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A G E N D A
CITY PLANNING COMMISSION OCT 23 1978

OCTOBER 24, 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:
- MINUTES: Approval of the Minutes for the City Planning Commission meeting held September 14, 1978.
- ANNOUNCEMENT: Satisfaction of Open Meeting Law
- OLD BUSINESS:
1. Z-80-78
(Abeyance Item from 9/26/78)
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 & Commercial
- NEW BUSINESS:
1. TENTATIVE MAP
LEWIS HOMES
SAHARA NO. 6
Property generally located on the south side of O'Bannon Drive, west of Jones Boulevard, R-1 zone.
Owner/Subdivider: Lewis Homes of Nevada
No. of Acres: 9.5732 No. of Lots: 39
 2. FINAL MAP
LEWIS HOMES
SAHARA NO. 6
Property generally located on the south side of O'Bannon Drive, west of Jones Boulevard, R-1 zone.
Owner/Subdivider: Lewis Homes of Nevada
No. of Acres: 9.5732 No. of Lots: 39
 3. TENTATIVE MAP
THE PLAZA
Property generally located on the north side of Sahara Avenue, east of Richfield, R-1 zone (under resolution of intent to C-1).
Owner/Subdivider: Security Fidelity
No. of Acres: 4.24 No. of Lots: 8
 4. FINAL MAP
THE PLAZA
Property generally located on the north side of Sahara Avenue, east of Richfield, R-1 zone, (under resolution of intent to C-1).
Owner/Subdivider: Security Fidelity
No. of Acres: 4.24 No. of Lots: 8

5. FINAL MAP
GREENTREE
Property generally located on the west side of Simmons Street north of Vegas Drive and south of Holly Lane, R-1 zone.
Owner/Subdivider: Business Development, Inc.
No. of Acres: 9.18+ No. of Lots: 37
6. A-13-78
Petition of Annexation submitted by GEORGE F. KALB CONSTRUCTION COMPANY to annex property generally located on the southwest corner of Reiter Avenue and Decatur Boulevard.
7. A-14-78
Petition of Annexation submitted by LEWIS HOMES OF NEVADA to annex property generally located at the southeast corner of O'Bannon Drive and Torrey Pines Drive.
8. A-15-78
Petition of Annexation submitted by BECKER & SONS to annex property generally located at the northeast corner of Smoke Ranch Road and Michael Way.
9. Z-94-78
Application of EUGENE A. STANFILL for reclassification of property generally located on the east side of North 21st Street, between Searles Street and Hinkle Drive, from R-1 to R-3.
Proposed Use: Nine Four-Plex Apartment Units
10. AV-12-78
Request of ROME FABBI for an Administrative Variance to allow nine four-plexes on property generally located on the east side of 21st Street between Searles Street and Hinkle Avenue, R-1 zone.
11. Z-95-78
Application of SOUTHERN NEVADA INVESTMENT GROUP for reclassification of property located at 200-204 West Boston Avenue, from R-4 to C-1.
Proposed Use: Convenience Market
12. Z-96-78
Application of WILLIAM JOST, SR., ET AL for reclassification of property generally located at the northwest corner of Jones Boulevard and Lake Mead Boulevard, from R-E to C-1.
Proposed Use: Shopping Center
13. Z-97-78
Application of ROBERT C. LePOME, ATTORNEY IN FACT FOR THE ESTATE OF EVELYN V. RICH for reclassification of property located at 2622 West Charleston Boulevard, from R-E to C-D.
Proposed Use: Offices

14. Z-98-78

Application of JAMES A. BILBRAY for reclassification of property generally located on the south side of Washington Avenue between Tonopah Drive and Clarkway Drive, from R-E to R-3.

Proposed Use: Apartments (28 units)

DIRECTOR'S BUSINESS:

1. Proposed Ordinance Amendment

Clarification of Motion

(Abeyance Item from 10/12/78)

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.

MINUTES

CITY PLANNING COMMISSION

OCTOBER 24, 1978

RECEIVED

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CITY CLERK

CALL TO ORDER:

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

PRESENT:

Vice Chairman Swessel, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Kennedy and Mr. Canul

EXCUSED:

Mr. Miller

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

LEGAL STAFF PRESENT:

Audrey Daines, Deputy City Attorney

MINUTES:

MRS. COLEMAN made a Motion for APPROVAL of the minutes of the meeting held September 14, 1978. Motion for APPROVAL carried unanimously.

ANNOUNCEMENT:

MR. BROWN stated that the agenda for this regular meeting of the City Planning Commission had been posted and mailed in accordance with NRS Chapter 241 and affidavits are on file in the Office of the City Clerk.

