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A G E N D A

CITY PLANNING COMMISSION

DECEMBER 13, 1979

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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. FINAL MAPS
CHARLESTON HEIGHTS
62-A AND 62-B
WAIVERS
(Abeyance Item from 11/27/79)
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).

2. FINAL MAP
CHARLESTON HEIGHTS
TRACT 62A
(Abeyance Item from 11/8/79)
Property generally located on the west side of Lorenzi Boulevard, north of Alexander Road, N-U zone (under Resolution of Intent to R-PD8).
Owner/Subdivider: Becker & Sons
No. of Acres: 8.28 No. of Lots: 73

3. Z-66-64
Plot Plan Review
(Abeyance Item from 11/27/79)
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.

NEW BUSINESS:

1. FINAL MAP
PARKWOOD 11
Property generally located on the south side of Bonanza Road, east of Marion Drive, R-E zone, (under ROI to R-1).
Owner/Subdivider: Metropolitan Development Corp.
No. of Acres: 11.34 No. of Lots: 50

2. FINAL MAP
PARKWOOD 12
Property generally located on the south side of Bonanza Road, east of Marion Drive, R-E zone, (under ROI to R-1).
Owner/Subdivider: Metropolitan Development Corp.
No. of Acres: 11.61 No. of Lots: 32

3. FINAL MAP
CHARLESTON
RAINBOW 18C
Property generally located on the south side of Westcliff Drive, west of Cimarron Road, N-U zone, (under ROI to R-1).
Owner/Subdivider: Sproul Homes
No. of Acres: 12.19 No. of Lots: 52

4. FINAL MAP
CHARLESTON
RAINBOW 18D
Property generally located on the south side of Westcliff Drive, east of Durango Drive, N-U zone (under ROI to R-1).
Owner/Subdivider: Sproul Homes
No. of Acres: 8.41 No. of Lots: 37
5. FINAL MAP
LOS ARBOLES
SUBDIVISION
Property generally located on the south side of Hinkle Drive between 22nd Street on the west and 23rd Street on the east, R-3 zone.
Owner/Subdivider: Nevada Properties
No. of Acres: 1.45 No. of Lots: 8
6. STREET NAME
CHANGE
Request by the property owners for a proposed Street Name Change from: Rancho Bel Air Drive to: DuPlante Drive; and from: Albacore Drive to: Rancho Bel Air Drive.
7. VAC-26-79
Petition of Vacation submitted by FOUR QUEENS, INC. to vacate a portion of the east-west alley located south of Fremont Street and north of Carson Avenue commencing at the east right-of-way line of Casino Center Boulevard and extending easterly a distance of 160 feet; and the north five feet of the abutting north-south alley.
8. A-29-79 (A)
Petition of Annexation submitted by VINCENT LOBUE to annex property generally located at the southeast corner of Edmond Street and El Parque Avenue containing approximately five acres of land.
9. Z-124-79
Application of CAROLYN A. WITKOWSKI, ET AL for reclassification of property generally located at the northwest corner of Monterey Avenue and Sahara Avenue, from R-1 and R-2 to C-1.
Proposed Use: Offices
10. Z-125-79
Application of FAYE WAITS for reclassification of property generally located on the east side of Burnham Avenue, 100 ft. south of Exley Avenue, from R-1 to C-1.
Proposed Use: Office
11. Z-126-79
Application of D. H. HAND for reclassification of property generally located on the south side of Bonanza Road, 500 ft. east of Rancho Drive, from C-1, C-2, and C-M to C-2.
Proposed Use: High Density Apartments and Restaurant

12. Z-102-78
Extension of
Time

Request of ANDREW AND LINDA DeVITO for a one year Extension of Time on property generally located on the east side of Lamb Boulevard, 230 ft. north of Harris Avenue, R-T zone (under Resolution of Intent to C-1).

13. AR-11-79

Request of ERNEST A. BECKER ENTERPRISES ON BEHALF OF A. G. SPANOS CONSTRUCTION to allow a 532 unit apartment complex on property generally located at the northeast corner of Lorenzi Boulevard and Charleston Boulevard, R-3 zone.

DIRECTOR'S BUSINESS:

1. Proposed Ordinance
Amendment

Proposed Ordinance Amendment relative to increased fees for zoning and subdivision applications.

