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DEC - 8 1975

CITY PLANNING COMMISSION

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PM

December 11, 1975

CALL TO ORDER:

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

ROLL CALL:

NEW BUSINESS:

1. Z-53-75

Application of NEVADA INDUSTRIAL COMMISSION for reclassification of property generally located north of West Charleston Boulevard and on the east side of Shadow Lane, commencing 200 feet north of West Charleston Boulevard and extending to a point 150 feet north of Hastings Avenue and extending easterly along Hastings Avenue approximately 600 feet, from R-1, R-E and C-V to C-V.

Proposed Use: Nevada Industrial Commission
Offices and Health Facilities

2. Z-56-75

Application of ROBERT C. MURRAY for reclassification of property generally located on the northwest corner of Concord Street and Bartlett Avenue at 2283 Concord Street, from R-2 to R-3.

Proposed Use: 10-Unit Apartment Complex

3. Z-57-75

Application of JAMES F. HAYES for reclassification of property generally located on the east side of North Eastern Avenue between East Washington Avenue and Constantine Avenue at 869 North Eastern Avenue, from R-1 to C-1.

Proposed Use: Offices

4. Z-58-75

Application of HAROLD L. BOYER for reclassification of property generally located on the northwest corner of South Eastern Avenue and Ballard Drive at 2047 Ballard Drive, from R-1 to P-R.

Proposed Use: Office

5. VAC-11-75

Petition of VACATION submitted by BROTHERS, INC. ET AL to vacate the alley generally located within the block bounded by Fremont Street, Carson Avenue, First Street, and South Casino Center Boulevard, extending northeast from Carson Avenue 250 feet, then westerly 160 feet to South First Street.

6. AV-17-75

Administrative Variance request submitted by MRS. GEORGE KAVANAUGH to allow an addition to a non-conforming building on property located at 821 Mar-Jay Court.

7. Z-67-72
Plot Plan Review

Submitted by WALLACE-MONTGOMERY ENGINEERS concerning property located on the south side of West Oakey Boulevard between Torrey Pines Drive and Jones Boulevard.

8. Final Map
Charleston Heights
Tract No. 51-A1

Property generally located on the south side of Smoke Ranch Road east of Torrey Pines Boulevard.

Owner/Subdivider: Becker & Sons
No. of Lots: 36

9. Final Map
Charleston Heights
Tract No. 51-B

Property generally located south of Smoke Ranch Road and west of Jones Boulevard.

Owner/Subdivider: Becker & Sons
No. of Lots: 51

10. LD-15-75

A new street dedication named Donald Nelson Avenue generally located at Maverick Street and Farm Road.

DIRECTOR'S BUSINESS:

STAFF REPORT

Ambulance Study

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AM 7, 8, 9, 10, 11, 12, 1, 2, 3, 4, 5, 6 PM

MINUTES

CITY PLANNING COMMISSION

December 11, 1975

Chairman Busch called a regular meeting of the Las Vegas City Planning Commission to order at 7:30 P.M. in the Commission Chambers of City Hall, Las Vegas, Nevada.

PRESENT:

Chairman Busch, Vice-Chairman Jenkins, Messrs. Tiberti, Ward, Miller, and Mrs. Coleman.

ABSENT:

Dr. Parker

STAFF PRESENT:

Don J. Saylor, AIP, Director of Community Development
Harold P. Foster, Deputy Director of Community Development
Howard Null, Supervisor of Planning and Zoning
John Herbert, Planning Assistant
Betty Winter, CPS, Officer Supervisor
Patricia Malizia, Recording Secretary

NEW BUSINESS:

1. Z-53-75

APPROVED

Application of NEVADA INDUSTRIAL COMMISSION for reclassification of property legally described as Parcel I: A parcel of land situated in the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M, more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 33; thence S. 89°53'30" East, 30.00 feet; thence N. 0°11'05" East, 200.00 Feet to the True Point of Beginning; thence continuing N. 0°11'05" East, 436.10 feet; thence South 89°53'30" East, 579.89 feet; thence S. 0°06'30" West, 178.70 feet; thence N. 89°53'30" West 41.93 feet; thence S. 0°06'30" West, 407.40 feet; thence N. 89°53'30" West, 208.70 feet; thence N. 0°06'30" West, 382.10 feet; thence N. 89°53'30" West, 100.00 feet; thence S. 0°06'30" West, 232.10 feet; thence N. 89°53'30" West, 229.84 feet to the True Point of Beginning.

Parcel II: A parcel of land situated in the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M, more particularly described as follows: Commencing at the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 33; thence S. 89°53'30" East, 30.00 feet; thence N. 0°11'05" East, 696.10 feet to the True Point of Beginning; thence continuing N. 0°11'05" East, 150.00 feet; thence S. 89°53'30" East, 149.21 feet; thence N. 0°06'30" East, 58.71 feet; thence S. 89°53'30" East, 95.40 feet; thence S. 0°06'30" West, 208.71 feet; thence N. 89°53'30" West; 244.81 feet to the True Point of Beginning.

Parcel III: A parcel of land situated in the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33; Township 20 South, Range 61 East, MDB&M and more particularly described as follows: commencing at the Southwest corner of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 33; thence S. 89°53'30" East, 30.00 feet; thence N. 0°11'05" East, 696.10 feet; thence S. 89°53'30" East 296.91 feet to the True Point of Beginning; thence continuing

S.89°53'30" East, 338.71 feet; thence N.0°06'30" East, 208.71 feet; thence N.89°53'30" West, 338.71 feet; thence S.0°06'30" West, 208.71 feet to the True Point of Beginning and located north of West Charleston Boulevard and on the east side of Shadow Lane, commencing 200 feet north of West Charleston Boulevard and extending to a point 150 feet north of Hastings Avenue and extending easterly along Hastings Avenue approximately 600 feet.

Proposed Use: Nevada Industrial Commission, offices and Health Facilities.

