5.V

AGENDA

BOARD OF ZONING ADJUSTMENT MEETING

FEBRUARY 23, 1984

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

ROLL CALL:

ANNOUNCEMENT: Satisfaction of the Open Meeting Law and reading of the Standard Conditions and requirements for filing an Appeal.

All actions by the Board of Zoning Adjustment are final, (except items requiring a decision by the City Council), unless an appeal in writing, is filed with the City Clerk within eleven days or a review is requested by the City Council within fourteen days from the date notice is sent to the applicant, (usually the Monday following the Board's meeting).

MINUTES: Approval of the Minutes for the Board of Zoning Adjustment Meeting of January 26, 1984.

OLD BUSINESS:

1. V-124-83 ABEYANCE 1/26/84 — Application of EDWIN ROGICH, JR. for a variance to allow law offices where such use is not permitted on property located at 600 South 9th Street in Zoning District R-1.

NEW BUSINESS:

1. V-27-84 — Application of EDWIN ROGICH, JR. ET AL for a variance to allow five tandem parking spaces where not permitted for a proposed office building, (a variance has been applied for office use), on property located at 600 South 9th Street in Zoning District R-1.

2. U-9-84 — Application of the UNION INTERNATIONAL OPERATING ENGINEERS #12 on behalf of the STATE OF NEVADA for a use permit to allow a Restitution Center (Halfway House) for male and female felons on property located at 1526 North Main Street in Zoning District C-2.

3. U-10-84 — Application of ALICE PERRING on behalf of CHARLENE KAINRATH for a use permit to allow a child care facility for 12 children on property located at 1400 Jessica Avenue in Zoning District R-1.

4. V-13-84 — Application of MOREY and CATHERINE AMSTERDAM for a variance to allow three 270' high commercial radio transmitting towers and an equipment building on property bounded by Vegas Drive, Luning Drive, Holly Street and Simmons Avenue (proposed) in Zoning District R-E.

5. V-14-84 — Application of M. J. WIENS, TRUSTEE, ET AL for a variance to allow an existing off-premise free-standing sign to be converted to an off-premise sign which is 67'11" high where 40' is the maximum height permitted on property generally located at the southeast corner of Oakey Boulevard and Las Vegas Boulevard South in Zoning District C-2.

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6. V-15-84 — Application of JOHN T. MORAN, JR. ET AL for a variance to allow 12 parking spaces where 24 spaces are required and to allow 6 of the proposed parking spaces to be in tandem where tandem parking is not permitted on property located at 638 South 4th Street in Zoning District R-4 (ROI to C-2).

7. V-16-84 — Application of NEVADA TITLE COMPANY for a variance to allow a fourplex structure where only a triplex is permitted on each of the two properties located at 412 and 416 North 14th Street in Zoning District R-3.

8. V-17-84 — Application of IDA MORRIS for a variance to allow a detached garage 3' from the east side property line where 5' is required on property located at 220 Elliott Avenue in Zoning District R-1.

9. V-18-84 — Application of MONICA EVELINE MC NEILL for a variance to allow one additional unit to be added to each of the two existing fourplexes where only a fourplex is allowed on each property at 1533 and 1537 Cobb Lane in Zoning District R-3.

10. V-19-84 — Application of J. C. WAGNER for a variance to allow a detached garage 3' from the side and rear property lines where 5' is required on property located at 1244 South 10th Street in Zoning District R-1.

11. V-20-84 — Application of MARILYN T. HAYES for a variance to allow an antique shop where such use is not permitted on property located at 4300 West Charleston Boulevard in Zoning District P-R.

12. V-21-84 — Application of ERNEST A. BECKER on behalf of CLAUDETTE SHAWBRIDGE for a variance to allow a telephone answering and mail service where such use is not permitted on property located at 2917 Vegas Drive in Zoning District R-1.

13. V-22-84 — Application of DON L. and GLORIA T. PALMER for a variance to allow a detached garage to the east side property line where a 7' setback is required and 5' from the dwelling where 6' is required and the eaves 1' from the dwelling where 4' is required on property located at 820 East Griffith Avenue in Zoning District R-1.

14. V-23-84 — Application of DELL R. NIELSON, ET AL for a variance to allow a building lot coverage of 3,039 sq. ft. where 2,675 sq. ft. is the maximum permitted on property located at 3401 West Charleston Boulevard in Zoning District C-D.

15. V-24-84 — Application of DOYLE E. JORDAN for a variance to allow an 8' high block wall along the east property line where 6' is the maximum permitted in the side and rear yard area and 4' is the maximum height permitted in the front yard area on property located at 1700 Bannie Avenue in Zoning District R-E.

16. V-25-84

Application of FSSC/EMPIRE WEST COMPANIES for a variance to allow the following:

1. A 12.5 sq. ft. ground sign along the Mojave Road frontage 3' from the property line and 6'8" high, where no sign is permitted.

2. A 31.4 sq. ft. triangular ground sign (2 faces) along the Charleston Boulevard frontage and 11' high where the maximum permitted is 32 sq. ft. and 5' high.

3. A 28 sq. ft. graphic design to be mounted on the existing rental offic structure, where no sign is permitted.

4. To allow a portion of the 4' high front yard fence to be solid where the top 2' is required to be 50% open.

The property is located at 3040 East Charleston Boulevard in Zoning District R-4.

17. V-26-84

Application of KENNETH EIKLEBERRY for a variance to allow the following:

Lot 9:

A proposed 4 unit apartment building where 3 units are permitted.

Lot 10:

An existing 5 unit apartment building where 3 units are permitted.

The property is located on the east side of 14th Street between Mesquite Avenue and Linden Avenue in Zoning District R-3.

SUPPLEMENTAL AGENDA:

1. U-11-84(HO)

Application of VICTORIA L. LUCERO for a home occupation permit to allow the maintenance of houseplants for sale at other people's homes on property located at 6156 Carl Avenue in Zoning District R-1.

Emmett & Myers Excused

ANNOTATED AGENDA

BOARD OF ZONING ADJUSTMENT

FEBRUARY 23, 1984

MINUTES: APPROVED - Giles/Unanimous

January 26, 1984

OLD BUSINESS:

1. V-124-83 APPROVED - Giles/Unanimous

PROTESTS: 1 on record
No one appeared

FAVOR: Applicant
Dennis Sabbath

Conditions:
1. Conformance to the plot plan & elevations.
2. Dedication of the required radius at the intersection of 9th St. & Bonneville Ave as required by the Dept. of Eng. Services.
3. Install sidewalks and street lighting on 9th Street and Bonneville Ave. as required by the Dept. of Eng. Services.
4. Pave the alley as required by the Dept. of Eng. Services.
5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Dept. of Comm. Planning & Dev.
6. Provision of fire hydrants and water flow as required by the Dept. of Fire Services.

NEW BUSINESS:

1. V-27-84 APPROVED - Giles/Unanimous

PROTESTS: No one appeared

FAVOR: Applicant
Dennis Sabbath

Conditions:
1. Conformance to the conditions of approval of V-124-83.

2. U-9-84 DENIED- Juniel/Unanimous

PROTESTS: City of NLV Chamber of Commerce on record
Joe Evans, 500 N. 9th St.
Mrs. Evans, 500 N. 9th St.
Mary Ann Maguire 4324 Fulton
Bruce Robinson, 2929 Ashby

FAVOR: Mike Eckles, 4295 Sequoia, repr. applicant

Set date at 3/7/84 City Council meeting for public hearing 3/21

3. U-10-84

APPROVED - Giles/Unanimous

PROTESTS: 2 on record
Mildred Cook, 1324 Jessica.

FAVOR: Charlene Kainrath

Conditions: 1. Conformance to the plot plan.

2. Enter an Assessment District Agreement for installation of sidewalk and street lighting as required by the Dept. of Eng. Services.

3. The hours of operation shall be limited to 7:00 A.M. to 6:00 P.M., Monday through Friday only.

*Motion included waiving landscaping & street improv.

4. V-13-84

APPROVED - Giles/Vote 2 to 1 with Juniel voting "no." for 24 months.

PROTESTS: None on record
Arlandres Tarvins, 1912 Luning

FAVOR: Chuck Ruthe, 801 So. Rancho, repr. applic.
Manager of KORK appeared

Conditions: 1. Conformance to the plot plan & elevations.

2. Dedicate 30' of right-of-way for Luning Dr., Holly Ave. and Simmons St. as required by the Dept. of Eng. Services

3. Subject to F.A.A. approval.

*4. Provision of 15 gallon Arizona Cypress at 20' on center along the perimeter streets setback 10' from the property lines.

*5. Install street improvements on Vegas Drive, Simmons St. Holly Ave. and Luning Drive as required by the Dept. of Eng. Services.

5. V-14-84

APPROVED - Juniel/Unanimous

PROTESTS: None on record
No one appeared

FAVOR: Applicant

Conditions: 1. Conformance to the plot plan.

6. V-15-84

APPROVED - Giles/Unanimous

PROTESTS: 7 on record
David Boyer, 2900 El Camino, repr. United Mortgage
Ken Flemming, 630 L.V. Blvd. So.
Kent Dawson, 626 So. 3rd

FAVOR: John Moran
Herb Tobin, 3000 L.V. Blvd., So.
Mike Morris, 1418 Ringe Ln.

Conditions: 1. Conformance to the plot plans & elevations.

2. Conformance to all other conditions of Z-100-64 (132)

7. V-16-84

APPROVED - Giles/Unanimous

PROTESTS: None on record
No one appeared

FAVOR: Jim McGaughey, 215 E. Ford, repr. applicant.

Conditions: 1. Standard conditions 1-8.

8. V-17-84

APPROVED - Juniel/Unanimous

PROTESTS: None on record
No one appeared

FAVOR: Calvin Morris, repr. applicant

Conditions: 1. Conformance to the plot plan & elevations.

2. Repair any damage to the existing street improvements resulting from this development as required by the Dept. of Eng. Services.

3. Fire protect the east side of the building as required by the Dept. of Fire Services.

9. V-18-84

APPROVED - Giles/Unanimous

PROTESTS: 4 on record
Martin McDonald, El Segund, Ca., repr. ten 5 plexes

FAVOR: Applicant appeared

Conditions; 1. Conformance to the plot plan & elevations.

