

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

August 21, 2002

CITY COUNCIL MEETING

CALL TO ORDER

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

ROLL CALL

COUNCIL PRESENT

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

STAFF PRESENT

City Manager Kurt Fritsch	Administrative Services Director Eric Dabney
Assistant City Manager Gregory Rose	Deputy Fire Chief Jim Stubler
Assistant City Manager Dan Tarwater	Parks & Recreation Director Ken Albright
City Attorney Sean McGowan	Human Resources Director Vince Zamora
City Clerk Eileen Sevigny	Police Chief Mark Paresi
Acting Development Services Director Steve Baxter	Public Works Director Jim Bell
Community Development Director Jacque Risner	Assistant to the City Manager Brenda Johnson
Finance Director Phil Stoeckinger	Assistant City Clerk Karen L. Storms

WELCOME

Mayor Michael L. Montandon

VERIFICATION

Eileen M. Sevigny, CMC
City Clerk

INVOCATION

The Reverend Linda Robinson
Word of Life Christian Church

PLEDGE OF ALLEGIANCE

Mayor Michael Montandon

AGENDA

1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF AUGUST 21, 2002.

ACTION: APPROVED AS AMENDED; ITEM NOS 2, 3, & 7 CONTINUED TO SEPTEMBER 4, 2002; ITEM NOS 10 & 11 CONTINUED TO SEPTEMBER 18, 2002.

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

CONSENT AGENDA

18. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF JULY 17, 2002.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

19. APPROVAL TO AMEND THE 2002-2003 STAFFING PATTERN AS FOLLOWS:
(All staffing pattern changes will be processed when administratively feasible)

FINANCE DEPARTMENT

Administrative Division

Title Change only: One (1) Administrative Technician I TNS 11 to Receptionist TNS 11

Accounting Division

Reclassify three (3) Fiscal Specialist II TNS 14 to Fiscal Technician TNS 15

Title Change only: One (1) Fiscal Specialist I TNS 13 to Fiscal Specialist TNS 13

Customer Service Division

Title Change only: Ten (10) Fiscal Specialist I TNS 13 to Fiscal Specialist TNS 13

Reclassify and move to Public Works, Resource and Facility Services: Three (3) Utility Systems Operator I TNS 14 to Meter Services Trainee/Meter Services Technician TNS 13/TNS 16

Purchasing and Risk Management

Reclassify one (1) Fiscal Specialist II TNS 14 to Fiscal Technician TNS 15

POLICE DEPARTMENT

Administrative Division

Reclassify four (4) Fiscal Specialist II TNS 14 to Fiscal Technician TNS 15

FIRE DEPARTMENT

Administrative Division

Reclassify one (1) Senior Office Assistant TNS 14 to Fiscal Technician TNS 15

ADMINISTRATIVE SERVICES DEPARTMENT

Administrative Division

Title Change only: One (1) Senior Office Assistant TNS 14 to Mail/Messenger TNS 14

Reclassify one (1) Office Assistant TNS 13 to Mail/Messenger TNS 14

Information Technology Division

Reclassify one (1) Senior Office Assistant TNS 14 to Help Desk Analyst TNS 16

PUBLIC WORKS

Engineering Services

Reclassify one (1) Fiscal Specialist II TNS 14 to Fiscal Technician TNS 15

Title Change only: One (1) Fiscal Specialist I TNS 13 to Fiscal Specialist TNS 13

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

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

20. APPROVAL OF AMENDMENT NO. 1 TO THE COOPERATIVE STEWARDSHIP AGREEMENT WITH THE STATE OF NEVADA, DEPARTMENT OF TRANSPORTATION, FOR THE LAS VEGAS BOULEVARD LANDSCAPING PROJECT, PHASE I (LAKE MEAD BOULEVARD TO CAREY AVENUE) TO EXTEND THE EXPIRATION DATE OF THE AGREEMENT TO DECEMBER 31, 2003 WHICH WOULD ALLOW THE CITY TO CONTINUE RECEIVING REIMBURSEMENT FOR THE CONSTRUCTION CONTRACTOR'S MAINTENANCE PERIOD COSTS FOR ONE YEAR. (CNLV Contract No. C-4704)

ACTION: APPROVED

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

21. APPROVAL OF A REVOCABLE FRANCHISE AGREEMENT BETWEEN THE CITY AND SIERRA PACIFIC COMMUNICATIONS FOR THE NON-EXCLUSIVE RIGHT AND PRIVILEGE TO CONSTRUCT, MAINTAIN AND/OR OPERATE TELECOMMUNICATIONS FACILITIES WITHIN THE BOUNDARIES OF THE CITY FOR THE PURPOSE OF PROVIDING SUBSCRIPTION AND NON-SUBSCRIPTION TELECOMMUNICATION SERVICES. (CNLV Contract No. C-5170)

ACTION: APPROVED

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

22. APPROVAL FOR FINAL ACCEPTANCE OF THE CENTRAL RESERVOIR REPAINTING PROJECT, BID NO. 1114 FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV Contract No. C-5068)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

23. APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH HH RES, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ANN ROAD AND ALLEN LANE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,218, ANN ROAD AND SIMMONS STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,919, ANN ROAD AND VALLEY DRIVE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,919, AND WASHBURN ROAD AND ALLEN LANE IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,218 FOR THE ANN/ALLEN RESIDENTIAL SUBDIVISION LOCATED ON THE SOUTHEAST CORNER OF ANN ROAD AND ALLEN LANE. (CNLV Contract No. C-5169)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

24. APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION

AGREEMENT WITH NORTHBROOK RANCH, LLC TO PROVIDE FOR A PORTION OF THE COST OF TRAFFIC SIGNAL AND LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD AND COMMERCE STREET IN THE AMOUNT OF 1.7% OF THE TOTAL COST OR APPROXIMATELY \$10,535, LONE MOUNTAIN ROAD AND NORTH 5TH STREET IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR APPROXIMATELY \$4,218, AND CRAIG ROAD AND COMMERCE STREET IN THE AMOUNT OF 2.2% OF THE TOTAL COST OR APPROXIMATELY \$5,798 FOR THE DESERT PASSAGE NORTH RESIDENTIAL SUBDIVISION LOCATED ON THE NORTHEAST CORNER OF LONE MOUNTAIN ROAD AND COMMERCE STREET. (CNLV Contract No. C-5171)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

25. APPEAL SUBMITTED BY JENNIFER LAZOVICH OF KUMMER, KAEMPFER, BONNER AND RENSHAW, OF THE DECISION OF THE PLANNING COMMISSION TO DENY T-934 (FIESTA DEL NORTE), AN APPLICATION SUBMITTED BY PARDEE HOMES OF NEVADA, PROPERTY OWNER, FOR A TENTATIVE MAP REVIEW IN AN R-E RANCH ESTATES DISTRICT (PROPOSED R-1 SINGLE FAMILY RESIDENTIAL DISTRICT) ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF ALLEN LANE AND TROPICAL PARKWAY. (SET PUBLIC HEARING FOR SEPTEMBER 4, 2002)

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

26. APPEAL, SUBMITTED BY GEORGE GARCIA, OF THE DECISION OF THE

PLANNING COMMISSION TO DENY T-916 (MARVILLA), AN APPLICATION SUBMITTED BY JIM ZEITER C/O INSIGHT HOLDINGS ON BEHALF OF GARY O'KEEFE 75 AND THE ROSALIE FILIPELLI FAMILY TRUST 25 FOR A TENTATIVE MAP REVIEW IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO A PLANNED UNIT DEVELOPMENT DISTRICT) TO CREATE A 266 LOT SUBDIVISION ON PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. (SET PUBLIC HEARING FOR SEPTEMBER 4, 2002) (ASSOCIATED ITEM NO. 27, UN-36-02; ASSOCIATED ITEM NO.28, UN-37-02; AND ASSOCIATED ITEM NO. 29, ZN-49-02)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 4, 2002

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

27. APPEAL, SUBMITTED BY GEORGE GARCIA, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-36-02 (INSIGHT HOLDINGS), AN APPLICATION SUBMITTED BY JIM ZEITER ON BEHALF OF TEVEL LAND DEVELOPMENT LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (PROPOSED TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN ON PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND SAN MATEO STREET. (SET PUBLIC HEARING FOR SEPTEMBER 4, 2002) (ASSOCIATED ITEM NO. 26, T-916; ITEM NO. 28, UN-37-02; AND ITEM NO. 29, ZN-49-02)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 4, 2002

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

28. APPEAL, SUBMITTED BY GEORGE GARCIA, OF THE DECISION OF THE

PLANNING COMMISSION TO DENY UN-37-02 (INSIGHT HOLDINGS), AN APPLICATION SUBMITTED BY JIM ZEITER ON BEHALF OF TEVEL LAND DEVELOPMENT LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (PROPOSED PROPERTY RECLASSIFICATION TO A PLANNED UNIT DEVELOPMENT DISTRICT) TO ALLOW A CONVENIENCE FOOD STORE WITH GAS PUMPS ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. (SET PUBLIC HEARING FOR SEPTEMBER 4, 2002) (ASSOCIATED ITEM NO. 26, T-916; ITEM NO. 27, UN-36-02; AND ITEM NO. 29, ZN-49-02)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 4, 2002

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

29. **APPEAL, SUBMITTED BY GEORGE GARCIA, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-49-02 (INSIGHT HOLDINGS), AN APPLICATION SUBMITTED BY JIM ZEITER ON BEHALF OF TEVEL LAND DEVELOPMENT LLC, PROPERTY OWNER, FOR RECLASSIFICATION OF PROPERTY FROM AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT TO A PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A MIXED USE OF COMMERCIAL AND RESIDENTIAL DEVELOPMENT ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND VALLEY DRIVE. (SET PUBLIC HEARING FOR SEPTEMBER 4, 2002) (ASSOCIATED ITEM NO. 26, T-916; ITEM NO. 27, UN-36-02; AND ITEM NO. 28, UN-37-02)**

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 4, 2002

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

30. VAC-19-02; AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS TO VACATE THE SOUTHERLY 20 FEET OF SMILEY ROAD COMMENCING AT LAMB BOULEVARD AND PROCEEDING IN AN EASTERLY DIRECTION APPROXIMATELY 1,300 FEET TO NOVAK STREET. (SET PUBLIC HEARING FOR SEPTEMBER 18, 2002)

ACTION: PUBLIC HEARING SET FOR SEPTEMBER 18, 2002

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

BUSINESS

31. SELECTION OF CONSULTANT LOBBYIST FOR THE 2003 NEVADA STATE LEGISLATURE AND INTERIM SESSIONS AND APPROVAL OF A CONTRACT IN AN AMOUNT NOT TO EXCEED \$50,000 PLUS ADDITIONAL EXPENSES AS AUTHORIZED BY THE CITY MANAGER FOR THE PERIOD AUGUST 1, 2002 THRU JULY 31, 2003. (CNLV Contract No. C-5172)

Mayor Pro Tempore Robinson questioned how soon Ms. Henderson would open an office in Southern Nevada. Ms. Henderson responded she currently had office space.

