

>> REID: I'LL CALL THIS MEETING TO ORDER.

>> GOOD MORNING COMMISSIONERS.

THE FIRST ITEM IS APPROVAL OF THE AGENDA.

AFTER CONSIDERING DELETION OR ADDITIONS.

WE IS RECEIVED THE FOLLOWING REQUEST. ITEM 27, HOLD TO THE SEPTEMBER 9, 2009 PER THE APPLICANT.

ITEM 28, [READING ORDINANCE NUMBERS INTO THE RECORD]

HOLD TO THE AUGUST 192009.

PER THE APPLICANT.

AND ITEM 29, WITHDRAWN WITHOUT PREJUDICE, PER THE APPLICANT.

THE ABOVE PUBLIC HEARING ITEMS WILL BE OPENED AS A PUBLIC HEARING AND

IMMEDIATELY RECESSED UNTIL THE DATES AS PREVIOUSLY STATED WITH THESE

DELETIONS AND IF THERE'S NO OBJECTION FROM THE MORNING AUDIENCE THE

MORNING AGENDA STANDS READY FOR YOUR APPROVAL.

>> REID: ANY DISCUSSION ON THE AGENDA?

THERE'S A MOTION TO APPROVE THE AGENDA.

CAST YOUR VOTE.

MOTION CARRIES.

>> NEXT ON THE AGENDA IS THE APPROVAL OF THE MINUTES FOR THE 4-8-09 BOARD OF COUNTY COMMISSIONERS MEETING.

>> REID: THE MOTION TO APPROVE THE MINUTES?

ANY DISCUSSION?

CAST YOUR VOTE.

>> REID: MOTION CARRIES.

>> NEXT IS THE ROUTINE ACTION ITEMS, WHICH CONSISTENT OF ITEMS 3-15 EXCEPT FOR ANY ITEMS WHICH MAY HAVE BEEN PREVIOUSLY HELD OR DELETED.

THESE ITEMS MAY BE CONSIDERED TOGETHER IN ONE MOTION, AND ARE SUBJECT TO THE CONDITIONS LISTED WITH EACH AGENDA ITEM.

IN ADDITION, WE HAVE RECEIVED THE FOLLOWING AMENDMENT.

ITEM 3, [READING ORDINANCE NUMBERS INTO THE RECORD]

REVISE CIVIL ENGINEERS RECOMMENDATION TO REMOVE NO COMMENT AND REPLACE WITH DRAINAGE STUDY AND UPDATE WITH COMPLIANCE.

ITEM 26.

[READING ORDINANCE NUMBERS INTO THE RECORD]

REVISE FIRST RECOMMEND TO READ SIX MONTHS TO SUBMIT PLANS FOR OFF SITE AND TWO YEARS FROM THE ORIGINAL APPROVAL DATE TO COMPLETE OFF SITE IMPROVEMENT.

FOR THE COMMISSIONER'S INFORMATION.

ITEM 3, [READING ORDINANCE NUMBERS INTO THE RECORD]

THE WHITNEY TOWN BOARD RECOMMENDED APPROVAL SUBJECT TO REMOVE STAFF FIRST CONDITION AND SUNRISE MANOR RECOMMENDED INTENSE LANDSCAPING SOUTH SIDE ADJACENT TO RESIDENTIAL AND ATTEND SOUND ATTENUATION IN BAFFLE FACING RESIDENTIAL.

LANDSCAPING USE OF GARAGE IN CONCERT WITH LANDSCAPING ON EAST BROADWAY.

ITEM 34, THE TOWN BOARD RECOMMENDED APPROVAL, SUBJECT TO THE DESIGN REVIEW AS A PUBLIC HEARING FOR LIGHTING AND SIGNAGE.

ITEM 6, [READING ORDINANCE NUMBERS INTO THE RECORD]

THE TOWN BOARD RECOMMENDED APPROVAL FOR SIX MONTHS TO SUBMIT PLANS.
ITEM 12 AND 13, [READING ORDINANCE NUMBERS INTO THE RECORD]

TOWN BOARD RECOMMENDED APPROVAL SUBJECT TO REMOVING THE SIGNS FROM THE
FENCE AND STRENGTHENING THE FENCE.

ITEM 14, [READING ORDINANCE NUMBERS INTO THE RECORD]

STAFF HAS RECEIVED TWO CARDS IN PROTEST. ANY PERSON, WHO DOES NOT AGREE
WITH THE CONDITIONS RECOMMENDED BY STAFF AS SHOULD REQUEST THAT ITEM BE
REMOVED AND HEARD SEPARATE WILL WHEN THE PUBLIC HEARING HAS BEEN OPENED
AND ITEM RECOMMENDED FOR DENIAL WITH DIFFERENT CONDITIONS OF THE APPROVAL
BY THE RESPECTIVE TOWN BOARDS ARE NOT AUTOMATICALLY REMOVED FROM THE
ROUTINE ACTION ITEMS AGENDA.

IF YOU WISH TO SPEAK TO ANY ITEM YOU MUST COME FORWARD AND REQUEST THAT IT
BE HEARD SEPARATELY WITH THESE AMENDMENTS AND NO OBJECTION FROM THE
AUDIENCE THE ROUTINE AGENDA STANDS READY FOR APPROVAL.

>> REID: HELLO.

>> GOOD MORNING COMMISSIONERS.

BOB GRONAUER, 3800 HOWARD HUGHES PARKWAY.

I'M HERE REPRESENTING NUMBER THREE.

WE REQUEST YOU FOLLOW THE WHITNEY TOWN BOARD'S RECOMMENDATIONS.

>> REID: ANY OTHER COMMENTS ON THE ROUTINE ACTION ITEMS. >> RYAN LAWER 300
SOUTH FOURTH STREET SUITE 400.

I'M HERE ON BEHALF OF SILL VIN SQUARE ON ITEM 12 AND 13 AND ASK THEY BE
TAKEN OFF THE ROUTINE ACTION AGENDA.

WE WOULD LIKE TO REQUEST MORE TIME.

>> REID: OKAY.

>> REID: 12 AND 13 WILL BE HEARD SEPARATELY.

ANY MORE DISCUSSION ON THE ROUTINE ACTION ITEMS. >> I HAVE TO ABSTAIN ON
ITEMS 5 AND 14.

ANY OTHER DISCLOSURES?

COMMISSIONER SISOLAK, DID YOU HAVE SOMETHING?

>> REID: OKAY.

COMMISSIONER GIUNCHIGLIANI HAS A QUESTION.

>> GIUNCHIGLIANI: I JUST WANT TO CHECK ON ITEM 6, WE WILL GO WITH THE SIX
MONTHS, NOT THE THREE MONTHS?

>> THAT'S CORRECT.

CIVIL SENT REVISED RECOMMENDATIONS.

>> GIUNCHIGLIANI: ITEM 10 THROUGH YOUR EXTENSION?

-- THREE YEAR EXTENSION SO IT IS NOTED FOR THE RECORD.
10.

>> YES, THREE YEARS.

>> GIUNCHIGLIANI: JUST SO IT IS NOTED.

THANK YOU.

COMMISSIONER COLLINS?

>> REID: THERE'S A MOTION FOR APPROVAL.

>> COMMISSIONER, WAS THAT PER STAFF?

ON NUMBER THREE PER WHITNEY?

>> REID: MOTION CARRIES.

>> OUR NEXT ITEM IS ITEM 12.

[READING ORDINANCE NUMBERS INTO THE RECORD]

ZONE CHANGE TO RECLASSIFY 15 ACRES FROM RE, TO U.V.
ZONE.

USE PERMIT FOR INCREASE BUILDING HEIGHT, AND DENSITY AND DECREASE THE
SETBACK FROM ARTERIAL STREET FOR MIXED USE DEVELOPMENT CONSISTING OF
RESIDENTIAL, OFFICE, IN THE MUD DESIGN OVERLAY DISTRICT.

ON DURANGO AND SUNSET ROAD WITH USE PERMITS AND BACKGROUND AS DESCRIBED IN
THE AGENDA.

THE SITE WAS VACATED.

THE AREA HAS NOT CHANGED SCANTLY SINCE THE PROJECT IN 2006.

WITH THE EXCEPTION OF THE OFFICE BUILDING CONSTRUCTION.

TITLE 30.

EXTENSION OF TIME STATES SUCH AN APPLICATION MAY BE DENIED OR HAVE
ADDITIONAL CONDITIONS IMPOSED IF IT IS FOUND CIRCUMSTANCES HAVE
SUBSTANTIALLY CHANGED.

THERE HAVE BEEN NO SUBSTANTIAL CHANGES AT THE SUBJECT SITE SINCE THE
ORIGINAL APPROVAL.

THE APPLICANT HAS REQUESTED AN ADDITIONAL 10 YEARS TO COMPLETE THE
PROJECT.

STAFF RECOMMENDS THREE YEARS FOR COMPLETION.

STAFF RECOMMENDS APPROVAL, SUBJECT TO THE CONDITIONS, AS LIFTED IN YOUR
AGENDA.

TOWN BOARD DID RECOMMEND APPROVAL, SUBJECT TO REMOVING THE SIGNS AND
STRENGTHENING THE FENCE.

ITEM 13 ALONG WITH THAT, SINCE THEY ARE RELATED.

IT ITEM 13, [READING ORDINANCE NUMBERS INTO THE RECORD]

USE PERMIT FIRST EXTENSION OF TIME TO COMPLETE MODIFIED PEDESTRIAN REALM
ALONG DURANGO DRIVE, IN THE 215 BELTWAY IN CONJUNCTION WITH THE MIXED USE
DEVELOPMENT IN THE U.V.

ZONE AND MUD AND OVERLAY DISTRICT.

THE DESIGN REVIEW FOR MODIFIED PEDESTRIAN AND MIXED USED DEVELOPMENT ON
THE SOUTH SIDE OF SUNSET ROAD.

WITH THE BACKGROUND AS DESCRIBED IN YOUR AGENDA.

THE ANALYSIS IS THE SAME AS ITEM 12.

THEREFORE STAFF RECOMMENDS APPROVAL AND TOWN BOARD RECOMMENDED THE SAME
RECOMMENDATIONS AS ITEM 12 AS WELL.

>> REID: THIS IS A PUBLIC HEARING.

ANYONE HERE TO SPEAK ON THIS?

DO YOU REPRESENT THE APPLICANT?

>> I DO.

>> THE ONLY REQUEST WE HAVE IS FOR ADDITIONAL TIME.

WE HAVE HAD DIFFICULTIES RAISING FINANCING TO COMPLETE THE PROJECT, SO WE
NEED A LITTLE MORE TIME.

WE HAVE ASKED FOR 10 YEARS.

BUT ANYTHING OVER THREE, WE WOULD APPRECIATE.

>> REID: THIS IS A PUBLIC HEARING.

ANYONE ELSE HERE TO SPEAK ON THIS?

CLOSE THE PUBLIC HEARING.

COMMISSIONER SISOLAK.

>> SISOLAK: THANK YOU MR. CHAIR.

I CAN'T GO WITH ANY MORE THAN THREE YEARS.

I WANT TO MAKE SURE THE PROJECT IS A REALITY NOT JUST A PIPE DREAM.

I DO HAVE A PROBLEM WITH THE FENCE.

I DON'T WANT TO MAKE IT A CONDITION FOR THE EXTENSION BUT IT HAS FALLEN DOWN.

I WANT YOUR VERBAL COMMITMENT YOU WILL TIGHTEN THE FENCE UP.

>> WE PLANS TO TAKE THE SIGNS OFF.

I BELIEVE THE WIND IS PUSHING THE FENCE DOWN.

WE'LL REINFORCE THAT.

>> IT IS.

>> SISOLAK: IT WHIPS IT AROUND.

THE FENCE IS FOR SAFETY REASONS.

>> WE'LL TAKE CARE OF THAT.

>> SISOLAK: IT IS LOOKING KIND OF CRUMMY.

>> REID: ANY OTHER DISCUSSION.

>> SISOLAK: I RECOMMEND THREE YEARS.

>> REID: YOU'VE HEARD THE MOTION.

CAST YOUR VOTE.

>> REID: MOTION CARRIES.

>> THANK YOU.

>> OUR NEXT ITEM IS ITEM 16, WHICH IS RELATED TO 17 AND CAN BE HEARD TOGETHER, 16

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLDOVER DESIGN REVIEW FOR 4.5 ACRES IN THE U.V.A.

60 ZONE IN THE MUD OVERLAY DISTRICT ON THE WEST SIDE OF MARYLAND PARKWAY AND ST. ROWS PARKWAY.

WITH THE BACKGROUND AS DESCRIBED IN THE AGENDA.

THE PROPOSED REDESIGN -- STAFF HAS RECEIVED REVISED PLANS AND CAN SUPPORT THIS APPLICATION, SUBJECT TO STAFF'S RECOMMENDATION AS LISTED WITH THE REMOVING OF CURRENT PLANNING SECOND CONDITION TOWN BOARD RECOMMENDED APPROVAL SUBJECT TO PARKING LOT POLLS ADJACENT TO RESIDENTIAL NOT TO EXCEED 15 FEET IN HEIGHT.

AND ITEM 17, [READING ORDINANCE NUMBERS INTO THE RECORD]

DESIGN REVIEW FOR A CONVENIENCE STORE WITH GASOLINE PUMPS AND CARWASH ON PORTION OF 4.1 ACRES IN THE C 2, AND MUD OVERLAY DISTRICT IN THE WEST SIDE OF MARYLAND PARKWAY AND NORTH SIDE OF ST. ROSE PARK.

WITH THE BACKGROUND AS DESCRIBED IN THE AGENDA.

STAFF HAS RECEIVED REVISED PLAN AND CAN SUPPORT THE APPLICATION SUBJECT TO RECOMMENDATIONS AS REMOVING EDUCATION AND THIRD CONDITIONS.

TOWN BOARD DID RECOMMEND APPROVAL, SUBJECT TO THE DESIGN REVIEW FOR SIGNAGE AND LIGHTING IN THE GAS STATION CANOPY LIGHTING TO BE RECESSED AND LIGHT SOURCE NOT VISIBLE.

>> REID: GOOD MORNING.

>> GOOD MORNING.

>> LUCY STUART, 1122 RAM PART.

WAS WITH ME GEORGE ROGERS THE ARCHITECT ON THE PROJECT.

WE DO APPRECIATE STAFF WORKING WITH US.

I'LL BE BRIEF.

THERE WAS PREVIOUSLY APPROVED A MIXED USE AND CONVENIENCE STORE HERE.

WE THINK THIS IS A BETTER PROJECT.

IN FACT THIS IS THE PROJECT THAT IS INTENDED TO BE BUILT.

BECAUSE THE PREVIOUS -- IT ACTUALLY CAME BACK WAS A DEED IN LOU OF FORECLOSURE.

SOME OF THE LOANS THAT HAD TO BE CLEANED UP ON THE SITE NOW MAKE THE PROPERTY SO EXPENSIVE, IT IS THE SAME GUY THAT OWNS THE PROPERTY.

THAT HE HAS TO BUILD IT IN ORDER TO DO ANYTHING WITH THE PROJECT.

HE HAS LOWERED THE MIXED USE.

AND LOWERED A LEVEL TO BE UNDER CONSTRUCTION, WITH WOOD CONSTRUCTION, AS OPPOSED TO METAL OR STEEL CONSTRUCTION.

>> REID: WE'RE HAVING SOME TECHNICAL DIFFICULTIES FOR THE TECHNICIANS.

>> REID: WHY DON'T WE SHARE HERE FOR A MINUTE.

>> REID: LET'S GET THIS UNDER CONTROL HERE.

LUCY YOU GO RIGHT AHEAD.

>> WHAT -- WE THINK THIS IS A BETTER PROJECT.

IT IS BETTER FOR THE EXISTING RESIDENTIAL AROUND IT.

THERE USED TO BE A PARKING GARAGE HERE.

ALL OF THE PARKING NOW SURFACE PARKING, EXCEPT FOR THIS, WHICH IS ONE LEVEL BELOW.

THERE IS STILL ON THE FIRST FLOOR.

IT IS USED TO BE 108 UNITS, NOW THEY'RE 90.

AGAIN IT HAS GONE DOWN IN DENSITY AND SIZE.

IT MAKES IT A BILLABLE PROJECT.

BY REDUCING THE DENSITY, THAT'S HOW WE WERE ABLE TO END UP WITH SURFACE PARKING.

THE ONLY CONDITION THAT WE HAVE A CONCERN WITH IS, I THINK STAFF IS TRYING TO TIE THE TAVERN TO A BUILDING PERMIT FOR THE CONDOS.

WE WOULD ASK, BECAUSE THIS PROPERTY IS ACTUALLY HARD ZONE C-2.

THE ORIGINAL APPROVAL SHOWED A CONVENIENCE STORE AND TAVERN.

WHEN THIS PORTION WAS -- ACTUALLY UNDER CONTRACT OR PURCHASE FROM ANOTHER PROPERTY FROM ANOTHER DEVELOPER.

THEN INCORPORATED THE TAVERN INTO THE MIX USE.

IT WENT BACK TO THE ORIGINAL PROPERTY OWNER AND HE INTENDS TO BUILD THIS.

IN ORDER TO DO A TENTATIVE MAP AND THE FINAL MAP AND RECORD THE FINAL MAP TO GET YOUR BUILDING PERMITS, THAT'S AT LEAST A YEAR.

WE WOULD ASK MAYBE WE TIE IN THE C.O. FOR THE TAVERN FOR THE TENTATIVE MAP.

WITH ME IS GEORGE ROGERS.

HE'S THE ARCHITECT AND HAS ASKED TO START THE CONSTRUCTION DRAWINGS FOR THE ENTIRE PROJECT.

I DON'T THINK THE OWNER -- I KNOW THE CONCERN IS, THEY WILL END UP WITH A -- A CONVENIENCE STORE AND A TAVERN, NOT THE MIXED USE, HOWEVER, I DON'T THINK HE WOULD GO THROUGH THE TROUBLE TO REDESIGN IT, REDUCE THE SIZE, MAKE IT TO BE UNDER CONSTRUCTION AND UNDER WOOD CONSTRUCTION, AS OPPOSED TO STEEL CONSTRUCTION AND THEN NOT PLAN ON BUILDING IT.

EVEN THEY DON'T BUILD TO THE ZONING EXPIRES AND STILL HAVE JUST A TAVERN AND CONVENIENCE STORE, WHERE WE WOULD HAVE BEFORE.

WE ASK MAYBE YOU TIE IT INTO THE TENTATIVE MAP.

