

**Planning & Development Department
Scanning Cover Sheet**

Case No Z-0128-63

APN 139-34-301-004

Location SEC of 3rd & Lewis

Applicant Conway, Posin & Helmreich

Subject

Reclassification of property legally
described as the West 90' of Lots 1 through
4 (inclusive), Block 27, Clark's Las Vegas
Townsite.



PROPERTY OWNERS

PROTESTS

APPROVALS

4-106-10 Antonio Pico
Louis Pico

Jack I. Belcher

FILE No. Z-128-63

CHECK LIST -- FOR PROCESSING APPLICATIONS

TO BE DONE	CHECK IF DONE	BY
1. Check the legal and general description with Mel.		
2. Enter in register.		
3. Enter file number and fill in blanks "For Department Use Only" on application.		
4. Make up folder with appropriate label. Attach application on right hand side.		
5. Type 3 index cards - numerical, legal, applicant.		
6. File above cards in proper metal file.		
7. Make up draft of Notice of Public Hearing in duplicate. a. Type date to be mailed -- 15 days prior to meeting. b. Put one copy rough draft in folder.		
8. Enter proper information on tentative agenda and place other copy of Public Hearing with agenda.		
9. Type memos and send with plot plans to Engineering, Building, and Fire - others if told to. This will be for Variances and Use Permits only.		
10. Place "Protest and Approval" sheet on right side of applicant's file.		
11. Give folder to Mel, he will prepare property owner's list. a. Type property owner's list. b. Type envelopes. c. Type Notice of Public Hearing on multilith. d. Mail out notices.		
12. Prepare Legal Notice for newspapers. a. Call newspapers and have messenger pick up legals.		
13. Ask Don regarding Resolutions.		

FILE NO: *Z-128-63*

MEETING DATE: *Sept. 12, 1962*

PLACE THIS SHEET UNDER PROPERTY OWNER LIST WHEN COMPLETED.

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NOTICE OF PUBLIC HEARING

D
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September 12, 1963

August 28, 1963

Notice is hereby given that on September 12, 1963, at 7:30 PM
in the Council Chambers of the City Hall, Las Vegas, Nevada, PC
will hear the application of:

Z-128-63

CONWAY, POSIN & HELMREICH FOR THE RECLASSIFICATION
OF PROPERTY LEGALLY DESCRIBED AS THE WEST 90 FEET
OF LOTS 1 THROUGH 4, (INCLUSIVE), BLOCK 27,
CLARK'S LAS VEGAS TOWNSITE, AND GENERALLY
LOCATED ON THE SOUTHEAST CORNER OF ~~X~~THIRD
STREET AND LEWIS AVENUE.

FROM: R-4 (Apartment Residence)

TO: C-2 (General Commercial)

OK. [Signature]

8/7/63

Any and all interested persons may appear before the PC
either in person or by counsel, and object to or express approval of the proposed
reclassification, or may prior to this hearing file with the City Planning Director
written objections thereto or approval thereof.

DON J. SAYLOR
Director of Planning

DJS: eb

ORDINANCE NO. 934-45

AN ORDINANCE TO AMEND TITLE XI, CHAPTER 1, SECTION 3, MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1960, BY AMENDING THE LAND USE PLAN MAP ADOPTED BY THE CITY OF LAS VEGAS, AND CHANGING THE ZONING DESIGNATION OF CERTAIN AREAS OF SAID MAP.

THE BOARD OF COMMISSIONERS OF THE CITY OF LAS VEGAS DOES ORDAIN AS FOLLOWS:

SECTION 1. The Land Use Plan Map adopted by Title XI, Chapter 1, Section 3, Municipal Code of the City of Las Vegas, Nevada, 1960, is hereby amended to read as follows:

FROM R-4 to C-2 (Z-104-63)

Lots 25 through 32, inclusive, Block 9, South Addition.

FROM C-1 to C-2 (Z-126-63)

Lots 21 through 26, inclusive, Block 12, Clark's Las Vegas Townsite.

