

**MINUTES  
CITY OF NORTH LAS VEGAS  
PLANNING COMMISSION**

January 14, 2009

**BRIEFING:** 5:30 P.M., Conference Room, North Las Vegas City Hall, 2200 Civic Center Drive

**CALL TO ORDER:** 6:00 P.M., Council Chambers, North Las Vegas City Hall, 2200 Civic Center Drive

**WELCOME:** Chairman Angelo Carvalho

**ROLL CALL:** Chairman Angelo Carvalho - Present  
Vice-Chairman Harry Shull - Present  
Commissioner Steve Brown - Present  
Commissioner Dean Leavitt - Present  
Commissioner Jay Aston - Present  
Commissioner Jo Cato - Present  
Commissioner Dilip Trivedi - Present

**STAFF PRESENT:** Frank Fiori, Planning & Zoning Director  
Marc Jordan, Planning Manager  
Robert Eastman, Principal Planner  
Bethany Sanchez, Deputy City Attorney II  
Jennifer Doody, Development & Flood Control  
Vidya Medisetty, Public Works  
Mike Steele, Fire Department  
Jose Rodriguez, Police Department  
Gina Luongo, Police Department  
Louise Steeps, Utilities Department  
Jo Ann Lawrence, Recording Secretary

**VERIFICATION:** Jo Ann Lawrence, Recording Secretary

**PLEDGE OF ALLEGIANCE:** Commissioner Dean Leavitt

**PUBLIC FORUM**

There was no public participation.

**MINUTES**

- Approval of the minutes for the Planning Commission meeting of December 10, 2008.

ACTION: APPROVED

MOTION: Vice-Chairman Shull

SECOND: Commissioner Cato

AYES: Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: Chairman Carvalho

**Item No. 8 was heard next.**

**NEW BUSINESS**

1. **UN-05-09 (37742) CONVENIENCE FOOD STORE WITH GAS PUMPS (PUBLIC HEARING). AN APPLICATION SUBMITTED BY BURBANK, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS. THE PROPERTY IS LOCATED AT 8390 NORTH DECATUR BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 124-07-301-009.**

The application was presented by Marc Jordan, Planning Manager who explained previously a use permit for a convenience food store was approved for the site; however, it expired and the applicant was requesting permission to re-establish the use. The use was within a currently developing commercial center. The building complied with the Commercial Design Standards with a couple of exceptions. There was mechanical equipment in view of public streets on the west side and according to the Design Standards, the mechanical equipment must be screened from view. In addition, the ordinance also required that features such as windows, awnings, and arcades must total at least 60% of the facade of any building that fronted a public street. The convenience store was located at the corner and both of the elevations do not incorporate that Design Standard. Staff was recommending that UN-05-09 be continued to allow the applicant to submit revised elevations for review by Staff and the Commission. As part of the request, because the site was located on the edge of the City, there was a requirement to send a notice to the adjacent jurisdiction, which was the City of Las Vegas,. A letter was received from the City of Las Vegas recommending the application be denied due to the close proximity to residential within their jurisdiction; however, as stated, the site was a developing commercial center and because the use had been previously approved, Staff was supporting the use. Should the Commission determine approval was warranted, the following conditions were recommended:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That development shall comply with Commercial Development Standards and Design Guidelines, including but not limited to the following;
  - a. All mechanical equipment must be concealed from view of public streets.
  - b. All facades which abuts a public street must have features such as windows, awnings, and arcades that total at least 60% of the length of any facade.
3. Approval of a drainage study update is required prior to submittal of the civil improvement plans.

4. City of Las Vegas concurrence with the results of the drainage study update is required prior to approval of the civil improvement plans.
5. The property owner is required to sign a restrictive covenant for utilities.
6. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
7. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
8. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
9. This application shall comply with the City of North Las Vegas Municipal Code and NRS 278. Conformance may require modifications to the site.

**Nolan Carl, 2960 Acorn, Las Vegas, NV** appeared on behalf of the applicant indicating he agreed to comply with all of the requirements for replacing the service entrance on the west side into a room and adding the facades and concurred with Staff recommended conditions. He stated he had met with Southern Nevada Water Authority, who was adding two conditions.