ACTION: HENDERSON & ASSOCIATES APPROVED AS CONSULTANT LOBBYIST

MOTION: Councilman Buck

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

32. APPROVAL OF A REQUEST TO THE LEGISLATIVE COUNSEL BUREAU TO

PREPARE A PROPOSED CITY CHARTER BILL DRAFT REQUEST (BDR) FOR THE 2003 NEVADA STATE LEGISLATURE, TO AMEND THE CITY CHARTER TO EXTEND THE TERM OF THE NORTH LAS VEGAS MUNICIPAL COURT JUDGE FROM FOUR TO SIX YEARS AND AUTHORIZE THE CITY COUNCIL TO INCREASE THE SALARY DURING THE TERM FOR WHICH THE JUDGE IS ELECTED OR APPOINTED.

City Manager Kurt Fritsch stated the six year term for Municipal Judge would take effect with the election in 2005 and the section regarding the judge's salary would become effective upon passage of the bill.

Councilwoman Smith questioned whether judges had term limits. Judge Warren VanLandschoot responded they did not.

City Manager Fritsch commented if there were additional bill draft requests from Council, they could be submitted by the September 1, 2002 deadline and brought before Council at the September 4, 2002 meeting.

Councilwoman Smith requested school zone signage include the term "when children are present," or "when yellow lights are flashing."

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

33. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT #54 (CIVIC CENTER DRIVE) APPORTIONMENT REPORT.

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

34. AUTHORIZATION AND DIRECTION FOR STAFF TO SUBMIT APPLICATIONS TO THE SOUTHERN NEVADA PUBLIC LANDS MANAGEMENT ACT (SNPLMA) SPECIAL ACCOUNT FOR THE FUNDING OF PARKS, TRAILS AND NATURAL AREAS IN THE AMOUNT OF \$5,300,000.

City Manager Fritsch stated the City was not guaranteed the entire amount. Two projects proposed for funding were the trails system and Kiel Ranch.

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

35. RESOLUTION NO. 2240; A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF NORTH LAS VEGAS SUPPORTING THE CREATION AND DEVELOPMENT OF A HOMELAND SECURITY PROGRAM.

Resolution No. 2240 as introduced by the City Manager:

A RESOLUTION OF THE CITY COUNCIL FOR THE CITY OF
NORTH LAS VEGAS SUPPORTING THE CREATION AND
DEVELOPMENT OF A HOMELAND SECURITY PROGRAM.

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

ORDINANCES

INTRODUCTION ONLY

36. **ORDINANCE NO. 1669; AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE NUMBER 1553, 17.20.220.A.1. AND B. 1.A., RELATING TO THE MASTER PLAN OVERLAY ZONING DISTRICT TO REDUCE THE MINIMUM CONTIGUOUS ACRES TO 500 ACRES AND TO ALLOW MULTIPLE OWNERS UNDER MUTUAL AGREEMENT TO APPLY UNDER A SINGLE OWNERSHIP TO OBTAIN A MPC DESIGNATION AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1669 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING; AMENDING ORDINANCE NUMBER 1553, 17.20.220.A.1. AND B. 1.A., RELATING TO THE MASTER PLAN OVERLAY ZONING DISTRICT TO REDUCE THE MINIMUM CONTIGUOUS ACRES TO 500 ACRES AND TO ALLOW MULTIPLE OWNERS UNDER MUTUAL AGREEMENT TO APPLY UNDER A SINGLE OWNERSHIP TO OBTAIN A MPC DESIGNATION AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

37. **ORDINANCE NO. 1694; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO C-2 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND KINGS HILL ROAD (ZN-90-02, CRAIG/KINGS HILL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1694 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY

OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO C-2 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND KINGS HILL ROAD (ZN-90-02, CRAIG/KINGS HILL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

38. **ORDINANCE NO. 1695; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM MPC TO MPC/R-1 FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 300 FEET NORTH OF ELKHORN ROAD AND EAST OF SIMMONS STREET (ZN-91-02, ACTIVE ADULT RECREATION CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1695 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM MPC TO MPC/R-1 FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 300 FEET NORTH OF ELKHORN ROAD AND EAST OF SIMMONS STREET (ZN-91-02, ACTIVE ADULT RECREATION CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

39. **ORDINANCE NO. 1696; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS**

VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND SIMMONS STREET (ZN-93-02, AUTUMN CHASE PHASE III) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)

Ordinance No. 1696 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND SIMMONS STREET (ZN-93-02, AUTUMN CHASE PHASE III) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

40. **ORDINANCE NO. 1697; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO PUD (ZN-95-02, ROME 20), FOR APPROXIMATELY 20.6± ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND GOLDFIELD STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1697 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO PUD (ZN-95-02, ROME 20), FOR APPROXIMATELY 20.6± ACRES GENERALLY LOCATED AT THE NORTHWEST CORNER OF CENTENNIAL PARKWAY AND GOLDFIELD STREET; AND

