

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

October 20, 2004

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

CITY COUNCIL MEETING

CALL TO ORDER

6:03 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 | Strategic Planning Director Eric Dabney |
| City Attorney Sean McGowan | Utilities Director David Bereskin |
| City Clerk Karen L. Storms | Fire Chief Jim Stubler |
| Finance Director Phil Stoeckinger | Police Chief Mark Paresi |
| Acting Human Resources Director Marqueta Welton | Assistant to the City Manager Brenda Johnson |
| Planning and Zoning Director Jory Stewart | Deputy City Clerk Julie A. Shields |

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Dr. Percell Church, Jr.
Zion United Methodist Church

PLEDGE OF ALLEGIANCE

Scott Patterson
Boy Scout Troop 911

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF OCTOBER 20, 2004.

ACTION: APPROVED AS AMENDED, ITEM NOS. 2, 3 AND 4 WITHDRAWN WITHOUT PREJUDICE; ITEM NO. 34 TABLED TO NOVEMBER 3, 2004; ITEMS NOS. 44 AND 45 CONTINUED TO NOVEMBER 3, 2004

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

CONSENT AGENDA

10. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JUNE 16, 2004.

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

11. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JULY 7, 2004.

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

12. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JULY 21, 2004.

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 REGULAR CITY COUNCIL MEETING MINUTES OF AUGUST 4, 2004.

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. APPROVAL OF PRIVILEGED LICENSES (EXHIBIT A):

| <u>BUSINESS NAME</u> | <u>LICENSE TYPE</u> | <u>ACTIVITY</u> |
|---|--------------------------|--|
| GAMING | | |
| 1. Century Gaming Inc Jon Grant Lincoln, Pres DBA: United Coin Machine Co 600 Pilot Road North Las Vegas, Nevada | GAMING Slot Operator | (5) Slot Machines Location: 7-Eleven Store #13677 810 E Lake Mead Blvd |
| <u>Pending State Gaming Commission Approval Scheduled for October 21, 2004</u> | | |
| 2. Ascencio Inc. Juan F. Ascencio DBA: El Ranchito Cantina 3100 E Lake Mead Blvd, Ste 11 North Las Vegas, Nevada | GAMING Owner/Operator | (8) Slot Machines |
| <u>State Gaming Commission Approved 12/18/03</u> | | |

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

15. APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH D. R. HORTON FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT LA MADRE WAY AND CAMINO AL NORTE IN THE AMOUNT OF 6.8% OF THE TOTAL COST OR \$33,451, CRAIG ROAD AND CAMINO AL NORTE IN THE AMOUNT OF 2.2% OF THE TOTAL COST OR \$3,587, LA MADRE WAY AND CAMINO AL NORTE, SOUTH LEG -

DUAL LEFT IN THE AMOUNT OF 24% OF THE TOTAL COST OR \$28,800, AND CRAIG ROAD AND CAMINO AL NORTE WEST LEG - DUAL LEFT IN THE AMOUNT OF 2% OF THE TOTAL COST OR \$3,260 FOR THE LA MADRE SQUARE RESIDENTIAL PROJECT LOCATED ON THE NORTHWEST CORNER OF LA MADRE WAY AND CAMINO AL NORTE.

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

16. **APPROVAL OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH LA BONITA GROCERY & MEAT MARKET INC. FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT LAS VEGAS BOULEVARD AND BELMONT STREET IN THE APPROXIMATE AMOUNT OF 22% OF THE TOTAL COST OR \$26,400, LAS VEGAS BOULEVARD AND EVANS AVENUE IN THE APPROXIMATE AMOUNT OF 18.1% OF THE TOTAL COST OR \$21,720, AND A RAISED MEDIAN ON BELMONT STREET IN THE APPROXIMATE AMOUNT OF 100% OF THE TOTAL COST OR \$6,000 FOR THE LA BONITA COMMERCIAL DEVELOPMENT LOCATED ON THE SOUTHWEST CORNER OF LAS VEGAS BOULEVARD AND BELMONT STREET. (CNLV CONTRACT NO. C-5785)**

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

17. **AMP-64-04 (CRAIG & S.E. 5TH); AN APPLICATION SUBMITTED BY ROBERT MENDENHALL AND SUSAN KRYGIELL ON BEHALF OF THE MENDENHALL LEGACY, LP, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NORTH FIFTH STREET AND CRAIG ROAD. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 2051, ZN-79-04)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