OLD BUSINESS:

1. Z-80-78

(Abeyance Item
from 9/26/78)

DENIED

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

MR. BROWN presented the staff report and stated this matter has been discussed two or three times. The applicant initially came in with a proposal to rezone the south 650' to commercial and the remainder of the request to the north boundary line to R-1. The recommendation of staff at that time was to reduce the depth of the commercial to 200' north of Charleston. The Planning Commission did not agree. Mention was made that there might be a problem with two shopping centers, and the Planning Commission suggested the part east of Rainbow be developed commercial to the same depth as the R-3 abutting Lorenzi. This

depth is approximately 1100'. West of Rainbow should be commercial to a depth of only 200'. This was then held in abeyance so that the applicant's representative, Mr. Skurski, could have a chance to get together with Mr. Lied and the neighbors to discuss this proposal. The submittal tonight at this meeting despite staff's recommendation and the Planning Commission recommendation has not changed. The applicant has returned with the original proposal.

ANDY SKURSKI, 4404 Thompson Circle, stated that after the last meeting he had had numerous meetings and studies had been made of major shopping centers. To have a major shopping center, it has been the concensus of opinion a depth of 600' is needed. Meetings have been held with major supermarkets, a bank, and savings and loan institutions that would be interested in going in. It is felt that the original application would be most appropriate for the area and Mr. Lied so decided. He presented a layout of the shopping center as well as a rendering of Phase I. An opening would be put in the shopping center so the people on Rockaway would not have to go out to Charleston.

Residents of the area came forth to view the rendering.

An unidentified man asked if there could be one row of houses as a buffer.

MR. SKURSKI replied that could probably be arranged.

MRS. COLEMAN stated the Commission had suggested a greater depth of commercial between Rainbow and Lorenzi and a lesser depth between Rainbow and Rockaway and that the rest be R-1 homes; that way the shopping center would not be separated.

MR. SKURSKI stated one of the protestants at the last meeting had complained of strip zoning.

MRS. COLEMAN stated that was his presentation; but the Commission held the item in abeyance so the additional depth could be discussed.

MR. SKURSKI said the suggested 1100' would not be feasible.

VICE CHAIRMAN SWESSEL asked if the applicant would be willing to put a row of buffer homes on Rockaway.

MR. SKURSKI replied that he would.

An unidentified man stated an entrance was not wanted on Rockaway.

VICE CHAIRMAN SWESSEL asked if these were two separate parcels of property.

MR. SKURSKI replied yes, one would be Phase I and the other Phase II.

MRS. COLEMAN asked if the buffer would go all the way to Charleston.

MR. SKURSKI replied that it would.

MRS. COLEMAN asked if Mr. Lied would agree.

MR. SKURSKI replied that he would.

MR. CANUL said that putting in a block wall fence would be no problem.

MR. GUTHRIE asked who the major tenant would be.

MR. SKURSKI replied they do not have any majors right now, but have talked to Albertson's, Frontier Fidelity, etc. He added they would not commit, but would be interested in the location.

MR. GUTHRIE asked what kind of shops would be on the east side.

MR. SKURSKI said that is why they wanted to develop Phase I, they wanted to make sure the bigger ones are at this location. He added they would have all the facilities for the people.

ORLANDO RAGO, 916 Rockaway, appeared in protest to the original proposal. He presented a petition bearing 120 signatures of protest to commercial b₂ area residents. He asked if it would be possible to assure the houses proposed as a buffer would be built before the commercial.

VICE CHAIRMAN SWESSEL stated that could be made part of the motion.

MRS. COLEMAN asked Mr. Rago if he would be content with the R-1 buffer to the commercial and the 650' in depth.

MR. RAGO replied no, but they would probably get some commercial.

VICE CHAIRMAN SWESSEL said a filling station would not fit on a 200' deep parcel.

NORM COVERT, 1008 Rockaway, appeared more or less in protest.

DONNA CHESTA, 6725 Cabret, appeared in protest.

MRS. COLEMAN asked if the applicant planned to go with the 650' depth on both sides of Lorenzi and R-1 on the back.

MR. SKURSKI stated that was true and they would agree to a buffer zone on Rockaway.

VICE CHAIRMAN SWESSEL asked staff if a study had been done on the commercial depth of Charleston.

MR. BROWN replied the average depth up and down Charleston is 200'.

MRS. COLEMAN stated the Planning Commission had offered 1100' for a major shopping center.

MR. SKURSKI replied it is hard to go up 1100' and to there.

MRS. COLEMAN said people would go there if there is an entrance on Lorenzi.

