

A G E N D A

RECEIVED  
CITY MANAGER

CITY PLANNING COMMISSION

MAR 16 1976

March 23, 1976

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

CALL TO ORDER:

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

ROLL CALL:

MINUTES:

Approval of the Minutes of the regular meetings  
of January 8, 1976 and January 27, 1976.

NEW BUSINESS:

1. Z-17-76

Application of SOUTHERN NEVADA MEMORIAL HOSPITAL  
for reclassification of property located as  
follows: Lots 2 and 3 are located on the south  
side of Hastings Avenue between Rose Street and  
Tonopah Drive at 2005 and 2009 Hastings Avenue.  
Lots 20, 22 and 23 are located on the north side  
of Alturas Avenue between Rose Street and Tonopah  
Drive at 2024, 2016 and 2012 Alturas Avenue, from  
R-E to C-V.

Proposed Use: Storage and Offices for  
Hospital Use

2. Z-18-76

Application of NEVADA ESCROW SERVICE, TRUSTEE, for  
reclassification of property located on the east  
side of Brush Street between Alpine Place and  
Evergreen Avenue extending north from Alpine Place  
940 feet, from R-1 to R-3.

Proposed Use: 144-Unit Apartment Complex

3. Z-19-76

Application of ROBERT H. GRANT & COMPANY OF NEVADA  
for reclassification of property located on the  
south side of Pennwood Avenue between South Valley  
View Boulevard and Wing Street 300 feet east of Wing  
Street extending south 360 feet, from C-1 and M  
(ROI to R-3 P.U.D.) to R-3.

Proposed Use: 86-unit Apartment Project

4. Z-20-76

Application of ROBERT BANKS, PRESIDENT FOR H. S.  
SERVICE CORPORATION for reclassification of property  
located on the east side of Lorenzi Boulevard between  
Washington Avenue and the Las Vegas Expressway extending  
south along Lorenzi Boulevard 1,320 feet and east along  
Washington Avenue 320 feet, from R-E (ROI R-3) to C-2.

Proposed Use: Shopping Center

5. Tentative Map  
CHARLESTON ESTATES #7

Property generally located between Washington Avenue  
and Bonanza Road east of Decatur Boulevard, in Zoning  
District R-PD 7.

Owner/Subdivider: Becker & Sons  
No. of Acres: 24.6  
No. of Lots: 169

DIRECTOR'S BUSINESS:

Discussion

Amendments to Major Street Plan - Marion Drive and  
Peak Drive.

MINUTES

CITY PLANNING COMMISSION

March 23, 1976

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

ABSENT: Mr. Ward.

STAFF PRESENT: Don J. Saylor, AIP, Director of Community Development.  
Harold P. Foster, Deputy Director of Community Development.  
Howard A. Null, Supervisor of Planning and Zoning.  
John Herbert, Planning Assistant.  
Patricia Malizia, Recording Secretary.

MINUTES: MRS. COLEMAN moved the minutes of the regular meetings of January 8, and January 27, 1976, be approved as mailed. The motion carried by unanimous vote.

NEW BUSINESS:

1. Z-17-76

APPROVED

RECEIVED  
CITY MANAGER

APR 13 1976

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

Application of SOUTHERN NEVADA MEMORIAL HOSPITAL for re-classification of property legally described as Lots 2, 3, 20, 22, 23, Block 2, Woodland Park; Lots 2 and 3 are located on the south side of Hastings Avenue between Rose Street and Tonopah Drive at 2005 and 2009 Hastings Avenue. Lots 20, 22 and 23 are located on the north side of Alturas Avenue between Rose Street and Tonopah Drive at 2024, 2016 and 2012 Alturas Avenue, from R-E to C-V.

Proposed Use: Storage and Offices for Hospital Use.

MR. SAYLOR pointed out the location of this proposed rezoning on the screen stating the acquisition of this property is part of the overall acquisition program in the area to allow for the expansion of the Southern Nevada Memorial Hospital facilities. He indicated at this point in time, on these separate parcels, they are proposing temporary uses, but these uses will be woven into the final design. He stated there have been other parcels in the area granted temporary uses already. He stated staff recommends approval subject to a temporary parking layout being planned for the two lots fronting on Hastings, conformance to the requirements of the Fire and Building Departments, also a condition that when the hospital does arrive at an ultimate program they would have to come in with complete plans. He indicated the property owner at the corner of Hastings and Rose is requesting that a block wall be constructed on the west and south property lines of his lot. There were no protests on record and one letter of approval.

CHAIRMAN JENKINS declared the public hearing open and asked to hear from the applicant.

MR. BOB PECCOLE, Attorney, MR. DALE GARDNER, and the Director of Facilities for Southern Nevada Memorial Hospital appeared.

MR. PECCOLE informed the Commission the architects were working on the plans for the hospital, and they would be ready in six months. He indicated they are also negotiating to buy the rest of the properties on the street, and they will be asking for the vacation of Alturas in the future. He stated they will be attempting to buy the neighborhood properties with what funds they have available. He indicated the use of these former residential buildings would be temporary and he pointed out the location of the buildings on the map. He indicated as soon as the plans for the hospital are ready they will come back before the Commission. He informed the Commission, in the past, the City has approved other

medical type facilities in the neighborhood all abutting on R-1 property. He stated the Master Plan calls for medical uses, and this proposal is in keeping with the Master Plan.

CHAIRMAN JENKINS asked if they felt they could comply with staff's recommendations?

MR. PECCOLE asked regarding the block wall. He indicated they could comply with all the recommendations, but they would like to install a 6' chain link fence with slats. He indicated they intend to buy the property which would abut the wall and they would have to tear it down after the property acquisition.