18. **AMP-79-04 (DESERT MOON UNIT 1); AN APPLICATION SUBMITTED BY R. L. HOMES ON BEHALF OF MAU YEN WONG AND DARK, LLC, 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 GENERALLY LOCATED NORTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 840 FEET WEST OF COMMERCE STREET. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 37, ORDINANCE NO. 2052, ZN-97-04)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

19. **AMP-82-04 (CENTENNIAL 17); AN APPLICATION SUBMITTED BY DAKOTA ONE, LLC ON BEHALF OF THE PAULA BOARDMAN IRREVOCABLE TRUST, ET AL AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF BUSINESS, RESEARCH OR DEVELOPMENT PARK TO MDR, MEDIUM DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

20. **AMP-85-04 (THE GATEWAY); AN APPLICATION SUBMITTED BY JACK BINION AND PHYLLIS COPE, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL; MDR, MEDIUM DENSITY RESIDENTIAL; OFFICE; AND COMMUNITY COMMERCIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND DEER SPRINGS WAY. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

21. **AN APPEAL SUBMITTED BY BILL CURRAN OF CURRAN AND PARRY ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-41-04 (CENTENNIAL-SIMMONS/ALIANTE); AN APPLICATION SUBMITTED BY JAMES E. STROH ARCHITECT, INC. ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL AND NEIGHBORHOOD COMMERCIAL TO HDR, HIGH DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 500 FEET EAST OF FERRELL STREET. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 22, ZN-45-04)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

22. **AN APPEAL SUBMITTED BY BILL CURRAN OF CURRAN AND PARRY ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-45-04 (CENTENNIAL-SIMMONS/ALIANTE); AN APPLICATION SUBMITTED BY JAMES E. STROH ARCHITECT, INC., ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR A RECLASSIFICATION OF PROPERTY FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT AND C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 500 FEET EAST OF FERRELL STREET. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 21, AMP-41-04)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

23. **AN APPEAL SUBMITTED BY BILL CURRAN OF CURRAN AND PARRY ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-52-04 (CENTENNIAL-SIMMONS/ALIANTE); AN APPLICATION SUBMITTED BY JAMES E. STROH ARCHITECT, INC., ON BEHALF OF UNLIMITED HOLDINGS, INC., 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 RANCH HOUSE ROAD AND SIMMONS STREET. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 24, ZN-46-04)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

24. **AN APPEAL SUBMITTED BY BILL CURRAN OF CURRAN AND PARRY ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-46-04 (CENTENNIAL-SIMMONS/ALIANTE); AN APPLICATION SUBMITTED BY JAMES E. STROH ARCHITECT, INC. ON BEHALF OF UNLIMITED HOLDINGS, INC., PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF RANCH HOUSE ROAD AND SIMMONS STREET. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 23, AMP-52-04)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

25. **AN APPEAL SUBMITTED BY BILL CURRAN OF CURRAN AND PARRY ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY SPR-21-04 (CENTENNIAL-SIMMONS/ALIANTE); AN APPLICATION SUBMITTED BY JAMES E. STROH ARCHITECT, INC. ON BEHALF OF UNLIMITED HOLDINGS INC., PROPERTY OWNER, FOR A SITE PLAN REVIEW IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT AND AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT (PROPOSED C-1) TO ALLOW OFFICE BUILDINGS TO BE ORIENTED TOWARD THE REAR OF THE PROPERTY WHERE BUILDINGS ARE REQUIRED TO BE ORIENTED TOWARD THE FRONT OF THE PROPERTY AND TO ALLOW A 10 FOOT LANDSCAPE BUFFER ADJACENT TO RESIDENTIAL DEVELOPMENTS WHERE 20 FEET IS REQUIRED ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF SIMMONS STREET AND CENTENNIAL PARKWAY. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

26. **AN APPEAL SUBMITTED BY BILL CURRAN OF CURRAN AND PARRY ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-78-04 (CENTENNIAL-SIMMONS/ALIANTE); AN APPLICATION SUBMITTED BY JAMES E. STROH ARCHITECT, INC. ON BEHALF OF UNLIMITED HOLDINGS INC., PROPERTY OWNER, FOR A USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A CHILD CARE FACILITY ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. (SET PUBLIC HEARING FOR NOVEMBER 3, 2004)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 3, 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

