MINUTES
CITY OF NORTH LAS VEGAS
PLANNING COMMISSION

July 9, 2014

BRIEFING:	5:30 P.M. Caucus Room, 2250 Las Vegas Boulevard, North North Las Vegas, Nevada
CALL TO ORDER:	6:07 P.M. Council Chambers, 2250 Las Vegas Boulevard, North North Las Vegas, Nevada
WELCOME:	Chairwoman Laura Perkins
ROLL CALL:	Chairwoman Laura Perkins – Present Vice-Chairman Nelson Stone – Present Commissioner Jay Aston - Present Commissioner Sylvia Joiner-Greene – Present Commissioner Willard Ewing – Present Commissioner Felix Acevedo – Present Commissioner Kenneth Kraft – Present
STAFF PRESENT:	Gregory Blackburn, Director Marc Jordan, Planning Manager Robert Eastman, Principal Planner Sandra Douglass Morgan, City Attorney James Martines, Office of the City Attorney Jennifer Doody, Deputy Director/Public Works Alyssa Reynolds, Public Works/Traffic Carolyn White, Police Department Julie Shields, Recording Secretary
VERIFICATION:	Julie Shields, Recording Secretary
PLEDGE OF ALLEGIANCE:	Commissioner Willard Ewing

PUBLIC FORUM

There was no public participation.

ELECTION OF PLANNING COMMISSION OFFICERS

ACTION: CHAIRMAN NELSON STONE

MOTION: Commissioner Aston
AYES: Chairwoman Perkins, Vice-Chairman Stone, Commissioners Aston, Ewing, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

ACTION: VICE-CHAIRMAN WILLARD EWING

MOTION: Commissioner Aston
AYES: Chairman Stone, Commissioners Ewing, Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

Commissioner Aston thanked Commissioner Perkins for her service as Chairwoman over the past year.

Chairman Stone also thanked Commissioner Perkins for her service throughout the past year.

PUBLIC FORUM

There was no public participation.

AGENDA

1. APPROVAL OF THE PLANNING COMMISSION MEETING AGENDA OF JULY 9, 2014 (FOR POSSIBLE ACTION)

Planning Manager Marc Jordan advised the applicants requested continuance of Item No. 5, ZN-97-05; Item No. 6, SPA-01-14; and Item No. 7, ZN-98-04 to the August 13, 2014, Planning Commission meeting.

ACTION: APPROVED AS AMENDED; ITEM NO. 5, ZN-97-05, ITEM NO. 6, SPA-01-14 AND ITEM NO. 7, ZN-98-04 CONTINUED TO AUGUST 13, 2014

MOTION: Commissioner Perkins
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

MINUTES

2. APPROVAL OF MINUTES FOR THE PLANNING COMMISSION MEETING OF JUNE 11, 2014 (FOR POSSIBLE ACTION)

ACTION: APPROVED

MOTION: Commissioner Kraft
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Acevedo, and Kraft
NAYS: None
ABSTAIN: Commissioner Joiner-Greene

Commissioner Joiner-Greene abstained due to her absence from the June 11, 2014 meeting.

NEW BUSINESS

3. UN-18-14 (48905) POPEYES (PUBLIC HEARING). AN APPLICATION SUBMITTED BY CIVIC CAPITAL MANAGEMENT LLC, PROPERTY OWNER, FOR A SPECIAL USE PERMIT IN A R-A/DC, REDEVELOPMENT AREA/DOWNTOWN CORE DISTRICT, TO ALLOW A FAST FOOD RESTAURANT WITH A DRIVE THROUGH. THE PROPERTY IS LOCATED AT THE SOUTHEAST CORNER OF CIVIC CENTER DRIVE AND LAKE MEAD BOULEVARD. THE ASSESSOR'S PARCEL NUMBER IS 139-24-310-067. (FOR POSSIBLE ACTION)

This item was presented by Marc Jordan, Planning Manager.

Staff recommended approval of this item.

The original conditions per Staff Report dated July 9, 2014 are as follows:

PLANNING & ZONING:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances.

2. All landscaping, including but not limited to perimeter, parking lot, and foundational shall comply with the minimum landscaping standards as required by Title 17. (Exception: The sidewalk next to Lake Mead Boulevard and Civic Center Drive is not required to be centered in the perimeter landscaping.)

3. All drive aisles and parking spaces shall comply with the minimum dimensions required for drive aisles and parking spaces.

4. A minimum 70 parking spaces shall be provided to accommodate the required parking for the existing and proposed restaurant. Additional parking, as appropriate shall also be required when additional development occurs on-site.

5. All signage on the eastern block wall shall be removed prior to issuance of a certificate of occupancy.

PUBLIC WORKS:

6. A drainage study is required for the project, however, the Popeye's development may be eligible for a drainage study waiver. Please complete and submit the waiver application to Public Works Development & Flood Control Division (Dan Le @ 702-633-1932). Applications may be found on the City of North Las Vegas website http://www.cityofnorthlasvegas.com/About/Forms.shtm

7. Approval of a traffic study is required prior to submittal of the civil improvement plans. Please contact Traffic Engineering at 633-1224 to request a scope.

8. The southerly substandard driveway along Civic Center Drive shall be removed and replaced with curb, gutter and sidewalk per *Clark County Area Uniform Standard Drawing* numbers 216 and 234 respectively.

   For information only: The location of the proposed office building is obstructing an existing driveway, consequently, the driveway shall be removed and replaced with curb, gutter and sidewalk per *Clark County Area Uniform Standard Drawing* numbers 216 and 234 respectively, -or- the office building shall be relocated to the south where the substandard driveway is being replaced with curb, gutter and sidewalk as stated above.

9. All Nevada Energy easements, appurtenances, lines and poles must be shown on the civil improvement plans and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground if impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

Tony Celeste, 8345 West Sunset Road, Las Vegas, appeared on behalf of the applicant, and reviewed the site plan. Mr. Celeste stated he would work on the minor amendments with Mr. Jordan, and appreciated staff's recommendation for approval.

Chairman Nelson opened the public hearing. Chairman Nelson closed the public hearing.

Commissioner Perkins asked the applicant what the process was to determine the location for Popeye's restaurants in the valley.

Matthew Nelson, 7155 South Rainbow Boulevard, #200, stated there were several factors: 1) traffic driven -- requires 30,000-40,000 cars per day, 2) distance restrictions from other restaurants; and 3) density and demographics – i.e. households and people counts.

ACTION: APPROVED; FORWARDED TO REDEVELOPMENT AGENCY FOR FINAL CONSIDERATION

MOTION: Commissioner Perkins
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

4. UN-15-12 (48932) VEHICLE IMPOUND YARD (PUBLIC HEARING). AN APPLICATION SUBMITTED BY RICHARD WEISS, ON BEHALF OF SUSAN CANNAVO TRUST, PROPERTY OWNER, FOR AN EXTENSION OF TIME TO AN APPROVED SPECIAL USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT, TO ALLOW A VEHICLE IMPOUND YARD. THE PROPERTY IS LOCATED AT 228 WEST OWENS AVENUE. THE ASSESSOR'S PARCEL NUMBER IS 139-22-803-002. (FOR POSSIBLE ACTION)

This item was presented by Robert Eastman, Principal Planner.

