

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

January 19, 2005

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

**WELCOME**

Mayor Michael L. Montandon

**ROLL CALL**

**COUNCIL PRESENT**

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

**STAFF PRESENT**

City Manager Gregory Rose	Acting Fire Chief Terri Davis
Assistant City Manager Dan Tarwater	Police Chief Mark Paresi
City Attorney Sean McGowan	Public Works Director Jim Bell
Finance Director Phil Stoeckinger	Parks & Recreation Director Michael Henley
City Clerk Karen L. Storms	Utilities Director David Bereskin
Acting Human Resources Director Marqueta Welton	Deputy City Clerk Anita Sheldon
Planning and Development Director Jory Stewart	

**VERIFICATION**

Karen L. Storms, CMC, City Clerk

**INVOCATION**

Gloria Allen  
Las Vegas Baha'i Assembly

**PLEDGE OF ALLEGIANCE**

Councilwoman Stephanie S. Smith

**AGENDA**

**1. APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF JANUARY 19, 2005**

ACTION: APPROVED AS AMENDED: ITEM NO. 8 CONTINUED TO FEBRUARY 16, 2005

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**CONSENT AGENDA**

**9. APPROVAL OF THE SPECIAL CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 17, 2004.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**10. APPROVAL OF THE REGULAR CITY COUNCIL MEETING MINUTES OF NOVEMBER 17, 2004.**

ACTION: APPROVED

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

**11. APPROVAL OF THE SPECIAL CITY COUNCIL STUDY SESSION MINUTES OF NOVEMBER 30, 2004.**

ACTION: APPROVED

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

**12. APPROVAL OF PRIVILEGED LICENSE: (EXHIBIT A)**

<u>BUSINESS NAME</u>	<u>LICENSE TYPE</u>	<u>ACTIVITY</u>
<b><u>NEW LIQUOR</u></b>		
1. Wal-Mart Store, Inc Harold L. Scott, Pres. <b>DBA:</b> Wal-Mart Neighborhood Market #5306 5575 Simmons St North Las Vegas, Nevada	LIQUOR	General Off Sale Supermarket Packaged Liquor
		<u>Police Investigations Completed</u>

Pending Final Building and Fire Approvals

ACTION: APPROVED

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

**13. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE)**

**APPORTIONMENT REPORT NO. 40R BASED UPON THE SUBDIVISION OF LAND INTO NUMEROUS NEW PARCELS NECESSITATING THE APPORTIONMENT OF THE ASSESSMENT ON WHICH AN IMPROVEMENT DISTRICT IS LEVIED.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

14. **APPROVAL OF CASH PAYMENT IN LIEU OF TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH MARTIN-HARRIS CONSTRUCTION FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD & PECOS ROAD - DUAL LEFT IN THE AMOUNT OF 1.0% OF THE TOTAL COST, OR \$1,681, CRAIG ROAD AND VANDENBERG DRIVE IN THE AMOUNT OF 2.0% OF THE TOTAL COST OR \$11,476, CRAIG ROAD AND LAMB BOULEVARD IMPROVEMENTS IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$2,500, LONE MOUNTAIN ROAD AND LAMB BOULEVARD IN THE AMOUNT OF 1.0% OF THE TOTAL COST OR \$5,738 FOR THE G & K LAUNDRY SERVICE PROJECT LOCATED ON THE EAST SIDE OF VANDENBERG DRIVE, SOUTH OF LONE MOUNTAIN ROAD.**

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

15. **ACCEPTANCE OF THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND AUTHORIZATION TO RELEASE THE CASH-IN-LIEU OF BOND, IN THE AMOUNT OF \$12,325.00, FOR ARROYO GRANDE 3. (CNLV CONTRACT NO. 3168)**

ACTION: APPROVED

MOTION: Councilman Eliason

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

**16. ACCEPTANCE OF THE OFF-SITE IMPROVEMENTS FOR MAINTENANCE AND AUTHORIZATION TO RELEASE THE CASH-IN-LIEU OF BOND, IN THE AMOUNT OF \$26,628.75, FOR ARROYO GRANDE ESTATES. (CNLV CONTRACT NO. 2868)**

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. AN APPEAL SUBMITTED BY CHET COX AND PHIL ZOBRIST ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-153-04; AN APPLICATION SUBMITTED BY CASHBOX ON BEHALF OF CHEYENNE MARKETPLACE LLC, PROPERTY OWNER, FOR A USE PERMIT IN A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO ALLOW A FINANCIAL INSTITUTION (PAYDAY LOAN) ON PROPERTY LOCATED AT 1370 WEST CHEYENNE AVENUE. (SET PUBLIC HEARING FOR FEBRUARY 2, 2005)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 2, 2005

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

**18. AMP-102-04 (TROPICAL POINT); AN APPLICATION SUBMITTED BY GERALD**

**GARAPICH, ON BEHALF OF STGG MANAGEMENT, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO NEIGHBORHOOD COMMERCIAL ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND TROPICAL PARKWAY. (SET PUBLIC HEARING FOR FEBRUARY 2, 2005) (ASSOCIATED ITEM NO. 39, ORDINANCE NO. 2088)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 2, 2005

