED PARKING. NOTWITHSTANDING THE REPRESENTATION, WE'RE WILLING TO LIVE WITH THAT DEAL. THE REDUCTION THAT THEY SHOULD BE PERMITTED IS 70% OF PARKING BECAUSE THEY ARE CLAIMING IT AS PART OF THE OVERALL CAMPUS IN ORDER TO REDUCE IT AND WITH THAT COMMISSIONERS, IF THE COUNTY IS NOT GOING TO MAKE THEM LIVE UP TO THOSE CONDITIONS, HEN THE COUNTY YOU KNOW, IN FAIRNESS TO OTHER PROPERTY OWNERS IN THE AREA, SHOULDN'T ASK US TO DO DEALS. IF THE COUNTY THEN ISN'T GOING TO MAKE THE OTHER PARTY LIVE UP TO THEIR PART OF THE DEAL. WITH THAT THANK YOU VERY MUCH UNLESS YOU HAVE QUESTIONS FOR ME.

>> IS THERE ANYONE ELSE HERE TO SPEAK ON 4. TURN IT BACK TO THE RESPONDER.

>> FIRST ON THE ISSUE OF HOW WE GOT HERE, I ALREADY PRESENTED THAT TO YOU, BUT IN THE COURSE OF THAT I CERTAINLY DID REVEAL TO STAFF, WE HAD AN EXTENDED DISCUSSION WITH STAFF MEMBERS HERE NOW, WHAT WE WOULD HAVE TO DO FOR THE FACILITY TO BE TREATED AS ON SITE PARKING MANY CONJUNCTION WITH THE PARKING AND SAID WILL WOULD HAVE TO BE AN AGREEMENT IN PLACE, THAT UNTIL THAT AGREEMENT IS IN PLACE THAT THE RATIO IS TWO TO ONE AND IF YOU INTEND TO GET ENTITLED TO THE CONVENTION, YOU WILL HAVE TO SHOW US HOW YOU COULD BUILD SUCH A FACILITY AND MEET THE PARK CODE AT TWO PER THOUSAND. WHICH WE DID. THAT DISCUSSION TOOK PLACE BEFORE ANY OF THESE APPLICATIONS. TOUGH STAFF MEMBERS HERE WHO WERE IN IT AND THEY'VE VERIFIED IT WOULD BE ONE PER THOUSAND IF WE BUILT A BRIDGE. NOW WE UNDERSTAND THE DISTRICT ATTORNEY HAS TAKEN A DIFFERENT POSITION. BUT THAT'S HOW WE GOT HERE. NOT BY ANY DECEPTION, CONSPIRACY. WE GOT HERE THE WAY WE ALWAYS OR AT LEAST I ALWAYS DO THESE THINGS. I CONSULTED WITH STAFF. I WAS GIVEN THE ADVICE AND WE PROCEEDED WITH THE ADVICE.

>> I JUST WANTED TO COMMENT ON MR. BICE'S COMMENT THAT I APOLOGIZED ON BEHALF OF THE VENETIAN, I WAS APOLOGIZING TO THE FACT THAT WE CONTINUOUSLY HAVE ISSUES BETWEEN THE PARTIES BUT CERTAINLY WAS NOT SIGNATING THAT MY CLIENT HAD ANY CULPABILITY FOR THIS MATTER AND I THINK THE RECORD SHOULD REFLECT THAT. BY WAY OF CONCLUSION, I MEAN, PUTTING ASIDE THE ARGUMENTS, THE LEGAL, THE TECHNICAL, I MEAN THE ISSUE IS ESSENTIALLY IS THERE SUFFICIENT PARKING? YOUR STAFF HAS CONCLUDED YES. HAS IMPOSED CONDITIONS AS AMENDED THIS MORNING THAT WE COMPLETELY AGREE WITH. NO OTHER CONVENTION FACILITY BUILT IN THE PRIVATE SECTOR IN SOUTHERN NEVADA HAS OTHER THAN ONE SPACE PER 1,000 SQUARE FEET AND SOME OF THOSE FACILITIES HAVE LESS PARKING.

AND SO WE WOULD SIMPLY ASK THAT WE BE TREATED AS OTHERS HAVE AND WOULD URGE YOU TO APPROVE THE APPLICATION FOR WAIVER BEFORE YOU AS RECOMMENDED BY STAFF.

>> EXCUSE ME MR. KRAUSE REMINDS ME WE NEED TO REITERATE THAT WE FULLY UNDERSTAND THAT THE BRIDGE IS A CONDITION OF THE APPROVAL OF THE WAIVER BEFORE YOU. MR. BICE ELUDED TO THE FACT HA SOMEHOW WE WOULD FIND A WAY NOT TO BUILD THE BRIDGE. IF WE DID THAT, WE WOULD NOT HAVE A WAY TO BUILD A CONVENTION FACILITY BECAUSE IT'S A CONDITION OF THIS APPLICATION. WE UNDERSTAND THAT.

>> COMMISSIONER GIUNCHIGLIANI, THIS IS YOUR DISTRICT.

>> YIPEE. [LAUGHTER], FIRST OF ALL I WANT TO THANK BOTH PARTIES FOR MEETING WITH ME ON MONDAY. I HAD A REVIEW OF HISTORY, SO TO SPEAK AND THERE WAS FAR GREATER MINDS IN THAT ROOM THAN I AM CAPABLE OF EVEN TRYING TO ARTICULATE HERE. I DON'T WANT TO DEAL IN HISTORY. I WANT TO DEAL WITH WHAT THIS APPLICATION REALLY IS SAYING. AND I'VE GONE BACK THROUGH STAFF, GAVE ME ALL THE PLANS, I'VE GONE BACK TO '04, I'VE GONE BACK TO THE 70% ISSUE MR. BICE HAS RAISED. WHAT I SEE HERE ARE TWO CONFLICTING PIECES. IN THE '04, WHEN THE APPLICATION WAS DONE FOR THE PALAZZO, IT SAID ACCESSORIES. AND IT WAS THE CONVENTION SITE, ET CETERA. AND THAT WAS WHAT CAME INTO PLAY. STAFF BECAUSE THEY'VE BEEN NEGOTIATING THE PEDESTRIAN BRIDGE WHICH IS APPROPRIATE BECAUSE WE HAVE TO HAVE A SAFE WAY FOR PEOPLE TO GET BACK AND FORTH, ARGUED THAT IT WAS IN CONJUNCTION WITH, A LETTER FROM MR. BICE ARGUED OPPOSITE THAT IT HAD TO BE TREATED AS STAND ALONE. I KNOW IT SAYS THAT COUNTY COMMISSIONERS WERE COPIED. I DON'T REMEMBER GETTING THAT ONE, BUT BE HA AS IT MAY, THANK YOU, ROB FOR GIVING ME A COPY BECAUSE THAT SET THE STAGE THAT NOW MR. BICE ARGUED THAT WE NEED TO STREET IT STAND ALONE NOT IN CONJUNCTION WITH THE ORIGINAL APPROVAL. SO NOW I HAVE TO LOOK AT WHAT ARE OUR STANDARDS, SO I TOOK REALLY THE ONLY OTHER STAND ALONE IS OUR CONVENTION AUTHORITY. AND SO WHEN I TALK WITH STAFF AGAIN LAST NIGHT, THE CONVENTION AUTHORITY REGARDED MOST PEOPLE ARE NOT DRIVING LIKE THEY USED TO, AND WE AS A COMMISSION APPROVED 1.1 TO 1,000. THAT'S HOW WE TREATED IT, REGULATING FOLKS GENERALLY FLYING AND IF THEY'RE STAYING SOMEPLACE THEY'RE NOT USING THEIR AUTOMOBILES. I AM INCLINED AND I WOULD LIKE TO HEAR A DISCUSSION BECAUSE YOU ALL HAVE A LONGER HISTORY, TO MAKE THE RECOMMENDATION GO WITH STAFF WITH THOSE CHANGE BUS TO MAKE IT THE SAME AS THE CONVENTION AUTHORITY, WHICH IS THE 1.1 PER THOUSAND. SO AT LEAST WE'RE STAYING ON THE SAME PAGE AT THE SAME TIME AND SEEING IT IN LIKE MANNER. THIS IS KIND OF ONE WHERE I HAVE FOR BOTH PARTIES FROM HERE ON OUT, I WOULD APPRECIATE THAT I'M NOT GOING TO HAVE STAFF GET INTO THOSE ARGUMENTS THAT WORK THROUGH ME AND WE'LL TRY TO ELIMINATE SOME OF THESE PROBLEMS AND AS FAR AS HOW WE DEAL WITH THAT. I WOULD LIKE TO HEAR SOME CONVERSATION BUT THAT'S WHERE MY INCLINATION, AND I DON'T WANT

MORE PARKING AND LESS TRAFFIC AND IT'S HUGE ON MY LIST. I WANT TO MAKE SURE THAT WE'RE STAYING WITH THE COMBINATION OF THE TOTAL, COULD YOU CLARIFY WHAT THE TOTAL NUMBER OF PARKING SPACES WILL BE WHEN ALL OF THIS IS COMPLETED?

>> THE TOTAL IN THE ENTIRE PROPERTIES VIEWING IT AS A CAMPUS, NO, THAT'S WHY, MR. KRAUSE.

>> 3355 LAS VEGAS BOULEVARD SOUTH. JUST UNDER 14,000. ABOUT 13,900.

>> IF I GO BACK TO THE 70% IT CALLED FOR 11,233. SO THIS WILL BE MORE THAN THAT. IF I GO BACK TO THE ORIGINAL THE EXPANSION CAME INTO PLACE.

>> SINCE I PICKED UP THE MICROPHONE. LET ME SAY WE CAN DO 1.1. IF THAT SHOULD BE THE MOTION. I WANT THE RECORD TO REFLECT. STAFF IN THEIR HURRY GET THE ITEM ON THE AGENDA DOESN'T HAVE THE NUMBERS EXACTLY RIGHT. WE'RE ARE AT 1.1 JUST SO YOU KNOW.

>> OKAY, THANK YOU.

>> AND I MEANT THAT SINCERELY ABOUT STAFF. THEY RUSH TO GET IT ON THE AGENDA. WHEN YOU DO THAT YOU DON'T HAVE TIME TO CHECK ALL THE MATH AND DETAIL. WE'RE ALREADY AT 1.1 AND THEREFORE WE CAN DO THAT.

>> THANK YOU.

>> COMMISSIONER, MAXFIELD, WOODBURY, WEEKLY AND THEN COLLINS IN THE ORDER THAT THEY WAVED AT ME. COMMISSIONER MAXFIELD NO THANK YOU MR. CHAIRMAN. I THINK I HAVE A QUESTION FIRST FOR STAFF^. WHAT DOES THAT MEAN ON THE CONDITION THE PARKING FOR THE CONVENTION CENTER SHALL ALWAYS BE CONSIDERED SEPARATE.

>> THE INTENT BEHIND THAT WAS TO CLARIFY THAT THE CONVENTION CENTER IS TRULY GOING TO BE A STAND ALONE PHENOMENAL. THAT WE'RE NOT CONSIDERING IT PART OF THE VENETIAN COMPLEX.

>> ARE WE HOLDING TO THAT UNTIL WE GET AN AGREEMENT OR ARE WE HOLDING TO THAT FOREVER.

>> EVEN WITH THE BRIDGE BECAUSE IT WILL BE A PUBLIC BRIDGE. IT WILL BE CONSIDERED A SEPARATE FACILITY. I GUESS AS A COMMISSIONER, I CAN VIEW IT AS THE ITEM THAT CONNECTS THE CONVENTION FACILITY WITH THE VENETIAN IS THE PEDESTRIAN BRIDGE WHETHER IT BE PUBLIC OR OTHERWISE AND FOR ME THAT'S WHAT VALIDATES THE DISCUSSION OR ARGUMENT IF YOU WILL ABOUT WITH PART OF, I CAN SAY THIS IS A STAND ALONE FACILITY BECAUSE IT'S ACROSS THE STREET FROM THE VENETIAN, PLAZA.

I'M FINE AT 1 PER THOUSAND, IF YOU'RE ABLE TO DO 1.1 PER THOUSAND THAT'S FINE UNDER TWO CONDITIONS. AND I WANT TO MAKE SURE THESE CONDITIONS HOPEFULLY ARE INCORPORATE INTO A MOTION AND SO THAT YOU UNDERSTAND AND WYNN UNDERSTANDS, AND MOST IMPORTANTLY STAFF UNDERSTANDS AND THAT IS ONE, THAT THE CONNECTION THAT ALLOWS US TO TALK ABOUT IS PEDESTRIAN BRIDGE. AND THAT TWO, THERE ALWAYS MAINTAINS ON THEIR ENTIRE PROPERTY, AT LEAST 70% OF REQUIRED PARKING. THE DISCUSSIONS WE HAD IS IF YOU TAKE THE PARKING FOR THIS CONVENTION FACILITY PLUS THE PARKING THAT YOU HAVE YOUR OTHER STRUCTURES YOU ARE AT OR ABOVE THAT REQUIREMENT WHEN IT'S ALL SAID AND DONE AT LEAST THAT'S BEEN THE DISCUSSION I'VE HAD AND YOU'RE NEVER GOING BELOW YOU KNOW, THE 70%.

>> I DON'T THINK THAT WOULD BE CORRECT, WE WOULD BE WELL OVER ON OUR CALCULATION OF ONE TO ONE BUT IF YOU CALCULATE --

>> I'M NOT TALKING ABOUT AMOUNT INDEPENDENTLY. I'M TALKING ABOUT THE 1.1 TO 1,000 ON THE CONVENTION FACILITY IS FINE. BUT ON THE SANDS PLAZA, VENETIAN, OVERALL CAN'T BE LESS THAN 70%.

>> THE WORD OVERALL CONFUSED ME. I HOW WOULD YOU SAID ROLL THIS CONVENTION PENALTY IN AND STRIKE THAT AGAINST THE 70% WHICH WAS AN ARGUMENT WE WERE REJECTED ON. SO NO. YES, THE ANSWER TO THAT IS YES THAT THE MAIN PROPERTY WOULD ALWAYS BE AT OR ABOVE THE 70% NUMBER, AND THIS PROPERTY WOULD BE AT 1.1 PER THOUSAND.

>> AND TO ACCOMMODATE THAT, I READ THIS CONDITION AND I KNOW THAT YOU WORK WITH STAFF WHICH IS WHAT YOU SHOULD BE ON THE SPECIFIC AGREEMENTS AND THAT, BUT I WANT TO SAY IT CLEARLY SO THERE ISN'T ANY MISUNDERSTANDINGS. THE PEDESTRIAN BRIDGE HAS TO BE CONSTRUCTED. AND IT HAS TO BE CONSTRUCTED IN MY OPINION IN THIS MANNER. THAT YOU HAVE TO HAVE CONSTRUCTION DRAWINGS SUBMITTED TO THE BUILDING DEPARTMENT. AND YOU HAVE TO PULL THE PERMIT FOR THE CONSTRUCTION OF THE PEDESTRIAN BRIDGE ALONG WITH AND CONCURRENT WITH ANY CONSTRUCTION OF THE CONVENTION FACILITY PARKING GARAGE OR WHATEVER ELSE. AND THAT THE PEDESTRIAN BRIDGE HAS TO BE OPENED PRIOR TO A TCO OR CVO, AND THEREFORE IT'S WHAT YOU STATED AND ANY CONCERNS, ARE JUST WORKED AWAY AND WE KNOW THAT IT ALL HAPPENS.

>> I THINK THAT WAS OUR BELIEF AS TO WHAT WOULD HAVE BEEN REQUIRED ANYWAY. THAT'S OUR OPINION.

>> ALL RIGHT. THANK YOU.

>> COMMISSIONER WOODBURY.

>> MR. CHAIRMAN, MY ENGINEER JUST COVERED MOST OF MY CONCERNS. THE PEDESTRIAN BRIDGES ARE AN ESSENTIAL FEATURE.

NOT JUST IN TERMS OF A LEGAL DEFINITION BUT TO MAKE THE PROJECT FUNCTION. WE CAN'T HAVE THOUSANDS OF PEOPLE CROSSING THAT STREET AND ANOTHER DESIGN CHALLENGE IS WITH THE MONORAIL, BUT IF YOU'RE TELLING US, THOSE HAVE BEEN OVERCOME AND THERE WILL BEEN A PEDESTRIAN BRIDGE.

>> I'M TOLD IT IS IN FACT A DESIGN AND READY TO SUBMIT PERHAPS NOT AT THE WORKING DRAWING LEVEL SUCH THAT WE WOULD HAVE PERMITS IN 30 DAYS OR ANYTHING BUT THAT IF IT'S DESIGNED AND IF IT WORKS.

>> BECAUSE THAT HAS TO BE A CONDITION AND OTHERWISE CAN'T OPEN THE CONVENTION FACILITY UNTIL THAT BRIDGE.

>> WELL IF WE FOLLOW COMMISSIONER MAXFIELD'S POINT OF VIEW, WE COULDN'T BUILD IT WITHOUT HAVING IT APPROVED.

>> COMMISSIONER WEEKLY.

>> I'M FINE. I THINK OUR ENGINEER ASKED THAT QUESTION AND I WAS VERY PLEASED TO HEAR MR. BORGEL ADMIT OR COMMIT ON THE RECORD THAT FOR THE CONDITION THAT YOU WOULD ADHERE TO. THERE WILL POSSIBLY BE ABOUT 40,000 PEOPLE IN DANGER IF THIS BRIDGE WERE NOT CONSTRUCTED. SO THAT'S A SERIOUS CONDITION FOR ME. AND MY GUESS IS SOMETHING THAT'S DOABLE, THAT AGAIN AND I GUESS THAT TIE INTO WHAT COMMISSIONER MAXFIELD ASKED IN REFERENCE TO THE ENGINEERING DRAWINGS BEING SUBMITTED PRIOR TO PERMITS BEING PULLED. SO HOPEFULLY THAT WILL BE A PART OF YOUR CONDITION AS WELL.

>> THANK YOU.

>> COMMISSIONER COLLINS.

>> THANK YOU MR. CHAIRMAN. YOU KNOW, I DIDN'T GET ALL THIS BACKUP THAT CHRIS DID BUT I'VE BEEN TRYING TO RESEARCH THIS AND LOOK AT THE PREVIOUS MEETINGS WE'VE HAD OVER THIS THING. SO IF I UNDERSTAND COMMISSIONER MAXFIELD, THAT AT THE END OF THE DAY THAT OVERALL PARKING WILL BE AT 70%, THAT WHAT THE UNDERSTANDING IS?

>> ON THE MAIN PROPERTY, THE CONDITION THAT MR. BICE ELABORATED WHICH HE DESCRIBED AS AN AGREEMENT WHICH WAS NEVER IN AGREEMENT, HE NEVER AGREED BUT IN ANY EVENT, 70% WOULD BE MAINTAINED ON THE MAIN CAMPUS AND THIS PROPERTY WOULD BE AT 1.1.

>> OKAY IS THAT THE SAME THING THAT COMMISSIONER MAXFIELD WAS ASKING YOU?

>> I QUALIFY.

>> I KNOW YOU ANSWERED.

>> OVERALL IT CONFUSES THINGS BECAUSE BEING FORCED TO APPLY AT TWO TO ONE, THE OVERALL NUMBER WOULD CHANGE BUT I BELIEVE COMMISSIONER MAXFIELD AND I HAD AN UNDERSTANDING. THE MAIN CAMPUS REMAINS AT 70 AND THIS IS 1.1.

>> CLARIFICATION.

>> CLARIFICATION IS THIS WILL REMAIN, THIS BEING THE CONVENTION FACILITY WILL BE EITHER 1.1 TO 1,000, I BELIEVE THAT'S WHAT COMMISSIONER GIUNCHIGLIANI IS ASKING FOR, AND YOU'RE AGREEING TO. THAT'S FINE. BUT YOU TAKE THAT 1.1 PER THOUSAND NUMBER, AND YOU ADD TO THAT THE PARKING THAT THE MAIN CAMPUS HAS, AND COMBINED CANNOT BE LESS THAN 70% OVERALL REQUIRED PARKING.

>> OKAY, IF THAT 70% ASSUMES THAT 2 PER THOUSAND IS A REQUIREMENT HERE, I'M NOT SURE WE HAVE THAT NUMBER.

>> I THINK I UNDERSTAND COMMISSIONER MAXFIELD'S CLARIFICATION. FRED KRAUSE FOR AGAIN. IS THAT WE TAKE THE REQUIREMENT AT THE CONVENTION CENTER OF 1.1 PER THOUSAND, WE ADD IN THE REQUIREMENTS FOR THE PALAZZO AND THE VENETIAN AND WHEN YOU ADD UP THE REQUIREMENTS THE PARKING CANNOT BE LESS THAN 70% OF THE REQUIREMENTS.

>> EXACTLY.

>> THAT WE AGREE.

>> I DIDN'T SEE IT CLEARLY IF YOU HAVE BUT THAT IS WHAT WE MEANT.

>> OKAY.

>> THAT WAS THE FIRST QUESTION ANSWERED, THANK YOU. AND I GUESS I KIND OF WANT TO ASK STAFF, HAVING KNOWN A FEW CONVENTION WORKERS AND SO FORTH. THE TREASURE ISLAND, MANDALAY BAY, LAS VEGAS HILTON HAVE CONVENTION SPACE. NOW A LOT OF IT IS INSIDE OF THEIR PROPERTY YOU KNOW, YOU WALK AROUND THE CASINO, THE BALL ROOMS AND THEN YOU GO HERE AND HERE'S THE CONVENTION SPACE OR A COMBINATION. IS THAT SQUARE FOOT CALCULATED ANY DIFFERENTLY, OR IN OTHER WORDS AT THIS USUAL 70% PARKING THAT MOST OF THE RESORTS GET IS THERE ANY ADJUSTMENT BECAUSE OF THEIR SQUARE FOOTAGE OF CONVENTION SPACE?

>> THE DIFFERENCE IS WE WOULD CALCULATE THEIR CONVENTION SPACE AT ONE PER THOUSAND, RATHER THAN TWO PER THOUSAND. IT WOULD BE INCLUDED WITH THEIR UP TO 30% DEVIATION REQUEST. IT'S A LOWER PARKING REQUIREMENT.

>> AT A DIFFERENT PARKING CALCULATION AS WE WERE JUST GETTING CLARIFIED THERE. OKAY. SO NOW ARE YOU CALLING THIS CONVENTION FACILITY A SEPARATE YOUR CALLING IT A SEPARATE. I GUESS WE'RE BACK TO A STAND ALONE VERSUS PART OF THE CAMPUS. IS IT CAMPUS OR STAND ALONE? WHOEVER WANTS TO ANSWER THAT LEGALLY? OR WHATEVER.

>> PARKING AT THE PALAZZO CANNOT BE CONSIDERED, HOWEVER, UNDER A PARKING WAIVER, YOU CAN CONSIDER THE AVAILABILITY OF OFFSIDE PARKING WHICH IS WHAT WE'RE DOING HERE. THAT'S WIN OF THE CRITERIA IN THE CODE FOR A WAIVER AND THAT'S WHY WE REQUIRE A WAIVER.

>> SO NOW LET'S TALK ABOUT THE LAS VEGAS CONVENTIONERS AND VISITORS AUTHORITY. WHAT I THINK IS THE BEST FACILITY IN TOWN. HAS AN OVERHEAD PEDESTRIAN CROSSING ACROSS PARADISE INTO SOMEWHERE THE LANDMARK USED TO BE. SO, IS THAT PARKING -- HOW OLD WE -- IS THERE ANY DIFFERENCE IN THAT PARKING FOR CONVENTION CENTER, LAS VEGAS CONVENTION CENTER VISITORS AUTHORITY, THEN AN OVERHEAD BRIDGE CONDITION FOR THE SANDS?

>> INCLUDES PROPERTY DIRECTLY ACROSS THE STREET BUT DOES NOT INCLUDE PROPERTY SEPARATED BY ANOTHER PARCEL. I THINK THAT WOULD BE CONSIDERED CONTIGUOUS.

>> SO THERE'S A PARCEL.

>> IN THE VENETIAN AND THIS CONVENTION CENTER, WHICH IS A WYNN PARCEL. IN THE CONVENTION CENTER CASE, SOME OF THE PARKING IS ACROSS THE STREET BUT IT'S DIRECTLY CODE DIRECTLY CONTIGUOUS. SO ALL THE PARKING IS CONSIDERED AND ADDED IT AT TWO PER THOUSAND BECAUSE THEY ARE FREE STANDING AND ASKED FOR A REDUCTION. TO GET TO THE 1.1 PER THOUSAND. IN THIS CASE WE'RE NOT CONSIDERING THE VENETIAN, THIS NEW CONVENTION CENTER AS PART OF THE PALAZZO-VENETIAN COMPLEX. BECAUSE THERE'S NO DIRECT BRIDGE. THE BRIDGE DOESN'T CONNECT DIRECTLY FROM ONE PARCEL TO THE OTHER. IT'S WITHIN THE STREET AND THAT'S WHY WE CAN CONSIDER IT.

>> SO IT'S A PUBLIC PEDESTRIAN BRIDGE PROPOSED.

>> CORRECT.

>> THAT WOULD GO FROM A PUBLIC SIDEWALK TO A PUBLIC, OR YOUR PEDESTRIAN REALM THAT'S ON THE OTHER SIDE.

>> IT'S A PUBLIC BRIDGE CONNECTING ONE CONVENTION CENTER THROUGH A PUBLIC STREET, TO THE EXISTING SANDS EXPO CENTER. IT'S A LITTLE DIFFERENT.

>> THIS PICTURE HERE, YOU KNOW I'M NOT MAKING SENSE OF THAT ONE BECAUSE WHETHER IT'S BLOWN UP OR UNBLOWN OR WHATEVER. SO THERE'S A TECHNICAL DIFFERENCE YOU'RE SAYING ROB?

>> YES, AND THE CONCERN WAS CREATING A PRECEDENT WHERE ANY PROPERTY THAT'S AN APPLICATION COULD ARGUE THAT THEY'RE IN CONJUNCTION WITH ANY OTHER PROPERTY THAT'S NOT PART OF THE APPLICATION. WE WERE CONCERNED ABOUT HOW FAR THAT COULD BE EXTENDED. SO IT IS OUR OPINION THAT UNDER THE WAIVER PARKING WAIVER STANDARDS, ONE OF THE PARKING WAIVER STANDARDS IS THE AVAILABILITY OF OFFSITE PARKING. AND SINCE THAT'S A STANDARD FOR APPROVAL OF A PARKING WAIVER, THEN YOU KNOW WE FELT THAT COULD NOT BE A REASON FOR NOT REQUIRING A WAIVER IN THE FIRST PLACE.

>> NOT IN CONJUNCTION WITH THE, OKAY, DIFFERENT. OKAY, NEXT QUESTION THEN, I GUESS SOME OF THE OTHER -- I THINK I AGREE WITH COMMISSIONER MAXFIELD THAT YOU SHOULDN'T HAVE THE CONVENTION FACILITY UNTIL YOU HAVE THE OVERHEAD PEDESTRIAN BUILT. AND IT ALMOST SEEMS LIKE THIS SHOULDN'T BE THERE UNTIL THAT BRIDGE IS APPROVED BECAUSE LAST YEAR WE HAD A BIG FIGHT OVER WE COULDN'T OPEN THE ONE ON LAS VEGAS BOULEVARD TO ONE PROPERTY UNTIL THE OTHER GOT BUILT THREE WEEKS LATER SO THAT THEY ALL GOT PEOPLE AT THE SAME TIME. SO IT DOESN'T MAKE SENSE THAT THIS BRIDGE THAT YOU GUYS ARE SUPPOSED TO REVIVE ISN'T BUILT YET. HOW COME YOU'RE LETTING PEOPLE GO TO THE WYNN BEFORE YOURS IS DONE? THAT WOULD BE INCONSISTENT ON YOUR PART.

>> WE WERE ADVISED HAD THE BRIDGES WERE NOT TO BE BUILT AT THE SAME TIME. THAT WE WERE TO ALLOW THE WYNN TO GO FIRST, WAS MY UNDERSTANDING. THERE WAS A CONDITION I THINK ON THE WYNN BRIDGE THAT IT NOT BE BUILT SIMULTANEOUSLY.

>> FROM STAFF.

>> YES, SIR. AND I SEE STAFF NODDING.

>> COMMISSIONER, THE REASON FOR THAT WAS IN TRYING TO BUILD TWO BRIDGES, AND ONE INTERSECTION WITH ALL THAT INTERFERENCE WITH EXISTING TRAFFIC AND THE PALAZZO BEING BUILT WOULD HAVE BEEN TOO MUCH TO HANDLE TRAFFIC. AND SINCE WYNN HAD COME IN AND BUILT, HIS PLANS WERE APPROVED IT WAS EASIER TO HAVE HIM BUILD HIS AND SCHEDULE THIS AFTER, AND TRYING TO BUILD THOSE TWO SINCE THE VENETIAN BRIDGE IS IN THE MIDDLE OF THE STREET WILL CREATE TOO MUCH CONFLICT AND THAT'S WHY THEY WERE TOLD TO DO THAT.