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MINUTES

CITY PLANNING COMMISSION

DECEMBER 13, 1979

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. Jones and Mr. Kennedy

EXCUSED: Mr. Canul

STAFF PRESENT: Harold P. Foster, Director, Department of Community Planning and Development
Don W. Brown, Supervisor of Zoning
Howard A. Null, Supervisor of Planning
Rick Sweet, Planner
Linda McIntosh, 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 NRS Chapter 241 and affidavits are on file in the office of the City Clerk.

OLD BUSINESS:

1. FINAL MAPS

CHARLESTON HEIGHTS
62-A and 62-B

WAIVERS
(Abeyance Item
from 11/27/79)

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 these items had been held in abeyance so the Planning Commission members could make a field trip to a representative subdivision so the effects of the variances on this development could be determined. There are five items involved. One was the request to reduce Overbrook to one-half street dedication and improvements; and the use of 24" roll type curb and gutter in lieu of "L" type curb and gutter, to which Public Services does not object. There was also a request to amend the width of a certain street. The applicant has met with staff and it is agreed that a certain portion of Broadriver be reduced to 51' in width. Staff is opposed to the requests to reduce the building setback from 20' to 10' and delete the 5' sidewalk.

ERNIE BECKER represented the application.

MRS. COLEMAN stated that her field trip had resulted in the fact that the buildings looked very crowded and it would appear that with cars parked on both sides of the streets, it would be very difficult for the trash trucks to get in and out. Also with regard to the houses on the cul-de-sac, it appeared that cars could not park in the driveway.

MR. GUTHRIE stated that the houses in the cul-de-sac appeared to have varying setbacks. He asked how close the setbacks the applicant was proposing would be.

MR. BECKER stated some in the cul-de-sac are 10', some 15'/16' and some have 20' setbacks. The 10' setbacks were proposed to give people a larger backyard. He added that cars are smaller today.

MRS. COLEMAN asked how deep the lots would be.

MR. BECKER stated 100'.

MR. KENNEDY asked if the setback was from the back of the curb.

MR. NULL stated from the street right-of-way, which is the property line.

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MR. MILLER asked how long it would be before the project was completed.

MR. BECKER stated one year and possibly two years.

MR. MILLER stated he would not like to see the Commission opening a can of worms if the project is completed.

MR. MILLER then made a Motion for deletion of the sidewalks except that one sidewalk shall be provided on the external boundary streets as required by the Department of Community Planning and Development.

Voting was as follows:

"AYES" Mrs. Coleman, Mr. Miller, Mr. Guthrie, Mr. Jones and Mr. Kennedy

"NOES" Chairman Swessel

Motion carried by a 5/1 vote.

MRS. COLEMAN then made a Motion granting the roll type curbs.

Voting was as follows:

"AYES" Mrs. Coleman, Mr. Miller, Mr. Guthrie, Mr. Jones and Mr. Kennedy

"NOES" Chairman Swessel

MRS. COLEMAN then made a Motion approving the request to reduce Overbrook to a one-half street dedication and improvement.

Voting was as follows:

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

"NOES" Chairman Swessel, Mr. Jones and Mr. Kennedy

Motion failed by reason of a tie vote; therefore, no action was taken, and the item was held in abeyance.

MR. MILLER made a Motion to approve the request to reduce the building setback line from 20 feet to 10 feet.

Voting was as follows:

"AYES" Mr. Miller and Mr. Guthrie

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

Motion failed due to lack of a majority vote; therefore, the item was denied.

MRS. COLEMAN made a Motion to reduce a portion of Broadriver from Delphinium Avenue south to Redtree Lane from 60 feet to 51 feet, which constitutes an amendment to the condition of approval of the tentative map.

Voting was as follows:

"AYES" Mrs. Coleman, Mr. Miller, Mr. Guthrie, Mr. Jones and Mr. Kennedy

"NOES" Chairman Swessel

Motion carried by a 5/1 vote.

CHAIRMAN SWESSEL announced all items except that which was held in abeyance, would be heard by the City Commission on December 19, 1979 at 2:00 P.M.

2. FINAL MAP
CHARLESTON HEIGHTS
TRACT 62A
(AbeYance Item
from 11/8/79)
ABEYANCE

Property generally located on the west side of Lorenzi Boulevard, north of Alexander Road, N-U zone (under Resolution of Intent to R-PD8).

Owner/Subdivider: Becker & Sons
No. of Acres: 8.28 No. of Lots: 73

MR. NULL stated that the final map is in substantial conformity with the tentative map and staff would recommend approval subject to amendment of the tentative map conditions for the interior streets and dedication of right-of-way, etc. He added the conditions which pertain to waivers approved by the City Commission would be removed.