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**19. AMP-111-04 (COMMERCE AND GOWAN), AN APPLICATION SUBMITTED BY CELEBRATE HOMES, ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL TO MHDR MEDIUM-HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET. (SET PUBLIC HEARING FOR FEBRUARY 2, 2005) (ASSOCIATED ITEM NOS. 34, ORDINANCE NO. 2083, NO. 35, ORDINANCE NO. 2084)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 2, 2005

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**20. AMP-112-04 (RAVENHILL II), AN APPLICATION SUBMITTED BY TOUSA HOMES, INC. ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL TO MLDR MEDIUM-LOW DENSITY**

**RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD. (SET PUBLIC HEARING FOR FEBRUARY 2, 2005) (ASSOCIATED ITEM NO. 36, ORDINANCE NO. 2085, ZN-132-04)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 2, 2005

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

21. **AMP-113-04 (RAVENHILL), AN APPLICATION SUBMITTED BY TOUSA HOMES, INC. ON BEHALF OF NEVSUR INSURANCE AGENCY, INC., PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF OFFICE AND HIGH DENSITY RESIDENTIAL TO MLDR MEDIUM-LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET. (SET PUBLIC HEARING FOR FEBRUARY 2, 2005)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 2, 2005

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

22. **APPROVAL OF SNC-01-04; AN APPLICATION SUBMITTED BY CENTEX HOMES, FOR A STREET NAME CHANGE TO RENAME A PORTION OF ANN ROAD TO CARLA ANN ROAD, COMMENCING AT THE EAST SIDE OF THE INTERSECTION OF PECOS ROAD AND ANN ROAD AND PROCEEDING EASTERLY APPROXIMATELY 4,090 FEET. (SET PUBLIC HEARING FOR FEBRUARY 2, 2005)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 2, 2005

MOTION: Councilman Eliason

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

### **BUSINESS**

**23. APPROVAL TO INCREASE ANNUAL AUDIT FEES FOR THE FISCAL YEAR 2004 AUDIT IN THE AMOUNT OF \$24,000, AND TO APPOINT PIERCY, BOWLER, TAYLOR AND KERN AS AUDITORS FOR FISCAL YEAR 2005 IN THE AMOUNT OF \$78,500 FOR THE AUDIT AND RELATED SOFTWARE. (CNLV CONTRACT NO. 4653)**

ACTION: APPROVED

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

**24. APPROVAL TO AMEND THE FY 2004-05 GENERAL FUND BUDGET IN THE AMOUNT OF \$34,300 FOR THE PLANNING AND DEVELOPMENT DEPARTMENT, FOR THE PURPOSE OF FIVE MONTHS RENT, CUBICLES, DESKS, GATE SENSORS, AND MOVING EXPENSES FOR THE CODE ENFORCEMENT DIVISION, FROM 1631 WEST CRAIG ROAD, SUITE 16, TO 2225 CIVIC CENTER DRIVE, SUITE 220.**

ACTION: APPROVED

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

**25. AUTHORIZATION TO PUBLISH THE 2005 MUNICIPAL ELECTION**



**PROCLAMATION.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**26. AWARD OF BID NO. B-1175 TO FORD COUNTRY, IN THE AMOUNT OF \$276,617, FOR THE PURCHASE OF TEN MISCELLANEOUS PICK-UP TRUCKS TO BE USED TO TRANSPORT EMPLOYEES, EQUIPMENT AND MATERIALS TO VARIOUS CITY WORK SITES FOR THE PUBLIC WORKS DEPARTMENT.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**27. AWARD OF BID NO. B-1184 TO CHAPMAN'S LV DODGE, IN THE AMOUNT OF \$34,300, FOR THE PURCHASE OF A HIGH ROOF SPRINTER VAN TO BE USED TO TRANSPORT FIELD WORK EQUIPMENT FOR THE POLICE DEPARTMENT.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**28. CONSIDERATION OF A REQUEST FROM DELUCA LIQUOR TO CONSUME**

**BEER AND WINE AT THE DELUCA LIQUOR COMPANY PICNIC IN A CITY PARK TO BE HELD AT NATURE DISCOVERY PARK ON APRIL 30, 2005 FROM 8:00 A.M. TO 6:00 P.M. FOR APPROXIMATELY 500 EMPLOYEES, FOR A RENTAL FEE IN THE AMOUNT OF \$900, PLUS \$100 REFUNDABLE CLEANING DEPOSIT.**

Parks and Recreation Director Mike Henley reported Staff recommended denial of this request under Chapter 12 of the Municipal Code. Mayor Montandon asked if other people and families exclusive of DeLuca Liquor employees would be using the park on that date and Director Henley responded they would.

