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AGENDA

CITY PLANNING COMMISSION

FEB 7 12 27 PM '78

FEBRUARY 9, 1978

CITY CLERK

CALL TO ORDER:

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

ROLL CALL:

MINUTES:

Approval of the Minutes from the City
Planning Commission meetings held on
December 20, 1977, and January 8, 1978.

OLD BUSINESS:

1. Z-151-63
PLOT PLAN REVIEW
(Abeyance Item
from 1-24-78)

Plot Plan Review requested by UNITED OUT-
DOOR ADVERTISING COMPANY to allow an off-
premise sign 14' x 48' on property immediately
to the west of the Fremont West Shopping
Center, generally located at the corner of
Jones Boulevard and Clarice Avenue, ROI to C-1.

2. Z-156-77
(Abeyance Item
from 1-24-78)

Application of DEBRA L. BARNES for reclassi-
fication of property located at 5024 Alta
Drive, between Brush Street and Decatur Boule-
vard from R-1 to C-1.
Proposed Use: Photography Studio.

3. Z-155-77
(Abeyance Item
from 1-24-78)

Application of WILLIAM KACHELE & ROBERT
MARTIN for reclassification of property
generally located on the south side of
Bonanza Road, 660 feet east of Page Street
from R-E to R-1.
Proposed Use: Single Family Homes.

4. TENTATIVE MAP
DIAMOND HEAD
(Abeyance Item
from 1-24-78)

Property generally located on the south
side of Bonanza Road, 660 feet east of Page
Street, R-E zone (proposed R-1).
Owner: William Kachele & Robert Martin
Subdivider: Van Buskirk Properties
No. of Acres: 20 No. of Lots: 87

NEW BUSINESS:

1. TENTATIVE MAP
NOVA PARK UNIT #2

Property generally located on the east side
of Pecos Road between Owens Avenue and
Washington Avenue, R-1 zone.
Owner: Harry Gordon
Subdivider: Consolidated Realty & Management
No. of Acres: 10 No. of Lots: 44

2. FINAL MAP
GRANDVIEW HOMES #2

Property generally located on the southwest
corner of East Owens Avenue and Marion Drive,
R-1 zone.
Owner/Subdivider: Desert Sun Company
No. of Acres: 5.533 No. of Lots: 21

3. A-1-78

Petition of Annexation submitted by HALCO,
INC. for property generally located on the
east side of Michael Way between Smoke Ranch
Road and Vegas Drive.

4. STREET NAME CHANGE
ORGAZ COURT to
NACO COURT Request of JOHN MIDBY for a street name change to change ORGAZ COURT to NACO COURT in Rancho Sereno Unit #1.
5. Z-157-77 Application of S. MARTIN AKEYSON, JR. for reclassification of property generally located on the northwest corner of Vegas Drive and Torrey Pines Drive from N-U to R-1, R-3 and C-1.
6. Z-1-78 Application of CHARLES & KAREN BARNES for reclassification of property located at 5028 Alta Drive, on the northeast corner of Alta Drive and Brush Street from R-1 to P-R. Proposed Use: Dentist Office.
7. Z-2-78 Application of STERLING E. & VERLA J. BAWDEN for reclassification of property located at 1128 South Rancho Drive, on the southwest corner of Rancho Drive and Sherman Place from R-1 to P-R. Proposed Use: Professional Office.
8. Z-3-78 Application of ERNEST A. BECKER, ET AL, for reclassification of property generally located on the south side of Smoke Ranch Road between Torrey Pines Boulevard and Maverick Street from R-PD 8 to R-PD 10.
9. Z-4-78 Application of BECKER & SONS for reclassification of property generally located on the west side of Michael Way, 350 feet south of Cheyenne Avenue from R-PD 10 to R-PD 18.
10. Z-100-64 (103)
PLOT PLAN REVIEW PLOT PLAN REVIEW requested by R. J. MARKS to allow conversion from apartments to offices of property located at 726 South Casino Center Boulevard at the northwest corner of Casino Center and Gass Avenue, ROI to C-2.
11. Z-29-76
Z-44-75
PLOT PLAN REVIEW PLOT PLAN REVIEW requested by ZUNI CONSTRUCTION COMPANY, INC. to allow the construction of mini-warehouses on property located at 2001 West Bonanza Road, ROI to C-2 and C-M.
12. Z-55-72
PLOT PLAN REVIEW PLOT PLAN REVIEW requested by JACK E. CASON to allow a service station at the corner of West Sahara Avenue and Tamrich Drive, ROI to C-1.
13. Z-97-76
EXT. OF TIME Request for EXTENSION OF TIME (one-year) by D & F INVESTMENT COMPANY for property generally located on the east side of South 21st Street between Sunrise Avenue and Fremont Street, ROI to C-2. (no previous extensions)
14. Z-22-60
PLOT PLAN REVIEW Plot Plan Review requested by MARION BENNETT YOUTH PROGRAM to allow a training school in the Golden West Shopping Center on the north side of Owens Avenue between "H" and "J" Streets, C-1 zone.