FROM R-4 to C-2 (Z-128-63)

The West 90.00 feet of Lots 1 through 4, inclusive, Block 27, Clark's Las Vegas Townsite.

FROM R-4 to C-1 (Z-129-63)

Lots 5 and 6, Block 18, South Addition.

SECTION 2. All ordinances, parts of ordinances, chapters, sections, sub-sections, paragraphs, sentences, clauses or phrases contained in the Municipal Code of the City of Las Vegas, Nevada, 1960, in conflict herewith are hereby repealed.

APPROVED:

ATTEST:

Mayor

City Clerk

The above and foregoing ordinance was first proposed and read by title to the Board of Commissioners on the 9th day of October, 1963 and referred to the following committee composed of Commissioners Levy and Mirabelli for recommendation; thereafter the said committee reported favorably on said ordinance on the 23rd day of October 1963 which was a regular meeting of said Board; that at said regular meeting the

Admitted 10/26/63 and 11/2/63.

proposed ordinance was read by title to the Board of Commissioners as first introduced and adopted by the following vote:

VOTING AYE: _____

VOTING NAY: _____

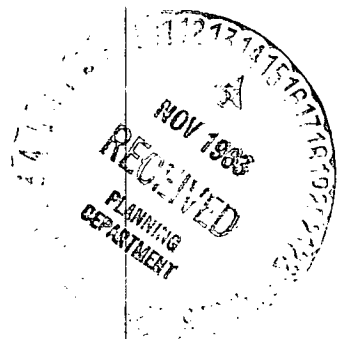
ABSENT: _____

APPROVED:

ATTEST:

Mayor

City Clerk



Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Mirabelli, Levy, Fountain, Whipple, and Mayor Gragson voting aye; noes, none.

Mayor Gragson: I voted aye on the theory that there is going to be an over-all picture or program on this whole area. Otherwise, I would have favored this rezoning as presented.

ZONE CHANGE
Z-126-63

Approved

ZONE CHANGE - Z-126-63 - APPLICATION OF JACK BLATT AND JERRY ENGEL for reclassification of property generally located on the west side of Second Street, between Lewis and Bridger Avenues, from C-1 to C-2, legally described as:

Lots 21 through 26 (inclusive) Block 12, Clark's Las Vegas Townsite.

The Director of Planning, Mr. Donald J. Saylor, stated that the property for reclassification is within the area that has been agreed upon as the "downtown area" and which is gradually changing to C-2; that there were no protests and the Planning Commission recommended approval.

Commissioner Mirabelli moved that the application of Jack Blatt and Jerry Engel (Z-126-63) be APPROVED.

Motion seconded by Commissioner Levy and carried by the following vote: Commissioners Mirabelli, Levy, Fountain, Whipple, and Mayor Gragson voting aye; noes, none.

ZONE CHANGE
Z-128-63

Approved

ZONE CHANGE - Z-128-63 - APPLICATION OF HENRY CONWAY, BERNARD POSIN, AND EDMUND HELMREICH for reclassification of property generally located on the southeast corner of Third Street and Lewis Avenue, from R-4 to C-2, legally described as:

The west 90 feet of Lots 1 through 4 (inclusive), Block 27, Clark's Las Vegas Townsite.

The Director of Planning, Mr. Donald J. Saylor: The applicants, I believe, propose to build a five story office building on the property. A portion of the ground level floor would be devoted to offstreet parking. In addition, they have a 50 foot parcel to the south of this piece, on which they have a use permit application on file for use for offstreet parking. There were no protests, and the Planning Commission recommended approval. This use would be permitted under C-1 zoning, but they could not satisfy the offstreet parking requirements. The Planning Commission discussed this quite thoroughly and I believe it was their opinion that although there was no way to guarantee the continued use of this 50 foot lot for offstreet parking for this building, nor the proposed parking on the ground floor, they felt that the parking would be available far enough into the future so that when it was no longer available, the whole complexion of this area would have changed anyhow.