>> GO DRIVE IT AT 5:05 P.M. ANYWAY.

>> I THINK I JUST YOU KNOW, I GUESS A FINAL QUESTION WOULD BE FOR GREG WOULD BE THAT YOU HAVE AGREED TO THESE THINGS

REPRESENTING LAS VEGAS SANDS, IT WOULD BE LIKE SOME OF THE OTHER FOLKS, SO, DOES THE VENETIAN, DO YOU AGREE TO THE THINGS GREG?

>> I AGREE WITH YOU, THEY SHOULD SAY IT THEMSELVES AND THEY DIDN'T MEAN WHAT THEY SAID, THAT SHOULD COME OUT NOW.

>> WE AGREE WITH WHAT CRAIG SAID ON THE RECORD. THE PEDESTRIAN BRIDGE AFTER.

>> STATE YOUR NAME FOR THE RECORD.

>> FRED KRAUSE FOR THE RECORD. COMMISSIONER COLLINS THE PEDESTRIAN BRIDGE AGREEMENT, WITH THE COUNTY WAS APPROVED, SUBSEQUENTLY WE HAD A DESIGN REVIEW FOR THAT BRIDGE WHICH WAS APPROVED. MR. PLAT TELLS ME THE CONSTRUCTION FOR THAT BRIDGE, HE EXPECTS THAT RIGHT AFTER THE HOLIDAYS WILL BE 90% COMPLETE. SO WE ACCEPT THE CONDITIONS THAT COMMISSIONER MAXFIELD PROPOSED. WE ALL ALONG THE FACT IT WAS OUR TRAFFIC STUDY THAT PROPOSED THE PEDESTRIAN BRIDGE, SO WE INTEND TO BUILD IT AND WE WILL BUILD IT. AND IT'S A CONDITION OF OPENING THE NEW CONVENTION SPACE THAT THE PEDESTRIAN BRIDGE BE BUILT. AND SO WHEN COMMISSIONER MAXFIELD SAID YOU HAVE TO HAVE A TCO FOR THE BRIDGE BEFORE YOU CAN GET A TCO FOR THE CONVENTION CENTER, THOSE ARE CONDITIONS THAT WE BELIEVE WE ALREADY ACQUIESCED TO. ALL THOSE CONDITIONS ARE FINE WITH US.

>> COMMISSIONER GIUNCHIGLIANI.

>> I'M SORRY.

>> I'M SORRY.

>> ONE MORE. TRYING TO UNDERSTAND THIS. FROM THE BEGINNING BEFORE I GOT HERE, I'VE SEEN SEVERAL OF THESE MEETINGS WHERE PARKING REQUIREMENTS HAVE CHANGED AND FOR A WHILE WE WERE CHECKING YOUR SHUTTLE BUSES EVERY MONTH TO MAKE SURE THAT YOU WERE DOING ALL YOUR PARKING AND LEASES AND RENTALS AND WHAT NOT. SO, FROM THE ORIGINAL APPROVAL OF THE PALAZZO AND THEN THE CHANGE ON WHAT WAS IT CALLED, NOT THE BACK ROOM. WHAT DO YOU CALL IT? BACK OF HOUSE THANK YOU. THE BACK OF HOUSE ABOVE THE WALGREENS AND ALL THE DIFFERENT CALCULATIONS THAT EVERYONE ARGUED OVER MILLIMETERS AND STUFF AND YOU WERE GOING TO DO ALL YOUR MECHANICAL AND ELECTRICAL STUFF ON 120,000 SQUARE FEET WHERE YOU NEEDED IT, YOU WERE GOING TO USE 200,000 WHERE YOU ONLY NEEDED 120 TO CHANGE YOUR PARKING SPACES. HOW MANY TIMES HAS THE PARKING NUMBERS CHANGED IN THE LAST THREE YEARS?

>> THE LAST MAJOR APPLICATION ON THE VENETIAN WAS IN '04 WHERE A PARKING REDUCTION WAS DONE ALLOWING FOR A 30% REDUCTION FOR THE TWO RESORTS WE CONSIDER PHASE ONE AND PHASE TWO AN THEY HAD A

PHASE 1-A IN BETWEEN. SUBSEQUENT TO THAT ON THE WALGREEN SIDE THAT YOU JUST REFERRED TO, WHEN THEY CAME IN TO DO THAT TOWER, THEY AGREED THAT FOR THAT PROPERTY, FOR SOME OF THE ITEMS, THEY WOULD DO A 12% REDUCTION SO ON THE PALAZZO, AT LEAST IN THE LAST THREE YEARS, THOSE TWO HAVE BEEN THE REDUCTIONS. THE 30% FOR MOST OFFER IT AND 12% FOR A SMALL PORTION OF IT WHICH IS A RESORT PORTION.

>> AND IF I RECALL THAT WAS ORIGINALLY APPROVED SOMEWHERE CLOSE TO 700 ROOMS AND REDUCED TO 400 ROOMS IN THAT ONE TOWER, SUITES OR WHATEVER THEY ARE. AND SO, THAT A CHANGED THE PARKING COMPONENT. MAYBE ENOUGH TO OFFSET THE BACK OF THE HOUSE THING THAT WAS DISPUTED. AND SO THEN, SINCE THEN, THERE'S ANOTHER, THERE WAS ANOTHER MEETING IN HERE THAT YOU GUYS ARE WERE ALL PULLING FEATHERS ON. SAYING THAT NICELY.

>> COMMISSIONER IF I MAY REMIND YOU, WHEN THEY WERE ASKED TO DO MAKE SURE THEY HAD OFFSITE PARKING TO ACCOUNT FOR PARKING DURING CONSTRUCTION, WE'VE DONE APPLICATIONS ON DIFFERENT PARCELS, TO ALLOW THEM TO HAVE OFFSIDE PARKING, DURING CONSTRUCTION.

>> DURING CONSTRUCTION, BUT THE PARKING GARAGE WAS GOING TO BE SIX FLOORS DEEP AND THEN BECAME FOUR FLOORS DEEP BUT THEN THEY CUT A DEAL I THINK WITH HARRAH'S TO DO A PARKING GARAGE PARTNERSHIP OVER ANOTHER SIDE OF THAT STREET. AND THEN WE HAD ISSUES WITH THE TURNAROUND FOR THE BUS ON SANDS VERSUS WITH THE OTHER STREET.

>> WESTCHESTER, ACTUALLY.

>> YEAH, IT'S WESTCHESTER. AND SO AND WE JUGGLED PARKING THERE. BUT EVERYBODY WAS ALL AT PEACE UNTIL WE GET TO THIS POINT.

>> THAT'S CORRECT, WE JUST GOT ONE THIS MONTH AS TO THE COUNTS THEY HAVE ON THE VENETIAN SIDE. HAVING MET ALL THE PARKING WITH CONDITIONS BASED ON THAT, '04 APPLICATION BECAUSE WE DID ALL THE PARKING TO CODE EVERY MONTH AND VERIFY IT SO AT THIS POINT, FARCE THE NUMBERS THEY'VE GIVEN US WE DO HAVE ON THE SITE, MEETING THE PARKING WITH NO OFFSIDE PARKING ANYMORE. ON THAT MAIN CAMPUS.

>> SO THEY'RE AT 70 FIRST ON THEIR CAMPUS.

>> FOR THE PALAZZO TO OPEN THEY HAVE TO BE AT 70%.

>> SO THE PARKING GARAGE OVER THAT YOUR PARTNERS, IS THAT CLOSE TO DONE?

>> IT'S FULLY OCCUPIED.

>> IT'S COMPLETELY DONE NOW, AND SO THE OTHER PARKING IS DONE?

>> IT'S DONE, I DON'T KNOW IF WE HAVE A FINAL ON IT.

>> IT'S FINISHED IN FACT, THE LAST CERTIFICATION HE WAS TALKING ABOUT WAS THE CERTIFICATION THAT THIS COMMISSION REQUIRED TO BE ONE FINAL CERTIFICATION OF AVAILABLE PARKING TWO WEEKS PRIOR TO A TCO FOR THE PALAZZO SO THE PARKING CERTIFIER HAS VISITED THE UNDERGROUND GARAGE. IT'S COMPLETED WILL AND HE CERTIFIED THE MILLIMETER OF SPACES THAT ARE AVAILABLE.

>> NEED BASED ON THE CERTIFICATION YES, WE GOT A FEW DAYS AGO.

>> RIGHT BACK TO THE ISSUE OF CONTIGUOUS. I'M THROUGH. THANK YOU.

>> COMMISSIONER GIUNCHIGLIANI.

>> THANK YOU. THANKS TO OUR ENGINEER, I APPRECIATE YOU MADE IT FAR MORE CLEAR. I'M GOING TO RELY ON YOU FAR MORE LIKE COMMISSIONER WOODBURY. I WOULD THEN MOVE TO ACCEPT THE STAFF REPORT, STAFF'S CONDITIONS WITH THE FOLLOWING CHANGES ON THE THIRD BULLET TO STRIKE THE WORD "ALWAYS." ON THE FOURTH BULLET TO READ CONSTRUCTION OF THE PEDESTRIAN BRIDGE AUTHORIZED BY REVOCABLE LICENSE ENTERED INTO AND BETWEEN THE COUNTY AND LAS VEGAS SANDS LLC. NEED A ADD AN ADDITIONAL BULLET OR TO THAT, THAT THE APPROVAL WOULD BE BASED ON THE PEDESTRIAN BRIDGE BEING ENGINEERED DRAWINGS AND PRIOR TO TCO, THAT THE RIGHT TERMINOLOGY. AND THAT THE PARKING SPACES BE AT 1.1 PER THOUSAND. AND THAT WE MAINTAIN THE 70% ON THE ORIGINAL CAMPUS.

>> I THINK THAT COMMISSIONER GIUNCHIGLIANI KIND OF COMPRESSED TWO THOUGHTS OF COMMISSIONER MAXFIELD IN ONE SENTENCE. WHICH DOESN'T OFFEND US, THAT WE WOULD PROCESS THE TECHNICAL DOCUMENTS AND ENGINEERING PERMITS FOR THE BRIDGE WITH PROCESSING THE PERMITS FOR THE CENTER AND THAT WE WOULD NOT GET A TCO FOR THE CENTER UNTIL THERE WAS A TCO.

>> CORRECT.

>> THAT'S WHAT I UNDERSTOOD.

>> I WANTED TO MAKE SURE THAT IN THE MOTION THAT THE COMMENTS THAT WERE MADE BY COMMISSIONER MAXFIELD AND THOSE CONDITIONS WERE INCLUDED.

>> YES.

>> ONE CLARIFICATION FROM.

>> EXCUSE ME, SIR. HOLD ON. COMMISSIONER COLLIN.

>> THANK YOU. IS THERE SOMEBODY HERE THAT CAN TELL ME, IS THERE ANY REASON THAT THEY CAN'T BUILD THIS PEDESTRIAN CROSSING IN A SUITABLE FUNCTIONABLE MANNER THAT TIE INTO THE OTHER PEDESTRIAN BRIDGE LIKE IT WAS INTENDED? AND MISSES THE DISNEYLAND MONORAIL THING? SO THERE SHOULD BE NO PROBLEM WITH THAT BEING BUILT AND THERE WILL BE AN OPEN OPERATION BEFORE I GUESS I STILL KIND OF THINK. I HATE TO GO FOR THIS UNTIL THAT'S PROVEN. I GUESS THAT WOULD BE MY ISSUE. THAT WOULD BE THE ONLY ISSUE LEFT.

>> ARE THERE OTHER QUESTIONS OR COMMENTS ON THE MOTION?

>> EITHER ENGINEER IT OR THEY DON'T. THEY DON'T GET IT IF THEY DON'T ENGINEER IT.

>> THAT'S CORRECT.

>> COMMISSIONER GIUNCHIGLIANI, MAY I GET A CLARIFICATION.

>> THE PUBLIC HEARING HAS BEEN CLOSED. IF YOU ATTEMPT TO MAKE AN ARGUMENT I'M GOING TO CUT YOU OFF. IF YOU HAVE A QUESTION.

>> I WANT TO GET A CLARIFICATION JUST SO I UNDERSTAND CORRECTLY BECAUSE THE MOTION IS ON THE 70% ON THE OVERALL CAMPUS AND I HEARD SOME DISCUSSION ABOUT IT BEING 1 FOR 1 ON THIS SITE. I UNDERSTAND YOUR MOTION, BUT I WANT TO MAKE SURE THAT PARKING WON'T BE COUNTED AS PART OF THE OVERALL PARKING AND THEN THEY CAN REDUCE BY 30% ADDITIONALLY THE PARKING OVER AT THIS NEW CONVENTION CENTER. OF THAT I'M UNDERSTANDING CORRECTLY.

>> LET ME TRY TO STIPULATE, WE ARE NOT SUGGESTING THAT THIS PARKING AT 1.1 CAN THEREFORE BE REDUCED BY 30% MORE BECAUSE IT'S SOMEHOW NOW VIEWED AS PART OF THE CAMPUS. IT IS 1.1, NOT 1.1 LESS 30%.

>> THANK YOU FOR THE CLARIFICATION.

>> THANK YOU FOR ASKING THAT.

>> WE'VE HAD A MOTION AND A LOT OF DISCUSSION, SO LET'S CAST A VOTES ON THE MOTION. I'M GOING TO STATE THE OBVIOUS THAT I'M GOING TO ABSTAIN BECAUSE I'M A MEMBER OF THE SAME LAW FIRM AS SENATOR BRICE. CAST YOUR VOTE. MOTION CARRIES.

>> THANK YOU AND THANK YOU AGAIN FOR YOUR PATIENCE WITH A DETAILED DISCUSSION OF WHAT WE HAD HOPED WAS A SIMPLE ITEM. NEXT ITEM IS NUMBER 13, WS-44-07. WAIVER DEVELOPMENT STANDARDS FOR THE FOLLOWING. ONE ALTERNATIVE LANDSCAPING AND THREE REDUCED DRIVEWAY WIDTH. DESIGN REVIEW FOR RESIDENTIAL CON VERSION ON 0.3

ACRES. GENERALLY LOCATED ON THE WEST SIDE OF SHIRLEY STREET, 80 FEET NORTH WITHIN PARADISE. WAIVERS AND BACKGROUND ARE DESCRIBED IN YOUR AGENDA. THE SITE IS WITHIN THE NEIGHBOURHOOD TRANSITIONING OFFICE USES. GENERALLY NEIGHBOURING PROPERTIES, THAT ARE SUBMITTED FOR CONVERSION AT THE SAME TIME, ARE BETTER ABLE TO MEET TITLE 30 STANDARDS DUE TO CROSS ACCESS AND SHARED PROPERTIES. EVEN THOUGH THE PROPERTY TO THE NORTH HAS NOT BEEN CON VETTED TO THE RESIDENCE IS NOT POSSIBLE UNDER THIS CIRCUMSTANCE. THE APPLICANT HAS DESIGNED THIS SITE TO REQUIRE THE PROPERTY. STAFF CAN SUPPORT TO REQUEST TO REDUCE THE DRIVE AISLE WIDTHS STAFF CAN SUPPORT LANDSCAPE WAIVERS SINCE THE APPLICANT IS PROVIDING THE MAXIMUM AMOUNT OF LANDSCAPING THAT CAN BE ON SITE. STAFF RECOMMENDS APPROVAL. PARADISE TOWN BOARD RECOMMENDS APPROVAL WITH THE CONDITION OF EIGHT, PINE TREES ON THE WEST SIDE OF THE PROPERTY. WILL BE RECEIVE TWO CARDS IN SUPPORT, TWO CARDS IN PROTEST. AND AT THE PARADISE DOWN BOARD MEETING THERE WERE TWO SPEAKERS IN SUPPORT AND TWO SPEAKERS IN PROTEST.

>> GOOD MORNING.

>> GOOD MORNING. 3425 CLIFF SHADOWS PARKWAY. I HAVE MR. BRANSON WITH ME, THE PROPERTY OWNER. WE WERE APPROVED AT TOWN BOARD. THERE WAS A REQUEST THAT WE ADD ANOTHER THREE 24 BOX TREES LOCATED HERE. WE HAVE AGREED THAT CONDITION. WE ALSO HAVE MET WITH THE MAYBES TO THE NORTH AND SOUTH. THERE WAS A PROTESTING NEIGHBOUR AT THE TOWN BOARD TO THE WEST. WE HAVE SINCE MET WITH HER AND HAVE TWO LETTERS OF SUPPORT FROM BOTH THE SOUTH NEIGHBOUR AND WEST NEIGHBOUR IN SUPPORT OF THE APPLICATION. I WILL DIRECT YOU TO THE LANDSCAPE PLAN. WE DID NOT SUBMIT A NEW LANDSCAPE PLAN TO STAFF SINCE IT WAS READ INTO THE RECORD. THAT WE HAVE NOW ADDED THE THREE 4 INCH BOX TREES FOR A TOTAL OF EIGHT 24 INCH BOX TREES ON SUMMER. AND WITH THAT BEING SAID I WOULD BE GLAD TO ANSWER ANY QUESTIONS.

>> THANK YOU THIS IS A PUBLIC HEARING. ANYONE HERE TO SPEAK ON THIS?

>> M.J. HALL, PARADISE TOWN BOARD. I CAN SAY THAT THIS APPLICATION WAS I WON'T SAY A PLEASURE. IT WAS ALMOST A PLEASURE TO WORK ON THIS BECAUSE THE APPLICANT AND HIS REPRESENTATIVE WERE VERY COOPERATIVE. AND WE ARE SATISFIED AS LONG AS THE WEST NUMBER OF TREES IS INCREASED TO EIGHT, BECAUSE THAT CORRESPONDS WITH THE APPLICANTS OWNERSHIP OF A PARCEL ON WILBUR STREET AND THE SAME THING RECENTLY WAS ACCOMPLISHED THERE, THAT THE NEIGHBOUR TO THE WEST REQUESTED OR WE HAD REQUESTED EIGHT PINE TRIES, 24 INCH BOX PINE TREES AND THIS WAS A LOT OF CONVERSATION ON THIS ONE. BUT THEY HAVE AGREED AND I AND WE ARE VERY PLEASED. SO I DO RECOMMEND THAT YOU APPROVE THIS APPLICATION AS PRESENTED. THANK YOU.

>> ANYONE ELSE?

>> I'M TERRY AT 4969 SHIRLEY STREET.
AND I'M THE NEXT DOOR NEIGHBOUR TO THE NORTH AND I APPROVE THIS
REQUEST.

>> THANK YOU.

>> ANYONE ELSE? I'LL CLOSE THE PUBLIC HEARING. THIS IS IN MY
DISTRICT. I WANT TO THANK THE APPLICANT AND NEIGHBOURS AND TOWN
BOARD FOR ALL WORKING TOGETHER ON THIS. AND I'LL MAKE A MOTION
FOR APPROVAL MORE THE TOWN BOARD WITH THE ADDITIONAL LANDSCAPING
THAT WAS MENTIONED HERE. ANYTHING ELSE? CAST YOUR VOTE ON THE
MOTION. THE MOTION CARRIES.

>> THANK YOU.

>> NEXT ITEM ON THE AGENDA. IS NUMBER 23. ZC-1253-07.
HOLDOVER ZONE CHANGE TO REQUEST FROM OUR ONE ZONE TO CP ZONES.
WAIVERS OF DEVELOPMENT STANDARDS FOR THE FOLLOWING, TRASH
ENCLOSURE. THREE ALTERNATIVE LANDSCAPING. FOUR ALLOW COMMERCIAL
ACCESS AND FIVE ALLOW PARKING SPACE STATIONS TO PACK OUT ON TO A
STREET. DESIGN REVIEW FOR AN OFFICE BUILDING. ENTIRELY LOCATED
ON THE SOUTH SIDE OF RENO AVENUE AND THE WEST SIDE OF EASTERN
AVENUE WITHIN PARADISE. WAIVERS ARE DESCRIBE PD IN YOUR AGENDA.
THE ZONING IS CONFORMING TO THE ISSUES OF PARKING LANDSCAPING
HAVE NOT BEEN ADEQUATELY ADDRESSED. STAFF RECOMMENDS IF THIS
APPLICATION BE APPROVED, BECAUSE THE SITE IS ORIENTED TOWARDS A
RESIDENTIAL LOCAL STREET NOT EASTERN AVENUE. LANDSCAPING ALONG
EASTERN AVENUE AND THE SOUTH AND WEST PROPERTY LINES CAN BE
PROVIDED PER CODE STANDARDS, HOWEVER IT WAS NOT DONE. CIVIL
ENGINEERING HAS A REVISED ANALYSIS. AND IT READS THE ORIGINAL
PLAN SUBMITTED WITH THIS APPLICATION SHOW SEVEN REQUIRED PARKING
SPACES THAT ARE TANDEM AND WOULD REQUIRE CONSTANT BACKING UP
INTO RENO AVENUE. THERE'S A LEFT TURN AT THE INTERSECTION OF
RENO AND EASTERN WHICH WOULD INTERFERE WITH THE FLOW OF TRAFFIC.
THERE'S NO PARKING AN ALLOWED IN FRONT OF THE PROPERTY AND THERE
WAS A TRAFFIC LIGHT ON EASTERN AVENUE. WITHOUT THE BENEFIT OF A
COMMERCIAL DRIVEWAY TO PREVENT BACKING, ULTIMATE STAFF CANNOT
SUPPORT THE APPLICATION FOR AND WAIVER. THE APPLICANT HAS
RECEIVED THE PLAN TO SHOW ONLY ONE SPACE BACKING INTO THE RIGHT
OF WAY AND PROVIDED A RIGHT TURN DRIVEWAY. STAFF CANNOT SUPPORT
THE ONE SPACE BACKING INTO THE RIGHT OF WAY OF RENO AS IT WOULD
BACK OVER THE EXISTING SIDEWALK. STAFF'S RECOMMENDATION IS
DENIAL WITH THE APPROVED CONDITIONS LISTED IN YOUR AGENDA, AND
ADDITIONAL CONDITIONS FROM CIVIL ENGINEERING THAT READ IF THE
LANDSCAPING IS IN THE RIGHT OF WAY SIGN A LICENSE AND
MAINTENANCE AGREEMENT FOR ANY NON-STANDARD IMPROVEMENTS WITHIN
THE RIGHT OF WAY. THE DRIVEWAY IS TO BE A MINIMUM OF 32 FEET

COMMERCIAL DRIVEWAY. HAVE APPROVED A 3-POINT TURNING ANALYSIS TO BUILDING PERMITS. COORDINATE WITH THE REGIONAL COMMISSION TO THE RELOCATION OF THE BUS STOP. TO BEEN APPROVED BY NEVADA DEPOSIT OF TRANSPORTATION AND MAINTAIN THE SITE VISIBILITY ZONES. THE PARADISE TOWN BOARD RECOMMENDED DENIAL OF THIS APPLICATION PER STAFF RECOMMENDATION AND WE'VE RECEIVED ONE CARD IN SUPPORT AND SIX CARDS IN PROTEST.

>> GOOD MORNING.

>> GOOD MORNING, SANDRA MONTGOMERY, SOUTHEASTERN. FOR YOU AGAIN WE HAVE MET WITH STAFF SEVERAL TIMES IN REGARDING TO THIS APPLICATION IN REGARDS TO THE PARKING. IN REGARDS TO THE LANDSCAPING. AND WE BELIEVE WE WORKED WITH THEM TO THE BEST OF OUR ABILITY. THIS IS A VERY DIFFICULT PROPERTY. AND AS FAR AS THE RESIDENTIAL GOES ON EASTERN, THE OWNER OF THIS WOULD REALLY APPRECIATE THE ENTITLEMENT TO GO CRT. WE WERE FIRST GOING FOR CP. WE WOULD INCUR THE STAFF OF TO GO CRT.

>> THIS IS A PUBLIC HEARING, ANYONE HERE TO SPEAK TO THIS ON THIS APPLICATION? THIS IS IN MY DISTRICT. AND WHILE I APPRECIATE ALL THE WORK YOU'VE DONE AND YOU'VE REALLY SHARPENED YOUR PENCIL AND TRIED TO TAKE THIS WORK BUT SHORT OF ACQUIRING ADDITIONAL PROPERTY OR TEARING A HOUSE DOWN, I HAVE A CONCERN THIS WILL CREATE A PUBLIC SAFETY ISSUE AND TO HAVE EVEN IF IT'S ONE SPACE BACKING OUT INTO RENO, YOU KNOW, I THINK WE WOULD BE IGNORING OUR RESPONSIBILITIES TO THE PUBLIC IF WE ALLOWED THAT TO OCCUR. SO, YOU KNOW, WHAT THE TOWN BOARD HAS SAID AND WHAT CIVIL ENGINEERING CONTINUES TO TELL US ABOUT THAT PROBLEM, I'M GOING TO FOLLOW THE STAFF RECOMMENDATION AND MAKE A MOTION FOR DENIAL. ANY DISCUSSION? CAST YOUR VOTE ON THE MOTION. MOTION CARRIES.

>> THANK YOU.

>> NEXT ITEM IS NUMBER 24. ZC-1357-07. ZONE CHANGE TO REQUEST 50.7 ACRES FROM A C1 ZONE TO A C2 ZONE FOR AN OFFICE BUILDING IN THE MUD4 OVERLAY DISTRICT. DESIGN REVIEW FOR AN OFFICE BUILDING. GENERALLY LOCATED ON THE EAST SIDE OF WILD HIGHWAY. WITHIN SPRING VALLEY. BACKGROUND IS DESCRIBED IN YOUR AGENDA. THE PROPOSED USE OF THE PROPERTY IS WITHIN THE RANGE OF INTENSITIES DESIGNATED BY THE LAND USE PLAN. APPROVAL OF THE ZONE CHANGE WILL ALLOW THE DEVELOPMENT OF THIS PARCEL UNDER ONE ZONING DISTRICT AND WOULD ELIMINATE THE POSSIBILITY OF LAND USES BEING RESTRICTED WITHIN DIFFERENT PARTS OF THE BUILDING DUE TO SPLIT ZONING. SUPPORT A REQUEST FOR A ZONE CHANGE. THE ZONE CHANGE APPLICATION THAT ACCOMPLISHED THE PRESENT ZONING FOR THE LOT WAS APPROVED FOR A SHOPPING CENTER ON FIVE WEEK. THE SHOPPING CENTER WAS APPROVED WITH RESTRICTIONS AND ACQUIRING ARCHITECTURE OF THE BUILDINGS TO BE RESIDENTIAL IN CHARACTER. THESE CONDITIONS WERE

SHOPPING CENTER BY THE BOARD OF COUNTY COMMISSIONERS DUE TO CONCERNS THE DEVELOPMENT WOULD HAVE ON THIS SURROUNDING AREA. BASED ON THE CONDITIONS OPPOSED ON THE ORIGINAL ZONE CHANGE FOR THE SHOPPING CENTER, STAFF FINDS THE DESIGN OF THE BILLION WOULD NOT BE COMPATIBLE WITH THE EXISTING DEVELOPMENT IN THE AREA. STAFF RECOMMENDS APPROVAL OF THE ZONE CHANGE AND DENIAL OF THE DESIGN REVIEW WITHOUT PREJUDICE. WITH A APPROVED CONDITION LISTED THIS YOUR AGENDA. THE SPRING VALLEY TOWN BOARD HAS NO RECOMMENDATION CUE TO NOT HAVING A QUORUM AND WE'VE RECEIVED ONE CARD IN SUPPORT AND ONE CARD IN PROTEST.

>> THANK YOU, GOOD MORNING.

