

NOVEMBER 27, 1979

Nevada State Library
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NOV 27 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

MINUTES:

Approval of the Minutes for the City Planning Commission meetings held September 13, 1979, and October 11, 1979.

OLD BUSINESS:

1. VAC-22-79
(Abeyance Item
from 10/23/79)

Petition of Vacation submitted by JACK AND BEVERLY COPE to vacate public right-of-way generally located on the north side of Alpine Place between Brush Street on the west and Decatur Boulevard on the east.

NEW BUSINESS:

1. TENTATIVE MAP
WASHINGTON SQUARE
UNIT NO. 7

Property generally located at the northwest corner of Washington Avenue and Sandhill Road, R-1 zone.

Owner/Subdivider: Robert Shaw
No. of Acres: 33.65 No. of Lots: 145

2. FINAL MAP
WASHINGTON SQUARE
UNIT NO. 7

Property generally located at the northwest corner of Washington Avenue and Sandhill Road, R-1 zone.

Owner/Subdivider: Robert Shaw
No. of Acres: 33.65 No. of Lots: 145

3. Z-122-79

Application of MICHAEL RYAN for reclassification of property generally located at the northeast corner of Craig Road and Lorenzi Boulevard, from R-E and C-2 (under Resolution of Intent to R-PD3), to R-1.

Proposed Use: Medium Low Density Detached
Single Family Dwellings

4. TENTATIVE MAP
LONE MOUNTAIN
ESTATES

Property generally located at the northeast corner of Lorenzi Boulevard and Craig Road, R-E zone (under Resolution of Intent to R-PD3), proposed R-1.

Owner/Subdivider: Beauty Built Homes, Inc.
No. of Acres: 46.94 No. of Lots: 199

5. Z-113-79

Application of LEWIS HOMES OF NEVADA for reclassification of property generally located at the southwest corner of O'Bannon Drive and Verdinal Drive, from N-U to R-1.

Proposed Use: Medium Low Density - Detached
Single Family Homes

6. TENTATIVE MAP
LEWIS HOMES-SAHARA
NOS. 8 AND 9
Property generally located at the southwest corner of O'Bannon Drive and Verdinal Drive, N-U zone (proposed R-1).
Owner/Subdivider: Lewis Homes of Nevada
No. of Acres: 13.34 No. of Lots: 55
7. FINAL MAPS
CHARLESTON HEIGHTS
62-A and 62-B
WAIVERS
Request of BECKER & SONS for waiver of certain subdivision requirements on property generally located on the west side of Lorenzi Boulevard, north of Alexander Road, N-U zone (under Resolution of Intent to R-PD8).
8. VAC-25-79
Petition of Vacation submitted by THEODOR AND ELEANOR BOSSART to vacate a 15 ft. roadway easement located approximately 350 ft. north of the centerline of Oakey Boulevard and 400 feet east of the centerline of Arville Street and extending easterly a distance of 236 feet.
9. A-25-79(A)
Petition of Annexation submitted by GEOFFREY D. COMMONS to annex property generally located at the northwest corner of Cheyenne Avenue and Jones Boulevard containing approximately ten acres of land.
10. A-26-79(A)
Petition of Annexation submitted by ERNEST A. BECKER to annex property generally located at the southwest corner of Smoke Ranch Road and Torrey Pines Drive, containing approximately 5.3 acres of land.
11. A-27-79(A)
Petition of Annexation submitted by LEWIS HOMES OF NEVADA to annex property generally located south of O'Bannon Drive, east of Rainbow Boulevard, north of Sahara Avenue, and west of Torrey Pines Drive, containing approximately 47.9 acres of land.
12. A-28-79(A)
Petition of Annexation submitted by THE CITY OF LAS VEGAS, A MUNICIPAL CORPORATION to annex a portion of Angel Park, generally located on the south side of Westcliff Drive, east and west of Ft. Apache Road, containing approximately 120 acres of land.
13. Z-112-79
Application of DANIEL F. O'CONNELL, ET AL for reclassification of property located at 1321 South Maryland Parkway, from R-1 to P-R.
Proposed Use: Interior Decorator Consultant
14. Z-114-79
Application of JOHN AND ELVIRA FALCO, ET AL for reclassification of property located at 1708, 1800, and 1804 Valley View Boulevard, from R-1 to P-R.
Proposed Use: Offices

15. Z-115-79

Application of JACK C. AND BEVERLY COPE
for reclassification of property generally
located on the north side of Alpine Place,
300 feet west of Decatur Boulevard, from R-1
and P-R to R-4 and C-1.

Proposed Use: High Density Apartments
and Offices

16. Z-116-79

Application of BECKER & SONS, A PARTNERSHIP
for reclassification of property generally
located on the north side of Charleston
Boulevard between Bishop Drive and Salem Drive,
from R-3 to C-1.

Proposed Use: Shopping Center

17. Z-117-79

Application of RALPH AND PHYLLIS TRENTADUE
for reclassification of property located at
1501 Arville Street, from R-E to P-R.

Proposed Use: Offices

18. Z-118-79

Application of SAMCO INVESTMENTS INC. for
reclassification of property generally located
on the north side of Stewart Avenue, 529 feet
west of Lamb Boulevard, from R-E (under
Resolution of Intent to R-3), to C-1.

Proposed Use: Commercial Child Care Facility

19. Z-119-79

Application of PHILIP J. COHEN for reclassifi-
cation of property generally located on the
east side of Michael Way between Lake Mead
Boulevard and Vegas Drive, from N-U to R-1.

Proposed Use: Medium Low Density - Detached
Single Family Residences

20. Z-120-79

Application of GLENN H. AND CHARLOTTE LUTZ
for reclassification of property generally
located at the northwest corner of Third
Street and California Street, from R-4 (under
Resolution of Intent to C-1) to C-2.

Proposed Use: Motel

21. Z-121-79

Application of EDWARD J. AND LYNN M. DiFEDERICO
for reclassification of property located at
2001 Santa Paula, from R-1 to P-R.

Proposed Use: Offices

22. Z-123-79

Application of HOME INVESTMENT COMPANY for
reclassification of property generally located
on the north side of Sahara Avenue between
Valley View Boulevard and Las Verdes Street,
from C-C to C-1.

Proposed Use: Minor Automobile Service Facility

23. Z-69-73
Review of
Conditions

Request of BECKER INVESTMENT for a Review of Conditions relative to deferring landscaping on property generally located at the southeast corner of Jones Boulevard and Smoke Ranch Road, C-1 zone.

24. Z-72-79
Review of
Conditions

Request of ERNEST A. BECKER, JR. for a Review of Conditions relative to allowing a Resolution of Intent with no time limit on property generally located at the northwest corner of Alexander Road and Lorenzi Boulevard, N-U zone (under Resolution of Intent to R-PD8 and R-PD20).

