

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

August 2, 2006

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

**CITY COUNCIL MEETING**

**CALL TO ORDER**

6:02 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**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	Acting Human Resources Director Mike Scalzi
Assistant City Manager Sam Chambers	Information Technology Director Steve Chapin
Assistant City Manager Maryann Ustick	Parks & Recreation Planner Michelle Menart
City Attorney Sean McGowan	Planning and Zoning Director Jory Stewart
City Clerk Karen Storms	Planning and Zoning Manager Marc Jordan
Communications Director Brenda Johnson	Police Chief Mark Paresi
Economic Development Director Mike Majewski	Public Works Director Jim Bell
Finance Director Phil Stoeckinger	Redevelopment Manager Larry Bender
Deputy Fire Chief Kevin Brame	Utilities Director David Bereskin
General Services Director Eric Dabney	Chief Deputy City Clerk Anita Sheldon

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Karen L. Storms, CMC  
City Clerk

**INVOCATION**

Father Krier  
St. Joseph's Catholic Church

**PLEDGE OF ALLEGIANCE**

Mayor Michael L. Montandon

**PUBLIC FORUM**

**Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas**, suggested separate Public Hearings be held for Site Plan Reviews and Use Permits.

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF AUGUST 2, 2006.**

ACTION: APPROVED, AS AMENDED: ITEM NO. 2 WITHDRAWN WITHOUT PREJUDICE; ITEM NO. 4 CONTINUED TO SEPTEMBER 20, 2006; ITEM NO. 6 CONTINUED TO SEPTEMBER 6, 2006; ITEMS NOS. 7, 29, 33 AND 37 CONTINUED TO AUGUST 16, 2006

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

**CONSENT AGENDA**

**12. ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM SCHAEFER FINANCIAL SERVICES, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LAKE MEAD BOULEVARD & ALLEN LANE, IN THE AMOUNT OF 1.0% OF THE TOTAL**

**COST OR \$5,313, FOR THE LAKE MEAD / SIMMONS RETAIL CENTER LOCATED ON THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD & SIMMONS STREET.**

ACTION: PAYMENT ACCEPTED

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

13. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT FROM RYLAND HOMES NEVADA, LLC, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ALEXANDER ROAD & VALLEY DRIVE, IN THE AMOUNT OF 3.0% OF THE TOTAL COST OR \$14,758; ALEXANDER ROAD & ALLEN LANE IN THE AMOUNT OF 2.6% OF THE TOTAL COST OR \$9,100; GOWAN ROAD & ALLEN LANE, IN THE AMOUNT OF 4.8% OF THE TOTAL COST OR \$21,864; AND GOWAN ROAD & VALLEY DRIVE, IN THE AMOUNT OF 6.2% OF THE TOTAL COST OR \$28,241 FOR THE INTERNATIONAL VILLAGE RESIDENTIAL PROJECT LOCATED ON THE NORTHWEST CORNER OF GOWAN ROAD & ALLEN LANE.**

ACTION: PAYMENT ACCEPTED

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

14. **AN APPEAL SUBMITTED BY MR. AND MRS. GLEN DUKE, NEIGHBORING PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-54-06 (GRAND TETON SUBSTATION); AN APPLICATION SUBMITTED BY NEVADA POWER COMPANY, ON BEHALF OF THE UNITED STATES OF AMERICA / BUREAU OF LAND MANAGEMENT, PROPERTY**

**OWNER, FOR A USE PERMIT IN AN O-L OPEN LAND DISTRICT TO ALLOW A 230/12 KV ELECTRICAL SUBSTATION ON PROPERTY GENERALLY LOCATED APPROXIMATELY 333 FEET NORTH OF GRAND TETON DRIVE AND EAST OF ALIANTE PARKWAY. (SET PUBLIC HEARING FOR AUGUST 16, 2006)**

ACTION: PUBLIC HEARING SET FOR AUGUST 16, 2006

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

15. **AMP-35-06 (CHEYENNE POINTE); AN APPLICATION SUBMITTED BY THE MONTECITO COMPANIES ON BEHALF OF OTG CIVIC, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF PUBLIC / SEMI-PUBLIC TO COMMUNITY COMMERCIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE. (SET PUBLIC HEARING FOR AUGUST 16, 2006) (ASSOCIATED ITEM NO. 28, ORDINANCE NO. 2303)**

ACTION: PUBLIC HEARING SET FOR AUGUST 16, 2006

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

16. **UN-67-06 (HOLIDAY INN EXPANSION); AN APPLICATION SUBMITTED BY NORMAN WILSON, ARCHITECT, ON BEHALF OF DONOVAN HOSPITALITY, LLC, AND GOLDEN POINT PARTNERS I, LLC, PROPERTY OWNERS, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW THE EXPANSION OF AN EXISTING HOTEL / MOTEL ON PROPERTY LOCATED AT 4540 DONOVAN WAY. (SET PUBLIC HEARING FOR AUGUST 16, 2006)**

ACTION: PUBLIC HEARING SET FOR AUGUST 16, 2006

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

**17. UN-68-06; AN APPLICATION SUBMITTED BY BIODIESEL OF LAS VEGAS, ON BEHALF OF INDUSTRIAL DEVELOPMENT CORPORATION, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (BIODIESEL FUEL PROCESSING) ON PROPERTY LOCATED AT 5225 EAST EL CAMPO GRANDE AVENUE. (SET PUBLIC HEARING FOR AUGUST 16, 2006)**

