

A G E N D A
CITY PLANNING COMMISSION
SEPTEMBER 14, 1978

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CITY CLERK

- CALL TO ORDER: 7:30 P.M. in the Commission Chambers of City Hall,
400 East Stewart Avenue, Las Vegas, Nevada.
- ROLL CALL:
- PLEDGE OF ALLEGIANCE:
- ANNOUNCEMENT: Satisfaction of Open Meeting Law
- MINUTES: Approval of the Minutes for the City Planning Commission
meeting held June 8, 1978.
- OLD BUSINESS:
1. FINAL MAP
SUMMERPLACE
(Abeyance Item
from 8/10/78)
Property generally located on the east side of 28th
Street, north of Charleston Boulevard, R-1 zone
(under ROI to R-PD34).
Owner/Subdivider: Four Rent, Inc.
No. of Acres: 3.177 No. of Lots: 28
No. of Units: 112
 2. Z-77-78
(Abeyance Item
from 8/10/78)
Application of WILLIAM H. JOHNSON, ET AL for
reclassification of property located on the northwest
corner of Mesquite Avenue and Eastern Avenue, from R-1
to C-1.
Proposed Use: Retail Sales
 3. Z-10-76
(Abeyance Item
from 8/10/78)
Request of JUAN CARLOS LABORATI, M.D. for a Plot
Plan Review to allow construction of a six ft. slump-
stone wall along the front of the building located at
1809 S. Eastern Avenue, P-R zone.
- NEW BUSINESS:
1. NEW STREET ALIGNMENT
MANUEL DRIVE
New Street Alignment for Manuel Drive located east
of Durango Drive between Hammer Lane on the north and
Washburn Road on the south.
 2. AMENDMENT - MASTER
PLAN OF STREETS
AND HIGHWAYS
JONES BOULEVARD
Amend the Master Plan of Streets and Highways between
Vegas Drive and Mocassin Road for the portions located
within the City limits.
 3. TENTATIVE MAP
PRESTIGE ESTATES
Property generally located on the east side of "N"
Street between Madison Avenue on the north and
Jefferson Avenue on the south, R-1 zone.
Owner/Subdivider: George B. Kline
No. of Acres: 2.30 No. of Lots: 10
 4. FINAL MAP
NOVA PARK UNIT NO. 3
Property generally located on the southwest corner of
Owens Avenue and Virgil Street, R-1 zone.
Owner/Subdivider: Consolidated Realty & Mgmt., Inc.
No. of Acres: 13.632 No. of Lots: 52

5. FINAL MAP
TARA I
Property generally located on the northeast corner of Arville Street and Tara Avenue, R-1 zone (under ROI to R-PD14).
Owner/Subdivider: Consolidated Realty & Mgmt., Inc.
No. of Acres: 2.281 No. of Lots: 8

6. FINAL MAP
METROPOLITAN PARK
UNIT 21
Property generally located on the south side of the Cedar Avenue Drainage Channel and the west side of Marion Drive, R-1 zone.
Owner/Subdivider: Metropolitan Nevada Corp.
No. of Acres: 11.924 No. of Lots: 53

7. FINAL MAP
MIRAMONTE ESTATES NORTH
UNIT NO. 1
Property generally located on the northwest corner of Torrey Pines Drive and Alexander Road, R-E zone (under ROI to R-1).
Owner: Nevada Savings & Loan Association
Subdivider: Halco, Inc.
No. of Acres: 15.02 No. of Lots: 55

8. VAC-11-78
Petition of Vacation submitted by TRINITY UNITED METHODIST CHURCH to vacate the western and southern patent reservations of Government Lot 12, Section 1, Township 21 South, Range 60 East, M.D.B.&M., and generally located 494 feet west of Jones Boulevard and 547 feet south of Charleston Boulevard.

9. A-9-78
Petition of Annexation submitted by LAS VEGAS MORTGAGE CO., INC. to annex property located on the east side of Cypress Trail south of Coran Lane and west of Rancho Drive.

10. A-10-78
Petition of Annexation submitted by ETHEL M. AND WILLIAM A. McCALL to annex property generally located at the southeast corner of Vegas Drive and Tenaya Way.

11. A-11-78
Petition of Annexation submitted by SPROUL HOMES OF NEVADA to annex property located on the south side of Westcliff Drive approximately one-fourth mile west of Buffalo Drive.

12. STREET NAME CHANGE
Request of SECURITY FIDELITY PARTNERSHIP for a Street Name Change from Paseo Del Parque to Paseo Del Prado.

13. Z-79-78
Application of LAWRENCE AND TOMMIE KNIGHT for reclassification of property generally located on the northeast corner of Blankenship Avenue and Concord Street, from R-2 to R-3.
Proposed Use: Four-plex

14. Z-80-78
Application of LIED FAIRACRES CO., ET AL for reclassification of property generally located on the north side of West Charleston Boulevard, west of Lorenzi Street, east of Rockaway Street, extending north 4,000 feet to within 100 feet of White Sands Avenue, from R-E to R-1 and C-1.
Proposed Use: Detached Single Family Residences and Commercial

15. Z-81-78 Application of JERRY E. HERBST for reclassification of property generally located at the northwest corner of Highland Drive and Pinto Lane, from C-1 to R-4.
Proposed Use: 24 Unit Apartment Complex
16. Z-82-78 Application of VER-LEN CORP., ET AL for reclassification of property generally located south of Palomino Lane, north of Charleston Boulevard, approximately 660 feet east of Shetland Road, from R-E to R-1 and C-D.
17. Z-83-78 Application of MAE MARTIN for reclassification of property generally located at the southeast corner of Lewis Avenue and South 6th Street, from R-4 to C-1.
Proposed Use: Restaurant
18. Z-104-77 Request of CARL A. SIZER for a two months Extension of Time of a Resolution of Intent to R-3 (from R-1) on property generally located at the southwest corner of Alta Drive and Desert Lane.
Ext. of Time
19. Z-4-72 Request of JAMES A. McKELLAR, JR. for a Plot Plan Review to allow an apartment project on property generally located on the east side of 21st Street between Fremont Street and Sunrise Avenue, R-4 zone.
Plot Plan Review
20. Z-85-77 Request of TED BOSSART for a six months Extension of Time of a ROI to R-PD19 (from R-E) on property generally located at the southeast corner of Cedar Avenue and 28th Street to allow an 80 unit four-plex development.
Ext. of Time
21. Z-24-67 Request of ROBERT E. JONES for a Review of Conditions to rescind the condition requiring the 6' block wall along the northerly boundary on property generally located on the northeast corner of Sahara Avenue and South 6th Street, C-1 zone.
Review of Conditions
22. Z-127-77 Request of ROBERT HAYDEN for a Plot Plan Review to allow revision of the original plot plan from a four-plex to a ten-plex on property located at 4833 E. Owens Avenue, R-3 zone.
Plot Plan Review
23. Z-53-75 Request of SOUTHERN NEVADA MEMORIAL HOSPITAL for an Extension of Time to allow temporary parking facilities for hospital employees on property owned by NIC and located at 1710 West Charleston Boulevard, C-V zone. (City Commission granted temporary parking facilities at their meeting on February 15, 1978, but to be approved only until August 31, 1978.)
Ext. of Time

DIRECTOR'S BUSINESS:

1. Proposed Ordinance Amendment
(Abeyance Item from 8/10/78) Amend Section 11-1-6, (V), 3 to provide changes to the Aesthetic Review Provisions specifically requiring the screening of air conditioning, roof mechanics and trash containers.
2. Proposed Ordinance Amendment Amend 11-1-24, (A), 4.1 and 11-1-25 (B), 2.1 to require plans, attachments and exhibits for Use Permits, Variances, and Rezonings.