ACTION: DENIED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

**29. APPROVAL OF THE SECOND SUPPLEMENTAL INTERLOCAL CONTRACT NO. 370B WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE CRAIG ROAD IMPROVEMENT PROJECT, PHASE II, EXTENDS THE TIME OF THE CONTRACT BY SIX MONTHS TO JUNE 30, 2005, TO ALLOW FOR COMPLETION OF FINAL COST ACCOUNTING AND OTHER PROJECT CLOSE-OUT DOCUMENTATION. (CNLV CONTRACT NO. 4883)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**30. APPROVAL OF INTERLOCAL CONTRACT NO. 493, WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE SIMMONS STREET IMPROVEMENT PROJECT (CAREY AVENUE TO LONE MOUNTAIN ROAD), IN AN AMOUNT NOT TO EXCEED \$5,015,000 FOR THE**

**COST OF PRELIMINARY ENGINEERING, FINAL DESIGN, CONSTRUCTION MANAGEMENT, AND RELATED COSTS TO BE COMPLETED BY DECEMBER 31, 2007. (CNLV CONTRACT NO. 5869)**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

- 31. APPROVAL OF INTERLOCAL CONTRACT NO. 494, WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR THE NORTH LAS VEGAS BUS TURNOUTS PROJECT, IN AN AMOUNT NOT TO EXCEED \$2,300,000 FOR THE COST OF PRELIMINARY ENGINEERING, FINAL DESIGN, RIGHT-OF-WAY ACQUISITIONS, CONSTRUCTION MANAGEMENT AND CONSTRUCTION TO BE COMPLETED BY DECEMBER 31, 2007. (CNLV CONTRACT NO. C-5870)**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

- 32. APPROVAL OF INTERLOCAL CONTRACT NO. 495, WITH THE REGIONAL TRANSPORTATION COMMISSION OF SOUTHERN NEVADA FOR ENTITY NON-PROJECT SPECIFIC EXPENSES FOR FISCAL YEAR 2004/05, JULY 1, 2004 TO JUNE 30, 2005, IN AN AMOUNT NOT TO EXCEED \$120,000, TO HAVE THE RTC REIMBURSE THE CITY THE FULLY BURDENED RATE FOR CITY EMPLOYEES WHO PERFORM RTC-RELATED WORK THAT IS NOT ASSOCIATED WITH SPECIFIC TRANSPORTATION CONSTRUCTION PROJECTS. (CNLV CONTRACT NO. C-5871)**

ACTION: APPROVED

MOTION: Councilwoman Smith

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

**33. APPROVAL OF A WAIVER OF THE HOUSING AUTHORITY OF THE CITY OF NORTH LAS VEGAS REQUIREMENT TO MAKE A PAYMENT IN LIEU OF TAXES FOR THE FISCAL YEAR ENDING JUNE 30, 2004 IN THE AMOUNT OF \$14,023.73.**

ACTION: APPROVED

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

**ORDINANCES**  
**INTRODUCTION ONLY**

**34. ORDINANCE NO. 2083; 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 9.06± ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-129-04, GOWAN AND COMMERCE), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 2, 2005) (ASSOCIATED ITEM NOS. 35, ORDINANCE NO. 2084, ZN-128-04 AND NO. 19, AMP-111-04)**

Ordinance No. 2083 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 9.06± ACRES THEREIN FROM A PUD PLANNED UNIT

DEVELOPMENT DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-129-04, GOWAN AND COMMERCE), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF GOWAN ROAD AND COMMERCE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR FEBRUARY 2, 2005

35. **ORDINANCE NO. 2084; 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 13.17± ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-128-04, GOWAN AND COMMERCE), FOR PROPERTY LOCATED WEST OF GOWAN ROAD AND APPROXIMATELY 400 FEET NORTH OF COMMERCE STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 2, 2005) (ASSOCIATED ITEM NOS. 34, ORDINANCE NO. 2083, ZN-129-04 AND NO. 19, AMP-111-04)**

Ordinance No. 2084 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 13.17± ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-128-04, GOWAN AND COMMERCE), FOR PROPERTY LOCATED WEST OF GOWAN ROAD AND APPROXIMATELY 400 FEET NORTH OF COMMERCE STREET, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR FEBRUARY 2, 2005

36. **ORDINANCE NO. 2085; 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 2.0± ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-132-04, RAVENHILL COMMERCIAL SITE), FOR PROPERTY LOCATED AT THE NORTHWEST**

**CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD  
AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.  
(SET FINAL ACTION FOR FEBRUARY 2, 2005) (ASSOCIATED ITEM NO. 20,  
AMP-112-04)**

Ordinance No. 2085 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 2.0± ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-132-04, RAVENHILL COMMERCIAL SITE), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF CHEYENNE AVENUE AND MARTIN LUTHER KING BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR FEBRUARY 2, 2005

37. **ORDINANCE NO. 2086; 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 8.63± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-125-04, STORAGE WEST - CENTENNIAL), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 2, 2005)**

Ordinance No. 2086 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 8.63± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT (ZN-125-04, STORAGE WEST - CENTENNIAL), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND DONNA STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR FEBRUARY 2, 2005

38. **ORDINANCE NO. 2087; AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1794 WHICH RECLASSIFIED APPROXIMATELY 9.24 ACRES THEREIN FROM R-E RANCH ESTATES TO PUD PLANNED UNIT DEVELOPMENT (ZN-26-03, VENTANA @ SIERRA MONTANA), BY MODIFYING THE CONDITIONS PERTAINING TO THE PROCESS BY WHICH THE OPEN SPACE IS TO BE CONSTRUCTED, FOR PROPERTY GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 300 FEET NORTH OF ANN ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 2, 2005)**

Ordinance No. 2087 as introduced by the City Clerk:

AN ORDINANCE RELATED TO ZONING; AMENDING ORDINANCE NUMBER 1794 WHICH RECLASSIFIED APPROXIMATELY 9.24 ACRES THEREIN FROM R-E RANCH ESTATES TO PUD PLANNED UNIT DEVELOPMENT (ZN-26-03, VENTANA @ SIERRA MONTANA), BY MODIFYING THE CONDITIONS PERTAINING TO THE PROCESS BY WHICH THE OPEN SPACE IS TO BE CONSTRUCTED, FOR PROPERTY GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 300 FEET NORTH OF ANN ROAD; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR FEBRUARY 2, 2005

39. **ORDINANCE NO. 2088; 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 1.4± ACRES THEREIN FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-117-04, TROPICAL POINT), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR FEBRUARY 2, 2005) (ASSOCIATED ITEM NO. 18, AMP-102-04)**

Ordinance No. 2088 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 1.4± ACRES THEREIN FROM AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-117-04, TROPICAL POINT), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF ANN ROAD AND TROPICAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR FEBRUARY 2, 2005

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

2. **AMP-98-04 (NWC ALLEN LANE & LAKE MEAD BLVD.); AN APPLICATION SUBMITTED BY AMERICAN LAND HOLDINGS, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF RESORT COMMERCIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE. (ASSOCIATED ITEM NO. 42, ORDINANCE NO. 2075, ZN-111-04)**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart stated Staff and Planning Commission recommended approval.

**Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas,** appeared on behalf of the applicant and asked for Council's approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

42. **ORDINANCE NO. 2075; 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 42.59**



**ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-111-04, NWC ALLEN LANE & LAKE MEAD BLVD.), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ALLEN LANE AND LAKE MEAD BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 2, AMP-98-04)**

Ordinance No. 2075 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 42.59 ACRES THEREIN FROM M-2, GENERAL INDUSTRIAL DISTRICT, TO C-2, GENERAL COMMERCIAL DISTRICT (ZN-111-04, NWC ALLEN LANE & LAKE MEAD BLVD.), FOR PROPERTY LOCATED AT THE NORTHWEST CORNER OF ALLEN LANE AND LAKE MEAD BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

3. **AMP-100-04 (LA GRANGE RESIDENTIAL); AN APPLICATION SUBMITTED BY LAND BARON ON BEHALF OF LAGRANGE, LLC AND MIKE CHERNINE SEPARATE PARTY PPTY TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MDR MEDIUM DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 277 FEET NORTH OF CENTENNIAL PARKWAY. (ASSOCIATED ITEM NO. 43, ORDINANCE NO. 2076, ZN-120-04)**

Mayor Montandon opened the Public Hearing.

Planning and Development Director Jory Stewart stated Staff recommended approval of

this AMP as well as the final action on ZN-120-04.

**Dave Clapsaddle, GC Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson,** stated there was a meeting with the Homeowners' Association and all agreed to have a deed restriction placed on the property which provided a minimum ten-foot wide landscape planter with a double row of 24-inch boxed trees, 20 feet on center, to give the neighbors a buffer from any future development. He said some of the neighbors were present at the meeting and were prepared to speak.

**Richard Chirchio, 417 Horse Pointe Avenue, North Las Vegas,** said he approved of the change in zoning with the landscape buffer. He said he and his neighbors were concerned developers would build two-story homes in the area which would invade the privacy of the single-story homeowners. He added he and his neighbors wanted a condition included in the ordinance to prevent developers from building two-story homes in the area.

**Harry Himmenger, 331 River Glider, Avenue North Las Vegas,** said he was a member of the Board of Directors of The Parks Homeowners' Association and he approved of the change in zoning. He said the homeowners asked him to speak to Council on their behalf as they were very upset about the possibility of developers building two-story homes in their area and asked Council to ensure the developers adhered to the condition the buffer would be installed on the property. Councilman Buck said Council did not have the legal ability to make developers build one-story homes but future developers could be made aware of the single-family homeowners' concerns.

Councilwoman Smith asked if a condition could be put on an approval wherein the tentative map came back to the Council for this particular project. City Attorney Sean McGowan responded if the tentative map did not come back to the Council, it would be decided at the Planning Commission level. She asked City Attorney McGowan if it could be approved with conditions at the time and he replied it could not.

**Terry Urquhart, 6624 Montezuma Castle Lane, North Las Vegas,** said he was not a member of the Board of Directors of the Homeowners' Association but was speaking as a resident. He said he was not in favor of AMP-100-04.

Councilman Buck asked what the square footage of the lots in The Parks was and Mayor Montandon responded they were 4500 square feet on one side and 6000 square feet on the other side. Director Stewart said the land referred to in this proposal contained the 4500 square-foot lots and was zoned medium-low. She added the property east of the site was zoned R-2 medium density residential.

Mayor Montandon asked City Attorney McGowan if Council could conditionally approve this item with the deed restrictions on the zoning or if they had to wait for the tentative map. City Attorney McGowan replied Council needed to wait for the tentative map. He asked

if the condition could be put on the record at the time to go to the Planning Commission and City Attorney McGowan responded it could.

Councilwoman Smith asked Director Stewart what was planned for the property directly to the west of the property in question. Director Stewart replied that was the area zoned for 4500 square-foot lots. She said the property across the street was zoned R-2.

