

A G E N D A
CITY PLANNING COMMISSION

November 12, 1970

RECEIVED
NOV 6 2 02 PM '70
CITY CLERK

CALL TO ORDER:

7:30 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada.

ROLL CALL:

MINUTES:

Approval of the Minutes of the Special meeting of October 15, 1970.

NEW BUSINESS:

1. Z-61-70

Application of WILLIAM B. PIKE, M.D., for reclassification of property generally located at 1912 Maryland Parkway on the west side of Maryland Parkway between St. Louis Avenue and Oakey Boulevard, from R-1 to P-R.

Proposed Use: Professional Office

2. Z-62-70

Application of GUY MATHIS AND GRACE READ for reclassification of property generally located on the west side of 4th Street between Charleston Boulevard and 3rd Street, from R-4 to C-M.

Proposed Use: Public Garage including Body Repair

3. Z-63-70

Application of ERNEST A. BECKER for reclassification of property generally located on the southwest corner of Evergreen Avenue and Decatur Boulevard, from R-3 to C-2.

Proposed Use: Photo Service Store and Off-Premise Sign

4. Z-64-70

Application of DR. RONALD STRICKMAN for reclassification of property generally located on the south side of Bonanza Road between Highland Drive and Tonopah Drive, from R-E to C-M.

Proposed Use: Retail and Wholesale Sales and Storage of Automotive Supplies.

5. Z-65-70

Application of JACK & BEVERLY COPE for reclassification of property generally located at 4821 Corey Place on the south side of Corey Place between Decatur Boulevard and Brush Street, from R-1 to P-R.

Proposed Use: Professional Office.

6. Z-66-70

Application of KENNETH A. & DONLEE SIMKINS for reclassification of property generally located on the west side of Casino Center Boulevard between Imperial Street and Utah Street, from R-4 to C-2.

Proposed Use: Patron Parking

7. Z-67-70

Application of D.S. DE SURE FOR SOUTHWEST LAND & DEVELOPMENT CORP, A TEXAS CORP., for reclassification of property generally located on the west side of Belrose Street

between West Bonanza Road and West Washington Avenue, from C-1 to R-4.

Proposed Use: Apartments

8. Z-68-70

Application of VIC HAVAS for reclassification of property generally located on the southwest corner of Circle Drive and Bruce Street, from R-1 to P-R.

Proposed Use: Professional Office

9. Z-27-68
Request for
Reinstatement
and Extension
of Time

Approved application of MARSHALL S. ASHCRAFT AND ROBERT C. RISHLING for reclassification of property generally located on the east side of Wyandotte between Wilmington and Milo, R-3 and R-4 Zones.

DIRECTOR'S BUSINESS:

1. Discussion

Request of Planning Director to initiate zoning action along Tonopah Highway.

OLD BUSINESS:

1. Discussion

Planned Unit Developments

Abeyance from
9/22/70

M I N U T E S
CITY PLANNING COMMISSION

November 12, 1970

RECEIVED
DEC 3 1 11 PM '70
CITY CLERK

A regular meeting of the Las Vegas City Planning Commission was called to order by Chairman Johnston at 7:30 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada.

PRESENT: Chairman Johnston, Vice-Chairman O'Brien, Messrs. McGarry, Ward, Uehling, Tiberti and City Commissioner Coblentz.

ABSENT: Messrs. Willard and Trelease

STAFF PRESENT: Don J. Saylor, AIP, Director of Planning
Betty Jo Winter, Recording Secretary

MINUTES: Mr. Tiberti moved the Minutes of the special meeting of October 15, 1970, be APPROVED as mailed. The motion was seconded by Mr. Ward and carried by unanimous vote.

NEW BUSINESS:

1. Z-61-70

APPROVED

Application of WILLIAM B. PIKE, M.D., for reclassification of property legally described as the south 32 feet of Lot 4, and the north 28 feet of Lot 5, Block 1, Southridge Tract #6, and located at 1912 Maryland Parkway on the west side of Maryland Parkway between St. Louis Avenue and Oakey Boulevard, from R-1 to P-R.

Mr. Saylor stated this is the application for a zone change from R-1 to P-R for property located on the west side of Maryland Parkway between St. Louis and Canosa in the area both this Commission and the City Commission has indicated as being appropriate for professional office zoning. The plot plan indicates parking in front. There is a small bit of landscaping proposed. The proposed use is a doctor's office. Staff recommends approval as being in accord with the overall policy. We have no record of protests.

Chairman Johnston declared the public hearing open.

DR. WILLIAM B. PIKE, the applicant, was present representing the application.

There being no further comments, Chairman Johnston declared the public hearing closed.

Mr. Ward moved the application of WILLIAM B. PIKE, M.D. for reclassification of property generally located at 1912 Maryland Parkway on the west side of Maryland Parkway between St. Louis Avenue and Oakey Boulevard,

from R-1 to P-R, be APPROVED subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. Conformance to the plot plan.
3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of off-site improvements as required by the Department of Public Works.
4. Conformance to the requirements of the Fire and Building Departments.
5. Landscaping as required by the Planning Department.

The motion was seconded by Mr. Uehling and carried by unanimous vote.

2. Z-62-70

DENIED

Application of GUY MATHIS AND GRACE READ for reclassification of property legally described as Lots 13, 14, 15, 16, and the north 153 feet (measured at a right angle to the northerly lot line) of Lot 17, Beckley Subdivision and generally located on the west side of 4th Street between Charleston Boulevard and 3rd Street, from R-4 to C-M.

Mr. Saylor stated this is a request for a change in zoning from R-4 to C-M for property located on the west side of 4th Street, south of Charleston. To the east and along the boulevard is Gaudin Ford New Car Agency. The request for change in zoning is for permission to allow it to be used in connection with the Gaudin operation. The proposed use on this parcel is automobile repair and storage of vehicles. The Master Plan does call for general commercial in this area. The reason for the C-M is this: because it is physically separated from the Gaudin operation, it has to be treated as a public garage, although it is intended to be used by Gaudin Ford, the same as their service on their property. The use is still basically the same. The plot plan indicates the repair building would be adjacent to this property line and the remainder of the property would be for automobile storage. We don't know whether it would be both new and used cars or not.