Mr. Saylor pointed out the location of the property on the screen. He stated this request was in the general area of the Southern Nevada Memorial Hospital and north and west of this area are the County Health District facilities and Valley Hospital. This area was recently recommended in the General Plan as a special activity area; and consequently, staff felt the application was in accord with the recommendations of the General Plan to allow the construction of facilities for the Nevada Industrial Commission's addition. Mr. Saylor pointed out the property on the plot plan and pointed out the surrounding land uses in the area. He stated that the property in between is under different ownership and is occupied by single family dwellings. Mr. Saylor pointed out the elevation of the buildings and stated there is substantial aesthetic treatment on the front exposure, but he added staff felt the landscaping should be expanded. He stated staff recommended approval with several conditions being involved, one being if this application is approved, the overlying Resolution of Intent to R-E on Hastings be voided. He stated that the staff felt there is satisfactory parking provided for this new facility; they do have more parking than that which is required by Ordinance. He stated there should be block walls on the north property line and on the east property line of the satellite parking lot. There should be block walls on both sides of the single family property unless the owners of that property does not want it. Staff recommended that all mechanical equipment be screened from public view. He stated there was no record of protests or approvals for this application.

Mr. Tiberti asked if that portion of Hastings Avenue was named?

Mr. Saylor stated yes and pointed out the location of Hastings Avenue in relation to the development. He added sometime in the future, there may be a request to vacate that portion of Hastings and cul-de-sac it. He said that it was not a part of the proposal at this time.

Mrs. Coleman asked if the development came out to Charleston at all.

Mr. Saylor stated yes, the property includes a piece running along the side of the Mercy Ambulance property. Any development on the additional piece would have to come in for a plot plan review.

Mrs. Coleman asked the location of the two-story building.

Mr. Saylor pointed out the location of the large building, and he stated that the small building would be on the north side of Hastings at Shadow. On the piece of land that does extend to Charleston, there was no proposed development at this time.

Chairman Busch declared the public hearing open and asked to hear from the applicant.

Mr. Karvel Rose, the Las Vegas Office Coordinator for the Nevada Industrial Commission, appeared.

Chairman Busch asked Mr. Rose what was meant by a health facility?

Mr. Rose stated that there will be out-patient and physical rehabilitation work performed in this facility.

Mrs. Coleman asked if they were proposing landscaping around the open areas between the buildings.

Mr. Rose stated "yes".

Mr. Rose stated they are going to keep the Mesquite trees and improve the landscaping. He pointed out the vacant area and added that the very small block building will be razed.

Mr. Tiberti asked if this was only for NIC rehabilitation.

Mr. Rose stated that was the original plan, but they plan on making the facilities available for other than Industrial Commission use.

Mr. Dan Harpo, 1604 Hastings Avenue, appeared and stated that he wasn't against the application but was against the street being closed, and the possibility of taxes increasing to install street lights, etc.

Mr. Saylor stated that he couldn't guarantee that the street wouldn't be closed off, but he informed Mr. Harpo that if this closure was proposed he would be informed of it. He stated Mr. Harpo's access wouldn't be cut off.

Mr. Don Hilton, 1701 Bearden Drive, appeared asking if the 6' block wall could be raised to 8'. He stated after the development is finished, he felt an 8' block wall would keep the foot traffic from going through there. He stated this property is vacant, and they had trouble keeping people out of the back lots.

Mr. Saylor pointed out the proposal for the block walls, and he stated that the entire north line would be a block wall.

Chairman Busch declared the public hearing closed.

Mrs. Coleman asked Mr. Saylor, since she was a notified property owner because she owns property next to this if it would be proper for her to vote on this or should she abstain.

Mr. Saylor stated that he saw no reason why she should have any reason not to vote; she is an abutting property owner, but if she wished to abstain, she could do so.

Mr. Tiberti moved Z-53-75 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. The property involved in this request should be removed from the existing Resolution of Intent to R-3 under zoning action Z-8-71.
3. City Commission approval for the satellite parking facility.
4. A 6' block wall shall be constructed along the north property line of the parcels of land on the north side of Hastings Avenue, including the north property line of the property at 1624 Hastings Avenue, and on the east property line of the satellite parking lot. A 6' block wall shall also be constructed on both sides of the property at 1624 Hastings Avenue and stepped down in the front yard area as required by the Ordinance.
 - a. Any proposed construction or use of the property which fronts on West Charleston Boulevard shall first be approved by the Planning Commission prior to development.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner including additional landscaping being provided along Shadow Lane on the parcel of land on the northeast corner of Shadow Lane and Hastings Avenue. Failure to maintain required landscaping shall be cause for revocation of a business license.
7. Conformance to code requirements and design standards of City departments.

The motion carried by the following vote:

"AYES": Ward, Busch, Jenkins, Tiberti, Miller.

"NOES": None

"ABSTAIN": Coleman

This item will be heard by the City Commission on January 7, 1976.

2. Z-56-75

APPROVED

Application of ROBERT C. MURRAY for reclassification of property legally described as Lots 110-A, 110-B, 110-C, Vegas Heights Unit No. 4, and generally located on the northwest corner of Concord Street and Bartlett Avenue at 2283 Concord Street, from R-2 to R-3.

Proposed Use: 10-unit apartment complex.

Mr. Saylor pointed out the location of the property on the screen and stated this area is in the Vegas Heights neighborhood. He stated there is at the present time a project underway to put in all off-site improvements in Vegas Heights, such as street lights, curbs, etc. He indicated the property to the north and west of this application is zoned R-3. He pointed out the proposal

for this property on the plot plan and stated this is a request for a change from R-2 to R-3. Staff recommended approval and there were no letters of approval or protest on record. He pointed out the design of the parking lot, and he stated that it should be revised to conform to City requirements. He stated also the trash areas, together with the air conditioners, etc., should be screened from public view. Other conditions that should be applied would be conformance to the plot plan and conformance to code requirements and design standards of City departments.

Mrs. Coleman asked the size of the property and if the proposal included the building that was already there.

Mr. Saylor said this proposal included just the corner piece, 120' x 135' and he added that if there is a building on the property, it would be removed and replaced with the 10 unit apartment house.

Chairman Busch declared the public hearing open and asked to hear from the applicant.

Mr. Robert C. Murray, 2289 Concord Street, appeared and agreed to staff's recommendations.