MRS. COLEMAN asked if the applicants were using the piece of property on the corner of Alturas and Rose?

MR. PECCOLE stated this area is all parking now, and he pointed out these areas on the map. He stated he didn't know the hospital people had let the permits elapse and they will correct that situation.

MRS. COLEMAN asked if there was a fence around the parking lots now?

MR. PECCOLE pointed out the location of the fence to the Commission.

MR. JIM CARSON, 2017 Hastings Avenue, appeared and stated he didn't want to stop progress, but he wanted assurance of having a fence 6' high minimum all the way down the property which is directly in back of his property. He stated a chain link fence with slats would be acceptable. He indicated they are already using the properties between 2001 and 2013 for hospital use. He indicated they do have a parking problem in this area, and the residents can't park in front of their own houses; and he asked if the Commission could relieve this problem?

MR. PECCOLE indicated they will be willing to stop the people from parking in front of these residences.

CHAIRMAN JENKINS declared the public hearing closed.

DR. PARKER moved this item be approved subject to the stipulations of staff plus a condition regarding the chain link fence with slats being used instead of a block wall and the provision of employee parking.

DR. PARKER moved Z-17-76 be APPROVED subject to the following conditions:

1. The temporary off-street parking layout on each property shall conform to the requirements of the Department of Community Development.
2. Conformance to the requirements of the Fire and Building Departments.
3. The temporary use of the buildings on these various parcels of land shall be allowed and any future development plans shall first be approved by the Planning Commission prior to commencement of construction.
4. Conformance to plot plans as amended to reflect the above conditions.
5. A 6' high chain link fence with opaque slats shall be installed on the rear property line of each lot and on the west and south sides of the property at 2001 Hastings Avenue. The fence along the west side of the property at 2001 Hastings Avenue shall be stepped down on the front portion of the property as required by the Ordinance.

6. Signing of an Assessment District Agreement for future sidewalk, curb and gutter, and street lighting along Alturas Avenue and Hastings Avenue.
7. The hospital shall provide adequate off-street parking facilities for the employees for these proposed offices.
8. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Jenkins, Busch, Coleman.  
 "NOES": None.

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

2. Z-18-76

APPROVED

Application of NEVADA ESCROW SERVICE, TRUSTEE, for reclassification of property legally described as Government Lots 4, 29 and 36 in the Southeast Quarter (SE $\frac{1}{4}$ ) of the Southeast Quarter (SE $\frac{1}{4}$ ) of Section 36, Township 20 South, Range 60 East, MDB&M, located on the east side of Brush Street between Alpine Place and Evergreen Avenue extending north from Alpine Place 940 feet, from R-1 to R-3.

Proposed Use: 144-unit Apartment Complex

MR. SAYLOR pointed out the location of this property on the screen. He indicated this is in a small tract homesite area which includes the area all the way from Decatur to Jones and north to the rear of the Charleston Heights subdivision. He indicated all the frontage on Charleston and Decatur is either zoned or developed for commercial purposes, and there is some P-R zoning in the area at the present time. He stated in the past, a large portion of the area from Decatur to Brush was zoned for a shopping center which never came about; and there was a large piece of land zoned for a senior citizens center complex which also never came about. He indicated this was a request for a change in zoning from R-1 to R-3 to allow the development of a 144-unit apartment project. He stated this project is in accord with the density recommendations of the General Plan. He indicated at present there isn't a great deal of apartment house zoning available for development in the City, and any proposed apartment development usually meets with a protest factor. He indicated immediately to the north of the parcel in question are four single family homes which back up to it. Just east is a piece of land which is undeveloped and zoned for apartments, and further west and to the north are single family home developments. He pointed out the location of this proposed development on the plot plan indicating that Cory Place will have to be continued through. He indicated the applicants are proposing two-story buildings, and this proposal looks like a typical apartment house development. He stated staff knows there is a substantial protest factor against apartments, and feels this project is in accord with the density recommendations of the General Plan and that there is a demand factor for apartment house zoning; therefore, staff recommends approval of this application. He indicated there are three letters of protest on file and if the Commission does approve this application, staff would recommend some type of landscaped buffer between the parking area and the rear of the single family homes plus a block wall across the north side of this development. He indicated they do show sufficient parking; the Ordinance requires 216 spaces and they have 234 spaces provided.

MR. TIBERTI asked how large was the parcel?

MR. SAYLOR replied a little over five acres.

MRS. COLEMAN asked how far was this development from the case they reviewed previously in this area?

MR. SAYLOR replied the other case was further west and further to the interior of the general area. He stated staff anticipates seeing single family development take place further west and hopefully we can hold to that zoning. He indicated staff feels this proposal is somewhat different in its characteristics in that it is closer to Charleston and Decatur and there has been some indication of a willingness on the part of the City to make changes in zoning between Brush and Decatur.

MRS. COLEMAN asked if this development would go right up to the commercial?

MR. SAYLOR replied "yes", to Alpine. He indicated the City has been successful in keeping the commercial zoning from going any further north of Alpine.

CHAIRMAN JENKINS declared the public hearing open and asked to hear from the applicant.

MR. KEN FLEMING, 2004 Embrey, appeared representing the applicant. He indicated they recognize there is a need for multi-family dwellings in this area with more than one bedroom for families; he indicated the closest similar type project was on Arville. With this development, he indicated people would be within walking distance of shopping centers and schools. He indicated this plan was in conformance with the General Plan. He indicated they wanted to have R-4 zoning but decided on the R-3 zoning.

MRS. COLEMAN asked for a breakdown of how many two and three bedroom units there would be in this development?

