

AGENDA

CITY PLANNING COMMISSION

DEC 6 1 10 PM '76

DECEMBER 9, 1976

CALL TO ORDER:

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

ROLL CALL:

MINUTES:

Approval of the Minutes for the City Planning Commission
meeting held October 14, 1976.

OLD BUSINESS:

1. Z-6-66

PLOT PLAN REVIEW

(Abeyance Item
from 11-16-76)

Plot Plan Review for RON RUDIN CONSTRUCTION to allow
an office building at the southwest corner of Brush
Street and Alpine, C-1 zone, (under ROI).

2. Z-55-76

REVIEW OF CONDITION

(Abeyance Item
from 11-16-76)

Review of landscaping condition requested by LALIF
WOOD on property located at 401 North Nellis Boulevard,
on the west side of Nellis Boulevard, approximately
700 ft. south of East Bonanza Road, C-2 zoning
(under ROI).

3. RESOLUTION

Proposed Resolution permitting temporary signs
advertising proposed developments and information
related thereto.

4. Z-62-75

PLOT PLAN REVIEW

(Abeyance Item
from 11-16-76)

Plot Plan Review requested by CURRAN DEVELOPERS to
allow the installation of one permanent project sign
and fifteen (15) temporary construction signs on pro-
perty generally located on Washington Avenue, between
Rancho Drive and Robin Street, C-1 zone (under ROI).

NEW BUSINESS:

1. Z-83-76

Application of NICK LEONIS for reclassification of
property located at 1521 East Sahara Avenue, on the
north side of Sahara Avenue, between Chapman Drive
and 17th Street, from R-2 to P-R.

Proposed Use: Offices and Parking.

2. Z-84-76

Application of SOUTHERN NEVADA MEMORIAL HOSPITAL for
reclassification of property located at 2020 Alturas
Avenue, on the north side of Alturas Avenue, between
Tonopah Drive and Rose Street, from R-E to C-V.

Proposed Use: Hospital facilities.

3. Z-85-76

Application of PHILIP DEALE for reclassification of
property located at 600 East Charleston Boulevard, on
the southeast corner of South 6th Street and Charleston
Boulevard, from P-R to C-1.

Proposed Use: Restaurant and Parking facilities.

4. Z-86-76

Application of ERNEST A. BECKER, JR. for reclassification
of property generally located on the northwest corner
of South Jones Boulevard and West Charleston Boulevard,
from R-1 to C-2.

Proposed Use: Service station, retail stores and
commercial storage units.

5. Z-87-76 Application of JOHN E. KENNEY, JR. for reclassification of property generally located on East Bonanza Road, between Pecos Street and the existing Park Bonanza East Townhouses, extending south to Diamond Head Drive, from R-E and R-2 PUD to R-1, R-3 and C-1.
6. Z-88-76 Application of LARRY A. & LINDA L. SHEELER for reclassification of property generally located on the east side of Rancho Drive, approximately 1,200 feet north of Craig Road, from R-E to C-2.
Proposed Use: Office and storage yard for drilling company.
7. Z-89-76 Application of PANSY LOUELLA HARTMAN and PHILLIS F. DERRY for reclassification of property located approximately 300 feet north of Cory Place between Brush Street and Mohawk Street, from R-1 to R-PD 10.
Proposed Use: Medium density residential (PUD) Multiple Unit Building (4-plex with duplex ownership).
8. Z-90-76 Application of MARY R. WARNER and NONA SHOLES for reclassification of property generally located on the south side of Bonanza Road, between Rancho Drive and Tonopah Drive, from R-E to C-1 and C-M.
Proposed Use: C-M - Mini Warehouses.
C-1 - Commercial stores & offices.
9. Z-91-76 Application of GUY O. DWINELL for reclassification of property generally located on the south side of Hassell Avenue, between Lexington Street and Highland Drive, from R-2 to R-3.
Proposed Use: Two 4-plex apartments.
10. Z-92-76 Application of SHIRLEY A. REAGAN, ET AL, for reclassification of property generally located on the north side of Cory Place, between Mohawk Street and Upland Boulevard, from R-1 to R-3.
Proposed Use: 218 Unit apartment complex.
11. FINAL MAP
CHARLESTON RAINBOW
#14-C Property generally located on the east side of Buffalo Drive south of Westcliff Drive, R-1 zone.
Owner/Subdivider: Sproul Homes of Nevada
No. of Lots: 39 No. of Acres: 8.41
12. FINAL MAP
CHARLESTON RAINBOW
#14-D Property generally located on the east side of Buffalo Drive south of Westcliff Drive, R-1 zone.
Owner/Subdivider: Sproul Homes of Nevada
No. of Lots: 38 No. of Acres: 10.405
13. TENTATIVE MAP
BIG SKY RANCH ESTATES Property generally located at the northeast corner of Alexander Road and Torrey Pines Boulevard, R-E zone.
Owner/Subdivider: Steven S. Miller
No. of Lots: 56 No. of Acres: 32.5

14. TENTATIVE MAP
WESTLAND MALL
Property generally located at the southeast corner of Decatur Boulevard and West Charleston Boulevard, C-2 zone.
Owner/Subdivider: Westland Mall Development Corp.
No. of Acres: 63.5 No. of Lots 5
15. FINAL MAP
WESTLAND MALL
Property generally located at the southeast corner of Decatur Boulevard and West Charleston Boulevard, C-2 zone.
Owner/Subdivider: Westland Mall Development Corp.
No. of Acres: 63.5 (presently developed)
No. of Lots: 5
16. U-81-75
LANDSCAPING REVIEW
Changes in landscaping requested by LON L. ITSON for a used car lot on property located at 401 East Charleston Boulevard, on the northeast corner of Charleston Boulevard and South 4th Street, C-2 zone.
17. C1-4-76
C-1 use review requested by GULF OIL COMPANY to allow leasing of the service station building for minor automotive repair work which would be done by the lessee rather than a service station attendant on property located at 4001 West Sahara Avenue, C-1 zone.
18. Request by
Division of Forestry
Request by the Division of Forestry to allow a lathehouse in Tule Springs Park.
19. AR-15-76
Aesthetic Review requested by ARCHITECTURAL GROUP II to allow a 200 room hotel at the intersection of Highland and Sahara Avenue, M zone.

MINUTES
CITY PLANNING COMMISSION
DECEMBER 9, 1976

RECEIVED
JAN 17 11 46 AM '77
CITY MANAGERS
OFFICE

CALL TO ORDER:

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

PRESENT:

Mr. Busch, Mr. Ward, Mr. Tiberti and Mr. Miller.

EXCUSED:

Chairman Jenkins, Dr. Parker and Mrs. Coleman.

MINUTES:

MR. WARD made a Motion for APPROVAL of the Minutes of the City Planning Commission meeting held October 14, 1976. Motion carried unanimously.

OLD BUSINESS:

1. Z-6-66

PLOT PLAN REVIEW
(Abeyance Item)

WITHDRAWN

Plot Plan Review for RON RUDIN CONSTRUCTION to allow an office building at the southwest corner of Brush Street and Alpine, C-1 zone (under ROI).

ACTING CHAIRMAN BUSCH announced this matter had been withdrawn by the applicant; therefore, no further action was necessary.