DIRECTOR'S BUSINESS:

1. Proposed Ordinance
Amendment
(Abeyance Item
from 11/8/79)

Allowing family care nurseries in the R-PD zone.

20
29-233-P6
5: 979-11-27

MINUTES

CITY PLANNING COMMISSION

NOVEMBER 27, 1979

Nevada State Library
Documents Section
JAN 1 1980

CALL TO ORDER:

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

PRESENT:

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

STAFF PRESENT:

Harold P. Foster, Director, Community Planning and Development
Howard A. Null, Supervisor of Planning
D. W. Brown, Supervisor of Zoning
Richard Sweet, Planner
Barbara J. Lindsey, Recording Secretary

ANNOUNCEMENT:

MR. NULL stated that the agenda for this regular meeting of the City Planning Commission had been posted and mailed in accordance with N.R.S. Chapter 241 and affidavits are on file in the Office of the City Clerk.

MINUTES:

MRS. COLEMAN made a Motion for APPROVAL of the Minutes for the September 13, 1979 meeting as being correct as mailed and APPROVAL of the Minutes for the October 11, 1979 meeting with a correction as follows: Page 12, the count on the Motion for Denial for Item Z-101-79 carried by a 4-2 vote. Motion for APPROVAL carried unanimously.

OLD BUSINESS:

1. VAC-22-79
(Abeyance Item
from 10/23/79)
APPROVED

Petition of Vacation submitted by JACK AND BEVERLY COPE to vacate public right-of-way generally located on the north side of Alpine Place between Brush Street on the west and Decatur Boulevard on the east.

MR. NULL presented the staff report indicating this item was held in abeyance pending the submission of a zoning request. City departments, nor the utility companies have any objection to this request and staff would recommend approval subject to normal conditions and approval of zoning application Z-115-79.

DICK KNIGHTS, 2400 West Charleston Boulevard, appeared representing the applicant.

MRS. COLEMAN made a Motion for APPROVAL of VAC-22-79, subject to the following conditions:

1. Approval of zoning application Z-115-79.
2. Satisfaction of the requirements of the various utility companies.
3. Conformance to code requirements and design standards of all City departments.
4. Vacation shall not be recorded until all of the above conditions have been met.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard
by the City Commission on December 5, 1979, at which
time a date for public hearing would be set.

MR. JONES arrived at approximately 7:35 P.M.

NEW BUSINESS:

1. TENTATIVE MAP
WASHINGTON SQUARE
UNIT NO. 7
APPROVED

Property generally located at the northwest corner
of Washington Avenue and Sandhill Road, R-1 zone.
Owner/Subdivider: Robert Shaw
No. of Acres: 33.65 No. of Lots: 145

MR. NULL presented the staff report stating the
area in question was northwest of Washington
Avenue and Sandhill Road. Staff recommends approval
subject to the wall statement and normal conditions.

JAY DOWNEY, 4045 Spencer, appeared representing
the applicant.

MR. KENNEDY made a Motion for APPROVAL of the
Tentative Map of Washington Square Unit No. 7, subject
to the following conditions:

1. Approval of the tentative map shall be for no
more than twelve (12) months. If a final map
is not recorded on all or a portion of the area
embraced by the tentative map within twelve (12)
months of 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. If a final map is recorded
within twelve (12) months of the original
approval of the tentative map, or within the
extension of time of the tentative map for
only a portion of the area embraced by the
tentative map, the Planning Commission may
require that a new tentative map be filed and
approved prior to any further final maps being
approved.
2. 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.
3. Street names to be provided in accord with
the City's Street Name Policy.
4. Subject to all conditions of City departments
and State Subdivision Statutes.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard
by the City Commission on December 19, 1979, at
2:00 P.M.

2. FINAL MAP
WASHINGTON
SQUARE UNIT
NO. 7
APPROVED

Property generally located at the northwest corner
of Washington Avenue and Sandhill Road, R-1 zone.
Owner/Subdivider: Robert Shaw
No. of Acres: 33.65 No. of Lots: 145

MR. NULL presented the staff report indicating the
final map is in substantial conformity with the
tentative map and staff would recommend approval
subject to approval of the tentative map and
conformance to the conditions of approval of the
tentative map.

JAY DOWNEY, 4045 Spencer, appeared representing
the applicant.

MR. JONES made a Motion for APPROVAL of the Final
Map of Washington Square Unit No. 7, 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. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy, Mr. Canul.
"NOES" None

Motion for APPROVAL carried unanimously.

3. Z-122-79
APPROVED

Application of MICHAEL RYAN for reclassification of
property generally located at the northeast corner
of Craig Road and Lorenzi Boulevard, from R-E
(Residence Estates) and C-2 (General Commercial) -
Under Resolution of Intent to R-PD3 (Residential
Planned Development), to R-1 (Single Family Residence).
The above property is legally described as a portion
of the South Half (S $\frac{1}{2}$) of the Northwest Quarter (NW $\frac{1}{4}$)
of Section 2, Township 20 South, Range 60 East,
M.D.B.&M.

Proposed Use: Medium Low Density Detached Single
Family Dwellings

MR. BROWN read the normal conditions that would
apply to any approved rezoning requests heard at
this meeting. He then presented the staff report
stating the property is currently under a Resolution
of Intent to R-PD3. The request is for R-1. There
is R-1 to the north and south, with C-2 on the east.
Staff feels this is compatible with the established
development of the area and would recommend approval.
We have two letters of protest.

CHAIRMAN SWESSEL declared the public hearing open
and asked to hear from the applicant.

G. C. WALLACE appeared representing the applicant.

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

MR. GUTHRIE made a Motion for APPROVAL of Z-122-79,
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. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy, Mr. Canul.
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

4. TENTATIVE MAP
LONE MOUNTAIN
ESTATES
APPROVED

Property generally located at the northeast corner of Lorenzi Boulevard and Craig Road, R-E zone (under Resolution of Intent to R-PD3), proposed R-1.
Owner/Subdivider: Beauty Built Homes, Inc.
No. of Acres: 46.94 No. of Lots: 199

MR. NULL presented the staff report stating the area is located between Lorenzi Boulevard and Rancho Drive. This is the same property as the rezoning you just heard. With approval of zoning application Z-122-79 and normal conditions, staff would recommend approval.