Mr. Ward asked Mr. Murray if he understood about the clean-up campaign going on in this area and asked if he would be willing to bring his property up to standards.

Mr. Murray stated "yes".

Chairman Busch asked if anyone else wished to be heard, there being no one, he declared the public hearing closed.

Mr. Jenkins moved Z-56-75 be APPROVED subject to the following conditions:

1. The parking layout shall be revised as required by the Department of Community Development.
2. All mechanical equipment, air conditioners, and trash areas shall be screened from view from the abutting streets.
3. Conformance to the plot plan to reflect the above conditions.
4. Conformance to code requirements and design standards of City departments.

The motion carried by the following vote:

"AYES": Ward, Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": None

This item will be heard by the City Commission on January 7, 1976.

3. Z-57-75

Application of JAMES F. HAYES for reclassification of

APPROVED

property legally described as Lot 35, Block 5, Washington Addition #2 and generally located on the east side of North Eastern Avenue between East Washington Avenue and Constantine Avenue at 869 North Eastern Avenue, from R-1 to C-1.

Proposed Use: Offices

Mr. Saylor pointed out the location of this application on the screen and stated that if faced Eastern Avenue which is a primary major street. He stated the lot immediately to the south is zoned P-R and added that after action is taken on this lot there would be only two lots left zoned R-1 on this frontage street. He added that some time ago when the first rezoning was approved in this area, it was decided that all these lots on the frontage street be approved to P-R in accord with the recommended pattern. He pointed out the location of the property on the plot plan, the building, and the proposed parking which would be located in the rear, and the proposed landscaping. He added the plan does not show the cut out for an additional planter on Eastern Avenue which would be required by staff. Staff recommended approval subject to the normal conditions, screening of trash areas and redesign of the parking. There were no protests or approvals on record.

Mrs. Coleman asked if staff was recommending this to be amended to P-R.

Mr. Saylor stated "yes".

Chairman Busch declared the public hearing open and asked to hear from the applicant.

Mr. James F. Hayes, 202 East Oakey, appeared and stated that he would like C-1 zoning because he would like the area signs allowed in a C-1 zone.

Chairman Busch asked what kind of sign would he like?

Mr. Hayes stated that he would like a sign that would conform and look better than the one he has now.

Chairman Busch asked what type of office will be there.

Mr. Hayes stated a State juvenile parole office. He stated they would like a sign to be placed on the front of the building.

Mr. Saylor stated that the P-R zone allows signs to be located in front.

Mr. Saylor stated that staff strongly recommends denial of C-1.

Mr. Jenkins asked if the original application was for C-1.

Mr. Saylor stated "yes".

Mrs. Coleman asked if he would accept the amendment to P-R.

Mr. Hayes stated "yes".

Mrs. Coleman moved Z-57-75 be APPROVED as amended to P-R subject to the following conditions:

1. Application be amended to P-R (Professional Office and Parking Regulations)
2. The parking plan shall be revised to conform to the requirements of the Department of Community Development.
3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner including a planter along the street frontage. Failure to maintain required landscaping shall be cause for revocation of a business license.
5. Conformance to code requirements and design standards of City departments.

The motion carried by the following vote:

"AYES": Ward, Coleman, Busch, Jenkins, Tiberti, Miller.

"NOES": None

This item will be heard by the City Commission on January 7, 1976.

4. Z-58-75

APPROVED

Application of HAROLD L. BOYER for reclassification of property legally described as Lot 10 in Block 8 of Crestwood Homes Tract No. 2 and generally located on the northwest corner of South Eastern Avenue and Ballard Drive at 2047 Ballard Drive, from R-1 to P-R.

Proposed Use: Office

Mr. Saylor stated that this property is on Eastern Avenue where a pattern of professional office zoning has been established and this lot is located one residential lot south of Charleston. There is commercial zoning to the north. He pointed out the location of the property on the plot plan. He stated that there is an illegal carport in the front yard that would have to be removed. In the parking area, there is no landscaping along Eastern Avenue, but staff hesitated to recommend more landscaping when there is more on this property than on others in the area. He stated, however, there should be some type of planter along that parking area. He stated there was one letter of protest from a property owner who lives at 2031 Ballard and one letter of approval.

Mrs. Coleman commented that at one time, there was a rezoning that fronted on a side street and access was required from Eastern Avenue to protect the residential area.

Mr. Saylor stated that may have been applied to in a limited extent; on most of these cases, we did allow access to the side street. He stated there is only room for one car to be parked on Ballard; all access would be from Eastern.

Chairman Busch declared the public hearing open and asked to hear from the applicant.

Dr. HAROLD L. BOYER, 2001 Silver Avenue, appeared, and stated he had an office adjacent to this lot.

Chairman Busch asked if he understood the recommendation of staff regarding the additional landscaping along the parking lot on Eastern Avenue and asked if he had any objection.

Dr. Boyer stated "none".

Mrs. Coleman asked if his office, adjacent to this lot, was part of this operation, or a separate office.

Dr. Boyer stated it was a separate office.

Mrs. Coleman asked what the office of U. S. Water Properties would deal with.

Dr. Boyer stated it was a sales office for the selling of parcels of irrigated land. He indicated the name of the company is U. S. Water Co-op.

Mrs. Coleman asked if he felt there would be much activity from the Ballard Drive side of the property into the office; would there be salesmen or the public coming into the offices?

Dr. Boyer said there would be persons coming from the parking area. He stated the reason for the choice of this property was because of the parking area behind the building to the south; the Eastern side will be the entrance.

Chairman Busch asked if anyone else wished to be heard, there being no one, he declared the public hearing closed.

Mr. Tiberti moved Z-58-75 be APPROVED subject to the following conditions:

1. Removal of the illegal carport in the front yard area.
2. Installation of a planter between the parking area and Eastern Avenue.
3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the plot plan.
5. Conformance to code requirements and design standards of City departments.

The motion carried by the following vote:

"AYES": Ward, Coleman, Busch, Jenkins, Tiberti,
Miller

"NOES": None

This item will be heard by the City Commission on December 17, 1975.

