

Planning & Development Department
Scanning Cover Sheet

Case No Z-0140-62

APN 138-36-101-001

Location SEC of Fremont & Jones

Applicant E.A. Becker, Trustee

Subject

Reclassification of property legally described as that portion of the NW 1/4, Section 36, Township 20 South, Range 60 East, MDB&M, lying North of Charleston Heights Tract Nos. 6-B and 17, and lying West of Charleston Heights Tract No. 31-A, except that parcel granted to the City of Las Vegas, DC#300773, Book 372 of official records.



CHECK LIST -- FOR PROCESSING APPLICATIONS

	TO BE DONE	CHECK IF DONE	BY
1.	Check the legal and general description with Mel.	✓	<i>ab</i> <i>(1)</i>
2.	Enter in register.	✓	
3.	Enter file number and fill in blanks "For Department Use Only" on application.	✓	
4.	Make up folder with appropriate label. Attach application on right hand side.	✓	
5.	Type 3 index cards - numerical, legal, applicant.	✓	
6.	File above cards in proper metal file.	✓	
7.	Make up draft of Notice of Public Hearing in duplicate. a. Type date to be mailed -- 15 days prior to meeting. b. Put one copy rough draft in folder.	✓	
8.	Enter proper information on tentative agenda and place other copy of Public Hearing with agenda.	✓	
9.	Type memos and send with plot plans to Engineering, Building, and Fire - others if told to. This will be for Variances and Use Permits only.	✓	
10.	Place "Protest and Approval" sheet on right side of applicant's file.	✓	
11.	Give folder to Mel, he will prepare property owner's list. a. Type property owner's list. b. Type envelopes. c. Type Notice of Public Hearing on multilith. d. Mail out notices.	✓	
12.	Prepare Legal Notice for newspapers. a. Call newspapers and have messenger pick up legals.	✓	
13.	Ask Don regarding Resolutions.	✓	

FILE NO: *2-140-62*

MEETING DATE: *January 10, 1962*

PLACE THIS SHEET UNDER PROPERTY OWNER LIST WHEN COMPLETED.

NOTICE OF PUBLIC HEARING

January 10, 1963

December 26, 1962

Notice is hereby given that on January 10, 1963, at 7:30 P.M., in the Council Chambers of the City Hall, Las Vegas, Nevada, the City Planning Commission will hear the application of:

Z-140-62 E. A. BECKER, TRUSTEE, FOR THE RECLASSIFICATION OF
PROPERTY LEGALLY DESCRIBED AS THAT PORTION OF THE
NORTHWEST QUARTER (NW $\frac{1}{4}$), SECTION 36, TOWNSHIP 20 SOUTH,
RANGE 60 EAST, M.D.B.&M., LYING NORTH OF CHARLESTON
HEIGHTS TRACT NOS. 6-B AND 17, AND LYING WEST OF
CHARLESTON HEIGHTS TRACT NO. 31-A, EXCEPT THAT PARCEL
GRANTED TO THE CITY OF LAS VEGAS, DC #300773, BOOK 372
OF OFFICIAL RECORDS, AND GENERALLY LOCATED AS BOUNDED
ON THE NORTH BY FREMONT, ON THE WEST BY JONES BOULEVARD
ON THE SOUTH BY UPLAND BOULEVARD AND ON THE EAST BY
CHARLESTON HEIGHTS TRACT NO. 31-A AND THE CITY OF LAS
VEGAS FIRE STATION,

FROM: R-1 (Single Family Residence)

TO: C-1 (Limited Commercial)

Any and all interested persons may appear before the City Planning Commission, either in person or by counsel, and object to or express approval of the proposed reclassification, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.


DON J. SAYLOR
Director of Planning

ZONE CHANGE
Z-140-62

Denied

ZONE CHANGE (Z-140-62) - APPLICATION OF ERNEST A. BECKER, TRUSTEE, for reclassification of property generally bounded on the north by Fremont, on the west by Jones Boulevard, on the south by Upland Boulevard, and on the east by Charleston Heights Tract No. 31-A and the City of Las Vegas Fire Station, from R-1 to C-1, legally described as follows:

That portion of the Northwest Quarter (NW-1/4) of Section 36, Township 20 South, Range 60 East, MDB&M, lying north of Charleston Heights Tract Nos. 6-B and 17, and lying west of Charleston Heights Tract No. 31-A, except that parcel granted to the City of Las Vegas, DC #300773, Book 372 of Official Records.