Mr. Tiberti asked if the entire operation is contained in the building.

Mr. Saylor stated the repair would be within an enclosed building. We have two letters of protest from property owners in the area protesting the attendant noises, fumes, etc. from the repair shop operation. There are two

or three things that have to be considered. The General Plan does call for general commercial in the area. Gaudin Ford is an existing operation at this point and it is a case of either having to move out or find room in the area for expansion. It appears to staff, perhaps the application might be a little more presentable if the building were removed from that particular location which is immediately abutting the residential.

Chairman Johnston declared the public hearing open.

MR. CARL VOLKMAR appeared in protest. He stated he owns the property to the south of this proposed project. He further stated they protest for numerous reasons. He presented some pictures to the Commission taken of Gaudin Ford's lot across the street. He feels that it is exceedingly bad planning to have this type of operation in this area. Fourth Street is taking on a character of a business and professional street. The City went to great expense to condemn part of the land so they could alleviate the traffic problem that existed between 3rd and 4th Streets. Fourth street is presently the on ramp to the freeway. He feels perhaps the Ford sales lot and service lot would much better be located out of the city where the other similar type operations are going. He asked why this type of business is in effect making an alley out of 4th Street by having their garbage cans left out continuously. He further stated he believes there was a 10' alley behind this property to the west which was vacated several years ago. There would be only one way to retrieve garbage from this operation, that is on 4th Street. For those reasons, he would respectfully request the Commission adhere in their recommendations to the plans which would exclude this operation.

MR. MERLE FREHNER, 1205 South 3rd, appeared in protest. He stated he has lived there 35 years. He has a substantial home and four apartments on 3 lots. His property abuts against the property in question on this application and in the application, he hadn't heard anything mentioned about the proposed body shop. He has lived around this type of work most of his life. He is familiar with it and, of necessity, a garage and body shop has to look like a junk yard. With the body shop, you have painting and fumes from the paint that will go through the air over 150' to 200' and be sucked into the air conditioners of homes and apartments in the area. He further stated he wished this type of business would go out where it belongs in an industrial

area. He presented a petition with 8 names. He would like to see this area upgraded but this would be a step backwards.

MR. VIRGIL JOHNSON, 1117 South 3rd Street, appeared in protest. He stated he has an apartment building there and he doesn't want a garage with all the noise. Gaudin Ford has loudspeakers now that keep the people awake and some of his tenants are day sleepers and work nights.

MRS. WETENKAMP, 1209 South 3rd, appeared in protest. She stated she is against this. It is very noisy and the parking lot is noisy at night. They have tenants that sleep in the day time and it is hard to keep tenants when they see the garage. She is very much against this garage going in there.

LOUIS MECHAM appeared in protest. He stated he owns apartments at 1133 and 1137 South 3rd. If they get some garages in there and paint shops, they are going to lose all of their tenants. They are hollering about the noise now in the parking lot. He doesn't feel the City should allow it. It should be out in more of an industrial part of the city, not right on 4th Street. It is one of the main drags going into the freeway and he doesn't think this should be allowed to develop in there.

MR. DALE GLASSNER, 1108 South 3rd, appeared in protest. He stated this is 71 feet from his back yard. The garage would be on his back fence adjoining his property. He doesn't own apartments, but he has a home there.

MR. CARSTENS, 1131 South 3rd, appeared in protest and he stated he objects for the same reasons as the previous speakers. He has apartments there and his tenants are being disturbed by the loudspeakers there now. If you allow a body shop, it will be worse than it is now. It is a detriment to the property and he is very much opposed.

MR. JOHN ACKERMAN, representing Gaudin Ford, appeared. He stated they are a firm of 166 employees with retail sales last year of \$15 million making them one of the largest, if not the largest, retail operations in the state of Nevada. They are centrally located with convenience to most of their customers and they like their location now. They must expand to keep up with the growing population of Clark County. There are 20,000 Fords currently in operation in Clark County and it is their responsibility to see their customers and owners receive the proper service. Looking down the road five years from now, their present facilities

will not be adequate. Their particular location is hemmed in on all sides. Their only area of expansion lies on the particular piece of property on 4th Street. They have been in this location for approximately eight years and have not seen much expansion or improvement in their particular area. He further stated he understands, under the City's Master Plan, this particular property eventually will be zoned commercially.

Chairman Johnston stated the applicant is asking for industrial.

Mr. Ackerman stated it was his understanding this particular property is on the master plan for the zoning they are requesting tonight.

Mr. Saylor stated the Master Plan indicates general commercial.

Chairman Johnston stated general commercial does not allow uses such as body shops. It has to take the C-M zoning they have applied for.

Mr. Ackerman stated the use of a metal shop is a necessary part of their business. They look upon it as an expansion of their present facility. There are many precedents in our City for similar type operations. They feel with the 10' or 12' power easement behind this piece of property and a block wall building, it will result in very little noise behind the property.

MR. VOLKMAR reappeared and stated perhaps an answer to Mr. Ackerman's comments, there do exist many areas in the city that have conformed to the Master Plan and they are creating problems in those areas now.

Chairman Johnston declared the public hearing closed.

Mr. Tiberti asked if it is intended that a block wall be constructed around the development.

Mr. Saylor stated they do not show it on the plot plan, but it could be stipulated as a condition.

After further discussion, Mr. McGarry moved the application of GUY MATHIS AND GRACE READ for reclassification of property generally located on the west side of 4th Street between Charleston Boulevard and 3rd Street, from R-4 to C-M, be DENIED. The motion was seconded by Mr. Ward and carried by majority vote. Mr. O'Brien voted NO.