MR. FLEMING indicated approximately 1/3 would be one bedroom, 1/3 two bedroom and 1/3 three bedroom apartments.

DR. PARKER asked how many buildings are proposed?

MR. FLEMING replied six buildings. He indicated this area would be very difficult to develop for single family development because there is a power easement that runs north and south through this area. He stated their parking areas will be in the power easement area.

MRS. COLEMAN asked for elevations of the proposal, and if they would have street frontage?

MR. FLEMING replied "yes".

MR. BUSCH asked regarding the landscaping of this development.

MR. FLEMING presented plans showing the landscaping and parking plans for this proposed development.

MR. BUSCH asked Mr. Saylor if the landscaped buffer would be required.

MR. SAYLOR replied "yes".

MR. SAYLOR indicated they are also requiring two accesses onto Brush Street.

MRS. COLEMAN asked how close this development would be to the single family homes?

MR. SAYLOR indicated the units would be at least 40' plus, whatever it takes to put in a buffer or hedge.

MR. FLEMING indicated 50' or more with parking. He stated all the homes face north, and this development would abut the back of these homes.

CHAIRMAN JENKINS asked for a show of hands of the protestants. There were approximately eight.

MRS. ALBERT MEHNER, 5417 Evergreen Avenue, appeared in protest. She indicated she has lived in the area for approximately 18 years and she has had to come before the Commission three times to ask them please not to break the R-1 zone. She indicated that was why they bought their home in the first place because of the R-1 zoning in the area. She indicated at this time this proposal affects very few people, only the people on Brush Street, but once the R-1 zoning is broken other uses will continue up into the desert area. She indicated on the first proposal they didn't have any access street designed. She indicated she was very strongly protesting this application, and she submitted petitions to the Commission containing approximately 70 signatures of protest.

MRS. PANECO, 5117 Evergreen Avenue, appeared in protest. She stated she would like to reiterate what Mrs. Mehner has stated. She indicated she was unable to sign the petition because she wasn't home. She indicated she lives six or seven houses from Brush and on a corner lot.

MR. MOE TRINER, 5021 Evergreen Avenue, appeared. He stated this development was going to abut his backyard, and he would like the same protection that was granted when the shopping center was proposed, with items such as a block wall and no trash cans on this side. He stated he understood this development was going to be on two floors and now he is going to have people looking down into his backyard while he is sunbathing.

CHAIRMAN JENKINS asked what the sight angle would be from this residence?

MR. SAYLOR stated the development would be 50' from this residence.

MR. TRINER indicated he was not against this application, but he was against it being two floors. He also would like the conditions that he was promised on the previous applications.

MS. NELDIA ANYON, 4950 West Charleston Boulevard, appeared in favor of this request, stating she lives right across from the property; and no one has bought the property for single family development, and she felt this was a marvelous proposal to have apartments in this location.

MR. JOE JACKSON, 5017 Evergreen Avenue, appeared asking to have a couple of items explained to him. He asked where the 50' setback would begin and if he would have access to the rear of his property. He wondered if he would continue to have access and would it be paved and would it become a raceway. He asked where the block wall would be situated in relation to the back property line and in relation to the easement line.

MR. SAYLOR indicated the wall would be on the north side and would be on Mr. Jackson's south property line. He indicated the proposed driveway access into the parking lot and turn-around would leave 50' between the wall and the apartments. He pointed out the location of the proposed fence to Mr. Jackson.

MR. JACKSON asked if this would cut off the access to the rear of his property?

MR. SAYLOR stated he doesn't have the legal right to the private use of this property now.

MR. JACKSON asked if the wall was on his property line, would the parking be behind his house? He asked what type of rooms were planned for that end of the development and asked the location of the living rooms.

MR. SAYLOR indicated he didn't know what the plans were, but the Commission could ask that no windows be put on the north side of the building.

MR. JACKSON asked how wide the landscaping would be?

MR. BUSCH replied approximately 10' or whatever it takes.

MR. JACKSON indicated if the developers would go along with no second floor windows he could go along with the project.

MR. FLEMING reappeared and indicated the north side of the buildings would be the side of the building, and there would be no problem with eliminating the windows.

MR. JOE MOFFETT, 750 Berry Circle, appeared in protest. He indicated he has lived in the area for 20 years. He indicated when he bought his home this area was to be R-1, and now they are proposing R-3 which would change the whole complexion of the area. He indicated there are a lot of traffic accidents in this area and a lot of traffic.

MRS. CHARLES NEAL, 905 Mohawk, appeared in protest. She indicated they just purchased a custom built home and they were assured this was R-1 zoned and now it is going to be changed. She indicated she would be willing to put up with the dirt until new homes are built. She indicated the schools are overcrowded, and there is a problem with the school zones in this area.

CHAIRMAN JENKINS declared the public hearing closed.

MR. TIBERTI suggested this item be approved subject to landscaping along the north property line, 6' block wall fence and no windows on the north sides of the buildings.

MRS. COLEMAN asked what was planned for the rest of the open area?

MR. SAYLOR indicated this property is a piece of land running all the way through from Decatur to Jones and was a BLM disposition area at one time. He indicated throughout the years the City has tried to work out a street pattern in this area, but some people have bought the property to build houses and others bought property as an investment and have nothing on it. He indicated staff has tried to hold the line on two or three things in this area, one being the commercial zoning so that it wouldn't go any further north than Alpine and the edge of Decatur on the east and Jones on the west. He stated if this request is approved the question of opening the door for further apartment house zoning is refuted by the evidence of staff's position, the Planning Commission and City Commission in denying the request for apartment house zoning further into the interior and holding the line on Brush at this time. He pointed out the area of the branch library and the park which would provide a buffer from the apartment house zoning going any further west.