IT IS STILL A LONG LEAD TIME, BEFORE WE EVER GET A PERMIT ON THE APARTMENTS OR CONDOS.

IF YOU HAVE ANY QUESTIONS OF MR. ROGERS.

>> REID: LET ME ASK FIRST. IS THERE ANYONE ELSE PRESENT TO SPEAK?

THIS IS A PUBLIC HEARING.

SEEING NO ONE I CLOSE THE PUBLIC HEARING AND TURN IT OVER TO COMMISSIONER SISOLAK.

COMMISSIONER WEEKLY.

>> WEEKLY: QUICKLY.

LUCY FOR MY UNDERSTANDING.

DID YOU SAY IT IS THREE STOREYS WITH 90 UNITS?

>> NO, IT IS FOUR.

>> ACTUALLY IT IS FOUR STORIES ON ONE STOREY ABOVE GRADE FOUR STOREYS IT IS AN 80 UNITS.

>> I'M SORRY.

>> SHE DID SAY 90.

>> I APOLOGIZE.

IT IS 80.

WE ALSO DID PUSH THIS BUILDING GOT PUSHED FURTHER THIS WAY, SO IT EVEN GETS FURTHER AWAY FROM THE RESIDENTIAL.

BEFORE THEY HAD A STAIR STEP AND BUILDING RIGHT THERE.

>> WEEKLY: I GUESS I'M NOT READING MY BACKUP.

WHAT'S THE DISTANCE SEPARATION BETWEEN THE CONDOS AND THE ACTUALLY TAVERN?

>> EIGHT FEET.

>> EIGHT FEET.

>> WEEKLY: THANK YOU.

>> REID: COMMISSIONER SISOLAK.

>> SISOLAK: THANK YOU MR. CHAIR.

LUCY WE'VE TALKED ABOUT THIS A LITTLE BIT.

GEORGE AND I HAVE TALKED AT LENGTH AND TALKED WITH STAFF NUMEROUS TIMES.

I HAVE MY TOWN BOARD, MR. CHESTNUT IS HERE.

I WANT TO DO THE SITE VISIT MYSELF.

I DON'T KNOW HOW IT GOT ZONED IN THE FIRST PLACE.

THERE'S NO ACCESS ON ST. ROSE PARKWAY.

CORRECT?

>> NO, THERE'S THIS ONE DRIVEWAY.

>> TODAY THERE'S NOT.

BUT WE HAVE A PROPOSED DRIVEWAY THAT.

WAS ONE OF THE LENGTHY DISCUSSIONS ON THE PREVIOUS MIXED USE WITH NDOT AND COORDINATING WITH THEM.

>> SISOLAK: A PRIMARY DRIVEWAY.

I WAS TOLD IT WOULD BE EGRESS, INGRES.

>> FOR THE MIXED USE IS EGRESS.

THEY CAN COME OUT AND LOVE THAT WAY.

FOR THE CONVENIENCE STORE.

IT IS BOTH WAYS.

THEY CAN COME IN.

THE TRUCKS CAN COME IN.

THAT'S SO THE TRUCKS CAN COME IN AND GO OUT AND NOT MAKE A SHARP TURN.

>> GEORGE, I THOUGHT YOU EXPLAINED IT IS FOR EGRESS, NOT FOR IN INGRESS.

>> YES, COMMISSIONER I'M SORRY IF I WAS INCORRECT.

THIS IS PRIMARILY FOR THE MIXED USE INGRESS.

>> THAT'S WHY THIS DRIVEWAY IS NARROWER.

IT IS SUPPOSED TO BE EXIT ONLY.

>> SISOLAK: WHICH DRIVEWAY IS NARROWER?

>> THIS ONE HERE.

>> I DON'T KNOW IF YOU CAN SEE.

THE DISTANCE AND HOW IT IS ABOUT HALF THE SIZE.

>> SISOLAK: THAT IS FOR THE TAVERN TOO?

>> YES.

BUT YOU KNOW WHAT, PEOPLE PARK WHERE PEOPLE PARK.

AND SO, I IMAGINE THERE WILL BE SOME PEOPLE PARKING OVER HERE AND WALKING OVER.

>> SISOLAK: OKAY.

I HAD TO GO DOWN.

THERE'S NO EXIT.

I TURNED LEFT ON MARYLAND PARKWAY AND GO DOWN SIX BLOCKS.

MAKE A U-TURN AND COME BACK AROUND, BECAUSE THERE'S NOT A MEDIAN CUT ON MARYLAND PARKWAY?

>> RIGHT, BUT ON THE PREVIOUS PLAN IT WAS SHOWN A MEDIAN OPENING.

WE SHOWED ON THIS PLAN AS A MEDIAN OPENING.

ON THE CONDITIONS ON THE PREVIOUS MIXED USE.

WE'RE NOT SURE HOW IT GOT CLOSED THERE'S NOT A CONDITION THAT SHOWS TO CLOSE, IT UNLESS WE'RE TOLD WE HAVE TO CLOSE IT.

WE ARE PROGRESSING TO OPEN IT UP.

>> SISOLAK: THERE'S NO OPENING NOW.

WE ARE PROPOSING WE WOULD OPEN IT.

IT IS OPPOSITE THIS STREET HERE FOR THE RESIDENTIAL.

PREVIOUSLY I BELIEVE THERE WAS A DRIVEWAY.

I DON'T KNOW MAYBE STAFF CAN EXPLAINED HOW IT GOT CLOSED IS ARE THEY GOING TO PUT IT BACK IN?

>> WE'RE PROPOSING THAT?

>> IT IS POSSIBLE.

I BELIEVE THEY ALSO NEED A TRAFFIC STUDY.

THE TRAFFIC STUDY COULD DETERMINE WHETHER OR NOT IT NEEDS TO BE CLOSED.

>> SISOLAK: THEY HAVE A TRAFFIC STUDY.
>> WE HAVE TO UPDATE IT.
>> SISOLAK: YOU WILL UPDATE THE TRAFFIC STUDY.
I BELIEVE IT IS A CONDITION WE HAVE TO UPDATE.
>> SISOLAK: WHEN WAS THE TRAFFIC STUDY DONE?
>> 2007, I BELIEVE?
>> SISOLAK: THAT'S A LONG TIME AGO.
I AM REALLY UNCOMFORTABLE WITH THIS ENTIRE DEAL.
IN ITS ENTIRETY.
THERE'S NOT ENOUGH ACCESS OFF ST. GEORGE.
AFTER GEORGE AND I HAD THE DISCUSSION AND I DON'T KNOW MR. CHESTNUT COULD
COME UP.
FROM THE TOWN BOARD -- I DON'T THINK THIS IS THOROUGHLY.
I WANT -- I HAVE NO PROBLEM WITH THE IDEAS OF THE STORE AND THE MIXED USE.
IT IS A FUNNY SHAPE PIECE OF PROPERTY.
I DON'T KNOW IF THIS IS GOING TO WORK.
>> THE -- THIS HAS GONE BEFORE A TOWN BOARD TWICE.
WE SAW THE ORIGINAL PROJECT , IN WHICH THERE WERE COVER CUTS SHOWN ON
MARYLAND PARKWAY.
THERE WAS ACCESS TO AND FROM ST. ROSE.
I THINK THAT'S WHAT IS NEEDED TO MAKE THIS PROJECT WORK.
PARTICULARLY FOR THE COMMERCIAL PORTION OF IT.
WE NEED TO BE ABLE TO GET PEOPLE IN AND OUT OF IT.
THAT'S--
>> MAYBE IF I CAN CLARIFY.
THIS SITE IS THE CONVENIENCE STORE.
THIS IS THE MIXED USE.
IT IS A TWO-WAY DRIVEWAY THAT COMES INTO THE CONVENIENCE STORE.
THERE'S A TWO-WAY DRIVEWAY FOR THE CONVENIENCE STORE.
THERE'S JUST NOT A MEDIAN OPENING.
THERE'S A TWO-WAY DRIVE TO COME INTO THE MIXED USE AND A ONE-WAY EXIT TO
EXIT ON TO ST. ROSE.
YOU CAN COME IN AND OUT MARYLAND PARKWAY, IF YOU NEED TO TURN LEFT.
YOU COME OUT AND MAKE A LEFT TURN.
WE'RE PROPOSING, WHAT WAS PREVIOUSLY APPROVED THIS MEDIAN OPENING AND
WE'RE SHOWING ON THIS PLAN.
YOU WOULD STILL BE ABLE TO TURN LEFT OUT OF IT OR LEFT INTO.
IT I DON'T KNOW HOW STAFF FEELS.
YOU MAY WANT TO DESIGN IT AS A LEFT TURN ONLY IN AND OUT.
THERE IS ACCESS FROM BOTH PARCELS FROM MARYLAND PARKWAY AND BACK OUT ON TO
MARYLAND PARKWAY.
AND -- FROM ST. ST. ROSE.
THE ONE CLOSEST IS EXIT ONLY.
THIS I BELIEVE YOU CAN COME UP HERE AND THEN COME IN THAT WAY.
YOU BASICALLY -- YOU HAVE TO TAKE A LONGER DRIVE TO GET IN THE MIXED USE.
YOU CAN COME AND ENTER OR EXIT.
>> CAN YOU MOVE THAT DRIVEWAY FURTHER EAST?

>> THIS DRIVEWAY?

>> I DON'T BELIEVE SO.

I THINK THAT'S WHAT WAS NEGOTIATED WITH, INDOT, BUT WE CAN LOOK INTO IT AND SEE.

>> BECAUSE OF THE BUS TURNOUT, COMMISSIONER IS THE PRIMARY REASON END DOT NEGOTIATED THAT THEY KNEW WE NEEDED IT FOR THE TANKER TRUCKS FOR THE C STORE AND HAD THE TURN OUT.

BUT -- IT IS MY UNDERSTANDING.

IT IS MY UNDERSTANDING THAT THEY RESTRICTED IT TO THE VERY EDGE OF THE PROPERTY AND ITS CONDITION.

>>.

>> SISOLAK: THAT MAKES ME LESS COMFORTABLE.

IF THERE'S A BUS THERE, I THINK THE ACCESS IN AND OUT WILL BE IMPOSSIBLE.

>> WELL, SIR, THIS CONDITION IS ALL OVER THE COUNTY.

MANY SHOPPING CENTERS HAVE A BUS TURN OUT ENDING AN INGRESS TO SHOPPING CENTERS.

IT IS A COMMON DETAIL THAT THE R.T.C. HAS ALLOWED AND INDOT ENDORSES.

>> THEY PREFER, BECAUSE THEY LIKE FOR THE BUS TO BE ON THE OPPOSITE SIDE OF THE INTERSECTION, SO CARS CAN CONTINUE TO TURN RIGHT ON RED OR MAKE THAT MANOEUVRE.

THEY PULL IT OVER HERE.

GRANTED I THINK BUSES ARE A PAIN TO DRIVE BEHIND AND GET AROUND.

>> I ALSO BELIEVE THAT THE PROPERTY TO THE WEST OF IT IS OWNED BY A DIFFERENT OWNER.

SO IT MAKES IT VERY ADULT TO NEGOTIATE AN ACCESS ANY FURTHER TO THE WEST FOR THIS PROPERTY, BECAUSE OF THE CORNER DESIGN.

IT IS DIFFICULT TO DESIGN INGRESS AND EGRESS ON THIS.

>> ACTUALLY WE FEEL PRETTY LUCKY BECAUSE ST. ROSE IS PRETTY RESTRICTED ACCESS.

WE FEEL LUCKY WE GOT A DRIVEWAY, MUCH LESS A TWO-WAY DRIVEWAY.

>> SISOLAK: AFTER HAVING VISITED I DON'T LIKE.

IT I DON'T THINK IT IS GOING TO WORK.

IF STAFF, CAN THEY GUARANTEE TO GET A MEDIAN CUT ON MARYLAND?

>> NO GUARANTEE, HOWEVER, THERE IS A TRAFFIC -- ACTUALLY A MITIGATION LETTER THAT WAS ISSUED MARCH 30, 2009.

ONE OF THE ITEMS IT LISTED THAT THE MARYLAND PARKWAY DRIVEWAY SHALL BE LIMITED TO RIGHT TURN MOVEMENT ONLY.

>> SISOLAK: THE EXIT, EGRESS.

BASICALLY RIGHT IN, RIGHT OUT.

THAT WOULD CLOSE THAT MEDIAN CUT.

BECAUSE THEY LISTED DRIVEWAYS NOT JUST ONE OF THE DRIVEWAY.

>> SISOLAK: THE--

>> THE MARYLAND PARKWAY DRIVEWAYS SHALL BE LIMITED TO RIGHT TURN MOVEMENTS ONLY SOME THEY COULD NOT TAKE A LEFT OFF OF EITHER ONE OF THOSE DRIVEWAYS ON MARYLAND PARKWAY.

>> SISOLAK: HOW DO PEOPLE OUT OF THE COMPLEX GET OVER THERE.

>> THAT WOULD BE CAUSING A LOT OF U TURNS.
I'M SURPRISED BECAUSE THERE WASN'T A CONDITION IMPOSED ON THE LAST APPROVAL AND WAS NOT A CONDITION IMPOSED ON THIS ONE.
WE DO SEE A MEDIAN OPEN.
>> SISOLAK: WELL I WOULD PREFER, I'M NOT COMFORTABLE WITH IT.
I WANT TO HOLD IT FOR TWO WEEKS.
I'M NOT AT ALL COMFORTABLE WITH THIS.
IF I CAN GET STAFF AND TRAFFIC AND SOMEONE TO GIVE ME A COMMITMENT WHERE I'M MORE COMFORTABLE.
IF THEY'RE NOT GOING TO HAVE THE MEDIAN CUT ON MARYLAND PARKWAY IT IS GOING TO BE A BIG PROBLEM FOR ME.
I DON'T KNOW IF WE CAN ARRANGE TO DO THAT.
I DON'T KNOW IF ANY OF MY COLLEAGUES HAVE ANY QUESTIONS ABOUT THE REST OF THE DEVELOPMENT I'M OKAY WITH.
>> YOU WANT TO DO THAT IN THE FORM OF MOTION.
>> SISOLAK: I MOVE TO HOLD IT FOR TWO WEEKS AND LET'S GET A MEETING SET AND UP I WILL GO OVER THE DETAILS.
>>.
>> BRAGER: A MOTION ON THE FLOOR.
IF THERE'S NO OTHER QUESTIONS, CAST YOUR VOTE.
MOTION PASSES.
>> THANK YOU VERY MUCH.
THAT IS FOR 16 AND 17?
>> BRAGER: 16 AND 17.
THAT WOULD BE JULY 26.
>> OUR NEXT ITEM IS ITEM 18, [READING ORDINANCE NUMBERS INTO THE RECORD] HOLDOVER USE PERMIT FIRST EXTENSION OF TIME TO REVIEW A HORSE RIDING AND RENTAL STABLE.
WAIVER OF DEVELOPMENT STANDARDS FOR THE FOLLOWING.
INCREASE THE NUMBER OF HORSES AND REDUCE THE LOT AREA.
DESIGN REVIEW FOR HORSE RIDING RENTAL STABLE ON 2.1 ACRES IN THE RE-RNF ZONE.
GENERALLY LOCATED ON NORTHWEST CORNER OF CAMERON STREET, AND ELDORADO LANE WITH THE BACKGROUND AND WAIVERS DESCRIBED IN YOUR AGENDA.
SINCE THE TIME THE ORIGINAL APPLICATION WAS APPROVED THE PUBLIC EQUESTRIAN PARK WAS APPROVED TO THE EAST. THE APPROVAL OF THE PARK ESTABLISHED FURTHER EQUESTRIAN USES AND IT WILL COMPLIMENT THE PARK.
HOWEVER, SINCE THE APPLICANT HAS NOT ACTIVELY DEFENDED THE CASE REMAINING IDLE FOR TWO YEARS.
STAFF CANNOT SUPPORT THE DEFERMENT OF PAVING ALONG EL DORADO, THEREFORE, STAFF RECOMMENDS DENIAL.
SUBJECT TO THE CONDITIONS LISTED IN THE AGENDA.
WE RECEIVED FOUR CARDS IN APPROVAL AND FOUR CARDS IN PROTEST. >> BRAGER: IF YOU WOULD LIKE TO STATE YOUR NAME.
>> CHRISTOPHER MCCULLOUGH SUITE A 10 LAS VEGAS NEVADA 89106 REPRESENTING THE APPLICANTS LARRY AND MARIE ANN WALTERS.

AS YOU HAVE HEARD IT IS ACROSS THE STREET FROM WESTERN TRAILS EQUESTRIAN PARK.

IT FITS PERFECTLY IN THE NEIGHBORHOOD.

ACTUALLY OUR CLIENT HAS DONE EVERYTHING THAT IS PREVIOUSLY RECOMMENDED BY THE COMMISSION, WITH THE EXCEPTION OF PAVING EL DORADO LANE.

THEY PUT IN A NEW SEPTIC TANK SYSTEM AND WELL METRES AND PLANTED TREES, AROUND THE PROPERTY AS REQUIRED AS CONDITIONS OF THE PREVIOUS APPROVAL. THE PROBLEM WE HAD WITH EL DORADO ORIGINALLY AROSE FROM ONE OF THE NEIGHBORS FILING AN APPEAL WITH THE DISTRICT COURT THAT HAS REFUSED TO DISMISS, DESPITE OUR DEMANDS.

WE ARE TRYING TO AVOID SPENDING MORE LEGAL FEES ON THIS, BUT IT HAS NOW BEEN TWO AND A HALF YEARS.

AND THEY HAVEN'T PURSUED THE APPEAL.

WE TOLD OUR CLIENT THEY COULD PAVE EL DORADO WITH SOME SENSE OF ASSUREDNESS THAT THE APPEAL WASN'T GOING TO GO ANYWHERE.

THEN THEY -- THE CLIENT ADVISES ME THEY RAN INTO A PROBLEM WITH CIVIL ENGINEERING IN THAT THE COMMISSION SUGGESTED THAT EL DORADO LANE SHOULD BE PAVED TO NONE URBAN STANDARDS.

THE EXISTING ROADWAY IS 25 FEET WIDE SO, THEY PROPOSED TO BUILD, JUST TO MATCH UP THE EXISTING PAVEMENT 25 FEET WIDE AND PAVE IT ALL THE WAY OUT TO CAMERON WHERE THE PARK IS.

APPARENTLY CIVIL ENGINEERING WANTS THE ROADWAY PAVED TO 35 FEET WIDE LEAVING A 10-FOOT STRIP THAT DOESN'T MATCH UP TO ANYTHING.

