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CITY MANAGER

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A G E N D A

CITY PLANNING COMMISSION

April 27, 1976

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 February 24, March 11 and March 23, 1976.

OLD BUSINESS:

1. Z-19-76

(Abeyance from
March 23, 1976)

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

2. Z-20-76

(Abeyance from
March 23, 1976)

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 ex-
tending south along Lorenzi Boulevard 1,320 feet
and east along Washington Avenue 320 feet, from R-E
(ROI to R-3) to C-2.

Proposed Use: Shopping Center

3. Z-23-76

(Abeyance from
April 8, 1976)

Application of CLAYTON O. GWIN for reclassification
of property located on the southwest corner of
East Bonanza Road and North 16th Street, from R-1
to R-3.

Proposed Use: Four-Unit Apartment Project

NEW BUSINESS:

1. Z-26-76

Application of LARRY GEISENDORF AND PEGGY JO
GEISENDORF for reclassification of property
located on the east side of North Eastern Avenue
between East Washington Avenue and Constantine
Avenue at 873 North Eastern Avenue, from R-1
to P-R.

Proposed Use: Offices

2. Z-27-76

Application of FIRST NATIONAL BANK, TRUSTEE;
VALLEY BANK OF NEVADA, TRUSTEE; AND VALLEY HOSPITAL,
LTD. for reclassification of property generally
located: Parcel 1: On the southwest corner of
Pinto Lane and Shadow Lane extending south 294
feet along Shadow Lane and west along Pinto Lane
150 feet. Parcel 2: Located 150 feet west of
Shadow Lane and extending from Pinto Lane 294
feet. Parcel 3: On the east side of Rose Street
approximately 300 feet south of Pinto Lane.

Proposed Use: Parcel 1: Hospital Facilities
and Parking. Parcel 2: Hospital Facilities,
Parking and Oxygen Storage. Parcel 3: Hospital
Related Facilities.

3. Tentative Map
STAGECOACH DEPOT II

Property located east of Jones on the south side
of Craig Road in Zoning District R-E.

Owner: Ann G. Jones
Subdivider: Kadnek Corporation
No. of Acres: 60
No. of Lots: 100

4. AV-6-76

Request by ERNEST A. BECKER, JR. for an Administrative Variance to allow front yard setback deviations on Lots 15 and 28, Block 1, Charleston Heights #52 in Zoning District R-1.

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JUN 2 1976

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M I N U T E S

CITY PLANNING COMMISSION

April 27, 1976

Vice-Chairman Parker called the regular meeting of the Las Vegas City Planning Commission to order at 7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

PRESENT:

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

ABSENT:

Chairman Jenkins, Messrs. Busch and 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:

Approval of the Minutes of the regular meetings of February 24, March 11, and March 23, 1976.

MRS. COLEMAN made a correction to the February 24, 1976, minutes to include the vote on item Z-13-76:

The motion carried by the following vote:

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

This item will be heard by the City Commission on March 17, 1976.

There were no corrections to the March 11, 1976, minutes.

MRS. COLEMAN made a correction to the March 23, 1976, minutes as follows: On Page 13, "gold course" should be corrected to read "golf course".

MRS. COLEMAN moved for the approval of the minutes of the regular meetings of February 24, 1976, and March 23, 1976, as corrected and the March 11, 1976, as mailed. The motion carried by unanimous vote.

OLD BUSINESS:

1. Z-19-76

(Abeyance from
March 23, 1976)

APPROVED

Application of ROBERT H. GRANT & COMPANY OF NEVADA for reclassification 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 P.U.D.) to R-3.

Proposed Use: 76-Unit Apartment Project

MR. SAYLOR indicated there were three questions regarding this application brought up at the last Planning Commission meeting. He pointed out the location of this property on the screen, and he stated this involves a portion of the original Bradford Place development. He stated there is one piece of property left over which has an underlying zoning of commercial and industrial, and the only solution to keeping the townhouse zoning active would be to continue the townhouse development. However, the owners have abandoned that project, and Mr. Smith is proposing to acquire the property to put in an apartment house development. He stated the three questions were primarily brought up by the people in the Bradford Place development and they were: 1) They questioned the property ownership; 2) They indicated a portion of the property that had been deeded to the Homeowner's Association was included in the application; and 3) They indicated the Homeowner's Association was contemplating legal action against the original developers. He stated staff has determined that Grant & Co. is the owner and, therefore, the proper applicant.

Staff has also determined that the portion of the property that the Homeowner's Association thought was included in the development plan has been, in fact, excluded. The portion that was deeded to the Homeowner's Association is not included in the application. He stated the third point, that of the Association contemplating legal action with Grant & Co., is no basis for this Commission to not take action on the zoning request. He stated staff did recommend approval because they felt the proposed apartment house development was much more preferable compared to what conceivably could happen under the existing zones. He stated the proposed development plan appears to be adequate. There was a question on the original design regarding the access along the easterly line of the development. The developer has indicated he will do one of two things depending on what the people would prefer; he will continue that access road through his development, or if they prefer not to have that traffic circulation he would then put a crash gate at that point and limit it to emergency access. Mr. Saylor indicated staff has received no further contact from the people in Bradford Place and he couldn't advise the Commission of the status with regard to protestants.

MRS. COLEMAN questioned the access road and the possibility of a wall being placed on the property line.

MR. SAYLOR pointed out the design of the existing Bradford Place development and he indicated if these people want the road to continue through the project, there is no objection on Mr. Smith's part. He pointed out the property deeded to the Homeowner's Association which was deeded to them to give them additional space, and it is not proposed for any type of access.

VICE-CHAIRMAN PARKER declared the public hearing open and asked to hear from the applicant.

MR. DUDLEY SMITH, PRESIDENT, DASCO, INC. appeared and stated he had nothing to add at this time.

MR. LOUIS WIENER, ATTORNEY, appeared representing the protestants from the Bradford Place Development. He called to the attention of the Commission the fact that the applicant, not the proposed developer, sought the approval of the Commission for a planned area which consisted of four equal development phases to consist of a total of 213 units; and they have up to date erected 171 units, and the rest of the area which is the subject of the request would constitute another development phase of 42 units. He stated they didn't feel at this time the Commission should aid and assist the request of Grant & Co. and permit a sale of property having a density of 82 or 86 apartment units. He stated in the condominium development which Grant proposed he got authority and advertised for 213 units and the development of common facilities. The fee for the upkeep of the common grounds and use of the pool was to be charged against 213 units. He stated if Grant was permitted to change the zone for his convenience and economic benefit all of the 171 people who have purchased units in the other 3/4 of the development are damaged not only aesthetically but also by the representation of Grant & Co. that they intended to develop the entire project. He stated the purchasers are economically damaged by the fact that there are 42 less units to contribute to the upkeep of the common areas which was represented to them by the very party that comes to the Commission at this time. He stated they feel Grant & Co. are coming to the Commission now in the nature of an inequitable request. He stated they made the representation that they were going to erect 213 units, and now they say they don't want to continue the development. He informed the Commission the pleadings have been prepared for a suit against Grant & Co. He stated the damage to the people of Bradford Place over a period of 30 years would be approximately \$400,000 in revenue from these proposed units.

MR. TIBERTI informed Mr. Wiener this property is already zoned for commercial and industrial.

