

AGENDA

CITY PLANNING COMMISSION

AUG 5 1976

AUGUST 12, 1976

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

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 Meeting
held July 8, 1976 and the Special Meeting held
July 19, 1976.

OLD BUSINESS:

1. Z-100-64
Plot Plan Review

Plot Plan Review submitted by Ruth Klaffky (Louella
Minter) concerning property at 631 South 1st Street
to allow conversion of the existing commercial to
residential. C-2 zone.

NEW BUSINESS:

1. A-3-76

Annexation Petition submitted by HIX, BERNARD, and
SPENGLER for approximately 20 acres of land generally
located on the southwest corner of West Cheyenne
Avenue and Terry Lane, extending approximately 665 ft.
along W. Cheyenne and approximately 1300 ft. along
Terry Lane.

2. Z-49-76

Application of SPROUL HOMES OF NEVADA for reclassi-
fication of property generally located on the west
side of Buffalo Drive, starting approximately 600
feet north of West Charleston Boulevard and extend-
ing to Alta Drive, from R-E to R-1.
Proposed Use: Single Family Homes.

3. Z-50-76

Application of DANIEL & LETA ZIMMERMAN for reclassi-
fication of property located at 519 St. Louis Avenue,
on the northwest corner of St. Louis Avenue and
Weldon Place, from R-4 to C-1.
Proposed Use: Offices.

4. Z-51-76

Application of JOHN E. KENNEY, JR. for reclassifica-
tion of property generally located between Pecos
Drive and Honolulu Street, approximately 700 feet
south of East Bonanza Road, extending to the Cedar
Avenue Drainage Channel, from R-E and R-3 PUD to
R-1 and R-3.
Proposed Use: Single Family Homes and Apartments.

5. Z-52-76

Application of P. J. & LINNE M. CORD for reclassi-
fication of property located on the west side of
North Highland Drive, 360 ft. north of West Bonanza
Road, extending west of North Highland Drive a depth
of 80 feet, from R-E to C-1.
Proposed Use: Gun Shop and Firing Range (indoor).

6. Z-53-76

Application of DAVID WILLDEN, FRANK JACKSON & EDITH
JENNINGS for reclassification of property generally
located on the east side of South 21st Street, approx-
imately 200 ft. north of East Fremont Street, from
C-2, R-3 and R-4 to C-2.
Proposed Use: Retail Auto Parts Store.

7. Z-54-76 Application of FRED B. HOUGHTON for reclassification of property generally located on the southeast corner of Smoke Ranch Road and Michael Way, from R-E to C-1.
 Proposed Use: Retail sales store with the retail sale of gasoline.
8. Z-55-76 Application of LALIF WOOD for reclassification of property located at 401 North Nellis Boulevard, on the west side of North Nellis Boulevard, approximately 700 ft. south of East Bonanza Road, from R-E and C-1 to C-2.
 Proposed Use: Business Office.
9. Z-56-76 Application of SOUTHERN CALIFORNIA DISTRICT OF LUTHERAN CHURCH-MISSOURI SYNOD for reclassification of property generally located on the west side of Michael Way, approximately 1000 ft. north of Smoke Ranch Road, from R-E to R-D.
 Proposed Use: Single Family Homes.
10. VAC-7-73
Review of Condition Request for Review of Condition under an approved Vacation by RUTHE REALTY for SAHARA CONSTRUCTION generally located at Pennwood and Decatur Boulevard, to allow the development of an apartment project in zoning district R-3.
11. AR-12-76 Request for an Aesthetic Review by RUTHE REALTY for SAHARA CONSTRUCTION to allow the development of an apartment project on property generally located at Pennwood and Decatur Boulevard, R-3 zoning.
12. AV-13-76 Request of ROBERT SHAW CONSTRUCTION and R. F. ROBBINS CONSTRUCTION for an Administrative Variance for a rear yard setback deviation on two lots on properties located at 3500 Valley Forge Avenue and 909 Dumbarton Street.

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RECEIVED
CITY MANAGER

MINUTES

CITY PLANNING COMMISSION

AUGUST 12, 1976

SEP 21 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. Ward, Mr. Tiberti and Mr. Miller.

EXCUSED: Mr. Busch and Dr. Parker.

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

MINUTES: MR. TIBERTI made a Motion for APPROVAL of the Minutes for the City Planning Commission meeting held July 8, 1976, and the special meeting held July 19, 1976. Motion for APPROVAL carried unanimously.

OLD BUSINESS:

1. Z-100-64 Plot Plan Review submitted by JOHN HODGKINSIN concerning property at 631 South 1st Street to allow conversion of the existing commercial use to residential, C-2 zone.

Plot Plan Review

APPROVED MR. SAYLOR stated this matter was before the Board at the last meeting; however, at that time there was a problem in determining exactly what the request was for in the way of number of units, etc. He stated that the plot plan was inaccurate at that time. He pointed out the applicant had since submitted a new plot plan and the proposal was for overnight units and would meet the requirements of the Motel Ordinance. He stated this proposal would require additional parking and the only place for this parking would be if they remove the storage building. He stated staff would recommend approval subject to removal of the storage building to provide parking.

CHAIRMAN JENKINS asked to hear from the applicant.

MR. JOHN HODGKINSIN, 915 South 1st Street, appeared representing the request. He stated most of the cars back out onto the street.

MR. SAYLOR informed the applicant they could not back out.

MR. HODGKINSIN stated he needed the storage building.

MR. SAYLOR stated if the storage building was not removed, staff would have to recommend denial.

CHAIRMAN JENKINS asked the applicant if he could provide other storage.

MR. HODGKINSIN stated he probably could if he had to. He stated it was only necessary to have one parking space per new unit and he would only need two along the side of the building.

MR. SAYLOR stated the request could be approved subject to the applicant providing adequate parking. He stated if adequate parking could be provided, removal of the storage facility would not be necessary.

MRS. HODGKINSIN appeared and stated the parking in the rear would be straight-in parking.

MR. SAYLOR stated if the applicant would bring in a plan showing adequate parking, there would be no problem.

MRS. COLEMAN stated she felt there was very little setback and anyone backing out onto the street would be blind to traffic.

MRS. HODGKINSIN stated there was over a 6 ft. sidewalk there.

CHAIRMAN JENKINS stated if the applicant would like to go on the recommendation of staff and comply with the necessary parking, he felt the request could be approved. He stated if they wished to change the plan, they would have to hold this in abeyance.

MR. SAYLOR stated rather than hold it in abeyance, the Board could take action conditioning their approval upon the provision of adequate parking.

MR. TIBERTI made a Motion for APPROVAL of Z-100-64, subject to the following conditions:

1. Off-street parking shall be provided as required by the Traffic Engineer.
2. Conformance to the plot plan to reflect the above condition.
3. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS announced this matter would be considered by the City Commission at their meeting on September 1, 1976, at 9:00 A.M.