City Attorney McGowan pointed out if the Planning Commission did not accept the condition, the residents could appeal the decision and bring it back to City Council. Director Stewart said she understood the deed restriction with the ten-foot buffer would be in addition to any setback requirements which were in the design standards of the code. Mr. Clapsaddle said that was correct. He added if there were a single-family project going on this property at the time, R-2 zoning would not require a landscape buffer. If someone came in with a multi-family project, the design standards would require a 20-foot buffer. Director Stewart responded that would require a 50-foot setback, not a 20-foot setback. He assured Council and the homeowners if single-family units were built in the area, they would get the ten-foot buffer, the double row of trees 20 feet on center, double spaced, and he wanted it on the record this was the minimum buffer on this property. Director Stewart said if that stipulation were not made, the developer could come in with a standard single-family project and still do two stories with a 15-foot setback.

In answer to a question from Councilman Buck, Director Stewart explained R-2 zoning would allow a single-family duplex or triplex. She said with multi-family, which consisted of triplex and above, a different set of design standards applied. Councilman Buck said she noticed the property east of Commerce was zoned medium density but west of Commerce the area was zoned medium-low density. She suggested the property be zoned medium-low, rather than medium. Mr. Clapsaddle explained the developer attempted to mirror exactly what was on the other side of Commerce. He said the property zoned R-2 was on the northeast corner of Centennial and Commerce and the property in question was on the northwest corner.

Mayor Montandon closed the Public Hearing.

Councilman Eliason asked Director Stewart about the vacant property west of the site and she responded it was a PUD for 4500 square-foot lots. She suggested Council approve the property for medium-low, withdraw item 43 and come back with zoning for a PUD for 4500 square-foot lots which would make it consistent with the property to the west.

**ACTION:** APPROVED FOR MEDIUM-LOW DENSITY

**MOTION:** Councilman Eliason

**SECOND:** Councilwoman Smith

**AYES:** Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,

Buck and Eliason  
NAYS: None  
ABSTAIN: None

Mayor Montandon told Mr. Clapsaddle that item 43, Ordinance No. 2076, was not consistent with the Master Plan. Mr. Clapsaddle asked to confer with his client. Mayor Montandon agreed to trail item 43 until Mr. Clapsaddle conferred with his client. Item 43 was heard after Item 41.

4. **AMP-101-04 (ILIA BEZANSKI); AN APPLICATION SUBMITTED BY ILIA BEZANSKI, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO OFFICE ON PROPERTY LOCATED WEST OF PECOS ROAD APPROXIMATELY 100 FEET SOUTH OF TABOR COURT. (ASSOCIATED ITEM NO. 44, ORDINANCE NO. 2077, ZN-121-04)**

Mayor Montandon opened the Public Hearing.

Director Stewart reported this item came before Council once before as a commercial proposal and the applicant came back with a less intense proposal for an office property. Staff supported this application as did the Planning Commission.

**Harold Foster, 3230 Polaris Avenue, Las Vegas**, represented the applicant and asked for Council's approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore William Robinson

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

NAYS: None

ABSTAIN: None

44. **ORDINANCE NO. 2077; 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 0.6± ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT (ZN-121-04, ILIA BEZANSKI), FOR PROPERTY LOCATED WEST OF PECOS ROAD APPROXIMATELY 100 FEET SOUTH OF TABOR COURT AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 4, AMP-101-04)**

Ordinance No. 2077 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 0.6± ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A C-P PROFESSIONAL OFFICE COMMERCIAL DISTRICT (ZN-121-04, ILIA BEZANSKI), FOR PROPERTY LOCATED WEST OF PECOS ROAD APPROXIMATELY 100 FEET SOUTH OF TABOR COURT 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

5. **AMP-106-04 (VENTANA @ SIERRA MONTANA); AN APPLICATION SUBMITTED BY BEAZER HOMES ON BEHALF OF ROZEN ARTHUR TRUST, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LDR LOW DENSITY RESIDENTIAL TO MLDR MEDIUM LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET. (ASSOCIATED ITEM NO. 46, ORDINANCE NO. 2079, ZN-123-04)**

Mayor Montandon opened the Public Hearing.

Director Stewart stated the applicant intended to build 28 single-family homes with a minimum lot size of 4500 square feet and to incorporate this site into the Planned Unit Development (PUD) to the north. The applicant planned to build a park prior to the 25<sup>th</sup> building permit as part of the PUD. Staff recommended approval of the application and the zone change, which was approved by the Planning Commission.

**Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas**, gave a presentation on behalf of the applicant and said there was a long history of development failure on two parcels along Ann Road over the years due to developers who had not committed to the full improvements required. As a result, these vacant parcels have gone through bankruptcy proceedings. The applicant attempted to incorporate the two parcels and requested a zone change on this land for twenty-eight 4500 square-foot lots. He said the project consisted of two phases and included a park which the applicant agreed would be completed by the 40<sup>th</sup> building permit in Phase I. He said there was a condition on the zone change PUD for Phase II which stated the park must be constructed before any building permits could be pulled. He said the applicant agreed to this condition because the park would have been completed before the second phase of the project was begun.

Director Stewart corrected her earlier statement that the applicant would build a park prior to the 25<sup>th</sup> building permit and said the condition was changed to the 40<sup>th</sup> building permit at the Planning Commission. Councilman Buck asked if there was access to the park and Mr. Gronauer responded there was.