Mr. Jordan explained Southern Nevada Water Authority sent a letter requesting a condition be added regarding their ability to review the plans prior to the City issuing a permit; however, Staff spoke with Public Works, who explained that was a process already in place so the condition was not necessary, so if there was a desire by the Commission to approve the application, the condition regarding the concealing of the equipment and the additional features for the facade were included in the Staff Report.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Commissioner Leavitt**

**SECOND: Commissioner Aston**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

2. **VN-01-09 (37778) SPEEDWAY HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GANASTE LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW A 13 FOOT BUILDING SETBACK; A 12 FOOT BUILDING SETBACK, A ONE (1) FOOT BUILDING SETBACK; AND A ZERO (0) FOOT BUILDING SETBACK WHERE 20 FEET IS THE MINIMUM BUILDING SETBACK REQUIRED. THE PROPERTY IS LOCATED AT 3227 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-803-002, 139-11-815-001 AND 139-11-815-003.**

The application was presented by Marc Jordan, Planning Manager who explained there was a fire in one of the office buildings, so the applicant was proposing the temporary buildings to be used as office space, break room space, restrooms and storage facilities so they can rehab or construct a new building. The variance request was necessary because temporary buildings were required to comply with all setback requirements. Staff believed the applicant had a unique hardship due to the fire and because they needed to maintain parking on the site to allow operations to continue without moving the buildings to take up valuable parking space. Because of the off-ramp from Cheyenne Avenue onto I-15, it was elevated and would help screen the buildings along the west property line and because of an existing fence on Cope Street where there was another building that would also screen that building. Staff was recommending approval of VN-01-09 and that it be forwarded to the Redevelopment Agency for final consideration with the following recommended conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That the site be in compliance with all conditions of approval for UN-105-08.

**Richard Serfas, 901 North Green Valley Parkway, Henderson, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation and explained they had an emergency situation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Dilip Trivedi asked the applicant if there was a building schedule and the length of time the temporary buildings would be located on the site.

Mr. Serfas responded the request was for one year and hoped the renovations would be completed before that time. He explained they had been working on the renovations since the fire occurred.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION

**MOTION:** Vice-Chairman Shull

**SECOND:** Commissioner Cato

**AYES:** Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,  
Brown, Cato and Trivedi

**NAYS:** None

**ABSTAIN:** None

**Item No. 15 was heard next.**

**3. UN-01-09 (37629) MERCY AIR (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MERCY AIR SERVICES, INC. ON BEHALF OF STARS & STRIPES HELIPLEX, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A TEMPORARY BUILDING. THE PROPERTY IS LOCATED AT 500 EAST CHEYENNE AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-11-401-007.**

The application was presented by Marc Jordan, Planning Manager who explained the temporary building would be a fifth wheel trailer, which was approximately 576 square feet. The use was previously operated by Silverstate Helicopters and since that time, Stars and Stripes has acquired the use and Mercy Air Services was proposing to establish a base of operations at the site that would reduce response times needed in the area. The applicant indicated they wanted to test the business for a period of six months and if it was successful, they would build a permanent building on the site. The proposed temporary trailer complies with the set-backs and parking requirements. Staff was recommending approval of UN-01-09 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. That UN-01-09 is site specific and non-transferable.
3. Unless an extension is approved, the temporary building shall not be allowed for more than one year, from the date of Planning Commission's approval.
4. Provide three (3) designated parking spaces for the employees near the temporary building.
5. If connections to water and sewer lines are made, civil improvement plans must be submitted and approved by the Utilities Department.
6. Water and sewer connections for temporary trailers will only be allowed for six months. After the six (6) months time, all connections must be abandoned per UDACS and Wastewater Standards. Otherwise, additional connection fees will apply.

**Julie Siemers, 500 East Cheyenne Avenue, North Las Vegas, NV** appeared on behalf of the applicant indicating she concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

Commissioner Dean Leavitt was happy to see the proposed use coming to North Las Vegas.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

**MOTION:** Vice-Chairman Shull

**SECOND:** Commissioner Cato

**AYES:** Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

**NAYS:** None

**ABSTAIN:** None

4. **UN-03-09 (37726) ENERSYS DELAWARE, INC. (PUBLIC HEARING). AN APPLICATION SUBMITTED BY ENERSYS DELAWARE INC. ON BEHALF OF CIVIC CENTER, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW THE STORAGE OF HAZARDOUS MATERIALS (30 LEAD ACID BATTERY PALLETS WITH A TOTAL OF 1,260 ELECTROLYTE GALLONS; AND TWO (2) 55 GALLON DRUMS OF SULPHURIC ACID). THE PROPERTY IS LOCATED AT 3878 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-110-021.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant would be storing approximately 30 pallets of industrial type batteries in the facility. Staff was recommending approval of UN-03-09 subject to the following conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances;
2. That the special use permit is site specific and non-transferable;
3. An application for a change of occupancy must be submitted to the Permit Application Center and approved by the City prior to storing hazardous materials exceeding the maximum allowable quantities as specified in the fire code. The application is to show building and the fire code compliance with the proposed use. (Any tenant improvement work will simultaneously satisfy this requirement.)
4. A Hazardous Materials Management Plan (HMMP) must be approved by the Fire Department prior to storing hazardous materials exceeding the Maximum Allowable Quantities as specified in the Fire Code. (This may be submitted concurrently with the change of occupancy classification.)
5. Building Permit is required and complete building code analysis shall be provided on plans.
6. Existing demising walls and existing interior partition walls/doors/windows separating spaces with varying occupancy uses may be required to be fire rated. This will depend on the amount of hazardous materials, new occupancy use of the tenant space, and building code analysis to be submitted.
7. Architectural site plan submitted shows one restroom. Separate restroom/toilet facilities for each sex may be required based on the new calculated total occupant load of the unit.

