

AGENDA

CITY PLANNING COMMISSION

JUNE 10, 1976

RECEIVED
CITY MANAGER
JUL 13 1976

AM 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 for the regular meetings
of April 27, 1976, and May 13, 1976.

NEW BUSINESS:

1. Z-34-76

Application of FIRST WESTERN SAVINGS ASSOCIATION
for reclassification of property generally located
on the northwest corner of East Charleston Boulevard
and South Lamb Boulevard, extending west along
Charleston Boulevard 450 feet and north along Lamb
Boulevard 420 feet, from R-1 and R-3 to C-1.

Proposed Use: Retail shopping center and
self-service gasoline station.

2. Z-35-76

Application of K. L. KELTNER (IN TRUST) FOR
HARLEY & RUTH DAVIDSON for reclassification of
property located at 701 Shadow Lane, on the east
side of Shadow Lane, between Bearden Drive and
Pinto Lane 60 ft. north of Bearden Drive, from
R-1 to R-4.

Proposed Use: 48-unit apartment complex.

3. Z-36-76

Application of SUSAN BAILES for reclassification
of property located at 1901 South Eastern Avenue
on the east side of South Eastern Avenue between
East Oakey Boulevard and St. Louis Avenue, from
R-1 to P-R.

Proposed Use: Office

4. Z-37-76

Application of ERNEST A. BECKER for reclassification
of property located on the north side of West
Charleston Boulevard between South Torrey Pines
Drive and South Lorenzi Street, beginning 120 ft.
west of Torrey Pines Drive and continuing west
along Charleston Boulevard 380 ft. and extending
north 400 ft., from R-1 and R-3 to C-1.

Proposed Use: Shpping center and parking.

5. Z-38-76

Application of CHARLESTON HEIGHTS SHOPPING CENTER
for reclassification of property generally located
on the southeast corner of South Jones Boulevard
and the Las Vegas Expressway extending south along
South Jones Boulevard to Upland Boulevard and east
along the Las Vegas Expressway 380 feet, from R-1
to C-1.

Proposed Use: Shopping Center

6. VAC-1-76

Petition of Vacation submitted by GOLDEN NUGGET,
INC. ET AL, to vacate the alley located between
South First Street and South Casino Center Boule-
vard, extending from Carson Avenue south 400 feet
to Bridger Avenue.

7. Z-20-74

Ext. of Time

Submitted by WILLIAM E. HART concerning property
located on the west side of North Nellis Boulevard
between Stewart Avenue and Bonanza Road, 1300 ft.
south of Bonanza Road and extending west from Nellis
Boulevard approximately 900 ft. in zoning district
C-2.

Original approval 6-5-74

12-month extension granted: 6-4-75

MINUTES

RECEIVED
CITY MANAGER

CITY PLANNING COMMISSION

JUL 12 1976

JUNE 10, 1976

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

CALL TO ORDER:

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

PRESENT:

Chairman Jenkins, Mrs. Coleman, Mr. Miller, Mr. Tiberti and Mr. Ward.

EXCUSED:

Mr. Busch and Dr. Parker.

STAFF PRESENT:

Don J. Saylor, AIP, Director of Community Planning & Development.
Howard A. Null, Supervisor of Planning and Zoning.
Ira Gardner, Planning Assistant.
Kathleen M. Tighe, Recording Secretary.

MINUTES:

MRS. COLEMAN made a Motion for APPROVAL of the Minutes of the City Planning Commission meetings held April 27, 1976, and May 13, 1976. Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. Z-34-76

ABEYANCE

Application of FIRST WESTERN SAVINGS ASSOCIATION for reclassification of property legally described as: That portion of the Southeast Quarter (SE $\frac{1}{4}$) of Section 31, Township 20 South, Range 62 East, MDM, more particularly described as follows: Commencing at the southeast corner of said Section 31; thence South 89°20'04" West 489.38 feet; thence North 00°39'56" West 50 feet to a point of curvature, being the true point of beginning, said curve being concave northeasterly having a radius of 15 feet and subtending a central angle of 90°00'00"; thence northwesterly along the arc of said curve 23.56 feet; thence North 00°39'56" West 114.92 feet; thence North 89°20'04" East 329.82 feet; thence North 02°06'16" West 291.09 feet; thence North 89°20'04" East 120 feet; thence South 02°06'16" East 359.52 feet to a point of curvature, with a curve concave northwesterly having a radius of 60 feet and subtending a central angle of 91°26'20"; thence southwesterly along the arc of said curve 95.75 feet; thence South 89°20'04" West 276.56 feet to the true point of beginning, generally located on the northwest corner of East Charleston Boulevard and South Lamb Boulevard, extending west along Charleston Boulevard 450 feet and north along Lamb Boulevard 420 feet, from R-1 and R-3 to C-1.

Proposed Use: Retail Shopping Center and Self-Service Gasoline Station.

MR. SAYLOR pointed out the area in question on the screen, indicating it was located at the northwest corner of Lamb Boulevard and East Charleston, both of which were primary major streets designed to be at least 100 ft. wide. To the east is commercial zoning which is undeveloped with the exception of a convenience market. Further north is R-1 zoning and on the west side of Lamb is a development of townhouses with single family homes toward the south. He pointed out there were homes backing up to this proposed development. The property in question is a reversed L-shaped parcel presently zoned R-3 which is separated from the single family homes to the rear by an alley. He indicated there was a request for commercial zoning on this property two or three years ago at which time it was denied. On the previous request there was also a substantial protest factor from the home owners. Staff feels there is a large amount of vacant commercial property immediately across the street from what is proposed here and when developed, should satisfy the demand for commercial in this area. The parcel in question is zoned R-3 which could be compatible on a primary major street. He stated this was not a question of R-1 zoning since the property is zoned R-3 for apartments. He pointed out there was one letter of protest on record from the owner of the commercial property across from this proposal.