This item was previously approved in 2012 for a vehicle impound yard. Since that time the previous applicants failed to comply with the conditions of approval. The previous applicants are no longer associated with the project, and the property owner is moving forward with the project. Since the original writing of the Staff Report, staff met with applicant, who submitted new Letters of Intent, and they have started moving forward to address the conditions of approval, and as a result, staff states approval is warranted, and recommends approval subject to conditions listed in the revised memorandum.

The conditions per City of North Las Vegas memorandum dated July 9, 2014, are as follows:

PLANNING & ZONING:

1. That, unless expressly authorized through a variance, waiver or another approved method, this development shall comply with all applicable codes and ordinances, including but not limited to: paving of the site used by the impound yard; appropriate screening of the site; and removal of all inoperable vehicles prior to issuance of a business license.

2. The dismantling and servicing of any vehicle and or parts of a vehicle within an automobile impound yard is prohibited.

3. All vehicles stored shall remain mechanically operable and licensed at all times.

4. All areas for vehicular circulation and storage shall be paved with drainage controls to control and prevent excess runoff and standing water.

5. The special use permit is site-specific and non-transferable.

PUBLIC WORKS:

6. The property owner shall grant a twenty-four foot (24') wide public ingress/egress easement to the landlocked parcel (APN 139-22-803-001) north of the applicant's parcel.

7. The gates shown on the plan at the driveway on Owens Avenue shall be removed, as unrestricted access is required to serve APN 139-22-803-001. In the event the owner of APN 139-22-803-001 agrees to some form of gating, or other security measures, compliance with *Clark County Area Uniform Standard Drawings* numbers 222.1 for throat depths is required; emergency access must also be maintained.

8. Existing non-compliant driveways shall be removed and replaced with ADA compliant driveways. The existing driveway on Owens Avenue shall be removed and replaced with an ADA compliant commercial driveway per *Clark County Area Uniform Standard Drawings* numbers 222.1 and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.

9. The existing parking area within the public right-of-way shall be removed.

10. If the parking lot is required to be paved, or if a block wall is to be constructed on the property, approval of a drainage study is required prior to submittal of the civil improvement plans.

Lucy Stewart, 2500 W. Sahara Avenue, represented the applicant. Ms. Stewart stated the drainage study was submitted 30 days ago, and there is a 60-day waiting period for the review. Once the drainage study is approved, they can move forward with the grading permit and can begin paving. The property owner received a bid for the block wall along the front of the building and they are exploring alternatives such as landscaping on the sides of the building. They are also planning to rebuild the driveway. Ms. Stewart agreed with staff's recommendations.

Chairman Nelson opened the public hearing. Chairman Nelson closed the public hearing.

ACTION: APPROVED PER STAFF'S RECOMMENDED CONDITIONS

MOTION: Commissioner Aston
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

5. **ZN-97-05 (48721) CLAYTON PARK (Public Hearing)**. An application submitted by Clayton Park, LLC, property owner, for an amendment to a previously approved PUD, Planned Unit Development District, to add up to 43 residential dwelling units to an office warehouse development. The property is located at 3355 Clayton Avenue. The Assessor's Parcel Number is 139-08-811-045. (For possible action)

ACTION: CONTINUED TO AUGUST 13, 2014

MOTION: Commissioner Perkins
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

OLD BUSINESS

6. **SPA-01-14 (48727) ANN LOSEE VILLAGE 3 (Public Hearing).** An application submitted by Harmony 461 LLC, property owner, for an appeal of a decision under Title 16 concerning development within an existing PUD, Planned Unit Development District. The property is located at the southeast corner of Ann Road and Lawrence Street. The Assessor's Parcel Numbers are 124-35-513-001 through 124-35-513-092 and 124-35-595-003. (For Possible Action) **(Continued June 11, 2014)**

Chairman Stone advised Agenda Item Numbers 5, 6 and 7 were continued to August 13, 2014; however, he offered that public comments could be made at this time and carried forward to the August 13, 2014, Planning Commission meeting.

Scott Sauer, 6330 Orions Tool Street, North Las Vegas, supported staff in asking the applicant to put in the infrastructure they bonded for and agreed to put in. Mr. Sauer stated the applicant's objections focused on infrastructure that was on the perimeter of the development. Mr. Sauer said it was important to realize that Village III was not the only part of this development that they received approval for. There was a much larger development that occurred on both sides of Ann Road in that area. Mr. Sauer stated there is existing infrastructure they are tying into, and the City is getting ready to put in a much larger portion of that system on the other side of the school, as well. This area has issues with flooding. He believed the developer should not ask the City to put in infrastructure in a roadway that would not exist, had the developer not developed there.

These comments will be carried forward to Item No. 6 and Item No. 7, and carried through to the August 13, 2014, Planning Commission meeting.

Steve Shoaff, 5622 Midnight Breeze Street, North Las Vegas, stated there is a major flooding issue, which piles up in front of Village V, which is on the north side of Ann Road between Lawrence and Losee. The water that comes down El Campo Grande, which is north of Ann Road, runs into Village V. The homes on that street can have two or three feet of water on their driveways. The water can also block two lanes on Ann Road and you have to drive into the center of the road to go around the water. The

water can be six to eight inches deep where the curb is. The school district had to put in their section of the drainage system, at a great cost. Harmony Homes bought the property at a reduced price from Pardee, and the land had already been cleared off and graded.

These comments will be carried forward to Item No. 6 and Item No. 7, and carried through to the August 13, 2014, Planning Commission meeting.

ACTION: CONTINUED TO AUGUST 13, 2014

MOTION: Commissioner Perkins
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

7. **ZN-98-04 (48725) ANN LOSEE VILLAGE 3 (Public Hearing)**. An application submitted by Harmony 461 LLC, property owner, for an amendment to a previously approved PUD, Planned Unit Development District, to remove the requirement to construct a Flood Control Facility. The property is located at the southeast corner of Ann Road and Lawrence Street. The Assessor's Parcel Numbers are 124-35-513-001 through 124-35-513-092 and 124-35-595-003. (For Possible Action) **(Continued June 11, 2014)**

Chairman Stone advised Agenda Item Numbers 5, 6, and 7 were continued to August 13, 2014; however, he offered that public comments could be made at this time and carried forward to the August 13, 2014, Planning Commission meeting.

