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AGENDA

CITY PLANNING COMMISSION

JANUARY 23, 1979

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

NEW BUSINESS:

1. TENTATIVE MAP — STRATTON GARDENS

   Property generally located on the east side of 21st Street between Hinkle Drive on the north and Searles Avenue on the south, R-1 zone (under resolution of intent to R-3).
   Owner: Eugene A. Stanfill
   Subdivider: Dick Stratton and Rome Fabbi
   No. of Acres: 2 No. of Lots: 9

2. FINAL MAP — STRATTON GARDENS

   Property generally located on the east side of 21st Street between Hinkle Drive on the north and Searles Avenue on the south, R-1 zone (under resolution of intent to R-3).
   Owner: Eugene A. Stanfill
   Subdivider: Dick Stratton and Rome Fabbi
   No. of Acres: 2 No. of Lots: 9

3. WAIVER OF SIDEWALKS AND REQUEST FOR "ROLL" TYPE CURB — BIG SKY RANCH ESTATES, UNIT NO. 4 TENTATIVE MAP

   Request of DELTA ENGINEERING, INC. for a waiver of sidewalks within the interior boundaries of Big Sky Ranch Estates Unit No. 4, and request for "roll" type curb in lieu of "L" type curb & gutter also within the interior boundaries of Big Sky Ranch Estates Unit No. 4.

4. Z-118-78

   Application of MEMORIAL MEDICAL CENTER, INC. for reclassification of property located at 2001 West Charleston Boulevard, from R-1 to C-1.
   Proposed Use: Eleven Story Office Building

5. Z-119-78

   Application of LUCILLE RASKOTT AND L.C. FOSTER, INC. for reclassification of property generally located on the east side of Malner Lane, 210 feet north of Gowan Road, from R-E to R-PD2.

6. Z-120-78

   Application of FIRST WESTERN SAVINGS ASSOCIATION for reclassification of property generally located at the northeast corner of Cheyenne Avenue and Jones Boulevard, from R-1 to C-1.
   Proposed Use: Shopping Center

7.	Z-121-78	Application of PALOMINO GARDENS, ET AL for reclassification of property generally located on the south side of Palomino Lane, 300 ft. east of Shetland Road, from R-E to R-PD2. Proposed Use: Detached Single Family Dwelling Units
8.	Z-122-78	Application of SOUTHERN NEVADA MEMORIAL HOSPITAL for reclassification of property located at 2021 Hastings Avenue and 2032 Alturas Avenue, from R-E to C-V. Proposed Use: Parking Lots
9.	Z-20-73 Review of Conditions	Request of CHARLES R. LUZIER, ET AL for a Review of Conditions to rescind the condition permitting only a maximum of two offices on property located at 5020 Alta Drive, P-R zone.
10.	Z-30-76 Plot Plan Review	Request of JACK MILLER & ASSOCIATES on behalf of the Y.M.C.A. for a Plot Plan Review to allow modification of the building and parking on property generally located southwest of Meadows Lane and Valley View Boulevard, R-1 zone (under resolution of intent to C-1).
11.	Z-83-77 Review of Conditions	Request of IRVIN AND FANNIE REEVES for a Review of Conditions to allow the sale of sewing supplies and sewing machines where the use on the property is limited to a retail fabric store only, on property located at 621 North Eastern Avenue, C-1 zone.

DIRECTOR'S BUSINESS:

1.	Amendment to the By-Laws	Amendment to the By-Laws that a tie vote on an affirmative motion constitutes a denial action.
2.	Proposed Ordinance Amendment	Proposed Ordinance Amendment to the C-2 zone to require off-street parking for efficiency and one bedroom units at a one space per one unit rate.

MINUTES

CITY PLANNING COMMISSION

JANUARY 23, 1979

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

PRESENT: Chairman Swessel, Mrs. Coleman, Mr. Miller, Mr. Guthrie, Mr. Jones and Mr. Kennedy

EXCUSED: Mr. Kennedy

STAFF PRESENT: Harold P. Foster, Director, Community Planning & Development
Don W. Brown, Supervisor of Zoning
Howard A. Null, Supervisor of Planning
Rick Sweet, Planner
Linda McIntosh, Recording Secretary

ANNOUNCEMENT: MR. NULL 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.