NEW BUSINESS:

1. A-3-76

APPROVED

Annexation Petition submitted by HIX, BERNARD and SPENGLER for approximately 20 acres of land generally located on the southwest corner of West Cheyenne Avenue and Terry Lane, extending approximately 665 ft. along West Cheyenne and approximately 1300 ft. along Terry Lane.

MR. SAYLOR stated staff recommends approval of the annexation.

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

MR. WARD made a Motion for APPROVAL of A-3-76.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS announced this matter would be considered by the City Commission at their meeting on September 1, 1976, at 9:00 A.M.

2. Z-49-76

APPROVED

Application of SPROUL HOMES OF NEVADA for reclassification of property legally described as: Being a parcel of land situated wholly within the East Half (E½) of the Southeast Quarter (SE¼) of Section 33, Township 20 South, Range 60 East, MDB&M, more particularly described as follows: Commencing, for a tie, at the southeast corner of said Section 33; thence South 89°42'53" West 694.43 feet; thence South 89°41'33" West 635.41 feet; thence North 00°03'20" East 620.00 feet

to the true point of beginning; thence continuing North 00°03'20" East 2071.55 feet; thence North 89°05'18" East 1336.51 feet; thence South 00°11'36" West 1124.01 feet to a tangent curve; thence along a curve bearing to the right, said curve is concave to the northwest and has a radius of 850.00 feet through a central angle of 48°56'55" an arc length of 726.17 feet; thence South 49°08'31" West 149.26 feet to a tangent curve; thence along a curve bearing to the left, said curve is concave to the southeast having a radius of 850.00 feet through a central angle of 22°29'06" an arc distance of 333.57 feet; thence North 63°20'35" West 75.00 feet; thence South 89°42'53" West 657.12 feet to the true point of beginning, generally located on the west side of Buffalo Drive starting approximately 600 feet north of West Charleston Boulevard and extending to Alta Drive, from R-E to R-1.

Proposed Use: Single Family Homes.

MR. SAYLOR gave the staff report indicating a tentative map was approved previously subject to proper zoning. He stated there were no protests and staff would recommend approval.

MR. WARD asked the price range of the homes.

MR. CHARLES JOHNSON, VTN, stated the homes would range from approximately \$35,000 to \$42,000.

MRS. COLEMAN asked what happened regarding the cross-over on Buffalo of the drainage channel they discussed when the tentative map was approved.

MR. SAYLOR stated no specific action was taken at that time, but the matter was discussed with Public Works. He stated Public Works had no objection, but it would be the responsibility of the developer to bear the cost of the bridge. He stated the connection could be made and it would probably be to the advantage of the developer.

MRS. COLEMAN asked the length of the bridge.

MR. SAYLOR stated it would be about 50 feet.

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 APPROVAL of Z-49-76 to allow a single family development.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS announced this matter would be considered by the City Commission at their meeting on September 1, 1976, at 9:00 A.M.

3. Z-50-76
APPROVED

Application of DANIEL & LETA ZIMMERMAN for reclassification of property legally described as Lot 17, Block 1, El Centro Addition, Tract #1, located at 519 St. Louis Avenue, on the northwest corner of St. Louis Avenue and Weldon Place from R-4 to C-1.

Proposed Use: Offices.

MR. SAYLOR gave the staff report. He stated there were no protests on record and staff recommends approval of the request.

MRS. COLEMAN asked Mr. Saylor if the applicant presently had a Use Permit.

MR. SAYLOR said "yes".

MRS. COLEMAN asked why this was not an application for P-R zoning.

MR. SAYLOR stated he did not know of any reason from a zoning viewpoint and in terms of offices, it was about the same for C-1 and P-R. He stated there was a restriction in the P-R zone of no business activity after 9:00 P.M.

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

MR. WAYNE CRENA appeared on behalf of the applicant. He stated the reason for the rezoning request was that the applicants were unable to rent fifty percent of the building due to the fact that the zoning is not compatible with what people want to use the property for. He stated 17 years ago there was a permit for a doctor's office; however, this is not in use now. He also pointed out the City is losing revenue by having this property vacant. He felt this was a major point since so many cars go along this route to the airport. He did not feel the property was suitable for residential and requested approval of the zoning.

CHAIRMAN JENKINS asked if they had a tenant for the building at this time.

MR. CRENA stated Mrs. Zimmerman was in the real estate business and there was also a jewelry business and a dress shop interested in renting the office in this building.

DR. ZIMMERMAN appeared and stated several times he has had to turn away tenants because the zoning would not allow the operation. He stated with the traffic count in front of this building, it has made it impractical for residential use. He stated he had been told that the traffic count there is the largest in the State of Nevada.

MRS. COLEMAN stated this was actually on Weldon Place and St. Louis and not on Paradise as was being indicated. She pointed out the traffic turn at that particular location is also very awkward. She stated if they rent the rear of the building in question, it would not have exposure to Paradise Road and did not feel it would be easy to rent. She indicated there was not much on Weldon except for apartments and the Credit Union building. She felt if they just wanted to rent the building, P-R zoning would be sufficient and could not see C-1 zoning and signs which go along with the C-1 zoning in that area. She felt the C-1 zoning would be a disturbance into the residential portion of the area.

DR. ZIMMERMAN stated they could just rent the front portion to a commercial enterprise and use the back portion for a more professional use.

MRS. COLEMAN asked the depth on St. Louis.

MR. CRENA stated it was about 70 feet. He said the prominent location for the building was on Paradise.

MRS. COLEMAN stated if you were going toward the building on Paradise Road and didn't see it in time, you would have to be in the right lane to turn or you couldn't get to the building.

DR. ZIMMERMAN stated there were several buildings on Sahara with the same situation.

MR. TIBERTI stated he didn't see how this could hurt anyone. He felt they needed some relief to do something with it and did not feel this would hurt the neighborhood.

MR. SAYLOR pointed out this was not located on Paradise, but was located on St. Louis and Weldon Place.

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 APPROVAL of Z-50-76, subject to the following conditions:

1. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
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. Conformance to the plot plan.
5. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried.

CHAIRMAN JENKINS announced this matter would be considered by the City Commission at their meeting on September 1, 1976, at 9:00 A.M.

4. Z-51-76
ABEYANCE.

Application of JOHN E. KENNEY, JR. for reclassification of property legally described as being portions of the Northwest Quarter (NW $\frac{1}{4}$) of Section 31, Township 20 South, Range 62 East, MDB&M, more particularly described as follows: Parcel 1 - Commencing at the northwest corner of said Section 31; thence South 0 $^{\circ}$ 02'35" West 709.44 feet to the point of beginning; thence continuing South 0 $^{\circ}$ 02'35" West 631.10 feet; thence South 89 $^{\circ}$ 50'24" East 228.97 feet; thence North 0 $^{\circ}$ 26'25" West 630.62 feet; thence North 89 $^{\circ}$ 42'31" West 233.65 feet to the point of beginning. Parcel 2 - Commencing at the northwest corner of said Section 31; thence South 0 $^{\circ}$ 02'35" West 1340.59 feet; thence South 89 $^{\circ}$ 50'24" East 228.97 feet to the point of beginning; thence continuing South 89 $^{\circ}$ 50'24" East 1331.96 feet; thence North 0 $^{\circ}$ 26'25" West 627.57 feet; thence North 89 $^{\circ}$ 42'31" West 1332.00 feet; thence South 0 $^{\circ}$ 26'25" East 630.62 feet to the point of beginning, generally located between Pecos Drive and Honolulu Street, approximately 700 feet south of East Bonanza Road, extending to the Cedar Avenue Drainage Channel.