Scott Sauer, 6330 Orions Tool Street, North Las Vegas, supported staff in asking the applicant to put in the infrastructure they bonded for and agreed to put in. Mr. Sauer stated the applicant's objections focused on infrastructure that was on the perimeter of the development. Mr. Sauer said it was important to realize that Village III was not the only part of this development that they received approval for. There was a much larger development that occurred on both sides of Ann Road in that area. Mr. Sauer stated there is existing infrastructure they are tying into, and the City is getting ready to put in a much larger portion of that system on the other side of the school, as well. This area has issues with flooding. He believed the developer should not ask the City to put in infrastructure in a roadway that would not exist, had the developer not developed there.

These comments will be carried forward to Item No. 6 and Item No. 7, and carried through to the August 13, 2014, Planning Commission meeting.

Steve Shoaff, 5622 Midnight Breeze Street, North Las Vegas, stated there is a major flooding issue, which piles up in front of Village V, which is on the north side of Ann Road between Lawrence and Losee. The water that comes down El Campo Grande, which is north of Ann Road, runs into Village V. The homes on that street can have two or three feet of water on their driveways. The water can also block two lanes on Ann Road and you have to drive into the center of the road to go around the water. The water can be six to eight inches deep where the curb is. The school district had to put in their section of the drainage system, at a great cost. Harmony Homes bought the property at a reduced price from Pardee, and the land had already been cleared off and graded.

These comments will be carried forward to Item No. 6 and Item No. 7, and carried through to the August 13, 2014, Planning Commission meeting.

ACTION: CONTINUED TO AUGUST 13, 2014

MOTION: Commissioner Perkins
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

8. **T-1367 (48524) DESERT MESA**. An application submitted by GRGW Development on behalf of Desert Mesa 30 Investors LLC, RES-NV DM LLC, Desert Mesa 1 LLC, and Sammie Armstrong, property owners, for approval of a tentative map in a PUD, Planned Unit Development District, to allow 96 single family dwellings and one large lot for future senior apartments. The property is located at the northwest corner of Carey Avenue and Commerce Street. The Assessor's Parcel Numbers are 139-15-417-001 through 139-15-417-124, 139-15-497-004 through 139-15-497-019, and 139-15-401-006. (For Possible Action) **(Continued June 11, 2014)**

This item was presented by Marc Jordan, Planning Manager.

This item was for a tentative map for a 96-lot residential subdivision, which would also include several common lots, and one large lot for future senior apartments. The property is located north of Carey, between Revere and Commerce Streets. The property is zoned PUD; and the PUD was approved by City Council in 2008. This item was also before the Planning Commission in late 2007.

Mr. Jordan referred to the proposed Tentative Map and stated Condition No. 31 of the approved ordinance for the PUD, which requires the applicant to provide appropriate mapping. The Tentative Map is proposing to remap 96 of the single-family lots that are there. The other 27 single-family lots, and the larger lot located at the corner of Revere and Carey Avenue would all be reverted to acreage for the future senior apartments that will come in at a later date, when it is ready to be developed.

According to the Tentative Map, all the lots comply with an R-1 type lot. They show all the common lots, corner side and perimeter landscaping. Essentially for the single-family site, everything is identical to what has already been recorded on the development. The primary purpose is to remap the subdivision to accommodate the future senior apartments, because senior apartments cannot be built over the existing single-family lots.

Part of this Tentative Map, which was submitted earlier, included a vacation for two rights-of-way; one is Evening Snow Court, and a portion of it is Sand Sage Avenue, which encroached into the area where the senior apartments were proposed. That vacation was already approved by the Planning Commission and was sent to City Council for their consideration. At this time, the vacation has not been acted upon yet and is pending.

The Tentative Map shows compliance with another condition of approval for the PUD, which is Condition No. 19. A mini cul-de-sac must be provided at the end of Sand Sage Avenue where the single-family homes are proposed. The Tentative Map appears to be in compliance with the PUD, and the conditions of the PUD; therefore, staff is recommending approval.

The original conditions per Staff Report dated June 11, 2014, are as follows:

PLANNING & ZONING:

1. Unless expressly, authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.

2. The request (VAC-06-14) to vacate Evening Snow Court (a.k.a. McNulty Court) and a portion of Sand Sage Avenue must be approved and recorded prior to or concurrently with the final map.

PUBLIC WORKS:

3. All known geologic hazards shall be shown on the preliminary development plan, tentative map and the civil improvement plans. Geological hazards such as fault

lines or fissures affecting residential structures may substantially alter the tentative map layout and require the submission of a revised tentative map which must be approved by the City prior to final approval of the civil improvement plans. The footprint of proposed structures shall be plotted on all lots impacted by faults and/or fissures and a minimum width of five (5) feet shall be provided from the edge of any proposed structure to the nearest fault and/or fissure.

4. Approval of a drainage study is required prior to submittal of the civil improvement plans.

5. Any preliminary street section(s) shown on the plans shall be used for planning purposes only; the geometrics, width of over-pave and thickness of the pavement sections will be determined by the Department of Public Works.

6. The developer is required to construct a raised median within Carey Avenue. The median shall be constructed per *Clark County Area Uniform Standard Drawing* numbers 218 and 219 "A" type island curb.

7. Median landscape and irrigation plans must be submitted to the Parks Department. Final approval of the civil improvement plans will not be acquired prior to Parks approval of the landscaping plans for the median.

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. Carey Avenue
   b. Commerce Street
   c. Revere Street

9. All common elements shall be labeled and are to be maintained by the Home Owners Association.

10. All residential driveway geometrics shall be in compliance with the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 222.

11. Proposed residential driveway slopes shall not exceed twelve percent (12%).

12. Relocation of any existing utilities is entirely at the expense of the developer.

13. All off-site improvements must be completed prior to final inspection of the first

building.

14. All Nevada Energy 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 impacted by the proposed development of the parcel or if the pole impedes upon the proper ADA clearances for sidewalk. Under no circumstances will new down guy wires be permitted.

Chairman Nelson recognized Councilwoman Goynes-Brown, and expressed appreciation for her attendance.

Scott Johnson, 59 Sully Creek Court, represented GRGW Development, and expressed his appreciation to staff for their assistance. He stated he looked forward to moving forward with this project.

Chairman Stone advised this is a request for a Tentative Map, and is not a public hearing; however, the Planning Commission agreed to receive public comment on this item.

Per the request of the Planning Commission and the speakers listed below, public comments were carried over from the June 11, 2014, Planning Commission meeting.

Beginning of June 11, 2014 public comments from the June 11, 2014, Planning Commission meeting:

Lydia Garrett, 1921 W. McDonald Avenue, North Las Vegas, President of the North Valley Leadership Team. Ms. Garrett stated she represented 1,100 households in North Las Vegas, whose borders are Lake Mead Boulevard, Martin Luther King, Cheyenne Avenue, and Simmons Street. She opposed Item No. 7, T-1367. There were several issues concerning this item: 1) this matter was not discussed with the residents of 96 single-family dwellings or with the 300-unit facility for seniors.

