

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

November 19, 2003

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

CITY COUNCIL MEETING

CALL TO ORDER

6:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

ROLL CALL

COUNCIL PRESENT

Mayor Michael L. Montandon
Councilwoman Stephanie S. Smith
Councilman Shari Buck
Councilman Robert L. Eliason

EXCUSED

Mayor Pro Tempore William E. Robinson

STAFF PRESENT

City Manager Gregory Rose	Strategic Planning Director Eric Dabney
Assistant City Manager Dan Tarwater	Parks & Recreation Director Michael Henley
City Attorney Sean McGowan	Fire Chief Jim Stubler
City Clerk Eileen M. Sevigny	Detention Center Chief Ken Ellingson
Human Resources Director Vince Zamora	Police Chief Mark Paresi
Acting Development Services Director Steve Baxter	Assistant City Clerk Karen L. Storms
Finance Director Phil Stoeckinger	Deputy City Clerk Julie Shields

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Sevigny, CMC
City Clerk

INVOCATION

The Reverend Juanita Williams
Wellsprings Ministries

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie S. Smith

AGENDA

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING
AGENDA OF NOVEMBER 19, 2003.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

CONSENT AGENDA

**9. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF OCTOBER
1, 2003.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

10. APPROVAL OF PRIVILEGED LICENSE:

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<u>NEW - GAMING</u>		
WGF Enterprises LLC Kaveh (Kevin) Golshan, Managing Member	GAMING State #27266-02	(7) Slot Machines Within Convenience Food Stores
<u>DBA:</u> Cheyenne Losee Market & Gas 3260 Losee Rd North Las Vegas, Nevada	<u>State Gaming Commission Approved 10/23/03</u>	

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

11. RATIFICATION OF SUBMISSION OF FIREFIGHTERS ASSISTANCE GRANT APPLICATION TO THE FEDERAL EMERGENCY MANAGEMENT AGENCY, FEMA, IN THE AMOUNT OF \$84,000, \$58,800 GRANT FUNDS AND \$25,200 MATCHING FUNDS, FOR THE PURCHASE OF A SCBA RECHARGING SYSTEM.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

12. APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH DSRG, LP CONSTRUCTION FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN

ROAD AND CAMINO AL NORTE IN THE AMOUNT OF 10.7% OF THE TOTAL COST OR \$26,750 AND ANN ROAD AND REVERE STREET IN THE AMOUNT OF 1.5% OF THE TOTAL COST OR \$7,379 FOR THE ELDORADO VILLAGE II LOCATED ON THE SOUTHWEST CORNER OF ANN ROAD AND CAMINO AL NORTE.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

13. **AMP-50-03, NELSON RANCH; AN APPLICATION SUBMITTED BY CENTEX HOMES ON BEHALF OF WATERFALL, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO REMOVE 2,688 FEET OF RACEL STREET FROM AVIARY WAY TO ALIANTE PARKWAY AND TO REMOVE 2,698 FEET OF WILLIS STREET FROM GRAND TETON DRIVE TO HORSE DRIVE. (SET PUBLIC HEARING FOR DECEMBER 3, 2003)**

ACTION: PUBLIC HEARING SET FOR DECEMBER 3, 2003

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

14. **AMP-59-03, GLENBROOK PLAZA; AN APPLICATION SUBMITTED BY UNLIMITED HOLDINGS ON BEHALF OF THE MINDY SLAVIS FAMILY TRUST, MINDY G. SLAVIS, TRUSTEE, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE**

CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF MCCARRAN STREET AND CENTENNIAL PARKWAY. (SET PUBLIC HEARING FOR DECEMBER 3, 2003) (ASSOCIATED ITEM NO. 24, ORDINANCE NO. 1892)

ACTION: PUBLIC HEARING SET FOR DECEMBER 3, 2003

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

15. UN-58-03, BELTWAY I-15, LLC; AN APPLICATION SUBMITTED BY BELTWAY I-15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C -2, GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF-PREMISE ADVERTISING STRUCTURE (BILLBOARD) ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF INTERSTATE 15 AND CHRISTY LANE. (SET PUBLIC HEARING FOR DECEMBER 3, 2003)

ACTION: PUBLIC HEARING SET FOR DECEMBER 3, 2003

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

16. APPEAL, SUBMITTED BY ROSS BURNETT ON BEHALF OF BUSINESS PROPERTIES GROUP, PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-78-03, TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF KINGS HILL ROAD AND CRAIG ROAD. (SET PUBLIC HEARING FOR DECEMBER 3, 2003)