PROVIDING FOR OTHER MATTERS PROPERLY RELATING
THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

41. **ORDINANCE NO. 1698; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND FERRELL STREET (ZN-96-02, ALLEN AND TROPICAL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1698 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF TROPICAL PARKWAY AND FERRELL STREET (ZN-96-02, ALLEN AND TROPICAL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

42. **ORDINANCE NO. 1700; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM PUD TO R-EL FOR APPROXIMATELY 2.6± ACRES GENERALLY LOCATED SOUTH OF WASHBURN ROAD, APPROXIMATELY 320 FEET EAST OF CLAYTON STREET (ZN-97-02, PETE SHIELDS RESIDENTIAL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1700 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY

RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM PUD TO R-EL FOR APPROXIMATELY 2.6± ACRES GENERALLY LOCATED SOUTH OF WASHBURN ROAD, APPROXIMATELY 320 FEET EAST OF CLAYTON STREET (ZN-97-02, PETE SHIELDS RESIDENTIAL) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

43. **ORDINANCE NO. 1701; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND NORTH 5TH STREET (ZN-79-02, LA MADRE & 5TH) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1701 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF LA MADRE WAY AND NORTH 5TH STREET (ZN-79-02, LA MADRE & 5TH) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

44. **ORDINANCE NO. 1703; AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS APPROVING AN AMENDMENT TO THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND ANN ALLEN, LLC DATED AUGUST 2, 2000 FOR THE DEVELOPMENT OF LAND AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO. (FINAL ACTION SET FOR SEPTEMBER 4, 2002)**

Ordinance No. 1703 as introduced by the City Manager:

AN ORDINANCE OF THE CITY OF NORTH LAS VEGAS APPROVING AN AMENDMENT TO THAT CERTAIN

DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND ANN ALLEN, LLC DATED AUGUST 2, 2000 FOR THE DEVELOPMENT OF LAND AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: INTRODUCTION ONLY; FINAL ACTION SET FOR SEPTEMBER 4, 2002

ORDINANCES

FINAL ACTION

45. **ORDINANCE NO. 1676; 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 5.26± ACRES THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF DEEM DRIVE AND SERGEANT JORDAN AVENUE (ZN-82-02, SGT. JORDAN AND GOLDFIELD) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED FROM AUGUST 7, 2002)**

Ordinance No. 1676 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING APPROXIMATELY 5.26± ACRES THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF DEEM DRIVE AND SERGEANT JORDAN AVENUE (ZN-82-02, SGT. JORDAN AND GOLDFIELD) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Steve Baxter stated this was a consistency zoning application and Staff as well as the Planning Commission recommended approval.

Councilwoman Smith questioned if streets would be vacated in connection with this application. **Dean Rasmussen, 3068 East Sunset Road, Las Vegas**, responded an agreement had been reached with the neighborhood that the developer would apply to vacate Deem Drive as part of the zone change. That action would add an extra thirty feet on some lots. In addition, the developer had agreed that lots 9 through 14 would be restricted to single story homes.

Mayor Montandon pointed out that by approval of this application, there was no implied approval of the proposed vacation of Deem Drive. Mr. Rasmussen stated he understood.

Councilman Buck questioned if a condition could be imposed regarding disclosure of the pig farm odors. Acting Director Baxter responded that action would take place in connection with the approval of the tentative map. The condition Mr. Rasmussen spoke of regarding single story homes and the vacation of deeded streets would be reviewed at that time as well and added as conditions of approval. Councilman Buck then asked for the requirement of an odor notification be expressed to the Planning Commission who would review and act on the tentative map. Acting Director Baxter responded if a project was within one mile of the pig farm, notification of the odor was a standard condition. Mr. Rasmussen pointed out the project had already received approval of the tentative map by the Planning Commission. He stated he would review the conditions imposed on the tentative map and add the notification and single story homes on the lots indicated. The review of those conditions would be accompanied by the application for vacation of Deem Drive.

ACTION: PASSED AND ADOPTED

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

46. ORDINANCE NO. 1678; 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 2.38± ACRES THEREIN FROM R-E TO R-1 FOR PROPERTY LOCATED AT 5145 NORTH GOLDFIELD STREET (ZN-84-02, LEDON, CALIXTO RAYMOND) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED FROM AUGUST 7, 2002)

Ordinance No. 1678 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 2.38± ACRES THEREIN

FROM R-E TO R-1 FOR PROPERTY LOCATED AT 5145 NORTH GOLDFIELD STREET (ZN-84-02, LEDON, CALIXTO RAYMOND) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Steve Baxter stated this was a consistency zoning application and Staff as well as the Planning Commission recommended approval.

Councilman Buck asked that the Planning Commission place a condition on the tentative map that there be an odor disclosure given to all prospective home buyers.

ACTION: PASSED AND ADOPTED

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

47. **ORDINANCE NO. 1684; 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 25.0± ACRES THEREIN FROM R-E TO PUD (ZN-61-02, ANN AND COMMERCE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1684 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 25.0± ACRES THEREIN FROM R-E TO PUD (ZN-61-02, ANN AND COMMERCE), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Acting Development Services Director Steve Baxter stated this application contained 4,500 square foot lots which was consistent with the Comprehensive Plan. He requested a condition requiring 6,000 square foot lots along the southern and western borders of the project.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated the condition requiring 6,000 square foot lots was for the southern border of the project only where it abutted existing homes with the same sized lots. The west side homes would abut a planned unit development with existing 4,500 square foot lots.