27. **VAC-30-04 (GILMORE STREET ABANDONMENT); AN APPLICATION SUBMITTED BY LAS VEGAS PAVING CORPORATION, PROPERTY OWNER, TO VACATE APPROXIMATELY 10 FEET OF THE SOUTHERLY RIGHT-OF-WAY OF GILMORE AVENUE BETWEEN NORTH FIFTH STREET AND COMMERCE STREET. (SET PUBLIC HEARING FOR NOVEMBER 17, 2004)**

ACTION: PUBLIC HEARING SET FOR NOVEMBER 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

28. **APPROVAL OF MEMORANDUM OF UNDERSTANDING BETWEEN WESTCARE NEVADA, INC., SOUTHERN NEVADA HOSPITALS, THE CITIES OF NORTH LAS VEGAS, LAS VEGAS, HENDERSON, BOULDER CITY, AND CLARK COUNTY IN THE AMOUNT OF \$102,384.96 TO PAY THE CITY'S PORTION FOR OPERATIONAL COSTS OF THE WESTCARE COMMUNITY TRIAGE CENTER FOR THE PERIOD JULY 1, 2004 THROUGH JUNE 30, 2005. (CNLV CONTRACT NO. C-5288)**

Dan Musgrove, Clark County, recognized the City of North Las Vegas for their continuing commitment to keep the Community Triage Center open. The Center kept the mentally ill and chronic inebriates out of local hospitals, emergency rooms and jail cells and he stated North Las Vegas was a prime recipient of the benefits of the Center. He thanked Council for their support.

ACTION: APPROVED

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

29. APPROVAL TO RENEW THE ANNUAL MAINTENANCE AND SUPPORT AGREEMENTS FOR EACH UNIX SERVER FOR THE CITY'S VERITAS PRODUCTS FOR THE PERIOD NOVEMBER 1, 2004 THROUGH JULY 30, 2005, MAKING THE EXPIRATIONS CO-TERMINOUS AND ISSUING ONE PAYMENT TO VERITAS IN THE AMOUNT OF \$27,981. (CNLV CONTRACT NO. C-5786)

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

30. APPROVAL TO AWARD BID NO. 1178, FURNISH AND INSTALL NETWORK CORE REDUNDANCY EQUIPMENT AND ASSOCIATED ACCESSORIES TO REDROCK COMMUNICATIONS, INC., IN THE AMOUNT OF \$654,533 FOR THE PURCHASE OF HARDWARE, SOFTWARE AND RELATED MAINTENANCE AND SUPPORT SERVICES FOR THE PERIOD FEBRUARY 1, 2005 THROUGH AUGUST 19, 2005 TO PROVIDE REDUNDANCY FOR THE CITY'S NETWORK CORE. (CNLV CONTRACT NO. C-5787)

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

31. APPROVAL OF A FIVE YEAR LEASE AGREEMENT WITH CITY CENTRE PLAZA, LLC FOR THE PERIOD NOVEMBER 1, 2004 THROUGH OCTOBER 31,

2009 FOR OFFICE SPACE LOCATED AT 2225 CIVIC CENTER DRIVE, SUITE 220, NORTH LAS VEGAS FOR THE COMMUNITY DEVELOPMENT CODE ENFORCEMENT DIVISION, WITH RENT FOR FY 2004/2005 BEING \$36,315, WHICH INCLUDES A THREE-MONTH RENT CONCESSION FOR THE MONTHS OF NOVEMBER AND DECEMBER 2004, AND JANUARY 2005; THE BASE RENT FROM FEBRUARY 1, 2005 THROUGH OCTOBER 31, 2007 WILL BE CHARGED AT \$1.80 PER SQUARE FOOT AND FROM NOVEMBER 1, 2007 THROUGH OCTOBER 31, 2009, \$1.95 PER SQUARE FOOT. (CNLV CONTRACT NO. C5788)

Redevelopment Manager Kenny Young stated there was a change to Exhibit F of the office lease. Manager Young requested striking the words "as requested" and inserting "Per Section 30.2 of the lease between City Center Plaza LLC as landlord and the City of North Las Vegas as Tenant,". On Page 2 under Base Rental Rate, strike "thirteen (13) month" and insert "twenty-five (25)" in both places. He asked that the letters "th" be stricken after "60".

ACTION: APPROVED AS AMENDED

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 - 6:15 P.M.