10. V-19-84

APPROVED - Juniel/Unanimous

PROTESTS: None on record
No one appeared

FAVOR: 2 on record
Applicant

Conditions: 1. Conformance to the plot plan.

2. Enter an Assessment District Agreement for sidewalk and street lighting as required by the Dept. of Eng. Services.

11. V-20-84

APPROVED - Giles/Unanimous

PROTESTS: 1 on record
No one appeared

FAVOR: Applicant

Conditions: 1. Conformance to the plot plan & elevations.

12. V-21-84

ABEYANCE - Juniel/Unanimous

PROTESTS: None on record
No one appeared

FAVOR: Applicant

13. V-22-84

APPROVED - Giles/Unanimous

PROTESTS: 1 on record
No one appeared

FAVOR: Applicant

14. V-23-84

APPROVED - Giles/Unanimous - Assessment District to pave alley

PROTESTS: None on record
Craig Porter, 857 Held Rd.

FAVOR: Applicant

Conditions: 1. Conformance to the plot plan & elevations.

2. Standard conditions 2-8.

Item to be heard at the 3/7/84 City Council meeting.

15. V-24-84

APPROVED - Juniel/Unanimous

PROTESTS: None on record
No one appeared

FAVOR: 1 on record
Applicant

Conditions: 1. Conformance to the plot plan amended to eliminate the encroachment over City right-of-way.

2. Repair any damage to the existing street improvements resulting from this development as required by the Dept. of Eng. Services.

16. V-25-84

APPROVED - Giles/Unanimous

PROTESTS: None on record
No one appeared

FAVOR: Dale Cox repr. applicant.

Conditions: 1. Conformance to the plot plan & elevations.

17. V-26-84

APPROVED - Juniel/Unanimous

PROTESTS: 1 on record
No one appeared

FAVOR: Applicant

17. V-26-84

(Continued)

Conditions: 1. Conformance to the plot plan & elevations.

2. Standard conditions 2-8.

3. Redesign the parking on the fiveplex site as required by the Traffic Engineer.

4. Install sidewalk on the 410 N. 14th St. site as required by the Dept. of Eng. Services.

SUPPLEMENTAL AGENDA:

1. U-11-84(HO)

APPROVED - Giles/Unanimous

Applicant appeared

Conditions: 1. All operations shall conform to the criteria for a home occupation permit.

MINUTES

BOARD OF ZONING ADJUSTMENT MEETING

FEBRUARY 23, 1984

CALL TO ORDER: A regular meeting of the Board of Zoning Adjustment was called to order by Chairman Robert Bugbee in the City Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, at 7:30 P.M.

PRESENT: Chairman Robert Bugbee, Bonnie Juniel and Robert Giles.

EXCUSED: Jessie Emmett and Helen Myers

STAFF PRESENT: Harold Foster, Director, Dept. of Comm. Planning & Dev.
Robert Clemmer, Acting Chief of Zoning
Val Steed, Deputy City Attorney
Sandra R. LeBoeuf, Deputy City Clerk

ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW: Mr. Foster announced that the agenda for this regular meeting of the Board of Zoning Adjustment had been posted in accordance with NRS Chapter 241 and affidavits are on file in the Department of Community Planning & Development

ANNOUNCEMENTS: Mr. Foster read the standard conditions into the record.

MINUTES: Mr. Giles made a motion for APPROVAL of the Minutes for the Board of Zoning Adjustment meeting held on January 26, 1984. Motion carried unanimously. (Emmett & Myers excused)

OLD BUSINESS:

1. V-124-83

ABEYANCE FROM 1/26/84

APPROVED

Application of EDWIN ROGICH, JR. for a variance to allow law offices where such use is not permitted on property located at 600 South 9th Street in Zoning District R-1.

Mr. Foster presented the plot plan. This item was held in abeyance because the applicants were in the process of deciding how they were going to remodel the property. They are now proposing to construct a two-story addition to the rear of the existing residence on the property. The office building would then have a total square footage of 3254 sq. ft. Staff has no objection to the use, but because the proposed addition is substantially larger than should be in this area and it might set a precedent of changing the character of the area. This area is designated to be a historic preservation district sometime in the future; and, therefore, staff would request that the building be modified from the 3254 sq. ft. to approximately 2200 sq. ft. and the item be held in ABEYANCE to make this revision. If approved, subject to:

1. Conformance to the plot plan and elevations.

2. Dedication of the required radius at the intersection of 9th Street and Bonneville Avenue as required by the Department of Engineering Services.

3. Install sidewalks and street lighting on 9th Street and Bonneville Avenue as required by the Department of Engineering Services.

1. V-124-83

(Continued)

4. Pave the alley as required by the Department of Engineering Services.

5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development.

6. Provision of fire hydrants and water flow as required by the Department of Fire Services.

There is one protest on record.

Edwin Rogich, Jr. appeared on behalf of the application.

Dennis Sabbath appeared on behalf of the application and requested the entire addition as proposed.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

NEW BUSINESS:

1. V-27-84

APPROVED

Application of EDWIN ROGICH, JR. ET AL for a variance to allow five tandem parking spaces where not permitted for a proposed office building, (a variance has been applied for office use), on property located at 600 South 9th Street in Zoning District R-1.

Mr. Foster presented the plot plan. Tandem parking is not allowed by code and the reason for requesting this, is because of the increased size of the building that they are proposing. Staff recommended DENIAL. If approved, subject to:

1. Conformance to the conditions of approval of V-124-83.

Edwin Rogich, Jr. appeared on behalf of the application.

Dennis Sabbath appeared on behalf of the application. He stated that they had worked very hard to preserve the architectural character of the neighborhood and still have an economic building. He stated that one block from this, a building was built with 4000 sq. ft. Another building one block to the north is a two to three-story building. This building will cost $295,000 to build.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Emmett & Myers excused)

2. U-9-84

DENIED

Application of the UNION INTERNATIONAL OPERATING ENGINEERS #12 on behalf of the STATE OF NEVADA for a use permit to allow a Restitution Center (Halfway House) for male and female felons on property located at 1526 North Main Street in Zoning District C-2.

Mr. Foster presented the plot plan. Primarily this area is all commercial, light industrial, along Main Street and Owens Avenue. Further north there's some apartment use. To the west there's some apartments. The request is for a restitution center that will

2. U-9-84

(Continued)

essentially be a housing facility which consists of a prerelease program for felons that would be handled through the State of Nevada. The purpose of this is to serve as a transition from being institutionalized to the time that they are released from serving their terms. At this particular facility, they're proposing to convert it to a facility that would house up to 60 persons, both female and male, they would be there for six months. There would be a staff of nine. Staff recommended that it should be modified to 30 persons and therefore, recommended APPROVAL, subject to:

1. Maximum of 30 persons, exclusive of staff.

2. Conformance to the plot plan and elevations.

3. Dedicate 4' of right-of-way for Main Street as required by the Department of Engineering Services.

4. Provision of fire hydrants and water flow as required by the Department of Fire Services.

Letter of protest on file from the North Las Vegas Chamber of Commerce.

Mike Eckels appeared on behalf of the applicant. He stated that the site was chosen because of its location.

Joe Evans appeared in opposition. He stated that his tenants at 1618 N. 5th Street, Secondhand Store, and 1622, 1624, Gabe's Bar., are complaining.

Mrs. Evans appeared in opposition. She objected to this also being close to the Rose Garden Senior Citizens Center. She stated that this was going to hurt her business.

Mary Ann Maguire, owner of Vegas Beauty Salon, appeared in opposition. She stated that this would hurt her business. She stated that she has been in business for 8 years and her customers will not come into her shop if this is allowed.

Bruce Robinson, owner of cleaners, appeared in opposition. She stated that this would hurt his business.

Mrs. Juniel made a motion for DENIAL. Motion carried unanimously. (Emmett & Myers excused) This item will go before the City Council on March 7, 1984 to set the date for the public hearing which will be held on the March 21, 1984 City Council meeting.

3. U-10-84

APPROVED

Application of ALICE PERRING on behalf of CHARLENE KAINRATH for a use permit to allow a child care facility for 12 children on property located at 1400 Jessica Avenue in Zoning District R-1.

Mr. Foster presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan.

2. Enter into an Assessment District Agreement for installation of sidewalk and street lighting as required by the Department of Engineering Services.

3. U-10-84

(Continued)

3. The hours of operation shall be limited to 7:00 A.M. to 6:00 P.M., Monday through Friday only.

There are two protests on record.

Charlene Kainrath appeared on behalf of the application.

Mildred Cook, 1324 Jessica, appeared in opposition. She objected that the streets were too narrow for parking and the traffic this would create. She stated that a wooden structure was built on the property and that it was a fire hazard. She objected to the noise factor this will create.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

4. V-13-84

APPROVED

Application of MOREY AND CATHERINE ARMSTERDAM for a variance to allow three 270' high commercial radio transmitting towers and an equipment building on property bounded by Vegas Drive, Luning Drive, Holly Street and Simmons Avenue (proposed) in Zoning District R-E.

Mr. Foster presented the plot plan. The applicant is requesting permission to install three 270' high towers for KORK Radio which presently exists on Sandhill, south of Charleston Boulevard. The reason that they are having to relocate is that they are in the path of the east leg of the freeway; and in relocating these towers, there's only certain areas in the valley in which they can be located. The applicant is probably going to request that the offsite improvements be installed by means of an Assessment District and an extension of time in which to install these improvements and landscaping because they're proposing some residential development on various portions of this property. Staff feels because of the limited areas this can be located and the future residential will act as a buffer so, therefore, recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

2. Provision of 15 gallon Arizona Cypress at 20' on center along the perimeter streets setback 10' from the property lines.

3. Dedicate 30' of right-of-way for Luning Drive, Holly Avenue and Simmons Street as required by Engineering Services.

4. Install street improvements on Vegas Drive, Simmons Street, Holly Avenue and Luning Drive as required by Engineering Servides.

5. Towers be subject to the F.A.A. approval.

There are no protests on record.