DIRECTOR'S BUSINESS:

1. By-Laws Discussion regarding amending the By-Laws allowing the Chairman to make a Motion.

MINUTES

CITY PLANNING COMMISSION

FEBRUARY 9, 1978

CALL TO ORDER:

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

PRESENT:

Chairman Miller, Mrs. Coleman, Mr. Tiberti, Mr. Guthrie, Mr. Jones and Mr. Swessel

EXCUSED:

Dr. Parker

STAFF PRESENT:

Don J. Saylor, AIP, Director, Department of Community Planning & Development
Don W. Brown, Supervisor of Zoning
Howard A. Null, Supervisor of Planning
Ira John Gardner, Planning Assistant
Linda McIntosh, Recording Secretary

LEGAL STAFF:

Audrey Daines, Deputy City Attorney

MINUTES:

MR. TIBERTI made a Motion for APPROVAL of the minutes of the City Planning Commission meetings held December 20, 1977 and January 12, 1978. Motion for APPROVAL carried unanimously.

OLD BUSINESS:

1. Z-151-63

PLOT PLAN REVIEW

(Abeyance Item
from 1/24/78)

APPROVED

PLOT PLAN REVIEW requested by UNITED OUTDOOR ADVERTISING COMPANY to allow an off-premise sign 14' x 48' on property immediately to the west of the Fremont West Shopping Center, generally located at the corner of Jones Boulevard and Clarice Avenue, ROI to C-1.

MR. BROWN presented the staff report and stated the sign in question is located on open ground. The plot plan did neglect to show the sign, so the applicant had to come in for a plot plan review.

MRS. COLEMAN said she thought the applicant needed a Use Permit.

MR. BROWN agreed and said the applicant had also applied for a Use Permit, but plot plan review is also needed in this case.

BARRY BECKER, 817 Chabot, stated they are the owners of the property and would be leasing the sign out. He added it would be off-premise advertising.

MR. STONE, United Outdoor Advertising, 900 South Commerce, stated the sign could be built under the ordinance on the adjacent property to the east.

MR. TIBERTI asked what type of advertising would be on the sign.

MR. BECKER said it would be general advertising.

MR. JONES made a Motion for APPROVAL of the Plot Plan Review under Z-151-63, subject to the following conditions:

1. Conformance to the plot plan.
2. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

RECEIVED
FEB 28 2 13 PM '78
CITY CLERK

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

2. Z-156-77

(Abeyance Item
from 1/24/78)

APPROVED

Application of DEBRA L. BARNES for reclassification of property located at 5024 Alta Drive, between Brush Street and Decatur Boulevard, from R-1 to C-1.
Proposed Use: Photography Studio

MR. BROWN presented the staff report and stated this item was held in abeyance from the last meeting because the applicant was not present. Staff would recommend approval of the P-R, but not the requested C-1.

KEN FLEMMING, Nevada Properties Realty, stated the P-R was acceptable.

MR. BROWN said that a photography studio was permitted and staff would recommend approval subject to staff approval of the plot plan.

MR. FLEMMING stated they are currently negotiating with the property next door for parking.

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

MR. TIBERTI made a Motion for APPROVAL of Z-156-77, subject to the following conditions:

1. Resolution of Intent to be restricted to a time period of twelve (12) months.
2. Application to be amended to P-R zoning.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Revision of the plot plan to be approved by staff.
7. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

3. Z-155-77

(Abeyance Item
from 1/24/78)

APPROVED

Application of WILLIAM KACHELE & ROBERT MARTIN for reclassification of property generally located on the south side of Bonanza Road, 660 feet east of Page Street from R-E to R-1.
Proposed Use: Single Family Homes

MR. BROWN presented the staff report and indicated the location of the property in question by means of visual aids. He said this had been held in abeyance because the subdivision had not yet been finalized, but that did not preclude rezoning the parcel and staff would recommend approval.