ACTION: PUBLIC HEARING SET FOR DECEMBER 3, 2003

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

BUSINESS

17. APPROVAL OF PAYMENT IN THE AMOUNT OF \$38,601.22 TO IHC HOSPITALS, INC. FOR AN INJURED WORKER.

ACTION: APPROVED

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

18. APPROVAL TO PURCHASE COREL'S WORD PERFECT SUITE PRO LICENSES AND RENEWAL OF MAINTENANCE AND TECHNICAL SUPPORT SERVICES FOR ALL CITY PC USERS FOR THE PERIOD SEPTEMBER 9, 2003 THROUGH SEPTEMBER 8, 2004 IN THE AMOUNT OF \$84,477 FROM CDW-G AND AUTHORIZATION TO ISSUE A PURCHASE ORDER. (CNLV CONTRACT NO. C-4210)

ACTION: APPROVED

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

19. APPROVAL OF SUBMISSION OF A DEPARTMENT OF JUSTICE - OFFICE OF DOMESTIC PREPAREDNESS PHASE II GRANT IN THE AMOUNT OF \$603,670 TO PURCHASE A HAZMAT RESPONSE VEHICLE FOR THE NORTH LAS VEGAS FIRE DEPARTMENT, A CBRNE RESPONSE VEHICLE (SWAT 9000/14)

FOR THE NORTH LAS VEGAS POLICE DEPARTMENT AND INSPECTION MIRROR AND RADAR FOR THE NORTH LAS VEGAS DETENTION CENTER AND AUTHORIZATION FOR THE MAYOR TO SIGN THE INTERLOCAL AGREEMENT WITH CLARK COUNTY. (CNLV CONTRACT NO. C-5548)

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

20. APPROVAL TO FILE AN APPEAL TO THE NEVADA SUPREME COURT OF A DISTRICT COURT'S JURY VERDICT OF \$151,000 IN FAVOR OF MARILYN J. AND MARY KAY ROBINSON FOR RIGHT OF WAY NEEDED FOR THE CRAIG ROAD WIDENING PROJECT.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

21. APPROVAL OF THE SALE OF 9,405 SQUARE FEET OF CITY PROPERTY, APN 139-16-301-002, IN THE AMOUNT OF \$15,000 TO SHARON AND OTIS JAMERSON IN CONJUNCTION WITH THE APPROVAL OF VAC-32-02 ON FEBRUARY 5, 2003. (CNLV CONTRACT NO. C-5546)

ACTION: APPROVED

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

22. APPROVAL TO AWARD THE CONSTRUCTION CONTRACT FOR FIRE STATION #53 STRUCTURAL REMEDIATION PROJECT, INCLUDING ADDITIVE ALTERNATES 1 AND 2, BID NO. 1152, IN THE AMOUNT OF \$80,320, TO AFFORDABLE CONCEPTS, INC. (CNLV CONTRACT NO. C-5547)

ACTION: APPROVED

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

23. RESOLUTION NO. 2286; A RESOLUTION CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 59 (CRAIG ROAD PHASE II); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF ASSESSMENTS IN THE DISTRICT; RATIFYING, APPROVING AND CONFIRMING ALL ACTION PREVIOUSLY TAKEN BY THE CITY CONCERNING THE DISTRICT; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Resolution No. 2286 as introduced by the City Manager:

A RESOLUTION CONCERNING THE CITY OF NORTH LAS VEGAS, NEVADA SPECIAL ASSESSMENT DISTRICT NO. 59 (CRAIG ROAD PHASE II); ESTABLISHING THE RATE OF INTEREST PAYABLE ON DEFERRED INSTALLMENTS OF AS

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ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

ORDINANCES

INTRODUCTION ONLY

24. ORDINANCE NO. 1892; 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 5.17 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT, ZN-73-03, GLENBROOK PLAZA, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF MCCARRAN STREET AND CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEM NO. 14, AMP-59-03)

Ordinance No. 1892 as introduced by the City Clerk:

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 5.17 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT, ZN-73-03, GLENBROOK PLAZA, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF MCCARRAN STREET AND CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

25. ORDINANCE NO. 1893; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-78-03,

NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 26 THROUGH NO. 40)

Ordinance No. 1893 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-78-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

26. **ORDINANCE NO. 1894; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-79-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1894 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY

LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-79-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

27. **ORDINANCE NO. 1895; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-81-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1895 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-81-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

28. **ORDINANCE NO. 1896; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-82-03,**

NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)

Ordinance No. 1896 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-82-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

29. **ORDINANCE NO. 1897; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-83-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1897 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY

LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-83-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

30. **ORDINANCE NO. 1898; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-84-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1898 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-84-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

31. **ORDINANCE NO. 1899; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-86-03,**

NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)

Ordinance No. 1899 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-86-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

32. **ORDINANCE NO. 1900; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-87-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1900 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY

LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-87-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

33. **ORDINANCE NO. 1901; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-88-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1901 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-88-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

34. **ORDINANCE NO. 1902; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-**

FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-89-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)

Ordinance No. 1902 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-89-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

35. **ORDINANCE NO. 1903; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-90-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1903 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER

PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-90-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

36. **ORDINANCE NO. 1904; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-91-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1904 as introduced by the City Clerk:

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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-91-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

