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CITY PLANNING COMMISSION

AUG 6 1979

AUGUST 9, 1979

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

ROLL CALL:

ANNOUNCEMENT: Satisfaction of Open Meeting Law

OLD BUSINESS:

1. TENTATIVE MAP
CASA DEL SOL
(Abeyance Item from 7/12/79)
Property generally located on the southeast corner of O'Bannon Drive and Edmond Street, R-4 zone.
Owner/Subdivider: Emerson Development
No. of Acres: 6.06 No. of Lots: 148
2. FINAL MAP
CASA DEL SOL
CONDOMINIUMS
(Abeyance Item from 7/12/79)
Property generally located on the southeast corner of O'Bannon Drive and Edmond Street, R-4 zone.
Owner/Subdivider: Emerson Development
No. of Acres: 6.06 No. of Lots: 148
3. Z-73-79
(Abeyance Item from 7/12/79)
Application of ROBERT AND KAREN PEDERSON, ET AL for reclassification of property generally located 330 feet west of Torrey Pines Drive between Tina Lane and Ann Road, from R-E to R-PD2.
Proposed Use: Detached Single Family Residences

NEW BUSINESS:

1. TENTATIVE MAP
RIDGEMOUNT
UNIT 3
Property generally located at the southwest corner of Washington Avenue and Michael Way, R-1 zone (under resolution of intent to R-PD7).
Owner: Thomas Beam
Subdivider: Ultima Homes, Inc.
No. of Acres: 20 No. of Lots: 145
2. VAC-15-79
Petition of Vacation submitted by CHARLES TARR, JR., ET AL to vacate the easterly 20 feet of Pecos Street, commencing at Johnson Avenue and extending southerly 330 feet.
3. VAC-16-79
Petition of Vacation submitted by THE CITY OF LAS VEGAS to vacate a 20 ft. wide alley generally located north of West Charleston Boulevard, 100 feet west of Sproul Court and 685 feet east of Antelope Way.
4. A-10-79(A)
Petition of Annexation submitted by LEWIS HOMES OF NEVADA to annex property generally located at the southwest corner of O'Bannon Drive and Torrey Pines Drive, containing approximately twenty-nine acres of land.

5. PROPOSED LAND USE PLAN - SPECIAL ACTIVITY CENTER
 Proposed Land Use Plan for the Special Activity Center Area bounded by Alta, Highland, Charleston, and Rancho reflecting the expansion of the medical facilities and private developments in the area, and indicating the proposed transition areas. (The transition areas are projected to change to another land use in the future.)
6. Z-8-79
 Application of ABE AND EVELYNE FOX, TRUSTEES for reclassification of property generally located at the northeast corner of Sahara Avenue and Spencer Street, from R-1 and R-2 to C-1.
 Proposed Use: Shopping Center
7. Z-75-79
 Application of GARY L. POPE, ET AL for reclassification of property located at 4995 Harris Avenue, from R-E to C-1.
 Proposed Use: Commercial Child Care Facility
8. Z-76-79
 Application of BEDFORD CONSTRUCTION COMPANY for reclassification of property generally located on the west side of Decatur Boulevard between Oakey Boulevard and Mountain View Drive, from R-1 and R-3 to C-1 and R-PD21.
 Proposed Use: Shopping Centers and Medium High Density Apartments
9. Z-77-79
 Application of DAVID A. REYNER for reclassification of property located at 1206 South Maryland Parkway, from C-D to P-R.
 Proposed Use: Office
10. Z-78-79
 Application of BOBBY R. AND E. P. SCOTT for reclassification of property located at 1611 West Bonanza Road, from R-E to C-2.
 Proposed Use: Business Office and Commercial Storage Units
11. Z-79-79
 Application of THOMAS J. McINTYRE for reclassification of property located at 701 North Eastern Avenue, from R-1 to C-1.
 Proposed Use: Retail Stores
12. Z-80-79
 Application of JOHN E. KENNEY, JR. for reclassification of property generally located at the southeast corner of Bonanza Road and Pecos Road, from C-1 to R-4 and R-1, and from R-1 to R-4.
 Proposed Use: High Density Apartments and Detached Single Family Residences
13. Z-81-79
 Application of EDWARD DeSANTIS, ET AL for reclassification of property located at 1713 South Eastern Avenue, from R-1 to P-R.
 Proposed Use: Office

14. Z-82-79 Application of JAMES G. POTTER, ET AL for reclassification of property generally located on the south side of Philadelphia Street, 175 feet west of Commerce Street, from R-4 to C-2.
Proposed Use: Efficiency Apartments
15. Z-83-79 Application of ROBERT E. HORNER, ET AL for reclassification of property located at 1823 West Charleston Boulevard, from R-E to C-1.
Proposed Use: Medical Offices
16. Z-84-79 Application of JAMES J. BROWN, ET AL for reclassification of property located at 826 East Charleston Boulevard, from R-4 to C-1.
Proposed Use: Gift Shop and Office
17. Z-85-79 Application of MOREY AMSTERDAM for reclassification of property generally located at the northwest corner of Luning Drive and Vegas Drive, from R-E to R-1 and R-T.
Proposed Use: Mobile Home Park and Detached Single Family Residences
18. Z-86-79 Application of MARY LEE JOHNSON for reclassification of property located at 824 West Washington Avenue, from R-1 to R-3.
Proposed Use: Duplex and Single Family Residence
19. Z-87-79 Application of ROBERT AND KAREN PEDERSON, ET AL for reclassification of property generally located 250 feet west of Torrey Pines Drive, between Tina Lane and Ann Road, from R-E to R-PD2.
Proposed Use: Detached Single Family Residences
20. Z-73-77
Extension
of Time Request of CHRISTINA M. HIXSON, ET AL for a one year Extension of Time on property generally located on the north side of Bonanza Road between Pecos Road and Sandhill Road, under resolution of intent to R-1, R-3, and C-1.
21. Z-143-77
Reinstatement
and Extension
of Time Request of ROSEMARY PITCH for a Reinstatement of a resolution of intent to P-R and an Extension of Time on property located at 1325 Maryland Parkway, R-1 zone.
22. Z-49-78
Extension
of Time Request of ROBERT F. ROBBINS for an Extension of Time on property generally located on the southwest corner of Desert Lane and Kenyon Place, R-2 zone (under resolution of intent to R-3).

23. Z-68-78
Extension
of Time

Request of ROBERT F. ROBBINS for an Extension
of Time on property located at 4979 and 4999
East Owens Avenue, R-2 zone (under resolution
of intent to R-3).