ACTION: PUBLIC HEARING SET FOR AUGUST 16, 2006

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

**18. VAC-11-06 (RACEWAY BUSINESS PARK); AN APPLICATION SUBMITTED BY CROSS CREEK DEVELOPMENT, LLC, PROPERTY OWNER, TO VACATE A 63-FOOT-WIDE PORTION OF SHATZ STREET COMMENCING AT ANN ROAD AND PROCEEDING NORTH APPROXIMATELY 1,257 FEET TO EL CAMPO GRANDE AVENUE. (SET PUBLIC HEARING FOR SEPTEMBER 6, 2006)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 6, 2006

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

19. **VAC-12-06 (G & M DEVELOPMENT); AN APPLICATION SUBMITTED BY DELUNA, INC., ON BEHALF OF G & M DEVELOPMENT, INC., PROPERTY OWNER, TO VACATE APPROXIMATELY 111 FEET OF CARROLL STREET RIGHT-OF-WAY COMMENCING APPROXIMATELY 106 FEET NORTH OF CAREY AVENUE AND PROCEEDING NORTH APPROXIMATELY 111 FEET. (SET PUBLIC HEARING FOR SEPTEMBER 6, 2006)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 6, 2006

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

### **BUSINESS**

20. **PRESENTATION BY JACOB SNOW, GENERAL MANAGER, REGIONAL TRANSPORTATION COMMISSION, REGARDING SUSTAINABLE TRANSPORTATION, THE MAX SYSTEM AND LIGHT RAIL.**

**Jacob Snow, General Manager, Regional Transportation Commission of Southern Nevada (RTC)**, presented sustainable transportation could not be attained by relying on the automobile because Las Vegas had grown at a rate of a 100 new cars per day for the past 2 ½ decades. To get people from their automobiles and into alternative transportation it would be important to save people time.

RTC worked with the public and learned the locally preferred alternative was a 33-mile Regional Fixed Guideway (RFG) rapid transit system that would link the cities of Henderson, North Las Vegas and Las Vegas with the Las Vegas resort corridor.

The first component for rapid transit success was a pedestrian-focused program, where rapid transit would be easily accessed by people who walked.

The second component for rapid transit success was a capacity for high density, such as the large number of people along the Las Vegas Strip and downtown Las Vegas. The rapid transit system would be focused in the resort corridor where three-quarters of the 120,000 people per day forecasted as ridership would be.

The first phase of rapid transit, the Minimum Operating Segment, moved forward in April with Metropolitan Area Express (MAX), the Bus Rapid Transit system. The Minimum Operating Segment ran about thirteen miles, from Washington Avenue in downtown Las Vegas to the South Strip Transit Terminal, a bus transfer terminal just south of McCarran Airport.

The federal process required to make a rapid transit system operational would take until 2014. Mr. Snow stated he had worked with the RTC and Councilman Eliason on how the process could be accelerated in North Las Vegas. The capital cost of the Minimum Operating Segment would be about \$500,000,000 in escalated 2014 dollars, half of which would be funded by the federal government. The locally preferred alternative would then be submitted to the federal government and approved by the end of the year.

After the federal government approved the locally preferred alternative, the RTC would begin the Environmental Impact Statement, which would take two years to complete.

After completion of the Environment Impact Statement, the RTC would request the federal government's approval for the Final Design Phase. The federal government would then fund the project, and operations would begin in 2014.

Mr. Snow explained the strategy he and Councilman Eliason had worked on would have a shorter timeline. The overall cost for the best rapid transit system would be about \$900 million and the overall cost for a light rail would be about \$1.6 billion. The RTC had a tentative \$130 million for the North 5<sup>th</sup> Street Super Arterial, which would be roadway funds for the project. The Minimum Operating System would be considered a roadway project because if the RTC went with the bus option, a bus had rubber tires and operated on roads, and part of this super arterial concept would be to have dedicated lanes for rubber-tired rapid transit vehicles. Therefore, the RTC could use the \$130 million as 50% of the funding and leverage an addition \$130 million from the federal government. The City of North Las Vegas would then be funded to begin the guideway and roadway design.

Utilization of this strategy would have the guideway from the southern terminus of North 5<sup>th</sup> Street to Craig Road in place within five years, much sooner than when the Minimum Operating Segment opened in 2014.

The RTC and the City would have 50% of the funds and would request the federal government fund the other 50% to pay for the vehicles, stations, platforms, and other amenities.

The RTC anticipated the North 5<sup>th</sup> Street Super Arterial would have a dedicated right-of-way transit roadway for cars, landscaping and bicycle/pedestrian infrastructure all the way through the corridor.

One key area between the City of Las Vegas and the City of North Las Vegas, basically from Washington Boulevard to Carey Avenue, needed to have a written commitment from the City of Las Vegas to have dedicated lanes for transit. Councilman Eliason had met with City of Las Vegas representatives, Mayor Oscar Goodman and Councilman Larry Brown, and discussed the need for the City of Las Vegas to dedicate right-of-way for this key area. The representatives from the City of Las Vegas gave RTC their verbal commitment

The mode of a light rail system, whether it had rubber tires or steel wheels on steel rails, would not matter. It would matter, however, how the mode was deployed. People would use the rapid transit system if it saved time, and it would not matter whether it was a train or a bus. The MAX system was easier to access than a train because it was a 100% low-floor system with no step-up.

Mr. Snow stated bus rapid transit had a lower initial cost, about half the cost of a light rail system. The top speed of a light rail car was about 60 miles per hour and the top speed of a bus was about 65 miles per hour. The reliability of the two forms of transportation was about the same. Operating flexibility had an advantage over the bus rapid transit because the route could be changed for a special event since the bus, on rubber tires, could go anywhere; a maintenance facility would not need to be built because the bus could be driven to the existing bus yard in North Las Vegas; and a one-seat ride could be provided for neighborhood penetration.