WE HAVE HIRE A PAVING CONTRACTOR A AND A ASPHALT.

THEY HAVE A BID.

WE'RE READY TO GO THROUGH WITH THE PAVING WE SIMPLY REQUEST THAT WE BE GIVEN A LITTLE TIME TO COMPLETE THE PAVING AND THAT WE ONLY HAVE TO PAVE TO THE EXISTING ROADWAY.

EL DORADO, IF YOU ARE FAMILIAR WITH THE AREA IT IS A TINY SIDE STREET THAT GETS TWO VEHICLES A DAY ON, IT ONE OF WHICH IS MY CLIENT GOING OVER TO PICK UP THE MANOEUVRE.

MY CLIENT DISPOSES OF THE HORSE MANOEUVRE EVERY DAY SO, IT DOESN'T ACCUMULATE, ALTHOUGH THEY HAVE A DUMPSTER THEY TAKE IT OUT DAILY SO, THERE'S NO SMELL IN THE NEIGHBORHOOD.

SO WHAT WEIR ASKING FOR, IS WE'LL PAVE EL DORADO, THE TOWN BOARD SUGGESTED APPROVAL WITH THE 10-YEAR REVIEW.

IF YOU GIVE US SIX MONTHS TO PAVE EL DORADO AND CLARIFY WHETHER WE CAN PAVE IT TO THE EXISTING ROADWAY OR WHETHER WE NEED TO DOT WHOLE 35 FOOT NONURBAN STANDARD ROADWAY.

WE'LL GET IT DONE RIGHT AWAY.

>> WE ALREADY HAVE THE CONTRACT SIGNED WITH THE CONTRACT OR.

WE JUST NEED THAT ISSUE CLARIFIED.

>> BRAGER: IS THERE ANYONE ELSE WHO WISHES TO SPEAK?

SEEING NONE, COMMISSIONER SISOLAK.

>> SISOLAK: THANK YOU.

I HAVE LOOKED AT THIS TOO.

IT WOULD HAVE HELPED YOUR CASE HAD YOU CALLED ME BEFORE TODAY.

NO ONE CALLED ME ON THIS ISSUE.

I WOULD LIKE -- IT WOULD HAVE GONE A LONG WAY FOR YOUR CLIENT.

WHAT ARE THE -- OPPOSITION?

DO WE KNOW?

>> WE HAD ONE COMMISSIONER ON OLEM DRIVE.

WE HAD TWO THAT WERE OUT OF STATE AND WE HAVE A FOURTH ONE -- WE HAD TWO ALONG ALAM DRIVE AND THE OTHER TWO WERE OUT OF STATE.

>> SISOLAK: DO WE KNOW WHAT THEIR ISSUES WERE?

>> THEY WERE JUST PROTEST CARDS.

THEY DIDN'T STATE ANYTHING ON THE CARDS.

>> SISOLAK: WHERE DO WE STAND ON THE ROADS?

>> ON THE CASE?

>> IT IS JUST SITTING THERE.

USUALLY THE COURT DISMISSES ON ITS OWN, WHEN THE PLAINTIFF FAILS TO PURSUE THE CASE.

USUALLY WE JUST WAIVE, BUT I CAN FILE A MOTION TO DISMISS, BECAUSE OF LACK OF PROSECUTION.

IF THE BOARD WANTS TO.

ABOUT THIS TIME THE COURT ON ITS OWN ACCORD SHOULD DISMISS THIS CASE, IF THEY HAVEN'T PURSUED THIS CASE.

>> SISOLAK: YOU'RE ASKING TO STOP THE PAVING WHERE?

>> HERE I CAN MAYBE GIVE YOU A PHOTOGRAPH THAT WILL HELP.

>> YOU CAN SEE THE EXISTING PAVING RIGHT HERE.

>> BRAGER: THERE'S A MICROPHONE THERE IF YOU WANT TO USE IT, HAND HELD.

>> THE EXISTING PAVING COMES IN AT 25 FEET.

WE JUST WANT TO MATCH THAT UP AND FINISH EL DORADO.

>> SISOLAK: NOW MUCH TIME DO YOU NEED TO DO THAT?

THREE MONTHS?

>> WE'VE ASKED FOR SIX MONTHS.

WE COULD PROBABLY GET IT DONE IN 60 DAYS.

WE HAVE ALREADY SIGNED THE CONTRACT.

IF YOU CLARIFY -- BECAUSE THE PAVING CONTRACTORS HAS GIVEN US TWO BIDS.

THIS MUCH IF IT IS 25 FEET OR 35 FEET.

WE HAVE SIGNED IT IS AS FAST AS THEY CAN DO IT AND GET THE PLANS APPROVED BY CIVIL ENGINEERING AND GET IT PAVED.

>> SISOLAK: I'M OKAY WITH THEM JUST MATCHING UP.

IS THAT OKAY WITH STAFF?

>> THAT'S FINE.

>> SISOLAK: BUT I CAN'T GO WITH ANYWHERE NEAR 10 YEARS.

SO I'M GOING TO RECOMMEND YOU HAD TWO YEARS RIGHT?

FIRST TIME?

>> CORRECT.

>> SISOLAK: I RECOMMEND APPROVAL FOR TWO MORE YEARS AND YOU HAVE SIX MONTHS TO DO THE PAVING.

>> I REQUEST WE GO BEYOND TWO YEARS WITH YOUR DULL GENS.

I MEAN THIS IS AN EQUESTRIAN RIDING FACILITY ONCE WE DO THE ROADWAY WE HAVE DONE EVERYTHING REQUESTED IT IS DIRECTLY ACROSS THE STREET.

IT IS 60 FEET FROM WESTERN TRAILS EQUESTRIAN PARK.
COULD WE DO A FIVE YEAR, IT FITS DIRECTLY.

>> SISOLAK: HOW ABOUT ONE YEAR?

>> I DON'T --

>> SISOLAK: NO I GO WITH TWO YEARS.

NEXT TIME COME AND SEE ME WE CAN GO THROUGH THIS AND GET A LITTLE MORE INFORMATION.

I DON'T WANT TO HOLD IT UP.

I WOULD BE MORE COMFORTABLE WITH TWO YEARS.

YOU CAN COME BACK IN TWO YEARS.

I'LL LET YOU CONTINUE THE WAIVER ON THE NUMBER OF HORSES I WILL LET YOU GO WITH 27 HORSES AND COME BACK IN TWO YEARS.

OKAY.

>> SISOLAK: THAT'S MY MOTION.

>> THANK YOU VERY MUCH.

THAT INCLUDES JUST MATCHING EL DORADO UP TO THE EXISTING ROADWAY?

THANK YOU.

HAVE A GOOD DAY.

>> NEXT ITEM IS 19 AND CAN BE HEARD WITH ITEM 20.

[READING ORDINANCE NUMBERS INTO THE RECORD]

USE PERMIT FIRST EXTENSION OF TIME TO REVIEW SACK RES USES PRIOR TO THE PRINCIPLE USE STRUCTURE ON 2.3 ACRES IN THE M 1 ZONE.

ON ARTESIA AND NORTH SIDE OF OREGON AVENUE WITH THE USE PERMIT AND BACKGROUND AS DESCRIBED IN THE AGENDA.

STAFF CAN SUPPORT THE REQUEST TO MAINTAIN THE ELECTRICAL METER AND WELL TO PROVIDE WATER TO MATURE ON THE PARCEL THE TREES WILL HELP BUFFER THE ADJACENT DEVELOPMENT TO THE NORTH FROM PROPOSED INDUSTRIAL USES ON THE SITE.

LANDSCAPE IS CONSISTENT WITH THE POLICY OF THE SOUTH COUNTY LAND USE PLAN STATING INDUSTRIAL USES MUST CONSIDER SURROUNDING RESIDENTIAL USE IN SITE PLANNING AND ADEQUATE SCREENING AND BUFFERING SHOULD BE PROVIDED.

STAFF RECOMMENDS APPROVAL OF THE APPLICANT WITH THE REVIEW PERIOD TO COINCIDE WITH WS349.

STAFF RECOMMENDS APPROVAL SUBJECT TO THE CONDITIONS LISTED IN YOUR AGENDA. ITEM 20 WAIVER OF DEVELOPMENT STANDARDS FOR THE FOLLOWING OFF SITE IMPROVEMENTS.

A PORTION OF ON SITE PAVING.

ELIMINATE STREET LANDSCAPING AND ALLOW A PERIMETER FENCE NOT SETBACK FOR REQUIRED STREET LANDSCAPING DESIGN REVIEW FOR A OFFICE WAREHOUSE BUILDING IN 2.3 ACRES IN THE M 1 ONE ZONE.

GENERALLY LOCATED ON THE EAST SIDE OF ARTESIA AND OREGON AVENUE.

WITH THE WAIVERS AND BACKGROUND DESCRIBED IN THE AGENDA.

SUPPORT BUFFERED INDUSTRIAL DEVELOPMENT AND DEVELOPMENT STANDARDS.

THE APPLICANT IS PROVIDING INTENSE LANDSCAPE BUFFER ALONG THE NORTH PROPERTY LINE TO BUFFER FROM THE ADJACENT RESIDENTIAL DEVELOPMENT.

STAFF RECOMMENDS REMOVING THE DOORS TO REDUCE NEGATIVE IMPACT ON THE ADJACENT DEVELOPMENT.

ANOTHER INDICATES RURAL DEVELOPMENTS STANDARD SHOULD BE APPLIED TO NEW DEVELOPMENTS TO MAINTAIN THE RURAL CHARACTER.

THE NON-PAVED AISLES REDUCE LEFT-HAND SCAPING AND PERIMETER NOT SET BACK FOR LANDSCAPING OR CONSISTENT WITH THE RURAL VALLEY AND WAIVERS OF DEVELOPMENT TWO, THREE, AND FOUR WILL NOT IMPACT ADJACENT NEIGHBOR OR THE IMMEDIATE AREA.

STAFF RECOMMENDS A THREE-YEAR REVIEW TO COINCIDE WITH UC 29807.

TITLE 30, RIVERS OFF SITE IMPROVEMENTS WITH DEVELOPMENT DUE TO THE INTENSE USE APPROVED FOR THIS PROPERTY AND THE SUBJECT SITE IS LOCATED WITHIN 330 FEET OF PAVING STAFF CANNOT SUPPORT A WAIVER OF DEVELOPMENT STANDARDS NUMBER ONE FOR OFF SITE IMPROVEMENTS INCLUDING PAVING.

THEREFORE, STAFF RECOMMEND APPROVAL OF THE DESIGN REVIEW AND WAIVERS TWO, THREE, AND FOUR.

AND DENIAL OF WAIVER ONE.

IF PROVED SUBJECT TO THE CONDITIONS LISTED IN THE AGENDA.

WE DID RECEIVE ONE CARD IN PROTEST. >> BRAGER: YOU HAVE 19 AND 20.

>> MARK SCHULLER 777 EAST COURTS BOULEVARD AVENUE SANDY VALLEY. RECOMMENDING BENNY L.L.C..

>> BRAGER: DID YOU HAVE ANYTHING YOU WANTED TO SHARE WITH NEWS.

>> YEAH, I WOULD LIKE TO BRING YOU UP TO SPEED ON THIS.

THIS IS AN OVERHEAD PICTURE OF THE LOT.

THIS IS THE LOT IN QUESTION RIGHT HERE.

THIS IS QUARTS AVENUE.

IF YOU'RE FAMILIAR WITH SANDY VALLEY.

YOU KNOW THAT 95% OF THE STREETS OUT THERE ARE NOT PAVED.

QUARTS IS ONE OF THE FEW THAT IS.

AND THERE'S ONE MAIN STREET GOING THROUGH THE VALLEY.

THIS IS AN M 1 INDUSTRIAL ZONE PROPERTY THAT WE OWN.

THERE'S ANOTHER BEHIND IT WHICH USED TO HAVE A MEXICAN RESTAURANT.

OREGON STREET IS NOT INSTALLED.

THERE'S A FENCE DOWN THE MIDDLE.

THE NEIGHBORS HAVE BEEN TALKING ABOUT POSSIBLY GETTING -- APPLYING TO GET IT ABAND.

WHETHER IT IS BUILT OR ABANDONED ONE OF THE WAIVERS WE'RE ASKING FOR IS NOT HAVING TO LANDSCAPE THAT INTO THE LOT.

AND THE NEIGHBORS HAVE ALL SIGNED APPROVAL TO THAT AS WELL.

UNTIL THAT IS DETERMINED IT WOULD BE SOLELY TO PUT LANDSCAPING IF IT HAD TO BE DUG UP AGAIN.

AS FAR AS PAVING THE STREET.

THE FIVE ACRES I BELIEVE IS OWNED BY THE CLARK COUNTY FIRE DEPARTMENT.

NOT 100% SURE.

IT IS JUST WHAT I'M TOLD.

I'M TOLD THERE ARE GO NEIGHBORS THAT USE THE STREET.

ON THE ANGLE LIKE THIS.

IT IS A HUGE 25-FOOT SAN DUNE.

IT IS A TECHNICALLY A DEAD END STREET.

ON THE OTHER SIDE IS THE CALIFORNIA BORDER.

THIS AN M 1 ZONE PROPERTY.
I'M NOT USING IT FOR THE MAXIMUM USAGE.
I'M PUTTING UP THE BUILDING TO USE IT FOR MY OWN USES IT IS NOT OPEN TO THE PUBLIC.
THERE'S NO COMMERCIAL USES I'M THERE TWO DAYS A WEEK.
I'M USING IT TWICE A WEEK.
I WOULD LIKE TO SHOW YOU TO GET AN IDEAS.
IT IS A PICTURE OF THE TREES.
THERE'S ANOTHER TO THE LEFT AND THE STORAGE TRAIL.
WE STARTED IT TWO YEARS AGO.
WE STARTED AS OFFICE FURNITURE FOR BUILDING MATERIALS FOR THE BUILDING AND EVERYTHING.
THIS BASICALLY ALL I'M USING IT FOR IS TO GET THE STUFF OUT OF THE TRAILERS INTO THE BUILDING.
THIS IS A PICTURE OF THE ENTRANCE WAY WHICH COMPLIES TO EVERYTHING.
YOU CAN SEE I HAVE GRAVELLED THE STREET IN THE FRONT TO ELIMINATE THE DUST. THE REST OF THE STREET ISN'T, BUT I WOULD BE WILLING TO GRAVEL THE STREET ALL THE WAY TO UP QUARTS.
THIS IS A VIEW FROM THE PROPERTY LOOKING WEST. THAT IS THE SAND DUNE AND THE CALIFORNIA BORDER.
THERE ISN'T ANYTHING EAST TO BARSTOW CALIFORNIA IT IS THE OUT MOST REACHES OF SANDY VALLEY.
I'M USING THIS FOR MY OWN PERSONAL USE WHICH DIMINISHING THE VALUE OF PROPERTY.
I DON'T KNOW WHAT WILL HAPPEN FIVE OR 10 YEARS FROM NOW, BUT THERE ARE BUILT IN REM DAYS THAT THE COUNTY HAS IF I CONVERT TO A COMMERCIAL USE I HAVE TO REAPPLY FOR A CONDITION USE PERMIT.
AT THAT TIME I WOULD LIKE TO HAVE THE QUESTION OF PAVING THE STREET REVIEWED AT THAT TIME.
I WENT TO THE SANDY VALLEY BOARD.
THEY APPROVED NOT PAVING THE STREET WITH THE THREE-YEAR REVIEW.
I WOULD LIKE FOR YOU FOLKS TO FOLLOW THAT SAME PATTERN ALSO.
I FEEL IT IS AN UNFAIR ECONOMIC BURDEN AT THIS TIME FOR A CITIZEN TO HAVE TO PAVE THAT STREET FOR A NON-COMMERCIAL USE.
I'M USING IT FOR MY OWN WAREHOUSE, STORAGE AND HOB BIZ LAST NIGHT I WENT HOME AND WATCHED FIVE HOURS OF TV.
IT IS KILLING ME.
I WANT A WALK SHOP I LIKE TO RESTORE ANTIQUE ARMY JEEPS AND ROAD IN THE ROSE PARADE AND ANTIQUE SILVER SADDLES IT IS FOR MY OWN PERSONAL USE NOT TO BE OPEN TO THE PUBLIC.
THERE'S NO TRAFFIC GOING UP AND DOWN THE STREET.
I'M THERE TWICE A WEEK ON WEEKENDS.
IF IN TIME FOUR OR FIVE YEARS WE DECIDE TO ADD MORE BUILDINGS AND RENT THEM OUT IF THE ECONOMY GROWS AT THAT TIME WE COULD REVIEW THIS AND ADDRESS THE STREET PAVING.
BUT THE SANDY VALLEY COUNCIL WENT AHEAD THE OTHER NIGHT.