NEW BUSINESS:

1. TENTATIVE MAP

STRATTON GARDENS

APPROVED

Property generally located on the east side of 21st Street between Hinkle Drive on the north and Searles Avenue on the south, R-1 zone (under resolution of intent to R-3).
Owner: Eugene A. Stanfill
Subdivider: Dick Stratton and Rome Fabbi
No. of Acres: 2 No. of Lots: 9

MR. NULL presented the staff report and stated the applicant has provided a private driveway to be used to access parking for Lot 9. There is an existing block wall along the back of Lot 9 and on the west side of the alley up to 22nd Street. Traffic Division is concerned there may be a sight problem for vehicles going along the private drive and east on the alley. Staff has the following recommendations: no access between the private drive on Lot 9 and the 20' dedicated abutting alley as required by Public Services. With this and the normal recommendations, staff would recommend approval.

CHARLEY JURNIGAN, represented the application, and agreed to staff stipulations.

MR. MILLER made a Motion for APPROVAL of the Tentative Map of Stratton Gardens, 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 (12) months of approval of the tentative map, or an extension of time up to one year is not granted for the tentative map, a new tentative map must be filed. If a final map is recorded within

twelve (12) months of the original approval of the tentative map, or within the extension of time 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. No access be allowed between the 12 ft. private drive shown on Lot 9 and the abutting 20 ft. alley as required by the Department of Public Services.

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 21, 1979 at 2:00 P.M.

2. FINAL MAP

STRATTON GARDENS

APPROVED

Property generally located on the east side of 21st Street between Hinkle Drive on the north and Searles Avenue on the south, R-1 zone (under resolution of intent to R-3).
Owner: Eugene A. Stanfill
Subdivider: Dick Stratton and Rome Fabbi
No. of Acres: 2 No. of Lots: 9

MR. NULL presented the staff report and stated 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 and conformance to the conditions of approval of the tentative map.

CHARLEY JURNIGAN represented the application.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Stratton Gardens, subject to the following conditions:

1. Approval of the tentative map.

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

3. WAIVER OF SIDEWALKS & REQUEST FOR "ROLL" TYPE CURB

BIG SKY RANCH ESTATES, UNIT NO. 4, TENTATIVE MAP

APPROVED

Request of DELTA ENGINEERING, INC. for a waiver of sidewalks within the interior boundaries of Big Sky Ranch Estates Unit No. 4, and request for "roll" type curb in lieu of "L" type curb and gutter also within the interior boundaries of Big Sky Ranch Estates Unit No. 4.

MR. NULL presented the staff report and stated the request is for a waiver which only applies to the interior streets. It would consist of a waiver for the sidewalks and for the "roll" type curbs in lieu of "L" type curbs. Staff does not object.

NELSON MEYER, Delta Engineering, represented the application.

MR. JONES made a Motion for APPROVAL of the request for Waiver of Sidewalks and Request for "Roll" Type Curb for Big Sky Ranch Estates, Unit No. 4, Tentative Map.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 21, 1979 at 2:00 P.M.

4. Z-118-78

ABEYANCE

Application of MEMORIAL MEDICAL CENTER, INC. for reclassification of property located at 2001 West Charleston Boulevard, from R-1 (Single Family Residence) to C-1 (Limited Commercial). The above property is legally described as Lot 16, Pahor Tract; and Lot 2, Westwood Park Tract No. 1.
Proposed Use: Eleven Story Office Building

MR. BROWN presented the staff report and stated there have been five requests for rezoning for this lot; in 1970, 1971, 1972 and 1977, which the Planning Commission and the City Commission have denied. The conditions have not changed which would warrant this request of C-1 being deeper than one lot for the purpose of an 11-story building on Charleston. Staff feels that the commercial zoning should be no more than one lot deep on Charleston, especially in this area where the property is surrounded by R-1.

CHAIRMAN SWESSEL declared the public hearing open.

BOB ROGAN, president of the medical complex, appeared in favor of the application.

JOHN THURMAN appeared in favor of the application and stated this would be an 8-story building, not eleven. The top 4 levels would be parking.

MR. MILLER asked if some of the ground parking would be sub-surface.

MR. ROGAN stated the parking is planned to be above ground. However, some could possibly be put underground. He added there would be a 30' buffer between the building and the rear property line with landscaping and high shrubs.

MR. MILLER asked if a rendering of the proposed building was available.

MR. ROGAN replied it was not; however, an elevation was available.

