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A G E N D A

BOARD OF ZONING ADJUSTMENT MEETING

JANUARY 26, 1984

CALL TO ORDER:

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

ROLL CALL:

ANNOUNCEMENT:

Satisfaction of the Open Meeting Law and reading of the
Standard Conditions and requirements for filing an Appeal.

All actions by the Board of Zoning Adjustment are final,
(except items requiring a decision by the City Council),
unless an appeal in writing, is filed with the City Clerk
within eleven days or a review is requested by the City
Council within fourteen days from the date notice is sent
to the applicant, (usually the Monday following the Board's
meeting).

MINUTES:

Approval of the Minutes for the Board of Zoning Adjustment
Meeting of December 22, 1983.

OLD BUSINESS:

1. V-124-83
ABEYANCE
12/22/83

Application of EDWIN ROGICH, JR. for a variance to allow
law offices where such use is not permitted on property
located at 600 South 9th Street in Zoning District R-1.

NEW BUSINESS:

1. U-23-83
9 MONTH
REVIEW

Application of IRIS E. WINDSOR for a use permit to allow
a day care home for twelve children on property located
at 2528 Winwood Street in Zoning District R-1.

2. U-43-83
6 MONTH
REVIEW

Application of TRINITY TEMPLE for a use permit to allow
a private school, tenth through twelfth grades in addition
to the previously approved kindergarten through ninth
grades on property located at 1000 East St. Louis Avenue
in Zoning Districts R-1 and C-1.

3. U-1-84

Application of LAS VEGAS CONVENTION AND VISITORS AUTHORITY
for a use permit to allow conventions, transient trade
shows, merchandise marts, antique shows, craft festivals,
circuses/carnivals, bicycle races, weight lifting
contests, musical shows, running marathons, talent contests,
travel shows, soccer, baseball, other athletic contests,
art and wine expositions, sports/RV shows, auto shows,
films and festivals, on property located at 850 North
Las Vegas Boulevard in Zoning District C-V.

4. U-2-84

Application of the ST. JAMES BAPTIST CHURCH for a use
permit to allow a church parking lot on property located
at 311 West Monroe Avenue in Zoning District R-4.

5. U-3-84

Application of WATKINS DEVELOPMENT COMPANY for a use
permit to allow a self-service gas station in conjunction
with a convenience market and to construct apartments on
property generally located on the southeast corner of
Silverstream Avenue and Lorenzi Boulevard in Zoning
District C-1.

6. V-1-84 Application of WILLIAM J. LOLATTE for a variance to allow commercial storage units with a manager's apartment where such uses are not permitted on property generally located on the east side of Brush Street between Charleston Boulevard and Alpine Place, in Zoning District R-1 (under Resolution of Intent to C-1).
7. V-2-84 Application of PAM S. MAINWAL, ET AL for a variance to allow a 4 foot 6 inch high solid block wall in the front yard area (to be used as a trash enclosure) where 4 feet high, top 2 feet 50% open is the maximum allowed on property, generally located on Scuba Circle in Zoning District R-3.
8. V-3-84 Application of ARTHUR D. PATTON for a variance to allow a detached accessory building two feet six inches (2'6") higher than the height of the main building on property located at 1028 Francis Avenue in Zoning District R-1.
9. V-4-84 Application of ALLEN PAVELL for a variance to allow commercial storage units and a manager's apartment where such uses are not permitted on property generally located on the west side of Decatur Boulevard, 300 feet south of Lake Mead Boulevard in Zoning District N-U.
10. V-5-84 Application of JAMES S. SHIVERS, ET AL for a variance to allow an office use in a residential zone where such use is not permitted on property located at 601 South 9th Street in Zoning District R-1.
11. V-6-84 Application of DONALD R. LAYTON, ET AL for a variance to allow an office use where such use is not permitted on property located at 530 South 9th Street in Zoning District R-1.
12. V-7-84 Application of JANET C. BALIOTIS for a variance to allow an existing mobile home to continue to be used as a manager's living quarters where mobile homes are not permitted, and to allow the continuation of a process serving business within the mobile home, where business uses are not permitted, on property located at 716 North "C" Street in Zoning District R-4.
13. V-8-84 Application of FRANK J. SALA, ET AL for a variance to allow twenty-nine (29) parking spaces where forty-one (41) spaces are required for a proposed cocktail lounge and an existing duplex on properties located at 701 East Stewart Avenue and 304 North 7th Street in Zoning District C-2.
14. V-9-84 Application of RAFAEL E. and CHARLEEN VEGAS for a variance to allow a second kitchen in a single-family residence where only one kitchen is permitted on property located at 880 Rancho Circle in Zoning District R-A.
15. V-10-84 Application of MYRON E. LEAVITT, ET AL for a variance to allow the construction of an additional eight (8) apartment units for a total of thirty-two (32) units where twenty-seven (27) are permitted on property located at 424 South 13th Street in Zoning District R-4.
16. V-11-84 Application of ROBERT H. PARKER for a variance to allow a twenty-five (25) unit apartment development with eighteen (18) parking spaces where twenty-five (25) spaces are required on property generally located on the northwest corner of Maryland Parkway and Ogden Avenue in Zoning District C-2.
17. V-12-84 Application of CLIFFORD E. NORTON for a variance to allow a patio cover 7'6" from the rear property line where 15' is required and to allow an existing storage shed in the east side yard area where not permitted, and where said shed is 2' from the residence where 6' is required, and 2' from the side property line where 5' is required, on property located at 6817 Neepawa Circle in Zoning District R-1.

DIRECTOR'S BUSINESS:

1. 1984 ELECTION OF OFFICERS 1984 Board of Zoning Adjustment Election of Officers.

RECEIVED

JAN 24 9 59 AM '84

CITY CLERK

TO: THE CITY CLERK
FROM: THE CITY CLERK
SUBJECT: [illegible]

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S U P P L E M E N T A L A G E N D A

BOARD OF ZONING ADJUSTMENT

JANUARY 26, 1984

1. U-4-84 (HO) Application of IRENE BLINDERMAN for a home occupation permit to allow the making of arrangements for rooms, food, tours, etc. for conventions on property located at 6244 Elton Avenue in Zoning District R-1.
2. U-5-84 (HO) Application of DIANE LOCKWOOD ERBELE for a home occupation permit to allow a bookkeeping and accounting service on property located at 1700 Valmora Street in Zoning District R-1.
3. U-6-84 (HO) Application of PAMELA C. MILLER for a home occupation permit to allow the sale of Herbalife products on property located at 4300 Beth Avenue in Zoning District R-1.
4. U-7-84 (HO) Application of PETER F. and HENNY COOPER for a home occupation permit to allow an entertainment booking agency on property located at 6904 Alta Drive in Zoning District R-1.
5. U-8-84 (HO) Application of DON COLE for a home occupation permit to design and make handmade barrettes on property located at 2108 Wendell Avenue in Zoning District R-1.

RECEIVED

JAN 20 3 45 PM '84

CITY CLERK

ANNOTATED AGENDA
BOARD OF ZONING ADJUSTMENT
JANUARY 26, 1984

MINUTES:

December 22, 1983

APPROVED - Myers/Unanimous (Bugbee excused)

OLD BUSINESS:

1. V-124-83

ABEYANCE - Myers/Unanimous (Bugbee excused)
Held until February 23, 1984 meeting.

NEW BUSINESS:

1. U-23-83
9-Month
Review

APPROVED - Bugbee/Unanimous

Applicant present

2. U-43-83
6 Month
Review

APPROVED - Emmett/Unanimous

Applicant present

3. U-1-84

APPROVED - Bugbee/Unanimous including retail
and wholesale sales

PROTESTS: 1 On Record
No one appeared

APPROVALS: Charles Rixse, representing Cashman Field
Peter Noel, 2712 Valpariso St.

This item will be heard at the City Council
2/15/84 meeting.

4. U-2-84

APPROVED - Myers/Unanimous with fence on both
sides of lot.

PROTESTS: None on Record

APPROVALS: Calvin Howard, representing applicant
Jessie Curtis, 1121 Leonard Ave, owns
property at 305 Monroe. -- did not object
only wanted to know if the lot would be
fenced between the lot and her apartments.

CONDITIONS: 1. Conformance to the plot plan amended to
provide landscaping along Monroe in
the excess spaces and 2" asphalt
concrete pavement.
2. Install sidewalk on Monroe Avenue as
required by the Department of Engineering
Services.

4. U-2-84
(Continued)

3. Pave the alley as required by the Department of Engineering Services.
4. Approval of the parking and driveway plans by the Traffic Engineer.
5. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.

This item will be heard at the City Council 2/15/84 meeting.

5. U-3-84
(U-76-81)

APPROVED - Bugbee/Unanimous as is.

PROTESTS: 4 on record
Steve Halderman, 6656 Silverstream
3 Hands in audience

APPROVALS: Joe Watson, J. L. Watson Co.

- CONDITIONS:
1. Conformance to the plot plan and elevations amended to provide a 4' decorative wall along Silverstream Avenue setback 5' for landscaping and provision of a 6' block wall along the north and west property lines.
 2. Installation of sidewalks on Silverstream Avenue as required by the Department of Engineering Services.
 3. This approval shall be limited to a one year period of time to obtain building permits.
 4. Standard conditions 2-8.

This item will be heard at the City Council 2/1/84 meeting.

5.

6. V-1-84

APPROVED - Emmett - 3 to 2 vote with Juniel and Myers voting "no."

PROTESTS: 1 on record
Mike Gold, 3425 Calle Del Torre, owner of property at 5000 W. Charleston.

APPROVALS: Pam Mainwal, 333 N. Rancho, repre. applicant.
Petition with 62 signatures on record

- CONDITIONS:
1. Conformance to the plot plan and elevations.
 2. Conformance to the conditions of approval of Z-6-66(1).
 3. The emergency access to Alpine shall be provided with an opaque gate.
 4. Standard conditions 2-8.

7. V-2-84

APPROVED - Bugbee/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Pam Mainwal appeared

CONDITIONS: 1. Conformance to the plot plan and elevations.

8. V-3-84

APPROVED - Myers/Unanimous

PROTESTS: No one appeared

APPROVALS: Applicant appeared

CONDITIONS: 1. Conformance to the plot plan and elevations.

9. V-4-84

ABEYANCE - Bugbee/Unanimous - until 3/22/84 meeting

Pam Mainwal represented the applicant.

