

A G E N D A

CITY PLANNING COMMISSION

OCTOBER 12, 1978

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

OLD BUSINESS:

1. Z-13-76 Request of JACK MATTHEWS & CO. REALTY for an Extension of Time and Plot Plan Review to allow a restaurant and office building on property generally located on the south side of Sahara Avenue between Richfield and Teddy Drive, C-1 zone.
Extension of Time & Plot Plan Review
(Abeyance Item from September 26, 1978)

NEW BUSINESS:

1. TENTATIVE MAP
Charleston Heights 57 (Revised)
Property generally located on the east side of Tenaya Way, north of Cheyenne Avenue, N-U zone (under ROI to R-1, R-3, & R-PD18).
Owner/Subdivider: Charleston Heights Development Co.
No. of Acres: 52.7014 No. of Lots: 368
2. FINAL MAP
Charleston Heights Tract #57-A
Property generally located on the east side of Tenaya Way, north of Cheyenne Avenue, N-U zone (under resolution of intent to R-1).
Owner/Subdivider: Charleston Heights Development Co.
No. of Acres: 19.4597 No. of Lots: 92
3. VAC-12-78
Petition of Vacation submitted by THREE C LAND AND SERVICE COMPANY, ET AL to vacate the west 140 feet of the east/west alley between 3rd and 4th Streets lying between Fremont Street and Carson Street.
4. A-12-78
Petition of Annexation submitted by DONALD L. FAIR, ET AL to annex property generally located at the northwest corner of Torrey Pines Boulevard and Smoke Ranch Road.
5. Z-89-78
Application of VENNIS L. JOHNSTON AND MILTON R. JOHNSTON for reclassification of property located at 724 South 9th Street, from R-1 to P-R.
Proposed Use: Office

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6. Z-90-78 Application of HENRY SOBEL AND SOTIRIA STERGIOU for reclassification of property generally located at the northwest corner of Del Rey Avenue and Redrock Street, from R-E to R-3.
Proposed Use: 80 Unit Apartment Complex
7. Z-91-78 Application of MILTON M. GORDON on behalf of THE N.A.A.C.P. HOUSING CORPORATION for reclassification of property generally located on the east side of Rancho Drive, between Pinto Lane on the south and Alta Drive on the north a depth of 330 feet, from R-D to R-4.
Proposed Use: 115 Unit Senior Citizens Complex
8. Z-92-78 Application of DARRYL LEAVITT for reclassification of property located at 700 East Charleston Boulevard, from P-R to C-1.
Proposed Use: Private School - grades kindergarten through eighth
9. Z-93-78 Application of BRUCE T. LITTLE for reclassification of property generally located on the north side of Stewart Avenue, 510 feet west of Lamb Boulevard, from R-E (under ROI to R-3) to C-1.
Proposed Use: Offices and Retail
10. SP-1-78 Request of BIGELOW HOLDING COMPANY to allow satellite parking on property located on the north side of Fremont Street between 15th Street and Bruce Street, C-2 zone.
11. Z-68-76 Status Review of the artificial landscaping installed on property located at 818 East Charleston Boulevard, P-R zone. (The Planning Commission granted the artificial landscaping on October 13, 1977, subject to a one year review.)
Status Review

DIRECTOR'S BUSINESS:

1. Proposed Ordinance Amendment
Clarification of Motion 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.

MINUTES

CITY PLANNING COMMISSION

OCTOBER 12, 1978

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CALL TO ORDER: A regular meeting of the City Planning Commission was called to order at 7:28 P.M. by Chairman Miller 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 and Mr. Kennedy

EXCUSED: Mr. Canul

STAFF PRESENT: Harold P. Foster, Acting Director, Department of Community Planning and 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 the agenda for this regular meeting of the City Planning Commission has been posted and mailed as required by NRS Chapter 241 and affidavits are on file in the office of the City Clerk.

OLD BUSINESS:

MR. BROWN read the normal conditions which would apply to any actions of approval made by the Planning Commission.