They understood from GRGW development that one of the partners is Evan Williams, who Ms. Garrett said was a bad neighbor from 20-30 years ago. Recently, Carey Arms was demolished and Carey Arms was Mr. Williams' development for many years. Congressman Horsford was recently here with the I.R.S. pulling Mr. Williams' tax credits from the senior building that he currently has now in the Senior Section of Carey Arms.

Ms. Garrett said Evan Williams has had ample opportunity in their community to build quality places for seniors to live, but chooses not to. Mr. Williams has attended a couple of meetings and stated he would not fix air conditioners, will not spray, or fix the security in the buildings. He wants to build more senior facilities and they did not support that. Ms. Garrett stated he took advantage of seniors, who were the most

vulnerable people in their population. Ms. Garrett stated he owed the City of North Las Vegas $86,000 in water bills. Ms. Garrett stated the North Las Vegas Police Department attends monthly meetings, and advised the statistics reports reflect out of 56 calls, 53 of them are for Evan Williams' building. Ms. Garrett stated we are using up resources because he refuses to put in security for seniors. She did not see how it would benefit the City to allow this person, and bad neighbor, to build another 300 unit complex.

Ms. Garrett asked the Planning Commission to stop Mr. Williams because he had a terrible track record in the community, and Mr. Williams has not discussed this issue with any of the residents about what he wants to do in the community. He is draining the City's resources including Police and Code Enforcement.

Ms. Garret asked, as a resident and President of the North Valley Leadership team, to "stop this slumlord in his tracks before he comes back into the community and builds again."

Alma Bennett-Evans, 2510 Morton Avenue, North Las Vegas, stated she was a recipient of the bad treatment of the slum landlord that he [Evan Williams] was and is. Before he became the manager, the residents had three maintenance employees and he reduced it to one person who had to take care of 59 senior units, as well as 20 family units. Mr. Williams refused to replace florescent kitchen lights. He told the residents to trim their own overgrown bushes outside their patios, and said he would give them clippers and they could cut them. He wanted residents to take the water hose and wash the court yard down to save him $200 per month. There was no phone-to-door access for a year and one half. If someone came to see a resident, you had to go downstairs and let them in. The elevator broke down frequently. Because he owed so much money to the Otis Elevator Company, they would not come out until the Fire Department and Code Enforcement stepped in. He stopped paying the pest control company, and the company in charge of the emergency pull cords. The residents still do not have emergency pull cords, and Mr. Williams has been gone over two years. He owed so much money to so many people that it is hard to get vendors to do anything on the property. He moved residents in on the second floor, who used Hoveround's, electric chairs and walkers. He refused to place screens on the patio doors. When the residents asked for security, Mr. Williams told them we could get security, but he would have to raise the rent to over $500 per unit. Ms. Bennett-Evans stated she was opposed to Evan Williams doing anything in the community again; "he was a slum landlord." She had stacks of papers from when Mr. Blackburn was in charge of Code Enforcement. Ms. Bennett-Evans stated Mr. Williams is gone, but everything he did is still there. We are still paying for the mistakes that he did not pay for. He does not need to be in charge of any kind of housing unless it is for puppies, cats and kittens. She greatly opposed his getting anything in the community ever again, or anyone that he is affiliated with. She said the project needs to be denied.

Thomas A. Garrett, Jr., 1921 W. McDonald Avenue, North Las Vegas, was opposed to the project that Mr. Williams is supposed to be in charge of. He was one of Mr.

Williams' superintendents at Carey Arms when it was rehabilitated. It was an $8 million project, and 288 units. Mr. Garrett was employed by Dalton Properties, which Mr. Williams was in charge of. Mr. Garrett stated he did not want to see Mr. Williams in charge of the new project, Desert Mesa. He said Mr. Williams is not an honest person. Mr. Garrett stated Mr. Williams still owed him money from the 1970's. Mr. Garrett opposed the project.

Gene Collins, 3925 N. Martin Luther King, #213, North Las Vegas, stated his business was Hidden Canyon Shopping Center. He is a former State Assemblyman, a former President of the NAACP, and is the Regional Director for Reverend Al Sharpton's National Action Network. He stated he rose against this project. He has known Mr. Williams since Dalton Construction, in the 1970's.

Mr. Collins stated [an unidentified] Mayor said that I will chain myself to the doors at Buena Vista Springs, (or something in that regard), because those places were unlivable, and Mr. Williams had something to do with that.

Mr. Collins read excerpts from a statement from Mr. Williams concerning Buena Vista, that said a tenant should be held partially responsible for many of the senior apartment complex problems up to the including long standing mold and water damage issues. These people, in their particular area, always find somebody to blame their problems on. Williams said (on Thursday) they could move someplace else, that this was the lowest priced place in the area. There is nothing wrong with the place he said. Yes, there are some things that need to be repaired and no management and ownership of that place has not been right 100%. Mr. Collins said Mr. Williams went on to say that the latest project they want the Planning Commission's preliminary approval on, the residents were told he had nothing to do with the project. Now Mr. Collins was told by people [in the hallway] that Mr. Williams is no longer part of the project and he is gone, but when it was time for them to get up and speak, they chose not to. Mr. Collins believed they chose not to speak because they knew the residents/tenants were there and would not buy into what they had to say.

Mr. Collins has visited the site, which is horrible. He stated you would not allow relatives of yours to live in conditions like that. But yet, a few blocks down the street at Buena Vista Springs, he wants to move down and do such an eloquent job with the new facility, if the Planning Commission allows him to do it.

Mr. Collins asked the Planning Commission to not approve this item and deny the project. He asked the original park be put in so they did not have to drive to Aliante.

Carrie B. Thomas, 305 Rossmoyne Avenue, North Las Vegas, has been a North Las Vegas resident since 1964. She stated Mr. Williams should not be over a dog run. Ms. Thomas lives at Rossmoyne and Commerce. She stated many things have bee added to the City and moved north – congratulations, it is beautiful over there. Where we are is between Jo Mackey and Carey and Cheyenne -- we have the junk yard, the

government building, and the dump. That has been like that for years; and our representatives who were on the board sold us out, saying they were going to do all of these wonderful things. Now we are stuck with about seven acres of Kiel Ranch. Ms. Thomas said she had been sounding the drum and no one can find any money.

Ms. Thomas said we are close to downtown, minutes from the airport, and I am not moving. It costs too much to get a cab and go to Summerlin. It costs $45 to come from the airport to North Las Vegas.

Ms. Thomas will be out of town on July 9, and stated Mr. Williams should be denied and even run out of town from what she has heard.

Ms. Thomas said she has been trying to get Kiel Ranch, a 25-acre historical park, has been denied. Those who came before us, we trusted, and we did not get anything left but about seven acres. Ms. Thomas has been to meeting after meeting, and has appeared before the board trying to get seven acres of Kiel Ranch. The historical society spoke about it. Ms. Thomas said, just give us one little bit of something that we can be proud of, even if it is a tree with a bench around it. The school students can come and visit, it is on the historical map.