10. V-5-84

APPROVED - Bugbee/Unanimous

PROTESTS: One on record
None appeared

APPROVALS: John Greenman, purchaser of the property

CONDITIONS: 1. Conformance to the plot plan and elevations

2. Approval of a variance from the parking provisions.

3. Install sidewalk and street lighting as required by the Department of Engineering Services.

4. Standard conditions 2-8.

11. V-6-84

APPROVED - Juniel/Unanimous

PROTESTS: None on record
No one appeared

APPROVALS: Applicant appeared.

CONDITIONS: 1. Conformance to the plot plan and elevations.

2. No changes shall be made to the exterior elevations without approval of the Board of Zoning Adjustment.

11. V-6-84

(Continued)

3. Install sidewalk and street lighting as required by the Dept. of Eng. Services.
4. Dedication of a 25' radius corner at the intersection of 9th Street and Bonneville Avenue as required by the Dept. of Engineering Services.
5. Standard conditions 2-8.

12. V-7-84

APPROVED - Bugbee/Unanimous with no sidewalks

PROTESTS: No one appeared.

APPROVALS: Applicant appeared.

CONDITIONS: 1. Conformance to the plot plan and elevations.

2. Dedicate a 20' property line radius at the intersection of "C" Street and McWilliams Avenue.
3. Enter an Assessment District agreement for alley paving as required by the Dept. of Engineering Services.
4. This approval shall be limited to a two year time limit which shall expire January 26, 1986.

13. V-8-84

APPROVED - Emmett/Unanimous

PROTESTS: One on record
No one appeared

APPROVALS: Pat O'Connor, 4945 Vivaldi, represented applicant.

CONDITIONS: 1. Conformance to the plot plan and elevations.

2. Repair any damage to the existing street improvements resulting from this development as required by the Dept. of Engineering Services.

14. V-9-84

APPROVED - Juniel/Unanimous

PROTESTS: No one appeared

APPROVALS: Applicant appeared

CONDITIONS: 1. Conformance to the plot plan and elevations.

15. V-10-84

APPROVED - Myers/Unanimous

PROTESTS: Orleans Square Homowners Assoc. on record
No one appeared

APPROVALS: Chuck Cox 5759 Hedgeford Ct. repre. applicant.

CONDITIONS: 1. Conformance to the plot plan
and elevations.

2. Standard conditions 2-8.

16. V-11-84

APPROVED - Bugbee/Unanimous

PROTESTS: 2 on record
Ron Jason, 9041 Stonehenge, owner of property
next door.
Chris Cave, 2019 La Vante

APPROVALS: Robert H. Parker appeared
Mike Addelman, Business Mgr. of applicant.

CONDITIONS: 1. Conformance to the plot plan and
elevations.

2. Dedication of a 25' property line
radius at the intersection of Maryland
Pky and Ogden Avenue as required by the
Dept. of Engineering Services.

3. Pave the alley as required by the
Dept. of Engineering Services.

4. Standard conditions 2-8.

17. V-12-84

APPROVED - Bugbee/Unanimous

PROTESTS: None on record

APPROVALS: Jay Brewer represented the applicant.

CONDITIONS: 1. Conformance to the plot plan and
elevations.

DIRECTOR'S BUSINESS:

1. 1984 ELECTION OF
OFFICERS

Mr. Bugbee was voted Chairman and
Mrs. Juniel was voted Vice-Chairman
Mrs. Emmett made the nomination.
Unanimous with Bugbee abstaining.

SUPPLEMENTAL AGENDA:

1. U-4-84(HO)

APPROVED - Juniel/Unanimous (Bugbee excused)

Applicant was present

CONDITIONS: 1. All operations must conform to the
criteria for a home occupation permit.

This item was included with Items 2 thru 5.

2. U-5-84(HO)

APPROVED - Juniell/Unanimous (Bugbee excused)

Applicant was present

CONDITIONS: 1. All operations shall conform to the criteria for a home occupation permit.

This item was included with Items 1, 3 thru 5.

3. U-6-84(HO)

APPROVED - Juniell/Unanimous (Bugbee excused)

Applicant was present.

CONDITIONS: 1. All operations shall conform to the criteria for a home occupation permit.

This items was included with Items 1, 2, 4, & 5.

4. U-7-84(HO)

APPROVED - Juniell/Unanimous (Bugbee excused)

Applicant was present

CONDITIONS: 1/ All operations shall conform to the criteria for a home occupation permit.

This item was included with Items 1 thru 3, and 5.

5. U-8-84(HO)

APPROVED - Juniell/Unanimous (Bugbee excused)

Applicant was present

CONDITIONS: 1. All operations shall conform to the criteria for a home occupation permit.

This item was included with Items 1 thru 4.

MINUTES

BOARD OF ZONING ADJUSTMENT MEETING

JANUARY 26, 1984

- CALL TO ORDER: A regular meeting of the Board of Zoning Adjustment was called to order by Chairman Robert Giles in the City Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada, at 7:30 P.M.
- PRESENT: Chairman Robert Giles, Helen Myers, Bonnie Juniel, Jessie Emmett and Robert Bugbee
- STAFF PRESENT: Harold P. Foster, Director of Dept. Community Planning & Develop.
Robert Clemmer, Acting Chief of Zoning
Val Steed, Deputy City Attorney
Sandra R. LeBoeuf, Deputy City Clerk
- ANNOUNCEMENT RE COMPLIANCE WITH OPEN MEETING LAW Mr. Clemmer announced that the agenda for this regular meeting of the Board of Zoning Adjustment had been posted in accordance with NRS Chapter 241 and affidavits are on file in the Department of Community Planning & Development.
- ANNOUCEMENTS: Mr. Clemmer read the standard conditions into the record.
- Mr. Giles stated that all actions by the Board of Zoning Adjustment are final, (except items requiring a decision by the City Council), unless an appeal in writing, is filed with the City Clerk within eleven days or a review is requested by the City Council within fourteen days from the date notice is sent to the applicant, (usually the Monday following the Board's meeting).
- MINUTES: Mrs. Myers made a motion for APPROVAL of the Minutes of the Board of Zoning Adjustment meeting held on December 22, 1983. Motion carried unanimously. (Bugbee excused)
- OLD BUSINESS:
1. V-124-83 Application of EDWIN ROGICH, JR. for a variance to allow law offices where such use is not permitted on property located at 600 South 9th Street in Zoning District R-1.
- ABEYANCE FROM 12/22/83
- ABEYANCE Mr. Clemmer announced that this item should be held in ABEYANCE until the next meeting.
- Mrs. Myers made a motion to hold item in ABEYANCE until the February 23, 1984 meeting. Motion carried unanimously.
- NEW BUSINESS:
1. U-23-83 Application of IRIS E. WINDSOR for a use permit to allow a day care home for twelve children on property located at 2528 Winwood Street in Zoning District R-1.
- 9 MONTH REVIEW
- APPROVED Mr. Clemmer stated that the operation appeared to be operating without any problems and therefore, staff recommended APPROVAL without any more reviews.
- The applicant was present.
- Mr. Bugbee made a motion for APPROVAL with staff's stipulation. Motion carried unanimously.

2. U-43-83

6 MONTH
REVIEW

Application of TRINTY TEMPLE for a use permit to allow a private school, tenth through twelfth grades in addition to the previously approved kindergarten through ninth grades on property located at 1000 East St. Louis Avenue in Zoning District R-1 and C-1.

Mr. Clemmer stated that the operation appeared to be operating without any problems; and, therefore, staff recommended APPROVAL without any more reviews.

The applicant was present.

Mrs. Emmett made a motion for APPROVAL as recommended. Motion carried unanimously.

3. U-1-84

APPROVED

Application of LAS VEGAS CONVENTION AND VISITORS AUTHORITY for a use permit to allow conventions, transient trade shows, merchandise marts, antique shows, craft festivals, circuses, musical shows, running marathons, talent contests, travel shows, soccer, baseball, other athletic contests, art and wine expositions, sports/RV shows, auto shows, films and festivals, on property located at 850 North Las Vegas Boulevard in Zoning District C-V.

Mr. Clemmer presented the application and stated that there is residential to the south and east; and, therefore, staff recommended APPROVAL, subject to:

1. Conformance to the list of uses except:

*(a) Swap Meets as defined below.

(b) Racing events involving motorized vehicles.

2. Events utilizing the exterior grounds shall be kept out of the south 100' of the complex adjacent to residential as well as the east residential property except related equipment, parking and storage.

*Swap meet means the congregation of vendors, dealers, sellers or traders who rent, lease, purchase or otherwise obtain a sales area from an operation for the purpose of selling, bartering, exchanging or trading articles of personal property whether the same is new or used.

Swap meet includes all activities commonly referred to as flea markets, carnival markets, sundry markets, odds and ends sale, parking lot sales and specialty sales or markets of any nature which involve sale, swap or display of new or used merchandise or rummage for commercial gain. This is not intended to include refreshment or souvenir vendors during major events.

There is one protest on record.

Charles E. Rixse, Asst. Director of Facilities, appeared. He objected to staff's definition of swap meet. He stated that this would prohibit selling at conventions.

Peter Noel, 2712 Valpariso Street, appeared. He was against staff's definition of swap meets. He stated that he had already booked two large conventions to be held at the Cashman Complex which would have to be cancelled if they were not allowed to sell.

3. U-1-84

No one appeared in opposition.

(Continued)

Mr. Bugbee made a motion for APPROVAL of the application and to allow retail and wholesale sales. Motion carried unanimously.

This item will be heard at the 2/15/84 City Council meeting.

4. U-2-84

APPROVED

Application of ST. JAMES BAPTIST CHURCH for a use permit to allow a church parking lot on property located at 311 West Monroe Avenue in Zoning District R-4.

Mr. Clemmer presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan amended to provide landscaping along Monroe in the excess spaces and 2" asphalt concrete pavement.
2. Install sidewalk on Monroe Avenue as required by the Department of Engineering Services.
3. Pave the alley as required by the Department of Engineering Services.
4. Approval of the parking and driveway plans by the Traffic Engineer.
5. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.

There are no protests on file.

Calvin Howard, 905 Mezpah Street, represented the applicant. He stated they intended to fence the lot.

Jessie Curtis, 1121 Leonard Avenue, appeared. She stated that she did not object to the application, but she wanted to know whether or not a fence would be erected between the parking lot and her property at 305 Monroe.

No one appeared in opposition.