5. VAC-11-75
APPROVED

Petition of VACATION submitted by BROTHERS, INC. ET AL to vacate the alley generally located within the block bounded by Fremont Street, Carson Avenue, First Street,

and South Casino Center Boulevard, extending north-east from Carson Avenue, 250 feet, then westerly 160 feet to South First Street.

Mr. Saylor stated this application is concerned with the remainder of the alley in that block; the east leg of the east/west alley was previously vacated and they are asking for vacation of the west leg of that east/west alley and the north/south portion to allow for the expansion of the Golden Nugget facility. He pointed out the location of the proposed vacation on the plot plan which was brought before the Commission for approval a meeting or so ago. They had approval for the construction of a new hotel facility and this is part of the overall game plan. They are proposing to use a portion of this alley, after the proposed vacation, for ingress and egress from the parking structure. He pointed out the main entrance located in the alley. He stated this area would be landscaped and given certain aesthetic qualities as a pedestrian way. The width of the traffic flow facilities would be about 40 feet in and out of the parking garage, and it would also provide access to the rear of the bank. He stated that this had been reviewed with the various utility companies, and staff had some discussions with the bank by mail; but he stated it was his understanding the bank access problems had been satisfactorily worked out. They will have to satisfy all utility company requirements including City sewer requirements. Staff recommended approval in accord with the usual conditions. Some time ago there was a small piece of the east/west alley which was vacated on the condition of becoming effective when a major hotel was constructed on the property. Staff recommended this condition be removed and the entire alley be vacated at this time.

Mr. Tiberti stated it appeared the entrance to the hotel would be back where the alley is now. He asked where they planned to unload and load - off the ramp?

Mr. Saylor stated "yes" and the representative of the hotel could explain in greater detail. He pointed out the traffic flow pattern coming in from Carson into the parking garage. The parking garage will have ingress to First and egress to Carson by means of the alley. He stated the loading facilities, in terms of produce, will remain where they are now, that is, on the side street.

Chairman Busch declared the public hearing open and asked to hear from the applicant.

Mr. STEVEN WYNN, PRESIDENT, GOLDEN NUGGET, appeared. He stated that he would like to clarify the function of this plan. He stated like any other project of this kind that is conducted in the downtown heavily developed area, many of the things done in the design of the project represented compromises that had to be made, and they had to live with the problems and realities of the environment downtown. He stated the alley, which is now the 20' alley, would be expanded from Carson Street back to the hotel entrance, approximately twice the existing width. People would turn coming down Carson and go down the alley for valet parking. All hotel guests would have their cars parked by their hotel employees and they would be using the top six floors of the garage for valet parking. There would be a public entrance to the garage on First Street which would

consist of the first six levels. He pointed out the area on the plot plan where the people would load and unload. He also pointed out the location of the elevators opposite the hotel lobby. He stated they hope to build a beautiful high canopy between the garage and the entrance to the hotel with a cobblestone street, planters, lanterns, etc. (similar to the space between the two halves of the Beverly Wilshire - called the Camino Real). He stated they plan to make that area, from Carson to the hotel entrance, as decorative as possible. The remainder of the alley, because it is part of the overall environment, they plan to treat with planters; and it would be well lighted. They would maintain it and keep it pretty. He stated they had made peace with their neighbors, the bankers. They have no plans for blocking the space. This mutual agreement grants each of them a mutual easement on the other persons 10', so the alley would always be open for the bank and their people to use. Mr. Wynn stated that access to Bill Hatton's property is important and his offices would be merged with their ground floor prior to the beginning of construction of this project. The 20' alley would not be made smaller or eliminated. They would have to use the Casino Center side for all receiving; they do not want to mix up hotel guests with the produce delivery. They wanted the traffic and people as close to the gaming as possible.

Mrs. Coleman asked, since this was a new building, were they arranging for underground loading and unloading of vegetables.

Mr. Wynn stated construction on Fremont Street had been complicated by a surface water problem, and there would be an increase in construction costs when going down in the ground. The kind of depth needed for receiving would mean a major excavation and would cause them to abandon the project. This construction would be quite a bit nicer than anything downtown, but you have to remember their trade is basically middle and lower income levels, and their room rate can't be \$40; it has to be \$20 or \$24, so they are very worried about the cost of the building. He added that trash removal is a big problem, and he stated they felt they had solved the problem in a much nicer way than it was now. They would have a bin that would be located on the side of the building in a concrete room covered by a decorative screen which would be part of the side of the building. The stewards and porters would only see an open door from the inside and there would be no spillage on the outside area.

Mr. Louis Wiener, Jr., Attorney, appeared in protest. He stated that he owned the property next door, and he was apparently the only person that the Golden Nugget had not contacted on this request. His property is located next door to the end of the alley, the second building from the alley.

Chairman Busch asked if he was using the alley.

Mr. Wiener stated no, he didn't want the 10' at this time. If they were going to donate it, he was going to take the additional 10'. He stated that he didn't want the alley to be closed off because of the traffic problem, and the Fire Department is going to have difficulty getting in there with cars coming in and out. With 11, 12 or 13 floors of rooms, there will be a

traffic problem. He stated he had no use for the 10' adjacent to his building, but if he did use it, it would spoil the whole alley because if he built on his 10', they were going to have an alley only 10' wide.

Chairman Busch asked if Mr. Wiener had a tenant in his building right now?

Mr. Wiener stated "Yes".

Chairman Busch asked if his tenant used the alley now.

Mr. Wiener said that he didn't know what he was doing with it, and he added if he got the alley, he would have to pay taxes on the extra land.