ACTION: PASSED AND ADOPTED AS AMENDED; LOTS ALONG THE SOUTHERN BORDER TO BE 6,000 SQUARE FEET IN SIZE

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

48. ORDINANCE NO. 1692; AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.20.090, PARAGRAPH C OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO INCLUDE PERSONAL IMPROVEMENT SERVICES IN THE LIST OF SPECIAL USES IN THE C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Ordinance No. 1692 as introduced by the City Manager:

AN ORDINANCE RELATING TO ZONING; AMENDING SECTION 17.20.090, PARAGRAPH C OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO INCLUDE PERSONAL IMPROVEMENT SERVICES IN THE LIST OF SPECIAL USES IN THE C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Acting Development Services Director Steve Baxter stated the Planning Commission recommended approval of the application. Staff had recommended denial because the personal services uses requested could easily be provided in C-1 and C-2 zones instead of the C-P zone where there would be compatibility issues including the proximity to single

family residential zones.

Councilwoman Smith stated making exceptions from ordinances for individual cases was not advisable. She stated the proposed use was not compatible with office uses.

George Garcia, 2501 Green Valley Parkway, Suite 108, Henderson, submitted petitions signed by residents, children and business owners in the neighborhood in support of the proposed zone change. He explained the application was originally presented to the City as a zone change to a C-1 zone. He felt the proposed martial arts studio was a low intense use that would be compatible with an office setting. It would also provide a buffer between residential and commercial uses. Mr. Garcia stated the addition of this use in the C-P zoning would allow Council the discretion to determine the appropriateness of the proposed uses on a case by case basis as it would require a special use permit. He felt the martial arts studio as proposed would be of benefit to the surrounding neighborhood.

Councilwoman Smith stated Council was trying to solve an emotional issue involving children and the desires of the neighborhood when the actual issue was the appropriateness of the zoning. She pointed out there was vacant land in commercial areas for the use that would be compatible with other uses. She felt the discussion should revolve around the principles of good zoning and not what would be beneficial for this one neighborhood. She questioned the reasons for Staff's recommendation of denial. Acting Director Baxter responded the kind of use was allowed in C-1 and C-2 zones and by adding the use to C-P zones the character of those zones would be altered.

Councilman Eliason questioned what Acting Director Baxter's greatest concern was regarding uses allowed if this application were granted. Acting Director Baxter responded his greatest concern was the possibility of allowing uses that were conducted during evening hours and on weekends, thus impacting the residents in the area. The standard uses in the C-P zones were office uses. Activities were generally restricted to 8:00 a.m. to 5:00 p.m. Councilman Eliason questioned if conditions could be placed on the use permit. Acting Director Baxter stated that was correct.

Mayor Montandon stated his concern the ordinance was for a change in zoning requirements while it was clear the item was intended for a single use application. Mr. Garcia conceded they were two separate issues. Mayor Montandon clarified the applicant was in need of enabling law so that the applicant could return at a later date with an application for a special use permit. Mayor Montandon questioned if the area in question was the converted houses on Decatur Boulevard south of the Walgreen's. Mr. Garcia stated that was correct. Mayor Montandon stated the City anticipated uses such as this would be in commercial centers and felt the application was looking for a less expensive alternative. Mr. Garcia agreed the rent was probably less than in a shopping center location. He pointed out in other jurisdictions, the use was allowed in areas other than

shopping centers. Mayor Montandon commented the City's code had been changed to allow for uses such as dance and gymnastic studios in industrial and light industrial zones. The City had very little office development so there was very little experience as to what uses would be appropriate in those zones.

ACTION: DENIED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

PUBLIC HEARINGS - 6:30 P.M.

2. **APPEAL, SUBMITTED BY SPECIALTY HOLDINGS ON BEHALF OF GEORGE AND LORENE YOUNGHANS, PROPERTY OWNERS, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-35-02 (ANN ROAD AND COMMERCE STREET), AN APPLICATION TO CHANGE THE COMPREHENSIVE PLAN LAND USE DESIGNATION OF LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF COMMERCE STREET AND ANN ROAD. (CONTINUED FROM AUGUST 7, 2002) (ASSOCIATED ITEM NO. 3, ZN-62-02)**

ACTION: CONTINUED TO SEPTEMBER 4, 2002

MOTION: Councilwoman Smith

SECOND: Mayor Montandon

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

NAYS: None

ABSTAIN: None

3. **APPEAL, SUBMITTED BY SPECIALTY HOLDINGS ON BEHALF OF GEORGE AND LORENE YOUNGHANS, PROPERTY OWNERS, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-62-02 (ANN ROAD AND**

COMMERCE STREET), AN APPLICATION TO CHANGE THE ZONING FROM A RANCH ESTATES DISTRICT (RE) TO A PLANNED UNIT DEVELOPMENT (PUD) FOR C-2 DEVELOPMENT FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF COMMERCE STREET AND ANN ROAD. (CONTINUED FROM AUGUST 7, 2002) (ASSOCIATED ITEM NO. 2, AMP-35-02)