3. Z-63-70
APPROVED

Application of ERNEST A. BECKER for reclassification of property legally described as a portion of the North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$)

of Section 36, Township 20 South, Range 60 East, MDB&M, described as follows: Beginning at the southeast corner of said North Half (N $\frac{1}{2}$); thence N.1°21'52" W., 75.02 feet; thence S.89°53'28" W., 75.00 feet to the beginning of a curve concave to the southeast and having a radius of 300.00 feet; thence southerly along said curve a distance of 110.16 feet; to the beginning of a reverse curve concave to the north and having a radius of 300.00 feet; thence westerly along said curve a distance of 110.16 feet; thence S.85°53'28" W., tangent to said curve 121.46 feet; thence S.1°21'52" E., 35.00 feet; thence S.89°53'28" W., 413.51 feet to the true point of beginning and generally located on the southwest corner of Evergreen Avenue and Decatur Boulevard, from R-3 to C-2.

Mr. Saylor stated this involves a small sliver of land south of Evergreen, an odd shaped parcel for which he is requesting commercial zoning. It was zoned commercial many years ago and we rezoned it to R-3 prior to the commercial being developed further south along Decatur. Along the west side of Decatur is all commercial now. It would appear the rezoning of this would be pretty much in accord with the existing zoning pattern. We have a request from the property owner in the area to the effect that she would not protest the zoning if Mr. Becker would grant sufficient right-of-way to provide access from this parcel to Evergreen. Without that access, she is protesting the zoning. At one time, I believe, the patents on all these lots provided for a 30' half street across here and I believe the Right-of-way Department has vacated the City's interest to the patent along here which means access for this parcel will have to be to the west or to the south. That is the only potential protestant on record.

Chairman Johnston declared the public hearing open.

MR. ORLIN HOWES appeared and stated he owns property directly to the south of this proposed change. It is designated as Lot 3 on the government plot, 2 $\frac{1}{2}$ acres. He would like to protest the sign.

Chairman Johnston stated the sign becomes a matter of right if this is approved.

MR. ROBERT MC NUTT appeared and stated he is the engineer for Mr. Becker. He stated he could not answer the question of giving right-of-way, but he doesn't think they would desire access there. The plan staff has prepared over the years for access to the south is far better to channel them in that direction.

MR. BOB WELCH appeared and stated he is associated with the photo shop Mr. Becker is proposing. The photo shop would be a 9 X 4 drive-in type photo shop. There is one standing on the Conoco Station at Maryland Parkway and Sahara at the present time. The sign they will have will extend 6" from the building on all four sides and approximately 1½ feet above the building. The sign in question he knows nothing about.

Chairman Johnston declared the public hearing closed.

After additional discussion, Mr. Tiberti moved the application of ERNEST A. BECKER for reclassification of property generally located on the southwest corner of Evergreen Avenue and Decatur Boulevard, from R-3 to C-2, be APPROVED, subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. Conformance to the plot plan.
3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of off-site improvements as required by the Department of Public Works.
4. Conformance to the requirements of the Fire and Building Departments.
5. Landscaping as required by the Planning Department.

The motion was seconded by Mr. O'Brien and carried by unanimous vote.

4. Z-64-70

DENIED

Application of DR. RONALD STRICKMAN for reclassification of property legally described as that portion of the North Half (N½) of the South Half (S½) of the Southwest Quarter (SW¼) of Section 28, Township 20 South, Range 61 East, MDB&M, described as follows: commencing at a point of intersection of the east line of the Northwest Quarter (NW¼) of the Southeast Quarter (SE¼) of the Southwest Quarter (SW¼) of said Section 28, (Hereinafter called Line 1) with the south boundary line of Clark Avenue, now known as Bonanza Road, produced westerly, as the same is now established (hereinafter called Line 2), thence west along said Line 2 a distance of 1100 feet, the point of beginning; thence south along a line parallel to said Line 1 a distance of 378 feet; thence N.89°36' W., and parallel to said Line 2 a distance of 300 feet; thence north along a line parallel to said Line 1 a distance of 378 feet to said Line 2, thence east along said Line 2 a distance of 300 feet to the

point of beginning and generally located on the south side of Bonanza Road between Highland Drive and Tonopah Drive, from R-E to C-M.

Mr. Saylor stated this involves property located on south side of Bonanza, opposite where Clarkway comes in, Highland to the east, Rainbow Road to the west, and the west leg of the freeway immediately abutting to the south. South of that is single family homes. Several years ago, we did intensive study on this entire strip between Highland and Rainbow on both sides of Bonanza. Even though the property has been zoned R-E, it contains a mixed land use pattern of homes, apartments, trailers and commercial. At that time, there was a strong indication from most of the property owners on the south that they wanted to go commercial. The Master Plan indicates it is a transitional area. We don't have detailed information on the proposed operation. It is our understanding they are to have retail sales of automobile accessories and the parallel use of the installation of the accessories. The wholesaling of these accessories would require a warehouse facility. It is the wholesaling part of it that requires the C-M classification. If it is for the sale and installation of heavy motor equipment, then it would have to be considered as a public garage. If it is, in fact, just the small auto parts, radios, etc. that operation would be provided in the C-2, but warehousing would require the C-M. We have a couple of letters of approval and a letter which is intended not as a protest but a statement; however, the Attorney is here and he indicated he might wish to enter a different position on the application.

Chairman Johnston asked the applicant to verify what type of use, retail or wholesale.

Dr. Strickman and Mr. Don Walker, the applicants, appeared and stated they are going to have both retail and wholesale sales. The wholesale would consist of minor auto parts, radios, accessories and parts store. There would be no major mechanical repairs. They would sell radios, air conditioning, speedometers and upholstering.

ATTY. HERB JONES, representing Benny Binion and Kenneth Searles, appeared. He stated he originally wrote a letter addressed to the Commission stating these gentlemen did not protest this matter particularly, because they were not trying to keep any progress off this street. They have, for many years, had their horses in there. This is a ranch type of zoning. They are primarily concerned that it go on record they

would be protesting anything that would affect their homes and horses. Now the application has been changed a little. He would like to find out what hours these people intend to maintain for this service. If it is a light type of commercial thing during the day time, just minor installations in automobiles, as long as he goes on protesting for the future so it does not affect the ranch type across the street, he would not be in protest.