**Mike Hill, 3787 Civic Center Drive, North Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Vice-Chairman Shull**

**SECOND: Commissioner Cato**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

5. **UN-109-06 (37660) CENTENNIAL VILLAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GREAT AMERICAN CAPITAL ON BEHALF OF CENTENNIAL VILLAGE, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A PREVIOUSLY APPROVED SPECIAL USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS AND AN AUTOMOBILE WASHING ESTABLISHMENT (DRIVE-THROUGH). THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF ROME BOULEVARD AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-24-414-003.**

The application was presented by Marc Jordan, Planning Manager who explained the use was located in a commercial center currently under development. Staff was recommending approval of UN-109-06 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. That the site must comply with all conditions of approval for SPR-55-05.
3. That the site must comply with the Commercial Development Standards and Design Guidelines, including but not limited to:
  - a. That foundation landscaping, or an acceptable alternative, is required along the east and south elevations;
  - b. A refuse collection area is required.
  - c. A pedestrian plaza, meeting ordinance requirements, is required on the overall site.
4. The public street geometrics, width of over-pave and thickness of the pavement sections, will be determined by the Department of Public Works.
5. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
6. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
7. Turning radii along the fire access lane shall be designed in accordance with the Fire Code.

**Jennifer Roberts, Great American Capital, 8350 West Sahara Avenue, Las Vegas, NV** appeared on behalf of the applicant indicating she concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Vice-Chairman Shull**

**SECOND: Commissioner Cato**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

**6. UN-02-09 (37725) SUPER DUTY SHOP (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MIKE SMITH, ON BEHALF OF T. BROTHERS PROPERTIES, LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW AN AUTO REPAIR FACILITY. THE PROPERTY IS LOCATED AT 3816 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBER IS 139-12-103-038.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant indicated the business would install aftermarket accessories such as, lift kits, shocks, tires, wheels, performance intake systems and that they would also do some metal fabrication and welding on the site. The use would be located within an industrial area that was an office/warehouse area. In reviewing, the whole area complied with the parking; however, the bulk of the parking was occupied by one building. The applicant had taken over one of the buildings and have an outside storage yard and under the parking requirements, they would need at least four parking spaces. It appears they can comply with that requirement within the storage area. Staff was recommending approval of UN-02-09 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. The applicant shall provide a minimum of four (4) parking spaces with wheel stops within the existing parking lot located along the south building elevation.
3. Outdoor storage of materials and equipment related to the business is prohibited, unless properly screened per Title 17.24.080.I. guidelines for outdoor storage yards.
4. All vehicles that need to remain on the property overnight shall be stored indoors.

**Mike Smith, 4930 West Cheyenne Avenue, Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. The following participants came forward:

- **Tom Shierberl, 38092 Civic Center Drive, North Las Vegas, NV 89030** was opposed to the application. He indicated there was not enough space for the proposed use and the parking was limited. There was only one entrance into the complex and delivery drivers had a difficult time maneuvering in the parking lot.

- **Tom Bolander with Castle Cabinets, 3806 Civic Center Drive, North Las Vegas, NV** concurred with Mr. Shierberl's comments that parking was not adequate and deliveries were difficult. There was a total of five parking spaces for the proposed use and if the employees used those spaces, there would not be space for customer parking.
- **Robert Henry of Castle Cabinets, 3806 Civic Center Drive, North Las Vegas, NV 89030** was opposed to the use and agreed with previous comments.
- **George Vavra, 3812 Civic Center Drive, North Las Vegas, NV** was opposed to the use. The applicant's parking spaces were in a gated area, but customers generally used other spaces. He explained at the present time, there was parking on the streets and parking in areas that were not designated for parking.

Mr. Shierberl showed some pictures of the site and was concerned if a patron could not afford to pick up a vehicle after it was repaired, that it would sit in the lot for an extended period of time.

Commissioner Jo Cato asked if the Board could take hardship on the other businesses in the complex into consideration.