2. Z-55-76

REVIEW OF
CONDITION
(Abeyance Item)

ABEYANCE

Review of Landscaping Condition requested by LALIF WOOD on property located at 401 North Nellis Boulevard, on the west side of Nellis Boulevard, approximately 700 ft. south of East Bonanza Road, C-2 zoning (under ROI).

MR. NULL gave the staff report indicating the applicant had submitted a letter requesting waiver of the landscaping condition, placed on the zoning, at this time. He stated the applicant indicated Nellis was to be widened and he would have to dedicate ten feet and felt this would disrupt any landscaping, also that any construction on the property would disturb the landscaping. He indicated there was temporary fencing on the property which would have to be moved when they widen the street and the water meter may have to be relocated. He said the applicant also indicated that the Power Company would have to move the power poles. Mr. Null pointed out staff's position is that there be five gallon oleanders planted 4 ft. on center with sprinklers. He said staff contacted the Regional Street and Highway Commission and they said it would be 1983 before any work would be done on Nellis in this area which would mean this property would be without landscaping for seven years. He stated it was staff's position the application could provide this landscaping by placing it behind the 10 ft. easement on the interior of the fence.

ACTING CHAIRMAN BUSCH asked to hear from the applicant.

MR. LALIF WOOD appeared and said he was the applicant. He stated they did not know exactly what would be done with the property at this time and was not aware it would be seven years before Nellis is widened. He felt any landscaping put in now would be torn up and construction on the property would break the sprinklers if they have to install them now.

MR. TIBERTI stated he felt if the applicant placed the landscaping back ten feet, it should be protected.

AN UNIDENTIFIED WOMAN appeared and stated the City had recently come through with a grading machine and water wagon and have

thrown dirt all over this property. She said if the fence were removed now, then this trash would blow on his property.

MR. WOOD stated they plan on installing the landscaping, but said he would like to do this at a time when they could do a good job on it and maintain it.

MR. TIBERTI stated he did not feel the landscaping requested was excessive.

MR. WOOD said if he put the landscaping back 12 ft., then you would have a 12 ft. area in the front producing weeds. He said there was also another 60 ft. to the building on this property.

MR. MILLER asked the applicant if he would put in the landscaping at the proper time.

MR. WOOD said he would as soon as they have decided to develop the property.

MR. TIBERTI asked when this property would be developed.

MR. WOOD said they had no projection at this time.

MR. TIBERTI said possibly they were talking about something which could be delayed.

MR. WOOD said his business license was being held up because of this.

After discussion, MR. TIBERTI made a Motion Z-55-76 be held in ABEYANCE until the 1-13-77 meeting so the Commission could view this property and make a determination.

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Miller, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for ABEYANCE carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be again considered by the Planning Commission at their January 13, 1977, meeting.

3. RESOLUTION
APPROVED

Proposed Resolution permitting temporary signs advertising proposed developments and information related thereto.

MR. NULL stated this item was held in abeyance from the last meeting so the Commission would have time to study the Resolution.

MR. TIBERTI stated he felt the proposed Resolution should be for a time period of one year rather than six months.

After discussion, MR. TIBERTI made a Motion for APPROVAL of the Resolution as follows:

"A RESOLUTION SETTING FORTH PERMITTED USES UNDER THE GENERAL PROVISIONS OF THE ZONING ORDINANCE OF THE CITY OF LAS VEGAS, AND MORE SPECIFICALLY REFERRING TO TITLE 11, CHAPTER 1, SECTION 6, SUBSECTION (A), PARAGRAPH 3, PERMITTING TEMPORARY SIGNS ADVERTISING PROPOSED DEVELOPMENTS AND INFORMATION RELATED THERETO.

WHEREAS, the provisions of Title 11, Chapter 1, Section 6, Subsection (A), Paragraph 3, stipulate that uses other than those hereinafter specifically mentioned as uses permitted in each of the districts, may be permitted therein, provided such uses are similar to those specifically mentioned and are in the opinion of the Planning Commission as evidenced by a Resolution of Record, not more obnoxious or detrimental to the welfare of the community, than the permitted uses specifically mentioned in the respective districts; and

WHEREAS, the provisions of Title 11, Chapter 3, Section 8, Subsection (B), allow off-premise signs as a land use on properties classified C-1, C-2, C-M or M; and

WHEREAS, the provisions of Title 11, Chapter 3, Section 7, allow on-premise signs which allow the advertisement of the principal purpose of the business, major categories of goods sold or services provided on the premises; and

WHEREAS, there are no provisions for advertisement of future services or future buildings to be developed on the premises; and

WHEREAS, the Planning Commission feels that advertisement of future uses, development or services would be similar to advertisement of existing uses, developments or services and that advertisement of future uses, developments or services would be a land use similar to advertisement of off-premise uses, developments, goods or services when done on a limited and temporary basis; and

WHEREAS, the various zones allow various square footages of on-premise signs or numbers of off-premise signs; and

WHEREAS, ten percent (10%) of the area allowed on any given property for either on-premise or off-premise signs would be sufficient to advertise future development, services or uses and further providing that they do not exceed the maximum height permitted for on-premise signs, but in no case more than fifteen feet (15'), nor be used for a period of time longer than one year unless extended by this Commission.

NOW, THEREFORE, BE IT RESOLVED, by the City Planning Commission that under the Provisions of Title 11, Chapter 1, Section 6, Subsection (A), Paragraph 3, that temporary signs advertising sale, development, future uses, or services be permitted subject to the above conditions when constructed in compliance with the aesthetic provisions of the zoning regulations.

PASSED, APPROVED AND ADOPTED this 9th Day of December, 1976.

CITY PLANNING COMMISSION

s/ DON J. SAYLOR, AIP, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT"

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Miller, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for APPROVAL of the Resolution carried unanimously.

4. Z-62-75

PLOT PLAN REVIEW
(Abeyance Item)

APPROVED

Plot Plan Review requested by CURRAN DEVELOPERS to allow the installation of one permanent project sign and fifteen (15) temporary construction signs on property generally located on Washington Avenue, between Rancho Drive and Robin Street, C-1 zone (under ROI).

MR. NULL stated the adoption of the Resolution on the previous item allows the Commission to act on this proposed request for the temporary signs. He pointed out the plot plan indicates the location of the proposed signs and stated staff has no objection and would recommend approval.

MR. MILLER made a Motion for APPROVAL of Z-62-75, subject to the criteria in the Resolution approved under the previous agenda item.

Voting was as follows:

"AYES" - Mr. Miller, Mr. Ward, Mr. Tiberti and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be considered by the City Commission on January 5, 1977, at 9:00 A.M.

NEW BUSINESS:

1. Z-83-76

APPROVED

Application of NICK LEONIS for reclassification of property legally described as Lot 25, Block 6, Francisco Park #2, located at 1521 East Sahara Avenue, on the north side of Sahara Avenue, between Chapman Drive and 17th Street, from R-2 to P-R.

Proposed Use: Offices and parking.

MR. SAYLOR gave the staff report indicating staff would recommend approval subject to the normal conditions and the installation of a 6 ft. high wall along the north (rear) property line, a planter between the two driveways and the conditions of Public Services. He stated there were no protests on record.