ACTION: CONTINUED TO SEPTEMBER 4, 2002

MOTION: Mayor Montandon

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

4. **AMP-41-02 (CENTENNIAL HIGHLANDS); AN APPLICATION SUBMITTED BY NGA #2, LLC, ON BEHALF OF EXBER, INC., PROPERTY OWNER, TO AMEND THE COMPREHENSIVE PLAN FROM MEDIUM HIGH DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED ON THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND WALNUT ROAD. (CONTINUED FROM AUGUST 7, 2002) (ASSOCIATED ITEM NO. 5, ZN-72-02 AND ITEM NO. 6, ZN-46-02)**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter explained the Planning Commission had no recommendation and Staff recommended denial because there was approximately 80 acres of high density residential immediately to the north of the property.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, represented the applicant and stated the application was to change the Comprehensive Plan from Medium High Density Residential which allowed 13 units to the acre to High Density Residential which allowed 18 units to the acre. Mr. Gronauer pointed out Items 4, 5, and 6 were related. He asked that his comments on this item be incorporated into all related items. The project consisted of approximately 170 acres bounded by Centennial Parkway, Pecos Road, Tropical Parkway, and Lamb Boulevard. The project was adjacent to the existing Nevada Power Substation which was on the corner of Pecos Road and Centennial Parkway. The development was unique because there were four developers developing the property; American Premiere, Avante Homes, Beazer Homes, and Stanpark Homes. Mr. Gronauer stated the property was currently zoned M-2 which allowed for industrial uses. If allowed

to be residential, approximately 1,880 homes could be developed on the property. The proposed plan would develop 1,130 homes, substantially less than the Master Plan allowed. On the southern portion of the project, the density would be less than allowed, at 13 units to the acre. The area to be developed by Stanpark Homes would be developed at a lower density as well. Mr. Gronauer pointed out the units to the acre ranged from 4.5 to 5.5 for the single family residential. The multi-family portion of the project would be approximately 16.5 units to the acre. He felt the project offered a blend of densities with a variety of products and was appropriate and compatible to the area.

Mr. Gronauer pointed out the Planning Commission made a majority vote, but not a super-majority vote to recommend approval of the application. He commented the next item, No. 5 was recommended for denial because this item was not recommended for approval.

Bob Olsen, 530 Las Vegas Boulevard, South, Las Vegas, representing Exber, Inc., stated they supported the application.

Councilman Eliason questioned if Nevada Power had any future plans for the adjacent substation. Acting Director Baxter stated he was not aware of any plans for the relocation of the substation but pointed out when homes were developed in the area, Nevada Power would be required to surround the substation with a block wall and landscaping. Mr. Gronauer pointed out a thirty foot trail was proposed from Tropical Parkway to Centennial Parkway. In addition, he was hopeful the developer could work with Nevada Power to provide buffering between the uses.

Councilman Buck questioned where the other high density residential projects were. Acting Director Baxter stated there were 80 acres just north of Centennial. Councilman Buck questioned if the high density proposed abutted the high density north of Centennial. Acting Director Baxter stated that was correct.

Mayor Pro Tempore Robinson questioned how many high density residential units had been constructed in the area north of Centennial. Acting Director Baxter stated the site had the potential to be developed at 16 units per acre on 80 acres.

Mayor Montandon stated the land north of the subject site, owned by the Bureau of Land Management, would most likely not comply with the existing Comprehensive Plan land use designation. It would probably be developed by a master planned community. Acting Director Baxter stated it was a likely scenario but it had no bearing on the current application.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

5. **APPEAL, SUBMITTED BY ROBERT J. GRONAUER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-72-02 (CENTENNIAL HIGHLANDS); AN APPLICATION SUBMITTED BY ROBERT J. GRONAUER ON BEHALF OF NGA #2, LLC, TO RECLASSIFY PROPERTY FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT FOR PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND WALNUT ROAD. (ASSOCIATED ITEM NO. 4, AMP-41-02; AND ITEM NO. 6, ZN-46-02)**

Mayor Montandon opened the Public Hearing.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, stated the original application for a Planned Unit Developed was designed for 17.6 units to the acre, however, the applicant was amenable to reducing the density to 16.5 units to the acre. He pointed out this would be the highest density of the development.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION TO DENY OVERTURNED; STAFF DIRECTED TO PREPARE ORDINANCE FOR PERMANENT ZONING

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

6. **APPEAL, SUBMITTED BY ROBERT J. GRONAUER, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-46-02 (CENTENNIAL VILLAGE), AN APPLICATION SUBMITTED BY ROBERT J. GRONAUER ON BEHALF OF NGA #2, LLC, TO RECLASSIFY PROPERTY FROM A RANCH ESTATES DISTRICT**

TO A PLANNED UNIT DEVELOPMENT DISTRICT, FOR PROPERTY GENERALLY LOCATED ON THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND PECOS ROAD. (ASSOCIATED ITEM NO. 4, AMP-41-02; AND ITEM NO. 5, ZN-72-02)

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter commented the average lot size was less than 4,500 square feet, that being the reason for the Planning Commission's recommendation of denial.

Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas, stated this application focused on the planned unit development in the area of Pecos Road and Centennial Parkway. He stated the two different products were for 3,500 and 3,600 square foot lots. Mr. Gronauer stated if approved, the applicant was willing to accept final development plan review and approval by the City Council. He was aware of Council's impending small lot design guideline ordinance and stated the intent of the developer was to require four-sided architectural features and provide substantial amenities in the 11 acres of park space. Those conditions would be reviewed by Council during the final development plan review.

Mayor Montandon clarified at the final development plan review, the project would be subject to the new small lot design standards. Mr. Gronauer stated that was understood.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION TO DENY OVERTURNED; STAFF DIRECTED TO PREPARE ORDINANCE FOR PERMANENT ZONING; FINAL DEVELOPMENT PLAN TO BE REVIEWED BY CITY COUNCIL.