Mr. Jordan explained if the Commission determined the application did not meet the requirements for approval of a special use permit, they could deny the application.

Commissioner Jay Aston found it interesting that Staff found the application to be in compliance but the current tenants felt the use was not appropriate and thought it was possible some of the other tenants were not operating within the guidelines of their use permits. He also indicated if the proposed use was not appropriate, then it was possible no use would be, and the owner of the building would not be able to lease it out. He explained with the type of use being proposed, there would not be a lot of daily traffic and was concerned if this application was denied, the next proposed use would need more parking spaces than the one being proposed.

Mr. Shierberl explained there were a specified number of parking spaces for each building and if the applicant's was within their gated area, the other parking did not have a bearing on what was being discussed. He felt the applicant's use would need more than four parking spaces, as there would be more than two or three vehicles at any given time and if someone could not pay for their repairs, the vehicles would be parked there for an extended period of time.

Chairman Carvalho explained the proposed use was for accessories and when a vehicle was brought in, it was in operating condition and was having accessories added and the owner normally had cash in hand.

Chairman Carvalho closed the Public Hearing.

Commissioner Aston asked the applicant if he had checked out the site and felt he could comply with the conditions of approval.

Mr. Smith responded the vehicles would be kept inside the building until ready for pick up and explained his clientele expected their vehicles to be completed in a timely manner.

Commissioner Aston asked the applicant how many parking spaces he would need.

Mr. Smith responded he was not sure.

Commissioner Aston asked how many employees he would have.

Mr. Smith responded he would need three spaces for himself and two employees. Customers normally ordered their parts over the phone and dropped their vehicle off for the parts to be put on their vehicle. He did not have foot traffic.

Commissioner Aston pointed out there were not many businesses that were that limited and did not see another use going in their with less traffic. He explained the proposed use met the criteria of the City and if there were problems with how all of the properties and their uses were working and fitting, the owner of the property needed to resolve it, or the City would need to check each use permit to see who was violating their use permits.

Commissioner Steve Brown clarified the applicant was required to have four parking spaces and it was shown that he complied and explained to the applicant he was only allowed to use those four spaces.

Mr. Jordan showed an aerial view of the property, which showed the property lines for the buildings and explained there were most likely easements, cross access easements and possibly reciprocal parking agreements placed on the properties, because the properties at the rear could not get to their units without an easement due to the way the driveways were located. Even though four parking spaces were required for the site, there may be a reciprocal parking agreement, which allowed them to share the other parking spaces.

**ACTION:** APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS

**MOTION:** Vice-Chairman Shull

**SECOND:** Commissioner Cato

**AYES:** Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

**NAYS:** None

**ABSTAIN:** None

7. **UN-06-09 (37743) ANN SELF STORAGE (PUBLIC HEARING). AN APPLICATION SUBMITTED BY OMNIPOINT COMMUNICATIONS, INC. ON BEHALF OF ANN SELF STORAGE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN AN O-L/DA, OPEN LAND DISTRICT/DEVELOPMENT AGREEMENT TO ALLOW A 100 FOOT TELECOMMUNICATIONS TOWER TO BE LOCATED 49 FEET FROM A RESIDENTIAL ZONED PROPERTY WHERE 200 FEET IS REQUIRED. THE PROPERTY IS LOCATED AT 5650 REVERE STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-28-801-004.**

The application was presented by Marc Jordan, Planning Manager who explained the applicant was proposing a 100 foot stealth mono-palm telecommunications tower and were requesting a waiver of the set-back requirements to allow a 49 foot set-back from a residentially zoned property, where 200 feet was normally required. The tower was proposed on the south side of the mini-warehousing facility and would be north of the PT's Bar and Grill located off of Ann Road. The tower would be approximately 280 feet away from any developed residential property to the north and to the west in the Eldorado community; therefore, the request for a 49 foot set-back was from undeveloped residential property. The applicant also indicated the tower would be more than 750 feet away from any other tower located in the area. The proposed location was within Eldorado and under the Development Agreement for Eldorado, they were subject to the Title 19 requirements; therefore, the current requirements under Title 17 were used as Guidelines for reviewing the use permit and as they comply with essentially all of the requirements with the exception of the set-back from residential, Staff had no objection as it appeared they had made their best effort to be able to pull the tower away from currently developed residential property. Staff was recommending approval of UN-06-09 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. That UN-06-09 is site specific and non transferrable.
3. That the tower shall be a stealth monopalm design.
4. That the tower shall not exceed 100 feet in height.
5. The tower shall have a minimum 49 foot separation from the residentially zoned property adjacent to the eastern property line.