MR. DON WALKER stated their hours would be from eight to six in the evening.

Atty. Jones stated if it is six o'clock in the evening, he feels it would probably be a later operation and at this time, he would like to protest on behalf of his clients.

MAJOR BATY, property owner directly west of the intended facility, appeared in protest. He presented a petition with signatures of 3 property owners of which Mr. and Mrs. Searles signed the petition. He further stated he and his wife came to Las Vegas 11 years ago and they went through this area on Bonanza and it was a beautiful area for residential. It took them two years to complete their home. They are interested in maintaining the horses and do not like the idea of a warehouse directly next to their home which is very substantial. It will raise the taxes in the area and there will be quite a bit of traffic coming in and out. The homes in the area are mostly \$30,000 to \$50,000 and it is definitely not an area for a storage building of any kind. They would like to preserve this environment if they can.

MR. DON WINTER, resident on Clarkway Drive, appeared in protest. He stated he protests this zoning because of the residential area, because of the price of the homes, the horses they have in the area and the fact this could lead to something else. If we allow this one, another could come in later on.

Major Baty stated the property in question is presently on lease to Mr. Fernandez until April of 1972. Mr. Fernandez says he will not allow anything to be built on that property until the lease runs out.

DR. RONALD STRICKMAN appeared and stated there are four commercial properties on the block now. It should not cause any harm to the block. There won't be any fumes from the operation. His place of business should close at 6 o'clock. It will not be a noisy type of operation. In relation to the lease on the property,

Mr. Fernandez can be omitted from the property in April, 1971, just another 4 or 5 months.

MR. WALKER stated it will be an all brick building. They are intending to spend \$100,000 on the building and landscaping. They need parking more than anything. They are going to use only two sections of the property where there are horses. When speaking to Mr. Fernandez, he wasn't against it, he was in favor of it as long as they kept everything neat.

Chairman Johnston asked how many square feet were in the building.

Mr. Walker stated one is 120 X 7200 sq. ft. and the other building is 3000 to 5000 sq. ft.

Mr. Saylor stated the warehouse indicated as 50 X 60 or 3000 sq. ft. and a depth of 40 X 130.

Mr. Tiberti asked what the setback was on the building.

Mr. Saylor stated the warehouse is up against the freeway.

Dr. Strickman stated there will be an expressway that is going to be completed shortly and it will be heavily trafficked. The property will be running between Bonanza and the expressway. There is no access to the freeway.

Mr. Walker stated the warehouse is way in the back. There are no repairs. The showroom is in the front and service stalls directly behind it.

Mr. McGarry asked the applicant if they were going to do any damage to the horses.

Mr. Saylor stated if this is zoned C-M, the horses and the residential use of this property will have to cease immediately. He further stated this was advertised in the public hearing notice for the whole area, but the plot plan only includes 200'.

Mr. Herb Jones stated he would like to point out when he first approached this problem, he was trying to be very lenient because he realizes the south side of the street is going to have to go commercial with the backup on the freeway eventually. On this particular type of application, it is C-M which indicates it is going to be a heavy type of commercial operation. It sounds like a garage and that is the reason he is protesting. He feels this is not the type of commercial you are going to want along there. You are going to want light commercial. He further stated he made a big issue

about the horses because his clients have lived there and have had their homes there and are horse enthusiasts.

MR. LAMAR WILSON, 1481 South Palm, appeared in favor of this application. He stated he agrees this property is inevitably going to be zoned commercial. He feels it is an advantage to the property owners to have this property zoned commercial. The people are going to become less contented as the traffic from the expressway builds up.

Chairman Johnston stated the freeway is going to take the east/west traffic off Bonanza.

Mr. Wilson suggested the property owners dedicate a strip of property to have a frontage road running parallel with the expressway.

MR. FRANK BURKE, 4102 W. Melody, appeared in favor. He stated he agrees that this will inevitably go commercial on the south side.

MR. JOHN BUNKER, appeared in favor. He stated he has been there as long as some of the pioneers in the area. He has had his property since 1930 and 1931. He further stated it is ridiculous to fight it. You have the freeway on the back, it is closed off. You have noise there, continual noise and can't use the property for anything except something that would be commercial or industrial. He doesn't object to either heavy or light commercial. It is wise to get it into use so the city can get taxes on it.

Mr. McGarry asked if they will be pounding out fenders or painting in the repair shop.

Mr. Walker stated there will be no body work at all; no tires or motor repairs of any type.

Mr. McGarry moved the application of DR. RONALD STRICKMAN for reclassification of property generally located on the south side of Bonanza Road between Highland Drive and Tonopah Drive, from R-E to C-M, be APPROVED. The motion died for lack of a second.

Mr. Tiberti then moved the application of DR. RONALD STRICKMAN be DENIED. The motion was seconded by Mr. Uehling and carried by majority vote. Mr. McGarry voted No.

5. Z-65-70

APPROVED

Application of JACK & BEVERLY COPE for reclassification of property legally described as Government Lot 34, Section 36, Township 20 South, Range 60 East, MDB&M, and located at 4821 Corey Place

on the south side of Corey Place between Decatur Boulevard and Brush Street, from R-1 to P-R.

Mr. Saylor stated this is the application of Cope for change from R-1 to P-R for property located west of Decatur, north of Charleston in the Homesite area. He pointed out the location on the plot plan. The Charleston Heights Shopping Center is to the north. The property along Decatur is zoned commercial and used that way as is the property on the north side of Charleston. This is a 2½ acre parcel. There is a house at this corner of the property. The plot plan indicates adequate landscaping. They plan to use the house and they have adequate off-street parking. The P-R use of the property would only take up about 180' or slightly over half of the lot, running east and west and the same going north and south. At one time we had considered the possibility of a senior citizen's housing development in this area. At another time, we had considered the possibility of a large department store operation which would have brought the commercial back to Brush Street. So far the commercial has not extended. If you do zone this P-R, it will start somewhat of a chain reaction or destroy any possibility of the remainder over to Brush Street being developed for residential purposes. The P-R might be the proper buffer between the commercial and the R-1. The proposed use is for the existing house. Staff recommends the application be amended to exclude the west part of the property so the buffer effect could take place on this piece. It will effectively then create the buffer. We have no record of protest.