MR. WIENER indicated Grant & Co. made an express representation to these people, and they didn't feel he was entitled to develop something contrary to what was represented to them. He stated they have the exact signs indicating there were to be 213 units. He stated the Board only has the problem of whether to give them the authority to go ahead with the apartment development; what may happen later is not their problem.

MRS. COLEMAN stated the Commission's problem is whether this attractive apartment development would be more desirable to the homeowners than an industrial or commercial use.

MR. WIENER stated that is why the people are here tonight; they don't want the apartment development, and they will take their chances on a commercial or industrial development.

VICE-CHAIRMAN PARKER asked for a show of hands as to the protestants present at the meeting. There were sixteen.

MR. SMITH reappeared questioning the argument of Mr. Wiener regarding the development of the entire project. He indicated he didn't feel this request was any different than the map they had approved for 130 lots at Stewart Place. He stated the Master Plan showed 820 lots and they are starting with 130 lots; he asked with regard to the protestants argument, would that mean they are committed to build 820 of these lots in single family homes? He stated he didn't think so. He stated as far as the community facilities that exist in Bradford Place, there is one swimming pool and a cabana. He stated the protestants have threatened to sue Grant & Co. and there is a question as to the title of the property. He informed the Commission that Dasco, Inc. is now the owner of the property. He stated if they are denied this request they would be denied the right to develop the property, and they would have legal recourse.

VICE-CHAIRMAN PARKER declared the public hearing closed and asked Mr. Saylor if he had anything to add?

MR. SAYLOR stated obviously the Board cannot sit adjudicate of the legal issue. He stated the Commission is simply going to have to appraise the matter on the face of it. He stated this is a vacant piece of land which has an underlying zoning of C-1 and industrial and there is a proposed apartment house development for it; he stated this is what the Commissioners have to predicate their decision on. He stated Mr. Wiener has indicated there will be court action against Grant & Co., and staff has discussed this with our Attorney and it has been ruled that this is strictly a civil matter between the Homeowner's Association and management. He stated he didn't know in fact that Mr. Smith has title recorded in his name, he said he has and if he does it would further complicate matters if he is the owner instead of Grant & Co. He suggested the Commission evaluate this strictly on the basis of the zoning request. He indicated they don't know whether or not they can ever force a developer to continue or finish out the planned unit development as originally proposed. He stated staff feels the apartment house development is much better than what could happen under another type of zoning.

MR. TIBERTI stated he would recommend approval of this application. He indicated if this were left as industrial zoning the residents would get a lot more intense use rather than the apartment house development. He indicated this area is now zoned industrial and commercial.

MRS. COLEMAN questioned the access road and stated she didn't know whether the opening is necessary fire-wise into the apartment development. She stated she felt if this access were open there would be nothing to stop the vehicles from going through.

MR. SAYLOR indicated there would be a crash gate, and this would take care of traffic going through this area.

MRS. COLEMAN indicated she was concerned about the occupants of the apartment development using the Bradford Place facilities. She asked staff how this could be worded as a condition of approval with regard to the access road?

MR. SAYLOR indicated the access would not be completely through except whatever steps are necessary to provide access for emergency vehicles.

MRS. COLEMAN asked if this could be included in the motion?

MR. TIBERTI indicated "yes".

MR. TIBERTI moved Z-19-76 be APPROVED subject to the following conditions:

1. Approval of a Reversionary Map.
2. A 6' masonry wall shall be constructed on the south and west property lines. An emergency access gate shall be provided at the southeast corner of the property to allow access for emergency vehicles in alignment with the existing driveway to the south.
3. Expunge the existing Resolution of Intent to R-3 P.U.D. which pertains to the portion of the property under this development as provided for under Z-83-70.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

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

This item will be heard by the City Commission on May 19, 1976.

MR. WIENER reappeared indicating that Mr. Smith just showed him a paper indicating this property had already been deeded to him. He stated he felt this application had been improperly acted upon, and he didn't feel this Commission had any right to act on the application.

MR. SAYLOR indicated all the law states is at the time of the application the owner of record must sign and any change in ownership is immaterial.

MR. WIENER indicated he didn't feel this was proper.

MR. TIBERTI informed Mr. Wiener this application has been in process for three months.

MR. WIENER stated the Commission has no right to act on this case, and it is a misrepresentation of the Commission as of tonight. He compared this situation to going into court stating this is not the proper party in interest.

MR. SAYLOR informed Mr. Wiener at the time the application is filed staff requires that the owner of record at that point in time sign the application. He stated that Robert H. Grant & Co. was the owner at the time the application was made and Mr. Smith indicates he has since then acquired the property. He stated the application is legal.

2. Z-20-76

(Abeyance from
March 23, 1976

APPROVED

Application of ROBERT BANKS, PRESIDENT FOR H. S. SERVICE CORPORATION for reclassification of property legally described as the west three hundred-twenty 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 (ROI to R-3) to C-2.

Proposed Use: Shopping Center

MR. SAYLOR indicated this site is in the extreme westerly end of the City just north of the junction where the west leg of the freeway will connect with Rainbow and continue north. He stated the closest development is to the southwest, the Westporter development, and to the north of that area is another relatively recent development. He stated the parcel in question has a Resolution of Intent to R-3 zoning on it without a time limit, and the applicants are asking for commercial zoning on it. He pointed out the location of the property on the map. He stated staff recommended to the Commission at the last meeting, when this request was before you about a month ago, that due to the scarcity of R-3 zoning staff felt that it was not advisable to change this R-3 area to commercial. He stated staff suggested the application be amended to allow a portion to go commercial and the remainder, which would be the north two-thirds, remain as R-3. He stated at the last meeting the applicant had not submitted a development plan, and that is one of the reasons it was held in abeyance; and they have now submitted a plan. He stated in viewing the plan staff felt it was highly conceptual; they doubted there had been any serious discussion on any leases because there simply isn't a market yet. If the Commission does allow this zoning the building arrangement may not necessarily be in this configuration; this is not necessarily important at this time, but staff felt the Commission should be apprised of it. He pointed out the location of the zoning request and the area in which it will have to be amended.

VICE-CHAIRMAN PARKER declared the public hearing open and asked to hear from the applicant.

MR. G. C. WALLACE, appeared representing the applicant. He presented a large vicinity map of the area to the Commission and indicated it is very specific as far as the freeway is located. He indicated there had been some confusion as to where the property sat in relationship to the freeway. He indicated the drawings of the freeway are copies from the State Highway Department and show the proposed interchange and the flow of traffic. He stated there will be three lanes of traffic in each direction. He pointed out the grade at the interchange in front of the subject property. He pointed out Lorenzi Boulevard where it comes out to Fremont (Las Vegas Expressway alignment) indicating it will be stopped with a cul-de-sac. He pointed out the State property that has been acquired for the interchange stating the property next to that was the property in question. He stated they felt a very appropriate use of this property was for commercial development, and they feel it lends itself to that type of use. He indicated the nearest commercial is down on Decatur Boulevard about 1 1/2 mile away, and there is more commercial on Fremont and Jones Boulevard. He indicated at the last Planning Commission meeting the Commission asked them to come up with some plans. He indicated the prepared plan shows how the property can be developed. He indicated the plan shows retail stores, a drug store, a market, fast food restaurant and gasoline service station. He stated the property could be developed this way but they have no firm commitments because there is not enough population to support it at this time. He stated Watkins Development Company is now building houses in this area, and there are more to come. He stated the more people that move into this area before commercial uses are established the more protestors there will be to any proposed rezoning to commercial. He stated they feel that this is a very logical place to have commercial. He stated he didn't feel that the scarcity of R-3 zoning in the City should dictate planning for property to be used for commercial.