Parcel 1 - From: R-E To: R-3 - apartments
Parcel 2 - From: R-3 PUD & R-E To: R-1 - Single family homes.

MR. SAYLOR gave the staff report. He stated in view of the existing zoning and the mobile home park to the south, staff would recommend approval. He pointed out there was one protest on record from a property owner in the existing planned unit development; however, the letter seemed to indicate a protest to the apartments. Mr. Saylor felt perhaps the protestant was not aware of the small portion that would be developed with apartments.

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

MR. JOHN KENNEY, JR. appeared and stated he was the applicant. He stated Pecos and Bonanza were 100 ft. streets. He stated he did not feel there was a demand factor for the townhouse development previously proposed and would like to construct single family homes with one strip of apartments. He stated the apartments would be to the north. He said at some future time, commercial may go in front of the apartments; however, they would be a buffer for the single family homes to the commercial. He said the "701" study done by the City stated the heavier density should go on the major streets and these were major streets.

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

MR. KENNEY stated he wanted to start immediately.

MRS. COLEMAN asked Mr. Kenney if he would inform the purchasers of the single family homes that there would be apartments there.

MR. KENNEY said he would put the signs up.

CHAIRMAN JENKINS asked if anyone else wished to be heard.

MR. JOHN McCLAUGHLIN appeared on behalf of the Homeowners Association. He said they had no provisions in their section to keep people off their common grounds. He said they have a pool and recreation facilities and there was no block wall to keep the neighbors out.

MR. SAYLOR stated this was a planned unit development that Mr. McCloughlin was speaking of which was self-sufficient. He stated there was a common area and there will be a street which could cause a potential problem in that they evidently have no way of controlling people from using the recreation facility that they as association members maintain and pay for. He stated he suspected the problem is already there and this proposed development would compound it.

MR. TIBERTI asked about walls or streets.

MR. SAYLOR said there was only one location for a wall but did not feel that it would keep anyone out.

MR. McCLAUGHLIN stated they have no problem with the area developed across from them.

MRS. COLEMAN asked how many pools there were.

MR. McCLAUGHLIN said there was one pool and there was a chain link fence but they had their major problem with the mobile home owners.

MRS. COLEMAN asked about the fence.

MR. KENNEY stated he built the pool where there is a jog and it has a chain link fence. He stated he built 86 houses, 172 units and the rest of the property is still undeveloped. He stated the pool was supposed to be locked.

MR. McCLAUGHLIN stated people go right over the fence.

MR. KENNEY stated he still owns a house in there but did not feel he could control people or their guests from using the pool.

CHAIRMAN JENKINS stated he felt this was a problem between the Homeowners Association and Mr. Kenney and was not something the Commission could solve. He stated this did not involve the zoning in question.

MR. McCLAUGHLIN stated they were shown plans showing this area as it would be developed including another recreation area when they purchased their property.

CHAIRMAN JENKINS informed Mr. McLaughlin their might be legal action they could take; however, the Commission did not have this authority.

MR. McCLAUGHLIN stated they were not against the single family homes but felt they needed a buffer. He indicated at one time a 7-Eleven was planned; however, the people would go right through their lots to get to it, the Century Homes and trailer park.

CHAIRMAN JENKINS asked what kind of a buffer they wanted.

MR. McCLAUGHLIN stated just a wall to slow them down. He stated this matter was brought before Mr. Kenney previously and he never came through with it.

MR. TIBERTI asked what distance they were talking about.

MR. SAYLOR said about 300 feet.

CHAIRMAN JENKINS asked Mr. Kenney if he could do that.

MR. KENNEY stated he did build essentially what was on the plan. He said no walls were shown on the FHA or City plans. He stated he did not put in the wall because it was not required. He said the reason he was before the Commission was on an entirely different property. He did not feel he had to put the fence in and did not feel this would do the job if he did. He further indicated there were curb cuts. He pointed out what he was asking for now was mostly single family which would be less density than the previously planned PUD development.

MR. McCLAUGHLIN stated it was two years before the fence on Honolulu was in and there should also be a fence on Surfrider which was never installed.

MR. KENNEY stated if anything was missing, he would put it in but this did not concern his request at this meeting.

CHAIRMAN JENKINS asked with this new proposal, if there would be more units than that which was previously proposed.

MR. SAYLOR stated the applicant could get a building permit tomorrow for more units than that requested under this zoning.

MRS. COLEMAN stated if the piece in question was on the original zoning to PUD, perhaps that is why no fence was required.

MR. SAYLOR stated he didn't know, but even so, there would have been no reason for a wall since it was not normally required. He stated the zone change would not change the encroachment that is presently there.

After further discussion, Chairman Jenkins stated if they were going to take this matter into consideration, perhaps an abeyance motion would be in order to see if the problems could be worked out.

MR. TIBERTI stated he did not see why they could not act on the new request and have staff field check this property and decide what could be done to eliminate the problem or solve it as much as possible. He felt possibly the Commission should view the property in question.

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

After further discussion, MR. TIBERTI made a Motion Z-51-76 be held in abeyance until the next regular meeting on 9-9-76 pending further study.

Voting was as follows:

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

"NOES" - None.

Motion for ABEYANCE carried unanimously.

5. Z-52-76

DENIED

Application of P. J. & LINNE M. CORD for reclassification of property legally described as that portion of the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, Township 20 South, Range 61 East, MDB&M, described as follows: Commencing at the intersection of the east line of the Southwest Quarter (SW $\frac{1}{4}$) of said Section 28 with the north line of Bonanza Road as the same is now established across said quarter section; thence North along the east line of said Southwest Quarter (SW $\frac{1}{4}$) a distance of 360 feet to the true point of beginning; thence continuing North along the east line of said Southwest Quarter (SW $\frac{1}{4}$) a distance of 180 feet; thence west and parallel with Bonanza Road a distance of 230 feet to a point on the east line of Sunny Place; thence South along the east line of Sunny Place a distance of 180 feet; thence East and parallel with the North line of Bonanza Road a distance of 230 feet to the true point of beginning, save and excepting the west 150 feet, located on the west side of North Highland Drive, 360 feet north of West Bonanza Road, extending west of North Highland Drive a depth of 80 feet, from R-E to C-1.

Proposed Use: Gun Shop and Firing Range (Indoor).

MR. SAYLOR gave the staff report. He said he felt there was sufficient character and integrity to the R-E zone in this area that it should be maintained and staff would recommend denial of this request. He stated the applicant would probably use the argument that this is on Highland and would have access from Highland; therefore, no one would know it was there. He stated staff felt that this would lead to other requests in the area if approved. He said there were two letters of approval on record from adjacent property owners and staff had to conclude that they would like the commercial zoning also. There is a petition with 27 signatures representing 18 properties along Sunny Place protesting this request.