37. **ORDINANCE NO. 1905; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-**

FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-92-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)

Ordinance No. 1905 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-92-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

38. **ORDINANCE NO. 1906; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-95-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1906 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER

PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE FAMILY VILLAGE AREA OF ALIANTE, ZN-95-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

39. **ORDINANCE NO. 1907; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE ACTIVE ADULT AREA OF ALIANTE, ZN-96-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)**

Ordinance No. 1907 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE ACTIVE ADULT AREA OF ALIANTE, ZN-96-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

40. **ORDINANCE NO. 1908; 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-**

FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE ACTIVE ADULT AREA OF ALIANTE, ZN-97-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003) (ASSOCIATED ITEMS NO. 25 THROUGH NO. 40)

Ordinance No. 1908 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 A CERTAIN PROPERTY THEREIN FROM A MASTER PLANNED COMMUNITY DISTRICT TO A SINGLE-FAMILY RESIDENTIAL MASTER PLANNED COMMUNITY DISTRICT FOR PROPERTY LOCATED IN THE ACTIVE ADULT AREA OF ALIANTE, ZN-97-03, NORTH VALLEY ENTERPRISES, LLC, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

41. **ORDINANCE NO. 1909, ZOA-10-03; AN ORDINANCE RELATED TO ZONING BY AMENDING TITLE 17, SECTION 20.40, SUBSECTION D TO ALLOW AN ATTACHED GUEST HOUSE AS A PERMITTED ACCESSORY USE; AND TO AMEND SUBSECTION F TO DELETE PROVISIONS REQUIRED FOR SIDE LOADING GARAGES, IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR DECEMBER 3, 2003)**

Ordinance No. 1909 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING BY AMENDING TITLE 17, SECTION 20.40, SUBSECTION D TO ALLOW AN ATTACHED GUEST HOUSE AS A PERMITTED ACCESSORY USE; AND TO AMEND SUBSECTION F TO DELETE PROVISIONS REQUIRED FOR SIDE LOADING GARAGES, IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR DECEMBER 3, 2003

ORDINANCES

FINAL ACTION

42. **ORDINANCE NO. 1863 (ANNEXATION NO. 117); AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED NOVEMBER 5, 2003)**

Ordinance No. 1863 as introduced by the City Manager:

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

Public Works Director Jim Bell requested the effective date referenced on Page 5, Section 8, of Ordinance No. 1863 be changed to Sunday, November 23, 2003, because this Ordinance had been previously continued.

Mayor Montandon asked Real Property Manager Randy Cagle to review the map for Annexation No. 117. Real Property Manager Real Property Manager Cagle referred to the parcels where protests to the annexation were received. Staff did not review the protests to see whether they met the statutory requirements for being valid and accepted them as submitted. The protest percentage was 27.76 percent, based on acreage and the protest percentage was 25.75 percent, based on valuation. These percentages were significantly less than the 50 percent required to stop the annexation.

Mark Peplowski, 330 South Third Street, #860, Las Vegas, represented clients Roger Dielman and Harold Kenzie. Mr. Peplowski stated while approximately 28 percent of the homeowners disapproved of the annexation, no comment was made as to the number of property owners who approved of the annexation. Mr. Peplowski reviewed the letters at North Las Vegas City Hall and noted there were only two letters approving of the annexation, as opposed to the dozens of letters in opposition. He referred to the constitutionality of Nevada Revised Statute Chapter 238, and stated his clients asked him to research this matter. His clients attempted to negotiate with the City after the last hearing and discussed their issues with the Planning Department. City Staff advised no matter what was discussed, no commitments would be made. Mr. Peplowski stated the property owners of larger parcels he spoke with did not object to the project. They felt if they objected to this ordinance it could have an impact on their requests for future zoning variances or changes. Mr. Peplowski stated if Council approved this ordinance, it would result in increased property taxes, the City would not provide improved services, and the annexation would create an increased burden through compliance with North Las Vegas Codes and Ordinances.

Mayor Montandon stated he was in favor of the annexation and Council had been working toward this goal for many years. He received many telephone calls in favor of the annexation. He stated there would be no increase in the level of service in exchange for the increased taxes, because the services were provided by the City and was not compensated for them. The Council had every intention to be a fair partner to all constituents and land owners in the Valley. The City of North Las Vegas was the second fastest growing city in the United States and had a reputation for being growth-friendly.

ACTION: PASSED AND ADOPTED AS AMENDED

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:30 P.M.

2. **VAC-21-03 (G.C. WALLACE, INC.); AN APPLICATION, SUBMITTED BY G.C. WALLACE, INC. ON BEHALF OF NORTH VALLEY ENTERPRISES, LLC, PROPERTY OWNER, TO VACATE 1,470 FEET OF EASEMENT COMMENCING AT DECATUR BOULEVARD AND PROCEEDING EAST APPROXIMATELY 970 FEET AND THEN PROCEEDING SOUTH 500 FEET TO DEER SPRINGS WAY.**

Mayor Montandon opened the Public Hearing.