CLYDE SPITZE, VTN-Nevada, said there was no problem with the rezoning, but would like time to work out the tentative map with staff. He said his client was not yet back in town and he would like the subdivision map held.

CHAIRMAN MILLER asked how large the parcel in question is.

MR. SPITZE replied it is 20 acres.

MR. BROWN read the staff stipulations for the rezoning. He said staff would like also to add one additional stipulation. He said the City is finding that sometimes people dedicate right-of-way and don't develop for sometime, then if that road is built, the City does not have the deed to the property, the road comes in before the development and the City has to buy the right-of-way. The City would like to make the stipulation that the deed for such streets be submitted to the City within 60 days.

MR. SPITZE said he could personally see no problem with this, but that he was not able to speak for his clients.

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

MR. JONES made a Motion for APPROVAL of Z-155-77, subject to the following conditions:

1. Dedication of 40 ft. of right-of-way on Marion Drive within 60 days after approval of the zoning.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

4. TENTATIVE MAP

DIAMOND HEAD

(Abeyance Item
from 1/24/78)

ABEYANCE

Property generally located on the south side of Bonanza Road, 660 feet east of Page Street, R-E zone (proposed R-1).

Owner: William Kachele & Robert Martin
Subdivider: Van Buskirk Properties
No. of Acres: 20 No. of Lots: 44

MRS. COLEMAN made a Motion for ABEYANCE of the Tentative Map of Diamond Head.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

NEW BUSINESS:

1. TENTATIVE MAP

NOVA PARK UNIT #2

APPROVED

Property generally located on the east side of Pecos Road between Owens Avenue and Washington Avenue, R-1 zone.

Owner: Harry Gordon

Subdivider: Consolidated Realty & Management

No. of Acres: 10

No. of Lots: 44

MR. NULL presented the staff report and stated staff would recommend there be no vehicular access to Pecos Street from the abutting lots; a wall maintenance statement be included, and with the normal conditions, would recommend approval.

MR. TIBERTI made a Motion for APPROVAL of the Tentative Map of Nova Park Unit #2, subject to the following conditions:

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve months of approval of the tentative map, a new tentative map must be filed. If a final map is recorded within twelve months of the approval of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
2. There shall be no vehicular access to Pecos Street from the abutting lots.
3. If a wall is constructed on an exterior boundary street, the CC&R's shall contain wording to the effect that each property owner of a lot backing up to said wall shall be responsible for the continued maintenance of the exterior side of the wall and the ground area at the exterior base of the wall.
4. Street names to be provided in accord with the City's Street Name Policy.
5. Subject to all conditions of City departments and State Subdivision Statutes.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

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

2. FINAL MAP

GRANDVIEW HOMES #2

APPROVED

Property generally located on the southwest corner of East Owens Avenue and Marion Drive, R-1 zone.

Owner/Subdivider: Desert Sun Company

No. of Acres: 5.533

No. of Lots: 21

MR. NULL presented the staff report and stated the plat in question is in substantial conformity with the tentative map and staff would recommend approval with the normal conditions.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Grandview Homes #2, subject to the following conditions:

1. Street names shall be provided in accord with the City's Street Name Policy.
2. Subject to code requirements and design standards of all City departments.

3. Meet the requirements of State Subdivision Statutes.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

3. A-1-78

ABEYANCE

Petition of Annexation submitted by HALCO, INC. for property generally located on the east side of Michael Way between Smoke Ranch Road and Vegas Drive.

MR. NULL presented the staff report and stated the area in question is east of the developed area of the City. It is approximately 20 acres in size and has County R-E zoning. There has been a request for a zone change to R-D which permits 3 units per acre in the County. It is shortly going before the County Planning Commission.

CHAIRMAN MILLER asked if the annexation petition was approved, it would need the City Commission approval also.

MR. NULL replied that was correct.

CHAIRMAN MILLER asked if the applicant or a representative was present.

The applicant or a representative was not present.

MR. JONES made a Motion for ABEYANCE of A-1-78.