Chuck Ruthe appeared on behalf of the applicant. He requested the offsites and the landscaping be waived for a period of 24 months. He stated that they wanted to put in some houses; and if this could not be accomplished within the 24 months, they would be willing to put in the offsite improvements and the landscaping.

4. V-13-84

(Continued)

Manager of KORK appeared on behalf of the applicant. He stated that they have received approval from the F.A.A. informally.

Arlandres Tarvins, 1912 Luning, appeared in opposition. He wanted the neighborhood to remain intact.

Mr. Giles made a motion for APPROVAL with the 24 months as requested by the applicant for the offsites and landscaping and subject to staff's other conditions. Motion carried with 2-1 vote with Juniel voting "no." (Emmett & Myers excused)

5. V-14-84

APPROVED

Application of M. J. WIENS, TRUSTEE, ET AL for a variance to allow an existing on-premise free-standing sign to be converted to an off-premise sign which is 67'11" high where 40' is the maximum height permitted on property generally located at the southeast corner of Oakey Boulevard and Las Vegas Boulevard South in Zoning District C-2.

Mr. Foster presented the plot plan. The applicant is proposing to sell off a piece of their property which would result in this sign being off-premise. Because of the circumstances, staff recommended APPROVAL, subject to:

1. Conformance to the plot plan.

There are no protests on record.

Ted Wiens, Jr. appeared on behalf of the application.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Emmett & Myers excused)

6. V-15-84

APPROVED

Application of JOHN T. MORAN, JR., ET AL for a variance to allow 12 parking spaces where 24 spaces are required and to allow 6 of the proposed parking spaces to be in tandem where tandem parking is not permitted on property located at 638 South 4th Street in Zoning District R-4 (ROI to C-2).

Mr. Foster presented the plot plan. The building is under construction. At the time of the Plot Plan Review, the applicant indicated that they would obtain satellite parking from Valley Bank, which they have not been successful in obtaining. Staff recommended that there should be satellite parking and therefore, cannot support the request. If approved, subject to:

1. Conformance to the plot plan.

2. Conformance to all other conditions of Z-100-64(132).

There are 7 protests on record.

John Moran, Jr. appeared on behalf of the application. He stated that there is ample parking available on the street. He stated that there is tandem parking in the area. There are only going to be four tenants in the building.

6. V-15-84

(Continued)

Herb Tobman, co-owner of the property, appeared on behalf of the application. He stated that nobody who works in the building will park in the 12 spaces.

David P. Boyer, Jr., 2900 El Camino Avenue, Executive Vice President of the United Mortgage Company, appeared in opposition. He stated that they were concerned about keeping their parking for their customers.

Ken Flemming, 630 Las Vegas Boulevard South, appeared in opposition. He objected to there not being enough parking.

Kent Dawson, 626 South 3rd, appeared in objection. He stated that people from the offices on 4th Street are coming over into his neighborhood to park because it is free.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

7. V-16-84

APPROVED

Application of NEVADA TITLE COMPANY for a variance to allow a four-plex structure where only a tri-plex is permitted on each of the two properties located at 412 and 416 North 14th Street in Zoning District R-3.

Mr. Clemmer presented the plot plan. He stated there were numerous variances in this area for similar developments. Staff recommended APPROVAL, subject to:

1. Standard conditions 1-8.

There are no protests on file.

Jim McGaughey, 215 E. Ford, appeared on behalf of the applicant.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

8. V-17-84

APPROVED

Application of IDA MORRIS for a variance to allow a detached garage 3' from the east side property line where 5' is required on property located at 220 Elliott Avenue in Zoning District R-1.

Mr. Clemmer presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

2. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.

3. Fire protect the east side of the building as required by the Department of Building & Safety.

There are no protests on file.

8. V-17-84

(Continued)

Calvin Morris appeared on behalf of the application.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

9. V-18-84

APPROVED

Application if MONICA EVELINE MCNEILL for a variance to allow one additional unit to be added to each of the two existing four-plexes where only a four-plex is allowed on each property at 1533 and 1537 Cobb Lane in Zoning District R-3.

Mr. Clemmer presented the plot plan. Originally, permits were issued for two four-plexes. A two-bedroom, 2-bath unit on the second floor has been converted from one unit to two efficiency units. These lots are both 1500 sq. ft. shy of having enough land area to put a fifth unit. Because of this deficiency, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.

There are 4 protests on record.

Monica McNeill appeared on behalf of the application. She stated that when she purchased the property in October of last year, the unit was already in existence. She stated that each unit had their own meter..

Martin McDonald, El Segundo, California, appeared in opposition. He was under the impression that this was a request for a new addition. He represented 10 four-plexes and stated that the rental business wasn't that good and was going to protest on that basis.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

10. V-19-84

APPROVED

Application of J. C. WAGNER for a variance to allow a detached garage 3' from the side and rear property lines where 5' is required on property located at 1244 South 10th Street in Zoning District R-1.

Mr. Clemmer presented the plot plan. Since there is sufficient sight clearance to the curb, staff recommended APPROVAL, subject to:

1. Conformance to the plot plan.

2. Enter into an Assessment District Agreement for sidewalk and street lighting as required by the Department of Engineering Services.

There are no protests on record. There are two letters of approval on record.

The applicant appeared.

No one appeared in opposition.

10. V-19-84

(Continued)

Mrs. Juniel made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

11. V-20-84

APPROVED

Application of MARILYN T. HAYES for a variance to allow an antique shop where such use is not permitted on property located at 4300 West Charleston Boulevard in Zoning District P-R.

Mr. Clemmer presented the plot. This property is four lots from where C-1 Zoning has already been approved. Staff would not be opposed to C-1 zoning of this block and would therefore support this variance request, subject to:

1. Conformance to the plot plan and elevations.

There is one protest on record.

Marilyn Hayes appeared on behalf of the application.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Emmett & Myers excused)

12. V-21-84

ABEYANCE

Application of ERNEST A. BECKER on behalf of CLAUDETTE SHAWBRIDGE for a variance to allow a telephone answering and mail service where such use is not permitted on property located at 2917 Vegas Drive in Zoning District R-1.

Mr. Clemmer presented the plot plan. This request is a C-1 type use in a residential zone that would be compatible. Staff recommends DENIAL. If approved, subject to:

1. Conformance to the plot plan amended to provide five (5) off-street parking spaces, if approved by Planning Commission.

2. Standard conditions 2-8.

There are no protests on record and no one appeared.

Claudette Shawbridge appeared on behalf of the application.

Mrs. Juniel made a motion for ABEYANCE to allow the applicant to amend her application regarding parking and in order for the public to be notified. Motion carried unanimously. (Emmett & Myers excused)
Item will be heard at the 3/22/84 meeting.

13. V-22-84

APPROVED

Application of DON L. AND GLORIA T. PALMER for a variance to allow a detached garage to the east side property line where a 7' setback is required and 5' from the dwelling where 6' is required and the eaves 1' from the dwelling where 4' is required on property located at 820 East Griffith Avenue in Zoning District R-1.

13. V-22-84

(Continued)

Mr. Clemmer presented the plot plan. This building could be shifted over toward the patio area and would give sight clearnace; and, therefore, staff recommended DENIAL.

There is one protest on record.

Don Palmer appeared on behalf of the application. He presented the Board with photos of other houses in the neighborhood where homes are built right to the sidewalk. He doesn't want to build right to the sidewalk.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Emmett & Myers excused)

14. V-23-84

APPROVED

Application of DELL R. NIELSON, ET AL for a variance to allow a building lot coverage of 3,039 sq. ft. where 2,675 sq. ft. is the maximum permitted on property located at 3401 West Charleston Boulevard in Zoning District C-D.

Mr. Clemmer presented the plot plan. The applicant originally wanted to build a two-story building and after reviewing it with staff, decided in order to keep the character of buildings in the area, went one-story but exceeded the 30% coverage by 4%. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

2. Standard conditions 2-8.

3. Pave the alley as required by the Department of Engineering Services.

There are no protests on record.

Dell Nielson appeared on behalf of the application.

Craig Porter, 857 Held Rd., #D, appeared on behalf of his father who lives at 1110 Bernard. He stated that he was in favor of the building, but would like the alley to be paved through an assessment district agreement.

Mr. Giles made a motion for APPROVAL, subject to staff's condition and an Assessment District be entered into. Motion carried unanimously. (Emmett & Myers excused) This item will be heard at the March 7, 1984 City Council meeting.

15. V-24-84

APPROVED

Application of DOYLE E. JORDAN for a variance to allow an 8' high block wall along the east property line where 6' is the maximum permitted in the side and rear yard area and 4' is the maximum height permitted in the front yard area on property located at 1700 Bannie Avenue in Zoning District R-E.

Mr. Clemmer presented the plot plan. Staff recommended APPROVAL, subject to:

15. V-24-84

(Continued)

1. Conformance to the plot plan amended to eliminate the encroachment over City right-of way.

2. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.

There are no protests on record. There is one letter of approval on record.

Doyle Jordan appeared on behalf of the application.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

16. V-25-84

APPROVED

Application of FSSC/EMPIRE COMPANIES for a variance to allow the following:

1. A 12.5 sq. ft. ground sign along the Mojave Road frontage 3' from the property line and 6'8" high, where no sign is permitted.

2. A 31.4 sq. ft. triangular ground sign (2 faces) along the Charleston Boulevard frontage and 11' high where the maximum permitted is 32 sq. ft. and 5' high.

3. A 28 sq. ft. graphic design to be mounted on the existing rental office structure, where no sign is permitted.

4. To allow a portion of the 4' high front yard fence to be solid where the top 2' is required to be 50% open.

The property is located at 3040 East Charleston Boulevard in Zoning District R-4.

Mr. Clemmer presented the plot plan. To the north of this is a C-1 area that's evolving into industrial, and east of this there are 3 mobile home parks. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

There are no protests on record.

Dale Cox appeared on behalf of the applicant.

No one appeared in opposition.

Mr. Giles made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

17. V-26-84

APPROVED

Application of KENNETH EIKLEBERRY for a variance to allow the following:

Lot 9:

A proposed 4 unit apartment building where 3 units are permitted.