I DON'T KNOW IF YOU HAVE IT IN YOUR STAFF REPORT APPROVING THE WAIVER OF DEVELOPMENT STANDARDS ON PAVING THE STREET.
NONE OF THE OTHER STREETS ARE PAVED AND FELT IT IS A NON-COMMERCIAL USE. THEY ARE KEEPING WITH THE NATURE OF SANDY VALLEY SHOULD LEAVE IT THAT WAY. AGAIN REVIEWING IN THREE YEARS, LIKE THE REST OF THE WAIVERS.
I ASK FOR YOUR INDULGENCE.
EXCUSE ME.
THIS IS -- CAN YOU SEE THAT?
THIS OVERHEAD OF THE PROPERTY.
YOU SEE THE BILLION IS ON THE NORTH SIDE OF THE PROPERTY WITH EXTENSIVE LANDSCAPING.
I'M COMPLYING WITH EVERYTHING THEY WANTED AS FAR AS THE PARKING AND HANDICAP SPOTS AND EVERYTHING LIKE THAT.
I'M NOT DOING ANYTHING WITH THE SOUTH SIDE, OBVIOUSLY BECAUSE OF THE STREET PROBLEM, UNTIL THAT IS REVOLVED.
YOUR STAFF IN SANDY VALLEY HAVE AGREED TO LET IT GO UNTIL FUTURE TIME. AS FAR AS PAVING THE STREET GOES.
I THINK IT IS AN UNFAIR ECONOMIC BURDEN TO HAVE ME OR ANY CITIZEN PAVE A STREET THAT'S NOT GOING TO BE -- I'M NOT CHANGING THE USE OR OPENING UP A COMMERCIAL ESTABLISHMENT OR STORE.
THE USE WILL REMAIN EXACTLY THE SAME AS IT IS NOW.
I WILL PUT SOME IS GRAVEL ON IT TO MAINTAIN THE DUST. IN THIS ECONOMIC TIMES THE WAY EVERYONE IN THIS COUNTRY AND THIS STATE AND COUNTRY IS GOING RIGHT NOW.
ANY SMALL PROJECT IS A MINI STIMULUS THING FOR ANY COUNTY OR MUNICIPALITIES THEY SHOULD BE BRACING AND GIVEN ANY CONSIDERATION AS POSSIBLE.
IF THIS THING FROM ONE TO PUTTING A ROOF ON IT IS \$100,000 PROJECT. IT IS ALL BEING SPENT HERE IN THE COUNTY.
IF I'M NOT.
IF I HAVE TO BE REQUIRED TO PUT IN A \$70,000 ROAD FOR A \$50,000 BUILDING I'M NOT GOING TO BE ABLE TO DO THE PROJECT.
IT WILL BE OUT OF BALANCE AND UNREASONABLE.
IT IS AN UNBUILT ROAD, WHICH MEANS BRINGING IN 2500 YARDS OF GRAVEL. THAT'S A MAJOR CONSTRUCTION PROJECT FOR A BACKYARD SHOP.
THAT IS BASICALLY MY CASE.
I'M ASKING FOR A THREE-YEAR WAIVER TO REVIEW IT AGAIN IF THINGS WILL CHANGE, WE HAVE TO APPLY FOR A CONDITION OF USE PERMIT AND RE-ADDRESS IF IT WARRANTS DOING IT AGAIN.
THANK YOU.
>> BRAGER: THANK YOU.
IS ANYONE ELSE WISHES TO ADDRESS THIS ITEM?
SEEING NONE I'M LOOKING AT CIVIL ENGINEERING WHERE IT SAYS ROADS TO BE GRAVELLED WE ARE SAYING PAVED.
I'VE BEEN OUT IN THAT AREA MANY TIMES.
IF STAFF HAS A BURNING DESIRE WE COULDN'T GO WITH THE TWO YEARS AND LOOK AT THIS AGAIN IF, WE SEE ANY MORE.

IT IS REALLY VERY LITTLE TRAFFIC, IF YOU EVEN WANT TO CALL IT TRAFFIC?
>> ACTUALLY THE GRAVEL CONDITION WAS ONLY IF YOU APPROVE THE WAIVER.
WE DENIED THE WAIVER FOR THE OFF SITES AND PAVING.
THAT'S WHAT WE INTENDED TO GO FOR.
THE REASON FOR THAT IS HE SHOWED 17 PARKING SPOTS ON HIS PLANNED WE ASSUME
IT WOULD BE MORE COMMERCIAL THAN PERSONAL USE.
SO TITLE 30.
>> BRAGER: IS THE 17 BECAUSE YOU WERE TOLD.
>> I WAS TOLD I HAD TO DO THAT.
FIRST OF ALL THE WAY THE WINDS COMES ACROSS.
>> BRAGER: THAT'S OKAY.
>> THOSE PARKING SPOTS WILL BE BURIED IN SAND IN A MONTH FOR WINDSTORM.
I WAS TOLD I HAD TO PUT 17.
FOR MY OWN USE I PUT MY CAR INSIDE THE BUILDING, I DON'T NEED PAVED
PARKING SPOTS.
>> BRAGER: I'LL ASK STAFF.
DOES HE HAVE TO HAVE THE PARKING PLACES TO JUST HAVE IT FOR HIS OWN USE?
>> YES, MA'AM.
>> BRAGER: I GUESS WHAT I WOULD LIKE TO DO.
I CAN APPRECIATE THE ECONOMY.
COULD WE PUT A STIPULATION IF ANY OF THE USE CHANGES AND FIND OUT IF IT IS
BEING USED COMMERCIALY INSTEAD OF THE GENTLEMAN IN HIS OWN USE.
HE WOULD HAVE TO COME BACK AND LOOK AT PAVING THE STREET BEFORE THE TWO
YEARS.
>> WE IS THE RECOMMENDATION FOR TWO YEARS.
>>.
>> BRAGER: TWO YEARS, BUT MAKE TURNING IT INTO A PAVED ROAD.
BUT IF THERE IS ANY USES IT WOULD HAVE TO COME BACK AND PUT THAT
STIPULATION BACK.
I DON'T KNOW HOW YOU WANT TO WORD IT.
>> I KNOW HE SAID HE GRAVELLED OUT THERE, BUT THE COUNTY DOES HAVE CERTAIN
STANDARDS EVEN ON GRAVELING.
HE CAN COME BACK WITH PLANS TO MAKE SURE IT IS GRAVELLED TO OUR STANDARDS.
>> BRAGER: OKAY.
>> COMMISSIONER THE OTHER OPTION IS PUT A CONDITION THAT WAY HE CAN'T A
BUSINESS.
THEREFORE IT WILL BE RESIDENTIAL.
THAT'S--
>> I HAVE FIVE COMPANIES I RUN HERE IN LAS VEGAS.
THEY'RE ALL AT MY OFFICE WAREHOUSE.
I HAVE NO INTENTIONS OF MOVING ANYTHING OUT.
IT IS FOR MY OWN USE.
>> I THINK YOU MADE YOUR CASE WELL.
THAT'S WHAT WE WILL DO.
COMMISSIONER COLLINS.
I JUST HAD A COUPLE OF QUESTIONS.

WE RECENTLY DID THE STANDARDS THAT MAKE IT BETTER FOR FOLKS A LITTLE BETTER.

>> COLLINS: IT IS MY UNDERSTANDING YOU'RE NOT ALLOWED TO USE SEMITRAILERS FOR STORAGE OR MANUFACTURED HOUSING FOR STORAGE.

IS THAT STILL OUR CODE?

IS IT ONLY IN RESIDENTIAL?

BECAUSE THIS IS M 1 INDUSTRIAL USE ZONE.

>> THIS IS M 1.

YOU CAN'T USE IT FOR STORAGE.

I ASSUME STORAGE OR MATERIALS INSIDE THE SEMI-TRUCKS AND THE SEMITRAILER.

M 1 YOU CAN HAVE OUTSIDE STORAGE.

AS PART OF THAT AND YOU CAN STORE THE VEHICLES AS WELL AND INSIDE THE TRAILER.

IT IS GUYS WORKING FOR CONSTRUCTION.

YOU HAUL A SEMI ON THE JOB SITE.

>> COLLINS: THAT'S WHERE YOU KEEP THE MATERIALS FOR THE JOB.

YOU'RE GETTING IN AT A SPOT.

THE OTHER QUESTION IS YOU'RE GOING TO MAKE AND GRAVEL THE ROAD UP TO THE COUNTY STANDARDS SO IT WOULD MAINTAIN THE ROAD, BUT JUST NOT PAVE IT.

CUT IT IN HALF AND IMPROVE IT FOR THE COUNTY AND JUST NOT PAVE IT.

IT IS BENEFICIAL, THEY HAVE THE GAT TAX, IT MIGHT BE PAVED BY THE COUNTY IN THE FUTURE.

GRAVELING THAT ROAD MEANS TAKING IT OUT TO A FOOT AND A HALF.

THE PAVING WAS THE CHEAPEST PART.

IT IS 2500 OF GRAVEL PLUS EXCAVATION.

THAT'S THE EXPENSE.

>> BRAGER: I'M TRYING TO AVOID THAT FOR THE NEXT COUPLE OF YEARS.

ECONOMICALLY IT IS TOUGH.

WE'RE NOT DOING A BUSINESS LICENSE.

THE PARKING PLACES THEY NEED, BUT NO ONE WILL PARK THERE.

IF WE FIND THERE IS AN INFRACTION TO PUT IN THE STIPULATION HE HAS TO COME BACK AND DO THOSE THINGS.

I DON'T WANT TO PUT HIM IN THE SITUATION.

>> COLLINS: WE'RE HAVING A COMMISSIONER'S DISCUSSION, SIR.

>> COLLINS: I WANT TO BE CLEAR THE CONDITIONS OF WHAT YOU'RE REQUIRING.

>> BRAGER: I WILL DO MINIMAL IF SOMETHING CHANGES WE WOULD HAVE IN THE OUR CONDITION HE WOULD HAVE TO COME BACK AND TAKE CARE OF THE SCENARIOS.

>> THE GRAVELING WOULD NOT BE TO COUNTY STANDARDS?

IT IS NOT DIGGING UP.

>> BRAGER: AT THIS TIME, I REALLY THINK IT IS NOT NECESSARY.

HE'S THE ONLY ONE IN AND OUT.

IF SOMEONE WANTS TO DO A COMPLAINT WE WOULD MONITOR IT IN OUR CONDITION HE WOULD HAVE TO COME BACK AND BRING IT UP TO THE STANDARDS.

WE'RE LOOKING AT THE TWO YEARS.

>> TWO YEARS AND NO BUSINESS LICENSE.

>> BRAGER: CORRECT.

>> HE WILL NOT HAVE TO GRAVEL AND THE REST PER STAFF.

>> BRAGER: CORRECT.

>> EXCUSE ME?

>> I DO TRICK ROPING AND TRICK RIDING.
THAT IS AN AWARD I GOT.

[LAUGHTER]

>> BRAGER: WE HAVE A MOTION ON THE FLOOR.
CAST YOUR VOTE.
MOTION PASSES.

>> THANK YOU.

>> OUR NEXT ITEM IS ITEM 21.

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLDOVER USE PERMIT FOR THE FOLLOWING RECREATION FACILITY AND INCREASE
STRUCTURE OF HEIGHT.

WAIVER OF DEVELOPMENT STANDARDS INCREASE PARKING.

INCREASE FREESTANDING SIGN AREA.

AND ALLOW INFLATABLE SIGN AND ENCROACHMENT INTO AIRSPACE.

REQUIRING NO OTHER FREESTANDING SIGNS AND THE DESIGN REVIEW FOR INCREASE
FREESTANDING SIGN HEIGHT.

A RECREATIONAL FACILITY IN CONJUNCTION WITH EXISTING SHOPPING CENTER IN H
1 ZONE AND THE MUD OVERLAY DISTRICT.

GENERALLY LOCATED BETWEEN CONVENTION CENTER DRIVE AND CATHEDRAL WAIVE.

THE USE PERMIT WAIVERS AND DESIGN REVIEWS AS DESCRIBED IN YOUR AGENDA.

RECREATIONAL FACILITY SUCH AS AMUSEMENT RIGHTS ARE TYPICALLY APPROPRIATE
USES IN THE LAS VEGAS BOULEVARD CORRIDOR.

HOWEVER, STAFF FINDS THE SITE IS TOO SMALL TO ADEQUATELY CONTAIN THE USE.
THE BALLOON RIDE IS SHOWN IN PROXIMITY TO EXISTING BUILDINGS AND PUBLIC
RIGHTS OF WAY.

STAFF BELIEVES THERE'S A PROBABLY THE BALLOON RIDE WILL INCREASE IN RIGHTS
OF WAYS.

AMUSEMENT RIDES ARE USUALLY IN LARGE AMOUNTS OF OPEN SPACE SUCH AS RESORT
HOTEL SITES AND NOT ADJACENT TO OTHER BUILDINGS.

THEREFORE STAFF RECOMMENDS DENIAL.

IF PROVED SUBJECT TO THE CONDITIONS LISTED IN THE AGENDA.

TOWN BOARD DID RECOMMEND DENIAL, BECAUSE THEY DID NOT HAVE THE APPLICANT
SHOW UP.

>> BRAGER: IS THERE ANYONE WHO WISHES TO SPEAK TO THIS ITEM?

>> GOOD MORNING.

ERNIE FISARO REPRESENTING THE ROMAN CATHOLIC DIOCESE OF LAS VEGAS.

WE HAD THIS BEFORE US PREVIOUSLY AT THE FRONT ENTRANCE TO THE GUARDIAN
ANGLE CATHEDRAL.

THIS APPLICANT HAS NOT COME TO TALK TO US SINCE THEN, BUT FILED AN
APPLICATION TO OUR NORTH PROPERTY LINE.

I HAVE RESOLUTION HERE FROM 1382 PARISHIONERS THAT AREN'T VERY KEEN ON
THIS HAPPENING ADJACENT TO US.

THAT BEING SAID, WE RESPECTFULLY REQUEST THAT THIS BE DENIED WITH
PREJUDICE AND LET THIS GO.

IT IS 10 POUNDS IN A FIVE POUND BOX.

IT DOESN'T BELONG IN THIS LOCATION.

>> BRAGER: THANK YOU.

>> BRAGER: MISS MURPHY.

>> GOOD MORNING COMMISSIONERS.

TERRY MURPHY 7936 WEST SAHARA REPRESENTING WYNN RESORTS.

I HAVE A LONG LIST OF REASONS.

WE ARE OPPOSED TO THIS.

HOWEVER, I WILL SPARE YOU THOSE REASONS AND ECHO HIS VEHEMENT OPPOSITION TO THIS APPLICATION.

WE REQUEST, AS DID HE, YOUR DENIAL WITH PREJUDICE.

>> BRAGER: COMMISSIONER GIUNCHIGLIANI.

I'M SORRY, IS THERE ANYONE ELSE WHO WISHES TO SPEAK.

>> COLLINS: NEED TO MAKE A DISCLOSURE.

>> BRAGER: COMMISSIONER SISOLAK.

>> SISOLAK: I'M A MEMBER OF THE PARRISH AND PROBABLY SIGNED THE PETITION.

MY MOTHER HAS LOBBIED ME VEHEMENTLY AND EXTENSIVELY ON THE ISSUE.

AND I COULD NOT POSSIBLY FACE HER IF I SUPPORTED THIS.

I NEED TO MAKE THAT DISCLOSURE UP FRONT.

>> BRAGER: COMMISSIONER BROWN.

>> BROWN: ROB, I SERVE AS SECRETARY OF THE BOARD FOR CATHOLIC CHARITIES, WHICH IS RUN BY THE DIOCESE.

I HAVE NOT BEEN APPROACHED BY ANYBODY.

THAT DISCLOSURE WOULD I BE ABLE TO VOTE ON THIS ITEM?

>> YES YOU WOULD.

>> BRAGER: COMMISSIONER GIUNCHIGLIANI.

>> GIUNCHIGLIANI: I LIKE THE IDEAS OF THE BALLOON BUT THIS IS NOT THE RIGHT PLACE.

MY MOTION WOULD TO BE DENY -- WITH PREJUDICE.

>> THANK YOU.

I THANK YOU AND THE BISHOP THANKS YOU.

>> BRAGER: COMMISSIONER SISOLAK WANTS TO THANK HIS MOTHER.

>> SISOLAK: THANK YOU THERE IS ANOTHER BALLOON APPROVED BY THE CATHOLIC CHURCH ON THE SOUTH END OF THE STRIP.

>> IT IS OVER A QUARTER MILE AWAY.

>> SISOLAK: THAT'S SMALLER.

>> GIUNCHIGLIANI: THERE WAS A PARCEL.

WE DIDN'T KNOW WHERE ENGINEERING WISE IT WOULD END UP GOING.

IT IS JUST -- IT IS AN AWKWARD PIECE FOR THAT LOCATION.

THE CONCEPT OF A BALLOON ENTERTAINMENT PIECE ALONG CERTAIN AREAS OF THE STRIP IS PROBABLY SOMETHING VIABLE.

THERE USED TO BE ONE BY CIRCUS, CIRCUS.

THE WAY THE PROPERTY WAS CONFIGURED AND WHERE THEY WANTED TO LOCATE.

IT I DON'T THINK IT WAS SAFE, EVEN FOR A RIDE IN THE LONG RUN.

>> BRAGER: OKAY.

MOVING ON TO ITEM 22 NOW.

>> COLLINS: ARE WE MAKING IT HARDER TO GET TO HEAVEN.

>> BRAGER: THAT'S NOT HOW YOU GET THERE GO AHEAD.

>> NEXT ITEM IS ITEM 22

[READING ORDINANCE NUMBERS INTO THE RECORD]

OVERLAY USE PERMIT TO ALLOW OUTSIDE STORAGE TO BE STACKED ABOVE THE HEIGHT OF THE EXISTING SCREEN WALL.

WAIVER OF DEVELOPMENT STANDARDS.

ELIMINATE PARKING LANDSCAPING A ALLOW MODULAR BUILDING AND REDUCE THE SETBACKS.

WAIVER OF CONDITIONS LAND SCAPING TO BE ONE LANDSCAPING A LONG EXTERIOR FRONTAGES LANDSCAPING TO BE TWO LANDSCAPING ADJACENT TO THE PROPERTY LINE TO MATCH CONDITIONS OF THE APPROVAL OF THE PARCEL TO THE NORTH PER ZC 1398.

ESCAPE LAND CAPE BUFFER.

ZONE CHANGE ARRIVING 6 FOOT BLOCK WALL WITH REQUIRED LANDSCAPING ALONG DUNEVILLE.

THE DESIGN REVIEW FOR MODULAR OFFICE BUILDING WITH THE EXISTING STORAGE YARD IN THE MUD 1 ZONE.

LOCATED ON DUNEVILLE.

NORTH OF MESA VERDE LANE WITH THE WAIVERS AND BECOME DES SCRIBED IN THE AGENDA.

STAFF CANNOT ACCEPT WAIVER OF DEVELOPMENT STANDARDS FOR THE REQUIRED LANDSCAPING ALONG DUNEVILLE.

THE EXISTING STORAGE YARD IS MORE INTENSE USE THAN THE SURROUNDING RESIDENTIAL DEVELOPMENT AND APPROPRIATE ADEQUATE BUFFING MEASURES ARE NECESSARY, SINCE THE MATERIALS ARE STACK AD ABOVE THE SCREEN WALL.

IN ADDITION THE LANDSCAPING IS NOT INTENSE AND DOES NOT MEET THE PURPOSE OF LANDSCAPE BUFFERING.

STAFF RECOMMENDS DENIAL OF DEVELOPMENT STANDARDS THREE.

BECAUSE OF THE 20 FOOT REQUIRED SET BACK IN CONCERT WITH THE LANDSCAPING TO PROVIDE THE POLICING STREETScape WITH THE SURROUNDING RESIDENTIAL DEVELOPMENT.

POLICY 13.4.

THE ENTERPRISE LAND USE OUTDOOR AREA SHOULD BE SCREEN THE FROM ADJACENT PARCELS AND PUBLIC STREETS.

STAFF DISCOVERED DURING A RECENT VISIT THE LACK OF REQUIRED LANDSCAPING AT THE EASTERN BOUNDARY CAUSES THE STORAGE AREA TO BE VISIBLE.