MR. TIBERTI moved Z-18-76 be APPROVED subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. A 6' block wall be provided along the north property line.
3. A landscaped planter with trees shall be provided along the north portion of the property as required by the Department of Community Development.
4. There shall be no windows on the north side of the second story portions of the two buildings on the north portion of the property.

5. A 50' building setback shall be provided from the north property line.
6. Minor design changes as required by the Department of Community Development.
7. Conformance to the plot plan as amended to reflect the above conditions.
8. Dedication of radius corners at Alpine Place and Brush Street; and at Cory Place and Brush Street; and the installation of half-street improvements along Brush Street, Cory Place, Alpine Place and Vulcan Lane.
9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
10. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Jenkins, Busch, Coleman.  
 "NOES": None

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

3. Z-19-76  
 ABEYANCE

Application of ROBERT H. GRANT & COMPANY OF NEVADA for re-classification of property legally described as Bradford Place Unit No. 4, located on the south side of Pennwood Avenue between South Valley View Boulevard and Wing Street 300 feet east of Wing Street extending south 360 feet, from C-1 and M (ROI to R-3 PUD) to R-3.

Proposed Use: 86-unit Apartment Project

MR. SAYLOR pointed out the location of this parcel on the screen. He stated the parcel was zoned commercial and industrial at one time and then was approved for a planned unit development. This was done with a Resolution of Intent, meaning as development took place the zoning would change to a P.U.D. density. Pennwood borders this area to the north, and on the north side of Pennwood are apartment houses. Clark High School is to the west and immediately to the east is industrial zoning. The Bradford Place development is complete or almost complete with the exception of the parcel which is outlined on the screen. He indicated a portion of the Bradford Place development does abut industrial zoning on the south. He stated the people who originally developed Bradford Place are no longer connected with the development of this parcel. He stated if this parcel is not developed it would revert back to commercial and industrial zoning. He indicated the proposed use of the parcel is for apartments. He pointed out the location of the parcel on the plot plan. He stated the applicants propose to separate this development from the Bradford Place development with a wall and this development is pretty well set away from the bordering Bradford Place development. He indicated they are proposing landscaping on both sides of the development, a drive with two lanes, and a common area. He stated he has been told the number of apartments has been reduced to 76, but he couldn't guarantee it would remain in perpetuity for adult use only if the developer couldn't find enough adults to rent to. Mr. Saylor informed the Commission that the developer's intent is to rent to adults only, and if this development is occupied that way the number of people that would occupy it as an apartment house development would not be any more than if it were to continue at the same density as the Bradford Place family occupancy development. He indicated even though there would be more dwelling units in the apartment project the population factor would remain about the same. He indicated extensive landscaping is proposed and a block wall. There was one

question raised by people from the Bradford Place development to staff which they could not answer; it was whether there would be access on out to Pennwood. He pointed out the location of the driveway to the Commission. The developer doesn't care if the residents of Bradford Place want that drive left open for circulation, but if not he will put in a block wall with an emergency gate for fire truck access. The developer states if this application is approved, this matter would be left up to the people of Bradford Place. He stated that some of his remarks regarding the previous application on the agenda in terms of undeveloped property for apartment house development may be misinterpreted. Staff feels this application is very logical but realizes some of the people in Bradford Place object because this is a rental project rather than homeownership. He stated that staff felt it would be better to allow this development rather than the possibility that could occur if it reverted to commercial or industrial zoning; there would be no way to pre-judge what would take place. Staff recommends approval of this application. There were two letters of protest on file.

CHAIRMAN JENKINS declared the public hearing open and asked to hear from the applicant.

MR. DUDLEY SMITH, President, DASCO, Inc., appeared representing the applicant. He indicated that Mr. Saylor's presentation covered nearly all the points necessary. He indicated the unit density was reduced from 86 to 76 because the area in square footage was originally computed from the center of Pennwood which was improper; consequently, the number of units has been reduced. He informed the Commission there will be 40 no-bedroom and 36 one-bedroom apartments which would preclude any children in these units. He stated their projections showed approximately 98 residents in 76 units. He stated if this area was developed in 42 townhouses with 2, 3 and 4 bedroom units the projected population would be slightly over 100. With no children in this development it won't put a load on the schools. He indicated another factor that has changed with this development is that the Bradford Place plan showed the units built to the property line on the west side; he stated their plan will have the apartments set approximately 90' east of the west property line. With regard to the fire lane, he stated the original requirement was the fire lane was to be kept open; and he pointed out the location where it was proposed. He stated if the people of the Bradford Place subdivision prefer to have it left open, we will leave it open. He stated they have met with the Homeowners Association of Bradford Place; and they were extremely courteous, and we told them what we are proposing to do, but we haven't heard anything more from them except they said some of the people were objecting to the apartments.

MR. PAUL REISING, 3169 Marsford, Treasurer of the Bradford Place Homeowners Association, appeared in protest. He presented a petition to the Planning Commission with 128 signatures of homeowners objecting to this application. He stated they feel the proposed apartment complex would lower property values, and it deviates from the Resolution of Intent and the Master Plan. He stated they also feel that the applicants are not certain as to how many apartments they actually want to build. He stated the original plan showed 86; he was personally told 80 and now they are proposing 76. He stated they don't really know where they stand. He stated they don't want apartments there, and they didn't feel Grant Co. owns the property. He presented a deed to the Commission regarding the ownership.

MRS. COLEMAN asked if the apartment houses across from Bradford Place were there when they moved in?

MR. REISING replied some but not all of them. The Granada on the west side of Wing and north of Pennwood wasn't there.