DIRECTOR'S BUSINESS:

1. By-Law Amendment Adoption of amendment on voting procedure
to the By-Laws.
2. New Residential Development and Subdivision Activity for the first
six months of 1979.
3. Subdivision Proposed amendment regarding time limits for
Ordinance tentative maps.
Amendment

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MINUTES

CITY PLANNING COMMISSION

AUGUST 9, 1979

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

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

EXCUSED: Mr. Guthrie

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

LEGAL STAFF PRESENT: Chris Gellner, Deputy City Attorney

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

OLD BUSINESS:

1. TENTATIVE MAP
CASA DEL SOL
(Abeyance Item from 7/12/79)
APPROVED

Property generally located on the southeast corner of O'Bannon Drive and Edmond Street, R-4 zone.
Owner/Subdivider: Emerson Development
No. of Acres: 6.06 No. of Lots: 148

MR. BROWN stated this item was held in abeyance because of a tie vote previously. The request is to convert apartments to condominiums. The guidelines in the R-PD were not met with the 3/1 parking ratio. Since this was originally considered, additional studies have been conducted of the vacant spaces and staff has come to the conclusion that due to the many vacant spaces, the normal ratio for parking spaces to units should be deviated from on this project.

LEO DURANT, 2487 E. El Paseo, represented the application. He stated an additional study was done during July and 70 spaces were found to be available. Also, no parking signs have been posted on O'Bannon and there has been no parking on that street since that time.

MRS. COLEMAN asked if the apartments were totally occupied.

MR. DURANT replied they were. He added there are 56 1-bedroom apartments, 52 2-bedroom, 1-bath apartments and 28 2-bedroom 2-bath apartments, and 12 3-bedroom, 2-bath units.

He added that 108 of the units are 1-bath, consisting of 73% of the total units.

MR. JONES suggested that if the units were sold, there would be more vehicles per unit.

MR. DURANT stated he did not think that would happen and that approximately 30% of the current tenants have asked to buy.

DAVE WEIR stated the key is the number of one bath units. These units would only be singles or married couples, not having more than two cars.

MR. MILLER made a Motion for APPROVAL of the Tentative Map of Casa Del Sol, subject to the following conditions:

1. Approval of the tentative map shall be for no more than twelve (12) months. If a final map, or a series of final maps is/are not recorded on all of the area embraced by the tentative map within the twelve (12) months of the approval of the tentative map, or an extension of time up to one year, is not granted for the tentative map, a new tentative map must be filed.
2. Street names to be provided in accord with the City's Street Name Policy.
3. Subject to all conditions of City departments and State Subdivision Statutes.

Voting was as follows:

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

Motion for APPROVAL carried by a 4/2 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

2. FINAL MAP

CASA DEL SOL
CONDOMINIUMS

(Abeyance Item
from 7/12/79)

APPROVED

Property generally located on the southeast corner of O'Bannon Drive and Edmond Street, R-4 zone.

Owner/Subdivider: Emerson Development
No. of Acres: 6.06 No. of Lots: 148

MR. BROWN stated this is the final map of the tentative map just considered. Staff would recommend approval in light of the approval of the tentative map.

MR. MILLER made a Motion for APPROVAL of the Final Map of Casa Del Sol Condominiums, subject to the following conditions:

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

Voting was as follows:

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

Motion for APPROVAL carried by a 4/2 vote.

3. Z-73-79.

(Abeyance Item
from 7/12/79)

WITHDRAWN

Application of ROBERT AND KAREN PEDERSON, ET AL, for reclassification of property generally located 330 feet west of Torrey Pines Drive between Tina Lane and Ann Road, from R-E to R-PD2.
Proposed Use: Detached Single Family Residences

MR. BROWN stated this item was held in abeyance because the applicant did not have the 5 acres. The applicant now has more land and this will be considered under a new application. Staff would recommend the withdrawal be approved.

MRS. COLEMAN made a Motion for APPROVAL of the Withdrawal of Z-73-79.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. TENTATIVE MAP

RIDGEMOUNT UNIT 3

APPROVED

Property generally located at the southwest corner of Washington Avenue and Michael Way, R-1 zone (under resolution of intent to R-PD7).

Owner: Thomas Beam

Subdivider: Ultima Homes, Inc.

No. of Acres: 20 No. of Lots: 145

MR. BROWN presented the staff report and stated because the application submitted has some major revisions staff would recommend approval subject to the corrections required by staff. The applicant agrees with this recommendation.

MR. JONES made a Motion for ABEYANCE of the Tentative Map of Ridgemount Unit 3 pending corrections required by staff.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

VAC-15-79

APPROVED

Petition of Vacation submitted by CHARLES TARR, JR., ET AL, to vacate the easterly 20 feet of Pecos Street, commencing at Johnson Avenue and extending southerly 330 feet.

MR. BROWN presented the staff report and stated the reason for the vacation is that the right-of-way for Pecos will change on south. Staff would recommend approval with the normal conditions.

CHARLES TARR and ARGYRIOS GIZAS represented the application and agreed to staff stipulations.

MR. JONES made a Motion for APPROVAL of VAC-15-79, subject to the following conditions:

1. Satisfaction of the requirements of the various utility companies.
2. Conformance to Code requirements and design standards of all City departments.
3. Vacation shall not be recorded until all of the above conditions have been met.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on August 15, 1979 at 2:00 P.M. at which time a date for public hearing would be set.

VAC-16-79

DENIED

Petition of Vacation submitted by THE CITY OF LAS VEGAS to vacate a 20 ft. wide alley generally located north of West Charleston Boulevard, 100 feet west of Sproul Court and 685 feet east of Antelope Way.

MR. BROWN presented the staff report and stated at the last meeting a vacation was granted for a small piece of this alley behind Block 44. At that time, discussion was had regarding the retention of a deadend alley. The thinking was the remaining area should be vacated. Staff would concur with the recommendation of vacation in view of the fact it is a deadend alley that serves no function subject to the normal conditions. There is 1 letter of protest.

MR. THOMPSON, Sproul Homes, protested the vacation of the alley. He stated the City has never maintained the alley and Sproul does not want it back as they would have to maintain it.

MRS. COLEMAN asked if the lots abutting this alley are occupied.

MR. THOMPSON replied that they are.

MR. BROWN stated that the land would revert to the home owners on the north and south.

MR. THOMPSON stated with regard to five homes, the property owners would have to go to great expense to move the existing block walls to incorporate this land into theirs.

MR. MILLER made a Motion for DENIAL of VAC-16-79.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on August 15, 1979 at 2:00 P.M. at which time a date for public hearing would be set.