THE ADDITIONAL LANDSCAPE FROM THE EASTERN BOUNDARY WILL LESSEN ANY NEGATIVE IMPACT FROM THE EXISTING USE TO THE EXISTING RESIDENTIAL DEVELOPMENTS.

THE EXISTING 8 FOOT CHAIN-LINK FENCE WITH MESH SCREENING IS NOT AESTHETICALLY PLEASING AND IS IN POOR CONDITION.

THE REMOVAL AT THE EASTERN BOUNDARY OF THE REQUIRED 6 FOOT HIGH DECORATIVE WALL WILL CREATE A BETTER DEGREE OF BUFFERING OF THE SURROUNDING RESIDENTIAL USES STAFF CAN SUPPORT WAIVER OF DEVELOPMENT STANDARDS AS THE PARKING AREA SHOULD NOT BE VISIBLE AFTER THE INWALL ARE IN PLACE.

STAFF CAN SUPPORT THE DESIGN REVIEW AND WAIVER OF DEVELOPMENT STANDARDS FOR THE MODULAR BUILDING.

ONCE THE BLOCK WALL STANDARDS ARE MET THE ROOF WILL BE LESS VISIBLE WAIVER OF CONDITIONS ONE PAUSE IT WAS SUPPORTED BY THE INTENSE BUFFER WHEN THE EXTENSION WAS APPROVED IN 2004.

WAIVER OF CONDITIONS IS PLACED ON THE EASTERN HALF WHEN THE WESTERN HALF WAS PLANNED FOR DIFFERENT USE NOW PARCELS ARE DEVELOPED AS ONE INDUSTRIAL SITE.

CONDITION IS NO LONGER NECESSARY.

THEREFORE STAFF RECOMMENDS APPROVAL OF THE DESIGN REVIEW, WAIVER OF DEVELOPMENT STANDARDS 1, AND 2, AND PORTION OF WAIVER OF CONDITIONS FOUR AND DENIAL OF THE USE PERMIT WAIVER OF DEVELOPMENT THREE.

WAIVER OF CONDITIONS THREE, AND THE REQUIRED LANDSCAPING WAIVER OF CONDITIONS FOUR.

IF APPROVED SUBJECT TO THE CONDITIONS LISTED IN THE AGENDA.

TOWN BOARD RECOMMENDED APPROVAL SUBJECT TO THE 18 MONTHS FOR THE USE PERMIT.

>> JENNIFER LASIK 3800 HOWARD HUGHES PARKWAY FOR THE RECORD.

YOU CAN HAVE THE OVERHEAD ZOOM IN.

THIS IS THE SITE BEFORE YOU THIS MORNING.

IN TERMS OF THE BACKGROUND, IF YOU CAN PAN OUT AT ONE POINT THIS WHOLE AREA IN HERE WAS MASTER PLAN AND ZONED FOR INDUSTRIAL, WHICH IS WHEN THIS PROJECT RIGHT HERE WHICH IS M.D. NOT PART OF THE APPLICATION, BUT AN EXISTING INDUSTRIAL PROJECT.

THE M 1 PORTION SUBJECT TO THE APPLICATION BEFORE TODAY IS ALSO ZONED AND THERE'S AN ADDITIONAL M 1 PROJECT IN EXISTENCE TODAY AS WELL.

AS YOU CAN SEE IN THE VACANT AREA, IT IS ALSO ZONED FOR M 1.

THIS IS THE RAILROAD LINE.

HOWEVER, -- AS DEVELOPMENTS RESIDENTIAL DEVELOPMENT WAS POPULAR.

RESIDENTIAL DEVELOPMENT STARTED COMING CLOSER AND CLOSER TO THE MANUFACTURING AREA.

IN FACT, KIND OF LEAPFROGGED OVER TO THIS EXISTING RESIDENTIAL AREA THAT'S LOCATED IN BETWEEN TWO M 1 ZONES.

WHEN THIS PARTICULAR RESIDENTIAL AREA WAS ZONED IT WAS ZONED WITH THE CONDITION THAT ALL HOME-BUYERS HAD TO BE PROVIDED WITH WRITTEN NOTIFICATION THAT THE CONSTRUCTION PROPERTY TO THE WEST IS ZONED M 1 AND THE NOTIFICATION NEEDED INCLUDING OUTSIDE STORAGE OF MATERIALS AND EQUIPMENT.

THAT DISCLOSURE NEEDED TO BE HELD FOR SUBSEQUENT PURCHASERS THE USE PERMIT, IF IT IS OKAY WITH THE COMMISSION, I'LL JUST FOCUS ON THE FOUR THINGS THAT STAFF IS RECOMMENDING DENIAL.

THE REST OF THE APPLICATION, READ INTO THE RECORD STAFF WAS OKAY.

THE FIRST BEING THE USE PERMIT FOR OUTSIDE STORAGE.

AS I JUST INDICATED IN THE ZONE CHANGE FOR THE RESIDENTIAL PROPERTIES IT IS ONE OF THE LOCATED USES THEY WERE AWARE OF IT, WHEN THE HOME BUYERS CAME IN AND PURCHASED THIS PROPERTY.

WE DO HAVE A BLOCK WALL AROUND THE PROPERTY ALL IN THIS RED COLOR HERE. THE ONLY PLACE WE DON'T HAVE A BLOCK WALL IS ALONG HERE AND HERE.

HOWEVER, IT IS A CHAIN LINK WITH A MESH SCREENING AND LANDSCAPING ON THE OUTSIDE, WHICH IS APPROVED BY STAFF.
THOSE PLANS WERE APPROVED IN THAT WAY.
BOTH FOR THE FENCING AS WELL AS THE LANDSCAPING.
SO, WITH RESPECT TO THE LANDSCAPING ON WEST WIND.
THE LANDSCAPING ON DUNEVILLE AND THE FENCING THOSE ITEMS WERE APPROVED BY STAFF, WHEN WE WENT THROUGH THE PLANS CHECK PROCESS.
THOSE ARE SOME OF THE WAIVERS STAFF IS NOT RECOMMENDING APPROVAL ON TODAY.
>> THE OTHER ISSUE IS THE SETBACK OF THE EXISTING MODULAR STRUCTURE, WHICH IS ON THE INSIDE OF THE PROJECT.
THAT'S IN THIS YELLOW COLOR RIGHT HERE.
WE'RE OFF BY 4 FEET.
WE'RE OFF BY 4 FEET TO THE WEST WIND ALIGNMENT.
BUT IF YOU WENT OUT THERE, YOU WOULD NOT KNOW THAT, IF YOU WERE ON THE ROAD, BECAUSE YOU WOULD SEE LANDSCAPING THEN OUR FENCE THEN THE INTERIOR MODULAR STRUCTURE WITH THE MAXIMUM HEIGHT OF 15 FEET.
YOU CAN'T SEE MUCH OVER THE TOP OF THE FENCE.
GOING TOWARDS THE RESIDENTIAL, BECAUSE OF THE EXISTENCE OF THE M 1 ZONE THEY HAS TO DO AN ADDITIONAL 20 FOOT BUFFER.
OUR LANDSCAPING SIDEWALK ROAD, SIDEWALK.
THEIR LANDSCAPING, THEN THEIR HOUSE, WE WHICH CREATES A FURTHER BUFFER.
AT THE ENTERPRISE TOWN BOARD WE DID AGREE TO DO AN 18-MONTH RV.
THE ENTERPRISE TOWN BOARD DID IMPOSE THAT CONDITION.
WE WOULD ASK, IF YOU APPROVE THIS APPLICATION TODAY, YOU DO THE SAME.
AGAIN IT IS AN 18 MONTH REVIEW FOR THE USE PERMIT FOR THE OUTSIDE STORAGE.
I THINK THE MOST IMPORTANT POINT I CAN MAKE TODAY IS THE ENTERPRISE TOWN BOARD, AFTER HEARING ALL OF THESE APPLICATIONS LAST WEDNESDAY RECOMMENDED APPROVAL OF EVERYTHING.
THEY RECOMMENDED APPROVAL, AS OPA APPLIED.
THE ONLY OTHER FINAL POINT I WOULD MAKE.
IT IS OUR UNDERSTANDING THIS APPLICATION BEFORE YOU TODAY WAS NOT DRIVEN BY COMPLAIN FROM ANY OF THE ADJACENT HOMEOWNERS.
IT WAS ACTUALLY DERIVED BY A STAFF VISIT AND SO THAT'S WHY WE'RE BEFORE YOU TODAY WITH THE APPLICATION.
I WOULD BE HAPPY TO ANSWER ANY QUESTIONS.
>> IS THERE ANYONE ELSE WHO WISHES TO SPEAK ON THIS ITEM 22?
>> COMMISSIONER SISOLAK?
>> SISOLAK: THANK YOU.
I APPRECIATE THE PRESENTATION.
WE MET ABOUT THIS ITEM BEFORE.
I'M GOING TO MAKE MY MOTION.
THEN I HAVE A COMMENT.
I'M RECOMMENDING APPROVAL AS A APPLIED WITH THE 18 MONTHS REVIEW FOR THE OUTSIDE STORAGE.
>>> DO HAVE IS A QUESTION.
HOW DID THIS -- DO WE HAVE STAFF JUST DRIVING AROUND DRIVING INTO PLACES NOW?

-- LOOKING FOR ISSUES?

>> NO, WE DO HAVE STAFF LOOKING AT SITES WITH LAND USE APPLICATION APPROVALS ON THEM.

A COUPLE MONTHS AGO WE HAD ISSUES WHERE CONDITIONS WERE NOT MET AND IT CAME BEFORE THE BOARD.

IT WAS OBVIOUS THERE ARE CONDITIONS NOT BEING MET SO, STAFF HAS BEEN GOING OUT AND LOOKING AT SITES THAT DO HAVE LAND USE APPROVALS WE AREN'T RANDOMLY GOING TO ANY SITES BUT SITES WITH APPLICATIONS ON THEM.

>> SISOLAK: WHEN DID THAT START?

>> WE START THAT HAD PROBABLY A MONTH OR TWO NOW.

>> SISOLAK: I WON'T GET INTO THAT WHOLE DEAL HERE.

I DO RECOMMEND APPROVAL APPLIED TO THE 18 MONTH INSPECTION.

IT IS A SMALL BUSINESS.

THEY CREATE JOBS.

THEY WERE THERE BEFORE THE HOUSES WERE.

I JUST DON'T SEE ANY PROBLEM WITH THIS WHATSOEVER.

>> JUST A CLARIFICATION IT IS AN 18 MONTH REVIEW ON THE OUTSIDE STORAGE.

>> SISOLAK: CORRECT.

>> BRAGER: ANY OTHER COMMENTS?

SEEING NONE, CAST YOUR VOTE.

MOTION PASSES.

THANK YOU.

>> THANK YOU.

>> BEFORE STAFF READS THE NEXT TWO ITEMS IN COMMISSIONER REID'S DIGIT.

>> NEXT ITEM IS ITEM 23 AND COULD BE HEARD WITH 24.

EVACUATE AND ABANDON EASEMENT OF CLARK COUNTY LOCATED ON EAST SIDE OF LAS VEGAS BOULEVARD SOUTH.

160 FEET NORTH OF TROPICANA IN THE H 1 IN THE MUD OVERLAY DISTRICT WITH THE BACKGROUND AS DESCRIBED.

IT RECOMMENDS A LYING WITHIN THE PEDESTRIAN ACCESS THE APPLICANT WILL MAINTAIN LEVEL SERVICE C, WHICH MAY BE REQUIRED A GRANT OF ADDITIONAL EASEMENTS.

STAFF HAS NO OBJECTION TO EASEMENT NOT REQUIRED FOR ROY ORR DRAINAGE PURPOSES.

STAFF RECOMMENDS APPROVAL SUBJECT TO THE CONDITIONS LIFTED IN THE AGENDA. TOWN BOARD DID RECOMMEND APPROVAL.

WE DID RECEIVE TWO CARDS IN APPROVAL AND TWO CARDS IN PROTEST. ITEM NUMBER 24.

[READING ORDINANCE NUMBERS INTO THE RECORD]

WAIVER OF DEVELOPMENT STANDARDS TO INCREASE THE PROJECTION OF A WALL SEEN. THE DESIGN REVIEW FOR A WALL SIGN WITH ANIMATION VIDEO UNITS ON.18 ACRES IN THE MUD OVERLAY DISTRICT.

160 FEET NORTH OF TROPICANA AVENUE WITH THE WAIVERS AND BACKGROUND AS DESCRIBED IN YOUR AGENDA.

THE DESIGN IS NOT OUT OF CHARACTER WITH THE OTHER SIGNS BECAUSE OF THE MODERN DESIGN OF THE BUILDING AND ITS LOCATION ALONG LAS VEGAS BOULEVARD SOUTH DESIGNATED A SCENIC BI-WAY.

STAFF IS CONCERNED WITH THE PROJECTION OF THE SIGN INTO THE PEDESTRIAN ACCESS EASEMENT.

THE SUBJECT PROPERTY HAS RECENT APPROVALS FOR OTHER SIGNS.

THAT PROJECT INTO THE PEDESTRIAN -- THAT PROJECT INTO THE PEDESTRIAN ACCESS EASEMENT.

THE DEVELOPER WAS ABLE TO WIDEN FOR THE HARD ROCK IF GUITAR SIGN AND MAINTAIN A 15 FOOT SIDEWALK.

THIS IS CHARACTERIZED BY HIGH PEDESTRIAN VOLUME ANY PROJECTING SIGN REDUCING THE WIDTH AND IMPACTS THE LEVEL OF THE SERVICE OF THE SIDEWALK MAY IMPACT PEDESTRIAN MOVEMENTS.

THEREFORE STAFF RECOMMENDS DENIAL.

IF APPROVED SUBJECT TO THE CONDITIONS LISTED IN YOUR AGENDA.

TOWN BOARD DID RECOMMEND APPROVAL.

WE DID RECEIVE ONE CARD IN APPROVAL AND TWO CARDS IN PROTEST.

>> MADAME CHAIR AND COMMISSIONERS.

GREG BOURGEL 300 SOUTH FOURTH STREET REPRESENTING THE APPLICANT ABC STORAGE AND THE ARCHITECT FOR THE APPLICANT IN THIS MATTER.

THE FIRST ITEM THAT STAFF READ ITEM 23 WHICH IS RECOMMENDED FOR APPROVAL CLEARS THE AIRSPACE WHERE THE SIGN WOULD LIE, BECAUSE THE COUNTY POSSESSES THE EASEMENT UP TO THE FACE OF THE BUILDING.

YOU HAVE GIVEN RELIEVE RELIEF FOR OTHER ON THE PROPERTY.

ITEM 24 IS THE SIGN ITSELF.

WE ACCEPT, THE IF APPROVED CONDITIONS OF STAFF.

HOPE YOU WILL FOLLOW THE UNANIMOUS RECOMMENDATION OF YOUR TOWN BOARD.

THIS IS THE SIGN IN QUESTION.

IT IS SHOWN IN THE CONTEXT WITH THE HARD ROCK SIGNS PREVIOUSLY APPROVED.

IT DOES NOT SHOW THE OTHER SIGN RECENTLY APPROVED ON THIS SIDE OF THE PROPERTY.

IF I MAY, RECAPITULATE COMMISSIONER REID'S STATEMENT, TO ME, WHEN WE WERE DISCUSSING THIS SIGN.

HE STATE THAT HAD HE WOULD NOT SUPPORT AN INTRUSION OF THE SIGN GREATER THAN WAS APPROVED ON EITHER SIDE OF US.

THE HARD ROCK SIGNS INTRUDES SOME NINE FEET AND A FEW INCHES INTO THE AIRSPACE.

THE SIGN RECENTLY APPROVED HERE IS 10 FEET INTO THE AIRSPACE.

THIS SIGN IS 5 FEET INTO THE AIRSPACE.

THE AIRSPACE IS EVACUATED FOR THE PURPOSE OF HAVING THE RELATIVELY MODEST SIGN.

WE HOPE YOU PROVE IT SUBJECT TO THE CONDITION CONDITIONS.

>> BRAGER: DOES ANYONE ELSE WISH TO SPEAK ON ITEM 23 OR 24.

SEEING NONE I WOULD MAKE MOTION FOR APPROVAL OF ITEM 23 AND 24.

AND FOLLOWING STAFF RECOMMENDATION.

>> IF APPROVED CONDITIONS.

>> BRAGER: IF APPROVED CORRECT.

WE CAN CAST OUR VOTES, UNLESS THERE IS ANY OTHER DIALOGUE?

MOTION PASSES.

>> THANK YOU.

>> NEXT ITEM IS ITEM 25.

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLDOVER WAIVER OF CONDITIONS FOR FULL OFF SITES ON 19.2 ACRES IN THE R 1 ZONE IN THE MOAPA VALLEY OVERLAY DISTRICT IN MOAPA.

WITH THE BACKGROUND AS DESCRIBED IN THE AGENDA.

THE APPLICANT SUBMITTED OFF SITE PLANS PER HD 370213, BUT NEVER BONDED FOR THE IMPROVEMENTS A DEVELOPER IS OBLIGATED PER CLARK COUNTY TO CONSTRUCT FULL OFF SITES.

THE BOND GUARANTEES THIS ACTION.

IF THE OFF SITES ARE NOT COMPLETED WITH THE TENTATIVE MAP TEN THE SUBSEQUENT LOT OWNERS WILL BE HELD RESPONSIBLE FOR OFF SITES.

STAFF DOES NOT SUPPORT WAIVER OF DEFERMENT FOR THE OFF SITE.

STAFF RECOMMENDS DENIAL.

IF PROVE SUBJECT TO THE CONDITIONS IN THE AGENDA.

MOAPA TOWN BOARD RECOMMENDED APPROVAL AND WE DID RECEIVE ONE CARD IN PROTEST. >> GOOD MORNING.

JOE GEN VISIT.

7433 CLEGHORN WAY.

I AM THE APPLICANT.

FIRST OF ALL I WOULD SAY THERE WAS SOME CLARIFICATION THAT WAS NEEDED. THIS HAD ALWAYS BEEN LISTED ADS BEING LOCATED IN COMMISSIONER COLLINS DISTRICT.

I DO APPRECIATE COMMISSIONER SISOLAK ALLOWING IT TO GO IN THE DISTRICT.

I ASK YOU FOLLOW THE MOAPA VALLEY TOWN BOARD RECOMMENDATIONS.

I WOULD BE HAPPY TO ANSWER ANY QUESTIONS?

>> BRAGER: IS THERE ANYONE ELSE WHO WISHES TO SPEAK ON ITEM 25?

COMMISSIONER SISOLAK.

>> SISOLAK: I APPRECIATE YOU SAYING THAT.