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

MR. NICK LEONIS appeared and stated he felt the planter staff requested between the two driveways would cause a problem with parking.

MR. SAYLOR stated it had been their policy of requiring landscaping on Sahara frontage. He further stated staff was not requiring the applicant to pave the parking to the rear at this time since the applicant would not be using it presently.

MR. WARD asked what type of operation this would be.

MR. LEONIS said he was a C.P.A.

MR. TIBERTI stated he felt if the planter was a problem for the applicant, this could be worked out with staff.

MR. LEONIS stated he would prefer to have the planter run vertical instead of horizontal.

MR. SAYLOR stated that something could be worked out for the applicant.

ACTING CHAIRMAN BUSCH 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-83-76, subject to the following conditions:

1. A 6' masonry wall to be constructed along the rear (north) property line.
2. A planter to be provided between the two driveways on Sahara Avenue as required by the Department of Community Planning and Development.
3. Replace damaged sidewalk along Sahara Avenue as required by the Department of Public Services and secure a construction permit for additional curb cuts.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Conformance to the plot plan to reflect the above conditions.
8. Conformance to code requirements and design standards of all City departments.

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Miller, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be considered by the City Commission on January 5, 1977, at 9:00 A.M.

2. Z-84-76

APPROVED

Application of SOUTHERN NEVADA MEMORIAL HOSPITAL for reclassification of property legally described as Lot 21, Block 2, Woodland Park, located at 2020 Alturas Avenue, on the north side of Alturas Avenue between Tonopah Drive and Rose Street, from R-E to C-V.

Proposed Use: Hospital facilities.

MR. SAYLOR gave the staff report indicating at this time the hospital would use this property for parking and storage. He stated there were no protests on record and staff would recommend approval.

ACTING CHAIRMAN BUSCH declared the public hearing open and asked if anyone wished to be heard. There being no one, he declared the public hearing closed.

MR. WARD made a Motion for APPROVAL of Z-84-76, subject to the following conditions:

1. Landscaping as required by the Department of Community Planning and Development.
2. Approval of a development plan by the Department of Community Planning and Development.
3. Signing of an Assessment District Agreement for future sidewalk, curb and gutter, and street lighting along Alturas frontage as required by the Department of Public Services.
4. Conformance to code requirements and design standards of all City departments.

Voting was as follows:

"AYES" - Mr. Ward, Mr. Miller, Mr. Tiberti and Mr. Busch.
 "NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be considered by the City Commission on January 5, 1977, at 9:00 A.M.

3. Z-85-76

APPROVED

Application of PHILIP DEALE for reclassification of property legally described as that portion of Government Lot 2, in the Northeast Quarter (NE $\frac{1}{4}$) of Section 3, Township 21 South, Range 61 East, MDB&M, described as follows: Commencing at the northwest corner of said Government Lot 2; thence South along the west line thereof a distance of 40 feet, more or less, to the intersection of the present east right-of-way line of Sixth Street with the south oine of Charleston Boulevard, the true point of beginning; thence continuing South along said west line a distance of 280 feet; thence East and parallel to the north line of said Lot 2, 88.7 feet; thence South and parallel to the east line of Sixth Street 17.7 feet; thence East and parallel to the north line of said Lot 2, 36.3 feet, more or less, to the east line of the West 125 feet (measured parallel) of Lot 2; thence northerly and parallel to the west line of Lot 2, 297.7 feet to a point on the south line of Charleston Boulevard; thence Westerly along said south line 125 feet to the point of beginning, located at 600 East Charleston Boulevard, on the southeast corner of South 6th Street and Charleston Boulevard, from P-R to C-1.

Proposed Use: Restaurant and parking facilities.

MR. SAYLOR gave the staff report indicating this had been before the Commission previously on a plot plan review at which time they denied the request. It then went to the City Commission; however, it was determined that the 9:00 P.M. parking restrictions on the rear portion of the property (zoned P-R) would not be workable in connection with the restaurant and the City Commission held the request in abeyance pending submittal of a new zoning application for the entire parcel. Mr. Saylor pointed out the front portion of the property on Charleston is zoned C-1 and the rear portion is P-R for parking and this application requests C-1 zoning on the entire parcel. Mr. Saylor stated at the last meeting there was a substantial protest factor. He said the applicant changed his plan somewhat in that previously he was asking for access to 6th Street and this is not the case now. He stated staff would recommend approval provided there is no access on 6th Street, there be a wall and hedge along the south property line and landscaping along 6th Street, and the lighting be directed so that there are no direct rays or glare emanating from the parking area.

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

MR. TERRY JONES, Attorney at Law, appeared on behalf of the applicant along with Mr. Marvin Strusser. He said they were in accord with the conditions mentioned by Mr. Saylor. He stated they felt the problems had been worked out and that there would be no access on 6th Street and they would maintain the property in its present condition to the greatest extent possible. He stated they would not be removing the large trees on the property and would be providing landscaping. He said this house was a landmark and they wished to have a high-class supper club operation. He pointed out the trash area would be next to the building which is 100 ft. from the back wall and the lights in the parking area would be low wattage. He said they did not intend to have any neon signs on the property either. He stated Mr. Marvin Strusser had a good track record in preserving properties and would be working with them on this project. He stated any additions to the building would be integrated.

MR. WARD asked if they would have entertainment.

MR. JONES said "no". He also stated he had approval from Mr. Mann at 1108 South 6th Street. He said he felt some of the people who were protesting did not realize exactly what they planned for the property and it would maintain its residential character.

ACTING CHAIRMAN BUSCH asked if anyone else wished to be heard.

MR. MIKE HINES, Attorney at Law, appeared on behalf of the Housells. He stated he had a petition signed by his clients and the King's and Jorgenson's. He stated the applicant has not been watering the landscaping for 8 or 10 months. He also pointed out there was trash all over the property. He said this probably would start out as a supper club, but once it is commercial, it could end up a massage parlor. He said he talked with several of the people who signed the petition but they all felt this was not the time for this area to change. He asked the width of 6th Street and felt it was not over 28 ft. wide.

MR. SAYLOR indicated it was narrow.

MR. HINES felt this would cause a traffic problem in the area and asked that this request be denied and this area remain a residential one.

MR. FRANK WRIGHT appeared in protest and presented a copy of a petition signed by 86 people in the immediate area.

MR. SAYLOR pointed out this petition had been submitted to the department for filing, but Mr. Saylor informed Mr. Wright that the department's filing system would not accommodate a petition in the manner presented.

MRS. SCHWARTZ appeared in protest. She stated she is directly behind this property and asked if Charleston was the legal front of this property since it did face 6th Street.

MR. SAYLOR pointed out the narrow side of the property is the legal front and in this case it was Charleston.

MRS. SCHWARTZ stated she has a \$150,000 home there and the cars for this restaurant would be backed up to her home and there would also be odors from this type of operation. She also pointed out the plants and trees have not been taken care of.

MR. JONES pointed out some of the people who signed this petition live three blocks away. He stated he felt this was a rational development for this property and felt another commercial development might be worse.

After further discussion, ACTING CHAIRMAN BUSCH asked if there was anyone else wishing to be heard and there being no one, he declared the public hearing closed.