MR. KENNEDY stated that two shopping centers separated by a major street could pose a traffic and pedestrian hazard.

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

MRS. COLEMAN stated that she thought since the applicant is not in much mood to compromise or try to help the Commission in this she would then move for DENIAL because she could not accept the proposal as it is.

Voting was as follows:

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

Motion for DENIAL resulted in no action being take due to a tie vote.

MRS. COLEMAN made a Motion for APPROVAL of the requested R-1 and DENIAL of the requested C-1 to the depth requested.

VICE CHAIRMAN SWESSEL asked the applicant if he wished that.

MR. SKURSKI replied he did not have the right to refusal and they would stand on the application as presented.

MS. DAINES suggested the matter be held for a full board as the previous vote had resulted in no action. She stated she would recommend it be held for a full board.

MR. FOSTER stated the by-laws of the Planning Commission would permit the Commission to proceed at this time.

MR. GUTHRIE made a Motion for APPROVAL of Z-80-78 as presented; commercial to a depth of 650' without a row of buffer houses.

Voting was as follows:

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

Motion for APPROVAL failed by a 4/2 vote and consequently, this constitutes a denial action.

VICE CHAIRMAN SWESSEL stated this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

NEW BUSINESS:

1. TENTATIVE MAP

LEWIS HOMES -
SAHARA NO. 6

APPROVED

Property generally located on the south side of O'Bannon Drive, west of Jones Boulevard, R-1 zone.

Owner/Subdivider: Lewis Homes of Nevada
No. of Acres: 9.5732 No. of Lots: 39

MR. NULL presented the staff report and stated that there is a parcel of land between the west boundary of the subdivision and the City boundary. Because of this long parcel, staff would make the following recommendations: that the remnant parcel of land in the City, not a part of the tentative map, abutting Lots 6, 19, 30 and 35 of Block A and Lot 55 of Block B, be made a part of those lots unless forming a part of the lots in a subdivision which land is annexed to the City. This property is in the process of being annexed at the present time. Further, a plot plan and grading plan be included in the off-site improvement designs and such Plan(s) will be approved by the Department of Public Services prior to the final map submission to the City Commission. With those conditions and the normal conditions staff would recommend approval. Further a waiver will be necessary for Sweetbriar Court cul-de-sac as it is 500' long.

CALVIN BLACK, representing G.C. Wallace, was present.

MR. KENNEDY asked if the center street was a cul-de-sac.

MR. NULL replied that is correct.

MRS. COLEMAN asked the applicant's representative if he understood staff recommendations.

MR. BLACK replied that they did and the recommendations posed no problems.

MR. JONES asked if the cul-de-sac was quite a distance over that permitted by ordinance.

MR. NULL replied it is 100 feet over the maximum permitted length.

MR. JONES made a Motion for APPROVAL of the Tentative Map of Lewis Homes - Sahara No. 6, 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. That the remnant parcel of land in the City, not a part of the tentative map, abutting Lots 6, 19, 30 and 35, Block A, and Lot 55, Block B, be made a part of these lots unless forming part of the lots in a subdivision, which land is annexed to the City:

3. That a plot plan and grading plan be included in the off-site improvement designs and that such plan(s) will be approved by the Department of Public Services prior to the final map submission to the City Commission.
4. Street names to be provided in accord with the City's Street Name Policy.
5. Subject to all conditions of City departments and State Subdivision Statutes

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

2. FINAL MAP

LEWIS HOMES -
 SAHARA NO. 6

APPROVED

Property generally located on the south side of O'Bannon Drive, west of Jones Boulevard, R-1 zone.

Owner/Subdivider: Lewis Homes of Nevada
 No. of Acres: 9.5732 No. of Lots: 39

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 approval of the tentative map and conformance to the conditions of approval of the tentative map.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Lewis Homes - Sahara No. 6, subject to the following condition:

1. Approval of the tentative map and conformance to the conditions of approval of the tentative map.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

3. TENTATIVE MAP

THE PLAZA

APPROVED

Property generally located on the north side of Sahara Avenue, east of Richfield, R-1 zone (under resolution of intent to C-1).

Owner/Subdivider: Security Fidelity
 No. of Acres: 4.24 No. of Lots: 8

MR. NULL presented the staff report and stated this is a commercial plat and staff would recommend the following conditions: that a statement be made providing for common and unrestricted use of parking and ingress and egress easements. With that condition plus the normal conditions staff would recommend approval.

DAVID WEIR, 2209 Paradise Road, agreed to staff stipulations.

