

A G E N D A

SEP 24 1973

CITY PLANNING COMMISSION  
September 25, 1973

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CALL TO ORDER:

7:30 P.M. in the Commission Chambers of the City Hall, 400 Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

OLD BUSINESS:

1. VAC-8-73

Abeyance from  
9/13/73

Petition of Vacation submitted by V. L. JOHNSON ET AL for vacation of property generally located 130 feet east of South Third Street extending south from Charleston Boulevard, 155.3 feet.

2. Discussion

Ordinance Nos. 1648 and 1650, referred to Planning Commission by City Commission.

3. Amendment

Planning Commission Rules and Regulations

NEW BUSINESS:

1. Z-77-73

Application of HARDY ALLEN for reclassification of property generally located on the south side of West Sahara Avenue between South Valley View Boulevard and Las Verdes Street, 320 feet east of Las Verdes Street, from R-3 to C-1.

Proposed Use: Family Billiard Parlor

2. Z-78-73

Application of BEVERAGE INDUSTRY OF NEVADA, INC. for reclassification of property generally bounded by Washington Avenue on the north, Morgan Avenue on the south, "A" Street on the east, and "B" Street on the west, from R-4 to M.

Proposed Use: Recycling Plant and Related Facilities

3. Z-79-73

Application of ELLIS AND MARY STEVENS for reclassification of property generally located on the north side of West Bonanza Road between Tonopah Drive and Dyke Lane, 113 feet west of Tonopah Drive at 2110 West Bonanza Road, from R-E to C-2.

Proposed Use: Office and Swimming Pool Service Operation

4. Z-80-73

Application of RICHARD TAM, SECRETARY OF TEDDY RICH ENTERPRISES, for reclassification of property generally located at the south end of Tamrich Road, 425 feet south of El Conlon Avenue, from R-1 (under resolution of intent to R-2 P.U.D. and R-4 P.U.D.) to R-PD 27.

Proposed Use: Two Story Cooperative Apartment Development consisting of 134 units

5. Z-81-73

Application of BOBBY MORRIS for reclassification of property generally located on the north side of East Sahara Avenue between Chapman Drive and South 17th Street at 1629 East Sahara Avenue, from R-2 to C-1.

Proposed Use: General Offices

6. VAC-9-73

Petition of Vacation submitted by CLARK COUNTY SCHOOL DISTRICT of property described as that portion of Ninth Street lying north of the north line of Clark Avenue and south of the south line of Lewis Avenue.

7. Z-64-72

Extension of Time

Submitted by ERNEST A. BECKER ENTERPRISES for extension of time concerning property generally located on the west side of Winwood Street between Lake Mead Boulevard and Stacey Avenue, R-PD 10 Zone.

Original Approval: 9/27/72

No Previous Extensions

8. New Street Dedication Generally located at Homestead Drive, north of Log Cabin Way, to be named Rustin Road.
9. PM-11-73 Parcel Map submitted by BANK OF NEVADA, TRUSTEE, concerning property generally located on Washburn Road between Jones Boulevard and Maverick Street.
10. Recommendation Planning Commission member to fill vacancy on Board of Zoning Adjustment.

Handwritten notes: "Wep" and "CR" with a signature.

M I N U T E S

CITY PLANNING COMMISSION

September 25, 1973

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

PRESENT:

Acting Chairman Coleman, Messrs. Jenkins, Busch, Cutler, and Dr. Parker.

ABSENT:

Chairman Ward and Mr. Tiberti

STAFF PRESENT:

Don J. Saylor, AIP, Director of Community Development  
Ian Ross, Assistant City Attorney  
Betty Jo Winter, Recording Secretary

OLD BUSINESS:

- 1. VAC-8-73  
APPROVED  
IN PART

Petition of Vacation submitted by V. L. JOHNSON ET AL for vacation of property generally located 130 feet east of South Third Street extending south from Charleston Boulevard 155.3 feet.

Mr. Saylor indicated this was before the Commission at the last meeting. It involved a 10' wide alley running south of Charleston between Third and Third Place. There is a 20' east/west leg of the alley going as far east as the south point of the portion to be vacated. The 10' alley south of that was previously vacated some time ago. He stated there was discussion relative to Mr. Urga who owns the property and the parking lot who is seeking the vacation and Mr. Nolan who was opposed to the vacation. Staff pointed out at the rear of the Nolan building there is an electrical panel; however, that access still could be provided if the alley were vacated but maintained as a utility easement. He indicated Public Works indicated they needed the alley for drainage and again that could be accomplished if the alley were maintained as a drainage easement. It was held in abeyance so the members of the Planning Commission could go out and look at the situation in the field.

MR. WILLIAM URGA, attorney representing the applicant, appeared and indicated they have no objection to leaving an easement as far as the power was concerned. He stated they have given the Power Company an easement and they would also be willing to leave it open enough for drainage. They propose a cyclone fence to block off the alley for their parking lots in the rear on both sides of the easement.

Mrs. Coleman asked how many curb cuts were in front of his building.

Mr. Urga replied there were three counting the easement. He indicated they could close one and gain a parking space. He stated the 10' easement had been vacated all along there and this was the only remaining portion.

MR. AL ANIELLO, owner and operator of Aniello Insurance, 315 East Charleston, appeared in protest. He indicated Mr. Urga had erected a fence and as a result they had deplorable parking problems. By blocking off

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the alley, people wanting to go into Mr. Urga's building parked in the lot for Mr. Nolan's building. He indicated his clients had been unable to get into their building. He stated the City made Mr. Urga remove the fence and as a result there had been a nice flow of traffic. He strongly recommended the vacation not be approved.

Mrs. Coleman indicated since the area was bare of any greenery, why couldn't they put a free-standing planter to separate the two parking lots. That way they couldn't go into Mr. Nolan's lot.

Mr. Urga indicated they would be willing to vacate it and put a planter between the buildings.

Mr. Cutler asked if there were any accesses from Mr. Nolan's building to the rear except for the power panels. He stated the entire back of the building was solid block structure and there were no exits. Mr. Nolan would have no other reason to use the alley or the back parking lot.

Mr. Nolan appeared and indicated that was correct.

MR. JAMES REYNOLDS, manager of Westinghouse Credit, appeared in protest. He indicated he leased 25 percent of the Nolan Office Building. He stated he, as a tenant, could not stay there if he didn't have parking for his customers. When the alley was fenced off, there wasn't any parking from 10 a.m. to 5 p.m. He had his people in shifts watch to see who was parking there and there was a steady stream going next door to the Urga building. He stated the front parking lot is obvious to a customer of either building. A back access from another street is not nearly as obvious, nor as easily accessible mentally to a person arriving at the building. He stated past performance of the public is, if the alley is open, they follow the sign that states Urga Building Parking in the Rear.