Voting was as follows:

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

Motion for ABEYANCE carried by a majority vote.

4. STREET NAME CHANGE

ORGAZ COURT to
NACO COURT

APPROVED

Request of JOHN MIDBY for a street name change to change ORGAZ COURT to NACO COURT in Rancho Sereno Unit #1.

MR. NULL presented the staff report and stated the street in question is located in Rancho Sereno and the developer wishes to change the name. Staff has no objection to this.

MRS. COLEMAN made a Motion for APPROVAL of the Street Name Change from ORGAZ COURT to NACO COURT.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

5. Z-157-77

APPROVED

Application of S. MARTIN AKEYSON, JR. for reclassification of property legally described as the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 23, Township 20 South, Range 60 East, MDB&M and generally located on the northwest corner of Vegas Drive and Torrey Pines Drive, from N-U (Non-Urban) to R-1 (Single Family Residence), R-3 (Limited Multiple Residence) and C-1 (Limited Commercial).

MR. BROWN presented the staff report and stated to the east is County R-E, to the north and west is County R-E. To the south is one parcel of resolution of intent to C-1,

there is a strip of R-3 to the west and R-1 to the south. Included in the plot plan is a little parcel owned by the Las Vegas Valley Water District. Staff would recommend this be included in the recommendation to the City Commission in view of the fact the Water District did not sign off on this application. Staff would not argue with the R-1, but feel there is no necessity for the R-3 and C-1 and would recommend the area be zoned totally R-1.

CHAIRMAN MILLER declared the public hearing open.

BARRY BECKER, 817 Chabot, stated he was representing the applicant with whom he would be developing the property. He added one of the main reasons for zoning of the total area is that it seems much harder to zone ground once it is developed with R-1. He said they would like to do it now so the plot plan in the sales complex would show the various zones and people would be aware of it. He said as the area developed, the R-3 would be a buffer between the commercial and the R-1. He asked if a piece of ground on the southwest corner of Vegas Drive and Torrey Pines has not been zoned commercial.

MR. BROWN replied that it had and that was why they felt no more commercial was necessary across the street.

MR. MILLER asked how large the commercial would be.

MR. BROWN said it was about 400 square feet.

MRS. COLEMAN asked if the 10-acre approved commercial belong to Beckers.

MR. BECKER replied that it was owned by Ernie Lied.

MR. TIBERTI asked if there would be a time limit.

MR. BROWN said the resolution of intent would be for one year.

MRS. COLEMAN asked how much R-3 was planned.

MR. BECKER said 14 acres.

CHAIRMAN MILLER asked what kind of time limit there was with regard to the project.

MR. BECKER said the R-1 would be developed this summer and after that the R-3 would be developed. He added they would not develop to the total density allowed.

MR. GUTHRIE asked what the intent was with regard to the R-3.

MR. BECKER said he was not sure. In the past they did sell some lots suitable for four-plexes.

MRS. COLEMAN asked if there was a demand for this in the subject location.

MR. BECKER said yes, the area is less than 1/2 mile from the Rainbow Freeway and other major arterials. There is presently quite a bit of development in that area.

CHAIRMAN MILLER asked if he agreed to staff conditions.

MR. BECKER replied that he did with the exception of the total R-1 zoning recommendation.

MR. BROWN stated that should this be approved, staff would recommend the plot plan be revised.

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

MR. SWESSEL made a Motion for APPROVAL of Z-157-77, subject to staff recommendation of total R-1 zoning.

Voting was as follows:

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

Motion failed to carry.

CHAIRMAN MILLER made a Motion for APPROVAL of Z-157-77, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Dedication of 40 ft. on both Torrey Pines and Vegas Drive within 60 days after approval of the zoning.
3. Submission and approval of a plot plan for the R-3 and C-1 portion of this property prior to development.
4. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried by a majority vote.

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

6. Z-1-78

APPROVED

Application of CHARLES & KAREN BARNES for reclassification of property legally described as Lot 10, Block 1, Charleston Heights Tract #7, and located at 5028 Alta Drive, on the northeast corner of Alta Drive and Brush Street, from R-1 (Single Family Residence) to P-R (Professional Offices & Parking).

Proposed Use: Dentist Office

MR. BROWN presented the staff report and stated the plot plan as submitted is acceptable. The parking is proper and is located in the right places. Staff would recommend approval to P-R zoning.