17. V-26-84

(Continued)

Lot 10:

An existing 5 unit apartment building where 3 units are permitted.

The property is located on the east side of 14th Street between Mesquite Avenue and Linden Avenue in Zoning District R-3.

Mr. Clemmer presented the plot plan. Four-plexes have been allowed in this area before, and, therefore, staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

2. Standard conditions 2-8.

3. Resdesign the parking on the five-plex site as required by the Traffic Engineer.

4. Install sidewalk on the 410 North 14th Street site as required by the Department of Engineering Services.

There is one protest on record.

Kenneth Eickleberry appeared on behalf of the application.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously. (Emmett & Myers excused)

SUPPLEMENTAL AGENDA:

1. U-11-84(HO)

APPROVED

Application of Victoria L. Lucero for a home occupation permit to allow the maintenance of houseplants for sale at other people's homes on property located at 6156 Carl Avenue in Zoning District R-1.

Mr. Clemmer stated the application was in order and staff recommended APPROVAL, subject to:

1. All operations shall conform to the criteria for a home occupation permit.

Ben Lucero appeared on behalf of the applicant.

Mr. Giles made a motion for APPROVAL. Motion carried unanimously. (Emmett & Myers excused)

MEETING ADJOURNED AT 9:30 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

HAROLD P. FOSTER, DIRECTOR

/sl

CHAIRMAN BUGBEE: Item 2, U-9-84, the application of the Union International Operating Engineers #12 on behalf of the State of Nevada for a use permit to allow a Restitution Center (Halfway House) for male and female felons on property located at 1526 North Main Street in Zoning District C-2.

HAROLD FOSTER: As you can see, the subject property is Main Street along the west side of the property and Owens Avenue just to the north. To the south of it is where the former Vegas Village store was located. It's all zoned C-2 in that major block. To the west of it some more C-2 Zoning and C-M. Primarily it's all commercial, light industrial along Main Street and Owens Avenue. Further north there's some apartment use. Oh, a good block or two to the west on Owens on the north side, there's some apartments, but primarily it's either commercial, light industrial, and the closest residential is apartments. The request is for a restitution center that will essentially be a housing facility which consists of a pre-release program for felons that would be handled through the State of Nevada. They do have various facilities in North Las Vegas and probably in other parts of the Las Vegas area. The purpose of this is to serve as a transition from being institutionalized to the time that they are released from serving their terms. At this particular facility, they are proposing to convert it to a facility that would house up to 60 persons, both female and male. Essentially, they'd be there up to a six-month time period. They would have a staff of approximately nine persons. The building is approximately 5400 square feet in size. The parking -- it'd require about ten/eleven spaces. They can provide that on-site. There will be no cars owned or used by the inmates that will be occupying the facility. Staff, in evaluating the request, recognizes there's a need for this type of facility. We feel, you know, the purpose of the use permit is to evaluate the area and determine if it is compatible. In this particular area we see it is primarily commercial and industrial uses. It's not adjacent to any single-family areas. We feel it is a satisfactory location. Staff just questions the number of persons that would be housed in this facility. We feel that 60 is essentially too many. We feel that possibly it should be modified to approximately half, and if it is approved, a maximum of 30 persons be housed in this facility. Based on that, staff

HAROLD FOSTER: would recommend approval, subject to: The 30 persons exclusive of staff. Conformance to the plot plan and elevations. Dedicating 4' of right-of-way from Main Street as required by Engineering Services; and also provision of fire hydrants and water flow as required by Fire Services. We have received one letter of protest from the North Las Vegas Chamber of Commerce.

CHAIRMAN BUGBEE: Yes, sir.

MIKE ECKELS: My name is Mike Eckels. I have applied on behalf of the Union and also the State of Nevada for this permit. The reason I chose this site was that it's out-of-town and away from everybody. At the west -- at the east there's a cemetary and the rest are vacant -- parking lot and the Vegas Village and at the east was vacant land and a small service station and garages. The State needs approximately 50 to 60 inmates. At the present time they're located at 3444 North Las Vegas Boulevard. I believe they've been there for the last five years. They're having problems with the landlords, so they have to move; and I chose this site because I thought it was the best location for the move.

CHAIRMAN BUGBEE: What was the State's problem with the landlords?

MIKE ECKELS: Excuse me.

CHAIRMAN BUGBEE: What was the problem with the landlords?

MIKE ECKELS: They could not repair the cooling and heating system. there. They would not do any of the repairs.

CHAIRMAN BUGBEE: Well, you know, staff -- when you figure 60 into 5,000 or 54 and you've got about 74' per person in total.

MIKE ECKELS: If there is a need for extra space, that'd be available because the meeting hall in the back is 40 x 60 about 20 feet tall. We can make that two stories if space is the problem. That would allow extra about 2,400 sq. ft.

BONNIE JUNIEL: How many people are you going to have on the staff, did you say 9?

CHAIRMAN BUGBEE: Nine.

MIKE ECKELS: At the present time, it's 9. Three a day and they have 9 because of the 24 hours. Three at each shift.

BONNIE JUNIEL: Three per shift.

MIKE ECKELS: Right.

BONNIE JUNIEL: For 60 people?

MIKE ECKELS: Right. Not at the present time, but in the future it'd be increased maybe to four.

ROBERT GILES: What changes do you anticipate in the operation compared to the present operation other than the move, I understand that?

MIKE ECKELS: Just the move and the increase in the persons that occupy the property and that's about all.

ROBERT GILES: Maybe I missed -- what's the increase in the inmates as well as the increase in staff from its present operation?

MIKE ECKELS: Well, at the present time -- I checked today there was approximately about 24 right now and the increase could be about 20 more in addition to that.

ROBERT GILES: I misunderstood I thought you said to 30. Was that your recommendation?

HAROLD FOSTER: That was staff's recommendation.

ROBERT GILES: Staff's recommendation was to 30 and you're proposing how many?

MIKE ECKELS: Sixty.

ROBERT GILES: Sixty.

CHAIRMAN BUGBEE: We'll give you a few minutes. This is a public hearing. Anybody here wish to have further testimony or speak against this motion.

JOE EVANS: Our complaint is that my tenants -- and my tenants in that neighborhood have protested to me and they don't like it at all.

CHAIRMAN BUGBEE: Did you issue a written protest to the --

MRS. EVANS: No, we did not. We came up in person.

CHAIRMAN BUGBEE: Okay.

ROBERT GILES: Give us your name and address, sir.

MRS. EVANS: Joe Evans, 500 North Ninth Street. We live up here but we have business property down there that we rent.

ROBERT GILES: I see.

MRS. EVANS: And they are complaining.

CHAIRMAN BUGBEE: Where is your property, ma'am?

MRS. EVANS: 1618 North Fifth Street that's L Jay's Secondhand Store and 1622, 1624 Gabe's Bar.

CHAIRMAN BUGBEE: Are they in North Las Vegas?

MRS. EVANS: Yes, they are. The property is in North Las Vegas. It's just right in -- on the end there. We object to it because that type of a -- not only that I don't live in the Rose Gardens Senior Citizen Center, but it's entirely too close, I think, for those elderly people to have that many inmates. If one of them should get out and commit a murder or whatever. I don't think it's quite right. I think there's other ares that this type of thing could be put in, and it's going to hurt our business that I know.

CHAIRMAN BUGBEE: Thank you. Anyone else here to speak in opposition? Please come forward.

MARY ANN MAGUIRE: Okay. My name is Mary Ann Maguire and I own Vegas Village Beauty Salon. I'm going to make it short and sweet. I don't what them.

ROBERT GILES: Why?

MARY ANN MAGUIRE: Well, our area in the past couple of years since Vegas Village went out has been increasingly going downhill and we want something to bring it up. We don't want something to cut us down, and Bruce here has the cleaners. I have the beauty salon. We have a pizza shop in there that's trying to make a go of it and I don't see where it's going to give us any future at all. What are we supposed to do when my women won't come in the beauty shop because something like this is going to be in the area. I need my clientele who I've worked for for 8 years.

BONNIE JUNIEL: Ma'am, this is a pre-release program. They're eventually going to be released anyway, you know that, whether they're there or someplace else.

MARY ANN MAGUIRE: Well, this is fine. Let them put them someplace else.

BONNIE JUNIEL: They're not going to be behind bars either, they're going to be -- I mean they're going to be in society in another six months. So, there's no way to actually avoid them.

BRUCE ROBINSON: We understand they'll be behind bars but what we're thinking about really is our customers. I've been there 25 years myself in that one location and I've got my customers there and I just want -- you know, make sure that I don't have that particular thing close to my customers to keep them away because it's hard enough now with the shopping center going.

MIKE ECKELS: I believe --

CHAIRMAN BUGBEE: Excuse me, excuse me.

MIKE ECKELS: Excuse me.

CHAIRMAN BUGBEE: We'll give you a chance to rebuttal.

MIKE ECKELS: I'm sorry.

CHAIRMAN BUGBEE: Is that it?

MARY ANN MAGUIRE: I have customers that come to the beauty shop. Now in this past month, two of them that have been mugged between Rose Gardens and my beauty salon. I mean, let's face facts, if we can save these people, let's try and save them. We got a lot of land out here. Why don't we build them something and put them out, you know, a little bit further where they're not going to be a hinderance to the people around them. I have nothing against rehabilitating somebody. I'm all for it, but let's give the people that are trying to make a life for themselves a little bit to stand by also. That's the only thing I have. We're having a hard enough time keeping our nose above ground.

BRUCE ROBINSON: In other words, it wouldn't be something that would be beneficial to us at this particular time as we see it.

CHAIRMAN BUGBEE: We appreciate what you're saying, sir, thank you.

MARY ANN MAGUIRE: Thank you.

BRUCE ROBINSON: Thank you.

CHAIRMAN BUGBEE: Anyone else? You'll have a moment for rebuttal, sir.

MIKE ECKELS: Okay. A lot of people fear that it's going to hurt their business and the area, especially the beauty shop. They're probably going to be some lady inmates that want -- so, I don't think there'll be no problem. Probably going to increase the business instead of hurting it and to security wise, I don't think they have no problem in their area because they'll be guarded all the time and it'll probably be one of the safest places.