>> GOOD MORNING, STACEY, 3773 HOWARD HUGHES PARKWAY HERE ON BEHALF OF THE APPLICANT AS STAFF MENTIONED AND THE STAFF REPORT THE REQUEST FOR THE ZONE CHANGES IN ORDER TO RECTIFY SPLIT ZONES ON THE PROPERTY, WHICH WERE THE RESULT OF THE PREVIOUS ZONE CHANGE APPLICATION THAT STAFF MENTIONED. THE ZONING CONSISTENT WITH THE MASTER PLAN INCONSISTENT WITH OTHER DEVELOPMENT ON THIS CORRIDOR. THE PROPOSED DESIGN REVIEW IS FOR A TWO-STORY OFFICE BUILDING. THE OFFICE BUILDING IS DESIGNED TO MEET ALL RESIDENTIAL STANDARDS, EXCEED PARKING REQUIRED ON SITE. STAFF MENTIONED CONCERNS ABOUT THE ACTUALLY ARCHITECTURE OF THE BUILDING AND I WOULD LIKE GO THROUGH WHY WE BELIEVE THE ARCHITECTURE IS APPROPRIATE IN THIS SHOPPING CENTER. AS YOU CAN SEE THROUGH OUR PLANS WE'VE PROPOSED BUILDING WITH A STONE VENEER WORK, AND NEEDED NATURAL DESERT COLORS. IF YOU LOOK AT THE NEXT EXHIBIT I HAVE, WE HAVE DRAWINGS OF ALL OTHER BUILDINGS OR PHOTOGRAPH OF ALL THE OTHER BUILDINGS IN THE SHOPPING CENTER. ALL OF THE BUILDINGS HAVE THE STONE VENEER WORK OR THE ROOF. ONE OF THE BUILDINGS I WOULD LIKE TO POINT OUT MOST NOTABLY THE BUILDING MOST BELOW OUR PARCEL. THIS ONE RIGHT HERE. THAT BUILDING WAS RECENTLY CONTRADICTED AND DESIGNED AND OUR BUILDING WILL BE A VERY COMPLEMENTARY THIS BUILDING. ADDITIONALLY NORTH OF THAT SITE THE BUILDING UNDER CONSTRUCTION HAS AT A ROOF, THE STONE VENEER WORK AND WILL WORK NICELY, SO WE FEEL THE ARCHITECTURE IS CONSISTENT WITH THE SHOPPING CENTER. AND WOULD LIKE TO BUILD IT AS PROPOSED.

>> THANK YOU, ALL RIGHT. THANK YOU. ANYONE ELSE HERE TO SPEAK ON THIS ITEM? SEEING NONE, I'LL TURN IT TO THE BOARD. THIS IS MY DISTRICT. ANYONE ELSE HAVE ANY COMMENTS? IF NOT THEN, COMMISSIONER WEEKLY.

>> YES, HOW ARE YOU? IS THIS SOME TYPE OF PERIMETER WALL HERE SEPARATE.

>> YES, IT IS. THAT WAS BUILT WHEN THE SHOPPING CENTER WAS CONSTRUCT.

>> HOW HIGH IS THAT? IS THAT LIKE AN EIGHT-FOOT WALL.

>> I BELIEVE IT'S AN EIGHT-FOOT WALL. EITHER SIX OR EIGHT IT'S BUILT TO CODE. AS THE BUFFER BETWEEN THIS BUILDING AND THE ADJACENT RESIDENTIAL DEVELOPMENT.

>> COMMISSIONER BRAGER.

>> I DRIVE BY THAT PROBABILITY THREE TIMES A WEEK IF NOT MORE. IT REALLY IS, WHAT THEY'RE DOING IS VERY CONSISTENT WITH THAT WHOLE AREA THERE. A SHOPPING THING WITH STARBUCKS AND SUBWAY, AND NOT THAT I'M DOING ADVERTISING. AND THEN.

>> QUIZNOS?

>> NO, IT'S NOT THERE. AND THEN A REMAX AND IT REALLY IS DONE VERY NICELY. I DON'T KNOW ABOUT THE WINDOWS TO THE BACK WITH THE COMMUNITY IF YOU'VE DONE ANYTHING DIFFERENT. BUT OTHERWISE IT'S WHAT'S THERE.

>> WE DID MEET WITH THE NEIGHBOURS AND HEY DID ASK, THEY KEEP THE LIGHTS OFF AND THOSE ARE THINGS WE WOULD BE DOING ANYWAYS AND WE WERE DOING ANY SENSE OF THE FACT THAT THE NEIGHBOURS WERE BACK THERE WHEN WE DESIGNED THE BUILDING. WE'VE ORIENTED AT THE CENTER OF THE PROPERTY, AS FAR AWAY FROM THEIR HOMES AS WE CAN GET IT AND STILL KEEP IT ON OUR SITE AND PARK IT TO WHAT WE FEEL IS THE PARKING. SO IT'S NOT DIRECTLY IN FRONT OF ONE OF THE HOMES. SO THAT WHEN WE LOOK OUT, WE'RE LOOKING DOWN THE STREET. NOT LOOKING INTO SOMEONE'S YARD.

>> VERY GOOD AND COMMISSIONER GIUNCHIGLIANI HAD A COMMENT.

>> WHEN WE'RE LOOKING AT TRASH ENCLOSURES. IF YOU WOULD MAKE SURE THERE'S ENOUGH SPACE IN CASE RECYCLING EVER GETS OFF THE GROUND.

>> ALL RIGHT. SATISFIED? ALL RIGHT. I THINK WHAT THIS COMES DOWN TO IS THE STAFF IS BEING CONSISTENT AND REQUESTING THE RESIDENTIAL FEATURES, AND YOU'VE DONE A GREAT JOB IN IDENTIFYING WHAT'S RESIDENTIAL AND CHARACTER, AND WHAT'S NOT. I THINK THIS BUILDING IS VERY NICE AS IS, AND SO, I'VE BEEN VERY CAREFUL UNDER CERTAIN ZONINGS IF IT'S RESIDENTIAL AND IF IT STAYS THAT WAY AND WHAT CONDITIONS ARE PLACED WITH THE RESIDENTS TO MAKE SURE THAT'S ALL BEEN TAKEN CARE OF AND YOU'VE DONE AN EXCELLENT JOB IN REPRESENTING THE CONDITIONS AND THE RESIDENTS PEELS AS WELL AND IF THEY WERE UP SET OR FREIGHTED ABOUT SOMETHING, THEY WOULD BE HERE OR THEY WOULD HAVE NOTIFIED MY OFFICE OR SOMETHING AND I HAVEN'T HEARD ANYTHING. SO I JUST WANT STAFF TO KNOW THAT I BELIEVE THAT THIS COMPLIES, THE DESIGN THAT THEY'RE DOING COMPLIES AND WORKS WELL WITH THE MIXTURE OF WHAT'S GOING ON IN

THAT AREA. SO I WOULD RECOMMEND, OR I MAKE A MOTION FOR APPROVAL WITH THE PLANS AS STATED. I DON'T KNOW IF YOU'VE SUBMITTED THOSE OR NOT. THIS ELEVATION.

>> YES, IT WAS SUBMITTED WITH THE APPLICATION AS PART OF THE DESIGN REVIEW AND IF I MIGHT REQUEST. STAFF INCLUDED THREE IF APPROVED CONDITIONS WITH THEIR RECOMMENDATION FOR DENIAL OF THE DESIGN REVIEW. AND IF THOSE COULD POSSIBLY THIS ITEM IS APPROVED AS SUBMITTED, CONDITION NUMBER TWO, THE DESIGN OF THE PUBLIC HEARING.

>> THIS WOULD TAKE CARE OF THAT.

>> CONDITION NUMBER THREE AND FOUR WHICH WERE GOING ALONG WITH THE DENIAL.

>> SO JASON IS THERE SOMETHING?

>> I AGREE WITH THAT. WE COULD THE PUBLIC HEARING FOR SIGNIFICANT CHANGES TO PLANS, OR WE COULD DEFEAT THAT CONDITION AND IT WOULD BE A DESIGN REVIEW WITHOUT A PUBLIC HEARING.

>> IF WE DO DESIGN VIEW FOR SIGNIFICANT CHANGES TO PLANS IT WOULD COME BACK BEFORE YOU. IF WE DON'T HAVE THAT CONDITION AND THEY CHANGE THE PLANS IT WILL GO TO THE PLANNING COMMISSION.

>> RIGHT. I THINK WE CAN JUST HAVE THE DESIGN REVIEW BECAUSE TO HAVE A DESIGN REVIEW AS YOU JUST SAID, BASE THEY'VE CHANGED SOMETHING, IT'S GOING TO GO TO THE CLIENT COMMISSION AND IF THERE'S ANY REVIEWS BEYOND THAT, IT WILL MAKE IT HERE.

>> WE DON'T CHANGE ANYTHING.

>> RIGHT, AND THEN SO WE'RE DELETING.

>> OUR CONDITIONS TWO, THREE AND FOUR AND THE ARCHITECTURE. NO THE BUILDING WOULD HAVE TO COME PLAY WITH.

>> AND THAT'S MY MOTION.

>> ANY COMMENTS OR QUESTIONS?

>> PLEASE, CAST YOUR VOTE.

>> I HAD MY RESIDENT REAL ESTATES EXPERT COMMISSIONER BRAGER SINCE SHE SEES THIS AREA A LOT AND HELPED ME WITH THAT, THANK YOU. MOTION CARRIES.

>> THANK YOU.

>> ITEM 25 HELD. ITEM 26, ZC-307, ZONE CHANGE, FROM R.E.

ZONE TO CP ZONE TO CONVERT AN EXISTING RESIDENT INTO AN OFFICE BUILDING. WAIVERS DEVELOPMENT STANDARDS FOR THE FOLLOWING ONE LANDSCAPING AND SCREEN REQUIREMENTS. TWO PERMIT MECHANICAL EQUIPMENT AND THREE ROOF PICK REQUIREMENTS. DESIGN REVIEW TO CONVERT AN EXISTING SINGLE FAMILY RESIDENT INTO AN OFFICE BUILDING. 100 FEET WEST WITHIN SPRING VALLEY. WAIVERS AND BACKGROUND ARE DESCRIBED IN YOUR AGENDA. THIS REQUEST IS WITHIN THE RANGE AND INTENSITY OF USES, DESIGNATED TO THIS SITE AND WILL BE COMPATIBLE WITH EXISTING USES IN THE AREA. THE WAIVERS IF APPROVED WOULD ALLOW A CONVERSION OF THE STRUCTURE WITH THE FEWEST CHANGES TO THE EX-TERRIER OF THE BUILDING WHICH WOULD MAINTAIN THE CHARACTER OF THE BUILDING. STAFF FINDS WHILE EQUIPMENT IS SCREENS FROM THE RIGHT OF A WAY IT COULD BE FULLY SCREENED TO THE BUILDING. THE MEAL RAILING SHOULD BE REMOVED TO PROVIDE A MORE PLEASING FACADE. STAFF RECOMMENDS AN APPROVAL OF THE CHANGE AT THE NILE OF WAIVER NUMBER TWO. WITH THE IF APPROVED CONDITIONS LISTED IN YOUR AGENDA. THE SPRING VALLEY TOWN BOARD HAS NO RECOMMENDATION CUE NO NOT HAVING A QUORUM AND WE'VE RECEIVED FOUR CARDS IN PROTEST.

>> GOOD MORNING, MY SNAKE JORDAN, 6125 THIRD AVENUE. I WANT TO CHANGE THE ZONING FROM OFFICE BECAUSE AROUND ME IS AREA OF OFFICES. AND WE ARE GOING TO CHANGE IT'S BETTER FOR ME, FOR EVERYBODY.

>> OKAY. THIS IS A PUBLIC HEARING. IS THERE ANYONE ELSE HERE TO SPEAK ON THIS? COMMISSIONER MAXFIELD. THIS IS YOUR DISTRICT.

>> THANK YOU MR. CHAIRMAN. I'M HAVING A DIFFICULT TIME HEARING YOU SO PLEASE SPEAK INTO THE MIKE. STAFF, ARE WE OKAY WITH THIS? AS LONG AS WITH REGARD TO THE LANDSCAPING WAIVER THEY'RE ASKING FOR?

>> RIGHT, BECAUSE IT WILL ALLOW THEM TO LEAVE WHAT'S EXISTING. THE SIZES ARE OKAY IT'S JUST THE SPECIES.

>> SO IT'S JUST AND WHAT WE REALLY WANT THE AIR-CONDITIONING ITEMS TO BE SCREENED.

>> YEAH, AND THE ROOF PITCH IS OKAY. SO WHAT WAS THE OTHER THING.

>> THERE'S ON THE FRONT OF THE STRUCTURE I THINK IT'S A GARAGE. THERE'S A METAL RAILING, THAT'S A FLAT ROOF AND SOME SORT OF A METAL RAILING. I DON'T KNOW HOW TO DESCRIBE IT. BUT, IT'S SOME WHAT UNSIGHTLY AND COULD BE CONVERTED TO AN OFFICE SHOULD PROBABLY BE REMOVED.

>> CAN YOU EXPLAIN WHAT THE METAL RAILING ON THE ABOVE THE GARAGE IS DOING? WHAT'S PURPOSE OF THAT?

>> IS THERE CAN YOU GET FROM MERCHANDISE THE BUILDING TO THE OUTSIDE OF THE BUILDING ABOVE THE ROOF?

>> YEAH, BUT I WANT TO CHANGE EVERYTHING BUT JUST THE DIRECTION I NEED TO DO IN^.

>> SO STAFF HAVE A SUGGESTION? BECAUSE YOU DON'T LIKE THE COLOR? OR IT NEEDS TO BE IT'S IN DISREPAIR OR WHAT? >> IF YOU LOOK AT THE TOP PHOTO, KIND OF BEHIND WHERE THE BASKETBALL COURT IS. THAT'S AT THE FRONT OF THE STRUCTURE. IT WOULD SERVE NO PURPOSE FOR AN OFFICE BUILDING. IF WE SCREEN THE AC UNIT AND THAT'S PRETTY MUCH IT.

>> RIGHT.

>> UNDERSTAND THAT AND AGREE?

>> YES.

>> ALL RIGHT THEN I'LL MAKE A MOTION FOR APPROVAL WITH THOSE CONDITION.

>> IS THERE ANY DISCUSSION? CAST YOU VOTE ON THE MOTION. COMMISSIONER WEEKLY, YES.

>> THANK YOU VERY MUCH.

>> THANK YOU.

>> NEXT ITEM ON THE AGENDA NUMBER 27, DR-1080-07, DESIGN REVIEW FOR THE DESIGN REVIEW IN A C2 ZONE IN THE OVERLAY DISTRICT. GENERALLY LOCATED ON THE NORTH SIDE OF THE WEST SIDE OF AMIGO STREET WITHIN ENTERPRISE PRIZE. BACKGROUND ARE DESCRIBED IN YOUR AGENDA. ON THE ORIGINAL REQUEST, STAFF RECOMMENDED APPROVAL THE ENTERPRISE TOWN BOARD HAD NO RECOMMENDATION CUE NO NOT HAVING A QUORUM. THE OCTOBER 17th BOARD OF COUNTY COMMISSIONER MEETINGS. THIS ITEM WAS APPROVED AND ON NOVEMBER 20th, 2007 THE COUNTY COMMISSION APPROVED THIS REQUEST REQUESTED BY COMMISSIONER WOODBURY.

>> GOOD MORNING, JAMES, HERE ON BEHALF OF THE APPLICANT. GIVE YOU GUYS A HISTORY ON THIS PROJECT. IT IS A NEW DESIGN REVIEW, INCLUDED IN THE NEW DESIGN REVIEW WE DECIDED TO CHANGE THE FOOTPRINT TO MAKE SURE THAT WE BUILT SOMETHING THAT WASN'T OBSOLETE AS JUST RECENTLY PASSED. WE INCREASED THE NUMBER OF PARKING. NOW WE HAVE 82 SO WE'RE WAY ABOVE PARKING. THE OTHER ISSUE WAS IN REGARDS TO THE ORIGINAL INTENT OF PUTTING AN EIGHT-FOOT WALL. AFTER THAT WAS APPROVED, WE PROMISED THE NEIGHBOUR TO DO THAT WALL, WE DECIDED TO HAVE OUR STRUCTURAL ENGINEER TO GO OUT THERE AND DETERMINE, CAN WE PUT AN EXTRA WALL, SAYING THAT

THE WALL HAS TO BE LESS THAN FOUR INCHES APART OR GREATER THAN 31 INCHES. WE ASKED THEM TO SEE IF CURRENT FOOTINGS WOULD ALLOW THREE ADDITIONAL COURSES TO BRING IT UP TO THE EIGHT FEET. WE LEARNED WE CANNOT ADD ANY MORE COURSES ON TO THE TOP OF THE EXISTING WALL AND THAT THE FOOTING FOR THE EXISTING WALL EXITED OUT, SO WE WOULD NOT BE ABLE TO HAVE A WALL WITHIN FOUR INCH. AT THAT TIME SEPTEMBER 18th I SENT A LETTER TO THE HOMEOWNERS ALONG THE NORTHERN PROPERTY BOUNDARIES STATING TO KEEP OUR ORIGINAL INTENT. HERE ARE THE OPTIONS. WE COULD HAVE A WALL WITHIN FOUR INCHES WHICH IS PHYSICALLY IMPOSSIBLE. WE CAN RIP DOWN YOUR WALL WHICH IS THE MOST INTRUSIVE. WE COULD BUILD A WALL 31 INCHES AWAY. FELT THAT WAS UNDESIRABLE TO LEAVE AN ALLEYWAY BACK THERE OR THE FOURTH OPTION TO INCREASE THE LANDSCAPING BUFF EVERY WHICH WE THOUGHT WAS THE BEST IDEA. WENT TOWN BOARD. GOT FEEDBACK FROM ONE OF THE NEIGHBOURS. WE GAVE THEM OUR CARD SAID WE WANT TO WORK WITH YOU. WE WANT TO KEEP THE ORIGINAL INTENT. CALL US, LET US KNOW WHAT WE CAN DO. NEVER RECEIVED A CALL. WENT TO THE BOARD OF COUNTY COMMISSIONERS MEETING. NO ONE SHOWED UP. THEY CAME TO COMMISSIONER WOODBURY'S OFFICE AFTER THE MEETING. COMMISSIONER WOODBURY ASKED IS TO MEET WITH THEM, CALLED THE NEIGHBOURS AND SAID CAN WE MEET AND DISCUSS WHAT THE OPTIONS ARE. WHAT YOU WANT. WE CANNOT RIP DOWN YOUR WALL. WHAT ELSE CAN WE DO. THEY DIDN'T RETURN PHONE CALLS. HEY DIDN'T GIVE US AN ANSWER. FINALLY SAT DOWN WITH THE PLANNER AND THE NEIGHBOURS AND IT WAS DETERMINED THAT WHAT I PROPOSED SEPTEMBER 18th IS WHAT THEY WOULD AGREE TO WITH THE EXCEPTION INSTEAD OF MONDEL PINE, THEY WANT IS TO PUT MESQUITE. THAT'S FINE. WE HAVE 8.5 FEET OF LANDSCAPING, WE DECIDED TO DOUBLE UP THE TREES. SO WHAT WE HAD BEFORE YOU IS REPRESENTATIVE OF THE MESQUITE TREES ALONG THE NORTHERN PROPERTY, EVERY 10 FEET WHICH IS WHAT THEY WANTED. HERE TO ANSWER ANY QUESTIONS YOU MAY HAVE.

>> THIS IS A PUBLIC HEARING. ANYONE HERE TO DISCUSS THE ITEM I WILL CLOSE THE BOARD. MR. WOODBURY.

>> I HAVE TO CONSIDERATION BECAUSE ONE OF THE NEIGHBOURS GOT THE WRONG TIME AND DIDN'T SHOW UP AT THE MEETING. AND I APPRECIATE YOUR WILLINGNESS TO WORK AN YOUR PATIENCE, AND WORKED OUT A SOLUTION. AND I'LL MOVE FOR APPROVAL WITH THE REVISED LANDSCAPING BUFFER AND ALL THE OTHER RECOMMENDED CONDITIONS. THERE'S A MOTION FOR APPROVAL MOTION CARRIES.

>> THANK YOU VERY MUCH, HAPPY HOLIDAYS.

>> ITEM 28 HAS BEEN HELD. NEXT ITEM 29, UC-1368-07, USE PERMIT TO ALLOW DESIGN STANDARDS FOR ACCESSORY STRUCTURES. WAIVER DEVELOPMENT STANDARDS FOR LANDSCAPING. WAIVER OF CONDITIONS FOR A ZONE CHANGE. REQUIRING LANDSCAPING ALONG EDMOND STREET IN CONJUNCTION WITH AN AUTOMOBILE DEALERSHIP. WITH AN EXISTING

AUTOMOBILE SALES ESTABLISHMENT, ON 4.1 ACRES IN A C1 ZONE AND A C2 ZONE IN THE OVERLAY DISTRICT. GENERALLY LOCATED ON THE SOUTH I'D OF SAHARA AVENUE AND THE WEST SIDE OF EDMOND STREET WITHIN SPRING VALLEY. THESE PERMIT WAIVERS DESCRIBED MANY YOUR AGENDA. STAFF FINDS THE OCCUPANT'S REQUEST ON THE ACCESSORY STRUCTURE REASONABLE. THE EXTERIOR WILL MATCH THE EXTERIOR OF THE BUILDING. STAFF HAS NO OBJECTION TO THE APPLICANTS REQUEST TO THE INTERIOR PARKING LOT LANDSCAPING AS THE LANDSCAPING ON THE THIS LOT ADJACENT TO THE WEST DEPICTS LITTLE TO NO LANDSCAPING WILL ONLY BE ACCESSIBLE TO EMPLOYEES OF THE DEALERSHIP. STAFF CAN IS UP THE ABOUT CANS REQUEST TO ALLOW A 6' HIGH WALL AS THE WALL SHOULD NOT HAVE AN ADVERSE OR DETRIMENTAL IMPACT ON THE ADJACENT PROPERTIES. CANNOT SUPPORT REQUEST, STAFF COULD IMPACT THE SINGLE FAMILY RESIDENTS TO THE SOUTH. THE PARKING SPACES ARE 27-FEET DEEP. THE STAFF FINDS THERE'S ADEQUATE ROOM FOR THE APPLICANT TO INSTALL THE REQUIRED LANDSCAPING. STAFF RECOMMENDS APPROVAL OF THE USE PERMIT AND THE COMMITTEE REVIEW AND DEVELOPMENT STANDARDS NUMBER 1-C AND THE WAIVER OF CONDITIONS. IF APPROVED CONDITIONS ARE LISTED IN THE AGENDA, AND THE SPRING VALLEY TOWN BOARD HAD NO RECOMMENDATION DUE TO NOT HAVING A QUORUM.

>> GOOD MORNING. HI MY NAME IS ROB SAMSON. 3003 HIGHWAY NUMBER 5. BULL HEAD CITY, ARIZONA WITH CONJUNCTION WITH THE OWNER AND ALSO THE CONTRACTOR. SINCE YOU'VE HEARD EVERYTHING THAT'S IN THE STAFF RECOMMENDATIONS REPORT, WE'RE HERE TO KIND OF DISCUSS WITH YOU, JUST THE TWO OPTION OR THE TWO AREAS OF CONCERN FROM STAFF AN WE WOULD LIKE TO DO IS GET MAYBE HAVE SOME DISCUSSION ON THAT AS FAR AS WHAT THE EXISTING LANDSCAPING HAS THERE AND KIND OF GIVE YOU THE JACK GROUND AS TO WHAT WE FOUND IN OUR RESEARCH ON THIS ZONE CHANGE THAT HAPPENED IN 1999 AND HOW THE CONDITIONS WEREN'T SATISFIED BACK THEN. WE'VE DONE SOME RESEARCH INTO THIS AND IN FACT WHEN WE WENT TO OUR DESIGN REVIEW MEETING PRIOR TO MEETING WITH STAFF, WE SAT DOWN AND THIS ITEM DIDN'T COME UP UNTIL A COUPLE DAYS AFTER BEFORE THE TOWN BOARD MEETING WAS SCHEDULED AND IT WAS SOMETHING HA WE ADDED IN AT THE LAST MINUTE. CURRENT MANAGEMENT IS NOT AWARE OR WAS NOT AWARE THAT THERE WAS ANY CONDITIONS THAT WEREN'T SATISFIED AND I THINK THE FAMILY GROUP HAS ALWAYS HAD A GOOD RELATIONSHIP AS FAR AS TRYING TO MEET WITH THE REQUIREMENTS OF THE COMMUNITY HAD BEEN. WE WOULD LIKE TO REQUEST IF YOU GUYS CAN TALK ABOUT THAT A LITTLE BIT AND SEE IF WE COULD FIND A WAY TO SATISFY THE OWNERS ABILITY TO PUT THESE TWO MINOR STRUCTURES IN WITHOUT HAVING PUT MANY THE LANDSCAPING THAT'S BEEN REQUESTED SEEING A NON-PUBLIC USE AND IT IS THE TREES THAT ARE BEING PLANNED TO GO IN THERE REALLY WON'T GO IN OR WON'T BE VISIBLE FOR A NUMBER OF YEARS UNTIL THEY START TO REACH MATURITY. THAT'S ALL I HAVE.

>> CHIEF FINANCIAL OFFICER FOR FINLEY AUTOMOTIVE GROUP AND ALL I WOULD LIKE TO POINT OUT IS THAT THE LANDSCAPING REQUIREMENTS ON THE INTERIOR, THIS IS THE BACK PARKING LOT OF AN AUTOMOBILE

DEALERSHIP. AND IT IS GATED AND WALLED, AND IT'S NOT ACCESSIBLE OR VISIBLE ONLY THE PUBLIC SO THAT'S THE REASON THAT WE'RE REQUESTING NOT TO BE REQUIRED TO PUT THE LANDSCAPING IN.

>> ANYONE ELSE HERE TO SPEAK ON THIS. THIS IS A PUBLIC HEARING. SEEING NO ONE, COMMISSIONER MAXFIELD. THIS IS YOUR DISTRICT.

>> THANK YOU MR. CHAIRMAN. I UNDERSTAND THE LAND SAYING ON THE INSIDE OF THE WALL WHAT YOU'RE ASKING NOT TO HAVE THE DEAL ON YOUR PROPERTY, AS WELL AS THE PARKING LOT LANDSCAPING, ASKING NOT TO DO, THE WALL THAT'S EXISTING IS THAT OF VALUE TO US.

>> THIS IS COMING, I WAS STANDING AT TALKING THE PICTURE NO SO A LONG PALM TREE, IS THAT WHAT YOU'RE SHOWING US, WHAT ABOUT THE BACK WALL? WHAT'S THE WALL BETWEEN THE RESIDENTIAL AND YOURS? WAS IT THERE BEFORE YOU GUYS BUILT OR DID YOU BUILD FIRST.

>> ORIGINALLY.

>> NO WE BUILT FIRST.

>> AND SO, WHAT TYPE OF WALL IS THAT ON THE SOUTH SIDE?

>> IS IT JUST A STANDARD BLOCK.

>> I WASN'T ABLE TO GET INTO THIS NEIGHBOURHOOD TO SEE IF THERE'S ANY TYPE, .

>> BUT THAT'S WHAT THEY HAVE, IT'S JUST THERE.

>> JUST FOR CLARIFICATION, WHAT ARE YOU ASKING HIM TO KNOCK THAT DOWN AND PUT UP A DECORATIVE WALL?

>> NO WE'RE OKAY WITH THE WALL. BECAUSE IF IT WAS A DECORATIVE WALL, IT WOULD ONLY BE DECORATIVE ON THEIR SIDE ANYWAY. WHAT WE'RE NOT SUPPORTING IS THE RECONSTRUCTION OF LANDSCAPING ALONG THAT SOUTH PROPERTY LINE AND THEY'RE PUTTING ALL THESE ACCESSORY STRUCTURES IN THE REAR OF THE PROPERTY, WE FELT THAT AT LEAST THEY HAD THE -- THEY HAD THE ROOM. AT LEAST PUT IN THE APPROPRIATE LANDSCAPE.

>> AND HOW TALL ARE THE STRUCTURES THAT YOU'RE PUTTING IN?

>> BETWEEN 13 FEET AND 17 FEET.

>> YEAH, AND WAS THERE A TOWN BOARD DIDN'T MEET, DIDN'T HAVE A QUORUM OUT RIGHT. AND THERE'S MO ONE HERE SPEAKING. I DON'T HAVE AN ISSUE WITH THAT. AND IT'S A NEIGHBORHOOD ESPECIALLY HERE HAD AN ISSUE, I WOULD KNOW ABOUT THAT. I HAVE ANOTHER ISSUE THOUGH THAT DOESN'T APPLY TO DIRECTLY BUT APPLIES WHEN WE THROW CAR

DEALERSHIPS IN THE BAG AND WE SAY YOU'RE ALL THE SAME. DON'T TAKE OFFENCE TO THIS BECAUSE I'M NOT SAYING YOU BUT I DON'T WANT IT TO BE A PROBLEM. I HAVE CONTINUAL ISSUES WITH CERTAIN DEALERSHIPS UP AND DOWN THE SAHARA CORRIDOR ABOUT PARKING. AND DELIVERY. FIG UP THE CAR LOTS WITH CARS FOR SALE AND NOT PROVIDING FOR LEAVES OR CUSTOMERS, NOT PROVIDING THE ABILITY TO DELIVER VEHICLES AND THAT, AND IT'S BEEN IN A NOT FROM YOU. I WANT TO MAKE SURE YOU UNDERSTAND. BUT I WANT TO, I'M CLAMMING DOWN, I WANT PEOPLE TO UNDERSTAND THAT I HAVE ZERO TOLERANCE FOR A BUSINESS TO NOT PROVIDE FOR PARKING, FOR ITS EMPLOYEES AND CUSTOMERS. AN TO PUT IT ON TO PUBLIC STREETS OR NEIGHBORHOODS I HAVEN'T LET ANYONE DO IT. LIKE I SAY AGAIN, I'VE FOR ANY ISSUES WITH THE ORGANIZATION AND I APPRECIATE THAT AND MAYBE YOU CAN BE THE BANNER FOR HOW TO DO IT RIGHT. BUT I WANT TO MAKE SURE ON THE RECORD THAT I CAN ACCEPT THIS AND APPROVE THIS, AND I WANT TO MAKE SURE I HAVE THE DISCRETION TO MAKE SURE ALL YOUR PARKING THAT YOU NEED FOR EMPLOYEE AND CUSTOMER WILL BE TAKEN CARE OF ON YOUR SITE AND ALL-TIMES.