Mrs. Coleman asked how many employees worked at Westinghouse Credit.

Mr. Reynolds replied he had 21 employees, none of which are allowed to park in the parking lot. He stated they park across the street and down the block.

Mr. Cutler asked if any people in the Nolan building were using Mr. Urga's parking lot.

Mr. Reynolds indicated they controlled their employees. He stated it is dangerous to park in Mr. Urga's parking lot because they have cars towed away. He stated he didn't believe the raised landscaped island would help the situation.

MR. TED BORENSEN, tenant in Nolan building with Smelter International, appeared in protest. He indicated within the last two years they have found a consistently decreasing parking space availability. He stated they instructed their employees not to occupy the spaces in front of the building. It would be awkward for them to use the parking in the rear and it is not conducive for any access to their customers. He stated the location is very agreeable and the maintenance of the building is outstanding. The parking is deplorable.

Mr. Jenkins asked what was the reason for the problem in the last two years.

Mr. Sorensen indicated there was an increase in activity in the area.

Mr. Jenkins asked if it was one new business coming into the building.

Mr. Sorensen indicated he supposed so.

Mr. Cutler asked how many people would come to his office during the day.

Mr. Sorensen estimated about 20 to 30 people.

ALICE HOFFMAN, Branch manager of Lawyer's Title, appeared in protest. She indicated their customer flow was from 10 to 15 per day. She stated prior to two or three weeks ago when the fence was taken down, customers had complained about the lack of parking. Since the fence was removed, there has been parking spaces open. She stated they were instructed to park across the street or down the block, not in the parking lot. No one in her office would park in the Urga lot because they feared being towed away.

RICHARD WATERS, Nevada Blue Shield, 316 East Charleston, appeared in protest. He stated the problem without any question was parking. The building was well maintained. He stated the only place obvious to the public is the Nolan building parking lot. He stated the alley should be left as it is at the present time for parking for the Urga building customers.

Mrs. Coleman asked how many employees he had.

Mr. Waters indicated he had two female employees who did not park in their parking lot. He stated the traffic flow to his office varied from 8 to 12 people per day.

JOE NOLAN appeared in protest. He indicated the petition for vacation was erroneous. He stated it states the reason for vacation is it has not been used for 20 years. He stated when he constructed his building, he set it back 2-1/2 feet from the property line so the alley could be kept open. He also removed a telephone pole at his expense and paved the alley. He indicated he also had a letter of protest from a CPA in his building. He stated these people have a strongly vested interest in this property. He stated the people who signed the petition of vacation couldn't possibly be affected by this alley being vacated. He indicated the City Right-of-Way department had objected to the vacation; the Fire Department gave a very qualified approval, as did the Public Works Department.

Mr. Saylor indicated the Public Works Department includes the right-of-way department and their comments were to the effect the alley was needed for drainage and pointed out the fact the east/west leg would dead-end. They recommended the alley not be vacated. The Fire Department indicated the access to the recessed panels were restricted.

Mr. Nolan presented a parking survey conducted Thursday and Friday and read the survey results to the Commission. The survey in essence, indicated 23 percent of the automobiles parking in his parking lot entered the Urga building, even with the alley open. He stated the survey was valid and he is no way influenced the

survey takers. He indicated he was hopeful of getting zoning on Lot 8 which he purchased for parking which would provide an additional 19 parking spaces and be able to obliterate the parking problem. He indicated he didn't believe the planter area would be practical. He stated they were using the curb cut off the alley for access to his parking lot and the vacation would mean he would have to make another curb cut and eliminate two parking spaces. The customers would still park in the most convenient place which is in front of his building.

Mr. Jenkins asked how many parking spaces Mr. Nolan had.

Mr. Nolan replied he had 17 spaces. He stated the number of people parking in his lot using the Urga building would greatly increase if the alley were vacated.

Mr. Busch asked how many employees Mr. Nolan had.

Mr. Nolan replied he had 22 employees and probably a quarter of them were in at one time.

Mr. Busch asked where they parked.

Mr. Nolan replied they park across the street or on the surrounding streets unless they are bringing in a client.

Mr. Jenkins asked if they had tried posting signs.

Mr. Nolan indicated they have a sign posted, but it is not effective.

Mr. Cutler asked if there had been any agreement in the past between Mr. Urga and Mr. Nolan concerning the parking.

Mr. Nolan indicated when he first built his building, there was no parking problem. He let Urga's people park in his lot and his people parked in Urga's lot. However, the parking problem has developed over the last two years.

Mr. Cutler asked how many people parked in front of the Urga building and went into the Nolan building.

Mr. Nolan indicated they had only space for 8 or 9 cars. He stated they did not count the people who emerged from the alley in cars. They had no way of knowing how many people entered the back of Urga's building.

Mr. Urga reappeared and indicated where he wants to put his fence to protect his property and his parking lot would not interfere with the electrical panels whatsoever. He indicated he felt the point separating the two lots with a planter would solve the problem. He stated his tenants have back entrances for customers. Nolan's tenants have no back entrance. He stated Mr. Nolan and his tenants were more worried about his parking lot than he is. He stated he would be glad to pay Mr. Nolan for the paving.

Mr. Saylor indicated he wanted clarification about the planter. He understood they didn't want the alley

but wanted a planter so it couldn't be used for vehicular traffic. He didn't think that could be done. He stated the people would still drive across the sidewalk to get into Nolan's lot. There is no practical way of stopping that access.

Mrs. Coleman asked if he didn't think the raised landscaped island would be a deterrent.

Mr. Saylor indicated they couldn't keep the alley as public right-of-way and put an island across it.

Mr. Jenkins asked if this could be held in abeyance again.

Mr. Saylor indicated the applicant and protestants should be asked if they objected to it being held.

Mr. Nolan indicated they felt they would like to have it resolved now.

Mr. Jenkins indicated he felt there was an easier way to do this. They are really trying to resolve a problem between two individuals concerning their parking.

Mr. Urga indicated he didn't have any problem and he wanted to protect that. He indicated the 10' alley was really a traffic hazard.

Mr. Nolan indicated Mr. Urga had no parking problem because this people were parking in Mr. Nolan's lot.

Mr. Cutler asked if they could close it to vehicular traffic.

MR. IAN ROSS, assistant City Attorney, indicated the City has had areas where the vehicular traffic had been vacated, but the pedestrian access retained.

Mr. Cutler moved the alley be vacated to vehicular traffic and retained for pedestrian traffic only. He indicated he would amend that to include the planter. He asked if the City would have to maintain the planter.

Mr. Ross indicated on behalf of the City, the ramifications involved included the construction of the planter and the maintenance, and the City could be liable if anyone ran into the planter. There would be the problem of putting up reflectors if a steel pipe were put in the center of the alley closing it to vehicular traffic.