MR. TIBERTI asked if the undeveloped portion was privately owned or belonged to the State?

MR. WALLACE indicated he believed it was owned by the State.

MRS. COLEMAN stated she felt the lower portion of the property would be ideal for commercial.

MR. WALLACE stated it would be ideal, but it has no frontage. He pointed out the closest access to that commercial. He indicated there was an agreement among the City, the developers of Westporter and the State which was obligated to provide access to their development, and he pointed out the location of the agreed-to access. He stated the State Highway Department will not allow any access further to the south.

VICE-CHAIRMAN PARKER asked regarding the undeveloped property to the east?

MR. SAYLOR didn't have information regarding the undeveloped property to the east, but he stated Mr. Wallace had a good point that the Commission shouldn't predicate their decision upon the lack of R-3 property. He stated Mr. Wallace's illustration was much better than staff's, and it dramatizes what staff was trying to explain to the Commission. He stated a better location for this commercial would be between Lorenzi and the proposed freeway because if this was rezoned there would be a piece of commercial left between the new commercial and the freeway.

MRS. COLEMAN asked if they needed as heavy a zone as C-2 for neighborhood commercial?

MR. SAYLOR indicated if it was approved it should be C-1.

MR. TIBERTI asked what the distance is across the R-3 zoning to the Watkins Manor development from the proposed commercial?

MR. WALLACE stated about 300'.

MRS. COLEMAN asked if the R-3 was developed at all?

MR. WALLACE stated the Commission has approved two subdivisions in Watkins Manor, Unit #1 and Unit #2. He stated the overall tentative map has been approved and a final map has been approved on Units #1 and #2.

MR. TIBERTI asked if the existing R-3 belonged to Watkins Development Company?

MR. WALLACE indicated it belongs to H. S. Service Corporation, and Watkins is buying it from them.

MRS. COLEMAN asked if the people buying in Watkins Manor were aware there is R-3 abutting their subdivision?

MR. WALLACE replied "yes". He stated it is on the site plan in the office. He indicated there was one area on the plot plan presented by the staff in the rezoning application that is to the east of the westerly 330' requested for rezoning. He stated they have not prepared a legal description of this parcel, but they wondered if they received a favorable recommendation on this application, could this piece also be approved at this meeting?

MR. SAYLOR indicated this application can contain only the advertised legal description and nothing more.

MR. DEAN GALBRAITH, State Highway Department, appeared in favor of this request. He stated they were committed to put the road (Silverstream Avenue) in at Lorenzi for the Las Brisas Development. He stated he felt this was a good location and good design for a commercial development.

MRS. COLEMAN asked what the State intended to do with the two large pieces of land they own?

MR. GALBRAITH indicated he didn't know. He stated the land didn't have any access, and at the time this lot was going in our design showed we could get access to our property. He indicated Silverstream is the only place for access; and he pointed out the location of the proposed street and proposed access, and he added that Westporter Homes must have an outlet. He stated this will be a wide road to bring in the increased traffic, and he added he felt this was a real good design.

VICE-CHAIRMAN PARKER stated Mr. Wallace comes in with good plans all the time.

MR. GALBRAITH stated it will cost the taxpayers less money.

MR. SAYLOR pointed out one thing as a matter of concern with regard to Westporter. He stated he felt the access to Lorenzi Boulevard was needed immediately, and staff would recommend if the Commission does approve the zoning, that it be stipulated they immediately dedicate right-of-way so the State can proceed with the roadway.

VICE-CHAIRMAN PARKER asked if the developers could agree to that?

MR. WATKINS appeared and stated they have been negotiating with the State but the State cannot continue negotiations until such time as they complete the E-I report.

MRS. COLEMAN suggested they trade the street right-of-way for other property.

MR. WATKINS indicated that could be possible.

VICE-CHAIRMAN PARKER asked if the people purchasing the homes in the Watkins Subdivision were aware of the R-3 zoning adjacent to their property?

MR. WATKINS indicated the map in their sales office shows the proposed commercial and apartments to the people buying the homes.

MR. TIBERTI stated he felt the parcel between the freeway and Lorenzi, if it is not C-1, will be C-1 and go commercial some day; across Lorenzi that site would be commercial also and since there is a buffer zone of R-3 between that use and the Watkins Subdivision he moved for approval of the whole proposal under this application to C-1 and not C-2. He added he felt there was no necessity for C-2.

MRS. COLEMAN added she felt this was a good location for this development.

This motion also included the dedication of Silverstream out to Lorenzi.

VICE-CHAIRMAN PARKER declared the public hearing closed.

MR. TIBERTI moved Z-20-76 be APPROVED subject to the following conditions:

1. Application be amended to C-1.
2. Conformance to the development plans as amended to include only the portion under the application.
3. Immediate dedication of Silverstream Avenue (60') and the corner radius at the intersection of Silverstream Avenue and Lorenzi Boulevard as required by the Department of Public Works.
4. Dedication of Lorenzi Boulevard (50') and West Washington Avenue (40') and a 25' radius corner at the intersection of these streets as required by the Department of Public Works.

5. Expunge the existing Resolution of Intent to R-3 on this approved portion of the property.
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. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
7. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
8. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
9. Conformance to the development plan as amended to reflect the above conditions.
10. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

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

This item will be heard by the City Commission on May 19, 1976.

3. Z-23-76

(Abeyance from
 April 8, 1976)

APPROVED

Application of CLAYTON O. GWIN for reclassification of property legally described as the South 61.91 feet of Lot 14, Block 16, Fourteenth Street Addition, located on the southwest corner of East Bonanza Road and North 16th Street, from R-1 to R-3.
 Proposed Use: Four-Unit Apartment Project

MR. SAYLOR indicated the reason this application was held in abeyance was because the applicant was not present at the meeting. He stated this property is located on the south side of Bonanza in the Greater Vegas area. The large area to the north is single family, and there is some R-3 further east on the south side of Bonanza and to the west immediately abutting it. He stated the lot immediately to the south is R-2 and the rest of the lots are R-1. He stated this is a request for R-3 zoning. He pointed out the proposed development on the plot plan. He informed the Commission that additional right-of-way is necessary for the future widening of Bonanza Road, and this would leave the lot 42' in width which is room enough for the building and four parking spaces. He stated staff recommends that the application be amended to R-2 instead of R-3. There is one letter of protest and one letter of approval on record.

VICE-CHAIRMAN PARKER declared the public hearing open and asked to hear from the applicant.

MR. JIM HAYES, 825 North Eastern Avenue, appeared representing the applicant. He stated the applicant has been transferred to Florida in the armed services and is unable to be present for this hearing. He informed the Commission this property was once zoned R-3, and the same applicant is now in the service and proposing to sell this property. He indicated because of payments, etc. he would like R-3 zoning.

MRS. COLEMAN asked if this property was vacant now?

MR. HAYES stated "yes". He added he thought the zoning up and down the street is R-3.

MR. SAYLOR indicated there was some R-3 but most of it is R-1.

MR. HAYES indicated the south side of Bonanza is R-2 and R-3 and at 15th Street there are multiple units.

MR. SAYLOR stated the north side is predominately R-1. In staff's opening remarks it was stated the abutting property is all R-1 with the exception of the lot immediately to the south which is R-2 with some R-3 to the west and to the east with more R-1 zoning further east of that.