I THINK IT WAS A STAFF MISTAKE.

SOMEHOW IT IS CREDITED TO TOM AND TOM DID MORE RESEARCH AND BRIEFING. HE KNOWS THE ISSUE.

I WILL DEFER TO COMMISSIONER COLLINS.

SINCE IT IS CLOSER TO HIS NEIGHBORHOOD THAN IT IS TO MINE.

I LIVE 80 MILES FROM THE SITE.

>> COLLINS: NOT ONLY DO YOU LIVE 80 MILES FROM THIS, BUT WE'RE DIVIDED BY MOAPA VALLEY BOULEVARD.

YOU'RE ON ONE SIDE AND I'M ON THE OTHER SIDE.

AND IT CHANGES BACK AND FORTH.

JOE SORRY FOR -- YOU HAVE BEEN REALLY -- COMMISSIONER SISOLAK AND I HAVE REALLY BEEN PUTTING IN THE HOURS WITH OUR STAFF AND BOTH OURSELVES AND PUTTING TIME TOGETHER TO TRY TO COORDINATE OUR DISTRICTS TO WORK TOGETHER HAND AND HAND WITH OUR CONSTITUENTS.

>> I APPRECIATE THAT.

>> BRAGER: COULD YOU CARRY ON NOW?

>> COLLINS: NOW I'M TRYING TO GET BACK TO THE REASON BEHIND THIS WHEN YOU SAW ME THREE OR FOUR MONTHS AGO.

THE CONDITIONS FROM THE TOWN BOARD IS YOU CAN'T DO ANYTHING.

BUT YOU DON'T HAVE TO DO ANYTHING.

BUT YOU CAN'T SELL IT OR WHATEVER.

>> IT IS EXTENSILE LIKE THAT.

THE ISSUE IN A NUTSHELL IS OUR WATER RIGHTS ARE DUE TO EXPIRE ON THE 24TH OF THIS MONTH.

I'M SURE YOU HEAR A LOT OF ISSUES WITH BONDING.

BONDING IS DIFFICULT.

WE CANNOT GET A SUBDIVISION BOND.

THE ONLY WAY, THE AGREEMENT WE HAVE WORK OUT WITH THE WATER DISTRICT, IF WE RECORD THE FINAL MAP THEY WILL LET OUR WATER RIGHTS REMAIN.

IT IS ABOUT \$950,000.

WE NEED TO RECORD THE MAP.

WE HAVE AGREED TO DE-RESTRICT AND NOT SELL ANY LOTS AND WHEN WE WOULD APPLY FOR PERMITS WE WOULD POST A BOND.

>> COLLINS: LET ME INDULGE AND SHARE WITH MY COLLEAGUES AND COMMISSIONER SISOLAK HAS HEARD THIS BEFORE.

LET ME SHARE WITH YOU OUT THERE YOU HAD YOUR TOWN HAVE BREAKFAST. IT IS GREAT MANY.

>> BRAGER: WHO DID?

JUST BECAUSE WE'RE EARLY DOESN'T MEAN WE WANT YOU TO RAMBLE ON.

>> COLLINS: THERE'S A BEAUTIFUL GREEN VALLEY OUT THERE THAT IS DRYING UP, BECAUSE OF OUTSIDE FORCES BUYING THE WATER.

AND RUNNING THE PRICE OF LAND UP AND MAKING IT NOT BE AS NICE FOR RURAL OR AGRICULTURAL USES HOBBY FARM AND HORSE FARM AND THEN PRETTY SOON A SMALL TOWN OR SMALL CITY.

THE POINT IS THE LOCAL WATER COMPANY, THINKING THEY WERE GOING TO BE NO GROWTH AND SLOW DOWN GROWTH AND DEVELOPMENT REQUIRED DEVELOPMENTS TO BRING THEIR OWN WATER SO DEVELOPERS HAD TO BUY WATER JACKING PRICE OF WATER UP MORE, WHICH MADE IT LESS INTERESTING TO FARM AND AGRICULTURE AND KEEP IT RURAL.

THEY SHOT THEM IN THE FOOT ON THIS THING.

SO THE SITUATION THAT THIS APPLICANT HAS AND SEVERAL OTHERS OUT THERE.

IF HE DOESN'T GET A FINAL MAP, THEN HE LOSES SOME DEVELOPMENT RIGHTS.

WE DON'T WANT HIM TO LOSE HIS DEVELOPMENT RIGHTS.

I THINK THE CONDITIONS THE TOWN BOARD DON'T LET HIM DOING ANYTHING TO GET OUT OF MEETING THE COUNTY'S REQUIREMENT, BUT HE STILL GETS TO RECORD HIS MAP AND STAY IN BUSINESS.

RIGHT NOW THE LAND HE'S GOT IS WORTH LESS THAN THE CURB AND SIDEWALKS WOULD COST. IF STAFF IS COMFORTABLE WITH THE WAY THAT THE TOWN BOARD OR MOAPA TOWN BOARD CONDITION THIS.

THEN YOU SEE THAT STILL PROTECTS THE COUNTY THEM OKAY WITH THAT.

>> BRAGER: IS THAT YOUR MOTION.

>> COLLINS: AS SOON AS I GET A CONFIRMATION FROM STAFF.

>> WE'RE HAPPY WITH THAT.

>> COLLINS: IT IS 10:20 AND THERE'S HOT SAUSAGE I MAKE A MOTION WE APPROVE THIS SUBJECT TO MOAPA TOWN BOARD RECOMMENDATIONS.

>> BRAGER: WE HAVE A MOTION ON THE FLOOR.

COMMISSIONER GIUNCHIGLIANI.

>> GIUNCHIGLIANI: WHAT THAT DOES.

THAT ALLOWS HIM TO RECORD THE FINAL MAP THAT DEED RESTRICTS IT.
WHEN AND ANYTHING CHANGES WE WILL COME BACK.

THAT'S BECAUSE OF THE STATE WATER RIGHTS.

>> COLLINS: NOW IT IS A GOOFY LOCAL WATER COMPANY.

>> GIUNCHIGLIANI: OKAY.

>> BRAGER: WE HAVE A MOTION.

>> COLLINS: DID I SAY THAT?

>> BRAGER: WE HAVE A MOTION ON THE FLOOR.

CAST YOUR VOTE.

MOTION PASSES.

>> THANK YOU COMMISSIONERS.

>> THE NEXT ITEM IS ITEM 26.

READ HEAD HOLDOVER ZONE CHANGE TO RECLASSIFY 2.3 ACRES FROM HT TO C2 IN
THE MUD OVERLAY DISTRICT FOR AUTOMOBILE REPAIR.

WAIVER OF DEVELOPMENT STANDARDS REDUCE PARKING REDUCE DRIVE AISLE WIDTH
AND FENCING WITH THE BARBED WIRE ON BOULDER HIGHWAY 300 FEET SOUTH OF
MARGA STREET.

WITH THE WAIVERS AND BACKGROUND AS DESCRIBED IN THE AGENDA.

IT IS CONFORMING ZONING CHANGE TO C 2 FOR 2.3 ACRES THE PORTION WAS
ORIGINALLY APPROVED IN 1989 FOR AUTOMOTIVE BODY SHOP AND PAINT FACILITY
AND HAS CONTINUED IN OPERATION OVER THE LAST 20 YEARS.

THE USE PERMIT FOR AN AUTOMOBILE REPAIR AND MAINTENANCE FACILITY WAS
PREVIOUSLY APPROVED FOR THE SITE IN 1994 AND EXPIRED IN 2004.

ONE OF THE ITEMS IS TO ACTIVATE A USE REQUEST FOR THE AUTOMOBILE FACILITY
FOR THE SITE.

THE OVERALL SITE HAS BEEN MAINTAINED LANDSCAPING HAS BEEN ALLOWED TO DIE
AND THE WEEDS HAVE OVERTAKEN THE DESERT ROAD AND LANDSCAPE ICELAND.

THE OWNER HAS SUBMITTED A NEW PLAN UPGRADING THE SITE.

STAFF IS REQUESTING NO NEW BUSINESS LICENSE BE ISSUED UNTIL THE SITE
UPGRADE OCCUR COMMERCIAL USE IS DESIGNATED FOR COMMERCIAL LAND USES
ADJACENT TO BOULDER HIGHWAY.

IT CAN SERVE AS A SOUND COMMERCIAL AREA OF THE UPGRADES PROPOSED TO THE
SITE ARE DONE AND FENCING MADE UNIFORM THROUGHOUT THE SITE.

THE PARKING WAIVERS OF DEVELOP ARE FOR ON SIGN FACILITIES WITH COMMONLY
HAVE PARKING SPREAD IN VARIOUS CONFIGURATIONS GIVEN THE NATURE OF REPAIR
ACTIVITIES.

THE REDUCTION IN DRIVE AISLE WIDTH IS NOT UNCOMMON AND REPAIR FOR
FACILITIES TO MAXIMIZE BUSINESS FUNCTION TO EXPIRE.

AND STAFF DOES NOT HAVE A CONCERN WITH THE PARKING LAY OUT GIVEN THE USAGE
OF THE SITE AND THE FUNCTIONS OCCURRING.

PARKING AND AUTOMOBILE REPAIR FACILITIES IS COMMONPLACE AND GENERALLY DONE
IN AN ORDINARILY MANNER.

-- ORDER MANNER STAFF SUGGEST IT BE STRIPED IN ACCORDANCE OF TITLE 30 AND
DRIVE AISLE FOR SAFETY REASONS.

STAFF FINDS ZONING REQUEST TO BE IN CONFORMANCE THE LAND USE PLAN AND COMPATIBLE WITH THE SURROUNDING AREA THE APPEARANCE SHOWS NEGLECT AND LACK OF SITE MAINTENANCE.

IT IS RECOMMENDED IMPROVEMENTS BE MADE.

STAFF RECOMMENDS APPROVAL OF THE ZONE CHANGE AND USE PERMIT OF DEVELOPMENTS STARTS, ONE, TWO, THREE AND DENIAL OF WAIVER OF DEVELOPMENT STANDARDS NUMBER FOUR.

SUBJECT TO THE CONDITIONS LISTED IN YOUR AGENDA.

TOWN BOARD RECOMMENDED DENIAL AND APPROVAL PER STAFF.

>> MADAME CHAIR GREG BOURGEL 300 SOUTH FOURTH STREET REPRESENTING THE OWNER AND OPERATOR OF THIS FACILITY.

BASICALLY THIS IS AN OLD H 2 ZONE PROJECT.

IT IS FULLY DEVELOPED.

THE PURPOSE OF THIS APPLICATION IS TO CONVERT IT TO TODAY'S C 2 ZONING IN GENERAL STAFF AND BOARD HAVE ENCOURAGED PEOPLE TO DO.

EVERYTHING DESCRIBED IN THE AGENDA IS AN EXISTING SITUATION.

WE WOULD ACCEPT THE STAFF RECOMMENDATION OF APPROVAL AND ASK TO WITHDRAW WAIVER NUMBER FOUR, WHICH IS THE ONLY ISSUE STAFF OBJECTED TO.

ASK THAT WITHDRAWAL BE WITHOUT PREJUDICE.

OTHER THAN THAT WE ACCEPT ALL OF THE RECOMMENDATIONS OF THE STAFF.

THE TOWN BOARD MADE THE SAME RECOMMENDATION I NEED ONE ON THE RECORD DISCUSSION WITH STAFF.

THERE IS AN EXISTING USE PERMIT ON THE PROPERTY FOR THE AUTO BODY SHOP IN THE H 2 DISTRICT.

WE'RE NOW CONVERTING TO C 2 STANDING.

STAFF HAS ASSURED US WE WILL BE ELIGIBLE TO APPLY FOR EXTENSIONS OF TIME ON THAT EXISTING USE PERMIT, WHICH WAS ISSUED IN THE H 2 ZONING, WITH NOT STANDING OUR CHANGE TO C 2 ZONING IF STAFF WILL CONFIRM WE WILL BE ELIGIBLE TO COMPLY TO CONTINUE THAT USE PERMIT IT IS ESSENTIAL TO THE OPERATION OF THE PROPERTY IS IT STAFF SAYS THAT'S OKAY.

WE WOULD LIKE YOU TO.

>> YES WITH WE CONFIRMED WITH THE DISTRICT ATTORNEY WE CAN DO THAT.

>> BRAGER: IS THERE ANYONE ELSE WISHING TO SPEAK ON ITEM 26.

SEEING NONE.

COMMISSIONER GIUNCHIGLIANI.

COMMISSIONER WEEKLY.

>> WEEKLY: I JUST WANT TO ASK UNDER NUMBER THREE OF THE WAIVER OF DEVELOPMENT STANDARDS ON THE TANDEM PARKING.

HOW MANY VEHICLES DO YOU EXPECT ON THAT TANDEM PARKING IN THE SPACE IN ONE TIME.

>> ON THE EXISTING SITUATION THERE ARE SEVEN BAYS OF POSSIBLE REPAIR. AND SO, WHAT YOU TYPICALLY DO AT THIS KIND OF FACILITY, WHEN YOU HAVE A CAR IN THE BAY BEING WORKED ON YOU MIGHT PARK ANOTHER CAR BEHIND THAT THERE.

WOULD BE UNDER EXISTING FACTS WE EXPECT AS MANY AS SEVEN.

TENANTS COME AND GO.

THAT NUMBER COULD CHANGE SOMEWHAT OVERTIME, BUT THE INTENTION IS NOT TO HAVE TANDEM PARKING IN A WAY THAT WOULD INTERFERE WITH CUSTOMERS COMING AND GOING.

IT WOULD BE A TYPICAL AUTO REPAIR ACTIVITY.

>> WEEKLY: IS THERE AN OVERNIGHT STAY?

>> THERE ARE OCCASIONAL OVERNIGHT STAYS.

THE NATURE OF AUTO BODY SOMETIMES YOU HAVE TO ORDER A PART AND WAIT THERE. IS NO JUNK CAR STORAGE IN SITE.

STAFF HAS BEEN OUT TO LOOK AT IT.

>> BRAGER: COMMISSIONER GIUNCHIGLIANI.

>> GIUNCHIGLIANI: THE OTHER THING.

NOT THIS PARTICULAR PROPERTY, BUT THERE HAVE BEEN PROBLEMS IN THAT AREA WHERE THERE ARE AUTO BODY THEY HAVE BEEN PARKING MOTOR HOMES AND OVERNIGHT AND PUT UP SIGNS SAYING NO OVERNIGHT PARKING SO FAR IT HAS NOT HAPPENED AND HOPE THAT WOULD CONTINUE TO BE.

I'M WILLING TO GO WITH STAFF AND REPUBLIC YOUR ISSUE OF WITHDRAWING WAIVER NUMBER FOUR, BECAUSE I WAS GOING TO DENY THAT.

I DON'T WANT SECURITY FENCING.

I WILL ACCEPT YOUR REQUEST. UNDERSTAND THAT AREA NEEDS TO BE CLEANED UP. THE LANDSCAPING NEEDS TO BE DONE.

PART OF WHAT WE'RE TRYING TO DO IS FIX UP THE AREA.

I THINK FOR HIS PROPERTY IT WOULD BE BETTER TO GET THE DEAD TREES AND PLANTS AWAY AND DEAL WITH THE OTHERS.

MY MOTION WOULD TO BE ACCEPT THE WITHDRAWALS OF ITEMS FOUR AND APPROVE STAFF RECOMMENDATION.

>> BRAGER: ANY OTHER COMMENTS?

SEEING NONE WE CAN CAST OUR VOTES.

MOTION PASSES THANK YOU.

WE'LL RECESS UNTIL 1:00.

>> REID: I'LL CALL THIS MEETING BACK TO ORDER.

>> GOOD AFTERNOON.

>> THE FIRST ITEM OF BUSINESS IS THE APPROVAL OF THE AFTERNOON AGENDA, AFTER ANY ADDITIONS OR DELETIONS WE HAVE RECEIVED THE FOLLOWING REQUESTS. ITEM 31.

[READING ORDINANCE NUMBERS INTO THE RECORD]

HOLD THE 8-19-2009 BOARD OF COUNTY COMMISSIONERS MEETING PER COMMISSIONER BROWN.

ITEM 19, HOLD TO THE-19-09 PER THE APPLICANT.

THE ABOVE PUBLIC HEARING ITEMS WILL BE OPENED AS A PUBLIC HEARING AND IMMEDIATELY RECESSED UNTIL THE DATES AS PREVIOUSLY STATED WITH THESE DELETIONS AND NO OBJECTION FROM THE AUDIENCE THE AFTERNOON AGENDA IS READY FOR YOUR APPROVAL.

>>.

>> REID: ANY DISCUSSION.

>> BRAGER: MOTION FOR APPROVAL WITH THE CHANGES STATED.

>> REID: CAST YOUR VOTE.

MOTION CARRIES.

>> NEXT ITEM IS ITEM 32.

[READING ORDINANCE NUMBERS INTO THE RECORD]

APPEAL USE PERMIT FOR A PLACE OF WORSHIP.

WAIVER OF DEVELOPMENT STANDARDS FOR ALTERNATIVE LANDSCAPING FULL OFF SITE AND DRIVEWAY WIDTH.

THE DESIGN REVIEW FOR THE SINGLE FAMILY RESIDENCE TO THE PLACE OF WORSHIP IN THE R 1 STONE.

GENERALLY LOCATED ON HARMON AVENUE.

140 FEET WEST OF EUCLID AVENUE.

WITH THE WAIVERS AND BACKGROUND AS DESCRIBED IN THE AGENDA.

THE FRONTAGE AND PROXIMITY TO HARMON AND EASTERN MAKES IT LESS ATTRACTIVE FOR USES AS RESIDENCE.

THEREFORE STAFF FINDS THE PROPOSED PLACE OF WORSHIP IS SUITABLE AND WILL PROVIDE A BUFFER BETWEEN THE COMMERCIAL USE ON EASTERN AVENUE AND RESIDENCES TO THE EAST AND SOUTH.

STAFF CAN SUPPORT THE WAIVER FOR ALTERNATIVE LANDSCAPING BECAUSE THE LANDSCAPING PROVIDED IS EQUAL OR SUPERIOR TO WHAT IS REQUIRED AND WILL PROVIDE EQUIVALENT BUFFERING AND SCREENING STAFF RECOMMENDS APPROVAL OF THE WAIVERS OF ONE, AND DENIAL OF WAIVER OF DEVELOPMENT STANDARDS, TWO AND THREE.

IF APPROVED SUBJECT TO CONDITIONS AS LISTED IN THE AGENDA AND REMOVING CIVIL ENGINEERING CONDITION.