CHAIRMAN MILLER declared the public hearing open.

CHAIRMAN MILLER asked if there wasn't a place the Planning Department wanted to see this type of zoning stop.

MR. BROWN replied this is the place. Across the street is one more lot compatible to P-R zoning and the line should be drawn there.

DEAN WELSH, Nevada Properties Realty, was present representing the applicant. He said they were going to approach the owner of the proposed photo studio to eliminate the fence between the two properties and provide adequate joint parking for both places.

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

MR. TIBERTI made a Motion for APPROVAL of Z-1-78, subject to the following conditions:

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

7. Z-2-78

DENIED

Application of STERLING E. & VERLA J. BAWDEN for reclassification of property legally described as Lot 15, Block 3, McNeil Tract #3 and located at 1128 South Rancho Drive, on the southwest corner of Rancho Drive and Sherman Place, from R-1 (Single Family Residence) to P-R (Professional Offices & Parking).

Proposed Use: Professional Office

MR. BROWN presented the staff report and stated the property in question was located in the middle of an R-1 district. Across the street on Charleston, 2 lots north, is C-D and C-1 zoning. R-E is across the street east and R-1 surrounding the area. Late this afternoon and tonight, several letters of protest have been received for a total of 19 letters of protest and 19 signatures. Staff would add its protest as it sees no point into encroaching into an R-1 area with a professional district. It would be spot zoning and staff would recommend denial.

CHAIRMAN MILLER declared the public hearing open.

WILL STODDARD, 309 South Third, was present representing Mr. Bawden of Arlee, Montana. He said the house as it now exists is a white elephant. He added the landscaping would be left the same. He said the proposed zoning required 7 parking places and they proposed 16, fourteen of them being in the backyard and two in front. Ingress and egress would be strictly off Rancho and would not interfere with the residential neighborhood. Rancho Drive directly in front of the house is four lanes wide, going into two lanes. The applicant has not been able to sell the property for residential use for one year because of the noise and traffic. There is commercial zoning in the area and a service station is directly north of the property. He said that this was an area that was bound to go P-R.

MR. SWESSEL asked how long the applicant had owned the property.

STERLING BASEDEN, Arlee, Montana, said he had owned the property since 1970 and had lived in the house for 5 years. A friend has been living there to keep it up for the past year.

CHAIRMAN MILLER asked those present in opposition to stand. Approximately 20 persons were present in protest.

ROGER BILBRAY, representing Jack Soules, presented a petition with 18 signatures. He stated that with regard to the subject property, there are deed restrictions which would preclude the property being rezoned for professional use. One clause restricts all building to residential. The second clause said that the first clause was effective until January, 1979.

MICHAEL KIRSH, 2324 Sherman, appeared in protest. He said they had protested the school which was approved, but that this would be worse.

CHARLES DEANER, 1208 Westlund, appeared in protest.

DAN MOSLEY, 1127 Westland, appeared in protest.

DAN HUSSEY, 1131 Beuhler Drive, appeared in protest.

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

MR. TIBERTI made a Motion for DENIAL of Z-2-78 as it was felt P-R zoning would not be compatible in this area.

Voting was as follows:

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

Motion for DENIAL carried unanimously.

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

8. Z-3-78

APPROVED

Application of ERNEST A. BECKER, ET AL, for reclassification of property legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$) of Section 23, Township 20 South, Range 60 East, MDB&M and generally located on the south side of Smoke Ranch Road between Torrey Pines Boulevard and Maverick Street, from R-PD 8 (Residential Planned Development to R-PD 10 (Residential Planned Development).

MR. BROWN presented the staff report and stated to the east is R-PD 8. If the purpose of this request is to decrease the frontage of the lots from 35' to 30', staff would be opposed and does not see the necessity of increasing two dwelling units per acre.

CHAIRMAN MILLER declared the public hearing open.

BARRY BECKER, 871 Chabot, stated the property immediately west of the subject property has 30' lots and there is a program of single family homes on those lots and they are requesting the increase to R-PD 10 so this program can be continued. The plans are into the VA and FHA and they are in the process of securing the financing. There have been several favorable comments on the plans.

MRS. COLEMAN stated they have not built any 30' lots yet.

MR. BECKER replied they have not, but that plans have been completed and submitted for financing. They will be built with Tri State Development.