MR. JONES asked how action could be taken on the final as one of the requested waivers had been held in abeyance.

MR. NULL stated that the City Commission would make the final decision.

MRS. COLEMAN stated the final map could be approved pending the approval of the tentative map.

MR. JONES made a Motion for ABEYANCE of the Final Map of Charleston Heights Tract 62A .

Voting was as follows:

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

Motion for ABEYANCE carried by a 5/1 vote.

MR. BROWN read the normal conditions that would apply to any approved rezoning requests heard at this meeting.

3. Z-66-64
PLOT PLAN REVIEW
(AbeYance Item
from 11/27/79)
APPROVED

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 stated this item was held in abeyance because staff had not talked to the applicant as to the use of the property. A new plot plan has been submitted. Staff would agree with the applicant and recommend approval with the normal conditions and a chain link fence in the front be provided with redwood slats for screening purposes, to which the applicant agreed.

REX NOBLE represented the application and agreed to staff stipulations.

MR. JONES made a Motion for APPROVAL of the Plot Plan Review under Z-66-64, subject to the following conditions:

1. Insert redwood slats in the existing chainlink fence on the front of the property for screening purposes.
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 as amended to reflect the above conditions.

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

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

NEW BUSINESS:

1. FINAL MAP
PARKWOOD 11
APPROVED

Property generally located on the south side of Bonanza Road, east of Marion Drive, R-E zone, (under ROI to R-1).
Owner/Subdivider: Metropolitan Development Corp.
No. of Acres: 11.34 No. of Lots: 50

MR. NULL presented the staff report and stated there are two units, Parkwood 11 and 12. As far as Parkwood 11, the access to it from Bonanza goes through Parkwood 12 and Unit 12 carries the sewer. However, the design is in substantial conformity and staff would recommend approval subject to conformance to the conditions of approval of the tentative map; proper provision be made for sanitary sewer and dedication of Lobo Drive be made by separate document and improvements be made thereto.

CLYDE SPITZE, VTN, represented the application and agreed to staff stipulations.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of Parkwood 11, subject to the following conditions:

1. Conformance to the conditions of approval of the tentative map.
2. Proper provision be made for sanitary sewer as required by the Department of Public Services.
3. Dedication of Lobo Drive be made by separate document, and improvements be made thereto, to extend from the north boundary of Unit 11 northward to Bonanza Road.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

2. FINAL MAP
PARKWOOD 12
APPROVED

Property generally located on the south side of Bonanza Road, east of Marion Drive, R-E zone (under ROI to R-1)
Owner/Subdivider: Metropolitan Development Corp.
No. of Acres: 11.61 No. of Lots: 32

MR. NULL presented the staff report and stated the final map is in substantial conformity with the tentative map and 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 Parkwood 12, subject to the following condition:

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

3. FINAL MAP
CHARLESTON
RAINBOW 18C

APPROVED

Property generally located on the south side of Westcliff Drive,
west of Cimarron Road, N-U zone (under ROI to R-1)
Owner/Subdivider: Sproul Homes
No. of Acres: 12.19 No. of Lots: 52

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

CHARLEY JOHNSON represented the application.

MRS. COLEMAN made a Motion for APPROVAL of the Final Map of
Charleston Rainbow 18C, subject to the following condition:

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

4. FINAL MAP
CHARLESTON
RAINBOW 18D

APPROVED

Property generally located on the south side of Westcliff Drive,
east of Durango Drive, N-U zone (under ROI to R-1).
Owner/Subdivider: Sproul Homes
No. of Acres: 8.41 No. of Lots: 37

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

MR. GUTHRIE made a Motion for APPROVAL of the Final Map of
Charleston Rainbow 18D, subject to the following condition:

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

Voting was as follows:

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

Motion for APPROVAL carried unanimously.

5. FINAL MAP
LDS ARBOLES
SUBDIVISION

APPROVED

Property generally located on the south side of Hinkle Drive
between 22nd Street on the west and 23rd Street on the east,
R-3 zone.

Owner/Subdivider: Nevada Properties
No. of Acres: 1.45 No. of Lots: 8

MR. NULL presented the staff report and stated the final map is
in substantial conformity with the tentative map and staff would
recommend approval.

KARSTEN BRDNKEN represented the application.