4. A-10-79(A)

APPROVED

Petition of Annexation submitted by LEWIS HOMES OF NEVADA to annex property generally located at the southwest corner of O'Bannon Drive and Torrey Pines Drive, containing approximately twenty-nine acres of land.

MR. BROWN presented the staff report and stated the abutting County zoning is R-E. The property in question is now zoned County R-E. If it comes into the City, it will come in under N-U zoning. There has been comment as to how it will be zoned once it comes into the City. Staff would recommend approval.

NICK DAINE, Lewis Homes, represented the application.

DON DAVIDSON, 1919 Casa Vista, appeared in protest. He stated he represented the Wildwood Home Owners Association and had a six page protest which represented 40 homes and 58 people. He stated the petition did not meet the requirements of the annexation law, which requires more than one lot to be annexed. He stated the existing sewer could not serve this area adequately and that there had been no environmental study. The Police Department said they could not police this area if it is annexed as did the Fire Department. He added this annexation will create serious problems and the residents wished the area to remain R-E zoned.

JOHN MARLIN appeared in protest.

BOB SULLENBERGER, 1853 Redrock Street, appeared in protest.

BOB McNUTT, 825 Falcon Lane, stated that the sewer would be adequate for everything north of Sahara, and that this area should be part of the City of Las Vegas.

MR. DAINE appeared in rebuttal and stated the request is for annexation, not rezoning. If a request is made for rezoning on this property, a public hearing would have to be held.

MR. BROWN stated there is a letter of intent on file for residential development on this property in 12 months.

MRS. COLEMAN made a Motion for APPROVAL of A-10-79(A).

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

5. PROPOSED LAND USE PLAN - Proposed Land Use Plan for the Special Activity Center bounded
SPECIAL ACTIVITY CENTER by Alta, Highland, Charleston and Rancho reflecting the expansion
of the medical facilities and private developments in the area,
and indicating the proposed transition areas. (The transition
ABEYANCE areas are projected to change to another land use in the future.)

MR. FOSTER stated the original purpose of this study was to determine if any of the areas within the area designed could be placed under resolution of intent. Staff has found that only one small portion could be placed under resolution of intent. When this matter originally went before the City Commission, it was determined this study should go further and be made a part of the City's Master Plan. All the property owners have been notified of this hearing. Staff has heard from some property owners in the area to determine if this is a zone change or a general land use plan, which it is. This will serve as a guide for future rezoning requests. The proposed plan was described in detail. This plan will have no bearing on future acquisition of property by the public agencies in the area. The transition area means staff feels this area will change to a different land or zoning use sometime in the future. Staff does have a petition from property owners north of Valerie extending to Pinto. They feel the transition area should include them because of their nearness to Valley Hospital and approved P-R zoning. Staff feels this may have merit, but not at this time.

JOE TEMPLE, 6814 West Calberra, speaking for Mrs. Hartwell of 1604 Hastings, stated the property in question is in the area of NIC. He asked if the NIC had the power to condemn this property.

MRS. COLEMAN replied that was true.

MR. TEMPLE asked if as private owners, they would have a chance to develop their property for professional use. He added

that Mrs. Hartwell wished to live at this address as long as possible. And, NIC has been appraising property.

MRS. COLEMAN stated that if they waited, they could come to terms and the property could be aquired that way.

MR. TEMPLE asked if it would be for the fair market price.

MR. FOSTER stated it would for the existing zoning.

MR. TEMPLE asked if anyone knew of NIC's plans for the future.

MRS. COLEMAN stated that they had said they would continue and that NIC had bought her property and given her a reasonable time to get out.

PAT TEMPLE, 6814 West Correra, stated that three houses had been purchased and had fallen to pieces.

MR. FOSTER stated that is between the property owners and NIC. The City is not involved.

BOB McNUTT stated if this plan is adopted, it will give the State an aid for assisting in the condemnation of property.

JACK BOSS, owner of 1916 Pinto Lane, residing at 1014 Hazard, stated he would be surrounded by this property, and that his property is zoned R-E. He stated there is already a parking problem.

MR. FOSTER stated that staff did build in protections with the intent this property would remain residential for many years.

MR. BOSS stated he did not agree.

VIRGINIA LEWIS, Desert Lane, stated she did not object to the proposed plan.

BETTY LUTRELL, 1522 Hastings, asked for clarification of the matter under discussion.

CHAIRMAN SWESSEL stated it is the proposed land use for the area and that the property owners input was being sought.

MS. LUTRELL stated that should not be done right away.

CHAIRMAN SWESSEL asked for a show of hand of those present to discuss this item. Approximately 45 people were present.

CHAIRMAN SWESSEL, after a discussion, stated that this item would be held in ABEYANCE for a Special Meeting to consider this matter only. He ordered the property owners be renotified as to the date and time by staff.

RECESS:

CHAIRMAN SWESSEL declared the 5-minute recess at 8:45 P.M. and reconvened the meeting at 8:50 P.M.

6. Z-82-79

REMOVED FROM AGENDA

Application of JAMES G. POTTER, ET AL, for reclassification of property generally located on the south side of Philadelphia Street, 175 feet west of Commerce Street, from R-4 (Apartment Residence) to C-2 (General Commercial). The above property is legally described as Lots 8 through 11 inclusive, Block 6, Meadows Addition.

Proposed Use: Efficiency Apartments

MR. BROWN stated this application was submitted in error and cannot be heard until September because it was heard in March and the applicant must wait eight months. The applicant and objectors have so been notified.

MR. MILLER made a Motion to REMOVE FROM THE AGENDA Item Z-82-79.

Voting was as follows:

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

"NOES" None

Motion carried unanimously.

MR. BROWN then read the normal conditions for any approved rezoning requests heard at this meeting.

7. Z-8-79

ABEYANCE

Application of ABE AND EVELYNE FOX, TRUSTEES, for reclassification of property generally located at the northeast corner of Sahara Avenue and Spencer Street, from R-1 (Single Family Residence) and R-2 (Two Family Residence) to C-1 (Limited Commercial). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 2, Township 21 South, Range 61 East, MDB&M.

Proposed Use: Shopping Center

MR. BROWN presented the staff report and stated this has been heard before. The plot plan has been changed. The buildings are retail shops, etc. There is adequate parking. Staff would recommend approval subject to landscaping, a 6' block wall on the north side, dedication of 21' for right-of-way and dedication of a radius corner.

CHAIRMAN SWESSEL declared the public hearing open.

GERALD GORDON, 302 East Carson, represented the application. He stated the proposed zoning is C-1 and described the plot plan. He added it is felt this is a proper use for the property and that a 30' setback had been provided between the buildings and the property line. There will be driveway access to the back of the stores.