MR. JONES made a Motion for APPROVAL of the Tentative Map of The Plaza, 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. That a statement be made providing for common and unrestricted use of parking and ingress-egress easements.
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" Vice Chairman Swessel, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

4. FINAL MAP
THE PLAZA
APPROVED

Property generally located on the north side of Sahara Avenue, east of Richfield, R-1 zone (under resolution of intent to C-1).
Owner/Subdivider: Security Fidelity
No. of Acres: 4.24 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 approval of the tentative map and conformance to the conditions of approval of the tentative map.

MRS. COLEMAN asked if this would be a condominium project.

DAVID WEIR, 2209 Paradise Road, replied that it would not.

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

1. Approval of the tentative map and conformance to the conditions of approval of the tentative map.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

5. FINAL MAP
GREENTREE
APPROVED

Property generally located on the west side of Simmons Street, north of Vegas Drive and south of Holly Lane, R-1 zone.

Owner/Subdivider: Business Development, Inc.

No. of Acres: 9.18+ No. of Lots: 37

MR. NULL presented the staff report and stated staff would recommend the following conditions: that a plot plan and grading plan be included in the off-site improvement designs and such plan(s) be approved prior to the final map submission to the City Commission. He added that the final map was otherwise in substantial conformity with the tentative map and staff would recommend approval.

TOM TREBART, 1015 East Tropicana, was present.

MR. GUTHRIE made a Motion for APPROVAL of the Final Map of Greentree, subject to the following condition:

1. That a plot plan and grading plan be included in the off-site improvement designs and that such plan(s) will be approved by the Department of Public Services prior to final map submission to the City Commission.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

6. A-13-78
APPROVED

Petition of Annexation submitted by GEORGE F. KALB CONSTRUCTION COMPANY to annex property generally located on the southwest corner of Reiter Avenue and Decatur Boulevard.

MR. NULL presented the staff report and stated the parcel in question is 1.6 acres in size and consists of 2 lots. It is County zoned ROI to Local Commercial.

MR. JONES asked how the zoning compared to that of the City.

MR. NULL replied it is just about the same and that there recently had been an annexation with C-1 zoning for a 7-Eleven Store nearby.

GEORGE KALB, 1104 Ironwood Drive, stated the annexation was necessary in order to provide sewer to the parcel. The sewer is located in Decatur.

MR. JONES made a Motion for APPROVAL A-13-78.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

7. A-14-78

APPROVED

Petition of Annexation submitted by LEWIS HOMES OF NEVADA to annex property generally located on the southeast corner of O'Bannon Drive and Torrey Pines Drive.

MR. NULL presented the staff report and stated the parcel in question encompasses 19 acres and is zoned County Low Density Residential.

CALVIN BLACK, representing G.C. Wallace, was present.

MR. JONES asked if this would be a continuation of Lewis Homes.

MR. BLACK replied that it would.

MR. GUTHRIE asked the lot sizes in the referred to County zoning.

MR. BLACK replied he was not sure, but thought 7000 sq. ft.

MR. KENNEDY made a Motion for APPROVAL of A-14-78.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

8. A-15-78

APPROVED

Petition of Annexation submitted by BECKER & SONS to annex property generally located at the northeast corner of Smoke Ranch Road and Michael Way.

MR. NULL presented the staff report and stated the parcel in question encompasses 18 acres and is zoned County Low Density Residential.

ERNIE BECKER, JR. was present and stated they would not be developing this area for a couple of years and that it formerly belonged to Fred Houghton.

MR. KENNEDY asked if this was in the western part of the City.

MR. BECKER replied that it is.

MRS. COLEMAN made a Motion for APPROVAL of A-15-78.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

9. Z-94-78

APPROVED

Application of EUGENE A. STANFILL for reclassification of property generally located on the east side of North 21st Street, between Searles Street and Hinkle Drive, from R-1 (Single Family Residence) to R-3 (Limited Multiple Residence). The above property is legally described as the west 132 feet of the south 660 feet of the Northeast Quarter (NE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 26, Township 20 South, Range 61 East, MDB&M.

Proposed Use: Nine Four-Plex Apartment Units

MR. BROWN presented the staff report and stated the plot plan is as depicted. Staff thinks this is in keeping with trend and development of the area and would recommend approval. Staff would request dedication of two 15' radius corners plus the normal conditions.

VICE CHAIRMAN SWESSEL declared the public hearing open.

EDWARD JORY, 4055 South Spencer, was present.

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

MR. JORY replied it is 602' x 102'.

MR. JONES asked if there would be sufficient parking.

MR. BROWN replied that there would be.

MR. JONES suggested that more than sufficient parking be provided.

MAXWOOD HALL, 1208 North 21st Street, stated he would like to see this development and that it would raise the tax returns to the City.