Mrs. Myers made a motion for APPROVAL, subject to staff's conditions including fencing the parking lot in. Motion carried unanimously.

This item will be heard at the 2/15/84 City Council meeting.

5. U-3-84

APPROVED

Application of WATKINS DEVELOPMENT COMPANY for a use permit to allow a self-service gas station in conjunction with a convenience market and to construct apartments on property generally located on the southeast corner of Silverstream Avenue and Lorenzi Boulevard in Zoning District C-1.

Mr. Clemmer presented the application which included U-76-81 Plot plan. He stated that both of these would be considered at the same time. Staff recommended APPROVAL, subject to:

5. U-3-84

(Continued)

1. Conformance to the plot plan and elevations amended to provide a 4' decorative wall along Silverstream Avenue setback 5' for landscaping and provision of a 6' block wall along the north and west property lines.
2. Installation of sidewalks on Silverstream Avenue as required by the Department of Engineering Services.
3. This approval shall be limited to a one-year period in which to start construction.
4. Standard conditions 2-8.

There are 4 protests on file.

Joe Watson, J. L. Watson Co., appeared on behalf of the application.

Steve Haldeman, 6656 Silverstream, appeared in protest. He objected to the selling of gas in a residential area. He objected to the traffic that this use would create.

There was a show of three hands in the audience in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously.

This item will be heard at the 2/1/84 City Council meeting.

6. V-1-84
APPROVED

Application of WILLIAM J. LOLATTE for a variance to allow commercial storage units with a manager's apartment where such uses are not permitted on property generally located on the east side of Brush Street between Charleston Boulevard and Alpine Place, in Zoning District R-1 (under Resolution of Intent to C-1).

Mr. Clemmer presented the plot plan. He stated that this was not appropriate for a C-1 District and, therefore, staff recommended DENIAL. If approved, subject to:

1. Conformance to the plot plan and elevations.
2. Conformance to the conditions of approval of Z-6-66(1).
3. The emergency access to Alpine shall be provided with an opaque gate.
4. Standard conditions 2-8.

There is one protest on file and a petition containing 62 signatures in favor on file.

Pam Mainwall, 333 N. Rancho, appeared on behalf of the applicant.

Mike Gold, 3425 Calle Del Torre, appeared in opposition. He objected to the traffic this would create and that it would change the character of the area. He stated he was the owner of the property at 5000 W. Charleston.

Mrs. Emmett made a motion for APPROVAL, subject to staff's conditions. Motion carried with a 3 to 2 vote with Juniel and Myers voting "no."

7. V-2-84
APPROVED

Application of PAM S. MAINWAL, ET AL for a variance to allow a 4 foot 6 inch high solid block wall in the front yard area (to be used as a trash enclosure) where 4 feet high, top 2 feet 50% open is the maximum allowed on property generally located on Scuba Circle in Zoning District R-3.

Mr. Clemmer presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.

There are no protests on file.

The applicant was present.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously.

8. V-3-84
APPROVED

Application of ARTHUR D. PATTON for a variance to allow a detached accessory building two feet six inches (2'6") higher than the height of the main building on property located at 1028 Francis Avenue in Zoning District R-1.

Mr. Clemmer presented the plot plan and stated the the height difference was insignificant and, therefore, staff had no objection. If approved, subject to:

1. Conformance to the plot plan and elevations.

The applicant was present.

No one appeared in opposition.

Mrs. Myers, made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously.

9. V-4-84
ABEYANCE

Application of ALLEN PAVELL for a variance to allow commercial storage units and a manager's apartment where such uses are not permitted on property generally located on the west side of Decatur Boulevard, 300 feet south of Lake Mead Boulevard in Zoning District N-U.

Mr. Clemmer stated that the zoning action was held in abeyance at the Planning Commission meeting until February 9, 1984; and, therefore, staff recommended that this item be held until the February 23, 1984 meeting.

Pam Mainwal appeared on behalf of the applicant. She requested that the item be held until the March 22, 1984 meeting.

Mr. Bugbee made a motion that this item be held in ABEYANCE until the March 22, 1984 meeting. Motion carried unanimously.

10. V-5-84
APPROVED

Application of JAMES S. SHIVERS, ET AL for a variance to allow an office use in a residential zone where such use is not permitted on property located at 601 South 6th Street in Zoning District R-1.

Mr. Clemmer presented the plot plan. He stated that this was in the nine block area that's transitioning from residential to office use via variances. He stated that the applicant wanted to enlarge the building to 3,330 sq. ft. which would mean they would have to provide off-street parking in the front yard area. This would result in their needing 9 parking spaces where only 7 could be provided. Staff recommended DENIAL, but would be receptive to a revised plan that would reduce the building by a 1000 sq. ft. If approved, subject to:

1. Conformance to the plot plan and elevations.
2. Approval of a variance from the parking provisions.
3. Install sidewalk and street lighting as required by the Department of Engineering Services.
4. Standard conditions 2-8.

There is one protest on file.

John Greeman, purchaser of the property, appeared. He stated they needed the additional space for storage and files.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously.

11. V-6-84
APPROVED

Application of DONALD R. LAYTON, ET AL for a variance to allow an office use where such use is not permitted on property located at 530 South 9th Street in Zoning District R-1.

Mr. Clemmer presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. No changes shall be made to the exterior elevations without approval of the Board of Zoning Adjustment.
3. Install sidewalk and street lighting as required by the Department of Engineering Services.
4. Dedication of a 25' radius corner at the intersection of 9th Street and Bonneville Avenue as required by the Department of Engineering Services.
5. Standard conditions 2-8.

There are no protests on file.

The applicant appeared.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously.

12. V-7-84

APPROVED

Application of JANET C. BALIOTIS for a variance to allow an existing mobile home to continue to be used as a manager's living quarters where mobile homes are not permitted, and to allow the continuation of a process serving business within the mobile home, where business uses are not permitted, on property located at 716 North "C" Street in Zoning District R-4.

Mr. Clemmer presented the application. He stated that staff had no objection to the continuation for a two-year period. If approved, subject to:

1. Conformance to the plot plan and elevations.
2. Dedicate a 20' property line radius at the intersection of "C" Street and McWilliams Avenue.
3. Install sidewalk on "C" Street and McWilliams Avenue as required by the Department of Engineering Services.
4. Enter an Assessment District agreement for alley paving as required by the Department of Engineering Services.
5. This approval shall be limited to a two-year time limit which shall expire January 26, 1986.

Janet C. Baliotis appeared on behalf of the application. She objected to having to install sidewalks until the area transitions to industrial use.

No one appeared in opposition.

Mr. Bugbee made a motion for APPROVAL, subject to staff's conditions except no sidewalks. Motion carried unanimously.

13. V-8-84

APPROVED

Application of FRANK J. SALA, ET AL for a variance to allow twenty-nine (29) parking spaces where forty-one (41) spaces are required for a proposed cocktail lounge and an existing duplex on properties located at 701 East Stewart Avenue and 304 North 7th Street in Zoning District C-2.

Mr. Clemmer presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services.

There is one protest on record.

Pat O'Connor, 4945 Vivaldi, appeared on behalf of the applicant.

No one appeared in opposition.

Mrs. Emmett made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously.

14. V-9-84

APPROVED

Application of RAFAEL E. AND CHARLEEN VEGA for a variance to allow a second kitchen in a single-family residence where only one kitchen is permitted on property located at 880 Rancho Circle in Zoning District R-A.

Mr. Clemmer presented the plot plan and stated that staff had no objections. If approved, subject to:

1. Conformance to the plot plan and floor plan.

The applicant appeared.

No one appeared in opposition.

Mrs. Juniel made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously.

15. V-10-84

APPROVED

Application of MYRON E. LEAVITT, ET AL for a variance to allow the construction of an additional eight (8) apartment units for a total of thirty-two (32) units where twenty-seven (27) are permitted on property located at 424 South 13th Street in Zoning District R-4.

Mr. Clemmer presented the plot plan. Staff recommended APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. Standard conditions 2-8.

Chuck Cox, 5759 Hedgeford Ct., appeared on behalf of the applicant.

There is a petition from the Orleans Square Homeowners' Association in protest on file.

No one appeared in opposition.

Mrs. Myers made a motion for APPROVAL, subject to staff's conditions. Motion carried unanimously.

16. V-11-84

APPROVED

Application of ROBERT H. PARKER for a variance to allow a twenty-five (25) unit apartment development with eighteen (18) parking spaces where twenty-five (25) spaces are required on property generally located on the northwest corner of Maryland Parkway and Ogden Avenue in Zoning District C-2.

Mr. Clemmer presented the plot plan. He stated that if the applicant were to add three parking spaces, it would give them a total of 21 spaces; and, therefore, staff would recommend APPROVAL, subject to:

1. Conformance to the plot plan and elevations.
2. Dedication of a 25' property line radius at the intersection of Maryland Parkway and Ogden Avenue as required by the Department of Engineering Services.
3. Pave the alley as required by the Department of Engineering Services.
4. Standard conditions 2-8.

16 V-11-84

There are two protests on file.

(Continued)

Robert H. Parker appeared on behalf of the application.

Ron Jason, 9041 Stonehenge, appeared in opposition. He stated that he owned the property next door and was opposed to the parking problem this would create.

Chris Cave, 2019 La Vente Street, appeared in opposition. He objected to the parking problem.

Mike Addelman, Business Manager, appeared on behalf of the applicant. He stated that most of the people in that area walk to work so parking shouldn't present a problem. He stated that he would go along with the additional 3 parking spaces as recommended by staff.

Mr. Bugbee made a motion for APPROVAL, subject to staff's conditions which included the 3 additional parking spaces. Motion carried unanimously.

17. V-12-84

APPROVED

Application of CLIFFORD E. NORTON for a variance to allow a patio cover 7'6" from the rear property line where 15' is required and to allow an existing storage shed in the east side yard area where not permitted, and where said shed is 2' from the residence where 6' is required, and 2' from the side property line where 5' is required on property located at 6817 Neepawa Circle in Zoning District R-1.

Mr. Clemmer presented the plot plan. He stated that the storage shed could be put in another location and the canopy could be redesigned to comply. Staff recommended DENIAL.

There are no protests on record.

Jay Brewer appeared on behalf of the applicant.

Mr. Bugbee made a motion for APPROVAL. Motion carried unanimously.