MINUTES

CITY PLANNING COMMISSION

SEPTEMBER 14, 1978

- CALL TO ORDER: A regular meeting of the City Planning Commission was called to order by Chairman Miller at 7:30 P.M. in the Commission Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.
- PRESENT: Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
- STAFF PRESENT: Harold P. Foster, Acting Director, Department of Community Planning & Development
Don W. Brown, Supervisor of Zoning
Howard A. Null, Supervisor of Planning
Ira John Gardner, Planning Assistant
Linda A. McIntosh, Recording Secretary
- ANNOUNCEMENT: It was stated that this agenda for this regular meeting of the City Planning Commission of Las Vegas, Nevada, has been posted and mailed as provided for in NRS Chapter 241 and affidavits are on file in the office of the City Clerk.
- MINUTES: MR. GUTHRIE made a Motion for APPROVAL of the minutes of the City Planning Commission meeting held June 8, 1978. Motion for APPROVAL carried by a majority vote; Mr. Kennedy abstained.
- OLD BUSINESS:
1. FINAL MAP
SUMMERPLACE
(Abeyance Item from 8/10/78)
- Property generally located on the east side of 28th Street, north of Charleston Boulevard, R-1 zone. (Under ROI to R-PD34).
Owner/Subdivider: Four Rent, Inc.
No. of Acres: 3.177 No. of Lots: 28
No. of Units: 112
- MR. NULL presented the staff report and stated this is the submittal of a final map that was held in abeyance so that the developer could rework his final plat. There are 168 regular size parking spaces provided. The final map is in substantial conformity with the tentative map and staff would recommend approval with the condition that there be conformance to the conditions of approval of the tentative map.
- MR. JONES made a Motion for APPROVAL of the Final Map of Summerplace, subject to the following condition:
1. Conformance to the conditions of approval of the tentative map.

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Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

ANNOUNCEMENT:

MR. BROWN read the normal conditions that would apply to any approved rezoning applications heard by the Commission at this meeting.

2. Z-77-78

(Abeyance Item
from 8/10/78)

Application of WILLIAM H. JOHNSON, ET AL, for reclassification of property located on the northwest corner of Mesquite Avenue and Eastern Avenue, from R-1 to C-1.

Proposed Use: Retail Sales

APPROVED

MR. BROWN presented the staff report and stated this item was held in abeyance so that the applicant could get with the neighbor to the west and determine if he would approve the building of this structure on the lot line. He has agreed to set back from Mesquite 10' and move the parking north 10' and comply with the recommendations of staff. The only problem was the potential conflict with the neighbor to the west. The applicant has talked with the neighbor and has a report to make. One additional condition is construction of a concrete sidewalk on the Mesquite Avenue frontage.

DICK URBAUER, Ponderosa TV, stated he had talked with the neighbors, Mr. & Mrs. Clifford Mortenson, who felt this structure would not bother them if it was built on the lot line and also felt it would be a security measure. He added he had invited the Mortenson's to attend the meeting if they wished to comment further.

CHAIRMAN MILLER asked the applicant if he agreed to the construction of a concrete sidewalk on Mesquite.

MR. URBAUER said he did agree to that stipulation,

Mr. and Mrs. Clifford Mortenson were not present.

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

MRS. COLEMAN made a Motion for APPROVAL of Z-77-78, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Construction of concrete sidewalk on Mesquite Avenue frontage as required by the Department of Public Services.
3. Revise the parking plan to provide minimum 9' x 20' spaces and driveway openings to conform to City of Las Vegas standards, as required by the Department of Public Services.

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. Redesign the plot plan to comply with staff's recommendations.
8. Securing of all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
 "NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

3. Z-10-76

(Abeyance Item
 from 8/10/78)

DENIED

Request of JUAN CARLOS LABORATI, M.D. for a Plot Plan Review to allow construction of a six ft. slumpstone wall along the front of the building located at 1809 South Eastern Avenue, P-R zone.

MR. BROWN presented the staff report and stated this item was held in abeyance because the applicant was not present. Staff's recommendation was opposition to a 6 ft. slumpstone wall in the front of the property in question. One of the comments made by the representative of the applicant was that it would keep the cars from crashing into the front of the house. That did not seem to be an acceptable reason and for that and others, the Planning Commission held this item in abeyance so the applicant himself could state additional reasons. Staff still recommends denial.

DR. JUAN LABORATI stated he was a psychiatrist and briefly outlined his reasons for requesting the wall. He said it was for safety, for the protection of his patients and himself, should a car crash into the building. It would also be fire protection as people throw cigarette butts from cars into this area. The wall would also protect his landscaping and would act as sound proofing for his office. And, it would furnish protection from pedestrians. He said that the wall would be nicely designed and would only encompass 17½' in length and within would be an atrium with plants, etc.

MRS. COLEMAN asked the applicant if there was a noise problem, why did he choose this location.

DR. LABORATI stated he did not realize the sound would be so bad, which is caused by the speeds of the cars on the street. He learned this after he purchased the property. He presented a plot plan of the property to the Commission.

MRS. COLEMAN asked if the applicant had considered building a wall similar to one to the north which is very attractive. It is of normal height, scalloped, and would serve as protection. She added that any yard that looked like the applicant's would attract trash, as trash attracts trash.

DR. LABORATI stated the yard would be taken care of. He added that he had attempted to cultivate a nice yard, but that it had been vandalized.

CHAIRMAN MILLER asked where the driveways were located.

MR. BROWN indicated the location as shown on the plot plan.

MRS. COLEMAN said getting out onto Eastern with a 6' wall right against the sidewalk, would be hazardous.

CHAIRMAN MILLER stated that street is very busy.

DR. LABORATI said his driveway would be completely clear.

MR. BROWN stated that staff still recommended denial and that no such use now exists in the P-R on Eastern. If this request is approved, others will ask that like request be approved. It would open Pandora's Box. He added the wall would be a traffic hazard. Four feet with the top two feet open is more feasible, and would be legal.

CHAIRMAN MILLER stated that he has lived in the general neighborhood for 15 years and not once has a car run into that house. He said with regard to the noise factor, it may be an advantage.

MR. JONES stated that as far as sound proofing goes, it would be more effective to go from the inside out, and insofar as the 6' block wall fence, the Commission must think of the safety of the patients going in and out. He suggested sound proofing be added on the inside and a 4' fence be erected on the outside with the top 2' open.

MRS. COLEMAN said good landscaping in front of the windows would also provide for good sound proofing as well as drapes inside. She added she thought it would be a danger for pedestrians on the sidewalk as well.