Mr. Cutler reiterated his motion subject to a legal opinion that the alley be closed to vehicular traffic and limited to walking traffic only. Mr. Jenkins seconded the motion. The motion carried by unanimous vote with conditions as set forth below:

1. Satisfaction of code requirements and design standards of City departments.
2. Satisfaction of the requirements of the various utility companies.
3. Vacation shall not be recorded until all of the above conditions have been satisfied.

This item will be heard by the City Commission on October 3, 1973, at which time a date for public hearing will be set.

NEW BUSINESS:

1. Z-77-73

APPROVED

Application of HARDY ALLEN for reclassification of property legally described as Lots 8 and 9 of Block 1, Las Verdes Heights 6, Unit No. 5 and generally located on the south side of West Sahara Avenue between South Valley View Boulevard and Las Verdes Street, 320 feet east of Las Verdes Street, from R-3 to C-1.

Mr. Saylor indicated the property on both sides was zoned C-1. This is in accord with the General Plan which recommends commercial along the south side of Sahara in this area. The proposed use is compatible with the surrounding development and is a permitted use in the C-1 zone. Staff recommended approval subject to the usual conditions. The plot plan showed the landscaping along Sahara and against the building to the rear of the building backing up to the alley. He indicated a block wall should be provided along the south side of the alley if there is not an existing wall.

Acting Chairman Coleman declared the public hearing open.

MR. HARDY ALLEN appeared and indicated he proposed a family billiard parlor. The plans come up to all specifications required. The property on both sides of that property is already zoned commercial. Across the street is the Wonder World shopping complex.

Mrs. Coleman raised a question concerning the location of the property and it was determined this property was adjacent to the bar.

Mrs. Coleman asked if the setback of the building was the same as the bar.

Mr. Allen indicated they were sitting 5' from the alley. The parking area is in front. They propose parking for 21 cars which is more than required.

Mr. Cutler asked if this complied with the C-1 requirements.

Mr. Saylor indicated it was completely in accord with the requirements of the C-1 zone, the recommendation of the General Plan, and in keeping with the existing zoning pattern and land use pattern in the area.

Acting Chairman Coleman declared the public hearing closed.

Mr. Jenkins moved the application Z-77-73 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. 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.
3. Satisfaction of code requirements and design standards of City departments.
4. A 6' block wall to be constructed along the south side of the alley.

5. Landscaping shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping shall be cause for revocation of a business license.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.

The motion carried by the following vote:

"AYES": Jenkins, Busch, Parker, Cutler, Coleman.  
"NOES": None

This item will be heard by the City Commission on October 10, 1973.

2. Z-78-73  
WITHDRAWN

Application of BEVERAGE INDUSTRY OF NEVADA, INC. for reclassification of property legally described as Block 28, Original Las Vegas Townsite, and generally bounded by Washington Avenue on the north, Morgan Avenue on the south, "A" Street on the east, and "B" Street on the west, from R-4 to M.

Mr. Saylor indicated this is recommended for industrial under the General Plan. However, the portion of the area is zoned industrial and some is developed that way, but the remainder of the area is zoned for apartments and there are still residences in existence. He indicated the street pattern reflected is not the street pattern that will be reflected after the freeway is built. There will be a ramp coming off the freeway onto Washington. The proposal is to use the property for a recycling facility which involves recycling of aluminum cans, tin cans, bottles. The request is in accord with the General Plan, but this is an example of how sometimes you get into a little problem because of the timing factor. There still is some residential development in the area and if you are going to transition, somewhere along the line you run into this conflict. Eventually we hope all of the residential development will be removed from the area and it will all be industrial. The plot plan indicated the fencing along Washington and staff would require a fence around the entire property. He indicated the driveway access, the glass storage, aluminum can storage and a checking station and a shredder. He stated the shredder may produce a noise factor. Staff was not aware of the intensity. He stated staff had been discussing this with a member of the Beautification Committee who is interested not only in the proper aesthetics of the development and exposure to the freeway, but also interested in the other aspect of it being a recycling facility which hopefully has removed some of the beer cans and bottles from being deposited on the street, in the parks, and out in the desert. There was no record of protest.

Acting Chairman Coleman declared the public hearing open.

MR. KEITH HAYES, representing the applicant, appeared. He presented a plot plan and copy of the drawing of the property as it will be developed. He stated the property is located between the freeway and the railroad tracks. He stated it is an old residential area; however, it is only logical to transition to commercial property because of the railroad tracks and

the freeway. He introduced some people present who are involved with the application. He stated this recycling plan has received nation-wide acclaim for the multi-purpose it serves; the clean-up of litter, the recycling of valuable resources and a very tremendous side benefit, that of giving the young men in the juvenile program work to perform. It has been very successful. The operation has been operating since March, 1971, off Bonanza Road on property which they have been able to get free use of from the Review-Journal. However, it no longer serves their purposes to have them there and they have been requested to leave. They have done a lot of looking around and this property is the answer to their prayers.

MR. ROBERT YOST, Clark County Juvenile Court, appeared and indicated their involvement in the recycling plan began with a program involving young people whereby they were put to work rather than sent to an institution. It was a pilot project financed by the Federal government and to be determined whether to be accepted by the state. It proved successful and the state did accept it. He indicated they consider the recycling plan an integral part of their program. They can train the boys to work at the plant and it is tailored to boys' needs. He presented statistics on the aluminum and number of people working there, the hours, wages, etc.

Mr. Jenkins asked what the noise factor was going to be.

MR. SAREHIME appeared and indicated it would be a lot less than the railroad noise and the freeway noise.

Mrs. Coleman asked what hours they operated.

Mr. Sarehime indicated they work from 8 to 5. They are open from noon to five weekdays, but the machine could probably be shredding between 8 and 5. They are open every day except Sunday, Monday and Tuesday. He indicated he lived 75' away in a trailer and he could only hear a hum. This would be 100' to 150' from the residences.

Mr. Hayes indicated there were several substandard residences on property that belonged to the Highway Department which he understood were occupied by welfare recipients on an as-needed basis. He indicated there was not a substantial residential factor involved in the area. He stated the residential character had been destroyed by the freeway and the railroad tracks.

Mr. Saylor indicated that was private property belonging to people who were living there. He stated nobody argues the benefits of the operation. Some of us served on the Solid Waste Pollution Control Board and they gave full support to this operation. However, the social value of the operation cannot completely overwhelm or eliminate the fact there are people living in the immediate area. That should be taken into consideration.

Mrs. Coleman asked about the property north of Washington.

Mr. Hayes indicated that area is generally clear.