1. Z-13-76
EXTENSION OF TIME &
PLOT PLAN REVIEW
(Abeyance Item
from 9/26/78)

Request of JACK MATTHEWS & CO. REALTY for an Extension of Time and Plot Plan Review to allow a restaurant and office building on property generally located on the south side of Sahara Avenue between Richfield Boulevard and Teddy Drive, C-1 zone.

MR. BROWN presented the staff report and stated this case was held in abeyance so staff could notify the people to the south. Since the initial submittal which had offices on the south side, the applicant has reconsidered the proposal and has designed it to delete those offices on the south side, and has come back to the original design with a restaurant. It is not a great departure from the original and staff would recommend approval with this submittal.

GEORGE ENOMOTO, 523 South Main Street, was present representing the applicant.

MRS. COLEMAN asked how much of an extension of time was needed.

MR. ENOMOTO said six months and that he had just got into the project about 4 weeks previously and the owner wishes him to immediately proceed with the drawings.

MR. KENNEDY made a Motion for APPROVAL of the Extension of Time and Plot Plan Review under Z-13-76, subject to the following conditions:

1. Extension of time shall be granted for six months.
2. Conformance to the revised plot plan and all other conditions previously imposed at the time of approval of Z-13-76.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

NEW BUSINESS:

1. TENTATIVE MAP

CHARLESTON HEIGHTS
57 (REVISED)

APPROVED

Property generally located on the east side of Tenaya Way, north of Cheyenne Avenue, N-U zone (under ROI to R-1, R-3, and R-PD18).

Owner/Subdivider: Charleston Heights Development Co.

No. of Acres: 52.7014 No. of Lots: 368

MR. NULL presented the staff report and stated the basic change or revision to the original tentative was to remove a row of lots that abutted the R-3 parcel. These will be moved to the west. Dalecrest was moved over to the boundary of the plat. This caused an extension of the cul-de-sacs. Staff has the following recommendations: extend the border of the tentative to include the south half of Gowan extending from the centerline of Dalecrest Drive eastward to the right-of-way line for the Rainbow Freeway intersection; proper access be provided to the tentative map and final map as determined by Public Services; satisfactory sewer outfall be provided plus the normal conditions. With these conditions staff would recommend approval. It was also pointed out that approval of the tentative would constitute approval of the plot plan under Z-133-77.

ERNIE BECKER, JR., agreed to staff stipulations.

MR. JONES made a Motion for APPROVAL of the Tentative Map of Charleston Heights Tract #57-A, 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. Extend the border of the tentative map to include the south half of Gowan Road, extending from the centerline of Dalecrest Drive eastward to the right-of-way line of the Rainbow Freeway intersection.
3. Proper access to be provided to this tentative map and 57-A final map as determined by the Department of Public Services.
4. That satisfactory sewer outfall be provided as determined by the Department of Public Services.
5. Street names to be provided in accord with the City's Street Name Policy.
6. 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 and Mr. Kennedy

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

2. FINAL MAP

CHARLESTON HEIGHTS
TRACT #57-A

APPROVED

Property generally located on the east side of Tenaya Way, north of Cheyenne Avenue, N-U zone (under ROI to R-1).

Owner/Subdivider: Charleston Heights Development Co.
No. of Acres: 19.4597 No. of Lots: 92

MR. NULL stated this is the final map for the section zoned R-1. The final map is in substantial conformity with the tentative map and staff would recommend approval with the following conditions: approval of the tentative map; conformance to the conditions of approval of the tentative map; the boundary of the final map be extended to include the north half of Gowan Road.

ERNIE BECKER, JR. stated that with regard to Gowan Road, he was under the impression only half street improvements were needed. He added that dedication of the full street would pose no problem.

MR. NULL stated staff would like dedication of the full street, and that the half street improvements would be up to Engineering.