MR. JONES made a Motion for DENIAL of the Plot Plan Review under Z-10-76 because it was felt that this request would create a sight restriction for pedestrians and motorists as well as establish an undesirable precedent along Eastern Avenue.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

NEW BUSINESS:

1. NEW STREET
ALIGNMENT

New Street Alignment for Manuel Drive located east of Durango Drive between Hammer Lane on the north and Washburn Road on the south

MANUEL DRIVE

ABEYANCE

MR. NULL presented the staff report and stated this came before the Commission because it is a request for a new street alignment as part of a parcel map submission. The lot in question is Lot 3 and it is bounded by Manuel Drive (the new alignment the applicant is proposing) and also Lisa Lane north of Washburn Road. The two most logical designs that could be produced if this is subdivided would be a situation where there would be lots fronting on Lisa and Manuel and backing up to each other in the center as shown on the plat in red (indicating plat). The problem is these lots would only be 150' deep and that would automatically preclude the addition of corrals and/or stables to the rear of the homes. Also, since this is in the R-E zone there would only be about 50' of actual building area left in the middle and depending on the design, could preclude additions attached to the house from going into the rear yard. The other possibility is to have a lot that runs clear across such as Lot 1, from Lisa to Manuel. The problem is that double frontage lots create a situation where people on one side of the street are looking into the rear yard of somebody else's lot. Staff would point out that either one of these lots designs would meet the R-E requirements, but for the reasons enumerated staff would prefer that this new alignment not be approved and rather have Royer Ranch Road extended from the south along the edge of the property. That would produce deeper lots as one would normally expect to find.

CHAIRMAN MILLER asked if all the property was owned by one person.

MR. NULL replied that was correct.

MRS. COLEMAN asked what the size of the long lot is.

MR. NULL stated it is approximately 1345', and that would be re-subdivided, either by the property owner or by someone else if they should buy the property.

MR. JONES asked why Lot 1 was so small in comparison with the other three lots.

MANUEL HURTADO, 8201 Washburn Road, stated Lot 1 is a full acre lot. A house could be built on this lot. The reason for the street to be offset is so Lot 3 could be subdivided at a later date into R-E lots provided a community well permit could be obtained.

MRS. COLEMAN asked the applicant if he was parcel mapping this property.

MR. HURTADO replied that he is.

MRS. COLEMAN asked if the applicant intended to put in subdivision improvements.

MR. HURTADO replied he did not.

CHAIRMAN MILLER stated he thought improving of the lot was the biggest problem..

MR. NULL again described the present and proposed street alignments.

MRS. COLEMAN stated she thought an engineer could draw the applicant a better parcel map without realigning the street and the property could more properly be parcel mapped.

MR. GUTHRIE asked how many acres are involved.

MR. HURTADO stated the parcel in question encompasses 40 acres.

MR. NULL stated staff's major concern is the depth of the lots.

MRS. COLEMAN made a Motion for ABEYANCE of the New Street Alignment for Manuel Drive pending submission of a revised street location to be worked out with the Planning staff.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for ABEYANCE carried unanimously.

2. AMENDMENT - MASTER
PLAN OF STREETS &
HIGHWAYS

JONES BOULEVARD

APPROVED

Amend the Master Plan of Streets and Highways between Vegas Drive and Moccasin Road for the portions located within the City limits.

MR. NULL stated Public Services is entering into a design on Jones and they have requested the Master Plan of Streets and Highways be amended to reduce the width of Jones from 100' to 80' from Vegas Drive to Smoke Ranch. After receiving the request, staff contacted Regional Streets and Highways. They indicated they would be satisfied with reducing Jones north to Moccasin, and further they have contacted the County and it appeared the County would go along with also reducing the width of Jones in the County islands. Public Services did not have time to evaluate the request north of Smoke Ranch. Staff would propose that if the reduction in width is approved, it should be conditioned that if there is some disapproval by Public Services for the extension north of Smoke Ranch, then it would be brought back before the Commission. Staff feels it is imperative that the application be acted upon & if there is a problem with the northern part, it would be brought back to the Commission prior to going before the City Commission. The reason for the 80' in lieu of the 100' is that Nevada Bell Telephone has poles set for its long lines and it will not be possible to build in that area.

MRS. COLEMAN asked if the City could not build streets if a utility has a line along it.

MR. NULL replied the utility has existing poles in the 20' area and Public Services feels that it would not be workable to use the full 100'. Jones, between Vegas Drive and Charleston, is currently 80'.

MRS. COLEMAN asked if it was planned to pave this in the near future.

MR. NULL stated he only had the right-of-way plans, not the construction plans, but he did not think they would do any paving in the 20' area. There is going to be construction in the 80' between Smoke Ranch and Vegas Drive in the near future.

MR. JONES made a Motion for APPROVAL of the Amendment to the Master Plan of Streets and Highways between Vegas Drive and Moccasin Road for the portion of Jones Boulevard located within the City limits.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

3. TENTATIVE MAP
PRESTIGE ESTATES
APPROVED

Property generally located on the east side of "N" Street between Madison Avenue on the north and Jefferson Avenue on the south, R-1 zone.

Owner/Subdivider: George B. Kline

No. of Acres: 2.30

No. of Lots: 10

MR. NULL presented the staff report and stated staff would recommend approval of the tentative map subject to requirements of the Nevada Division of Water Resources concerning water quantity being met plus the normal conditions.

GEORGE KLINE agreed to staff conditions.

MRS. COLEMAN made a Motion for APPROVAL of the Tentative Map of Prestige Estates, subject to the following conditions:

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 the 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. Requirements of the Nevada Division of Water Resources concerning water quantity be met.
3. Street names to be provided in accord with the City's Street Name Policy.

4. Subject to all conditions of City departments and State Subdivision Statutes.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

4. FINAL MAP

NOVA PARK UNIT
NO. 3

Property generally located on the southwest corner of Owens Avenue and Virgil Street, R-1 zone.

Owner/Subdivider: Consolidated Realty & Management, Inc.
No. of Acres: 13.632 No. of Lots: 52

APPROVED

MR. NULL presented the staff report and stated the property deleted from Washington Square has been transferred and that problem has been solved. The final map is in substantial conformity with the tentative map and staff would recommend approval subject to conformance to the conditions of approval of the tentative map.

MR. GUTHRIE made a Motion for APPROVAL of the Final Map of Nova Park Unit No. 3, subject to the following condition:

1. Conformance to the conditions of approval of the tentative map.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

5. FINAL MAP

TARA I

APPROVED

Property generally located on the northeast corner of Arville Street and Tara Avenue, R-1 zone (under ROI to R-PD14).

Owner/Subdivider: Consolidated Realty & Management, Inc.
No. of Acres: 2.281 No. of Lots: 8

MR. NULL presented the staff report and stated the final map is in substantial conformity with the tentative map and staff would recommend approval subject to conformance to the conditions of approval of the tentative map.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Tara I, subject to the following condition:

1. Conformance to the conditions of approval of the tentative map.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

6. FINAL MAP

METROPOLITAN PARK
UNIT 21

Property generally located on the south side of Cedar Avenue Drainage Channel and the west side of Marion Drive, R-1 zone.

Owner/Subdivider: Metropolitan Nevada Corp.

No. of Acres: 11.924 No. of Lots: 53

APPROVED

MR. NULL presented the staff report and stated that a couple of waivers are necessary. One waiver is from the 70' lot frontage requirements on corner lots for Lot 6, Block 11. The second waiver is for the lengths of Blocks 10 and 11. Staff has no objection to these waivers. The final map is in substantial conformity with the tentative map and staff would recommend approval subject to conformance to the conditions of approval of the tentative map.

CHARLEY JOHNSON, VTN-Nevada, agreed to staff conditions.

MR. KENNEDY made a Motion for APPROVAL of the Final Map of Metropolitan Park Unit 21, subject to the following condition:

1. Conformance to the conditions of approval of the tentative map.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

7. FINAL MAP

MIRAMONTE ESTATES
NORTH UNIT NO. 1

Property generally located on the northwest corner of Torrey Pines Drive and Alexander Road, R-E zone (under ROI to R-1).