Public Works Director Bell stated this property included the Deer Springs Tank Reservoir site area where an excessive right-of-way existed. This was due to the survey dispute area that was established when the site was acquired. Provisions were made to insure the tank site would be workable under any scenario for the alignment of the section lines.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

3. **AMP-41-03, CENTEX HOMES; AN APPLICATION, SUBMITTED BY CENTEX HOMES DBA REAL HOMES ON BEHALF OF DANIEL S. MOSLEY REVOCABLE TRUST ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE TO LDR, LOW DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED APPROXIMATELY 339 FEET NORTH OF SAN MIGUEL AVENUE AND WEST OF COLEMAN STREET. (ASSOCIATED ITEM NO. 48, ORDINANCE NO. 1889, ZN-56-03)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Baxter stated this amendment request was recommended by the Planning Commission.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

48. **ORDINANCE NO. 1889; 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 7.78 ACRES THEREIN FROM C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-56-03, CENTEX HOMES, FOR PROPERTY LOCATED APPROXIMATELY 339 FEET NORTH OF SAN MIGUEL AVENUE AND WEST OF COLEMAN STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, AMP-41-03)**

Ordinance No. 1889 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 7.78 ACRES THEREIN FROM C-P, PROFESSIONAL OFFICE COMMERCIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-56-03, CENTEX HOMES, FOR PROPERTY LOCATED APPROXIMATELY 339 FEET NORTH OF SAN MIGUEL AVENUE AND WEST OF COLEMAN STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

4. **AMP-51-03, TROPICAL HILLS; AN APPLICATION SUBMITTED BY ROBERT HOWARTH ON BEHALF OF YBALLE DANILO NARVIOS LIVING TRUST, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MDR, MEDIUM DENSITY RESIDENTIAL, M-HDR, MEDIUM-HIGH DENSITY RESIDENTIAL AND INDUSTRIAL TO LDR, LOW DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD. (ASSOCIATED ITEM NO. 44, ORDINANCE NO. 1885, ZN-72-03)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Baxter stated this amendment request was recommended by the Planning Commission.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the Focus Property Group and was available to answer any questions.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

44. **ORDINANCE NO. 1885; 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 43 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-**

FAMILY RESIDENTIAL DISTRICT, ZN-72-03, TROPICAL HILLS, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-51-03)

Ordinance No. 1885 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 43 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-72-03, TROPICAL HILLS, FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF TROPICAL PARKWAY AND WALNUT ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

5. **AMP-53-03, DECATUR AND TROPICAL; AN APPLICATION SUBMITTED BY WORLDMARK, INC. ON BEHALF OF DECATUR TROPICS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HDR HIGH DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE. (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 1886, ZN-75-03)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Baxter stated this amendment was recommended by the Planning Commission.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

- 45. ORDINANCE NO. 1886; 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 15.65 ACRES THEREIN FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT, ZN-75-03, DECATUR AND TROPICAL, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-53-03)**

Ordinance No. 1886 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 15.65 ACRES THEREIN FROM R-1, SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2, GENERAL COMMERCIAL DISTRICT, ZN-75-03, DECATUR AND TROPICAL, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND RICE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Buck

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

6. **APPEAL, SUBMITTED BY JIM STUBLER, CITY OF NORTH LAS VEGAS FIRE CHIEF, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-22-03, CHEYENNE STREET TAVERN; AN APPLICATION SUBMITTED BY TONY AND LOUISA CHOW, ET AL, PROPERTY OWNERS, FOR A USE PERMIT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN IN AN M-2 GENERAL INDUSTRIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND ENGLESTAD STREET.**

Mayor Montandon received a Request to Speak card from Mr. A. J. Joshi on Item No. 5 after voting had taken place. He stated cards must be received prior to the voting action.

Mayor Montandon opened the Public Hearing for Item No. 6.

Acting Community Development Director Baxter stated this was an extension of time request for the proposed tavern. The Planning Commission recommended approval of this application and the North Las Vegas Fire Chief recommended denial due to traffic concerns, proximity to schools and lack of signalization at the proposed location.

Mayor Montandon requested discussion on Item No. 6 be suspended and Mayor Montandon requested Item No. 5 be reconsidered to hear Mr. Joshi's comments.

ACTION: RECONSIDER ITEM NO. 5

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

5. **AMP-53-03, DECATUR AND TROPICAL; AN APPLICATION SUBMITTED BY WORLDMARK, INC. ON BEHALF OF DECATUR TROPICS, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF HDR HIGH DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF DECATUR BOULEVARD AND**

RICE AVENUE. (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 1886, ZN-75-03)

Mayor Montandon reopened the Public Hearing on Item No. 5.

A. J. Joshi, 4868 Maiden Court, Las Vegas, spoke regarding Item No. 5, AMP 53-03. He directed his question to Worldmark and inquired which types of commercial businesses would be established at this location.