Mr. Fiddler, architect for Mr. Conway and Mr. Posin: Mr. Saylor is a little in error. We are contemplating two floors of parking. The area in the building will be used for 25 or 26 suites, and with two floors for parking, there will be 42 car spaces in the building itself, notwithstanding the added space down the street.

Commissioner Fountain moved that the application of Henry Conway, Bernard Posin and Edmund Helmreich (Z-128-63) for reclassification of property generally located on the southeast corner of Third Street and Lewis Avenue, from R-4 to C-2, be APPROVED.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Mirabelli, Levy, Fountain, Whipple, and Mayor Gragson voting aye; noes, none.

ZONE CHANGE
Z-125-63

Request for
Abeyance
Denied.

Attorney Larson: May I make a request, Your Honor, that the application of Chesney Carver be held in abeyance, instead of being recorded as it has been, so that if there is any new material turned up by this total report, this could be included on the agenda for consideration? Procedurally, is this correct?

Mayor Gragson: Yes, it could be, if the Commission sees fit to rescind their action and hold it in abeyance.

Commissioner Fountain: I would not be in favor of it, Your Honor. Pending applications should not apply. This is something that has been going on through the years. When something can be done in this area, it would be a simple matter to file an application at that time.

Commissioner Whipple: I think I feel the same way. It should be considered as an over-all picture. I am happy to hear Don say that this is probably only 30 days away.

Mayor Gragson: At this time, Mr. Larson, I would say no; because the Commissioner who made the motion and the Commissioner who seconded the motion have expressed their views on it. I would have to agree with them, and so there is no need for taking a vote now.

ZONE CHANGE
Z-129-63 (amended)

Approved to
C-1

ZONE CHANGE - Z-129-63(amended) - APPLICATION OF MILDRED SMYTH for reclassification of property generally located on the east side of South Third Street, between Coolidge Avenue and Charleston Boulevard, from R-4 to C-2, legally described as:

Lots 5 and 6, Block 18, South Addition.

The Director of Planning, Mr. Donald J. Saylor: The application was for a change to C-2. The area abutting it is zoned C-2. It is the location of the Herbst Service Station. The Master Plan in general recommends that this area will go to commercial. The Planning Commission recommended that the application be amended to C-1, instead of C-2, and the applicant agreed to this amendment. There were no protests.

Commissioner Levy moved that the application of Mildred Smyth as amended (Z-129-63 amended) be APPROVED and the property reclassified as C-1.

Motion seconded by Commissioner Whipple and carried by the following vote: Commissioners Mirabelli, Levy, Fountain, Whipple, and Mayor Gragson voting aye; noes, none.

Mr. Saylor gave the Staff report pointing out the general location. He reviewed the history of this particular parcel, stating that it had been rezoned to R-4 with the understanding that the owner, Mr. Hansen, proposed to use for professional offices. The parcel was not developed and since has been sold, and there is no controlling factor with the new owner. Mr. Saylor further stated that the new owner, Mr. Schwartz, requested that this item be held in abeyance. He was not notified in the customary fashion as his name was not turned up under the ordinary procedures. Staff requested that the Commission defer their action until the next regular meeting giving the new owner sufficient notification time. However, as this was advertised for a public hearing, Staff suggests that the public hearing be conducted now. The Chairman declared the public hearing open. No one appeared. The Chairman declared the public hearing closed. After discussion, Mr. Johnston moved that the application of the CITY OF LAS VEGAS for the reclassification of property generally located on the northeast corner of Decatur and West Charleston Boulevards, from R-4 to R-1 be held in abeyance. Mr. Gilday seconded the motion and it was carried by a unanimous vote.

8. Z-128-63

Approved

Application of CONWAY, POSIN & HELMREICH for the reclassification of property legally described as the west 90 feet of Lots 1 through 4 (inclusive), Block 27, Clark's Las Vegas Townsite, and generally located on the southeast corner of Third Street and Lewis Avenue, from R-4 to C-2.