MR. TIBERTI made a Motion for APPROVAL of Z-85-76, subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. Conformance to the plot plan including a wall and hedge along the south property line and landscaping along 6th Street as required by the Department of Community Planning and Development.
3. The lighting in the parking lot area to be directed in such a manner that direct rays and glare are confined to the interior of the parking area.
4. There shall be no access to 6th Street.
5. Installation of sidewalk along the frontage of East Charleston Boulevard and South 6th Street as required by the Department of Public Services.
6. Installation of a commercial driveway where the temporary driveway is located on Charleston Boulevard as required by the Department of Public Services.
7. Installation of two 400 watt street lights on Charleston Boulevard and two 175 watt street lights on South 6th Street as required by the Department of Public Services.
8. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
11. Conformance to the plot plan to reflect the above conditions.
12. Conformance to code requirements and design standards of all City departments.

Voting was as follows:

"AYES" - Tiberti, Busch and Ward.
"NOES" - Miller

Motion for APPROVAL carried.

ACTING CHAIRMAN BUSCH announced this would be considered by the City Commission on December 15, 1976, at 9:00 A.M.

4. Z-86-76

APPROVED

Application of ERNEST A. BECKER, JR. for reclassification of property legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 35, Township 20 South, Range 60 East, MDM, more particularly described as follows: Commencing at the southeast corner of the southeast quarter (SE $\frac{1}{4}$) of said Section 35; thence North 01⁰11'57" East 68.44 feet to the true point of beginning; thence North 01⁰11'57" East 286.25 feet; thence North 88⁰48'03" West 499.00 feet; thence South 52⁰03'47" West 32.87 feet; thence South 01⁰11'57" West 280.40 feet; thence South 88⁰48'03" East 25.50 feet; thence tangent to a bearing of South 01⁰11'57" West, curving to the left, along a curve having a radius of 15.00 feet, being concave to the northeast through a central angle of 91⁰30'57" an arc length of 23.96 feet; thence North 89⁰41'00" East 374.26 feet; thence tangent to the last named bearing curving to the left along a curve having a radius of 20.00 feet through a central angle of 88⁰29'03" an arc length of 30.89 feet; thence South 88⁰48'03" East 40.00 feet to the true point of beginning, generally located on the northwest corner of South Jones Boulevard and West Charleston Boulevard, from R-1 to C-2.

Proposed Use: Service Station, retail stores and commercial storage units.

MR. SAYLOR gave the staff report indicating that the property had previously been zoned commercial which subsequently expired. He stated staff had no objection to the zoning request subject to there being no access within the first 100 feet from Charleston on Monticello and that there be a 6' wall along the north property line and landscaping along Monticello, except the 100 ft. north of Charleston and the other conditions of the City and staff. He stated there were no protests on record and one approval.

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

MR. BERRY BECKER appeared and presented a rendering of the property in question.

MR. JAMES BROOKS, 805 South Mallard appeared. He stated there had already been three service stations in this area closed up. He felt possibly he should have been notified of this request. He asked the size of the property in question.

MR. SAYLOR stated it was 410' x 308' and was about 4 acres in size.

MR. BROOKS stated this was a big complex they were proposing and in this case he would rather have a supper club. He felt this would cause trash blowing into his yard and did not feel there was proper notification.

MR. SAYLOR indicated the people were notified as prescribed by Statute.

ACTING CHAIRMAN BUSCH 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-86-76, subject to the following conditions:

1. Resolution of Intent be restricted to a twelve (12) month time limit.
2. Prohibition of access along Monticello except that one access shall be permitted within approximately the first 100 feet from Charleston north.

3. Drainage on the property to be required and meet the requirements of the Public Services Department.
4. A 6 ft. masonry wall along the north property line. Landscaping along Monticello from a point approximately 100 ft. north of Charleston Boulevard to the north property line.
5. Dedication of 40 feet for Jones Boulevard and 25.5 feet for Monticello as required by the Department of Public Services.
6. Installation of half-street improvements for both Jones Boulevard and Monticello.
7. Installation of a sidewalk on Charleston Boulevard as required by Public Services.
8. Extend sewer main and install manhole in Jones Boulevard connecting it to the existing 15" trunk line manhole in the intersection of Charleston and Jones as required by the Department of Public Services.
9. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
10. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
11. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
12. Conformance to the plot plan to reflect the above conditions.
13. Conformance to code requirements and design standards of all City departments.

Voting was as follows:

"AYES" - Mr. Busch, Mr. Tiberti, Mr. Ward and Mr. Miller.
 "NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be heard by the City Commission on January 5, 1977, at 9:00 A.M.

5. Z-87-76
 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, MDM, more particularly described as follows: Parcel 1 - Commencing at the northwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 31; thence South 89°42'31" East 524.19 feet; thence South 0°26'25" East 579.47 feet to the point of beginning; thence continuing South 0°26'25" East 130.01 feet; thence South 89°42'31" East 632.02 feet; thence North 0°17'29" East 130.00 feet; thence North 89°42'31" West 633.68 feet to the point of beginning. Parcel 2 - Commencing at the northwest corner of the Northwest Quarter (NW $\frac{1}{4}$) of said Section 31; thence South 89°42'31" East 524.19 feet to the point of

beginning; thence continuing South 89°42'31" East 399.48 feet; thence South 0°26'25" East 270.00 feet; thence South 89°42'31" East 9.00 feet; thence South 0°17'29" West 143.99 feet; thence South 89°42'31" East 228.26 feet; thence South 0°33'49" East 59.46 feet; thence South 0°17'29" West 106.00 feet; thence North 89°42'31" West 633.68 feet; thence North 0°26'25" West 579.47 feet to the point of beginning. Parcel 3 - Beginning at the northwest corner of the Northwest Quarter (NW¼) of said Section 31; thence South 89°42'31" East 524.19 feet; thence South 0°26'25" East 709.48 feet; thence North 89°42'31" West 530.18 feet, more or less, to the west line of said Northwest Quarter (NW¼) thereof; thence North 0°02'35" East 709.43 feet to the point of beginning, saving and excepting therefrom the northerly 220 feet of the westerly 305 feet, generally located on East Bonanza Road, between Pecos Street and the existing Park Bonanza East Townhouses, extending south to Diamond Head Drive, from R-E and R-2 PUD to R-1 (parcel #1), R-3 (parcel #2) and C-1 (parcel #3).

MR. SAYLOR gave the staff report indicating some disagreement with the proposal. He stated this matter had been discussed with the applicant and staff would recommend it be held in abeyance for further study.

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

MR. KENNEY appeared and stated he was the applicant. He said there would be 97 feet between the townhouses and any apartment building, but indicated he was willing to work with staff and bring this back at the next meeting.

MRS. A. L. SOLORZANO, 554 Sea Shell Lane, appeared in protest. She felt since she would be next door to this, apartments brought in an undesirable type person and wanted to keep the area residential and hoped this would be developed with townhouses as Mr. Kenney proposed previously.

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

MR. WARD stated he would make a Motion for ABEYANCE of Z-87-76 as requested by staff and the applicant until the January 13, 1977, meeting of the Planning Commission.