Mr. Snow advised that a year ago, North Las Vegas had an average of 4,000 riders a day. Today, ridership was up to an average of 7,000 a day. However, just a few months ago, North Las Vegas had 10,000 riders, which marked a huge success for the transit system.

People from around the world have looked at the transit system and wondered how there could be so many riders when Clark County's portion of the corridor did not have much development. The reason for this was the transit system saved people time, about half the time a normal bus ride would take.

The RTC proposed removal of the landscaped median running down the middle of the Las Vegas Strip and replacement with the MAX system dedicated bus lanes, which would allow an increased rider capacity of about 40%.

Too many transfers and stops caused too much time to be wasted with a light rail system. There were fewer limitations with the rubber tire system because layers of services could be developed, such as express service to the resort corridor which stopped only at high-volume stops; line-haul service that stopped at every stop; or limited stop service. Rapid bus transit would be more flexible in providing the service people wanted and with increased speed to save them time.

Comfort and amenities on both the rapid bus transit and light rail were similar. The carrying capacity of the two modes of transportation was similar, as well.

Light rail systems have an initial higher-end investment, because shelters and platforms that provided shade were needed.

The bus rapid transit system would have higher-end ticket vending machines; therefore, passengers would not be required to wait and fumble with change or a pass.

Mr. Snow explained the MAX system in the City of North Las Vegas carried more passengers per service hour than any other bus line, which included the Deuce. The Deuce was a double-decker bus that operated 24 hours a day, and was able to carry more people than the MAX which was efficient because it had a dedicated right-of-way that transported people by the traffic. The MAX system was cheaper to operate than any other RTC route, except for a few that almost paid for themselves, and the Deuce that paid for itself. Operating costs were driven down when service was speeded up. Mr. Snow stated operating a bus rapid transit system was less expensive than a light rail system.

When the RTC implemented the Deuce, ridership went up 50%. The main reason was the Deuce replaced the old Citizen Area Transit (CAT) buses and provided a better alternative. The Deuce carried 50,000 people a day on the peak days and 40,000 people on an average day. The monorail system had averaged about 18,000 people a day. The Deuce more than doubled the number of passengers that the monorail carried in the resort corridor. The monorail was a far superior level of attractive service, but it was not located where people wanted to be, and not easily accessed by pedestrians. A successful transit system in North Las Vegas must be easily accessible to many pedestrians, and it must be located where there was a high-density of pedestrians.

Market research on transit systems around the country had revealed that two-thirds of the population would get out of their cars and use transit, but only if three key criteria were met. The first criterion was good connectivity, a need to get from where the people were to where the people wanted to go. The second criterion was transit systems must save time by being fast. The one-seat rides that circulated through neighborhoods would help save time. The third criterion, was to make people feel good about the transit experience. The RTC had that technology now and it would be provided in a few months.

According to Mr. Snow, the RTC wanted to help North Las Vegas build a great place with a transit system which nurtured a sense of community and provided citizens with a feeling of safety and security. A transit system would help North Las Vegas shape growth, minimize sprawl, save money and promote public health.

**ACTION:     PRESENTATION GIVEN**

**21. DISCUSSION AND/OR ACTION REGARDING AN UPDATE ON PROJECTS NOMINATED FOR ROUND 7 FUNDING FOR THE SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT SPECIAL ACCOUNT.**

ACTION: APPROVED, AS AMENDED; LANGUAGE CHANGED TO REFLECT SCOPE OF DEMONSTRATION GARDEN TO INCLUDE ACTIVE PARK AND NOT MERELY DEMONSTRATION

MOTION: Councilman Buck

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

**22. AUTHORIZE PURCHASE OF LOCKBOX PROCESSING EQUIPMENT AND SOFTWARE, IN THE AMOUNT OF \$188,076 AND MAINTENANCE AGREEMENT, IN THE AMOUNT OF \$15,264, USING THE COMPETITIVE BIDDING EXCEPTION PER NRS 332 LOCAL GOVERNMENT PURCHASING ACT, FOR COMPUTER EQUIPMENT AND SOFTWARE TO PROCESS UTILITY BILLS IN THE UTILITIES DEPARTMENT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

**23. AMENDMENT TO THE FY 06-07 POLICE DEPARTMENT GENERAL FUND OPERATING BUDGET, IN THE AMOUNT OF \$30,700 FOR EXPENSES RELATED TO IMPROVEMENTS FOR THE NEW SPECIAL OPERATIONS BUILDING.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: Councilman Eliason

ABSTAIN: None

**24. RESOLUTION NO. 2354; A RESOLUTION TRANSFERRING 2006 PRIVATE ACTIVITY BOND CAP CEILING OF THE CITY OF NORTH LAS VEGAS, NEVADA TO CLARK COUNTY IN CONNECTION WITH THE FINANCING OF PUBLIC UTILITY PROJECTS.**

Resolution No. 2354 as introduced by the City Manager:

A RESOLUTION TRANSFERRING 2006 PRIVATE ACTIVITY BOND CAP CEILING OF THE CITY OF NORTH LAS VEGAS, NEVADA TO CLARK COUNTY IN CONNECTION WITH THE FINANCING OF PUBLIC UTILITY PROJECTS.

Mayor Pro Tempore Robinson asked what Southwest Gas Company had given the City in return for financing the public utility projects. City Manager Rose stated Southwest Gas Company had created eighteen jobs throughout Clark County and a portion of those employed individuals came from the City of North Las Vegas.