MR. JONES made a Motion for APPROVAL of the Tentative Map of Lone Mountain Estates, subject to the following conditions:

1. Approval of zoning application Z-122-79.
2. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve (12) months of 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. If a final map is recorded within twelve (12) months of the original approval of the tentative map, or within the extension of time of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
3. Street names to be provided in accord with the City's Street Name Policy.
4. Subject to all conditions of City departments and State Subdivision Statutes.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

5. Z-113-79
APPROVED

Application of LEWIS HOMES OF NEVADA for reclassification of property generally located at the southwest corner of O'Bannon Drive and Verdinal Drive, from N-U (Non-Urban) to R-1 (Single Family Residence). The above property is legally described as a portion of the Southwest Quarter (SW¼) of the Southeast Quarter (SE¼) of Section 2, Township 21 South, Range 60 East, M.D.B.&M. Proposed Use: Medium Low Density - Detached Single Family Homes

MR. BROWN presented the staff report indicating there is R-PD5 to the north and R-E to the northwest. Directly to the east is R-1 which is now under construction. Staff feels this is a reasonable request and recommends approval.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

NICK DANE, 5240 South Polaris, appeared representing Lewis Homes.

MRS. COLEMAN asked if this development abuts the present development Lewis Homes just finished.

MR. DANE replied yes.

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-113-79, 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. Guthrie, Mr. Jones, Mr. Miller, Mr. Kennedy, Mr. Canul.
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

6. TENTATIVE MAP
LEWIS HOMES-
SAHARA NOS.
8 AND 9
APPROVED

Property generally located at the southwest corner of O'Bannon Drive and Verdinal Drive, N-U zone (proposed R-1).
Owner/Subdivider: Lewis Homes of Nevada
No. of Acres: 13.34 No. of Lots: 55

MR. NULL presented the staff report indicating the area is located southwest of O'Bannon and Verdinal Drives, the same area as in the previous zoning case. Staff would recommend approval subject to approval of Z-113-79 and the normal conditions.

NICK DANE appeared representing the applicant.

MR. JONES made a Motion for APPROVAL of the Tentative Map of Lewis Homes-Sahara Nos. 8 and 9, subject to the following conditions:

1. Approval of zoning application Z-113-79.
2. Approval of the tentative map shall be for no more than twelve (12) months. If a final map is not recorded on all or a portion of the area embraced by the tentative map within twelve (12) months of 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. If a final map is recorded within twelve (12) months of the original approval of the tentative map, or within the extension of time of the tentative map for only a portion of the area embraced by the tentative map, the Planning Commission may require that a new tentative map be filed and approved prior to any further final maps being approved.
3. Street names to be provided in accord with the City's Street Name Policy.
4. Subject to all conditions of City departments and State Subdivision Statutes.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

7. FINAL MAPS
CHARLESTON
HEIGHTS 62-A
AND 62-B
WAIVERS

Request of BECKER & SONS for waiver of certain subdivision requirements on property generally located on the west side of Lorenzi Boulevard, north of Alexander Road, N-U zone (under Resolution of Intent to R-PD8).

MR. NULL stated that Mr. Becker will be present later in the meeting and requested this item be heard at a later point in the agenda when Mr. Becker is present.

CHAIRMAN SWESSEL announced this item would be heard later in the agenda.

8. VAC-25-79
APPROVED

Petition of Vacation submitted by THEODOR AND ELEANOR BOSSART to vacate a 15 ft. roadway easement located approximately 350 ft. north of the centerline of Oakey Boulevard and 400 feet east of the centerline of Arville Street and extending easterly a distance of 236 feet.

MR. NULL presented the staff report indicating Arville is on the west, Oakey to the south and the area involved is part of a small subdivision. A 15 ft. roadway easement is requested to be vacated. City departments and utility companies have no objection to the request and staff would recommend approval subject to the normal conditions.

ELEANOR BOSSART, 4200 Bossart Court, appeared representing the applicant.

MR. MILLER asked what the roadway is being used for presently.

MRS. BOSSART replied nothing; the previous owner was the Lutheran Church who quitclaimed it to me.

MR. NULL stated the easement is on her property and she wishes to put a tennis court here.

MRS. COLEMAN made a Motion for APPROVAL of VAC-25-79, 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. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy, Mr. Canul.
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 5, 1979, at which time a date for public hearing would be set.

9. A-25-79(A)
APPROVED

Petition of Annexation submitted by GEOFFREY D. COMMONS to annex property generally located at the northwest corner of Cheyenne Avenue and Jones Boulevard containing approximately ten acres of land.

MR. NULL presented the staff report stating the area consists of approximately ten acres. Staff recommends approval. The present County zoning is R-E; the City equivalent being N-U.

RON VITO, 9112 El Campo Grande, appeared representing the applicant.

MR. JONES made a Motion for APPROVAL of A-25-79(A).

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

10. A-26-79(A)
APPROVED

Petition of Annexation submitted by ERNEST A. BECKER to annex property generally located at the southwest corner of Smoke Ranch Road and Torrey Pines Drive, containing approximately 5.3 acres of land.

MR. NULL presented the staff report indicating the property was located at the southwest corner of Smoke Ranch Road and Torrey Pines Drive and consists of approximately 5.3 acres. The County zoning is R-E, the City equivalent N-U.

MR. BARRY BECKER, 50 S. Jones, appeared representing the applicant.

MR. JONES made a Motion for APPROVAL of A-26-79(A).

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

11. A-27-79(A)
APPROVED

Petition of Annexation submitted by LEWIS HOMES OF NEVADA to annex property generally located south of O'Bannon Drive, east of Rainbow Boulevard, north of Sahara Avenue, and west of Torrey Pines Drive, containing approximately 47.9 acres of land.

MR. NULL presented the staff report indicating the annexation area on the map and that is consisted of approximately 47.9 acres of land. Staff recommends approval. The present County zoning is R-E; City equivalent is N-U.

NICK DANE, 5240 South Polaris, appeared representing the applicant.

MR. JONES asked if there were any current plans for this property.

MR. DANE replied not right away.

MR. MILLER made a Motion for APPROVAL of A-27-79(A).

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

12. A-28-79(A)
APPROVED

Petition of Annexation submitted by THE CITY OF LAS VEGAS, A MUNICIPAL CORPORATION to annex a portion of Angel Park, generally located on the south side of Westcliff Drive, east and west of Ft. Apache Road, containing approximately 120 acres of land.

MR. NULL presented the staff report indicating the City has been annexing Angel Park which is continuing west. Charleston Boulevard is to the south. This consists of approximately 120 acres with Ft. Apache on the east side. There are 80 acres on the west that will finish annexing Angel Park. Staff would request your review of the 80 acres as well as the 120 acres so we don't have to bring this back to you again. The present County zoning is R-E with the City equivalent being N-U.

MR. JONES made a Motion for APPROVAL of A-28-79(A), with the additional 80 acres.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

13. Z-112-79
APPROVED

Application of DANIEL F. O'CONNELL, ET AL for reclassification of property located at 1321 South Maryland Parkway, from R-1 (Single Family Residence), to P-R (Professional Offices & Parking). The above property is legally described as Lot 4, Block 20, Huntridge Subdivision Tract 4.
Proposed Use: Interior Decorator Consultant

MR. BROWN presented the staff report indicating the property is on the east side of Maryland Parkway just south of Franklin between two lots zoned P-R. Staff feels this request is in concert with development of the area and recommends approval subject to the normal conditions and a block wall be installed on the east side of the property.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

DANIEL O'CONNELL, 29 E. Karen Avenue, appeared.