Mr. William Morse, Attorney, representative from the Bank of Nevada Trust Department, appeared. He stated they own property described as Lots 1 and 2 in Block 14 and this property presently is under lease to the Golden Nugget, and there are 40 years left. This property is presently in litigation, and the Golden Nugget claims they own it in one part of the lawsuit and the Bank contends they have breached the lease. Lots 1 and 2 contain the old California Club, and the Golden Nugget hasn't talked to the bank officials or the owners of the property or to him about this. If they had to take this property back and utilize it again as a single unit property, they want the alleyway so they could get in and out and complete their deliveries. He stated they too object to this alley vacation. However, he stated that on behalf of his client, he has been authorized to say if the Golden Nugget utilized the portion of the alley for a public easement and would agree to maintain the expenses of the public easement, they would have no objection. He commented that after looking through the file in Community Development, which contained nothing other than the bare application, he wondered if this was a vacation of an alley or if Mr. Wynn was trying to change the use of it; and it was not a vacation as such. He stated he was just handed a copy of the agreement between the Bank and the Golden Nugget and it merely stated that "you can use my 10' and I will use your 10' for an easement for public rights-of-way and use". Right now, it is a public right-of-way for ingress and egress of emergency vehicles, police, etc. He suggested one of the conditions of the vacation approval regarding the 10' of land should state that the abutting property owners own the equivalent distance of the public right-of-way and they pay the expense for the use as a public right-of-way and access remain open for emergency vehicles.

Mr. Wiener suggested that if this alley is vacated what is to prevent them from using the 10' extending from the building and leaving a 10' alley all the way down.

Mr. Wynn read a section from the agreement between the Bank of Nevada and the Golden Nugget regarding the dedication of the easement. He stated the property rights of the adjacent property owners would go to the center of what was the alley but the alley was no more. He stated Mr. Ham has a lease with the Golden Nugget on the above land until the year 2025 and they felt they have beneficial use of that property. They didn't

join in the petition. Mr. Wiener is Mr. Ham's lawyer in that lawsuit, and his property is under long-term lease. Mrs. Gordon has joined in the Golden Nugget's petition for the vacation of this alley.

Mr. E. L. Chandler, Executive Vice President for the Bank of Nevada, appeared and stated that the Bank owns lots 20, 21 and 22 adjacent to the Carson Street end of the property. He stated they have reached an agreement with the Golden Nugget and have entered into a mutual agreement for mutual use of the property, and he added that he is speaking for those pieces of property only.

Mr. Wiener stated that the Ham property presently under lease with the Golden Nugget has a lawsuit filed on it to terminate the lease that still takes part of Mr. Wiener's property.

Mr. Hugh Furee, Trust Officer for First National Bank, appeared and asked what the cost would be to the property owners for this vacation?

Chairman Busch stated it wouldn't cost them anything unless they built on the property but it could increase their taxes. He suggested that this item be held in abeyance until Mr. Wynn could get with Mr. Morse and Mr. Wiener, adding that they have an interest in this vacation too. He asked if they had any objection and, if not, the Board would have to vote on it now the way they feel.

Mr. Miller asked if there was a fire, could the fire Mr. Wynn stated a company like the Golden Nugget, when they start a project, is in a rather precarious position at all times; there are two reactions that are usually forthcoming; in some cases people are glad to see the development in progress and, in other cases, people recognize that situation as an opportunity to profit and take advantage of the situation. He stated they felt their plan made it clear what they are going to do with the adjacent property owners' land; they were not reducing or taking away property. He said Mr. Wiener stated that he didn't need the 10' now but if it is given to him, he will use it and take away the alley or access. Mr. Wynn stated that argument is confusing. He stated that the Golden Nugget had attempted in the past to contact Mr. Wiener and discuss the useage of his land and his situation. He added he didn't feel there was anything he could say to Mr. Wiener to get him to cooperate in any way with the development of the Golden Nugget. It is possible under certain circumstances to have a project of this size stopped by a skillful protest of this kind; and he added that he didn't think anyone was being damaged, and he also felt there wasn't anything that he could say to Mr. Wiener outside of offering him an exorbitant amount of money to go away. Mr. Wiener has stated our position, with regard to the lease, is that a member of the Board of Directors or an Attorney for the company committed fraud.

Mr. Wiener stated he had a right to be heard on this allegation, and he felt Mr. Wynn didn't have the right to make this statement because they haven't tried the case yet. He added he resented this kind of remark before a public body.

Mr. Wynn stated they pay rent on time and the lease is valid until 2025; legally, they are the user of that property. In paying our rent on time every month, they have the choice to legally enjoy that property, and they have it for fifty years.

Mrs. Coleman asked Mr. Wynn to explain the use of this alley from Carson up to where it joins the other alley.

Mr. Wynn stated they are interested in the portion of the property up to Carson to just before Louis Wiener's property. They are interested in the north/south leg and promise to beautify it.

Mrs. Coleman asked if they intended to use the alley and take part of Mr. Wiener's property.

Mr. Wynn pointed out the area they would need.

Mrs. Coleman stated that still takes part of Mr. Wiener's property.

Mr. Wynn indicated that property is leased to Mr. Gordon on a long-term lease.

Mr. Miller asked if it would block off anything, and asked if he needed the alley to the end.

Mr. Wynn replied they felt they should beautify the alley to the end, that should be part of the integrated design.

Mr. Miller asked if there was a fire, could the fire apparatus get in?

Mr. Wynn stated not because of what the Golden Nugget would do with its half of the alley but what Mr. Wiener said he would feel he ought to do 20 years from now when his lease with Mr. Gordon is up. To the extent they can get in there today, they can get in there tomorrow, and what they are planning on doing will widen it in portions.

Mr. Jenkins asked if it would be feasible for Mr. Wynn to utilize the alley just to the original proposed area for your valet parking?

Mr. Wynn stated "yes" he thought so, up to the end of our own property.

Mr. Jenkins asked if that would be feasible with the protestors.

Mrs. Coleman asked if there would be more discussion with the Fire Department regarding this vacation.

Mr. Saylor stated with any approval of a vacation, one of the conditions is that the applicants have to conform to the requirements of all City departments. If this alley is not blocked off, there would still be access from Carson, otherwise you would have a deadend.

Mr. Wynn asked if the Planning Commission would vacate the alley and give them the duty to take care of it and beautify it. He added that none of the people that are protestors are the users of the property; they are all long-term leases involved here, purely protests for the sake of protesting.

Chairman Busch stated that if vacated, part of the alley would become their property.

Mr. Wynn said they could do with it what they wanted, and the Golden Nugget will not use any more of that space for their building on Mr. Ham's property, on Lots 1 and 2, than they have today. He stated that they will not build out onto the alley on Mr. Ham's property, and the Board can make that a condition of the vacation.