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

46. **ORDINANCE NO. 2079; 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 5.77 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-123-04, VENTANA @ SIERRA MONTANA), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE STREET, AND PROVIDING FOR OTHER**

**MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 5, AMP-106-04)**

Ordinance No. 2079 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 5.77 ACRES THEREIN FROM R-E, RANCH ESTATES DISTRICT TO PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-123-04, VENTANA @ SIERRA MONTANA), FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF ANN ROAD AND COMMERCE 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

6. **UN-59-03 (JV PROPERTIES, LLC): AN APPLICATION SUBMITTED BY JV PROPERTIES, LLC, PROPERTY OWNER, TO AMEND A CONDITION OF A PREVIOUSLY APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF CLARK COUNTY ROAD 215 AND MILITARY ROAD.**

Mayor Montandon opened the public hearing.

Planning and Development Director Jory Stewart stated the applicant requested a change to a condition which applied to paved access to the base of the sign pole. She said the applicant requested to provide paved access to the site, which complied with Air Quality Management requirements. The Planning Commission recommended approval of this change of condition.

**Bob Gronauer, 3800 Howard Hughes Parkway, Las Vegas,** represented the applicant

and stated the use permit for items 6 and 7 had been previously approved and this was a review of conditions. He requested Council approve this item.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

7. **UN-60-03 (FLF 98, LLC); AN APPLICATION SUBMITTED BY FLF 98, LLC, PROPERTY OWNER, TO AMEND A CONDITION OF A PREVIOUSLY APPROVED USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW AN OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF REGENA AVENUE AND RANGE ROAD.**

Mayor Montandon opened the Public Hearing.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

8. **UN-133-04 (SECURED STORAGE, LLC); AN APPLICATION SUBMITTED BY SECURED STORAGE, LLC, PROPERTY OWNER, FOR A USE PERMIT IN AN M-2 GENERAL INDUSTRIAL DISTRICT TO ALLOW A 100-FOOT HIGH OFF-PREMISE SIGN (BILLBOARD) ON PROPERTY GENERALLY LOCATED APPROXIMATELY 172 FEET SOUTHEAST OF THE NORTH FIFTH STREET AND**



**LOSEE ROAD INTERSECTION.**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO FEBRUARY 16, 2005

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

**ORDINANCES**  
**FINAL ACTION**

40. **ORDINANCE NO. 2072; 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 22.19 ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-51-04, LONE MOUNTAIN AND LOSEE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LOSEE ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2072 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 22.19 ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-51-04, LONE MOUNTAIN AND LOSEE), FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF WASHBURN ROAD AND LOSEE ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Because of a business relationship with the broker involved in this project, Mayor Montandon abstained from voting on this ordinance.

ACTION: PASSED AND ADOPTED

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

41. **ORDINANCE NO. 2074; 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 20.97± ACRES THEREIN FROM AN M-1, BUSINESS PARK INDUSTRIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-103-04, ROSE LAKE 20), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND PECOS ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2074 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 20.97± ACRES THEREIN FROM AN M-1, BUSINESS PARK INDUSTRIAL DISTRICT TO AN R-3, MULTI-FAMILY RESIDENTIAL DISTRICT (ZN-103-04, ROSE LAKE 20), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF TROPICAL PARKWAY AND PECOS ROAD, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

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

43. **ORDINANCE NO. 2076; 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 6 ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO AN R-2, TWO-FAMILY RESIDENTIAL DISTRICT (ZN-120-04, LA GRANGE), FOR PROPERTY**

**GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 277 FEET NORTH OF CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 3, AMP-100-04)**

Ordinance No. 2076 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 6 ACRES THEREIN FROM AN R-E, RANCH ESTATES DISTRICT TO AN R-2, TWO-FAMILY RESIDENTIAL DISTRICT (ZN-120-04, LA GRANGE), FOR PROPERTY GENERALLY LOCATED WEST OF COMMERCE STREET AND APPROXIMATELY 277 FEET NORTH OF CENTENNIAL PARKWAY AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

**Dave Clapsaddle of GC Garcia, Inc., 1711 Whitney Mesa Drive, Suite 110, Henderson,** said he conferred with the applicant and R-1 zoning was acceptable but they wanted to come back with a Planned Unit Development (PUD) for the same zoning as the property owners to the west. He stated with R-1 zoning, the applicant would no longer provide the ten-foot wide landscape planter that would have been available with the R-2 zoning. He said if given the option to come back with a PUD, the applicant would subsequently come back to file again. Mayor Montandon asked City Attorney McGowan if Council could entertain R-1 zoning as a lesser zoning request and he replied they could.

Mayor Pro Tempore Robinson asked Mr. Clapsaddle if the change in zoning would be for single-story homes. Mr. Clapsaddle responded R-1 would allow both one and two-story homes and that was a condition the applicant would not agree to. He said the applicant agreed to R-1 with the option to come back with a PUD to do exactly what their neighbors to the west had done.