VICE CHAIRMAN SWESSEL 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-94-78, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve month time limit.
2. A 15 ft. radius corner is required on Searles Street and North 21st Street and Hinkle Drive and North 21st Street as required by the Department of Public Services.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditoners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan.
7. 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" Vice Chairman Swessel, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Kennedy and Mr. Canul.

"NOES" None

Motion for APPROVAL carried unanimously.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

10. AV-12-78

APPROVED

Request of ROME FABBI for an Administrative Variance to allow nine four-plexes on property generally located on the east side of 21st Street between Searles Street and Hinkle Avenue, R-1 zone.

MR. BROWN presented the staff report and stated the property in question is the same as that just previous heard. The applicant is 300' short of that which is required per each four-plex and this falls within the 5% variation of which the Planning Commission has the authority to grant relief. Staff recommends approval.

RICHARD STRATTEN, 4165 Seville, was present.

MR. JONES asked if it would not be possible to reduce the number of units to eliminate the request.

MR. STRATTEN stated they wanted the nine units and that there would be sufficient parking and that the building would be

two stories in height.

CHARLEY DURNHAM representing the buyers and the sellers was present and stated they were just a few feet short of the overall requirements and that they would be putting in two parking spaces per unit.

MR. JONES made a Motion for APPROVAL of AV-12-78, 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 system 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" Vice Chairman Swessel, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

11. Z-95-78

APPROVED

Application of SOUTHERN NEVADA INVESTMENT GROUP for reclassification of property located at 200-204 West Boston Avenue, from R-4 (Apartment Residence) to C-1 (Limited Commercial). The above property is legally described as Lots 32, 33 and 34, Block 13, Meadows Addition.

Proposed Use: Convenience Market

MR. BROWN presented the staff report and stated the request is located in the heart of an R-4 district. Staff thinks that to drop a 7-Eleven Store into the middle of R-4 would be incompatible with the established use and development of the area; does not see a need to spot zone this to commercial and would recommend denial.

VICE CHAIRMAN SWESSEL declared the public hearing open.

HERB JONES, Attorney representing the applicant, stated he was surprised by staff's recommendation. He added the three lots

were originally purchased and intended for apartment use but after looking over the area it was observed that a 7-Eleven Store would be an asset to the people living there. There is sufficient population in the area to support such a store. He added he hoped the Commission had been able to observe the area.

MR. KENNEDY stated that if the store is well lighted, it would be an asset to the area and that it is a rough neighborhood.

MR. JONES made a Motion for DENIAL of Z-95-78.

Voting was as follows:

"AYES" Mrs. Coleman and Mr. Jones

"NOES" Vice Chairman Swessel, Mr. Guthrie, Mr. Kennedy and Mr. Canul

Motion for DENIAL failed by a 4/2 vote.

MRS. COLEMAN stated there have been unhappy circumstances associated with this type of operation and especially as it is close to a park. She asked if the store would be operated 24-hours a day.

ATTORNEY JONES replied that it would.

COMMISSIONER JONES asked why one was needed as there is one on Tam Drive three blocks away.

ATTORNEY JONES replied that studies have been made and an additional store is needed.

CHARLES HERRINGTON, representing 7-Eleven, stated this store will be serving people who do not use the store on Tam and who do not have any other place to go.

COMMISSIONER JONES stated that at Wyoming and Commercial there is another convenience market, and this is spot zoning.

MR. HERRINGTON stated there were no protests to the application.

MRS. COLEMAN stated that is because this is a transient area.

EDWARD GROVER, 833 Clarkway Drive, stated that none of the property owners live on the property, and that the units are all rentals and there is no way for them to object.

VICE CHAIRMAN SWESSEL asked Mr. Grover if he owned property in the area.

MR. GROVER replied he does not

MR. BROWN stated if this is approved, staff does have stipulations which should apply.

MR. JONES, after a discussion, made a Motion for APPROVAL of Z-95-78, subject to staff stipulations:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Existing fire hydrant and water main due for upgrading by the Water District as required by the Department of Fire Services.
3. A 15 ft. radius corner is required at Boston Avenue and Fairfield Avenue 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. 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" Vice Chairman Swessel, Mr. Guthrie, Mr. Kennedy and Mr. Canul

"NOES" Mrs. Coleman and Mr. Jones

Motion for APPROVAL carried by a 4/2 vote.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

12. Z-96-78

APPROVED

Application of WILLIAM JOST, SR., ET AL for reclassification of property generally located on the northwest corner of Jones Boulevard and Lake Mead Boulevard, from R-E (Residence Estates) to C-1 (Limited Commercial). The above property is legally described as the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 23, Township 20 South, Range 60 East, MDB&M.