DIRECTOR'S BUSINESS:

1. 1984 ELECTION OF OFFICERS

Mrs. Emmett nominated Mr. Bugbee for Chairman and Mrs. Juniel for Vice-Chairman. Motion carried unanimously with Bugbee abstaining.

SUPPLEMENTAL AGENDA:

1. U-4-84(HO)

APPROVED

Application of IRENE BLINDERMAN for a home occupation permit to allow the making of arrangements for rooms, food, tours, etc. for conventions on property located at 6244 Elton Avenue in Zoning District R-1.

Mr. Clemmer stated the application was in order and staff recommended APPROVAL, subject to:

1. All operations shall conform to the criteria for a home occupation permit.

Mrs. Juniel made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Bugbee excused) This item was included with Items 2 thru 5.

2. U-5-84(HO)

APPROVED

Application of DIANE LOCKWOOD ERBELE for a home occupation permit to allow a bookkeeping and accounting service on property located at 1700 Valmora Street in Zoning District R-1.

Mr. Clemmer stated the application was in order and staff recommended APPROVAL, subject to:

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mrs. Juniel made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Bugbee excused) This item was included with Items 1, and 3 thru 5.

3. U-6-84(HO)

APPROVED

Application of PAMELA C. MILLER for a home occupation permit to allow the sale of Herbalife products on property located at 4300 Beth Avenue in Zoning District R-1.

Mr. Clemmer stated the application was in order and staff recommended APPROVAL, subject to:

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mrs. Juniel made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Bugbee excused) This item was included with Items 1, 2, 4 and 5.

4. U-7-84(HO)

APPROVED

Application of PETER F. AND HENRY COOPER for a home occupation permit to allow an entertainment booking agency on property located at 6904 Alta Drive in Zoning District R-1.

Mr. Clemmer stated the application was in order and staff recommended APPROVAL, subject to:

1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mrs. Juniel made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously. (Bugbee excused) This item was included with Items 1 thru 3 and 5.

5. U-8-84(HO)

APPROVED

Application of DON COLE for a home occupation permit to design and make handmade barrettes on property located at 2108 Wendell Avenue in Zoning District R-1.

5. U-8-84(HO)

(Continued)

Mr. Clemmer stated the application was in order and staff recommended APPROVAL, subject to:

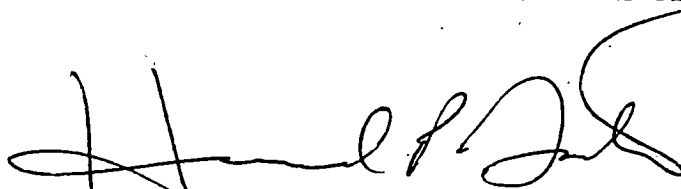
1. All operations shall conform to the criteria for a home occupation permit.

The applicant was present.

Mrs. Juniel made a motion for APPROVAL, subject to staff's condition. Motion carried unanimously (Bugbee excused) This item was included with Items 1 thru 4.

MEETING ADJOURNED AT 10:07 P.M.

DEPARTMENT OF COMMUNITY PLANNING AND DEVELOPMENT

A handwritten signature in dark ink, appearing to read 'Harold P. Foster', is written over a horizontal line.

HAROLD P. FOSTER, DIRECTOR

/s/

CHAIRMAN GILES:

Item Number 3 is U-1-84, the application of the Las Vegas Convention and Visitors Authority for a use permit to allow conventions, transient trade shows, merchandise marts, antique shows, craft festivals, circuses, carnivals, bicycle races, weight lifting contests, musical shows, running marathons, talent contests, travel shows, soccer, baseball, and other athletic contests, art and wine expositions, sports/RV shows, auto shows, films and festivals, on property located at 850 North Las Vegas Boulevard in Zoning District C-V. Mr. Clemmer.

ROBERT CLEMMER:

This property is on the Cashman Field area and to the south you'll note, that there's residential development as well as to the east, there's residential. Staff feels that these requested uses, except for a few items, are appropriate and would, therefore, recommend approval, subject to:

1. Conformance to the list of uses except:

*(a) Swap meets as defined and

(b) Racing events involving motorized vehicles.

2. Events utilizing the exterior grounds shall be kept out of the south 100' of the complex adjacent to the residential as well as the east residential property except for using it for parking equipment, or parking of vehicles in general, and we define "swap meets" as:

*The congregation of vendors, dealers, sellers or traders who rent, lease, purchase or otherwise obtain a sales area from an operator for the purpose of selling, bartering, exchanging or trading articles of personal property whether the same is new or used. Swap meets include all activities commonly referred to as flea markets, carnival markets, sundry markets, odds and ends sales, parking lot sales and specialty sales or markets of any nature which involve sale, swap or display of new or used merchandise or rummage for commercial gain. This is not intended to include in this definition refreshment or souvenir vendors incidental to the events permitted.

We have one protest of record.

CHAIRMAN GILES:

This is a public hearing. Is the applicant present or a representative of the Las Vegas Convention and Visitors Authority? Would you come forward please. As they're coming forward, the remainder of our agenda is the public hearing items, so the applicant -- as we hear from staff if you would just come forward and assume your position at the microphone, we'll call for your name and address to be stated for the record, and then proceed with the hearing. Yes, would you give us your name and address, sir.

CHARLIE RIXSE:

I'm Charlie Rixse with the Cashman Field Center, 850 Las Vegas Boulevard North.

CHAIRMAN GILES:

And your home address, Mr. Rixse?

CHARLIE RIXSE:

4251 Sagewood.

CHAIRMAN GILES:

Thank you. Did you understand staff's recommendations?

CHARLIE RIXSE:

Not completely. I would like to have a little more -- further explanation of what he means by "swap meet."

ROBERT CLEMMER:

The buying or selling of any items on the property whether they be new or used, considered antiques, or what, so that there isn't any kind of commercial sales operation conducted from the convention facilities.

CHARLIE RIXSE:

Is this for retail shows, or clothes shows, or both?

ROBERT CLEMMER:

It would be for retail sales shows, but you could have retail display as long as they purchase the items from businesses elsewhere and they're not involved in the actual selling on that property.

CHARLIE RIXSE:

If this is a very broad interpretation, it could be quite harmful to our interest, I think.

ROBERT BUGBEE:

Well, what's your -- what do you feel about swap meets?

CHARLIE RIXSE:

Well, I think that -- I think that in the spirit of free enterprise that this kind of commercial competition ought to be allowed as long as it's conducted in such a way that local merchants are not harmed. We also have a lot of convention activity which involves people coming in and in some cases, selling items to the retail public which could fall under this interpretation, and

CHARLIE RIXSE: one of these things that we have booked in 1986 is the American Bowling Congress which is a very very valuable convention, but they are open to the public and they do make retail sales to the public, and I would hate to see something cause us to lose this since it's been booked.

JESSIE EMMETT: Is it basically the same thing that they have out at the Convention Center? Would this be termed a "swap meet" where they use the grounds at the Convention Center when they have swap meets, would this be basically the same kind of thing?

CHARLIE RIXSE: It wouldn't be the same kind of thing, but it would be the same in that there would be retail sales to the public, and if you define a "swap meet" as anything that has retail sales to the public, then you would be banning the American Bowling Congress from the Cashman Field Center.

JESSIE EMMETT: I guess my question was simply is it that kind of business endeavor?

CHARLIE RIXSE: No, it's not.

JESSIE EMMETT: It's not.

CHARLIE RIXSE: But the --

ROBERT BUGBEE: The Convention and Visitors Authority -- we're not going to conduct swap meets down there, are they?

CHARLIE RIXSE: No, we don't conduct anything. We provide facilities to customers who conduct their business.

ROBERT BUGBEE: Well, do you entertain the thought of conducting swap meets?

CHARLIE RIXSE: No, we conduct nothing. We rent our --

ROBERT BUGBEE: Or leasing to swap meets then, if that's what you want?

CHARLIE RIXSE: I would have no problem with not having any business with swap meets if you're talking about something that is of lower class, inferior products --

ROBERT BUGBEE: We're talking about people coming in with campers, you know, and wheeling it all out and trading and swapping and moving around like they do.

CHAIRMAN GILES: Yes, and not the convention atmosphere.
I think --

CHARLIE RIXSE: I don't think that most of those types of
events would be able to afford our facilities.

HELEN MYERS: I think I know what you're talking about and I
would certainly go along with no swap meets certainly
outside, but I think they're talking like Tanner's
Flea Market. Isn't that the kind of thing that
you're referring to, Mr. Clemmer, not being allowed?

ROBERT CLEMMER: Well, this definition of "swap meets" is all
inclusive and it means merchandise markets in
general as well as any types of item, new or used.

ROBERT BUGBEE: Well, you know, in a convention -- I mean, just
like the recent convention -- the electronic's
people -- they're sales made there. I mean, the
last day there's a lot of them. I don't think
that we should -- I mean, if you want to limit
it to "swap meet", I'll buy that but I don't
think we should put any restrictions on the people
at the Visitors Authority, that's their business.

HELEN MYERS: I'd like to know how you build a 26 million dollar
facility without -- you know, if this thing got
turned down, that thing would just be sitting there
empty.

PETER NOEL: Absolutely.

CHAIRMAN GILES: Sir, are you with the Las Vegas Convention and
Visitors Authority?

PETER NOEL: No, sir.

CHAIRMAN GILES: Well, let's hear from them first and then we'll
hear from those who are in favor and those who
would be opposed to this move.

PETER NOEL: Well, I'm a promoter who has shows booked into
that and this decision affects all of my business
by millions of dollars which I'll have to take
somewhere else if my exhibitors cannot sell.

CHAIRMAN GILES: Well, let's work with the Las Vegas Convention
and Visitors Authority who are the applicants
right now, and then we will hear from you as a
proponent or an opponent of the issue.

HELEN MYERS: Mr. Clemmer, would you go a little more slowly on those things that you would like to restrict, besides the swap meet.

ROBERT CLEMMER: Okay. Racing events involving motorized vehicles.

ROBERT BUGBEE: Well --

HELEN MYERS: Any motorized vehicle?

ROBERT BUGBEE: That wasn't included in this application. All you've got is a bicycle races in the application.

HELEN MYERS: He's saying what they want us to specify cannot happen there and I -- he went through it so fast I want him to go back again and --

ROBERT BUGBEE: But it didn't specify it in the application, that's what I'm saying.

HELEN MYERS: No, he's saying they don't want that at all.

CHAIRMAN GILES: He's not applying for it though.