ROBERT GILES: What kind of movement will you have out at the -- a daily movement?

MIKE ECKELS: Daily movement -- the model inmates of the -- they probably have four to six months to go. They are free to go to work and come back and that's the main reason they have to be in Las Vegas where they can get on the bus and go to work and come back.

ROBERT GILES: What time -- what kind of time schedules do they have?

MIKE ECKELS: During the daytime.

ROBERT GILES: They go to work at 8 o'clock?

MIKE ECKELS: Right.

ROBERT GILES: They come home at 5 o'clock, is that right?

MIKE ECKELS: Right.

ROBERT GILES: They live in confinement in the proposed facility?

MIKE ECKELS: Right.

BONNIE JUNIEL: Sir, are you just going to start out with the 24 that you now have?

MIKE ECKELS: Excuse me.

BONNIE JUNIEL: Do you now have 24 in the other facility that you're moving from?

MIKE ECKELS: Yes, at the present time it's 24. They fluctuate from 30 to 24 at the present time.

ROBERT GILES: Have you been involved with the present facility in North Las Vegas?

MIKE ECKELS: No, I haven't. However, my co-worker has been involved with it. He is the one that leased the property to State of Nevada five years ago.

ROBERT GILES: What sort of immediate area problems have you experienced there?

MIKE ECKELS: I talked to Mr. Hausright yesterday. The last five years have been good and I have checked with the City of Las Vegas to see if they have any problem in the area. They told me no.

CHAIRMAN BUGBEE: Well apparently the City of North Las Vegas, according to the Chamber of Commerce down there, have asked that this be denied. They haven't been getting along too well with those folks.

MIKE ECKELS: I'm not sure -- just as a protest. I'm not sure if they have checked into this matter at all. Maybe just protest to protest.

BONNIE JUNIEL: But you had nothing formal to happen where somebody had to protest something that went on there?

MIKE ECKELS: No.

BONNIE JUNIEL: There's been nothing.

CHAIRMAN BUGBEE: You mean for the time all your people had done their thing and left? You had nobody escape or nobody had to be sent back up to the mean institution?

MIKE ECKELS: I'm not sure about that, but there was no big complaint. The program still exists. If they have something big committed, I think the program would be shut down.

CHAIRMAN BUGBEE: Well, you know, I find it very difficult -- I understand the need for these things and I think it's an area in the planning that we have to take a long long look at but when you have people with businesses like this

CHAIRMAN BUGBEE: gentleman says, he's been there 25 years. Maybe it won't hurt him, maybe it won't, but I don't want to gamble on his future. He's been a good taxpaying citizen for 25 years and that's the way I feel about it and I think he's got more say-so than the State in these matters. He's been living there and the lady with the beauty shop the same way. I'm really not as concerned about tenants -- we've got two or three organizations -- no, the hearing -- the opposition side is closed.

MRS. EVANS: Well, I was just going to mention, sir, that we've been there longer than the lady with the beauty shop.

CHAIRMAN BUGBEE: Well, I understand, ma'am. I know how long L Jays been there. If that's your building, it's been there a long long time.

MRS. EVANS: The bar's been there a lot longer than that.

CHAIRMAN BUGBEE: Okay.

JOE EVANS: I've been there more than 59 years.

CHAIRMAN BUGBEE: Alright, sir. I'm on your side, but it's a difficult thing. I think that there is a problem. We're going to have to face it, but I don't think the way to face it is just bouncing this thing into communities or reducing it down to half of what they want. So with that I'm going to close the hearing and call for a motion.

BONNIE JUNIEL: Mr. Chairman, I'm going to move for denial. I don't think that the security and the staff that I've heard here tonight -- I'm not satisfied with that.

CHAIRMAN BUGBEE: Cast your votes, please. That has been denied. It will be heard at the City Council meeting on March 7th 2 PM in these chambers. (Motion carried with Emmett & Myers excused)

HAROLD FOSTER: No, that'll just be to set date for public hearing. So you don't need to be there on that. You'll be notified when it's going to come up.

MIKE ECKELS: Okay.

END OF EXCERPT

ITEM 3. U-10-84 - APPLICATION OF ALICE PERRING ON BEHALF OF CHARLENE KAINRATH

CHAIRMAN BUGBEE: Item 3, U-10-84, the application of Alice Perring on behalf of Charlene Kainrath for a use permit to allow a child care facility for 12 children on property located at 1400 Jessica Avenue in Zoning District R-1.

HAROLD FOSTER: This is in the Hunter's Subdivision. You can see Circle Park there about a half a block to the west east of Elm Parkway. It's essentially an R-1 area. The applicants do have a family care home which means they can care up to six children. They're now asking for this use permit to allow the care of children up to twelve. This is the property, showing the residence shaded in brown, and the driveway off of Jessica. The purpose of the use permit is to notify the surrounding property owners and get input and determine if there is any unusual circumstances why the permit should not be allowed. This is somewhat of an older neighborhood. There's probably less children in the area then in, let's say, newer residenital areas. That is probably the only characteristic that staff can find in the area. Basically we have no objections to it, so staff would recommend approval of the application, subject to: Conformance to the plot plan. Enter into an Assessment District for installation of sidewalks, street lighting as required by Engineering Services. They do indicate the hours of operation will be limited from -- or would be from 7 AM to 6 PM, Monday through Friday only, so it would add that as a condition -- it would be limited to those hours and days. We do have two protests on record, and I believe there's some people here that are also opposed to it.

CHAIRMAN BUGBEE: Yes, ma'am.

CHARLENE KAINRATH: What was that about the lighting?

HAROLD FOSTER: Signing an Assessment District for sidewalks, street lighting, so that whenever there's one in the future you're already signed up for it.

CHAIRMAN BUGBEE: It's just when and if they do it, you'll agree to go along with it.

CHARLENE KAINRATH: Okay.

CHAIRMAN BUGBEE: Do you have anything you want to talk to us about it.

CHARLENE KAINRATH: No. It sounds like --

CHAIRMAN BUGBEE: You're agreeable with staff's explanation?

CHARLENE KAINRATH: Yes.

CHAIRMAN BUGBEE: This is a public hearing. Then we'll hear -- we'll give you a chance for rebuttal. You're here to speak against this?

MILDRED COOK Yes, I am.

CHAIRMAN BUGBEE: Okay.

MILDRED COOK: I'm here to protest.

ROBERT GILES: Give us your name and address, please.

MILDRED COOK: Pardon.

ROBERT GILES: Give us your name and address, please.

MILDRED COOK: Mildred Cook, 1324 Jessica, next door to 1400 Jessica; and my reasons for protest are: Streets are too narrow for parking for parents in front of the residence at 1400 Jessica. Jessica Avenue is only wide enough for two cars and if cars are parked on each side of the street, only one car is able to travel down the street at any given time. There are no sidewalks or street lights on Jessica Avenue. Number two, if a fire were to start in the residence or in the area, the fire truck would have difficulty travelling down the street or would have difficulty in having access to the back of the residence at 1400 Jessica. Number three, a wooden structure was built on the kitchen area of the residence at 1400 Jessica and no building permit was obtained for the structure and it is a fire hazard. The structure abuts to the wooden fence and is located on the property line. This wooden structure is a very dangerous fire hazard and children would not be safe being allowed in this structure. The residence at 1400 Jessica is only a two-bedroom home and a built-in carport and is not adequate to house 12 children in the residence safely. The noise factor of cars coming and going and children playing in the yard will be a major nuisance to the residents in the area. This nuisance factor will be especially disturbing at early hours in the morning and evening. Most of the residents are retired senior citizens and have lived in the area for over 40 years. The Planning Board needs to be concerned again about the parking facilities which are non-existent in the area. Only two cars can be parked in front of the residence in question without blocking our neighbors parking and only one car may be parked in the driveway as the carport is built-in. There's certainly no room for six cars to allow -- to arrive and be parked for any period of time in the area, much less 12. Number 7, the home is not adequate to take care of 12 children in the residence safely. The home has wooden structures connected to the kitchen which are

MILDRED COOK: a fire hazard and unsafe for children to occupy. I respectfully ask and demand that this request for a use permit to allow a child care facility for 12 children be denied and an investigation take place over the safety of the temporary structure that is illegally attached to the kitchen and abuts against the property line. The property line in question is between the residence of 1400 Jessica and the residence at 1324, and I have pictures to show.

CHAIRMAN BUGBEE: We have the pictures, thank you. Any other one here to protest against this action? You have a chance for rebuttal, ma'am.

CHARLENE KAINRATH: I've forgotten most of the points. There were so many of them.

CHAIRMAN BUGBEE: Let me say this to you. If there are some fire code violations here, I believe that will be handled, right, with inspections, Harold?

CHARLENE KAINRATH: Can I say something about that?

CHAIRMAN BUGBEE: Well, let me just clarify the air for you.

HAROLD FOSTER: They'll have to conform to the fire regulations.

CHAIRMAN BUGBEE: The fire regulations will be handled by the other departments in the City. There's been no protest filed by the Fire Department to us.

CHARLENE KAINRATH: I have been licensed by the Fire Department, the Building Department, for over a year.

CHAIRMAN BUGBEE: This is what I'm getting to. So, there's certain areas in there that are really not germane to the issue here tonight whether you have six or eight. Now how long -- for instance how long has -- she talked about the wooden shed -- been on?

MILDREN COOK: She --

CHAIRMAN BUGBEE: Excuse me.

MILDRED COOK: I'm sorry.

CHAIRMAN BUGBEE: The public hearing is closed. You may sit down.

MILDRED COOK: I'm sorry, sir.

CHARLENE KAINRATH: I bought the house three years ago and it's the same as it was then.

CHAIRMAN BUGBEE: It was there when you bought it.

CHARLENE KAINRATH: What it is is just some wooden boards on a roof and sides where the water heater, the washer and dryer are. It's not a structure.

CHAIRMAN BUGBEE: What I'm saying is, is it was there when you bought it.

CHARLENE KAINRATH: Oh, yes.

CHAIRMAN BUGBEE: Okay. Any other questions?