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

MR. MITCH BASCO appeared and stated he was in contract to purchase this property contingent upon the zoning. He stated he would be the owner and operator. He said he felt this would be a good location for this operation because of its proximity to the freeway and major streets. He said directly across the street is the Parcel Post service and another paved area north of that. He stated he would just be using the rear 1/3 of the property and the other 2/3 would be used for residential. He said the desert area was growing and becoming more populated and normally where you could take a gun and shoot, there are now signs up for "no shooting". He stated there were no indoor shooting facilities. He pointed out with an indoor facility there would not be any safety problems such as that in the desert where there is always a chance for accidents. He said the area along Highland did not seem to be residential. He felt with the building he proposed and the landscaping, this would be an asset in the area.

MRS. COLEMAN asked what guarantee he could make against noise from the building. She stated this was regulated by the government and the NRA.

CHAIRMAN JENKINS asked the amount of traffic this would cause.

MR. BASCO stated there would be sufficient room for 12 parking spaces and 12 shooting areas, but he did not expect to have more than 5 or 6 persons shooting at any one time.

CHAIRMAN JENKINS asked if these would be hand guns.

MR. BASCO said "yes", that people would bring their own gun and at the gun shop all guns would be kept in a vault. He stated he felt this was a good location and had talked with Lt. Weiss of the Police Department and he indicated an interest in the operation. He said the property was 230' x 150' and this facility would be 80' x 150'.

CHAIRMAN JENKINS asked to see a hand count from people in the audience protesting this request. There were approximately six persons.

REV. JEFFERSON appeared in protest and stated this property is adjacent to property he owns and there is a fence. He stated he was in opposition to a gun shop and shooting range located off Highland. He felt if this is permitted, there would be a traffic problem in that people would be parking in his driveway. He stated this was zoned for residential and did not want to see this facility from his bedroom window.

AN UNIDENTIFIED SPEAKER appeared in protest. He said they had been coming before the City for 19 years trying to keep this green strip of R-E. He stated this was a nice place to live and was a residential area. He felt this would be a wedge into commercial.

MRS. LUCILLE GEE, 808 Sunny Place, appeared in protest. She said she had resided here since 1962. She indicated their street was integrated and they enjoy it. She said she hoped the Board would not let a gun shop in their neighborhood. She pointed out she had a son and wanted this to be a safe place for him to live.

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

MR. WARD stated he felt this was the wrong area for this type of operation and did not feel it belonged in a residential area and made a Motion for DENIAL of Z-52-76.

Voting was as follows:

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

Motion for DENIAL carried unanimously.

CHAIRMAN JENKINS announced this matter would be considered by the City Commission at their meeting on September 1, 1976, at 9:00 A.M.

6. Z-53-76
and
7. PM-12-76

(Items 6 & 7)

ABEYANCE

Application of DAVID WILLDEN, FRANK JACKSON & EDITH A. JENNINGS for reclassification of property legally described as the West 210.02 feet of the South 195.03 feet of the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 35, Township 20 South, Range 61 East, MDB&M, generally located on the east side of South 21st Street approximately 200 ft. north of East Fremont Street from C-2, R-3 and R-4 to C-2.
Proposed Use Retail Auto Parts Store

Parcel Map submitted by EDITH A. JENNINGS on property generally located at 21st Street and Fremont Street, R-4 zoning (Proposed C-2).

MR. SAYLOR stated there has been some question on the request and the applicants have requested this be held in abeyance; however, this is a public hearing and the Chairman should call for any protests

so that they can be advised when this matter will be heard. There were no written protests.

CHAIRMAN JENKINS asked if there were any protestants in the audience and there being none, he asked the Board for a Motion.

MRS. COLEMAN made a Motion that Z-53-76 and PM-12-76 be held in ABEYANCE as requested by a representative of the applicant until their next meeting on September 9, 1976.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

8. Z-54-76

DENIED

Application of FRED B. HOUGHTON for reclassification of property legally described as: Commencing at the North Quarter corner of Section 24, Township 20 South, Range 60 East, MDB&M; Thence South 01°10'20" West 200.00 feet; Thence South 88°42'42" East 40.00 feet to the true point of beginning; Thence North 01°10'20" East 125.00 feet; Thence along a curve to the east having a radius of 25.00 feet a distance of 39.96 feet; Thence North 88°42'42" East 115.00 feet; Thence South 01°10'20" West 150.00 feet; Thence North 88°42'42" West 140.00 feet to the true point of beginning, generally located on the southeast corner of Smoke Ranch Road and Michael Way from R-E to C-1.

Proposed Use: Retail Sales Store with the Retail Sale of Gasoline.

MR. SAYLOR gave the staff report. He stated if this were approved, it would be the classical example of "Spot Zoning". The plot plan shows a convenience market and a self-service gas station. Staff would recommend denial. There is one protest on record and no approvals.

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

MR. DON McCANN, 4055 So. Spencer Street, appeared on behalf of the applicant. He stated this would be similar to a 7-Eleven store and there are 1,000 of this type at the present time throughout four states. He said this location was chosen because Smoke Ranch Road will be a 100 ft. street in the future and Michael Way will be 80 ft. He stated he called the Planning Department that day and was told there had been no letter of protest.

MR. SAYLOR pointed out staff's recommendation is not predicated upon protests or approvals; however, he did feel there were probably protestants in the audience.

CHAIRMAN JENKINS asked for a show of hands of protestants in the audience. There were approximately 20.

MR. AL SCHWARTZ, Developer of Curtis Park, appeared in protest. He pointed out the immediate area surrounding this request is all R-E zoning and the homes are from \$50,000 to \$150,000 on half acre lots. He said there were sufficient businesses on Decatur and in the immediate area, and they did not need another convenience store on Smoke Ranch. He said there was a 7-Eleven store on Smoke Ranch and Jones and there is a Jr. High School in the area. He pointed out he subdivided Hillcrest Manor and felt if this request were permitted, it would be "spot zoning" and felt the area should be kept R-E.

MR. BOB BOLAND, 5593 Alfred Drive, appeared in protest. He presented a petition of protest consisting of approximately 25 signatures of

people in the area. He stated this petition would also serve as protest on Z-56-76.

AN UNIDENTIFIED SPEAKER appeared in protest and indicated he lived on the southwest corner of Alfred Drive and was against this proposal.

MRS. McCOY, 5438 Alfred Drive, appeared in protest. She stated they worked many years to get where they were and they would like to keep the area residential. She stated if this were permitted, it would increase the traffic into their area. She further pointed out she was not notified of this application.

MR. SAYLOR stated notices were only sent within a quarter mile of the property in question.

MRS. CHECKA appeared and stated she lived two lots from this proposal and did not want it. She felt there was sufficient commercial in the area for the needs of the neighborhood.