**Tracy Kline with Spectrum Survey and Engineering, 8905 West post Road, Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Vice-Chairman Shull**

**SECOND: Commissioner Cato**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,  
Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

**Item No. 10 was heard next.**

8. **ZN-44-02 (37738) ANN & FIFTH (PUBLIC HEARING). AN APPLICATION SUBMITTED BY MARIA ENAMORADO, ON BEHALF OF BOUQUET, INC., PROPERTY OWNER, TO AMEND A PREVIOUSLY APPROVED PUD, PLANNED UNIT DEVELOPMENT DISTRICT CONSISTING OF A RETAIL/COMMERCIAL DEVELOPMENT TO AMEND CONDITIONS OF APPROVAL. THE PROPERTY IS LOCATED AT 5575 NORTH FIFTH STREET. THE ASSESSOR'S PARCEL NUMBERS ARE 124-34-502-006 AND 124-34-502-007.**

It was requested by the applicant to continue ZN-44-02 indefinitely.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho indicated the Public Hearing would remain open.

ACTION: CONTINUED INDEFINITELY

MOTION: Commissioner Aston

SECOND: Vice-Chairman Shull

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

**Item No. 9 was heard next.**

9. **WAV-02-09 (37737) DRIVEWAY WAIVER. AN APPLICATION SUBMITTED BY GALAXY 7, PROPERTIES, INC. ON BEHALF OF EAGLE 7, PROPERTIES LLC, PROPERTY OWNER, FOR A WAIVER OF DEVELOPMENT STANDARDS FROM TITLE 16 FOR A DRIVEWAY LOCATION. THE PROPERTY IS LOCATED AT THE NORTHWEST CORNER OF AZURE AVENUE AND NORTH 5<sup>TH</sup> STREET. THE ASSESSOR'S PARCEL NUMBER IS 124-27-504-008.**

It was requested by the applicant to continue WAV-02-09 to January 28, 2009.

ACTION: CONTINUED TO JANUARY 28, 2009

MOTION: Commissioner Trivedi

SECOND: Commissioner Cato

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

**Item No. 14 was heard next.**

10. **T-1329 (37632) ANN/MT HOOD LLC. AN APPLICATION SUBMITTED BY ANN MT. HOOD LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A (1) ONE LOT INDUSTRIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE NORTHEAST CORNER OF MT. HOOD STREET AND ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 123-27-801-001.**

The application was presented by Robert Eastman, Principal Planner who explained the application was in compliance with the zoning ordinance and Staff was recommending approval of T-1329 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Approval of a drainage study is required prior to submittal of the civil improvement plans.
3. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
4. The drainage facility, constructed with the Centennial/Mt. Hood project, shall be extended through this site.
5. Approval of a traffic study is required prior to submittal of the civil improvement plans.
6. The Utility Services shown on the Tentative Map are incorrect. Future submittals must show the correct service provider.
7. Right-of-way dedication for a CAT bus turn-out is required on Mt. Hood Street near Ann Road per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
8. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
  - a. El Campo Grande Avenue
  - b. Mt. Hood Street
  - c. Ann Road

9. The street sections shown are inaccurate. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
10. The applicant must submit an application to vacate 10' from Ann Road.
11. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Ann Road, El Campo Grande Ave, and Mt. Hood St.
12. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
13. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance will require modifications to the site.
14. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
15. The property owner is required to grant a roadway easement for commercial driveway(s).
16. The property owner is required to sign a restrictive covenant for utilities.
17. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
18. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
19. The Developer is responsible for acquiring any roadway, drainage or utility easements needed to construct the project.
20. All off-site improvements must be completed prior to final inspection of the first building.
21. Applicant shall sign an agreement with the City to participate in the Sewer SID Cost Sharing prior to the City processing an interlocal agreement with Clark County (or prior to mylar approval).

**Mark Bangan, 6765 West Russell Road, Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Vice-Chairman Shull**

**SECOND: Commissioner Brown**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

11. **T-1330 (37734) TROPICAL/LOSEE. AN APPLICATION SUBMITTED BY R & S TROPICAL, LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A ONE (1) LOT COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-701-009.**

The application was presented by Robert Eastman, Principal Planner who explained the application was in compliance with the requirements of the Zoning Code and Staff was recommending approval of T-1330 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Approval of a traffic study is required prior to submittal of the civil improvement plans.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. VAC-16-07 must record prior to approval of the civil improvement plans.
6. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
  - a. Tropical Parkway
  - b. Beesley Drive
  - c. Fannin Way
  - d. associated spandrels
7. A nine foot (9') over-pave is required, on Beesley Drive and Fannin Way, in order to meet the minimum requirement of 32' for paved access.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. Two means of paved access are required to serve this development. Proposed access roads shall conform to *Clark County Area Uniform Standard Drawing* No. 209.

10. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
11. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway.
14. The valley gutter must be constructed to the western spandrel on Beesley Drive.
15. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
16. The property owner is required to sign a restrictive covenant for utilities.
17. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if they are relocated or adjusted.
18. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
19. The Developer is responsible for acquiring any roadway, drainage or utility easements needed to construct the project.
20. All off-site improvements must be completed prior to final inspection of the first building. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
21. Applicant shall sign agreement with the City to participate in the Sewer SID Cost Sharing prior to the City processing an Interlocal agreement with Clark County (or prior to mylar approval).

**Mark Bangan, 6765 West Russell Road, Las Vegas, NV** appeared on behalf of the applicant indicating there was an issue with Condition No. 4. He explained the applicant did not have a problem dedicating the streets but construction of them, at this point, was an issue due to the financial situation with the banks and bonding issues on unimproved property. He asked to delete construction of off-sites from the condition and asked if construction of off-sites could be done after they have interest in the property. The applicant wanted the ability to sell off a chunk of the parcel so that they could show the bank there was interest in the area, which hopefully would free up monies so they could start on the project. There was also an improvement district proposed for Losee Road that they were willing to participate in. He also requested that Condition No. 5 be amended to delete the word dedication or amend the condition so construction could be done prior to building permit issuance. Mr. Bangan also asked that Condition No. 16 be amended to allow them to move forward with the subdivision map and allow improvements to be done at a later time. He suggested Condition No. 16 be amended to read: All off-site civil improvements must be completed prior to final inspection of the first building, on-site and not be tied to the commercial subdivision.”

Commissioner Jay Aston asked the applicant if the tentative map had to be approved in order to sell parcels of the site.

Mr. Bangan responded the tentative map and the commercial subdivision map had to be approved before selling off the parcels.

Commissioner Aston clarified the buyers would not be interested unless there were approved entitlements, but in order to have the tentative map approved, the off-site street improvements had to be completed and they could not get financing for them at this time.

Mr. Bangan responded that was true and there was also the timing as it would take nine to ten months for all of the approvals and by that time, the current buyer may decide on a different site.

Commissioner Aston asked Staff if there was a way to amend the conditions.

Jennifer Doody of Public Works responded in order to waive the requirements on the tentative map and then allowing the final map to be recorded without the conditions placed on them and without getting the improvements bonded and designed, the issue was, that now there was a final map and the applicant could do a record of survey and carve the site up into two acre or one acre parcels. So, if it was tied to a building permit application, you could get a landowner who purchased an acre of land in the middle of the site who was now required to do the off-sites, so it was not feasible for the City to require the one acre parcel to put in all of the off-site improvements when they were not required with the tentative map and final map for the whole parcel which was required by Title 16.

Commissioner Aston asked if it was possible to allow the off-site improvements to be done later in the development process.

Ms. Doody responded at the current time there was no mechanism in place to allow the improvements to be done other than with the final map.

Commissioner Aston asked how it was done previously.

Ms. Doody responded the off-sites were required as a condition of approval for the tentative map and they had to be designed and bonded for before the final map could be approved.

Commissioner Aston asked the applicant if that would work for him.

Mr. Bangan explained that would not give them the ability to carve out the parcel they were trying to sell and that was the issue.

Commissioner Aston asked Marc Jordan, Planning Manager for his comments.

Marc Jordan, Planning Manager explained amending the conditions was difficult because there was a lot to consider and recommended if there was a desire by the Commission to amend the conditions, that the application be continued for two weeks, for the applicant to meet with Staff.

Mr. Bangan agreed to a two week continuance.

Mr. Jordan indicated Staff would most likely come back with the same recommendation and explained the purpose of the continuation would be to look at alternative conditions and have them ready for the Commission.

**ACTION:** CONTINUED TO JANUARY 28, 2009

**MOTION:** Vice-Chairman Shull

**SECOND:** Commissioner Cato

**AYES:** Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

**NAYS:** None

**ABSTAIN:** None

12. **WAV-01-09 (37733) TROPICAL/LOSEE. AN APPLICATION SUBMITTED BY R & S TROPICAL, LLC, PROPERTY OWNER, FOR A WAIVER FROM TITLE 16 TO WAIVE THE REQUIRED OFF-SITE IMPROVEMENTS FOR A PROPOSED COMMERCIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND LOSEE ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-26-701-009.**

It was requested by the applicant to continue WAV-01-09 to January 28, 2009.