ROBERT GILES: The pictures that we have that you obviously don't have privy to does not abode well for a youth facility. Is it presently in operation in any way?

CHARLENE KAINRATH: I've been licensed since October of 1982 for six children and I have a City license. I have a fire permit, a health permit.

CHAIRMAN BUGBEE: How many -- what are the ages of the children?

CHARLENE KAINRATH: My youngest is 14 months and my oldest is three years.

CHAIRMAN BUGBEE: It's pre-school children you're handling?

CHARLENE KAINRATH: Yes.

ROBERT GILES: Are any of the activities conducted outside of the home?

CHARLENE KAINRATH: Yes. At 9:30 AM we have snacks. The children go out about a quarter of ten in the morning and they're out until about 10:30. Then they come in for morning class until 11, and then they're out from 11 until 11:30 at which time they come in for lunch and nap, and then they're out from about 2:30/3:00 until 3:30 when they have afternoon snacks, and then they go outagain after afternoon snack about 4 and they're out until about 5. So they're out from 10:30, 11 to 11:30, and 2:30 to 3:30, 4 to 5.

CHAIRMAN BUGBEE: And you close what time?

CHARLENE KAINRATH: I'm licensed -- I'm open from 7 AM to 6 PM.

CHAIRMAN BUGBEE: Okay.

ROBERT GILES: And that's five days a week.

CHARLENE KAINRATH: Monday through Friday only.

ROBERT GILES: One of the pictures that I'm looking at shows a side yard that has considerable debris and grass growing and so forth. Obviously, the children don't play in that --

CHARLENE KAINRATH: There's a five foot fence that separates those two yards. It's a --

ROBERT GILES: I'm sorry, I've mislooked at the picture. It does not -- I'm looking at the wrong side of the fence, excuse me.

CHAIRMAN BUGBEE: Any other questions?

ROBERT GILES: Would you address yourself to traffic. You're asking for six more children than you presently have. What do you anticipate in the line of traffic in the hours that you're operating?

CHARLENE KAINRATH: I don't know. So far I have never personally had one complaint in the last 16 months that I've had children there. No one's ever once complained about the traffic problem. As part of my contract that the parents have to sign, I express in there they must think of my neighbors because that's my business and they must not block any driveways or anything. The children arrive at various times in the morning and leave at various times in the afternoon. Not very often do they -- more than one parent arrive at the same time.

CHAIRMAN BUGBEE: I'll close the public hearing. Motion.

ROBERT GILES: I'll move for approval with staff's recommendations and suggest here to pass that you become a good neighbor to those that protested and clarify their minds if you will..

CHARLENE KAINRATH: Okay, thank you.

CHAIRMAN BUGBEE: Cast your votes, please. That motion has carried. (Motion carried unanimously. Emmett & Myers excused) This is a final action unless appealled?

HAROLD FOSTER: Yes, it's a final action, however, the decision may be appealled within 11 days to the City Clerk.

END OF EXCERPT

CHAIRMAN BUGBEE: Item 6, V-15-84, the application of John T. Moran, Jr., et al for a variance to allow 12 parking spaces where 24 spaces are required and to allow 6 of the proposed parking spaces to be in tandem where tandem parking is not permitted on property located at 638 South 4th Street in Zoning District R-4 (ROI to C-2). Mr. Foster.

HAROLD FOSTER: The property is located on the northwest corner of Garces and 4th Street. They're in the process of constructing a two-story office building on the property. They are requesting a deviation from the required amount of off-street parking. This was recognized at the time the plot plan review was approved on the Resolution of Intent from the R-4 to the C-2 and at that time they indicated that they would obtain satellite parking from Valley Bank across the alley on that employee parking lot. They have not been successful in seeking some type of a lease for that satellite parking; and for that reason, they are requesting a variance. They are proposing that on the 6 spaces -- actually, there's another space that extends into the right of it -- 2 spaces that extends into the right of it to the south, and there you would have the 12 spaces, 6 of them -- they're all in tandem, meaning 6 would be behind the other and they would enter and exit off the alley. Staff, in evaluating the request feels that there should be satellite parking provided for the request at this time, and for that reason we cannot support the request. We do have 7 protests on record, some from businesses in the area and some from residents along 3rd Street.

CHAIRMAN BUGBEE: Yes, sir.

JOHN MORAN, JR.: Mr. Chairman, John Moran, Jr. appearing on behalf of myself. With me is Mr. Herb Tobman, co-property owner with myself, and also Mr. Mike Morris, who is the general contractor on the building itself. Basically, what we're asking for is as Mr. Foster set forth. I would like to bring to your attention a few items that I think are relevant. First of all, the street parking on 4th Street -- I was down there -- I go down there everyday because my offices are currently located in the Valley Bank on the 12th floor. I am familiar with this area and in going to and from my offices, I've observed the amount of parking that is available on the street. For example, today at 1:30 I took a count and in front of my offices -- my new offices which are there now, there were approximately 25 vacant metered parking spaces on 4th Street itself that are available and they indicate that there is no congestion in this area. Also, I

JOHN MORAN, JR.: counted the two-hour parking which is on Garces Street itself which runs next to my building and on both sides of the street as well as across on the other side, and there was approximately room for 29 vacant parking spots for two-hour parking, just in that one block area itself, which came to approximately 54 total vacant spots at 1:30. Now this is not unusual. Like I said, I go to and from there at all hours of the day and evening hours also and there is no congestion in this area. There is always parking available. I'd also like to bring to the Board members' attention that one block north of my property -- I'm located at 600 as that indicates -- at 500 -- in the 500 block on the corner there is, in fact, tandem parking already in effect at one of the law offices there. As you're well aware with that area, there's a lot of law offices being built and have been built. So one block north of my property there is, in fact, tandem parking which is what we're requesting here today also. Two blocks north on Clark Street and going north from Clark and 4th Street, which again is two blocks north of my property, there's no parking restrictions whatsoever. In other words, if my property was located two blocks north, I wouldn't have to have applied for a variance like I've done here today and seek your approval, because, in fact, north of that on Clark Street there aren't any restrictions on parking and you can do whatever you want in terms of parking. Basically, I've contacted several people in the area. One located at 217 East Garces, a Mr. Fulton who has a private investigation service there. He has no objection to the variance that we're seeking here today. Also, I've contacted another individual at 700 South 3rd Street, law offices there. They have no objection, that's one block from my property. They have no objection whatsoever. I put in a call to the individual who is at United Mortgage next door to me. He never returned my call and it's never been brought to my attention that he had any serious objection to what I was proposing to do. In my building itself that we're constructing there now, I would point out to the Board members that, in fact, the number of tenants in that building -- there's going to be very very minor -- there's going to be myself and my law offices, there's going to be one other attorney downstairs and his law office and there'll be one other attorney who handles only labor law and in fact doesn't even have a receptionist in his office plan because of the type of work he does. He doesn't have clients coming to and from. We're asking to allow us -- in asking you to waive 12 spaces and allow us to get by with 12 and the tandem parking that

JOHN MORAN, JR.: we've requested. I don't think that we're asking anything that is going to create a problem in the area. In fact, like I mentioned, there's no restrictions farther towards downtown where there is perhaps more heavy congestion in that area, whereas, out towards where we're at there's very limited and there's available parking, two-hour and meters that isn't even being used currently.

ROBERT GILES: Excuse me, Mr. Moran, what contingency do you have, if you will -- you apparently have the space totally used up there, should this be approved and you have a parking problem? What can you do, let people, you know, go home, work two shifts?

HERB TOBMAN: Can I address this?

ROBERT GILES: Certainly. Give us your name and address.

HERB TOBMAN: My name is Herb Tobman. I live at 3000 Las Vegas Boulevard South and we're partners in this building. This building was built for four tenants. These tenants -- we had these tenants before we built the building, and I'd like to just reiterate that -- I think he kind of passed over it. One of them is a fellow by the name of Tom Pursel, who's an attorney, and all his work is done at the Culinary Union. I mean he's a labor lawyer and doesn't even have a receptionist. Doesn't now where he's at and isn't going to there. The second attorney is Tom Bell. Tom Bell has an ambulance company. He spends 80% of his time at his ambulance company. That's one of the reasons he's leaving the Jones, Jones, Bell, whatever, firm, as he does need a place to have an office. The third attorney is John who has a partner and one girl, and the fourth tenant is a dentist; and that's the total purpose of the building. Now people --

ROBERT GILES: You have the parking right there plus the street is what you're saying.

HERB TOBMAN: But nobody that works there will park in those 12 spaces, that's part of our lease. They have to seek parking and there is lots of parking in the area that they can rent; and it's just a building that has a purpose for just four people who are business people who have rented this and the last of their worries was this parking area. I think it's an important point.

BONNIE JUNIEL: No staff and no tenant will be parking in those 12 spaces?

HERB TOBMAN: No. Right now they have parking spaces that they pay for, some in the Valley Bank Building. There's three --

CHAIRMAN BUGBEE: Mr. Tobman, you've got tandem parking there so you're going to have somebody that's not going to move around very much in the back of that building.

HERB TOBMAN: There'll never be that many people there. If each one of them has a client and he should get somebody that parks behind him, all they have to do is walk in and ask them, can you move your car?

CHAIRMAN BUGBEE: Okay. This is a public hearing. Anyone here to speak against this motion?

DAVID P. BOYER, JR.: Yes, I'm David P. Boyer, Jr. I live at 2900 El Camino Avenue. I'm Executive Vice President of the United Mortgage Company. We're the neighbors directly to the north and as the owners of the only other free parking in the block, other than the four slots on Garces, we're concerned about and having problems keeping our spaces empty for our customers. We're concerned. Number one, when we built our addition, we had to play by the rules and provide a space and a half for every 400 square feet of office. We're having problems keeping that empty. Now we'll have an additional office structure. Irregardless of who the tenants are now, how about two years from, three years from now, five years from now. We can envision an awful lot of problems again with parking spaces that are at a premium for our location. They're going to be directly adjacent to the proposed structure and unless we spend some money or spend some time creating some pretty excellent signage, it will be easy enough to confuse that parking lot as parking for this structure and for those two reasons, we do object to this particular variance.