PARADISE TOWN BOARD RECOMMEND APPROVAL.

THERE WERE TWO SPEAKERS IN APPROVAL AND THE PLANNING COMMISSION APPROVED AT THE JUNE 2 MEETING, SUBJECT TO THE CONDITIONS LISTED IN THE AGENDA.

IT HAS BEEN APPEALED AS INSTALLATION OF OFF-SITES WOULD CREATE A ADDITIONAL HARDSHIP.

>> GOOD AFTERNOON.

CHAIRMAN REID, COMMISSIONERS.

LADIES AND GENTLEMEN MY NAME IS JAMES STANDFORD.

I LIVE AT 1241 SHADOW LANE.

THIS IS TOM PASTOR SECRETARY TREASURER OF THE MUSICIANS LOCAL.

WE'RE HERE TO TALK ABOUT THE INCIDENT OF LAS VEGAS 501 C3 NON-PROFIT RELIGION ORGANIZATION.

WE HAVE BEEN REGISTERED WITH THE NEVADA SECRETARY OF STATE OFFICE SINCE NOVEMBER 1 OF 2000.

SINCE ITS INCEPTION IN LAS VEGAS 15 YEARS AGO, WE HAVE EXISTED SOLELY ON DONATIONS FROM OUR MEMBERSHIP.

WE'RE A SMALL GROUP OF APPROXIMATELY A DOZEN MEMBERS.

WE HAVE VERY LIMITED FINANCIAL RESOURCES WE HAVE NOT UNABLE TO AFFORD OUR OWN PROPERTY, SO WE RENTED AN INDUSTRIAL CENTER SPACE WITH THE CURRENT HOUSING MARKET, IT MADE IT POSSIBLE TO AFFORD SUCH A PROPERTY.

OTHER LANDSCAPE FEATURES CREATE A PARK-LIKE MEDITATIVE SETTING.

IT IS A FANNY MAE REPO, WHICH SAT VACANT FOR A YEAR AND A HALF.

WE HAVE OCCURRED CONSIDERABLE EXPENSE TRYING TO REMEDY THE EFFECTS OF THAT NEGLECT AND HAD TO COME OUT OF POCKET TO MAKE A LATERAL CONNECTION TO THE SEWER LINE TO ABANDON OUR SEPTIC TANK.

THAT PROJECT ALONE COST US OVER \$4,000.
WE ARE NOW COMPLIANT WITH THE NORTHERN NEVADA HEALTH DISTRICT.
RESTORING THE RANCH HOUSE, WHICH WAS BUILT IN 1963 HAS BEEN MUCH MORE
EXPENSIVE THAN WE HAD PLANNED.
WE SPENT A LARGE AMOUNT OF MONEY MAKING IT SAFE AND INHABITABLE.
WE'RE PULLING PERMITS TO TURN THE CAR GARAGE INTO THE MEDICATION HALL AND
HAVE CREATED A MAGNIFICENT LANDSCAPING PLAN.
THIS CENTER WILL BE A GARDEN SPOT.
IT IS OUR HOPE TO MAKE A SOURCE OF PRIDE FOR THE WHOLE COMMUNITY.
THE OFF SITES AT THIS TIME WOULD BE A FINANCIAL HARDSHIP AND COULD SPELL
AN END TO THIS PROJECT.
WE ARE NOT TRYING TO DODGE OFF SITE IMPROVEMENTS.
WE'RE MERELY ASKING FOR MORE TIME.
WE NEED THREE YEARS.
AT LEAST THREE YEARS TO ALLOW US THE OPPORTUNITY TO RECUPERATE FROM OUR
INITIAL EXPENDITURES WITH THE NEW LOCATION AND HOPING TO ESTABLISH A
LARGER MEMBERSHIP AND INCREASE THE AMOUNT OF DONATIONS.
IF WE CAN DO THE IMPROVEMENTS SOONER THAN THAT, WE WILL DO SO.
BECAUSE OF OUR NON-PROFIT STATUS AND THE FACT WE SERVE THE COMMUNITY BY
TEACHING AGE-OLD MEDITATION TECHNIQUES TO THE COMMUNITY, WITHOUT CHARGING
A FEE.
IT IS OUR HOPE THE COMMISSION WOULD BE CHARITABLE IN THIS TIME OF ECONOMIC
DIFFICULTY AND ALLOW US A LITTLE MORE TIME.
WE RESPECTFULLY REQUEST THE FOLLOWING.
I RECEIVED THE 11TH HOUR TELEPHONE CALL FROM MEGAN HOLESER, WHO IS A STAFF
PERSON HERE FOR THE COUNTY.
SHE SAID THAT I WAS UNDER THE ASSUMPTION THAT ALL OF THE THINGS WE HAD
ASKED FOR, ALL OF THE WAIVERS WERE UP FOR GRABS AGAIN.
THAT WHAT WE HAD DECIDED WAS IN EFFECT.
SHE TOLD ME THE OPPOSITE THAT WE STILL HAVE THOSE WAIVERS IN EFFECT, LIKE
WAIVERS OVER HAVING TO REDO THE MATURE LANDSCAPING, SO ON AND SO FORTH.
IT CHANGES MY PLAN, BECAUSE I WAS PREPARED TO ARGUE THE WHOLE THING.
BASICALLY I ASSUME THAT THE -- THAT THE EXISTING MATURE LANDSCAPING THAT
WE HAVE, MIXED IN WITH THE ARCHITECTURAL LANDSCAPING THAT WE PLANNED TO DO
WILL MAKE THIS A VERITABLE SHERMAN GARDENS LAS VEGAS.
>> REID: LET'S FOCUS ON THE OFF SITE ISSUE.
I THINK THAT'S THE ISSUE.
>> OKAY.
>> REID: THIS IS ISSUE WE'RE LEFT WITH.
>> ALL RIGHT.
THAT'S PERFECT.
I WASN'T SURE IF IT WAS OFF THE AGENDA WE WANT TO WAIVE CURB, GUTTERS AND
SIDEWALKS FOR THE PERIOD OF THREE YEARS.
BASICALLY BECAUSE WE WANT TO MAKE SURE WE HAVE THE MONEY TO DO THIS
PROJECT PROPERLY IN THE FIRST PLACE.
AND -- THE OTHER PROBLEM IS THAT WE WERE TOLD TO REDUCE THE ENGINEER,
CIVIL ENGINEERING WANTED US TO INCREASE THE WIDTH OF OUR DRIVE.

TO 32 FEET.

CURRENTLY WE HAVE 30 FEET WIDTH.

AND I GUESS THAT WAS APPROVED THE LAST TIME.

WHAT WE'RE ARGUING NOW IS THE THROAT DEPTH OF THE ENTRY WAY IF WE HAVE TO GO BACK A FULL 25 FEET ON THIS ENTRY WAY, WE WILL BE IN A SITUATION, WHICH WILL LOSE THREE OF OUR PARKING PLACES.

AND -- BASICALLY WHAT WE WOULD LIKE TO DO IS GET A WAIVER ON THAT AND BE ABLE TO MEET WITH TRAFFIC SERVICES AND COME UP WITH SOME PLAN THAT'S AMENABLE, OTHER THAN STRIPPING OUT THREE FULL PARKING PLACES.

THAT WOULD CREATE A HARDSHIP FOR US.

AND BASICALLY, BECAUSE OUR MEMBERSHIP IS LESS THAN A DOZEN PEOPLE OUR COMING AND GOING.

OUR TRAFFIC IS VERY LIGHT.

AS YOU CAN SEE, IN THIS BOTTOM AREA.

HERE ARE SOME OF THE EXISTING DRIVES.

THIS IS THE DENTIST OFFICE DIRECTLY ACROSS THE STREET FROM US.

THERE'S NO 25 FOOT THROAT DEPTH THERE.

IT IS ONLY 18 FOOT WIDEN AND RIGHT NEXT DOOR TO US IS COPPER POINT, WHICH IS 24 FOOT ENTRANCE.

IT DOESN'T HAVE A 25-FOOT THROAT DEPTH.

SO WE'RE PRETTY MUCH ASKING TO BE LIKE OUR NEIGHBORS.

WE HAVE -- FOR INSTANCE COPPER POINT HAS 75 PARKING PLACES AND -- THE DENTIST OFFICE HAS 25.

SO -- WE HAVE LESS THAN 10.

WE HAVE NINE PARKING PLACES.

SO, IF WE HAVE TO GET RID OF THESE THREE, WE WILL BE IN A BIT OF TROUBLE.

>> IT IS WORTH MENTIONING THAT RIBBERO CORPORATION HAS GIVEN US PERMISSION TO USE OVERFLOW PARKING.

WE HAVE A LETTER TO THAT EFFECT SO, IF THERE ARE MORE PEOPLE THAN THE NINE SPACES OR 10 SPACES WOULD ALLOW, THEN WE CAN USE THEIR PARKING SPACES.

THEY DELINEATED IT, THE MAP.

I SUBMITTED THAT TO THE PLANNING COMMISSION.

I DON'T HAVE IT HERE TODAY.

>> REID: IF I CAN.

LET ME ASK IF THERE IS ANYONE ELSE PRESENT THAT WANTS TO SPEAK ON THIS ITEM.

THIS IS A PUBLIC HEARING.

SEEING NO ONE I CLOSE THE PUBLIC HEARING.

THIS IS IN MY DISTRICT.

IF I CAN ASK -- DID YOU HAVE A QUESTION COMMISSIONER?

>> THANK YOU MR. CHAIR.

SIR, YOU HAD INDICATED THROUGH THE CONGREGATION YOU WORK SOLELY ON DONATIONS.

>> YES.

>> WEEKLY: LOOKING AT THE REQUESTED MORE TIME THAT YOU'RE NEEDING. HOW MUCH MORE TIME DID YOU ASK FOR?

>> I WAS CONFUSED ABOUT HOW MUCH TIME WE WOULD ACTUALLY HAVE?

>> I GUESS WE WERE GIVEN TWO YEARS.
WE WOULD LIKE TO QUESTION AN EXTRA YEAR.
>> WEEKLY: YOU'RE LOOKING AT THREE YEARS.
>> TO MAKE IT FULL THREE YEARS.
>> WEEKLY: IS THAT SOMETHING THAT THROUGH YOUR FUND-RAISING EFFORTS OR
THROUGH YOUR DONATIONS, AND CONTRIBUTIONS THAT Y'ALL RECEIVE AT CHURCH
HERE THAT WOULD GIVE YOU AMPLE TIME IN YOUR GUESTIMATION TO RAISE THE
NECESSARY FUNDS TO BE ABLE TO PROVIDE THESE CONDITIONS THAT'S BEING PLACED
UPON YOU?
>> WE CERTAINLY HOPE WE CAN DO IT IN THE THREE-YEAR PERIOD.
>> WEEKLY: THAT'S ALL OF THE INFORMATION.
>> MR. WEEKLY I WOULD LIKE TO ADD SOMETHING TO THAT.
WE HAVE PAID RENT IN OUR CURRENT LOCATION WHICH IS TROPICANA INDUSTRIAL
CENTER.
THAT MANAGEMENT CAN BE CONTACTED.
WE'RE TOLD WE'RE THEIR BEST TENANT.
WE'VE BEEN THERE FOR 12 YEARS.
WE'RE ABLE TO DO THAT.
I THINK THE CATALYST FOR ALL OF THIS WAS THE ECONOMY.
SOMETIMES A BAD SITUATION PRESENTS A GOOD SITUATION.
SO WITH THE DEFLATED MARKET.
IT PROBABLY REPRESENTS THE ONLY TIME WE WOULD BE ABLE TO MAKE THIS
PURCHASE AND CREATE THIS GARDEN ATMOSPHERE THAT, WE WOULD LIKE TO GIFT, SO
TO SPEAK FOR THE CITY.
>> I WON'T DO IT FOREVER AND THE TORCH WILL BE PASSED ON TO OTHER PEOPLE
TO MEDICATION TECHNIQUES.
REID.
>> REID: CAN I ASK A QUESTION OF ENGINEERS?
NORMALLY WE ALLOW A COUPLE OF YEARS, CORRECT?
>> TWO YEARS.
>> REID: OUR -- ARE THE PROPERTIES ADJACENT TO THEM HAVE THEY PROVIDED
OFF-SITE ALREADY?
>> THEY'VE BEEN THERE FOR A NUMBER OF YEARS.
>> REID: I'M HAPPY TO HEAR FROM MY COLLEAGUES.
MY MOTION WILL BE I THINK IT IS A GOOD THING FOR THE COMMUNITY.
I DON'T THINK IT IS UNREASONABLE FOR A NON-PROFIT TO ASK FOR AN ADDITIONAL
YEAR TO MEET THIS REQUIREMENT.
AND SO MY MOTION WILL BE FOR APPROVAL PER THE PLANNING COMMISSION, WITH
THE EXCEPTION TO THAT BEING TO GRANT WAIVER NUMBER TWO WITH THE THREE YEAR
TIME PERIOD.
ARE THERE QUESTIONS ON THE MOTION?
COMMISSIONER GIUNCHIGLIANI?
>> GIUNCHIGLIANI: THE PLANNING COMMISSION DID A DEAL WITH THE THROAT DEPTH
OF THE DRIVEWAY?
>> REID: I DON'T --
>> GIUNCHIGLIANI: I DON'T THINK IT IS AN ISSUE.
>> REID: I THINK THE PLANNING COMMISSION.

>> GIUNCHIGLIANI: DIDN'T DEAL WITH THAT.

>> REID: GRANTED ALL OF THE WAIVERS OTHER THAN NUMBER TWO THAT'S MY UNDERSTAND.

>> THAT'S CORRECT THEY HAVE A CONDITION THAT THE THROAT DEPTH IN THE WESTERLY DRIVEWAY A MINIMUM OF 25 FOOT.

THE APPLICANT WAS TALKING ABOUT A PROBLEM WITH THAT PERHAPS.

>> REID: OKAY I DIDN'T REALIZE THAT.

I WILL AMEND.

I WILL AMEND MY MOTION TO ALLOW THE EXISTING CONDITION THERE.

I -- THINK IF THERE'S NOT GOING TO BE A LOT OF TRAFFIC THERE.

AND THE PARKING PROBLEM WOULD BE WORSE THAN THE.

>> GIUNCHIGLIANI: IT WOULD COMPLICATE.

>> REID: THAN THE STACKING OF CARS OR WHATEVER THE POLICY.

>> GIUNCHIGLIANI: THAT IS WHERE I WAS GOING TO GO.

>> I WAS GOING TO EXPLAIN THAT THE 25 FOOT THROAT DEPTH IS OF COURSE THE STANDARD 35.

THE 25 IS THE MINIMUM WE COULD ALLOW TO ACCOMMODATE THE FULL COMMERCIAL CURB RETURN DRIVE THAT WILL BE CONSTRUCTED.

I BELIEVE THAT PRIOR TO THE PLANNING WE DID AGREE TO A SMALLER DRIVEWAY. WE DID AGGRIEVE TO A 24 FOOT DRIVE.

THE 25 FOOT THROAT DEPTH WOULD BE THE MINIMUM TO CONSTRUCT THAT.

>> REID: SO THIS ALLOWS THEM TO DO WHAT THEY WANT, IS THAT WHAT YOU'RE SAYING?

>> YES.

>> DO YOU UNDERSTAND THAT?

>> YES.

>> YES, WE DO.

WE'RE JUST -- WE'RE JUST BASICALLY MAINTAINING WE HAVE SUCH A SMALL AMOUNT OF COMING AND GOING AS FAR AS TRAFFIC IS CONCERNED.

THAT THE EXTRA THROAT DEPTH REALLY WON'T MATTER THAT MUCH.

IT IS HARMON TRUE.

BUT THE STREET IS NOT THAT BUSY THERE.

ONCE YOU GET PAST EASTERN.

IT SLOWS DOWN CONSIDERABLY.

AND WE JUST FEEL THAT WE COULD USE THE EXTRA PARKING SPACES.

>> REID: LET ME HEAR YOU RESPOND TO THAT.

I DON'T UNDERSTAND WHAT THE PROBLEM IS WITH WHAT HE SUGGESTED?

>> I THINK WHAT HE'S LOOKING AT.

WE'RE INCORPORATING THIS DEPTH FOR NECESSARILY THE BUSINESS OF THE PROJECT.

IT IS FOR THE ACTUALLY CONSTRUCTION TO ACCOMMODATE FOR THE SIDEWALKS AND ALL OF THE ENGINEERING THAT GOES WITH IT.

>> REID: IT WON'T FIT.

>> IT WON'T FIT RIGHT I GUESS IS WHAT YOU WANT TO SAY, IF IT IS NOT THE 25 FEET.

FOR THE RADIUS.

>> REID: LESS DEPTH IS PROVIDED THERE.

>> THEN HE'S OUT OF THE STANDARD FOR THE COMMERCIAL CURB RETURN.
>> REID: WOULD HE LOSE THE PARKING SPACES?
>> I THINK WE ASKED HIM TO RENEW JUST ONE.
>> REID: YOUR CONCERN IS THE PARKING SPACES.
>> SUPPOSEDLY THERE'S ONLY ONE CONFLICTING PARKING SPACE.
IT IS RIGHT AT THE FRONT.
THAT'S THE ONLY ONE WE ASKED HIM TO REMOVE.
>> REID: IF HE DOESN'T DO THAT HE WOULD HAVE TO APPLY AGAIN AND SEEK
ANOTHER APPROVAL.
>> GIUNCHIGLIANI: WITH THE THREE YEAR WITH THE DESIGN THEY DON'T HAVE TO
LOSE THAT PARKING SPACE UNTIL THEY BEGIN THE CONSTRUCTION.
THEN THEY HAVE THE PARKING AT RODDERO IT SHOULD BE A SWASH WITHIN THE
THREE YEAR PERIOD.
>> AT THE END OF THE THREE YEARS I ASSUME IT WOULD BE UP FOR A REVIEW.
YEAH, WE COULD COME BACK AND RELOOK AT IT.
>> WE COULD REVIEW THE OFF SITES AND THE DRIVEWAY OF THE THROAT DEPTH.
>> REID: I WILL LEAVE MY MOTION.
COMMISSIONER SISOLAK DO YOU HAVE A QUESTION.
>> SISOLAK: YOU SAID YOU HAVE A DOZEN OR NINE?
>> WE HAVE ABOUT A DOZEN, MORE OR LESS.
>> SISOLAK: IT IS MY UNDERSTANDING I DON'T KNOW HOW MUCH THE OFF SETS WILL
COST. IT HAS TO BE SIGNIFICANT.
IF YOU'RE RENTING THE BUILDING ON TROPICANA AND PAYING THE MORTGAGE TO BUY
THIS ONE AND DOT OFF SITES IN THREE YEARS AND ONLY HAVE A DOZEN MEMBERS
CONTRIBUTING TO THIS.
I DON'T KNOW HOW REALISTIC IT IS TO RAISE THAT MUCH MONEY?
>> I CAN RESPOND I THINK.
JIM IS BEING KIND.
THIS PARTICULAR PROPERTY WAS A CASH ONLY FROM THE BANK OWNED PROPERTY.
AND JIM IS A STUDENT.
HE BOUGHT THIS SOLELY AND THEN THE ZEN CENTER WILL BE REIMBURSING HIM AND
WE HAVE, I THINK IT IS WRITTEN IN SOME PART OF THE PLAN A RESIDENT, WHO
WILL BE PAYING RENT.
WE DON'T CALL IT RENT, BUT THEY WILL BE PART OF THE TEACHING PROCESS AND
MAINTAINING THE PROPERTY, SO IT IS NOT JUST AN OPEN END.
>> REID: EVERY RELIGIOUS MEMBER NEEDS A MEMBER LIKE HIM.
>> SO IT IS MITIGATED BY THAT, COMMISSIONER.
>> SISOLAK: I UNDERSTAND.
I'M TOTALLY SUPPORTIVE.
I DON'T WANT TO LOCK YOU IN SAYING THREE YEARS.
>> REID: THEY WOULD COME BACK FOR REVIEW.
>> SISOLAK: AND THEN AN EXTENSION.
>> REID: ARE THERE OTHER QUESTIONS ON MY MOTION?
CAST YOUR VOTE.
MOTION CARRIES.
>> THANK YOU VERY MUCH.
>> THANK YOU.