MRS. COLEMAN asked if this was the construction yard area during the construction period of Bradford Place?

MR. REISING stated Bradford Place was built in three sections, and these three sections were built out of that yard. The fourth unit has not been built to date.

CHAIRMAN JENKINS presented the deed to Mr. Saylor for verification of the legal description.

MR. REISING brought to the attention of the Commission that the Board of Directors of the Bradford Place Homeowners Association was contemplating legal action against Grant and Co. for denying revenues from the loss of the units proposed in Unit #4.

MRS. COLEMAN asked when Bradford Place was developed for condominium development, was this land included in the plan?

MR. REISING replied it was designated as Bradford Place #4. He indicated common area would be included in Unit #4 which was supposed to be a part of everyone's property. He presented a picture to the Commission showing a sign advertising 213 units on this property, and they have only 171 now. He also presented a copy of a letter from the Homeowner's Association to the Commission. He added that it was their understanding that the lower corner of this piece of property is part of Bradford Place and has been deeded to the Homeowner's Association; this would eliminate part of DASC0's proposed parking area. He stated the reason why the number of units was lowered was due to the property reduction not because they measured out to Pennwood.

MR. SAYLOR indicated it was his understanding that the piece of land deeded to the Homeowner's Association out of Unit 4 is not represented on this plan. Regarding the deed, Mr. Saylor commented he didn't know who owns the property; the application is signed by Grant and Co. as owner. He indicated the deed presented to him conveys ownership from Grant and Co. to another person in 1975, and this ownership could have changed since then. He indicated he would have to contact the Assessor's Office for verification of ownership.

MR. REISING indicated it has been very hard for them to contact Grant and Co. and this deed was received from the State of California so we haven't checked on it since; but he stated they will. He stated the section in the lower right hand corner of the map is part of Bradford Place.

MR. SAYLOR stated if the applicant doesn't own it he obviously can't build on it.

MR. REISING stated he felt this whole thing was done very haphazardly.

CHAIRMAN JENKINS informed Mr. Reising that the legal complications between Bradford Place and Grant and Co. don't concern the Commission. He stated the Commission is only concerned if this is proper zoning.

MRS. COLEMAN asked when property is owned in common in a condominium development can they cut off a piece of it and resell it?

MR. REISING stated that is exactly what their question is.

MR. SAYLOR indicated there are many ways property can be owned. In a townhouse development you buy a specific unit and own the land in fee simple. If you have an interest in property it can't be sold to someone else legally. Relative to the question whether or not part of Unit 4 was deeded to the Homeowner's Association, he stated this could be checked through the Assessor's Office.

MR. REISING stated they feel the map presented to the Commission is not a true picture, and it is not represented properly.

CHAIRMAN JENKINS informed Mr. Reising that the Commission does have a chance to look at a final map after approval.

MR. REISING stated they object to the apartment proposal because there are already a lot of apartments in the area, and they have people running through their area doing damage to the pool and grounds; and they feel this rezoning will lower their property values. He stated their development is supposed to be square, and now they are proposing to take one-quarter out of it.

MRS. COLEMAN asked if Mr. Reising understands if this use is not approved this property will revert to commercial and industrial zoning?

MR. REISING stated "not if they could help it".

MRS. COLEMAN indicated this property was zoned C-1 and M originally, and it is under Resolution of Intent to R-3 P.U.D. which is the Bradford Place zoning. She stated if this use isn't approved this property will revert back to industrial and commercial zoning.

MR. SAYLOR commented that the applicants have the right to develop it that way within a certain time limit, and if the development doesn't take place within that designated time frame it will revert back to the original zoning.

MR. REISING stated their entire development was proposed to be developed within five years.

MR. SAYLOR indicated he was talking about the City Zoning regulations which have nothing to do with the conveyance agreement. He stated the original Resolution of Intent was for a time period of one year, and as they continue development that year stays in effect; once they cease development, then within one year it will revert back to the original zoning.

CHAIRMAN JENKINS asked Mr. Smith to reappear.

MR. SMITH stated the 10' and 19' areas were deeded to the Homeowner's Association from Grant and Co. He presented a valid escrow dated 12/24/75 to the Commission for their review showing the purchase of the property.

MR. MILLER asked if it was his intent to have 213 units?

MR. SMITH replied he isn't the original owner of the property.

CHAIRMAN JENKINS indicated the development now has 171 units, and this area was to be the balance of the development.

MR. SMITH indicated the original intention was to build 213 units. He stated the original developers did not go ahead with Unit 4 because the property adjoining it was industrial, and this development would abut a 12' high block wall. He presented a drawing to the Commission showing the zoning and land use in the area. He pointed out the location of the trailer park in the area, and the mini-warehouses, Stop-n-Go, etc. He stated this property is surrounded by a much more intense use.

MR. NORM VON RUEDEN, 3120 Chadford Place, appeared in protest. He stated he purchased one of the first units in this development. He stated 1) Grant and Co. promised to build 213 units comprising the whole area; 2) Grant and Co. at no time gave them formal notice of their intent to discontinue this project; and 3) he stated he would like to petition the Commission to delay any action on this zoning to determine a couple of legal questions, one being the right to sell property which is a

breach of contract. He stated he didn't see any urgency in putting up these apartments and they would like to retain the property until they can settle the legal questions. He stated they have plans to get control of the property and they would like to complete the project. He stated they have a substantial loss of revenue, approximately \$20.00 per unit, without this development being completed.

CHAIRMAN JENKINS stated he was in agreement with Mr. Von Rueden's request, and he asked if they thought 30 days would be sufficient?

MR. REISING stated they would attempt to do the investigation within 30 days.