MR. HAYES commented he thought there were deed restrictions in that area, and that was the only reason they had stayed R-1.

MRS. COLEMAN asked what the size of the lot would be?

MR. SAYLOR indicated after the widening of Bonanza Road the lot will be 42' wide and 130' deep.

MRS. COLEMAN asked if that is the depth as it fronts on Bonanza Road?

MR. SAYLOR indicated the lot fronts on 16th Street.

MRS. COLEMAN commented the length would be on Bonanza Road then.

MR. HAYES commented that he felt this lot wouldn't be any good for anything else but a duplex.

MRS. COLEMAN stated she didn't feel there would be room for anything more than that.

MR. HAYES informed the Commission that he didn't know if Mr. Gwin was aware of the fact there was right-of-way needed for the widening of Bonanza Road.

MR. SAYLOR stated Bonanza Road has been on the Major Street Plan for the last fifteen years, and it is proposed for a 100' wide major street; but the date of the widening is unknown.

MR. HAYES asked if the condition was the same when they granted the R-3 the last time.

MR. SAYLOR indicated it is an Ordinance requirement, and any zoning action requires that additional right-of-way be dedicated for the widening.

MR. TIBERTI asked if the applicant was the legal owner?

MR. HAYES stated he was, and he was counting on it being zoned R-3 under the same set of circumstances. He stated the property was R-3 when he purchased the property, but it was never built on for that use. He questioned why the Commission wouldn't allow R-3 when it was zoned R-3 before with the same size lot, same everything; he stated nothing has changed.

MR. TIBERTI indicated there are different commissioners now.

VICE-CHAIRMAN PARKER declared the public hearing closed.

MR. MILLER moved Z-23-76 be APPROVED subject to the following conditions:

1. Off-street parking shall be paved and revised as required by the Department of Community Development.
2. Conformance to the plot plan as amended.
3. Dedication of 20' on East Bonanza Road as required by the Department of Public Works.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Coleman.

"NOES": None

This item will be heard by the City Commission on May 19, 1976.

NEW BUSINESS:

1. Z-26-76

APPROVED

Application of LARRY GEISENDORF AND PEGGY JO GEISENDORF for reclassification of property legally described as Lot 34, Block 5, Washington Addition No. 2, located on the east side of North Eastern Avenue between East Washington Avenue and Constantine Avenue at 873 North Eastern Avenue, from R-1 to P-R.

Proposed Use: Offices

MR. FOSTER stated this property is located on the east side of North Eastern Avenue. Washington Avenue is to the north and there is a small frontage street on this segment of the subdivision on the east side. There is a P-R pattern developing to the south of this property. The request is to convert the residence to an office. He pointed out the location of the existing residence on the plot plan. He indicated a parking layout was provided with backing out required onto Eastern Avenue. Staff suggests that the parking plan be reworked. There is no landscaping proposed, and staff would recommend that the landscaping be provided as shown on the plan, the parking be reworked, screening of air conditioners, and any other mechanical equipment; and he stated in the past on properties where there has been limited parking, in this case there are only four parking spaces being provided, the Commission has restricted the operation to a one-office use only, and staff would recommend it in this case. Staff recommends approval subject to the conditions stipulated. There were no protests or approvals on record.

VICE-CHAIRMAN PARKER declared the public hearing open and asked to hear from the applicant.

MR. LARRY GEISENDORF, 4319 El Carnal, appeared.

VICE-CHAIRMAN PARKER asked if he agreed to the recommendations of staff?

MR. GEISENDORF replied "yes".

MR. WALLACE appeared and stated there is not a parking problem in this area.

VICE-CHAIRMAN PARKER declared the public hearing closed.

MR. TIBERTI moved Z-26-76 be APPROVED subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. The parking layout shall be revised as required by the Department of Community Development.
3. The use shall be limited to one office only.
4. Landscaping and a permanent underground sprinkler system including a landscaped planter along the street frontage 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.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.

6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

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

This item will be heard by the City Commission on May 19, 1976.

2. Z-27-76

APPROVED

Application of FIRST NATIONAL BANK, TRUSTEE; VALLEY BANK OF NEVADA, TRUSTEE; AND VALLEY HOSPITAL, LTD. for reclassification of property legally described as: Parcel 1: The east 180 feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M, located on the southwest corner of Pinto Lane and Shadow Lane extending south 294 feet along Shadow Lane and west along Pinto Lane 150 feet, from R-1 to C-1.

Proposed Use: Hospital Facilities and Parking

Parcel 2: The Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M. Excepting the easterly 180 feet thereof also excepting the south 152.66 feet of the north 182.66 feet of the west 79.66 feet, located 150 feet west of Shadow Lane and extending from Pinto Lane 294 feet, from R-1 to C-1.

Proposed Use: Hospital Facilities, Parking and Oxygen Storage

Parcel 3: The North Half (N $\frac{1}{2}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M, located on the east side of Rose Street approximately 300 feet south of Pinto Lane, from R-1 to C-1.

Proposed Use: Hospital Related Facilities

MR. FOSTER indicated there had been a number of changes in this area and this general area has been designated on the City's Master Plan as a special activity area for hospital facilities. This is a request on behalf of Valley Hospital to expand its commercial zoning. The Health Department is immediately to the east; to the north is the County Mortuary Facility and further north is professional office zoning. To the south at Charleston is Southern Nevada Memorial Hospital and to the northeast is the new NIC complex on the west side of Hastings. There is residential development to the west of the hospital facility, and there have been some variances approved in the residential area for expansion of hospital related uses. He pointed out the proposal on the map showing the zoning pattern in the area. He also pointed out the zoning and variance approvals in the area. He pointed out the holdings of Valley Hospital on another map and the location of Valley Hospital. He indicated they propose to expand Valley Hospital in the area to the north that has an approved variance and P-R zoning. They are requesting commercial zoning because they would be subject to certain restrictions in the residential zone, and they feel they need the commercial zoning. He pointed out the location of the proposed addition to the north and the existing hospital facility. He indicated they propose to add, in the future, another area similar to what they are proposing now between this proposal and Shadow Lane. They also own some residential property with one lot fronting on Pinto Lane and one that fronts on Kingsbury Lane. He stated the land between Kingsbury Lane and the property to the south is under private ownership. He stated the parcel immediately to the west, indicated as Parcel III, has an approved variance on it for a warehouse facility and storage in connection with the hospital. He stated there are offices on the front portion and the balance of the property to the west has been paved and is used for off-street parking. There is a block wall and landscaping on Rose and around Kingsbury Lane. He stated