HANK THORNLEY, 2209 El Greco, appeared in favor of the application. He stated there is other commercial zoning deeper then what staff suggested on Charleston and gave examples of that zoning. He added this type of building would be a substantial addition to the tax rolls, would be well-maintained, would not operate all hours and would encourage off-street parking.

MR. MILLER stated there is a large sign currently on the property and if this project was approved, it would have to be taken down.

MR. THORNLEY stated the sign would come down.

CHAIRMAN SWESSEL asked those present in opposition to stand. Nineteen persons were present in protest.

PAUL LAMPFEL, 1139 Westwood, appeared in protest.

ELDON ROLLEY, 1133 Westwood, appeared in protest and presented a petition bearing 16 signatures of protest and a letter of protest signed by Leona Preswick.

JULIE BEHAR, 1129 Pahor, appeared in protest.

EDITH SAMPFELT, 1121 Pahor, appeared in protest.

MR. THORNLEY appeared in rebuttal.

CHAIRMAN SWESSEL suggested that perhaps the developers should get together with the neighbors in an effort to compromise the development of the property.

MR. JONES stated he was concerned with the parking, that there would not be sufficient.

MR. MILLER made a Motion for ABEYANCE of Z-118-78 so the developer can meet with the neighbors in an attempt to agree on an office building acceptable to both parties.

Voting was as follows:

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

Motion for ABEYANCE carried by a 5/1 vote.

5. Z-119-78

APPROVED

Application of LUCILLE RASKOTT and L.C. FOSTER, INC. for reclassification of property generally located on the east side of Malner Lane, 210 feet north of Gowan Road, from R-E (Residence Estates) to R-PD2 (Residential Planned Development). The above property is legally described as a portion of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of the Northeast Quarter (NE¼) of Section 12, Township 20 South, Range 60 East, MDB&M.

MR. BROWN presented the staff report and stated the plot plan is as depicted. There are two cul-de-sacs which will be private streets. The reason for the R-PD2 is for the private streets. The density is the same as R-E. Staff would recommend approval.

CHAIRMAN SWESSEL declared the public hearing open.

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

LEWIS FOSTER stated five acres.

MR. BROWN stated there are three letters of protest.

DONNA BEAL, 5000 Jade, appeared and asked how many homes could be built.

MRS. COLEMAN stated there would be two to an acre.

BRUCE SALADIN, 721 Shetland, appeared in protest.

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-119-78, subject to the following conditions:

1. Resolution of intent to be restricted to a twelve (12) month time limit.

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

Motion for APPROVAL carried by a 5/1 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 21, 1979 at 2:00 P.M.

6. Z-120-78

DENIED

Application of FIRST WESTERN SAVINGS ASSOCIATION for reclassification of property generally located at the northeast corner of Cheyenne Avenue and Jones Boulevard, from R-1 (Single Family Residence) to C-1 (Limited Commercial). The above property is legally described as a portion of the Southwest Quarter (SW¼) of Section 12, Township 20 South, Range 60 East, MDB&M.

Proposed Use: Shopping Center

MR. BROWN presented the staff report and stated that initially the applicant came in with a request for rezoning out to Miramar. After talking with the developer, staff indicated if they would reduce the area, staff would look more favorably upon the application. The area has been reduced to eight acres. Staff feels the ingress and egress on the north side should be eliminated. Staff does look in favor on the total development with the proviso the plot plan be redesigned and elimination of the ingress/egress on the northwest corner.

MRS. COLEMAN asked if the same owner was involved for the total application.

MR. BROWN replied yes.

CHAIRMAN SWESSEL declared the public hearing open.

CHAIRMAN SWESSEL asked how large the property is.

MR. BROWN stated it comprises 8.2 acres.

HERB JONES represented the application and presented photographs and elevations of the proposed development. He also compared the original development with the current proposal that was worked out with staff. He said there would be a problem with closing the entrance on the northwest and it was felt it was better to have entrances on Jones.

COMMISSIONER JONES asked when completion was anticipated.

MIKE BREW, developer's representative, stated they would like to start immediately and thought the project would be completed in late Spring of 1980. He said they did have a major tenant, but were not at liberty to disclose the name at this time.

MRS. COLEMAN asked what the two small buildings depicted on the plot plan would be.

MR. BREW stated one would be a fast food restaurant and the other would be a drive-up banking facility.