Proposed Use: Shopping Center

MR. BROWN presented the staff report and stated the plot plan is as depicted. Staff has researched this area and the required commercial zoning needed to service the area. He added there is a total of 16 acres within the area already zoned commercial which is 10 acres more than called for by the General Plan. The request in question is for an additional 10 acres. This is not in concert with the General Plan, there is no need for the additional commercial zoning and staff recommends denial.

VICE CHAIRMAN SWESSEL declared the public hearing open.

JAY DOWNEY, 4045 Spencer, stated the existing C-1 in the area has been zoned for a number of years and has never been developed. He added he did not think this was fair to a new applicant. If the C-1 in existence was developed, he added he would have to agree with staff.

VICE CHAIRMAN SWESSEL asked what was planned for the commercial.

MR. DOWNEY replied a major market and drug store.

MR. GUTHRIE asked when construction was contemplated.

MR. DOWNEY stated they would start within one year, as would be required if the zoning is approved.

MRS. COLEMAN asked if the existing C-1 was by ordinance or is there a time limit.

MR. BROWN stated it is under resolution of intent to C-1.

MR. FOSTER stated there is no time limit on the 20-acre parcel.

MR. DOWNEY stated that the City is growing to the west and this will be a much needed development.

TERRY BRODKIN, San Jose, California, stated he represents owners including himself, of 160 acres of property located on three major street corners. He added that Chism Homes is proposing multi-family development along Lake Mead and that his group hopes to put in four-plexes or condominiums. He added they have already hired an architect and that their project is about two years down the road and that they would like to see the commercial.

MR. GUTHRIE stated there are no road improvements in the area.

MR. DOWNEY stated that Jones is set to go in the first of next year.

MR. BRODKIN stated that Chism had to put roads in, as that had been part of their deal.

MR. GUTHRIE asked when Lake Mead would go in.

MR. DOWNEY stated they would have to put in their half and that it would come under the Regional Streets and Highways once the Expressway is completed.

MRS. COLEMAN asked if Beckers owned any property around this application.

ERNIE BECKER, JR. stated they have R-PD8 on the west, R-3 further west and C-1 and R-3 across the street on the east side of Jones.

MRS. COLEMAN stated she did not want this abutting R-1 development.

MR. BRODKIN stated they have placed signs on their property saying it is being held for multi-family and commercial use.

MR. DOWNEY stated they would agree to do the same thing.

MR. BROWN stated that should the application be approved, staff would request 50' right-of-way on Lake Mead and 25' radius corners.

VICE CHAIRMAN SWESSEL 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-96-78, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Water lines for fire hydrant must be looped; and fire flow requirements to be determined when final construction plans are submitted as required by the Department of Fire Services.
3. A six foot block wall is required on the north and west sides of the property.
4. Dedication of a 50 ft. right-of-way on Lake Mead Boulevard as required by the Department of Public Services.
5. Dedication of 25 ft. radius corner at Jones Boulevard and Lake Mead Boulevard as required by the Department of Public Services.
6. Development plans to be approved by the Planning Commission prior to construction.
7. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
8. Submittal of a landscaping plan prior to or at the same time

application is made for a building permit, license or prior to occupancy.

9. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
10. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried by a 5/1 vote.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

13. Z-97-78
APPROVED

Application of ROBERT C. LePOME, ATTORNEY IN FACT FOR THE ESTATE OF EVELYN V. RICH for reclassification of property located at 2622 West Charleston Boulevard, from R-E (Residence Estates) to C-D (Designed Commercial). The above property is legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$) of Section 32, Township 20 South, Range 61 East, MDB&M.
Proposed Use: Offices

MR. BROWN presented the staff report and stated the plot plan is as depicted, there is more than required parking, the use is compatible with the area as it is developing and staff would recommend approval.

VICE CHAIRMAN SWESSEL declared the public hearing open.

ROBERT LePOME was present.

MR. GUTHRIE asked if there would be parking in the rear.

MR. LePOME replied that there is and there is also a swimming pool, and that there would be a wall.

VICE CHAIRMAN SWESSEL 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-97-78, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Fire hydrant to be installed within 300 feet of the building or existing hydrant as required by the Department of Fire Services.

3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan.
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" Vice Chairman Swessel, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

14. Z-98-78

DENIED

Application of JAMES A. BILBRAY for reclassification of property generally located on the south side of Washington Avenue between Tonopah Drive and Clarkway Drive, from R-E (Residence Estates) to R-3 (Limited Multiple Residence). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, Township 20 South, Range 61 East, MDB&M.