2. **UN-109-04 (EMPIRE MEDIA ADVERTISING); AN APPLICATION SUBMITTED BY EMPIRE MEDIA, ON BEHALF OF MARY BARTSAS 14 LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2, GENERAL INDUSTRIAL DISTRICT TO ALLOW A 60-FOOT HIGH OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY GENERALLY LOCATED APPROXIMATELY 465 FEET NORTH OF CHEYENNE AVENUE AND EAST OF LOSEE ROAD. (CONTINUED SEPTEMBER 15 AND OCTOBER 6, 2004)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

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

3. **AMP-13-04 (CENTENNIAL MARKETPLACE); AN APPLICATION SUBMITTED BY P. T. CORPORATION, INC., 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 SOUTHEAST CORNER OF LAWRENCE STREET AND CENTENNIAL PARKWAY. (CONTINUED APRIL 7, JUNE 16, JULY 21, AND SEPTEMBER 15, 2004) (ASSOCIATED ITEM NO. 4, ZN-19-03)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

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

4. **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 P. T. CORPORATION, INC., 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, MARCH 3, APRIL 7, JUNE 16, JULY 21, AND SEPTEMBER 15, 2004) (ASSOCIATED ITEM NO. 3, AMP-13-04)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

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. **VAC-24-04 (PICERNE AT ROME & VALLEY APARTMENTS); AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION, ON BEHALF OF 215 PROPERTIES, LLC, PROPERTY OWNER, TO VACATE TURKEY LANE COMMENCING APPROXIMATELY 248 FEET WEST OF VALLEY DRIVE AND PROCEEDING WEST APPROXIMATELY 238 FEET; AND TO VACATE AN UNNAMED STREET APPROXIMATELY 486 FEET WEST OF VALLEY DRIVE BETWEEN TURKEY LANE AND CENTENNIAL PARKWAY.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated Staff received a request from Unlimited Holdings, the owner of property adjoining this vacation, asking for further consideration of the vacation.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated he had spoken with Unlimited Holdings' representative George Garcia, who was also present. Mr. Gronauer said the applicant agreed to amend the application with a condition that stated a 500-foot cul-de-sac would be provided west of Valley Drive and the cul-de-sac would not exceed the North Las Vegas Municipal Code requirements.

Director Bell stated Staff was in agreement, but he asked if Unlimited Holdings' representative would agree to the condition.

George Garcia, 1711 Whitney Mesa Drive, Henderson, represented Unlimited Holdings and stated they agreed with the condition and the application.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. A traffic study that justifies the vacation shall be submitted to the Transportation Services Division of the Public Works Department.
2. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.
3. The vacation must record concurrently with the dedication of the proposed Turkey Lane cul-de-sac.
4. Applicant will build a 500-foot cul-de-sac west of Valley Drive which would not exceed the North Las Vegas Municipal Code requirements.

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

6. VAC-25-04 (COBBLESTONE MANOR VI); AN APPLICATION SUBMITTED BY D. R. HORTON ON BEHALF OF WASHBURN PROPERTY INVESTMENT, LLC, PROPERTY OWNER, TO VACATE THE NORTHERLY 10 FEET OF LONE MOUNTAIN ROAD COMMENCING AT GOLDFIELD STREET AND PROCEEDING EAST APPROXIMATELY 656 FEET. (ASSOCIATED ITEM NO. 7, VAC-26-04)

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated Lone Mountain Road was originally planned as a 100-foot wide street. The size was changed in the Master Plan to 80 feet and the additional dedicated area was no longer needed. Staff supported the application.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

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

7. VAC-26-04 (COBBLESTONE MANOR VI); AN APPLICATION SUBMITTED BY D. R. HORTON ON BEHALF OF GOLDFIELD 20, LLC, PROPERTY OWNER, TO VACATE EAGLE WAY COMMENCING AT VERDE WAY AND PROCEEDING SOUTH APPROXIMATELY 300 FEET. (ASSOCIATED ITEM NO. 6, VAC-25-04)

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated Staff had no objection to this vacation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. The vacation must record concurrently with the final map. Should the Order of Vacation not record within one year from the approval date, the vacation shall be deemed null and void.

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

8. **AMP-73-04 (TROPICAL SANDS); AN APPLICATION SUBMITTED BY R. L. HOMES ON BEHALF OF DARK, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR, LOW DENSITY RESIDENTIAL TO MLDR, MEDIUM-LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND TROPICAL PARKWAY. (ASSOCIATED ITEM NO. 46, ORDINANCE NO. 2047, ZN-89-04)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated Staff and the Planning Commission recommended approval of this application.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and agreed with Staff's recommendation.