MR. PINJUV of the State Highway Department appeared and indicated there was going to be an on-ramp and a big portion will be left vacant afterwards.

There followed a brief discussion concerning the freeway on-ramp and off-ramp.

Dr. Parker asked how many homes were involved across the street.

Mr. Sarehime indicated there were 4 homes across the street.

Mr. Cutler asked if they had taken any decibel readings and if there would be any odor involved with the operation.

Mr. Sarehime indicated there would be no odor and they had not taken any decibel readings; however, they would do so.

THALIA DONDERO, member of the Beautification Committee, appeared and indicated the shredder itself would be covered by a canopy which is secured. That will be further screening of noise and sight pollution. All of the area around it will be planted with Arizona Cypress and Oleanders.

Mrs. Coleman asked if there was any chance litter would blow out through the driveway.

Mrs. Dondero indicated it shouldn't. The operation is controlled.

MR. DARRYL HANSEN, representing Mr. Montague who owns property on the northeast corner of Washington and "A" Street, appeared in protest. He indicated they recently had a review on June 14 at which time they requested and obtained permission to construct a warehouse on that property. At that time they were very much impressed with the interest of the Commission concerning the improvements the structure would make in the general area. When the Highway Department elected to put the freeway in this particular area, one of the factors involved was they were seeking to improve the general area and in so doing, they removed some property that was considered undesirable. They proceeded with plans for construction of their warehouse and office complex at an estimated cost of \$250,000. They had no idea a facility called a recycling plant would be located there. They assumed in line with custom that the public would be advised when the excess highway department property would be available and they would be allowed to bid on that property; however, this was not done. The Beverage Industry will be leasing this property from the Highway Department at a very modest fee. What this amounts to is that the Beverage Industry now joins the ranks of our subsidized industries and he felt there were enough of them. He indicated the idea of calling a junk yard a recycling plant was a gross misnomer. They are not interested in constructing a building costing \$250,000 in the area of a junk yard. He indicated visitors coming to Las Vegas would be looking down on top of a junk yard.

LARRY WRIGHT, a property owner in the area, appeared and indicated there was not really an objection to the

plant, but they felt they had been done an injustice in not being told or given any kind of plans about the noise, etc. The people work at night and sleep during the day. He was concerned about the truck traffic, and whether they would be cut off because this sits on the corner. They wanted to know how it would affect their property. He indicated these people live there and would be greatly affected by the project.

Mrs. Coleman asked how many property owners were with him.

Mr. Wright indicated there were six. That represented six different pieces of property.

MR. HENRY CAMPBELL appeared and indicated he would like to know how this would affect his property. He asked if it would block them off from civilization with the railroad tracks, overpass, and if it would depreciate their property or inflate the property. He indicated this had been planned and nobody knew about it until a couple of days ago.

Mr. Jenkins indicated this would be governed by the City planning specifications. They do not want it to be a detriment or a hazard to his property. He stated the property would probably be increased in value.

Mr. Hayes reappeared and indicated the City Attorney had pointed out a defect in the petition which would perhaps leave the petition subject to challenge on technical grounds. Rather than belabor the matter, he requested permission to withdraw the petition and resubmit it.

Mr. Cutler asked if they would get some decibel readings and Mrs. Coleman indicated they should notify the property owners about the plans.

MR. HANSEN reappeared and indicated he felt the technicality they were talking about was one in which they failed to mention they didn't own the property. They knew they didn't own the property, and he submitted the intent of the applicant was to have the Commission believe it was their property when it was, in fact, leased from the Highway Department at a very nominal fee. He felt this was grossly unfair and he felt it should be voted upon tonight.

Mr. Saylor indicated the application was null and void and could not be acted upon.

Mr. Hayes indicated he would invite Mr. Hansen to look at the law which provides for such use for such purposes under the rules and regulations of the State Highway Department. He indicated he took exception to the approach Mr. Hansen has made tonight.

3. Z-79-73

APPROVED

Application of ELLIS AND MARY STEVENS for reclassification of property legally described as commencing at a point on the north boundary of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 29, Township 20 South, Range 61 East, MDB&M, from which the quarter section corner between Sections 28 and 29, Township 20 South, Range 61 East, bears S.88°27' East 238.15 feet distant; thence S.0°25' East and parallel to the east boundary of said Section 29 to a point on the north boundary of the right-of-way of Clark Avenue produced (now

West Bonanza Road), the point of beginning; thence S.88°44' East 100 feet; thence N.0°25' West, 432.62 feet; thence N.88°44' West 100 feet; thence S.0°25' East 432.62 feet to said point of beginning and generally located on the north side of West Bonanza Road between Tonopah Drive and Dyke Lane, 113 feet west of Tonopah Drive at 2110 West Bonanza Road, from R-E to C-2.

Mr. Saylor indicated the freeway runs along the south of the properties on the west side of Bonanza. He indicated changes had been made on the south side of Bonanza to general commercial and warehouses have been allowed on the extreme rear of the portion backing up to the freeway. The General Plan does call for transition in this general area. On the south side staff recognizes the depth of the properties from Bonanza to the expressway is fairly constant; however, on the north side the depth of the properties varies to a great extent. Consequently, the General Plan recommends the transition on the north side only to the depth of the McDonald's property at Dyke Lane. This is a request to extend that depth. It is a request for C-2. At this point in time staff feels that in accord with the recommendations of the General Plan, we can only recommend C-1 zoning on the south portion of the property. The plot plan indicates they are going to use only the southern portion of it. He stated if there is any further enlightenment brought about in the area as a result of the updating of our General Plan, reconsideration could be given at that point in time. Staff recommended denial of the application as submitted, and recommended it be amended to the south half of the property only, amended to C-1. The City Commission has asked that if you propose to approve it that way as amended, it should be with the applicant's consent. If he doesn't consent and that is still your position, the only thing you can do is deny the application.

Acting Chairman Coleman declared the public hearing open.

A real estate agent representing the applicant appeared and indicated the people who tendered the offer to purchase the property were not present. He stated one of the contingencies of the sale was they be allowed to use the portion on the south for the pool service. He indicated the Stevens were receptive to anything that would help the area and the sale to be effected.

Mrs. Coleman asked if he wished to have this held in abeyance.

The gentleman indicated the owners would be willing to go along with the general thinking for the area; specifically that the south portion of the property be used for this purpose.

Mrs. Coleman indicated this would be C-1 rather than C-2.

The gentleman indicated he felt this type of use would still be allowed in the C-1 zone.

Mr. Saylor stated staff was not prepared to advise the Commission that he could do that which he is proposing to do in the C-1 zone. He indicated he suspected he could not, otherwise the application would have been for C-1 instead of C-2.

Mrs. Coleman asked if this should be held in abeyance.