Ms. Thomas added that she is hoping we get our finances in order; she would like to see something in her immediate area, so she can walk down to our park.

Ms. Thomas stated she did not support [Item No. 7] and she will mail in her no vote.

Ms. Thomas requested money be found to do something at Kiel Ranch.

End of public comments carried over from the June, 11, 2014, Planning Commission meeting.

Beginning of public comment from the July 9, 2014, Planning Commission meeting:

Gene Collins, 1411 Virginia City Avenue, Las Vegas, referred to something being passed by the Planning Commission. He stated the last time he was here this item would be tabled until the applicant came before the community. He stated last week at your meeting, somehow the item was on the agenda, and he thought they postponed it.

Mr. Collins said we are the community and look to you to at least work with us when we have a concern. We do not expect to hear or say one thing and then when we get to another meeting, that what was said here, what was not said here, is appearing down there. We wanted to know how could that which was said here was no action taken, was put on an agenda for action to be taken. The applicant was supposed to come before the community and have the public hearing. This was not done. This showed up on the North Las Vegas City Council agenda. Once it is passed there, there is no need

to come back here. Mr. Collins said when we come before you; we are hoping that you are listening to what we are saying. There would be no need for us to come here if no one is listening. What the community is disturbed about is that the item never left here. The item was supposed to come back with the map. We haven't even seen the map. Mr. Collins said he was told there were some additional development dwellings that have to go on there. We haven't seen those add-ons to the project. We would hope that when the applicant comes before the community that we would see the add-ons that the Planning Commission was talking about, so that we can ask the individual about the soil. We would like for the Planning Commission to listen. If what they are saying has some merit, then they would appreciate the Planning Commission acting upon what they are saying.

Curtis Green, 2510 Morton Avenue, North Las Vegas, stated his comment was based on the person who is doing the development – Evan Williams. Mr. Green said he was simply "the devil in the flesh." He managed the apartment complex of the address he provided. He stated Mr. Williams was not the right man for the job, and it is the only reason why he opposed this [agenda item]. Mr. Green stated he used to be the property manager of 2510 Morton Avenue. When hot water heaters broke down, refrigerators went out, stoves went out, we went out to corporate office and got brand new stoves. Mr. Green stated he [Mr. Williams] would go to the flee market and buy used stoves, sell the old ones and pocket the money. He would steal plants and flowers and stones from other apartment complexes at night time, and bring them back and decorate our stuff just so he could tell the corporate office that we needed money for these items. They would send him money and he would take it, and it is all in Palace Station. He is a degenerate gambler. He is not the right man for this job. Mr. Green said it hurt me to see the seniors. They looked up to me when I was there. They came to me for guidance. I feel for the people in the senior building down the street, if you pass this. He is just going to do the same thing over and over again. That is the only reason why I oppose this project. Three minutes is not enough time for me to tell you how bad this man is. He is the worse person to ever manage a project. As long as he is affiliated with anything that has to do with developing anything in a community, Mr. Green stated he will speak out against Mr. Williams.

Alma Evans, 2510 Morton Avenue, North Las Vegas, stated she had been before the Planning Commission many times before, and was here again for the same reason. She was in opposition to Evan Williams' managing anything. Ms. Evans said he was a terrible landlord, manager, and person. He had no regard to residents' concerns, and they are still paying the price for the things he did not do for the residents when they needed to have them done. Ms. Evans stated Mr. Blackburn was Code Enforcement at that time, and had been there many times also.

Ms. Evans said she saw no reason why the Planning Commission would even consider letting him build anything other than dog houses. He is not qualified or dignified enough. He does not care about the seniors or young people – all he wants is the money. I am opposed to him building anything. All the things that he did not do for us

that he promised us. All of the things that he said residents should be able to do for themselves; for example, replace your own fluorescent lights, get the water hose and clean the front and the back of the building, and save him $200/month; trim your own overgrown shrubs and bushes. These are the things he said residents should do. As for security, he said you can get it, but he would raise the rent over $500. Ms. Evans said so why would I want this man to build anything, or be a part of anything that has to do with being harmful to other seniors, like he has been harmful to us. That is why I am opposed to anything that he has wanted to build. I will be opposed to it as long as he is a part of it.

Chairman Stone recognized Councilman Barron, and thanked him for his attendance.

Mary J. Clayton, 2510 Morton Avenue, North Las Vegas, is a resident and caregiver for a resident in the building where Mr. Williams was both the property manager and landlord. Ms. Clayton said that yesterday, NextGen came out to the apartment. There are 59 apartments, and 300 sprinklers do not work, and this is the same property that you are trying to give the okay on to build something hazardous. Ms. Clayton said before I got there, there were many seniors that lived there. When NextGen came out yesterday and I told them about the sprinklers, we called corporate and they would not pay for it because of what Mr. Williams did before that. Out of the whole building there are 300 sprinklers, and that in every apartment, 6-7 sprinklers don't work. There are only 59 apartments. Ms. Clayton stated she was there as a resident and caregiver. She asked to imagine someone not being able to get out of the bed when a fire starts. They are going to sit there and die because the sprinklers don't work. They refuse to pay the money because of the pocketing he did based on calling corporate saying he needed the money. Ms. Clayton said I am opposing anything, as long as I have the breath to breathe, that you do not allow this gentleman to build on anything, other than his own grave.

Bob Mersereau, 4836 Crystal Sword, North Las Vegas, he is very involved with the North Valley Leadership Group, which is primarily the focus of the problem they are seeing tonight. He agrees with everything heard tonight, which is straight forward, and the people are not happy with this. Mr. Mersereau said if you go to a North Valley Leadership meeting, you will hear what they are looking for is jobs, businesses, industry, and those kinds of things in the neighborhood. The same things the City Council is looking for, the same things you should be looking for, and our City should be looking for. This is not going to create any of those kinds of things in the neighborhood. We need to look at what the real serious problem here is. The problem now is the City Attorney, Planning, Development, and Planning Commission are all hamstrung by things that were done in 2003, 2004, 2005, 2006, when we allowed all these things when the City was the fastest growing City in the country. Now we have a new title, we are the second most boring city in the United States, next to Lubbock, TX. We need to do an overhaul of the Planning and Zoning throughout the community. Set a deadline on what's been done. The whole essence of the community has changed over the past

10 years. We don't need more housing, we need more businesses, jobs created, and a long term future for the people.

Jon Oats, 2732 Magnet Street, North Las Vegas, is the Economic Development Chair for the North Valley Leadership team. Mr. Oats stated that Bob [Mersereau] said almost everything he wanted to say. If this was done in 2007, he didn't know how many of the Planning Commissioners were serving on the Commission at that time, but he did not think anyone currently serving on the City Council was there at that time. Mr. Oats said we are perpetuating mistakes that other people have made in the past. Mr. Oats said Evan Williams has paid a little bit on his water bill at Buena Vista, but he thought he still owed over $50,000.