MR. JDNES made a Motion for APPROVAL of the Final Map of Los
Arboles Subdivision.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

6. STREET NAME CHANGE
ABEYANCE

Request by the property owners for a proposed Street Name Change
from: Rancho Bel Air Drive to: DuPlante Drive; and from:
Albacore Drive to: Rancho Bel Air Drive.

MR. NULL stated the applicants have requested this item be held
in abeyance.

MR. JONES made a Motion for ABEYANCE of the Street Name Change.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

7. VAC-26-79
APPROVED

Petition of Vacation submitted by the FOUR QUEENS, INC. to vacate
a portion of the east/west alley located south of Fremont Street
and north of Carson Avenue commencing at the east right-of-way
line of Casino Center Boulevard and extending easterly a distance
of 160 feet; and the north five feet of the abutting north-south
alley.

MR. NULL presented the staff report and stated the applicants
have indicated they will dedicate a portion of Lot 13, which
would then become a new alley. The utility companies and
City departments do not object and staff would recommend approval
subject to dedication to the City of that portion of Lot 13 for
alley purposes and the normal conditions.

DENNIS SIMMONS represented the application and agreed to staff
stipulations.

MR. JONES made a Motion for APPROVAL of VAC-26-79, subject to
the following conditions:

1. Dedication and improvement of the south 20 feet of Lot 13,
Block 19, Clark's Las Vegas Townsite for alley purposes as
required by the Department of Public Services.
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. Miller, Mr. Guthrie,
Mr. Jones and 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. at which time a date
for public hearing would be set.

8. A-29-79(A)
APPROVED

Petition of Annexation submitted by VINCENT LOBUE to annex
property generally located at the southeast corner of Edmond
Street and El Parque Avenue containing approximately five
acres of land.

MR. NULL presented the staff report and stated the area in question is zoned County R-E and would come into the City as N-U. Staff would recommend approval.

I. SHEROFF represented the application.

MR. KENNEDY made a Motion for APPROVAL of A-29-79(A).

Voting was as follows:

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

"NOES" Mr. Jones

Motion for APPROVAL carried by a 5/1 vote.

9. Z-124-79

APPROVED AS AMENDED

Application of CAROLYN A. WILKOWSKI, ET AL for reclassification of property generally located at the northwest corner of Monterey Avenue and Sahara Avenue, from R-1 (Single Family Residence) and R-2 (Two Family Residence) to C-1 (Limited Commercial). The above property is legally described as Lots 26 through 36, Block 8, Metropolitan Addition.

Proposed Use: Offices

MR. BROWN presented the staff report and stated that historically the City Commission and the Planning Commission have held the depth of commercial along Sahara to not more than 150', the balance being P-R. West of this request, there is commercial 100' deep. The applicants want a depth of 300' for the commercial. Staff would recommend the front 150' be commercial and the next 100' be P-R and the rear 50' be denied.

CHAIRMAN SWESSEL declared the public hearing open.

FRANK ANSEGLIS represented the application and stated the rear 50' was needed for parking and that the development would benefit the whole neighborhood.

ERROL HILL represented the application.

CHAIRMAN SWESSEL asked what would result if the rear 50' was not rezoned.

MR. HILL stated that parking would be lost.

MR. BROWN stated there would be more than ample parking with the 250' depth.

MR. FOSTER stated it would be alright to landscape the rear 50' but it should not be rezoned.

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

MRS. JAMES KOLSON, 2012 Mariposa, appeared in protest. She stated there are new homes being built in the area and that the property in question has been listed with MLS as commercial when it is R-1. She added she felt there would be too much traffic in the area and that there is not sufficient parking at the present.

MR. BROWN stated the petition submitted had 51 signatures in protest.

PETER TODD, 2319 Mariposa, appeared in protest.

CLARA WALKER, 2522 Love, appeared in protest.

MICHAEL J. FRAIL, 2108 Mariposa, appeared in protest.

FRANK CONIGELIO appeared in rebuttal.

MRS. LEE BACKMAN appeared in protest.

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-124-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. The north 50 feet of the application be denied.
3. The north 100 feet of the south 250 feet be amended to P-R.
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 systems 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, Mrs. Coleman, Mr. Guthrie, Mr. Jones and Mr. Kennedy

"NOES" Mr. Miller

Motion for APPROVAL carried by a 5/1 vote.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on January 2, 1980 at 2:00 P.M.