Voting was as follows:

"AYES" - Mr. Ward, Mr. Tiberti, Mr. Busch and Mr. Miller.
"NOES" - None.

Motion for ABEYANCE carried unanimously.

ACTING CHAIRMAN BUSCH announced this would be considered by the Planning Commission again at their January 13, 1977, meeting.

6. Z-88-76

APPROVED

Application of LARRY A. & LINDA L. SHEELER for reclassification of property legally described as being a portion of the Southeast Quarter (SE¼) of the Northwest Quarter (NW¼) of Section 2, Township 20 South, Range 60 East, MDB&M, more particularly described as follows: Commencing at the northwest corner of said Section 2; thence South 83°40'36" East 737.74 feet; thence South 36°26' East 2,258.66 feet to the true point of beginning; thence continuing South 36°26' East 210.00 feet; thence North 53°34' East 210.00 feet; thence North 36°26' West 210.00 feet; thence South 53°34' West 210.00 feet to the true point of beginning, generally located on the east side of Rancho Drive, approximately 1200 feet north of Craig Road from R-E to C-2.

Proposed Use: Office and storage yard for drilling company.

MR. SAYLOR gave the staff report indicating staff felt since this was on the Tonopah Highway, commercial zoning was proper and staff would have no objections if the building on the rear of this property is either removed or renovated and there is sufficient landscaping provided. There were no protests or approvals.

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

MR. TUPPER appeared representing Mr. Effinger who would be obtaining this property. He stated his client planned to landscape the property and put up a cyclone fence. He said his client planned to remove the rear building on the property and the front building would be remodeled.

ACTING CHAIRMAN BUSCH 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-88-76, subject to the following conditions:

1. Removal or renovation of the building on the rear portion of the property.
2. Signing of an Assessment District Agreement for the installation of off-site improvements (curb and gutter, sidewalk and street lighting) as required by the Department of Public Services.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
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" - Mr. Miller, Mr. Ward, Mr. Tiberti and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be heard by the City Commission on January 5, 1977, at 9:00 A.M.

7. Z-89-76
ABEYANCE

Application of PANSY LOUELLA HARTMAN AND PHILLIS F. DERRY for reclassification of property legally described as Government Lot 6 and Government Lot 7, Section 36, Township 20 South, Range 60 East, MDB&M, generally located approximately 300 feet north of Cory Place between Brush Street and Mohawk Street, from R-1 to R-PD 10. Proposed Use: Medium Density Residential, Multiple Building (4-plex with duplex ownership).

MR. SAYLOR stated before he made his presentation he wished to make the Commission aware of the fact that the applicant's attorney, Mr. Herb Jones, wished to have this matter held in abeyance. Mr. Saylor pointed out there was a substantial protest factor. He indicated they wished to have this matter held until the January 25th meeting. Mr. Saylor also pointed out this was a public hearing and possibly there were people in the audience who wished to be heard.

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

MR. HERB JONES, Attorney at Law, appeared on behalf of the applicants. He stated the reason for requesting that this matter be held is that the applicant understood that FHA has a proposal which would allow additional monies for FHA developments and based on this, which should come through in January, the types of homes they were proposing could be upgraded and they would be in a better position to make a presentation. He said the present proposal would be changed as to the quality of what they would construct on this property.

MR. RICHARD NUTLEY, 5425 Evergreen, appeared in protest. He stated a few of the people were contacted and were told this would be withdrawn.

MR. SAYLOR stated the Commission could grant the applicant abeyance of this matter if they so desired.

MR. NUTLEY stated there were many people in the audience protesting and felt possibly the applicant was asking that this be held because he thought they would not then show up at the next meeting.

ACTING CHAIRMAN BUSCH stated the applicant could possibly upgrade his proposal.

MR. A. H. MAINER appeared in protest and stated he felt if so many protestants were not present, the applicant would not have requested abeyance.

MR. SAYLOR stated he would have to correct that because he had been contacted previously by the applicant requesting the possibility of abeyance and indicated it was not based on the protest factor.

MR. JONES stated he felt his clients should be in a position to make a better presentation if this is held over.

MR. W. ROTH, 5501 Cory Place, appeared in protest. He presented a plan of where people live in the area near this proposal and Z-92-76 on this agenda.

AN UNIDENTIFIED WOMAN appeared and stated she had been before the Commission several times. She said she lived here for 18 years and has fought this thing three times now. She said this is a residential area and would like to see it developed with single family homes.

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

MR. MILLER stated he felt the applicant should be awarded the opportunity to make a proper presentation especially if he intended to upgrade his development and made a Motion this be held in abeyance until the January 25, 1977, meeting of the Planning Commission as requested by the applicant.

Voting was as follows:

"AYES" - Mr. Miller, Mr. Tiberti, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for ABEYANCE carried unanimously.

ACTING CHAIRMAN BUSCH announced this would be considered by the Planning Commission on January 25, 1977.

8. Z-90-76

APPROVED

Application of MARY R. WARNER & NONA SHOLES for reclassification of property legally described as Parcel 1 - That portion of the North Half (N $\frac{1}{2}$) of the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 20 South, Range 61 East, MDB&M, described as follows: Commencing at the point of intersection of the east line of the Northwest Quarter (NW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, Township 20 South, Range 61 East, with the south line of Bonanza Road; thence West along the said south line 2,600 feet to the true point of beginning; thence South 0°25'33" West 378.00 feet; thence North 88°45'10" West 300.00 feet; thence North 0°25'33" East 369.33 feet; thence South 89°34'07" East 300.00 feet to the true point of beginning, excepting the north 135.00 feet, and Parcel 2 - The North 135.00 feet of the above described parcel. Property generally located on the south side of Bonanza Road, between Rancho Drive and Tonopah Drive, from R-E to C-1 and C-M.

Proposed Use: Parcel 1 - C M - Mini Warehouses.

Parcel 2 - C-1 - Commercial stores & offices.

MR. SAYLOR gave the staff report indicating it had been the policy to limit C-M to the south 100 ft. of the property and 200' of C-M was being requested. He stated the mini-warehouses would be developed on the C-M portion and staff would recommend the application be amended to allow only 100 ft. of C-M and the next 100' to be C-2 with C-1 on the front portion as requested. He stated there were no protests or approvals on record.

ACTING CHAIRMAN BUSCH declared the public hearing open.

MR. SAYLOR also stated it had been the policy to have a row of Arizona Cypress abutting the freeway and they would have to meet the requirements of staff on landscaping and the other normal conditions.

MR. D. H. HAND, 2401 West Bonanza, appeared and stated he was representing the applicants. He stated this would be an extension of the Rancho Circle Shopping Center. He said there was no problem with staff's recommendation and he did not object.

ACTING CHAIRMAN BUSCH 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-90-76, subject to the following conditions:

1. The application be amended to the south 100 feet to remain C-M and the rest of the C-M be changed to C-2.
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, license or prior to occupancy.

4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Dedication of 10 feet for Bonanza Road and installation of a 5 ft. wide concrete sidewalk along Bonanza Road frontage as required by the Department of Public Services.
6. Conformance to the plot plan to reflect the above conditions.
7. Conformance to code requirements and design standards of all City departments.