Director of Planning, Mr. Donald J. Saylor: This property is the southeast corner of West Fremont and Jones. There will be no access onto Jones from either this property nor the existing commercial zoning to the north. All of the adjacent property is developed R-1. At the public hearing of the Planning Commission, a petition of protest was submitted with 187 names, and I believe it involved 93 property owners. The Planning Commission recommended denial of the application for the change to C-1. There are about 20 acres opposite that are zoned C-1. It is a large proposed shopping center.

Mr. Scott Wallace, representing Mr. Ernest A. Becker: As you can see on the map, this particular piece of land could not be used ideally for residential construction. It is bounded on the east by a Fire Station; on the south by an 80-foot boulevard; on the west by another 80-foot boulevard; and then it backs up to Fremont, which is 150. Therefore, it wouldn't be too suitable for R-1 development. We felt that we could use it for an office building for ourselves. This would be an ideal location for our own offices, and we could make this blend in very nicely with the neighborhood, along the lines of a residential type structure. We could, if necessary, limit it to one-story, with attractive landscaping, etc.

Commissioner Mirabelli: Didn't you design that tract? In other words, I feel that your organization left that awkward shaped piece of property, which you can't now develop for anything else. When that map first came before the Planning Commission, we warned you about leaving that piece of property.

Mr. Wallace: That particular tract was designed much before my time here. The tract to the right -- 31-A -- was stopped there, because there was no way to easily develop that property at that time. You can't get another street in there, because you don't have enough depth. Actually, there are only two lots fronting this property.

Commissioner Mirabelli: Maybe you weren't at the Planning Commission Meeting when this map was presented and they were asked about this parcel of land that was left open.

Mr. Saylor: Further along that line, at that time it was recognized that the installation of the Fire Station was not to be used as an argument for commercial zoning; because if it was proper to put it next to R-1 on the one side, it would be proper to put R-1 on this other side.

Mayor Gragson: As a Planning Director, what is the proper use for that property?

Mr. Saylor: At one time it could have been designed and used for R-1 property. Now, because of the shape that is left over, you can't utilize at least a portion of this for R-1. It is probably not a good location for R-1 development. Neither do I think it should be zoned commercial. Perhaps Scott has the answer, if this could be designed as an office building that would look like a home.

Two unidentified citizens stated that they would still object to an office, even if architecturally designed to look like a home; that they were told when they bought their homes that this parcel would be developed as homes, and that they felt they had been misinformed by Mr. Becker when they bought their homes from him.

Commissioner Mirabelli moved that application of Ernest A. Becker, Trustee, for reclassification of property bounded on the north by Fremont, on the west by Jones Boulevard, on the south by Upland Boulevard, and on the east by Charleston Heights Tract No. 31-A and the City of Las Vegas Fire Station from R-1 to C-1, be DENIED.

Motion seconded by Commissioner Levy and carried by the following vote: Commissioners Mirabelli, Levy, Whipple, and Mayor Gragson voting aye; noes, none.

ZONE CHANGE
Z-150-62

Abeyance.
Referred to Planning
Dept. and Planning
Commission to re-
survey the area for
possible rezoning
of entire area.

ZONE CHANGE (Z-150-62) - APPLICATION OF THOMAS L. JONES, THOMAS J. JONES, JACK HALSEY, JOHN P. FOLEY for reclassification of property generally located on the west side of Decatur Boulevard and north of Cory Place (proposed) from R-1 to C-1, legally described as follows:

The south 100 feet of the east 330 feet of the Southeast Quarter (SE-1/4) of the Northeast Quarter (NE-1/4) of the Southeast Quarter (SE-1/4) of the Southeast Quarter (SE-1/4) of Section 36, Township 20 South, Range 60 East, MDB&M.