MR. VON RUEDEN indicated that he didn't feel 30 days would be enough time; it would take 30 days to get it on the docket in court.

CHAIRMAN JENKINS indicated the Commissioners were not saying 30 days until it goes to court, we are asking if 30 days would be enough time for your group to determine whether you have certain legal rights.

MRS. COLEMAN moved Z-19-76 be HELD IN ABEYANCE until the regularly scheduled Planning Commission meeting to be held April 27, 1976.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Jenkins, Busch, Coleman.  
"NOES": None

4. Z-20-76

ABEYANCE

Application of ROBERT BANKS, PRESIDENT FOR H. S. SERVICE CORPORATION for reclassification of property legally described as the west three hundred feet (320') of the Northwest Quarter (NW $\frac{1}{4}$ ) of the Southwest Quarter (SW $\frac{1}{4}$ ) of Section 26, Township 20 South, Range 60 East, MDB&M, located on the east side of Lorenzi Boulevard between Washington Avenue and the Las Vegas Expressway extending south along Lorenzi Boulevard 1,320 feet and east along Washington Avenue 320 feet, from R-E (R-1 to R-3) to C-2.

Proposed Use: Shopping Center

MR. SAYLOR stated this property is located in the west end of town where the Las Vegas Expressway turns north on its Rainbow alignment. He pointed out the location of the rezoning on the plot plan and pointed out the location of the west leg of the freeway. He stated the freeway alignment severed one of the parcels so it has no access. Immediately to the east is the Westporter development and to the north is the Watkins Manor single family development. He stated some of the Planning Commission members were involved in terms of the access question when the apartment house development went in. He stated there is no access to the west or to the east. He stated one of the conditions required that a road be brought out to Lorenzi, and he pointed out the location of the alignment that has been decided upon. He indicated this area is under Resolution of Intent to R-3 without a time limit. He stated they are asking for a commercial development, and Lorenzi will continue north as a secondary major street. He indicated staff felt the apartment house development is needed in this area, but staff does feel that the south portion should be severed and allowed to go C-1 commercial. He stated staff wants to preserve the land zoned for apartments and allow only C-1 zoning on the small piece of land south of the proposed alignment for Silverstream Avenue. There is one letter of protest from a property owner at 110 Panorama Drive in the Westporter Development.

MR. TIBERTI asked what the purpose was of this application?

MR. SAYLOR asked if he meant why they wanted commercial zoning?

MR. TIBERTI commented there is commercial zoning on a big piece of land south of this site.

MR. SAYLOR stated it is not under the same ownership.

MRS. COLEMAN asked what uses could be placed near the Expressway and Lorenzi?

MR. SAYLOR stated it would be hard to say, probably some type of multi-family development, something other than single family homes.

MRS. COLEMAN commented she felt this was a real mixed up situation in this area.

MR. SAYLOR stated before the freeway was designed this was one large piece of land and he asked Mr. Herbert to outline the 40 acre area that was in the County with R-1 on the west half. He stated staff was going to develop a single family density pattern and then the piece to the north came in, and it was requested for R-3 zoning. There were several hearings with the property owners to the south, and a compromise was worked out with part R-1 and the rest R-3. When this application got to the City Commission the homeowners were critical of the Planning Commission. The end result was R-3 on the west 40 acres and R-2 on the remainder.

CHAIRMAN JENKINS declared the public hearing open and asked to hear from the applicant.

MR. G. C. WALLACE, appeared representing the applicant. He stated H. S. Service Corporation owned the original 80 acres and that is the only property they ever owned. The Westporter Homes development is another developer under another ownership. He stated they had problems with their initial access which came directly off Fremont. He stated the City and State stated they would guarantee access, and both the City and State worked with H. S. Service Corporation for access to these parcels. He stated one of the problems on access was the fact the State will not allow access on Lorenzi south of a particular point, and all parties agreed this would be okay. He pointed out the area on the map zoned commercial which has no access. He stated if this area were to remain R-3 there would be an island of C-2 that you couldn't get to. He stated they feel it would be logical if the property is going to develop as C-2 that there would be a need for access through another C-2 piece of property. He stated they felt there would be an adequate buffer between the R-3 which is under Resolution of Intent.

MR. TIBERTI asked if this Commission approved that subdivision?

MR. SAYLOR replied staff recommended denial.

MRS. COLEMAN asked Mr. Wallace if he understood what staff recommended, and she asked if that would solve his problem?

MR. WALLACE stated the applicant would like the whole area zoned C-2.

MRS. COLEMAN commented that would cut it in half.

MR. WALLACE stated it would provide access.

MR. TIBERTI commented he felt there needed to be some kind of planning as to what is going to happen.

MR. WALLACE pointed out the location of the models in the Watkins Manor Subdivision and added as soon as the people are in this subdivision and the developers try to plan this, there is going to be a protest factor. He stated they would like to have this zoned now before the Commission is subject to the emotions of the people.

MR. TIBERTI stated he understood Mr. Wallace's suggestion to get this zoned now to eliminate problems later. He questioned Mr. Wallace as to whether he would be back in here with another zoning request at another time.

MR. WALLACE stated, on the advice of Mr. Becker, he would like to take this application back and give it more thought and come back in with positive plans. He stated he would like two to four weeks to do this.

MR. TIBERTI moved Z-20-76 be HELD IN ABEYANCE until the regularly scheduled Planning Commission meeting to be held April 27, 1976.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Jenkins, Busch, Coleman.  
"NOES": None

5. Tentative Map  
CHARLESTON  
ESTATES NO. 7

APPROVED

Property generally located between Washington Avenue and Bonanza Road east of Decatur Boulevard, in Zoning District R-PD 8.