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-112-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. A 6 ft. block wall to be constructed on the east 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 system 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. Guthrie, Mr. Jones, Mr. Miller, Mr. Kennedy, Mr. Canul.
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

14. Z-114-79
ABEYANCE

Application of JOHN AND ELVIRA FALCO, ET AL for reclassification of property located at 1708, 1800, and 1804 Valley View Boulevard, from R-1 (Single Family Residence), to P-R (Professional Offices & Parking). The above property is legally described as Lots 16, 17, and 18, Block 4, Las Verdes Heights #4.

Proposed Use: Offices

MR. BROWN presented the staff report indicating the request is in the heart of an R-1 district. There is single family in all four directions; across the street east is R-1. For the most part, the density in the surrounding area is R-1 or less dense and we feel this would be spot zoning. P-R should not encroach on Valley View and we recommend denial. There are 11 protests.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

FRED DEFILIPPO, 1800 Valley View, appeared representing the applicant. He stated Valley View has been commercialized lately and submitted a letter of recommendation from 1700 Valley View Boulevard in favor of the rezoning to professional.

JOSEPH DEL PRIORE, 1708 Valley View Boulevard, appeared representing the applicant. He stated for the past four years, it has gotten really bad; everything around is commercial. This is no place to raise a family. I am a resident here and there are 12 houses facing Valley View that are residential.

CONNIE ROUSELLE, 1804 Valley View, appeared representing the applicant.

MR. GUTHRIE asked what type of offices these would be.

MR. DEFILIPPO replied professional of some type, such as doctors or attorneys.

MR. KENNEDY stated there are a number of properties that side on Valley View.

MR. DEL PRIORE stated yes, but they don't have to live on Valley View.

MRS. COLEMAN asked the size of the lots.

MR. DEL PRIORE stated they were 160' x 125'.

MR. BROWN stated there were 101 signatures of protest.

SANDY FOREMASTER, 1805 Poco Way, appeared in protest citing traffic congestion, parking problems and dangerous streets.

JIMMY GARRETT, 3709 El Cedral appeared in protest citing excess traffic.

ERLENE DORSETT, 3709 El Cortez appeared in protest citing increased traffic on El Cortez, Oakley, and Valley View.

LEO LEWIS, 3420 El Cortez Avenue, appeared in protest stating he didn't feel additional commercial zoning was needed at this time in the City because of vacancies that exist in this area.

DICK TAYLOR, 1812 Ortiz, appeared in protest.

Approximately 45 persons were present in protest.

MRS. JOHN ABAJIAN, 1801 Poco Way, appeared in protest citing traffic.

KATHY WILSON, 3608 El Cortez, appeared in protest stating that to rezone to P-R would be a stepping stone to rezoning to commercial later.

JOYCE DOBSON, 3909 West Oakey, appeared in protest stating her main objection is that this would be starting a precedent.

ELIZABETH _____, 3308 El Cortez, appeared in protest.

PAT CYR, 3413 El Cortez, appeared in protest.

The applicants appeared in rebuttal.

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

CHAIRMAN SWESSEL stated staff did recommend denial of this as being spot zoning. He stated he has spent a lot of time out here in reviewing this request. He summarized all zoning of all properties along Valley View and recommended staff to make a complete study of this area of Valley View, and come back in 90 days with their recommendation besides the request being spot zoning.

MRS. COLEMAN stated there are houses all up and down Oakey. If you start this type of thing to accommodate three property owners, you are going to have a problem. I don't believe that changing this will help anything. I believe staff has done a study or they wouldn't recommend against it. I make a Motion for DENIAL.

MR. CANUL stated he would like to see a study made of this.

MR. JONES stated he didn't believe the problem is Valley View. We are going to run into this in any area where there are transitional areas. I am in favor of the study before we take any action on this. I believe this will be of benefit to all. We are faced with a situation here as what is determined spot zoning. We have been trying to eliminate such things and I concur with Mr. Swessel.

MRS. COLEMAN stated this would be alright with her. What would happen to this area should be included in the study. She rescinded her previous motion.

MR. JONES stated he would like to make a Motion that we hold this item in abeyance for 90 days for a study to include one from Traffic Engineering. We want to take a look at the entire area to include the whole street. He made a Motion that this item, Z-114-79, be held in ABEYANCE for an in-depth study.

MR. BROWN stated that staff did not need 90 days in which to prepare the study. He indicated if this item were to be held until the January 10th meeting that would allow sufficient time.

MR. JONES rephrased his Motion to hold this item in abeyance pending an in-depth study of the immediate area and all along Valley View, and the item be held until January 10th.

Voting was as follows:

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

Motion for ABEYANCE carried by a 5/2 vote.

MR. BROWN stated the protestants would not be notified again of the meeting and asked the Chairman to make such an announcement.

CHAIRMAN SWESSEL announced this item would again be considered by the City Planning Commission on January 10, 1980, at 7:30 P.M.

RECESS:

CHAIRMAN SWESSEL declared a ten minute recess at 8:35 P.M. and reconvened the meeting at 8:45 P.M.

15. Z-115-79
APPROVED
AS AMENDED

Application of JACK C. AND BEVERLY COPE for reclassification of property generally located on the north side of Alpine Place, 300 feet west of Decatur Boulevard, from R-1 (Single Family Residence) and P-R (Professional Offices & Parking), to R-4 (Apartment Residence) and C-1 (Limited Commercial). The above property is legally described as a portion of Government Lot 34, Section 36, Township 20 South, Range 60 East, M.D.B.&M.

Proposed Use: High Density Apartments and Offices

MR. BROWN presented the staff report indicating the property is located west of Decatur Boulevard a half block and north of Alpine. Northwest of this area is R-3. We see no validity to rezoning this to C-1, rather our recommendation is that it be rezoned to P-R. In view of the fact that the entire area to the northwest is zoned R-3 that this would be more compatible to be rezoned R-3 also. We are not too enthusiastic with the plot plan as submitted. If the Commission determines to rezone, we would like to have the plot plan redesigned.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

DICK DOUGLAS, 2400 West Charleston Boulevard, appeared representing the applicant. Everything on the east side and south side of this property is commercial zoning he stated. The applicant would like to have a sporting goods shop and beauty shop, which we are negotiating with at the present time. He stated the alley will remain as is; the alley only goes up a portion of the way. It is not continuous.

JOHN ROBARTS, 2800 Gilmary also appeared on the applicant's behalf. The property is surrounded by commercial at this time. It has a separate access to Alpine. We have a surplus of parking of about 140 or 150 spaces, only 130 are needed.

MRS. COLEMAN stated it has been a policy of the Planning Commission not to give R-4 outside the downtown area.