Owner: Nevada Savings & Loan Association

Subdivider: Halco, Inc.

No. of Acres: 15.02 No. of Lots: 55

APPROVED

MR. NULL presented the staff report and stated a waiver is necessary on Lot 1, Block A from the 70' lot frontage requirements. Less than 1' is involved. The final map is in substantial conformity with the tentative map and staff would recommend approval subject to conformance to the conditions of approval of the tentative map.

CHARLEY JOHNSON, VTN-Nevada, agreed to staff conditions.

MR. JONES made a Motion for APPROVAL of the Final Map of Miramonte Estates North Unit No. 1, subject to the following condition:

1. Conformance to the conditions of approval of the tentative map.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

8. VAC-11-78
APPROVED

Petition of Vacation submitted by TRINITY UNITED METHODIST CHURCH to vacate the western and southern patent reservations of Government Lot 12, Section 1, Township 21 South, Range 60 East, MDB&M, and generally located 494 feet west of Jones Boulevard and 547 feet south of Charleston Boulevard.

MR. NULL presented the staff report and stated the utility companies and City departments have no objections to the requested vacation. Staff would recommend approval subject to the normal conditions.

MR. SWESSEL made a Motion for APPROVAL of VAC-11-78, subject to the following conditions:

1. Satisfaction of the requirements of the various utility companies.
2. Conformance to code requirements and design standards of all City departments.
3. Vacation shall not be recorded until all of the above conditions have been met.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be before the City Commission on September 20, 1978 at 2:00 P.M. at which time a date for public hearing would be set.

9. A-9-78
ABEYANCE

Petition of Annexation submitted by LAS VEGAS MORTGAGE CO., INC., to annex property located on the east side of Cypress Trail south of Coran Lane and west of Rancho Drive.

MR. NULL presented the staff report and stated the property in question is approximately 1/2 acre in size and is surrounded by the City. Staff would recommend approval. It is zoned County H-2, General Highway Frontage.

MRS. COLEMAN asked if the City had any similar zoning in this area.

MR. NULL stated there is C-2 zoning, which is comparable. The general highway frontage commercial allows greenhouses and nurseries, with general business as conditional uses.

CHAIRMAN MILLER asked how far off Rancho Drive is the zoning.

MR. NULL said it was approximately 600' on each side of the center line of Rancho Drive. There is no development. He added the County zoned a strip almost completely up and down Rancho Drive.

The applicant or a representative was not present.

MR. SWESSEL made a Motion for ABEYANCE of A-9-78.

Voting was as follows:

"AYES" Chairman Miller, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" Mrs. Coleman and Mr. Guthrie

Motion for ABEYANCE carried by a majority vote.

10. A-10-78

APPROVED

Petition of Annexation submitted by ETHEL M. AND WILLIAM A. McCALL to annex property generally located at the southeast corner of Vegas Drive and Tenaya Way.

MR. NULL presented the staff report and stated the property in question involves approximately 32 acres zoned Resolution of Intent to Single Family Residence under County zoning. Staff recommends approval.

MR. GUTHRIE made a Motion for APPROVAL of A-10-78.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

11. A-11-78

APPROVED

Petition of Annexation submitted by SPROUL HOMES OF NEVADA to annex property located on the south side of Westcliff Drive approximately one-fourth mile west of Buffalo Drive.

MR. NULL presented the staff report and stated the area in question encompasses 42 acres and is County zoned Resolution of Intent to Single Family Residence. This connects with the existing Sproul development.

CHARLEY JOHNSON, VTN-Nevada, was present.

MR. SWESSEL made a Motion for APPROVAL of A-11-78.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

12. STREET NAME CHANGE

Request of SECURITY FIDELITY PARTNERSHIP for a Street Name Change from Paseo Del Parque to Paseo Del Prado.

APPROVED

MR. NULL presented the staff report and stated staff would recommend approval of the requested street name change.

MR. JONES made a Motion for APPROVAL of the STREET NAME CHANGE from Paseo Del Parque to Paseo Del Prado.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on September 20, 1978 at 2:00 P.M.

13. Z-79-78

Application of LAWRENCE AND TOMMIE KNIGHT for reclassification of property generally located on the northeast corner of Blankenship Avenue and Concord Street, from R-2 (Two Family Residence) to R-3 (Limited Multiple Residence). The above property is legally described as Lots 130-C and the west one-half of Lot 130-B, Vegas Heights Tract Unit No. 4.

APPROVED

Proposed Use: Four-Plex

MR. BROWN presented the staff report and stated the predominant zoning in the area is R-2 and staff feels it should remain R-2, and does not see any justification for R-3 in the middle of all the R-2. The plot plan is as submitted. Staff would recommend denial.

CHAIRMAN MILLER declared the public hearing open.

MRS. COLEMAN asked what the size of the lot is.

MR. BROWN replied it is 135' x 60'.

LAWRENCE KNIGHT, 2112 Cartier, stated it is a lot and a half and they are trying to get permission for a four-plex. There is not enough land for two dwellings.

CHAIRMAN MILLER asked if the applicant had discussed this with the neighbors.

MR. KNIGHT said he had talked to most of the people and no one objected.

MR. BROWN stated there are no protests on record.

MR. GUTHRIE asked if the building would be two story.

MR. KNIGHT replied that it would.

MRS. COLEMAN asked the applicant if he planned to sell the unit or would it be under his management.

MR. KNIGHT said it would be under his management and that there would also be a 6' block wall.

MR. BROWN stated if the request is approved, staff would require the location of the trash container be rearranged, landscaping and parking spaces to be provided according to the revised plot plan recommended by staff, and dedication of a radius corner.

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

MR. KENNEDY made a Motion for APPROVAL of Z-79-78, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Dedication of 10 ft. property line radius at Concord and Blankenship as required by the Department of Public Services within sixty days after approval of the zoning.
3. Rearrange location of trash container and parking spaces as per revised plot plan recommended by staff.
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. Securing all necessary permits and licenses and satisfaction of City code requirements and design standards of all City departments

Voting was as follows:

"AYES" Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" Chairman Miller

Motion for APPROVAL carried by a majority vote.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

RECESS:

CHAIRMAN MILLER declared a 10-minute recess at 8:35 P.M. and reconvened the meeting at 8:45 P.M.

14. Z-80-78

ABEYANCE

Application of LIED FAIRACRES CO., ET.AL, for reclassification of property generally located on the north side of West Charleston Boulevard, west of Lorenzi Street, east of Rockaway Street, extending north 4,000 feet to within 100 feet of White Sands Avenue, from R-E (Residence Estates) to R-1 (Single Family Residence) and C-1 (Limited Commercial). The above property is legally described as a portion of the East Half (E $\frac{1}{2}$) of the East Half (E $\frac{1}{2}$) of Section 34, Township 20 South, Range 60 East, MDB&M.

Proposed Use: Detached Single Family Residences and Commercial

MR. BROWN presented the staff report and stated the plot plan is as depicted. The proposed C-1 is abutting Charleston, a depth of 650' on both sides of Rainbow and the remainder is R-1. The County Planning Commission recommended to the County Commission last week that 10 acres on the southwest corner of this intersection be zoned for a shopping center. The applicant has 10 acres on the northwest corner and approximately 7 acres on the northeast corner, which staff feels should be a sufficient amount of commercial zoning in this area for some time. Staff in looking at this, feels in view of the fact there is commercial zoning to the east on the north side of Charleston on the west side of Torrey Pines and on west of Antelope, that there is no objection to the C-1 abutting Charleston at this location, but do object to a depth of 650'. Staff would favor an average depth of 450' and of course there is no objection to the R-1 to the north.