Owner/Subdivider: Becker and Sons  
No. of Acres: 24.6  
No. of Lots: 169

MR. FOSTER stated this piece of property is east of the Friendly Ford agency on Decatur. He stated there is commercial to the west and there has been a zoning approval on this piece of land for a planned unit development. He stated they are proposing to subdivide the area and have submitted a tentative map which is essentially in conformity with the zoning action, but there are a few changes from the approved development plan. He stated they had proposed tennis courts on the southwest portion; and they did have a portion along the westerly side of the property proposed for a common recreation area and now they are proposing to swap with the area to the south for the tennis courts. He stated they are proposing a pitch and putt golf course in the central area. He pointed out the map shows the green area at a width of 140', and they have decided to create more area in the housing clusters to provide off-driveway parking between the units which is reducing the common area to 80'. He stated they brought the maps with dimensions so they could proceed on the map approval and then they would revise the map to conform with the dimensions as shown. He stated the 25' setback will be provided to the east and they will correct that. He stated they propose one main access off Washington and an emergency access to Bonanza. This is proposed to be a security type development with a guard station. He pointed out the first unit of development in the northwest portion of the map. He stated staff finds this tentative map is essentially in conformity to what has been approved under the zoning action; however, the most critical thing found is the offsets in the private drives as they connect with the north/south ones. Staff would like to have the street offsets at 125' because the private drives will be used as public streets. He pointed out the area where the offsets are 20'. He stated staff would recommend this area along the westerly portion be re-worked to get a better intersection pattern in order to eliminate close offsets. He stated staff recommends approval as submitted, and because there are some minor changes staff feels this approval would constitute plot plan approval. Staff would recommend that the normal requirements under the zoning action be adhered to in terms of setbacks and landscaping and that each unit be self-sufficient in terms of recreation area and common area.

DR. PARKER asked if the units on the east were multi-story?

MR. BECKER stated the easterly units are all one-story. He stated they met with the people before, and this development will be essentially the same as their previously proposed

development. He indicated the problems with the intersections are caused because of one exit gate and security situation. He stated this is not a normal intersection situation. He indicated there were going to be 18 units on both sides of the street. He discussed more about the intersections and the amount of open space in the development.

MRS. COLEMAN asked the size of the units?

MR. BECKER indicated they would be between 1100 sq. ft. and 1600 sq. ft. and be in the price range of \$60,000 to \$80,000. He indicated these units would be about the size of large two-bedroom houses.

MR. TIBERTI commented that Mr. Becker has learned tonight that he will have to build all of these units.

MR. BECKER indicated that the development of the recreational areas should grow along with the units construction. He indicated in the first part of their development they will try the two cul-de-sacs with enough common area and golf course, etc. to sustain themselves. He stated eventually they will have a covered tennis court, etc.

MR. BUSCH asked if he agreed to the larger access area as recommended by staff?

MR. BECKER indicated they are basically within 1' of what they were originally proposed at; but he informed staff if they could, they would find some room to revise it. He indicated they will work with staff on that problem.

DR. PARKER moved the Tentative Map of CHARLESTON ESTATES NO. 7 be APPROVED subject to the following conditions:

1. Conformance to the conditions of approval under the approved zoning action Z-19-74.
2. The easterly portion of the map shall be revised relative to the offsets on the private streets as required by the Department of Community Development.
3. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
4. Street names shall be provided in accord with the Street Name Policy.
5. Conformance to code requirements and design standards of City Departments.
6. The Order of Vacation of Tanya Street will be recorded simultaneously with the recording of the first final map.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Jenkins, Busch, Coleman.  
"NOES": None

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

1. Final Map  
WATKINS MANOR  
#2

APPROVED

Property generally located on the south side of Washington Avenue west of Torrey Pines Boulevard in Zoning District R-PD 6.

Owner: H. S. Service Corporation  
Subdivider: Watkins Development Company  
No. of Acres: 6.799  
No. of Lots: 42

MR. FOSTER informed the Commission this final map is several hundred feet from the request for commercial from the same developer. He indicated there is an approved tentative map and it does conform to the street layout, and staff recommends approval. Public Works indicates some flood control measures should be provided, and staff recommends that be conformed to. There should be some type of berm constructed to protect the area from sheet flow. With that condition, staff recommends approval.

MR. BUSCH moved the Final Map of WATKINS MANOR #2 be APPROVED subject to the following conditions:

1. Flood control improvements shall be constructed as required by the Department of Public Works.
2. Street names shall be provided in accord with the Street Name Policy.
3. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Jenkins, Busch, Coleman.  
"NOES": None

2. Final Map  
STEWART PLACE #1

APPROVED

Property generally located on the east side of Lamb Boulevard between Stewart Avenue and Charleston Boulevard in Zoning District R-1.

Owner/Subdivider: First Western Savings Association  
No. of Acres: 16+  
No. of Lots: 63

MR. FOSTER pointed out the location of the map on the plot plan, and he indicated there was a map approved for the first unit of development. He stated there is commercial uses to the south with a 6' block wall and that wall must be constructed south of the lots. This condition and other conditions of the zoning approval, such as no access to Lamb Boulevard from the abutting lots must be conformed to. Staff recommends approval.

MR. BUSCH moved the Final Map of STEWART PLACE #1 be APPROVED subject to the following conditions:

1. No access to Lamb Boulevard from the abutting lots shall be stipulated on the map.
2. A 6' masonry wall shall be constructed on the south portion of the development adjoining the commercial development.
3. Street names shall be provided in accord with the Street Name Policy.
4. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Jenkins, Busch, Coleman.  
"NOES": None

DIRECTOR'S BUSINESS:

1. Discussion

Amendments to the Major Street Plan - Marion Drive, Peak Drive and Westcliff Drive.