Proposed Use: Apartments (28 Units)

MR. BROWN presented the staff report and stated the plot plan is as depicted. The west 395 feet was zoned ROI to R-3 about a month ago - the Planning Commission denied the request and the City Commission approved it. There are two ownerships involved and the applicant is now coming in with this plot plan. He wants to rezone the eastern half of this to R-3. The application has 56 units noted and 52 are indicated on the legend. They are two parking spaces short which could create a problem with the plot plan. In looking at the total rezoning, staff does not think it is compatible with the development in the area. The Planning Commission did recommend denial on the west and now comes a request for additional R-3 zoning clear to Clarkway and south 300' into the R-E. Staff feels this is too much of an encroachment and recommends denial of the east half.

VICE CHAIRMAN SWESSEL declared the public hearing open.

FRED DORIO, Architect representing the purchasers, stated they have allowed for a lot of greenery and the development would enhance the area, and that the area does warrant R-3. He added there will be tennis courts, swimming pool and a playground. Further, the only access would be off from Washington.

MR. GUTHRIE stated that Washington, east of Tonopah, is narrower than to the west. He asked if this was a half street or has just not been developed.

MR. BROWN stated there is 80' of right-of-way and the street has not been developed. One of the conditions of approval would be dedication of 40' of right-of-way.

MRS. COLEMAN said she wondered how the horses in the area would like tennis courts.

MR. BROWN stated there are 6 protests on record.

CLARE SHEER, 1941 Ophir, appeared in protest, and stated she did not see how 52 or 56 units could be put into the parcel in question. She added that apartment dwellers would complain about the flies resulting from horses in the area.

MARY ANN HAGUE, 829 Clarkway Drive, appeared in protest. She stated she objected to the two story building as the windows would overlook her back yard and it would be an invasion of privacy. She asked if a block wall would be provided.

MR. BROWN stated that would be one of the conditions of approval.

EDWARD GROVER, 833 Clarkway Drive, appeared in protest.

JAMES WALKER, 750 Royal Crest Circle, appeared in approval and stated that last time they had the same 6 protests and that most people in the area are in favor of the application. He added that the City Commission had indicated the property was most likely to be used this way. He added it was an attractive proposal and would enhance the area.

MR. BROWN read the conditions that staff would request if the application was approved.

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

MR. GUTHRIE made a Motion for DENIAL of Z-98-78 because the intrusion of R-3 uses into the R-E zone is incompatible with the established uses in the R-E neighborhood.

Voting was as follows:

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

Motion for DENIAL carried by a 5/1 vote.

VICE CHAIRMAN SWESSEL announced this item would be heard by the City Commission on November 15, 1978 at 2:00 P.M.

15. Z-93-64

PLOT PLAN REVIEW

APPROVED

Request of THE HAPPY STEAK, INC. for a Plot Plan Review to allow the construction of a restaurant on property located at 2390 East Bonanza Road, C-1 zone.

MR. BROWN presented the staff report and stated the plot plan is as depicted. Everything is in order, there is plenty of parking and staff would recommend approval.

MR. JONES made a Motion for APPROVAL of the Plot Plan Review under Z-93-64, subject to the following conditions:

1. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, 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" Vice Chairman Swessel, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

1. PROPOSED ORDINANCE
AMENDMENT

CLARIFICATION OF
MOTION

(Abeyance Item
from 10/12/78)

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.

VICE CHAIRMAN SWESSEL asked Mr. Canul for clarification of the motion he had made regarding this matter.

MR. CANUL stated the only motion he made was screening on the houses, not trash enclosures and others.

MRS. COLEMAN stated that was never the issue anyway. It was not in the ordinance which specifically exempts that.

MR. CANUL said that it did not.

MR. JONES asked Mr. Foster to proceed.

MR. FOSTER stated that the existing ordinance excludes single family development and it is proposed to leave that the same way. He added he thought some question was raised by some of the members the following day. There were two abstentions on the vote and there was some question on why they abstained and it had been indicated they were not quite sure what the motion was and it was on that basis that Mrs. Coleman asked for a clarification.

MR. JONES asked if this could not be taken care of by having Mr. Canul make a new motion.

VICE CHAIRMAN SWESSEL said no, he did not think Mr. Canul wanted to make a new one.

MR. FOSTER stated that the way he recalled was that Mr. Canul made a motion indicating that he thought this should be denied and then staff clarified it by saying what you mean is that the screening of the air conditioning and roof mechanics should be denied, but you would allow the landscaping and trash enclosures to be screened. Then a series of discussions were had. Mr. Becker was present and talked about single family and apartments and so forth and a representative of the Home Builders was present. Mr. Canul then stated that he still went along with his original motion for denial and staff interpreted as the clarification, excluding landscaping and trash areas.