Mr. O'Brien asked what about Corey Street going out to Decatur.

Mr. Saylor stated he didn't bring that into the discussion because it begs an answer to some questions we don't have the answers to at the present time. It is his understanding at one time the City did have, as a result of the patents, right-of-way to Decatur and it was determined that they did not want to introduce too many street intersections coming into Decatur, drainage also entered into it; consequently, that right-of-way was traded for additional right-of-way on Decatur. At the present time, it is not the intent of the Public Works Department to extend Corey. If we went with the 60' wide strip on the east, a house and pump house would encroach on the right-of-way. At the present time, we don't know whether they will be able to proceed with the street along there.

Chairman Johnston declared the public hearing open.

MR. DON ASHWORTH, representing Dr. Cope appeared. He stated it seems they are dealing with an area located directly behind the church on Decatur behind the Nevada Savings and Loan Association. This home has been there for approximately 20 years. The individuals owned the home and have been trying to sell. They felt it was too close to the commercial on Decatur and Charleston. They have run into problems in the area for the reason it is under government permit. A letter went out under Mr. Sauer's signature on May 27, 1969, asking property owners in that area what they wanted to do with that area. Mr. Gist informed him the majority of the letters returned were negative. We feel this would be a move in the right direction and it will not inhibit the commercial and won't inhibit the residential in that area. At the present time, it is vacant land. Dr. Cope intends to re-vamp the present building into a dental office with the possibility of adding on some dental labs. It is off the main streets and is ideal for his work. There is no problem as far as traffic is concerned. This in no way will inhibit the growth but will assist it in setting up some kind of precedent so the people will begin to move in this area so it will not become land locked.

Mr. O'Brien asked how they intend to get the people to this structure.

Mr. Ashworth stated he was not able to determine there was a drainage problem in this area. It would be in hopes Corey could be extended to Decatur. Access could be off Alpine and parking could be on the rear with no problem.

Chairman Johnston stated if they need relief with the house, he would consider perhaps going along with the P-R zoning provided it was restricted so the rest of the area could develop residential if it wanted to. He further stated he thinks the demand in that area for professional office use isn't that great and would serve no purpose for the City to zone $2\frac{1}{2}$ acres to P-R.

Chairman Johnston then declared the public hearing closed.

Mr. Tiberti moved the application of JACK & BEVERLY COPE for reclassification of property generally located at 4821 Corey Place on the south side of Corey Place between Decatur Boulevard and Brush Street, from R-1 to P-R, be APPROVED subject to the following

conditions:

1. The application be amended to include only the east 180' of the property.
2. Resolution of Intent be restricted to a twelve (12) month time limit.
3. Conformance to the plot plan.
4. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of off-site improvements as required by the Department of Public Works.
5. Conformance to the requirements of the Fire and Building Departments.
6. Landscaping as required by the Planning Department.

The motion was seconded by Dr. Coblenz and carried by majority vote. Mr. Uehling voted NO.

6. Z-66-70
APPROVED

Application of KENNETH A. & DONLEE SIMKINS for reclassification of property legally described as Lot 10, Block 10, Boulder Addition and generally located on the west side of Casino Center Boulevard between Imperial Street and Utah Street, from R-4 to C-2.

Mr. Saylor stated this is the application of Simkins for change in zoning from R-4 to C-2 for property generally located at the southwest corner of Imperial and Casino Center Boulevard. The property is the second lot south. The proposed use is a parking lot. It is his understanding it would be used in conjunction with a business operation on the next street over on Main. It is indicated as a patron parking lot only. The Master Plan does call for general commercial throughout this entire area. It would appear the request is in accord with the Master Plan. We have a petition of protest with some 33 signatures and a letter from Mr. Carelli, attorney, indicating he is opposed to it. He also indicates the zone change is in violation of the Master Plan. That is erroneous, it is in consonance with the Master Plan, but may not be in consonance with the existing development.

Chairman Johnston declared the public hearing open.

MR. PAUL CARELLI, III, Attorney representing Avalon Arms Apartments, 28 units situated directly south of the lot in question, appeared in protest. He stated the 28 units are comprised in the majority of day sleepers. The

application states this is for patron parking. He stated he feels the impression of patron parking is parking area where someone goes in and does business and then leaves. Presently, this is being used as a parking area but not for that type of parking. It is more of a storage area with cars parked for weeks on end. Transmissions are taken out.

MR. KENNETH SIMKINS, the applicant, appeared and stated he does park his customer's cars there until they pick them up.

Mr. Carelli stated the way it is being used now and in the future, the vehicles are stored there or parked and in the past, vehicles have been moved there through the use of a tractor jeep operation. It has caused traffic problems in the area. The area is presently used for apartments and hotels all along Casino Center. The use of this lot for this purpose doesn't fit in with the existing use of this area. The business for which the lot is to be used in conjunction with is on Main Street. There is sufficient patron parking on Main Street for most businesses. The noise of moving back and forth of vehicles disturbs and upsets the apartment tenants at the present time. There is no need for this type of operation on Casino Center at this time.

Mr. Ward asked Mr. Carelli if he felt this would destroy his investment there.

Mr. Carelli stated yes, a majority of his tenants are day sleepers and moving cars in and out will cause havoc among these people. He doesn't feel it is in keeping with the existing use of the area and this area should be kept for very light commercial use.

Mr. Simkins stated he also owns the lot next to this proposal and has apartments there. He is not at all in a position to cause any detriment to the investment he has in the apartments adjoining the property. He presented a picture of the proposed parking lot. He has kept the weeds off it, but it is still unsightly. Something needs to be done to improve these lots. He is concerned about junkers being parked there because being a property owner with apartments, he wants to make sure everything looks good. He feels there will be no noise problem. He will completely blacktop the area with a 6' fence around it. He proposed to put a planter in two locations on the front facing Casino Center and it should make it much more attractive. In the months since June, he has had five cars removed from his premises because he does not

have adequate storage facilities. It is a necessity to have this parking available to his patrons. He further stated he would be willing to put slats in the chain link fence.