CHAIRMAN MILLER asked how many homes would 450' encompass.

MR. BROWN stated that 250' would include 3 or 4 lots and 650' would encompass approximately 10 lots. Further Public Services requires dedication of a 30' half street for Lorenzi for the length of this property and a 30' half street for Rockaway with a knuckle to Kincannon Drive and a 25' buffer line on both sides of Rainbow and Charleston. With those conditions and staff's recommendation of 450', plus the normal conditions, approval is recommended.

MRS. COLEMAN asked what the depth of the R-3 existing is.

MR. BROWN replied it is approximately 900 feet.

CHAIRMAN MILLER declared the public hearing open.

ANDY SKURSKI, 4404 Thompson, representing the applicant, said in past requests for rezoning there had been some R-3 and R-4 which the people had complained the most about, which has now been eliminated. He said they had had some calls about what would happen to the water on Kincannon which is the first street north of Charleston and Rockaway. He presented a rendering to the Commission which indicated how this problem would be taken care of. He said this would be a major shopping center. There are no supermarkets past Charleston, only small convenience stores, all the way to Rainbow.

CHAIRMAN MILLER asked if 650' depth was needed for a supermarket.

MR. SKURSKI replied that it was.

CHAIRMAN MILLER asked if there were to be half street improvements on Rockaway only.

MR. SKURSKI said there would have to be a dedication on Rockaway all the way to Kincannon and the same thing on Lorenzi all the way up the length of the property. He described the various dedications using the display map as well as the street layout of the area.

CHAIRMAN MILLER asked if Kincannon was going to run across the back of the shopping center.

MR. SKURSKI replied that it would.

MR. GUTHRIE asked if it was planned to develop the R-1 as well as the commercial.

MR. SKURSKI said that was correct.

MR. GUTHRIE asked if there are any plans for the R-1.

MR. SKURSKI replied they already have a tentative. He added the Commission had approved the tentative subject to this getting zoned the last time.

MR. BROWN said the tentative would have to be resubmitted. He added there is a new shopping center at Flamingo and Rainbow that is 500' deep.

CHAIRMAN MILLER asked what was the least the applicant would accept insofar as the depth was concerned.

MR. SKURSKI said 650 feet. That is necessary for a major center.

CHAIRMAN MILLER asked those present in protest to stand. Eighteen persons were present in opposition.

GARY SERNA, 6717 Cabra Circle, appeared in protest, and stated the residents of the area preferred to have the property rezoned R-1 in its entirety. He then described the commercial in the area and stated there is too much commercial at the present time.

CHAIRMAN MILLER said for the property to stay R-1 against Charleston would almost be impossible. It would never stay that way.

MR. SERNA said that on the corner of Lorenzi and the Fremont Expressway, there was a stretch of property that wanted to go commercial but Lewis Homes built homes there.

ROBERT CHRISTO, 6725 Cabra, appeared in protest, and stated his main concern was traffic but also everyone is opposed to commercial.

MR. SWESSEL said the last time this property was considered, the

people were protesting the proposed apartments.

MR. CHRISTO said they objected to the apartments and the commercial also.

LORETTA GIBBS, 900 Rockaway, stated her main concern was traffic congestion. She presented a map given to her by Mr. Skurski. She added she is opposed to commercial, but if commercial is to be put in, a buffer should be established. She said if the request was approved, it should be cut down to 450', put in a fence and have a buffer to Rockaway and Kincannon.

CHAIRMAN MILLER said that it is possible if it is zoned back to 450', the single family homes across the street could come in and ask for commercial also.

MRS. COLEMAN said it would be better to concentrate the commercial on one side and put R-1 on the other side. The commercial should not be split by the expressway. She suggested the commercial go deeper on one side.

MR. SKURSKI stated they would put in buffer homes on the east side of Rockaway.

CHAIRMAN MILLER stated he agreed with Mrs. Coleman about separating the commercial and that it could create a potential traffic hazard.

MRS. COLEMAN stated her proposal would be to put R-1 in to face the R-1 on Rockaway to Charleston and approve a deeper commercial depth on the other side of the street.

CHAIRMAN MILLER suggested there be 200' of commercial on the west side of the property and 900' commercial depth on the east side.

MR. BROWN stated if the commercial was to go deeper on the east side of the property, a new application would have to be filed.

MR. SKURSKI stated he could not speak for the applicant as to the suggestions made by the Commission, but he would take these back to Mr. Lied for a decision.

MR. SWESSEL made a Motion for ABEYANCE of Z-80-78.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for ABEYANCE carried unanimously.

DON HIBBITS, 6725 Oveja, appeared seeking clarification of the proposal and the Commission's foregoing action.

15. Z-81-78

APPROVED

Application of JERRY E. HERBST for reclassification of property generally located at the northwest corner of Highland Drive and Pinto Lane, from C-1 (Limited Commercial) to R-4 (Apartment Residence). The above property is legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 33, Township 20 South, Range 61 East, MDB&M.

Proposed Use: 24 Unit Apartment Complex

MR. BROWN presented the staff report and stated the proposal is as depicted. There is parking on the north side. He added the applicant could have applied for a use permit as C-1 permits R-4 density by this means rather than seeking the rezoning. Staff objects to the request.

MR. JONES asked what the total parking was.

MR. BROWN replied it is 1 $\frac{1}{2}$ to 1.

CHAIRMAN MILLER declared the public hearing open.

RICHARD KOCH, Attorney, was present representing the applicant.

MR. BROWN stated if the request is approved, Public Services required dedication of a 15' radius corner.

MR. KOCH stated that both the applicant and the developer believes the proposal is compatible with the area, and he was surprised at the protest factor.

MRS. COLEMAN said she thought the objection was to the R-4.

DR. ETOR appeared in protest. He stated he has an animal clinic directly across the street. There is a lot of commercial in the area and apartments would create too much density, and that it would create a parking problem. He said there are iron workers who now parking on this property.

MRS. COLEMAN said one could not expect a person not to develop his property.

DR. ETOR stated he still protests.

MR. KOCH presented rendering of the proposed complex. He said it would contain only studio apartments.

MRS. COLEMAN asked if there would be sufficient parking.

MR. BROWN replied that there would and staff recommends approval. There are three letters of protest on file.

MR. KOCH said they would agree to staff conditions.

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

MR. JONES made a Motion for APPROVAL of Z-81-78, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Dedication of a 15 ft. radius corner prior to the time of development as required by the Department of Public Services.
3. At the time of development, construction of sidewalk, and street lighting on Highland Drive and Pinto Lane frontages along with alley paving on alley frontage as required by the Department of Public Services. (Engineering drawings to be submitted and a bond posted for this construction.)
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 as amended to reflect the above conditions.
8. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Kennedy and Mr. Canul

"NOES" Mr. Swessel

Motion for APPROVAL carried by a majority vote.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

16. Z-82-78
ABEYANCE

Application of VER-LEN CORP., ET AL, for reclassification of property generally located south of Palomino Lane, north of Charleston Boulevard, approximately 660 feet east of Shetland Road, from R-E (Residence Estates) to R-1 (Single Family Residence) and C-D (Designed Commercial). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 32, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the depth of the C-D in this area is 280' on the east side, clear to Rancho. The one of the west is 478' and the one on Shetland is 170' in depth. Staff would recommend the Commission keep this in mind during deliberations. As far as rezoning from R-E to R-1, staff would recommend that be denied and the C-D be left to the solomonic decision of the Planning Commission.