Mr. George Garcia, 1711 Whitney Mesa Drive, Henderson, represented Worldmark and responded no specific plans had been made for the types of businesses at this location. He stated a general commercial shopping center was anticipated and offered to meet with Mr. Joshi to address his concerns.

Mayor Montandon stated Council and the Development Services Department had been studying this area and not many interchanges remained along the I-215 Beltway that were appropriate for regional/commercial development. They determined this was a proper use for this parcel of land.

Mr. Joshi stated the areas surrounding his residence were high density and low density residential. His concern was the Smith's Plaza being developed at Decatur Boulevard and Ann Road.

Mayor Montandon referred to the frontage road along Decatur Boulevard and stated there was a difference between community commercial, such as the Smith's Plaza and regional commercial, which appeared along beltway corners. Mr. Joshi confirmed with Mayor Montandon there were no plans for adult book stores or liquor stores.

Mayor Montandon closed the Public Hearing on Item No. 5.

ACTION: APPROVED

MOTION: Councilman Buck

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

6. APPEAL, SUBMITTED BY JIM STUBLER, CITY OF NORTH LAS VEGAS FIRE CHIEF, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-22-03, CHEYENNE STREET TAVERN; AN APPLICATION SUBMITTED BY

TONY AND LOUISA CHOW, ET AL, PROPERTY OWNERS, FOR A USE PERMIT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN IN AN M-2 GENERAL INDUSTRIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND ENGLESTAD STREET.

Acting Community Development Director Baxter reiterated this was an extension of time request for a tavern, and was approved by the Planning Commission. North Las Vegas Fire Chief Stubler appealed this decision because of concerns related to traffic, traffic signals and the proximity of this location to public schools.

Mayor Montandon expressed the location of the tavern would create traffic problems and advised a free-standing tavern at this location would require a traffic signaling device. He further stated he did not want a traffic signaling device at Englestad Street and Lamb Boulevard.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, appeared on behalf of the applicants, the Chow family. He stated the Chow family received a use permit to develop a tavern and restaurant on Cheyenne Avenue. The tavern was to be built in the Cheyenne Commercial Center surrounded by M-2 zoning. He stated this area was in need of a restaurant which would result in the success of this project. The application for a use permit was approved by the Planning Commission. Mr. Curran stated it was impossible to complete the building process from the date of entitlement through the date of the building permit or within six months. It took time to complete architectural, engineering, and civil engineering plans and also time for the City to evaluate them. The existing ordinance required use permits be issued for no longer than six months, and required those applicants with licenses to return for an extension of time permit. He stated he had no recollection of a use permit being denied after a first extension of time permit was issued and the City's time requirement was the shortest in the Valley. Clark County and other jurisdictions allowed 18 months and subsequent extensions. Mr. Curran further stated the reason for the length of time for use permits was to protect against those who attempted to secure a location for the purpose of bartering to increase the property value with no intention of going forward with the project. Approved locations were highly desirable and if one were to be approved, it was in City's interest to see it was built promptly. The reason time extensions were added to use permits was to create provisions in case there were substantial changes such as a new beltway. Mr. Curran stated there had been no major changes to this area in six months. He addressed the concern regarding proximity to schools and stated there were two existing schools in the area. One school was more than 1500 feet from the location and the second school, Area Technical Trade Center (ATTC) was more than 1100 feet from the proposed tavern. Mr. Curran stated ATTC was not a home school or one where students attended or participated in extra-curricular activities or athletic programs. He stated students were bussed to the school and attended one of

two sessions. The first session was scheduled from 6:50 a.m. until 9:30 a.m. and the second session was scheduled from 11:30 a.m. until 2:00 p.m.

Mr. Curran further stated that a moratorium would not apply to this application because the application had already been in the system. Mayor Montandon asked for clarification from Mr. Curran as to whether he was arguing for or against the moratorium. Mr. Curran stated the moratorium was not necessary, but supported Council reviewing the ordinance. Mayor Montandon stated Council agreed with Mr. Curran's statement regarding the moratorium, but because of the rate at which the City had grown, a moratorium was needed to assist Council in responding to the City's growth. Mayor Montandon requested Mr. Curran hold his comments regarding a moratorium until the item was brought forward. Mr. Curran asked Council not to single out this mall, and stated the project complied with all standards upheld in the past.

Councilman Buck asked what the width of Englestad Street was and Acting Community Services Director Baxter responded 60 feet wide at the completion of construction. Councilman Buck confirmed with Acting Community Services Director Baxter the tavern was a stand-alone building.

Councilman Buck asked City Attorney McGowan whether Council should consider the current requirements for approval of a special use permit, although this item was an appeal for an extension of time for an application that was approved. Attorney McGowan responded Council should consider those requirements.

Mayor Montandon stated Mr. Richard Nocilla, who was a property owner in this area, had submitted a letter for the record to the City Clerk's office and was opposed to the tavern application.