MR. BECKER stated there would be 7½' over pavement.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Charleston Heights Tract #57-A, subject to the following conditions:

1. Approval of the Tentative Map.
2. Conformance to the conditions of approval of the tentative map.
3. That the boundary of the final map be extended to include the north half of Gowan Road.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

3. VAC-12-78

APPROVED

Petition of Vacation submitted by THREE C LAND AND SERVICE COMPANY, ET AL to vacate the west 140 feet of the east/west alley between 3rd and 4th Street lying between Fremont Street and Carson Street.

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

HERB TOBMAN, Three C Corporation, was present.

MRS. COLEMAN asked if the alley was going to be used for some type of improvement.

MR. TOBMAN presented a rendering of the proposed Sun Dance complex, and stated they have been putting this proposal together since 1971.

MR. GUTHRIE asked what would happen to the utility poles that exist in the alley.

MR. TOBMAN stated that at the present time the Power Company is doing the engineering and they are paying the cost to go underground. All of the utilities will be underground. And they have met with all the utility companies and the Public Works Department and have agreements.

MRS. COLEMAN made a Motion for APPROVAL of VAC-12-78, 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 and Mr. Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on October 18, 1978 at 2:00 P.M. at which time a date for public hearing would be set.

4. A-12-78
APPROVED

Petition of Annexation submitted by DONALD L. FAIR, ET AL to annex property generally located at the northwest corner of Torrey Pines Boulevard and Smoke Ranch Road.

MR. NULL presented the staff report and stated the property in question is a 40 acre tract currently zoned County R-E. There is an application pending before the County for County Single Family Residence zoning, R-1A.

PAUL MAY, Helen Herr Realty, 846 East Sahara, stated there are actually two 20-acre parcels involved, one contiguous to the other owned by two different parties and that he was representing both owners. He stated the reason for the annexation was to provide City sewer to this land. He added an application is being filed with the County to change the R-E to the R-1A which is equivalent to the City's R-1 and there is existing R-1 nearby. He added they would like to be in the City of Las Vegas.

MRS. COLEMAN asked if the County zoning required 6500 sq. ft. lots.

MR. NULL stated when the applicants come in with the plot plan, they will have to met City R-1 requirements, 6500 sq. ft.

MR. SWESSEL made a Motion for APPROVAL of A-12-78.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

5. Z-89-78

APPROVED

Application of VENNIS L. JOHNSTON and MILTON R. JOHNSTON for reclassification of property located at 724 South 9th Street, from R-1 (Single Family Residence) to P-R (Professional Offices and Parking). The above property is legally described as Lots 20 and 21, Block 14, Wardie Addition.

Proposed Use: Office

MR. BROWN presented the staff report and stated the plot plan is as submitted. Staff feels this request is consistent with the use in the area. The lot directly south was granted use for a dental lab by means of a variance. Staff would recommend approval.

CHAIRMAN MILLER declared the public hearing open.

HUGH TEMPLETON, 405 Lacy, was present.

MRS. COLEMAN asked if there would be landscaping in the front.

MR. TEMPLETON stated there would be landscaping in the front and the parking would be in the rear. He added the property would be used for a CPA office, and there would be no changes on the outside of the structure except for a door and removal of an existing garage.

MR. JONES asked how many employees were anticipated.

MR. TEMPLETON stated a total of six.

MR. BROWN stated there would be ample parking.

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-89-78, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
3. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
4. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
5. Conformance to the plot plan.

6. 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 and Mr. Kennedy

"NOES" Mr. Swessel

Motion for APPROVAL carried by a 5/1 vote.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

6. Z-90-78

DENIED

Application of HENRY SOBEL and SOTIRIA STERGIUO for reclassification of property generally located at the northwest corner of Del Rey Avenue and Redrock Street, from R-E (Residence Estates) to R-3 (Limited Multiple Residence). The above property is legally described as the south 533 feet of Government Lot 14 in Section 1, Township 21 South, Range 60 East, MDB&M.