ACTION: PASSED AND ADOPTED AS AMENDED TO R-1

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

**45. ORDINANCE NO. 2078; 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 1.04± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-119-04, NORTH 5<sup>TH</sup> & REGENA), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTH 5<sup>TH</sup> STREET AND REGENA AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2078 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 1.04± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT (ZN-119-04, NORTH 5<sup>TH</sup> & REGENA), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTH 5<sup>TH</sup> STREET AND REGENA AVENUE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Director Jory Stewart said this item was consistent with the Comprehensive Plan and there was no Master Plan Amendment required. The Planning Department and Planning Commission unanimously recommended approval.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

47. **ORDINANCE NO. 2080; 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 5.21 ACRES THEREIN FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-122-04, GOWAN INDUSTRIAL), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2080 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 5.21 ACRES THEREIN FROM AN R-1, SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN M-2, GENERAL INDUSTRIAL DISTRICT (ZN-122-04, GOWAN INDUSTRIAL), FOR PROPERTY LOCATED AT THE NORTHEAST CORNER OF GOWAN ROAD AND CIVIC CENTER DRIVE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Planning and Development Director Jory Stewart said Staff recommended approval as the subject site was surrounded by industrial properties which made it consistent with those properties. The Planning Commission recommended approval.

Councilman Buck said Lois Craig Elementary School was located across the street from this area and expressed concern that children may wander on to this site. Director Stewart replied the applicant intended to develop single-story office warehouse buildings. Councilman Buck asked if the area could be zoned M-1 instead of M-2 and Director Stewart said if anything hazardous were to be planned for this site, it would have to come before the Planning Commission for a use permit.

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

**48. ORDINANCE NO. 2081; AN ORDINANCE AMENDING TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS, RELATING TO ZONING (ZOA-15-04); AMENDING SECTION 17.20.140 (C), TO ADD CHURCHES AS A SPECIAL USE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2081 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-15-04); AMENDING SECTION 17.20.140 (C), TO ADD CHURCHES AS A SPECIAL USE, AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Mayor Montandon asked for clarification on the wording of the item. The agenda stated “to add churches as a special use” and the documentation said “to add churches as a principally permitted use”. Director Stewart stated the request was initially for principally permitted use but it was noticed for special use. The applicant indicated he did not understand the meaning and he was really interested in applying for churches as a special use. Mayor Montandon stated, although the documentation said “principally permitted use”, the Council would have to vote on “special use” because of the way it was posted.

**Dean Sanner, 6329 Lawrence Street, North Las Vegas,** said his purpose was to open a church in North Las Vegas but found there was no available property. He said his request for a special use permit was denied by the Planning Commission. Director Stewart stated Staff did not object to eliminating the stand-alone language and compliance with commercial design standards. However, she added the Economic Development Department stated churches typically were located in residential areas because they served residential populations and did not encourage the mixing of heavy industrial areas with buildings where people congregate. Mayor Montandon said he personally supported special use permits for churches but in a heavy industrial area, the industrial uses would take priority over the church. Mr. Sanner submitted a typed copy of the amendment to Planning and Development Manager Marc Jordan. Mayor Montandon read the names of the petitioners in support of the ordinance:

**Joshua and Natalie Greer, 3320 S. Fort Apache Road #124, Las Vegas**  
**Douglas, Brian and Dana Gilbert, 905 Bear Gulch Court, North Las Vegas**  
**Brian Baird, 6329 Lawrence Street, North Las Vegas**  
**Jenell, Kelsey and Lindsey Sanner, 6329 Lawrence Street, North Las Vegas**  
**Ray Lawrence, 7086 Painted Paradise Street, Las Vegas**  
**Lisa and Donald Hales, 9344 Canyon Shadows Lane, Las Vegas**  
**Judy Smith, 901 Meadbrook Street, Las Vegas**  
**Shawna Neely, 9050 West Warm Springs Road #2167, Las Vegas**  
**Bob Tauber, 1717 Santiago Drive, Henderson**

Councilwoman Smith expressed her concerns about adding churches as a special use.

Councilman Buck expressed her support for the ordinance. She added as long as each

case was evaluated separately, the ordinance should be approved.

ACTION: AMENDMENT APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

ACTION: ORDINANCE PASSED AND ADOPTED AS AMENDED

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

**49. ADOPTION OF BUSINESS IMPACT STATEMENT REGARDING ORDINANCE NO. 2082 REGULATING THE PRACTICE OF MASSAGE AND THE LICENSING OF MASSAGE THERAPISTS AND MASSAGE ESTABLISHMENTS.**

Finance Director Phil Stoeckinger stated at the Public Business Impact Hearing two citizens spoke about their concerns regarding this ordinance. The first was concerned about the requirements set forth by Planning and Development and the Building Department. If those requirements were met, improvements had to be put in place which would cost the owner approximately \$100,000. The second citizen, who was a licensed massage therapist in Las Vegas, requested approval to perform outcall massage therapy without having to graduate from an accredited massage school.

Councilman Buck left Chambers at 7:20 p.m.

ACTION: ADOPTED

MOTION: Councilwoman Smith

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

Councilman Buck returned to Chambers at 7:23 p.m.

50. **ORDINANCE NO. 2082; AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL REPEALING IN ITS ENTIRETY CHAPTER 28 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE AND ADDING A NEW CHAPTER, DESIGNATED AS CHAPTER 28, REGULATING THE PRACTICE OF MASSAGE AND THE LICENSING OF MASSAGE THERAPISTS AND MASSAGE ESTABLISHMENTS.**

Ordinance No. 2082 as introduced by the City Manager:

AN ORDINANCE OF THE NORTH LAS VEGAS CITY COUNCIL REPEALING IN ITS ENTIRETY CHAPTER 28 OF TITLE 5 OF THE NORTH LAS VEGAS MUNICIPAL CODE AND ADDING A NEW CHAPTER, DESIGNATED AS CHAPTER 28, REGULATING THE PRACTICE OF MASSAGE AND THE LICENSING OF MASSAGE THERAPISTS AND MASSAGE ESTABLISHMENTS.