Councilwoman Smith stated if this were an original application from the Planning Commission to Council, her decision would be different. If Council were to address issues, they should be on future items rather than past items and this item should have been appealed six months ago. The Planning Commission approved the application and granted the extension of time. Councilwoman Smith stated while she may or may not be in favor of the tavern, she was not willing to reverse her decision at this juncture.

Mayor Montandon stated the Cheyenne Avenue area between Commerce Street and Revere Street was a rough, physical location and he did not want a traffic control device or increased traffic in this area.

Mayor Montandon closed the Public Hearing.

ACTION: UN-22-03; DENIED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason
AYES: Councilwoman Smith, Councilman Eliason
NAYS: Mayor Montandon, Councilman Buck
ABSTAIN: None

City Clerk Sevigny advised Mayor Montandon this item could be continued until December 3, 2003 due to the lack of a majority vote.

ACTION: CONTINUED TO DECEMBER 3, 2003

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

7. **APPEAL, SUBMITTED BY ANDY COCKELL ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY VN-08-03, TRIPLE SEVEN; AN APPLICATION SUBMITTED BY TRIPLE SEVEN ON BEHALF OF TERRY CRAWFORD, PROPERTY OWNER, FOR VARIANCES TO ALLOW AN OFF-PREMISE SIGN, BILLBOARD, WITH A ZERO FOOT FRONT AND SIDE SETBACK WHERE TEN FEET IS REQUIRED; TO ALLOW A 160 FOOT SEPARATION FROM A RESIDENTIAL ZONE WHERE 300 FEET IS REQUIRED; AND TO ALLOW A 565 FOOT SEPARATION FROM ANOTHER OFF-PREMISE SIGN WHERE 750 FEET IS REQUIRED, IN THE M-2, GENERAL INDUSTRIAL DISTRICT ON PROPERTY LOCATED AT 2409 EAST GOWAN ROAD. (ASSOCIATED ITEM NO. 8, UN-51-03)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Baxter stated the Planning Commission denied this application due to unmet requirements of the Ordinance.

Andy Cockell, Five Karsten Creek Court, Henderson, represented the applicant and requested this and associated Item No. 8 be continued to December 3, 2003.

ACTION: CONTINUED TO DECEMBER 3, 2003

MOTION: Councilwoman Smith
SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason
NAYS: None
ABSTAIN: None

8. **APPEAL, SUBMITTED BY ANDY COCKELL ON BEHALF OF THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-51-03, TRIPLE SEVEN; AN APPLICATION SUBMITTED BY TRIPLE SEVEN ON BEHALF OF TERRY CRAWFORD, PROPERTY OWNER, FOR A USE PERMIT TO ALLOW A 70-FOOT HIGH OFF-PREMISE SIGN, BILLBOARD, IN THE M-2, GENERAL INDUSTRIAL DISTRICT ON PROPERTY LOCATED AT 2409 EAST GOWAN ROAD. (ASSOCIATED ITEM NO. 7, VN-08-03)**

Mayor Montandon opened the Public Hearing.

Andy Cockell, Five Karsten Creek Court, Henderson, represented the applicant and requested this and the associated Item No. 7 be continued to December 3, 2003.

ACTION: CONTINUED TO DECEMBER 3, 2003

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

43. **ORDINANCE NO. 1883, ANNEXATION NO. 123; AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF NORTH LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1883 as introduced by the City Manager:

AN ORDINANCE EXTENDING THE CORPORATE
LIMITS OF THE CITY OF NORTH LAS VEGAS,
NEVADA, TO INCLUDE WITHIN, ANNEX TO, AND

MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES, AND REGULATIONS IN FORCE IN SAID CITY; OFFERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

Public Works Director Bell stated the property was a 20-acre parcel in the island area near the pig farm, submitted by a willing petitioner.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Montandon

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

- 46. ORDINANCE NO. 1887; 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 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-71-03, ALEXANDER & COMMERCE, FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF ALEXANDER ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1887 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 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL

DISTRICT, ZN-71-03, ALEXANDER & COMMERCE,
FOR PROPERTY LOCATED AT THE SOUTHEAST
CORNER OF ALEXANDER ROAD AND COMMERCE
STREET AND PROVIDING FOR OTHER MATTERS
PROPERLY RELATING THERETO.

Acting Community Development Services Director Baxter stated this rezoning was consistent with the Comprehensive Plan and the Planning Commission recommended approval.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

47. **ORDINANCE NO. 1888; 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 21 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ZN-76-03, CLAYTON/EL CAMPO GRANDE, FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CLAYTON STREET AND EL CAMPO GRANDE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1888 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 21 ACRES
THEREIN FROM R-E, RANCH ESTATES DISTRICT
TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT,
ZN-76-03, CLAYTON/EL CAMPO GRANDE, FOR
PROPERTY LOCATED AT THE NORTHWEST
CORNER OF CLAYTON STREET AND EL CAMPO
GRANDE AVENUE AND PROVIDING FOR OTHER
MATTERS PROPERLY RELATING THERETO.