Proposed Use: 80 Unit Apartment Complex

MR. BROWN presented the staff report and described the zoning as it exists in the area. Staff feels to introduce such an increase in density in this area would be incompatible and would recommend denial. A petition bearing 108 names, located mainly south and east of this property, and three letters of protest have been received.

CHAIRMAN MILLER declared the public hearing open.

JOHN SHERMAN, representing the applicant, presented a rendering of the proposed development to the Commission. He stated they are making a couple of revisions. The owner has requested the property be enclosed with a fence and that 24-hour security be provided as well. He added the interior would be landscaped and would have recreation facilities as well.

CHAIRMAN MILLER inquired as to the size and number of units.

MR. SHERMAN replied 80 units are proposed, mainly one and two bedroom with a very few studios.

MRS. COLEMAN asked how large the property in question is.

MR. BROWN replied it is 325' x 533'.

CHAIRMAN MILLER inquired as to the rental price range.

MR. SHERMAN stated approximately \$275/\$400 per month.

CHAIRMAN MILLER asked those present in opposition to stand. Twenty-seven persons were present in protest.

STEVE STUHMER, 1515 East Tropicana, stated he owns five acres next to the property in question which he is developing with custom homes. He added they do not want high density right next to the developing homes and felt the proposed reclassification was totally incompatible with the area.

HENRY RAWLINGS, 5760 Del Ray, appeared in protest, and stated he did not feel the proposed development was compatible with the area and would be an encroachment.

BOB FOSTER, 5919 Del Ray, appeared in protest.

JAN NIELSON, 4144 Seville, appeared in protest.

TED GANGER, 1518 South Duneville, appeared in protest.

JOHN TRIFON, 880 East Sahara, appeared in approval of the application. He stated these would be luxury units and would enhance the area and that the entrance could be from Jones. Also, a wall would surround the project.

CHAIRMAN MILLER asked how the project would enhance the area.

MR. TRIFON replied trees would be sticking up over the wall and the skyline would be more attractive.

MR. SHERMAN appeared in rebuttal.

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

MR. SWESSEL made a Motion for DENIAL of Z-90-78 as it was felt that the introduction of multiple family uses in this single family neighborhood would be incompatible.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

7. Z-91-78

DENIED

Application of MILTON M. GORDON on behalf of THE N.A.A.C.P. HOUSING CORPORATION for reclassification of property generally located on the east side of Rancho Drive, between Pinto Lane on the south and Alta Drive on the north a depth of 330 feet, from R-D (Single Family Residence, Restricted) to R-4 (Apartment Residence). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 32, Township 20 South, Range 61 East, MDB&M. Proposed Use: 115 Unit Senior Citizens Complex

MR. SWESSEL stated the Commission was about to embark on an important public hearing, and that he considered all public hearings important. At a previous meeting, there was a zoning matter in this same general area, and after the public hearing was closed, he added he was about to make a motion, and was asked by a fellow Commissioner if he would yield. He added he was shocked when the Commissioner pulled out a prepared written motion for denial. He added he was naive enough to believe they came with an open mind to every situation and that tonight should be no exception. He added that being a businessman in town, he heard things all the time, and tonight he would like to move that this matter be heard fairly and honestly and do what is best for the City and that if any Commissioner felt that a motion to hold this in abeyance was in order, to please make it now so that the public in the audience and the Commissioners would not be subject to a long debate with no vote being taken at this meeting.