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

**PUBLIC HEARINGS - 6:15 P.M.**

**2. UN-150-04 (RUNVEE, INC.); AN APPLICATION SUBMITTED BY RUNVEE, INC., PROPERTY OWNER, FOR AN EXTENSION OF TIME FOR A USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN, ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF PECOS ROAD AND TROPICAL PARKWAY. (CONTINUED JULY 5, 2006)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

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

3. **UN-146-04 (CENTENNIAL / LAMB TAVERN); AN APPLICATION SUBMITTED BY PETER MICHELIN, ON BEHALF OF MICHAEL ANGELO, LLC, PROPERTY OWNER, FOR AN EXTENSION OF TIME ON A SPECIAL USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT, ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND LAMB BOULEVARD. (CONTINUED JULY 19, 2006)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the applicant had requested a second one-year extension, and the Planning and Zoning Department recommended denial because the records had not shown a permit on file for start of construction on the project; therefore, it was not in compliance with Ordinance No. 2110.

**Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas**, advised he represented the applicant and the property owner. He requested the application be withdrawn without prejudice in order to allow continuation of the work for extra dedication on Lamb Boulevard, which had been requested by Public Works. After resolution of the issue, they would return to Council with a request for a new Special Use Permit and present a new Site Plan.

Mayor Montandon closed the Public Hearing.

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

4. **VAC-21-05 (STORAGE WEST - DORRELL); AN APPLICATION SUBMITTED BY LAACO, LTD., TO VACATE ELAINE STREET COMMENCING AT THE INTERSECTION OF DORRELL LANE AND PROCEEDING NORTH APPROXIMATELY 610 FEET TO THE INTERSECTION OF DONALD ROAD. (CONTINUED OCTOBER 19, NOVEMBER 2 AND 16, 2005, MAY 17 AND JUNE 21, 2006)**

ACTION: CONTINUED TO SEPTEMBER 20, 2006

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

5. **AN APPEAL SUBMITTED BY BRENT WILSON, ORION ENGINEERING, ON BEHALF OF THE PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY T-1259 (COLTON & ALLEN); AN APPLICATION SUBMITTED BY ORION ENGINEERING, ON BEHALF OF GRANT DEVELOPMENT COMPANY, LLC, PROPERTY OWNER, FOR APPROVAL OF A 43-LOT TENTATIVE MAP IN AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT, ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF ALLEN LANE AND COLTON AVENUE.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised Staff recommended denial of the application based on Ordinance No. 2253, which had been adopted by Council on April 5, 2006. Ordinance No. 2253 prohibited homes facing 60-foot streets or greater rights-of-way unless special conditions existed which were outlined in the ordinance. One of the provisions allowed facing 60-foot rights-of-way, if there were existing homes, or existing lots already fronting the right-of-way directly in front of the proposed development with an approved traffic study. To the south of the existing site, along Colton Avenue, the existing homes were not facing the street. The Planning and Zoning Department recommended denial.

**Dean Rasmussen, 7391 Prairie Falcon Road, Las Vegas,** stated he had a 43-lot, 6,000 square foot, new tentative map with frontage along Colton Avenue, Allen Avenue and Delhi Avenue. There already existed an approved 41-lot old tentative map for this site. The new tentative map would have seven lots fronting Colton Avenue, one lot less than the approved old tentative map.

Mr. Rasmussen stated it would be Council's decision whether he and his client went with the old tentative map with 41 lots and eight lots facing out, or the new tentative map with two extra lots with seven lots facing out.

Approaching from the west, there were already existing homes facing out on Colton Avenue, as well as existing homes facing out further to the east. Those homes were consistent with the homes facing out on Delhi Avenue. Across the street from Delhi Avenue, there was a Planned Unit Development (PUD) community proposed with duplex lots.

Mr. Rasmussen stated the lots would continue to face out with the new tentative map, the same as with the old tentative map; however, if the new tentative map were denied by Council, he and his client would use the old, already approved, tentative map.

Councilwoman Smith advised Mr. Rasmussen the ordinance was revised because the other neighborhoods sited had created a traffic problem. She asked Director Stewart to comment on the old approved tentative map. Director Stewart responded the old approved tentative map was still valid and would not expire until October of this year.

Councilwoman Smith asked Director Stewart if the applicant would be able to proceed with the project using the old tentative map and Director Stewart replied that he would.

Councilwoman Smith asked Director Stewart if she still recommended denial of the new tentative map. Director Stewart stated it would be Council's prerogative whether or not to approve the new tentative map with fewer lots on the street since the old tentative map would expire in October. Councilwoman Smith asked Director Stewart what the applicant would have to do by October to keep the tentative map in effect, and Director Stewart responded he needed final map approval.

Councilman Buck asked Mr. Rasmussen if the building that existed on Delhi Avenue was a home or a church. He responded it was vacant property and the owner had put it in escrow in an attempt to get two extra lots, which never happened. Councilman Buck asked Mr. Rasmussen if he owned, or would ever own, this vacant lot. Mr. Rasmussen responded he did not own, nor would he ever own, the vacant lot.

Councilman Buck asked Director Stewart if the house on Delhi Avenue faced out and Director Stewart replied that it did. Mayor Montandon stated Delhi Avenue was only a 51-foot street. Director Stewart stated Colton Avenue was a 60-foot street and Ordinance 2253 only applied to 60-foot streets or greater.

Councilman Buck asked Director Stewart if the PUD on Colton Avenue was an approved and viable project that would be built. Mr. Rasmussen answered for Director Stewart and stated he had an engineering contract with Centex Homes, and construction would begin in September. Director Stewart stated the PUD had been approved since 2002.