CHAIRMAN MILLER declared the public hearing open.

MADISON GRAVES, II, 2323 Palomino Lane, stated he lives just 200' to the east of this development. Additionally he has in escrow the half acre lot at Palomino which brings his property to within 100' of the proposed development. He presented two letters of approval, one from Mr. Bob Scott of Zuni Construction, who is building a substantial home on the corner of Rancho and Palomino.

MR. BROWN stated that in the rezoning on the west side of Rancho to C-1, there was a stipulation that one tier of lots remain R-E.

MR. GRAVES said that in looking at the C-D zoning requested on Charleston, two years ago it was zoned C-D 478' and that they are now requesting this depth to match the adjoining property. He further described the zoning in the area.

CHAIRMAN MILLER asked what would happen to that section of R-E property between the applicant's and that which is already zoned C-1.

MR. GRAVES said that when the Town & Country Shopping Center was approved, a buffer zone was established on Palomino, six one-half acre lots. They have extended the R-E lots west on Palomino, but this does not show on the development. There are 3 lots. In-between the first and second lot, ingress and egress is proposed on Palomino. They wish to put the R-E lots on Palomino, wall off the back of the lots which would be 200' in depth, and have a proper walled community with the R-1. The smallest R-1 lots is 8800 sq. ft. He stated the property as it exists is a dump, and is a detriment to the neighborhood.

CHAIRMAN MILLER asked if the property is zoned, would the applicant be held to the 8800 sq. ft.

MR. BROWN stated the applicant would have to submit a subdivision plat.

MR. GRAVES said they would want it limited to that. They would not want lots smaller than that. He added he had invited the neighbors to a presentation with regard to the development and that the R-1 homes would cost from \$100,000 to \$150,000.

CHAIRMAN MILLER asked how many lots are proposed.

MR. GRAVES said 23 R-1 and 3 R-E.

CHAIRMAN MILLER asked what would happen with the C-D.

MR. GRAVES said hopefully it would be the new home of Nevada Realty and Development and Flamingo Realty. It would be tied in with the theme of the Town and Country Shopping Center. Where Circle Realty and Nevada Optical is now housed, would be remodeled.

GEORGE KOKOS, 2426 Palomino Lane, appeared in protest to the ingress and egress as proposed. He stated this would create a hazard to children walking on the street and would further over congest the area. He said the proposed ingress/egress was directly across from his home.

RAY HERSHMAN, 2500 Palomino, appeared in protest to the ingress and egress as proposed. He stated he lives directly across the street and would be affected. He further objected to the additional traffic.

CHUCK SANTLEMAN, 2550 Palomino, stated he was concerned about the depth of the C-D of 478'. He said this would be precedent setting. He added the ingress and egress should be on West Charleston. He said he would like the applicant to meet with his engineer to consider zoning R-E all the way. This would alleviate the traffic on Palomino.

SUSANNE WARD, 2400 Palomino Lane, stated if Palomino was to have homes on larger lots than was proposed, fewer homes, she would basically be in favor of the plan.

PAT HERSHMAN, 2500 Palomino, stated her concern was the ingress and egress. If the ingress and egress could be moved, she would be in favor of the proposal.

MRS. COLEMAN suggested the ingress and egress be redesigned to the west of the property and have homes solid along Palomino.

MR. GRAVES said he thought that would create too much traffic along Shetland.

LEN ROSENSTEIN, 909 Cashman, stated he wished to locate his office in the proposed C-D. He said he would be willing to accept P-R in lieu of the C-D.

MR. GUTHRIE said the question is the depth of the zoning.

MR. ROSENSTEIN said it was necessary to recognize the fact that they have a property that needs squaring off for the residential.

MR. GUTHRIE said he did not agree to square it off would make it right.

MR. GRAVES presented a revised plot plan which would cut down the density by 5 lots with the ingress/egress moved to the east where it would come out on the edge of the Kokos property and there would be a vacant lot across the street. He asked that the R-1

zoning not be granted and they be allowed R-D zoning with the minimum requirements of 11000 sq. ft. per lot.

MR. SANTELMAN stated if the ingress/egress is changed as suggested, it would be in front of his property.

KIRK ANDERSON stated they could not line up with Shetland and according to City subdivision ordinance, so the access will have to be moved completely away or a variance obtained to make it line up with Shetland.

MR. SWESSEL suggested this be held in abeyance for two weeks so the ingress and egress could be worked out with the neighbors and the engineer.

MR. JONES made a Motion for ABEYANCE of Z-82-78.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for ABEYANCE carried unanimously.

17. Z-83-78
ABEYANCE

Application of MAE MARTIN for reclassification of property generally located at the southeast corner of Lewis Avenue and South 6th Street, from R-4 (Apartment Residence) to C-1 (Limited Commercial). The above property is legally described as Lots 1 and 2, and the north 10.21 feet of Lot 3, Block 5, Wardie Addition.

Proposed Use: Restaurant

MR. BROWN presented the staff report and stated the plot plan is as depicted. The applicant has stated he will go to the Board of Zoning Adjustment to seek relief for parking if this request is approved. Staff, in viewing this parcel, feels the total block practically being R-4 with the C-1 across the street on three sides, would be an incompatible use and would recommend this request be denied.

CHAIRMAN MILLER declared the public hearing open.

KEITH FERRIS, Architect, stated this is a very low key type of operation that is proposed. The owner is proposing a very exclusive low key type restaurant operation. The existing building would not be changed appreciably except for facelifting. All vegetation there now would remain with additional improvements. It would be a great improvement from the existing condition. He added there would be minimal amount of seating and felt it would be compatible with the area.

MRS. COLEMAN stated this is a lovely old home. She asked if under the present zoning the applicant could have a restaurant by means of a variance.

MR. BROWN said it would be rezoning under the guise of a variance.

MRS. COLEMAN said if the restaurant was allowed by means of a variance, should it fail, the property would retain its original zoning.

MR. BROWN said the variance would go with the property.

MRS. COLEMAN said they could not go in as a matter of right and put any kind of a C-1 use on the property. She added she did not personally object to a restaurant at this location and the type that was proposed, but not C-1 zoning for a restaurant.

MR. BROWN said the applicant could request a variance to put the use in there.

MRS. COLEMAN said she would rather see him do that than deny the application.

MR. GUTHRIE asked if the exterior would remain the same.

MR. FERRIS replied there would be very little change except for improving it.

MR. CANUL asked what the seating would be.

MR. FERRIS replied thirty-eight seats.

MR. BROWN said it would be thirty-six, four to each parking space. They are requesting fifty.

MR. FERRIS stated if it is possible to obtain the use by the means previously mentioned, they would be happy to stipulate to any conditions, including reverting to the original zoning.

MR. BROWN suggested the matter be held in abeyance and the applicant apply to the Board of Zoning Adjustment.

MRS. COLEMAN made a Motion for ABEYANCE of Z-83-78 in order to give the applicant the opportunity to apply to the Board of Zoning Adjustment for this use by means of a variance.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for ABEYANCE carried unanimously.

18. Z-104-77

EXTENSION OF
TIME

APPROVED

Request of CARL A SIZER for a two months Extension of Time of a Resolution of Intent to R-3 (from R-1) on property generally located at the southwest corner of Alta Drive and Desert Lane.