MR. CANUL stated it was denying of screening of the air conditioning on houses and apartments only.

MR. FOSTER then stated that would exclude screening of single family and apartments and would include all other development.

MR. CANUL stated he could make a motion that way.

MRS. COLEMAN stated before a motion was made, she would like to discuss the use of the word screening.

MR. CANUL stated he knew what the word screening meant.

MRS. COLEMAN stated that maybe it could be softened by adding to it something like "placement of" or "screening of air conditioners and roof mechanics from the public right-of-way", so it would give people, builders and architects more of an opportunity to do something creative to accomplish the purpose being sought.

MR. CANUL said if you want to do something creative, it will still be an added cost, no matter how you look at it.

MRS. COLEMAN said that by just saying "screening" it limits persons to that; whereas if another way to do it were added, that would be sensible, then maybe it would not be so objectionable.

MR. CANUL asked if when he made the motion, wasn't it passed, the way it was stated.

MR. FOSTER stated it did carry, but there had been a request for reclarification.

VICE CHAIRMAN SWESSEL stated he did not have to bring the motion back as it was passed.

MR. CANUL stated his motion was carried on the screening of the houses and apartments, the rest maintained. He added that was his motion and it was carried that way.

MRS. COLEMAN stated as she remembered Mr. Canul just made a motion to deny, then after the vote was taken, Mr. Foster got up and said "let's clarify this", "did you mean so and so and so and so," and Mr. Canul had said yes. But the vote that got the two abstentions and her no vote, was to deny the whole thing, because that is what Mr. Canul said and that was what the motion was.

MR. CANUL stated he did not think so.

MRS. COLEMAN said that may not have been what Mr. Canul meant, but that was what he said, simply, I move to deny.

MR. CANUL said he did not say that, that he did not say simply to deny the whole deal, because Mr. Foster or someone had asked him before the vote was taken.

MRS. COLEMAN said after the vote.

MR. CANUL said no, it was before the vote.

MR. FOSTER said right, Mr. Canul made that, it was then clarified and then discussion was had for approximately 15 minutes, and then Mr. Canul stated that he would go back to his motion for denial, which he thought had been clarified by staff.

MR. CANUL said right.

MRS. COLEMAN said that Mr. Canul was then saying that his motion was that screening of air conditioners was not needed on residential, but everything else stayed in, just as it now is. She added she would go with that.

MR. GUTHRIE asked if it would still be on commercial.

MRS. COLEMAN said everything, except residential R-1.

MR. BROWN stated that residential does not necessarily include only R-1.

MR. GUTHRIE stated it would include apartments too.

MR. BROWN stated this would include R-3, R-2 and all multiple family. He asked Mr. Canul if this was what he meant.

MR. CANUL replied yes.

VICE CHAIRMAN SWESSEL stated that apartments had been stated.

MR. FOSTER stated that Mrs. Coleman was thinking of residential as being only R-1.

MRS. COLEMAN stated that is what she thought Mr. Canul was talking about.

MRS. COLEMAN then made a Motion to RESCIND the action taken previously and the Commission then could start over again. If it is left with apartments, then the same thing that happened on 28th Street or someplace, where Skurski did it, where the string of apartments was put up, it was not 28th, it was done further, the apartments were put up and then the residents started screaming because all of the air conditioning and air conditioners, that's all they were seeing, and then it was necessary to have them painted the color of the house or something, and they did look lousy. She added she thought it was a mistake to take it off apartments.

VICE CHAIRMAN SWESSEL asked if Mrs. Coleman had a motion.

MRS. COLEMAN stated she had made a motion to rescind the action.

VICE CHAIRMAN SWESSEL stated the motion was on the floor to rescind the action and called for a vote.

Voting was as follows:

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

"NOES" Mr. Canul

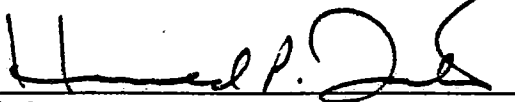
Motion to RESCIND carried by a 5/1 vote.

MR. FOSTER stated that staff would recommend this matter be held to the next meeting so the Home Builders and the Beautification Committee could be notified. They had left at the time the vote was taken with that particular motion, that it was denied. In all fairness they should be renotified and can again have input. He stated this matter would be put on the next agenda.

ADJOURNMENT:

There being no further business to come before the City Planning Commission, the meeting was adjourned at 9:20 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


HAROLD P. FOSTER, Acting Director