>> I CONCUR WITH WHAT YOU'RE SAYING AND AS A POINT OF INFORMATION JUST NEXT WEEK WE WILL BE PAVING AND EXPANDING ON AN ADJACENT PARCEL TWO AND A HALF ACRES OF PARKING TO ACCOMMODATE THE SITE.

>> I APPRECIATE THAT. I WISH OTHERS WOULD UNDERSTAND THAT BUT I WILL USE YOU AS A REFERENCE BUT I WILL LIKE THAT AS A CONDITION SO THAT THERE ISN'T ANY IFS ANDS OR BUTS ABOUT IT. I MOVE FOR APPROVAL OF THIS ITEM AS REQUESTED BY YOU, AND THEN REMOVING THOSE CONDITIONS, BUT ADDING THE CONDITION OF MAINTAINING ON SITE PARKING FOR EMPLOYEES, AND CUSTOMERS ON SITE AT ALL-TIMES.
>> RIGHT.

>> THANK YOU COMMISSIONER COLLINS.

>> COMMISSIONER COLLINS.

>> I DIDN'T UNDERSTAND THE LANDSCAPE. YOU DON'T WANT TO DO ANYTHING ON THAT WALL SOME AND THE REASON I BRING THAT UP, A MESQUITE TREE 25, 30 FEET IS \$30. THEY DON'T SHED MUCH. THEY GROW FAST AROUND NICE AND THEY WOULD BREAK UP THAT BUILDING ON THE RESIDENTIAL SIDE. THAT WAS THE ONLY THING I THOUGHT.

>> AND I CONSIDERED THAT. I CONSIDER THAT FIRST WITH WHAT WAS GOING ON, BUT IT'S BEEN MY EXPERIENCE WHEN YOU HAVE RESIDENTS, IN PARKING, THE OTHER SIDE OF THE LANDSCAPING IS SOME PEOPLE DON'T WANT THOSE TREES AND SO ON AND SO FORTH THAT NOW BLEED OTHER INTO THEIR YARD BECAUSE THEY MIGHT HAVE SMALL YARDS, OR OTHER ISSUES. THAT CAUSES AS MANY SOMETIMES PROBLEMS IN PARKING LOTS AND SO ON AND SO FORTH. I JUST DIDN'T SEE THAT THERE WAS A NEED. NOW IF THIS WAS IF THERE WASN'T A RESIDENCE THERE, I WOULD

HAVE LANDSCAPING ON THE OUTSIDE FENCE BUT I DIDN'T THINK IT WAS NECESSARY HERE.

>> I THINK WE HAVE AN ORDINANCE, SOMETHING THAT RESTRICTS THE OUTSIDE PUBLIC ANNOUNCE SYSTEM FROM SOME OF THESE BUSINESSES. YOU DON'T HAVE SOMETHING ALONG THOSE LINES THAT WILL DISTURB RESIDENTIAL. I HEAR THAT ON MY SAHARA SIDE A LOT.

>> AND UNDERSTAND THIS IS AN EXISTING NOTHING CHANGES, WE'RE JUST ADDING AN EXIST AND ADDITIONAL SERVICE BUILDING IN THE REAR, SO NOTHING CHANGES AS REGARDING.

>> RIGHT BUT DO YOU DO OUTSIDE ANNOUNCEMENTS SO THAT IT IS.

>> I DON'T BELIEVE THERE'S ANY OUTSIDE ANNOUNCEMENTS AT THAT LOCATION. WE HAVE A NUMBER OF LOCATIONS I'M TRYING TO REMEMBER SPECIFICALLY THERE.

>> WE DO HAVE A RESTRICTION ON THAT DON'T WE JASON.

>> OUR CODE UNDER THE SITE ENVIRONMENTAL STANDARDS WOULD REQUIRE USE PERMIT.

>> OKAY, SO, ALL RIGHT. THAT ANSWERS THAT. IF YOU NEED TO THEN YOU WOULD HAVE TO GET A USE PERMIT. THANK YOU.

>> THANK YOU VERY MUCH.

>> MOTION CARRIES.

>> HAVE A GOOD DAY.

>> ITEM 30 HAS BEEN WITHDRAWN. NEXT ITEM 31. 13-0357. ONE ALTERNATIVE LANDSCAPING AND TWO REDUCED DRIVEWAY DEPTH. DESIGN REVIEW FOR A RESIDENTIAL CONVERSION TO OFFICE ON 0.2 ACRES AND A CRT ZONE. GENERALLY LOCATED ON THE EAST SIDE OF SWENSON STREET. 100 FEET SOUTH WITHIN PARADISE. WAIVERS AND BACKGROUND ARE DESCRIBED IN YOUR AGENDA. THIS NEIGHBORHOOD IS TRANSITIONING FROM A RESIDENTIAL USE TO A MORE COMMERCIAL USE DUE TO THE GROWTH AT McCARRON AIRPORT. GENERALLY NEIGHBORING PROPERTIES ARE SUBMITTED FOR CONVERSION ARE BETTER ABLE TO MEET TITLE 30 STANDARDS AND SHARED PARKING. HOWEVER THE ONLY PROPERTY OWNER CONVERTING AT THIS TIME AND HAS DONE ALL WHILE MAINTAINING THE EXISTING STRUCTURE. SEVERAL PARCELS ARE OWNED BY THE DEPARTMENT OF AVIATION AND ARE DEED RESTRICTED FOR NON-RESIDENTIAL USES NOT PLANNED FOR AT THIS TIME. STAFF FINDS THE APPLICANT PROVIDED A SITE DESIGN THAT PROVIDES ALL THE REQUIRED PARKING HOWEVER THERE'S NO LANDSCAPING TO PROVIDE BUFFERINGS IN THE RESIDENTIAL PROPERTY. NONE OF THE ALTERNATIVES SCREENING

REQUESTS CAN BE SUPPORTED DUE TO THE FACT THAT THERE IS SUFFICIENT SPACE TO PROVIDE THE REQUIRED SCREENING. THE APPLICANTS PLANS WITH ADJACENT PARKING SPACES. AS FOR THE TRAFFIC DEPARTMENT IS ALLOWED BUT THE MINIMUM DEPTH IS 25 FEET. THE PLANS INDICATE A DEPTH OF FOUR FEET AND UNDER. THERE'S A POTENTIAL FOR COLLISIONS WITH VEHICLES ENTERING THE SITE. THEREFORE I CANNOT SUPPORT THE WAIVER. STAFF RECOMMENDS DENIAL WITH APPROVED COMMISSIONS LISTED IN YOUR AGENDA. THE TOWN BOARD RECOMMENDED DENIAL BASED ON STAFF RECOMMENDATION.

>> MR. CHAIRMAN I'M LEONARD TURN

>> I'VE BEEN WITH THE PLANNING DEPARTMENT. I'VE BEEN BACK TO MY DRAFTMAN FIVE TIMES AND THEY'LL TELL ME WHAT TO DO. I GO HAVE IT DONE. THEN THEY SAY THIS DON'T WORK. GO BACK AND GET THIS DONE. SO I DON'T KNOW WHAT TO DO. I DON'T KNOW WHAT I'M GOING TO DO NOW TO MAKE IT WORK.

>> OKAY. THANK YOU. THIS IS A PUBLIC HEARING. IS ANYONE ELSE HERE TO SPEAK ON THIS?

>> M.J. HARVEY, PARADISE TOWN BOARD. THIS PROPERTY IS ON SWENSON JUST NORTH OF THE BYPASS FROM THE AIRPORT. IT'S RIGHT HERE. LAST YEAR THE PROPERTY WAS REZONED CRT WHICH IS CONFORMING. HOWEVER, AT THAT TIME, ALTHOUGH THE PROPERTY WAS REZONED CRT, ALL THE OTHER REQUESTS WERE DENIED BECAUSE THEY DIDN'T INFORM?-- THEY COULDN'T CONFORM. NOW WE DENY THIS APPLICATION. THERE WERE SO MANY WAIVERS TO REDUCE ALL THE LANDSCAPING ON ALL SIDES, ALLOW A CHAIN-LINK FENCE ON THE SOUTH SIDE OF THE HOUSE WHICH IS ABOUT 4, 4 AND A HALF FEET SEPARATION BETWEEN THIS APPLICATION AND THE RESIDENTIAL HOUSE TO THE SOUTH. THEY WANTED TO HAVE A 1.6 LANDSCAPE BUFFER ON THE WEST PROPERTY LINE WHERE 15 FEET IS REQUIRED. THEY WANTED TO KEEP THE BLOCK WALLS ON BOTH THE NORTH AND EAST SIDE WHERE DECORATIVE WALLS ARE REQUIRED BETWEEN COMMERCIAL AND RESIDENTIAL. I HAVE?-- I WANT TO SHOW YOU WHERE THIS EXACTLY IS.

>> THIS IS THE BYPASS GOING NORTH ON SWENSON. THERE ARE NOW SIX PROPERTIES THAT THE AIRPORT HAS NOT PURCHASED. THE QUESTION?-- PROPERTY IN QUESTION IS RIGHT HERE IS ON SWENSON JUST TWO STREETS SHORT OF A STREET?-- TWO HOUSES SHORT OF DE MET. I HAVE GONE OVER THERE AND I HAVE TRIED, SINCE LAST YEAR'S APPLICATION AND THIS YEAR'S APPLICATION THAT COMES BACK AGAIN FOR ALL THESE WAIVERS AND FOR APPROVAL, I HAVE GONE OVER THERE SEVERAL TIMES, AND I MEAN SEVERAL TIMES. I HAVE GONE NORTH ON SWENSON. IT'S A VERY BUSY STREET. I TRAVEL THAT ROUTE A LOT. GOING NORTH ON SWENSON IS A VERY, VERY BUSY STREET. THIS HOUSE ON THE EAST SIDE HAS ONE LANE OF PARKING IN FRONT OF THE HOUSES GOING NORTH AND SOUTH, ONE LANE. HOWEVER, TO GET IN TO THIS PROPERTY, TO ACCESS THIS PROPERTY, YOU COME ALONG SWENSON GOING

NORTH, A LOT OF TRAFFIC GOING NORTH, ONLY NORTH. IT IS IMPOSSIBLE?-- NOW THEY HAVE SAID THEY HAVE SIX PARKING SPACES. YOU COME IN TO THE PARKING HERE, TO THE DRIVEWAY. IT IS IMPOSSIBLE TO TURN THAT SHARP A RIGHT TURN TO USE THE PARKING LOT AND ALSO TO USE THIS. THEY HAVE COME IN WITH VARIOUS IDEAS THROUGH THE YEAR. I APPRECIATE THAT. BUT THAT IS ABSOLUTELY IMPOSSIBLE TO DO, TO MAKE THAT SHARP AND ALSO ON THE LEFT SIDE HERE. THERE ARE 1, 2, 3, 4, 5, 6 PARKING SPACES THAT THEY INDICATE. HOWEVER, THERE'S A BIG PILLAR IN FRONT OF THE HOUSE, AND YOU CAN'T MAKE THAT LEFT TURN IN THERE. THE PARKING IS ABSOLUTELY IMPOSSIBLE.

>> I TALKED TO RANDY WALKER A COUPLE DAYS AGO, AND I EXPLAINED THIS APPLICATION, AND I SAID ARE YOU STILL PURCHASING PROPERTIES? WHAT IS YOUR OPINION ON THIS? HE SAID, AFTER HEARING ALL THIS, HE SAID IF THE LANDOWNER IS WILLING, WE ARE INTERESTED IN PURCHASING IT. AND THAT WOULD SEEM TO BE AN OUT FOR MR. AND MRS. TURNER, BECAUSE IT'S NOT OCCUPIED. WE DENIED IT. STAFF DENIED IT. THIS WOULD BE A VERY BAD THING I THINK. THERE IS A COMMERCIAL OFFICE A FEW HOUSES SOUTH OF THIS WHICH WAS GRANTED MANY YEARS AGO, MANY YEARS AGO. AND SO SOME OF THE REQUIREMENTS HAVE CHANGED SINCE THEN. BUT WE WERE UNANIMOUSLY AGAINST THIS APPLICATION AS WAS STAFF, AND WE EARNESTLY ASK YOU TO DENY THIS APPLICATION. THANK YOU.

>> LET ME ASK YOU IF THERE IS ANYONE ELSE HERE TO SPEAK? HEARING NO ONE, SIR YOU CAN RESPOND IF YOU'D LIKE TO WHAT SHE SAID.

>> MR. CHAIRMAN, WE CAME AND PAID TO HAVE THE C.R.T. ZONE CHANGE. I HAD THE HOUSE APPRAISED ABOUT THREE MONTHS AGO AND IT'S STILL RE-1. THIS WILL BE THE SECOND TIME I HAVE PAID TO COME DOWN TO HAVE THE ZONE CHANGED, AND I'M STILL GETTING AN RE-1 ZONING. JUNE WAS ON VACATION. SHE TOLD ME TO COME DOWN AND TALK TO HER. IT WAS IN MY DISTRICT SO I ATTEMPTED TO TALK TO YOU. WE NEVER COULD HOOK UP. THIS IS ALL I KNOW I CAN DO WITH THIS, AND IT'S NOT FIT FOR RESIDENTIAL. 50,000 CARS A DAY PASS IN FRONT OF THE HOUSE. YOU CAN'T ANSWER THAT RESIDENTIAL. IT'S ZONED RE-1. I JUST PAID \$2,500 FOR A COMMERCIAL APPRAISAL AND IT'S COME BACK RE-1.

>> Chairman: ALL RIGHT. THIS IS MY DISTRICT, AND I APPRECIATE ALL THE WORK YOU'VE GONE THROUGH, AND I CAN SENSE THAT YOU'RE FRUSTRATED BY WHAT YOU'VE HAD TO DO. BUT THE PROBLEM IS THAT YOUR PLAN, IF WE APPROVED IT LIKE IT IS, AND YOU'VE BEEN VERY CREATIVE AND I'M NOT SUGGESTING YOU HAVEN'T DONE EVERYTHING YOU CAN, BUT IT'S JUST A SMALL SITE. AS YOU SAID, IT'S RIGHT ON SWENSON, A VERY BUSY STREET, AND TYPICALLY, WE REQUIRE I THINK IT IS 25 FEET OF THROAT DEPTH SO THAT PEOPLE HAVE TIME TO DECELERATE, FIND A PARKING SPOT, AND PARK WITHOUT IMPACTING THE

FLOW OF TRAFFIC. YOUR PLAN HAS A THROAT DEPTH, I THINK, OF THREE FEET. SO WHAT WILL HAPPEN IS PEOPLE WILL BE TRAVELING DOWN SWENSON, AND THEY DON'T CRAWL DOWN SWENSON THERE. YOU KNOW THAT. THEY'LL BE GOING PRETTY FAST, THEY'LL SEE THE BUSINESS THAT'S THERE, DECIDE TO TURN RIGHT, AND THEY'RE GOING TO HAVE TO STOP RIGHT IN TRAFFIC. IF THERE'S TWO CARS AT THE SAME TIME TRYING TO ACCESS THAT FACILITY, IT'S JUST GOING TO CREATE A HAZARD THERE. SO WHAT SHOULD YOU DO? I THINK THAT?-- AND I'M HAPPY TO PUT YOU IN CONTACT WITH THE DEPARTMENT OF AVIATION. THEY HAVE ACQUIRED A LOT OF PROPERTY IN THIS AREA BECAUSE OF THE BURDENS THAT THE AIRPORT HAS PUT ON RESIDENTIAL DEVELOPMENT. AND PEOPLE DON'T?-- IT'S TOUGH TO LIVE WHERE THAT HOUSE IS. AND THEY ACQUIRE PROPERTY FOR APPRAISED VALUE. BUT IT HAS TO BE A WILLING BUYER, WILLING SELLER SITUATION. THEY DON'T CONDEMN IT. THAT'S ONE OPTION FOR YOU. THE OTHER IS TO TRY TO COMBINE YOUR PROPERTY WITH THE PROPERTIES ADJACENT TO YOU SO YOU HAVE A BIGGER SITE AND CAN PLAN IT BETTER SO THAT YOU CAN CREATE A PARKING SITUATION THAT WON'T BE A PUBLIC SAFETY HAZARD.

>> WELL, THE DEPARTMENT OF AVIATION OWNED THE HOUSE NEXT DOOR, AND I TRIED TO GET THEM TO LET ME TAKE OUT THE BLOCK WALL?-- TAKE OUT THE CHAIN-LINK FENCE AND PUT A BLOCK WALL. THEY SAID NO, THEY'RE NOT INTERESTED. THEY TOLD ME I COULDN'T DO IT.

>> Chairman: LET'S DO THIS IF YOU'RE WILLING. RATHER THAN DENY THIS, I CAN'T IN GOOD CONSCIENCE APPROVE THIS BECAUSE I THINK IT WOULD CREATE A PUBLIC SAFETY HAZARD. I HAVE ALL THESE SMART ENGINEERS HERE. I'M NOT AN ENGINEER BUT I'M SITTING NEXT TO ONE.

>> HE MIGHT AGREE.

>> Chairman: I'LL ASK HIM WHAT HE THINKS SO I CAN GET A SECOND OPINION. I'M CONCERNED ABOUT APPROVING THIS AS IT IS. BUT I'M HAPPY TO SIT DOWN WITH YOU AND THE DEPARTMENT OF AVIATION AND SEE IF THERE'S SOMETHING THAT CAN BE WORKED OUT EITHER COMBINING THE TWO PROPERTIES OR, YOU KNOW, HAVING THEM PURCHASE YOUR PROPERTY, IF THAT'S WHAT YOU WANT TO DO. SO WHAT I'D LIKE TO DO IS MAYBE HOLD THIS FOR A MONTH SO THAT WE CAN HAVE THOSE CONVERSATIONS. OTHERWISE, MY ONLY OPTION IS TO DENY IT, AND THEN YOU WOULDN'T BE ABLE TO FILE FOR ANOTHER SIX MONTHS OR SO.

>> WELL, YOU'RE HARD TO CATCH UP WITH. [LAUGHTER]

>> Chairman: THAT'S TRUE.

>> I HAVE TRIED. I KNOW YOU'RE WORKING?--

>> Chairman: AND YOU KNOW, I DON'T KNOW WHAT HAPPENED. I DON'T REMEMBER SEEING YOUR NAME AND I'M NOT SAYING YOU DIDN'T CALL ME.

>> I CALLED?--

>> Chairman: I'M NOT SAYING YOU DIDN'T. I'M HAPPY TO MEET WITH YOU.

>> OKAY.

>> Chairman: AND CALL MY OFFICE AND WE'LL SIT DOWN WITH THE DEPARTMENT OF AVIATION. BUT WE CAN'T APPROVE THIS LIKE IT IS. IT WOULD BE UNSAFE. SO MY MOTION?-- IF YOU WANT TO HEAR FROM THE ENGINEER, I DON'T KNOW IF YOU WANT TO KNOW WHAT HE THINKS, BUT GO FOR IT.

>> I THINK CHAIRMAN IS GIVING YOU GREAT ADVICE.

>> CAN I ASK A QUESTION?

>> Chairman: YES, MA'AM.

>> THE REASON I'M CONFUSED. THE HOUSE DOWN THE STREET AT 5242 SWENSON STREET HAS THE SAME SETUP AS OURS.

>> Chairman: IS THAT CONNELL?

>> YES.

>> Chairman: I'M FAMILIAR WITH THAT. I DON'T KNOW WHAT IT WAS APPROVED. IF I HAD ANYTHING TO DO WITH IT, THAT NEVER WOULD HAVE HAPPENED. THE SITUATION THERE IS NOT SAFE. AND YOU KNOW, I DON'T WANT TO COMPOUND THE PROBLEM. JUST BECAUSE SOMEBODY DID SOMETHING WRONG, DOESN'T MEAN WE SHOULD DO IT AGAIN.

>> THERE HAVE BEEN ACCIDENTS OR SOMETHING LIKE THAT?

>> Chairman: I DON'T KNOW THAT.

>> LET ME ADD ONE MORE THING BUT I SAY IT WITH ALL RESPECT. WHEN THE CRT CAME ABOUT, IT CAME ABOUT FOR TWO REASONS ONE FROM TRANSITIONING FROM RESIDENTIAL TO COMMERCIAL AND THE HOPES OF COMBINING PARCELS AND GIVING PEOPLE THAT HAVE EXISTING HOMES AN ABILITY TO CONVERT THEM INTO COMMERCIAL T WASN'T REALLY AND ISN'T REALLY INTENDED FOR INDIVIDUAL PARCEL BY PARCEL TO COME IN, BECAUSE THIS IS WHAT HAPPENS. WE HAVE THESE OTHER HAZARDS THAT EXIST. I'LL GIVE YOU AN EXAMPLE. THE EXAMPLE WE DID IN ANOTHER AREA OF TOWN WHERE INDIVIDUALS WERE COMING IN PIECE BY PIECE FOR C.R.T. EXISTING HOME CONVERSIONS, WE SAID NO, WHAT WE NEED TO DO IS GET YOU ALL TOGETHER AS A NEIGHBORHOOD, AS THIS BLOCK AND MEET WITH THE STAFF AND COME UP WITH ALTERNATIVE DESIGN STANDARDS THAT WOULD PROVIDE FOR THE PARKING AND THE INGRESS AND EGRESS AND THE LANDSCAPING. THEY UNDERSTAND THAT.

IT DOESN'T REALLY WORK ON AN INDIVIDUAL BASE ON ALL CASES AND THAT CAN BE PROBLEMATIC FOR YOU. THE REALITY IS WE DIDN'T DO IT SO WE WOULD HAVE CARS STOPPING IN THE PUBLIC RIGHT-OF-WAY TO TRY TO GET IN AND OUT OF A PLACE AND HAVING NO ABILITY FOR PEOPLE TO ENTER IN OR EXIT ON TO A PUBLIC STREETS SAFELY. I THINK YOU WOULD BE WELL ADVISED TO PARTICIPATE WITH CHAIRMAN REID'S?—

>> CHAIRMAN REID, I'LL BE IN TOUCH WITH YOU NEXT WEEK.

>> Chairman: WHAT I'D LIKE YOU TO DO IS WALK RIGHT OVER THERE AND TALK TO ME IN A SECOND. WE'RE GOING TO MAKE A MOTION.

>> WHEN YOU'RE DRIVING NORTH WHEN YOU COME OFF OF RUSSELL, WHEN YOU COME OFF THE 215 EXIT OR COMING FROM THE AIRPORT, RIGHT THERE IS WHERE YOU TO MERGE LEFT AND THEN YOU CAN MERGE LEFT AND THERE'S PARKING ON THAT STREET BEFORE YOU GET TO WHERE THE OLD PARADISE ELEMENTARY SCHOOL TO TURN ON TROPICANA APPEARS THAT YOU CAN ALSO GO STRAIGHT THROUGH. BECAUSE I WAS ATTENDING THERE FREQUENTLY THE LAST WEEK AND A HALF.

>> Chairman: THAT'S WHAT WE UNDERSTAND.

>> I WAS WATCHING CARS TRYING TO BACK OUT OF THERE AND I'M LOOKING. I DON'T KNOW WHICH HOUSE IT WAS. I WAS WATCHING THESE CARS TRYING TO BACK OUT OF THERE. IT IS IMPOSSIBLE TO BACK OUT THEREOF. WITHOUT A CIRCLE DRIVEWAY AND SOME KIND OF BETTER APPROACH TO THAT THING, I DON'T SEE HOW YOU COULD PUT SOMETHING THERE. I UNDERSTAND THEIR DILEMMA. I CAN SEE PARK IN THE BACKYARD.

>> Chairman: THIS IS ONE OF THE FEW ITEMS WHERE EVERYBODY IS RIGHT. I'LL MAKE A MOTION THIS TO GIVE US TIME TO FIGURE SOMETHING OUT. WHEN IS OUR SECOND MEETING?

>> JANUARY?16.

>> Chairman: CAST YOUR VOTE ON THE MOTION. MOTION CARRIES.

>> NUMBER 32 HAS BEEN HELD. THAT ENDS THE MORNING AGENDA.

>> Chairman: WE'LL RECESS UNTIL 1:00?P.M. THANK YOU. THERE'S A SHORTAGE IN ALL OF THESE FOLKS OUT THERE LOOKING FOR A PLACE TO RECYCLE. I'M ABOUT TO OPEN AROUND THE CORNER ON CHEYENNE. JUST AROUND THE CORNER FROM EVERGREEN RECYCLING IS WOLF RECYCLING. WE HAVE AN ISSUE HERE IN CLARK DOWN WHERE THERE ARE RECYCLING COMPANIES THAT COMPLY. I TAKE OFFENCE TO THE CRITICISM OF PUBLIC SERVICES BY THIS GENTLEMEN, BECAUSE OF THE WORK THAT THEY HAVE DONE IN THE LAST FEW YEARS, THAT IS MUCH BETTER THAN THEIR PREDECESSOR IN ADDRESSING PARTNERSHIPS IN RECYCLING. SO I THINK THAT WAS UNCALLED FOR. BUT THESE COMPANIES

THAT ARE RECYCLING IN THIS COMMUNITY AND THE RECYCLING IS ON COMMERCIAL BECAUSE THAT'S WHERE IT'S AT, ARE DOING THE LANDSCAPING, THEY'RE DOING THE IMPROVEMENTS ON THEIR PROPERTY. IF NOT IMMEDIATELY, WITHIN ONE TO TWO YEARS. AND SO, I WANTED A WALL THIS LENGTH OF TIME OF REQUEST.

>> COMMISSIONER WEEKLY THEN COMMISSIONER GIUNCHIGLIANI.

>> ANOTHER ONE IS DOING CONCRETE LIKE NEVADA RECYCLING AREA. THEY'RE DOING CONCRETE SLABS TO DO THIS KIND OF RECYCLING. SO.

>> GO AHEAD, PLEASE.

>> I GUESS I THINK IN ORDER TO GET THE RIGHT KIND OF BUSINESS WE NEED TO GIVE YOU THE TIME THROUGH TO LET YOU GO OUT AND LET YOU COMPETE. AND THAT I UNDERSTAND. IS WILL A WAY WE CAN CONDITION THAT THEY DO APPLY AND RECEIVE THEIR PERMIT TO FUNCTION AS A RECYCLING CENTER. AND TIE THAT INTO IT RATHER, AND THEREFORE THERE'S A MAINTENANCE THEY HAVE MAINTAIN THAT AND THAT'S SOMETHING WE CAN DO?

>> ARE YOU SUGGESTING TIME TO REVIEW PERIOD FROM WHEN THEY ACTUALLY GET A BUSINESS LICENSE OR --

>> I'M JUST TRYING TO GET A HANDLE ON IT BECAUSE WE'RE FINALLY CAPTURING FOLKS THAT HAVE BEEN DOING THIS BACKYARD RECYCLING THAT WE DON'T WANT TO HAVE. WE WANT LEGITIMATE BUSINESSES THAT ARE TRULY TAKING THINGS THAT WE WANT OFF THE STREET AND OUT OF YARDS AND SO FORTH. I'M TRYING TO FIGURE OUT IF THERE'S A COMPROMISE THAT MAYBE WE DON'T PUT THE 10-YEAR REVIEW BUT THIS IS APPROVED OR CONDITIONED UPON THEM RECEIVING A LICENSE PERMIT TO FUNCTION AS A RECYCLING CENTER. THEN THAT WAY THEY HAVE TO MAINTAIN THAT PART AND IT GIVES, NOT FOR US TO MONITOR BECAUSE IT'S DIFFICULT FOR STAFF TO SAY OKAY 10 YEARS FROM NOW WE HAVE TO GO OUT. BUT WE WOULD HAVE THAT CONTINGENCY ON FILE THAT THEY APPLY FOR AND RECEIVE.

>> THAT'S A PERMANENT APPROVAL WITH ONGOING COMPLIANCE WITH CODE. AND MAINTAINING THEIR PROJECT WHICH IS SOMETHING WE REQUIRE ANYWAY.

>> I HAVE TO CONQUER WITH THAT.

>> IF WE INSPIRE IT THEN WE WOULDN'T HAVE THE PROBLEMS GOING ON WITH RECYCLING CENTERS IN THE VALLEY NOT BEING LICENSED. SO I THINK IT'S HOWEVER, I WAS TRYING TO COME UP WITH ANOTHER IDEA. BECAUSE SOMETIMES WE TIE IT TO A BUSINESS LICENSE. I'M SUGGESTING WE TIE THE CONDITION TO THEIR HEALTH PERMIT TO FUNCTION AS A RECYCLING CENTER.