Director of Planning, Mr. Donald J. Saylor: This property is located on the west side of Decatur, between Charleston and Upland. All of this is developed for R-1. There is a church immediately to the south of the parcel that is proposed for commercial. There was a strip on Upland that was zoned commercial, and about two years ago, the Planning Commission and the Board of City Commissioners rezoned it back to R-3, I believe, with the thought that it would help to prevent the spread of commercial to the south. A recent application for a rezoning in here was denied, and this particular property being in the middle, is somewhat contrary to what has previously been determined. There were 3 protests at the meeting and one letter of protest, and the Planning Commission recommended denial.

Mr. Tom Jones: The entire area west of Decatur is owned in 1-1/2, 2, and possibly 5 acre tracts and is being held by these owners in the hope that some day it might be zoned commercial in order to develop it properly. If the intention of those property owners was to build homes in there, I am sure that in the 12 or 15 years they have owned this property they would have started to develop it along those lines. We propose to put a bakery in there, with ample

January
Twenty-Fifth
1963

Mr. Ernest A. Becker, Trustee
5017 Alta Drive
Las Vegas, Nevada

Re: Zone Change - Z-140-62

Dear Sir:

At the regular meeting of the Board of City Commissioners held January 23, 1963, consideration was given your application for reclassification of property generally located as bounded on the north by Fremont, on the west by Jones Boulevard, on the south by Upland Boulevard, and on the east by Charleston Heights Tract No. 31-A and the City of Las Vegas Fire Station, from R-1 to C-1.

Upon motion duly made, seconded and carried, this application was denied.

Yours very truly,

(Mrs.) Juanita A. Frary
Deputy City Clerk

jaf

cc - Public Works
✓cc - Planning

TO: City Clerk
FROM: Planning Department

DATE: January 11, 1963

ITEM FOR CITY COMMISSION AGENDA ON January 23, 1963

ZONE CHANGE -- Z - 140-62

Application of ERNEST A. BROWN, 5017 Alta Drive, Las Vegas, Nevada
(Name and Address)

for reclassification of property legally described as:

that portion of the Northwest Quarter (NW $\frac{1}{4}$), Section 36, Township 20 South, Range 60 East, M.D.B.&M., lying north of Charleston Heights Tract Nos. 6-B and 17, and lying west of Charleston Heights Tract No. 31-A, except that parcel granted to the City of Las Vegas, DC #300773, Book 372 of Official Records,

Generally located: as bounded on the north by Fremont, on the west by Jones Blvd. on the south by Upland Boulevard and on the east by Charleston Heights Tract No. 31-A and the City of Las Vegas Fire Station,

From: R-1 (Single Family Residence)

To: C-1 (Limited Commercial)

Planning Commission recommends Denial on the basis of _____

subject to the following conditions:

Number of protests: 93 and
Petition with 187 names

PLANNING DEPARTMENT
BY: _____

CC: City Attorney
mb

27. Z-130-62
(Amended)
Approved
Public Hearing

Application of JOHN M. HAYES (Amended) for the reclassification of property legally described as lot 14, Block 1, El Centro Addition Tract No. 1, and generally located on Weldon Place between St. Louis Avenue and Santa Paula Drive, from R-3 to R-4.

Mr. Saylor gave the staff report, stating the same situation applied as to Item No. 26, Z-129-62.

The Chairman declared the public hearing open.

No one appeared to protest or to approve.

The Chairman declared the public hearing closed.

After discussion, Mr. Mirabelli moved that the application of JOHN M. HAYES (Amended) for the reclassification of property generally located on Weldon Place between St. Louis Avenue and Santa Paula Drive, from R-3 to R-4 be approved. Mr. Johnston seconded the motion and the vote was unanimous.

NEW BUSINESS:
PUBLIC HEARINGS

28. Z-140-62
Denied

Application of E. A. BECKER for the reclassification of property legally described as that portion of the northwest quarter, Section 36, T20S, R60E, MDB&M, lying north of Charleston Heights Tract Nos. 6-B and 17, and lying west of Charleston Heights Tract No. 31-A, except that parcel granted to the City of Las Vegas, DC #300773, Book 372 of Official Records, and generally located as bounded on the north by Fremont, on the west by Jones Boulevard, on the south by Upland Boulevard, and on the east by Charleston Heights Tract No. 31-A and the City of Las Vegas Fire Station, from R-1 to C-1.