MR. FOSTER presented the staff report and stated the request is for a 115 unit senior citizens complex. Initially, the plans indicated it was a two story project, but a revised plan has been submitted showing a three story building, leaving a strip of land on the south side of Alta available for single family development. The parcel in question had an application denied on it in 1969 for P-R zoning and it was approved for R-D in 1964. The plot plan is as submitted. Less parking is being shown than is required for R-3 zoning based on the fact that seniors do not require the 1 $\frac{1}{2}$ to 1 parking. Unless this is waived, however, the applicant would have to conform unless a variance is approved by the Board of Zoning Adjustment. Staff, in evaluating the request, has been involved to some degree with the Regional Planning Council Technical Committee. It was necessary to get that input for the project and staff at that time pointed out the proposal is contrary to the General Plan and to the low density zoning pattern in the area. Staff indicated at that time it was very much in favor of the proposed project because it is needed in the Las Vegas area; however did not feel this is the proper location and comments that went into the Federal government were essentially on that basis. In reviewing this particular request, staff feels the application should be denied for the same reasons that were presented to the Regional Planning Council Technical Committee. Staff did notify people within an expanded radius of 600' to 800' around the property. There are 70 protests on record, which include a couple of petitions and individual protests.

CHAIRMAN MILLER asked those present in opposition to stand. Approximately 50 persons were present in protest.

CHAIRMAN MILLER declared the public hearing open.

KENNETH G. BELL, Attorney representing the applicants, stated there should be some clarification of the application with regard to the three story construction. This is a change in plans by the applicant in an attempt to create a buffer area to protect the nearby residents. The building itself has been diminished in size except for the height to allow for more landscaping and sufficient parking. He added there will be a wall around the apartment proposal as well as the proposed single family dwellings. The N.A.A.C.P. made an application to HUD and received a commitment. Once the project is completed it will be taken over by the Housing Authority. He presented a map of the existing zoning in the area, indicating there was a lot of commercial nearby.

MR. JONES asked if there is a need for senior housing.

MR. WILLIAMS stated there is, according to Art Sartini, Director of the Las Vegas Housing Authority, a waiting list of 700.

MR. KENNEDY asked if the property in question had already been purchased.

MR. BELL stated the purchase was contingent upon the zoning, and that they would adhere to any stipulations the Commission might wish to impose.

WALTER JOHN, 410 Rancho Drive, appeared in protest, and stated the use and zoning would not be compatible with the area and that the density would be too high, and that it would be an encroachment into the R-E and R-D area.

JOHN PETER LEE, 520 Parkway East, appeared in protest.

JAY DOWNEY, 4045 Spencer, representing certain of the residents in the adjoining area, spoke against the application.

HOMER HANSEN, 2600 Pinto Lane, appeared in protest.

JOHN WELTON, 4015 Parkway West, appeared in protest.

CECIL FREDDIE, 2017 Pinto, appeared in protest.

MICKEY KELVIN, 536 Parkway West, appeared in protest.

JOE ROBERTS, 711 Rancho Circle, appeared in protest.

MR. BELL appeared in rebuttal.

MR. JONES asked if the N.A.A.C.P. had investigated the possibility of another location for a senior development.

MR. WILLIAMS replied they have not and a site that would be feasible is difficult to locate.

MR. SWESSEL stated that the existing senior citizen complexes are very attractive and well kept. He added that the Planning Commission is only an advisory body and that their decisions can be reversed by the City Commission.

MRS. COLEMAN stated she is and had been most sympathetic to the needs of senior citizens for many years and had worked for their betterment since 1962. She added that as a Planning Commission member she also had an obligation to all citizens in the community and inasmuch as the Commission had, at their last meeting denied an R-D development in this area as being too dense for the life style that has been established, that she felt she must agree with staff.

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 DENIAL of Z-91-78 because it is contrary to the General Plan and the zoning pattern of the area.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

RECESS:

At the hour of 8:55 P.M. Chairman Miller declared a 15-minute recess and reconvened the meeting at 9:05 P.M.

8. Z-92-78

DENIED

Application of DARRYL LEAVITT for reclassification of property located at 700 East Charleston Boulevard, from P-R (Professional Offices & Parking) to C-1 (Limited Commercial). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 3, Township 21 South, Range 61 East, MDB&M.