>> LET ME SUGGEST SOMETHING. IF THE COMMISSIONER RULES THAT IT IS A PERMIT, IT'S STILL A USE PERMIT.

>> THAT'S CORRECT.

>> AND IF THERE IS ANY CODE MISCONDUCT, THEN IT'S THERE'S A PROCEDURE THAT HAS TO OCCUR. BUT IT COULD BE BROUGHT BACK TO THE COMMISSION IF THEY VIOLATED ANY OF THE ZONING ORDINANCES OR RULES, AND IT COULD BE A SUBJECT OF DISCUSSION. SHORT OF THAT, IF THEY'RE COMPLYING AND DOING AND AGREEING WITH ALL THE ESTABLISHED CRITERIA AND CONDITIONS AND WE WANT RECYCLING, WE HAVE TO GIVE THEM THE ABILITY TO GET BUSINESS IN THERE TO RECYCLE.

>> I WOULD SUGGEST TO YOU ANOTHER -

>> I'M COMFORTABLE ON MAKING A MOTION AND WE'LL SEE WHERE IT GOES BECAUSE I BELIEVE THERE'S ENOUGH PEOPLE OUT IN YOUR AREA THAT WILL MONITOR YOU AND LET US KNOW INSTANTLY IF YOU'RE DOING SOMETHING. I'M COMFORTABLE WITH THAT. I'M GOING TO MAKE A MOTION FOR PERMANENT STATUS AND KNOWING THE COUNTY WILL BE RESPONSIBLE FOR LOOKING INTO THIS IF SOMETHING GOES HAYWIRE. THAT WE CAN GET CODE OF COMPLIANCE OUT THERE.

>> YOU'VE HEARD THE MOTION, ANY COMMENTS OR QUESTIONS? PLEASE CAST YOUR VOTE. MOTION CARRIES WITH COMMISSIONER COLLINS ONLY NAY AND COMMISSIONER REID ABSENT.

>> THANK YOU VERY MUCH. COMMISSIONER COLLINS. SORRY ABOUT MY COMMENTS ABOUT PUBLIC SERVICES BY I WENT THROUGH A VERY LONG TIME AND I STILL HAVE -- SURE. I'M GLAD YOU'RE NOT IN MY DISTRICT.

>> ITEMS 43, 44, 45 HAVE BEEN HELD. NEXT YOU'VE IS 46. APPEAL USE PERMIT TO ALLOW PACKAGE LIQUOR SALES, 0.5 ACRES IN AN AE65 ZONE IN THE MUD TWO OVERLAY DISTRICT ON THE SOUTHEAST CORNER WITHIN PARADISE. BACKGROUND IS IN YOUR AGENDA.

>> TITLE 30 STATES IN AN H1 ZONE TO ENSURE THE DEVELOPMENT OF NEW USES IS COMPATIBLE WITH SURROUNDING USE AND NOT DETRIMENTAL TO GAMING ENTERPRISES. SINCE THERE ARE NO GAILING ENTERPRISES, REQUEST FOR PACKAGED LIQUOR AT THIS LOCATION REASONABLE. THAT RECOMMENDS APPROVAL WITH THE CONDITIONS IN YOUR AGENDA. THE TOWN BOARD RECOMMENDS APPROVAL. WE'VE RECEIVED SEVEN CARDS IN SUPPORT AND NINE IN PROTEST. THE PLANNING COMMISSION DENIED THIS ITEM AND THIS HAS APPEALED BY THE APPLICANT STATING ITS PROTESTERS WERE TOO HARSH.

>> THANK YOU.

>> ERIC FITTING, 9421 CROWN VISTA LANE ON BEHALF OF B.J.'S MARKET. THE APPLICANT HERE. HE DOESN'T -- THE APPEAL ON THIS MATTER WAS BASED NOT NECESSARILY ON THE COMMENTS WERE TOO HARSH BUT DIDN'T HAVE THE OPPORTUNITY TO ARTICULATE SOME OF THE REASONS FOR THIS. SOME OF THE BENEFITS OF THE COMMUNITY. HE HAS PUT A SUBSTANTIAL AMOUNT OF MONETARY INVESTMENT AS WELL AS GOODWILL INTO THE COMMUNITY. HE HAS TORN DOWN OUTDATED BUILDINGS AND PUT SUBSTANTIAL AMOUNT OF MONEY INTO ERECTING PROBABLY THE MOST MODERN FACILITY IN THE AREA. THERE IS A HIGH DENSITY OF MULTIUNIT RESIDENTIAL BUILDINGS THERE. WHICH IS PERHAPS THE REASON WE COME TO CONCLUSION THAT IT WOULD BE ADVISABLE TO DO THIS. THE NEAREST GROCERY STORE FULL GROCERY STORE WITH AMENITIES IS A VONS ON MARYLAND PARKWAY. THAT'S OVER A MILE AWAY OR APPROXIMATELY A MILE AWAY. THE MARKET IN THE RECOMMENDATION FOR APPROVAL, IT STATES THAT THIS IS A CONVENIENCE STORE. HOWEVER, TITLE 30 ACTUALLY DEFINES A GROCERY. NOT A GROCERY STORE BUT A GROCERY AS STAPLE FOODS MEANT FOR HUMAN CONSUMPTION, ARTICLING USED IN THE OF FOOD, RELATE HOUSEHOLD SUPPLIES. DAIRY PRODUCTS AND MAY INCLUDE MEATS AND PRODUCE. B.J.'S MARKET DOES INCLUDE MEATS AND PRODUCE BECAUSE OF A SMALL BUYING CAPACITY, HIS ABILITY TO MAKE PROFITS ON THOSE PARTICULAR ITEMS IS LIMITED. AS A RESULT OF THE DOWNTURN IN THE ECONOMY AS WELL, HE'S EXPERIENCING LOWER SALES. IT'S BLAMING HARDER TO FIX COSTS. AND THEREFORE HIS INVENTORY IS DWINDLING. THE COMMITTEE ACTUALLY, THERE WOULD BE A DISSERVICE TO THIS PARTICULAR COMMUNITY AS WHETHER A HIGH DENSITY OF POPULATION THAT DOESN'T HAVE ACCESS TO TRANSPORTATION WITHIN A PUBLIC TRANSPORTATION. AND USUALLY IN A WALKING DISTRICT. THE AVOCATION WAS PREDICATED ON THE FACT THAT HE ALREADY HAS A BEER AND WINE LICENSE BUT HIS CURRENT FREQUENTERS OF THE MARKET REQUESTS THAT THEY WOULD PREFER TO HAVE SOME KIND OF A PACKAGE LIQUOR SALE. THERE'S A FULL-FLEDGED APPROXIMATELY 5,000 SQUARE FEET PLUS OR MINUS DOWN THE STREET ON THE CORNER OF SWENSON AND TWAIN. THERE'S ALSO ANOTHER TAVERN THERE SERVING LIQUOR ESTABLISHMENT. FROM WHAT HE HAS CONVEYED, WITH ADDING LIQUOR TO HIS GROCERY MART WOULD BE DETRIMENTAL WITH THE COMMUNITY. HOWEVER, THE RESULT THE ALTERNATIVE WOULD ABSOLUTELY BE TO PROBABLY PUT HIM OUT OF BUSINESS WITHIN THE NEXT YEAR OR TWO YEARS AND NOT BE ABLE TO OFFER THE NECESSARY SERVICES TO THE COMMUNITY THAT HE NOW DOES. SO, HE'S NOT LOOKING TO ESTABLISH A STAND 'LOAN PACKAGE LIQUOR BUT PEOPLE ALREADY FREQUENTING THAT IN THE COMMUNITY HE'S REQUESTING THAT HE WILL ALLOWED TO PROVIDE THAT SERVICE AND AT THE SAME TIME CREATE SOMEWHAT OF A REVENUE SOURCE TO SUBSIDIZE THE OTHER PRODUCTS WHAT ARE BENEFICIAL TO THE COMMUNITY. SO, HE FEELS LIKE LOWERING SALES OR DIMINISHING SALES ARE THE OVERALL THEME HERE ALONG WITH A REQUEST PEOPLE OF THE IMMEDIATE COMMUNITY. AS FAR AS DETRIMENT OF THE COMMUNITY, WHAT I FOUND IS THERE WAS A FULL SERVICE LIQUOR STORE IN THE SWENSON, WITHIN 433 FEET HERE AND HAD TO SHUT DOWN SEVERAL

MONTHS AGO. MEANING, IMPLICITLY THAT THERE WAS NOT A HIGH ENOUGH DEMAND IN THAT PARTICULAR AREA TO SUBSTAB CHI YATE PACKAGED LIQUOR SALES AND SUSTAIN A BUSINESS SOLELY ON THAT. ACCORDINGLY. IT WOULD SHOW THAT PROVIDING THESE PACKAGED LIQUOR SALES ON THE QUARTER THERE IN THE B.J.'S MARKET IN ADDITION TO THESE FOOD PRODUCTS AND OTHER PRODUCTS FOR GENERAL HOUSEHOLD CONSUMPTION, IT WOULD HAVE A SUBSTANTIAL IMPACT ESPECIALLY WITH THE CLOSING OF THE ADJACENT LIQUOR STORE ON DETRIMENTAL EFFECT ON THE COMMUNITY. ADDITIONALLY I HAVE PULLED UP THE CRIME REPORTS, THAT WAS AN ISSUE I THINK BROUGHT OUT FROM THE LAST 60 DAYS, IN ITS SURROUNDING AREA THE QUARTER MILE LIQUOR STORE FULL SERVICE LIQUOR STORE AT THE CORNER OF TWAIN AND SWENSON, THE INCIDENT REPORTS WERE ALL REALLY IDENTICAL TO THE QUARTER-MILE RADIUS SURROUNDING MR. B.J.'S MARKET. WE WOULD LIKE THAT THE COMMISSION RESPECTFULLY REQUEST OR CONSIDER THIS TO BE A MARK INSTEAD OF A CONVENIENCE STORE, AND THIS TO BE AN ADDED CENTER FOR THE MARKET IN ORDER TO BETTER COMMUNITY, ALLOW THE COMMUNITY TO HAVE ACCESS TO THESE GOODS WHICH THEY WOULDN'T HAVE ACCESS TO IN A LONG TIME. IN THE MEAN TIME. UNFORTUNATELY, I WAS NOT ABLE TO THE GOVERNOR OR ANY GENERALS ON THIS, BUT WE HAVE MEMBERS OF THE COMMUNITY UP HERE THAT FREQUENT THE MARKET THAT WOULD LIKE TO SPEAK ON BEHALF OF THE GRANTING OF THIS LICENSE AS WELL, WE'RE GOING TO ASK FOR THOSE WHO COME FORWARD, BUT LET ME JUST SAY YOU DID -- I DON'T KNOW WHAT MORE CAN BE ADDED TO WHAT YOU JUST SAID, IF THEY WANT TO CONCUR AND SAY THEY'RE MANY FAVOR OF THAT, THAT'S FINE. BUT WE DON'T WANT TO HAVE ANOTHER HALF AN HOUR DISCUSSION ON A PACKAGED LIQUOR SALES THAT PROBABLY REPEATS WHAT YOU HAD TO SAY. IF YOU WANT TO STATE YOUR NAME AND ADDRESS FOR THE RECORD.

>> YES, MY NAME IS LEE WILLARD. I LIVE AT 3684 PARADISE AND B.J. MARKET IS THE CLOSEST PLACE TO MY HOUSE THAT I CAN GET TO. WHERE I LIVE THERE'S AT LEAST 600 UNITS THERE. AND PEOPLE FROM THERE TO MELON PARKWAY WHICH IS THE BIGGEST MARKET THERE, AT LEAST HE CAME TO ME AND HE ASKED ME, HE SAID LEE, WHAT DO YOU THINK? TO BRING PEOPLE IN HERE. WHAT KIND OF MEATS, WHAT KIND OF FOOD BECAUSE EVERY MARKET OVER THERE, MOSTLY EVERY MARKET OTHER THERE CATERS TO ONE PARTICULAR PEOPLE AND THAT'S MOSTLY HISPANICS, THAT'S IT.

>> THANK YOU.

>> UH-HUH.

>> GOOD AFTERNOON, MY NAME IS DOUG MILLER AND I'M A BLOCK AND A HALF FROM B.J.'S MARKET AND I'VE BEEN SHOPPING AT B.J.'S FOR TWO AND A HALF YEARS AND HE DOES, IT'S A BEAUTIFUL PLACE NOW. AFTER HE BUILT THE NEW BUILDING AND WHERE I CAN BUY LIKE MEAT AND YOU KNOW PRODUCE AND THAT'S THE SORT OF THING I HAVE TO GO TO VONS.

AND DUE TO A VISION PROBLEM I HAD TO QUICK DRIVING AND SO I HAVE TO TAKE THE BUS AND GO TO VONS AND TAKE A CAB BACK. AGAIN HAVING YOU KNOW THE LIQUOR THERE WOULD BE GREAT. WE HAVE TO GO DOWN TO VONS FOR THE SAME THING. PLUS, IT'S A VERY DENSELY POPULATED AREA AND I THINK THE PEOPLE HAD ACCESS TO LIQUOR THEY WOULDN'T BE DRIVING THEIR CARS DOWN TO GET IT AND THAT'S A CONCERN TOO.

>> ALL RIGHT, THANK YOU.

>> THANK YOU.

>> HELLO, I HAD HIP SURGERY AND B.J.'S IS THE CLOSEST PLACE I CAN WALK. SO IT WOULD BE A GREAT CONVENIENCE FOR ME, B.J. HAS EVERYTHING I NEED RIGHT THERE.

>> MY NAME IS ROBERT, 565 ROYAL CREST CIRCLE. THIS GENTLEMEN IS AN ASSET TO OUR COMMUNITY. I'VE BEEN LIVING IN LAS VEGAS FOR 22 YEARS AND THE NEIGHBORHOOD MARKET DOESN'T EXIST ANYMORE. EVERYTHING IS CORPORATE FRANCHISED. THIS MAN CALLS ME BY MY NAME. AND I BELIEVE HE DESERVES ANYTHING AND EVERYTHING THAT HE CAN GIVE US FIRST OF ALL, BUT HE ALSO GIVES BACK TO COMMUNITY. THANK YOU.

>> THANK YOU.

>> ANYBODY ELSE WOULD LIKE TO SPEAK ON THIS ITEM?

>> WELL, I'M NOT FAR AGAINST THIS PARTICULAR ITEM BECAUSE I DON'T WANT TO GET IN THAT PART BUT THIS IS IN AN AREA OF THE CITY THAT WE'VE BEEN GETTING A LOT OF NATIONAL ATTENTION. SWANSON, CLOSE TO PARADISE, WHATEVER. THERE'S BEEN QUITE A BIT OF HEAVY CRIME IN MANY THIS AREA.

>> THIS IS A HIGH CRIME AREA NOW, WE'VE GOT TO KEEP THIS IN FRONT OF ALL OF US. I DON'T MEAN NO HARM BUT, I DON'T THINK THAT'S GOING TO MAKE A DIFFERENCE ONE WAY OR ANOTHER. I'M NOT HERE AGAINST YOU SIR. BUT I WISH EVERYBODY THE BEST BUT I WANT TO LET EVERYONE KNOW, THAT IS A HIGH CRIME AREA. THANK YOU.

>> NO, SIR, YOU CANNOT. WE APPRECIATE YOU COMMENTS.

>> HE HAS ALSO TAKEN THE STEPS EVEN THOUGH NOT REQUIRED EVEN GROCERY STORES, 50,000 FEET OR MORE REQUIRED TO SEPARATE THE LIQUOR FROM OTHER GROCERY STORES. HE HAS TAKEN THE SPENT OF BUILDING TO SEGREGATE THE LIQUOR FOR THE PROTECTION OF THE COMMUNITY. TO ENSURE MINORS DON'T GET IN THERE. HE'S GOT THE PLANS AND APPLY FOR THE PERMIT SHOULD THE LICENSE BE GRANTED AT THIS TIME. AND I WOULD ASK FOR ANY CONCERNS, FOR THE OPPORTUNITY TO ADDRESS ANY CONCERNS FOR THE BOARD OR FROM THE OTHER

COMMUNITY MEMBERS HERE. THIS IS NOT INTENDED TO BE A FULLY KERR STORE, LIQUOR IS SUPPOSED TO BE TO HELP SUBSIDIZE THE SALE AND THE FUTURE OF WELL BEING OF THE STORE IN THE COMMUNITY. IN TRYING TO REBUILD THIS DISTRICT, AND BASICALLY YOU WOULD BE ASHAMED TO SEE THE MARKET GO DOWN WHERE THERE'S A FULLY STOCKED EXTENSIVELY KERR STORE. I BELIEVE 900 FEET WAY WHICH IN OTHER WORDS WOULD ALREADY TAKE PRECEDENCE OVER THIS, IT'S AN AMEN ANY A MARKET, IT'S NOT A CONVENIENCE STORE TRYING TO EXPLOIT THE NEIGHBORHOOD.

>> THANK YOU.

>> COMMISSIONER GIUNCHIGLIANI. AREA, I KNOW COMMISSIONER WEEKLY HAS A QUESTION. SO APPRECIATE THAT.

>> THANK YOU VERY MUCH, SIR. I WOULD LIKE TO KNOW AT THIS EXISTING LOCATION, DO YOU ALREADY SELL BEER AND WINE AT B.J.s?

>> I DO.

>> ALL RIGHT, THANK YOU.

>> COMMISSIONER GIUNCHIGLIANI.

>> THANK YOU, I STILL HAVE NOT DECIDED HOW I WANT TO VOTE ON THIS ONE TRUTHFULLY.

>> YOU SERVE A NICHE IN THAT NEIGHBORHOOD BUT THERE'S A LIQUOR STORE 7-11 ON THE SOUTHEAST CORNER, AND WHAT'S THE OTHER MARKET, VEGAS MARKET UP JUST ON THE OTHER CORNER AND WE'VE GOT ANOTHER THE HARD LIQUOR ONE, I DON'T KNOW IF THEY'VE CLOSED YOU JUST SAID.

>> ACTUALLY, THE BEER AND WINE SALES ARE AT THE CORNER OF TWAIN WHERE THE LIQUOR STORE IS ON THE NORTHEAST CORNER. THERE'S A 7-11 ON THE NORTHWEST I'M SORRY THE SOUTHEAST CORNER. AND THERE'S THE CONVENIENCE STORE TO THE FULLEST EXTENT ON THE SOUTHWEST CORNER.

>> MY DILEMMA IS THIS IS AN AREA THAT ABSOLUTELY NEEDS HELP. MY FIRST WEEK MONTH ON THE JOB, THIS WAS THE FIRST AREA WE WANT OUT AND DID GRAFFITI CLEANUP AND SEVERAL OF THOSE AREAS. I DON'T KNOW THAT ADDING THIS AT THIS TIME IS REALLY THE RIGHT THING FOR THIS NEIGHBORHOOD. ESPECIALLY IF WE'RE TRYING TO DEAL, WE HAD A SHOOTING THERE. WITH THE METRO STAND-DOWN ABOUT THREE WEEKS AGO. AND UNFORTUNATELY ITS INDIVIDUALS THAT ARE PARTAKING MORE ON DRUG I BELIEVE RATHER THAN ALCOHOL, BUT THAT'S A CONTRIBUTING PART THAT COMES INTO PLAY. AND I JUST DON'T KNOW HOW THIS HELPS US UPGRADE AND WORK ON THIS NEIGHBORHOOD.

JUST A MOMENT YOUR BUSINESS GOING DOWN BECAUSE YOU DO HAVE A GOOD STORE. AND CLIENTELE YOU KNOW, LOVE THESE FOLKS FOR BEING HERE, BECAUSE THAT'S VERY UNUSUAL FOR IS TO GET. BUT I UNDERSTAND THAT I DON'T KNOW THAT I FEEL COMFORTABLE RECOMMENDING THIS AT THIS TIME. I WOULD RATHER IF YOU WOULDN'T MIND HOLDING THIS SO WE CAN SIT AND TALK OR COME BACK OUT THERE, I WOULD LIKE TO WORK WITH METRO TO SEE WHAT THEIR THOUGHTS ARE MORE CLOSELY ABOUT THAT TRANSITIONING AREA. WE'VE GOT NEW PROJECTS COME IN THAT MAY HELP AS WELL, BUT THE DENSITY THERE, I DON'T KNOW.

>> ACTUALLY, METRO SO MUCH. I NEVER CALL METRO WHEN EVER I HAVE A PROBLEM IN MY PARKING LOT, ALWAYS, PEOPLE UNDERGROUND. SO I KNOW SOMETIME HAPPEN, BUT IT HAPPEN SOMETIMES. YOU KNOW. I HAVE OLD PICTURES HERE.

>> I APPRECIATE THE FOLKS THAT CAME TO TESTIFY IN SUPPORT. I DID GET CALLS AND THERE ARE QUITE A FEW INDIVIDUALS THAT ENTERED A LETTER OF PROTEST AS WELL. MY INITIAL IDEA IS TO DENY IT IF YOU WANT TO WAIT FOR 30 DAYS AND I'LL WORK WITH YOU TO SEE IF I HAVE MORE OF A COMFORT LEVEL TO WORK WITH THAT AREA, THEN I WOULD BE HAPPY TO DO THAT RATHER THAN DENYING IT OUTLINE. SO IT'S YOUR CALL.

>> MADAM CHAIR IF WE CONTINUE FOR 30 DAYS, WE WERE UNDER THE IMPRESSION WE MAY HAVE TO WAIT ANOTHER YEAR TO REAPPLY, AND IF THERE ARE SOME INFORMATION WE CAN REQUEST. WE HAVE A ONE-YEAR HISTORY OF REPORTS FROM METRO THAT WERE FROM THAT INTERSECTION WHERE B.J.s IS LOCATED. APPARENTLY THREE OF THOSE CALLS DID INITIATE FROM THE STORE. THEY WERE ALL MEDICAL RELATED. SOME OF THE OTHER CALLS, THE METRO INDICATED THOSE WERE JUST USED AS A REFERENCE POINT.

>> I APPRECIATE THAT. I UNDERSTAND. LET ME ASK STAFF HOW I MIGHT BE ABLE TO PROCEED. JASON.

>> WE WOULD INVITE ANY OTHER REQUESTS FOR INFORMATION LIKE I SAID.

>> THANK YOU, LET ME SEE FROM STAFF HOW WE MIGHT PROCEED.

>> WE CAN CERTAINLY HOLD IT FOR 30 DAYS AND I BELIEVE WHAT HE MENTIONED WAS A ONE-YEAR TO REAPPLY. THAT'S IF THE APPLICATION WERE DENIED. SIX MONTHS BEFORE HE COULD REAPPLY.

>> IF YOU COULD INDULGE ME A CONTINUE ANSWER OF 30 DAYS SO I CAN CONTINUE TO WORK WITH THESE FOLKS I WOULD APPRECIATE THAT.

>> A MOTION TO HOLD FOR 30 DAY.

>> THAT'S JANUARY 16th.

>> OKAY.

>> THANK YOU.

>> PLEASE CAST YOUR VOTE.

>> MOTION CARRIES. UNANIMOUSLY.

>> ITEM 47.

>> 30 DAYS I IMAGINE YOU SHOULD PROBABLY CALL COMMISSIONER'S GIUNCHIGLIANI'S OFFICE.

>> ITEM 47 HAS BEEN HELD. NEXT ITEM IS 48. UC-135-07. APPEAL USE PERMITS FOR THE FOLLOWING ONE RECYCLING CENTER IN APZ 1 ZONE. WAIVERS OF DEVELOPMENT STANDARDS FOR THE FOLLOWING. ONE REDUCE A SETBACK OF A RECYCLING CENTER FROM A NON-INDUSTRIAL USE. TWO, ALLOW A FLAT ROOF TO NOT BE SCREENED BY A WALL, AND THREE LANDSCAPING AND SCREENING REQUIREMENTS. DESIGN REVIEW FOR RECYCLING CENTER ON A PORTION OF 2.6 ACRES IN AN M1 MAP ZONE. LOCATED ON THE EAST SIDE AND THE NORTH SIDE OF SEAL AVENUE, ALIGNMENT WITHIN SUN RISE MANOR. REQUESTED COMPATIBLE WITH THE SURROUNDING AREA. THE THAT AREA IS ZONED AND PLANNED FOR INDUSTRIAL USES. STAFF DOES NOT HAVE AN ISSUE WITH THE SETBACK SINCE THE NON-INDUSTRIAL JUICE FOR A GOLF COURSE. CONTAINERS, WHAT IS FOUND IN OTHER INDUSTRIAL PROPERTIES USED FOR OUTSIDE STORAGE AND WALL SHOULD NOT BE AN ISSUE SINCE NO ROOF AND MECHANICAL EQUIPMENT IS ASSOCIATED WITH THESE STRUCTURES. STAFF CAN SUPPORT THE LANDSCAPING WAIVERS SINCE THE SCREEN FENCE ALREADY EXISTS ON THE FRONT PROPERTY LINE WITH THE UNDERSTANDING THE APPLICANT WILL INSTALL THE REQUIRED LANDSCAPING AND WATER SERVICE IS AVAILABLE TO THE AREA. STAFF RECOMMENDS APPROVAL. THE SUNRISE MANOR BOARD HELD THIS ITEM TO RETURN TO THE TOWN BOARD. THE PLANNING COMMISSION APPROVED THE ITEM WITH THE CONDITIONS LISTED IN YOUR AGENDA AND THIS ITEM HAS BEEN APPEALED WITH CONCERNS RELATE ODD THE CIVIL ENGINEERING CONDITION REQUIRING CONSTRUCTION OF OFFSITE IMPROVEMENT.

>> GOOD AFTERNOON.

>> GOOD AFTERNOON COMMISSIONERS. KATIE FELLOWS. HOWARD HUGHES PARKWAY. HERE ON BEHALF OF THE APPLICANT. WE WOULD LIKE TO REQUEST TWO YEARS TO CONSTRUCT THE SITE. WE FEEL THIS IS CONSISTENT WITH THE OTHER PROPERTIES IN THE AREA AND I WOULD BE HIGHWAY PATROL TO ANSWER ANY FURTHER QUESTIONS YOU MIGHT HAVE.

>> ANYONE ELSE THAT WOULD LIKE TO SPEAK ON THIS IDEA.

SEEING NONE I WOULD CLOSE THE PUBLIC HEARING.
TURN TO THE BOARD AND PERHAPS WE CAN GET STAFF TO RESPOND TO
ABILITY OR NOT FOR TWO YEARS.

>> THAT WE HAVE NO PROBLEM WITH THE TWO-YEAR HOLD ON THE OFFSIDE
IMPROVEMENTS. WE'RE TRYING TO GET AN SID OR SOMETHING GET ALL
THE RECORDS DONE AT ONCE.

>> ALL RIGHT COMMISSIONER COLLINS, THIS IS YOUR AREA AND
COMMISSIONER WEEKLY. GO AHEAD.

>> I WANTED TO ASK, I HAVE SEEN YOU ASK THE SAME QUESTION THAT
COMMISSIONER GIUNCHIGLIANI ASKED. I SAW YOU AT THE HEALTH BOARD
MEETING AND IT'S SOMETHING THAT HAD GONE BEFORE THE HEALTH BOARD
ALREADY?

>> THIS IS ACTUALLY.

>> BECAUSE YOUR APPLICATION DIDN'T COME UP WHILE I WAS THERE.

>> NO AND I WAS THERE ON AN UNRELATED ITEM, COMMISSIONER.
HOWEVER IT'S OUR UNDERSTANDING WE'VE BEEN WORKING WITH THE
HEALTH DISTRICT AND THEY'RE AWARE OF THIS LOCATION. DOES NOT
ALLOW YOU TO APPLY FOR A RECYCLING PERMIT UNTIL SUCH TIME YOU
GET ZONING APPROVAL FROM THE COUNTY AND YOU APPLY FOR YOUR
BUSINESS LICENSE.

>> THANK YOU VERY MUCH.

>> YOU KNOW AS STAFF HAS MENTIONED, I'VE AGREED TO TWO YEARS FOR
THEM TO COMMENCE, SO AGREEING WITH THESE AND ON WAIVER NUMBER
THREE ON LANDSCAPING AT THE TIME IT HAS TO BE PUT IN IT WILL BE
TREES ONLY. AND DESERT MULCH AND I THINK IT WOULD HAVE A 20-FOOT
INROAD. SO THE IMPROVEMENTS WOULD COME IN TWO YEARS BUT THE
QUESTION IS WHEN THAT IS THAT COMMENCING IN TWO YEARS WHAT WITH
THE COMPLETION IN SIX TO EIGHT MONTHS OR WHATEVER, DOES THAT
GIVE YOU TIME, THE COUNTY HAS MOST ALL OF THE AREA UNDER A DEED
OF RESTRICTION IN THIS APPLICANT AND ALSO SIGN A DEED OF
RESTRICTION SO IT WOULD PARTICIPATE AT THAT TIME. WHICHEVER
COMES FIRST, SO THAT'S MY MOTION. IS THAT CLEAR ENOUGH?
LIKE WE DISCUSSED?