MRS. COLEMAN stated at the February 13, 1973, meeting of the Planning Commission, Mr. Becker wanted zoning at Jones and Smoke Ranch Road and Mr. Houghton appeared in protest indicating this was "spot zoning". Mrs. Coleman stated she checked the area and felt there was sufficient commercial within the area and that this would be an unnecessary intrusion into the residential area.

MR. WARD stated he felt this would be destructive zoning to the residential area if granted.

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

MRS. COLEMAN stated she did not feel this would be compatible with the residential area and made a Motion for DENIAL of Z-54-76.

Voting was as follows:

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

MR. WARD stated he wished a revote since he voted incorrectly. Another voted was taken as follows:

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

Motion for DENIAL carried unanimously.

CHAIRMAN JENKINS announced this would be considered by the City Commission at their meeting on September 1, 1976, at 9:00 A.M.

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

9. Z-55-76
APPROVED

Application of LALIF WOOD for reclassification of property legally described as the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 32, Township 20, South, Range 62 East, MDB&M, excepting therefrom the North 292.54 feet of the West 375.85 feet, located at 401 North Nellis Boulevard, on the west side of North Nellis Boulevard approximately 700 feet south of East Bonanza Road from R-E and C-1 to C-2.
Proposed Use: Business Office.

MR. SAYLOR gave the staff report. He stated staff felt this request was in order and recommended approval. As a condition, staff will require landscaping along Nellis and the dedication of an additional 10 feet for the widening of Nellis. He stated there were no protests on record.

MRS. COLEMAN asked where the nursery was.

MR. SAYLOR stated that was to the south.

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

MRS. HITCHCOCK appeared representing the applicant. She stated the building on the property was constructed on the opposite side from where it was intended to be. She stated they would demolish the old building and construct a new one which would improve the property.

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 APPROVAL of Z-55-76, 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 buisness 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 the plot plan to reflect the above conditions.
6. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

MRS. COLEMAN indicated she voted incorrectly and asked for a revote.

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

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS announced this matter would be considered by the City Commission on September 1, 1976, at 9:00 A.M.

10. Z-56-76

APPROVED

Application of SOUTHERN CALIFORNIA DISTRICT OF LUTHERAN CHURCH-MISSOURI SYNOD for reclassification of property legally described as the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 13, Township 20 South, Range 60 East, MDB&M, generally located on the west side of Michael Way, approximately 1000 ft. north of Smoke Ranch Road, from R-E to R-D.
Proposed Use: Single Family Homes.

MR. SAYLOR gave the staff report. He stated staff felt this would be a good transition from the R-1 zoning to the R-E development and recommended approval. He indicated there was a petition of protest

on record with approximately 25 signatures. He stated most of the protests were from the Hillcrest Manor development to the north and these homes would back up to the property in question. He stated there would be one street through the middle of the proposed development to the school.

MRS. COLEMAN asked if the school site would have a street separating it from the R-E homes to the north.

MR. SAYLOR stated this was the information they had from the school district.

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

MR. DALE WHITE, 2461 Vegas Valley Drive, appeared representing the seller and buyer of the property in question. He stated he felt this would be a very good transition from the R-1 density to the R-E development. He said if this were zoned R-1, they could probably put twice as many homes on the parcel.

CHAIRMAN JENKINS asked the size of the homes to be constructed and the selling price.

MR. WHITE stated they would be approximately 2,000 sq. ft. in size and would range in price from approximately \$45,000 to \$55,000. He indicated there would be 14 homes in the development. He pointed out the other property owners in the area have been using this property to ride their horses.

CHAIRMAN JENKINS asked for a show of hands from people protesting this request. There were approximately 20.

MR. BOB BOLAND, 5593 Alfred Drive, appeared in protest. He stated the petition presented on Z-54-76 also protested this request. He said he did object to this type of zoning because they all do have horses and feel this would break up the continuity of the area. The people within the Curtis Park area have access to the desert to the west. He said he also noticed some work had gone on such as filling and leveling of the property in question. He said he did not know why they were requesting this zoning and felt all of their financial needs could be met if they kept the existing zoning. He felt maybe the intent was to annex this property into the City.

MR. SAYLOR stated the property was in the City.

MRS. COLEMAN asked Mr. Boland if he protested the R-1 zoning.

MR. BOLAND stated he was not notified of that zoning.

MR. SAYLOR pointed out notices were sent on the Lewis Homes application and stated there was a letter on file from a home owner in Hillcrest Manor. He said he did not know if these people were notified. He pointed out notices are sent within a minimum of 300 ft. radius and that radius is what the State of Nevada has declared as the area of notice. He stated the City was not even obligated to send notices, but does this as a courtesy to the property owners. He stated the people in Hillcrest were notified.

MRS. SHELIA LAPONT appeared in protest. She stated this was a zoning that would affect their area. She asked if the Lewis Homes zoning had already gone before the City Commission because they would like to object to it. She said this was a nice area and they would like to see it developed the same.

MR. YULE, 5603 Alfred, appeared in protest. He said he did not think this property was in the City. He pointed out the property in question backed up to the rear of his property.

MR. SAYLOR pointed out the property in question is in the City; however, the property to the north is in the County.

MR. YULE stated it was not shown in the City at the Planning Commission. He said at one time they had problems with motor-cycles and called the Police and they wouldn't come out because part of it is in the City and part of it is in the County.

MR. SAYLOR stated there is a Metropolitan Police Department for the entire area. He pointed out Hillcrest Manor was in the County.

CHAIRMAN JENKINS stated this matter would not be before the City if it were not in the City because they had no jurisdiction over County property.

MR. YULE asked when the property was annexed. He stated he works for the Fire Department and this is not shown on their map.

MR. SAYLOR pointed out he thought it was annexed in about 1963.

MR. NORMAN MARTIN appeared and stated he would build here. He stated they felt it would be impossible financially to continue with the R-E size lots. He said with the requirements of the City and State this would be impossible.

MRS. LAPONT reappeared and stated she realized they did have a problem, but felt if the lots remained R-E they could sell them for a higher price.

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

MR. TIBERTI stated he felt for years that R-E zoning was placed on property in the outlying area with the intent that it may not be used for R-E development and was possibly a zoning for holding property until a future time. He stated it appeared to him with R-1 to the west and PUD and R-E also in the area, this would be a logical transition. He felt this was a good, logical transition from the R-1 to the R-E and good planning and made a Motion for APPROVAL of Z-56-76.

Voting was as follows:

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

Motion for APPROVAL carried.

CHAIRMAN JENKINS announced this would be considered by the City Commission on September 1, 1976, at 9:00 A.M.

11. VAC-7-73
(Waiver of Condition)

APPROVED

Request for Review of Condition under an approved Vacation by RUTHE REALTY for SAHARA CONSTRUCTION generally located at Pennwood and Decatur Boulevard, to allow the development of an apartment project in zoning district R-3.