His group is frustrated by the process of last month at the Planning Commission, last week at City Council, that it everyone seems to be kicking the problem down to the next person or delaying it a month.

Mr. Oats said it seemed obvious that something needs to be different. The agenda item is not going to pass as it is and if it is, it is going to be bloody and ugly, and no one is going to come out looking good. Whoever wants to step up and solve this problem, whether it's City Council, or staff, or this Commission, someone needs to take the responsibility and say we do not believe in this project, we don't think it's going to benefit this community in any way, and we're going to be the ones to make that decision.

Mr. Oats stated he hoped this group would take the courage to do that. He said this is a waste of time for everyone. We could all be doing something else with the last 20 minutes instead of hearing the same thing over and over again, when everyone knows it is not going to be successful.

Pastor R. W. Smith, 621 West Carey, Tri-Stone Baptist Church, North Las Vegas, stated he was back here when the City started the project. He thought the builder was McDonnell, and the City lost quite a bit of money on the project. They were against it then. They would like to have something for their community instead of more houses. North Las Vegas does not have anything in that general area for its young adults or teenagers. We need something like a community center with a resource center in it, that would be productive for that community.

Pastor Smith said we have Doolittle, but that is Las Vegas. We have the Pearson Center, but that is more for senior citizens. We do not have anything for our young people. Pastor Smith asked do you think we need more low income houses and senior apartments. No. We need something for our young adults, for our young kids growing up, that you should do for them, instead of giving something else to somebody who doesn't care about what they already have, and people have died in that neighborhood.

Jeff Alpert, 3828 Fuselier Drive, North Las Vegas, stated he read the June 11 Planning Commission Action Report. He read the comments from concerned citizens who were opposed to the project, and felt compelled to come to the meeting because they had very valid concerns. He wanted to lend his support to those people who are concerned about the project going forward and would encourage the Planning Commission to vote no on this agenda item.

Richard Cherchio, 417 Horse Pointe Avenue, North Las Vegas, extended congratulations to Chairman Stone and Vice-Chairman Ewing, and thanked Commissioner Perkins. Mr. Cherchio stated he was against the project. Every time he has an opportunity to attend a meeting at the Pearson Center, he does. When he served on City Council and met with Mayor Pro Tem on a monthly basis regarding this same area, this is an on-going issue. Mr. Cherchio said everyone who spoke before is right on the money. He has less concern about the applicant than about the people there. The applicant can sell the property to someone else tomorrow and the person is out of the picture, so it is really not about him, it's about the people there. He believed that the Planning Commission, as well as the City Council, represents the community. He said he would not tell the Commission what their jobs are. Just like the pastor said, the people have been living in the area without the services they deserve. It is about time that we give them the same services that we have in the area. It is a matter of respect for them, and putting them first. He stated he would appreciate if they would agree to not approve this item, or at the very least send it forward to City Council.

Lydia Garrett, 1921 West McDonald Avenue, President of the North Valley Leadership Team. North Valley is an established community within the City of North Las Vegas, and is comprised of seven distinct neighborhoods. It is bounded on the east by Martin Luther King and Comstock, the south by Lake Mead, the west by Simmons, and the north by Cheyenne. It is comprised by seven distinct neighborhoods – Highland Village, College Park, Cambridge Heights, Aspen Hills, Victory I and II, and Windsor Park.

Ms. Garrett said our past has been defined by intimidating gang activity; they called us a nickname -- The 40 Block. We are shaping our future. Its future is being shaped by an active revitalization task force made up of citizens of North Las Vegas, North Las Vegas staff, the Urban League, The United Way, the North Valley Community Development Corporation. The task force is bringing together a vast array of resources and building on local assets to address the community's goals for the area. The goals are to beautify the neighborhood, increase homeownership, increase property values, reduce crime rate, improve access to jobs, encourage residential infill, promote commercial development, increase neighborhood pride, promote neighborhood and community services – especially for our youth. Create safe community parks and spaces.

They are concerned that staff is making recommendations from a limited scope. The major purpose of the zoning of Code 17.04.01 is to protect the public health, safety, general welfare and the community of the people of North Las Vegas. Staff's narrow

interpretation of these rules is giving a misleading perception about the proposed activities at Desert Mesa. Ms. Garrett said we know what has happened from the past at Carey Arms and Buena Vista Springs sites that Evan Williams was a key player in -- the Desert Mesa project does not operate in a manner that protects the general welfare of the public.

Ms. Garrett reviewed a handout which she stated was a copy of Code 17.04, General Provisions. She said it is the intent and the purpose of this code to protect the public health, safety, and general welfare of the community, and the people of North Las Vegas through the establishment of minimum regulations governing development and use of land. Ms. Garrett referenced Item B, conserve the value of the building of the land and Item E, reserve the character and quality of residential neighborhoods. Furthermore, in this provision, Item B states that development should conserve the value of the buildings. Item E states that the law must preserve the character and quality of our neighborhoods. No project that this developer has been involved in has increased the value of the community.

Ms. Garrett referenced the Carey Arms and Buena Vista Springs sites, and said we had to demolish the property to remove the blight from our neighborhood. The same parties that were responsible for the deterioration at these two sites now want to come back into our city with another project, and staff is allowing it to happen because they are too focused on the letter of the law, rather than the spirit of the law -- that is clearly intended to protect the general welfare of the community.

Ms. Garrett said thank you for voting no and protecting her community's welfare and property value.

North Las Vegas Councilwoman Pamela Goynes-Brown, 512 Count Avenue, North Las Vegas, (Ward 2), expressed gratitude to the residents in attendance concerning this agenda item. Councilwoman Goynes-Brown expressed her personal feelings regarding this matter and asked that staff and the Planning Commission take a deeper look at projects that are coming forward at this time. She did not want what happened 10-20 years ago to reoccur, and that the City will be making smart decisions. She stated she and the residents of Ward 2 wanted to move forward, and wanted to see their ward thriving -- to see businesses and the community involved; and wanted to make sure the City was listening to the voice of the people the community represented. Councilwoman Goynes-Brown asked the Planning Commission to listen carefully to what the residents are saying; and to take into consideration their feelings, and her feelings on behalf of the residents of Ward 2.

North Las Vegas Councilman Isaac Barron, thanked the public for their attendance. He was sorry that one of the applicants had not appeared at this meeting. He stated one of the reasons he did not support this project was that the main applicant did not attend the meetings. Councilman Barron stated he echoed Councilwoman Goynes-Brown's statements, and supported her. Councilman Barron added the City had

changed since this item came before the Planning Commission eight years ago. He stated his neighborhood had been the victim of a poorly planned development. There were apartments that did not fit at the time and caused a lot of problems. He stated the community has made their voice heard and urged the Planning Commission to take that into consideration.