>> HEARD THE MOTION? PLEASE CAST YOUR VOTE.

>> MOTION CARRIES UNANIMOUSLY WITH COMMISSIONER REID ABSENT.
THANK YOU. IS YOUR SCREEN WORK COMMISSIONER COLLINS?
ALL RIGHT. NEXT ITEM IS -- NEXT.

>> 49. APPEAL USE PERMIT FOR A SCHOOL. DESIGN REVIEW FOR A
SCHOOL ON 4.7 ACRES ON AN RNP 1 ZONE. GENERALLY LOCATED ON THE

NORTH SIDE OF ALEXANDER ROAD. THE BACKGROUND IS DESCRIBED IN YOUR AGENDA. THE PROPOSED PROJECT HAS BEEN DESIGNED IN A WAY THAT'S SENSITIVE TO THE SURROUNDING NEIGHBORHOOD. PROVIDED LANDSCAPE BUFFERS THAT EXCEED TITLE 30 STANDARDS. THE BUILDING INCORPORATES ARCHITECTURAL THAT WILL BLEND IN WITH THE NEIGHBORHOOD. PROJECT COMPLIES WITH POLICY L.M. 10.4 P.F. OF THE LONE MOUNTAIN LAND USE PLAN WHICH ENCOURAGES SCHOOLS TO DEVELOP WITH ENHANCED DESIGNS AND FEATURES TO INTEGRATE WELL WITH ADJACENT DEVELOPMENT. BEING LOCATED OFF A STREET, IT WILL HELP MINIMIZE ANY IMPACT IN THE SURROUNDING NEIGHBORHOOD. THE PROPERTY TO THE WEST OWNED BY THE BLM IS DESIGNATED BY PUBLIC FACILITY WITH A POTENTIAL PARK SITE THE SCHOOL WOULD COMPLY WITH POLICY L.M., WHICH ENCOURAGES WHENEVER POSSIBLE FOR SCHOOLS AND PARK SITES TO BE DEVELOPED JOINTLY. STAFF RECOMMENDS APPROVAL. THE CITIZENS ADVISORY RECOMMENDED APPROVAL SUBJECT TO ATTENTION BEING GIVE ON THE A SCHOOL NAME, ARCHITECTURALLY PLEASING AND TO PERFORM A TRAFFIC STUDY. WE'VE RECEIVED ONE PROTEST CARD. THE PLANNING COMMISSION APPROVED THE ITEM SUBJECT TO THE CONDITIONS LISTED IN YOUR AGENDA. AND THIS ITEM HAS BEEN APPEALED BY AN INTERESTED PARTY INDICATING THE USE AS INCOME PATENTABLE WITH THE AREA AND HAS CONCERNS FOR TRAFFIC AND SAFETY.

>> THANK YOU, GOOD AFTERNOON.

>> GOOD AFTERNOON, KATHERINE, 3610 NORTH RANCHO HERE ON BEHALF OF THE ORIGINAL AN CAPTAIN. AS STAFF HAS SAID, OUR SITE IS A FIVE ACRE PARCEL LOCATED ON THE NORTHWEST CORNER OF ALEXANDER AND DURANGO. WE -- STAFF PRETTY MUCH WENT OVER EVERYTHING I'M GOING TO SAY SO I'M GOING TO TRY TO CUT IT A LITTLE BIT SHORTER. WE PRESENTED TO THE NEIGHBORHOOD BEFORE WE WENT BEFORE TOWN BOARD. WE LISTEN ODD THE WHAT THE NEIGHBORS HAD TO SAY. THEY WEREN'T OPPOSED TO SCHOOLS AND THEY WEREN'T NECESSARILY OPPOSED TO OUR SCHOOL, HOWEVER TRAFFIC SEEMED TO BE THE BIGGEST ISSUE THAT KEEPS COMING BACK TO US. SO WE LOOKED AT THAT ISSUE AND WE LOOKED AT THAT SITE AND SENSITIVE TO THE NEIGHBORHOOD WE TRIED TO DESIGN A SITE IN SUCH A WAY THAT WE WOULD CIRCULATE TRAFFIC AND I'M GOING TO QUICKLY GO OVER THAT WITH YOU BECAUSE I BELIEVE THIS IS THE ISSUE THAT'S GOING TO COME UP TO YOU TODAY. OUR SITE AND I'M GOING TO TURN THIS SO YOU KNOW NORTH BEING UP. THIS IS ALEXANDER ROAD. WE DESIGNED THE SITE SO THAT TRAFFIC CAN COME IN AND CIRCULATE AROUND THE ENTIRE SITE TO DROP OFF CHILDREN. THESE CHILDREN WILL BE DROPPED OFF OR WALK. SO, WE LOOKED AT THAT AND WE SAID HOW CAN WE GET TRAFFIC IN AND OUT OF HERE EFFICIENTLY. WE HAVE THREE LANES OF TRAFFIC AND THEN ONE DROP-OFF LANE. THIS IS JUST STRIPING, THERE'S NO CURB OR GUTTER OR ANYTHING HERE. TRAFFIC CAN COME IN, PULL OVER TO THEIR DESIGNATED DROP-OFF AREA. AND DROP THEIR CHILDREN AND PULL BACK OUT INTO THE CIRCULATION ZONE AND CIRCULATE AROUND THE SITE.

SO, WE LOOKED AT THE TRAFFIC, WE DID A CUING ANALYSIS AND IT'S IN A TRAFFIC STUDY AND HAS BEEN SUBMITTED AND WE'RE AWAITING COMMENTS BACK NOW. AND THE TRAFFIC STUDY THEY LOOKED AT FIVE INTERSECTIONS IN THIS AREA. TRAFFIC IMPACT WILL BE NOT SIGNIFICANT. THERE'S NUMBER I KEEP HEARING FROM MY TRAFFIC ENGINEER. AND WITH THAT SAID, THE ONLY OTHER THING I WOULD LIKE TO SAY IS THAT EVEN THE BUILDING ITSELF HAS BEEN DESIGNED IN SUCH A WAY TO BE COMPATIBLE WITH THE AREA WITH PITCHED ROOFS, LOW PRUE FILE 5-FOOT HIGH BUILDINGS. SIMILAR TO HOUSES IN THE AREA. SO THAT IT TRIES TO FIT IN AS A RESIDENTIAL FEEL AS OPPOSED TO AN INSTITUTIONALIZED FIELD. AND ALSO, OUR LANDSCAPE BUFFERS, AS YOU CAN SEE FROM OUR SITE, WE HAVE LANDSCAPING ALL THE WAY AROUND LUSH LANDSCAPING INTENSIFIED LANDSCAPE AROUND THE SITE. AND IN ADDITION WE'RE ASKING FOR NO WAIVERS, AND AS A MATTER OF FACT WE'RE EXCEEDING THE CODE IN MANY AREAS. AND AS STAFF SAID, STAFF RECOMMENDED APPROVAL. THE PLANNING COMMISSION APPROVED US AND WE REQUEST THAT YOU WOULD APPROVE OUR PROJECT BY DENYING THE APPLICANTS APPEAL. AND I WOULD BE HAPPY TO ANSWER ANY QUESTIONS YOU HAVE.

>> IS THERE ANYONE ELSE WHO WOULD LIKE TO SPEAK ON THIS ITEM? PLEASE COME FORWARD, STATED YOUR NAME AND ADDRESS.

>> MY NAME IS ANTHONY HODGES. THIS IS A PRIVATE SCHOOL, RIGHT.

>> CHARTER SCHOOL.

>> BUT IT STILL AIN'T THE PUBLIC.

>> YES, IT IS.

>> JUST ASK US AND THEN WE'LL --

>> IF IT'S PAUL BAGNELL SCHOOL, THE PUBLIC SCHOOL IS THE COUNTY, IN YOU ALL IS COMMISSIONED AS THE COUNTY AND WHAT I'M TRYING TO SAY, EVERYBODY WORK TOGETHER AND SAY THE TOWN WHATEVER IN THE AREA, THE PEOPLE IN THE HOME OWNER ASSOCIATION SEEM TO AGREE WITH IT. IF IT CONCERNS SCHOOL AND CHILDREN WE HAVE TO MAKE SACRIFICES TO MAKE SURE KIDS NEED GO TO SCHOOL. THANK YOU.

>> THANK YOU.

>> I LIVE AT 419 IN THAT GENERAL AREA. I'M ALSO A SECRETARY OF THE NORTH WEST CITIZENS, AND IT WAS NORTH WEST CITIZENS GOT INVOLVED IN THIS ONE. THIS SOMEONE BACK DOWN TO THE QUESTION OF WHAT IN THE SCHECK THE USE PERMIT FOR. THIS PARTICULAR SCHOOL, WE LIKE THESE PEOPLE, THESE ARE NICE PEOPLE WHO RUN A GOOD SCHOOL. HOWEVER WE WENT BACK TO MRS. JAMISON AND ASKED HER AS TO WHETHER OR NOT THIS WAS AN APPROVED THING. TURNS OUT THAT THE C.C.S.D. DOESN'T KNOW ANYTHING ABOUT IT. WE ASKED THE LOCAL

SUPERINTENDENT. DOESN'T KNOW ABOUT IT EITHER. WE LOOK AT WHERE IT IS. THIS PLACE HAS POPPED RIGHT ON THE LINE BETWEEN GARHIND. AND PAR. THEY'RE BOTH FIRST CLASS LOW TURNOVER SCHOOLS. WE'RE INVITING IN THAT GENERAL AREA. WITH THE SCHOOL BOARD WITH THREE OTHERS NEARBY PLACES TO BUILD ELEMENTARY SCHOOL. THE THING THAT HAS VALUE TO THE NEIGHBORHOOD. IT HAS PROBLEMS WITH TRAFFIC. OVER THE COURSE OF A KAY IT WILL NOT BE A BIG DEAL. BUT OVER THAT ONE HOUR PARTICULARLY THERE WILL BE VERY FEW LOCAL CHILDREN. WHATEVER LOCAL CHILDREN THERE ARE, WILL DO BAD THINGS TO GARHIND AND PAR. WHAT YOU WILL DO IS INCREASE THEIR TURN RATE, INCREASE THEIR -- WHAT DO THEY CALL IT? OF THE SCHOOLS. THIS IS AN AREA ENTIRELY OF NINE MONTH SCHOOLS. THERE ARE NO 24-MONTH SCHOOLS. THERE ARE NO OVERCROWDED SCHOOLS. SO WE ARE BASICALLY POPPING A SCHOOL INTO A MIDDLE OF THE AREA SOLELY BECAUSE THE LAND IS CHEAP. THE ONLY REASON THIS SCHOOL IS BEING LOCATED THERE IS BECAUSE OF THE CHEAP LAND. THE CHEAP LAND IS BECAUSE OF THE ZONING. SO WHAT WE'RE DOING IS IN THAT AREA ALONG ALEXANDER, TRY TO DECLARE AN OPEN ZONE TO FILL IN THERE BASED ON THE FACT THEY GET CHEAP LAND. WE THINK A USE PERMIT OUGHT TO FIT IN THE NEIGHBORHOOD OUGHT TO HAVE SOME SIGNIFICANCE. WE'RE NOT GOING TO FIGHT A CHURCH. WE'RE NOT GOING TO FIGHT A PUBLIC SCHOOL BUT THIS ONE IS REALLY A LITTLE BIT OFF THAT PATTERN AND STRICTLY AN ATTEMPT TO GET CHEAP LAND. THANK YOU.

>> ALL RIGHT, THANK YOU MR. DONAHUE. ANYONE ELSE HERE TO SPEAK ON THIS ITEM? I TURN IT BACK TO THE APPLICANT FOR A RESPONSE.
>> THE ONLY THING I REALLY HAVE TO RESPOND TO WELL TWO THINGS ACTUALLY. THE USE PERMIT IS FOR SCHOOL USE FOR A K THROUGH 8 SCHOOL AND IT IS IN YOUR BRIEFS. SO, SO NOT SURE WHAT WHAT'S NOT CLEAR ABOUT WHAT THE USE PERMIT IS FOR. SO IF YOU HAVE ANY QUESTIONS ABOUT THAT I CAN CERTAINLY ANSWER THAT QUESTION. THE ONLY OTHER COMMENT I HAVE IS ABOUT THE CHARTER SCHOOL ITSELF IN THAT IMAGINE SCHOOL DOES HAVE AN APPROVED CHARTER SCHOOL AND THEY HAVE TWO OTHER APPLICATIONS IN THE PROCESS CURRENTLY, SO, I'M NOT SURE WHERE HOW TO ADDRESS MR. DONAHUE'S COMMENTS ABOUT THEM NOT BEING A SCHOOL OR NOT BEING KNOWN. SO IF YOU HAVE ANY QUESTIONS I WOULD CERTAINLY BE HAPPY TO ANSWER ANY QUESTIONS.

>> I KNOW COMMISSIONER BRAGER HEADED A COMMENT COMMISSIONER GIUNCHIGLIANI.

>> I THINK THIS PARTICULAR CHARTER SCHOOL AND I KNOW THE STATE IS LOOK TO APPROVE, THEY'VE SERVED AN INCREDIBLE PURPOSE. I THINK YOU KNOW LOTS OF THOSE HAVE BEEN VERY IMPRESSED WITH AND WE'VE SPOKEN BEFORE HOW I HOPED THERE WAS LAND ESPECIALLY THE CAPE CONCEPT. A LOT OF PEOPLE WHO FEEL THEIR SIXTH, SEVENTH AND EIGHTH GRADERS DON'T BELONG IN THAT GIGANTIC MIDDLE SCHOOL CONCEPT. I HOPE MAYOR GIUNCHIGLIANI CAN APPRECIATE, AND IT'S NOT A HEALTHY SITUATION AND THEY DON'T DO IT BECAUSE THEY WANT TO.

I SUPPORT THIS YOU NOTICE SADLY, BUT, I THINK THAT I'M GLAD IT'S A K8, HOW MANY STUDENTS ARE YOU THINKING YOU CAN WORK WITH AND YOU NOW HAVE THE FIVE ACRES WHICH IS A NICE PARCEL.

>> WELL BECAUSE THIS IS A CHARTER SCHOOL AND IT WILL BE DETERMINED ULTIMATELY ON THE AMOUNT OF STUDENTS THAT THEY GET TO COME IN. OUR APPLICATION IS ACTUALLY FOR 850 STUDENTS. HOWEVER, IF IT DOESN'T SUPPORT 850 STUDENTS OF COURSE IT WILL BE LESS. BUT.

>> WOULD YOU STILL DO THE K-8 CONCEPT? I DON'T KNOW WHAT KIND OF CRASS SIZES YOU'RE LOOKING FOR.

>> YES, I BELIEVE THEY'RE STILL GOING OR THE A K THROUGH 8. THE MARKET WILL BEAR WHAT WILL BE HERE.

>> WE UNDERSTAND THAT CONCEPT.

>> I AGREE WITH YOU I THINK YOU WILL FIND A LOT OF THOSE 6th THROUGH EIGHTH GRADERS THERE. I WAS A PUBLIC SCHOOLTEACHERS MYSELF YEARS AGO. AND THOUGHT SIXTH GRADE.

>> YOU HAD YOUR K THROUGH 5, WAS MINIMAL WOULD YOU INCREASE HOW MANY SIXTH SEVENTH AND EIGHTH GRADERS COULD GO TO THAT CAMPUS.

>> I MAY HAVE TO DEFER TO.

>> YOU CAN GET BACK TO ME BUT I THINK THAT WOULD BE A GREAT CONCEPT SO THANK YOU AND STILL LOOK AT DISTRICT F, PLEASE.

>> COMMISSIONER GIUNCHIGLIANI AND THEN COMMISSIONER COLLIN.

>> I THINK THAT WAS MY QUESTION THE STATE BOARD DID VOTE TO STOP ANY CHARTERS SO I'M JUST CURIOUS WHAT THIS DOES IF WE DO THAT, AND THEN WHAT HAPPENS TO THOSE LAND USE OR THE ZONE CHANGE OR THE PERMISSION THAT GOES IN. HOW DOES THAT WORK?

>> IF I MAY I BELIEVE THE FEEDBACK I HAVE GOTTEN IS THAT APPLICATIONS THAT ARE CURRENTLY IN THE PROCESS ARE NOT.

>> THEY WON'T GO RETROACTIVE.

>> CORRECT, I THINK THE MORATORIUM.

>> HE'S ARE THE TO SAY THE SAME THING. OKAY, THANK YOU.

>> COMMISSIONER COLLINS.

>> YEAH, THAT WAS A COUPLE OF POINTS YOU DESCRIBE THAT YOU'VE GOT THE FLOOD CHANNEL THERE BUT A HIGH VOLTAGE UTILITY THING SO

THAT WOULD BE THE ONLY CONCERN THAT MIGHT BE SOMETHING FOR YOU TO CONSIDER IN YOUR CONSTRUCTION. AND, AND THE OTHER THING I THINK IS IF COMMISSIONER MAXWELL WANTED TO, YOU COULD COMMISSION THIS BASED ON THE FACT THAT THE SCHOOL DISTRICT THE STATE BOARD ARE LOOKED A HOLDING ON THESE CHARTER SCHOOLS, IF THIS HAPPEN APPLICATION DOESN'T GET APPROVED THAT IT WOULD REVERT BACK TO THE R.E. AND THAT'S THE ONLY THOUGHT I HAVE TO SHARE.

>> LET'S TURN THAT TO STAFF. IS THIS A PERMANENT?

>> ALSO, ALL USE PERMITS HAVE TO COMMENCE WITHIN TWO YEARS. SO, IF FOR SOME REASON THEY DON'T GET THEIR APPROVAL, THEY CAN'T START THE USE, THEN IT WOULD EXPIRE UNLESS THEY FILED AN EXTENSION.

>> ALL RIGHT. AND THEN -- SURE.

>> WE HAVE THIS UNWRITTEN POLICY WHENEVER WE HAVE A FIRST EXTENSION WE USUALLY AUTOMATICALLY GUARANTEE IT. HOW OLD THAT WORK ROB IF LICENSE WAS NOT AVAILABLE BECAUSE DO I AGREE WITH COMMISSIONER COLLINS IT SHOULD GO BACK TO R.E. AT THAT POINT.

>> THAT'S A GOOD QUESTION. USUALLY ON THE FIRST EXTENSION OF TIME THERE IS NOT A CHANGE IN CIRCUMSTANCES. BUT IN THIS CASE, IF FOR INSTANCE I GUESS THEY DON'T GET THIS APPROVAL IT WOULD BE A CHANGE IN CIRCUMSTANCE.

>> I APPRECIATE CHARTER SCHOOL GOING OUT, I ASKED THEM TO GO OUT AND FIND AN AREA THAT WOULD BE SUITABLE. I WORKED WITH MR. DUNE HUE FOR MANY YEARS. I APPRECIATE HIS COMMENTS. HOWEVER I WANT TO BE FAIR AND CONSISTENT. YOU BRING UP GOOD POINTS. I DON'T THINK THIS CHARTER SCHOOL THOUGH IS GOING TO HAVE A NEGATIVE EFFECT OF THE CLARK COUNTY PUBLIC SCHOOLS IN THE AREA. CLARK COULD BE ARE PUBLIC SCHOOLS AND USUALLY THE WINS I'VE SEEN AUGMENT AND HELP SO I DON'T THINK THAT'S A DETRIMENT TO THE AREA, NOR DO I THINK IT'S A DETRIMENT TO THE PUBLIC SCHOOL SYSTEM. IT IS A DEMARCATION LINE BETWEEN URBANIZED AREAS AND RURAL AREAS IN NORTH OF ALEXANDER, CONTIGUOUS TO WHERE TRYING TO FIND THINGS THAT ARE COMPATIBLE WITH DEVELOPMENT OF A RURAL AREA, OR A LESS DENSE AREA RECOGNIZING THERE'S A MORE INTENSE CROSS VOTE. I BELIEVE THIS CASE, THIS PARTICULAR SCHOOL FITS IN THAT PATTERN VERY WELL. COMMISSIONER COLLINS, QUICKLY ALLOCATED THAT THERE IS A CHANNEL IN A HIGH VOLTAGE ABOVE GROUND TRANSMISSION FACILITY THERE AND I'VE HAD MULTIPLE CONVERSATIONS OVER THE LAST SEVEN YEARS WITH DIFFERENT PEOPLE ABOUT WHY THEY SHOULD BE ABLE TO LOOK AT THIS AREA AND PUT SOME MORE OF AN INTENSE TYPE USE ON HERE WHETHER IT BE INTENSE RESIDENTIAL OR COMMERCIAL. AND I'VE TRIED TO EXPLAIN TO THEM WHAT THIS AREA REALLY IS. SO I THINK IN OUR REGARDS IS TO BE SHOULD BE A WELCOME ADDITION TO THE AREA THAT FITS WELL. IT ELIMINATES THE NEED OR DESIRE OR ARGUMENT

THAT YOU CAN'T BUILD ANYTHING ON HERE OTHER THAN HIGH INTENSE COMMERCIAL OR HIGH INTENSE RESIDENTIAL. SO WITH ALL THAT SAID, I'M GOING TO MOVE FOR APPROVAL WITH THE PLANNING COMMISSION CONDITIONS AND I DON'T KNOW IF WE NEED TO ADD ANY OTHERS. I THINK I'VE COVERED IT ALL. ANY COMMENTS OR QUESTIONS? IF NOT, PLEASE CAST YOUR VOTE. MOTION CARRIES, UNANIMOUS.

>> THANK YOU COMMISSIONERS AN HOPEFULLY WE WILL BE BACK WITH ANOTHER ONE.

>> THANK YOU. ITEM NUMBER 15 VS-1120-07. A PORTION OF RIGHT OF WAY BEING AGATE AVENUE BETWEEN PIONEER AVENUE WITH AN ENTERPRISE. BACKGROUND IS DESCRIBED IN YOUR AGENDA. ASKING TO VACATE A FIVE FEET OF EXCESS RIGHT AWAY MANY ORDER TO CONSTRUCT DETACHED SIDEWALK. STAFF DOES RECOMMEND APPROVAL. ENTERPRISE TOWN BOARD RECOMMEND DENIAL. WE DID RECEIVE ONE CARD IN PROTEST AND THE PLANNING COMMISSION UNANIMOUSLY THIS ITEM, THIS ITEM HAS BEEN APPEALED BY AN INTERESTED PARTY. STATING THE PROPOSED CHANGES CONFLICT WITH RURAL STANDARDS FOR ROADS FOR TITLE 30.

>> GOOD AFTERNOON, MY NAME IS TONY. I'M HERE ON BEHALF OF THE STORY BOOK HOMES. WE COME BEFORE YOU WITH STAFF RECOMMENDING APPROVAL AS WELL AS UNANIMOUS APPROVAL FROM THE CLARK COUNTY PLANNING COMMISSION. I'M JUST GOING TO SPEND A MINUTE OR TWO ON A LITTLE BACKGROUND REGARDING THE SITE. AS YOU CAN SEE I'VE OUTLINED IT IF YOU COULD DIRECT YOUR ATTENTION TO THE OVERHEAD, I'VE OUTLINED IT IN RED HERE. JUST TO ORIENT YOU, THIS IS BLUE DIAMOND ROAD. HERE'S BUFFALO. WE'RE AGATE AND JERRY LYNN RIGHT HERE. THIS CAME BEFORE YOU AS A DESIGN REVIEW. IN WHICH THIS BOARD APPROVED IN FEBRUARY OF 2006 THE 55 LOT SUBDIVISION ALL LOTS ARE 18,000 SQUARE FEET OR LARGER. AT THAT TIME WE AGREED TO AS ANOTHER DESIGN REVIEW FOR SET FOR PUBLIC HEARING, A PERIMETER WALL AND GATE ENTRYWAY. THE PLANNING COMMISSION APPROVED THAT AND THAT TOO WAS APPEALED TO THIS BOARD. THIS BOARD ALSO APPROVED THE PERIMETER WALL AND GATE ENTRY WHICH IS DEPICTED HERE. SO ESSENTIALLY THE FINAL PIECES OF IT IS NOW WHAT WE'RE HERE BEFORE YOU. AND THAT IS WE'RE ASKING FOR DETACHED SIDEWALKS, ALONG THE ENTRYWAY WHICH WOULD BE RIGHT ALONG HERE, ALONG A GRADE BETWEEN PIONEER AND JERRY LYNN. IT'S APPROXIMATELY 525 FEET AND WE'RE ASKING TO VACATE ABOUT FIVE FEET OF AGATE IN ORDER TO ACCOMPLISH THAT. WE FEEL OUR STORY BOOK FEEL HAS THAT WILL HELP ENHANCE WHAT HAS ALREADY BEEN APPROVED AND IS QUITE FRANKLY A GOOD SELLING FEATURE. I WOULD BE MORE THAN HAPPY TO ANSWER ANY QUESTIONS, YOU MAY HAVE.

>> THANK YOU. AND ANYONE TO SPEAK ON THIS ITEM?

>> STEFANIE. REPRESENTING THE AREA RESIDENTS. I WOULD JUST LIKE TO GET A LITTLE BIT MORE INFORMATION ON THE HISTORY OF THIS PROJECT. WE APPEALED THE GATE, THE WAIVER ON THE GATE HEIGHT AND

WALL HEIGHT TO ALLOW, GIVE ME TIME TO POLL THE NEIGHBORS IN THAT AREA TO SEE IF ANY OF THEM HAD A PROBLEM WITH THE GATE AND WALL HEIGHT. AND AFTER SHOWING THEM THE PICTURES NOBODY HAD A PROBLEM. AND SO, THEY SIMPLY DROPPED THE APPEAL. AND DIDN'T COME DOWN FOR THE MEETING. THIS HOWEVER IS A DIFFERENT MATTER. WE'VE ALREADY GOT A GATED COMMUNITY THAT'S TAKEN TWO ROADS AND BLOCKED THEM. ESSENTIALLY. AND NOW THEY'RE WANTING TO REMOVE THE POSSIBILITY OF EQUESTRIAN ACCESS ON ONE OF THE FEW REMAINING EAST-WEST ROADS THAT WE HAVE. THAT IS NOT DESIGNATED 100-FOOTER. SO, I WOULD JUST LIKE TO REFER THE BOARD TO YOUR SUBURBAN ROAD OPTIONAL SHOULDER TREATMENT DETAIL. AND I HAD 10 COPIES PRINTED OUT AT HOME, BUT WE'RE GOING TO TRY TO USE THE OVERHEAD.

>> DID THAT SHOW UP?

>> AS YOU CAN SEE, THE PAVING IS EXTENDED ON ONE SIDE OF THE ROAD FOR PEDESTRIAN ACCESS AND A BIKE PATH. WE HAVE A VEHICLE LANE, A VEHICLE LANE, THE PAVING STOPS. WE WANT TO MAKE SURE THAT WE DO NOT LOSE THE ABILITY TO HAVE THE EQUESTRIAN TRAIL SINCE WE'VE ALREADY LOST RAVEN AND PIONEER AS POSSIBILITIES FOR RIDING AND WE HAVE CONSIDERABLE NUMBER OF HORSES IN THE AREA. AND PEOPLE RIDE THEM FREQUENTLY ON THE EDGE OF THE ROAD, BECAUSE THAT'S THE ONLY PLACE THAT IS AVAILABLE. WE WOULD SIMPLY WE WOULD LIKE, I'VE GIVEN YOU A QUOTE IN THE MIDDLE PARAGRAPH FROM THE MINIMUM ROAD DESIGN STANDARDS FOR NON-URBAN ROADWAYS. AND YOU CAN SEE THAT NOWHERE IS THE SIDEWALK MENTIONED, BECAUSE THIS IS LOCATED IN THE RNP 1, IT'S NOT IN THE BORDER. IT'S IN THE RNP 1. THE STANDARDS DO APPLY OUTSIDE THE DEVELOPMENT EVEN THOUGH THEY MAY NOT APPLY, THEY MAY NOT BE FOLLOWED INSIDE THE DEVELOPMENT, WE HAVE NO SAY IN THAT. BUT ON THE OUTSIDE, YES, THAT DOES AFFECT THE REST OF THE NEIGHBORHOOD. THE TAB RECOMMENDS DENIAL BASED ON THE STANDARD SIDE. AND THE PLANNING COMMISSION RECOMMENDED APPROVAL WHICH OVERROAD THE EXISTING STANDARDS AND ORDINANCES. WE WOULD ASK DENY THE REQUESTED VACATION. THANK YOU.

>> THANK YOU, ANYBODY ELSE?