Mr. Saylor indicated if this is agreeable, staff could get the matter of the use clarified and he can also clarify whether the proposed purchaser was agreeable to the amendment.

The gentleman indicated he felt certain this would help the whole transition to go along these general lines. He indicated this type of business didn't require extensive yard space. It is a small type warehouse and storage for equipment.

Mr. Cutler asked what the depth was.

Mr. Saylor indicated it was about 400'.

The gentleman indicated he would agree to amend the application to the south portion of the property amended to C-1.

Acting Chairman Coleman declared the public hearing closed.

Dr. Parker moved the application Z-79-73 be APPROVED subject to the following conditions:

1. The application be limited to the south half and be amended to C-1.
2. Resolution of Intent be restricted to a twelve (12) month time limit.
3. Conformance to the plot plan as amended to satisfy the requirements of the C-1 zone.
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. Satisfaction of code requirements and design standards of City departments.
6. Landscaping shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping shall be cause for revocation of a business license.
7. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.

The motion was carried by the following vote:

"AYES": Jenkins, Busch, Parker, Cutler, Coleman  
"NOES": None

This item will be heard by the Board of City Commissioners on October 10, 1973.

4. Z-80-73

APPROVED

Application of RICHARD TAM, SECRETARY OF TEDDY RICH ENTERPRISES for reclassification of property legally described as that portion of the Northwest Quarter (NW $\frac{1}{4}$ ) of Section 8, Township 21 South, Range 61 East, MDB&M, described as follows: Commencing at the northwest corner of Section 8, Township 21 South, Range 61 East, MDB&M, thence S.01<sup>0</sup>49'36" East, 645.56 feet;

thence S.89°26'29" East 616.50 feet; thence S.0°33'31" West 425.81 feet to the true point of beginning; thence continuing S.0°33'31" West 19.81 feet; thence S.20°15'16" West 254.99 feet; thence S.27°19'36" East 341.22 feet; thence N.62°40'24" East 269.00 feet; thence S.89°26'29" East 502.69 feet; thence N.0°33'31" East 100.00 feet; thence N.89°26'29" West 229.11 feet; thence N.0°33'31" East 31.67 feet; thence N.89°26'29" west 70.00 feet; thence N.0°33'31" East 30.00 feet; thence N.89°26'29" West 200.00 feet; thence N.27°19'36" West 160.00 feet to a point; said point being also the beginning of a non-tangent curve concave northwesterly, subtending an angle of 62°06'53" and having a radius of 150.00 feet and an arc distance of 162.62 feet; thence N.89°26'29" West and a distance of 320.00 feet to the true point of beginning. Property generally located at the south end of Tamrich Road, 425 feet south of El Conlon Avenue, from R-1 (under Resolution of Intent to R-2 P.U.D. and R-4 P.U.D.) to R-PD 27.

Mr. Saylor indicated some time ago zoning was approved for an R-2 density planned unit development and an R-4 density planned unit development on this piece for a senior citizen facility, higher rise. It is for teacher's housing, but not restricted specifically to that. It is a type of townhouse development cooperative venture. They have abandoned the plans for the remainder of the development and are proposing a two-story rental apartment for senior citizens with an income control factor. The eastern portion of the development which goes over to the single family would be green area. Staff felt the proposed development provided essentially the same density that could have been provided on this portion of the property under the existing resolution; therefore, there is no increase in density. Staff felt the proposed development was much less intense than that originally proposed. Consequently, staff felt this was a much better utilization of the land, much more compatible with the existing zoning and development pattern. Staff recommended approval with some stipulations: access to the parking area is by means of one private driveway and staff felt the private drive should be extended west to Valley View. There should also be a block wall that backs up to the homes to the east. They have 134 units and are proposing 200 parking spaces which essentially is 1-1/2 to one which is the normal apartment house requirement. They are prepared to discuss with you the possibility of a waiver of that requirement to allow 1 to 1 in view of the fact it would be for senior citizens. Staff's position is if they can convince you of the validity of their position, it is ok with staff. There was no record of protest. He further stated in recommending approval of this proposal, staff is predicating it upon dissolving the R-4 resolution and R-2 resolution on the remainder of this property.

Acting Chairman Coleman declared the public hearing open.

MR. GEORGE HARRIS, representing Clark Terrace which is a non-profit corporation formed by Clark County Teacher's Association to sponsor the housing described, appeared. He indicated they had submitted an application to the Department of Housing and Urban Development to get a federal subsidy for this type of project. He stated the wall requested had been completed. The reason for the change was essentially when it was approved, it was to be an eleven story apartment complex. The

project had been approved by FHA, the mortgagee was ready to go and the President impounded the money. They are now ready to go on this development. He indicated 134 units consisted of 1/3 one-bedroom apartments and the remaining 2/3 would be efficiency units. There is a game room, family room, common facilities. No one under age 62 could live there and they have to have a limited income. The federal government has surveyed parking requirements in this type of project and they have found less than 1 to 1 requirement for parking spaces for people who utilize them is sufficient. He indicated they were prepared to go to the 1-1/2 to 1 but if they were successful in convincing the Commission of the 1 to 1 ratio, the area in the parking lot would be diminished and it would have more green area.

Mrs. Coleman asked where the guest parking was. She indicated the Housing Authority has had a severe problem with guest parking.

MR. MATTEUCCI appeared and indicated the reason they picked this location was the HUD people and FHA people indicated they needed an area close to shopping, etc. He pointed out the guest parking in the development. He stated the contractor would be Lee Ward and the mortgagee was Weyerhauser.

Acting Chairman Coleman declared the public hearing closed.

Mr. Saylor indicated there may be mitigating circumstances involved because of the senior citizen occupancy and staff felt the Commission should have the full benefit of their presentation and form their own opinions as to whether it should be 1-1/2 to one or 1 to 1.

Mr. Cutler asked if it could be 1-1/4 to one.

MR. TOM DOBRUSKY, of Tate and Dobrusky, Architects, appeared and indicated the parking ratio of one parking space for each 4 units which is 1/4 to 1 has been proven to be successful in other parts of the country. He stated the 1-1/4 would be reasonable.

Mrs. Coleman indicated they should provide adequate off-street parking and more because this may not go as a senior citizen project.

Mr. Jenkins indicated if they are willing to go 1-1/2 to one, why not approve it that way.

Mr. Saylor indicated staff didn't want to have any more than was necessary and would rather have open area. He indicated staff would recommend the parking be 1-1/4 to one.

Mr. Cutler moved the application Z-80-73 be APPROVED subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. A 30' wide minimum paved access shall be provided on the west portion of the development to Valley View.
3. A 6' masonry wall to be constructed along the north, west and east sides of this development.