CHAIRMAN SWESSEL asked if any restaurants were planned.

MR. GORDON stated not at this time.

MR. BROWN stated there are four letters of protest on file.

ALLEN ATKIN, 1700 Kasabian, appeared in protest. He stated the protestants were afraid of what they would get. He added the access area behind would collect garbage, and the closing hours are not known. He added they would accept PR or professional office buildings that would close at 5 P.M.

MARK LeBONN appeared in protest.

BARBARA CULLINGS, 1728 Kassabian, appeared in protest.

MRS. DICK GROVE, 1716 Kassabian, appeared in protest.

TOM FISHER, 1708 Kassabian, appeared in protest.

MR. GORDON appeared in rebuttal. He stated that an office building would be multi-story and would create a privacy problem and that there would be trash in the back regardless of what was on the property.

CHAIRMAN SWESSEL stated this is not a fair rendering nor was it detailed enough and that he would like to see the complete plan.

MRS. COLEMAN stated she did not object to the proper use of the property and that she thought the home owners had a legitimate objection with regard to their view from their back yards. She added she would like to see a revised plot plan. She stated that the 30' between the building and the property line would provide an area for trash collection, and there must be consideration of that type of thing.

MR. JONES made a Motion for ABEYANCE of Z-8-79 pending resubmittal of the plot plan identifying the proposed uses for the shopping center.

Voting was as follows:

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

"NOES" None

Motion for ABEYANCE carried unanimously.

8. Z-75-79

DENIED

Application of GARY L. POPE, ET AL, for reclassification of property located at 4995 Harris Avenue, from R-E (Residence Estates) to C-1 (Limited Commercial). The above property is legally described as Lot 1, Block 1, Sunland Village.
Propose Use: Commercial Child Care Facility

MR. BROWN presented the staff report and stated staff thinks the introduction of commercial into this area would not be compatible and recommends denial.

CHAIRMAN SWESSEL declared the public hearing open.

GARY POPE represented the application and stated to the west is a Junior High School and down the street are two elementary schools and a Lucky's Supermarket. This lot would be potential commercial property. He added he feels this use would be better for the community. The building will look just like a home and the play-yard would be directly behind it.

MR. BROWN stated there is one letter of protest on file.

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

MR. MILLER made a Motion for DENIAL of Z-75-79 because such a use would not be compatible with the adjacent residential uses.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

9. Z-76-79

DENIED

Application of BEDFORD CONSTRUCTION COMPANY for reclassification of property generally located on the west side of Decatur Boulevard between Oakey Boulevard and Mountain View Drive, from R-1 (Single Family Residence) and R-3 (Limited Multiple Residence) to C-1 (Limited Commercial) and R-PD21 (Residential Planned Development). The above property is legally described as a portion of the East Half (E $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 1, Township 21 South, Range 60 East, MDB&M; and a portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 1, Township 21 South, Range 60 East, MDB&M.

Proposed Use: Shopping Centers and Medium High Density
Apartments

MR. BROWN presented the staff report and stated there is a lot of commercial zoning in the area. The plot plan is as shown. Staff does have some problems with the proposed commercial on the north and south side. There is no need for more commercial.

Staff would not object to P-R. Under R-PD21 the minimum site is 5 acres and this is 2.6 acres. The City Commission can waive that requirement. R-PD21 is much too dense for this area and staff would rather have R-1 density located on the west and P-R along Decatur.

CHAIRMAN SWESSEL declared the public hearing open.

BARRY BECKER represented the application and stated that a similar request had been presented for commercial for the entire site for a car dealership. During the meetings at that time with staff, it was thought that a better development would be commercial and residential for a buffer between the R-1 homes. He added he thought this was a very good use for the property. Further, they met with the surrounding property owners and presented plans for the 6 acres. After a discussion of 1½ hours, several things were presented by those applicants which they asked the developer to do. An alternate plan was drawn up (copies presented to the Commission). This plan attempts to take into consideration their desires.

MRS. COLEMAN asked if the apartments would be two story.

MR. BECKER replied they would be one story, two bedroom, two bath units.

MR. JONES asked if this development would be done piecemeal.

MR. BECKER replied he did not know, as they did not know the demand.

MRS. COLEMAN asked what the depth of the commercial is.

MR. BECKER replied the commercial would be 179' deep.

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

VERA KELLY, 5200 West Oakey, appeared in protest. She stated there is no reason for apartments and shopping centers with the consequent problems and this development would not be compatible with the established neighborhood.

DAVE DeBUSS, 5200 Doe, appeared in protest.

MARGARET FRIZER, 5205 Del Monte, appeared in protest.

MR. BECKER appeared in rebuttal and stated he would put in an eight block wall.

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

MR. JONES made a Motion for DENIAL of Z-76-79 because the proposed uses would not be compatible with the established development of the neighborhood.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

10. Z-77-79

APPROVED

Application of DAVID A. REYNER for reclassification of property located at 1206 South Maryland Parkway, from C-D (Designed Commercial) to P-R (Professional Offices & Parking). The above property is legally described as Lot 35, Block 10, Huntridge Subdivision No. 2.

Proposed Use: Office

MR. BROWN presented the staff report and stated the plot plan is as shown. Everything is in order. The reason the applicant is requesting P-R is to comply with the building codes. The restrictions in P-R are less demanding. Staff would recommend approval.

CHAIRMAN SWESSEL declared the public hearing open.

DAVID REYNER represented the application. He cited the reasons why the P-R was requested in lieu of C-D. He added that the building next door to him is zoned C-D and does not comply with code requirements.

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

MR. MILLER made a Motion for APPROVAL of Z-77-79, 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.
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" Chairman Swessel, Mrs. Coleman, Mr. Miller, Mr. Jones,
Mr. Kennedy and Mr. Canul

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

11. Z-78-79

APPROVED

Application of BOBBY R. AND E.P. SCOTT for reclassification of property located at 1611 West Bonanza Road, from R-E (Residence Estates) to C-2 (General Commercial). The above property is legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$) of the Southwest Quarter (SW $\frac{1}{4}$) of Section 28, Township 20 South, Range 61 East, MDB&M.

Proposed Use: Business Office and Commercial Storage Units

MR. BROWN presented the staff report and stated the plot plan is as shown. Everything is in order and approval is recommended subject to moving the south building north far enough to provide for landscaping abutting the freeway and dedication of 15' of right-of-way on Bonanza.

CHAIRMAN SWESSEL declared the public hearing open.

The applicant or a representative was not present.

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

MRS. COLEMAN made a Motion for APPROVAL of Z-78-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. The south building be moved sixteen feet to the north to provide for landscaping along the rear property line as required by the Department of Community Planning and Development.
3. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.

4. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
5. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
6. Conformance to the plot plan as amended to reflect the above conditions.
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" Chairman Swessel, Mrs. Coleman, Mr. Miller, Mr. Jones,
Mr. Kennedy and Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

12. Z-79-79

DENIED

Application of THOMAS J. McINTYRE for reclassification of property located at 701 North Eastern Avenue, from R-1 (Single Family Residence) to C-1 (Limited Commercial). The above property is legally described as Lot 46, Block 4, Greater Las Vegas Addition Tract No. 1.
Proposed Use: Retail Stores

MR. BROWN presented the staff report and stated that in view of the fact that there is commercial to the south and commercial and R-2 on the east side of Eastern, this would be incompatible to introduce something other than R-1. Staff does feel P-R would be more compatible, and that the plot plan should be redesigned.

CHAIRMAN SWESSEL declared the public hearing open.

THOMAS McINTYRE stated that directly to the south there is C-1. Directly east is C-1 and directly north is private properties in transition. He added he thought this would beautify the area and the development would be low density. There is double the parking spaces required of the C-1 to the south.

CHAIRMAN SWESSEL asked the application if he objected to P-R.

MR. McINTYRE stated he could not have a coin shop in P-R.

MR. BROWN stated that the parking provided is closer to five spaces than the eleven indicated by the applicant.

MRS. COLEMAN stated that with the P-R there was a possibility the applicant could secure a use permit for the coin shop.

CHAIRMAN SWESSEL asked the applicant if he would accept the P-R.

MR. McINTYRE stated he wanted C-1 for the coin shop.

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

MR. JONES made a Motion for DENIAL of Z-79-79 because this zoning would not be compatible with the neighborhood.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

13. Z-80-79

APPROVED

Application of JOHN E. KENNEY, JR., for reclassification of property generally located at the southeast corner of Bonanza Road and Pecos Road, from C-1 (Limited Commercial) to R-4 (Apartment Residence) and R-1 (Single Family Residence) and from R-1 (Single Family Residence) to R-4 (Apartment Residence). The above property is legally described as a portion of the Northwest Quarter (NW $\frac{1}{4}$) of Section 31, Township 20 South, Range 62 East, MDB&M.

Proposed Use: High Density Apartments and Detached Single Family Residences

MR. BROWN presented the staff report and stated the plot plan is as shown. The applicant wishes to change the C-1 to R-4 and the R-1 on the east is requested to be R-4. Staff agrees partially, but thinks the R-4 is too dense for these locations and would recommend the C-1 be changed to R-3 and the R-4 to R-1 feeling the density should be reduced by half. The General Plans restrict the R-4 density to the downtown area. If approved 30' right-of-way is required for Diamond Head Drive and Reef Drive.

CHAIRMAN SWESSEL declared the public hearing open.

JOHN KENNEY represented the application and stated that Diamond Head was designed to be a 60' street and so is Reef. This would be buffered by a 6' wall and a tier of houses facing Diamond Head and Reef. He then described the 701 Planning Committee results. He added he thought he was the first one to ask the Planning Commission to go outside 30th Avenue with this type of density and that he thought there would be some type of public transportation in the next couple of years to serve this and other properties.

MR. BROWN stated there is one letter of protest on file.

JIM SOO, 3509 Diamond Head, appeared in protest. He cited traffic, noise, devaluation of property and density as reasons for protest.

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

MR. CANUL made a motion for APPROVAL of Z-80-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Dedicate 30 feet of right-of-way for Diamond Head Drive and Reef Drive as required by the Department of Public Services.
3. Conformance to the plot plan.
4. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

The following conditions shall be applicable to only the R-4 portion of the application:

5. 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.
6. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license or prior to occupancy.
7. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.

Voting was as follows:

"AYES" Chairman Swessel, Mr. Miller, Mr. Jones, Mr. Kennedy
and Mr. Canul

"NOES" Mrs. Coleman

Motion for APPROVAL carried by a 5/1 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

14. Z-81-79

APPROVED

Application of EDWARD DeSANTIS, ET AL, for reclassification of property located at 1713 South Eastern Avenue, from R-1 (Single Family Residence) to P-R (Professional Offices & Parking). The above property is legally described as Lot 8, Block 1, Eastwood Tract #2.

Proposed Use: Office

MR. BROWN presented the staff report and stated there are seven other lots zoned P-R. Staff thinks this is the way it is going and would recommend approval of the P-R with a 6' block wall on the east and the landscaping being revised on Eastern.

CHAIRMAN SWESSEL declared the public hearing open.

EDWARD DeSANTIS represented the application and agreed to staff stipulations.

COMMANDRA ANDRESS, 1709 South Eastern, appeared in protest.

LeROY MOORE, 1712 Ardmore, appeared in protest.

MR. FOSTER stated that if this request is approved, there will be a block wall between the applicant and Mr. Moore.

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

MRS. COLEMAN made a Motion for APPROVAL of Z-81-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. A six ft. block wall shall be constructed along the east property line.
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. Provide additional landscaping as required by the Department of Community Planning and Development.
7. Conformance to the plot plan as amended to reflect the above conditions.

8. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

15. Z-83-79

DENIED

Application of ROBERT E. HORNER, ET AL, for reclassification of property located at 1823 West Charleston Boulevard, from R-E (Residence Estates) to C-1 (Limited Commercial). The above property is legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 4, Township 21 South, Range 61 East, MDB&M.
Proposed Use: Medical Offices

MR. BROWN presented the staff report and stated the depth of the lot is 610'. The plot plan is as shown. Staff would recommend approval with the following stipulations: the south 300' be rezoned to P-R. This is consistent with the zonings along Charleston on west of this location. Because this is so close to houses to the west, staff would recommend the number of stories be reduced from 3 to 2 and the 2 and 3 stories be removed from the drivethrough portion. Also a 6' block wall on the south, east and west sides and the ingress and egress from Ellis be eliminated.

CHAIRMAN SWESSEL declared the public hearing open.

CHARLES DANUS, 2243 Mohawk, represented the application. He stated this had been discussed with staff and that they are in total agreement to change the zoning of the back 300' and with regard to the block wall, the residents requested an 8' block wall. There is a problem with the two story limitation. This building is designed to look like the buildings across the street. They are 4 and 6 stories in height and there are other 6 story buildings in the area. He said they would agree to having no windows on the west side of the property, but still have an attractive design. He added the Ellis Avenue entrance was planned for employees and tenant parking and they would be agreeable to using that access only during construction. He added they would like some type of drivethrough to accommodate patients and it is felt this development will be compatible with the area.