MR. ROBARTS stated he believed this to be a mini-downtown area. This is a situation where people need housing so they can walk to their work and entertainment.

MRS. COLEMAN asked how large was the property.

MR. ROBARTS replied almost 2½ acres.

MR. DOUGLAS stated there are 88 units proposed.

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

MR. ROBERTS stated they would agree to redesign the plot plan and resubmit it.

MR. MILLER stated he didn't know if the C-1 is all that bad with C-1 all around on that side.

MR. DOUGLAS stated this type of business would bring the clients in, in from off the street but they will be established clients.

MR. BROWN stated one of the reasons that staff recommends that the C-1 be changed to P-R is because this is not a major street.

MR. JONES stated he would like to see the applicant go for abeyance with a revised plot plan with R-3 and P-R in the area.

MR. ROBERTS stated R-3 wouldn't work in here on dollar and cents.

MR. DOUGLAS stated that on behalf of Dr. Cope he would be willing to come back with a revised plan. We will go along with your recommendation for R-3 and P-R.

MR. JONES made a Motion for APPROVAL of Z-115-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. The application be amended from R-4 to R-3 and from C-1 to P-R, and the plot plan be redesigned as required by the Planning Commission.
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 system 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.
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. Guthrie, Mr. Jones, Mr. Miller, Mr. Kennedy, Mr. Canul
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

16. Z-116-79
APPROVED

Application of BECKER & SONS, A PARTNERSHIP for reclassification of property generally located on the north side of Charleston Boulevard between Bishop Drive and Salem Drive, from R-3 (Limited Multiple Residence), to C-1 (Limited Commercial). The above property is legally described as a portion of the Southeast Quarter (SE $\frac{1}{4}$) of Section 35, Township 20 South, Range 60 East, M.D.B.&M.
Proposed Use: Shopping Center

MR. BROWN presented the staff report indicating this request was located on the north side of Charleston Boulevard just east of Torrey Pines. Adjacent to this to the west is a huge area of C-1 that is vacant. Staff recommends this application be denied in view of the fact that there is considerably more acres in the area now zoned for commercial than the General Plan recommends, and would recommend denial.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

MR. BARRY BECKER, 50 South Jones Boulevard, Suite 101, appeared on behalf of the application. The use we have in mind, he stated, is more suited to a smaller piece of ground. The area now wouldn't support this type of development. This is the reason we have requested this other parcel to the east to be rezoned to commercial now so that we can start serving some of the people in the area. We feel this would be a good use for the area.

MR. GUTHRIE asked what type of shops would this be.

MR. JAY DOWNEY, 4045 Spencer, appeared also on behalf of the applicant, representing Kindercare Child Care facility. We will be the first lessee in the area; possibly, the biggest user. A learning center and child care center needs C-1 zoning.

MR. BECKER stated there would also be retail stores in the complex.

MR. MILLER asked how long before the first phase is started.

MR. BECKER replied Kindercare will be started as soon as we have approval.

DWAYNE AND JOYCE SOVALL, 6236 Boyer Way, appeared. They stated there are too many small shopping centers in the area. This would be the fourth between Torrey Pines and Decatur and most are not completely occupied.

SCOTT _____, 6233 Boyer, appeared. He stated he would like to see a complete block wall around the entire property.

MRS. COLEMAN stated they could include this as a stipulation of approval.

MR. MILLER stated he understood these people's concern but the other alternative would be R-3.

JOYCE SOVALL stated they didn't mind the shopping center but Mr. Becker had stated only a block wall would be constructed around the child care and not anything else and we would like to see a block wall around the entire site.

MR. ERNIE BECKER appeared and stated whenever we put a fence around a vacant parcel of ground, the kids knock the wall out. Then when you repair it, it will look worse because it will be patched. We would like to see a block wall put up as the property is developed.

MR. JONES asked the time limit involved from start to finish.

MR. BECKER stated we are possibly looking at a four year program.

MR. MILLER asked if in a C-1 project, is a wall required around the residential area.

MR. FOSTER stated staff generally requests it by condition; it is not an ordinance.

MRS. COLEMAN asked that once Kindercare is built, will the rest of the center go in at the same time.

MR. BECKER replied no but we would not leave an empty space.

MR. CANUL asked what they were proposing to fence at the present time.

MR. BECKER replied only the Kindercare facility.

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

MR. BROWN stated that if the Commission decided to recommend approval, Public Services has some stipulations: no access on Blair; 30 ft. right-of-way for Salem; 25.5 ft. for Blair Way; radius corners at Blair and Salem and Blair and Bishop; 25.5 ft. for Bishop Drive and a radius corner at Bishop and Charleston Boulevard. In addition, they would like half-street improvements on Bishop Drive, sidewalks on Charleston Boulevard, Blair Way, and Salem Drive.

MR. BECKER agreed to Public Services requirements.

MR. MILLER made a Motion for APPROVAL of Z-116-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Dedicate 30 ft. of right-of-way on Salem; 25.5 ft. for Blair Way, and radius corner at Blair and Salem, and Blair and Bishop; 25.5 ft. for Bishop Drive, and a radius corner at Bishop and Charleston Boulevard as required by the Department of Public Services.
3. Construct half-street improvement on Bishop Drive, sidewalks on Charleston Boulevard, Blair Way, and Salem Drive as required by the Department of Public Services.
4. Construct a 6 ft. block wall along Salem and Blair on the portions of the shopping center as it develops with the wall to be set back five feet for landscaping as required by the Department of Community Planning and Development.

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 system 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.
8. Conformance to the plot plan as amended to reflect the above conditions.
9. Securing all necessary permits and licenses and satisfaction of City code requirements and design standards of all City departments.

Mr. Becker stated they would not leave between any building a gap.

Voting was as follows:

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

Motion for APPROVAL carried by a 5/2 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

17. Z-117-79
 APPROVED

Application of RALPH AND PHYLLIS TRENTADUE for reclassification of property located at 1501 Arville Street, from R-E (Residence Estates), to P-R (Professional Offices & Parking). The above property is legally described as a portion of Lot 1, Block 1, Artesian Heights Tract No. 1.
 Proposed Use: Offices

MR. BROWN presented the staff report indicating the property is between Del Rey and Mountain View on the east side of Arville. Staff would recommend approval subject to redesigning the plot plan to move the parking to the north and having landscaping in the front.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

JOHN SHERMAN, 3111 South Valley View, appeared representing the applicant. He stated he agrees with staff's recommendation. The exterior of the building will remain the same.

FRANK COBETT, 4360 Valley View appeared in protest. He stated at 1533 Arville last year a real estate office for P-R was denied. He mentioned at 4350 Valley View, an attorney is presently operating. I also own the home at 4361 Mountain View and I don't feel that half-acre homes are necessary to be P-R.