they are proposing one addition on the south side of the hospital area already zoned commercial. He informed the Commission staff has had some indication from the property owner immediately to the west, who is on Kingsbury Lane, that he is concerned about the privacy factor because this two or three story addition would have exposure into his rear yard. He stated he believed there had been some negotiations with this property owner to acquire his property because the hospital does own the property to the north and south of him. This lot has not been acquired by the hospital and is still under private ownership. Staff feels the basic question before the Commission is in terms of commercial zoning, whether it should expand into the area; he added the hospital feels they need the additional commercial area to expand, and they do need commercial zoning to the north to allow the expansion. He stated there are certain parcels that possibly could be retained in their existing zoning, one being the P-R portion of the property to the north of the addition and possibly the westerly portion. He stated this is something the Commission may wish to consider as it relates to the property concerned about privacy. If this application is approved possibly some type of condition concerning a screening device that would obscure the view into the property owner's rear yard area would be advisable. Further, he stated if the commercial zoning is approved on the parcel to the west, staff feels that the existing variance should be rescinded and those conditions should be a condition of approval on this action so that there is no concern that there would be access out to Rose or any signs on Rose Street or Kingsbury Lane. He indicated there was a condition that there be a block wall, between this property owner and the development to the south, which has never been constructed and was required under the variance action. He stated he felt it was probably left as one of the last things because they intended to acquire the property, but the property owner still desires the block wall and this should be a condition of approval. The normal conditions of approval of zoning items shall apply to this request such as the landscaping requirements, screening of mechanical equipment, etc. If this application is approved, the proposed addition to the south should constitute an amendment to the previous commercial application so they don't have to come back and ask for a review of that application. There are two protests on record which are located on the west side of Rose Street. He stated there is no change in the development proposed on this parcel across the street from the protests, and they don't indicate any reasons why they object. He indicated the property owner at the end of Kingsbury Lane, his property abuts this property, it also objecting. This was a verbal protest and no letter was formally submitted to the Commission. There is one letter of approval on record.

MRS. COLEMAN asked how much parking they are losing on the front lot?

MR. FOSTER stated overall they satisfy the Ordinance and he added they have just constructed a parking lot to the west.

MR. TIBERTI asked if the intended use was all medical with no commercial uses?

MR. FOSTER indicated this will be used for hospital related facilities.

VICE-CHAIRMAN PARKER declared the public hearing open and asked to hear from the applicant.

MR. GEORGE RUDIAK, 302 Carson, appeared, stating staff has done a good job explaining this and he stated he had very little to add.

VICE-CHAIRMAN PARKER asked if he agreed with the recommendations of staff as presented?

MR. RUDIAK indicated he didn't know how feasible window screening would be. He indicated the overall Master Plan calls for 350 beds, but the hospital is licensed for 269 beds. He stated they are finding a need for more private and semi-private rooms so they are expanding the hospital. He stated they felt this expansion would be for the betterment of the whole community. He stated this is a medical area and has developed along this line. He stated they only have plans to build this one addition and not on any other portion of the property. He pointed out where the new addition would be. He indicated they also plan to build another tower, but that would be five years down the road. He pointed out the property the hospital owns. He stated the only property owner that would be effected by this addition would be Mr. Lowell; and the other protesting parties are a block away, and they haven't said anything about this to use and we don't know why they are protesting.

MR. JACK GREEN, 1901 Pinto Lane, appeared in protest. He indicated he couldn't understand what the proposal was. Staff explained to him what the proposal was adding that there is no change on the portion south of Kingsbury Lane. He indicated he would be completely surrounded by this facility, and he felt the map was very vague. He pointed out the location of his property with relation to the hospital facilities. He stated he offered to sell his property four months ago, and he hasn't heard a word from them. He suggested this application be denied until the property owners can find out what is going to happen. He stated he felt this definitely shouldn't be approved. He indicated his lot is on the corner of Pinto Lane and Kingsbury Lane.

MR. FOSTER pointed out the location of Mr. Green's property and Mr. Lowell's property.

MR. GREEN asked that this application be denied until they can get together with them.

VICE-CHAIRMAN PARKER asked if the hospital had any long-range plans to include the rest of the residential properties in their plan?

MR. RUDIAK stated he didn't feel that was the issue at this point. He stated the purchase of the property is somewhere down the line, and they would be interested in talking to these people.

MR. MELVIN LOWELL, 641 Kingsbury Lane, appeared in protest. He presented pictures to the Commission of his home and the home directly across the street. He presented a petition to the Commission containing approximately 30 signatures. He indicated their reason for protesting was simply to have a buffer zone installed. He stated this is not a new issue, and they have been here before. In 1971 they needed parking and a place to put oxygen tanks, and the neighborhood had opposed and then they agreed to a variance. Now he stated he is faced with a three-story building going directly to the rear of his property. He stated there has been one comment made by staff that there are no plans for C-1 uses, and the very fact there is a hospital is enough of a C-1 use. He informed the Commission when he built his home there was a one-story convalescent home proposed; then they requested a three-story building and promised that it would be setback from his property. He stated the convalescent center didn't go, and it was sold to Valley Hospital. He stated he received a letter informing him Valley Hospital was going to build a one-story surgical wing at his property line. He stated there is no landscaping on Rose. He stated this landscaping was promised two years ago, and they just got some two months ago and it is not maintained. He stated they are concerned about a buffer zone; he added they know they are not going to stop the hospital expansion. He stated they are protesting the change of Parcels 2 and 3 to C-1 because they felt they could expand in Parcel 1 which is located across from the Health Department on Shadow Lane.

MR. FOSTER informed the Commission there is landscaping on Rose as of this morning.

MRS. SNELL, 1824 Goldring Avenue, appeared and stated she was not protesting the south part, but did agree with Mr. Lowell that there should be a buffer zone between his property and the three-story building. She indicated her property adjoins Valley Hospital and is a large lot surrounded by trees. She stated she did not sign the petition because she wanted to speak to the Commission personally.

MR. BOB RISHLING, owner of Valley Hospital, appeared. He stated he didn't get a chance to talk with Mr. Lowell and informed the Commission there will be a wing wall coming off of the building to the northwest which would not put the windows facing Mr. Lowell's back yard. He stated the reason they have located this building on this site was because that is where the medical staff wanted it, adjacent to the surgical wing. He stated they will have ICU and CCU on the first floor and the heart area next to emergency. He stated as far as the buffer zone is concerned they would put in evergreens that can get 20' high. He added the windows would not face Mr. Lowell's back yard. He stated they know now that the oxygen tank is noisy, and it will be moved further to the north. He stated that these plans are definitely the medical staff's plans, and they have been reviewed by the medical staff.

MRS. COLEMAN asked how far will the building be from Mr. Lowell's back lot line?

MR. RISHLING replied 30'.

MR. FOSTER indicated 20'.

MR. TIBERTI asked regarding the wing walls.

MR. RISHLING stated the wing walls will be coming off at 45° angle, and the windows will be facing to the northwest.

MRS. COLEMAN asked if there would be any way to move the building they propose now to where they propose their future addition?

MR. RISHLING stated they would like to put it right next to the emergency room, and that is where the medical staff wants it.

MRS. COLEMAN asked how far could this building be placed away from the property line and still have access to the rooms?

MR. RISHLING indicated they are right on top of the service area now. He pointed out the location of the tower and the area of future expansion. He stated they have moved the building around to conform to the Fire Department regulations for access and service and access in front of it.

VICE-CHAIRMAN PARKER asked how far was this wing from Mr. Lowell's home?

MR. FOSTER stated 55' from Mr. Lowell's home to the proposed building.

MR. JACK GREEN reappeared. He commented with regard to the angle of the wing walls at 45° stating they would be looking at his property now rather than Mr. Lowell's.

MRS. COLEMAN stated the wing walls will angle the view.

MR. GEORGE RUDIAK appeared and pointed out the area owned by Valley Hospital.

MRS. COLEMAN stated she is sympathetic with the property owners in this area because she is confronted with a similar situation. She stated the best thing the Commission could do would be to

try to make it as painless as possible and hope that the hospital can make arrangements to get the rest of the property soon so that we can avoid having problems with the neighbors. She stated she thought Mr. Lowell should be protected from this wing as soon as possible, and she added she felt this wing should be placed as far away from his back lot line as possible and that buffer planting be put between his property and the proposed building and that this planting be evergreen.