Mr. Saylor gave the Staff report pointing out the general location. Again, the question arises whether to extend the southerly boundary of the downtown area to Lewis Avenue. In the past the Commission has insisted that in this area we maintain a limited commercial zoning, thus providing offstreet parking. However, if we continue to grow, it will not be long until the whole of the general area between Las Vegas Boulevard South, Main Street, Charleston Boulevard, the the Interstate Freeway will become general commercial. The applicant proposes to construct a five story office building, with limited offstreet parking on the ground floor and also to use a lot nearby for additional offstreet parking. But, there is no guarantee of a continuing use of this particular lot. Staff is trying to establish whether it is best to expand the downtown area or to keep rigid control of the parking situation. Staff has no objections against general commercial zoning, nor the proposed office building but wants the Commission to be completely aware of the offstreet parking situation. Unless the Commission deems it feasible to extend the southerly boundary of the downtown area, Staff would have to recommend denial because of no guarantee of sufficient offstreet parking.

The Chairman declared the public hearing open. Mr. Bernard Posin appeared in his own behalf. Mr. Henry Conway appeared in his own behalf. Mr. Fidler, the applicant's architect, appeared in their behalf. He stated that there would 42 offstreet parking spaces in the building, plus an additional 20 spaces on the lot. There will be 25 or 26 suites in the building.

The Chairman declared the public hearing closed. After discussion, Mr. Matteucci moved that the

application of CONWAY, POSIN & HELMREICH for the reclassification of property generally located on the southeast corner of Third Street and Lewis Avenue, from R-4 to C-2, be approved. Mr. Gilday seconded the motion and it was carried by a unanimous vote.

9. Z-129-63

Approved as amended

Application of MILDRED SMYTH for the reclassification of property legally described as Lots 5 and 6, Block 18 South Addition, and generally located on the east side of South Third Street between Coolidge Avenue and Charleston Boulevard, from R-4 to C-2. Mr. Saylor gave the Staff report pointing out the general location. He further stated that this parcel abuts general commercial which fronts on East Charleston Boulevard. The Master Plan does propose that this area will be commercial, and Staff recommended approval to C-1, or limited commercial. The Chairman declared the public hearing open. Mr. Ron Flore appeared representing the applicant stating that he concurred with the recommendation of Staff. The Chairman declared the public hearing closed. After discussion, Mr. Gilday moved that the application of MILDRED SMYTH for the reclassification of property generally located on the east side of South Third Street between Coolidge Avenue and Charleston Boulevard be approved to C-1. Mr. Fountain seconded the motion and it was carried by a unanimous vote.

10 Z-130-63

Approved as amended

Application of JOHN J. RAPP for the reclassification of property legally described as Lots 14 through 16 (inclusive), Block 9, Ladd's Addition, and generally located on the west side of North 14th Street between Fremont and Ogden Streets, from R-3 to C-2. Mr. Saylor gave the Staff report pointing out the general location. He stated that there has been several rezonings in this general area to general commercial, one of which has a motel on it. The applicant proposes to convert the existing apartments on this parcel into a motel. Mr. Saylor stated that limited commercial zoning instead of general commercial would suffice, and recommended approval to C-1 by means of resolution of intent subject to being in accord with the plot plan. The Chairman declared the public hearing open. Mr. John Rapp appeared in his own behalf stating he concurred with the recommendation of Staff. Rev. Carl Freezin appeared for clarification of the plot plan in regard to offstreet parking. The Chairman declared the public hearing closed. After discussion Mr. Gilday moved that the application of JOHN J. RAPP for the reclassification of property generally located on the west side of North 14th Street between Fremont and Ogden Streets, from R-3 to C-2 be approved to C-1 by means of a resolution of intent subject to the following condition:

(1) Being in accord with the plot plan.

Mr. Johnston seconded the motion and it was carried by a unanimous vote.