CHAIRMAN SWESSEL stated he didn't believe that anyone would be hurt if this parcel is rezoned to P-R as it is bounded by three streets.

JAMES QUISENBERRY, 4115 Del Monte, appeared in protest stating this would be spot zoning.

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-117-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. This use is restricted to one business only.
3. Redesign the south portion of the development plan to provide for no off-street parking nor access from the abutting streets on the portion of the property south of the office building and said area shall be landscaped in its entirety as required by the Department of Community Planning and Development.
4. 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.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
6. All mechanical equipment, air conditioners, and trash areas shall be screened from view from the abutting streets.
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, Mr. Jones, Mrs. Coleman,
Mr. Guthrie, Mr. Miller, Mr. Canul
"NOES" Mr. Kennedy

Motion for APPROVAL carried by a 6/1 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

18. Z-118-79
DENIED

Application of SAMCO INVESTMENTS INC. for reclassification of property generally located on the north side of Stewart Avenue, 529 feet west of Lamb Boulevard, from R-E (Residence Estates) under Resolution of Intent to R-3 (Limited Multiple Residence), to C-1 (Limited Commercial). The above property is legally described as the west 100 feet of the east 679 feet of the south 327.74 feet of the Southeast Quarter (SE $\frac{1}{4}$) of the Northeast Quarter (NE $\frac{1}{4}$) of Section 31, Township 20 South, Range 62 East, M.D.B.&M.

Proposed Use: Commercial Child Care Facility

MR. BROWN presented the staff report indicating there was R-E zoning on both sides of the property with residential on the south. In April, 1978, C-1 was requested and the Planning Commission and City Commission both denied the request. In October, 1978, the same request was made and the City Commission denied this. Staff feels nothing has changed in the area to warrant any change in our recommendation; still feel this would be spot zoning and recommend denial.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

JAY DOWNEY, 4045 Spencer, appeared representing the applicant, Kindercare. He stated it was unfortunate a child center falls under a commercial zone. He submitted a petition with 154 signatures for approval. We feel we have a compatible use. He stated there was small commercial on the other corner and a resolution of intent on the corner for commercial. He submitted pictures of the proposed facility to the Commission.

MARK _____, 3127 E. Sonata Drive, appeared in protest. He stated there is an abundance of C-1 in the area; the corner that is zoned C-1 is for sale. He said there is residential to the north, south and residential under resolution of intent to R-3 in the area. Once this is zoned C-1, there could be a change in the use.

MR. JACK HANSHREL appeared representing Kindercare out of Montgomery, Alabama. We have 541 facilities through the U.S. We not are married to the design of the building and could change the exterior but would like to leave the interior as is. Kindercare's program is designed strictly as a service to working parents.

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-118-79.

Voting was as follows:

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

Motion for DENIAL carried by a 5/2 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

19. Z-119-79
DENIED

Application of PHILIP J. COHEN for reclassification of property generally located on the east side of Michael Way between Lake Mead Boulevard and Vegas Drive, from N-U (Non-Urban), to R-1 (Single Family Residence). The above property is legally described as a portion of the West Half (W $\frac{1}{2}$) of the West Half (W $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 24, Township 20 South, Range 60 East, M.D.B.&M.
Proposed Use: Medium Low Density - Detached
Single Family Residences

MR. BROWN presented the staff report indicating Lake Mead was on the north, Michael Way on the south. They are requesting considerably higher

density from that which is completely surrounding the area and recommend denial.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

OWEN NITZ, 516 S. 3rd, Attorney at Law, appeared on behalf of Durable Developers. He stated this is a very good builder, and presented pictures of tracts by Durable indicating very fine neighborhoods, luxury homes. Regarding the density, I disagree with staff. The Master Plan was prepared and approved by the Department of Community Planning and Development, dated 1975. He presented a Master Plan to the Commission members. The proposed use is within the purview of this Master Plan and is less dense than that.

MRS. COLEMAN asked which one of their developments would this one be like.

MR. NITZ stated the homes probably will not be as high as Villa Bonita or Rancho Bonita but generally in the area of \$100,000. There are 35 acres with 142 residences proposed on 7,000 to 11,000 sq. ft. lots.

MR. JONES asked the square footage of the homes.

BRIAN WRIGHT, Vice-President of Durable Developers, appeared and stated the square footage of the homes would be from 1400 to 2400, in the proximity of Oeste and Villa Bonita projects.

RAY GUPSER, 5190 W. Hayes, appeared in protest. He stated this area has been recently annexed into the City. We enjoy having horses in this area with no sidewalks. I am the spokesperson for the protestants here tonight and we are against this project.

CHAIRMAN SWESSEL declared a five minute recess at 10:05 to give the protestants a chance to confer and reconvened the meeting at 10:10 P.M.

MR. GUPSER stated the group feels this is back to the typical house and we are very much opposed to this proposal. He submitted a petition with 100 signatures in protest.

APPROXIMATELY 20 persons were present in opposition.

LEO FARTENSPARK appeared in protest.

BOB AND CHARLENE GILMART who live on Shadow Mountain Place between Carl and Lake Mead appeared in protest. They stated the homes are smaller than what they would like to see. We would like to see some nice homes developed on half-acre lots.

JIM HAMILTON, 1616 Leonard Lane, appeared in protest and stated most of the homes in this area are not less than 2,000 sq. ft.

MR. ANDERSON, 1857 Leonard Lane, appeared in protest, stating that if they will put up a housing development with the adjacent area with a block wall and isolate themselves, then he objects.

ALVIN HARVEY, 1895 Michael Way, appeared in protest.

SHIRLEY BAYER, 1731 Michael Way, appeared in protest.

MR. NITZ appeared in rebuttal. He read a letter from Brechler of the Regional Transportation Commission advising lots back up to Michael Way as this is a major street and R-1 lots should back up to it. The block wall will be compatible because Michael Way is a major street that will run from Rancho all the way over to the Meadows.

MRS. COLEMAN asked if consideration would be given to larger lots in this development.

MR. NITZ stated they believed it to be good as it stands and submit it to the Commission as is.

MARILYN UPCHURCH, 5151 Kirkwood, appeared in 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-119-79.

Voting was as follows:

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

Motion for APPROVAL failed to carry by a 2/5 vote and resulted in a DENIAL action.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

20. Z-120-79
DENIED

Application of GLENN H. AND CHARLOTTE LUTZ for reclassification of property generally located at the northwest corner of Third Street and California Street, from R-4 (Apartment Residence) Under Resolution of Intent to C-1 (Limited Commercial), to C-2 (General Commercial). The above property is legally described as Lots 21, 23, and 24, Block 13, Boulder Addition.