MR. TIBERTI asked the width of Mr. Lowell's lot?

MR. LOWELL replied 100'.

MRS. COLEMAN stated she felt the buffer planting would protect Mr. Lowell's back yard.

MR. RISHLING indicated he had had a lot of discussion with Mr. Lowell, and he didn't want to hurt him. He stated if this application is approved he will immediately put in sizable evergreens and a block wall and also a block wall between Lowell's property and the warehouse. He stated that was an oversight on his part, and it will be put in also. He indicated when they first began the development of this hospital Mr. Lowell was very cooperative.

VICE-CHAIRMAN PARKER declared the public hearing closed.

MRS. COLEMAN moved Z-27-76 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. The westerly portion of Parcel III shall be used for off-street parking.
3. A masonry wall along the south side of the property at 641 Kingsbury Lane shall be provided as required by the Department of Community Development.
4. No access or signs shall be allowed along the Rose Street, Kingsbury Lane and Pinto Lane frontages.
5. The approved Variance application relative to Parcel III shall be rescinded.
6. Wing walls shall be constructed on an angle to the west side of the proposed addition to obscure the view of the residential property at 641 Kingsbury Lane.
7. Mature, tall evergreens shall be installed along the westerly portion of the property that is generally located between the proposed addition and Kingsbury Lane as required by the Department of Community Development. In addition, the existing landscaping on Parcel III shall be upgraded and a permanent underground sprinkler system shall be installed as required by the Department of Community Development.
8. This approval for the proposed addition to the hospital on the south side of the building shall constitute plot plan approval under Z-53-65.
9. 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.
10. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
11. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

12. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

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

This item will be heard by the City Commission on May 19, 1976.

3. Tentative Map
STAGECOACH DEPOT II

ABEYANCE

Property located east of Jones Boulevard on the south side of Craig Road in Zoning District R-E.

Owner: Ann G. Jones
Subdivider: Kadnek Corporation
No. of Acres: 60
No. of Lots: 100

MR. FOSTER informed the Commission this subdivider is in the process of making some changes on this map and is not ready for its presentation to the Commission, and staff would recommend it be held in abeyance until a new map is submitted.

MRS. COLEMAN moved the Tentative Map of STAGECOACH DEPOT II be held in ABEYANCE.

The motion carried by the following vote:

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

4. AV-6-76

APPROVED

Request by ERNEST A. BECKER, JR. for an Administrative Variance to allow front yard setback deviations on Lots 15 and 28, Block 1, Charleston Heights #52 in Zoning District R-1.

MR. FOSTER stated this property is located in the northwest portion of the City in the Smoke Ranch and Jones area. He indicated this is a new subdivision with irregular shaped lots. They are requesting this administrative variance to deviate from the front yard setback requirements. He stated both lots have a curved front property line, and they are asking for 20' where a 25' front yard is required. He stated staff recommends approval of this request.

MRS. COLEMAN moved AV-6-76 be APPROVED subject to the following condition:

1. Conformance to the plot plan.

The motion carried by the following vote:

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

1. Final Map
CHARLESTON RAINBOW
#14 Unit A

APPROVED

Property generally located south of Westcliff Drive and east of Buffalo Drive in Zoning District R-1.

Owner/Subdivider: Sproul Homes of Nevada
No. of Acres: 8.732
No. of Lots: 40

MR. FOSTER informed the Commission this is another zero lot line subdivision which is a continuation of the Sproul development in the westerly part of the City. He stated this map conforms to the approved tentative map and staff recommends approval.

MR. TIBERTI moved the Final Map of CHARLESTON RAINBOW #14 Unit A be APPROVED subject to the following conditions:

1. Street names shall be provided in accord with the Street Name Policy.
2. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Coleman.

"NOES": None

2. C1-1-76

APPROVED

Resolution permitting taxicab companies in a C-1 zone.

MR. FOSTER stated this pertains to an item in the Zoning Ordinance which allows the Commission to go on record and indicate additional uses other than those stipulated in the Ordinance that are compatible with that zoning classification. This was brought about by someone who wishes to have a small taxicab company located on an approved service station site on the southwest corner of 15th and Charleston. He informed the Commission in the past there has been a use review where a maximum of 6 taxicabs have been allowed to be parked on an existing service station site. With this present request this operation would be the sole use on the property. He stated staff has prepared a resolution indicating this use should be allowed subject to a number of stipulations. He read the resolution into the record. With regard to other permitted uses staff proposes that they be allowed by means of a use permit the same as service stations, and if the use has been approved for a service station it would be allowed as a matter of right.

MRS. COLEMAN asked if they would be going in a C-1 zone?

MR. FOSTER stated with a use permit taxicab companies would be allowed on the same basis as a service station subject to the taxicab companies meeting certain regulations such as; they must be on a 100' wide street, and they wouldn't be permitted on an 80' secondary street which would be found in more of a residential area.

MR. TIBERTI commented that he felt this sounded reasonably right, but he wondered about the provisions for employee parking on this site.

MR. FOSTER stated by the limited nature of this proposed use it would be indicated that a maximum of ten taxicabs be permitted with only six being allowed on the property at any one time. With a maximum of ten taxicabs conceivably they could have ten employee cars parked to the rear of the property, and he added most service station sites could allow this.

MRS. COLEMAN stated she didn't think that most service station sites could handle this; she stated the average one doesn't have enough room, and the cars will be parking on the residential streets that back up to this site.

MR. MILLER added there is no parking on 15th Street.

VICE-CHAIRMAN PARKER asked the size of a standard service station site?

MR. FOSTER stated 150' square to 200' square.

MRS. COLEMAN indicated most service stations have two or three pump islands and the average one doesn't have the room and a lot of them have U-Haul trailers on their sites.

MR. FOSTER stated possibly the resolution could be amended to indicate the maximum number of cars on the location to be 10 to 15 for cabs and employee parking and control the number of employee cars as well as taxicabs.

MRS. COLEMAN asked why this is needed in a C-1 zone?

MR. MILLER asked if they would be dispatched out of this location?

MR. FOSTER indicated most of the cabs would be on the road at all times and only come in for service and minor repair.

MR. TIBERTI indicated he had no objection as long as they provide parking for the people who drive the cabs.

MR. PETER ELIADES, owner of the Star Cab Company, appeared. He informed the Commission that the service station that he is leasing has 14 parking spaces on the premise so he stated he already has parking for his employees, and his taxicabs will not stay on the premises any longer than fifteen minutes. He stated it was no use to have the cabs in the gas station and not out on the street.

VICE-CHAIRMAN PARKER informed Mr. Eliades that this resolution would pertain to all taxicab companies.

MR. FOSTER stated all cab companies would be permitted as long as they meet the criteria of the resolution.

MR. TIBERTI stated they must provide for employee parking.

MR. FOSTER suggested the resolution be amended to provide for a number of spaces for employees, possibly 12.

MR. ELIADES stated he would only have seven drivers at any one time and one attendant, and they have close to fifteen or sixteen parking spaces.

MRS. COLEMAN stated that he was talking about his particular company, and she informed Mr. Eliades the Commission has to consider what everyone else is going to do when the Commission opens this up; when this Commission passes a resolution it will open the whole City to this kind of situation.