Acting Community Development Services Director Baxter stated this rezoning application was consistent with the Comprehensive Plan and the Planning Commission recommended approval.

Councilwoman Smith reiterated the homes built on El Campo Grande Avenue would face El Campo Grande Avenue.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

AYES: Mayor Montandon, Council Members Smith, Buck and Eliason

NAYS: None

ABSTAIN: None

49. ORDINANCE NO. 1890; AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE CITY OF NORTH LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) JAIL REFUNDING BONDS, SERIES 2004; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS AND OTHER DETAILS CONCERNING THE BONDS.

Ordinance No. 1890 as introduced by the City Manager:

AN ORDINANCE PROVIDING FOR THE ISSUANCE BY THE CITY OF NORTH LAS VEGAS OF ITS GENERAL OBLIGATION (LIMITED TAX) JAIL REFUNDING BONDS, SERIES 2004; PROVIDING FOR THE LEVY AND COLLECTION OF ANNUAL GENERAL (AD VALOREM) TAXES FOR THE PAYMENT OF THE BONDS AND OTHER DETAILS CONCERNING THE BONDS.

Assistant Finance Director Kay Godbey stated this ordinance was a refunding or refinancing of 1993 Jail Bonds. The City's bond rates were historically low and by approving this action, the City would realize a \$430,000 savings over the next eight years on the bonds.

ACTION: PASSED AND ADOPTED

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

50. ORDINANCE NO. 1891; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL ENACTING A MORATORIUM ON "TAVERNS, BARS AND LOUNGES" BY PROHIBITING THE FILING, ACCEPTANCE AND/OR ACTION UPON LAND USE APPLICATIONS REQUESTING APPROVAL OF A SPECIAL USE PERMIT OR CERTAIN SPECIAL USE PERMIT EXTENSIONS OF TIME FOR "TAVERNS, BARS, AND LOUNGES" PURSUANT TO NLVMC §17.28.050.

Ordinance No. 1891 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL ENACTING A MORATORIUM ON "TAVERNS, BARS AND LOUNGES" BY PROHIBITING THE FILING, ACCEPTANCE AND/OR ACTION UPON LAND USE APPLICATIONS REQUESTING APPROVAL OF A SPECIAL USE PERMIT OR CERTAIN SPECIAL USE PERMIT EXTENSIONS OF TIME FOR "TAVERNS, BARS, AND LOUNGES" PURSUANT TO NLVMC §17.28.050.

City Attorney McGowan stated language had been drafted as a proposed amendment to Ordinance No. 1891. There were three recommended changes:

1. Amend the title. Delete the words "and/or action upon" in the fourth line and "or certain special use permit extensions of time" in the sixth and seventh lines, to read as follows:

"An ordinance of the North Las Vegas City Council enacting a moratorium on 'taverns, bars and lounges' by prohibiting the filing and/or acceptance of land use applications requesting approval of a special use permit for 'taverns, bars and lounges' pursuant to NLVMC §17.28.050."

2. Amend Paragraph 6; reference the third "whereas clause" from the bottom of the page and strike language that would have prohibited consideration of extensions, to read as follows:

“Whereas the City Council does not want any special use permit applications filed or accepted for taverns, bars or lounges until the City Council considers and acts upon any proposed amendments to its existing rules and regulations, and only those filed prior to the introduction of this ordinance on November 5, 2003, may be considered or acted upon during the pendency of this Moratorium.”

3. Amend Section 1: Moratorium. Strike language that pertained to extensions of time and/or for those for which building permits had not yet been secured, to read as follows:

“The City Council of the City of North Las Vegas does hereby declare a moratorium, temporarily prohibiting the filing or acceptance of land use applications requesting consideration of special use permit for taverns, bar or lounge. This moratorium shall act as provided above from the effective date of this ordinance until the close of business on May 19, 2004.”

City Attorney McGowan stated the above recommended changes would allow all applications in the process to be placed on Planning Commission agendas. Acting Community Development Services Director Baxter confirmed with Mayor Montandon there were four use permits in the process.

Councilwoman Smith asked if Council revised the ordinance regarding taverns, bars and lounges in less than six months, could Council repeal this ordinance. Councilwoman Smith further questioned whether or not a moratorium was necessary if a new ordinance was completed in less than six months. City Attorney McGowan stated language could be added to this ordinance or, at the time of adoption of the new rules, the existing ordinance could be repealed.

Councilwoman Smith stated the ordinance would be added to the agenda, and would result in a month's delay. She recommended a sunset clause in the new ordinance that would pre-empt the current ordinance. Councilwoman Smith requested language be included to state any applications currently in process and during this moratorium be brought to the Planning Commission and to the Council.