Proposed Use: Motel

MR. BROWN presented the staff report indicating this involved two lots on the southeast corner of 3rd and California, one is vacant. The request is for C-2. We recommend that that request be denied in view of the fact that in a C-1 District, a motel use can be approved with a use permit and approval of a plot plan. The applicant does not object to this. We would recommend that the property now zoned under Resolution of Intent to C-1 stay that way. In view of the fact that the public hearing notice indicated this, this will serve as a plot plan review for a motel at this location. We would recommend that it be approved subject to landscaping as approved by staff. We have six signatures of protest.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

FRED PERAZZO, appeared on behalf of the developer, stating that he was the architect for this project. There will be 60 units with 60 parking spaces on the ground floor. The air conditioners will be in the wall.

MERLE FREHNER appeared in protest. He stated he lives on 3rd Street and submitted a petition with six or seven signatures in opposition. We object to the C-2, to the high density use in the building; it will lower property values in the area.

MRS. GRIGGS, appeared in protest. She stated she lives across from the proposed site.

MR. BILL GRIGGS appeared in protest.

MR. PERAZZO appeared in rebuttal stating the units will be about 400 sq. ft. with kitchenettes. The property is 100 by 140 and the other is 50 by 140.

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

MR. BROWN repeated staff recommendation that the C-2 be amended to C-1 and the request be granted.

MR. FOSTER stated this hearing will constitute the use permit requirement.

MR. JONES made a Motion for DENIAL.

Voting was as follows:

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

Motion for DENIAL carried by a 6/1 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

21. Z-121-79
DENIED

Application of EDWARD J. AND LYNN M. DiFEDERICO for reclassification of property located at 2001 Santa Paula, from R-1 (Single Family Residence), to P-R (Professional Offices & Parking). The above property is legally described as Lot 23, Paradise Village Tract 3.

Proposed Use: Offices

MR. BROWN presented the staff report and stated we recommend this be approved with the stipulation of a revised plot plan reflecting landscaping as proposed by staff.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

EDWARD DiFEDERICO, 2001 Santa Paula, appeared stating they would like to put in an office for investments for myself.

PAULINE PETOSKE, 2013 Santa Paula, appeared in protest.

TONI BLANK, 2014 Santa Paula, appeared in protest because of the parking. If the applicant provides adequate parking, it is okay.

MR. MILLER made a Motion for DENIAL of Z-121-79.

Voting was as follows:

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

Motion for DENIAL carried by a 6/1 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

22. Z-123-79
APPROVED

Application of HOME INVESTMENT COMPANY for reclassification of property generally located on the north side of Sahara Avenue between Valley View Boulevard and Las Verdes Street, from C-C (Neighborhood Commercial Center), to C-1 (Limited Commercial). The above property is legally described as a portion of the Southeast Quarter (SE¼) of the Southeast Quarter (SE¼) of Section 6, Township 21 South, Range 61 East, M.D.B.&M. Proposed Use: Minor Automobile Service Facility MR. BROWN presented the staff report indicating the property is located on the northeast corner of Las Verdes and Sahara Avenue. Everything is in order and we recommend approval.

CHAIRMAN SWESSEL declared the public hearing open and asked to hear from the applicant.

BOB McNUTT, Engineer, appeared on behalf of the applicant. This is just east of the Husky Station.

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-123-79, 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 system 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, Mrs. Coleman,
Mr. Miller, Mr. Guthrie, Mr. Canul, Mr.
Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

23. Z-69-73
Review of
Conditions
APPROVED

Request of BECKER INVESTMENT for a Review of Conditions relative to deferring landscaping on property generally located at the southeast corner of Jones Boulevard and Smoke Ranch Road, C-1 zone.

MR. BROWN presented the staff report indicating the Public Services Department wants landscaping held up at this location until they can put improvements in. We would recommend approval.

MR. ERNEST BECKER appeared.

MRS. COLEMAN made a Motion for APPROVAL of Z-69-73 to defer landscaping on this property until completion of construction of street improvements on Smoke Ranch Road.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

24. Z-72-79
Review of
Conditions
APPROVED

Request of ERNEST A. BECKER, JR. for a Review of Conditions relative to allowing a Resolution of Intent with no time limit on property generally located at the northwest corner of Alexander Road and Lorenzi Boulevard, N-U zone (under Resolution of Intent to R-PD8 and R-PD20).

MR. BROWN presented the staff report indicating staff has no objections to the request.

ERNIE BECKER, SR. appeared.

MR. JONES made a Motion for APPROVAL of Z-72-79 for a two year time limit, subject to the following condition:

1. Conformance to conditions originally imposed at the time of approval of Z-72-79, and any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced the Commission would now consider Item 7 -

FINAL MAPS
CHARLESTON HEIGHTS
62-A and 62-B
WAIVERS
ABEYANCE

Request of BECKER & SONS for waiver of certain subdivision requirements on property generally located on the west side of Lorenzi Boulevard, north of Alexander Road, N-U zone (under Resolution of Intent to R-PD8).

MR. NULL presented the staff report stating there are four waiver requests and one review of conditions. The Rainbow Expressway is on the west, with Lorenzi on the east of the subdivision. A waiver has been requested on Overbrook, which is an internal street, and should be full width. The tentative map condition, to be amended, is that all of these internal streets be 60 ft. except for Millgrove

Avenue. They are requesting 24" roll curb in lieu of 24" "L" curb, and to reduce the 20 ft. building setback, which was specified on the tentative map, from 20 ft. down to 10 ft. and last to delete the required 5 ft. sidewalks. As far as the half-street request, Public Services does not object to that. Staff will agree to a 51 ft. width on a portion of Broadriver. The roll curb is not objectionable to Public Services. Staff, however, is strongly concerned about the setback request from 20 ft. down to 10 ft. because of the narrowness of the lots. With only a 10 ft. setback you are going to have the cars hanging out into the street. This is a very dangerous situation. The large number of expected children would not have the use of a sidewalk and would have to walk around into the street behind the cars. Staff feels very strongly about these two waivers that they should not be approved.

ERNIE BECKER, SR. appeared stating they have a new concept in the narrow lot subdivision. We would like to move the houses up and allow more space in the back yard.

MR. MILLER questioned the cars in the front hanging out in the street.

MR. BECKER stated he would assume this would occur because even with the wider driveways, this happens. There have not been any problems in our area that exist similar to this.

MR. GUTHRIE asked if these would be one car driveways.

MR. BECKER replied yes.

MR. NULL stated the idea is basically good but has some drawbacks. I feel this type of development is going to become more and more prevalent. There is an experimental project near Maverick and Smoke Ranch. I believe you should look at this project and determine the advantages and disadvantages of this concept.

MRS. COLEMAN asked if there would be a problem if the item is held in abeyance.

MR. BECKER replied no, he believed the Commission should look at the project.

MR. CANUL was excused from the balance of the meeting at approximately 11:15 P.M.

MRS. COLEMAN made a Motion to hold this item in ABEYANCE to allow the Commission to conduct a field trip regarding the requested waivers.