MR. BROWN presented the staff report and stated the applicant needs an extension of 60 days. Staff would recommend approval.

MR. SWESSEL made a Motion for APPROVAL of the request for Extension of Time under Z-104-77, subject to the following conditions:

1. Extension of time shall be limited to a two month time limit.
2. Conformance to any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried by a majority vote.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

19. Z-4-72

PLOT PLAN REVIEW

APPROVED

Request of JAMES A. McKELLAR, JR., for a Plot Plan Review to allow an apartment project on property generally located on the east side 21st Street between Fremont Street and Sunrise Avenue, R-4 zone.

MR. BROWN presented the staff report and stated that staff has a couple of comments. The development will be done in two phases. There is adequate parking, but staff felt that in view of all this parking emptying onto 21st Street, there should be a couple of more ingress/egress spots in the layout, and so arrows are indicated on the plot plan where staff feels they should be. He will lose a couple of parking spaces. The applicant is also going to take some units from one building and put on the other building in the first phase. With the additional ingress/egress and approval of the plot plan by staff, approval is recommended.

JAMES McKELLAR stated he agreed to staff stipulations with regard to access to the alley.

MR. KENNEDY made a Motion for APPROVAL of the Plot Plan Review under Z-4-72, subject to the following conditions:

1. The proposed driveway opening on 21st Street is not to exceed 25 ft. in width as required by the Department of Public Services.
2. Provide two driveways to the alley as required by the Department of Community Planning and Development.
3. Landscaping and a permanent underground sprinkler system shall be installed as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler 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 as amended to reflect the above conditions.
7. Securing all necessary permits and licenses and satisfaction of all City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

20. Z-85-77

EXTENSION OF
TIME

Request of TED BOSSART for a six months Extension of Time of a ROI to R-PD19 (from R-E) on property generally located at the southeast corner of Cedar Avenue and 28th Street to allow an 80 unit four-plex development.

APPROVED

MR. BROWN presented the staff report and read a letter from the applicant relevant to the requested extension of time (copy on file in the Department of Community Planning and Development). He added that staff would recommend approval.

MRS. COLEMAN made a Motion for APPROVAL of the request for an Extension of Time under Z-85-77, subject to the following conditions:

1. Extension of Time shall be limited to a six month time limit.
2. Conformance to any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

21. Z-24-67

REVIEW OF
CONDITION

Request of ROBERT E. JONES for a Review of Conditions to rescind the condition requiring the 6' block wall along the northerly boundary of property generally located on the northeast corner of Sahara Avenue and South 6th Street, C-1 zone.

ABEYANCE

MR. BROWN presented the staff report and stated that when the hearing was held for this shopping center, as depicted, there was quite a protest. In view of this, staff feels a public hearing should be held and the neighbors notified who objected previously.

MRS. COLEMAN stated she thought there was a wall there.

MR. BROWN stated they do have a wall and they want to cut it down. As it is now, burglars can come in the space between the wall and the building and be protected from an audience. They wish to decrease the height of the wall for protection

VAUGHN HOLT, an owner in the shopping center, stated the wall was a stipulation at the time of the rezoning of the property. At that time all the abutting property was R-1 and it is now C-1. They are now backed up against a vacant lot, and there is a television and radio station right next to it. He added it has been a real hazard.

CHAIRMAN MILLER asked how much room was there between the building and the wall.

MR. HOLT replied about seven feet.

CHAIRMAN MILLER asked what the space is used for.

MR. HOLT replied it is there so the businesses can take out their trash to the ends of the building. He added they only want to take off three or four blocks so people cannot get behind there and hide.

CHAIRMAN MILLER said something would have to be figured out to stop what is happening, that the wall is their for the people of the neighborhood.

MR. HOLT stated the wall is not facing any residents, that it faces a vacant lot that has been rezoned to C-1.

MR. BROWN stated that property is not rezoned.

MR. SWESSEL made a Motion for ABEYANCE of the request for Review of Condition under Z-24-67 so notification can be made to the property owners on the west side of South 6th Street.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Swessel,
Mr. Kennedy and Mr. Canul

"NOES" None

"ABSTAIN" Mr. Jones

Motion for ABEYANCE carried by a majority vote.

22. Z-127-77

PLOT PLAN REVIEW

APPROVED

Request of ROBERT HAYDEN for a Plot Plan Review to allow revision of the original plot plan from a four-plex to a ten-plex on property located at 4833 East Owens Avenue, R-3 zone.

MR. BROWN presented the staff report, indicated the location by means of visual aids, and stated staff would recommend approval.

MR. SWESSEL made a Motion for APPROVAL of the Plot Plan Review under Z-127-77, subject to the following conditions:

1. Signing an Assessment District Agreement for half-street improvements as required by the Department of Public Services.
2. Installation of temporary asphalt paving at driveway entrances at the time of development as required by the Department of Public Services.
3. Landscaping and a permanent underground sprinkler system shall be installed 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 as amended to reflect the above conditions.
7. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

23. Z-53-75

EXTENSION OF
TIME

APPROVED

Request of SOUTHERN NEVADA MEMORIAL HOSPITAL for an Extension of Time to allow temporary parking facilities for hospital employees on property owned by NIC and located at 1710 West Charleston Boulevard, C-V zone. (City Commission granted temporary parking facilities at their meeting on February 15, 1978, but to be approved only until August 31, 1978.)

MR. BROWN presented the staff report and stated staff recommends approval of the requested extension of time.

MR. JONES made a Motion for APPROVAL of the request for an Extension of Time under Z-53-75, subject to the following conditions:

1. Extension of time shall be granted until December 31, 1978.
2. Conformance to any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel and Mr. Canul

"NOES" None

"ABSTAIN" Mr. Kennedy

Motion for APPROVAL carried by a 6/1 vote.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

24. FINAL MAP

CHARLESTON HEIGHTS
TRACT NO. 51A
UNIT NO. 3

Property generally located north of Lake Mead Boulevard, between Torrey Pines Drive on the west and Jones Boulevard on the east, R-PD9 zoning
Owner/Subdivider: Becker and Sons
No. of Acres: 13.6573 No. of Lots: 126

MR. NULL presented the staff report and stated there is only one way into this complex and that is from Smoke Ranch Road. This final map is in substantial conformity with the tentative map and staff would recommend approval with the following conditions: conformance to the conditions of approval of the tentative map that a temporary paved access, approved by the Department of Public Services, be extended eastward on the Eugene Avenue alignment to the existing pavement on that portion of Eugene on the east side of Jones Boulevard, or to Jones Boulevard if construction on that street has been completed. The applicant has further requested a waiver of sidewalks. These are fairly narrow lots, from 36' to 37' in width. Public Services has recommended that the sidewalks be retained and staff agrees with this proposal, mainly because of the increased density in that subdivision.

G.C. WALLACE, representing the applicant, asked if the sidewalks in 51A, No. 2, had not been deleted.

MR. NULL said he didn't know, but probably.

MRS. COLEMAN said she thought a special favor had been done for this because of some new big special plan

MR. WALLACE said these are the same size lots as in the one that was approved without the sidewalks. He added that Mr. Becker had stated he felt the conditions on this subdivision were no different than on 51A, No. 2.

MRS. COLEMAN asked if it was built.

MR. WALLACE said it is under construction.

MRS. COLEMAN said the Commission does something like that to see how it works out and then before the Commission has a chance to see it or it is developed, another one is proposed, citing the previous approval as a precedent. But no one knows how it will work out. She added the map could be approved, and after the Commission has had a chance to see the first unit when it is built, then perhaps a waiver could be granted if the proposal seems to work out.