Proposed Use: Private School - Grades Kindergarten
Through Eighth

MR. BROWN presented the staff report and stated the plot plan is as depicted with landscaping and parking. The applicant has proposed a playground on the south. Staff has talked with a representative of the applicant and has suggested the playground be relocated and the south 100' remain P-R. There is an existing sign in the right-of-way that staff would recommend be removed. With those conditions plus the normal conditions, staff would recommend approval.

CHAIRMAN MILLER declared the public hearing open.

DARRYL LEAVITT, the applicant, was present.

BILL LEAVITT, representing the applicant, stated the reason for the application is based on a desire to accommodate a pre-school type of zone for the handicapped and those children with special learning problems. He added the property was near a park and the residential atmosphere of their neighborhood would add to this type of development.

CHAIRMAN MILLER asked if Mr. Bill Leavitt owned the property.

MR. LEAVITT replied his father, Darryl Leavitt, owned the property.

JUDITH McDONALD, 207 Kipland, representing Apple School, proposed user of the property, stated this would be a non-profit educational organization. She described the teaching techniques and operations of the school.

CHAIRMAN MILLER asked what the proposed attendance would be.

MS. McDONALD stated they would start with 60.

MR. SWESSEL asked if the children would be bussed.

MS. McDONALD stated they would have a transportation system for those children requiring it.

CHAIRMAN MILLER stated that Charleston is a heavily travelled street.

MS. McDONALD stated the structure is some distance from the street.

MRS. COLEMAN asked what the hours would be.

MS. McDONALD stated from 9 A.M. to 3 P.M.

MRS. COLEMAN asked if the playground area would be relocated.

MS. McDONALD replied it would be moved to the east side of the building as requested.

CHAIRMAN MILLER asked if the park would be used.

MS. McDONALD replied it would not as it is not fenced and is too close to Charleston.

DARRYL LEAVITT stated he had had some problems with his last tenant and had just had him evicted. He added he would comply with whatever staff recommends.

MR. JONES asked if there would be proper fencing around the playground.

MS. McDONALD replied there would be as it must comply with State regulations.

MR. JONES asked when they hoped to have the school open.

MS. McDONALD replied the first week of November as there are no major repairs necessary to the structure.

DARRYL LEAVITT stated he would fix the building up and make all repairs.

L.W. EDWARDS stated he lives immediately adjacent and contiguous to the property in question. He stated he did not know whether or not he was appearing in protest, but he would like to see the property cleaned up.

CHAIRMAN MILLER asked if he was against the school.

MR EDWARDS replied not especially. He said if the school did not go in there, other uses might be realized that he would object to. He added he has had problems with the owner of the property.

JUNE SCHWARTZ, 1013 South 6th Street, appeared in protest, and stated that busses would be parked on the property and there would be a lot of noise.

DARRYL LEAVITT presented four letters of approval from Doctors Cammeron, Call, Ingersoll and Gieger.

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

MR. SWESSEL made a Motion for DENIAL of Z-92-78 because the request was for a temporary C-1 use on property presently zoned for professional use.

Voting was as follows:

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

Motion for DENIAL carried by a 4/2 vote.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

9. Z-93-78

APPROVED

Application of BRUCE T. LITTLE for reclassification of property generally located on the north side of Stewart Avenue, 510 feet west of Lamb Boulevard from R-E (Residence Estates) - under Resolution of Intent to R-3 (Limited Multiple Residence), to C-1 (Limited Commercial) The above property is legally described as Lot 4, as shown by map thereof on file in File 21 of parcel maps, Page 63, in the Office of the County Recorder, Clark County, Nevada, and recorded on September 19, 1978, as Document No. 904552.

Proposed Use: Offices and Retail

MR. BROWN presented the staff report and stated the Planning Commission is familiar with requests on this particular piece of property. The east 110' feet is being requested. Last April a request was submitted for the entire parcel for C-1 zoning. The Planning Commission recommended denial. The City Commission on May 17th, denied the request also. Staff's position has not changed in the past six months. There is a tremendous amount of C-1 in the area, more than enough. Staff would recommend denial.

CHAIRMAN MILLER declared the public hearing open.