Chairman Johnston asked him what type of parking this would be.

Mr. Simkins stated it is necessary to retain cars two or three days. Sometimes customers go out of town for weeks. He has a five horsepower tractor. It will enter from the back of the property in the alley. There is an existing alley there now.

Chairman Johnston asked for those in the audience protesting this application to raise their hands. There were four hands raised.

MR. HOWARD THATCHER appeared and stated he has no objections as far as the parking lot is concerned, but when it is zoned C-2, that throws it open to any kind of commercial they want to put in there.

Chairman Johnston stated the zoning would not allow him to put anything but a parking lot unless he came before this Board again. He further stated he felt there should be a block wall which would cut down on noise and with the block wall on Casino Center, he can't see where it is going to harm the area whether the cars are pushed or driven. It is a vacant lot now, an ugly vacant lot. He further stated he felt there should be no ingress from Casino Center.

Mr. Saylor stated the plot plan proposes they would come in from Casino Center and exit on the alley.

Chairman Johnston declared the public hearing closed.

After additional discussion, Mr. McGarry moved the application of KENNETH A. & DONLEE SIMKINS for reclassification of property generally located on the west side of Casino Center Boulevard between Imperial Street and Utah Street, from R-4 to C-2 be APPROVED subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. Conformance to the plot plan as amended.
3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of off-site improvements as required by the Department of Public Works.

4. Conformance to the requirements of the Fire and Building Departments.
5. A 6' high block wall on the north, south and east side to be constructed with no access permitted to Casino Center Boulevard. The wall on the east side to be set in 3'. The 3' area to be sprinklered and landscaped with a hedge.

The motion was seconded by Mr. O'Brien and carried by majority vote. Mr. Ward voted NO.

7. Z-67-70

DENIED

Application of D.S. DE SURE FOR SOUTHWEST LAND AND DEVELOPMENT CORP, A TEXAS CORP., for reclassification of property legally described as that portion of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 29, Township 20 South, Range 61 East, MDB&M, more particularly described as follows: Commencing at the southeast corner of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 29; thence N.89°17'00" W., a distance of 172.77 feet; thence continuing N.89°17'00" W., a distance of 545.37 feet; thence N.0°01'14" W., a distance of 512.43 feet; thence N.89°58'46" E., a distance of 666.63 feet; thence S.0°30'15" E., a distance of 480.83 feet; thence from a tangent whose bearing is S.0°34'40" E. turning to the right along a curve having a radius of 10.00 feet and subtending a central angle of 91°17'40", an arc length of 15.93 feet; thence N.89°17'40" W., a distance of 65.85 feet; thence from a tangent whose bearing is the last described course turning to the left along a curve having a radius of 55.00 feet and subtending a central angle of 62°57'52" an arc length of 60.44 feet to the point of beginning and generally located on the west side of Belrose Street between West Bonanza Road and west Washington Avenue, from C-1 to R-4.

Mr. Saylor stated this is a request for a change from C-1 to R-4 on property located on the west side of Belrose, north of Bonanza and Avalon. He pointed out the location on the plot plan. The request for the change is for the express purpose of building an apartment house development. Some of the older members of the Commission will remember several years ago, request for change in zoning to apartments was made on 40 acres instead of the 16. Everyone in the area, both on the south and north sides protested this application and it was subsequently denied. At a later date, this 20 acre parcel was zoned commercial and then the City bought this 20 and the other 60 acres and sold this 20 acres to the K-Mart people.

The east line of the park development itself is coterminous with the west line of the proposed development. The Master Plan does call for low density residential in this area and staff doesn't think we can conclude the proposed high density apartment development is in accord with the recommendations of the Master Plan. However, the low density, in terms of the Master Plan, does not necessarily mean you can't have anything other than single family. In other words, in all low density, a certain amount of medium density can be absorbed. We have a petition of protest with approximately 200 names. We have plotted a substantial portion on the map. The red dots indicate the the protestants.

Chairman Johnston declared the public hearing open.

MR. DAVID GRAF, 308 Wildrose, appeared in protest. He stated his basic reasons for protesting are increase in density. With the school already overcrowded in the area, there would be a minimum of 192 additional children in the school, probably twice that number. General downgrading of the neighborhood will occur because of the increase in density. Also, the major access to this development would be on Belrose and Avalon. Avalon is already a speedway as such now. This would certainly not help to decrease the traffic problem. The people on the north side of Avalon would in some cases have these apartments overlooking their backyards. That would result in a loss of privacy. There is no indication as to what the separation would be. There is a question as to what use the property would be for the property between this development and Lorenzi park. There is a space of several lots. There are several questions they would like to have answered. What type of construction and what guarantee would there be this is the type of apartment that goes in. Also, what is the proposed rental and the cost per unit. He presented two additional pages of the petition to the Board.

LA JENNE DUKES, 300 Eldorado, appeared in protest. She stated she doesn't care what the price is or how many people there would be. This is a very fine residential area, already ruined with a little bit of commercial. There is already enough children in the area and no need for any additional residential in high rise apartments under any circumstances.

MILDRED SHEEHY appeared in protest. She stated she has had four cars run into her yard. If they get 192 cars out there, she doesn't know how long

her property is going to last. If there are more cars out there, it is going to result in a lot of deaths of children.

ERNEST CHAPUT, 3101 Avalon Avenue, appeared in protest and stated he agrees with everything said before. He wasn't very happy when the City went along with the idea of selling a portion of Lorenzi for the K-Mart development but, in the interest of getting money for development of Lorenzi, he went along with it. If he had thought at that time this would come up, he would have been down here vigorously protesting. He feels it is a breach of faith on the part of the City if they go along with this. It is a detriment to the fine single family residences in the area. He would like to see the park continue to develop. He doesn't see how apartments can do anything but downgrade the area. During the past two years, they have carried on commentaries with the city traffic engineers to stop the cars speeding down Avalon. This additional source of traffic in the area will be bad.