MR. SAYLOR stated this was a request for a Waiver of Condition and an Aesthetic Review, the next item on the Agenda, AR-12-76. He said one of the conditions in the Vacation was for a planned unit development. They now propose an apartment complex which is permissible under the zoning. He is also requesting that the alley vacation be allowed to proceed. Mr. Saylor pointed out the design of the apartment project is essentially the same as that which was proposed for the townhouses and staff would recommend approval. He said the condition in the Vacation approval ties it to a planned unit development.

MR. TIBERTI made a Motion for APPROVAL on VAC-7-73 allowing the development of an apartment project in lieu of a planned unit development.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS announced this would be considered by the City Commission on September 1, 1976, at 9:00 A.M.

12. AR-12-76

APPROVED

Request for an Aesthetic Review by RUTHE REALTY for SAHARA CONSTRUCTION to allow the development of an apartment project on property generally located at Pennwood and Decatur Boulevard, R-3 zone.

MR. NULL presented a plan showing what the apartments would look like. He indicated they did not have a landscaping plan, but staff felt this picture of similar type landscaping was adequate and recommended approval.

MR. WARD made a Motion for APPROVAL of AR-12-76, subject to the following conditions:

1. Conformance to code requirements and design standards of City departments.
2. This approval subject to approval of the waiver of condition under VAC-7-73 to allow an apartment project development in lieu of a planned unit development.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

13. AV-13-76

APPROVED

Request of ROBERT SHAW CONSTRUCTION and R. F. ROBBINS CONSTRUCTION for an Administrative Variance for a rear yard setback deviation on two lots on properties located at 3500 Valley Forge Avenue and 909 Dumbarton Street.

MR. NULL stated this was a situation where there would seem to be adequate rear yard area, and they are asking that the rear of these two homes be closer to the lot line than is permitted. He stated it would be just one corner of the homes which would deviate from the requirement. He said there was a problem with one lot in that the side setbacks had to equal 14 feet; however, this could be solved by simply swinging the house slightly to provide the necessary side yard. With this condition, staff would recommend approval.

CHAIRMAN JENKINS asked the applicant if he could comply.

MR. DAVID CAUSEY appeared and stated they would comply.

MRS. COLEMAN made a Motion for APPROVAL of AV-13-76, subject to the following conditions:

1. Amend to adjust the building on Lot 104 to meet the side yard requirements.

2. Conformance to the plot plan as amended to reflect the above condition.
3. Conformance to the code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

14. FINAL MAP
 CHARLESTON ESTATES 7-A
 APPROVED

Property generally located at the southeast corner of Washington Avenue and Decatur Boulevard, R-E zoning (ROI RPD-8).

MR. NULL pointed out the area in question indicating there were 16 lots involved in the final map. He stated the project would be developed with a common area and there was adequate circulation. This is a self-contained unit and meets the requirements and staff recommends approval.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Charleston Estates 7-A, subject to the following conditions:

1. Street names shall be provided in accord with the City's Street Name Policy.
2. Subject to code requirements and design standards of City departments.
3. Meet the requirements of State Subdivision Statutes.
4. The easterly portion of the map shall be revised relative to the offsets on the private streets as required by the Department of Community Planning and Development.
5. Conformance to the conditions of approval under the approved zoning action Z-19-74.
6. The Order of Vacation of Tanya Street will be recorded simultaneously with the recording of the first Final Map.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

15. AR-13-76
 APPROVED

Request of HOLIDAY INN HOTEL for an Aesthetic Review on property generally located on North Main Street at Stewart Avenue, "M" and C-2 zoning, (proposed C-2).

MR. NULL pointed out the area in question indicating it was on the west side of North Main Street at Stewart Avenue. A portion of the property to be used for parking is under the freeway. Staff has reviewed the plan and found it to be in order. He presented an elevation of the plan indicated it would be very attractive.

CHAIRMAN JENKINS asked to hear from the applicant.

MR. LOU WALTER from Los Angeles, California, appeared and presented a rendering of the proposal. He said there would be a landscaping plan submitted and the hotel would have 400 rooms.

MRS. COLEMAN stated she thought it was a very attractive plan and recommended APPROVAL of AR-13-76, subject to the following conditions:

1. Subject to proper zoning.
2. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS announced this would be considered by the Board of City Commissioners at their meeting on September 1, 1976, at 9:00 A.M.

16. C1-2-76

APPROVED

C-1 Use Review requested by VAN'S BELGIAN WAFFLES OF NEVADA, INC. to allow a wholesale and retail operation on property located at 2521 Teddy Drive, C-1 zoning.

MR. NULL stated this was a use review in a C-1 zone for a wholesale and retail waffle cookery operation. The Planning Commission reviews these types of uses in the C-1 zone to determine whether or not they should be permitted. He stated the Commission had done this in the past for such operations as a dental lab, jewelry manufacturing, etc. This request appears to meet the criteria.

CHAIRMAN JENKINS asked to hear from the applicant.

MR. REMO BRACONE, 555 Griffith Avenue, appeared and stated this operation would be in the small shopping center on Teddy Drive, and he would meet the conditions prescribed for the C-1 zone.

MR. NULL pointed out these C-1 uses were approved by means of a Resolution as follows:

"A RESOLUTION SETTING FORTH PERMITTED USES UNDER THE C-1 ZONING PROVISIONS OF THE ZONING ORDINANCE OF THE CITY OF LAS VEGAS, AND MORE SPECIFICALLY REFERRING TO TITLE 11, CHAPTER 1, SECTION 19, PERMITTING WHOLESALE PROCESSING AND MANUFACTURING, (COOKERY).

WHEREAS, the provisions of Title 11, Chapter 1, Section 19, stipulate that uses not deemed more detrimental to the welfare of the particular district than the enterprises of businesses enumerated as permitted uses may be permitted by a Resolution of the Planning Commission; and

WHEREAS, the Planning is of the opinion that the specific wholesale and retail operations, subject to the following conditions:

- 1) There shall be no more than seven (7) employees engaged in processing,
- 2) All storage of materials, equipment and products must be in a completely enclosed building,
- 3) The bulk of manufactured items and raw materials used in the manufacture stored shall not exceed four percent (4%) of the cubic content of the building in which manufactured,
- 4) Machinery used in manufacture shall be precision, manned and driven by electric motors not exceeding one-half horse power (1/2 H.P.),

- 5) There shall be no smoke, dust, or foreign matter emitted,
- 6) There shall be no audible or noticeable indication of a manufacturing operation outside the building except advertising,
- 7) All processing, manufacture and treatment shall be done in a completely enclosed building.
- 8) Only the following operations shall be allowed:
 - a) Lens Grinding
 - b) Jewelry Manufacturing - Precious metals & stones
 - c) Wholesale medallion sales and assembly
 - d) Dental laboratory
 - e) Wholesale and retail cookery,

are not more detrimental to the welfare of the C-1 zone than the enterprises of business enumerated as permitted uses:

NOW, THEREFORE, BE IT RESOLVED by the Planning Commission that under the provisions of Title II, Chapter 1, Section 19, the above enumerated wholesale and retail cookery manufacturing operation be included as a permitted use in a C-1 zone.