11. Z-131-63

Approved

Application of JACK C. CHERRY AND RALPH MOSA for the reclassification of property legally described as being a portion of the southeast quarter (SE 1/4) of the southwest quarter (SW 1/4) of Section 36, T20S, R61E, MDB&M, and more particularly described as follows:

Date

September 30, 1963

INTER-OFFICE MEMORANDUM

TO:

CITY ATTORNEY

FROM:

PLANNING DEPARTMENT

SUBJECT:

Request for the preparation of an
Ordinance - Reclassification of
property.

COPIES TO:

Will you please prepare an Ordinance on the following rezonings:

Z-104-63 From R-4 to C-2

Lots 25 through 32 (inclusive), Block 9, South Addition.

Z-126-63 From C-1 to C-2

Lots 21 through 26 (inclusive), Block 12, Clark's Las Vegas
Townsite.

Z-128-63 From R-4 to C-2

The west 90.00 feet of Lots 1 through 4 (inclusive), Block 27,
Clark's Las Vegas Townsite.

Z-129-63 From R-4 to C-1

Lots 5 and 6, Block 18, South Addition.

ROBERT C. CLEMMER
Senior Planner

RCC:eb

September 26, 1963

Henry Conway,
Bernard Posin, and
Edmund Helmreich
401 Fremont Street, Suite No. 3
Las Vegas, Nevada

Gentlemen:

ZONE CHANGE APPLICATION - Z-128-63

At their regular meeting on September 25, 1963, the Board of City Commissioners considered your request for reclassification of property generally located on the southeast corner of Third Street and Lewis Avenue.

By motion duly made, seconded and carried, this application for rezoning from R-4 to C-2 was APPROVED.

Very truly yours,

Mrs. Vyrna Loparco
Assistant City Clerk

vml

cc - Planning
cc - Public Works

NOTICE OF PUBLIC HEARING

September 12, 1963

August 28, 1963

Notice is hereby given that on September 12, 1963, at 7:30 PM in the Council Chambers of the City Hall, Las Vegas, Nevada, the City Planning Commission will hear the application of:

Z-128-63

CONWAY, POSIN & HELMREICH FOR THE RECLASSIFICATION OF PROPERTY LEGALLY DESCRIBED AS THE WEST 90 FEET OF LOTS 1 THROUGH 4 (INCLUSIVE), BLOCK 27, CLARK'S LAS VEGAS TOWNSITE, AND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THIRD STREET AND LEWIS AVENUE,

FROM: R-4 (Apartment Residence)

TO: C-2 (General Commercial)

Any and all interested persons may appear before the City Planning Commission either in person or by counsel, and object to or express approval of the proposed reclassification, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.

DJS:eb

Don: I am in favor of this so are my partners.
Jack Belcher
Don J. Saylor
DON J. SAYLOR
Director of Planning



TO: City Clerk

DATE: September 13, 1963

FROM: Planning Department

ITEM FOR CITY COMMISSION AGENDA ON September 25, 1963

ZONE CHANGE -- Z - 128-63

Application of Henry Conway, Bernard Pagan, and Edmund Helmreich
(Name and Address) 401 Fremont Street, Suite No. 3
for reclassification of property legally described as: Las Vegas, Nevada

see attached

Generally located:

From: _____

To: _____

Planning Commission recommends approval on the basis of _____

subject to the following conditions:

Number of protests: 0

PLANNING DEPARTMENT

BY: _____

DON J. SAYLOR
Director of Planning

NOTICE OF PUBLIC HEARING

September 12, 1963

August 28, 1963

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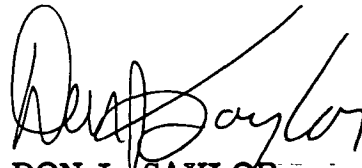
Z-128-63

CONWAY, POSIN & HELMREICH FOR THE RECLASSIFICATION OF PROPERTY LEGALLY DESCRIBED AS THE WEST 90 FEET OF LOTS 1 THROUGH 4 (INCLUSIVE), BLOCK 27, CLARK'S LAS VEGAS TOWNSITE, AND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THIRD STREET AND LEWIS AVENUE,

FROM: R-4 (Apartment Residence)

TO: C-2 (General Commercial)

Any and all interested persons may appear before the City Planning Commission either in person or by counsel, and object to or express approval of the proposed reclassification, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.