CHAIRMAN SWESSEL asked those present in protest to stand. Ten persons were present in opposition.

JOHN FAINN, 5812 Miramar, appeared in protest and stated he had contacted 44 property owners, who also protested this application. He presented a petition bearing twenty-six signatures in opposition.

MR. MILLER stated that some developers are putting in shopping centers prior to residential development and he felt this was good planning.

STEVE HOWARD, 5785 West Cheyenne, appeared in protest, and presented a petition bearing 26 signatures in protest.

JOHN GEORGIE, 3070 Breton Drive, appeared in protest.

SHARON COOK, 3090 Breton Drive, appeared in protest.

RICH TRUE, 3100 Tamrock, appeared in approval, and stated at this time adequate shopping facilities do not exist in the area in question and this is a needed development.

HERB JONES appeared in rebuttal.

MR. DREW presented an aerial photograph of the area and indicated a study had been done which shows a need for this type of development.

COMMISSIONER JONES stated there seemed to be an over-abundance of shopping centers being built.

CHAIRMAN SWESSEL 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-120-78.

Voting was as follows:

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

By virtue of a tie vote, the application was DENIED

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 21, 1979 at 2:00 P.M.

7. Z-121-78

ABEYANCE

Application of PALOMINO GARDENS, ET AL for reclassification of property generally located on the south side of Palomino Lane, 300 ft. east of Shetland Road, from R-E (Residence Estates) to R-PD2 (Residential Planned Development). The above property is legally described as a portion of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 32, Township 20 South, Range 61 East, MDB&M.

MR. BROWN presented the staff report and stated the layout of the property is as depicted with the entrance being off Palomino. This is the second or third go-around with this parcel. The applicant had requested R-1 & R-D and the Planning Commission and City Commission agreed that the density for those requests was too high for this area. This is in concert with the density recommendation of the General Plan.

CHAIRMAN SWESSEL declared the public hearing open.

MRS. COLEMAN asked how many acres are involved.

JAY DOWNEY, representing the applicant, stated 10 acres with 20 homes proposed. He added the applicants felt they are staying within the General Plan with this proposal. The reason for the requested R-PD is for security purposes and the owners will maintain the street. The property does back up to a shopping center.

MR. GUTHRIE asked when the R-E to the south would develop.

MR. DOWNEY stated that had not yet been determined and would be a separate application and to be weighed on its own merits.

MR. GUTHRIE stated it would be an island, that would have to go commercial.

MR. BROWN stated there are two letters of approval and two of protest on record.

CHAIRMAN SWESSEL asked those present in protest to stand. Six persons were present in opposition.

GEORGE KOKOS, 2426 Palomino, appeared in protest, and stated he does not want the lights of cars shining in his house from the proposed ingress/egress.

CHUCK SANTLEMAN, 2426 Palomino, appeared in protest. He stated the property in question and the proposed number of homes did not work out to half acre lots. He added he would like to see homes facing Palomino.

BRUCE SALADIN, 721 Shetland, appeared in protest.

PAT HERSHMAN, 2500 Palomino, appeared in protest, citing the ingress/egress and traffic as reasons for protesting.

MADISON GRAVES appeared in approval of the application and stated the homes would sell for approximately $110,000 to $200,000 and the minimum square footage would be 2500 sq. ft.

MR. DOWNEY presented a rendering of a proposed home, and stated the homes would be detached single story.

MRS. COLEMAN said she still wondered why the ingress and egress could not be some other place.

MR. MILLER suggested the ingress/egress be moved to the east on the parcel.

MR. DOWNEY stated this would come back as a tentative map and if the Commission wished to place such a condition on the rezoning, it would be alright.

TY HILBRECHT appeared in favor of the application.

A letter of protest from Mr. & Mrs. Young, 815 Shetland, was presented.

MR. JONES made a Motion for ABEYANCE of Z-121-78 so the developer could meet with the neighbors to work out a satisfactory location for the ingress/egress to Palomino Lane.

Voting was as follows:

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

Motion for ABEYANCE carried by a 5/1 vote.

8. Z-122-78

APPROVED

Application of SOUTHERN NEVADA MEMORIAL HOSPITAL for reclassification of property located at 2021 Hastings Avenue and 2032 Alturas Avenue, from R-E (Residence Estates) to C-V (Civic). The above property is legally described as Lots 6 and 18, Block 2, Woodland Park.
Proposed Use: Parking Lots

MR. BROWN presented the staff report and stated there are no protests on record and staff would recommend approval.