MR. ELIADES stated each company has their own site, and he stated he knew how many cab companies there are located in this City.

MRS. COLEMAN stated she would like to see a little more study done on this.

MR. TIBERTI indicated he felt it was okay as long as they provide parking for the employees.

MR. FOSTER asked if they wanted a stipulation as to the number of employee parking spaces?

MR. TIBERTI stated if there are 10 cabs then they need 10 parking spaces.

MR. FOSTER suggested there should be at least 12 parking spaces.

MRS. COLEMAN asked if there would be any other type of business going in there? She stated she didn't want to see any U-Haul business or cars for sale.

MR. FOSTER stated the resolution could be worded that the taxicab company could be the only use. He stated the resolution could also be amended to restrict the use to a taxicab company with a minimum of 12 employee parking spaces, and he stated the rest of the resolution would be okay.

MR. TIBERTI moved C1-1-76 be APPROVED subject to the amendments as follows:

9. A minimum of twelve (12) off-street parking spaces shall be provided for employee parking.
10. No other uses shall be allowed on the property in conjunction with the taxicab company.

The motion carried by the following vote:

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

3. AV-7-76

APPROVED

Request by HYRUM RIGGS for an Administrative Variance to allow a fence to a height of 7½' on property located at 5820 West Harmony Street in Zoning District R-1.

MR. FOSTER stated this is a residential property that backs up to the West Fremont Expressway with Jones Boulevard to the west. He stated there is a provision in the Administrative Variance section of the City Code that fence heights can be increased beyond the 6' maximum when they abut an expressway, freeway, etc. The provision is applicable when the freeway is elevated, and in this case it is a very minor amount but because of the type of fences that have been constructed further east on the Expressway, in the neighborhood of 7' to 8', and in view of the State Environmental Impact Study that this fencing is needed in this area, staff would recommend approval. He informed the Commission the applicant does have a 5½' fence, and he wishes to increase it to 7½' and staff has no objection. He is asking for it on the basis that it would help screen the noise from the freeway. He stated staff would stipulate that the additional blocks, being 3 courses, be of the same type of fence material as exists on the present block wall.

MR. HYRUM RIGGS appeared and stated the recommendations of staff would be acceptable.

MR. TIBERTI moved AV-7-76 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. The proposed addition to the fence shall be of the same material as the existing fence and shall be aesthetically compatible in appearance as required by the Department of Community Development.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Coleman.

"NOES": None

4. Z-35-75
Plot Plan Review

APPROVED

Submitted by CHARLES L. RUTHE for a review of revised development plans concerning property generally located between Searles Avenue and Demetrius Avenue on the west side of North 27th Street extending west from 27th Street approximately 400 feet in Zoning District R-3.

MR. FOSTER stated this involves an approved zoning application east of the First Congregational Church property. He stated the church fronts on Eastern Avenue, and Searles is proposed to provide access to this development on the north. They are submitting a revised development plan. He pointed out the approved plot plan on the board, the proposed two-story building, landscaping and parking. He stated now they are proposing four long rectangle buildings with parking between the buildings in a north/south direction as well as one row of parking immediately north of Demetrius Avenue. He stated there will be a 6' block wall along Demetrius which will be set back for a landscaped planter. He stated all access will be from Searles, and he pointed out the location of the swimming pool on the plan. He stated all windows and doors will be on one side of the row of units. Staff feels with the arrangement they have on the two north/south parking areas that the green area can be increased if they eliminate one of the driveways and rearrange the parking layout with a center driveway and parking on both sides. The landscaping between the buildings could thus be increased. He stated staff would recommend the landscaped planter be continued south to the wall fronting on Demetrius Avenue. He pointed out the area for emergency access and he stated there will be a gate on Demetrius that will remain locked when not in use. Staff feels that for the east emergency access on 27th there should be no driveway or curb cut. Staff feels there could be trees on both sides of

the access and grass in the planter which would preclude persons from using it as access from 27th. There is a large area of block wall on the ends of the buildings, and staff feels it should be given aesthetic treatment; it is suggested that it be stucco or something decorative. He stated staff has discussed these changes with the applicant's representatives, and they have no objections to the changes mentioned. Staff has suggested they shift the swimming pool to the center portion of the property on the Searles side with access on each side of the swimming pool, and the applicant's indicated they had no objection. It is also suggested they enclose the swimming pool with a chain link fence, and on the Searles side it should be a low decorative wall with ornamental iron. With those modifications staff recommends approval.

MRS. COLEMAN asked regarding the school in this area?

MR. FOSTER stated there is a school immediately to the east.

MRS. COLEMAN stated the residents that were concerned regarding the school were located on Demetrius.

MR. FOSTER indicated they will have a block wall with landscaping in front of it on the property owners side. He stated the block wall will be set back 5' with a landscaped planter in front of it. With the possible redesign the trash enclosures would have to be moved, but this could be worked out with staff.

MR. DAVID CAUSEY, appeared representing the applicant.

MRS. COLEMAN asked why they are changing the plan?

MR. ROBERT SHAW, from Robert Shaw Construction, appeared stating they have been very successful with this proposed plan in many areas of town, and it will be an addition to this area. He informed the Commission they are changing the construction from block to stucco, and they will be using the same landscaping that has been used in other developments in town.

MR. CAUSEY stated there will be no one living across from the backs of the buildings, and the ends of the buildings will be given good treatment as they will be facing the residences.

MR. TIBERTI asked the size of the apartments?

MR. SHAW stated they will be one and two bedroom units.

MR. TIBERTI moved the plot plan review under Z-35-75 be APPROVED subject to the following conditions:

1. The buildings shall be aesthetically finished as required by the Department of Community Development.
2. Landscaping shall be provided between the parking lot and 27th Street on the southeast portion of the development as required by the Department of Community Development.
3. The swimming pool shall be relocated to the north/central portion of the property and a driveway on each side of the swimming pool shall be provided to Searles Avenue.
4. The north side of the fence enclosure around the swimming pool shall be constructed of decorative block and ornamental iron as required by the Department of Community Development.
5. A 6' masonry wall shall be constructed along the south portion of the development and set back a minimum of 5' for a landscaped planter. If an emergency access gate is required by the Fire Department, it shall be locked at all times except during emergency use by the Fire Department.

6. The two north/south parking areas shall be redesigned to provide for each parking area to have one center driveway with parking on each side and the additional area resulting from this redesign that will exist on each side of the parking areas shall be landscaped as required by the Department of Community Development.
7. Conformance to the plot plan as amended to reflect the above conditions.
8. All required 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.
9. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. The trash enclosure shall conform to the requirements of the Department of Community Development.
11. Conformance to the requirements of all other conditions of approval as stipulated under Z-35-75.

The motion carried by the following vote:

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

This item will be heard by the City Commission on May 5, 1976.

5. Z-100-64
 Plot Plan Review
 APPROVED

Request submitted by LARRY HAAS to allow offices on property generally located on the southeast corner of Third Street and East Coolidge Avenue at 300 and 310 East Coolidge Avenue in Zoning District R-4 (Resolution of Intent to C-2).

MR. FOSTER stated this property is one of the properties under the downtown resolution to commercial, and they plan to convert a duplex into an insurance office on property located on the southeast corner of Third Street and Coolidge. He stated there will be parking off the alley with about fourteen spaces and the balance of the property will be landscaped. Staff recommends approval subject to conformance to the plot plan, screening of mechanical equipment, air conditioners, etc. and the landscaping requirements.