>> ITEM 33 HAS BEEN HELD.

ITEM 34 IS

[READING ORDINANCE NUMBERS INTO THE RECORD]

REQUEST FOR A TAX MIAMI-DADE TO AMEND TABLE 30.44-1 CHAPTER 30.44 TO ALLOW A WATCHMAN MANUFACTURED HOME WITH AN APPROVED RV OR BOAT STORAGE YARD WITHIN A RESIDENTIAL SUBDIVISION.

STAFF HAS RECOMMENDED APPROVAL WITH CONDITION, AS NOTED IN YOUR AGENDA.

>> MR. CHAIRMAN, GREG BOURGEL 300 SOUTH FOURTH STREET.

THIS GOES WITH MY OWN HOMEOWNERS ASSOCIATION THAT HAS A RV AND BOAT STORAGE YARD AND HAD FOR MANY YEARS AND STILL HAS A MANUFACTURED HOME THERE FOR A WATCHMAN.

IT WAS UNDER A VARIANCE.

THE VARIANCE EXPIRED AND THE CODE CHANGED FROM TIGHT 29 TO TITLE 30.

WE ARE ASKING FOR AN AMENDMENT TO, AGAIN HAVE A WATCHMAN IN OUR STORAGE YARD.

>> GIUNCHIGLIANI: THANK YOU.

I WOULD MOVE APPROVAL.

IT MAKES SENSE.

IT BRINGS IT INTO COMPLIANCE.

SO MY MOTION WOULD BE TO APPROVE.

I THINK COMMISSIONER SISOLAK HAS A QUESTION.

>> SISOLAK: THANK YOU I HAVE A QUESTION.

IN MY COMMUNITY WE HAVE A COMBINATION R.V.

BOAT STORAGE WITH A MAINTENANCE FACILITY.

SO WOULD THAT THEN FALL UNDER THE SAME THING?

>> YES, IT WOULD.

IF IT IS OVER -- THEY'RE REQUESTING 50,000 SQUARE FEET AREA.

WE'RE RECOMMENDING 40,000.

IF IT IS OVER THAT IT WOULD FALL IN.

>> SISOLAK: THE BOAT RV IS OVER 40,000 BUT THE COMBINED IS OVER 40,000.

SO HOW DOES THAT WORK?

>> IS IT ALL ONE PIECE OF PROPERTY?

>> SISOLAK: YEAH BUT THERE'S STORAGE AND DIRT, AND SAND AND EVERYTHING ELSE.

>> IF IT WAS APPROVED THAT WAY, IN THE OVERALL THE ORIGINAL APPROVAL OF THE SUBDIVISION, YES THEY COULD COME IN FOR A WATCHMAN MANUFACTURED HOME. ACCESS THANK YOU.

>> COLLINS: I JUST QUICKLY WANT TO MAKE SURE.

THIS WAS A TITLE CHANGE FOR THESE SPECIFICS.

BUT I GUESS WE HAVE A CARETAKER SLASH WATCHMAN AT ONE OF OUR AIRPORTS WE APPROVED IS IT COMPLIANT OR NONCOMPLIANCE AND THIS COULD BE AT OTHER PUBLIC FACILITIES, AS WELL AS PRIVATE?

>> WE ALLOW WATCHMAN MANUFACTURED HOME ELSEWHERE IN OTHER ZONING DISTRICTS.

THIS IS ONLY TO ADDRESS THOSE IN RESIDENTIAL.

>> COLLINS: IT IS ALREADY THERE.

>> YEAH.

>> THANK YOU.

WE WANT TO THANK THE STAFF AND COMMISSIONER GS STAFF FOR HELPING ALONG WITH THIS.

THANK YOU.

>> ITEM 35

[READING ORDINANCE NUMBERS INTO THE RECORD]

RECOMMENDATION THAT THE BOARD OF COUNTY COMMISSIONERS RECEIVE AND FILE THE REPORT ON THE LAND USE PLAN UPDATE SCHEDULE AND DIRECT STAFF AS NEEDED AT THE SEPTEMBER 172008 BOARD OF COUNTY COMMISSIONERS MEETING THE BOARD APPROVED A SCHEDULE FOR UPDATING THE VARIOUS LAND USE PLANS FOR LONG-TERM GUIDANCE FOR THE DEVELOPMENT OF CLARK COUNTY.

THE ATTACHED SCHEDULE SUMMARIZES THE PROGRESS AND LAND USE PLAN.

STAFF REQUESTS THE BOARD OF COMMISSIONERS RECEIVE THE REPORT AND DIRECT STAFF AS MAY BE NEEDED.

>> REID: ANY DISCUSSION FROM THE BOARD ON THIS ITEM?

COMMISSIONER GIUNCHIGLIANI.

>> GIUNCHIGLIANI: THE SCHEDULE IS THE ONE ATTACHED.

SO 2009-10 WILL BE SUNRISE MANNER WINCHESTER AND PARADISE WILL BEGIN IN THE SUMMER OF 2009.

THOSE ARE THE SCHEDULES.

THANK YOU.

>> REID: THIS IS CONSISTENT WITH THE SCHEDULE, AS SET FORTH IN THE ORDINANCE.

NOBODY WAS MOVED TO THE FRONT OF THE LINE OR ANYTHING.

>> THE SCHEDULE ISN'T SET FORTH IN THE ORDINANCE IT TELLS US EVERY YEAR WE NEED TO COME BACK TO THE BOARD TO LOOK AT THE SCHEDULE AND ADJUST THINGS.

>> REID: WE'LL BE ROLLING THEM, ACCORDING TO--

>> FIVE YEARS AGO WHEN WE STARTED THIS IS HOW WE HAVE BEEN GOING AND CONTINUE WITH THIS PARTICULAR ORDER.

>> THE SOUTH COUNTY WAS JUST ADOPTED LAST YEAR.

BUT IT WAS IN ITS ORDER.

>> REID: UNLESS THERE'S OTHER DIRECTION, I WOULD SAY KEEP ONGOING.

>> THANK YOU.

>> ITEM 36 THROUGH 38 ARE ITEMS FOR INTRODUCTION.

STAFF REQUESTS THAT A PUBLIC HEARING BE SET FOR JULY 22, 2009 AT 1:00 P.M. THESE ARE ORDER ORDINANCES TO AMEND THE OFFICIAL ZONING MAP RECLASSIFYING PROPERTIES AS A PROVED BY THE BOARD OF COUNTY COMMISSIONERS TO ZONE CHANGE APPLICATIONS ON JUNE 3, 2009.

MAY 20TH2009 AND VARIOUS ZONE CHANGE APPLICATIONS AND 03-07-161-163 AND 177.

>> REID: I WILL TRUCE THE ORDINANCE AND SET FOR THE DATE AND TIME IN QUESTION.

THE NEXT ITEMS ARE FOR PUBLIC HEARING.

39 AND 40 CAN BE HEARD TOGETHER.

[READING ORDINANCE NUMBERS INTO THE RECORD]

A DEVELOPMENT AGREEMENT CONTAINING OUTLINES FORT ORDINARILY DEVELOPMENT FOR A POWER GENERATION PLAN ON 1225 ACRES IN THE M-2 INDUSTRIAL ZONE.

ORDNANCE 012-09 REQUEST THAT THE BOARD OF COUNTY COMMISSIONERS CONDUCT A PUBLIC HEARING TO ORDINANCE TO CONSIDER ADOPTION OF NV FOR A 125 ACRE POWER GENERATION FACILITY.

>> MR. CHAIRMAN DAVE RIGGON ON BEHALF OF THE N.V. ENERGY.

6266 WEST SAHARA AVENUE.

WE SUCCESSFULLY NEGOTIATED PER YOUR DIRECTION BACK IN JANUARY AT OUR ZONING APPLICATION.

WE SIGN IT HAD.

WE JUST HOPE THAT YOU WILL APPROVE IT HERE.

IF YOU HAVE ANY QUESTIONS, I'LL ANSWER THEM.

>> REID: THIS IS A PUBLIC HEARING.

ANYONE HERE TO SPEAK ON THIS?

SEEING NO ONE I CLOSE THE PUBLIC HEARING.

ANY DISCUSSION FROM THE BOARD.

>> COLLINS: IT IS ONLY 65 MILES FROM YOUR HOUSE?

>> THANK YOU MR. CHAIRMAN.

MOVE FOR APPROVAL OF BOTH THE POWER COMPANIES WORK WELL JOE MCCALLA AND THE REST OF THE STAFF DESERVE A LOT OF CREDIT FOR ALL OF THE WORK THEY HAVE DONE TO MAKE FIT WITH THE COMMUNITY, AS WELL AS DO THE THINGS THEY NEED TO KEEP THE LIGHTS ON AND THE AIR CONDITIONING WORKING AND SO FORTH. MOVE FOR APPROVAL.

>> REID: COMMISSIONER GIUNCHIGLIANI.

>> GIUNCHIGLIANI: THANK YOU ON ITEM FOUR, DOES THAT -- IS IT OUTSIDE OF THE ONES THAT WERE APPROVED BY THE LEGISLATURE WITH THE EIGHT OR 10 ROOFTOP SOLAR AND OR RENEWABLES ON ROOFTOPS AND SCHOOLS?

THERE WAS I THINK IN 2007, THEY PASSED A LAW TO ALLOW THE SCHOOL DISTRICT TO USE SOME RENEWABLES ON THE ROOFTOPS.

>> THIS IS NOT THAT.

THIS IS, IN FACT THAT SCHOOL IS NOT EVEN IN OUR SERVICE DISTRICT.

IT WOULDN'T COUNT TOWARDS OUR USAGE AT ALL.

IT IS STRICTLY -- WE DO A PROGRAM WITH THE D.R.I.

CALLED THE GROWN SCHOOLS PROGRAM.

IT IS BASICALLY FOR THAT.

>> REID: OTHER DISCUSSION?

COMMISSIONER SISOLAK?

>> SISOLAK: IN THIS PROJECT THAT IS 67.5 MILES FROM MY HOME.

I COMMEND YOU ON NUMBER FOUR.

I THINK IT IS GREAT YOU ARE DOING THE OUT REACH TO THE SCHOOLS MY KIDS HAVE TAUGHT ME A LOT ABOUT GREEN AND RECYCLING AND CLIMATE CHANGE.

I THINK IT IS GOOD COMMUNITY SERVICE.

I JUST WANT TO ACKNOWLEDGE IT.

>> THANK YOU.

>> REID: WAS THERE A MOTION?

THERE WAS.

CAST YOUR VOTE.

MOTION CARRIES.

>> THANK YOU.
>> THE NEXT TWO ITEMS ARE PUBLIC HEARINGS.
ORDINANCES TO AMEND THE OFFICIAL ZONING MAP RECLASSIFYING CERTAIN PROPERTY
THROUGH VARIOUS ZONE CHANGE MAKES ON APRIL 222009.
AND MAY 62009.
>> REID: THIS IS A PUBLIC HEARING.
SEEING NO ONE CLOSE THE PUBLIC HEARING AND TURN IT OVER TO THE BOARD OH~--
SIR DO, YOU HAVE SOMETHING TO SAY ON THIS ITEM?
MOTION FOR APPROVAL.
BOTH ITEMS. CAST YOUR VOTE.
MOTION CARRIES.
THIS IS THE TIME SET ASIDE FOR PUBLIC COMMENT.
ANYONE WISHING TO TALK TO THE BOARD OF COUNTY COMMISSIONERS, THIS IS YOUR
OPPORTUNITY.
OUR TRADITION IS TO ALLOW YOU THREE MINUTES.
AFTER WHICH YOU WILL HEAR A PLEASANT CHIME, TELLING YOU YOUR TIME IS UP.
GOOD AFTERNOON.
>> I'M DAVID HOLMES.
YOU KNOW WHO I AM.
I LIVE AT 5850 ANN ROAD, LAS VEGAS.
I'VE BEEN HERE ABOUT A MONTH AGO.
I ASKED YOU TO PUT THE MUSICIANS ON THE AGENDA.
I CAN'T SEEM TO GET THEM ON THE AGENDA.
NO ONE KNOWS HOW TO DO IT?
NO ONE IN THIS WHOLE OFFICE, THIS WHOLE BUILDING.
BUT I HAVE SOME PAPERS HERE FOR YOU GUYS TO LOOK OVER.
I DIDN'T GET A CHANCE TO FINISH THEM ALL, BECAUSE I WAS IN THE PROCESS OF
DOING THEM.
I JUST GOT OUT OF THE HOSPITAL AND I DIDN'T GET THE CHANCE TO FINISH THEM
ALL.
YOU ALL KNOW THE PROOF, BECAUSE YOU HAVE IT HERE.
I'M REQUESTING THAT MY MONEY BACK FOR THE S.I.D.
THAT I PAID A FEW YEARS AGO.
AND CHECK OUT NRS 371.045 SAYING YOU SHOULD HAVE BOUGHT MY HOUSE IN KIND,
BECAUSE YOU RUIN IT.
IT IS 30 FEET NEAR THE ROAD.
IT IS SUPPOSED TO BE A 40-FOOT SETBACK.
IT TOTALLY RUINED THE HOUSE.
I CAN'T SELL IT AS A HOME.
I CAN'T EVEN RENT IT OR GIVE IT AWAY.
IF IT IS POSSIBLE, I WOULD LIKE TO GET A MACHINE OR WHATEVER YOU HAVE IT
THAT ACCOUNTS FOR THE SOUND FOR THE SOUND WALLS.
BECAUSE I DEFINITELY QUALIFY FOR THAT AT THE PARTICULAR TIME OF THE DAY.
>> REID: DO YOU WANT TO HAVE THE DOCUMENTS HANDED US, YOU CAN GIVE US TO
THE STAFF.
>> I GOT THEM AS CLOSE AS I CAN.
SOME FROM LAST TIME.

SOME FROM THIS TIME.
THERE'S ENOUGH INFORMATION.
THAT'S ONLY PART OF WHAT I GO.
IT WILL GIVE YOU AN IDEAS WHERE WE'RE AT.
>> REID: THANK YOU.
>> REID: ANYONE ELSE HERE TO SPEAK?
>> GOOD AFTERNOON MR. CHAIRMAN, BOARD.
MY NAME IS TED DIRUSSELL A RESIDENT OF LAS VEGAS.
YEARS AGO I SENT THE LETTER TO OSCAR GOODMAN TO THE GRACE OF GOD AND WE
LIVE IN THE GREATEST COUNTRY OF THE WORLD WE HAVE THE FINAL THREE MINUTES,
WHICH I REFER TO AS THE LUNATIC OMNIBUS FOR THREE MINUTES.
I COULD TALK ABOUT THE VEGIMATIC BLENDER, INSTEAD I RAN INTO JUDGE GEORGE.
WE WERE TALKING I SAID I REALIZE AS DISTRICT JUDGE YOU ARE UNTOUCHED AND
UNSULLIED BY THE STENCH OF POLITICS.
WE TALKED ABOUT A GENTLEMAN NAMED ROY READ.
HE HAPPENED TO MENTION THAT HE KNEW HIM AS A BABY.
THAT WAS ENOUGH OF THAT AND WE WENT TON OTHER TOPICS.
HOWEVER, THERE, IS SOME RUMOR THAT CHAIRMAN REID IS RUNNING FOR GOVERNOR.
SHOULD HE RUN FOR GOVERNOR, I NOT LIKING TO DO THIS ENDORSEMENTS SO FAR NO
CANDIDATE, KNOCK ON WOOD, WHOM I HAVE ENDORSED HAVE EVER FAILED TO BE
ELECTED THERE IS SOME WISDOM.
THE PEOPLE, EVEN THOUGH THEY MAY HAVE ELECTED A GOVERNOR NAMED GIBBONS.
MY JURISDICTION IS THE PLANET.
MY CONSISTENCY IS ALL PEOPLE.
SHOULD THE GENTLEMAN RUN, HE HAS MY UNMITIGATED SUPPORT.
ALTHOUGH I THINK HE IS TOO TOUGH WITH THE TIMER AND NOT ONLY THAT.
-- WHETHER OR NOT THE BLITHERING IDIOT TEDDY --
>> REID: YOU SIR, GET 3 MINUTES AND 30 SECONDS.
>> DON'T HURT ME IT IS ONE OF THE REASONS YOU HANG HERE YOU HAVE A NICE
MICROWAVE AND EXORBITANT CAFE REGARDLESS WHAT TEDDY RUSSELL THE FIFTH SAID
MR. REID JUST WINS.
THANK YOU AND HAVE SO HAVE A GREAT DAY IN THE CELESTIAL CITY OF THE LAS
VEGAS, NEVADA.
>> I WILL BE CANDIDATE FOR MAYOR ON THE AMERICAN INDEPENDENT PARTY AND
WHEN I'M FINISH PRESIDENT OF THE UNITED STATES OF AMERICA.
>> REID: THIS MEETING ADJOURNED THANK YOU ALL VERY MUCH.