Mr. Tiberti stated the development of C-1 would also increase traffic.

Mr. Chaput stated he felt it would increase probably to a lesser extent. He would be willing to take that chance.

MR. RICHARD BRYAN, attorney for the applicant, appeared. He stated this application is to scale down rather than to expand the zoning. They are asking for R-4 instead of C-1. They feel it is appropriate to note, because many of the protestants may not be aware of what could be developed under the existing C-1 zoning. They could develop a laundry, a hotel, mental hospital, tavern with a use permit, bowling alley, etc. In reference to the proposed development, they would characterize this as low density garden type apartments. A similar development has been approved by the County recently near K-Mart off Sahara. They propose to build a high quality type of apartment complex. The rent would be from \$190 to \$235 a month, not a low cost housing development. They would be two or three bedroom apartments. In terms of the loss of privacy, there is a maximum of two stories and the complex would be set back 76' from the property line of the protestants. It is not going to involve an intrusion of the privacy. He wished to differ with the gentleman who stated this would bring more traffic than a proposed commercial development. A bowling alley and theater would bring more traffic than these apartments. Under R-4 zoning, they would be entitled to build 50

units per acre. They are proposing 24 units per acre, approximately. In terms of the school facility, they can only draw upon their experience. His client has been involved in apartment complexes for the last ten years. He has \$130 million worth of building projects. Their surveys indicate this type of proposal is occupied by young professional people and most of the children are generally of pre-school age. When they do reach school age, generally the people move to a single family dwelling. They would not be a factor in terms of overcrowding the schools. He showed an architect's rendering which would give some idea as to what these apartments would be. He further stated in meeting with Mr. Saylor earlier this month, they did recognize there was a legitimate traffic question raised in terms of ingress and egress. It was suggested if the application were approved, they should move the ingress and egress and they are willing to do so.

Mr. Saylor stated the proposed access to the lower parking bay would be at the intersection and staff indicated if the application were approved, we would require there be no ingress or egress on this piece on Bonanza. It would all have to be in and out from Belrose.

Mr. Bryan stated he believed they could get by with R-3 rather than R-4 zoning with the density of 24 an acre based upon the proposed 192 units. This is sound and progressive zoning and they feel it is logical and in consonance with classic planning techniques.

Mr. O'Brien asked if the development occupies the entire 8 acre parcel.

MR. ROBERT SKINNER, the architect, stated it does occupy the entire 8 acres.

Chairman Johnston stated this could set a precedent. When people come before this Board with a zone change to commercial for large plats of land, the property owners protest them vigorously. As in this case, it was finally zoned commercial and the people resigned themselves to the fact it was going to be commercial. Several years later, because there isn't a demand for commercial, the owners come back and ask us to consider a high density development. It is a downgrading in the zoning, but it would change the nature of the area. He stated personally he couldn't be in favor of a downgrading of the zoning. It would be breaking faith with the people in the area.

Chairman Johnston then declared the

public hearing closed.

Mr. Tiberti moved the application of D.S. DE SURE FOR SOUTHWEST LAND & DEVELOPMENT CORP., for reclassification of property generally located on the west side of Belrose Street between West Bonanza and West Washington, from C-1 to R-4 be DENIED. The motion was seconded by Mr. Ward and carried by unanimous vote.

8. Z-68-70
APPROVED

Application of VIC HAVAS for reclassification of property legally described as Lot 10, Block 9, Mayfair Tract #2 and generally located on the southwest corner of Circle Drive and Bruce Street, from R-1 to P-R.

Mr. Saylor stated this is a change in zoning to P-R for property located on the southwest corner of Circle Drive and Bruce. To the north is commercial; across the street is commercial on the east side of Bruce. The lot on the corner of Lewis and Bruce is also zoned commercial. The lot in question has a house on it at the present time. The application was before you a couple of months before for a change to commercial. At that time the applicant could not indicate what specific use he had in mind. The application was denied by both this Commission and the City Commission. He is requesting P-R zoning for a professional office use. We have two letters of protest from property owners in that general area. The plot plan indicates they would utilize the existing building and have parking from Bruce. There is room shown on the plot plan to drive in and park and negotiate so they wouldn't have to back out onto Bruce.

Chairman Johnston declared the public hearing open.

MR. VIC HAVAS, the applicant, stated this would be used as a doctor's office.

MRS. WALDRON, 210 South Bruce, appeared in protest. She stated she has made her home there for several years. Bruce is a no parking street and even if he does have a parking facility in the front, he is only 10' from Mrs. Alms home. She protests intensely because Mayfair Tract #2 was an all residential tract and still is. Now he wants to make this one little corner commercial. There are plenty of zones for offices that are still empty and they could be used until this street is ready to turn commercial.

MRS. DILLE, 214 South Bruce, appeared in protest. She stated when his property goes the way he wants it to go, she would like to see the whole thing go that way.

Chairman Johnston stated they have indicated they would look favorably on P-R between Charleston and Fremont on Bruce. They have turned down many applications for commercial because the properties won't accommodate commercial. The City doesn't rezone a whole street. The property owners would have to have a use and file an application. The problem on Bruce is the traffic. It is not as desirable as it used to be to live on. The residences will still maintain their character, but the P-R gives the property owner some relief because it is difficult to live on a heavily traveled boulevard.

Mr. Tiberti stated the City doesn't take the whole street and rezone it because this way, the Board can control the parking, landscaping and walls.

Chairman Johnston declared the public hearing closed.

Mr. Tiberti moved the application of VIC HAVAS for reclassification of property generally located on the southwest corner of Circle Drive and Bruce Street, from R-1 to P-R, be APPROVED subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. Conformance to the plot plan.
3. Dedication of necessary rights-of-way and signing an agreement and posting a bond for the installation of off-site improvements as required by the Department of Public Works.
4. Conformance to the requirements of the Fire and Building Departments.
5. Landscaping as required by the Planning Department.
6. A 6' block wall to be constructed on the west and south sides.
7. Conformance to all requirements of the P-R Zone.