Voting was as follows:

"AYES" - Mr. Ward, Mr. Miller, Mr. Tiberti and Mr. Busch.
 "NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be heard by the City Commission on January 5, 1977, at 9:00 A.M.

9. Z-91-76

TABLED

Application of GUY O. DWINELL for reclassification of property legally described as the East 32 feet of Lot 23F and all of Lots 24D and 24E, Vegas Heights Tract #4, generally located on the south side of Hassell Avenue, between Lexington Street and Highland Drive, from R-2 to R-3.

Proposed Use: Two 4-plex apartments.

MR. SAYLOR gave the staff report indicating in the last few years the City has taken a position of trying to do what can be done to enhance the Vegas Heights area in terms of residential occupancy. He said there is an assessment district for the area. He stated the City has been operating a Housing Code Rehabilitation program in this area trying to bring substandard housing up to Code. Also, as part of this program, there is a new Neighborhood Plan being developed and in January they plan to invite owners in the area to help develop this plan for their neighborhood. He stated the request was for two four-plex buildings, one on each lot. He pointed out there was a nonconforming four-plex to the west. Mr. Saylor stated that until the neighborhood plan is developed, staff does not know whether the City's position would be to attempt to increase or decrease the density in this area and is, therefore, prepared to recommend denial of the application until the plan is completed. He said the applicant has also a variance request in for other lots in the Vegas Heights area asking for permission to have duplex units on each lot. He stated this property is zoned for duplex units and the applicant could construct these and staff was prepared to recommend approval on the variance request. He stated from the public hearing notice, there were no protests or approvals on record.

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

MR. BILL SIMMONS, 504 Brush Street, appeared. He stated they do have an interest in 8 other lots. He felt this property needed to be upgraded because it was in bad shape; however, it would be sold. He stated the property in question, the Fire Department would not allow them to burn, and the building would have to be torn down in order to build the four-plex units. He stated they were not trying to degrade the property. He said there was sufficient parking for what they were requesting.

MR. TIBERTI felt possibly this matter should be tabled until the study was completed.

MR. WARD stated this would be his recommendation also.

MR. SAYLOR pointed out it could be 4 to 6 months before the plan is ready.

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

MR. TIBERTI stated he felt the applicant could go ahead and build the duplex units and when the plan is completed, then possibly he could add to them the additional units he is requesting and made a Motion that Z-91-76 be TABLED until the Neighborhood Plan is developed at which time the Planning Commission would again consider this matter.

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Ward, Mr. Miller and Mr. Busch.
"NOES" - None.

Motion for TABLING Z-91-76 carried unanimously.

10. Z-92-76
DENIED

Application of SHIRLEY A. REAGAN, ET AL, for reclassification of property legally described as Government Lots 10, 11, 22, 23 and 24, Section 36, Township 20 South, Range 60 East, MDB&M, generally located on the north side of Cory Place between Mohawk Street and Upland Boulevard, from R-1 to R-3.
Proposed Use: 218 Unit apartment complex.

MR. SAYLOR gave the staff report indicating 3 or 4 months earlier there had been a request for apartments in this area and there was a substantial protest factor. Both the Planning Commission and City Commission denied that request. He said in so doing, the Planning Commission indicated that they would not be receptive to apartment developments west of Brush Street. Staff recommends denial on the basis it was not in accord with the General Plan. Mr. Saylor pointed out there were numerous protests on record.

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

MR. HERB JONES, Attorney at Law, appeared. He stated they were asking to put this property to a beneficial use from the standpoint of planning. He said this property was vacant and the only way property is developed is with a zone change. Mr. Jones pointed out how this property would be developed indicating the location of the two-story buildings, and pointing out there would be single story on Evergreen. He stated that Cory was a dirt road and Mohawk was dirt and dead-ends. He stated the developer would put in the streets. He pointed out there was a problem in the area with sewers and people on septic tanks. He said this land in the last 15 months doubled in value. He said with the high cost of construction and land, it would not be economically feasible to develop this land with single family homes. He presented photographs to the Board for their review and indicated there would be excellent landscaping.

MR. NUTLEY, 5425 Evergreen, appeared in protest. He said there were numerous people in the audience who wished to speak and they had prepared 3 presentations for the Commission. He stated there had been over 200 people who signed petitions and letters of protest in this area and they were protesting not only this application but also Z-89-76.

ACTING CHAIRMAN BUSCH asked the people to stand who wished to be heard on this application. There were from 50 to 70 persons.

MRS. A. MILLER, 5125 Evergreen, appeared in protest and presented a petition signed by 260 persons and 17 letters. She stated the Planning Commission previously took a position of not allowing any apartment developments west of Brush Street and read this from the Minutes of the March 23, 1976, meeting. She further felt this would over-populate the area and pointed out there would be a traffic and security problem.

MRS. E. TANNER, 5421 Evergreen, appeared in protest indicating this was a residential area and did not want to have an apartment development and also felt this would devalue the area. She pointed out excerpts from the General Plan to the Commission regarding the population in the area and proposed development.

MR. WILLIAM ROTH, 5501 Cory, appeared in protest indicating he did not want an apartment development in the area.

MR. JIM BROOKS, 805 S. Mallard, appeared representing 141 families who were members of the Red Rock Swim Club. He felt their pool would entice children from this apartment complex and felt it would be detrimental to the area.

MR. BOB GELTMACHER, 6317 Ressler, appeared in protest. He stated he also represented members of the Swim Club and felt there would be more vandalism in the area and also felt membership could fall off if this development were allowed.

MR. VAL ROULLET, 1332 Desert Inn Road, appeared in approval stating he owns a 2 acre parcel in this area. He stated there have been only four homes built in this area in 12 years. He said he felt this was an apartment area and felt the only thing the people on Evergreen did was throw trash over on his property because he had to keep it cleaned up.

MR. GOLDMAN, 6158 S. Mann, appeared. He said he represented 10 investors on two acres of property to the south. He said they purchased it with the intention of putting homes there, but construction cost is so high for homes they have not developed it and felt to build homes on this property they could not do it because it would not be economically feasible.

MR. JONES reappeared and stated these people would invest \$4,000,000 in this project which would mean jobs and money spent in Las Vegas and put this property on the tax rolls. He felt this project would be good planning and asked for approval of their request.

MR. NUTLEY reappeared and stated that over 260 people signed in protest of this and over 80 persons were at the meeting. He said this would not conform with the General Plan of the City and requested that this request be denied.

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

MR. WARD stated he did not feel the area was ready for this type of development and that it would not be compatible. He also stated their previous position was not to allow apartments west of Brush Street and made a Motion for DENIAL of Z-92-76.

Voting was as follows:

"AYES" - Mr. Ward, Mr. Miller, Mr. Tiberti and Mr. Busch.
"NOES" - None.

Motion for DENIAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this item would be heard by the City Commission on January 5, 1977, at 9:00 A.M.

ACTING CHAIRMAN BUSCH declared a ten-minute recess at 10:05 P.M. and reconvened the meeting at 10:15 P.M.

11. FINAL MAP

CHARLESTON RAINBOW
#14-C

and

12. FINAL MAP

CHARLESTON RAINBOW
#14-D

APPROVED

Property generally located on the east side of Buffalo Drive south of Westcliff Drive, R-1 zone.