CHAIRMAN BUGBEE: You're looking down the road, I think, in your thinking they're going to park in your lot?

DAVID P. BOYER, JR.: Yes, sir. Not on purpose, but -- and certainly not the employees or the tenants or employees of the tenants, the customers. It appears to be customer parking because that's exactly what it is.

CHAIRMAN BUGBEE: Okay. Anyone else in opposition?

KEN FLEMMING: Yes. I'm Ken Flemming, 630 Las Vegas Boulevard South. I own the property and the business there and it's at Garces just one block from this location. I'd like to submit that Mr. Moran's demonstrated his disregard for the need for adequate parking by already building his building where he can't possibly have adequate parking. He's built on 71% of the land, leaving only a 50 by 40 foot parking in the back. I'd like to suggest that you not only require him to have the parking that should be there, but to make it stay in effect, if he has to lease it from the bank, as long as he has his use permit to do business there. He built 7500 square feet of offices for what he says are four or five people. Now it might be that's all that's in there when they first move in, but it probably isn't going to last. With that much space, he could have basketball games in there.

CHAIRMAN BUGBEE: Well, granted, but don't you feel that the availability of someone's parking is going to be very directly proportioned to his availability of current and future tenants if there were any? They have said to us tonight that there are three or four people that have sort of gotten together and built this thing for themselves. I'm -- we're going to have parking problems in that area eventually. You're on 5th and Garces?

KEN FLEMMING: Yes.

CHAIRMAN BUGBEE: Actually, you're on Las Vegas Boulevard South. Okay, thank you. You, sir.

KENT DAWSON: My name is Kent Dawson, 626 South 3rd. I own a building that is almost directly behind this that we just completed in May of last year that is 8,000 square feet. We spent a million dollars on -- we have the required number of parking spaces in the back and one thing that I've observed in the time that we have been there is, that people who have offices on 4th Street -- their employees, due to the fact that 4th Street is metered, are coming over into our neighborhood to park. All day, they'll come and move their cars every two hours so they comply with the two-hour requirement, but people are coming over there to the point that our clients don't have room to park in front of our building anymore, and it's becoming increasingly a problem, and I've watched and know of employees who work at those law offices on 4th Street who are doing that. With regard to the tandem parking that is down the street at -- that business that he referred to is the law offices of Stephens and Simmons and the alley is constantly occupied by vehicles maneuvering in and out letting other vehicles out to the point where

KENT DAWSON: you cannot get in from the Bonneville entrance to that alley to the buildings which are down the alley where I officed prior to building this building. The -- I sympathize with John. If he's only going to have four people in that building, then it's ridiculous to require him to have a lot of parking, a lot of extra parking, however, I do not know of any way that you can restrict this or put a covenant on this building that will restrict him or some future owner from dividing it up, and it happens all the time. People will not evaluate the parking. They'll figure, oh, they're a few more places on the street and I can get this for a few dollars a year so why not; and the idea that the market will dictate how far he can divide that building and how many tenants he can put in is fallacious. It just won't work that way. Thank you.

CHAIRMAN BUGBEE: Anyone else? You have a chance to rebuttal now, Mr. Moran.

JOHN MORAN, JR.: Thank you, Mr. Bugbee. First of all as to United Mortgage's concern that somehow clients of ours would be using their lot. I would certainly hope clients of mine could read and write the English language, and I think it would be real simple to put a sign right there where their parking lot begins that says, "United Mortgage Parking Only," and I don't think that we'd have a problem with that, particularly again. I go down the street, and I took a random sample at 1:30 and found 54 total vacant spots metered and two-hour parking with not a car in sight, literally not a car in sight, and I don't mean a car here and then three spots, I mean not a car in sight in a two block portion. So I don't think that United Mortgage's concern about having other people who are unauthorized to park in their lot is really realistic. Certainly we have designated parking all over this town where people are to park and are not to park. A good example is down at Valley Bank -- which is adjacent to Valley Bank, there's a lot there and there's a sign there and people who don't park -- aren't supposed to park there and park there get towed away and that doesn't happen very often and their lot is maintained with a simple sign and I can't believe that United Mortgage couldn't do the same thing. I'd even help them lay out their sign if they'd like. Another point I'd like to bring to your attention is, there's been some concern about the the tenants today aren't going to be the tenants tomorrow. Well, I'd like to bring to the attention of

JOHN MORAN, JR.: the Commissioners that I have ten-year leases with the people that I've mentioned earlier who are going to be my tenants, and they're going to be there for that period of time so this isn't something where somebody's going to come in for 30 days, or 6 months, or 2 years, and then we're going to have a different arrangement. These four people I've mentioned have ten-year leases and will be the same people there. So we're not going to have that kind of a problem where that's even realistic either. In regards to the alleyway that Mr. Dawson brought up and his million dollar building that he built, well, unfortunately, I'm not in a position to build a million dollar building on 4th Street or where he's located. If I could, maybe I would have had enough money to buy some more land so I could afford to, you know, put some spaces there that we don't really need; but in any event, the alleyway -- I've been down the alleyway and what I'm doing with my alleyway is, if I'm given the right to go forward, is, I'm paving my alleyway. So that United Mortgage as my neighbor next door instead of having to exit their driveway there and drive in the dirt, they're going to be able to exit their paved parking lot and go into a paved alleyway and then exit through the alleyway on paving, and also I point out that I've never seen the alleyways back there crowded and that includes the building that Mr. Dawson brought to your attention, that law firm of Stephens and also his next door neighbor which is Harry Reid's office, and they also have tandem parking on further north; and therefore, I think my request is reasonable and I respectfully request the Commissioners to consider it and give me approval to go forward.

CHAIRMAN BUGBEE: Thank you.

BONNIE JUNIEL: Mr. Moran, one of the people -- I don't remember which one mentioned your employees -- that it's hard to park downtown and they're seeking other places to park. I don't know if you have any control over that, but I can imagine that they would seek a free parking space.

JOHN MORAN, JR.: I certainly wouldn't fault anybody for seeking a free parking space, but --

BONNIE JUNIEL: But it isn't free when it belongs to someone else.

JOHN MORAN, JR.: Oh, no. My employees would definitely be put on notice as everybody in there that there would not be any parking in United Mortgage's lot, and that wouldn't be necessary because there's so much parking down there right now

JOHN MORAN, JR.: that isn't being utilized that it's just vacant. In fact, I don't know what the lost revenues are from the meters that aren't even being utilized down there and just sitting there, and I would ask the Commissioners to go down there and take me up on that and just look at any time of the day you want and you'll see all kinds of empty spaces down there, and there's no congestion. There's adequate parking all over the place so there's no reason to use United Mortgage's lot.

BONNIE JUNIEL: It wasn't them. I don't think it was him, I think it was someone down the street.

CHAIRMAN BUGBEE: Any questions, Commissioners? I'll close the hearing. Motion.

ROBERT GILES: It seems to me you've got a spacious building there with a parking regulation that goes to the square footage and you've well covered the use of the building for the next ten years and the parking, so I'm going to move for approval as you have applied.

HAROLD FOSTER: If approved, staff would recommend: Conformance to the plot plan and elevations. 2. Conformance to all other conditions other the zoning approval Z-100-64(132).

ROBERT GILES: I would include that.

JOHN MORAN, JR.: That's no problem.

CHAIRMAN BUGBEE: Cast your vote, please. Show the vote. The motion has been carried. (The motion carried unanimously with Emmett & Myers excused)

JOHN MORAN, JR.: Thank you, Board members.

END OF EXCERPT

BOA 2-23-84

NAME		ADDRESS	
EDWIN L. RDGICH JR	V-12-83 appl V-2-84	2556 PERA CIRCLE	89121
MIKE N. ECKLES	V-9-84 appl	4295 SEQUOIA DR	
Charlene Kainrath	V-10-84 appl	1400 Jessica Ave LV NV	89104
Wanda L. Foote	V-13-84 appl	601 So Bonanza LV	89101
TED WILLIAMS JR	V-14-84 appl	2300 Montana Way	89109
John MORANCH	V-15-84 appl	300 S. 4th St.	
Howard Inman	V-15-84 appl	3000 LIVING ST.	
Mike Meeks	V-15-84 appl	1418 Kenyon Dr.	
JIM McCaughey	V-16-84 appl	215 E. Bonanza Ave.	
Calvin Banks, Jr	V-17-84 appl	220 E. Lake Mead Dr.	
MARILYN T. HAYES	V-20-84 appl	2843 Queens Court	
Claudette Manuel	V-21-84 appl	2917 Vegas Dr	
Don L. Palmer	V-23-84 appl	820 Griffith	
Dell Nielsen	V-23-84 appl	800 Lacey Lane	
Orville E. Jones	V-24-84 appl	1710 Bonnie Ave	
Dale Cox	V-25-84 appl	Tucson, AZ	
Kenneth Gleason	V-26-84 appl		
Ken Green	V-11-84 (HO) appl	4150 CARL AVE	

NAME	BZA 02-23-84	ADDRESS
Dennis Mitchell	V-124-83 appl & V-27-84	2504 E Hacienda
Marie Dawson	V-9-84 Prot.	2504 Fremont Dr.
Ruth D. Dawson	V-9-84 Prot.	2504 Fremont Dr.
Michael Cook	V-10-84 Prot.	1324 Jessica Las 89104
Gwendolyn James	V-13-84 Prot.	1912 Lemmon Drive
DAVID P BOYER JR	V-15-84 Prot.	624 So. 4th St. LVN 89101
K E FLEMING	V-15-84 Prot.	630 Las Vegas Blvd So
KENT DAWSON	V-15-84 Prot.	626 S 3rd St LV
MONICA Mc NEILL	V-18-84 appl.	1820 RENADA CIR NLV
(C.C.L.)	V-19-84 appl	2244 So 1074 ST.
(Teresa Lawson)	V-19-84 appl	
Craig Porter	V-23-84 ~~AP~~ P	857 Red Rd NLV

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date: February 22, 1984

TO: HAROLD P. FOSTER, DIRECTOR

FROM: ROBERT C. CLEMMER, ACTING CHIEF
ZONING DIVISION

SUBJECT: B.Z.A. MEETING OF FEBRUARY 23, 1984

COPIES TO:
CITY CLERK'S OFFICE
CITY ATTORNEY
RICK WILLIAMS
HAZEL BECK

OLD BUSINESS:

1. V-124-83

This item was held in abeyance several times since the December 22, 1983 meeting as the applicant had not decided whether to raze the existing building and build totally new or utilize part of the existing building. They will utilize part of the existing building (1,057 sq. ft.) and construct a new two story addition to the rear, (2,197 sq. ft.) for a total of 3,254 sq. ft. which requires 9 parking spaces. The 10 spaces they propose have 5 locked in a tandem arrangement which does not meet Code. There is a companion case on this Agenda (V-27-84) to allow the 5 tandem spaces. In another case, the Board advocated tandem spaces rather than front yard utilization.