Scott Johnson, 59 Sully Creek Court, stated he appreciated everyone's passion and was not here to apologize for Mr. Williams. Mr. Johnson stated Mr. Williams was his former boss' (Mr. Lou Richardson) boss. They asked him to get involved in the project. He has a history with projects in the area. He was the Project Manager for Lorenzi Park, which was completed in August 2013. He did Fitzgerald Elementary School, and his family has a history in this area.

He said he heard a lot of comments, and there seemed to be personal issues with Mr. Williams. He said this is a separate project. He stated Mr. Williams would not be building this project, but he would. He stated Mr. Williams is 90 years old, and cannot do a construction project. He stated he had been talking to people in the community and that Mr. Williams did not have a good track record over there.

Mr. Johnson said this is not low income housing, and that the houses would be between $140,000 and $160,000. They went to Vancouver a couple of weeks ago and there is a new type of housing they want to try to implement in the area, along with solar and green energy.

He asked for the Planning Commission's consideration in doing the project, stated he understood the opposition to it, but thought once they got to the point where they could show them exactly what they would be doing in the area -- they would not just be doing houses, there were other aspects they would be adding.

Chairman Nelson asked Mr. Johnson if he worked for Richardson Construction, and he said yes. He said he retired after the Lorenzi Park project, and is acting as a consultant for GRGW. He stated due to Mr. Williams' health, he would be taking over the project. Mr. Johnson stated he would be handling the day-to-day operations, putting the drawings together, and dealing with staff. Chairman Nelson asked if he was the owner, and Mr. Johnson said no.

Commissioner Perkins stated they requested a month delay to meet with the residents, and asked if that took place. Mr. Johnson said no, that he was scheduled to meet with them Saturday. He stated Mr. Williams met with them a couple of weeks ago and it did not go very well. Commissioner Perkins stated she attended the meeting last Saturday.

Commissioner Aston referred to the first public comment that was made concerning this item which addressed another [different] application that went forward to the City Council. Commissioner Aston emphasized the application before City Council is not the

application before Planning Commission tonight. What was before City Council was a Vacation, and not a Tentative Map.

Commissioner Aston stated when the Commission continues an item to allow for a neighborhood meeting to take place, they would expect before they met again that it would take place. There is dialogue going on about past communities and past owners and what they have and haven't done. This parcel is already hard zoned for this use. There was already an approved Tentative Map, and this is an adjustment to an already approved Tentative Map. The Master Plan is approved for single-family homes to go in at this location and so is the zoning.

Commissioner Aston stated from some of the comments, that more housing is not welcomed here; and from all of the comments, all were on board with comments regarding an individual; however, this is a land use board. His concern with the land use is the language to take some of the lots and revert it back to raw acreage for a future senior citizen home. Commissioner Aston asked if that is one of the bigger concerns or is getting shopping in this area a bigger concern for the community. Most of the comments were about an individual and not about specifics for the use. He asked, what is desired in this neighborhood?

Commissioner Aston said the Tentative Map is a conforming Tentative Map, which conforms with zoning that is already in place. This is a single-family application to build 96, single-family homes, and to take 6.5 acres and set it aside for a future use. He asked is the 6.5 acres the issue, or the single-family homes.

Vice-Chairman Ewing asked staff if the Planning Commission approved T-1367, could anyone who spoke appeal to City Council; or if T-1367 is denied, the applicant could appeal to City Council. James Martines, City Attorney's office, stated it was correct that anyone could appeal to City Council who spoke here tonight. In addition, on the senior housing aspect of it, when the applicant moves forward, the applicant will also have to come back with a Final Development Plan, which is also reviewed by the Planning Commission.

Vice-Chairman Ewing confirmed their decision tonight is final, absent an appeal and Mr. Martines confirmed it was.

Commissioner Aston stated their decision was just on the 96, single-family lots. Reverting 6.5 acres would still have to come before the Planning Commission.

Mr. Martines stated it was in conformance with the current zoning, which is the PUD. The actual uses are already approved. There is no going back, without the applicant's consent, removing uses that are already approved.

Vice-Chairman Ewing asked what the plan was for the single-family homes in terms of CCR's and homeowners associations.

Mr. Johnson responded they would have a homeowners association in place for the project. Mr. Johnson stated the only parcel they were currently involved with is for the single-family homes. The area set aside for the multi-family homes is owned by a different group. That is the vacation map.

Chairman Nelson asked Jennifer Doody, Deputy Director/Public Works, if this is denied, the underlying final map which is recorded for the entire 100+ lots, still remains. Ms. Doody acknowledged that was correct. Chairman Nelson stated it was important for the Planning Commission to understand because there are existing mapped final lots out there that could be the subdivision that they could build homes out there. This application is a Tentative Map that is mapping lots that are already recorded, and excising out this senior apartments parcel, which could be done with a simple reversionary map of those recorded lots. Ms. Doody added reversionary map, with a vacation of the public right-of-way.

Chairman Nelson stated if denial occurred, you would kill the senior housing part of it temporarily. The land use for the single-family use will remain if we deny the Tentative Map, and Ms. Doody confirmed that it would. Ms. Doody stated the land use is existing. What the tentative map does, with the vacation that is at City Council, is it brings the mapping out there in conformance with the existing zoning that has already been approved.

Sandra Douglass Morgan, City Attorney, 2250 Las Vegas Boulevard, North, Suite 810, stated that [earlier] Counsel mentioned any member who spoke could appeal, which is not correct per Title 16, Chapter 12, Section 120. Our appeals for Tentative Maps are not governed under Title 17, and are governed under Title 16. It states approval or denial of a Tentative Map by the Planning Commission can be taken to City Council; however, appeals of Tentative Maps have to actually be done by the actual applicant or the City Council. Members of the audience who actually spoke tonight would not have the right to appeal. Two council members did speak tonight and they could direct staff to appeal it.

Commissioner Kraft stated he was having a hard time with this item. He knew that you were not to take the applicant into consideration, and that this was a land use question; however, he was human and when conducting a Google search on Evan Williams and Buena Vista Springs there is a whole litany of issues going back to 2008 -- the old Carey Arms demolition and other issues going back many years. Commissioner Kraft said, at what point do we stand up to this person and say no. At what point do you say this is not the way we want to move forward. We have serious credibility issues [with the applicant]. If you ask for a continuance last month so you could have a neighborhood meeting, and then you don't have the neighborhood meeting – how can we believe you tonight when you say you are going to build green houses. I cannot support this.

Chairman Stone, with the Commissioners' concurrence, invited a number of representatives from the audience to provide closing comments to the Planning Commission, to clarify their statements regarding opposition to this item.

Gene Collins, 1411 Virginia City Avenue, Las Vegas, stated this property had three owners. The Housing Authority had to step in because things got out of whack, and had to take the property over. The last person to own this property was Councilman Michael McDonald. We have had three owners, and each individual had to come back before the Planning Commission because it is a new owner and nowhere has he seen that nobody was grandfathered in on what went on in 2006 or 2008. Each individual owner had to come back before the Planning Commission and get approval to move forward on the property. When this idea came up, I requested that someone look at the statute to see where it was grandfathered in. I have yet for someone to come back with that information. I don't think it exists. Mr. Collins thanked Chairman Nelson for listening. He was concerned about the Planning Commission listening to the constituents. He said somewhere down the line, someone wasn't listening, because it has been said they do not want this project.