>> GOOD AFTERNOON BOARD MEMBERS. DAVID CHESTNUT, 8960 LINDEL ROAD. ON THIS PARTICULAR PROJECT, SWAN HAS PRETTY WELL STATED OUR POSITION THAT AFTER LOOKING AT THE NON-URBAN ROAD STANDARDS IT DOES NOT COME IN COMPLIANCE OF THOSE. ALSO NOT MENTIONED PREVIOUSLY, IS THAT FOR NON-COMPLIANCE REQUIRE WAIVER FROM THIS PARTICULAR BOARD WHICH HAS NOT BEEN REQUESTED AT THIS TIME. THANK YOU.

>> THANK YOU. ANYBODY ELSE LIKE TO SPEAK ON THIS ITEM? NOT, I'LL TURN IT BACK OVER TO THE APPLICANT.

>> I WOULD JUST LIKE TO MAKE TWO QUICK POINTS. FIRST BUILDING A LITTLE BIT OFF OF ALLAN'S POINT THAT AGATE, AND SHE IS RIGHT SNOW ESSENTIALLY THE STREET MAJOR STREET NORTH OF BLUE DIAMOND WHICH IS NOT BEEN VACATED. THAT'S RUNNING EAST WEST. AS A RESULT WHEN BLUE DIAMOND IS ALL ITS IMPROVEMENTS ARE DONE, AND IT CURRENTLY IS VERY HIGH TRAVELED AREA THAT AGATE IS GOING TO BECOME A VERY IMPORTANT STREET TO THE COUNTY TO HANDLE OVERFLOW TRAFFIC CREATED ON BLUE DIAMOND FOR THOSE FOLKS THAT LIVE NORTH FOR THOSE POKES WHO DO LI ON THE NORTH SIDE OF BLUE DIAMOND SO THAT BUILDS INTO I KNOW, I'VE TALKED YOU KNOW WITH CIVIL ENGINEERING, THEY DON'T HAVE ANY MASTER PLAN WITH RESPECT TO ADDING CURB AND GUTTERS TO AGATE. BUT AS THIS AREA DOES BECOME MORE POPULATED AND DENSE, AS TRAFFIC DOES GO DOWN BLUE DIAMOND, ESPECIALLY WHEN IT IS THE WIDENING PROJECT IS FINISHED. A GRADE IS GOING TO BE AN IMPORTANT ROAD AND THOSE ADDED ENHANCEMENTS SUCH AS CURB AND GUTTER WILL BECOME IMPORTANT TO THE COUNTY. SECOND POINT I WOULD LIKE TO MAKE IS THAT THERE ARE AT LEAST I'VE BEEN ABLE TO FIND ON MY OWN RESEARCH SIX AREAS IN THE RRSP. IN ENTERPRISE WHERE THERE ARE CURB GUTTER AND SIDEWALKS. AND I CAN GO THROUGH THOSE WITH YOU. THE FIRST ONE I'VE LOCATED IS NEAR VALLEY VIEW AND BADERA.

>> I'VE LABELED THAT AS NUMBER ONE AND I HAVE PROVIDED PICTURES. INDICATING YOU KNOW, SIDEWALKS WITH THE CURB AND GUTTER IMPROVEMENTS. THE SECOND LOCATION IS NEAR VALLEY VIEW AND HERE IS ACTUALLY THEIR ENTRY WAY ALONG WITH SIDEWALKS CURB AND GUTTER. ANOTHER PICTURE OF IT. I'VE IDENTIFIED SIX. I CAN GO THROUGH EACH AND EVERY SINGLE ONE OF THEM IF THIS BOARD WOULD LIKE TO, BUT THIS IS NOT SOMETHING THAT'S UNPRECEDENTED. IT'S SOMETHING THAT YOU KNOW HAS OCCURRED. AT LEAST IN SIX OCCASIONS THAT MY OWN INDEPENDENT QUICK RESEARCH HAS BEEN ABLE TO FIND. SO I THINK THOSE TWO MAIN ISSUES SUPPORT OUR JUSTIFICATION TO ADD THIS ENHANCEMENT.

>> ALL RIGHT, THANK YOU. TURN IT OVER TO THE BOARD. COMMISSIONER WOODBURY, THIS IS YOUR DISTRICT.

>> WELL, MR. CHAIRMAN THIS LOOKS LIKE A NICE PROJECT. AND I KNOW THAT SIDEWALKS DO OCCUR RNP's. BUT, THERE SEEMS TO BE THE EXCEPTION RATHER THAN THE RULE. AND I GUESS THE RULING COMES DOWN TO WHETHER THE NEED FOR EQUESTRIAN ACCESS HERE IS REAL. I MEAN, MAYBE I WILL ASK TO COME BACK UP AND TILL ME A LITTLE BIT MORE ABOUT THE EXISTING SITUATION AND WHETHER THERE ARE OTHER OPPORTUNITIES FOR EQUESTRIAN TRAILS WITHOUT THIS?

>> THIS WAS ONE OF THE PRIMARY TRAILS WE ORIGINALLY IDENTIFIED ALONG AGATE. AND, I WOULD LIKE TO POINT OUT THAT AGATE IS NOT GO THROUGH TO RAINBOW, BECAUSE OF ITS ALIGNMENT AND THE CURB IN BLUE DIAMOND ROAD. AGATE TERMINATES BEHIND THE SHORTSTOP OR RIGHT BY THE SHORTSTOP. SO, IT'S NOT IF THERE IS A CURB CUT

THERE, IT WILL BE RIGHT IN, RIGHT OUT. SO YOU'RE NOT TALKING ABOUT A HAIRY TRAFFIC FLOW FOR ADVANTAGE. AGATE HAS BEEN VACATED TO THE WEST. THE TO RETURN TO THE HORSE TRAILS, WE HAVE A SIGNIFICANT NUMBER OF EQUESTRIANS THERE. AND NOW THAT BUFFALO HAS GONE THROUGH AND YET WE HAVE NOT, WE HAVE THE PLAN WHICH HAS BEEN ACCEPTED BY THE COUNTY, AND WHICH HAS BEEN I UNDERSTAND ITS BEING SIGNED IN THE DEPARTMENT OF INTERIOR, FOR BOTH THE NORTHWEST RNP AND RRNP. SO, AND THAT PLAN HAS AGATE AS ONE OF ITS ROOFS.

>> PEOPLE RIDING HORSES ALONG HERE NOW.

>> ABSOLUTELY. THEY RIDE ALL OVER. WHERE THERE ARE ONLY 15 HOMES. THEY RIDE ON THE SIDE OF THE ROAD LIKE THEY'VE ALWAYS RIDDEN. WELL MR. CHAIRMAN I'M HAPPY TO HERE FROM OTHER COMMISSIONERS INCLUDING MY EQUESTRIAN ENGINEER DOWN HERE. [LAUGHTER] BUT, MY INCLINATION IS UNLESS SOMEONE PERSUADES ME OTHERWISE AND TO DEVELOP SOME KIND OF A NICE-LOOKING PEDESTRIAN EQUESTRIAN WALKWAY ALONG THERE THAT WOULD STILL LOOK NICE.

>> I SUPPORT COMMISSIONER WOODBURY AS I EXPRESSED WHEN YOU BROUGHT IT FORWARD. AND THE ISSUE THE CONCERN WOULD BE I WAS GOING TO ASK STAFF, IF AGATE IN THAT PART OF THE TRAILS IT SHOULD BE MAINTAINED IN OUR TRAIL SYSTEM. AND SO YOU COULD FIGURE OUT HOW TO DO YOUR SIDEWALKS ANOTHER FIVE-FOOT BACK AND STALE MAINTAIN THAT TRAIL. BELIEVE ME I GET SHOWN AS COMMISSIONER WOODBURY DOES, THAT RURAL STANDARD FOR ROADS QUITE OFTEN THAT SHOWS THE PAVEMENT OFFSET AND THE TRAIL, SO IF AGATE IS PART OF THE TRAIL SYSTEM, WE SHOULD PROBABLY RECOGNIZE THAT. IF IT'S NOT, THEN IT WOULD BE WHICHEVER WAY YOU WANTED. SO IF YOU WANTED TO PUT THAT DETACHED SIDEWALK. AND YOU COULD STILL HAVE YOUR IMPROVEMENT.

>> HOLD THIS FOR A COUPLE OF WEEKS SO I CAN FURTHER INVESTIGATE THE EQUESTRIAN TRAIL ISSUE, AND I'LL SEE IF THERE ISN'T SOME TYPE OF RESOLUTION WE CAN COME TO AND PRESENT IT TO YOU ONE MORE TIME.

>> ALL RIGHT. I THINK THAT'S GOOD. AN MAYBE YOU CAN RUN IT BY TO BEFORE YOU COME BACK. I WILL MOVE TO HOLD IT UNTIL JANUARY 2nd.

>> I HAVE A MOTION TO HOLD THIS ITEM UNTIL JANUARY 2nd AND THE STAFF, CAN YOU MAKE SURE THAT WE FIND OUT WHETHER OR NOT THIS IS AN IDENTIFIED AREA FOR TRAILS?

>> IT DOESN'T SHOW ON THE OUR OWN DOOR WHERE WE HAVE TRAILS ON THERE. BUT WE DOUBLE CHECK TO MAKE SURE.

>> THANK YOU.

>> COULD I JUST SIMPLY --

>> NO, WE HAVE A MOTION FOR HOLDING.

>> THE STAFF MAYBE SHOULD CHECK WITH WHATEVER KNOWLEDGE TO PROPOSE A PLAN THAT'S IN THE WORKS.

>> THANK YOU. YOU GUYS HAVE A MERRY CHRISTMAS AND HAPPY NEW YEAR.

>> SAME TO YOU, THANKS.

>> THAT MOTION CARRIES UNANIMOUSLY.

>> ITEM 51. APPEAL VACATED IN ABANDONED PORTIONS OF THE RIGHT AWAY LOCATED BETWEEN RED COACH AVENUE. AND BETWEEN RAINBOW BOULEVARD AND U.S. HIGHWAY 95. THE BACKGROUND IS DESCRIBED IN YOUR AGENDA. WILL BE IN CONJUNCTION LOCATED IN THE CITY OF LAS VEGAS. STAFF HAS NO OBJECTION. STAFF RECOMMENDS APPROVAL. CITIZENS ADVISORY COUNCIL RECOMMENDS DENIAL. WE'VE RECEIVED ONE CARD AND ONE LETTER MANY SUPPORT AND FOUR CARDS IN PROTEST. THE PLANNING COMMISSION APPROVED THIS ITEM. WITH THE DENIAL OF THE NORTH-SOUTH BRIDLE PATHS AND THIS ITEM HAS BEEN APPEALED I INDICATING ALL THE BRIDLE PATHS SHOULD BE VACATED.

>> GOOD AFTERNOON, MARK ON BEHALF OF THE APPLICANT. STAFF HAS RECOMMENDED APPROVAL OF THE VACATION OF THIS BRIDLE PATH, THE PLANNING COMMISSION VOTED TO VACATE THIS PATH AND NOT VACATE THIS PATH. THE APPEAL RESULTED WISHES OF TO HAVE THIS BRIDLE PATH. I WILL RESERVE THE REMAINING TIME TO TAKE ANY QUESTIONS OR COMMENT.

>> ANYONE ELSE HERE TO SPEAK ON THIS ITEM? SEEING NONE, WE'LL TURN IT OVER TO COMMISSIONER COLLINS.

>> MY POSITION IS TO MAINTAIN BRIDLE PATHS WHEREVER WE CAN. THE FOLKS WERE TO USE THIS AREA TO GET TO LOAN MOUNTAIN TO GET OVER TO PIONEER AND MONTE CRISTO ON THE OTHER SIDE OF THE ROAD AND SOMEDAY WE'LL HAVE THAT TRAIL. SO I GUESS I WOULD -- LET'S SEE, WOULD IT BE TO DENY THE APPEAL? AND GO WITH THE.

>> YOU WOULD BASICALLY BE TAKING ACTION ON THE ITEM. NOT ON THE APPEAL. BUT ON THE ACTUALLY.

>> SO I WANT TAKE ACTION THAT SAYS WE KEEP THE TRAILS. THAT'S MY MOTION.

>> DENY THE VACATION. IS THAT FOR BOTH SECTIONS?

>> YES.

>> THERE'S A MOTION FOR DENIAL.

>> THERE'S MOTION FOR DENIAL.

>> I RESERVE THE OPPORTUNITY. I THOUGHT.

>> IT WAS KNOWN, THAT YOU HAVE A SPECIFIC QUESTION?

>> YES, THE RESIDENT WHO RESIDES RIGHT HERE COMMISSIONER COLLINS, HAS PROVIDED A LETTER SAYING THEY PLEASE WOULD LIKE TO HAVE THIS PARTICULAR BRIDLE PATH VACATED.

>> I'VE BEEN INFORMED THAT ALREADY.

>> I WANTED TO MAKE SURE THAT WAS CLEAR BECAUSE THAT'S APPARENTLY THE ONE THAT MATTERS TO THAT RESIDENT.

>> THEY PROBABLY NEED TO COME AND TALK WITH COMMISSIONER COLLIN. THERE'S A MOTION. PLEASE CAST YOUR VOTE. OR PERHAPS YOU WILL WANT TO TALK TO COMMISSIONER COLLINS MORE LENGTHY DISCUSSION. A MOTION IS APPROVED UNANIMOUSLY.

>> ITEMS 52, 53 AND 54 HAVE BEEN HELD. NEXT ITEM IS 55. WS-10-07. APPEAL WAIVER FOR REDUCED SETBACK IN CONJUNCTION WITH SINGLE FAMILY RESIDENTS ON 0.5 ACRES. GENERALLY LOCATED ON THE NORTH SIDE OF BITTER SCOTCH CIRCLE. 150 FEET OF COKE STREET. WAIVER AND BACKGROUND ARE DESCRIBED IN YOUR AGENDA. THE APPLICANT TURNED IN A PETITION WITH SIX SIGNATURES IN SUPPORT OF THE APPLICATION HOWEVER THE PETITION WAS NOT BEHIND THE ADJACENT PROPERTY OWN OR THE EAST. WOULD BUILDING PERMITS AND IN VIOLATION OF TITLE 30 CODE. THIS IS NOT IN A REGULAR SHAPED LOT AND THERE'S ADEQUATE SHADE IN THE BACK OF THE HOUSE FOR ANIMALS AND FAMILY MEMBERS FROM A COVERED PATIO THAT EXTENDS THE MAJORITY OF THE LENGTH OF THE HOUSE. THE ADVISORY COUNCIL APPROVED, WE'VE RECEIVED SIX SIGNATURES AND ONE CARD IN SUPPORT AND ONE CARD IN PROTEST. THE PLANNING COMMISSION APPROVED THE ITEM SUBJECT TO THE CONDITIONS IN YOUR AGENDA AND THIS ITEM HAS BEEN APPEALED BY A NEIGHBOR WHO DOES NOT AGREE WITH THE DECISION OF THE PLANNING COMMISSION.

>> THANK YOU. GOOD AFTERNOON.

>> JAMES JARETT. BUTTERSCOTCH. THIS PARTICULAR AWNING WAS CONSTRUCTED IN JUNE OF THIS YEAR. BEFORE I HAD IT INSTALLED I TALKED TO MR. BLANK. A WEEK PRIOR. EXPLAINED TO HIM WHAT I WAS GOING TO DO. GAVE HIM A TENTATIVE STARTING DATE. HE HAD NO PROBLEMS, I ALSO HAD TO REQUIRE HIS PERMIT SO THE WORKERS COULD ENTER HIS PROPERTY TO DO WORK ON THE FAR SOUTHEAST SIDE.

COMPLETION, MY WIFE AND I WERE CLEANING UP. HE SAID IT LOOKED GOOD. MONDAY WHEN I RETURNED HOME FROM WORK, HE CAME OVER AND SAID HE DIDN'T LIKE IT AND TO REMOVE IT. SO I WAS A LITTLE IN A QUANDARY SO I THOUGHT WELL, I WASN'T REALLY SURE EXACTLY WHAT THE PROBLEM WAS. HE FINALLY STATED THAT IT WAS ILLEGAL, NO BUILDING PERMITS WHICH I AGREED WITH HIM. I ASSUMED THE LICENSE CONTRACTOR PUT IT UP, OR DID NOT REQUIRE PERMITS. SO, I STARTED THAT PROCESS ONCE I LEFT THE PLANNING COMMISSION, BUT WHEN I RECEIVED A LETTER TO NO PERMITS OR ANYTHING COULD HAPPEN UNTIL A DECISION WAS MADE BY THIS BOARD I STOPPED. I'VE SINCE GOTTEN IN CONTACT WITH THE CONTRACTOR WHO CONSTRUCTED THAT AND HE IN TURN IS JUST WAITING FOR YAE OR NAY OR WHAT TO DO. THIS SOMEONE A LITTLE GRAINY. IF YOU CAN SEE IT. THERE'S ONLY TWO PORTIONS OF THAT AWNING AND THEY'RE BOTH THE SIDE HORIZONTAL SUPPORT BEAMS.

>> SIR HA PICTURE NEEDS TO BE ROTATED 90°. THANK YOU.

>> HERE'S THE FACE OF THE WALL HERE. WHEN I STARTED THIS PROCESS, I WAS AT THE CAMERA AND RUSSELL OFFICE TO START THE WAIVER. UP AND DOWN THE COUNTER AND BACK AND FORTH OVER TO HERE. THE LADY TOLD ME IT CAN BE BUILT UP TO THE PROPERTY LINE. I SAID WELL THAT'S GOOD. SO AT THAT POINT, I JUST KIND OF LET THINGS SIMMER. I DIDN'T KNOW IF HE WOULD JUST SAY WELL YOU KNOW, IT'S NOT REALLY, I CAN'T SEE WHERE IT'S AFFECTING IT. EVIDENTLY HE DOES HAVE AN OBJECTION TO IT. AND THAT'S YOU KNOW, THAT'S ABOUT ALL TURF SAY. YOU KNOW I ASSUMED THAT HE WAS YOU KNOW IN FAVOR OF IT. THE WAY THE LOTS ARE, HIS LOT IS CONSIDERABLY LOWER THAN MINE. SO, THESE UPRIGHTS OR THESE SUPPORT PIECES, WERE PROBABLY 15 FEET OFF THE GROUND. THE ELEVATION CHANGE. MY HOUSE THAT MUCH HIGHER THAN HIS. BUT, YOU KNOW THE ONLY REMEDY I COULD SEE WAS TO TRIM THOSE SUPPORT PIECES, IT DOESN'T COMPROMISE ANYTHING. IT MOVED THE CAP BACK. BUT, I HAVE ANOTHER PHOTO. THAT'S FROM MY FRONT GATE ON THE EAST SIDE OF MY HOUSE. SO, SHOWING THE TWO UPRIGHT. RUNS DOWN THE EAST SIDE OF IT AND COPS DOWN TO MY SIDE OF THE WALL AND RUN INTO A PIPE THAT RUNS TO THE FRONT OF THE PROPERTY. I'VE GOT ALL THE SPECKS TO THE ALUMINUMS STRUCTURE. AS FAR AS THAT'S THE WAY IT WAS BUILT. IT WAS BUILT YOU KNOW, HE CIRCLED AND EVERYTHING. I HAD TO USE THAT, WHEN I INITIALLY STARTED MY QUEST. THAT'S ABOUT WHERE I'M AT.

>> THANK YOU, ANYONE ELSE TO SPEAK ON THIS ITEM?

>> I'M GARY BLANK. 7650 BUTTER SCOTCH CIRCLE. I LIVE ON THE EAST SIDE. WELL, THAT PARTICULAR ITEM WAS IS ON THE BOUNDARY OF OUR PROPERTY. JUST BEFORE I START I WANTED TO MAKE ONE COMMENT. I WANTED TO THANK YOU FOR YOUR VOTE ON THE AIR FORCE BASE, BEING A RETIRED AIR FORCE FIGHTER PILOT, WE WERE REALLY WORRIED ABOUT THAT. AND WE APPRECIATE YOUR VOTE ON THAT PARTICULAR ISSUE. FIRST OF ALL.

>> WELL, FIRST OF ALL LET ME JUST STATE HAD NO TIME, DID I GIVE MR. CHAIR ANY PERMISSION TO BUILD ANYTHING, DID I KNOW HE WAS GOING TO BUILD ANYTHING? OR DID I KNOW ANYTHING WAS GOING TO BE THERE UNTIL I WALKED OUT AND ACTUALLY SAW IT? IF YOU WOULD LIKE ME TO EX-POUND ON THAT AT ALL, I WOULD BE HAPPY TO. IF NOT, I WILL CONTINUE.

>> THERE'S A HANDHELD MICROPHONE YOU MAY WANT TO USE IF YOU HAVE A DISPLAY.

>> OKAY.

>> YOU'VE SEEN MR. JARRETT'S PICTURE OF IT. LET ME SHOW YOU THE PICTURE FROM FIRST OF ALL JUST TO ORIENT YOU TO LET YOU KNOW.

>> CAN WE GET THE -- THERE WE GO. THANK YOU.

>> JUST TO LET YOU KNOW, GROUND LEVEL SITS RIGHT WHERE MY PEN IS. ASSOCIATED WITH THAT PATIO THERE IS A CONCRETE SLAB THAT ENDS APPROXIMATELY RIGHT THERE. I NEED TO GET BACK TO MY NOTES HERE, BECAUSE I'M OLD AND FORGETFUL. AS MR. GARRETT MENTIONED THIS WAS BUILT WITHOUT PERMITS. WHETHER IT WAS THE CONTRACTOR, LET ME CAN YOU TO CONSIDER ONE FACT, THERE WERE FIVE PRIOR CONSTRUCTION PROJECTS ON THE PROPERTY. I WILL HAD BUILDING PERMITS. THE ONLY GO THAT DIDN'T HAVE PERMITS, WERE THE TWO PATIO COVER, THIS ONE AND THE ONE ON THE LEFT WHICH VIOLATED THE BUILDING CODE. I DON'T MAKE ANY JUMPS ON THAT, JUST MENTIONED THAT SEEMS TO BEEN A CURIOUS COINCIDENCE. BECAUSE THERE WERE NO PERMITS, FOR THE STAFF TO REVIEW IT, ON A TITLE 30. AND THE STAFF ITSELF HAS RECOMMENDED DENIAL BECAUSE THERE WAS INSUFFICIENT JUSTIFICATION FOR THIS WAIVER.

>> NOW SECONDLY. THIS STRUCTURE VIOLATES MY PROPERTY RIGHTS. WHEN WE BOUGHT OUR PROPERTY IN THE COUNTY, THIS IS A ZONED R.E., I HAD AN EXPECTATION THAT THE WOULD REQUIRE SETBACK OF 10 FEET WOULD BE ENFORCED. THIS IS OBVIOUSLY NOT THE CASE NOW. I'VE SHOWN YOU THIS, LET ME GIVE YOU A DIFFERENT PER SPECK THAI ON THAT.

>> THAT'S WHAT I SEE WHEN I COME HOME. HANGING INTO MY YARD. AND WITHOUT ANYTHING ELSE, I'M SOMEWHAT OUTRAGED BY THAT BECAUSE AS I LOOK AROUND I DON'T SEE ANYONE ELSE'S PROPERTY IN THAT SAME SITUATION IN OUR AREA.

>> MR. BLANK.

>> I APPRECIATE THAT. COULD YOU JUST MAYBE LET ME KNOW, LET US KNOW THAT YOU SUPPORT IT OR DON'T SUPPORT IT? YOU SUPPORT IT IF THIS HAPPENS OR YOU SUPPORT IT ON OTHER CONDITION.

>> ALL RIGHT, SIR. I UNDERSTAND.

>> THANK YOU.

>> IT WAS FOR TWO PATIO COVERS. AND I HAD NEVER COMMENTED ON THE PATIO COVER TO WEST SIDE, MY ONLY CONCERN WITH THAT IS IT WILL SET A PRECEDENT FOR OUR LESS THAN 10 FEET SETBACK WHICH IS REQUIRED BY THE CODE. SO, WITH THAT IN MIND, WHAT I WILL ASK YOU TO DO IS IF YOU COULD MODIFY YOUR MOTION, SUCH THAT THIS IS MADE AS IT WAS PRIOR TO JUNE 2007 WHEN THIS ON THE EAST SIDE WENT UP, PRIOR TO THAT TIME I NEVER HAD ANY INTRUSION PROBLEMS THROUGH THAT FENCE AND QUITE OBVIOUSLY THERE'S DAMAGE THERE. SO, THE WAY ALL THE WATER COMES OFF THIS PARTICULAR ITEM, EXCEPT FOR THAT WHICH TRIPS DIRECTLY IN THE YARD, IS DOWN THIS WHICH IS LOCATED WITHIN INCHES OF THAT FENCE. NOW I'M NOT AN ENGINEER. BUT IT APPEARS TO ME THAT WATER IS COMING DOWN APPROXIMATELY AT THIS POSITION BEHIND THIS LITTLE SHED, RUNNING DOWN AND SOMETHING IS HAPPENING WITHIN THAT CONCRETE. SO THAT WAS AN AWFULLY LONG WAY TO TELL YOU WHAT I WOULD LIKE AGAIN BEFORE 2007, WHAT I WOULD LIKE IS THIS ENTIRE PATIO COVER REMOVED. I WOULD LIKE ALL THE ASSOCIATED CONCRETE WITH THIS REMOVED BECAUSE IT'S OBVIOUSLY CAUSING DAMAGE. AND I DON'T KNOW IF IT'S WITHIN YOUR PURVIEW OR HOW TO PROCEED FROM HERE, BUT I WOULD ALSO LIKE AN ENGINEERING STUDY TO DETERMINE EXACTLY HOW MUCH DAMAGE HAS BEEN DONE TO THIS FENCE. BECAUSE THIS IS A RETAINING WALL FOR US. THIS IS NOT STRICTLY A FENCE FOR US. AND THREE YEARS AGO WHEN WE HAD THE HEAVY RAINS, I HAD A LOT OF WATER DAMAGE. NONE OF IT AT THAT TIME ASSOCIATED WITH THIS FENCE. BECAUSE THERE WAS NOTHING THERE. ALL RIGHT, I UNDERSTAND YOU DON'T HAVE AN ISSUE WITH THE COVER ON THE WEST SIDE OF THE PROPERTY. YOUR ISSUE IS WITH THE COVER ON THIS SIDE OF THE PROPERTY AND IT'S AT THE PROPERTY LINE AND THERE'S A POTENTIAL FOR WATER TO ENTER YOUR SITE. WE DON'T HAVE ANY PURVIEW FOR REQUIRING, THERE'S NO NEED FOR A DRAINAGE STUDY NOR REMOVING OF CONCRETE ON SOMEONE'S PROPERTY BECAUSE THEY HAVE THAT LIABILITY TO DO THAT. WE HAVE IN ACTION ON WHETHER OR NOT TO GRANT SETBACK WAIVER FOR THESE TWO PATIO COVERS. SO HEARING THAT, THEN IT WOULD BE MY MOTION TO APPROVE THE SETBACK WAIVER FOR THE WEST PATIO COVER. AND DENY THE SETBACK WAIVER FOR THE EAST PATIO COVER. ANY COMMENTS OR QUESTIONS? YEAH. PLEASE CAST YOUR VOTE. THAT MOTION CARRIES UNANIMOUSLY.

>> THANK YOU COMMISSIONERS, I APPRECIATE YOUR TIME.

>> EXCUSE ME DOES THAT MEAN I HAVE TO REMOVE THE ONE ON THE EAST, IS THAT WHAT I'M UNDERSTAND SOMETHING.

>> YES.

>> WELL, I JUST WANT TO MAKE ONE MORE COMMENT BECAUSE THIS AWNING SAVED THAT DRAINAGE. WHEN THAT AWNING IS GONE, THE RAIN THAT COMES OUT OF THE SKY IS GOING TO GO RIGHT THROUGH ITS WALL. THAT'S ALL I'VE GOT TO SAY. THANK YOU.

>> NEXT ITEM.

>> ITEM 56 WS-1232-07 APPEAL WAIVER OF DEVELOPMENT STANDARDS FOR ALTERNATIVE LAND SCALING ON 4.2 ACRES IN AN RE-RNP ZONE ON SOUTH SIDE OF WINDMILL LANE. WAIVER AND BACKGROUND ARE DESCRIBED IN YOUR AGENDA. SINCE THE PLANNING COMMISSION DENIAL THE APPLICANT PROVIDED EVIDENCE THAT THE PARCEL TO THE SOUTH AND WEST IS DEED RESTRICTED AND CAN NOT BE USED FOR RESIDENTIAL PURPOSES. THEREFORE STAFF'S RECOMMENDATION IS FOR APPROVAL. SUBJECT TO CONDITIONS LISTED HERE MANY YOUR AGENDA. THE ENTERPRISE TOWN BOARD RECOMMENDED DENIAL. THERE WERE FOUR PROTEST CARDS RECEIVED. THE PLANNING COMMISSION DENIED THE ITEM AN IT'S BEEN APPEALED BY THE APPLICANT BECAUSE THE LANDSCAPING WALL BUFFER NOT REQUIRED ADJACENT AGAINST ADJACENT PROPERTY BASED ON THE YOUTH.