4. The undeveloped portions of the Resolution of Intent to R-2 P.U.D. and R-4 P.U.D. under Z-6-70 shall be expunged.
5. Tamrich Drive from El Conlon to this development shall be improved to a minimum width of 40'.
6. Parking to be provided at a ratio of 1-1/4 spaces per unit.
7. All driveways shall be 30' wide with parking on both sides and a minimum of 26' with parking on one side.
8. If the development is phased, each phase shall be self-sufficient in terms of access, parking, circulation, recreation and common areas.
9. Satisfaction of code requirements and design standards of City departments.
10. 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.
11. Landscaping shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner.
12. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.

The motion was carried by the following vote:

"AYES": Jenkins, Busch, Parker, Cutler, Coleman  
 "NOES": None

This item will be heard by the City Commission on October 10, 1973.

RECESS:

Acting Chairman Coleman declared a ten minute recess at 9:45 P.M. The meeting reconvened at 9:55 P.M.

5. Z-81-73

APPROVED

Application of BOBBY MORRIS for reclassification of property legally described as Lot 16, Block 6, Francisco Park #2 and located on the north side of East Sahara Avenue between Chapman Drive and South 17th Street at 1629 East Sahara Avenue, from R-2 to C-1.

Mr. Saylor indicated a number of lots on Sahara have C-1 uses or P-R uses. In accord with that policy the plot plan proposed showed the building maintaining the existing setback line, parking in the rear, landscaping in the front and some against the building. Staff may require a little more landscaping. The parking arrangement will have to be redesigned in accord with the Traffic Engineer's requirements. It is a proposed two-story building with an attractive appearance.

Acting Chairman Coleman declared the public hearing open.

MR. RICHARD HOUGHTON, representing the applicant, appeared.

Mrs. Coleman asked if they proposed to maintain the setback.

Mr. Saylor indicated they propose to maintain the existing setback. He stated Mr. Davis, on one of the lots requested a change in zoning and proposed to build the building to within 3' of the property line. On that basis, this Commission recommended denial. The City Commission approved the C-1 zoning in accord with the existing setback. However, they asked us to poll the property owners and see if they objected to Mr. Davis bringing this building out, and, secondly, the obvious conclusion if he was allowed to, every other property owner could do so. Staff was opposed to this; however, that is the status of that application. He indicated there were no protests on this application.

Mr. Houghton indicated the building would house the offices of Creative Entertainment owned by Mr. Morris. He is a theatrical agent in town. There is adequate parking.

MR. CLAUDE DAVIS appeared and indicated he did not oppose this two story building. He indicated he had been thinking along the lines of building out and trying to eliminate the parking in front which might cause traffic problems.

Acting Chairman Coleman declared the public hearing closed.

Dr. Parker moved the application Z-81-73 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. Redesign of the parking layout as required by the Traffic Engineer.
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. Satisfaction of code requirements and design standards of City departments.
5. Landscaping shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping shall be cause for revocation of a business license.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.

The motion carried by the following vote:

"AYES": Jenkins, Busch, Parker, Cutler, Coleman.  
"NOES": None

This item will be heard by the City Commission on October 10, 1973.

6. VAC-9-73

APPROVED

Submitted by CLARK COUNTY SCHOOL DISTRICT of property described as that portion of Ninth Street lying north of the north line of Clark Avenue and south of the south line of Lewis Avenue.

Mr. Saylor indicated this was in conjunction with the Las Vegas High School. Ninth Street separates the high

school auditorium facility from the athletic field and the rest of the high school plan. They are proposing to vacate it which would allow this to be one integral parcel without the street separation. From a planning viewpoint, staff felt it was a very workable situation; however, staff felt that the comments of the Public Works should be brought to the Board's attention even though staff disagreed with them. They are opposed to the application on the basis that the continuity of Ninth Street from Cashman Field south would be broken. Furthermore, they indicate much further north, north of Stewart, the east leg of the freeway will have an off-ramp on 9th Street and therefore, the continuity of 9th Street south should be continued. Staff didn't feel that was really a valid pertinent factor to be taken into consideration. If someone came off the freeway there would be no particular dictate to continue south on 9th Street. They would be seeking access to one of the east/west streets. Their further point was no street should have one block taken out in a point midway in the street's overall design. This shows a definite disagreement between planners and engineers, in that we try to break up the straight grid-iron design of minor residential streets. A person coming in with a subdivision would not be allowed to have this type of street pattern. The design would be broken up so they couldn't go in a straight line except on major streets that are wide enough to carry that type of traffic. Staff felt the vacation was a very good proposal. The utility companies have indicated they have no objection. There is a petition in favor of the vacation also.

Mrs. Coleman asked what the Fire Department said.

MR. CHARLES NEELEY, Clark County School District, appeared and indicated they met with the Fire Chief and showed him their layout and plans and he said as long as they kept an opening and a fire lane, they had no objections.

Mrs. Coleman asked if they proposed to fence it.

Mr. Neeley indicated it would be left open. There is an opening for cars, 12' wide, and they would have signs saying for school parking only. The principal would assign this to students with parking stickers.

Mrs. Coleman asked what would happen when there was a public thing in the auditorium.

Mr. Neeley indicated it would add parking.

Mr. Cutler asked if the additional parking was the only reason for the vacation.

Mr. Neeley indicated they were revamping presently in this area. They have plans for tennis courts that would be available to the City and this would provide additional parking for that. The principal's main concern is to stop the traffic flow coming back and forth because there were a number of students and safety of the students was a primary factor.

Mrs. Coleman asked if it would be open at night.

Mr. Neeley indicated it would be open at night. The L.D.S. Church and Baptist Church have given their

support and this would be open for them to use for parking on Sundays also.

Mr. Cutler asked if there would be any barriers put up.

Mr. Neeley indicated there would not at this time.

Mrs. Coleman asked if it would be maintained by the School District.

Mr. Neeley indicated it would be.

Mr. Jenkins moved the application VAC-9-73 be APPROVED subject to the following conditions:

1. Satisfaction of code requirements and design standards of City departments.
2. Satisfaction of the requirements of the various utility companies.
3. Vacation shall not be recorded until all of the above conditions have been satisfied.

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

This item will be heard by the City Commission on October 3, 1973, at which time a date for public hearing will be set.

7. Z-64-72  
Extension of Time

APPROVED for  
18 months

Approved application of ERNEST A. BECKER ENTERPRISES concerning property generally located on the west side of Winwood Street between Lake Mead Boulevard and Stacey Avenue, R-PD 10 Zone.

Mr. Saylor indicated a portion had been developed with a planned unit development. The parcel immediately to the west is undeveloped, commercially zoned. Mr. Becker is asking for an extension of time due to the problem with HUD and some redesign problems. Staff recommends approval of the extension. Staff would like to see the property developed under the plan proposed by the resolution which will make provision for continuation of Winwood out to Lake Mead.