MR. WALLACE said if the door could be left open for that type of arrangement, it would be satisfactory.

MR. GUTHRIE asked when construction was contemplated.

MR. WALLACE said the developer has already started grading.

MR. JONES made a Motion for APPROVAL of the Final Map of Charleston Heights Tract No. 51A, Unit No. 3, subject to the following conditions:

1. Conformance to the conditions of approval of the tentative map.
2. That a temporary paved access, approved by the Department of Public Services, be extended eastward on the Eugene Avenue alignment to the existing pavement on that portion of Eugene Avenue on the east side of Jones Boulevard, or to Jones Boulevard if construction on that street has been completed.
3. Request for waiver of sidewalks be denied.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

25. AR-5-78

APPROVED

Request of GERALD M. MOFFITT, A.I.A., for an Aesthetic Review to allow a commercial donut shop on property generally located at the southeast corner of Alta Drive and Highland, "M" zone.

MR. BROWN presented the staff report and stated the plot plan is as depicted, everything is in order, and staff would recommend approval.

MRS. COLEMAN suggested that Arizona Cypress be planted on that portion of the property abutting the freeway.

MRS. COLEMAN made a Motion for APPROVAL of AR-5-78, subject to the following conditions:

1. At the time of development, it would be required that the applicant construct curb, gutter, and sidewalk as required by the Department of Public Services.
2. Signing an Assessment District Agreement for future street lighting at the time of development as required by the Department of Public Services.
3. Fifteen (15) gallon Arizona Cypress trees are to be planted along the freeway at twenty ft. intervals.

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.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

26. Z-31-73

PLOT PLAN REVIEW

APPROVED

Request of BARDEE SMITH for a Plot Plan Review to allow an office on property located at 1335 Maryland Parkway, R-1 zone (under ROI to P-R).

MR. BROWN presented the staff report, and stated the plot plan is as depicted, everything is acceptable and staff would recommend approval.

MR. GUTHRIE made a Motion for APPROVAL of the Plot Plan Review under Z-31-73, 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, license, or prior to occupancy.
3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the plot plan.
5. Securing all necessary permits and licenses and satisfaction of all City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

27. VAC-4-72

WAIVER OF
CONDITIONS

APPROVED

Request of JO ANN HAWKINS for a Waiver of Conditions on vacation of property generally located on the north side of Fargo Avenue between Crestline Drive and Miami Street.

MR. NULL presented the staff report and stated one of the conditions of vacation is satisfaction of the requirements of City departments. The City Commission approved the vacation of the alley, but the order was never recorded. The applicant is requesting that the condition of Public Services to replace the curb and sidewalk across the south end of the alley be rescinded. He presented photographs of the area in question to the Commission. The applicant does have a problem.

JO ANN HAWKINS stated when they were informed this had been approved they thought it had been added to their property. It has been six years since approval. Early this year they saw a map of the City and it indicated the area in question was an alley. They then contacted the City and were told it had never been recorded but they should receive the order within 60 days, but nothing happened.

They again checked into it and found they had to put in sidewalk and curb. The whole thing has to be taken out and redone. It has been this way for six years. It is not a hazard. Water does not stay there. It has been this way and there has never been an accident. If the Commission thinks it is necessary, they will put it in.

MRS. COLEMAN asked how much foot traffic there is.

MRS. HAWKINS stated it is just a residential area.

MR. NULL further described the physical characteristics of the property in question. Public Services has said the applicant can either put in the curb or handle it as a driveway.

MRS. COLEMAN asked the applicant if they were going to build a fence.

MRS. HAWKINS replied that they are.

CHAIRMAN MILLER asked the applicant what she wanted to do.

MRS. HAWKINS replied leave it as it is, that it does look nice as it currently exists.

MR. SWESSEL said he thought it did too and it had been that way for six years.

MR. JONES made a Motion for APPROVAL of the Waiver of Conditions under VAC-4-72.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

28. Z-76-76

PLOT PLAN REVIEW

APPROVED

Request of H. GREGORY NASKY on behalf of the SHOWBOAT HOTEL for a Plot Plan Review to allow a storage building on property generally located on the northeast corner of Atlantic Street and East Oakey Boulevard, C-2 zone.

MR. BROWN presented the staff report and stated that staff sees no problem with the proposal and recommends approval.

MR. JONES made a Motion for APPROVAL of the Plot Plan Review under Z-76-76, subject to the following conditions:

1. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
2. Conformance to the plot plan.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 4, 1978 at 2:00 P.M.

DIRECTOR'S BUSINESS:

1. Proposed Ordinance
Amendment
(Abeyance Item
from 8/10/78)

ABEYANCE

Amend Section 11-1-6, (V), 3 to provide changes to the Aesthetic Review Provisions specifically requiring the screening of air conditioning, roof mechanics, and trash containers.

MR. FOSTER stated this amendment pertains to the aesthetic review provisions. Presently the aesthetic review provisions are in the City Code which allows staff to come up with what should be required on each plot plan and the Planning Commission has delegated staff this authority except for major developments. Through policy, staff has been requiring landscaping, the screening of air conditioning units and screening of roof mechanics and trash areas. There have been problems and staff feels that rather than do it by policy, would like to have it in the zoning ordinance. The Southern Nevada Home Builders Association has asked for input on this amendment and it was held in abeyance from the last meeting. He added he has met with several representatives of that agency and they have asked that the amendment exclude the screening of roof mechanics and the standard type air conditioning. Staff feels that some of the larger units, such as chillers, might need screening. Staff feels that it should be as has been done in the past through policy, screening the air conditioners, roof mechanics and trash areas.

ADELENE BARTLETT, Chairman of the Las Vegas Metropolitan Beautification Committee, appeared in favor of the proposed amendment. She stated the Beautification Committee would like to meet with the Home Builders regarding the proposed amendment.

PAT OFFIN, Southern Nevada Home Builders Association, stated they had met with staff and did not think any additional meetings would change their attitude. She said she did not think this would improve the aesthetics in the industrial areas. She added that this could be done in some commercial areas, but that which is to be screened could still be seen from the freeway.

STAN JONES, Stanton Construction, asked that apartments not be included as well as duplexes and triplexes. He asked that everything except single family dwellings be excluded and handled on an individual basis.

MR. JONES made a Motion for ABEYANCE of the Proposed Ordinance Amendment until the Commission was provided the exact wording as proposed by staff.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for ABEYANCE carried unanimously.

2. Proposed Ordinance
Amendment

Amend 11-1-24, (A), 4.1 and 11-1-25 (B), 2.1 to require plans, attachments and exhibits for Use Permits, Variances and Rezonings.

APPROVED

MR. FOSTER stated this pertains to including in the ordinance the requirements for attachments, exhibits, etc., with the application. Presently this is required by policy and some problems have arisen. Applications have been submitted without these details and it is not possible to say that they are required by code.

MR. KENNEDY made a Motion for APPROVAL of the Proposed Ordinance Amendment.

Voting was as follows:

"AYES" Chairman Miller, Mrs. Coleman, Mr. Guthrie, Mr. Jones,
Mr. Swessel, Mr. Kennedy and Mr. Canul


"NOES" None

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business to come before the City Planning Commission, the meeting was adjourned at 11:45 P.M.

DEPARTMENT OF COMMUNITY PLANNING
& DEVELOPMENT


HAROLD P. FOSTER, Acting Director

/lm