ROBERT BUGBEE: He's not applying for it.

ROBERT CLEMMER: Well, it depends on how you interpret sporting events. If you think motorcycle competition is a sporting event, possibly you would say that's -- that was where we thought that could come into play.

ROBERT BUGBEE: Sports/RV shows, would that be motorcycle race?

ROBERT CLEMMER: Sporting events.

ROBERT BUGBEE: He's talks about athletic contests. I don't think --

CHARLIE RIXSE: In the vernacular, the industry of sports and RV show is like -- outdoor vehicles and boat shows and things like that.

ROBERT BUGBEE: Sitting in place, you know, being displayed.

CHARLIE RIXSE: Right. If we were going to do some kind of motorized athletic contest, we would come and ask for special permission I would think.

ROBERT BUGBEE: Okay. Mr. Chairman, would you reread the application -- what it includes in it. I'd like to make a motion on it.

CHAIRMAN GILES: A request that we reread the application or the request of to allow conventions, transient trade shows, merchandise marts, antique shows, craft festivals, circuses, carnivals, bicycle races, weight lifting contests, musical shows, running marathons, talent contests, travel shows, soccer, baseball and other athletic contests, art and wine expositions, sports and RV shows, auto shows, films and festivals, on property located at 850 North Las Vegas Boulevard.

ROBERT BUGBEE: Does that get it for you?

CHARLIE RIXSE: Yes, sir.

HELEN MYERS: What do you consider a transient trade show?

CHARLIE RIXSE: That is a show that follows a circuit or rotates from year to year in its place and basically they're designed for a closed audience, but sometimes they're also open to the public.

HELEN MYERS: Something like consumers?

CHARLIE RIXSE: Right and in a lot of these places, sales are made on the floor, and it's very important that on that type of business you're allowed to do that.

HELEN MYERS: Well, I'm wondering if that transient trade show would take something like the Tanner's Flea Market, which does travel around to different locations on a regular basis, from the flea market into the transient trade show area?

CHARLIE RIXSE: Yes, Tanner's Flea Market probably could be considered under that.

HELEN MYERS: Because I know there are a lot of people who travel perpetually.

CHARLIE RIXSE: But in the terms of the industry, that's not really what you mean by transient trade show.

HELEN MYERS: You mean one that just comes in occasionally but without a convention attached?

CHARLIE RIXSE: Usually a transient trade show is one that's held on some sort of regular basis, it's not hit or miss.

CHAIRMAN GILES: Can I see a show of hands of those present who would oppose this application as its been stated and applied for. (One hand in audience) You oppose it?

PETER NOEL: Well, I'm not sure I understand --

CHAIRMAN GILES: Give us your name and address, sir, and tell us where you're coming from then. Pardon us just a minute, Mr. Rixse, we'll hear this and then we'll have a rebuttal, then we'll call for a motion.

PETER NOEL: Alright. Peter Noel, 2712 Valpariso Street, Las Vegas. I am not sure that I understand. This can encompass many many things. I am a local promoter. I moved from Florida to Las Vegas. I have now booked in two very very large shows which will completely utilize the facilities, a computer show and a business in industrial trade show. The problem I'm having understanding this is that my exhibitors cannot sell on the floor. If that is the case, then I will be forced to take my business elsewhere. Now, that's the problem I'm having.

ROBERT BUGBEE: Under the application, that isn't mentioned.

CHAIRMAN GILES: That has not been mentioned.

PETER NOEL: It's not mentioned one way or the other. It doesn't say you can, it doesn't say you can't, but I went to the Business Licensing people and they seem to have a misunderstanding as to what you can and cannot do, and they said, "Well, it has to be approved by you before I can issue you a license," and we've been going back and forth trying to understand exactly what you're trying to do with the rezoning change.

ROBERT CLEMMER: Well, the request, if I may, indicates merchandise marts which would be marketing of any merchandise. So, they've asked to have the right to retail sell from this premise any type of merchandise.

PETER NOEL: My reason for being here is that the auto show the other day, they closed two vendors down for making sales at the show and asked them to leave. I don't know if you are aware of that or not? The auto show that was here two weeks ago.

ROBERT BUGBRE: Who are they?

PETER NOEL: The Business Licensing people.

HELEN MYERS: Well, maybe they didn't have a Business License.

PETER NOEL: Oh, they're just auto dealers in town, I'm sure they've complied. They asked them please, do not sell cars at their show. So, what is their purpose for being there if they cannot sell. You can -- they say you can sell tomorrow or the next day at your place of business, but you cannot physically sell at the show because it is not zoned for it.

HELEN MYERS: What generic term would you attach to your sort of show?

PETER NOEL: That the clients have the permission to sell their products physically at the show if they are licensed and legitimate businesses. For instance --

HELEN MYERS: I understand what you're saying. I meant -- looking for a generic term such as flea market, merchandise mart. What would you call it if it's not a transient trade show?

PETER NOEL: I understand your point on the flea markets and I agree with you wholeheartedly. I don't think it's the right type of show, but I think a legitimate convention such as a computer, an industrial show, an association show, should be permitted to sell at the show.

HELEN MYERS: We're not arguing whether or not you can sell. I want a generic term for your type of industry so that we could possibly incorporate it in here as a descriptive term. What would you consider your show?

PETER NOEL: Alright. Retail or wholesale sales.

HELEN MYERS: Show?

PETER NOEL: Right. Retail selling or wholesale selling.

CHAIRMAN GILES: New materials or used materials?

PETER NOEL: In my opinion, it should be strictly new but obviously you get into antiques and then you get into used. So it could incorporate new and used materials.

ROBERT BUGBEE: It could read to where we say new materials or antiques.

JESSIE EMMETT: As it relates to the class so stated. It should be added to that, you're saying?

PETER NOEL: Right.

HELEN MYERS: Mr. Clemmer, what in this application would restrict anyone from sales on the floor unless it was determined by the individual person who rented the facility, or the Business License? This does not say anything about sales.

ROBERT CLEMMER: Well, I think so. It says merchandise marts and that implies the sale of merchandise -- the marketing of merchandise is what that means, regardless of the type of merchandise.

PETER NOEL: At what point though, during the show or after the show?

HELEN MYERS: It seems to me from my knowledge of shows and convention business that the person who puts on the show determines what may or may not happen. Within the rules of that show, you establish them. Your vendors and people who exhibit from you must then apply for any permits that are necessary if you're permitting selling. I don't think that it is the Convention Center or this Board to determine whether or not you in your particular show can sell or not.

PETER NOEL: Well, again, my reason for being here is because the Business Licensing Department said, "Until the facility is licensed or zoned for retail sales, anyone who sells out of the show, the show will be closed down or those exhibitors will be asked to leave," and that's apparently what happened at the auto show.

HELEN MYERS: I think it's a mute question for us.

ROBERT BUGBEE: Well I think we've included it in merchandise marts. Merchandise marts -- that's retail sales.

PETER NOEL: Okay. I would be happy if it said, it incorporated wholesale or retail sale of merchandise as related to the above categories.

CHAIRMAN GILES: Thank you very much. We appreciate your coming forward with your views. Do you have anything to add to this -- to this commission, Mr. Rixse, that we haven't heard before we close and call for a motion?

CHARLIE RIXSE:

I do not think so, Mr. Chairman. I just want to try to get as much usage for the Cashman Field Center as it's possible to get as long as it's in the best interest of the City and it's in the community and it's not unfair competition for the local merchants.

CHAIRMAN GILES:

Thank you very much. We'll close the hearing and call for a motion. Commissioners.

ROBERT BUGBEE:

You know, as much as we have the expertise down there with the Convention Authority -- they're in the business. I don't feel that they're going to -- you know, we're all operating under the same spot. I'm going to move to approve this and I will -- this application -- will include retail, wholesale sales. I mean, if this is legal. If it's the matter of the Licensing Department and retail sales or wholesale sales then let's include from the use permit, retail and wholesale sales.

CHAIRMAN GILES:

That application has been approved. (Motion carried unanimously) It is set for a hearing with the City Commission on February the 15th.

END OF EXCERPT

CHAIRMAN GILES:

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Item U-3-84 is U-76-81 plot plan review and application of Watkins Development Company for a use permit to allow a self-service gas station in conjunction with a convenience market and to construct apartments on property generally located on the southeast corner of Silverstream Avenue and Lorenzi Boulevard in Zoning District C-1. Mr. Clemmer, please.

ROBERT CLEMMER:

The map to your right -- the tan area to the northeast of the site is an R-PD6 development which is a relatively low density, detached single-family residential area. To the north is C-1, -- to the south is C-1 and the C-1 to the south there's an approved apartment project. Okay, the C-1 area to the south there's an approved apartment project there for 280 units. Actually, this action tonight is going to determine whether the encircled site can be used for approximately 72 more apartment units and they're going to integrate the two developments into one project, and they're slightly modifying the site plan on the south site containing the 280. So, you'll be considering both. So, first I'll deal with the new use permit. Actually this is the area that's involved in the new use permit application for the apartments, and this site here is for a convenience market. This plan more correctly represents how they'll integrate the two projects together if this is approved. There's a total of 336 units in the project. The General Plan allows that there could be a certain percentage of a neighborhood that's in medium-high density, and this is close to the cap on the medium-high density allocated for this neighborhood, so staff feels that it is in accord with the General Plan and would, therefore, recommend approval of the apartment project as well as approval of the convenience market with gas pumping in the C-1 District. On the site plan -- on the revisions to the previously approved use permit -- that's U-76-81 -- staff feels that the original plan which had a considerable setback from this easterly property line of buildings -- that same building setback should be maintained. They could possibly put a driveway down on this east side and have some parking in that area.

HELEN MYERS:

Mr. Clemmer, would you move that just a little bit this way for me? Either move you or that.

ROBERT CLEMMER:

These are the apartment buildings here that are about 8' from the property line and originally they were upwards towards 70', and staff feels that this double section of parking will give equivalency to what has been approved previously, and these property owners here had been opposed to the project and I think proximity would have a bearing on that. So, therefore, staff would recommend approval of the amended plot plan integrating the two projects if this use permit is approved with a revision that they provide an additional setback on these three buildings in the southeastern sector, subject to:

1. Conformance to the plot plan and elevations amended to provide a 4' decorative wall along Silverstream Avenue setback 5' for landscaping and provision of a 6' block wall along the north and west property lines.
2. Installation of sidewalks on Silverstream Avenue as required by the Department of Engineering Services.
3. This approval shall be limited to a one-year period of time.
4. Standard conditions 2-8.

We have 4 protests of record.

CHAIRMAN GILES:

How would you propose that a one-year approval be extended on this?

ROBERT CLEMMER:

If they do not receive their building permits in that one-year period of time, the use permit would expire.

CHAIRMAN GILES:

Okay. I've not considered that possibility. Thank you. This is a public hearing. Can we hear from the applicant, please?

JOE WATSON:

Yes. My name is Joe Watson. I'm from Houston, Texas and I'm the President of J. L. Watson Company and the founder. We're developers primarily of residential housing in about 30 cities and we're involved in several states, and I would like to just take one second and tell you a little bit about what the project will be because I don't think that it's typical of the normal apartment project that you would find in Las Vegas.

CHAIRMAN GILES:

Let's take a little survey first, Mr. Watson. How many are present who would oppose this application? Show your hands. One, two, three, and we have four on file.

ROBERT BUGBEE:

Before you get into the definition of what you're building, how do you feel about staff's recommendation? They're asking for a little bit -- a little more side yard. Can you handle that?

JOE WATSON:

We can handle that. We would have a preference, if I can just show you?

CHAIRMAN GILES:

Sure.

JOE WATSON:

That preference would be to bring this road down to this area here.

CHAIRMAN GILES:

Mr. Clemmer, would you hand him the microphone, please.

JOE WATSON:

I'm sorry. What we would really prefer to do is bring this road down to this area here and make a 90 degree turn and then a turn back there. That leaves us with some land that's very difficult to use here and we would like to keep one portion of a building in this area which would be adjacent to this property line, and move all the rest of these buildings off of the property line. If that's not acceptable, we would, of course, comply with what you recommend, but that would be our preference because we'd get better utilization out of the land if we could put a building adjacent to the property line down in this little tip. We can do whatever you need for us to do.

CHAIRMAN GILES:

Fine, thank you. If you would just briefly tell us what you think we should know, we will then hear from the -- questions from the Commission, then we'll have protestants we'd like to hear from and then we'll hear a rebuttal from you before we call for a decision.

JOE WATSON:

You could see a long speech coming, couldn't you?

CHAIRMAN GILES:

No, not really. Go ahead, sir.

JOE WATSON:

Well, let me see if I can say this very quickly. I do want to say one thing about our company and that is that we're not merchant builders. We don't build and sell our project and in almost ten years of development and several dozen projects we've only sold two of them. We've maintained over

JOE WATSON:

40% interest in all the rest of them, and that's a major interest that I have personally. We manage our own projects and when we move into a city like Las Vegas, we attempt to build multiple projects and we want to be here and be a part of the community, and you don't have to worry about us building and going off to some other place and never worrying about what we do to your community. Let me just tell you quickly that the -- while we recognize the need for good quality, multi-family housing and multi-family housing for several economic levels, the area that we choose to be involved with is the very highest end of rental housing, and as a consequence of that, we have a design scheme and a design mechanism that's very different from what you would normally see, and I will try to very briefly tell you about that. On the exteriors of the projects, in addition to what you would see in most apartment projects which would be maybe a clubhouse with a recreation room and some eating, or food preparation areas, we build a health facility that includes a very large pool with jacuzzis. We install in that area an exercise room with complete nautilus-style equipment with wet and dry saunas. We have areas for aerobics and we try and make a pretty serious issue out of the health club facilities that we have in the projects. The actual residences themselves are designed with condominium-quality kitchens. We have 24 ounce or heavier grade carpets in all of the units. They all have fireplaces. They all have washer/dryer connections and in most cases, they have the washers and dryers. They have vaulted ceilings and ceiling fans and a liberal use of wallpaper. We believe that our projects, while they typically are the most expensive in the community, represent an improvement to most areas and represent a situation where the people who will rent from us who will become residents there, will have a tendency to be proud of their residence and they'll have a tendency to be a pretty high-quality group of people, and that's the area that we're involved with and that's the sort of project we would like to build here. We view the Stop 'n' Go, or convenience store facility as an amenity that we would like to have on the premises. We think it's good for the community as a whole. I don't believe

JOE WATSON:

there's anything quite of that nature in that immediate area. Again, I think our position there is that we would very much prefer that. If we don't have it and we had to build the remainder of the property in multi-family housing, we could do that too if you preferred, but it is our request to be able to build that facility.

CHAIRMAN GILES:

Do you franchise the self -- or manage it yourself --

JOE WATSON:

We will not own it, the facility, but we'll have architectural control over it and we'll have ongoing control over the way that it's maintained, and we'll build it so that the architecture blends in well with the style of architecture of our community, and I think that the rendering that you have in front of you will give you an idea of what that might look like. A little bit of an eastern/country sort of a look.

CHAIRMAN GILES:

Thank you. Questions of Mr. Watson, Commissioners?

BONNIE JUNIEL:

Yes. Do you have a projected rent already?

JOE WATSON:

I believe that our one-bedroom units will rent for around 410 to \$425 and our two-bedroom units will range from an area of about 550 to \$650. It's a little different type of community.

HELEN MYERS:

Will this be a --

JOE WATSON:

Pardon me.

HELEN MYERS:

Adults only or with children?

JOE WATSON:

We have two phases there. The first phase will be an adults only phase, and we'll look at the market after we've built that first 164 -- 68-unit phase and make the decision as to whether we'll have a family phase in the second phase, and I don't know the answer to that now.

HELEN MYERS:

How many were the total number of units?

JOE WATSON:

Each phase is 168 units. That's a total of 336 units and that's a density of 25 units per acre. You might note that the parking spaces that we've allocated is 577 and the City code requires 388. We chose to have more parking spaces than your city requires.

HELEN MYERS: That was going to be my next question..

CHAIRMAN GILES: Thank you. I appreciate your briefness.
I'm sure you can tell us about your
accomplishments all evening..

JOE WATSON: I talked as fast as I could.

CHAIRMAN GILES: Could we hear now from the proponent or
opponent and then we'll give you an opportunity
to rebuttal the objections. Sir, would you
give us your name and address.

STEVE HALDERMAN: I'm Steve Halderman. I live at 6656 Silverstream
which is right across the street. I talked to the
neighbors up and down the street and everyone
that I talked to agreed with me that we're
opposed to an issuance of a use permit to sell
gasoline on our residential street. From there, there's
a lot of different mixed feelings on the convenience
store, "yes" or "no," and on apartments, "yes" or "no,"
and so it's hard -- I can't say what everybody
in that neighborhood exactly wants. I talked to
a lot of them and there's a lot of different
feelings, but most are opposed to the selling of
gas there. This is a residential street. Although
this area is zoned commercial, they're filling it in
with apartments which, in essence, is more residential
and we just don't feel gasoline there on that
corner, which is only half of a stone's throw from
a major intersection, it's going to be very busy,
and then with this small access there, we just
don't feel it's a good place for a gas station
on our residential street. The convenience
store -- I get torn because I know if they build
it, I'll go there and my kids are already jumping
up and down. They want to go to the 7-11 and buy
some candy, but I don't necessarily want it there.
I'd rather see it filled in completely -- if it's
going to be apartments, I'd rather see it all
apartments just because I moved into a residential
area. The whole problem is that somewhere along
the line, the City made a mistake allowing residential
housing facing directly into commercial property.
It's created a lot of arguments for the last three
years over what should be built there. Hopefully,
in future planning, they'll never let that happen
again and save a lot of people problems because
that was a problem.

ROBERT BUGBEE: That commercial was there when you bought the
house though, wasn't it?

STEVE HALDERMAN:

Yes, but there was also plans and a use permit taken out to build an architect's office and they told us it'd be a park in the nine acres and an architect's office on this other land, and my first home and, you know, you don't understand those things.

CHAIRMAN GILES:

We've followed you for a number of years up there. I do believe, though, as you look at some of the things we're looking at, the conversation is toward a quality development there throughout if that's any consolation to your --

STEVE HALDERMAN:

Yes, well, it looks much better than the tumbleweed we have now. We've had enough rain that the tumbleweed is growing and so now I'm getting more willing to concede a little bit. You'll find the people in the condominiums right adjacent to it are opposed to apartments. They didn't seem to be very well informed there was a meeting tonight, although I know some of them got letters. I'm not as opposed to apartments because I'd rather have it apartments than commercial in the long run. Although I don't like apartments -- I'd rather see them build homes over there or some other small compact homes even of less quality, but I'll concede to apartments myself personally, but I am against the issuing of a gas permit and I am opposed really to the convenience store, but most particularly the gas permit I think on that residential street. The one recommendation I made that would make me concede an awful lot is one that has been made last time. This same almost identical request was made by a different company and by the City Commissioners and they wouldn't accept it and so they turned them down in almost an identical plan, and that is -- I don't know if these maps -- do these show the whole -- does that picture show the whole development, or is it just that one corner?

ROBERT CLEMMER:

This shows the whole development.

STEVE HALDERMAN:

Okay. This is Dolores.

CHAIRMAN GILES:

Use your microphone, Mr. Clemmer, so we can make a record.

STEVE HALDERMAN:

This is Dolores Street. From here up there's no residential houses. The houses start here at Dolores and work down. As we build this apartment here, these are all residential houses here, all the traffic is going to come by all the houses on this two-lane residential street. I suggested, and a couple of the City Commissioners suggested a year ago when this similar plan was put up, that a road be made across from Dolores that enters into here and feeds -- basically they have an entrance here and they've connected it in here which would be helpful, but if a road would actually be built there -- I'm not an architect, I don't know how to design that stuff, but so that the traffic would flow out here and never come by the residential houses, it would, in essence, remove -- it wouldn't affect us hardly. I mean, it would be across and they'd look nice because they're going to be built nice, hopefully. I was in Texas for years and lots of nice apartments, I guess that's important. But, if there could be a road made to access into here and feed all apartments out this way, they would go out and access the freeway right here and would never interfere with this residential area. We're going to have enough traffic gathering up to it if there's a convenience store there. It's going to just double it and then 400 homes in here, and the one other comment I'll make and then I'll sit down. They made a lot more parking than the City code requires. I'm going to find out how to change City code because -- how many total units?

JOE WATSON:

Three hundred and 36.

STEVE HALDERMAN:

Three thirty-six. I don't remember what he said this time, but when I talked to him a couple of weeks ago on it, there was enough extra parking for about half of the homes to have two vehicles, and you just can't find very many -- even today when they move into apartments -- the husband and wife or whoever's living there together both work to support themselves, and at \$600 a month, they're both going to have to work and they're both going to have cars and it's going to be tough to find over half these people only have one car. Now City code doesn't require that and I'd like to see City code upgraded a little bit, but I'm concerned a little bit about parking. I don't know how to resolve that. I appreciate that they made more than they required.

STEVE HALDERMAN:

I don't know what the answer is, but I've seen many apartments where the people park out across the street in dirt lots and stuff all over and I don't know what will happen here because there's nowhere for them to go. Hopefully, it'll be enough, I don't know. One other thing, two-tenths of a mile over here, they've just completed about 500 units -- apartments. So, we're suddenly engulfed in a very dense area of apartments in my opinion, and so that's another reason I don't like apartments there, but again, it's better than a roller rink or tumbleweed, I guess. So thank you for your time.

CHAIRMAN GILES:

We very much appreciate your coming down and bringing us your views. We're aware of some of the problems that you've had with that parcel over the years. Could we entertain any rebuttal that you might have to make you a good neighbor to the landowners up there, and then we'll close the hearing and call for a motion.

JOE WATSON:

You know, I have to admit that I do have real mixed emotions about convenience stores. Ninety-eight out of a hundred of them are unattractive and most of them are not well maintained, and the ones that we've been involved with have often been a hassle and we've had to force people to maintain them properly and use proper signage and keep them clean. All that notwithstanding, we're in a very mobile society. This is not a society where people walk to places. They get in their car and they go, and it's a convenience and I think that it is defacto true that people want them because they are successful and they proliferated and they're in a lot of places, and if the people didn't want them, they'd all go out of business. It seems like a valid argument to me. You can't have them without the gasoline. You can't put them there without the gasoline. So if the decision is to have it without the gasoline, then we would not build it. We would not be able to and we would have to put apartments there. I would just like to say that I agree with the comments about changing the City code with regard to parking. Our parking ratio typically on projects runs about 1.75 to 1.8 and that seems to be very satisfactory. Your ratio is lower than that. We've seen some cities that have gone real crazy and done things like 2.5 and what you end up with is using all your green space in concrete which makes no sense at all, and

JOE WATSON: I think somewhere inbetween those two is logical and I didn't come to campaign for that but I thought I'd agree with him.

CHAIRMAN GILES: We can't change that off this Commission either. Thank you very much, Mr. Watson. We'll close the hearing and call for a motion from the Commission.

ROBERT BUGBEE: I'm going to move for approval --

CHAIRMAN GILES: You have any recommendations?

ROBERT BUGBEE: There's been no mention by the applicants on that thing that Mr. Clemmer talked about on the sides, so I think I'm going to approve it -- move for approval as is.

ROBERT CLEMMER: Okay. Actually you'd be approving U-3-84 to allow essentially 72 apartment units according to this scheme or this alternate scheme basically. Secondly, you'd be approving a revised alternate plan under U-76-81 which allows this apartment placement scheme then; and thirdly, you'd be approving a use permit for the service station to pump gas.

ROBERT BUGBEE: Yes, that's correct.

JOE WATSON: Can I make a comment?

CHAIRMAN GILES: Yes.

JOE WATSON: I would like to be able to go back to our designers in the next few days and see if we can reasonably redesign that to comply with what the people have requested. If we can't, then we will assume that your motion passed and leave it like this, but I would like to be able to come back next week to the City Council meeting with a revision. Is that possible? Does that create a problem for me if I come back with a revision that attempts --

ROBERT BUGBEE: Not really. Anything that'll make staff happy. It'll make staff happy, you can do that.

JOE WATSON: Okay. Nobody's going to get upset if I come back with something that's a little bit better?

CHAIRMAN GILES: Cast your votes, Commissioners. That motion has been approved and will be heard by the City Council on February the 1st. (Motion carried unanimously)

END OF EXCERPT

NAME

DRESS

1-26-84

Celine Hunt

905 Murph St.

XMAS

7707 Fanning Houston TX

Udoro Halden

6656 Silverstream

B. McVay

2727 AITH D. L.

Park MAI KUALA

333 RIO RANCHO

Arthur Porter

1100 Francis

J. A. Kram

314 E Katia Ave LV NV

Donald L. Lora

530 So. 9th St

C. J. Balogh

716 N. C. Street 89104

R. J. O'Connor

4945 CUBA

Chet Lee

5709 Hedgerow

Clifford E. Wilson

1705 - Palm Jct TX

By Jaye Breen

INTER-OFFICE MEMORANDUM

January 23, 1984

TO:

HAROLD P. FOSTER, DIRECTOR

FROM:

ROBERT C. CLEMMER, ACTING CHIEF
ZONING DIVISION

SUBJECT:

BOARD OF ZONING ADJUSTMENT MEETING
JANUARY 26, 1984

COPIES TO:

CITY CLERK'S OFFICE
CITY ATTORNEY
HAZEL BECK
RICK WILLIAMSOLD BUSINESS:

1. V-124-83

This item was held in abeyance from the December 22, 1983 meeting at the request of the applicant.

At this writing, January 19, 1984, the developer is still not sure whether the building will be razed and a new building developed which is generally repugnant to our past positions of retaining the character in this area unless the new building is architecturally comparable.

Staff recommends that this item be held in abeyance for a concrete development proposal. If approved subject to:

1. Approval of the site plan and elevations by the Board of Zoning Adjustment.
2. Dedication of the required radius at the intersection of 9th Street and Bonneville Avenue as required by the Department of Engineering Services.
3. Install sidewalks and street lighting on 9th Street and Bonneville Avenue as required by the Department of Engineering Services.
4. Pave the alley as required by the Department of Engineering Services.
5. Landscaping and a permanent underground sprinkler system shall be provided as required by the Department of Community Planning and Development 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. Provision of fire hydrants and water flow as required by the Department of Fire Services.

PROTESTS: 1

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

NEW BUSINESS:

1. U-23-83

The Board in approving this application required a review in nine months to determine if there were any problems. We have received no negative correspondence.

Staff recommends that no further review be scheduled as it appears to be operating without problems. ✓

PROTESTS: N/A

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

2. U-43-83

This was approved with a six month review as property owners on Cordova backing-up to this facility complained about past operations and felt this expansion would intensify recreation uses where problems occurred. The Reverend indicated they would monitor problems and rectify them. We have received no negative correspondence to the file.

Staff recommends that no further review be scheduled as it appears to be operating without problems. ✓

PROTESTS: N/A

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

3. U-1-84

This proposal is to authorize convention center operations under the new ordinance which are specified on the Agenda. Most of those are to be indoors or in the Stadium, however, some may use the total grounds as circuses, carnivals and certain competitive events on the list.

Further, there is a City Council position disfavoring swap meets or merchandise marts.

Therefore, staff would recommend APPROVAL subject to: ✓

1. Conformance to the list of uses except: ✓

* (a) Swap Meets as defined below. ✓

(b) Racing events involving motorized vehicles. ✓

2. Events utilizing the exterior grounds shall be kept out of the south 100' of the complex adjacent to residential, except related equipment, parking and storage. ✓

as well as the east residential property

✓ * Swap meet means the congregation of vendors, dealers, sellers or traders who rent, lease, purchase or otherwise obtain a sales area from an operator for the purpose of selling, bartering, exchanging or trading articles of personal property whether the same is new or used, where the aggregate value of all such property exceeds the amount of one thousand dollars.

U-1-84 (CONTINUED)

✓ Swap meet includes all activities commonly referred to as flea markets, carnival markets, sundry markets, odds and ends sale, parking lot sales and specialty sales or markets of any nature which involve sale, swap or display of new or used merchandise or rummage for commercial gain. This is not intended to ~~exclude~~ refreshment or souvenir vendors during major events.

PROTESTS: 1

PUBLIC HEARING ITEM. SET FOR CITY COUNCIL FEBRUARY 15, 1984.

4. U-2-84

This proposed parking lot is in the same block as the church northeasterly and front Monroe 100' west of "C" Street. This lot is needed to satisfy Code required parking so requires City Council approval. It meets the distance requirements for City Council approval. The existing church on the south side of Madison was to have been torn down and the lot used for parking for this new church, but they changed their minds and are going to sell the old church so the new building is dependent on this lot being approved and the Building Permit has not been finalled on the new church.

This is a high density residential area where independent parking lots are considered compatible.

Staff recommends APPROVAL subject to: ✓

1. Conformance to the plot plan amended to provide landscaping along Monroe in the excess spaces and 2" asphalt concrete pavement. ✓
2. Install sidewalk on Monroe Avenue as required by the Department of Engineering Services. ✓
3. Pave the alley as required by the Department of Engineering Services. ✓
4. Approval of the parking and driveway plans by the Traffic Engineer. ✓
5. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services. ✓

PROTESTS: 0

PUBLIC HEARING ITEM. SET FOR CITY COUNCIL FEBRUARY 15, 1984.

5. U-3-84
(U-76-81)

The overall site is 3.5 acres and the convenience store with gas is .62 acres and the apartment area is 2.88 acres with 72 two story apartment units in five various sized buildings. This property has been the subject of five cases in the last three years, three of which were withdrawn and two denied. U-64-82 was the 1st case and was denied by the City Council October 6, 1982. The 8 months waiting period expired June 6, 1983. That was for 88 units on a similar sized site, but slightly modified in width and depth of commercial.

The six acres between Lorenzi and Washington and the Expressway may be proposed for R-3 as the property north of Washington was approved. If that can be limited to P-R, the General Plan will not be greatly exceeded by this proposal.

Traffic counts on Silverstream reflect 1900 trips per day occur. This and the 264 unit project to the south will contribute 2400 TPD, 7 per unit for a total of 4300 which does not exceed the design capacity of the collector street.

The General Plan indicates 10% of the neighborhood can be Medium High Density which is 35 acres. Currently, there are 35 acres and the contribution of 2.88 acres will not greatly exceed that. The commercial is designed toward the commercial to the north. The apartment project to the south is integrated with this apartment proposal, redesigned to shift several apartment buildings to the east and reduce in density from 280 to 264 which together with this proposal comprises 336 units on 13.4 net acres or 2.5 units per acre which is the maximum density we are trying to achieve. This matter must go to the City Council.