MARION DRIVE

MR. FOSTER stated the realignment of Marion Drive is necessary as a result of a new subdivision and a rezoning action. He stated the Master Plan calls for Marion to go in a north/south direction to Charleston Boulevard. Within a single family development it is a normal pattern to transition a major street to line up with section lines to the south. He indicated the difference in the alignment of the streets is less than 600', and the Public Works Department has worked out the design. Staff recommends the Major Street Plan be amended in accordance with the Public Works design as is indicated on the screen.

MRS. COLEMAN asked if Marion Drive would become Arden on the west side of Charleston?

MR. FOSTER stated they could request that the County rename that portion to Marion.

PEAK DRIVE

MR. FOSTER indicated this street is located in the area being developed by Becker and is located between Michael Way and Jones which has just recently been annexed to the City. He indicated the County did not require Peak Drive to go through this development as a condition of approval of the development. After looking at the Major Street Plan we found there was about 1/2 mile of Peak Drive between Michael Way and Rancho Drive; and then it is terminated by the North Las Vegas airport so it won't continue east of Rancho Drive. Staff feels it isn't logical to keep this portion on the Major Street Plan as an 80' street. He indicated the Major Street Plan will still indicate Peak Drive as an 80' street from Jones west, and staff would recommend the small segment between Michael and Rancho Drive be deleted from the Major Street Plan.

WESTCLIFF DRIVE

MR. FOSTER stated the matter of this street came up on the Charleston Rainbow Subdivision where the submitted tentative map excluded a row of lots that backup to Westcliff. He stated the Major Street Plan calls for 120' of right-of-way with restricted access. After reviewing this with Regional Streets and Highways and the Public Works Department staff does not feel there is a need to keep the right-of-way at 120' from the Rainbow interchange west into the County area, and they feel from Rainbow west to the east 1/16 line in Section 34 that it should be retained at 120' because of a need for onramps and offramps at the interchange and it should continue to have restricted access. He indicated from that point west, Westcliff should be reduced from 120' width to 100' width which would be in conformity with the County Plan for 100' streets on all section lines and not have restricted access. He added there is a very large power line running along the south line of Westcliff and it would be within the 60' half-street section. However, if this street is amended to a 50' half-street, the line would be out of the right-of-way and would preclude the transmission lines from having to be relocated which would reduce the expense. He stated if this street was changed to a 100' section, homes would be constructed to backup to the street. From a traffic standpoint, there doesn't appear to be a need for a 120' wide street, and staff recommends the Plan be amended to show Westcliff Drive at 100' in this section.

MOTION

MR. TIBERTI moved the amendments to the Major Street Plan to include Marion Drive, Peak Drive and Westcliff Drive be APPROVED. The motion was seconded and approved unanimously.

2. Discussion

Street Planting Plan - Eastern Avenue.

MR. FOSTER indicated this Commission through the urging of Commissioner Coleman, requested the Beautification Committee to suggest some type of street planting design for Eastern

Avenue and other areas of the City. The Beautification Committee came back with a plan, and he pointed to their proposed plan showing a raised planter for trees. He informed the Commission this portion of Eastern is transitioning to P-R. He indicated the Beautification Committee's map indicates raised planters along the curb line for trees which may have been prepared in the public right-of-way in the sidewalk area. We have contacted the Public Works Department and Parks Department and both departments recommended very strongly that there be no planters in the right-of-way area from a liability and pedestrian obstruction standpoint. He stated staff has discussed this with the Chairman of the Beautification Committee, Mr. Porter, and he indicated they were just suggesting this as a starting point for discussion. He stated staff has looked at this proposal very carefully and we have a staff recommendation. He indicated if the Commission felt this was a logical approach, staff would do more work on it. The proposal is for a standard design on the planter which could be made of some type of brick or block. As properties transition to P-R, they would be required to put in one or more raised planters right behind the sidewalk on private property. These planters would be required along with the normal landscaping that is required in all other areas of the property. Mr. Foster indicated with the types of planters proposed there were also several types of trees recommended such as the olive or the flowering plum. It is felt, in time, with the development of this same type of planter and trees there will be some uniformity on the street or a theme that would add to the area. As the pattern starts in this area the City or Beautification Committee could then request that the property owners that have converted to P-R already, volunteer to put in the planters and trees. The expense of this type of planter and tree would cost about \$100.00 and we don't want this to work a financial burden on the people. He indicated that if the Commission would go along with this type of approach, staff would then work up a design for the planter and come up with a type of trees that could be planted in the planter.

CHAIRMAN JENKINS commented he hoped the people would be willing to do this.

MR. FOSTER indicated it would be mandatory for properties converting to the P-R zone, and then we would ask the other property owners to follow.

MRS. COLEMAN indicated they have had so much trouble with landscaping on these lots because of the widening of the street it was thought that a simple but uniform landscaping would look better and they would be able to get by with less landscaping and have more room for parking area. She stated she felt it would be more effective and less expensive.

MR. FOSTER indicated there are 10 to 15 residences already zoned P-R, and there would be approximately 30 to 40 more expected to convert to the P-R zone.

MRS. COLEMAN commented it has taken a long time to get this plan prepared, but she felt there would be other streets to be developed the same way and this way we would have a plan.

MRS. COLEMAN moved that staff proceed with the plans for the street planters. The motion was seconded and approved unanimously.

ADJOURNMENT:

The meeting was adjourned at 9:30 P.M.

DEPARTMENT OF COMMUNITY DEVELOPMENT

  
DON J. SAYLOR, AIP, DIRECTOR