Mr. Becker indicated he was only asking for a year, but he had just come from a meeting and would like to have 18 months because there may be a problem that would take that long to get solved.

Mr. Cutler moved the request for Extension of Time on Z-64-72 be APPROVED for eighteen (18) months subject to the following condition:

1. All requirements imposed by ordinances adopted subsequent to the initial approval of this application shall be adhered to.

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

This item will be heard by the City Commission on October 3, 1973.

8. New Street Dedication

APPROVED

Generally located at Homestead Drive, north of Log Cabin Way, to be named Ruston Road.

Mr. Saylor indicated this was out in the northwest portion of the City. This is in an area where there are large property holdings. A portion of Homestead has been dedicated and this proposes to dedicate additional right-of-way and a half street dedication for Ruston Road connecting to Homestead be continued further to the east as the property develops. Staff recommends approval.

Dr. Parker moved the New Street Dedication be APPROVED. The motion was seconded by Mr. Busch and carried by unanimous vote.

9. PM-11-73

APPROVED

Parcel Map submitted by BANK OF NEVADA, TRUSTEE, concerning property generally located on Washburn Road between Jones Boulevard and Maverick Street.

Mr. Saylor indicated this parcel map proposes one parcel over 9 acres, one 5 acres, and two 2-1/2 acre parcels with proper street dedication in accord with the approved plan. Staff recommended approval subject to the usual conditions.

Mr. Cutler moved the Parcel Map PM-11-73 be APPROVED subject to the following conditions:

1. Satisfaction of the code requirements and design standards of City departments.
2. Satisfaction of the requirements of the statute relative to parcel maps.

The motion was seconded by Dr. Parker and carried by unanimous vote.

10. Recommendation

Recommended  
NORM JENKINS

Planning Commission member to fill vacancy on Board of Zoning Adjustment.

Mr. Saylor indicated the statutes require a member of the Planning Commission be a member of the Board of Zoning Adjustment. The City Commission can arbitrarily appoint one of the members, but staff felt it much better if this Board could come up with a recommendation.

Mr. Jenkins asked when they met.

Mr. Saylor indicated they meet on the fourth Thursday of each month in the evening. He indicated the vacancy has been open for a month; however, the City Commission is quite desirous of filling the vacancy. There are only five members on the Board and the next regular meeting was cancelled because they didn't have a quorum. He indicated he was sure Mr. Tiberti wouldn't want it.

Mr. Cutler recommended Mr. Jenkins represent the Planning Commission on the Board of Zoning Adjustment.

Mr. Saylor indicated the appointment is for the unexpired term not to exceed his term on the Planning Commission.

Mr. Jenkins asked if the person could, at the end of a year, ask to be replaced.

Mr. Ian Ross indicated if the member who is appointed wanted to be replaced, he could request that, but the Board couldn't replace him unless he requested it.

The motion for Mr. Jenkins to represent the Planning Commission on the Board of Zoning Adjustment was carried by unanimous vote.

12. Ordinance #1648 and #1650

Mrs. Coleman indicated she didn't feel the unanimous vote of the City Commission was wise. She asked when the Planning Commission approved something with conditions, could the applicant go to the Board of Zoning Adjustment and get a variance to deviate from the approved conditions. If so, would the Planning Commission have any say in the matter.

Mr. Saylor indicated the variance procedure could only be processed through the BZA. However, if a variance was approved, it would have to come before the Planning Commission and the City Commission for a plot plan review for a waiver of that condition. Staff would strongly advise the BZA that the condition was a stipulation as part of the zoning, but if they ignored staff and approved it, it would still have to come before the Planning Commission.

Mrs. Coleman asked when an action was approved for a reinstatement and extension of time, would any changes in the ordinance since the time the application was approved apply to the project when it was reinstated.

Mr. Saylor indicated that was a condition on all reinstatements.

Mrs. Coleman pointed out on Page 3 of #1648 it stated the requirements of a public hearing shall not apply to minor changes. She asked what is a minor change and who decides it.

Mr. Saylor indicated the ordinance specifically states the Planning Commission decides whether it is a minor change.

Ian Ross indicated this gives the Planning Commission the discretion as to whether or not it is a minor change. Facts must be presented to you to show it is a minor change and we have records to say whether the specific facts point out it is not a minor change.

Mr. Saylor indicated there have been some instances where staff has felt that a proposed change was major and we have strongly recommended to the Planning Commission that they hold it for a public hearing. The Commission has not always chosen to follow staff's recommendation. We don't criticize, but this is to make it more binding.

Mrs. Coleman indicated it seemed to her the City Commission was only asking the Board to make a recommendation on whether they felt this was a good idea. The decision was up to the City Commission.

Mr. Saylor indicated these have been referred to you for comment. They will make that decision. They are asking for input from this Board.

Mr. Busch asked if the City Attorney had checked the validity as to whether this is constitutional.

Mr. Ross indicated the ordinance is in legal and proper form. It is cleared legal wise. It is a question of policy as to whether or not the Board of City Commissioners

wants to adopt it.

Mr. Cutler indicated this was not unanimity, it is veto power. He felt the end result would be all the power resting in a single veto power of one man. This places a tremendous burden on one vote.

Mrs. Coleman stated when the City Commission is elected by wards, you might have complete stggnation.

Mr. Jenkins stated he felt the majority rules was the way to go. It is the good old American way.

MOTION

Mr. Cutler moved the recommendation of the Planning Commission to the City Commission is that the Board felt the requirements of a unanimous vote would destroy the representation of the people of the City as a whole and would permit the veto power of one vote to reflect the total action of the committee. Dr. Parker seconded the motion and it was carried by unanimous vote.

Mrs. Coleman indicated #1650 pertained to the 60 percent petition of protest. She read a letter from the Board of Realtors, copy of which is attached hereto and made a part of these minutes. She stated they felt the 400' from the property provision was unnecessary and recommended the 300' now required be retained. She stated she didn't see that it made that much difference. If it is a zoning that is going into a neighborhood where it is a new type of thing, it should almost involve the whole neighborhood rather than be limited.

Mr. Saylor indicated there was no definition of neighborhood.

Mrs. Coleman stated she felt the 60 percent of the people on the artery would see dollar signs and the people that lived in the back or around in the other areas wouldn't have any say.

Mr. Saylor indicated the motion concerning the unanimous vote would also pertain to this ordinance. He stated if the Board wanted to offer further comment relative to the 60 percent, they could do so, but the previous motion applied to this ordinance on the unanimous vote premise.

Mr. Busch indicated 60 percent could be one person.