Mayor Montandon closed the Public Hearing.

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

46. **ORDINANCE NO. 2047; 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 4.35± ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-89-04, TROPICAL SANDS), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 8, AMP-73-04)**

Ordinance No. 2047 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 4.35± ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-89-04, TROPICAL SANDS), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF COMMERCE STREET AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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

9. **AMP-81-04 (ANN/CLAYTON); AN APPLICATION SUBMITTED BY KB HOME NEVADA, INC. ON BEHALF OF MARY BARTSAS 10, LLC, 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 LOCATED AT THE SOUTHWEST CORNER OF ROARING SURF DRIVE AND ANN ROAD. (ASSOCIATED ITEM NO. 39, ORDINANCE NO. 2040, ZN-99-04)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated Staff and the Planning Commission recommended approval.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and asked for Council's approval

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. 2040; 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 10.7± ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-99-04, ANN/CLAYTON), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ROARING SURF DRIVE AND ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 9, AMP-81-04)**

Ordinance No. 2040 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 10.7± ACRES THEREIN FROM O-L, OPEN LAND DISTRICT TO R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-99-04, ANN/CLAYTON), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF ROARING SURF DRIVE AND ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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

BUSINESS (CONTINUED)

32. APPROVAL OF A FIVE YEAR LEASE, WITH FOUR OPTIONAL FIVE YEAR TERMS, WITH PACIFIC BELL WIRELESS LLC FOR A CELL FACILITY TO BE CONSTRUCTED ON THE WEST SIDE OF CLAYTON STREET AND THE WESTERN TRIBUTARY CHANNEL OF THE LAS VEGAS WASH, ASSESSORS PARCEL NUMBER 124-32-696-001, WITH ANNUAL REVENUE FOR THE CITY OF \$12,000 WITH A 2% INCREASE EACH YEAR. (CNLV CONTRACT NO. C-5789)

ACTION: APPROVED

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

33. APPROVAL TO PURCHASE 13,320 SQUARE FEET (0.31 ACRES OF PROPERTY), ASSESSORS PARCEL NUMBERS 139-04-502-004 AND 139-03-101-001 FROM KENNEDY FAMILY TRUST, ET AL IN THE AMOUNT OF \$33,000 PLUS ESCROW FEES TO BE USED FOR THE CONSTRUCTION OF A TRAIL SYSTEM ALONG THE LAS VEGAS WASH IN THE VICINITY OF CAMINO AL NORTE AND LONE MOUNTAIN ROAD. (CNLV CONTRACT NO. C-5790)

ACTION: APPROVED

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

34. **CONSIDERATION OF THE SALE OF SURPLUS PROPERTY, ASSESSORS PARCEL NUMBERS 139-16-310-086 AND 139-16-310-087 LOCATED ON THE WEST SIDE OF MARTIN LUTHER KING BOULEVARD AND JUNE STREET TO SHIELD OF FAITH CHRISTIAN CENTER OF POMONA FOR THE PURCHASE PRICE OF \$400,000 WITH THE CITY CARRYING \$200,000 AND DONATING BACK TO THE BUYER AFTER CLOSE OF ESCROW AND \$10,000 PAID BY THE CITY TO THE BUYER'S CONSULTANT, VINCENT FOSSETT.**

ACTION: TABLED TO NOVEMBER 3, 2004

MOTION: Councilman Eliason

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

**ORDINANCES
INTRODUCTION ONLY**

35. **ORDINANCE NO. 2050; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-04); AMENDING SECTION 17.20.100(C), TO ADD SECONDHAND DEALERS AS A SPECIAL USE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (SET FINAL ACTION FOR NOVEMBER 3, 2004)**

Ordinance No. 2050 as introduced by the City Clerk:

AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-04); AMENDING SECTION 17.20.100(C), TO ADD SECONDHAND DEALERS AS A SPECIAL USE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 3, 2004

36. **ORDINANCE NO. 2051; 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 24.37 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-79-04, CRAIG & S.E. 5TH), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NORTH 5TH STREET AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 17, AMP-64-04)**