Chairman Aston re-emphasized to the audience that the question to be answered is, is the objection to the single-family homes or the senior apartments. He stated he is still not receiving a clear message on this.

Curtis Green, 2510 Morton Avenue, North Las Vegas, stated if you build the single-family apartments it is taking away from the community. Commissioner Aston confirmed single-family homes? Mr. Green stated they needed a community center, or a strip mall, or something that would create jobs, or something that the kids could go to.

Commissioner Aston said the reason he was asking specifically is that if they deny this, then it goes to back to an already approved Final Map that allows single-family homes anyway. It is already approved.

Mr. Green stated just like it was approved, the Planning Commission could go back and disapprove it. You could change it. That's what we elected you guys for. We are the community, you are our leaders, and we are telling you we do not want this. Mr. Green said the Planning Commission was looking at the broad picture and he said to look at the dot. He stated he used to be the project manager. He stated Evan used to say you are going to be my front man; you are going to be in charge. Evan is still behind this. That area can be used for something other than more homes. His head is still going to be in it. It's going to be faulty equipment and appliances. He's going to buy them from the junk yard and used homes. Put a community center or library there; put a park there or a playground.

Chairman Aston stated that while there's a Tentative Map before them, there is an ability to work with the applicant on what happens with the 6.5 acres. Mr. Green replied you cannot make deals with the devil.

Lydia Garrett, 1921 West McDonald Avenue, stated she has been president of North Valley Leadership Team since 2006. When they first started with Carey Arms they were told you will never have it torn down. Our community will always be in disarray and blight and crime. When they got the Carey Arms Apartments torn down, several things happened. The crime rate went down 38%, the values in the community tripled, and now they have a vision of the future of what they want to see in their community. When you say this is already zoned, that was done six or eight years ago when the whole country was going in a different direction. A lot of things have changed since then. The economy has dumped, the housing market has dumped, and we have been hurt the hardest in our community because we are the older homes. The banks won't touch us – we can't refinance. We don't need any more housing – we have adequate housing. We need jobs, commercial development, and something where the people in the community can be proud. We do not have any green spaces around there. The north part of North Las Vegas is gorgeous. Look at our area – it looks exactly the same as it did in 1963. Nothing has changed, and that tells me something is wrong. There is a disconnect. They are not listening. We do not need 96 more homes. We do not need 300-500 apartment units. Our community is going in a new direction, with a new future. We do not want to do business with people from the past who have destroyed our property values, community, and character. A lot of people died in those apartments over the years, and people are still dying. That's why we're here today. If we have to go back and have it changed, I'm assuming we can still do that. I don't know how to go about doing that, but I would like to have that changed. Ms. Garrett asked can we get community centers in there, or a nice park. Kiel Ranch is next door. At the last Planning Commission meeting, Ms. Thomas said she's been living there 20 years and asked the Planning Commission for a park. We want to go in a different direction. We want to fix our community from the bottom up. We want to rezone it.

Commissioner Perkins asked staff if the property could be rezoned. Mr. Martines stated when an applicant comes forward like this, they have certain rights to their own property. The City or member of the general public can't come in and ask for a re-zoning of somebody else's property.

Ms. Garrett asked the Planning Commission to ask the applicant if he owned the property. Chairman Stone deferred to the City Attorney. Ms. Douglass Morgan stated the owners are listed on the Staff Report. There are four businesses who own the Desert Mesa Development.

Ms. Douglass Morgan reiterated this is the Planning Commission who is supposed to consider the land use. In our constitution, in land use, you are not supposed to consider the owner, or the identity of the owner, when making these types of decisions.

Ms. Douglass Morgan added the Planning Commission is getting a lot questions about someone, an individual, their ownership interest, and being part of one of the four

owners before you; but as a land use board, you are not supposed to consider the identity of the applicant when considering land use decisions.

Ms. Douglass Morgan addressed the Planning Commission and stated if they thought it would be beneficial for staff to meet with some of the residents to explain that even if this item is denied today, and even if City Council denies the vacation that was before them last week, someone could still build single-family homes on the property.

The proposed and final maps are in the back-up documentation. The Final Map has been recorded, which allows the hard zoning. Staff could explain this and the process of development to the residents. There is a final map recorded on this property. Even if it is denied by the Planning Commission or City Council once it is appealed, that would not prevent someone from developing single family-homes on the property.

Ms. Douglass Morgan responded to Ms. Garrett's question regarding ownership and stated Mr. Evan Williams is not listed as an owner, as an individual. She stated there are four businesses listed on the Staff Report. Ms. Morgan reiterated this should not be part of the Planning Commission's consideration of this item in determining whether or not the approval of the Tentative Map is appropriate.

Commissioner Perkins stated she was torn on this item. In 2008, it was a different community. Commissioner Perkins said it may be time to re-examine what goes on this property. In 2008-2014, things have drastically changed. Unfortunately, this board does not have this ability.

ACTION: DENIED

MOTION: Commissioner Acevedo
AYES: Chairman Stone, Vice-Chairman Ewing, Commissioners Aston, Perkins, Joiner-Greene, Acevedo, and Kraft
NAYS: None
ABSTAIN: None

PUBLIC FORUM

Scott Sauer, 6330 Orions Tool Street, North Las Vegas, said it had been many years that he sat in this room and had listened to many discussions. He referenced the last item heard and stated the only way the City could encourage land use is to change the master plan designation, and the zone would still remain.

Mr. Sauer will be moving out of state, and stated it has been a pleasure working with the Planning Commission for many years.

DIRECTOR'S BUSINESS

Director Blackburn stated Title 17 has been modified over the last month regarding medical marijuana establishments. There is a proposal going before City Council next week for additional modifications to this title. One of the modifications is medical marijuana establishments' special use permits will go directly to City Council. There will be a lot of resident input on this issue, and this process will make it easier on the residents and will expedite the process.

Those who have already submitted applications will be given the option to delay and go to City Council or be heard in front of the Planning Commission. It will be to their desire, since the City changed the rules after they submitted an application for a special use permit.

We are also changing the zoning designation for dispensaries to be allowed in an M-2 zoning category, as long as they are accompanied by a production facility and/or cultivation facility.

CHAIRMAN'S BUSINESS

Chairman Stone complimented the Planning Commission on their discussion regarding Agenda Item Number 8, and said it was a difficult vote, and one of the toughest items he had seen in awhile.

ADJOURNMENT

The meeting adjourned at 7:30 p.m.

APPROVED: August 13, 2014

/s/ Nelson Stone
Nelson Stone, Chairman

/s/ Julie Shields
Julie Shields, Recording Secretary