Voting was as follows:

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

"NOES" None

Motion for ABEYANCE carried unanimously.

25. Z-100-64(113)
Plot Plan Review
APPROVED

Request of PETER F. KOPPE, CHARTERED, ATTORNEY
AT LAW for a Plot Plan Review to allow offices
on property located at 530 South Third Street,
under Resolution of Intent to C-2.

MR. BROWN presented the staff report indicating
there were three trees in front. There are six
spaces of parking with landscaping in front and
staff recommends approval.

PETER KOPPE appeared.

MRS. COLEMAN made a Motion for APPROVAL of
Z-100-64(113), 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.
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" Chairman Swessel, Mrs. Coleman, Mr. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

26. Z-78-65 AND
Z-5-64
Plot Plan Review
APPROVED

Request of MINIT-LUBE for a Plot Plan Review to
allow an auto service center on property generally
located at the northeast corner of Stockton Avenue
and Sahara Avenue, R-2 zone (under Resolution of
Intent to C-1).

MR. BROWN presented the staff report indicating
staff recommends approval in view of the fact
that there is no service station. The applicant
must apply for a use permit to make this legal.

JOHN STAFF from Salt Lake City appeared representing
the applicant.

MR. JONES made a Motion for APPROVAL of Z-78-65
and Z-5-64, subject to the following conditions:

1. A Use Permit be approved for this use.
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 system 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. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

27. AV-17-79
APPROVED

Request of NICOLA LOLLI for an Administrative Variance to allow a deviation in the side yard setback on property located at 1305 Norman Avenue, R-1 zone.

MR. BROWN presented the staff report indicating he had received a call from the applicant who could not be present tonight. Staff recommends approval.

MRS. COLEMAN made a Motion for APPROVAL of AV-17-79, 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. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

28. AV-18-79
APPROVED

Request of GEORGE COSSOVEL for an Administrative Variance to allow a deviation in the side yard setback on property located at 1301 Norman Avenue, R-1 zone.

MR. BROWN presented the staff report indicating the request is the same as AV-17-79.

MRS. COLEMAN made a Motion for APPROVAL of AV-18-79, 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. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

29. Z-66-64
Plot Plan Review
ABEYANCE

Request of RACE CAR PRODUCTS for a Plot Plan Review to allow the sale of racing equipment, custom building of off-road vehicles, the rebuilding of engines, and storing of autos (maximum of ten) on property located at 201 North Mojave, "M" zone.

MR. BROWN presented the staff report stating staff doesn't know enough about this request and recommend it be held in abeyance until the applicant submits a plan.

REX NOBLE, appeared representing the applicant and stated he was very surprised at the comments by staff and wanted to open up on November 1st. He questioned what was needed from him as no one had contacted him and this was the first he knew of this.

CHAIRMAN SWESSEL indicated staff must know where you are going to store the vehicles and where you will be doing the work, etc. He recommended to the applicant that he get together with staff and come back.

MR. JONES made a Motion to hold this item, Z-66-64, in ABEYANCE pending submittal of a plan showing more detailed use of the property.

Voting was as follows:

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

Motion for ABEYANCE carried unanimously.

30. Z-96-78
Extension of
Time
APPROVED

Request of E. J. DOWNEY for a one year Extension of Time on property generally located at the north-west corner of Jones Boulevard and Lake Mead Boulevard, R-E zone (under Resolution of Intent to C-1).

MR. BROWN presented the staff report indicating the reason for this request is due to the widening of Jones and staff recommends approval.

E. J. DOWNEY appeared.

MRS. COLEMAN made a Motion for APPROVAL of Z-96-78, subject to the following conditions:

1. This extension of time shall be limited to a one year time period.
2. Conformance to conditions originally imposed at the time of approval of Z-96-78, and any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

31. Z-31-73
Plot Plan Review
APPROVED

Request of SPACE REALTY for a Plot Plan Review to allow a real estate office on property located at 1908 Maryland Parkway, under Resolution of Intent to P-R.

MR. BROWN presented the staff report indicating the applicant has ample parking and staff recommends approval.

BILL LOLATTE, SPACE REALTY, appeared.

MR. KENNEDY made a Motion for APPROVAL of Z-31-73, 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.
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" Chairman Swessel, Mrs. Coleman, Mr. Guthrie, Mr. Jones, Mr. Miller, Mr. Kennedy
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on December 19, 1979, at 2:00 P.M.

32. AR-8-77
APPROVED

Request of NEVADA INDUSTRIAL PARKS INC. for a six-month Extension of Time for the completion of the final landscaping at Highland Industrial Parks at 2901 South Highland Drive.

DICK HOLTON appeared on behalf of the applicant stating there is a residual piece of property that is adjacent to us that we would not maintain.

MR. MILLER made a Motion for APPROVAL of AR-8-77, subject to the following conditions:

1. This extension of time shall be limited to a period of six months.
2. Conformance to conditions originally imposed at the time of approval of AR-8-77, and any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

DIRECTOR'S BUSINESS:

1. Proposed Ordinance Allowing family care nurseries in the R-PD zone.
Amendment

(Abeyance Item
from 11/8/79)

APPROVED

MR. FOSTER presented the staff report indicating the back-up material sent to the Commission provides essentially what was requested. Staff recommends it be approved by Resolution rather than being an ordinance amendment and that it only apply where there are no homeowners associations involved.

GLORIA LEWTON, Child Care Specialist, for the City appeared stating she submitted a report to Mr. Foster.

MRS. COLEMAN asked if there would be any problem if the number of children were limited to four.

MS. LEWTON replied negatively and stated the average of all family care nurseries is now four plus the applicant's children for a total of six.

MRS. COLEMAN stated she would like to limit the total number of children to four including their own children.

LORELLA GIBBS, Vice-Chairman of Child Welfare Board, appeared. She stated she thought the Commission should be aware of the fact that the children are not free to roam the street; they are not even allowed in the front yard unless it is fenced. They must be under supervision at all times. We would limit these children but they shouldn't be bothering the neighbors because most of them have preschoolers. We want to get children out of the unlicensed homes. Our programs are educational.

MRS. COLEMAN stated she believed they could try it out at four and see how it works. She made a Motion for APPROVAL as recommended by staff with a limitation of four children which would include whatever children are in the home under the age of six.

Voting was as follows:

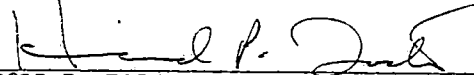
"AYES" Chairman Swessel, Mrs. Coleman, Mr. Guthrie,
Mr. Jones, Mr. Miller, Mr. Kennedy.
"NOES" None

Motion for APPROVAL carried unanimously.

ADJOURNMENT:

There being no further business to come before the Commission, CHAIRMAN SWESSEL declared the meeting adjourned at 11:35 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

HPF:bjl