Chairman Busch stated that nothing would restrict Louis Wiener from building on his 10'.

Mr. Wynn asked why that should be a protest and be a block to the Golden Nugget progress.

Mr. Jenkins asked if it would be feasible to vacate up to Mr. Wiener's property and get the approval of both parties or hold this item in abeyance and get on with further business.

Mr. Wynn stated they could manage nicely if the alley is vacated only up to the end of our property to include Brothers, Inc., Bank of Nevada, and the Golden Nugget.

Mr. Bill Hatton, representative of BROTHERS, INC., appeared and stated that he felt the protestors were overlooking a point in that this proposal would be a benefit to the property owners. On that portion there are only little differences, and this would be the only possibility for the property that Brothers, Inc. holds; it has to be a part of a much bigger development and the only development available is through the Golden Nugget. There is concern with Louis Wiener's rights there. If this project is blocked, it would deny Brothers, Inc. any opportunity for vastly increased value to their property, and the other properties must realize their situation and realize the property is going to be vastly increased in value as will Louis Wiener's property. If he blocks this, he will block the development of his own property.

Mr. Wiener stated that he resented this proposal because Mr. Wynn has never talked to him about it. He added he didn't know what increase in land value would be or what the increase in taxes are going to be. Once it is vacated, he said he would become obligated for maintenance and taxes. There were written agreements made with everybody else; and Mr. Wynn hadn't asked him if he would object to it, or go along with it, or if he would absorb the expenses. He added that he didn't think he was being unreasonable. He stated if Mr. Wynn would take the time to pick up the telephone, maybe something could be worked out.

Chairman Busch asked if Mr. Wiener and Mr. Morse thought their property would be affected if just a portion of this alley was vacated.

Mr. Wiener said it would affect his property, and there was going to be a traffic jam in this alley because they are going to be doing business. There is going to be increased traffic coming down the alley from the bank, and there is going to be a fire problem with traffic going up the ramp and coming in from Carson Street.

Chairman Busch asked if Mr. Wiener was objecting to this either way.

Mr. Wiener stated not necessarily, but there are problems that need to be considered. Access needs to be provided for the Fire Department; there will be increased fire insurance, and increased taxes. He stated he would like to have someone approach him regarding this.

Mr. Tiberti said there are similar instances in other parts of the alley; and the justification has been on planning, legal problems don't totally concern this Board. As far as planning is concerned, this is no different than

two other cases and not different enough that we should not go ahead. Mr. Tiberti also indicated that he thought that as far as Mr. Morse's client, I think those things could be and should be worked out. He continued that any additional costs of improving the alley and keeping it up, maintaining, moving utilities, etc. will not be borne by any of the other property owners and would be borne expressly by the Golden Nugget.

Mr. Morris asked if it could be used as a public way.

Mr. Saylor stated "yes" and further informed the people that this item will be heard before the City Commission on January 7, 1976 to set a date for a public hearing at 9:00 A.M.

Mr. Tiberti moved VAC-11-75 be APPROVED subject to the following conditions:

1. Access rights shall be retained to all abutting property owners on all portions of the vacated alley and all costs concerning relocation of utilities, aesthetic improvements and continued maintenance of this vacated area shall be at the expense of Brothers, Inc. (Golden Nugget Hotel).
2. Satisfaction of the requirements of the various utility companies.
3. Conformance to the requirements of the Public Works and Fire Departments.
4. Vacation not be recorded until all of the above conditions have been met.

The motion carried by the following vote:

"AYES": Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": Ward

This item will be heard by the City Commission January 7, 1976 to set the date for a public hearing.

6. AV-17-75

APPROVED

Administrative Variance request submitted by Mrs. George Kavanaugh to allow an addition to a non-conforming building on property located at 821 Mar-Jay Court.

Mr. Saylor stated this is an odd-shaped lot, and the request is to make an addition to the residence. The proposed addition is to the rear of the property which would bring it within 16' of the rear property line at this point. They have a relatively large open rear yard area and staff would recommend approval.

Mrs. Coleman moved for APPROVAL of AV-17-75 subject to the following conditions:

1. Conformance to the submitted plot plan.

"AYES": Ward, Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": None

7. Z-67-72
PLOT PLAN REVIEW

APPROVED

Submitted by WALLACE-MONTGOMERY ENGINEERS concerning property located on the south side of West Oakey Boulevard between Torrey Pines Drive and Jones Boulevard.

Mr. Saylor pointed out the location of this proposed plot plan review on the screen. He indicated there was a recent rezoning application in this area which was advertised under Lewis Homes to change the zoning on O'Bannon and Jones. The change is to allow a R-1 subdivision which was recommended for denial by the Board and denial by the City Commission. He stated there was a Resolution of Intent on this parcel to allow the PUD as represented here. These were all to be attached units with a common rear yard area. He pointed out the area where the detached units were, the part that was developed, and the portion they were asking permission to change from this plot plan to allow a street and lots to be developed as single family homes. He said there was a substantial deviation from the original approval. The Resolution of Intent is still valid and the Commission can make changes in the plot plan. If there is a major change, the Commission would have to have a public hearing. The Attorney indicated that this was not a major change and a public hearing is not legally mandatory, but you have the choice. If approved, staff felt it would be a logical approval and would complete this small unit; but any further proposed changes in this plot plan should have a public hearing. It would not be keeping good faith with the people who appeared at the reclassification public hearing. Staff recommended approval subject to the normal conditions.

Mr. Tiberti asked the lot sizes of these lots if zoned R-1.

Mr. Saylor stated they would be single family houses on individual lots. The lot sizes would vary, but collectively they would be about the same number of lots as you could using the standard lot size of 65' x 100'. Several lots are 79' x 100'.

Mr. Saylor also stated that if this development pattern is continued, the street should be knuckled because part of this land is under some other ownership and already developed. He pointed out the area where the street was dedicated, and he stated that adequate future access to the rear portion of the property must be insured.

Mrs. Coleman commented that in effect they were changing the property from R-PD 5 to R-1.