>> THANK YOU GOOD AFTERNOON.

>> JOHN WELLS, 103 EAST CHARLESTON BOULEVARD AND I REPRESENT THE APPLICANT. I THINK IT WAS STATED CLEARLY WE ORIGINALLY RECEIVED THIS SPARSE TITLE 30 WE WERE REQUIRED, ON THE WEST AND SOUTH PROPERTY LINE BECAUSE THE PARCEL IS MASTER PLANNED WE HAD INITIALLY WE FELT IT WOULD NEVER BE DEVELOPED AND THE ONLY REASON WHY WE WOULD BE REQUIRED TO HAVE A BUFFER IS IT WAS A RESIDENTIAL PROPERTY WHICH WOULD BE THE LESS INTENSIVE USE MANY OUR PLACE OR WORSHIP AND DAYCARE AND AS IT WAS STATED, WE REALLY GOT THE DEFINITIVE ANSWER THAT HAS A DEED RESTRICTION ON THIS PROPERTY BY THE DEPARTMENT OF AVIATION SO IT COULD NEVER BE RESIDENTIAL. SO CONSEQUENTLY IT WOULD MEAN THAT THE ONLY USE THAT WOULD REQUIRE US TO BUT PUT THAT SCREEN IN, IS NOT ALLOWED TO BE ON THAT PROPERTY SO ME GATES THE REQUIREMENT OF THAT WALL AND THE LANDSCAPE BUFFER WHICH WE WOULD LIKE TO ADD TO THAT AS WELL.

>> THANK YOU. ANYBODY ELSE LIKE TO SPEAK ON 4 THIS ITEM? PLEASE, STATE YOUR NAME FOR THE RECORD.

>> 320 WEST FORD AVENUE HERE REPRESENTING SWAN. A COUPLE OF THINGS, WE HAD EXTENSIVE MEETINGS WITH THE CHURCH AND WITH THEIR DESIGN REVIEW AND SO FORTH. AND ONE IN THE MEETINGS THEY HAD AGREED, TO THIS KIND OF A FENCING AROUND THEIR PROPERTY. THE WHITE STONE WITH THE METAL ROD AROUND IT. WHEN IT WENT TRUE THE COUNTY FOR THEIR DESIGN REVIEW, FOR WHATEVER REASON, IN THE NOTICE OF FINAL ACTION IT WAS NOT INCLUDED. IN THAT, THAT THEY HAD AGREED AND WE WANTED SOME KIND OF WALL TO MATCH THE

NEIGHBORS. ON THE ON THE EAST. THE SOUTH AND THE WEST SIDE TO MAKE IT UNIFORM. SO, IF NOTHING ELSE WE WOULD LIKE THAT AS A CONDITION OF DEVELOPMENT THAT THIS KIND OF WALL BE PUT IN AROUND THE THREE SIDES.

>> RIGHT, THANK YOU.

>> MR. CHAIRMAN CAN I ASK A QUESTION TO STAFF. NOW THAT YOU'VE DETERMINED THAT THERE'S A DEED RESTRICTION, IS THERE SILL THE NECESSITY FOR A WAIVER? OR HAS IT BECOME MOOT.

>> THE WAY THE CODE IS WRITTEN SINCE THE PROPERTY IS PLANNED STILL PLANNED RNP, THE WAIVER IS NEEDED EVEN THOUGH THE DEED RESTRICTION PROHIBITS THE RESIDENTIAL USE.

>> COUNCIL AGREES IT?

>> THE CODE DOES NOT HAVE A RESTRICTION FOR THE DEED RESTRICTION.

>> I THOUGHT THE SAME THING.

>> I WOULD JUST LIKE TO ON BEHALF OF SWAN AND OUR MEMBERS, THANK YOU FOR YOUR SERVICES THIS YEAR AND WISH YOU A MERRY CHRISTMAS AND HAPPY NEW YEAR.

>> THANK YOU.

>> ANYONE ELSE WOULD LIKE TO SPEAK ON THIS ITEM SOME.

>> YES, KEVIN KENSLER. MY PROPERTY LIES APPROXIMATELY 600 FOOT FRONTAGE DIRECTLY ACROSS WHERE THE CHURCH IS. WE HAD THREE LOCAL MEETINGS WITH THE CHURCH. AND THEY AGREED TO PUT UP ACTUALLY THIS FENCE, BECAUSE THERE'S 13 HOMES AT TO ACRES THERE AND 13 ARE SURROUND BY THIS FENCE. THE CHURCH IS REALLY SOMETHING, IT IS NOT COMPATIBLE. IT'S ALLOWED AND COMING IN. WE KNOW THAT BUT IT'S NOT REALLY COMPATIBLE AND THEY HAD AGREED ON THESE MEETINGS TO PUT IN THIS FENCE. WELL, THEY SAID THAT THEY'VE BEEN TO THE TOWN BOARD AND PLANNING COMMISSION, BUT ACTUALLY THEY'VE BEEN TO THE TOWN BOARD AND PLANNING COMMISSION TWICE ON THIS ISSUE. WHEN THEY WENT TO THE TOWN BOARD THE FIRST TIME, THEY REQUESTED THAT THEY DO NOT PUT UP THE FENCE. THEN IT WENT TO PLANNING. I WAS AT THE PLANNING MEETING THE FIRST PLANNING MEETING AND PLANNING AGREED WITH US THAT THEY HAD TO MUTT UP A FENCE OF SOME KIND AROUND THE PROPERTY. THERE'S SOMETHING ELSE HERE, THERE'S A SAFETY ISSUE THAT I'LL GET TO LATER. THEY THEN APPEALED IT BACK TO THE TOWN BOARD OR WENT BACK TO THE TOWN BOARD AND ASKED FOR THE WAIVER ON THIS WEST FENCE. WELL, YOU CAN'T JUST PUT UP HALF A FENCE AROUND THE PROPERTY. THAT'S NOT YOU KNOW, IT SERVES NO

PURPOSE. SO, I TALKED TO THE PASTOR OF THE CHURCH ABOUT THIS PRIOR TO THE LAST TOWN BOARD AND PLANNING COMMITTEE MEETING. AND HE KIND OF RENEGED ON PUTTING ON THE FENCE, WE'RE JUST TALKING ABOUT THE FENCE ON THE WEST WALL. I SAID WHAT ABOUT THE FENCE THAT'S GOING TO SEPARATE THIS BASICALLY, IT KEEPS US IN THE RNP BECAUSE THIS CHURCH IS QUASI SOMETHING OTHER THAN RNP. AND HE SAYS WELL WE WERE JUST PLANNING ON MOUNTING THAT. I SAID WHAT ABOUT OUR AGREEMENT? SO ANYWAY I WENT TO THE SECOND PLANNING COMMISSION MEETING, OR THE SECOND PLANNING COMMISSION MEETING AND DENIED THEIR WAIVER SO THIS HAS BEEN DENIED TWICE BY TOWN BOARD AND BY PLANNING COMMISSION.

>> OKAY, THANK YOU.

>> THE OTHER DAY WE HAD A HORSE GET LOOSE.

>> I UNDERSTAND BUT YOU'RE JUST REPEATING.

>> THERE'S A SAFETY ISSUE I WANT TO BRING UP. APPRECIATE THAT.

>> BESIDES THE AGREEMENT, THE HORSE GOT LOOSE FROM THE PHILLIPS RANCH ACROSS THE STREET, THERE'S ABOUT 25 HORSES WITHIN THE IMMEDIATE VICINITY OF THIS CHURCH. THE HORSE GOT OUT AND RAN DOWN WIND MILL ACROSS AND IRONICALLY ACROSS THEIR PROPERTY BEFORE THEY ACTUALLY CAUGHT THE HORSE. WHEN THIS WAS BROUGHT UP TO THE PLANNING COMMITTEE, THEY SAID MORE THAN ANYTHING ELSE, THIS IS A SAFETY ISSUE. THIS CHURCH HAS GOT A DAYCARE CENTER AND THEY PLAN ON PUTTING IN A SCHOOL LATER. SO WE REQUEST THAT THEY HONOUR THEIR AGREEMENT. THEY PUT THE FENCE UP AS THEY HAD PLANNED.

>> THANK YOU.

>> IF I CAN --

>> HANG ON ONE MINUTE. ANYONE ELSE HERE TO SPEAK ON THIS ITEM?

>> TALKING ABOUT HORSINGS. HODGE RIGHT? LET'S TRY TO KEEP THE HORSES SAFE AND THE PEOPLE EACH OTHER YOU KNOW. SEE THE HORSE IS AN ANIMAL. YOU LET THEM OUT HEY RUN AND GET HURT BUT THEY CAN CAUSE TRAFFIC ACCIDENTS AND ALL KINDS OF THINGS. WHATEVER YOU ALL DO, MAKE SURE THAT THE HORSES ARE CARED FOR AND OTHER PROJECTS CAN GET ALONG ALSO. THANK YOU.

>> ANYBODY ELSE HERE TO SPEAK ON THIS ITEM. IF NOT I'LL TURN OVER THE APPLICANT FOR A RESPONSE. NO THIS REFENCE THAT THEY'RE TALKING ABOUT ISN'T ON ISN'T ANYTHING THAT WE'RE ASKING A WAIVER FOR. IT WAS SOMETHING THAT WAS DISCUSSED ON THE NORTH AND EAST SIDE. AND AT PLANNING COMMISSION IT WAS DETERMINED THAT WE WOULD DO A MOUND AND NOT A FENCE AND WE'VE EVEN BEEN BACK LIEU TAPES I

THINK STAFF CAN TELL YOU, THAT WOULD NEVER DETERMINE THAT WE WOULD PUT A FENCE ON WIND MILL AND THAT IT WOULD JUST BE A MOUND AND THAT'S WHAT'S REQUIRED. ALL WE'RE ASKING FOR TODAY IS THIS WAIVER DEVELOPMENT STANDARDS ON THE WEST AND SOUTH WHICH REALLY DOESN'T HAVE ANYTHING TO DO WITH THIS FENCE THAT THEY'RE ASKING FOR THE.

>> I TURN IT OVER TO THE BOARD COMMISSIONER WOODBURY.

>> I'M A LITTLE CONFUSED ABOUT WHICH, BEFORE US IS WHICH END OF THE PROPERTY. WEST END.

>> WEST AND SOUTHERN. IT'S JUST A DEVELOPMENT STANDARD REQUIREMENT ON THIS WEST AND SOUTH PROPERTY LINE WHICH WOULD BE A 6-FOOT WALL AND LANDSCAPE AND BECAUSE OF THE DEED RESTRICTION IT REALLY IS IN THE GATES THAT REQUIREMENT BECAUSE IT WOULD NEVER BE RESIDENTIAL. BUT THE WHAT THE MAYBES ARE TALKING ABOUT IS ON THE NORTH AND EAST SIDE, THEY WANT A FENCE ON THE FRONT SIDE OF THE PROPERTY WHICH WAS DISCUSSED LONG AGO, NOT THIS DURING THIS, BUT DURING THE USE PERMIT APPLICATION AND AT PLANNING COMMISSION IT WAS APPROVED TO HAVE A MOUND AND NOT A FENCE AND THERE IS NO REQUIREMENT FOR THAT.

>> THAT'S NOT TRUE, I WAS AT THOSE MEETING AND WHAT HAPPENED AT PLANNING SOMEONE WARD THE END OF THE MEETING AT PLANNING, SAID AND I HAD A PASTOR COME UP, BECAUSE THEY DENIED HE EVERY AGREED WITH US AND I HAD HIM COME UP HERE AND HE SAID YES, WE DID AGREE. OKAY, ON THE FENCE. NOW, ONE OF THE THINGS MENTIONED AT THE PLANNING, SOMEBODY SAYS WHAT IF THIS IS AN UGLY FENCE. DO WE HAVE TO HAVE THEM PUT UP THAT FENCE? AND THEY SAID WELL, NO. AND SAID WHAT IF THE TWO OF YOU GET TOGETHER AND AGREE TO IT AND SOME HAD AGREED TO DO SOME TYPE OF MOUNTING WITH A PONY FENCE ON TOP OF THE MOUNTING.

>> LET ME FOCUS YOU ON MY QUESTION, IS WAS THE AGREEMENT FOR THIS WHITE PONY WALL WITH DECORATIVE IRON WORK ON THE WEST END AND SOUTHERN END OF THE PROPERTY?

>> THE WHOLE PROPERTY.

>> THE ENTIRE PROPERTY.

>> IT'S NOT REALLY A PONY FENCE. IT'S A 5.5 FOOT HIGH FENCE. WITH THREE-FOOT STEEL INSERTS SO IT'S ALMOST.

>> BUT THE ONLY THING BEFORE US I THINK IS THE WESTERN AND SOUTHERN PROPERTY LINE SITS NOT.

>> RIGHT AND IT WAS NEVER, THAT WAS NEVER DISCUSSED ON THOSE TWO PROPERTIES AND I THINK.

>> SIR, I'M SORRY. GO AHEAD. I'M TRYING TO FIND OUT FROM STAFF.

>> I'M SORRY.

>> THE ONLY THING BEFORE YOU RIGHT NOW, THE REQUEST AS IT CAME IN IS TO NOT HAVE A WALL ON THE WEST AND THE SOUTH. ORIGINALLY THEY HAD ASKED FOR THEY WERE GOING TO STILL PUT THE LANDSCAPING IN.

>> WE CAN'T IMPOSE ANYTHING ON THE OTHER SIDE UNLESS THERE WAS AN AGREEMENT, I ASSUME.

>> THAT'S MY UNDERSTANDING. I WOULD REFER TO COUNSEL ON THAT.

>> IT MAKES NO SENSE TO --

>> EXCUSE ME SIR, THE COMMISSION IS HAVING A DISCUSSION.

>> WHILE WE'RE WAITING. I DON'T KNOW. LET ME JUST SAY, I THINK IF THIS WHERE ARE A CHURCH ALONE, IT'S ONE THING BUT WE'RE TALKING ABOUT A DAYCARE CENTER APPARENTLY. WHICH I THINK WE DO HAVE SAFETY ISSUES. AND IF THERE WAS AN AGREEMENT AND I DON'T THINK THESE GOOD PEOPLE THERE WAS UNLESS THEY DIDN'T HAVING A AGREEMENT. THAT WAS WITH THE PASTOR?

>> YES.

>> I'M SORRY, THERE REALLY WAS NO AGREEMENT. THERE WERE EARLY MEETINGS.

>> SHE WAS THERE.

>> THE CHURCH ABSOLUTELY DID SAY THEY WOULD CONSIDER THAT BUT LONG AGO, BEFORE THIS WAIVER DURING THE USE PERMIT APPLICATION, AND EVEN DURING THE DOWN BOARD MEETING THEY SAID THEY WOULDN'T DO THAT.

>> WELL IT'S MY FEELING THAT WE SHOULD NOT DO THE WAIVER ON THOSE BECAUSE OF THE DAYCARE CENTER.

>> IF I CAN JUST MAKE ONE COMMENT. THE DAYCARE CENTER IS A PLAY GROUND. HAS TO BE ENCLOSED BY A FENCE AND IT WILL BE. SO ALL THE PLAY YARD AND DAYCARE HAVE TO HAVE A FENCE AROUND IT BY HEALTH DISTRICT REQUIREMENTS SO IT WILL BE FENCED IN.

>> AND THEN YOU'RE PUTTING A CHURCH IN --

>> EXCUSE ME. WE'RE GETTING WAY FAR ALONG. YOU HAD YOUR YOU WANT THE TO SPEAK. IF THERE'S A SPECIFIC QUESTION A MEMBER OF THE COMMISSION HAS THERE WILL BE MORE THAN HAPPY TO ASK YOU. AND YOU'RE TAKING A LITTLE BIT TOO MUCH LEAD, COMMISSIONER WOODBURY HAS ASKED YOU SPECIFIC ITEMS. NOT TO REHASH WHAT YOU BOTH HAVE ALREADY TALKED ABOUT. SO THE ISSUE AT HAND IS QUESTION, ANSWER, QUESTION, ANSWER, IF YOU WOULD PLEASE.

>> ABSOLUTELY.

>> OKAY, I GUESS THE QUESTION WAS WE'VE RESTRICTED IN THIS HEARING DUE DETERMINING WHETHER OR NOT THERE SHOULD BE A WALL ON ONLY THE WESTERN AND SOUTHERN I UNDERSTANDS OF THE PROPERTY. AND CAN REALLY TALK AND REQUIREMENTS ON THE NORTHERN AND EASTERN END OF THE PROPERTY.

>> THOSE OTHER REQUIREMENTS WOULD PROBABLY SHOULD HAVE BEEN CONSIDERED HEN THE ORIGINAL I GUESS USE FROM AN APPLICATION, IS THAT CORRECT?

>> IF YOU WERE, SO.

>> MY UNDERSTANDING IS THEY HAVE TO APPLY BECAUSE THE WESTERN AND SOUTHERN PARTS OF THE PROPERTY ARE ADJACENT TO RESIDENTIAL SOME IS THAT IT? OR PLANNED RESIDENTIAL.

>> PLANNED RESIDENTIAL.

>> AND THE OTHER IN THE OTHER DIRECTION THEY ARE NOT.

>> IT'S TO THE NORTH AND EAST IS OUR STREETS. AND SO WE DON'T REQUIRE WALLS ALONG THE STREET. THE REQUIREMENT AND ACTUALLY LOOKED UP THE PLANNING COMMISSION APPROVAL ON THE ORIGINAL ONE. ALONG GAGNE WAS FOR A LANDSCAPE BERN. THERE WAS NO MENTION. BUT I RECALL AT THE MEETING THERE WAS NO MENTION OF WALL BUT IT WAS NOT COMMISSIONED ON THAT.

>> OUR DETERMINATION IS TO WHETHER THERE SHOULD BE A WALL OR NOT A WALL ON THE WESTERN AND SOUTHERN PROPERTY LINES. THE APPLICANT MENTIONED LANDSCAPING NOW AS WELL AS AN ISSUE TO BE CONSIDERED.

>> AND LANDSCAPING. NOW THE AGREEMENT AND SOME WOULD SAY THE ALLEGED AGREEMENT HAD A SPECIFIC KIND OF WALL AND DECORATIVE IRON WORK. AND IF THERE'S NO SPECULATION AT THIS HEARING KWE DETERMINE WHAT TYPE OF WALL AND DECORATIVE FEATURES CAN WE JUST HAVE TO SAY THAT WE'RE DENYING THE WAIVER?

>> THE QUESTION IS JUST THE WAIVER I THINK IF YOU DENY THE WAIVER, I DON'T THINK YOU COULD ATTACH A CONDITION TO THE DENIAL.

>> THEY COULD BUILD AN UGLY SIX-FOOT WALL OR SOMETHING.

>> THE REQUIREMENT WOULD BE IF THE STANDARD LANDSCAPE BUFFER WOULD BE AT 6-FOOT HIGH DECORATIVE BLOCK WALL. A COMPLETELY SOLID WALL.

>> AND YOU CAN SEE WHERE I'M GOING.

>> COMMISSIONER COLLINS. NO ONLY THING I SEE IS THAT WHETHER IT BE A WALL OR A BERM SOMETHING THAT CONTROLS THAT PLOT LINE SO THERE'S NOT FREE ACCESS OUT ON TO THAT UNDEVELOPED PROPERTY, SINCE IT CAN'T BE BUILT UPON BY RESIDENTIAL USE. SO I THINK THAT WOULD BE THE INTENTION IS THAT IF THERE'S BERM AND LANDSCAPE ON THOSE TWO SIDES, BERM AND LANDSCAPE ALL THE WAY AROUND OR SOMETHING COMPATIBLE OR EQUIVALENT THE TO THAT, SO THAT YOU DON'T HAVE TRAFFIC GOING OUT ON TO THAT UNDEVELOPED PROPERTY. WOULD BE THE ONLY THING. YOU KNOW, I DON'T CARE ABOUT BLOCK WALLS PER SE SO MUCH AS JUST SOME KIND OF LANDSCAPE, SOME PROPERTY LINE DESCRIPTION SO YOU'RE NOT CREEPING OFF THE PROPERTY. THAT WOULD BE MY COMMENT.

>> COMMISSIONER WOODBURY, YOU WERE IN WHICH DIRECTION YOU'RE GOING ON THIS, BUT IF YOU WERE INCLINED TO IMPROVEMENT YOU COULD ATTACH CONDITIONS TO AN PROVE THIS, AND POSSIBLY FENCING MANY THE OTHER SIDE BUT THAT WOULD HAVE TO BE A CONDITION BASED ON APPROVAL.

>> LET ME HAVE A COMMENT IF I MIGHT BECAUSE WHAT I'M HEARING CLEARLY FROM COMMISSIONER WOODBURY IS A LITTLE BIT OF CONSTERNATION AND SOME CONFUSION ABOUT ALLEGED AGREEMENT THAT MAY OR MAY NOT HAVE HAPPENED OR SOME DISCUSSION THAT CERTAINLY DIDN'T APPEAR TO HAVE A RESOLUTION BETWEEN THE CHURCH AND WHOEVER REPRESENTS THE CHURCH AND THE NEIGHBORS. AND THAT'S STANDING. BUT WHAT WE HAVE BEFORE US, REALLY CAN'T QUANTIFY THAT. BUT WHAT I WOULD SUGGEST COMMISSIONER WOODBURY TO YOU IS WE DO THIS WHEN IT'S APPROPRIATE AND I THINK IT'S APPROPRIATE PERHAPS TO HOLD THIS ITEM, AND SUGGEST TO YOU AS THE APPLICANT THAT YOU AND THE PASTOR WHOEVER REALLY NEED TO MEET WITH THE NEIGHBORS, AND GET THE RESOLUTION FIGURED OUT AS TO WHAT YOU DID OR DIDN'T OR CAN OR CAN'T OR WILL OR WON'T DO, INSTEAD OF TRYING TO HAVE THAT DISCUSSION AND ARGUMENT HERE WHERE WE WEREN'T PART AND PARCEL OF THOSE DISCUSSIONS AND WE DON'T HAVE THE APPROPRIATE ABILITY TO EVEN RECTIFY WHAT WE THINK MIGHT BE REASONABLE. SO, THAT'S WHAT I'M KIND OF HEARING.

>> KEVIN ONE LAST COMMENT IF I MAY.

>> ONE LAST COMMENT. WE HAD AGREED I TALK ODD THE PASTOR ABOUT IT AND WE HAD AGREED GET WITH THEM AND TALK ABOUT DOING A BERM WITH A LITTLE PONY WALL ON THE OF IT. THAT'S WHERE THE PONY WALL DEAL CAME IN AND THE BERM DEAL AND THAT WAS MENTIONED AND THEY NEVER WE COULD WORK WITH THEM, BUT, THEY AGREED TO SOME AND WHEN WE GO BACK THEY CHANGED THEIR MIND.

>> AND I APPRECIATE IT. THIS IS A FORUM RIGHT HERE BECAUSE THE PASTOR ISN'T HERE AND IT'S ONE SIDED ON ONE WAY OR THE OTHER. SO.

>> I WILL FOLLOW YOUR SUGGESTION MR. CHAIRMAN, AND MOVE TO HOLD THIS MATTER UNTIL JANUARY 2nd, AT 1:00 P.M. AND ENCOURAGE THE PARTIES TO GET TOGETHER AND.

>> CAN I ASK BECAUSE THERE'S NO URGENCY AND BECAUSE OF THE HOLIDAY IF WE CAN EXTEND IT ANOTHER TWO WEEKS, BECAUSE I DON'T KNOW WHAT'S GOING TO HAPPEN IN TERMS OF THE NEXT TWO WEEKS.

>> OKAY, JANUARY 16th THEN.

>> HOLD ITEM TO JANUARY 16th FOR BOTH PARTIES TO GET TOGETHER AND WORK OUT SOMETHING.

>> THANK YOU VERY MUCH. HAVE A GOOD HOLIDAY.

>> THANK YOU. PLEASE CAST YOUR VOTE. COMMISSIONERS DID YOU ALL CAST YOUR VOTE.

>> I DID.

>> THE MOTION CARRIES UNANIMOUSLY.

>> STAFF SETTING THE PUBLIC VIEW FOR JANUARY 2nd, 2008 AT 1:00 P.M. IN THESE CHAMBERS. ITEM 57, ORDINANCE ABOUT DEVELOPMENT AGREEMENT THAT THE RESORTED HOTEL EXPANSION DEVELOPMENT LOCATED IN THE NORTHWEST CORNER IN PARADISE ROAD.

>> WOULD YOU PLEASE -- I DIDN'T HEAR YOU. ARE WE LOOKING FOR A JANUARY 2nd OR IS THE 16th OR MARCH.

>> JANUARY 2nd, 2008.

>> ALL RIGHT, THANK YOU.

>> I WILL SET THE PUBLIC HEARING FOR JANUARY 2nd AND 1:00 P.M.

>> ITEM 58, AN ORDER MENTION TO STANDARD DEVELOPMENT AGREEMENT OFFICE DEVELOPMENT GENERALLY LOCATED ON THE SOUTH SIDE OF ORANGE SPRINGS ROAD. 330 FEET EAST OF TINEA WAY WITHIN THE BOUNDARIES.

>> I'LL INTRODUCE THE ORDINANCE SET TO PUBLIC HEARING JANUARY 2nd, 2008.

>> AN ORDINANCE FOR THE STANDARD DEVELOPMENT AGREEMENT FOR PROPOSED INDUSTRIAL LOCATED IN THE NORTH SIDE OF THE ROAD. 630 FEET EAST OF LINDEL ROAD WITHIN THE BOUNDARIES OF THE TOWN OF ENTERPRISE.

>> I'LL INTRODUCE THE ORDINANCE, SET THE PUBLIC HEARING FOR JANUARY 2nd, 2008 AT 1:00 P.M.

>> AND THERE ARE NO ORDINANCES FOR PUBLIC HEARING, ITEM 60 IS PUBLIC COMMENT.

>> TIME WE'VE ALL BEEN WAITING FOR. PUBLIC COMMENT. PLEASE COME FORWARD TO STATE YOUR NAME AND ADDRESS IF YOU HAVE SOMETHING TO SAY TO THIS BOARD.

>> MY NAME IS ANTHONY. I'M SORRY I CAME DOWN HERE TODAY. BUT WHEN I SAW THE GOVERNOR AND THE GENERAL AND HE WAS TALKING ABOUT THE AIR FORCE WHICH IS A LANDMARK MANY THIS COMMUNITY FOR MANY, MANY YEARS AND AS I SAID IS VITAL TO OUR DEFENCE FOR OUR NATION, SO I KNOW WE WAS TALKING ABOUT THE RACETRACK, AN DEVELOPMENT AND SO ON. BUT, LET'S GET BACK TO AIR SPACE QUICK. WHEN HEY HAD THE STRATOSPHERE THEY WANTED TO GO UP 1800 FEET AND THE MAYOR, TALKING ABOUT, I DON'T MEAN NO HARM BUT GOT THE LAST WORD ON THE HEIGHT. SO THEY GO 1250 FEET AND THAT WAS IT. SO WHO I'M TRYING TO SAY IF YOU CAN TELL US A CIVILIAN AIRLINE YOU KNOW, KEEP A SAFE DISTANCE FOR THEIR SITUATION, THEN YOU GOING TO TRY TO KEEP THE MILITARY OUT OF BUSINESS, GIVE ME A BREAK. UNLIKE THE RACETRACKS, AND ALL THAT, AND BUILDINGS AND WHATEVER. YOU DON'T NEED HEIGHT WITH THOSE PLANES ON THEIR PRACTICE MISSIONS. WHAT I'M TRYING TO SAY IS STEER CLEAR OF THAT AREA, PLEASE, AND THAT'S WHAT I GOT TO SAY. I KNOW THE CITY COMING BACK AND I HATE TO COME BACK WITH IT WITH THE GOVERNOR AND THE GENERAL BUT HEY COME ON GUYS. I LOVE YOU ALL BUT YOU CAN'T BE PLAYING WITH OUR NATIONAL SECURITY.

>> YOU LOVE US TOO BECAUSE WE SAID NO? [LAUGHTER]

>> YOU ALL SAID NO I'M GOING TO PICKET IN FRONT OF YOUR HOUSE FOR THE REST OF YOUR LIFE, HELLO. MERRY CHRISTMAS TO ALL OF YOU.

>> ANYONE OUT THERE TO SPEAK TO THE BOARD.

>> IF NOT ON BEHALF OF THE BOARD WE WANTED TO WISH YOU ALL A HAPPY HOLIDAYS, MERRY CHRISTMAS, HANUKKAH, KWANZAA, AN ALL THOSE. SEE YOU NEXT YEAR. THANK YOU. MEETING IS ADJOURNED.