Ordinance No. 2051 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 24.37 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT TO C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-79-04, CRAIG & S.E. 5TH), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NORTH 5TH STREET AND CRAIG ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 3, 2004

37. **ORDINANCE NO. 2052; 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 14.23± ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-97-04, DESERT MOON UNIT 1), FOR PROPERTY GENERALLY LOCATED NORTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 840 FEET WEST OF COMMERCE STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR NOVEMBER 3, 2004) (ASSOCIATED ITEM NO. 18, AMP-79-04)**

Ordinance No. 2052 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 14.23± ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-97-04, DESERT MOON UNIT 1), FOR PROPERTY GENERALLY

LOCATED NORTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 840 FEET WEST OF COMMERCE STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR NOVEMBER 3, 2004

38. **ORDINANCE NO. 2054; AN ORDINANCE TO AMEND PORTIONS OF TITLE 5, CHAPTER 26 OF THE NORTH LAS VEGAS MUNICIPAL CODE, INCLUDING, SECTION 020 (“DEFINITIONS”), SECTION 290 (“FEES - AMOUNT GENERALLY”), SECTION 440 (“UNLAWFUL SELLING PRACTICES”) AND PROVIDING FOR THE ISSUANCE OF GROCERY STORE INTERNET SALE LICENSES, AND ESTABLISHING THE FEES THEREOF. (SET FINAL ACTION FOR NOVEMBER 3, 2004)**

Ordinance No. 2054 as introduced by the City Clerk:

AN ORDINANCE TO AMEND PORTIONS OF TITLE 5, CHAPTER 26 OF THE NORTH LAS VEGAS MUNICIPAL CODE, INCLUDING, SECTION 020 (“DEFINITIONS”), SECTION 290 (“FEES - AMOUNT GENERALLY”), SECTION 440 (“UNLAWFUL SELLING PRACTICES”) AND PROVIDING FOR THE ISSUANCE OF GROCERY STORE INTERNET SALE LICENSES, AND ESTABLISHING THE FEES THEREOF.

ACTION: FINAL ACTION SET FOR NOVEMBER 3, 2004

ORDINANCES
FINAL ACTION

40. **ORDINANCE NO. 2041; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1942 WHICH RECLASSIFIED LA MADRE SQUARE (ZN-49-03) FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AMEND CONDITION NO. 12 TO ALLOW 33% OF THE DEVELOPMENT TO BE COMPRISED OF 1,000 SQUARE FOOT HOMES, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LA MADRE WAY AND CAMINO AL NORTE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2041 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1942 WHICH RECLASSIFIED LA MADRE SQUARE (ZN-49-03) FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO AMEND CONDITION NO. 12 TO ALLOW 33% OF THE DEVELOPMENT TO BE COMPRISED OF 1,000 SQUARE FOOT HOMES, FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF LA MADRE WAY AND CAMINO AL NORTE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Jory Stewart stated Staff recommended denial of the application because the applicant's original Planned Unit Development approval did not allow 1000 square foot units. The Planning Commission recommended approval of the amendment.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, stated the applicant had originally asked to build tri-plexes on this property which was not acceptable to the neighbors. As a compromise with the neighbors in the area, the application was amended to 1000, 1200 and 1400 square foot single-story duplexes.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Buck

SECOND: Mayor Montandon

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

NAYS: Councilwoman Smith

ABSTAIN: None

41. **ORDINANCE NO. 2042; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1935 WHICH RECLASSIFIED APPROXIMATELY 83 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL TO PUD, PLANNED UNIT DEVELOPMENT (ZN-05-04, RUNVEE HOBART), BY REDUCING THE RESIDENTIAL PORTION TO 69 ACRES AND ADDING A 13-ACRE SCHOOL SITE, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 42, ORDINANCE NO. 2043, ZN-06-04)**

Ordinance No. 2042 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1935 WHICH RECLASSIFIED APPROXIMATELY 83 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL TO PUD, PLANNED UNIT DEVELOPMENT (ZN-05-04, RUNVEE HOBART), BY REDUCING THE RESIDENTIAL PORTION TO 69 ACRES AND ADDING A 13-ACRE SCHOOL SITE, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND ANN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Jory Stewart stated the school site at this location took up a portion of the 80-acre minimum required for a Planned Unit Development and Staff recommended denial of the application. The Planning Commission recommended approval.

John Grider, 7391 Prairie Falcon Road, Las Vegas, represented the applicant and asked for Council's approval.