10. Z-125-79

DENIED

Application of FAYE WAITS for reclassification of property generally located on the east side of Burnham Avenue, 100 ft. south of Exley Avenue, from R-1 (Single Family Residence) to C-1 (Limited Commercial). The above property is legally described as Lots 5, 6, 7 and 42, and the North Half (N $\frac{1}{2}$) of Lot 41, Block 7, Amended Metropolitan Addition.
Proposed Use: Office

MR. BROWN presented the staff report and stated the request is located in the middle of R-1. Staff feels this area should be developed as R-1 and would recommend denial. There are 4 letters of protest on file.

CHAIRMAN SWESSEL declared the public hearing open.

FAYE WAITS, 3855 South Spencer, represented the application. She stated it was not felt that this is a residential lot and felt it would be appropriate as a business office.

CAROL KOLSON appeared in protest and submitted a petition of protest. She stated the applicant was not the legal owner of two of the lots.

CHAIRMAN SWESSEL stated the Commission was present to consider the rezoning and it was not known by the Commission if an application is illegal unless staff so advises.

NEILA HALBREK, 2001 Burnham, appeared in protest, citing traffic as a reason for protest.

CONRAD LOCKLER, JR., 2312 Mariposa, appeared in protest.

SHIRLEY HURSCH, 2209 Mariposa, appeared in protest.

PAUL LACKLEY appeared in protest.

CHAIRMAN SWESSEL asked if the application was legal.

MR. FOSTER stated it was in order.

MRS. WAITS appeared in rebuttal.

CHAIRMAN SWESSEL asked the applicant if she owned all of the property.

MRS. WAITS stated she owned Lot 5 and half of Lot 42.

MR. FOSTER stated the application should be held in abeyance and a new application submitted with the proper signatures.

CHAIRMAN SWESSEL made a Motion for DENIAL of of Lot 5 and the South Half of Lot 42, that property belonging to Mrs. Waits.

Voting was as follows:

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

"NOES" None

Motion for DENIAL carried unanimously.

11. Z-126-79

APPROVED

Application of D.H. HAND for reclassification of property generally located on the south side of Bonanza Road, 500 ft. east of Rancho Drive, from C-1 (Limited Commercial), C-2 (General Commercial) and C-M (Commercial Industrial), to C-2 (General Commercial). The above property is legally described as a portion of the North Half (N $\frac{1}{2}$) of the South Half (S $\frac{1}{2}$) of the Southeast Quarter (SE $\frac{1}{4}$) of Section 29, Township 20 South, Range 61 East, MDB&M.

Proposed Use: High Density Apartments and Restaurant

MR. BROWN presented the staff report and stated the plot plan is as shown with apartments, nice landscaping and parking. There is a commercial development along the south side of Bonanza from this location on east. This request is in concert with the pattern of the area. Staff thinks it is in keeping with the General Plan and policy and would recommend approval. Public Services requires dedication of 15' of right-of-way for Bonanza.

CHAIRMAN SWESSEL declared the public hearing open.

DICK HARTER represented the application and agreed to staff stipulations.

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-126-79, subject to the following conditions:

1. Resolution of Intent to be restricted to a twelve (12) month time limit.
2. Dedication of 15 feet of right-of-way on Bonanza Road as required by the Department of Public Services.
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.
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. Guthrie,
Mr. Jones and Mr. Kennedy

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on January 2, 1980 at 2:00 P.M.

12. Z-102-78
EXTENSION OF TIME
APPROVED

Request of ANDREW AND LINDA DeVITO for a one year Extension of Time on property generally located on the east side of Lamb Boulevard, 230 ft. north of Harris Avenue, R-T zone (under Resolution of Intent to C-1).

MR. BROWN read the letter of request from the applicants (letter on file in the Department of Community Planning & Development) stating the reason for the request.

ANDREW DeVITO represented the application and stated it was hoped to have the financing by January or February.

MRS. COLEMAN made a Motion for APPROVAL of the Extension of Time under Z-102-78, subject to the following conditions:

1. This extension of time shall be limited to a period of one year.
2. Conformance to conditions originally imposed at the time of approval of Z-102-78, and any ordinance requirements enacted subsequent to the original approval.

Voting was as follows:

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

"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN SWESSEL announced this item would be heard by the City Commission on January 2, 1980 at 2:00 P.M.

13. AR-11-79
ABEYANCE

Request of ERNEST A. BECKER ENTERPRISES ON BEHALF OF A.G. SPANOS CONSTRUCTION to allow a 532 unit apartment complex on property generally located at the northeast corner of Lorenzi Boulevard and Charleston Boulevard, R-3 zone.