Owner/Subdivider: Sproul Homes of Nevada
No. of Lots: 39 No. of Acres: 8.41

Property generally located on the east side of Buffalo Drive south of Westcliff Drive, R-1 zone.

Owner/Subdivider: Sproul Homes of Nevada
No. of Lots: 38 No. of Acres: 10.405

MR. NULL gave the staff report indicating these final maps were in conformity with the approved Tentative Map and staff would recommend approval subject to the normal conditions.

MR. WARD stated since these were in conformity, he would make a Motion for APPROVAL of the Final Maps of Charleston Rainbow 14-C and 14-D, subject to the conditions listed:

Charleston Rainbow #14-C

1. Street names shall be provided in accord with the City's Street Name Policy.
2. Subject to code requirements and design standards of all City departments.
3. Meet the requirements of State Subdivision Statutes.

Charleston Rainbow #14-D

1. Street names shall be provided in accord with the City's Street Name Policy.
2. Subject to code requirements and design standards of all City departments.
3. Meet the requirements of State Subdivision Statutes.

Voting was as follows:

"AYES" - Mr. Ward, Mr. Miller, Mr. Tiberti and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

13. TENTATIVE MAP

and

14. WAIVER

BIG SKY RANCH
ESTATES

ITEMS 13 & 14
(APPROVED)

Property generally located at the northeast corner of Alexander Road and Torrey Pines Boulevard, R-E zone.

Owner/Subdivider: Steven S. Miller
No. of Lots: 56 No. of Acres: 32.5

MR. NULL gave the staff report indicating the applicants were requesting approval of the Tentative Map, but were also requesting a waiver from the required sidewalks, "L" type curb and street lights. He stated staff would recommend

approval to waive the sidewalks and "L" type curb, but would request that the street lighting be provided. He stated the waivers would only be for the interior streets also. He said Public Works also requires redesign of the Tentative Map to accommodate the Jones-Alexander-Rancho Road intersection design and they would have to conform to the zoning requirements as set forth in Z-16-73.

MR. TIBERTI asked the size of the lots.

MR. SAYLOR said they were one-half acre, 102' x 195.'

ACTING CHAIRMAN BUSCH asked to hear from the applicant.

MR. MIKE MEYER, Delta Engineering, appeared and stated they agreed to the conditions and changes.

MR. WARD made a Motion for APPROVAL of the Tentative Map and Waiver subject to the conditions listed below and APPROVAL of Waiver excepting therefrom major streets and the street lights.

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
2. Street names shall be provided in accord with the City's Street Name Policy.
3. Redesign of the Tentative Map as required by the Department of Public Services to accommodate the Jones-Alexander-Rancho Road intersection design.
4. Subject to all conditions of City Departments and State Subdivision Statutes.
5. Conformance to the zoning requirements as set forth in Z-16-73.

Voting was as follows:

"AYES" - Mr. Ward, Mr. Miller, Mr. Tiberti and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced the tentative map and waiver would be considered by the City Commission on January 5, 1977, at 9:00 A.M.

15. TENTATIVE MAP
WESTLAND MALL
and

Property generally located at the southeast corner of Decatur Boulevard and West Charleston Boulevard, C-2 zone.
Owner/Subdivider: Westland Mall Development Corp.
No. of Acres: 63.5 No. of Lots 5

16. FINAL MAP
WESTLAND MALL

Property generally located at the southeast corner of Decatur Boulevard and West Charleston Boulevard, C-2 zone.
Owner/Subdivider: Westland Mall Development Corp.
No. of Acres: 63.5 (presently developed)
No. of Lots: 5

ITEMS 15 & 16
(APPROVED)

MR. NULL gave the staff report indicating this request was in order and staff would recommend approval subject to approval of the C.C. & R.'s and the normal conditions of staff.

ACTING CHAIRMAN BUSCH asked to hear from the applicant.

MR. CHARLES TURNER, Baughman & Turner, appeared. He stated the purpose for this request was because these stores would be handled by a sales agreement instead of a lease.

MR. TIBERTI stated since this was in order, he would make a Motion for APPROVAL of the Tentative and Final Map of Westland Mall subject to the following conditions:

Tentative Map - Westland Mall

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
2. Subject to approval of the C.C. & R.'s.
3. Subject to conditions of all City departments and State Subdivision Statutes.

Final Map - Westland Mall

1. Subject to approval of the Tentative Map.
2. Subject to code requirements and design standards of all City departments.
3. Meet the requirements of State Subdivision Statutes.

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Ward, Mr. Miller and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced the Tentative Map of Westland Mall would be considered by the City Commission at their meeting on January 5, 1977, at 9:00 A.M.

17. U-81-75
LANDSCAPING REVIEW
APPROVED

Changes in landscaping requested by LON L. ITSON for a used car lot on property located at 401 East Charleston Boulevard, on the northeast corner of Charleston Boulevard and South 4th Street, C-2 zone.

MR. NULL gave the staff report indicating they were requesting a change in the landscaping. He said as part of the approval of the Use Permit, landscaping in a planting bed along the street was required; they would like permission to change the landscaping to provide 12 planters with live landscaping, chained to light standards. Staff feels this would be logical since the property is paved and there is no water, and staff recommends approval.

MR. MILLER made a Motion for APPROVAL of the landscaping requested under U-81-75, subject to the following conditions:

1. All other conditions of approval under U-81-75 shall be applicable.
2. Conformance to the submitted plot plan and landscaping layout as presented.
3. Conformance to code requirements and design standards of all City departments.

Voting was as follows:

"AYES" - Mr. Miller, Mr. Tiberti, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

18. C1-4-76

APPROVED

C-1 Use Review requested by GULF OIL COMPANY to allow leasing of the service station building for minor automotive repair work which would be done by the lessee rather than a service station attendant on property located at 4001 West Sahara Avenue, C-1 zone.

MR. NULL gave the staff report indicating they were requesting that the automotive repair work be done by a lessee rather than the service station attendant; however, these would be the same types of repair work as now permitted to be done by the attendant.

MR. TIBERTI made a Motion for APPROVAL of C1-4-76 by Resolution:

"RESOLUTION

WHEREAS, the City Code, Title XI, Chapter 1, Section 19(A)5 provides for the Planning Commission to authorize similar enterprises in the same classification; and

WHEREAS, there is a growing need for minor auto repair shops independent of gasoline sales facilities; and

WHEREAS, public garages are first permitted in a C-M zone; and

WHEREAS, major parts exchange operations are first permitted by means of a Use Permit in a C-2 zone; and

WHEREAS, service stations are permitted by means of a Use Permit in a C-1 zone, which service station operations are allowed to provide minor repairs by the attendants.