ACTION: CONTINUED TO JANUARY 28, 2009

MOTION: Vice-Chairman Shull

SECOND: Commissioner Cato

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

13. **T-1331 (37735) TROPICAL/BEESELY. AN APPLICATION SUBMITTED BY TROPICAL 10 LLC, PROPERTY OWNER, FOR APPROVAL OF A TENTATIVE MAP IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A ONE (1) LOT INDUSTRIAL SUBDIVISION. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND BEESELY DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 123-27-301-002 AND 123-27-301-003.**

The application was presented by Robert Eastman, Principal Planner who explained the application was in compliance with the zoning code; therefore, Staff was recommending approval of T-1331 subject to the following conditions:

1. Unless expressly authorized through a variance, waiver or another approved method, development shall comply with all applicable codes and ordinances.
2. Approval of a traffic study is required prior to submittal of the civil improvement plans.
3. Approval of a drainage study is required prior to submittal of the civil improvement plans.
4. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
5. VAC-16-07 must record prior to approval of the civil improvement plans.
6. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and *City of North Las Vegas Municipal Code* section 16.24.100.B:
  - a. Tropical Parkway
  - b. Beesley Drive
  - c. Fannin Way
  - d. associated spandrels
7. A nine foot (9') over-pave is required, on Beesley Drive and Fannin Way, in order to meet the minimum requirement of 32' for paved access.
8. The public street geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.
9. Two means of paved access are required to serve this development. Proposed

access roads shall conform to *Clark County Area Uniform Standard Drawing No. 209*.

10. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
11. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
12. The property owner is required to grant a roadway easement for commercial driveway(s).
13. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along Tropical Parkway.
14. The valley gutter must be constructed to the western spandrel on Beesley Drive.
15. All known geologic hazards shall be shown on the site plan and the civil improvement plans. Subsequent identification of additional hazards may substantially alter the original site plan.
16. The property owner is required to sign a restrictive covenant for utilities.
17. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if they are relocated or adjusted.
18. Prior to the installation of any subgrade street improvements, all required underground utilities (i.e. telephone, power, water, etc.) located within public rights-of-way, shall be extended a minimum of ten (10) feet beyond the project boundary.
19. The Developer is responsible for acquiring any roadway, drainage or utility easements needed to construct the project.
20. All off-site improvements must be completed prior to final inspection of the first building. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.

21. Applicant shall sign agreement with the City to participate in the Sewer SID Cost Sharing prior to the City processing an Interlocal agreement with Clark County (or prior to mylar approval).

**Mark Bangan, 6765 West Russell Road, Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS**

**MOTION: Vice-Chairman Shull**

**SECOND: Commissioner Cato**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

**Item No. 16 was heard next.**

**OLD BUSINESS**

14. **SPR-25-08 (36344) INDIGO APARTMENTS. AN APPLICATION SUBMITTED BY ANN ALLEN COMMONS LLC, PROPERTY OWNER FOR A SITE PLAN REVIEW IN AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT CONSISTING OF A 166 UNIT MULTI-FAMILY DEVELOPMENT. THE PROPERTY IS LOCATED EAST OF WILLIS STREET AND APPROXIMATELY 370 FEET NORTH OF ANN ROAD. THE ASSESSOR'S PARCEL NUMBER IS 124-30-802-022. (CONTINUED AUGUST 27, SEPTEMBER 24, OCTOBER 22, AND DECEMBER 10, 2008)**

It was requested by the applicant to continue SPR-25-08 to February 25, 2009.

ACTION: CONTINUED TO FEBRUARY 25, 2009

MOTION: Commissioner Aston

SECOND: Commissioner Cato

AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston, Brown, Cato and Trivedi

NAYS: None

ABSTAIN: None

**Item No. 1 was heard next.**

**15. UN-105-08 (37063) SPEEDWAY HOTEL & CASINO (PUBLIC HEARING). AN APPLICATION SUBMITTED BY GANASTE LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A C-2, GENERAL COMMERCIAL DISTRICT TO ALLOW EIGHT (8) TEMPORARY BUILDINGS. THE PROPERTY IS LOCATED AT 3227 CIVIC CENTER DRIVE. THE ASSESSOR'S PARCEL NUMBERS ARE 139-11-803-002, 139-11-815-001 AND 139-11-815-003. (CONTINUED NOVEMBER 12 AND DECEMBER 10, 2008)**

The application was presented by Marc Jordan, Planning Manager who explained when the application was originally presented, the applicant was requesting six temporary buildings on the site, but have since amended the application to request eight buildings. Staff was recommending approval of UN-105-08 and that it be forwarded to the Redevelopment Agency for final consideration with the following recommended conditions:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.
2. The temporary (building) use of this site shall expire 12 months from the date of approval.
3. The location of the temporary trailers shall be located in areas that does not remove the existing landscaping within the site.
4. Vehicular access from Cope Avenue will be prohibited.
5. Temporary trailers will be located such that emergency access is not obstructed.
6. If connections to water and sewer lines are made, civil improvement plans must be submitted and approved by the Utilities Department.
7. Water and sewer connections for temporary trailers will only be allowed for one year. After this one year time, all connections must be abandoned per UDACS and Waste Water Standards. Otherwise, additional connection fees will apply.