MR. GUTHRIE asked how large the area in question is.

MR. BROWN replied it is 500' x 600'.

MRS. COLEMAN stated that two units on their respective 30' lots would be less than a R-1 lot. She asked how they would get to their backyard.

MR. BECKER replied there is a 5' setback on one side.

MR. JONES asked if this same basic design had not been approved in November.

MRS. COLEMAN replied on one, but it had not yet been built.

MR. BECKER described the proposed dwelling unit and plot plan.

MR. GUTHRIE asked how the house would be laid out on a 35' lot.

MR. BECKER said it would be almost identical.

MR. BROWN stated that with 35' lots, there is parking on the street, whereas with 30' lots, there is no parking on the street.

MR. BECKER said that between each house there would be room for one space and there would be two spaces on each lot.

MR. BROWN said R-PD standards require a minimum of three spaces.

MRS. COLEMAN asked how many units were planned.

MR. BECKER replied thirty-two.

MR. TIBERTI asked if they would be contiguous.

MR. BECKER replied that they would.

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

MR. TIBERTI made a Motion for APPROVAL of Z-3-78, subject to the following conditions:

1. Dedication of 50 ft. on Smoke Ranch Road within 60 days after approval of the zoning.

Voting was as follows:

"AYES" Mr. Miller, Mrs. Coleman, Mr. Tiberti,
Mr. Guthrie and Mr. Swessel

"NOES" Mr. Jones

Motion for APPROVAL carried by a majority vote.

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

9. Z-4-78

APPROVED

Application of BECKER & SONS for reclassification of property legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 13, Township 20 South, Range 60 East, MDB&M and generally located on the west side of Michael Way, 350 feet south of Cheyenne Avenue, from R-PD 10 (Residential Planned

Development) to R-PD 18 (Residential Planned Development).

MR. BROWN presented the staff report and stated the zoning of this whole area has been accomplished except for the one strip across the middle, the R-PD 10 and in concert with the way the City Commission worked this out for Mr. Becker and Mr. Saylor at the last meeting, R-PD 18 is needed in this strip to complement the R-3 and R-1 and staff would recommend approval.

CHAIRMAN MILLER declared the public hearing open.

BARRY BECKER, 871 Chabot, stated this is the same type of development they have been getting involved in with the Planned Unit Development with four unit buildings sold as townhouses or condominiums, and all joined together with landscaping or a community association.

MR. BROWN said that staff would recommend that a 10' setback be required for all buildings on the periferal streets as well as in between the buildings.

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

MR. TIBERTI made a Motion for APPROVAL of Z-4-78, subject to the following conditions:

1. Dedication of 50 ft. right-of-way on Cheyenne Avenue and 40 ft. on Michael Way within 60 days after approval of the zoning.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

10. Z-100-64 (103)

APPROVED

PLOT PLAN REVIEW requested by R.J. MARKS to allow conversion from apartments to offices of property located at 726 South Casino Center Boulevard at the northwest corner of Casino Center and Gass Avenue, ROI to C-2.

MR. BROWN presented the staff report and stated the plot plan which has been submitted is acceptable. There is adequate parking next to the alley including a drive from Casino Center and parking in the front. Staff sees no need for the parking in the front and has talked to the owner and she has indicated it is not necessary if she had adequate parking in the rear, which she does. Staff would recommend approval subject to deletion of the parking and drive in the front yard.

MR. JONES made a Motion for APPROVAL of the Plot Plan Review under Z-100-64 (103), subject to the following conditions:

1. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.

3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the plot plan to reflect the above conditions.
5. Securing all necessary permits and licenses and satisfaction of City code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

11. Z-29-76
Z-44-75

PLOT PLAN REVIEW

APPROVED

PLOT PLAN REVIEW requested by ZUNI CONSTRUCTION COMPANY, INC. to allow the construction of mini-warehouses on property located at 2001 West Bonanza Road, ROI to C-2 and C-M.

MR. BROWN presented the staff report and stated the plot plan, as submitted, is in order. There is adequate parking and staff would recommend there be planting along the Freeway of Arizona Cypress.

BOB SCOTT, Zuni Construction, agreed to staff stipulations.