NOW, THEREFORE, BE IT RESOLVED that a minor automotive repair facility providing

- A. electronic tune up
- B. brake repairs (not including drum turning)
- C. air conditioning repairs
- D. generator and starter repairs
- E. tire repair
- F. front end alignment
- G. battery recharging
- H. lubrication
- I. selling of minor parts and accessories
- J. repair and installation of other minor elements of an automobile such as windshield wipers; hoses, windows, etc., but excluding engine, transmission and differential repair or installation

shall be permitted in a C-1 zone, subject to

1. all repair work being done within a completely enclosed building so that noise emission is not a problem to adjacent land uses,
2. there being no outside storage of stock, equipment, residual used materials (junk),
3. no temporary advertising of special job rates,
4. that a Use Permit as provided in City Code Title XI, Chapter 1, Section 24, be duly approved for all uses of this nature which are not situated within an existing automobile service station site.

PASSED, APPROVED AND ADOPTED this 9th day of December, 1976.

CITY PLANNING COMMISSION

s/ DON J. SAYLOR, AIP, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT"

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Ward, Mr. Miller and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

19. Request by the
Division of Forestry

APPROVED

Request by the Division of Forestry to allow a lathehouse, greenhouse and utility building in Tule Springs Park.

MR. SAYLOR gave the staff report indicating they were proposing a lathehouse on the easterly portion, a utility building to the north and a greenhouse in the middle. He stated the perimeter would be landscaped. He pointed out the City leased this property to them for this purpose conditioned upon an aesthetic review. He said if approved, the Department of Community Planning and Development would also be able to pick the color to be used on the utility building when they paint it. He said the lathehouse would be an appropriate redwood.

ACTING CHAIRMAN BUSCH asked to hear from the applicant.

MR. GLICK appeared and stated the City could choose the color for the utility building.

MR. MILLER made a Motion for APPROVAL and voting was as follows:

"AYES" - Mr. Miller, Mr. Tiberti, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this would be heard by the City Commission on December 15, 1976, at 9:00 A.M.

20. AR-15-76

APPROVED

Aesthetic Review requested by ARCHITECTURAL GROUP II to allow a 200 room hotel at the intersection of Highland and Sahara Avenue, M zone.

MR. NULL gave the staff report indicating the windows on the three proposed buildings would be screened and they would provide a tile roof. He said staff would recommend approval, subject to the normal conditions, but that aesthetic approval in no way implied approval of any casino operation.

MR. TIBERTI made a Motion for APPROVAL of AR-15-76, subject to the following conditions:

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

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Miller, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

21. Z-72-71

PLOT PLAN REVIEW

APPROVED

Plot Plan Review requested by RUBEN BULLOCK to allow the enclosure of an existing covered patio on property located at 812 North Torrey Pines Drive, R-PD3 zone.

MR. NULL gave the staff report indicating they were requesting to enclose a patio underneath the second story portion of their planned unit development. He stated the addition would be for a den. Staff has no objection, but feels it should be conditioned upon meeting the requirements of the Housing Code. Staff also feels the Commission could approve this on the basis that any other requests of this nature in this particular development be approved, as long as they have approval from the home owners association, which this one does.

MR. TIBERTI made a Motion for APPROVAL of Z-72-71, subject to the following conditions:

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

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Miller, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

22. Z-66-64

PLOT PLAN REVIEW

APPROVED

Plot Plan Review requested by AZTEC PLUMBING COMPANY to allow off-street parking and light storage of plumbing materials on property at the rear of 59 North 30th Street, "M" zone.

MR. NULL gave the staff report indicating there would be block walls on the west and south property lines 6 ft. in height. Staff has no objection as long as there is no storage of materials on the westerly portion west of the rear of lot 4, extended not above the height of the wall.

MR. TIBERTI asked why they needed approval for storage in an "M" zone.

MR. SAYLOR pointed out when this area was zoned, it was recognized there would be a need to watch this closely which was a condition. He stated since that original approval, development has taken place in the area, a public housing project, and this storage will go next to it.

MR. MILLER made a Motion for APPROVAL of Z-66-64, subject to the following conditions:

1. Conformance to the plot plan.
2. No storage be allowed on the westerly portion above the height of the wall (the westerly portion being that part west of the west property line of the original plot plan).
3. Conformance to code requirements and design standards of all City departments.

Voting was as follows:

"AYES" - Mr. Miller, Mr. Ward, Mr. Tiberti and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

23. Z-9-76
PLOT PLAN REVIEW
APPROVED

Plot Plan Review requested by DAVID S. SILVERMAN (DAVID'S PLACE) for property located at 2229 West Charleston Boulevard, C-1 zone.

MR. NULL gave the staff report indicating they were requesting an office and storage facility and parking on this property in conjunction with the restaurant operation on the adjacent property. He stated staff would recommend approval subject to meeting the requirements of the Traffic Engineer on the driveways and access and meeting the conditions of approval under Z-9-76 in the original zoning request.

MR. TIBERTI made a Motion for APPROVAL of Z-9-76, subject to the following conditions:

1. Driveways and access to meet the requirements of the Traffic Engineer.
2. Subject to the conditions of approval under Z-9-76 original zoning request.
3. Conformance to the submitted plot plan to reflect the above conditions.
4. Conformance to code requirements and design standards of City departments.

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Ward, Mr. Miller and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

24. FINAL MAP
BIG SKY RANCH
ESTATES #1
APPROVED

Property generally located at the northeast corner of Torrey Pines and Alexander Road, R-E zone.
Owner/Subdivider: Steven S. Miller
No. of Acres: 9.54 No. of Lots: 16

MR. NULL gave the staff report indicating two lots on this map were slightly undersized and indicated if approved, the

Commission would be approving the map as presented which they had authority to do. He stated if approved, it should be subject to approval of the tentative map and the conditions of approval under the tentative map and Z-16-73, plus the normal conditions.

MR. TIBERTI made a Motion for APPROVAL of the Final Map subject to the following conditions:

1. Subject to approval of the Tentative Map and the conditions of approval under the tentative map and Z-16-73.
2. Street names shall be provided in accord with the City's Street Name Policy.
3. Subject to code requirements and design standards of all City departments.
4. Meet the requirements of State Subdivision Statutes.

Voting was as follows:

"AYES" - Mr. Tiberti, Mr. Miller, Mr. Ward and Mr. Busch.
"NOES" - None.

Motion for APPROVAL carried unanimously.

25. CHARLESTON
HEIGHTS #54

WAIVER

APPROVED

Request of Waiver from requirements of the Subdivision Ordinance concerning certain off-site improvements in connection with Charleston Heights Subdivision Tract #54.

MR. NULL gave the staff report indicating they were requesting a waiver not to provide curb and gutter and sidewalks. He stated this was a development oriented toward horses and the applicant presently has a variance to allow horses pending. Staff would recommend approval pending approval of the variance and restricted to non-major streets.

MR. MILLER made a Motion for APPROVAL of the Waiver, subject to the following conditions:

1. Approval of the pending variance application to allow horses.

Voting was as follows:

"AYES" - Mr. Miller, Mr. Tiberti, Mr. Ward and Mr. Busch.
"NOES" - None.

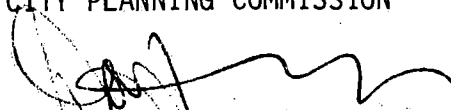
Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN BUSCH announced this would be heard by the City Commission on 12-15-76, at 9:00 A.M.

ADJOURNMENT:

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

CITY PLANNING COMMISSION


DON W. SAYLOR, AIP, DIRECTOR
DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT

DJS:kt