ED HORNER represented the application.

MR. ROLLEY, 1133 Westwood, appeared in protest and stated he wanted an 8' fence and a two story building and that it be built as shown on the plot plan.

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

MR. JONES made a Motion for DENIAL of Z-83-79 because the proposed 3 story building would not be compatible with the area.

Voting was as follows:

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

Motion for DENIAL carried by a 4/2 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

16. Z-84-79
ABEYANCE

Application of JAMES J. BROWN, ET AL, for reclassification of property located at 826 East Charleston Boulevard, from R-4 (Apartment Residence) to C-1 (Limited Commercial). The above property is legally described as Lot 3, Block 1, Vega Verde Addition.

Proposed Use: Gift Shop and Office

MR. BROWN presented the staff report and stated the plot plan is as shown. Staff feels that in this location, we should not inject a commercial use and would recommend approval of P-R instead of C-1.

CHAIRMAN SWESSEL declared the public hearing open.

JAMES BROWN represented the application and stated he owns property to the east and wants to ensure what goes in next door. He described the plot plan and the adjacent parking. The purpose of the development is a gift shop and interior gift items for homes. This will be a very limited use. He added they would agree the zoning be contingent solely upon this use.

MARY HIBBS, 925 Park Paseo, stated she was speaking for herself and two other property owners who abut the property in question. She stated they had no objections as long as there are no night businesses, adult bookstores, liquor or food stores and there is a 6' block wall. She added this is a piece of property that something must be done with and that they did not object to a gift shop.

CHRIS GELLNER stated that he did not think the Commission could restrict a use in the C-1 zone. He added he could give a more conclusive legal opinion at the next meeting.

JAMES BROWN stated he would concur with any kind of written stipulations.

MR. JONES made a Motion for ABEYANCE of Z-84-79 in order for the City Attorney's Office to render an opinion on the legality of limiting the use of this property as a condition of this

rezoning application.

Voting was as follows:

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

"NOES" None

Motion for ABEYANCE carried unanimously.

17. Z-85-79

DENIED

Application of MOREY AMSTERDAM for reclassification of property generally located at the northwest corner of Lunning Street and Vegas Drive, from R-E (Residence Estates) to R-1 (Single Family Residence) and R-T (Trailer Residence). The above property is legally described as a portion of the Southwest Quarter (SW $\frac{1}{4}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 20, Township 20 South, Range 61 East, MDB&M.

Proposed Use: Mobile Home Park and Detached Single Family Residences

MR. BROWN presented the staff report and stated most of the mobile home development in the City has been in the eastern part. Staff thinks it is not good zoning or good planning to drop R-T in the middle of R-1 and would recommend denial.

CHAIRMAN SWESSEL declared the public hearing open.

ANDY BEVCHOVENCHA, 2525 Woodcrest, Boulder City, represented the application. A slide presentation was given. He stated that soil tests have indicated the caliche to be a 6' and that anything other than a mobile home park would be uneconomical. He added if they were allowed to develop this with a buffer zone, it would improve the street and eliminate existing garbage and upgrade and appreciate the value of existing homes.

JENNY WASHINGTON, 1808 Lunning, appeared in protest, and stated that transients and traffic would be a problem.

KENNETH MCGEE, 1917 Lunning, appeared in protest. He presented a petition of protest and stated they do not oppose the R-1 but do oppose the trailer park.

MARGE MCGEE, 1917 Lunning, appeared in protest.

MIKE MCGEE appeared in protest.

LYNELL THOMAS, 1900 Lunning, appeared in protest.

LEONARD MASON appeared in protest.

DEBIA BALLENTIME, 1916 Lightaway, appeared in protest.

MR. BEVCHOVENCHA appeared in rebuttal.

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

MR. CANUL made a Motion for DENIAL of Z-85-79 because this use would not be compatible with the surrounding residential area.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

18. Z-86-79

APPROVED

Application of MARY LEE JOHNSON for reclassification of property located at 824 West Washington Avenue, from R-1 (Single Family Residence) to R-3 (Limited Multiple Residence). The above property is legally described as the west 52.16 feet of the south 180 feet of the east 325.16 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 28, Township 20 South, Range 61 East, MDB&M.

Proposed Use: Duplex and Single Family Residence

MR. BROWN presented the staff report and stated the plot plan is as shown. Such a use would be incompatible in an R-1 established pattern and staff would recommend denial.

CHAIRMAN SWESSEL declared the public hearing open.

LEONARD MASON represented the application and stated this is an older area and many of the homes are set back. Across the street is public housing. On Washington and "H" there is a six-plex and there is a vacant lot on the northwest corner. The lots are 150' deep. This complex will not be a detriment to the neighborhood and will enhance the area.

MRS. COLEMAN stated she thought the homes on Washington were well kept.

MR. MASON stated the duplex would look better than anything on Washington.

MRS. COLEMAN stated this is a different zoning in an established R-1 area and it would be precedent setting.

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

MR. JONES made a Motion for APPROVAL of Z-86-79, 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.
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" Chairman Swessel, Mr. Jones, Mr. Kennedy and Mr. Canul
 "NOES" Mrs. Coleman and Mr. Miller

Motion for APPROVAL carried by a 4/2 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

19. Z-87-79

APPROVED

Application of ROBERT AND KAREN PEDERSON, ET AL, for reclassification of property generally located 250 feet west of Torrey Pines Drive, between Tina Lane and Ann Road, from R-E (Residence Estates) to R-PD2 (Residential Planned Development). The above property is legally described as a portion of the Northeast Quarter (NE $\frac{1}{4}$) of the Northwest Quarter (NW $\frac{1}{4}$) of Section 35, Township 19 South, Range 60 East, MDB&M.

Proposed Used: Detached Single Family Residences

MR. BROWN presented the staff report and stated this item was held in abeyance so the applicant could acquire additional land to meet the 5 acre minimum site requirement. The plot plan is as shown. There are nine lots on almost six acres of land. There will not be 20,000 sq. ft. in 2 lots that abut the cul-de-sac. Staff would recommend approval.

CHAIRMAN SWESSEL declared the public hearing open.

KAREN PEDERSON represented the application.

BILL SCHONING, 5533 Rebecca, appeared in protest. He stated the people in this zoning will not be able to have animals. He submitted a petition of protest.

MR. BROWN stated if the Planning Commission and City Commission so desired, one of the stipulations would be that horses be allowed.

TONY LAMARALIA represented the application and stated he had approvals from the owners east, south and to the west. He stated they would like to have horses, but it would be up to the home owners.