DON J. SAYLOR
Director of Planning

DJS:eb

**Planning Department
400 Stewart Avenue**

September 13, 1963

**Henry Conway, Bernard Posin,
and Edmund Helmreich
401 Fremont Street, Suite No. 3
Las Vegas, Nevada**

Dear Sirs:

At the regular meeting of the City Planning Commission held on September 12, 1963, consideration was given to your request for reclassification of property generally located on the south-east corner of Third Street and Lewis Avenue, from R-4 to C-2.

It was voted by the Planning Commission to refer this item to the Board of City Commissioners with the recommendation that it be approved.

This item will be heard by the Board of City Commissioners at 4:00 PM, September 25, 1963, in the Council Chambers of the City Hall, Las Vegas, Nevada.

Yours truly,

**DON J. SAYLOR
Director of Planning**

DJS:eb

Z-128-63

Approved

NOTICE OF PUBLIC HEARING

September 12, 1963

August 28, 1963

Notice is hereby given that on September 12, 1963, at 7:30 PM in the Council Chambers of the City Hall, Las Vegas, Nevada, the City Planning Commission will hear the application of:

Z-128-63

CONWAY, POSIN & HELMREICH FOR THE RECLASSIFICATION OF PROPERTY LEGALLY DESCRIBED AS THE WEST 90 FEET OF LOTS 1 THROUGH 4 (INCLUSIVE), BLOCK 27, CLARK'S LAS VEGAS TOWNSITE, AND GENERALLY LOCATED ON THE SOUTHEAST CORNER OF THIRD STREET AND LEWIS AVENUE,

FROM: R-4 (Apartment Residence)

TO: C-2 (General Commercial)

Any and all interested persons may appear before the City Planning Commission either in person or by counsel, and object to or express approval of the proposed reclassification, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.

Don J. Saylor
DON J. SAYLOR
Director of Planning

DJS:eb

No objection
Louis C. Pico Sr
Antonia Eva Pico

CITY PLANNING COMMISSION -- CITY HALL -- LAS VEGAS, NEVADA

APPLICATION FOR RECLASSIFICATION OF PROPERTY

TO THE CITY PLANNING COMMISSION:

Pursuant to Section 27, Chapter 24, of the Las Vegas City Code, as amended, the undersigned owner of property hereinafter described, hereby presents his application requesting that certain property be reclassified from the R-4 Use District to a C-2 Use District, as established by Section 10, Chapter 24 of the Las Vegas City Code, as amended. Also accompanying this application is the prescribed fee of \$ 55.00.

The property hereinbefore referred to and in relation to which said changes are hereby applied for, is described as follows, to wit:

W 90' Lots 1 - 4, Block 27, Clark's Las Vegas Townsite

SE corner 3rd St & Lewis Ave.

OWNER'S AFFIDAVIT

STATE OF NEVADA)
COUNTY OF CLARK) ss:

I, Mr. Henry Conway, Bernard Fosin, Edmund Helmreich

being duly sworn, depose and say that I am (we are) an owner of property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

SIGNED: (In Ink) MAILING ADDRESS: PHONE NO.
Henry Conway 401 Fremont St Suite #3 Las Vegas 352-9433
Bernard Fosin
Edmund Helmreich

Subscribed and sworn to before me this 5th day of Aug, 1963

Crystal Paine 3/19/67
Notary Public in and for said County and State My Commission expires

FOR PLANNING DEPARTMENT USE ONLY

This is to certify that the foregoing has been inspected by me and was filed with the office of the Las Vegas City Planning Commission in accordance with the provisions of Section 27, Chapter 24, of the Las Vegas City Code.

FILED: August 7, 1963

FEE: \$ 65.00

RECEIPT NO.: 64803

CASE NO. Z-128-63

BY: [Signature]

Sept 12, 1963

Director of Planning

SE corner