Mr. Saylor stated that RPD-5 density is essentially the same as R-1 density. The original proposal was for a common rear yard area and attached houses. Staff felt that request was still within the general intent of the density size of that original zoning. The design pattern is being changed; but it is still felt it is within the same density, actually, it is slightly less dense.

Chairman Busch stated that he felt it would make it nicer.

Mr. Saylor stated that even though staff had taken this position now it did not apply to what may happen later.

Mr. Tiberti suggested that this request be approved subject to some type of turn-around or ending at the end of the street.

Mr. Wallace appeared and pointed out on the original tentative map, the partial knuckle, adding that they

don't own the property so instead of bringing in a half knuckle, they suggested making it a L-shaped intersection bringing the curb and gutter down there.

Mr. Tiberti moved for APPROVAL of Z-67-72 subject to the following conditions:

1. Conformance to the plot plan.
2. This approval shall be limited to the area involved in this request and any further change in the previously approved plot plan shall require a public hearing.
3. Dedication of necessary right-of-way and turning radius as required by the Department of Public Works.
4. Minor design changes as required by the Department of Community Development.
5. 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": Ward, Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": None

This item will be heard by the City Commission on January 7, 1976.

8. FINAL MAP
CHARLESTON HEIGHTS
TRACT NO. 51-A
UNIT 1

APPROVED

FINAL MAP
CHARLESTON HEIGHTS
TRACT No. 51-B
UNIT 1

APPROVED

Property generally located on the south side of Smoke Ranch Road, east of Torrey Pines Boulevard.
Owner/Subdivider: Becker & Sons
No. of Lots: 51

Property generally located south of Smoke Ranch Road and west of Jones Boulevard.
Owner/Subdivider: Becker & Sons
No. of Lots: 51

Mr. Foster stated this particular tentative map was submitted for a large development by Ernest A. Becker and both final maps are located in the northwest portion of the City, south of Smoke Ranch and west of Jones Boulevard. There are two final maps, one is a planned development with the zero lot line development. On the R01 portion, applicant proposes to reduce the lot sizes and put the additional area into the park immediately across the street. The lot widths will be between 61' and 62' wide. Staff felt because they were just starting this development, applicant should not have to include on the map a portion of the park. There are some engineering problems, and that is why they don't want to include the park on the map. He stated possibly some type of agreement should be worked out to dedicate it to the City. He stated that the developer was in agreement to assure the City that they would get the park site. With the zero lot line development, the lots are 35' wide; there are some problems with the radius on the corners meeting the curb cut requirements, and this will have to be worked out.

Mr. Foster indicated that Maverick is the only street going out to Smoke Ranch Road, and it was suggested that there should be a secondary access. Subdividers may wish to extend this street to Smoke Ranch Road on a temporary basis as additional access or it could be closed off as they propose and some type of walkway provided through it. Staff would recommend a 6' block wall along Smoke Ranch Road because it is a primary street, and also to the west toward the R-3, there should be a wall separating the R-1 from the R-3. The general conditions applied to the tentative map shall apply and staff recommends approval subject to the conditions mentioned.

Mr. Miller moved the final maps of Charleston Heights 51-A, Unit 1 and 51-B, Unit 1 be APPROVED subject to the following conditions:

Charleston Heights 51-A, Unit 1

1. A temporary secondary access shall be provided to Smoke Ranch Road.
2. A 6' block wall be constructed along Smoke Ranch Road except for the pedestrian opening.
3. Proper curb cut openings as required by the Department of Public Works.
4. Conformance to the conditions of approval on the tentative map.
5. Street names be provided in accord with the street name policy.

Charleston Heights 51-B, Unit 1

1. A temporary secondary access shall be provided to Smoke Ranch Road.
2. A 6' block wall be constructed along the west line of Block 4.
3. Satisfactory agreement with the City for dedication of the entire public park located on the east side of Maverick Street.
4. Conformance to the conditions of approval on the tentative map.
5. Street names to be provided in accord with the street name policy.

The motion carried by the following vote:

"AYES": Ward, Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": None

10. LD-15-75

APPROVED

A new street dedication named Donald Nelson Avenue generally located at Maverick Street and Farm Road.

Mr. Foster stated this was a new street dedication proposed under a land division being requested to divide 10 acres into four 2½ acre sites. The new street was requested to provide access along the north line of the proposed land division. It is a logical street and staff recommends approval.

Mr. Tiberti moved LD-15-75 be APPROVED subject to the following conditions that a 30' dedication be required on Donald Nelson Avenue along with a 30' dedication for Maverick Street and two 15' radius corners, one at Donald Nelson and Maverick and the other at Maverick and Farm Road as required by the Department of Public Works.

The motion carried by the following vote:

"AYES": Ward, Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": None

11. Z-49-73
PLOT PLAN REVIEWED

APPROVED

Submitted by VALLEY HOSPITAL MEDICAL BUILDING concerning property generally located on the northwest corner of Goldring Avenue and Shadow Lane, extending west along Goldring Avenue 101 feet and north along Shadow Lane 301 feet at 700, 716 and 716½ Shadow Lane, in zoning district C-1.

Mr. Foster stated this was a medical complex south of Valley Hospital, and he pointed out the location on the map. He stated the addition would be on the south portion and be within 12' of Goldring Avenue. He stated they have parking and landscaping all along the Shadow Lane side of the property, and they propose some landscaping along Goldring between the building addition and the street. When this property and the property to the north were approved, adjustments were made at that time which were subject to a letter being obtained by the applicant from the adjoining property owner agreeing with the adjustments on the property. This is not an advertised public hearing. The applicant has been unable to obtain a letter from the adjoining property owner and staff has received no letter from her objecting to this proposed addition. Staff recommends approval subject to the condition being deleted and landscaping being provided as required by the Department of Community Development.

Mrs. Coleman asked if there wasn't a problem regarding the fence between her property and this development.

Mr. Foster stated that has to be worked out, she sold the property to the applicant.

Mrs. Coleman moved the Plot Plan Review on Z-49-73 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. The applicant shall obtain approval in writing from the property owner to the west indicating there is no objection to the proposed addition.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
5. All previous conditions under Z-49-73 shall be applicable.