PASSED AND ADOPTED THIS 12th day of August, 1976, by the City Planning Commission

s/ DON J. SAYLOR, AIP, Secretary
City Planning Commission"

MRS. COLEMAN made a Motion for APPROVAL of C1-2-76 as per the Resolution.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

17. CV-1-76
APPROVED

CV Review requested by CALVARY FOUR-SQUARE CHURCH to allow classroom facilities on property located at 3005 Cedar Avenue, C-V zoning.

MR. NULL pointed out the area in question indicating this property was originally the animal shelter property and was sold by the City to the Church. He said they were requesting remodeling of the existing buildings to use them for classrooms. He stated the review was necessary because this was a C-V zone. Staff recommended approval.

MR. WARD asked how many classrooms there would be.

DR. NEWBURN appeared on behalf of the applicant and indicated he thought there would be six classrooms.

MR. WARD made a Motion for APPROVAL of CV-1-76, subject to the following conditions:

1. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
2. Conformance to the plot plan.
3. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

18. Z-23-64

PLOT PLAN REVIEW

APPROVED

Plot Plan Review requested by MARGARET ELARDI on property generally located at West Sahara Avenue and Arville Street, C-1 zoning.

MR. NULL pointed out the area in question indicating this property was presently vacant, and they wished to develop it as part of a small shopping center. He stated staff was concerned about the parking lot depth and indicated if approved, the parking should meet the requirements of the Traffic Engineer because they seemed to be a little short of space. He said the building could be moved to the south to solve this problem. He indicated this proposal seemed to meet the requirements and staff would recommend approval.

MRS. COLEMAN asked the setback from Sahara.

MR. NULL indicated the entire lot is 150 feet and there was 60 feet to the parking lot and 80 feet to the edge of the building. He pointed out because of the proposed planter, they would need 64 ft. for the parking.

CHAIRMAN JENKINS asked to hear from the applicant.

MR. TOM ELARDI appeared representing the applicant. He said the parking setback on this plan was the same as that for the shopping center.

MR. NULL also stated if there was a wall to the rear of the shopping center abutting the single family homes, it would have to be continued across this lot.

MR. ELARDI stated the parking was the same as the existing parking for the shopping center.

MR. NULL said if the Traffic Engineer was satisfied with the parking, it would be agreeable to staff.

MRS. COLEMAN made a Motion for APPROVAL of Z-23-64, subject to the following conditions:

1. 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.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
3. Parking layout shall meet the requirements of the Traffic Engineer.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. A 6 ft. high block wall shall be constructed on the south side of the alley.
6. Conformance to the plot plan to reflect the above conditions.
7. Conformance to code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

19. Z-100-64

PLOT PLAN REVIEW

APPROVED

Plot Plan Review requested by JAMES E. ORDOWSKI to allow a law office on property located at 517 South 3rd Street, R-4 zoning.

MR. NULL indicated this was in the downtown area and was a request to allow a law office building on the property. He said staff would recommend approval conditioned upon the parking meeting the requirements of the Traffic Engineer.

CHAIRMAN JENKINS asked to hear from the applicant.

MR. JOHN CULLINGTON appeared on behalf of the applicant. He said there was an old house on the property which they intended to remove and construct a new building. He pointed out there was an existing law office directly across the street.

MRS. COLEMAN asked the setback to the existing wall.

MR. NULL said there was approximately 3 ft. of planter.

MR. CULLINGTON stated the planter is behind the sidewalk and there are some large trees which they intend to keep.

MRS. COLEMAN made a Motion for APPROVAL of Z-100-64, subject to the following conditions:

1. 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.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit.
3. Parking layout to be redesigned to meet the requirements of the Department of Community Planning and Development and the Traffic Engineer.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to the plot plan to reflect the above conditions.
6. Conformance to the code requirements and design standards of City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN JENKINS announced this matter would be considered by the City Commission at their meeting on September 1, 1976, at 9:00 A.M.

20. C1-1-76

REVIEW

APPROVED

Review requested by LAS VEGAS STAR TAXI, INC., regarding property at 1468 East Charleston Boulevard, C-1 zone.

MR. NULL stated this matter was before the Planning Commission previously and was approved by means of a Resolution. He indicated it

was approved on the basis that this would be the only use on the property; however, there are gas pumps on the property owned by Gulf Oil. He stated this condition of only one use on the property was causing a problem in licensing the business. The applicant is requesting the gas pumps be allowed to remain on the same property with his operation.

MR. TIBERTI stated when this was approved, he thought the gas portion on the property would continue.

MRS. COLEMAN stated she thought the gas operation would be discontinued because at the time of approval they were worried about this type of request in other areas.

MR. NULL pointed out the parking areas for both operations on the property. He stated unless that condition is lifted, the applicant cannot use the property.

MR. PETER ELIADES appeared for Las Vegas Star Taxi and indicated Gulf Oil does not repair any cars there and there is only one attendant on duty. He pointed out Star Taxi has only three cars there at one time and they have at least 15 parking spaces. He said there was no problem; but because of this misunderstanding regarding the gas pumps on the same property, he would like it clarified.

MR. NULL said if the Commission approved this, it should not be restricted to Gulf Oil but just to allow the gas operation to continue also.

MRS. COLEMAN stated she felt this could be dangerous if approved since something else might go in on the property.

MR. WARD stated he felt it should be restricted.

MR. NULL stated the applicant just wanted some flexibility; however, it would still be a restricted operation.

After discussion by the Commission, MRS. COLEMAN made a Motion to allow the gas pumps to remain on the premises along with the taxi cab operation.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

21. FINAL MAP

CHARLESTON RAINBOW 11-A

(WAIVER) - APPROVED

Waiver of requirement necessitating filing of a new Tentative Map for Charleston Rainbow 11-A.

MR. NULL stated when a final map is not recorded within one year, one of the conditions on the original approval is that a new tentative map be filed. He said the applicants were requesting a waiver of this condition and would now like to act on this final map. Staff reviewed this subdivision and found no problems since there has been no change to the tentative map. This is one phase of the development and staff would recommend approval.

CHARLES JOHNSON, VTN, appeared and stated this would be a model home area. He said they would also like temporary access to Charleston which was permitted in the original approval of this final map.

MR. TIBERTI made a Motion for APPROVAL of this request subject to the following conditions:

1. No access to Charleston from the rear yards of the homes.
2. A 6 ft. block wall to be constructed along Charleston Boulevard.
3. Adjustment of lot lines as required by the Department of Community Planning and Development.
4. Street names shall be provided in accord with the City's Street Name Policy.
5. Temporary access to Charleston (extension of Neil Armstrong Drive) for access to model home sales area.
6. The length of Neil Armstrong Drive shall be permitted as shown on the map.
7. Subject to code requirements and design standards of City departments.
8. Meet the requirements of State Subdivision Statutes.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

1. Zoning Ordinance Amendment

Zoning Ordinance Amendment regarding R-1 setback requirements.