He stated staff had not received any indication of protest from the home owners in the area; however, staff felt there might be persons in the audience wishing to speak on this matter.

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

MR. JACK CASON, 3208 Ashby, appeared representing the applicant. He stated they felt the present and future opportunity for commercial on this site was warranted at this time. He stated they had surveyed the area and felt it was time to develop this property in the manner outlined. He stated this would be a small commercial development and felt the area was ready for these types of services. He stated there were 15,000 cars per day through this intersection and he felt the 30 acre parcel of commercial to the west would not be developed, particularly if the plans were for a regional shopping center since the demand was not there. He felt the type of development they propose would provide necessary services to this area and felt the potential was there. He indicated the 20 ft. alley to the rear would separate this development from the property owners there and they were willing to provide the necessary fences or landscaping to separate the parcels and treat it aesthetically to beautify the area. He requested approval of their proposal.

CHAIRMAN JENKINS asked Mr. Cason if there was a layout of what they propose.

MR. SAYLOR pointed to the plot plan indicating the development was quite similar to that at the northwest corner of Sahara and Rancho, with a row of small shops and a self-service gas station. He stated they would provide parking and landscaping.

MRS. COLEMAN asked the depth of the property to the alley.

MR. SAYLOR indicated it was about 120 ft. at one point and about 140 ft. at the other point.

MR. WARD asked if the only commercial development in the area was the convenience market.

MR. SAYLOR stated that was the only property developed.

CHAIRMAN JENKINS asked if they planned to develop this property in the near future.

MR. CASON said "yes".

MR. TIBERTI asked the size of the stores proposed.

MR. CASON said they would be 40 ft. in depth and they would provide more than adequate parking and landscaping.

MRS. COLEMAN asked the applicant if they planned to use the alley.

MR. CASON stated he assumed they would use it to load and unload; however, if this was not acceptable they were flexible and had room to move in further.

CHAIRMAN JENKINS asked if anyone else wished to be heard, and he asked for a show of hands for the protestants. Approximately ten (10) persons indicated their protest.

MR. WALTER BURLING, 4315 Delvin Green Court, appeared in protest and presented a petition containing approximately 45 properties in the area protesting this request. He stated he lived in the Charleston Village Townhouses and was concerned about their property values going down if this were permitted. He pointed out the developed commercial property in the area such as the service station at

Mojave and Charleston and the 7-Eleven at Charleston and Nellis. He stated the convenience market at this corner is the only thing developed and felt commercial developments in the area would cause a traffic problem. He stated homes were proposed and there would be this commercial right next to the residential. He also stated the school bus stops on this corner for the children and drops them off there and felt this would be a hazard to their children. He felt if the property were zoned commercial, bars or anything could go in there. He stated his main concern was for the safety of the children in the area, that anything could go on this property if rezoned and he also felt there was sufficient commercial in the area for their needs. He further felt the property values would drop if this were permitted. He felt the property should be developed with a residential use.

MR. WARD asked Mr. Burling if the commercial in the area met the needs of the people in that area.

MR. BURLING said "yes". He stated he did not feel this development would enhance their area.

MRS. COLEMAN pointed out the property was zoned for apartments.

MR. BURLING said he felt apartment development would be a better use on this property.

MR. HARRY CAMPBELL, 4304 Keithann Circle, appeared in protest. He stated the area lends itself to residential developments with a Spanish type motif, the same as those on Keithann Circle in the \$32,000 to \$36,000 bracket. He stated he appeared before the Commission on the previous zoning for this property which was denied and the Commission at that time indicated it would be rezoning solely for the purpose of resale noting that First Western had been unsuccessful in developing this. He further read a publication which appeared in the newspaper after the denial of the previous zoning which indicated what he had just said. He stated he felt there was no change in the picture since that time and felt if approved this would devalue their properties and asked the Commission to deny this request.

MRS. COLEMAN said the alley situation was of concern to her and asked Mr. Saylor if it could be fenced to protect the home owners.

MR. SAYLOR indicated a block wall could be required on the side of the alley abutting the homes.

MRS. COLEMAN said that by doing that, the home owners would not have access.

MR. SAYLOR stated he did not believe any of the property owners used the alley because it was not improved. He felt if this was a major issue on the part of the home owners, arrangements could be made if they wanted access to the alley to provide a gate so that they could use it.

MRS. COLEMAN asked if the alley were used for trash pickup for the home owners.

MR. SAYLOR said "no".

CHAIRMAN JENKINS asked if anyone else wished to be heard who could add something to what had already been said.

MRS. DIANE BURLING, 4315 Delvin Green Court, appeared in protest. She stated she circulated the protest petition and was concerned with the beauty in the area. She indicated they have a view of Sunrise Mountain and felt this development would obstruct this view with signs and lights. She said she was also concerned about the

pickup of garbage and trash in the alley and where it would be kept, since this could attract bugs and was located very close to the homes. She said they would look out their front window on this.

CHAIRMAN JENKINS asked Mrs. Burling what she felt would be the best development on this property.

MRS. BURLING indicated she felt it should be residential.

MR. TIBERTI pointed out if this were developed with apartments, they could use the alley for parking and pickup of the trash which would probably be kept there. He also stated apartments on this property could be two-stories in height. He indicated if this property is commercial, they could limit what was done on the property; however, with apartments he felt possibly this could be more detrimental to the property owners.

MRS. BURLING said they were also concerned because if this property is commercial, the businesses they rent to could not be controlled and bars could go in on this property. She did not feel this development would enhance a family type neighborhood.

MR. SAYLOR said they would be only retail outlets.

MR. JAMES HUFF, 1325 Eastern, appeared representing First Western Association. He stated the property was presently zoned R-3 and they could put in two-story apartment structures. He felt C-1 would enhance the area and the value of the other properties. He also stated with R-3 development on this property it would be a higher density than the C-1 proposed.

MRS. COLEMAN asked Mr. Huff if they would develop the property.

MR. HUFF said Mr. Cason would be the developer and would go along with the recommendations of staff.

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

MR. TIBERTI made a Motion for DENIAL even though he felt something could have been worked out with the home owners. He felt if the applicant had presented their plans to the property owners, they could have settled part of this situation before this hearing. He stated he understood the feelings of the property owners in the area, but was also taking into consideration what could go on the property and felt possibly apartment zoning could be detrimental.

MR. WARD stated he also felt there did not need to be any more commercial in this area at the present time.

MRS. COLEMAN stated she was inclined to agree with Mr. Tiberti. She stated usually the Commission sees a higher protest factor though on apartment zoning. She did feel possibly something could have been worked out.

MR. SAYLOR stated if the Commission felt something could be worked out, possibly they should hold the matter in abeyance to allow the applicants to get with the property owners in the area.

MR. TIBERTI stated he would WITHDRAW his Motion for denial and make a Motion this matter be held in ABEYANCE to allow the developer and property owners time to review the proposed development. He stated he has found in the past, that more home owners protest apartments than commercial uses.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward, Jenkins.
"NOES" - None.

Motion for ABEYANCE carried unanimously.

CHAIRMAN JENKINS announced Z-34-76 would be considered by the City Planning Commission at their next regular meeting scheduled for July 8, 1976.

2. Z-35-76

DENIED

Application of K. L. KENTNER (IN TRUST) for HARLEY & RUTH DAVIDSON for reclassification of property legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M, described as follows: Beginning at a point in the north line of said Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) distant thereon South 89⁰46' East 30 feet from the northwest corner thereof; thence South 0⁰08' 52" West 125 feet; thence South 89⁰46' East 350 feet; Thence North 0⁰08' 52" East 125 feet; thence North 89⁰46' West 350 feet to the point of beginning, located at 701 Shadow Lane, on the east side of Shadow Lane, between Bearden Drive and Pinto Lane 60 ft. north of Bearden Drive, from R-1 to R-4.

Proposed Use: 48-unit apartment complex.

MR. SAYLOR pointed out the area in question on the screen indicating this was immediately south of the County Health Department facility and directly west is Valley Hospital. Further south is Southern Nevada Hospital and further north is the County morgue. He stated this was approved for R-4 zoning in 1971 or 1972; however, it was done on a time basis which had now expired. The Planning Commission at that time recommended denial; however, it was approved by the City Commission. The Planning Commission felt that R-4 zoning on this property was simply overcrowding the land. He stated there was a pattern of R-3 in the area and to the east are several R-3 developments plus vacant R-3 zoned land. Staff's position at this time is essentially the same as on the previous zoning that apartment development is logical in connection with the medical facilities in the area, but not at the R-4 density. Staff feels if this is approved, it should be reduced to the R-3 density. Mr. Saylor pointed to the plot plan indicating a majority of the property would be used for parking or buildings and if approved as submitted, the number of units would have to be reduced because there is not sufficient parking. There are 48 units proposed and only 69 parking spaces provided and staff does feel this would be overcrowding of the land and not a proper location for this density. He stated there were other locations in the city where this density would be acceptable. He stated there was a petition of protest on record with 9 properties, most of which were on Bearden Drive to the south of this project. He read a letter from Valley Hospital which was interpreted as being in protest; however, there was also a letter from Valley Hospital to Dr. Sol De Lee which indicated they had no objection and felt if the rental fee were in the right bracket, people working in the hospital would rent the apartments. Mr. Saylor read these letters to the Commission and stated that staff agreed there was a need for apartments and this would be a logical use of the land, but did feel the density was too intense.

MRS. COLEMAN asked the depth of the property.

MR. SAYLOR stated there was 125 ft. on Shadow and 350 ft. east/west. He stated under the R-4 zoning they could actually have 50 units; however, they cannot provide sufficient parking.

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

MR. ALAN BLUM, Architect, 844 East Sahara Avenue, appeared representing the applicant. He asked Mr. Saylor where the NIC complex was to be constructed.

MR. SAYLOR pointed out the area for the NIC complex being further south near Charleston and Hastings.

MR. BLUM stated with the area being surrounded by hospital uses and now the NIC complex there would be a lack of apartments in the area and felt the apartment complex would be advantageous to the employees in the area. He stated another advantage would be that these would be within walking distance for the employees in the hospital complexes which would in turn mean fewer cars, less traffic, etc. He stated the only apartments in the area were down on Alta and Highland.

MR. SAYLOR pointed out the density in the area mentioned by Mr. Blum was R-3.

MR. BLUM asked if this would be better developed as apartments or as another medical complex. He indicated Valley Hospital has made offers to purchase this property. He stated with R-3 density on this property, it would be economically unfeasible to build. He said when they had approval for R-4 zoning on this property in 1972, money at that time was very tight and there was difficulty in getting funding and for that reason it was not developed. He stated now they have funding and it may be too late. He stated his client has made an outlay of \$15,000 already in architectural fees and securing funding to get this project put through. He stated if this is denied, it probably would develop as a medical facility. He felt the apartment development would be very beneficial.

MRS. COLEMAN asked to see the plans on their proposed development.

MR. SAYLOR presented the plans to the Commission showing the landscaping and elevation.

MRS. COLEMAN asked the setback from Shadow Lane.

MR. BLUM said it was 16½ ft.

MRS. COLEMAN asked Mr. Blum if he would consider R-3 zoning.

MR. BLUM said "no", that it was not feasible economically.

CHAIRMAN JENKINS asked the size of the units.

MR. BLUM said they were 600 sq. ft., one-bedroom apartment units.

CHAIRMAN JENKINS asked about the parking.

MR. BLUM said he must have mis-counted because he thought they had enough.

CHAIRMAN JENKINS asked if anyone else wished to be heard.

MR. GIL BLONSLEY, Clark County Health District, appeared. He stated he was there on behalf of the Health District. He stated they held a meeting regarding this request and they were not objecting to the development; however, the traffic situation was of concern. He said they were the adjacent parcel to the north of this proposed development and there was a dedicated alley which separated the two parcels. At the south end of the Health District property is the County Welfare facility and indicated there was considerable congestion of traffic in the area. He stated some months ago they invited the City Engineering Department, Mr. Kenneston, to discuss the ingress and egress to their property. He stated there were over 100,000 visitors on Shadow with buses running up Shadow and turning in the driveway so there is a heavy traffic situation. He stated they wanted a double-wide driveway and an opening of the alley which would allow relief on the exit situation for the County Welfare facility to the rear. He said they were severely rebuked because this would have

created a double driveway causing a bad situation there and they were convinced by the City after this meeting that this would be unsafe and unwise and on that basis, the Health District abandoned this plan. They felt this being the urging of the City and them following this advice, they now would view with concern the creating of this problem with additional traffic from this apartment development. This was especially true in light of the fact they do not have adequate parking for the development. He stated their Administrative Committee met the morning of this meeting and felt because of the City's previous position in the lack of wisdom in using double driveways, they felt this would be a traffic and safety hazard in the area and did not feel the apartment development should be approved.

MR. TIBERTI stated the property owner did not create the traffic problem and did not feel they could deny him use of his property.

MR. BLONSLEY stated there is very heavy traffic in the area and when they wished to open the alley, they were urged not to do so by the City.

MRS. COLEMAN stated it appeared that the alley would be used as the ingress and egress.

MR. SAYLOR pointed out that would be their only access and all of the parking for the development was designed to go into the alley.

MRS. COLEMAN stated she felt if this were developed with apartments, it should stand on its own and not be dependent upon a public alley for access. She did not feel the plan presented was the best design.

MR. JOHN WAWERNA, 1600 Bearden Drive, appeared in protest. He stated there were apartments within walking distance of the hospital facilities on Alta and Highland. He stated Valley Hospital was planning to expand and the cars would be cutting through onto Bearden. He stated he was opposed to the traffic situation in the area and felt this development should not be located in this area. He pointed out there is also a water pressure problem in their area and felt this development would make this worse. He stated his objection to this development was because of the low water pressure and the traffic situation.

MR. J. D. HILTON, 1701 Bearden Drive, appeared in protest. He pointed out when the NIC project is completed this would also add to the traffic situation in the area. He stated this two-story apartment which is proposed would be looking down on his house. He stated he had been there for 10 years and had spent considerable money in improving his property and felt this development would depreciate his property value. He further felt these apartments should not be approved simply to provide living quarters for people who work in the hospital facilities because most people cannot live within walking distance of where they work. He felt this should not be permitted in this area due to the reasons already given.

MR. BLUM reappeared and stated the traffic was a problem in the area whether or not this development took place and the NIC development would increase this problem. He stated the property even if reduced to R-3 would cause a further traffic problem and it could be developed with medical facilities if this is not approved. He stated the only way to solve the problem would be to get rid of the traffic there presently which cannot be done, or widen the streets, which cannot be done. He did not feel anything could be done to solve this problem..

MRS. COLEMAN asked Mr. Saylor if Shadow Lane would be widened or improved.

MR. SAYLOR indicated there were no plans he was aware of to widen Shadow; it was 60' in width, which was all they could concern themselves with.

MR. HILTON reappeared and stated he did not feel the City should provide the access for a private development.

MR. SAYLOR stated the whole purpose of an alley is to provide access for public purposes.

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

MR. MILLER made a Motion for DENIAL of Z-35-76, because he felt the proposed development would not be compatible with the surrounding area.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, and Jenkins.

"NOES" - Ward.

Motion for DENIAL carried.

3. Z-36-76

APPROVED

Application of SUSAN BAILES for Reclassification of property legally described as Lot 16, Block 1, Eastwood Tract No. 2, located at 1901 South Eastern Avenue, on the east side of South Eastern Avenue between East Oakey Boulevard and St. Louis Avenue from R-1 to P-R.
Proposed Use: Office

MR. SAYLOR pointed out the area on the screen indicating it was on South Eastern Avenue and the Commission had been allowing office uses. He pointed to the plot plan indicating the proposed use was for an office and there would be parking provided. He indicated they had two parking spaces on Eastern which would require backing out onto the street; however, staff had redesigned the parking where they could turn-around and exit in a head-on direction. Staff would recommend approval subject to the normal requirements and that no stock be kept on the premises for sale and conformance to the amended plot plan for the redesign of the parking. He stated they would also have to meet the requirements of the Traffic Engineer. There were no protests on record.

MRS. COLEMAN stated the property had already been blacktopped and remodeled.

MR. SAYLOR indicated what they had done on the property was permissible. He stated if the Commission approved this in accord with the plot plan, the applicant would have to put in the landscaping and remove some of the paving. Mr. Saylor pointed out where landscaping would have to be provided.

MR. TIBERTI asked if there was a proposal on what type of plantings would be on Eastern Avenue.

MR. SAYLOR indicated that was in terms of sidewalk trees and he did not think it was adopted.

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

SUSAN BAILES appeared and stated she was the applicant. She said she presently has an approved Home Occupation Permit for her pick-up and delivery of wigs. She stated she styles the wigs and then delivers them and would now like to have her property rezoned for this operation. She stated she presently lives on the property. She stated there would be a sign in the front which she was not permitted to have under the Home Occupation Permit.

CHAIRMAN JENKINS asked the applicant if she could meet the requirements of staff.

MS. BAILES indicated she could. She indicated about a year ago they put in a sprinkler system in the rear, but she would be removing this and providing landscaping in other areas on the property.

MRS. COLEMAN asked staff if this operation was a permitted use.

MR. SAYLOR said it was as long as nothing was sold on the premises.

MS. BAILES indicated there would be no stock of wigs on the property and any sales would be from catalogue.

MR. D. DILLARD, 1536 La Jolla, appeared for the applicant. He stated he talked to the property owner to the south and the wall which was between these two properties would be removed. He felt this would provide better access to both properties.

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

MRS. COLEMAN made a Motion for APPROVAL of Z-36-76, subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
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. Redesign of the plot plan as required by the Department of Community Planning and Development.
5. Conformance with the amended plot plan, including requirements of the Traffic Engineer.
6. No stock in trade to be kept on the premises for sale.
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
8. Conformance to code requirements and design standards of City departments.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
"NOES" - None.

Motion for APPROVAL carried unanimously.

4. Z-37-76
APPROVED

Application of ERNEST A. BECKER for Reclassification of property legally described as that portion of the Southwest Quarter (SW $\frac{1}{4}$) of Section 35, Township 20 South, Range 60 East, MDM, described as follows: Commencing at the south quarter corner of said Section 35; thence South 89°41'10" West 7.6171 feet; thence North 01°10'19" East 50.02 feet to the true point of beginning; thence South 89°41'10" West 380.28 feet; thence North 01°11'57" East 400.14 feet; thence North 89°41'10" East 380.09 feet; thence South 01°10'19" West 400.13 feet to the true point of beginning, located on the north side of West Charleston Boulevard between South Torrey Pines Drive and

South Lorenzi Street, beginning 120 ft. west of Torrey Pines Drive and continuing west along Charleston Boulevard 380 ft. and extending north 400 feet from R-1 and R-3 to C-1.

Proposed Use: Shopping Center and parking.

MR. SAYLOR pointed out the area in question on the screen indicating it was located on West Charleston, west of Torrey Pines. Immediately to the west is R-3 property under ROI and the remainder to the north is single family development with a strip of apartments to the north. He pointed out there was some commercial development in the area; a convenience market and a Jack-in-the-Box to the east. He pointed out the plot plan indicating the additional parking would be used also by the existing facilities and the proposed development. He stated the area to the north on this development would not be developed at this time; however, staff assumed this would be limited since there was no access other than the front of this property. He stated there were apartments to the rear of this proposal; however, there had been no objection to this request filed. Staff felt this was in keeping with the pattern established on West Charleston; however, there is a question which cannot be answered at this time as to the desirability of extending Scholl Drive to Charleston or whether Coulthard should be extended. He stated this matter was discussed with the developer and the developer agreed to do whatever the City desired. Staff would recommend approval with this condition, minor design changes in the plot plan, specifically concerning the eastern most area and access to the parking lot and the other normal conditions. Mr. Saylor also pointed out a 5 ft. wide concrete sidewalk along Charleston was required by the Public Services Department and if approved, this approval would rescind approval of the ROI on the previous zoning, Z-137-62, for that portion covered by this application. There were no protests and one approval on record.

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

MR. BARRY BECKER appeared representing the applicant. He stated they agreed with staff's recommendations and felt whatever the City determined should be done on the street situation, they could provide and would agree to.

CHAIRMAN JENKINS asked what would be to the rear of the stores on this property.

MR. BECKER stated they were not sure at this time, but possibly it would be used for additional stores.

MR. WARD asked the applicant when they planned to start construction.

MR. BECKER indicated they would start immediately with the parking lot and would like to secure a tenant for another fast-food store.

MRS. COLEMAN stated since they did not plan to develop the rear portion of this property at this time, she asked if the applicant could provide protection for the apartments to the rear.

MR. SAYLOR indicated Mr. Becker owned the property, but the Commission could stipulate that they would have to come in with another development plan for that area.

MR. BECKER stated the property would be zoned commercial back up to the apartments and they do plan to develop apartments on that back portion.

CHAIRMAN JENKINS asked if anyone else wished to be heard.

MR. WILLIAM HERNSTAD appeared and stated he owned the apartments directly north of this development with 109 units. He stated his apartments contained 250 individuals and was a family complex.

He stated he has a lot of lawn and tree area. He stated he was concerned with the area scheduled for future development. He indicated he agreed that the frontage on Charleston is suitable for commercial, but asked the Commission not to zone at this time the area marked as future development and let the applicant come in when he plans this development with another plan. He stated he was concerned with protecting the people who live in his apartments and was worried about the outside trash, etc. from the fast-food service blowing into the yards of his apartments which is where the children play. He indicated he would have no objection with these two conditions. He felt there should be something spelled out in the approval to provide protection.

CHAIRMAN JENKINS stated he did not feel it would be economically feasible for the applicant to provide a block wall and then have to move it back when he develops the rear portion.

MR. HERNSTAD stated he did not want a block wall because they were ugly, but felt some landscaping or something there would provide protection.

MRS. COLEMAN asked Mr. Hernstad if he were thinking of perhaps a chain link fence.

MR. HERNSTAD said yes, or perhaps a wood fence so that any trash would not be blowing around.

MRS. COLEMAN asked the applicant what he felt he could provide.

MR. BECKER pointed out they did not own the Jack-in-the-Box and if trash was blowing from the fast-food onto Mr. Hernstad's property, maybe it would blow over a 6 ft. high wall. He stated eventually there would be apartments between the back of this property and the other apartments and he doubted if any trash would then go onto Mr. Hernstad's property. He indicated presently, they would keep the trash in containers.

MR. SAYLOR indicated the only possibility was a temporary fence and felt this would not be very attractive.

MRS. COLEMAN asked if they could provide a chain link fence at the end of the blacktop area.

MR. BECKER indicated this could be done.

MR. SAYLOR stated he felt this would look odd and also felt they would have a hard time keeping it up since it would be the only thing on that portion of the property.

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

MR. WARD made a Motion for APPROVAL of Z-37-76, subject to the following conditions:

1. Minor design changes to the plot plan, specifically concerning the eastern most area and access to the parking lot.
2. The status of the possible extension of Scholl Drive to Charleston Boulevard be determined at a later date. The applicant has indicated a willingness to put the street in if desired by the City.
3. Temporary fencing to be placed at the immediate rear of the initial development.
4. Installation of a 5 ft. wide concrete sidewalk along Charleston Boulevard as required by the Department of Public Services.

5. Resolution of Intent be restricted to a twelve (12) month time limit.
6. Approval of this action rescinds approval of the Resolution of Intent on Z-137-62, for that portion covered by this application.
7. 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.
8. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
10. Conformance to the plot plan as amended to reflect the above conditions.
11. Conformance to the code requirements and design standards of City departments.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
 "NOES" - None.

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS declared a ten-minute recess at 9:00 P.M. and reconvened the meeting at 9:10 P.M.

5. Z-38-76

DENIED

Application of CHARLESTON HEIGHTS SHOPPING CENTER for Reclassification of property legally described as that portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 36, Township 20 South, Range 60 East, MDM, described as follows: Commencing at the northwest corner of said Section 36; thence South 02°39'25" East 315.83 feet; thence North 87°20'35" East 62.50 feet to a point of tangency to a curve concave to the south having a radius of 600 feet; thence easterly along an arc of said curve through a central angle of 02°08'38" an arc length of 22.45 feet; thence North 00°30'47" West 40.00 feet to the true point of beginning, said point also being on a curve concave to the south having a radius of 640 feet, a radial line to said point bears North 00°30'47" West; thence southeasterly along an arc of said curve through a central angle of 12°46'15" an arc length of 142.65 feet; thence North 26°40'28" East 120 feet; thence South 89°39'14" East 159.01 feet; thence North 12°50'52" East 105.02 feet; thence South 86°59'41" West 382.99 feet; thence South 03°47'41" West 158.37 feet to a point of tangency to a curve concave to the northeast having a radius of 15 feet; thence southeasterly along an arc of said curve through a central angle of 94°18'28" an arc length of 24.69 feet to the true point of beginning, located on the southeast corner of South Jones Boulevard and the Las Vegas Expressway extending south along South Jones Boulevard to Upland Boulevard and east along the Las Vegas Expressway 380 feet, from R-1 to C-1.

Proposed Use: Shopping Center

MR. SAYLOR pointed out the area in question on the screen indicating the property was located on the southeast corner of South Jones Boulevard and the Las Vegas Expressway. He stated the request was for C-1 zoning for a shopping center and there was a fire station adjacent to this property and the rest of the area was developed with single family homes. Mr. Saylor indicated this request was before the Commission in 1975 at which time there was a substantial protest factor. It was denied by the Planning Commission and also the City Commission. Essentially this is the same proposal and staff feels the same and recommends denial. He stated there were no protests

on record; however, staff anticipated there would be protestants in the audience. He stated when the fire station land was made available by Mr. Becker, it was brought out that this could conceivably be used as an argument for changing the zoning, but the City did not recognize this as an argument. Staff, therefore, still recommends denial of this request.

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

MR. BARRY BECKER appeared representing the applicant. He stated the proposal is for a shopping center, a convenience store and offices with possibly some other retail stores or professional offices. He stated there would be covered parking and storage behind the fire station. He stated they still feel this is the best use for this property.

MR. SAYLOR pointed out the applicant was proposing storage in the rear in connection with this which was shown on the other plan.

MR. BECKER stated they planned to store appliances for their homes because they could buy them cheaper in quantity and they might have 50 stoves and dishwashers stored there in boxes.

CHAIRMAN JENKINS asked for a show of hands from the protestants regarding this application. There were approximately 12.

MR. HAROLD EVANS, 5920 Harmony, appeared in protest. He stated the covered storage referred to would be located at his back fence. He stated the State Highway Department will use 14' for the freeway to the north of them and now this applicant wants a roof behind his back fence. He stated he felt junk could go over a fence. On the northwest corner is a convenience store and didn't feel this was needed.

MR. DAVID RAWLINS, 116 South Jones, appeared in protest. He stated he did not feel the fire station should be used as an argument for this change in zoning. He stated Mr. Becker probably figured he could wear down the protestants since they had already been before the Commission three times. He stated even though the freeway is there, this is still residential and he felt Mr. Becker might have to put homes on this property.

MRS. JANE CAMP, 6129 Elton Avenue, appeared in protest. She stated she had been before the Commission many times with Mr. Becker trying to get commercial on that side of the freeway. She stated there was sufficient shopping in the area and they did not need this. She stated there were convenience stores on every corner. She felt if there was commercial on that side of the freeway they would end up with another Decatur Boulevard and she didn't want to see that happen. She felt he should put a park on this property and then their children would not have to cross the street.

MRS. VERLENE CHIODINI, 195 Upland, appeared in protest. She stated if this was permitted, she would be looking directly at it from the front of her home. She stated she did not want to see a precedent set of allowing the construction of 7-Eleven stores directly across from a home and could not see any other place in town where this was done. She stated there was usually some protection provided for the home owners. She objected to this request for this reason and the others already mentioned. She stated this was the fifth time she had been down to City Hall on this property and was asking for denial again.

MR. RAY BAILEY appeared and stated he owned the home directly south and asked what they would recommend for this property.

MR. SAYLOR stated that was not the issue; the issue was whether or not commercial should be allowed on this property.

MR. BAILEY stated at the present time he did not feel commercial was the best use of this property, but he didn't feel it was the right place for homes either.

MR. SAYLOR stated he didn't want to go into the history of this property, but stated this was why staff objected to this location for the fire station because staff knew what would happen when this was left out of the subdivision. It is now being used as an argument for the zoning. He stated the question always arises as to what is the best use for this property; however, staff cannot answer that at this time, but feels commercial is not proper.

MRS. COLEMAN thought perhaps P-R might be the best, or possibly a park.

MR. SAYLOR indicated when you talk about parks in this area, staff had met with strong objection from the property owners.

AN UNIDENTIFIED SPEAKER appeared and indicated Mr. Bailey did not live in the property south of this proposal.

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

MR. TIBERTI stated in that nothing had changed since the last request on this property, he would make a Motion for DENIAL.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.

"NOES" - None.

Motion for DENIAL carried unanimously.

6. VAC-1-76

APPROVED

Petition of Vacation submitted by GOLDEN NUGGET, INC., ET AL, to vacate the alley located in Block 13, Clark's Las Vegas Townsite, generally located between South First Street and South Casino Center Boulevard, extending from Carson Avenue south 400 ft. to Bridger Avenue.

MR. SAYLOR pointed out the area in question indicating the petition of vacation was submitted by the Golden Nugget to vacate the north/south alley between 1st Street and Casino Center, immediately south of the Golden Nugget. He stated the Golden Nugget has control either through lease or ownership of all the property in this block with the exception of that owned by the Club Hotel. He stated if approved, they would have to make arrangements for access for the Club Hotel if they so desired. He stated the Golden Nugget plans to remove the parking structure on the corner and the theatre and put in a parking lot on the entire parcel with the exception of one piece. He stated it was interesting to note that as part of the parking plan, they intend to provide lighting which will be twice as bright as any of the parking lots on the strip and which would be in keeping with the new proposed lighting by the City. This hits upon the one thing the City feels is important in the downtown area and that is the matter of safety for the pedestrian and one way to provide this is by making the area so well lighted that it is not conducive to vagrants and muggers, etc. Staff would recommend approval of the proposed vacation subject to satisfying the requirements of the various utility companies and providing access for the Club Hotel if required. He stated they must also meet any requirements of the Fire Department and Public Services Department.

CHAIRMAN JENKINS asked to hear from the applicant.

MR. STEVE WYNN, Golden Nugget, appeared. He stated on the 7th of July they would take down the garage and the reason for this was because it didn't work. He indicated the garage was constructed by the previous management and was not being used. He stated the theatre would also be removed. He stated they would resurface the entire 120,000 sq. ft. area and install high day-light lighting for parking. He stated there would be a fence around the lot. He stated the signs off the old Golden Nugget garage would be re-installed at Carson and Casino Center. He indicated they would meet the requirements of the utility companies.

MR. TIBERTI stated he felt there should be something to break up all the paving.

MR. WYNN stated this would look like the other parking lots in town. He stated it was a critical thing to use every inch of land. Every time they spend money to make it prettier, they lose parking. He stated if the Commission desired landscaping he would not oppose it, but didn't feel the Commission should start with him. He stated this was not a bad idea and he would go along with it, but could not. He stated every time they turned around some agency was there, mainly the utilities indicating the sewer line was too small, etc. and felt they took advantage. He felt some things were valid. He stated he was out of money and did not want to volunteer. He stated he wanted to make the parking lot brighter because then it would be safer and they would have it patrolled. He stated there was no room for shrubs in Block 13.

MRS. COLEMAN asked about a decorative fence.

MR. WYNN stated he didn't care so much about the fence, because this doesn't take away any space and felt it would be a good idea to fence it and have it well lighted. He stated they owned 30 out of the 32 lots in Block 13.

MRS. COLEMAN stated she thought he would be a good idea to provide some landscaping if he could.

CHAIRMAN JENKINS asked if anyone else wished to be heard and there being no one, he asked the Board for a Motion.

MRS. COLEMAN made a Motion for APPROVAL of VAC-1-76, subject to the following conditions:

1. Satisfactory arrangements for access to be worked out if required by the Club Hotel.
2. Satisfaction of the requirements of the various utility companies.
3. Conformance to the requirements of the Department of Public Services and the Fire Department.
4. Vacation not be recorded until all of the above conditions have been met.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
"NOES" - None.

Motion for APPROVAL carried unanimously.

7. Z-20-74

Ext. of Time

APPROVED

Submitted by WILLIAM E. HART concerning property located on the west side of North Nellis Boulevard between Stewart Avenue and Bonanza Road, 1300 ft. south of Bonanza Road and extending west from Nellis Boulevard approximately 900 ft. in zoning district C-2.
Original approval 6-5-74 - 12-month extension granted: 6-4-75

MR. SAYLOR indicated this was located on Nellis, north of Stewart Avenue and was a mini-warehouse operation. Staff recommends that this simply be changed by Ordinance to C-2 in accord with the conditions of the resolution. He stated staff could see no need for any further time limitations. He stated the pattern is established between the flood control channel and Nellis as being commercial.

MR. WARD made a Motion Z-20-74 be effected by Ordinance, subject to the following conditions:

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

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
"NOES" - none.

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS indicated all of the previous items would be heard by the City Commission at their meeting of July 7, 1976, at 9:00 A.M.

8. AV-10-76
APPROVED

Request of ROBB L. MARRIOTT, SR. for an Administrative Variance to allow an addition to the existing residence at 5331 Gipsy Avenue in zoning district R-1.

MR. SAYLOR pointed out this was an odd shaped lot and the applicant needs an addition which would come within 21 ft. of the rear property at one point and 38 ft. at another point. He stated 25 ft. was required. He stated staff would recommend approval and pointed out this was a good example of why they have Administrative Variances in the Ordinance.

MRS. COLEMAN made a Motion for APPROVAL of AV-10-76, subject to the following conditions:

1. Conformance to the submitted plot plan.
2. Conformance to the code requirements and design standards of City departments.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
"NOES" - None.

Motion for APPROVAL carried unanimously.

9. DAYTON-HUDSON
(Proposed Street
Name)

Request of DAYTON HUDSON SHOPPING CENTER - Proposed Street name, east/west section of Michael Way extended to be named Meadows Lane.

MR. SAYLOR indicated the area in question and pointed out this was a request by Dayton Hudson to use the street name "Meadows Lane" for the east/west portion of Michael Way extended. He stated it was contrary to the City's policy to keep the same street name where a street makes a 90 degree turn. He stated this street name would be in relation to their proposed shopping center. Mr. Saylor stated this street name had been checked and was not in conflict and staff would recommend approval.

MRS. COLEMAN stated since there was no conflict with the proposed street name, she would make a Motion for APPROVAL.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
"NOES" - None.

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS indicated this matter would be considered by the City Commission at their meeting June 16, 1976, at 7:00 P.M.

10. V.A. OUTPATIENT
CLINIC

APPROVED

Evaluation of area between the Las Vegas Expressway, the Freeway, Sahara Avenue and Valley View Boulevard relative to the possible location of a V. A. Outpatient Clinic. 38,000 sq.ft. of building and approximately 230 parking spaces would be involved; 133 employees of which 75 to 100 would be new employees, approximately 67 would be at a salary level of \$10,000 or lower.

MR. SAYLOR stated this was put on the agenda in this form simply to provide information to the Commission on the proposal. He stated the Federal government was committed to the Veterans Administration for an outpatient clinic in the Valley and there were two general areas under consideration, one in the County and this one in the City. He stated they were asking approval from the City for this general location. Staff feels this could be part of the general medical complex in the vicinity of Charleston and Highland. He stated this would be a recommendation to the City Commission of just the general area for this proposal and not the specific location.

MRS. COLEMAN stated due to the transportation problem, especially that of senior citizens, she felt Valley View was too far out. She felt the general area was fine, but felt if they recommended approval, it should be with the recommendation that Rancho be the westerly boundary.

MR. SAYLOR stated they do not need a specific area at this time and they would just like to know if the City would welcome this proposal in this general area.

MR. TIBERTI stated he felt it might be wise to restrict the location now.

MR. WARD stated he agreed that transportation would be easier at the location suggested by Mrs. Coleman.

After discussion by the Commission, MRS. COLEMAN made a Motion for approval of this request, but suggested Rancho be the westerly boundary.

Voting was as follows:

"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
"NOES" - None.

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS stated this matter would be considered by the City Commission at their meeting June 16, 1976, at 7:00 P.M.

11. Z-31-73

Review of
Condition

APPROVED

Request by QUINCY E. FORTIER, M.D. for a review of condition #6 (Limited to one office use only) on property located at 1207 Maryland Parkway in zoning district P-R (ROI).

MR. SAYLOR stated this was a request to lift condition #6 on the approval of this zoning. He stated the applicant was requesting

that another doctor be allowed to use this office facility; however, there would not be two doctors on the premises at any one time. Staff does feel this satisfies the condition and brought this matter to the Commission to see if they agreed with staff's interpretation of the meaning of this condition.

MR. TIBERTI stated since there would only be one doctor in the office at any one time, he would make a Motion for APPROVAL of this request.

Voting was as follows:

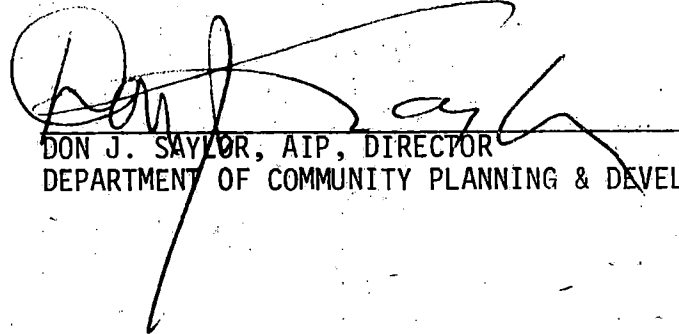
"AYES" - Miller, Tiberti, Coleman, Ward and Jenkins.
"NOES" - None.

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

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

CITY PLANNING COMMISSION



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