Mayor Montandon asked City Attorney McGowan whether this recommendation needed to be included in the ordinance or whether it could that be done through staff direction. City Attorney McGowan stated this request sought to change the rules that applied to bars and taverns today and only if appealed would it come before Council on special use permit matters. Councilwoman Smith stated zoning issues were brought before Council and City Attorney McGowan stated this was on a case-by-case matter with zoning and that he was not comfortable with this recommendation. He stated he thought this suggestion went beyond the scope of a time-out or pause in existing rules. Councilwoman Smith stated

Staff needed to be advised such matters should be appealed. She reiterated that she would like language included if the ordinance was completed in less than six months, the existing amendment became ineffective.

Mayor Montandon referenced the third "whereas" from the bottom of the document, which indicated the City Council did not want any special use permit applications accepted or considered for taverns or bars until the Council considered and acted on the proposed amendment to its existing rules and regulations. Mayor Montandon stated it implied to him that when Council completed the amendments to the rules and regulations, they were finished with the moratorium. Councilwoman Smith recommended this language be placed under a specific Section of the ordinance. City Attorney McGowan responded language could be added to the last sentence in Section 1, stating "this moratorium shall act as provided above from the effective date of the ordinance until the close of business on May 19, 2004, unless the new rules and regulations are earlier adopted by the City Council."

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, verified with City Attorney McGowan that Certificates of Occupancy for taverns during a moratorium could be issued.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented North Valley Enterprises confirmed with Acting Community Development Director Baxter pursuant to the development agreement with North Valley Enterprises, they were grandfathered from this moratorium. He further confirmed North Valley Enterprises would be heard only at the Planning Commission level and did not have to come before Council.

Councilman Eliason asked Mayor Montandon to clarify the reason for the moratorium and Mayor Montandon stated there would be excessive numbers of special use applications filed during the time it would take to approve the ordinance.

Councilman Buck stated Council was moving in the right direction by reviewing this ordinance to insure the end result was fair and equitable and protected the citizens and quality of life for North Las Vegas.

Councilwoman Smith stated this ordinance was initially reviewed five or six years ago when Council was optimistic that those who requested permits were for restaurants. The outcome was most applications were for taverns. The City had in excess of 150,000 residents and no true restaurants.

ACTION: AMENDMENTS APPROVED

MOTION: Councilwoman Smith

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

Mayor Montandon stated this ordinance had been amended in the past. The Planning Commission had added conditions for bars and taverns, but could not make all use permits equal for a number of reasons, which resulted in problems for the City. Previous bar, tavern and supper club licenses had floor area ratios and revenue ratios that required a certain amount of revenues from food and certain amount of revenues from alcohol. Council and Staff discovered those requirements were unenforceable.

The Planning Commission discovered some of the rules regarding floor area were appropriate. They were attempting to bring them back, but in an inconsistent manner, which was difficult to enforce. A moratorium was not needed in the past because the demand for this type of license did not support it.

ACTION: PASSED AND ADOPTED AS AMENDED

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

APPOINTMENTS

51. APPROVAL TO APPOINT BRIAN D. MARTIN, P.E. AS A MEMBER OF THE CLARK COUNTY REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA (CCRTC) STANDARD SPECIFICATIONS SUBCOMMITTEE FOR AN INDEFINITE TERM AND APPOINT THOMAS BRADY, P.E. AS MEMBER AND DARREN L. SCHULZ, P.E. AS ALTERNATE TO THE CCRTC UTILITY COORDINATION SUBCOMMITTEE FOR INDEFINITE TERMS.

ACTION: APPROVED

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

COUNCIL ITEMS

Councilwoman Smith requested an ordinance be created to allow Council to add items to the agenda, as well as, to appeal items brought before the Council. Mayor Montandon directed the City Attorney to review this matter and report to Council.

Councilman Buck requested discussion of existing builder guidelines for residences facing streets. Calls were received by Councilman Buck from citizens on Ferrell Street, Valley Drive and Gowan Road regarding speeding issues. She was concerned over the impact current guidelines had for future building. Acting Development Services Director Baxter was directed to review this matter and report to Council.

CITY MANAGER'S REPORT

City Manager Rose stated the first Community Information Meeting to discuss code enforcement ordinances would be held December 11, 2003, 6:00 p.m., at City Hall.

PUBLIC FORUM

Cindy Miller presented the Good Works Park proposal; a five acre site, to be federally funded. The purpose of the proposed park was to create substantial savings through the conversion of methane gas. Additionally, sludge would be utilized to change methane gas into electricity and would not have to be transported or disposed in a landfill. Monetary proceeds would be invested into public and social programs. She requested the Council write a letter of support for this proposal. The Council directed City Manager Rose to place a resolution on the December 3, 2003 agenda.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:23 p.m.

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

APPROVED: January 7, 2004

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

Attest:

/s/ Eileen M. Sevigny
Eileen M. Sevigny, CMC, City Clerk