Mr. Saylor gave the staff report. He stated the Fire Station, located to the rear of this parcel, should not be used as an implement in this application. This is simply a spot zoning to commercial. Staff recommends denial.

The Chairman declared the public hearing open.

Mr. E. A. Becker appeared in his own behalf. He said that the proposed use of this property is to build his offices there. If the zoning request is wrong, any classification to enable the procedure of these plans would be fine. He further described the proposed plans.

Mr. David Rollins appeared to protest and asked that this application be referred to a committee representing the residents in the Charleston Estates area.

Mr. Gerald Luetkehans appeared submitting a petition of protest with 187 names listed.

Mr. Wendel Rundquist appeared to protest the application.

Mr. Ken O'Connell appeared as a representative of the committee representing the Charleston Estates area and stated the committee would rather have this application acted upon tonight than referred to the committee.

The Chairman declared the public hearing closed.

After discussion, Mr. Johnston moved that the application of E. A. BECKER for the reclassification of property generally located as bounded on the north by Fremont, on the west by Jones Boulevard, on the south by Upland Boulevard, and on the east by Charleston Heights Tract No. 31-A and the City of Las Vegas Fire Station, from R-1 to C-1 be denied. Mr. Uehling seconded the motion and the roll call vote was as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Longley, Sr. Johnston Uehling Tiberti	Gilday	Mirabelli

The motion carried.

29. Z-141-62
Denied

Application of TERRENCE and MARIA HULSEBUS for the reclassification of property legally described as the north 125 feet of lot 2 and the north 60.33 feet of the east 80.50 feet and the south 64.67 feet of the north 125 feet of the east 6.5 feet of lot 1, all in Block 1, Artesian Heights and generally located on the south side of Del Rey between Arville Drive and Vista Drive, from R-E to R-D.

Mr. Saylor gave the staff report. No recommendations. There are two protests on record.

The Chairman declared the public hearing open.

Mr. Musser appeared to protest this application.

Mr. Prestwich appeared in protest.

Mr. Hulsebus appeared in his own behalf.

Mr. Shetakis appeared to protest this application.

The Chairman declared the public hearing closed.

After discussion, Mr. Mirabelli moved that the application of TERRENCE and MARIA HULSEBUS for the reclassification of property generally located on the south side of Del Rey between Arville Drive and Vista Drive, from R-E to R-D be denied.

Mr. Longley, Sr. seconded the motion and vote by roll call was as follows:

<u>AYES</u>	<u>NAYS</u>	<u>ABSTAIN</u>
Longley, Sr. Tiberti Johnston Mirabelli	Gilday	Uehling

The motion carried.

30. Z-142-62
Abeyance

Application of the CITY OF LAS VEGAS, NEVADA for the reclassification of property legally described as a portion of the southeast quarter of Section 28, T20S, R61E, MDB&M, and being more particularly described as commencing at the center of said Section 28, thence S 89°39'00" E a distance of 40 feet to a point; thence S 0°21'00" W a distance of 30 feet

Planning Department
400 Stewart Street

January 11, 1963

Mr. Ernest A. Becker, Trustee
5017 Alta Drive
Las Vegas, Nevada

Dear Mr. Becker:

At the regular meeting of the City Planning Commission held on January 10, 1963, consideration was given to your request for the reclassification of property generally located as bounded on the north by Fremont, on the west by Jones Blvd. on the south by Upland Boulevard and on the east by Charleston Heights Tract No. 31A and the City of Las Vegas Fire Station, from R-1 to C-1.

It was voted by the Planning Commission to refer this item to the Board of City Commissioners with the recommendation that it be denied.

This item will be heard by the Board of City Commissioners on January 23, 1963 at 4:00 P.M. in the Council Chambers of the City Hall, Las Vegas, Nevada.