Councilman Buck asked if the decision of Council was whether or not to approve these homes which faced out toward duplexes, and Mayor Montandon stated the duplexes faced inward. Councilman Buck asked if the old tentative map showed the homes which faced Colton Avenue. Mr. Rasmussen responded both the old and the new tentative maps showed the homes faced Colton Avenue and not Delhi Avenue. Councilman Buck asked if there were homes which faced Colton Avenue and Delhi Avenue on both maps, and Mr. Rasmussen responded there were. Director Stewart stated there were fewer lots which faced Colton Avenue in the new proposed tentative map.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; T-1259 APPROVED,  
AS AMENDED: CONDITION NO. 4 DELETED

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

6. **AN APPEAL SUBMITTED BY GEORGE GARCIA, ON BEHALF OF THE PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY VN-15-06 (NORTH 5<sup>TH</sup> & REGENA); AN APPLICATION SUBMITTED BY SIEMPRE, LLC, PROPERTY OWNER, FOR A VARIANCE IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A 12-FOOT BUILDING SETBACK, WHERE 20 FEET IS REQUIRED ALONG NORTH 5<sup>TH</sup> STREET, ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTH 5<sup>TH</sup> STREET AND REGENA AVENUE.**

ACTION: CONTINUED TO SEPTEMBER 6, 2006

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

7. **AMP-32-06 (MARBELLA); AN APPLICATION SUBMITTED BY MM GROUP, LLC, ON BEHALF OF RICHARD & FELICIA POWELL AND EAGLE 7 PROPERTIES, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO HDR HIGH DENSITY RESIDENTIAL, ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE. (ASSOCIATED ITEM NO. 37, ORDINANCE NO. 2300)**

ACTION: CONTINUED TO AUGUST 16, 2006

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

8. **AMP-37-06 (COLEMAN COURT); AN APPLICATION SUBMITTED BY JACOB KHAKSHOURI, ON BEHALF OF KEVIN R. AND BARBARA E. SIPES AND COLEMAN ANN, LLC, PROPERTY OWNERS, 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 NORTHEAST CORNER OF ANN ROAD AND COLEMAN STREET. (ASSOCIATED ITEM NO. 32, ORDINANCE NO. 2295)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Stewart advised the Planning Commission and Staff recommended approval.

**Dave Johnson, 6725 Via Austi Parkway, Las Vegas,** advised he represented the property owners and accepted Staff's recommendation.

Mayor Montandon closed the Public Hearing.

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

9. **UN-61-06 (POOL HALL / VIDEO ARCADE); AN APPLICATION SUBMITTED BY NADIR KALANDAS / ELIAS F. FARHAT, ON BEHALF OF DIABLO PROPERTY MANAGEMENT, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A VIDEO ARCADE, ON PROPERTY LOCATED AT 4260 WEST CRAIG ROAD.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Stewart advised Staff recommended denial due to the pool hall/arcade's proximity to rear yards of the single-family detached units to the north. She advised the Planning Commission recommended approval.

**Elias F. Farhat, 8616 Canyon Ranch Street, Las Vegas,** stated he wanted to open a family-oriented pool hall/arcade, without gaming or alcohol, where the neighborhood young people would have a safe place to go. He stated a representative from the City of North Las Vegas Police Department had talked with surrounding residents and determined they did not have any objection to a pool hall/arcade.

Mayor Pro Tempore Robinson felt there was a source for potential problems when a group of young people gathered together in a pool hall/arcade. He felt the applicant had good intentions, but he feared a gang haven would be created. He asked Mr. Farhat for an explanation on how problems, such as young people who drank alcohol before entering the pool hall/arcade, would be handled. Mr. Farhat responded on-site security and security cameras would be in place during all business hours to curtail potential problems.

Mayor Pro Tempore Robinson asked Director Stewart what the hours of operation were for the business, and she responded the hours would be limited to 11:00 a.m. to 9:00 p.m. from Sunday through Thursday, and from 11:00 a.m. to 11:00 p.m. on Friday and Saturday. Mayor Pro Tempore Robinson asked Police Chief Paresi what the curfew hours were for teenagers and he responded the curfew was 10:00 p.m. and 12:00 a.m., respectively, during the summer. Councilwoman Smith asked Police Chief Paresi what the curfew hours were for teenagers during the school year and he replied curfew hours were age-related.

Councilman Buck asked Police Chief Paresi what time City parks closed and he responded summertime lights go off at 10:00 p.m.

Councilman Buck asked if the Police Department had made a recommendation on this application. Director Stewart responded the Police Department had required an analysis be conducted as part of the conditions for approval of the application which would be done prior to the issuance of a business license.

Councilman Buck felt young people needed appropriate places to go and if there were problems with the pool hall/arcade, it could be shut down. Director Stewart stated Council had the ability to condition the Use Permit on a review in one year. Councilman Buck stated she was in favor of a business person who wanted to do something positive for young people in the community, and unless the Police Department found problems in its analysis, she would recommend approval.

Councilwoman Smith asked City Attorney McGowan if Council had an option to grant the

applicant a one-year approval and require the applicant return to Council in one year for review. City Attorney McGowan responded Council would be allowed to grant the Use Permit for a limited duration; therefore, the applicant bore the obligation for re-application and the request for new approval.

Councilwoman Smith stated a limited duration approval would make it easier for Council to revoke the Use Permit should problems arise.

Councilman Eliason stated the Use Permit contained a clause to enable a requirement for the applicant to return to Council.

Mr. Farhat requested an extension of business closing hours on Sunday through Thursday to be 11:00 p.m. or 12:00 a.m., rather than 9:00 p.m. Mayor Montandon felt the hours of operation should be consistent with curfew hours. Councilwoman Smith suggested the business should be closed before the end of curfew hours in order to give young people time to get home.

Mayor Pro Tempore Robinson felt the pool hall/arcade could stay open all night as long as there were not any gang-related problems, and he would be willing to give the applicant a two-year trial.

Police Chief Paresi stated he would be willing to send police officers to the pool hall/arcade to train the owners and their security on how to work with the Police Department in the prevention of gang-related problems.