Councilwoman Smith stated she was not in favor of this application because it would dilute the newly adopted guidelines for small lots.

Mayor Montandon stated several different site locations were considered for the school before choosing this one. He was uncomfortable approving the application unless he knew how many lots were being given up by placing the school site at this location. Councilwoman Smith preferred to continue this item until a school district representative and the applicant could attend the meeting and answer some of the questions.

ACTION: CONTINUED TO NOVEMBER 3, 2004

MOTION: Councilman Buck

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

42. **ORDINANCE NO. 2043; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1936 WHICH RECLASSIFIED APPROXIMATELY 301 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL TO PUD, PLANNED UNIT DEVELOPMENT (ZN-06-04, RUNVEE HOBART), BY REMOVING A 12-ACRE SCHOOL SITE, REMOVING A 6-ACRE PARK SITE AND INCREASING THE RESIDENTIAL COMPONENT, FOR PROPERTY GENERALLY LOCATED EAST OF PECOS ROAD AND APPROXIMATELY 900 FEET SOUTH OF TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 41, ORDINANCE NO. 2042, ZN-05-04)**

Ordinance No. 2043 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NO. 1936 WHICH RECLASSIFIED APPROXIMATELY 301 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL TO PUD, PLANNED UNIT DEVELOPMENT (ZN-06-04, RUNVEE HOBART), BY REMOVING A 12-ACRE SCHOOL SITE, REMOVING A 6-ACRE PARK SITE AND INCREASING THE RESIDENTIAL COMPONENT, FOR PROPERTY GENERALLY LOCATED EAST OF PECOS ROAD AND APPROXIMATELY 900 FEET SOUTH OF TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: CONTINUED TO NOVEMBER 3, 2004

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

43. **ORDINANCE NO. 2044; 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 3.78 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-94-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LINTWHITE STREET AND FRUIT DOVE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2044 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 3.78 ACRES THEREIN FROM MPC, MASTER PLANNED COMMUNITY TO MPC/R-1, MASTER PLANNED COMMUNITY/SINGLE-FAMILY RESIDENTIAL DISTRICT (ZN-94-04, ALIANTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LINTWHITE STREET AND FRUIT DOVE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Jory Stewart stated Staff and the Planning Commission recommended approval.

ACTION: PASSED AND ADOPTED

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

44. ORDINANCE NO. 2045; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-09-04); AMENDING SECTION 17.24.140(B)(2)(A), TO ALLOW FOR MULTIPLE GARAGE CONFIGURATIONS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (ASSOCIATED ITEM NO. 45, ORDINANCE NO. 2046, ZOA-10-04)

Ordinance No. 2045 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-09-04); AMENDING SECTION 17.24.140(B)(2)(A), TO ALLOW FOR MULTIPLE GARAGE CONFIGURATIONS AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: CONTINUED TO NOVEMBER 3, 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

45. ORDINANCE NO. 2046; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-10-04); AMENDING SECTION 17.24.130(E), TO ALLOW FOR TWO DRIVE ACCESSES ON SINGLE-FAMILY HOMES AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (ASSOCIATED ITEM NO. 44, ORDINANCE NO. 2045, ZOA-09-04)

Ordinance No. 2046 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-10-04); AMENDING SECTION 17.24.130(E), TO ALLOW FOR TWO DRIVE ACCESSES ON SINGLE-FAMILY HOMES AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: CONTINUED TO NOVEMBER 3, 2004
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

47. ORDINANCE NO. 2048; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL REPLACING NORTH LAS VEGAS MUNICIPAL CODE TITLE 17, CHAPTER 24, SECTION 110, SUBSECTION I WITH NEW LANGUAGE PROVIDING FOR THE PROHIBITION OF OFF-PREMISES ADVERTISING SIGNS OR STRUCTURES, COMMONLY KNOWN AS BILLBOARDS, WITHIN THE CITY OF NORTH LAS VEGAS AND OTHER MATTERS PERTAINING THERETO.

Ordinance No. 2048 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL REPLACING NORTH LAS VEGAS MUNICIPAL CODE TITLE 17, CHAPTER 24, SECTION 110, SUBSECTION I WITH NEW LANGUAGE PROVIDING FOR THE PROHIBITION OF OFF-PREMISES ADVERTISING SIGNS OR STRUCTURES, COMMONLY KNOWN AS BILLBOARDS, WITHIN THE CITY OF NORTH LAS VEGAS AND OTHER MATTERS PERTAINING THERETO.