The motion was seconded by Mr. Uehling and carried by unanimous vote.

9. Z-27-68
Request for Reinstatement and Extension of Time

APPROVED for
twelve (12) months

Approved application of MARSHALL S. ASHCRAFT AND ROBERT C. RISHLING for reclassification of property generally located on the east side of Wyandotte between Wilmington and Milo, R-3 and R-4 Zones.

Mr. Saylor stated this is a request for reinstatement and extension of time. A while ago on Sahara, just west of

the freeway, the zoning was granted for a transient trailer park and at the same time, two small parcels was approved for apartment house development. The trailer park has never developed, but they are ready to build the apartments. Their time has run out and they are requesting a reinstatement. Staff recommends approval.

Mr. O'Brien moved the request for Reinstatement and an Extension of Time for twelve (12) months submitted by ASHCRAFT AND RISHLING for property generally located on the east side of Wyandotte between Wilmington and Milo, R-3 and R-4 Zones, be APPROVED. The motion was seconded by Mr. Tiberti and carried by unanimous vote.

10. Z-18-68
Plot Plan Review

APPROVED

Submitted by BERTA SPECIALTIES INC. for property located at 2401 and 2407 West Charleston Boulevard, C-D Zone.

Mr. Saylor stated some time ago, we developed a C-D zone pattern on West Charleston subject to plot plan review. Mr. Berta has come in with a proposed development on two of the lots on the south side of Charleston. The plan shows extensive landscaping and we feel the proposed use is in keeping with the intent of the C-D Zone. He indicates it would be used for a gift store, health appliance department, health foods, juice bar, department offices and meeting rooms.

MR. BERTA stated this is the same thing they have on Fremont.

Chairman Johnston stated he thought the C-D was very restrictive.

Mr. Saylor stated the C-D Ordinance permits retail shops and stores for the dispensing of goods and services, general business and professional offices, and banks and financial institutions. The ordinance excludes such things as drive-in facilities, any outside storage, restaurants, theaters, outside displays of any kind, nurseries, residential uses, etc. He is coming in with a juice bar in connection with a health food store and it is an integral part of that operation. It is no different than a soda fountain in a department store.

Chairman Johnston stated this is not the way he thought the C-D zone was going to be.

Mr. Berta stated it is a very awkward type of thing to denote. The juice would be served in paper cups, it is not a seating arrangement.

Mr. Tiberti moved the Plot Plan Review submitted by BERTA SPECIALTIES INC. for

property located at 2401 and 2407 West Charleston Boulevard, C-D Zone, be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. Conformance to the requirements of the C-D Ordinance.
3. Landscaping as required by the Planning Department.

The motion was seconded by Mr. O'Brien and carried by unanimous vote.

11. Discussion

ABEYANCE

Planned Unit Developments

Mr. Saylor stated you remember several meetings ago, we came to you with criteria we proposed to use in evaluating Planned Unit Developments and requirements we recommended should be put in the subdivision ordinance relative to Planned Unit Developments. This was held by the Planning Commission so it could be reviewed by the Southern Nevada Home Builders Association. We had a meeting with them. They had several points of disagreement. They also referred it to the National Association of Home Builders who commented they thought it was beautiful. We don't know whether they still have points of disagreement or not.

MR. JACK STUHMER, of Southern Nevada Home Builders Association, appeared and asked if they could have a couple of weeks to discuss this with staff.

Chairman Johnston stated this would be held until further notice.

DIRECTOR'S BUSINESS

1. Discussion

APPROVED

Request of Planning Director to initiate zoning action along the Tonopah Highway.

Mr. Saylor stated many years ago, the County arbitrarily zoned 660 feet of commercial along the Tonopah Highway. Subdivisions have subsequently been approved but did not correlate with the zoning line. We are asking for permission to initiate a change in this zoning.

Mr. Ward moved permission to initiate zoning action along the Tonopah Highway be given. The motion was seconded by Mr. Tiberti and carried by unanimous vote.

2. Discussion

APPROVED

Recommendation of Planning Director to amend zoning ordinance relative to C-1 zones.

Mr. Saylor stated under the C-1 ordinance, you can have high density high rise apartments. You can't have R-3

or R-4, but you can have R-5 and R-6. We weren't too concerned because most of the C-1 is under Resolution of Intent, but there are some places zoned outright and it is conceivable someone could come along and buy it and build a high rise apartment in the C-1 area. In the C-2 zone, downtown, we would allow these high rise apartments. We would like to get a recommendation to the City Commission to exclude all residential development from the C-1 ordinance. This doesn't stop anyone from applying. It is not automatic.

Mr. Tiberti moved the recommendation be made to the City Commission to exclude all residential uses from the C-1 ordinance. The motion was seconded by Mr. O'Brien and carried unanimously.

3. Visual Environment
Plan

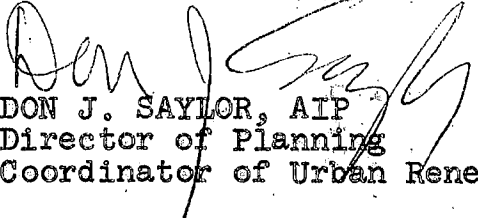
ADOPTED

Mr. Saylor stated the Visual Environment Plan was primarily developed through the Beautification Committee. This is a five year schedule of proposed development of these various projects. He reviewed in detail the projects and priorities. He further stated this plan has to be amended from year to year.

Mr. Tiberti moved the Visual Environment Plan be ADOPTED. The motion was seconded by Mr. O'Brien and carried by unanimous vote.

ADJOURNMENT:

There being no further business before the City Planning Commission, the meeting was adjourned at 9:50 P.M.


DON J. SAYLOR, AIP
Director of Planning
Coordinator of Urban Renewal

DJS:bjw