**Troy Tobler, 7477 West Lake Mead, Suite 270, Las Vegas,** stated he had met with Mr. Farhat and Officer Rodriguez, a representative from the North Las Vegas Police Department. Officer Rodriguez had talked to the neighbors behind the proposed pool hall/arcade and reported the neighbors had no issues with a pool hall/arcade. Officer Rodriguez also reported he approved of the on-site security.

Mr. Tobler stated he understood the concern regarding teenagers and curfews, but he felt the pool hall/arcade would be a good place for adults to play pool as well.

Mr. Tobler stated he represented the landlords, Diablo Property Management, LLC, and the landlords had done everything required by the City. The landlords have owned several businesses, were outstanding citizens and would do business in a way North Las Vegas expected.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, AS AMENDED; USE PERMIT TO BE REVIEWED IN TWO YEARS; CONDITION NO. 3 AMENDED TO READ AS FOLLOWS:

3. THAT THE HOURS OF OPERATION BE LIMITED TO 11:00 A.M. TO

11:00 P.M. (SUNDAY THROUGH THURSDAY) AND 11:00 A.M. TO  
12:00 A.M. (FRIDAY AND SATURDAY)

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

**10. UN-63-06; AN APPLICATION SUBMITTED BY SYSCO FOOD SERVICES LAS VEGAS, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW HAZARDOUS MATERIALS (ANHYDROUS AMMONIA) IN ASSOCIATION WITH AN EXPANSION OF COLD STORAGE, ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND MOUNT HOOD STREET.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Stewart advised this was an industrial property surrounded by industrial property and would be an appropriate location for this type of use. The recommendation from Staff and the Planning Commission was for approval.

Mayor Montandon closed the Public Hearing.

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

**11. VAC-08-06 (DECATUR/RANCH HOUSE); AN APPLICATION SUBMITTED BY PULTE HOMES, ON BEHALF OF R.S. AND MARTHA S. BHATHAL, PROPERTY OWNERS, TO VACATE A 30-FOOT-WIDE PORTION OF RANCH HOUSE ROAD BETWEEN MONTGOMERY STREET AND DECATUR BOULEVARD.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell advised the Public Works Department recommended approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITION:

1. THE VACATION IS REQUIRED TO RECORD CONCURRENT WITH THE FINAL MAP. SHOULD THE VACATION NOT RECORD WITHIN TWO YEARS 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

#### **ORDINANCES** **INTRODUCTION ONLY**

25. **ORDINANCE NO. 2292; AN ORDINANCE RELATING TO LOITERING FOR PROSTITUTION, AMENDING SECTION .030 OF CHAPTER 9.08 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO. (SET FINAL ACTION FOR AUGUST 16, 2006)**

Ordinance No. 2292 as introduced by the City Clerk:

AN ORDINANCE RELATING TO LOITERING FOR PROSTITUTION, AMENDING SECTION .030 OF CHAPTER 9.08 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

ACTION: FINAL ACTION SET FOR AUGUST 16, 2006

26. **ORDINANCE NO. 2293; AN ORDINANCE RELATING TO LOITERING FOR THE PURPOSE OF ENGAGING IN DRUG-RELATED ACTIVITY, AMENDING SECTION .020 OF CHAPTER 9.16 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO. (SET FINAL ACTION FOR AUGUST 16, 2006)**

Ordinance No. 2293 as introduced by the City Clerk:

AN ORDINANCE RELATING TO LOITERING FOR THE PURPOSE OF ENGAGING IN DRUG-RELATED ACTIVITY, AMENDING SECTION .020 OF CHAPTER 9.16 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO CORRECT VAGUENESS AND OVER BREADTH CONCERNS BY SPECIFICALLY ARTICULATING THE CONDUCT PROSCRIBED, AND PROVIDING FOR OTHER MATTERS RELATED THERETO.

ACTION: FINAL ACTION SET FOR AUGUST 16, 2006

27. **ORDINANCE NO. 2301; AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION (LIMITED TAX) WASTEWATER RECLAMATION SYSTEM BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2006 IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$140,000,000; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; REPEALING THE 2005 SEWER BOND ORDINANCE NO. 2130; AND PROVIDING OTHER MATTERS RELATING THERETO. (SET FINAL ACTION FOR AUGUST 16, 2006)**

Ordinance No. 2301 as introduced by the City Clerk:

AN ORDINANCE PROVIDING FOR THE ISSUANCE OF GENERAL OBLIGATION (LIMITED TAX) WASTEWATER RECLAMATION SYSTEM BONDS (ADDITIONALLY SECURED BY PLEDGED REVENUES), SERIES 2006 IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF \$140,000,000; PROVIDING THE FORM, TERMS AND CONDITIONS THEREOF AND COVENANTS RELATING TO THE PAYMENT OF SAID BONDS; REPEALING THE 2005 SEWER BOND ORDINANCE NO. 2130; AND PROVIDING OTHER MATTERS RELATING THERETO.