MR. JONES made a Motion for APPROVAL of the Plot Plan Review under Z-29-76 and Z-44-75, subject to the following conditions:

1. Arizona Cypress trees to be planted along the south property line abutting the freeway as required by the Department of Community Planning and Development.
2. Conformance to the plot plan to reflect the above condition.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

12. Z-55-72

PLOT PLAN REVIEW

APPROVED

PLOT PLAN REVIEW requested by JACK E. CASON to allow a service station at the corner of West Sahara Avenue and Tamrich Drive, ROI to C-1.

MR. BROWN presented the staff report and indicated the location of the property in question, and existing zoning in the area. The plot plan, as shown, complies with everything. Staff recommended screening on four sides. Everything is in order and staff would recommend approval.

JACK CASON, 3200 Ashby, agreed to staff conditions.

MR. SWESSEL made a Motion for APPROVAL of the Plot Plan Review under Z-55-72, subject to the following conditions:

1. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning

Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

2. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
3. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
4. Conformance to the plot plan to reflect the above conditions.
5. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

13. Z-97-76

EXTENSION OF TIME

APPROVED

Request for EXTENSION OF TIME (one-year) by D&F INVESTMENT COMPANY for property generally located on the east side of South 21st Street between Sunrise Avenue and Fremont Street, ROI to C-2. (No previous extensions).

MR. BROWN presented the staff report, indicated the location of the property, and stated staff would recommend approval of the request.

MR. TIBERTI made a Motion for APPROVAL of the Extension of Time requested under Z-97-76, subject to the following conditions:

1. Extension of time to be limited to one year
2. All requirements imposed by ordinances adopted subsequent to the initial approval of this application shall be adhered to.
3. Subject to all conditions of approval imposed on Z-97-76 at the time of the initial zoning.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

14. Z-22-60

PLOT PLAN REVIEW

APPROVED

PLOT PLAN REVIEW requested by MARION BENNETT YOUTH PROGRAM to allow a training school in the Golden West Shopping Center on the north side of Owens Avenue between "H" and "J" Streets, C-1 zone.

MR. BROWN presented the staff report and stated as he understood, this would be a training arrangement for youths to build cabinets. The new materials are going to be donated by a general contractor who will take the finished cabinets after that, so it is strictly a training proposal and staff would recommend approval.

MRS. COLEMAN made a Motion for APPROVAL of the Plot Plan Review under Z-22-60, subject to the following conditions:

1. Securing all necessary permits and licenses and satisfaction of City code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

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

DIRECTOR'S BUSINESS:

1. By-Laws

DENIED

Discussion regarding amending the By-Laws to allow the Chairman to make a Motion.

MRS. COLEMAN read a prepared statement to the Commission, wherein she discussed the proposal for the Chairman being permitted to make a motion. She stated that she felt the abuse of this right represented some danger to the dignity of the Commission, she had decided to do some research on the matter. This research delved into parliamentary law. Historically, the chairman has not had the right to make a motion, but only to preside over or to introduce a matter. Mrs. Coleman then made a motion for DENIAL of the proposed By-Laws amendment, and stated further, should this not be ratified, the Commission should seriously consider the inclusion into the By-Laws of an uncomplicated method for removal of the chairman by a simple majority vote if abuse of this power should occur. She added she disagreed with the opinion rendered by the Deputy City Attorney as it set on precedent set by County government and a broad interpretation of implications contained in the present By-Laws and not on parliamentary law.

CHAIRMAN MILLER stated he appreciated Mrs. Coleman's concern, but that he had particularly had this matter brought up because he did not want to relinquish his right on something that he felt strong enough about.

MR. TIBERTI said that over the 25 years he had been a member of the Commission, the chairman had never made a motion.

CHAIRMAN MILLER reiterated his comments he did not wish to relinquish his right to make a motion, and said if he couldn't make a motion, he no longer wanted to be chairman.

MR. JONES stated he could relinquish the chair at anytime he wished to make a motion as a commissioner, and not as the chairman.

CHAIRMAN MILLER stated he just wanted the matter clarified in case something did come up where he would want to make a motion.

MRS. COLEMAN called for the question on the motion.

Voting was as follows:

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

Motion for DENIAL carried unanimously.

ADJOURNMENT:

There being no further business to come before the City
Planning Commission, the meeting was adjourned at 9:15 P.M.

DEPARTMENT OF COMMUNITY PLANNING
& DEVELOPMENT



DON J. SAYLOR, AIP, DIRECTOR

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