The motion carried by the following vote:

"AYES": Ward, Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": None

This item will be heard by the City Commission on January 7, 1976.

AMBULANCE STUDY

Mr. Foster stated, at the request of this Commission, staff was directed to conduct a study on ambulance services in the area. Staff has conducted a study and they have contacted two ambulance services in the City. There is basically one major ambulance company who does the bulk of emergency type services. This company is Mercy Ambulance, and they are located on West Charleston Boulevard. Staff found in talking to the manager of that facility that they do not dispatch the ambulances from the office facility on Charleston; they are on the move and they are dispatched to the next call before returning to the office. The other ambulance company contacted doesn't provide emergency services; they transport patients to and from hospitals, etc. He stated that there were a number of things that could be done in terms of changing the location of these ambulance companies. One would be to change the ordinance. The Code could provide that they would be allowed in a C-1 zone only by means of a use permit. They could be placed in a C-2 zone as a matter of right or with a use permit. Mr. Foster continued that a use permit allows the BZA to evaluate the area to see if the use would be compatible and to add conditions to the uses. They could be located only in a C-M zone (Commercial Industrial). What staff found out with Mercy Ambulance is their operation on Charleston is basically an office operation. We could allow the office operation in a commercial zone, C-1 or C-2 with or without a use permit, but have a stipulation that there be no emergency vehicles dispatched from that facility; this seems to be the way this facility operates now.

There was discussion regarding the dispatching of the ambulances, the noise factor, traffic problems with the companies being located on busy streets, sirens during night hours, abutting residential properties, the maintenance of the ambulances in the C-1 zone, and the need for access to the freeway system and major streets.

Mr. Tiberti stated that he felt the ambulance companies should be involved regarding these discussions.

There was further discussion regarding possible locations for ambulance companies.

Mr. Foster stated that most of the C-M zoning is along the freeway on the east side; these companies should be located on a major street. He added that requiring a use permit for this type of operation would offer more control over this situation. He further stated that he would like to get more input from the ambulance companies. The Code wouldn't require them to have a use permit if they were to locate in a C-M or M zone, the C-2 zone would require a use permit, and in C-M or M, it would be allowed as a matter of right.

Mrs. Coleman suggested that the Commission make a recommendation that they be allowed only in C-M or M zones and then get input from the ambulance companies to see whether they want to voice objection or propose other considerations.

Mr. Foster reminded the Commission that it is a permitted use in the C-M zone. He added that his department would contact the ambulance agencies for a response and have something by the next meeting.

AMENDMENTS TO CAPITAL
IMPROVEMENTS PLAN

Mr. Foster stated that it was time to update the CIP for next year's expenditures and staff felt rather than update the entire package it would be possible to have an amendment to that plan to incorporate the projects for next year. The balance of the projects that haven't been constructed could be moved to the following year. He stated the items on the front page of the handout were a summary, and the attachments are forms that reflect the requests from respective departments. Some of the amounts requested did not coincide with the amounts recommended on the front page. He asked what the Commission would like to do regarding review of this package, go line by line or act on it as an entire proposal.

Mrs. Coleman stated that she would like to study the package and Mr. Ward concurred.

Mr. Foster stated the first three items are being proposed for next year's Community Development funding, and he reviewed these projects with the Commission.

Mr. Tiberti asked what the freeway mini parks were?

Mr. Foster stated they are parks constructed on land left over from freeway construction. These parks essentially were located on the west side of the freeway between Bonanza and Owens; and rather than dispose of them, the State and City had landscaped them and utilized them as open space and park facilities. The larger piece was around "D" Street and now under construction by the State Highway Department.

Mrs. Coleman asked if anything was being done on the Washington drainage ditch problem.

Mr. Foster stated that the creek by the YMCA is being improved at this time.

Mrs. Coleman questioned using a trailer as a dormitory.

Mr. Foster stated that was one alternative in connection with the remodeling of the fire station on West Bonanza, and they felt that way was less expensive.

Mr. Tiberti stated that he didn't feel it would be less expensive, and he stated what could be done if the Commission didn't like this part of the CIP.

Mr. Foster stated that the Department of Community Development handles it for the City, and the Committee consists of staff persons of all Departments.

Mr. Tiberti asked where the money came from?

Mr. Foster stated Block Grant and General Revenue Sharing funds.

He stated under the Block Grant, the City allocated \$600,000 of Revenue Sharing Funds to operate the City housing code program, and staff is anticipating getting into a rehabilitation program. The City also is funding a number of service organizations such as EOB and a certain amount of the funds were used to purchase the Westside School property and lease it to the EOB, which is proposing a nursery in that location. Mr. Foster stated these are funds the City will be receiving for the next several years.

Mrs. Coleman questioned the CETA operation and its problems.

Mr. Foster stated the Manpower handled CETA and it was only one of the sources of Federal funds they received.

Mrs. Coleman asked what consideration would have to do with this Department?

Mr. Foster stated they will still have this function.

Mr. Tiberti moved for APPROVAL of the CIP, amending it to delete the use of the trailer on the fire station property.

The motion carried by the following vote:

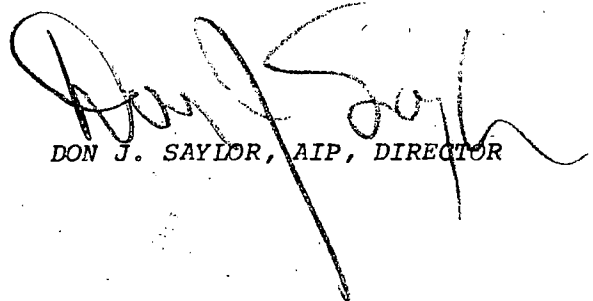
"AYES": Ward, Coleman, Busch, Jenkins, Tiberti, Miller

"NOES": None

ADJOURNMENT:

There being no further business before the City Planning Commission, the meeting was adjourned at 10:00 p.m.

DEPARTMENT OF COMMUNITY DEVELOPMENT



DON J. SAYLOR, AIP, DIRECTOR

DJS:pdm:lod