CHAIRMAN SWESSEL declared the public hearing open.

KEN PRESSER represented the application.

CHAIRMAN SWESSEL 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-122-78, 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. Conformance to the plot plan.

5. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City department.

Voting was as follows:

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

Motion for APPROVAL carried by a majority vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 21, 1979 at 2:00 P.M.

9. Z-20-73

REVIEW OF CONDITIONS

APPROVED

Request of CHARLES R. LUZIER, ET AL for a Review of Conditions to rescind the condition permitting only a maximum of two offices on property located at 5020 Alta Drive, P-R zone.

MR. BROWN presented the staff report and stated there is adequate parking for 6 cars. Staff does not see any reason why this request should not be permitted.

C. LUZIER represented the application.

FRED ERICKSON represented the application.

MRS. COLEMAN suggested the landscaping be improved.

MR. JONES asked what the proposed use would be.

MR. LUZIER stated the office is currently used as an insurance office and they will be adding one more agent

MR. JONES made a motion for approval of the Review of Conditions under Z-20-73, subject to the following conditions:

1. Conformance to any ordinance requirements enacted subsequent to the original approval.

2. Conformance to the plot plan.

3. Upgrade the landscaping in all existing planters as required by the Department of Community Planning and Development.

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

Motion for APPROVAL carried by a unanimous vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 21, 1979 at 2:00 P.M.

10. Z-30-76

PLOT PLAN REVIEW

ABEYANCE

Request of JACK MILLER & ASSOCIATES on behalf of Y.M.C.A. for a Plot Plan Review to allow modification of the building and parking on property generally located southwest of Meadows Lane and Valley View Boulevard, R-1 zone (under resolution of intent to C-1).

MR. BROWN presented the staff report and stated the big issue is the location of the tennis courts. One of the conditions of approval was relocation of the tennis courts away from the single family development to the west. Staff would recommend approval of the submission except for the tennis courts. The western tennis court needs to be considered. It is presently located 78' from the property line. On the original plan it was 110'. If the applicants remove the western tennis court, there will be 112' from the property line to the nearest tennis court. The YMCA has suggested one be removed and center the remaining four. This would result in the western tennis court being 30' short of the 110'.

MRS. COLEMAN stated with regard to the relocation, the court was to be away from the homes. The tennis courts and lighting was the big hassel when this was originally heard. She added the Commission would not be wrong in waiting to make a decision since there was so much objection until a public hearing is held and the property owners notified.

John Wawerna and an unidentified man represented the application. It was indicated they did not object to a public hearing.

MRS. COLEMAN made a Motion for ABEYANCE of the Plot Plan Review under Z-30-76, and the neighbors be notified for the next meeting.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

11. Z-83-77

REVIEW OF CONDITIONS

APPROVED

Request of IRVIN AND FANNIE REEVES for a Review of conditions to allow the sale of sewing supplies and sewing machines where the use on the property is limited to a retail fabric store only, on property located at 621 North Eastern Avenue, C-1 zone.

MR. BROWN presented the staff report and stated that the addition would be compatible with the established use and staff would recommend approval.

IRVIN REEVES stated he wished to add scissors, needles and items associated with the fabric store.

MRS. COLEMAN asked the applicant if he would repair machines.

MR. REEVES stated he would only service a machine before it left the premises and would repair it later if something happened, other than that, he did not plan on machine repair.

MR. MILLER made a Motion for APPROVAL of the Review of Conditions under Z-83-77, subject to the following condition:

1. Conformance to any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

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

Motion for APPROVAL carried by a majority vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 21, 1979 at 2:00 P.M.

12. AV-1-79

APPROVED

Request of M C MEDALLION CORP. for an Administrative Variance to allow a deviation from the front yard setback on property legally described as Lots 3, 7, 12 and 16, Storybook Village, R-1 zone.

MR. BROWN presented the staff report and stated they are encroaching into the front yard on two cul-de-sacs. Staff has talked to the applicant and suggested that on Lots 7 and 16 they are right because they are encroaching into the cul-de-sac enough so when a car is parked in the driveway they do not hang over the sidewalk whereas on Lots 3 and 12 they do. Staff would recommend the request be granted on Lots 7 and 16 and suggests the applicant relocate the houses on 3 and 12.