MR. ERNEST BECKER appeared and indicated where he had a 40 acre piece of land and in the center wanted to get a rezoning, you could go 300' from the edge and it might get out of his ownership. If they go 400', it is that many more people who are going to be heard. He indicated a master plan will be a good thing. They will know where to buy property.

Mr. Saylor indicated the present Master Plan had been amended for the Master Plan of Streets and Highways in 1971; the Master Plan of Parks was amended in 1970; and the Master Plan of Flood Control was amended in 1972.

Mr. Becker indicated it didn't take a unanimous vote to impeach a president. He felt the majority rule was the American way. He further stated in some cases the Planning Department had gone as far as 1/2 a mile away and notified people on some things. He felt this was

not called for. People protest things that are a mile away.

Mr. Saylor indicated the statutes specify a minimum of 300'. Staff has exercised what they felt was common sense. We try to notify the property owners in the area that might feel ramifications of the zone change. Sometimes we have gone as far as a mile.

Mrs. Coleman indicated she agreed with the realty people that the assessed valuation would not be the way to go. There is the individual property owners.

Mr. Saylor indicated if this were adopted, staff would have to figure out the assessed valuation of all the property to determine whether the protest represented 60 percent.

MOTION

Mr. Cutler indicated it would appear to be unworkable and moved the Commission recommend to the City Commission, on the advise of Mr. Saylor, that the Planning Commission felt it was unworkable and cumbersome.

Mr. Saylor stated the Board is saying they go on record as recommending no provisions be adopted requiring unanimous vote with the further stipulation that the 60 percent requirement would be quite cumbersome.

Mr. Cutler's motion was seconded by Mr. Busch and carried by unanimous vote.

12. Amendment

Planning Commission Rules and Regulations

ADOPTED

Mr. Saylor indicated this involved an amendment to bring the rules and regulations into conformity with State statute requirements in reference to the adoption of any amendment to the Master Plan. The statutes stipulate 2/3 vote of the entire commission. Staff recommended the rules and regulations be changed to reflect the state statutes.

Mr. Cutler moved the Rules and Regulations be AMENDED as recommended by staff. The motion was seconded by Dr. Parker and carried by unanimous vote.

13. Ordinance #1654

APPROVED

Mr. Saylor indicated the City Commission recently referred to the Planning Commission an ordinance dealing essentially with the Board of Zoning Adjustment. Because it is contained within the text of the zoning ordinance, it has to be referred to this Board. The ordinance deals with the fact all actions of the Board of Zoning Adjustment shall be subject to review by the City Commission. It also requires an adjustment in the time relative to the appeal period and the time within which the City Commission must review these actions. Staff recommended the ordinance be approved by this body. He stated under the present ordinance, the BZA action is final unless appealed by an aggrieved party. There some instances where the action of the BZA has not been appealed by protestants or the applicant and staff has felt it should be because it had far reaching ramifications that may affect the General Plan or the planning process. We haven't had any recourse. This would allow the City Commission to take a look at the BZA and whether it has been appealed or not, they can say they want to hear it. They don't want to hear every item automatically.

Dr. Parker moved the Ordinance #1654 be recommended to the City Commission for APPROVAL. The motion

was seconded by Mr. Jenkins and carried by unanimous vote.

14. Election of  
Vice Chairman

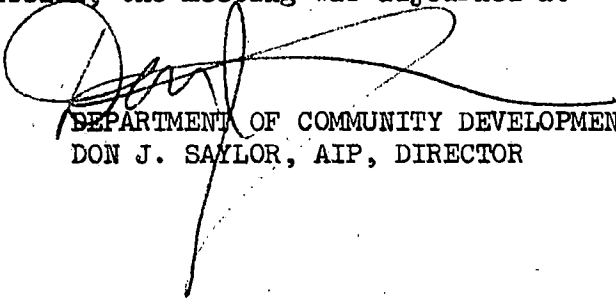
MAGGI COLEMAN

Mr. Saylor indicated the Commission should elect a vice-chairman to fill the vacancy until the elections in January.

Mr. Cutler nominated Mrs. Maggi Coleman as Vice-Chairman. Dr. Parker seconded the nomination and it was carried by unanimous vote.

ADJOURNMENT:

There being no further business before the City Planning Commission, the meeting was adjourned at 11:00 P.M.



DEPARTMENT OF COMMUNITY DEVELOPMENT  
DON J. SAYLOR, AIP, DIRECTOR

DJS:bjw  
Attachment



# Las Vegas Board of Realtors

1250 BURNHAM AVENUE • LAS VEGAS, NEVADA 89104  
(702) 382-4527



DOYLE E. JORDAN  
*President*

AL LEVY  
*First Vice President*

BILL HOPPE  
*Second Vice President*

KEN MORRIS  
*Secretary/Treasurer*

GENE NEBEKER  
*Executive Vice President*

CHARLES DEANER  
*Board Attorney*

SAM IACOVETTO  
*Parliamentarian*

♦  
**DIRECTORS**

WAYNE ALEXANDER

LEE BACKUS

JACK MATTHEWS

JESSIE EMMETT  
*Past President & NAR Director*

JAMES F. HAYES  
*MLS Chairman*

HAZEL HEDGES  
*NAR Director*

PEGGY HICKS  
*Associate Director*

JENNY SMITH  
*President Women's Council*

September 13, 1973

**PRESIDENT**

FROM THE OFFICE OF THE

Planning Commission  
George Ward, Chairman  
City of Las Vegas  
Las Vegas, Nevada

Gentlemen:

The Las Vegas Board of REALTORS® have considered the proposed amendments to the Municipal Code, designated as Ordinance #1650 and #1648. The effect of these ordinances on the general welfare of the community and the orderly growth of our area were reviewed by the Legislative Committee and the Board of Directors.

In the interest of real estate being classified for its highest and best use, and on behalf of the real estate industry, we respectfully request that the following objections and recommendations be recorded in your considerations.

Regarding Ordinance #1650, to amend Title XI, Chapter 1, Section 24, Subsection (A), Paragraph 14; and Section 25, Subsection (B), Paragraph 9:

1. We object to the "within 400 feet from the property" provision and recommend that the "within 300 feet" now required be retained.
2. That a petition by 60% of the property owners based on assessed valuation is a disenfranchisement of the basic rights of other property owners within the prescribed area. Recommendation: This should be, if adopted, 60% of the property owners as shown by the records of the Clark County assessor.
3. The unanimous vote requirement would create an impossible situation wherein City Commissioners in their prudent judgment, based upon the facts, would see a sound and logical reason for reclassification of a given property. Recommendation: Decisions should be based on a majority vote. In cases where



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1. We object to the "within 400 feet from the property" provision and recommend that the "within 300 feet" now required be retained.
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