VICE-CHAIRMAN PARKER asked Mr. Haas if he agreed with the recommendations of staff?

MR. HAAS appeared and stated "yes".

MR. TIBERTI moved the plot plan review under Z-100-64 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. 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.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Coleman.

"NOES": None

This item will be heard by the City Commission on May 5, 1976.

6. AR-6-76 (M Zone)

APPROVED

Aesthetic Review submitted by BRUCE L. ABBOTT for an office building on property located on the southwest corner of Wall Street and Western Avenue in Zoning District M.

MR. FOSTER stated this is at the southwest corner of Wall and Western in close proximity to the freeway, and that is why this application is before the Commission tonight. He pointed out the location of the buildings on the plot plan stating the area to the west is proposed for employee parking and a storage yard, and there will be a landscaped planter 10' wide along Wall which will narrow to a point along Western. Staff feels there should be a chain link fence with slats screening any storage in the adjacent lumber yard, behind the new building, to a view from Wall Street. He stated at this point the freeway is elevated and slanted to the west. Staff would recommend approval subject to the screening of mechanical equipment, air conditioners, etc. landscaping, and the normal conditions of approval.

MR. MIKE TERLIZZI appeared stating that he owns part of the parcel with Mr. Abbott, and he wondered why his name wasn't mentioned in the presentation. He stated he understood that the two plans had been submitted.

MR. TIBERTI asked if the application represented both Mr. Abbott and Mr. Terlizzi?

MR. TERLIZZI pointed out the location of the parcel he owns.

VICE-CHAIRMAN PARKER asked that the record show that Mr. Terlizzi has been mentioned in connection with this application as one of the owners of the property in question.

MRS. COLEMAN moved AR-6-76 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. All outside storage shall be screened from view from Western Avenue and Wall Street as required by the Department of Community Development.
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 mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Coleman.

"NOES": None

7. AR-7-76

APPROVED

Aesthetic Review submitted by LEO A. DALY concerning the Las Vegas Club Hotel located on the east side of Main Street between Fremont Street and Ogden Avenue in Zoning District C-2.

MR. SAYLOR stated the Las Vegas Club is one of the several proposed expansions in the downtown area, and he pointed out the location of the property on the plot plan. He pointed out the existing building and stated the new entrance will be off Main Street and they will have landscaping at the entrance. He presented a rendering of the west elevation of the hotel to the Commission. He commented that the Downtown Progress Group is making headway and there is a tremendous amount of support by the downtown casino people and other merchants in the downtown area. He stated the City has already had the support of the downtown people with regard to pure economics, and now they are recognizing the benefit to be derived from the amenities along with other types of physical development. He informed the Commission one project underway is the street lighting project which is proposed to light the sidewalk area in a 36-block area which will make this very nice. He stated there will still be some dark spots in the parking areas and alleys, but there is a great deal of interest in making many of the places more attractive. He stated this aesthetic review is before the Commission because the applicants are proposing a substantial addition. He stated staff recommends approval of the plans as submitted which reflect the rendering and building layout. He stated there is enough parking and there will be landscaping at the main entrance.

MRS. COLEMAN commented she hoped it would be live landscaping.

MR. SAYLOR stated as far as he knew it would be.

MR. MELVIN EXBER appeared and stated he would like to add to Mr. Saylor's comments stating that parking will not be a problem because the adjoining property will provide an additional 102 parking spaces.

MR. MILLER moved AR-7-76 be APPROVED subject to the following conditions:

1. Conformance to the plot plan and building elevations as submitted.
2. 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.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

"AYES": Miller, Tiberti, Parker, Coleman.

"NOES": None

This item will be heard by the City Commission on May 5, 1976.

8. Z-100-64
Plot Plan Review

APPROVED

Request by GOODMAN CONSTRUCTION COMPANY for a revised plot plan review and aesthetic review concerning property located on the southwest corner of Casino Center Boulevard and Lewis Avenue in Zoning District C-2.

MR. FOSTER stated this is another request for a hotel which will have apartment units. There will be 287 units with 85 apartments and 202 guest rooms. This property is located on the southeast corner of Casino Center and Lewis Avenue, and he pointed out the location of the property on the plot plan stating they will have a two-level parking structure. He stated this request was before you some time ago and it was a much smaller development, and now they are increasing the number of units and parking. He stated they have substantial landscaping along the street frontages.

VICE-CHAIRMAN PARKER asked the size of the property?

MR. FOSTER replied it is 140' deep and 250' in length. He presented a proposed rendering of the Rainbow Inn Hotel. He stated staff recommends approval subject to the submitted plot plan and elevations, submitted landscaping and subject to the normal conditions such as the screening of mechanical equipment, air conditioners and trash areas, landscaping, etc.

MRS. COLEMAN moved the plot plan review under Z-100-64 be APPROVED subject to the following conditions"

1. Conformance to the plot plan and building elevations as submitted.
2. 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.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to code requirements and design standards of City Departments.

The motion carried by the following vote:

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

This item will be heard by the City Commission on May 5, 1976.

9. Z-67-72
Plot Plan Review

APPROVED

Submitted by G. C. WALLACE for a plot plan approval on a residential planned development concerning property generally located on the south side of West Oakey Boulevard between Torrey Pines Drive and Jones Boulevard in Zoning District R-PD 5.

MR. FOSTER stated this was approved in terms of a subdivision to finish out the planned development area south of Oakey and west of Jones Boulevard; he added there is an existing townhouse development on the easterly portion and to the west it has been essentially developed with single family homes and they are proposing to continue the same pattern including the same street pattern. This Commission has approved the subdivision and it is being requested now that the Commission approve the building locations. He stated this is a typical layout for a single family development on lots about 63' - 69' wide with a depth of 100'. He stated staff recommends approval of the building locations as submitted, and staff also recommends a condition that the property owners in the area be allowed additions to their residences on the same basis as the R-1 zone so they won't have to come before the Commission on each individual permit. Staff recommends approval subject to conformance to the submitted plot plan.

MR. TIBERTI moved the plot plan review under Z-67-72 be APPROVED subject to the following conditions:

1. Conformance to the plot plan.
2. Additions to the residences and accessory buildings shall be allowed on the same basis as provided for in the R-1 zone.

The motion carried by the following vote:

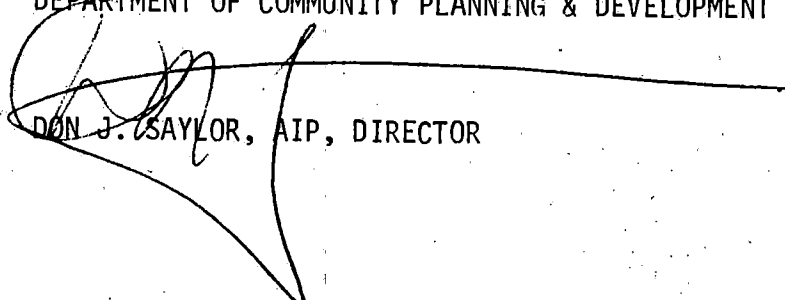
"AYES": Miller, Tiberti, Parker, Coleman.
"NOES": None

This item will be heard by the City Commission on May 5, 1976.

ADJOURNMENT:

The meeting adjourned at 9:50 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


DON J. SAYLOR, AIP, DIRECTOR

DJS:pdm