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

- 7. APPEAL, SUBMITTED BY DONALD DENMAN, PROPERTY OWNER, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-26-02 (DONALD DENMAN, TRACKED VEHICLE STORAGE) AND REQUESTING A WAIVER FROM THE REQUIREMENTS TO PROVIDE 20 FEET OF LANDSCAPING NEXT TO I-15 AND PROVIDING ADDITIONAL DRIVE AISLES.**

(CONTINUED FROM AUGUST 7, 2002)

ACTION: CONTINUED TO SEPTEMBER 4, 2002

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

8. **VAC-16-02 (AUTUMN CHASE UNIT 2); AN APPLICATION SUBMITTED BY ALPHA ENGINEERING CO. ON BEHALF OF TEMPLE PROPERTIES, LLC, PROPERTY OWNER, TO VACATE A PORTION OF A DRAINAGE CHANNEL EASEMENT COMMENCING AT LA MADRE WAY PROCEEDING NORTH ALONG SIMMONS STREET 127± FEET THEN WEST 548± FEET.**

Mayor Montandon opened the Public Hearing.

Acting Development Services Director stated both Staff and the Planning Commission recommended approval of the subject vacation.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE CONDITION THE VACATION BE RECORDED CONCURRENTLY WITH THE FINAL MAP THAT DEDICATES THE APPROVED ALTERNATIVE DRAINAGE STUDY

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. **APPEAL, SUBMITTED BY GEORGE GARCIA, OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-36-01 (CENTENNIAL PAVILION); AN APPLICATION SUBMITTED BY GEORGE GARCIA C/O G.C. GARCIA, INC. ON BEHALF OF JACK BINION, PROPERTY OWNER, TO CHANGE THE COMPREHENSIVE PLAN LAND USE DESIGNATION OF LOW DENSITY**

RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF LOSEE ROAD AND ROME BOULEVARD.

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter stated both Staff and the Planning Commission recommended denial of the subject application because there was a great deal of medium density residential within a mile radius of this project. There did not appear to be a need for additional medium density residential in the area.

George Garcia, 2501 Green Valley Parkway, Suite 108, Henderson, stated the property immediately south of the subject property had been zoned for commercial, as well as the other corners at Centennial Parkway and Losee Road. An apartment project was originally proposed to the north of the project. Council had suggested medium density residential zoning would be more appropriate for the location. Mr. Garcia felt the use would be a good transition between the commercial uses and the lower density residential uses.

Councilwoman Smith asked if to the north of the project was zoned medium/high density. Mr. Garcia clarified there would be medium density residential as a buffer between the commercial and lower density residential. Immediately north of the project was Bureau of Land Management property.

Mayor Montandon asked if there was an associated zoning item on this agenda. Acting Director Baxter responded there was not. An application had been submitted for approximately 10 units to the acre that was to be presented to the Planning Commission. He stated this project, if approved, must be subject to the City's small lot design guidelines.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION TO DENY OVERTURNED; AMP-36-01 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

- 10. AMP-45-02 (CENTENNIAL/COMMERCE SHOPPING CENTER); AN APPLICATION SUBMITTED BY JSA INC. ON BEHALF OF CENTURY II LLC, PROPERTY OWNERS, TO AMEND THE COMPREHENSIVE PLAN FROM MEDIUM DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL, FOR 20.0± ACRES GENERALLY LOCATED ON THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET. (ASSOCIATED ITEM NO.**

11, ORDINANCE NO. 1689, ZN-86-02)

ACTION: CONTINUED TO SEPTEMBER 18, 2002

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

11. **FINAL ACTION ORDINANCE NO. 1689; 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 20.0± ACRES THEREIN FROM R-E TO C-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF CENTENNIAL PARKWAY AND COMMERCE STREET (ZN-86-02, CENTENNIAL/COMMERCE SHOPPING CENTER) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 10, AMP-45-02)**

ACTION: CONTINUED TO SEPTEMBER 18, 2002

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

12. **AMP-46-02 (CENTENNIAL HIGHLANDS); AN APPLICATION SUBMITTED BY NGA #2, LLC ON BEHALF OF EXBER, INC., PROPERTY OWNER, TO AMEND THE COMPREHENSIVE PLAN FROM MEDIUM HIGH DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL, FOR APPROXIMATELY 10.79 ACRES GENERALLY LOCATED ON THE SOUTH SIDE OF AZURE AVENUE**

APPROXIMATELY 700 FEET WEST OF LAMB BOULEVARD. (ASSOCIATED ITEM NO. 13, ORDINANCE NO. 1690, ZN-87-02)

Mayor Montandon opened the Public Hearing.

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

13. **FINAL ACTION ORDINANCE NO. 1690; 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 10.79 ACRES THEREIN FROM M-2 TO R-1 FOR PROPERTY GENERALLY LOCATED ON THE SOUTH SIDE OF AZURE AVENUE, APPROXIMATELY 700 FEET WEST OF LAMB BOULEVARD (ZN-87-02, CENTENNIAL HIGHLANDS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 12, AMP-46-02)**

ACTION: PASSED AND ADOPTED

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. **AMP-47-02 (CENTENNIAL HIGHLANDS); AN APPLICATION SUBMITTED BY NGA #2, LLC ON BEHALF OF EXBER, INC., PROPERTY OWNER, TO AMEND THE COMPREHENSIVE PLAN FROM MEDIUM HIGH DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL, FOR APPROXIMATELY 20.25 ACRES GENERALLY LOCATED ON THE NORTHEAST CORNER OF AZURE AVENUE AND WALNUT ROAD. (ASSOCIATED ITEM NO. 15, ORDINANCE NO. 1691, ZN-**

88-02)

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter explained both Staff and the Planning Commission recommended approval of the application.