**Richard Serfas, 901 North Green Valley Parkway, Henderson, NV** appeared on behalf of the applicant indicating he concurred with Staff Recommendation and explained allowing the variance would allow placement of the temporary buildings to minimize any impacts to parking and landscaping. He explained the request for two additional trailers were for a break room for employees and storage for security equipment.

Chairman Angelo Carvalho opened the Public Hearing. There was no public participation.

Chairman Carvalho closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION**

**MOTION: Vice-Chairman Shull**

**SECOND: Commissioner Cato**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,  
Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

**Item No. 3 was heard next.**

16. **SPR-19-08 (37422) BROADACRES OPEN AIR MARKET. AN APPLICATION SUBMITTED BY BROADACRES OPEN AIR MARKETPLACE, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED SITE PLAN REVIEW IN A C-3, GENERAL SERVICE COMMERCIAL DISTRICT TO AMEND A CONDITION OF APPROVAL. THE PROPERTY IS LOCATED AT 2960 NORTH LAS VEGAS BOULEVARD. THE ASSESSOR'S PARCEL NUMBERS ARE 139-13-605-006 THROUGH 139-13-605-010. (CONTINUED DECEMBER 10, 2008)**

The application was presented by Robert Eastman, Principal Planner who explained when the site plan was previously approved, there was a condition that required all parking lots be screened from adjacent rights-of-way by either a three foot berm or wall to help prevent car lights from bleeding into the right-of-way. The applicant has requested a waiver and Public Works had reviewed the technical drainage study and was in support of the waiver, stating that either the berm or the wall would impede drainage flow across the site and now thinks the waiver was warranted; therefore, since the waiver was necessary for the drainage on the site, Staff was recommending SPR-19-08 be approved subject to the amended Condition No. 4.c to read:

- 4.c The design standard requiring any area of a parking lot which abuts a public street shall be setback from the property line a minimum of 20 feet with a landscaped berm or a three (3) foot decorative wall shall not be required. In lieu of this design standard, the property owner shall provide a ten (10) foot setback from the property line with the inclusion of an evergreen hedge to ensure effective screening year round using an approved plant material contained within Title 17 that will reach a minimum height of three (3) feet within two years of the time of issuance of a certificate of occupancy.

**Travis Peckman, 5740 Arville Street #216, Las Vegas, NV** appeared on behalf of the applicant indicating he concurred with Staff recommendation.

**ACTION: APPROVED SUBJECT TO STAFF RECOMMENDED CONDITIONS;  
FORWARDED TO THE REDEVELOPMENT AGENCY FOR FINAL  
CONSIDERATION**

**MOTION: Vice-Chairman Shull**

**SECOND: Commissioner Brown**

**AYES: Chairman Carvalho, Vice-Chairman Shull, Commissioners Leavitt, Aston,  
Brown, Cato and Trivedi**

**NAYS: None**

**ABSTAIN: None**

**PUBLIC FORUM**

There was no public participation.

**DIRECTOR'S BUSINESS**

Planning and Zoning Director Frank Fiori informed the Commission that the presentation of the Blueprint for Nevada had been rescheduled to the February 18, 2009 Special City Council Work Session and was waiting to hear back from the AIA if the date was acceptable to them.

Commissioner Dean Leavitt asked when the Joint Meeting was scheduled with the Parks and Recreation Board.

Director Fiori indicated he would check the date and relay the information to the Commission.

Director Fiori informed the Commission the first draft of the Apex Overlay District was ready for distribution and would be discussed at the January 28, 2009 Planning Commission Meeting.

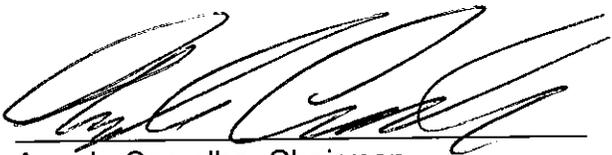
**CHAIRMAN'S BUSINESS**

There was no report given.

**ADJOURNMENT**

The meeting adjourned at 7:08 p.m.

APPROVED: February 11, 2009



Angelo Carvalho, Chairman



JoAnn Lawrence, Recording Secretary