A representative of the applicant agreed to staff conditions.

MR. JONES made a Motion for APPROVAL of Lots 7 and 16 on AV-1-79.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

13.	Z-55-72 PLOT PLAN REVIEW DENIED	Request of JULES "GUY" GAGNON for a Plot Plan Review to allow a restaurant and lounge on property generally located on the south side of Sahara Avenue between Richfield Boulevard and Rye Street, under resolution of intent to C-1.

MR. BROWN presented the staff report and stated the plot plan is as submitted. Approval is recommended subject to a block wall on the south side of the property line.

The applicant or a representative was not present.

MRS. COLEMAN stated she would like to see something other than this use.

MR. MILLER made a Motion for APPROVAL of the Plot Plan Review under Z-55-72.

Voting was as follows:

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

Motion for APPROVAL failed by lack of a majority vote; therefore, the request was DENIED.

14.	VAC-1-79 APPROVED	Petition of Vacation submitted by the EPISCOPAL DIOCESE OF NEVADA for vacation of public right-of-way generally located north of Harris Avenue, 600 feet east of Eastern Avenue.

MR. NULL presented the staff report and stated the utility companies and City departments have no objections to this request and approval is recommended with the normal conditions.

MR. GUTHRIE made a Motion for APPROVAL of VAC-1-79, 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 Swessel, Mrs. Coleman, Mr. Milller, Mr. Guthrie, Mr. Jones and Mr. Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on February 7, 1979 at 2:00 P.M. at which time a date for public hearing would be set.

15. AV-2-79

APPROVED

Request of RICHARD P. EDWARDS for a Administrative Variance to allow a deviation from the front yard setback on property located at 3512 Venice Drive, R-1 zone.

MR. BROWN presented the staff report and stated that staff would recommend approval.

MR. KENNEDY asked what the variance would entail.

MR. BROWN stated the applicant wished to extend the master bedroom 10' closer to the front property line.

MRS. COLEMAN made a Motion for APPROVAL of AV-2-79, subject to the following conditions:

1. Conformance to the plot plan.

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

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

1. AMENDMENT TO THE BY-LAWS

APPROVED

Amendment to the By-Laws that a tie vote on an affirmative motion constitutes a denial action.

MR. FOSTER stated that at the last meeting an opinion from the City Attorney was read on this item wherein it was recommended to this Commission that a tie vote on an affirmative motion constituting a denial action be adopted as policy or placed in the by-laws. Policy was established at the last meeting. This matter is now before the Commission to be placed in the by-laws.

HERB JONES appeared indicating he was concerned with this action of the Planning Commission. He said it had been his experience that there may be a recommendation for approval but if it is defeated by the Planning Commission, it then goes before the City Commission with a recommendation of denial. He added that staff is paid trained professionals and that he thought their recommendations should be heard also by the City Commission.

MR. FOSTER stated it was thought it was a good idea to have this in the by-laws and that the City Commission does know what the vote was by the Planning Commission as it appears on their agenda.

MR. MILLER indicated he agreed with Attorney Jones.

MR. FOSTER stated the City Commission relies on the findings of the Planning Commission and if this were not so, there would be no need for the Commission.

MR. MILLER made a Motion for DENIAL of the proposed by-laws amendment.

Voting was as follows:

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

Motion failed for lack of a majority vote.

MRS. COLEMAN made a Motion for APPROVAL of the proposed by-laws amendment.

Voting was as follows:

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

Motion for APPROVAL carried by a majority vote.

2. PROPOSED ORDINANCE AMENDMENT

APPROVED

Proposed Ordinance Amendment to the C-2 zone to require off-street parking for efficiency and one bedroom units at one space per one unit rate.

MR. FOSTER stated there is an area in downtown that allows efficiency apartments to be developed on a 1/3 parking basis and also for one bedroom units. The City Commission has proposed an ordinance amendment to require 1/1 parking in all C-2 zoned and for all apartment units.

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

Voting was as follows:

"AYES" Chairman Swessel, Mrs. Coleman, Mr. Miller, Mr. Guthrie, Mr. Jones and Mr. Kennedy
"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 10:36 P.M.

DEPARTMENT OF COMMUNITY PLANNING
AND DEVELOPMENT

Harold P. Foster

HAROLD P. FOSTER, Director

/lm