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

15. **FINAL ACTION ORDINANCE NO. 1691; 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 20.25 ACRES THEREIN FROM M-2 TO R-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF AZURE AVENUE AND WALNUT ROAD (ZN-88-02, CENTENNIAL HIGHLANDS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 14, AMP-47-02)**

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

16. **AMP-49-02 (CORTEZ HEIGHTS); AN APPLICATION SUBMITTED BY WOODSIDE HOMES ON BEHALF OF TRUSTEE OF CLARK COUNTY TREASURER, PROPERTY OWNER, TO AMEND THE COMPREHENSIVE PLAN FROM LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF NORTH 5TH STREET**

AND WASHBURN ROAD. (ASSOCIATED ITEM NO. 17, ZN-94-02)

Mayor Montandon opened the Public Hearing.

Acting Development Services Director Steve Baxter explained Staff recommended denial because it did not meet the Comprehensive Plan guidelines for medium density residential. The Planning Commission recommended approval.

Mayor Montandon stated the site, previously known as Greenpoint, had been before Council many times.

George Garcia, 2501 Green Valley Parkway, Suite 108, Henderson, stated he desired to change what would have been a mobile home park to single family residential homes. The lots would be wide and shallow which would give the appearance of a 6,000 square foot lot. The depth of the lots would be shorter. The project offered the open space and amenities desired by the City. Mr. Garcia stated he had worked with the neighborhood regarding the appearance from the street and the quality of the product. One concern of the neighbors was the block wall. Mr. Garcia committed to tearing down the block wall and moving the open space around the perimeter to the exterior of the project including a serpentine sidewalk. He felt the project was appropriate for the location and met the City's guidelines for single family development.

Mayor Montandon stated there had been several proposals brought to him since the property went into receivership; all to be some type of manufactured homes. Woodside Homes approached him with a concept of constructed homes that would utilize the millions of dollars of infrastructure that had previously been put in place.

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

17. **APPEAL, SUBMITTED BY GEORGE GARCIA, OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-94-02 (CORTEZ HEIGHTS); AN APPLICATION SUBMITTED BY WOODSIDE HOMES ON BEHALF OF TRUSTEE OF CLARK COUNTY TREASURER, PROPERTY OWNER, TO RECLASSIFY**

PROPERTY FROM A RANCH ESTATES DISTRICT (R-E) TO A PLANNED UNIT DEVELOPMENT DISTRICT (PUD), FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF NORTH 5TH STREET AND WASHBURN ROAD. (ASSOCIATED ITEM NO. 16, AMP-49-02)

Mayor Montandon opened the Public Hearing.

Councilwoman Smith felt a higher density development was appropriate in the area but thought the Council was codifying a plan that was inappropriate to begin with. She felt a higher density project that was more creative would be a better alternative.

Mayor Montandon asked if a condition of the PUD was that the block wall would be torn down and constructed behind the landscape zone around the edges of the property. He asked if, despite moving the wall, the applicant was asking for the open space requirement to include the outside landscaped areas.

George Garcia, 2501 Green Valley Parkway, Suite 108, Henderson, responded the Mayor was correct; the perimeter trail would be moved to the exterior and the block wall moved behind the landscaping, providing 23 feet of landscaped area. In order to accomplish the goals of the landscaped areas, it would be necessary to apply that to the open space requirement.

Mr. Garcia read through the conditions and suggested changes to several. Councilman Buck felt the suggested changes to the conditions be reviewed with Acting Development Director Baxter before any decision was made. Acting Director Baxter agreed.

ACTION: SUGGESTED CONDITIONS OF APPROVAL REFERRED TO PLANNING STAFF FOR REVIEW; ZN-94-02 CONTINUED TO SEPTEMBER 4, 2002

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

APPOINTMENTS

49. **APPOINTMENT OF A REPRESENTATIVE AND AN ALTERNATE TO THE CLARK COUNTY COMMUNITY DEVELOPMENT ADVISORY COMMITTEE FOR A ONE YEAR TERM TO EXPIRE SEPTEMBER 6, 2003.**

ACTION: KHOREN OUZOUNIAN APPOINTED REPRESENTATIVE

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

ACTION: ALTERNATE APPOINTMENT TABLED TO SEPTEMBER 4, 2002

MOTION: Mayor Montandon

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Smith requested an update on the proposed shopping cart ordinance. Director of Community Development Jacque Risner responded the public meetings were concluding and the ordinance was in the final stages and would be presented to Council in September.

Mayor Montandon requested Staff research the possibility of digitizing the video monitor system in Council Chambers.

Councilman Eliason requested a review of small lot requirements for the possibility of using a ratio to determine density.

Councilwoman Smith requested a review of open space requirements in R-1 zoning.

CITY MANAGER'S REPORT

City Manager Fritsch announced effective August 24, 2002, Dan Lake would be promoted to Assistant Chief of the Detention Center.

PUBLIC FORUM

David Lalumondiere, Jr. spoke regarding animal control issues and the unauthorized capture of cats in his neighborhood.

Joe Austin spoke of arbitration issues.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 7:35 P.M.

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

APPROVED: September 18, 2002

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

Attest:

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