MRS. COLEMAN stated that one-half acre is too small for horses, but that the people should know when they move out there they will be surrounded by horses.

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

MRS. COLEMAN made a Motion for APPROVAL of Z-87-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Conformance to the plot plan.
3. Securing all necessary permits and licenses and satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

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

Motion for APPROVAL carried unánimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

20. Z-73-77

EXTENSION OF TIME

APPROVED

Request of CHRISTINA M. HIXSON, ET AL, for a one year Extension of Time on property generally located on the north side of Bonanza Road between Pecos Road and Sandhill Road, under resolution of intent to R-1, R-3 and C-1.

MR. BROWN presented the staff report and stated this is the second request for an extension. From the letter the applicant submitted, development is expected. Staff would defer to the Commission. The applicant has indicated he will start in one year.

ANDY SKURSKI represented the application and stated he needed an additional year.

MR. KENNEDY asked the applicant if he could get it on in a year.

MR. SKURSKI replied he thought so.

MR. MILLER made a Motion for APPROVAL of the Extension of Time under Z-73-77, subject to the following conditions:

1. This extension of time shall be limited to a period of one year.

2. Conformance to previous conditions imposed at the time of approval of Z-73-77, and any ordinance requirements enacted subsequent to that original approval.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL stated that this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

21. Z-143-77

REINSTATEMENT AND
EXTENSION OF TIME

APPROVED

Request of ROSEMARY PITCH for a Reinstatement of a resolution of intent to P-R and an Extension of Time on property located at 1325 Maryland Parkway, R-1 zone.

MR. BROWN stated the reason for the request is that the property is currently being renovated. Staff would recommend approval for six months.

ROSEMARY PITCH represented the application.

MR. JONES made a Motion for APPROVAL of the Reinstatement and Extension of Time under Z-143-77, subject to the following conditions:

1. This extension of time shall be limited to a period of six months.
2. Conformance to previous conditions imposed at the time of approval of Z-143-77, and any ordinance requirements enacted subsequent to that original approval.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

22. Z-49-78

EXTENSION OF TIME

APPROVED

Request of ROBERT F. ROBBINS for an Extension of Time on property generally located on the southwest corner of Desert Lane and Kenyon Place, R-2 zone (under resolution of intent to R-3).

MR. BROWN stated this request was due to a change in ownership. Staff would recommend approval.

KIRK ANDERSON represented the application.

MR. KENNEDY made a Motion for APPROVAL of the Request for an Extension of Time under Z-49-70, subject to the following conditions:

1. This extension of time shall be limited to a period of one year.
2. Conformance to previous conditions imposed at the time of approval of Z-49-70, and any ordinance requirements enacted subsequent to that original approval.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

23. Z-68-78

EXTENSION OF TIME

APPROVED

Request of ROBERT F. ROBBINS for an Extension of Time on property located at 4979 and 4999 East Owens Avenue, R-2 zone (under resolution of intent to R-3):

MR. BROWN presented the staff report and stated this request was due to a change in ownership. Staff would recommend approval.

MR. JONES made a Motion for APPROVAL of the Request for an Extension of Time under Z-68-78, subject to the following conditions:

1. This extension of time shall be limited to a period of one year.
2. Conformance to previous conditions imposed at the time of approval of Z-68-78, and any ordinance requirements enacted subsequent to that original approval.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

24. Z-10-76

USE REVIEW
APPROVED

Request of DEEDE ELIAS for a Use Review to allow a Bellissima Body Care Institute on property located at 1805 South Eastern Avenue, P-R zone.

MR. BROWN stated this is a request for an interpretation by the Planning Commission whether this use is a similar use and should be permitted in the P-R zone. The applicant has stated that doctors prescribe this treatment for the health of patients. If so, this is compatible.

DEEDE ELIAS, 4445 Palencia, represented the application.

MRS. COLEMAN asked what type of advertising would be used.

MS. ELIAS stated there would be a sign out front with "Bellissima" on it and brochures would be given to those persons who came in, as well as some newspaper advertising. She stated they would not do any type of massage. She added the treatment would consist of mineral wraps and body wraps.

MR. MILLER made a Motion for APPROVAL of the Use Review under Z-10-76, subject to the following condition:

1. Submittal of a letter from a doctor of medicine or a doctor of osteopathy which indicates this treatment has beneficial value.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

25. Z-120-78
PLOT PLAN REVIEW
APPROVED

Request of CARVER COMPANIES for a Plot Plan Review on property generally located at the northeast corner of Cheyenne Avenue and Jones Boulevard, R-1 zone (under resolution of intent to C-1).

MR. BROWN presented the staff report and stated the new plot plan is as shown. They have increased the square footage of of the building to 14,500 feet and staff does not object. One of the stipulations of the Planning and City Commissions was no ingress/egress at the northwest corner. The developer has angled the ingress/egress so this would only be ingress and that is acceptable to staff.

A representative of the applicant was present and agreed to staff stipulations.

MR. CANUL made a Motion for APPROVAL of the Plot Plan Review under Z-120-78, subject to the following conditions:

1. Conformance to previous conditions imposed at the time of approval of Z-120-78.
2. Deletion of condition number one, which prohibited ingress/egress at the northwest corner of the property.

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

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on September 5, 1979 at 2:00 P.M.

26. AV-11-79

APPROVED

Request of THOMAS SENIOR for an Administrative Variance to allow a deviation in the minimum lot frontage required on property generally located at the southwest corner of Hickam and Leon, R-E zone.

MR. BROWN presented the staff report and stated there is plenty of square footage in the lots but the boundaries are irregular. There is a slight deviation on meeting the 100' frontage. The applicant would like relief and staff recommends approval.

MR. ROSS represented the application.

MR. JONES made a Motion for APPROVAL of AV-11-79, subject to the following conditions:

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

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

27. MIRAMONTE ESTATES
NORTH TENTATIVE
MAP - EXTENSION
OF TIME

APPROVED

Request of HALCO, INC., for a one year Extension of Time on an approved tentative map for property generally located between Lorenzi Boulevard and Torrey Pines Drive, north of Alexander Road, R-E zone (under resolution of intent to R-1).

MR. BROWN presented the staff report and stated staff recommends approval of a one year extension of time.

MRS. COLEMAN made a Motion for APPROVAL of the Request for an Extension of Time for Miramonte Estates North Tentative Map for a period of one year.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

28. FINAL MAP

MIRAMONTE ESTATES
NORTH - UNIT NO. 2

APPROVED

Property generally located on the west side of Torrey Pines Drive, north of Alexander Road, R-E zone (under resolution of intent to R-1).

Owner: Nevada Savings & Loan Assn.