APPROVED

MR. NULL pointed out this was before the Board previously and what staff is requesting is that there be some flexibility for the placement of homes on properties. He said there have been many Variance requests for rear yard setback deviations, yet there is usually sufficient open space on the property. Staff is requesting that the front yard setback be 20 feet and the rear yard setback be 15 feet; however, not more than 50% of the lot can be covered by structures. He stated this would allow greater flexibility in the use of the property.

MRS. COLEMAN asked about the side yard setbacks.

MR. NULL stated that is already flexible in that a 14 ft. total of the two side yards is required with a minimum of only 5 ft. on one side.

MRS. COLEMAN stated she felt with only having a 15 ft. setback in the rear, perhaps this might encroach into the neighbors privacy.

MR. MILLER stated he felt this would give some relief on the Variance situation since about 99 percent of them are approved.

After discussion by the Commission, MR. TIBERTI made a Motion for APPROVAL of the Zoning Ordinance Amendment regarding R-1 setbacks as presented.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

2. Zoning Ordinance Amendment

Zoning Ordinance Amendment regarding the R-E Zone classification and an amendment regarding the screening or fencing of tennis courts.

ABEYANCE

1. No access to Charleston from the rear yards of the homes.
2. A 6 ft. block wall to be constructed along Charleston Boulevard.
3. Adjustment of lot lines as required by the Department of Community Planning and Development.
4. Street names shall be provided in accord with the City's Street Name Policy.
5. Temporary access to Charleston (extension of Neil Armstrong Drive) for access to model home sales area.
6. The length of Neil Armstrong Drive shall be permitted as shown on the map.
7. Subject to code requirements and design standards of City departments.
8. Meet the requirements of State Subdivision Statutes.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

1. Zoning Ordinance Amendment

APPROVED

Zoning Ordinance Amendment regarding R-1 setback requirements.

MR. NULL pointed out this was before the Board previously and what staff is requesting is that there be some flexibility for the placement of homes on properties. He said there have been many Variance requests for rear yard setback deviations, yet there is usually sufficient open space on the property. Staff is requesting that the front yard setback be 20 feet and the rear yard setback be 15 feet; however, not more than 50% of the lot can be covered by structures. He stated this would allow greater flexibility in the use of the property.

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Voting was as follows:

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

Motion for APPROVAL carried unanimously.

2. Zoning Ordinance Amendment

ABEYANCE

Zoning Ordinance Amendment regarding the R-E Zone classification and an amendment regarding the screening or fencing of tennis courts.

MR. NULL stated this was a change in the zoning ordinance adding a preamble that the R-E classification of land if consisting of ten acres or more, shall be considered as a holding designation. There is also an amendment regarding the screening of tennis courts and the transfer of this provision to another section. He stated he felt the Commission had seen some examples of the R-E zone problem at the meeting tonight. He said if R-E zoned land is undeveloped and more than ten acres in size, it could be considered for different uses other than just R-E.

CHAIRMAN JENKINS asked how people would know when buying property next to this type, what it would eventually become.

MR. NULL said if the surrounding property is already developed with R-E uses, it would be pretty obvious that the property would then be developed the same way; however, if the parcel is large enough, it could be put to another use if compatible.

MRS. COLEMAN asked if the property could then be R-E (H) so people would know.

MR. NULL indicated that matter was discussed. He said most parcels this size are located further out from developed property and these must be at least ten acres in size.

MRS. MORIA THOMPSON AND JOY RUSTON appeared. Mrs. Ruston indicated her property was zoned R-E and in her area, it was not uncommon to have ten-acre parcels. She stated her property is 2½ acres in size and when she purchased it, she was informed all of the property surrounding it was zoned R-E and there was nothing about a holding or temporary zone. She did not feel this would be fair to the people owning property presently and did not feel this would give any protection to the people living in these areas where there is development.

CHAIRMAN JENKINS stated an example of what they were talking about would be someone owning 2,000 acres, and he felt that not all of a property this size with R-E zoning would be developed that way.

MRS. RUSTON stated she did not feel this was fair to the people who already have purchased property in these areas.

CHAIRMAN JENKINS stated anyone buying would be aware of the situation.

MRS. RUSTON stated this was just for ten acre parcels or larger.

MR. NULL indicated they had to draw the line somewhere. He said usually a person buying ten acres or more is always planning on doing something with that property and it may not be all for R-E uses.

MRS. RUSTON indicated the smallest parcel in her area was 1 1/4 acre. She said on her 2 1/2 acres, she cannot put anything else on it and felt the City should invest some time to look into this matter more closely. She felt people with R-E zoned property should be made aware of this ordinance proposal.

MRS. COLEMAN stated they held several public meetings on the Master Plan and this was one of the items and people were aware of it.

MRS. RUSTON said she did not want this next door to her. She said there were parts of the City that could be used for a holding zone.

MR. NULL asked Mrs. Ruston if she felt they should go to 15 acre parcels.

MRS. RUSTON stated she felt they should be 40 acre parcels.

She said she did not agree with this proposal in that people could come in the middle of a developed area just because they have a ten acre parcel and use it for something else.

MR. NULL said the Planning Commission was well aware of the areas that were almost completely developed with a specific use and would not be inclined to put an entirely different and incompatible use in the middle of it.

MRS. THOMPSON asked when this area was annexed, why they did not make it holding at that time, but instead they zoned it R-E in her area. She stated the zoning is already there and felt this would be very unfair to the people who already have homes in these areas. She said she was aware of this request, but felt many people with R-E property were not aware of this proposal.

MR. TIBERTI stated with this new classification, it would warn people that this property could be put to another use.

MR. WARD stated this was a big change which would affect many people in Las Vegas and felt possibly it should be published and held in abeyance until the next meeting.

MR. NULL stated the other portion of this amendment was the matter of tennis court fencing. He stated the problem in the past has been the wording. The ordinance indicated a tennis court had to be 10 feet from the side and rear property lines; however, now the tennis court can be built to the property line, but the fencing must have a 10 ft. setback on the side and rear if they wish to have a 12 ft. high fence. The normal wall height is only 6 ft. This would clarify this point.

After further discussion on the ordinance amendment, CHAIRMAN JENKINS stated since there seemed to be some question on the R-E holding zone matter, they would hold this matter in abeyance until their next regular meeting on September 9, 1976.

Voting was as follows:

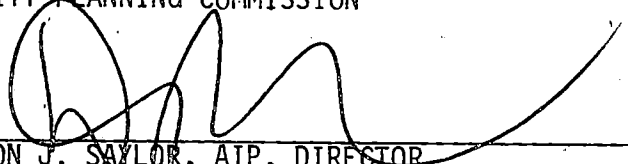
"AYES" - Jenkins, Coleman, Ward, Tiberti and Miller.
"NOES" - None.

Motion for ABEYANCE carried unanimously.

ADJOURNMENT:

There being no further business before the Planning Commission, the meeting was adjourned at 10:45 P.M.

CITY PLANNING COMMISSION



DON J. SAYLOR, AIP, DIRECTOR
Department of Community Planning
and Development

DJS:kt