BRUCE LITTLE 3675 North Jones, stated he is planning on building a 4200 sq. ft. building for small retail stores and small offices. He added he is now ready to develop and go ahead if they have the zoning.

MRS. COLEMAN asked why the property was not developed under the R-3.

MR. LITTLE replied that financing was difficult to obtain for apartments. He added he felt the area was in need of this type of development.

CHAIRMAN MILLER asked the applicant if he planned on developing.

MR. LITTLE replied yes, that he does have tentative financing if he has the zoning to proceed.

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-93-78, subject to the following conditions:

1. Fire hydrant to be installed within 300 feet of existing hydrant on the north side of Stewart Avenue as required by the Department of Fire Services.
2. Construction of sidewalk and driveways on Stewart Avenue at the time of development 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. Resolution of Intent to be restricted to a twelve (12) month time limit.
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.
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, Mr. Guthrie, Mr. Jones, Mr. Swessel,
and Mr Kennedy

"NOES" Mrs. Coleman

Motion for APPROVAL carried by a 5/1 vote.

CHAIRMAN MILLER announced this item would be heard by the City Commission on November 1, 1978 at 2:00 P.M.

10. SP-1-78

APPROVED

Request of BIGELOW HOLDING COMPANY to allow satellite parking on property located on the north side of Fremont Street between 15th Street and Bruce Street, C-2 zone.

MR. BROWN presented the staff report and stated the plot plan is as depicted. They have 136 units and have provided 142 parking spaces. Everything is in order and staff would recommend approval.

MRS. COLEMAN asked if the units were built.

R. KOCH stated the units were not built, but were contemplated.

MR. JONES made a Motion for APPROVAL of SP-1-78, 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 City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried by a 5/1 vote.

CHAIRMAN MILLER announced this item would be heard by the
City Commission on November 1, 1978 at 2:00 P.M.

11. Z-68-76

STATUS REVIEW

APPROVED

Status Review of the artificial landscaping installed on
property located at 818 East Charleston Boulevard, P-R zone.
(The Planning Commission granted the artificial landscaping
on October 13, 1977, subject to a one year review.)

MR. BROWN presented the staff report and stated that upon
reviewing the property, it was determined the landscaping had
been done in good taste and staff would recommend that the
artificial landscaping be approved and continued.

MR. JONES made a Motion for APPROVAL of the Status Review
under Z-68-76, subject to a review in one year.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

12. Z-105-77 and
Z-19-78

PLOT PLAN REVIEW

APPROVED

Request of LARRY STORJOHANN for a Plot Plan Review to allow
two four-plexes on property generally located on the east
side of 23rd Street between Owens Avenue and Hinkle Drive,
R-3 zone.

MR. BROWN presented the staff report and stated the applicant
has built three buildings and they have now relocated the lot
lines to where two more structures can be built. Everything
is in order and staff would recommend approval.

LARRY STORJOHANN was present.

MR. JONES made a Motion for APPROVAL of the Plot Plan Review
under Z-105-77 and Z-19-78, 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 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 and Mr. Kennedy

"NOES" None

Motion for APPROVAL carried by a majority vote.

DIRECTOR'S BUSINESS:

1. Proposed Ordinance Amendment

Clarification
of Motion

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.

MRS. COLEMAN made a Motion for ABEYANCE of the Proposed Ordinance Amendment, pursuant to a legal opinion offered by the City Attorney's office.

Voting was as follows:

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

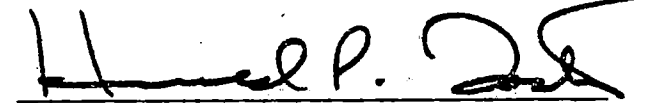
"NOES" None

Motion for ABEYANCE carried unanimously.

ADJOURNMENT:

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

DEPARTMENT OF COMMUNITY PLANNING
& DEVELOPMENT



HAROLD P. FOSTER, Acting Director

/lm