Planning and Zoning Director Jory Stewart stated this Ordinance prohibited the construction of new billboard signs, but permitted the continuing use of existing billboards and repair of those billboards in certain circumstances. Director Stewart stated the new Ordinance allowed consideration of billboard applications filed before the adoption of the Ordinance and allowed the relocation of billboards when the relocation was required by the City.

Councilman Buck asked about applications which had been approved, but not yet built. Senior Deputy City Attorney Jim Lewis stated applicants had two years from the time they received the special use permit to construct the sign. He said billboards in existence or which had been approved before adoption of the Ordinance would not otherwise be affected.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the Focus Property Group and Lamar Outdoor Advertising who supported the prohibition of new billboards. Mr. Gronauer stated some applications had been approved, but because of the conditions placed on the application and the time line to move through the building department process, the signs had not yet been built. He requested an amendment to the ordinance allowing an extension of time for approved signs to be built. Mr. Gronauer also requested an amendment to give billboard owners the ability to increase sign height if the roadway was elevated or sound walls were built and obstructed the sign's visibility.

Councilman Buck stated she approved of the extension of time but questioned whether the City had any obligation or duty to ensure the sign was not visually obstructed. City Attorney Sean McGowan stated he did not believe the City had an obligation if some other entity was responsible for the visual obstruction.

Councilwoman Smith stated the extension of time should be limited to one extension. She believed the amendment regarding sound walls and elevated roadways was not necessary.

ACTION: DENIED AMENDMENT TO ALLOW APPLICANTS TO INCREASE HEIGHT OF BILLBOARD IF ELEVATED ROADWAYS OR SOUND WALLS WERE

BUILT IN FRONT OF THE SIGN

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

ACTION: APPROVED AMENDMENT FOR ONE EXTENSION OF TIME FOR APPROVED LAND USE PERMITS ISSUED BEFORE THE ADOPTION DATE OF THIS ORDINANCE

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

ACTION: PASSED AND ADOPTED AS AMENDED

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

48. ORDINANCE NO. 2049; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL REPLACING NORTH LAS VEGAS MUNICIPAL CODE TITLE 17, CHAPTER 24, SECTION 110, SUBSECTION J IN ITS ENTIRETY WITH NEW LANGUAGE REGULATING THE STATUS OF "NON-CONFORMING SIGNS" AND OTHER MATTERS PERTAINING THERETO.

Ordinance No. 2049 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL REPLACING NORTH LAS VEGAS MUNICIPAL CODE TITLE 17, CHAPTER 24, SECTION 110, SUBSECTION J IN ITS ENTIRETY WITH NEW LANGUAGE REGULATING THE STATUS OF "NON-CONFORMING SIGNS" AND OTHER MATTERS PERTAINING

THERETO.

Planning and Zoning Director Jory Stewart stated the Ordinance clarified the definition of a legal non-conforming sign permitted to continue in existence after adoption of the billboard prohibition ordinance.

Councilman Buck asked if this Ordinance included language to allow billboards to be moved to a more acceptable location with City approval. Senior Deputy City Attorney Jim Lewis stated the prior Ordinance 2048 included language but the City had to initiate the move. Councilman Buck wanted language that allowed billboard owners to initiate the move. City Attorney Sean McGowan stated Ordinance No. 2048 would need to be amended. Councilman Buck asked to have the Ordinance brought back to Council to discuss a relocation amendment.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Smith thanked Staff for the Farmer's Market baskets.

Councilman Buck asked Staff to revisit code enforcement provisions regarding trash can violations. She stated people were cited for violations and corrected the problem, but did not appear in court. Warrants for their arrest were issued, along with \$1,000 fines. Councilman Buck believed the goal was to have the violations cleaned up and not have the citizens arrested. City Manager Gregory Rose he had been advised the court appearance was mandatory based on Nevada Revised Statutes requirements. City Manager Rose stated Staff would bring the issue to Council in greater detail.

CITY MANAGER'S REPORT

There was no report given.

PUBLIC FORUM

There was no public participation.

ADJOURNMENT

The meeting adjourned at 7:22 P.M.

ACTION: MEETING ADJOURNED

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

APPROVED: JANUARY 5, 2005

Mayor Michael L. Montandon

ATTEST:

Karen L. Storms, CMC
City Clerk