Subdivider: Halco, Inc.

No. of Acres: 11.87 No. of Lots: 53

MR. BROWN presented the staff report and stated staff would recommend approval subject to conformance to the conditions of approval of the tentative map.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Miramonte Estates North - Unit No. 2, subject to the following condition:

1. Conformance to the conditions of the approved tentative map.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

29. A-11-79(A)

ABEYANCE

Petition of Annexation submitted by CENTRAL NEVADA DISTRIBUTING CO., ET AL, to annex property generally located on the southeast corner of Michael Way and Peak Drive, containing approximately 25 acres of land.

MR. BROWN stated staff would recommend abeyance of this item because the property in question is in court.

MRS. COLEMAN made a Motion for ABEYANCE of A-11-79(A) pending clarification of ownership and boundaries of the annexation area.

Voting was as follows:

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

"NOES" None

Motion for ABEYANCE carried unanimously.

30. A-12-79(A)

APPROVED

Petition of Annexation submitted by BECKER & SONS to annex property generally located 1000 ft. south of West Lake Mead Boulevard, 1350 feet west of Torrey Pines Drive, and 1010 feet north of Vegas Drive, containing approximately 7.8 acres of land.

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

MR. CANUL made a Motion for APPROVAL of A-12-79(A).

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be considered by the City Commission on September 5, 1979 at 10:00 A.M.

31. COUNTY REFERRALS

County Referrals on Rezoning and Use Permit Applications for City Recommendation.

A. ZC-184-79

DENIED

Request of HOUP, R. & M. for a Zone Change to reclassify from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone on property generally located on the south side of Sahara Avenue and the east side of Lindell Road, to construct and maintain a 6,600 square foot restaurant and cocktail lounge.

MR. BROWN stated the application is compatible with the City's General Plan.

MRS. COLEMAN stated this request was in an R-E area and was not compatible.

MR. MILLER made a Motion for DENIAL of ZC-184-79.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

B. ZC-186-79
and
UC-152-79

APPROVED IN
PART

Request of FAZZOLARE, ANTHONY & JOAN for a Zone Change to reclassify from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone on property generally located on the north side of Smoke Ranch Road and the west side of Decatur Boulevard. Also, a Use Permit to construct and maintain a 10' bay car wash.

MR. BROWN stated the application is compatible with the City's General Plan.

MRS. COLEMAN made a Motion for APPROVAL of ZC-186-79 and DENIAL of UC-152-79.

voting was as follows:

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

"NOES" Mr. Miller

Motion carried by a 5/1 vote.

C. ZC-190-79
and
UC-159-79

APPROVED

Request of NEVADA ESCROW SERVICE for a Zone Change to reclassify from R-E (Rural Estates Residential) Zone to C-1 (Local Business) Zone on property generally located on the north side of Vegas Drive and the west side of Harvard Street. Also, a Use Permit to construct and maintain a 4,600 square foot child care center.

Mr. Brown stated the application is compatible with the City's General Plan.

MRS. COLEMAN made a Motion for APPROVAL of ZC-190-79 and UC-159-79.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

D. ZC-191-79

DENIED

Request of COHEN, PHIL ET AL for a Zone Change to reclassify from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone on property generally located on the south side of Cheyenne Avenue and the east side of Jones Boulevard, to construct and maintain a 93,000 square foot shopping center.

MR. BROWN stated staff recommendation is not compatible with the City's General Plan.

MR. JONES made a Motion for DENIAL of ZC-191-79.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

E. ZC-194-79

DENIED

Request of SILVER, FRANK ET AL for a Zone Change to reclassify from R-E (Rural Estates Residential) Zone to C-2 (General Commercial) Zone on property generally located on the west side of Westwind Street approximately 300 feet south of Charleston Boulevard, to construct and maintain a parking lot in conjunction with a medical complex presently under construction.

MR. BROWN stated the application is compatible with the City's General Plan.

MRS. COLEMAN stated the requested commercial was too deep and would set a precedent on Charleston.

MR. JONES made a Motion for DENIAL of ZC-194-79.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

32. Z-71-79

(REFERRED BACK FROM
CITY COMMISSION)

Application of JAMES C. EVANS for reclassification of property generally located at the southwest corner of Sandhill Road and Owens Avenue, from R-1 to R-T.

Proposed Use: Mobile Home Park

ABEYANCE

MR. BROWN stated staff would recommend abeyance to that the new plans can be submitted.

MR. MILLER made a Motion for ABEYANCE of Z-71-79 pending resubmittal of new use plans and notification of the surrounding property owners.

Voting was as follows:

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

"NOES" None

Motion for ABEYANCE carried unanimously.

33. AV-12-79

APPROVED

Request of RAY KIMMICH for an Administrative Variance to allow a minor deviation to the front yard setback on property located at 804 Ann Drive, R-1 zone.

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

MR. JONES made a Motion for APPROVAL of AV-12-79, subject to the following conditions:

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

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

1. BY-LAW AMENDMENT

Adoption of amendment on voting procedure to the By-Laws.

MR. FOSTER stated that the BZA had amended their by-laws to change the voting procedure somewhat. Presently, on an affirmative motion resulting in a tie vote, it constitutes a denial. The BZA felt that should be changed to read on both an affirmative and negative motion, a tie vote results in a no vote action, and a new motion may be made. If the Commission desires to change it's by-laws, this can be acted on at the next meeting.

MR. JONES made a Motion to APPROVE the suggested by-laws change, and that it be placed on the next agenda for action.

Voting was as follows:

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

Motion carried unanimously.

2. REPORT

New Residential Development and-Subdivision Activity for the first six months of 1979.

MR. FOSTER stated that almost 2400 new residential units were built in the first 6 months of this year as compared to 3000 last year. Subdivision activity in the past 6 months is just about the same rate, 3200 compared to 6600 all of last year.

3. SUBDIVISION
ORDINANCE
AMENDMENT

Proposed Amendment regarding time limits for tentative maps.

MR. FOSTER stated that staff would like this item held in abeyance.

MRS. COLEMAN made a Motion for ABEYANCE of the Subdivision Ordinance Amendment.

Voting was as follows:

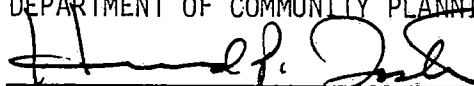
"AYES" Chairman Swessel, Mrs. Coleman, Mr. Miller, Mr. Jones,
Mr. Kennedy and Mr. Canul
"NOES" None

Motion for ABEYANCE carried unanimously.

ADJOURNMENT:

There being no further business to come before the City Planning Commission, the meeting was adjourned at 11:50 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR