

**CITY OF NORTH LAS VEGAS
REGULAR CITY COUNCIL MEETING MINUTES**

March 3, 2004

Website - <http://www.cityofnorthlasvegas.com>

CITY COUNCIL MEETING

CALL TO ORDER

6:07 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

WELCOME

Mayor Michael L. Montandon

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Mayor Pro Tempore William E. Robinson
Councilwoman Stephanie S. Smith
Councilman Shari Buck
Councilman Robert L. Eliason

STAFF PRESENT

City Manager Gregory Rose	Public Works Director Jim Bell
Assistant City Manager Dan Tarwater	Acting Utilities Director David Bereskin
City Attorney Sean McGowan	Acting Planning Manager Marc Jordan
Acting City Clerk Karen L. Storms	Fire Chief Jim Stubler
Human Resources Director Vince Zamora	Assistant Detention Chief Dan Lake
Finance Director Phil Stoeckinger	Police Chief Mark Paresi
Strategic Planning Director Eric Dabney	Assistant to the City Manager Brenda Johnson
Parks & Recreation Director Michael Henley	Sr. Deputy City Clerk Jo Ann Lawrence
Community Development Director Jacque Hinchman	Deputy City Clerk Julie A. Shields

VERIFICATION

Karen L. Storms, CMC
Acting City Clerk

INVOCATION

Planning Commission Chairman Dean Leavitt

PLEDGE OF ALLEGIANCE

William E. Robinson
Mayor Pro Tempore

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 3, 2004.

ACTION: APPROVED AS AMENDED; ITEM NO. 2 CONTINUED TO APRIL 7, 2004; ITEM NO. 3 CONTINUED TO APRIL 21, 2004; ITEM NO. 28 INTRODUCED AMENDED ORDINANCE; ITEM NO. 32 WITHDRAWN; ITEM NO. 33 WITHDRAWN

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

CONSENT AGENDA

12. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 58 (CRAIG ROAD PHASE I) APPORTIONMENT REPORT BASED UPON THE SUBDIVISION OF LAND INTO NUMEROUS NEW PARCELS NECESSITATING THE APPORTIONMENT OF THE ASSESSMENT ON WHICH AN IMPROVEMENT DISTRICT IS LEVIED.

ACTION: APPROVED

MOTION: Councilman Eliason
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

13. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH LYLE BRENNAN INVESTMENTS TO PROVIDE FOR THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CHEYENNE AVENUE AND DECATUR BOULEVARD IN THE AMOUNT OF 12% OF THE TOTAL COST OR \$14,400, GOWAN ROAD AND VALLEY DRIVE IN THE AMOUNT OF 1.8% OF THE TOTAL COST OR \$8,199, CHEYENNE AVENUE AND VALLEY DRIVE IN THE AMOUNT OF 2.8% OF THE TOTAL COST OR \$14,876, AND CHEYENNE AVENUE AND ALLEN LANE IN THE AMOUNT OF 2.8% OF THE TOTAL COST OR \$3,360 FOR THE CHEYENNE/VALLEY 30-ACRE BUSINESS PARK LOCATED ON THE NORTHWEST CORNER OF CHEYENNE AVENUE AND VALLEY DRIVE.**

ACTION: APPROVED

MOTION: Councilman Eliason
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

14. **APPEAL, SUBMITTED BY PAMELA WILCOX, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-10-04 (DEPARTMENT OF MOTOR VEHICLES); AN APPLICATION SUBMITTED BY STATE OF NEVADA - PUBLIC WORKS BOARD, ON BEHALF OF U.S.A. BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN LAND USE ELEMENT, TO**

CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO PUBLIC/SEMI-PUBLIC ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND ELKHORN DRIVE. (SET PUBLIC HEARING FOR MARCH 17, 2004) (ASSOCIATED ITEM NO. 15, ZN-13-04 AND ITEM NO. 16, SPR-09-04)

ACTION: PUBLIC HEARING SET FOR MARCH 17, 2004

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

15. **APPEAL, SUBMITTED BY PAMELA WILCOX, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-13-04 (DEPARTMENT OF MOTOR VEHICLES); AN APPLICATION SUBMITTED BY STATE OF NEVADA - PUBLIC WORKS BOARD, ON BEHALF OF U.S.A. BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, TO RECLASSIFY PROPERTY FROM OPEN LAND TO PUBLIC/SEMI-PUBLIC ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND ELKHORN DRIVE. (SET PUBLIC HEARING FOR MARCH 17, 2004) (ASSOCIATED ITEM NO. 14, AMP-10-04 AND ITEM NO. 16, SPR-09-04)**

ACTION: PUBLIC HEARING SET FOR MARCH 17, 2004

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

16. **APPEAL, SUBMITTED BY PAMELA WILCOX, ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-09-04 (DEPARTMENT OF MOTOR VEHICLES); AN APPLICATION SUBMITTED BY STATE OF NEVADA - PUBLIC WORKS BOARD, ON BEHALF**

OF U.S.A. BUREAU OF LAND MANAGEMENT, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN O-L, OPEN LAND DISTRICT (PROPOSED PSP, PUBLIC/SEMI-PUBLIC) TO ALLOW 350+ PARKING SPACES ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND ELKHORN DRIVE. (SET PUBLIC HEARING FOR MARCH 17, 2004) (ASSOCIATED ITEM NO. 14, AMP-10-04 AND ITEM NO. 15, ZN-13-04)

ACTION: PUBLIC HEARING SET FOR MARCH 17, 2004

MOTION: Councilman Eliason
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

BUSINESS

17. **DISCUSSION AND/OR ACTION REGARDING RENEWAL OF THE AGREEMENT WITH LIONEL, SAWYER AND COLLINS IN THE AMOUNT OF \$10,000 PER MONTH PLUS UP TO \$5,000 PER MONTH FOR PRE-AUTHORIZED EXPENSES TO CONTINUE FEDERAL CONSULTING SERVICES AND REPRESENTATION OF THE CITY IN WASHINGTON, D.C. FOR THE PERIOD MARCH 11, 2004 TO MARCH 11, 2005. (CNLV Contract No. C-5115)**

City Manager Rose stated the proposed agreement was consistent with the former agreement and included a provision within the scope of services for the addition of a consulting assistant to aid with Senior Center funding.

Senator Bryan expressed his appreciation to Staff and Council on behalf of Lobbyist Brent Heberlee and former Lobbyist Key Reid.

Councilman Buck acknowledged the level of communication and frequent status reports attributed to the successful relationship between the City and its lobbyists. Senator Bryan added Council could contact him or Lobbyist Heberlee at any time.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Eliason
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

**18. APPROVAL TO AMEND THE 2003-2004 STAFFING PATTERN AS FOLLOWS:
(ALL STAFFING PATTERN CHANGES WILL BE PROCESSED WHEN ADMINISTRATIVELY
FEASIBLE)**

PUBLIC WORKS DEPARTMENT

Building Safety Division

Add one (1) full-time Temporary Inspector TNS19 (this position will last for two (2) years).

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

**19. APPROVAL TO ISSUE A PURCHASE ORDER TO VEGAS VALLEY LOCKING
SYSTEMS, INC. FOR THE PURCHASE OF A CARD ACTIVATED SYSTEM FOR
THE PUBLIC SAFETY BUILDING IN THE AMOUNT OF \$38,637.62 USING A
COMPETITIVE BIDDING EXCEPTION PER NRS 332.115 (C).**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None

ABSTAIN: None

20. **APPROVAL OF A CONTRACT WITH SECURACOMM CONSULTING, INC. IN THE AMOUNT OF \$56,460 TO PERFORM A RISK ASSESSMENT AND PROVIDE TERRORISM ANNEX PLANNING FOR THE CITY, USING FEDERAL EMERGENCY MANAGEMENT AGENCY GRANT FUNDS PREVIOUSLY APPROVED BY COUNCIL. (CNLV Contract No. C-5626)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

21. **REVIEW AND APPROVAL OF THE RECOMMENDATIONS MADE BY STAFF FOR THE ALLOCATION OF 2004/2005 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS RECEIVED FROM THE UNITED STATES DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT IN THE AMOUNT OF \$1,841,000.**

Mayor Montandon stated a number of questions were raised concerning the allocation of Community Development Block Grant (CDBG) funds and he had not had an opportunity to address them.

ACTION: CONTINUED TO MARCH 17, 2004

MOTION: Councilman Eliason

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

22. **APPROVAL TO ALLOCATE \$28,043 TO SOUTHERN NEVADA REGIONAL PLANNING COALITION FOR THE PROVISION OF EMERGENCY SHELTER WINTER BEDS FOR THE AREA HOMELESS POPULATION BASED UPON THE**

PERCENTAGE (9%) OF POPULATION FOR THE CITY OF NORTH LAS VEGAS AND AUTHORIZATION TO TRANSFER THE FUNDS FROM THE GENERAL FUND CONTINGENCY ACCOUNT TO THE CITY MANAGER'S PROFESSIONAL SERVICES ACCOUNT.

Community Development Director Jacque Hinchman stated for the record although the agenda item reflected funding would be transferred from the General Contingency Fund to the General Manager's Professional Services Account, Staff located Community Development Block Grant funding which would be transferred from Community Development Block Grant funding into the City Manager's Professional Services Account to cover the expenses.

ACTION: APPROVED AS AMENDED; FUNDS TO BE TRANSFERRED FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING INTO THE CITY MANAGER'S PROFESSIONAL SERVICES ACCOUNT

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

23. APPROVAL OF INTERLOCAL AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS, CLARK COUNTY, CITY OF LAS VEGAS, CITY OF HENDERSON, AND BOULDER CITY FOR SHARED FUNDING OF REGIONAL HOMELESS COORDINATION AND ALLOCATION OF \$6,300 FROM THE GENERAL FUND CONTINGENCY ACCOUNT TO THE CITY MANAGER'S PROFESSIONAL SERVICES ACCOUNT TO FUND THE CITY'S PORTION OF THE NEWLY HIRED SOUTHERN NEVADA REGIONAL PLANNING COALITION REGIONAL HOMELESS COORDINATOR. (CNLV Contract No. C-5627)

Community Development Director Jacque Hinchman stated for the record, although the agenda item reflected funding would be transferred from the General Fund Contingency Account to the City Manager's Professional Services Account, Staff located Community Development Block Grant funding which would be transferred from Community Development Block Grant Funding into the City Manager's Professional Services Account. Director Hinchman read the following changes to the Interlocal Agreement into the record:

Page Two, Section II:

Compensation and Terms of Payment.

Second year funding for Regional Homeless Coordination will be paid jointly by County and the Cities in amounts not to exceed those stated in Exhibit A.

Page Two, Section III:

Miscellaneous Provisions. Subsection D. Terms of Agreement.

Parties agree to reimburse the County for employee costs (not to exceed the amount stated in Exhibit A) related to the employment of the Regional Coordinator for a two-year period from the date the Regional Coordinator is first hired by Clark County, unless the Interlocal Agreement is terminated as set forth in Paragraph A above.

Page Three, Section III:

Execution in Counterparts. Subsection N. Execution In Counterparts.

This Interlocal Agreement may be executed in any number of counterparts, each of which shall be deemed to be an original, and all of such counterparts shall constitute an agreement. To facilitate the execution of this Interlocal Agreement, the parties may execute and exchange by telephone facsimile counterparts of the signature pages.

ACTION: APPROVED AS AMENDED; FUNDS TO BE TRANSFERRED FROM COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING INTO THE CITY MANAGER'S PROFESSIONAL SERVICES ACCOUNT

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

24. **APPROVAL TO ISSUE A PURCHASE ORDER TO INFRASTRUCTURE MANAGEMENT SERVICES, INC. IN AN AMOUNT NOT TO EXCEED \$87,500 TO UPDATE THE CITY'S PAVEMENT INFORMATION MANAGEMENT SYSTEM (PIMS), TO INCLUDE RE-SURVEYING THE PAVEMENT CONDITION OF ALL CITY STREETS, UPDATING CENTERLINE AND LANE MILE DATA, ENTERING THE UPDATED DATA INTO THE CITY'S PIMS AND PROVIDING ADDITIONAL PIMS SOFTWARE TRAINING TO STAFF. (CNLV Contract No. C-5628)**

Mayor Montandon stated approximately \$500 million was invested in the City's streets and this expense was needed to maintain them.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

25. **RESOLUTION NO. 2285; A RESOLUTION OF THE NORTH LAS VEGAS CITY COUNCIL AUTHORIZING THE CITY DETENTION AND CORRECTIONS CHIEF, OR DESIGNEE, TO COLLECT FEES FROM OFFENDERS ORDERED TO HOUSE ARREST BY THE NORTH LAS VEGAS MUNICIPAL COURT FOR THE COST OF ELECTRONIC SUPERVISION AND DELEGATING TO THE CITY MANAGER THE AUTHORITY TO CONTRACT WITH AN APPROPRIATE VENDOR PURSUANT TO NRS CHAPTER 332.**

Councilman Buck asked Assistant Chief Lake whether or not offenders were required to participate in the house arrest program or did they have a choice in the manner of repayment for fines imposed by the Municipal Court Judge. Assistant Chief Lake responded either the Municipal Court Judge would recommend, or the offender would request, house arrest provided the offender met the criteria set forth by policy.

Councilman Buck questioned if the offender could not afford \$12.00 per day, did he have the option of incarceration versus the house arrest program and Assistant Chief Lake responded yes. Councilman Buck inquired who collected the house arrest fees and what steps were taken if the inmate could not pay after entering the program. Assistant Chief Lake responded the City would collect the fees and the offender would revert back into custody and serve time if he were unable to pay.

Councilwoman Smith supported the house arrest program, but was concerned \$12.00 per day was an excessive rate and stated the City of North Las Vegas would be the highest charging entity for a house arrest program, for the poorest population in the Valley. Councilwoman Smith recommended the daily fee be comparable to the County at \$10.00 per day. Assistant Chief Lake responded a survey was conducted of other agencies with house arrest programs which revealed program costs fluctuated and the average daily fee was \$12.00. Assistant Chief Lake recommended Council set the rate and the Detention Department initially charge a daily fee of \$12.00 to determine whether it met the needs of the offender and his ability to pay.

Councilwoman Smith asked whether the Detention Department would have discretion to charge an offender less than the established daily rate and Assistant Chief Lake responded Council would have the discretion to establish the daily rate.

City Manager Rose stated the house arrest program was not designed to be a revenue generating program and was intended to cover administrative costs in addition to providing offenders with the ability to maintain their jobs. City Manager Rose suggested after monitoring administrative costs, Staff present their findings to Council.

Councilman Eliason asked Assistant Chief Lake how often fees were collected and he responded weekly, during the time the offender met with his assigned Staff member. Councilman Buck questioned if the offender were unable to pay their fines, could they attend a work program to work off the debt, while on house arrest and working their job. Assistant Chief Lake stated the idea behind house arrest was to allow an offender to maintain their job and pay any fines they owe the court during the house arrest process. If the Court ordered the offender to a Work Program, they would still pay the house arrest fee, while working off their fines.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:30 P.M.

2. **APPEAL, SUBMITTED BY ROBERT J. GRONAUER OF KUMMER KAEMPFER BONNER & RENSHAW ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-19-03 (PT CORP.); AN APPLICATION SUBMITTED BY PT CORPORATION, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LAWRENCE STREET AND CENTENNIAL PARKWAY. (CONTINUED JANUARY 7, 2004)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 7, 2004

MOTION: Mayor Montandon
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

3. **APPEAL, SUBMITTED BY STEVE BAXTER, ACTING DEVELOPMENT SERVICES DIRECTOR FOR THE CITY OF NORTH LAS VEGAS, OF THE PLANNING COMMISSION'S DECISION TO APPROVE UN-84-03 (SILVER STATE HELICOPTERS); AN APPLICATION SUBMITTED BY SILVER STATE HELICOPTERS ON BEHALF OF STEVE L. GILBERT, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A HELIPORT ON PROPERTY LOCATED AT 500 EAST CHEYENNE AVENUE. (CONTINUED FEBRUARY 4, 2004)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 21, 2004

MOTION: Mayor Montandon
SECOND: Councilman Eliason
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

4. **AMP-05-04 (VILLAGES AT SIERRA RANCH); AN APPLICATION SUBMITTED BY AMERICAN PREMIERE HOMES ON BEHALF OF JOHN AND GABRIELLA MICHELON, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL, TO M-LDR, MEDIUM-LOW DENSITY RESIDENTIAL, ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF COMMERCE STREET AND AZURE AVENUE. (CONTINUED FEBRUARY 18, 2004) (ASSOCIATED ITEM NO. 35, ORDINANCE NO. 1937, ZN-08-04)**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated the applicant proposed to develop 168 acres with a combination of 4500 square foot lots and 6000 square foot lots. This application was consistent with the Comprehensive Plan and the Planning Commission unanimously recommended approval at the January 14, 2004 meeting.

Robert J. Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented American Premiere Homes. He referred to the 168-acre master planned community as the first development in North Las Vegas pursuant to the new small lot ordinance and acknowledged Staff for their assistance in resolving the surrounding issues. Mr. Gronauer stated he and Staff proposed a mixed use residential community and a number of builders would assist in developing this property.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

35. **ORDINANCE NO. 1937; AN ORDINANCE RELATED TO ZONING, AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 168 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT (ZN-08-04, VILLAGES AT SIERRA RANCH), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF COMMERCE STREET AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED FEBRUARY 18, 2004) (ASSOCIATED ITEM NO. 4, AMP-05-04)**

Ordinance No. 1937 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING, AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 168 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT (ZN-08-04, VILLAGES AT SIERRA RANCH), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF COMMERCE STREET AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated the applicant proposed 966 lots and requested deviations from the small lot design standards supported by Staff and the Planning Commission. The most significant item that needed to be addressed was the open space requirement and the applicant filed a tentative map which indicated compliance with those requirements. This item was approved by a 5-1 vote by the Planning Commission.

Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented American Premiere Homes and stated there were a number of recommended changes to Condition Nos. 12, No. 16, and No. 19.5 within this Ordinance.

Public Works Director Jim Bell stated he understood the concern regarding the power poles and stated they were large and expensive, but believed the Public Works Director would determine whether the relocation needed to be made.

ACTION: AMENDMENTS APPROVED AS FOLLOWS:

Condition No. 12: That minimum 20 feet of landscaping, which may include the sidewalks be provided along Tropical Parkway and Goldfield Street rights-of-way. It is recommended that the sidewalks be separated by the backs-of-curb by a minimum five feet of landscaping, except as bus turn-out locations.

Condition No. 16: The developer is responsible for the relocation of the Nevada Power company poles along Commerce Street, or as approved by the Director of Public Works.

Condition No.19.5: Additional right-of-way is required at Tropical Parkway and Commerce Street and Tropical Parkway and North 5th Street for the flared intersection per Clark County Area Uniform Standard Drawings for Public Works Construction Off-site Improvements drawing number 201.1, subject to review and approval by the City of North Las Vegas Traffic Engineer.

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

ACTION: ORDINANCE PASSED AND ADOPTED AS AMENDED

MOTION: Councilwoman Smith
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

5. **AMP-06-04 (MARLIDA); AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF MARLIDA, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL, TO M-LDR, MEDIUM-LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF MCCARRAN STREET AND ROME BOULEVARD. (CONTINUED FEBRUARY 18, 2004) (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 1938, ZN-09-04)**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Jordan stated based upon the Comprehensive Plan, Staff felt this amendment would serve as a transitional use from commercial to high-density residential and medium-density residential to the south. The Planning Commission unanimously recommended approval.

Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the owner and applicant who concurred with Staff's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

- 36. ORDINANCE NO. 1938; AN ORDINANCE RELATED TO ZONING, AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 10.31± ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-09-04, MARLIDA), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF MCCARRAN STREET AND ROME BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED FEBRUARY 18, 2004) (ASSOCIATED ITEM NO. 5, AMP-06-04)**

Ordinance No. 1938 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING, AMENDING
SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE
CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY
RECLASSIFYING APPROXIMATELY 10.31± ACRES
THEREIN FROM R-E, RANCH ESTATES DISTRICT

TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-09-04, MARLIDA), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF MCCARRAN STREET AND ROME BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated the applicant proposed 57 lots within the development with a minimum lot size of 4500 square feet, and a density of 5.53 units per acre. According to the preliminary development plan the applicant would comply with all open space requirements.

Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and owner who concurred with Staff's recommendations.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

6. **VAC-02-04 (TROPICAL & LAWRENCE); AN APPLICATION SUBMITTED BY CENTEX HOMES, INC. ON BEHALF OF AMERICAN CARE GROUP, INC., PROPERTY OWNER, FOR A VACATION OF THE PUBLIC UTILITY EASEMENTS ALONG THE EAST AND WEST BOUNDARIES OF THE CHANNEL COMMENCING AT TROPICAL PARKWAY AND TRAVERSING SOUTHEASTERLY FOR APPROXIMATELY 349 FEET AND THEN TURNING DUE SOUTH FOR APPROXIMATELY 985 FEET.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated the vacation request from Centex Homes pertained to a previous flood control easement for a prior project that was not consummated. Staff had specific plans on the upper Las Vegas Wash system and a dedication existed on a flood control right-of-way and an associated landscape trail. This vacation would remove unused property.

Kathryn Grider, 3068 East Sunset, Las Vegas, appeared on behalf of the applicant who concurred with Staff's recommendations and conditions.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING TWO CONDITIONS:

Condition 1: The vacation must record concurrently with the dedication of the right-of-way for the Las Vegas Wash Flood Control Channel, 20 feet right-of-way for the trail system along the west side of the channel, and for the Tropical Parkway Confluence.

Condition 2: Property owner will be required to grant a temporary construction easement for construction of the upper Las Vegas Wash Flood Control Channel.

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

7. **VAC-04-04 (ANN/GOLDFIELD); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES ON BEHALF OF THE LEONARD LUNING LIVING TRUST, PROPERTY OWNER, FOR A VACATION OF A PORTION OF CAMBRIDGE STREET COMMENCING AT ANN ROAD AND PROCEEDING SOUTH APPROXIMATELY 996 FEET AND VACATION OF PUBLIC UTILITY EASEMENTS ALONG THE WESTERN, NORTHERN, AND EASTERN BOUNDARIES OF THE PARCEL. (ASSOCIATED ITEM NO. 38, ORDINANCE NO. 1941, ZN-04-04)**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated Cambridge Street was an unimproved road, located south of Ann Road, west of Fifth Street, and north of Hammer Lane. The removal of the street was not difficult as there were no developments on the sites immediately adjacent to the subject property except for the Latter-Day Saints Church who proposed a parking addition. The church was advised of this intent and was agreeable for the removal of the street, which would effectuate the ability to subdivide properties without an unnecessary

right-of-way.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

Condition 1: Vacate Cambridge Street entirely between Ann Road and Hammer Lane or existing terminus must end in a cul-de-sac.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

38. **ORDINANCE NO. 1941; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 15.58 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-04-04, ANN/GOLDFIELD), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 7, VAC-04-04)**

Ordinance No. 1941 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 15.58 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-04-04, ANN/GOLDFIELD), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF GOLDFIELD STREET AND ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Buck
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

8. **AMP-03-04 (LAMB & TROPICAL); AN APPLICATION SUBMITTED BY RICHMOND AMERICAN HOMES, ON BEHALF OF WESLEY D. ADAMS, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF INDUSTRIAL AND BUSINESS, RESEARCH OR DEVELOPMENT PARK TO MDR, MEDIUM DENSITY RESIDENTIAL, ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF LAMB BOULEVARD AND TROPICAL PARKWAY. (ASSOCIATED ITEM NO. 43, ORDINANCE NO. 1949, ZN-07-04)**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated the applicant originally requested medium density for this property and when it was presented to the Planning Commission the related Plan Unit Development revealed the property would be developed with 4500 square foot lots and six dwelling units per acre. The recommendation from Staff and the Planning Commission was for medium-low density residential which would be consistent with properties developed toward the south.

Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented Richmond American Homes and concurred with the Planning Commission's recommendations to reduce this zoning to medium-low density residential.

Brian Lamb, 4851 East Centennial Parkway, North Las Vegas, represented Ash Grove Cement Company and objected to further residential development north of Tropical Parkway, east of Pecos Road and south of Centennial Parkway. This business operated a cement distribution terminal with extensive hours of operation from early morning to late evening. A railroad operated in this area with a 7-track switch yard operating seven days per week, 24-hours per day switching rail cars for numerous companies.

Public Works Director James Bell identified railroad access in the Centennial Parkway area and Mayor Montandon confirmed with Mr. Lamb cement for his company was transported

by railroad. Mr. Lamb requested the area remain commercial-industrial and felt a buffer was needed between businesses and residences.

Councilman Buck questioned how far east industrial and residential development was allowed and Community Development Director Hinchman replied it had not been established. Councilman Eliason stated as development continued to the north a study was needed to determine boundaries for residential and industrial. Councilman Buck added a decision was needed concerning the buffer between residential and industrial and its financial impact.

Councilwoman Smith conveyed a land corridor study was previously requested and added the spurs needed to be identified since the railroad did not extend east of I-15.

City Manager Rose stated the fiscal impact study was conducted by Tischler and Associates and when the fiscal impact was known they could provide Council with a recommendation on how much property would be zoned residential or commercial. Information was unavailable to Council until the study was completed in June 2004 and upon conclusion of the study the Comprehensive Plan would be updated.

Councilman Buck requested Tischler and Associates be present during the next Council meeting. Councilwoman Smith suggested a moratorium be considered for this area pending the results of this study. City Manager Rose stated Tischler and Associates would give a presentation to Council for information gathered up to this point in time.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED FOR MEDIUM-LOW DENSITY RESIDENTAL

MOTION: Councilman Buck

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

43. ORDINANCE NO. 1949; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 39.28

**ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO PUD,
PLANNED UNIT DEVELOPMENT DISTRICT (ZN-07-04, LAMB/TROPICAL), FOR**

**PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LAMB
BOULEVARD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER
MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 8, AMP-
03-04)**

Ordinance No. 1949 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 39.28 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-07-04, LAMB/TROPICAL), FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF LAMB BOULEVARD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated the applicants proposed to develop approximately 236 lots within the development with a minimum lot size of 4500 square feet. Portions of the lots would include z-lot configurations and standard, rectangular-shaped lots. The Planning Commission unanimously recommended approval.

Councilman Buck asked whether there were any other industrial or business uses between this site and Centennial Parkway and Mr. Gronauer responded yes, they were master-planned. Councilman Buck asked if there were any existing businesses and Manager Jordan responded this site was undeveloped.

ACTION: PASSED AND ADOPTED AS AMENDED:

Condition No. 29: The prospective homeowners shall sign a written notice declaring knowledge of the existence of the Union Pacific Railway, the industrial properties to the north and east, and the established industrial operations that are in use associated with the railroad tracks.

Condition No. 31: The residential property must be a minimum of 227 feet from the

centerline of the railroad tracks.

MOTION: Councilwoman Smith
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, and Eliason
NAYS: None
ABSTAIN: None

9. AMP-07-04 (ANN & FERRELL); AN APPLICATION SUBMITTED BY AMSTAR HOMES ON BEHALF OF CARNEGIE HEIGHTS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO M-LDR MEDIUM-LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF FERRELL STREET AND ANN ROAD. (ASSOCIATED ITEM NO. 39, ORDINANCE NO. 1945, ZN-10-04)

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated this amendment was consistent with the Comprehensive Plan guidelines and the Planning Commission unanimously recommended approval.

Scott Ruedy, WRG Design, Inc., 3011 West Horizon Ridge Parkway, Henderson, agreed with Staff's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

39. ORDINANCE NO. 1945; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS

**MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING
A CERTAIN PROPERTY THEREIN FROM R-E RANCH ESTATES DISTRICT TO**

**PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-10-04, ANN AND
FERRELL), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST
CORNER OF FERRELL STREET AND ANN ROAD; AND PROVIDING FOR
OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO.
9, AMP-07-04)**

Ordinance No. 1945 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-10-04, ANN AND FERRELL), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF FERRELL STREET AND ANN ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated the Planned Unit Development proposed 79, 4500 square foot lots, at 5.09 units per acre. Staff inadvertently omitted Public Works document Attachment "A" outlining Condition Nos. 7-24 from the Ordinance when the Planning Commission approved this item. Staff contacted the applicant who believed those conditions were part of the Ordinance and had no objections to adding them.

ACTION: PASSED AND ADOPTED AS AMENDED WITH THE CONDITIONS LISTED ON ATTACHMENT "A"

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

10. **AMP-09-04 (ANN & COMMERCE TRAILS); AN APPLICATION SUBMITTED BY PERMA-BILT ON BEHALF OF NEVADA BUSINESS ASSOCIATES, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MDR MEDIUM DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET.**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated the applicant requested medium-density residential. Initially, the applicant intended to build a pharmacy within a residential area, but withdrew their request and now proposed to develop single-family homes with a minimum lot size of 4500 square feet and a density of less than six units per acre. The Planning Commission recommended approval for medium-low density residential and the applicant agreed to this recommendation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED AS AMENDED FOR MEDIUM-LOW DENSITY RESIDENTIAL

MOTION: Mayor Montandon

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

11. **AMP-11-04 (FARM ROAD); AN APPLICATION SUBMITTED BY NORTH VALLEY ENTERPRISES, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE FARM ROAD BETWEEN WILLIS STREET AND ALIANTE PARKWAY.**

Mayor Montandon opened the Public Hearing.

Acting Planning Manager Marc Jordan stated this request was consistent with the

development of Aliante.

Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented Aliante master-planned community and accepted Staff's recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

ORDINANCES
INTRODUCTION ONLY

26. **ORDINANCE NO. 1921; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 818, SECTION 10.44.020, ENTITLED "OFFICIAL TRUCK ROUTE SYSTEM," OF TITLE 10 OF THE NORTH LAS VEGAS MUNICIPAL CODE, AND TO ADD ADDITIONAL TRUCK ROUTES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 17, 2004)**

Ordinance No. 1921 as introduced by the Acting City Clerk:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NO. 818, SECTION 10.44.020, ENTITLED "OFFICIAL TRUCK ROUTE SYSTEM," OF TITLE 10 OF THE NORTH LAS VEGAS MUNICIPAL CODE, AND TO ADD ADDITIONAL TRUCK ROUTES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR MARCH 17, 2004

27. **ORDINANCE NO. 1944; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE NO. 1823, PRESENTLY CODIFIED IN TITLE 2, CHAPTER 68 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND REGULATIONS FOR EMPLOYMENT AND RECRUITMENT WITHIN THE CITY AND PROVIDING OTHER RELATED MATTERS. (SET FINAL ACTION FOR MARCH 17, 2004)**

Ordinance No. 1944 as introduced by the Acting City Clerk:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS TO AMEND ORDINANCE NO. 1823, PRESENTLY CODIFIED IN TITLE 2, CHAPTER 68 OF THE NORTH LAS VEGAS MUNICIPAL CODE TO ESTABLISH TERMS AND CONDITIONS IN THE CIVIL SERVICE RULES AND REGULATIONS FOR EMPLOYMENT AND RECRUITMENT WITHIN THE CITY AND PROVIDING OTHER RELATED MATTERS.

ACTION: FINAL ACTION SET FOR MARCH 17, 2004

28. **ORDINANCE NO. 1950; AN ORDINANCE TO AMEND ORDINANCE NO. 1855, BEING SECTIONS 5.21.030 BEING ENFORCEMENT AND REGULATIONS AND 5.21.050 BEING PENALTIES OF TITLE 5, CHAPTER 5.21 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED "GARAGE/YARD SALES," BY REMOVING THE FRONT YARD SETBACK REQUIREMENT, ALLOWING PLACEMENT OF SIGNS ON PRIVATE PROPERTY AND REMOVING MANDATORY COSTS AND ASSESSMENTS. (SET FINAL ACTION FOR MARCH 17, 2004)**

Ordinance No. 1950 as introduced by the Acting City Clerk:

AN ORDINANCE TO AMEND ORDINANCE NO. 1855, BEING CHAPTER 5.21.030 BEING ENFORCEMENT AND REGULATIONS AND 5.21.050 BEING

PENALTIES OF TITLE 5, CHAPTER 5.21 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED "GARAGE/YARD SALES," BY REMOVING THE FRONT YARD SETBACK REQUIREMENT, ALLOWING PLACEMENT OF SIGNS ON PRIVATE PROPERTY AND REMOVING MANDATORY COSTS AND ASSESSMENTS.

ACTION: FINAL ACTION SET FOR MARCH 17, 2004

29. **ORDINANCE NO. 1951; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1767 WHICH RECLASSIFIED MERIDIAN HILLS (ZN-10-03) FROM AN R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT TO AMEND CONDITION NO. 26 TO ALLOW THE USE OF PLASTIC, VINYL, WOODGUARD AND SIMILAR MATERIALS ON COMMON PROPERTY LINES AND RETURN WALLS; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 17, 2004)**

Ordinance No. 1951 as introduced by the Acting City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING
ORDINANCE NO. 1767 WHICH RECLASSIFIED
MERIDIAN HILLS (ZN-10-03) FROM AN R-1, SINGLE
FAMILY RESIDENTIAL DISTRICT TO A PUD,
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ACTION: FINAL ACTION SET FOR MARCH 17, 2004

30. **ORDINANCE NO. 1952; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-17-04, GOLD COAST DEVELOPMENT) FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF**

COMMERCE STREET AND KRAFT AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR MARCH 17, 2004)

Ordinance No. 1952 as introduced by the Acting City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-17-04, GOLD COAST DEVELOPMENT) FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF COMMERCE STREET AND KRAFT AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR MARCH 17, 2004

31. **ORDINANCE NO. 1953; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-04); AMENDING SECTION 17.12.020, TO ADD DEFINITIONS OF COURTYARD AND COVERED DECK AND AMENDING SECTION 17.20.040(G), ENCROACHMENTS INTO SETBACKS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR MARCH 17, 2004)**

Ordinance No. 1953 as introduced by the Acting City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-01-04); AMENDING SECTION 17.12.020, TO ADD DEFINITIONS OF COURTYARD AND COVERED DECK AND AMENDING SECTION 17.20.040(G), ENCROACHMENTS INTO SETBACKS, AND

PROVIDING FOR OTHER MATTERS PROPERLY
RELATED THERETO.

ACTION: FINAL ACTION SET FOR MARCH 17, 2004

ORDINANCES
FINAL ACTION

32. **ORDINANCE NO. 1861; AN ORDINANCE TO AMEND PORTIONS OF ORDINANCE NO. 886, PRESENTLY CODIFIED IN TITLE 10, CHAPTER 04 (“DEFINITIONS”) AND TITLE 10, CHAPTER 48, SECTION 100 (“STORAGE AND REPAIR OF VEHICLES IN RESIDENTIAL ZONING DISTRICTS”), OF THE NORTH LAS VEGAS MUNICIPAL CODE; PROVIDING FOR ADDITIONAL DEFINITIONS FOR CLARIFICATION AND FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED OCTOBER 1 AND 15, 2003 AND JANUARY 21, 2004)**

ACTION: WITHDRAWN

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

33. **ORDINANCE NO. 1862; AN ORDINANCE TO REPEAL ORDINANCE NO. 661, BEING CHAPTER 8.32 OF THE NORTH LAS VEGAS MUNICIPAL CODE ENTITLED “NUISANCES,” RELATING TO THE ABATEMENT OF NUISANCES; ESTABLISHING PROVISIONS FOR THE VARIOUS ABATEMENT PROCEDURES TO INCORPORATE ADOPTED PROVISIONS OF STATE LAW; PROVIDING PENALTIES FOR THE VIOLATION THEREOF; PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO; AND REPEALING CONFLICTING ORDINANCES AND/OR RESOLUTIONS. (CONTINUED OCTOBER 1 AND 15, 2003 AND JANUARY 21, 2004)**

ACTION: WITHDRAWN

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

34. **ORDINANCE NO. 1927; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-12-03); AMENDING SECTION 17.24.200 J.1, REGARDING LANDSCAPE WIDTHS, TO AMEND SECTION 17.24.200 J.2 TO REQUIRE MEANDERING AND SEPARATED SIDEWALKS NEXT TO RIGHTS-OF-WAY 80 FEET OR WIDER AND TO AMEND SECTION 17.24.210 E.9 TO REQUIRE MEANDERING AND SEPARATED SIDEWALKS NEXT TO RIGHTS-OF-WAY 80 FEET OR WIDER AND ALTERNATIVE LOCATIONS FOR SIDEWALKS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED JANUARY 21, 2004)**

Ordinance No. 1927 as introduced by the City Manager:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-12-03); AMENDING SECTION 17.24.200 J.1, REGARDING LANDSCAPE WIDTHS, TO AMEND SECTION 17.24.200 J.2 TO REQUIRE MEANDERING AND SEPARATED SIDEWALKS NEXT TO RIGHTS-OF-WAY 80 FEET OR WIDER AND TO AMEND SECTION 17.24.210 E.9 TO REQUIRE MEANDERING AND SEPARATED SIDEWALKS NEXT TO RIGHTS-OF-WAY 80 FEET OR WIDER AND ALTERNATIVE LOCATIONS FOR SIDEWALKS, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Councilman Buck received a letter from Southern Nevada Home Builders Association who believed government entities were responsible for maintenance and liabilities for sidewalks to be used by the general public and she questioned where in the Ordinance it stated the homeowner's association or others were responsible for publicly used sidewalks.

Acting Planning Manager Jordan conveyed the commercial and single-family guidelines

stated the homeowner's association was responsible for provide landscaping within the common element or right-of-way.

City Attorney Sean McGowan stated the City would address this matter as if the sidewalk were within the right-of-way and the sidewalk was a public responsibility. The fact the sidewalk meandered, made the liability meander with it. The City was responsible for maintaining the public right-of-way. The City would grant developers an encroachment permit to contractually come into the right-of- way to landscape, but the developers needed to give the City an easement to be on their property when the sidewalk meandered onto their property. City Attorney McGowan stated the meandering sidewalk did not change the traditional responsibilities for the sidewalk or landscaping.

Councilman Buck stated she appreciated the appearance of meandering sidewalks and was against forcing meandering sidewalks in commercial areas where bus turn-outs, utility boxes, light poles and other obstacles were present.

Councilwoman Smith stated meandering sidewalks were appropriate in residential areas and her concern was the gap between the road, landscaping and the sidewalk. It was important sidewalks were recessed so people were not in the direct line of traffic.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, and Eliason

NAYS: Buck

ABSTAIN: None

37. ORDINANCE NO. 1939; AN ORDINANCE RELATED TO ZONING, AMENDING ORDINANCE NO. 1474, WHICH RECLASSIFIED CRAIG VALLEY PROFESSIONAL PLAZA (ZN-11-98) TO A PUD, PLANNED UNIT DEVELOPMENT, BY AMENDING CONDITION NO. 18.1 REGARDING THE PLACEMENT OF PROFESSIONAL AND MEDICAL OFFICES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED FEBRUARY 18, 2004)

Ordinance No. 1939 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING, AMENDING ORDINANCE NO. 1474, WHICH RECLASSIFIED CRAIG VALLEY PROFESSIONAL PLAZA (ZN-11-98) TO A PUD, PLANNED UNIT DEVELOPMENT, BY AMENDING CONDITION NO. 18.1 REGARDING THE PLACEMENT OF PROFESSIONAL AND MEDICAL OFFICES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated Condition No. 18.1 of the previously approved Planned Unit Development was originally created to protect the residential area along the northern property line and the applicant requested this condition be deleted. At the January 14, 2004 Planning Commission meeting the Ordinance was amended to authorize the Planning Commission to consider that all of the principally permitted uses in a C-1 district be allowed as a special use. The northerly buildings were built with a 10-foot setback and if they were C-1 properties, would be built with at least a 30-foot setback. This was the second time this request was brought before Council; the first request was for a similar, high intense use next to the residential property line which was denied. Staff did not support this request and the Planning Commission recommended it be approved by a 5-1 vote. Councilwoman Smith requested the Ordinance specifically state the applicant come before the Planning Commission, and then to City Council.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the applicant who agreed with the amendment. The intent of the original amendment was any principally permitted use in a C-1 zone would require a special use permit to come forward. The applicant wanted to insure there was an ability for a principally permitted use or special use permit for a C-1 zone to be noticed for a special use permit, go to the Planning Commission, and then to Council.

Councilman Eliason stated the residents were told if anything were to be developed in the area they would be notified, including permitted uses. Mayor Montandon clarified any C-1 use, either a principally permitted use or special use, would come through a use permit hearing.

ACTION: PASSED AND ADOPTED AS AMENDED; CONDITION NO. 18.1 TO READ: ONLY PROFESSIONAL AND MEDICAL OFFICES SHALL BE PERMITTED IN THE BUILDINGS ADJACENT TO THE NORTHERN PROPERTY LINE, UNLESS A SPECIAL USE PERMIT FOR A PRINCIPALLY PERMITTED C-1 USE OR A USE REQUIRING A SPECIAL USE PERMIT IS APPROVED BY THE CITY COUNCIL

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

40. **ORDINANCE NO. 1946; AN ORDINANCE RELATED TO ZONING, AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 85.46 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-14-04, CLUB ALIANTE), FOR PROPERTY GENERALLY LOCATED WEST OF ALIANTE PARKWAY AND NORTH OF ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1946 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING, AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 85.46 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-14-04, CLUB ALIANTE), FOR PROPERTY GENERALLY LOCATED WEST OF ALIANTE PARKWAY AND NORTH OF ELKHORN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated this request was consistent with the Aliante development agreement.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

41. ORDINANCE NO. 1947; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY .5± ACRE THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-15-04, NORTH 5TH AND DONNA), FOR PROPERTY LOCATED WEST OF DONNA STREET APPROXIMATELY 475 FEET SOUTH OF LONE MOUNTAIN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1947 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY .5± ACRE THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-15-04, NORTH 5TH AND DONNA), FOR PROPERTY LOCATED WEST OF DONNA STREET APPROXIMATELY 475 FEET SOUTH OF LONE MOUNTAIN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Councilman Buck disclosed her relationship to the property owner and abstained from voting to remain consistent with past practice on this development. City Attorney Sean McGowan confirmed Councilman Buck received a written opinion from the City Attorney's Office as required by law.

ACTION: PASSED AND ADOPTED
MOTION: Mayor Pro Tempore Robinson
SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, and Eliason
NAYS: None
ABSTAIN: Councilman Buck

42. ORDINANCE NO. 1948; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY FIVE (5) ACRES THEREIN FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-16-04, JASMIN CONDOS UNIT 3), FOR PROPERTY LOCATED SOUTH OF TROPICAL PARKWAY AND APPROXIMATELY 285 FEET WEST OF VALLEY DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Ordinance No. 1948 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY FIVE (5) ACRES THEREIN FROM R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-16-04, JASMIN CONDOS UNIT 3), FOR PROPERTY LOCATED SOUTH OF TROPICAL PARKWAY AND APPROXIMATELY 285 FEET WEST OF VALLEY DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Planning Manager Marc Jordan stated this request was a continuation of the Jasmin Condominiums currently being developed. The applicant proposed 80 additional units within the property and the request was consistent with the Comprehensive Plan.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Buck
SECOND: Councilman Eliason

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith, and Eliason

NAYS: None
ABSTAIN: None

COUNCIL ITEMS

During discussion of Item No. 8, AMP-03-04, Councilman Buck requested Tischler and Associates be present at the March 17, 2004 Council meeting to answer questions concerning the fiscal impact study being conducted on zone changes. City Manager Rose responded Tischler and Associates would be present at the March 17, 2004 Council meeting and would provide an update on the study, which would be completed in June, 2004. Staff would update the Comprehensive Master Plan which encompassed the entire City upon conclusion of the study.

Councilman Buck requested a status on reinstating the Traffic Committee. City Manager Rose stated this item was one of the City's "A" priorities. Staff's intention was to move forward with the reactivation of the Traffic Committee which would be used for two purposes; the first was to review traffic calming issues and the second was to streamline the development process by using the Committee for impact fees for traffic related matters on developments that were 100 acres or less.

Councilman Buck requested a status on the Tavern Ordinance from City Attorney McGowan, who responded a workshop was scheduled for the March 17, 2004 Council meeting. Councilman Buck inquired whether there was input from tavern owners or prospective tavern owners, and City Manager Rose responded Staff requested clarification from Council on what should be included in the Ordinance. A public meeting would be held for all interested parties regarding the draft ordinance. The draft ordinance would then be placed on the Council agenda.

CITY MANAGER'S REPORT

No report was given.

PUBLIC FORUM

Alma Ramirez, Las Vegas, expressed her opinion Las Vegas was a racist city. She cited civil rights violations, human rights abuses, unequal protection, unequal access, preferential treatment, violations of the First Amendment, discrimination and disparities in socio-economics affecting Mexicans in Las Vegas.

She conveyed her major complaint was there was no representation, assistance or protection for Mexican people.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:50 p.m.

MOTION: Councilman Eliason
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members
Smith and Eliason
NAYS: None
ABSTAIN: None

APPROVED: May 5, 2004

/s/ Michael L. Montandon
Mayor Michael L. Montandon

Attest:

/s/ Karen L. Storms
Karen L. Storms, CMC
Acting City Clerk