Very truly yours,

Don J. Saylor
Director of Planning

DJS:mb

Z-140-62

PROPERTY OWNERS

PROTESTS

Petition of Protest
187

93

APPROVALS

File No. Z-140-62

APPLICATION FOR RECLASSIFICATION OF PROPERTY

TO THE CITY PLANNING COMMISSION:

Pursuant to Section 27, Chapter 24, of the Las Vegas City Code, as amended, the undersigned owner of property hereinafter described, hereby presents his application requesting that certain property be reclassified from the R-1 Use District to a C-1 Use District, as established by Section 10, Chapter 24, of the Las Vegas City Code, as amended. Also accompanying this application is the prescribed fee of \$ 50.00.

The property hereinbefore referred to and in relation to which said changes are hereby applied for, is described as follows, to wit:

That portion of the NW 1/4, Sec. 36, T20S, R60E, MDB&M lying north of Charleston Heights Tracts No.s 6-B and 17, and lying west of Charleston Heights Tract No. 31-A, except that parcel granted to the City of Las Vegas, Dc. #300773, Book 372 of official Records. (Subject) property is bounded on the north by Fremont, on the west by Jones Blvd., on the south by Upland Blvd. and on the east by Charleston Heights 31-A and the City of Las Vegas Fire Station.

OWNER'S AFFIDAVIT

STATE OF NEVADA)
COUNTY OF CLARK) ss:

I, Charleston Heights, Inc. E.A. Becker, Trustee

being duly sworn, depose and say that I am (we are) an owner of property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of my knowledge and belief.

Signed: (In Ink) Mailing Address: Phone No.:
E.A. Becker, Trustee Charleston Heights, Inc. 5017 Alta Drive, Las Vegas, Nevada 878-1903

Ernest A. Becker, President

Subscribed and sworn to before me this 16th day of Nov, 1962

Mary J. Raucher
Notary Public in and for said County and State

9-10-65
My Commission expires
MARY J. RAUCHER, Notary Public
My Commission Expires September 12, 1965

FOR PLANNING DEPARTMENT USE ONLY

This is to certify that the foregoing has been inspected by me and was filed with the office of the Las Vegas City Planning Commission in accordance with the provisions of Section 27, Chapter 24, of the Las Vegas City Code.

Filed: 11/23, 1962

Fee: \$ 50.00

Receipt No.: 50531

Case No.: 2-140-62

By: D.S.S.
Director of Planning

1/10/62

O R - RR

NOTICE OF PUBLIC HEARING

January 10, 1963

December 26, 1962

Notice is hereby given that on January 10th, 1963, at 7:30 PM in the Council Chambers of the City Hall, Las Vegas, Nevada, the City Planning Commission will hear the application of:

Z-140-62

E. A. BECKER, TRUSTEE, FOR THE RECLASSIFICATION OF PROPERTY LEGALLY DESCRIBED AS THAT PORTION OF THE NW 1/4, SECTION 36, T 20 S, R 60 E MDB&M, LYING NORTH OF CHARLESTON HEIGHTS TRACTS NOS. 6-B AND 17, AND LYING WEST OF CHARLESTON HEIGHTS TRACT NO. 31-A, EXCEPT THAT PARCEL GRANTED TO THE CITY OF LAS VEGAS, DC #300773, BOOK 372 OF OFFICIAL RECORDS, AND GENERALLY LOCATED AS BOUNDED ON THE NORTH BY FREMONT, ON THE WEST BY JONES BOULEVARD, ON THE SOUTH BY UPLAND BOULEVARD ~~AND ON THE~~ AND ON THE EAST BY CHARLESTON HEIGHTS TRACT 31-A AND THE CITY OF LAS VEGAS FIRE STATION,

FROM: R-1 (Single Family Residence)

TO: C-1 (Limited Commercial)

Any and all interested persons may appear before the City Planning Commission, either in person or by counsel, and object to or express approval of the proposed reclassification, or may prior to this hearing file with the City Planning Director written objections thereto or approval thereof.

DON J. SAYLOR
Director of Planning

DJS:eb