Staff is concerned that over-intensification of development allowed by this parking arrangement will alter the character of the area.

Staff recommends ABEYANCE for revised plan. If approved subject to:

1. Conformance to the plot plan and elevations.
2. Dedication of the required radius at the intersection of 9th Street and Bonneville Avenue as required by the Department of Engineering Services.
3. Install sidewalks and street lighting on 9th Street and Bonneville Avenue as required by the Department of Engineering Services.
4. Pave the alley as required by the Department of Engineering Services.

V-124-83 (CONTINUED)

5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development 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.

6. Provision of fire hydrants and water flow as required by the Department of Fire Services.

PROTESTS: 1
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

NEW BUSINESS:

1. V-27-84

This is the Variance related to the last case. The Traffic Engineer cites several problems; the 16' depth is inadequate for many vehicles and both sections propose 16' depths, the alley will be partially blocked by the second row and the first row will be trapped.

Staff feels that this type of parking arrangement will be problematical and have a deleterious effect on the area. This is a corner lot where street parking will be available.

Staff recommends ABEYANCE for V-124-83 plan changes. If approved, subject to:
1. Conformance to the conditions of approval of V-124-83.

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

2. U-9-84

This proposed Halfway House prerelease facility for the State is several hundred feet from residential areas in a commercial-industrial area. The parking requirements are less for this type of facility than the previous use so additional parking is not required. 10 are available on the site. The current Code would require 11 so there should be no problem. The building contains 5,500 sq. ft. There is a protest from the North Las Vegas Chamber of Commerce. Proposing 40-60 inhabitants, 9 staff, no cars for inhabitants.

Staff feels that these types of facilities are needed and from past experience, the further removed from permanent residential, the more compatible and would therefore, recommend APPROVAL. 200 sq. ft. per occupant for hotel or apartment (33 A of Uniform Building Code). Dormitory 50 sq. ft. per occupant. Staff feels that these types of uses in a C-2 Zone should be more toward a hotel or high density apartment use allowing 200 sq. ft. per occupant.

Staff recommends APPROVAL subject to:

U-9-84 (CONTINUED)

1. Conformance to the plot plan and elevations.
2. Dedicate 4' of right-of-way for Main Street as required by the Department of Engineering Services.
3. Provision of fire hydrants and water flow as required by the Department of Fire Services.
4. Maximum occupancy 30 persons exclusive of staff.

PROTESTS: North Las Vegas Chamber of Commerce
PUBLIC HEARING ITEM. SET ~~FOR~~ CITY COUNCIL MARCH 7, 1984.

3. U-10-84

The Code provides for these types of child care facilities in R-1 Districts. Local concerns are considered through this hearing. Applicant proposes 7:00 A.M. to 6:00 P.M., Monday through Friday only. It would seem demographically that this older area would be adult primarily and if so, child importation to this neighborhood would be more problematical than a high child area. Median age in this census tract is 40 and the median age for the City is 29.8. The applicant has a family care home now.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan.
2. Enter an Assessment District Agreement for installation of sidewalk and street lighting as required by the Department of Engineering Services.
3. The hours of operation shall be limited to 7:00 A.M. to 6:00 P.M., Monday through Friday only.

PROTESTS: 1
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

4. V-13-84

The State Highway Department has indicated in a letter that engineering constraints have indicated that this site is one of a few available and the others have better alternative use potential. The towers will be sited 180' south of Holly and 180' north of Vegas Drive and greater distances from other streets. Landscaping should be provided on the perimeter streets, i.e. Arizona Cypress, 15 gallon, 20' on center with irrigation system which will require approximately 264 trees. This should be a quiet use and not disrupt the surrounding residential. Engineering Services wants street improvements. Simmons is a 60' right-of-way.

Applicants want Assessment District Agreement.

The North Las Vegas Airport approach zones show there should be 400' to 450' clearance from ground level, but that is a matter for the F.A.A. to resolve.

V-13-84 (CONTINUED) Staff recommends APPROVAL subject to:

1. Conformance to the plot plan and elevations.
2. Provision of 15 gallon Arizona Cypress at 20' on center along the perimeter streets setback 10' from the property lines.
3. Dedicate 30' of right-of-way for Luning Drive, Holly Avenue and Simmons Street as required by the Department of Engineering Services.
4. Install street improvements on Vegas Drive, Simmons Street, Holly Avenue and Luning Drive as required by the Department of Engineering Services.
5. Subject to F.A.A. approval.

PROTESTS: 0 APPROVAL: St. of Nev.-Dept. of Transportation
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

5. V-14-84

There is a proposed Land Division that will isolate the subject sign on a property not containing the advertised use making this an off-premise sign. The existing physical situation will not change. Beautification Committee not opposed.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan.

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

6. V-15-84

The Building Permits have been issued for this building predicated on the provision of 19 spaces on a ten year lease. A letter in the file from Valley Bank was misinterpreted as authorization which was not forthcoming.

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plans and elevations.
2. Conformance to all other conditions of Z-100-64(132).

PROTESTS: 6
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

7. V-16-84

Numerous variances have been approved in this general area as the lots are 150 sq. ft. short of the area that an Administrative Variance can be granted to allow the 4th unit.

Staff recommends APPROVAL subject to:

1. Standard conditions 1-8.

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

8. V-17-84

If this structure were entirely within the required rear yard it could be fire protected and allowed to the side property line.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan and elevations.
2. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.
3. Fire protect the east side of the building as required by the Department of

PROTESTS: 0
NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

9. V-18-84

The Development Programs' Division discovered a 2 bedroom, 2 bath on the second floor had been converted to 2 efficiency units. The land area deficiency on each of these 2 lots is 1,500 sq. ft. Mrs. Mc Neill acquired property 5 months ago.

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan and elevations.

PROTESTS: 4
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

10. V-19-84

The Building Permit was issued with a 15' side setback shown. It is partially constructed at 3' from Franklin Street. This lot was recorded in 1942 so a 5' setback is permitted as the interior setback is 13'. Neighbors signed statements in favor.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan.

2. Enter an Assessment District Agreement for sidewalk and street lighting as required by the Department of Engineering Services.

PROTESTS: 0 APPROVALS: 2
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

11. V-20-84

A Variance was granted in this block for a C-1 sign. C-1 was granted at 4324 limited to catalogue sales. Staff is not opposed to C-1 in this block and, therefore, recommends APPROVAL of this Variance. The reason for the Variance approach was due to this applicant's awareness of the Gould Case on Eastern.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan and elevations.

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

12. V-21-84

On the west side of Rancho Drive where Vegas Drive is a secondary P-R is being allowed on the south side and the County has okayed C-1 on the north side. The north side of Vegas Drive will be C-1. Staff would prefer to limit the uses along Vegas Drive to offices only, but do not feel an answering service will be a problem, although, an answering service is a C-1 use of a minor type.

There is inadequate parking provided. Minimum 6 spaces for office and one for residential use unless Planning Commission lesséns to 4 and 1. 5 can be provided.

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan amended to provide five (5) off-street parking spaces, if approved by Planning Commission.

2. Standard conditions 2-8.

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

13. V-22-84

This is a proposed garage to the property line on the side street (9th). It appears to be a 2 car garage and shop. There will be no sight clearance and there will be two backout spaces.

Garage could be shifted the required 7' with slight patio modifications.

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan.

2. Treat the eaves with fire retardant material as required by the Department of Fire Services.

PROTESTS: 1
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

14. V-23-84

This is a case where they were proposing to go 2 story offices for necessary 3,000 to 3,500 sq. ft. area and the character of buildings in this area are one story with strong residential features. I asked that they try to achieve one story and the only way they could was by exceeding the 30% coverage provision. They will be approximately 34% coverage.

This matter will have to go to the City Council. The architecture of the building is more residential in character than the 2 story proposal.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan and elevations. ✓

2. Standard conditions 2-8. ✓

3. Pave the alley as required by the Department of Engineering Services. ✓ Amer. Dist

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR CITY COUNCIL MARCH 7, 1984.

15. V-24-84

This is the east edge of the Scotch-Eighty tract and deep lots fronting Highland Drive side to this property. The future use of the Highland frontage property is questionable. Possible P-R types.

Code provides for higher wall adjacent to commercial by

V-24-84 (CONTINUED)

Administrative Variance.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan amended to eliminate the encroachment over City right-of-way.

2. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.

PROTESTS: 0 APPROVAL: 1
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

16. V-25-84

This is a high density apartment project. The area to the north is industrial along Mojave (100' major) there are mobile home parks with larger signs. The Beautification Committee is not opposed.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan and elevations.

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

17. V-26-84

Staff originally believed that the 5 units on the south lot were allowed as both lots were in the same ownership. This was researched and that was found to be erroneous.

Numerous variances have been allowed in this area to allow the fourth unit. The 5 units exist.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan and elevations.

2. Standard conditions 2-8.

3. Redesign the parking on the fiveplex site as required by the Traffic Engineer.

4. Install sidewalk on the 410 North 14 Street site as required by the Department of Engineering Services.

PROTESTS: 1
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

SUPPLEMENTAL:

1. U-11-84(HO) This is a houseplant sale and maintenance type operation. The questionnaire has been answered favorably.

Staff recommends APPROVAL subject to:

1. All operations shall conform to the criteria for a home occupation permit.

PROTESTS: N/A
NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

RCC:hb