Staff recommends APPROVAL subject to: ✓ *approved both*

1. Conformance to the plot plan and elevations amended to provide a 4' decorative wall along Silverstream Avenue setback 5' for landscaping and provision of a 6' block wall along the north and west property lines. ✓
2. Installation of sidewalks on Silverstream Avenue as required by the Department of Engineering Services. ✓
3. This approval shall be limited to a one year period of time. ✓
4. Standard conditions 2-8. ✓

PROTESTS: 4

PUBLIC HEARING ITEM. SET FOR CITY COUNCIL FEBRUARY 15, 1984. ✓

6. V-1-84

There are several instances of C-2 in the area between Decatur and Jones on both the north and south sides of Charleston. Commercial storage units are first permitted in a C-2 District. They are a car wash 300' east of Decatur on the north side, a motorcycle dealer on the south side 300' east of Jones and a nursery at the corner of Jones and Charleston. Staff advised the applicant to not seek C-2 although there is a case for such a request but to develop within the C-1 and seek a variance for the storage units.

In the C-1 case, particular attention was paid to the Alpine Street design and protection to the R-1 to the north. The plan varies the frontage appearance to that area and with the required 6' block wall the crash gate should be opaque. They have provided a 15' planter on the Alpine side and the 8' overhead doors will be obscured by the wall. The center building is two story with elevations to the second floor. Layout is good for parking. 64,000 sq. ft. of storage has probably a slightly higher demand for parking than industrial warehousing which is allowed at a 2,000 sq. ft. per space rate and this development will accommodate 92 spaces or 1 space per 700 sq. ft.

A manager's residence is normal in this type of development and 5-6 have been approved in the past.

Staff recommends ~~APPROVAL~~ ^{DENIAL} subject to: *Sh app*

1. Conformance to the plot plan and elevations. ✓
2. Conformance to the conditions of approval of Z-6-66(1). ✓
3. The emergency access to Alpine shall be provided with an opaque gate. ✓
4. Standard conditions 2-8. ✓

PROTESTS: 1 APPROVALS: 62 on Petition + 1
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

7. V-2-84

This is a small cul-de-sac off Duncan in which the applicant controls all sites. We had a similar request six months ago which was approved. Staff sees no problem with the minor deviation.

Staff recommends APPROVAL subject to: ✓

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

8. V-3-84

The building exists partially completed in the far rear yard. The main building is 11'3" high and this is 2'6" higher.

Staff feels that this height difference is insignificant and the attractive Dutch roof style made the difference.

Staff has no objection. If approved subject to:

1. Conformance to the plot plan and elevations. ✓

PROTESTS: 0

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

9. V-4-84

The shopping center to the north is C-1 and setback 10' with landscaping between the block wall and Fairhaven Street. The project is for C-1 Zoning to continue that pattern. This is a district type facility so would not be in conflict with the General Plan. The treatment along Fairhaven should protect the low density development to the west especially if they could provide a Mansard roof detail to soften the commercial look which also could be helpful at Decatur. The total block wall and landscaping should be done in the first phase of development. Total area 95,000 sq. ft. and ample parking provided.

me A (i) - abey. int 2/23/84 3/22 ✓
Staff has ~~no~~ objection. If approved subject to:

1. Conformance to the plot plan and elevations amended to provide a Mansard roof detail on Fairhaven Street and Decatur Boulevard.
2. Provision of the block wall and landscaping along the entire frontage of Fairhaven Street in the first phase of development.
3. Approval of and conformance to the conditions of approval of Z-2-84.
4. Standard conditions 2-8.

PROTESTS: 0

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

✓ 2. 07 8 2 - abeyance 1/2 9 84

10. V-5-84

This is the nine block area transitioning from residential to office use via the variance approach. There is an approval immediately south and east of this site. In this case, they are enlarging the building from 1,566 sq. ft. to 3,330 sq. ft. and face lifting the Bonneville and 9th Street exposure which is good residential design. A problem is that they have elongated the building 20' and parking is being provided in front contrary to our past actions requiring all spaces to be in the rear except existing. Further, 9 spaces are required while only 7 can be provided due to the expansion and intense coverage.

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan and elevations.
2. Approval of a variance from the parking provisions.
3. Install sidewalk and street lighting as required by the Department of Engineering Services.
4. Standard conditions 2-8.

PROTESTS: 1

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

11. V-6-84

This is in the same area as the last case. The existing residence is to be retained intact. The parking is being provided in the rear. There are 6 spaces where 5 are required.

Staff recommends APPROVAL subject to:

1. Conformance to the plot plan and elevations.
2. No changes shall be made to the exterior elevations without approval of the Board of Zoning Adjustment.
3. Install sidewalk and street lighting as required by the Department of Engineering Services.
4. Dedication of a 25' radius corner at the intersection of 9th Street and Bonneville Avenue as required by the Department of Engineering Services.
5. Standard conditions 2-8.

PROTESTS: 0

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

12. V-7-84

Two variance cases in the past established the mobile home on this site for watchman's purposes and later allowed a process serving office. Staff recommended denial and there were building code problems which have evidently been worked out. This use has existed for 5 years and the area is on the General Plan as transitional to industrial.

Staff has no objection to the continuance for a set period of time. If approved subject to: ✓ *2 yrs.*

1. Conformance to the plot plan and elevations. ✓
- ~~2.~~ 2. Dedicate a 20' property line radius at the intersection of "C" Street and McWilliams Avenue. ✓
- N* 3. Install sidewalk on "C" Street and McWilliams Avenue as required by the Department of Engineering Services. ✓
4. Enter an Assessment District agreement for alley paving as required by the Department of Engineering Services. ✓
- X 5. This approval shall be limited to a two year time limit which shall expire January 26, 1986. ✓

PROTESTS: 1

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

13. V-8-84

This proposed bar will occupy 2,000 sq. ft. of an existing building. These buildings and apartments existed at a time when parking was not required in a C-2 Zone. The new bar must provide parking as it is a change in use to a higher parking demand.

The applicant's representative has indicated the seating capacity will be less than 80 seats where if it were a smaller area with 80 seats and one employee only 21 spaces would be required. Therefore, he asks not to be penalized for providing more open space.

Staff recognizes this as valid as the layout reflects seating for 24 (6) persons and four pool tables (16) which would require 22 spaces where they are providing 29 spaces, so there should be no adverse impact to the area. Layout appears valid.

Staff recommends APPROVAL subject to: ✓

1. Conformance to the plot plan and elevations. ✓
2. Repair any damage to the existing street improvements resulting from this development as required by the Department of Engineering Services. ✓

PROTESTS: 1

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

14. V-9-84

This is an estate area where often second kitchens are allowed without fear of it being used as a second family unit or rental unit. In this case, it is to accommodate the mother who prefers some independent living.

Staff has no objection. If approved subject to: ✓

1. Conformance to the plot plan and floor plan. ✓

PROTESTS: 0 APPROVAL: 1
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

15. V-10-84

This is an urban neighborhood in which the existing General Plan anticipated units in excess of R-4 density, but precise neighborhood plans were never developed in this area. This is 20% higher density than R-4. The proposed General Plan may amend density policies in this area so staff is reluctant to take a position at this time and would prefer it be held in abeyance for 2 months for the new General Plan adoption.

STAFF APPROVAL ✓
~~If approved subject to:~~

1. Conformance to the plot plan and elevations. ✓

2. Standard conditions 2-8. ✓

PROTESTS: Orleans Sq. Homeowners' Association
PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

16. V-11-84

This is the property where Talbert House was. The 25 unit development is an R-5 type of density which is permitted in the C-2 Zone. This addition changes the property from a non-conforming density to a conforming density. The parking is 72% of requirement and just south of Ogden Avenue that area is considered a possible parking reduction area to 50%, if approved by City Council. A 50% reduction case was denied on Maryland Parkway southeast one-half block, but an 80%+ case was approved in the same area.

Ironically, if he drops the number of units and achieves the parking he would need a density variance. 3 additional spaces could parallel the building in the north part of the drive bringing the total to 21 or 84% of requirement.

Under these circumstances, staff feels that achievement of proper density might mitigate the 16% parking reduction and would recommend APPROVAL.

If approved subject to: ✓

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V-11-84 (CONTINUED)

1. Conformance to the plot plan and elevations. ✓
2. Dedication of a 25' property line radius at the intersection of Maryland Parkway and Ogden Avenue as required by the Department of Engineering Services. ✓
3. Pave the alley as required by the Department of Engineering Services. ✓
4. Standard conditions 2-8. ✓

PROTESTS: 2

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

17. V-12-84

The storage shed exists and is ^{metal} rusted. Fire Department required it be noncombustible. It is 7' high and projects one foot above the 6' block wall. It is a 7' x 9' shed and could be relocated to a proper location. The patio cover is not existing and could be designed to achieve the proper setbacks. An Administrative Variance procedure is available which would allow the post line 10' from the property line if the average setback were 15' which would clip only 2' x 6' from the corner which is, therefore, the intent of this variance. The lot is irregular as there is a patio setback hardship, but not to the extent requested. There is no hardship regarding the metal shed in the side yard. ✓

Staff recommends DENIAL. If approved subject to:

1. Conformance to the plot plan and elevations.

PROTESTS: 0

PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

SUPPLEMENTAL:

1. U-4-84 (HO)

This operation involves the reserving of rooms for conventioners and arranging transportation, etc. The questionnaire has been favorably answered.

Staff recommends APPROVAL subject to:

1. All operations must conform to the criteria for a home occupation permit.

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

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2. U-5-84(HO) This is a typical bookkeeping type of home occupation. The questionnaire has been answered favorably.

Staff recommends APPROVAL subject to:

1. All operations shall conform to the criteria for a home occupation permit.

PROTESTS: N/A

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

3. U-6-84(HO) This use involves distribution of Herbalife products. The questionnaire has been answered favorably.

Staff recommends APPROVAL subject to:

1. All operations shall conform to the criteria for a home occupation permit.

PROTESTS: N/A

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

4. U-7-84(HO) This proposal is an entertainment booking operation. The questionnaire has been answered favorably.

Staff recommends APPROVAL subject to:

1. All operations shall conform to the criteria for a home occupation permit.

PROTESTS: N/A

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.

5. U-8-84(HO) This proposal is making hair barretts from common materials and placing them on consignment with retailers. Questionnaire answered favorably.

Staff recommends APPROVAL subject to:

1. All operations shall conform to the criteria for a home occupation permit.

PROTESTS: N/A

NOT A PUBLIC HEARING ITEM. SET FOR B.Z.A. FINAL ACTION.