ACTION: FINAL ACTION SET FOR AUGUST 16, 2006

28. **ORDINANCE NO. 2303; 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 0.68+ ACRES THEREIN FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (ZN-44-06, CHEYENNE POINTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR AUGUST 16, 2006) (ASSOCIATED ITEM NO. 15, AMP-35-06)**

Ordinance No. 2303 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 0.68+ ACRES THEREIN FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO C-2 GENERAL COMMERCIAL DISTRICT (ZN-44-06, CHEYENNE POINTE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CIVIC CENTER DRIVE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR AUGUST 16, 2006

**ORDINANCES**  
**FINAL ACTION**

29. **ORDINANCE NO. 2278; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-08-06), TO AMEND TITLE 17 (ZONING ORDINANCE) SECTION 17.24.140(H) TO ALLOW UP TO A TWENTY PERCENT (20%) REDUCTION IN PARKING FOR MULTI-FAMILY RESIDENTIAL DEVELOPMENTS LOCATED WITHIN A HALF MILE OF ANY EXISTING OR PLANNED BUS RAPID TRANSIT (BRT) OR LIGHT RAIL TRANSIT (LRT) STOP, WITH AN INCREASE IN OPEN SPACE OF 100 SQUARE FEET FOR EACH REDUCED PARKING SPACE; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (CONTINUED JUNE 7, 2006)**

ACTION: CONTINUED TO AUGUST 16, 2006

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

**30. ORDINANCE NO. 2287; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NOS. 2164 AND 1820, AND SECTION 2.36.060 OF CHAPTER 2.36, ENTITLED "ADMINISTRATIVE FEES," OF TITLE 2 AND SECTION 2.38.020 OF CHAPTER 2.38 ENTITLED "APPLICATION FEES" OF THE NORTH LAS VEGAS MUNICIPAL CODE, TO CORRECT AND CLARIFY THE CHAPTER, ADD NEW FEES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2287 as introduced by the City Manager:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS AMENDING ORDINANCE NOS. 2164 AND 1820, AND SECTION 2.36.060 OF CHAPTER 2.36, ENTITLED "ADMINISTRATIVE FEES," OF TITLE 2 AND SECTION 2.38.020 OF CHAPTER 2.38 ENTITLED "APPLICATION FEES" OF THE NORTH LAS VEGAS MUNICIPAL CODE, TO CORRECT AND CLARIFY THE CHAPTER, ADD NEW FEES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Stewart advised Title 2 of the North Las Vegas Municipal Code was being amended to allow the City to increase a public works fee and add mixed use fees collected by the Planning and Zoning Department. This fee, which did not require a business impact statement, required a fee consistent with the Planned Unit Development (PUD) for the City's new mixed use development category.

City Manager Rose asked Director Stewart if Southern Nevada Homebuilders Association was opposed to this fee change and she responded they were not.

Mayor Pro Tempore Robinson asked Director Stewart if this fee change was consistent with other entities and she responded it was.

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

**31. ORDINANCE NO. 2294; 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 4.85+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-45-06, CENTENNIAL PLAZA), FOR PROPERTY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND 200 FEET EAST OF SIMMONS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2294 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 4.85+ ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-45-06, CENTENNIAL PLAZA), FOR PROPERTY LOCATED APPROXIMATELY 200 FEET SOUTH OF CENTENNIAL PARKWAY AND 200 FEET EAST OF SIMMONS STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Zoning Director Stewart advised the Planning and Zoning Department and the Planning Commission recommended approval.

Mayor Montandon stated this project was planned to be a landmark project in North Las Vegas, with townhouses built on top of the fifty or sixty units.

**Robert Gronauer, 3800 Howard Hughes Parkway, Las Vegas**, stated he would keep Council informed as the project moved forward.

In response to a request by Councilwoman Smith, Mr. Gronauer stated the project was currently a single-story building with a mezzanine, which was essentially a loft area within the first floor. He stated it could be considered a second story, but he thought of it as a storage or office space.

ACTION: PASSED AND ADOPTED

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

**32. ORDINANCE NO. 2295; 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 11.63+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-31-06 COLEMAN ANN), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND COLEMAN STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 8, AMP-37-06)**

Ordinance No. 2295 as introduced by the City Manager:

ORDINANCE NO. 2295; 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 11.63+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-31-06 COLEMAN ANN), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND COLEMAN STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

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

**33. ORDINANCE NO. 2296; 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 NINE (9) ACRES THEREIN FROM AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-47-06, CENTENNIAL**

**POINTE) CONSISTING OF 201 MULTI-FAMILY DWELLING UNITS FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF DEER SPRINGS WAY AND GOLDFIELD STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

ACTION: CONTINUED TO AUGUST 16, 2006

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

**34. ORDINANCE NO. 2297; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-10-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.20 - ZONE DISTRICT REGULATIONS: SECTION 17.20.230 MIXED USE DEVELOPMENT DISTRICT (MUD); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2297 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-10-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.20 - ZONE DISTRICT REGULATIONS: SECTION 17.20.230 MIXED USE DEVELOPMENT DISTRICT (MUD); AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Planning and Zoning Director Stewart introduced Planner Ned Thomas, who would make a presentation.

Mr. Thomas discussed Ordinances 2297, 2298 and 2299, which were three amendments to the zoning ordinance. Ordinance 2297 established a Mixed Use Development District (MUD), Ordinance 2298 established Mixed Use Design Guidelines and Ordinance 2299 established Procedures for MUD approval.

Mr. Thomas stated the Planning and Zoning Department was working on the City's current Comprehensive Plan and it would be updated in a few months. Under the City's current

Comprehensive Plan, MUD would be applicable in all commercial areas or within residential areas of Medium Density or higher. The new Comprehensive Plan included a map that specifically identified areas for MUD.

Mr. Thomas stated MUD, as provided by the new ordinances, would be divided into three distinct sub-districts: Neighborhood Center Mixed Use (MX-1), Community Center Mixed Use (MX-2) and Regional Center Mixed Use (MX-3). Each of the sub-districts corresponded to a particular size and intensity of development.

The MX-1 sub-district included neighborhood centers oriented to pedestrians and would be 1 to 10 acres in size and provided for buildings oriented to the street. The primary focus of the City for MX-1 would be in the downtown area.

The MX-2 sub-district included community centers which provided a mix of complementary retail, commercial and/or office uses, as well as medium and higher density residential development. The sites would range from 10 to 40 acres in size and included restaurants, general retail and other uses which promoted both daytime and nighttime activity. The majority of MUD proposals the City received were under this category.

The MX-3 sub-district included regional centers, and would be planned and built as major retail centers. The Binion Mall project would be included in this category because it had the potential to draw a large population base.

The Development Standards for Residential Density and Building Heights would contain the primary differences in the new ordinances. The Development Standards for Perimeter Setbacks, Building Setbacks and Open Space would be similar to the existing Planned Unit Development (PUD) ordinance.

The Permitted Land Uses chart listed types of land uses - Residential Uses, Commercial Uses, Civic Uses and Industrial Uses. The chart also listed sub-districts of Neighborhood Center, Community Center and Regional Center. The chart indicated the type of land uses for each sub-district and whether it would be permitted, not permitted or a Special Use with Conditions.

Mr. Thomas presented an example of the Permitted Land Uses chart. The Neighborhood Center, the smallest sub-district, would be pedestrian intensive; therefore, a mix of vehicle and pedestrian uses, with such businesses as a drive-thru bank or drive-thru fast food, would not be permitted. However, in the larger areas of the community, those types of uses would be permitted with a special use.

The General Requirements included Mix of Uses, Ownership, Phasing of Development, Site Design, Pedestrian Priority Areas, Open Space, Landscaping, Streets, Utilities and Public Services, Parking and "On Sale" Establishments.

Mr. Thomas stated Mixed Use Design Guidelines had Horizontal Mixed Use and Vertical Mixed Use.

Horizontal mixed use projects incorporated different land uses within adjacent buildings on the same site. Examples of these projects were clustered buildings and parking distributed throughout the site, landscaping, a pedestrian-friendly street grid and on-street parking which allowed direct access into stores.

Vertical mixed use projects paid the same attention to site design as horizontal mixed use projects, although particular attention would be paid to the height of buildings. Projects would have buildings compatible with neighboring buildings.

Mr. Thomas stated the approval process would be identical to the PUD, except the Planning and Zoning Department required a conference between the developer and Staff prior to the submittal of the application. The reason for the conference was MUD had many flexible guidelines, and it would be important to ensure the details were worked out at the Staff level before submitting to the Planning Commission and Council.

Mr. Thomas stated the Planning and Zoning Department wanted to add one change to a sentence in Ordinance No. 2299 about the number of times the preliminary development plan could be continued by Council. The change would add a clause which allowed the preliminary development plan to be continued not more than two times, if Council and the applicant were in agreement.

Director Stewart clarified that the change would be on Item No. 36 regarding procedures and involved Ordinance No. 2299, Title 17.28.065D.3(b), "the application may not be tabled for more than two meetings in succession" and the following wording would be added: "unless both the applicant and City Council agree to the continuance".

**Susan Johnson, Curran & Parry, 300 South 4<sup>th</sup> Street, Las Vegas**, stated a project was ready to be submitted as soon as the ordinance was passed and adopted. She felt there were some issues but they could be worked through when everyone gained more experience. She encouraged the Council's support of the Item Nos. 34 and 35.

Ms. Johnson asked Director Stewart for clarification on the language for Item No. 35. She requested confirmation that the intent of the language would be used as guidelines only, with each project reviewed on a case-by-case basis. Planning and Zoning Director Stewart responded it would be for guidelines only.

**Scott Sauer, 5629 Midnight Breeze Street, North Las Vegas**, expressed his pleasure and support, and felt the item was comprehensive and well written.

ACTION: CONTINUED TO AUGUST 16, 2006

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

**35. ORDINANCE NO. 2298; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-11-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.24 - GENERAL BUILDING AND DEVELOPMENT STANDARDS: SECTION 17.24.220 MIXED USE DESIGN GUIDELINES; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

ACTION: CONTINUED TO AUGUST 16, 2006

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

**36. ORDINANCE NO. 2299; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-12-06), TO AMEND TITLE 17 (ZONING ORDINANCE) TO ADD A SECTION TO CHAPTER 17.28 - ADMINISTRATIVE PROCEDURES: SECTION 17.28.065 PROCEDURE FOR MIXED USE DEVELOPMENT (MUD) APPROVAL; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

ACTION: CONTINUED TO AUGUST 16, 2006

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

**37. ORDINANCE NO. 2300; 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+ ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT AND A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-42-06, MARBELLA), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF DONNA STREET AND AZURE AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 7, AMP-32-06)**

ACTION: CONTINUED TO AUGUST 16, 2006

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

**APPOINTMENTS**

**38. APPOINTMENTS BY COUNCILWOMAN SMITH AND COUNCILMAN ELIASON TO THE CITIZENS ADVISORY COMMITTEE, FOR TERMS TO EXPIRE JUNE 30, 2009. (TABLED JUNE 21, 2006 AND JULY 19, 2006)**

ACTION: COUNCILWOMAN SMITH APPOINTED CRAIG FALKNER; COUNCILMAN ELIASON'S APPOINTMENT TABLED TO AUGUST 16, 2006

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**COUNCIL ITEMS**

Councilman Buck thanked Staff for their work on the Mixed Use Ordinance. She also commended Staff for their work on the propane fire critical incident.

**CITY MANAGER'S REPORT**

City Manager Rose commended the first responders to the scene of the propane fire and especially Deputy Fire Chief Kevin Brame.

**PUBLIC FORUM**

**Edward T. Hamilton, 5751 E. Hacienda Avenue, Suite 193, Las Vegas,** introduced himself as a Republican candidate running for the U.S. Senate.

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 7:42 P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

**APPROVED: October 4, 2006**

\_\_\_\_\_  
Mayor Michael L. Montandon

**ATTEST:**

\_\_\_\_\_  
Karen L. Storms, CMC  
City Clerk