MR. BROWN presented the staff report and stated this area has been under resolution of intent to R-3 for 15/17 years. There is R-1 to the north. The architect has been working with staff and has considered the R-1 to the north and east. There would be parking on those two sides with landscaping. This is a permitted use in this district. Staff would recommend approval.

HERBY ERMIS represented the application.

MRS. COLEMAN asked what kind of protection the parking would provide.

MR. ERMIS described the proposed 6' block wall and 6' high landscaping.

MR. MILLER asked for the size of the trees.

MR. ERMIS stated they would be the standard 5'/10' high.

MRS. COLEMAN asked for a breakdown of the apartment units.

MR. ERMIS stated there would be 216 1 bedroom - 1 bath; 160 2 bedroom - 2 bath; 129 2 bedroom - 2 bath; 16 3 bedroom - 2 bath and 12 3 bedroom - 2 bath that would be larger.

MR. KENNEDY asked what the setback for the first unit would be on West Charleston.

MR. ERMIS stated 20'.

MR. KENNEDY stated that seemed close.

MR. JONES asked what parking provisions had been made.

MR. ERMIS stated there would be 1½ stalls per unit.

MR. JONES stated that would be inadequate. He then made a motion for denial because there were too many units and inadequate parking.

MRS. COLEMAN stated that could not be done because the proposed development meets Code requirements.

MR. FOSTER stated the Commission was looking at the building, landscaping, setbacks and elevations, etc.

MR. JONES made a Motion for DENIAL of AR-11-79 because of inadequate setback from Charleston.

Voting was as follows:

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

Motion failed by virtue of a tie vote and the item was held in ABEYANCE to the January 10, 1980 meeting of the City Planning Commission.

DIRECTOR'S BUSINESS:

1. PROPOSED ORDINANCE
AMENDMENT

ABEYANCE

Proposed Ordinance Amendment relative to increased fees for zoning and subdivision applications.

MR. FOSTER stated that copies of the proposed amendment had been furnished to the Commission. The last time there was a fee increase was in 1974 and everything has gone up since that time. Some of the fees were set so low that the City is subsidizing the cost of some of the applications. Staff is now proposing a fee schedule that is based entirely upon the cost of processing an application. The proposed fee schedule has been referred to the Home Builders for recommendation. Ernie Becker stated that he felt the costs had only increased 48% since 1974 and the fees should be based on that rather than on what staff has suggested. Staff feels the applicants should pay for the costs involved as they will be recouped on the sale or development of the property and recommend the schedule, as proposed, be adopted.

MR. KENNEDY asked if the costs are not similar to the County fees.

MR. FOSTER stated they are close.

MR. MILLER asked if this action was within the realm of the Planning Commission.

MR. FOSTER stated the Commission makes recommendations on all ordinance changes.

MR. MILLER asked where the revenues would go.

MR. FOSTER stated to the General Fund and that the Commission could recommend changes in the proposed schedule.

RICHARD THOMPSON, Sprout Homes, stated the increased costs are passed to the consumers and that they are having a hard time qualifying to buy a home. If the homes costs too much, people will be out of housing.

BRIAN WRIGHT, Durable Developers and SNHBA, stated he was concerned about the exorbitant increase in fees that was being proposed. He said the proposed fees were 100% to 300% increases.

MR. FOSTER then gave a breakdown of the cost of processing an application by City staff.

MR. JONES asked if there could not be a breakout of some of the costs for each type of application.

MR. FOSTER replied that was possible.

ERNIE BECKER stated that financial experts are being brought in and that he would like them to work with staff and the Commission on the proposed fees. He added that additional cost input was needed.

MR. JONES made a Motion for ABEYANCE of the Proposed Ordinance Amendment.

Voting was as follows:

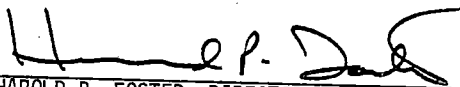
"AYES" Chairman Swessel, Mrs. Coleman, Mr. Miller, Mr. Guthrie,
Mr. Jones and Mr. Kennedy

"NOES" None

Motion for ABEYANCE carried unanimously.

There being no further business to come before the City Planning Commission, the meeting was adjourned at 10:10 P.M.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT


HAROLD P. FOSTER, DIRECTOR

ADJOURNMENT:

/lm