City Attorney Sean McGowan said this item came to the City via a citizen request. He described the highlights of the proposal which stated licensed massage therapists could engage in business in the City of North Las Vegas following the demonstration of requisite training, schooling and certification by a national board. A background investigation by the Police Department was also required.

**Clarence Larry Huff, 2619 Exulted Valley Avenue, North Las Vegas,** presented Council with a petition with 64 signatures of North Las Vegas residents who opposed Section 5.28.080(B) of the ordinance. Councilman Buck said the petition signed by the 64 North Las Vegas residents contained inaccurate statements regarding experience, education and certification.

**Ann Marie Homer, 2741 Reynolds Avenue, North Las Vegas,** said she was a certified massage therapist and a graduate of a nationally accredited school and spoke in favor of the ordinance.



**Charles Williams, 5422 Cypress Creek Street, North Las Vegas,** spoke in favor of the ordinance. He said he completed 600 hours of massage therapy school and described the requirements necessary to graduate and become nationally certified.

**Billie Shea, 1868 Fair Way, Carson City,** said she was President of the Nevada Chapter of the American Massage Therapy Association and spoke in favor of the ordinance. She was in favor of establishing a State Licensing Board to regulate massage therapy businesses in Nevada and ensure all massage therapists were properly educated and licensed.

**Virginia Brewster, 6109 Casper Sands Court, North Las Vegas,** said she was against the passage of the ordinance and expressed her concerns about safety and liability issues.

**Persephone Thompson, 7001 West Charleston Avenue #2054, Las Vegas,** stated she was a firefighter and frequently utilized home massage therapy. She asked Council to pass the ordinance.

**Jean DeMarchis, 6647 Montezuma Castle Lane, North Las Vegas,** stated she was one of the owners of Massage and Healthy Body Wellness Center and spoke in opposition of the ordinance.

**Tom DeMarchis, 6647 Montezuma Castle Lane, North Las Vegas,** spoke in opposition of the ordinance.

**Donna Vicchiullo, 6580 Whispering Sands Drive, Las Vegas,** a massage therapist, stated she was not against outcall massage therapy but would like to have more stringent safety restrictions placed on it.

**Tanya Robinson, 2301 Webster Street, North Las Vegas,** presented each Council member with a copy of *Las Vegas Weekly*, a local magazine, in which there was an article depicting negative connotations about massage therapy.

**Darlene Shreve, 6307 Don Zarembo Avenue, Las Vegas,** said she was a licensed massage therapist in North Las Vegas and a member of the American Massage Therapy Association. She stated the ordinance contained a contradiction regarding the licensing requirements for a massage therapist in that it stated a therapist did not have to be a graduate of an accredited school in order to be licensed in North Las Vegas. She voiced her concern about graduates of non-accredited schools performing massage therapy.

**Deshawn Lunford, 4578 Carriage Lane, Las Vegas,** stated she was a student at the Nevada School of Massage Therapy and spoke in favor of the ordinance.

**Andrea Lynn Feldman, 2612 West El Campo Grande Avenue, North Las Vegas,** said she was a massage therapist and spoke in favor of the ordinance.

Councilman Buck asked Police Chief Mark Paresi if the proposed ordinance contained verbiage that protected the citizens and ensured the businesses would be legitimate. Chief Paresi said an extensive background investigation would be conducted prior to the issuance of a massage therapy license and there was a requirement for annual work card renewal at which time a subsequent background investigation would be conducted before renewal was granted. He said he reviewed the conditions contained in the ordinance and felt secure the safeguards were in place to protect the City. Councilman Buck and Chief Paresi said there were measures established to conduct unannounced visits to ensure the legitimacy of the business.

Councilwoman Smith asked Billie Shea, President of the Nevada Chapter of the American Massage Therapy Association, about the number of hours required to acquire a national license. Ms. Shea said there were 34 states which required licensure and most of those states required between 500-600 hours. She said post-secondary education in Nevada required 500 hours of in-class lecture and lab and over 100 hours of practical massage experience. There were other states that required between 700-1000 hours. In order to test for certification with the National Certification Board, a minimum of 500 hours was required. The National Certification Board could conduct an audit of a certified massage therapist at any time and, if they deemed the therapist to be inappropriate, could revoke the therapist's certification. Councilwoman Smith asked Ms. Shea how many hours of continuing education was required and Ms. Shea responded 48 hours every four years.

Councilwoman Smith asked City Attorney McGowan about the liability issues and if proof of liability insurance would be required. City Attorney McGowan replied the liability insurance requirement was not included in the ordinance proposal but stated it would be a prudent business practice for the therapist/business owner to obtain the insurance. He said the issuance of insurance and/or bonding was the responsibility of the massage therapist and/or business owner. Councilwoman Smith asked if there was a requirement stating a massage therapist was required to be part of an established business. Senior Deputy City Attorney Jim Lewis stated the City of North Las Vegas was the only entity which required a massage therapist to be connected with a "bricks and mortar" business. She asked if a program such as "A Pat on the Back" would be permitted in North Las Vegas under the proposed ordinance and Senior Deputy City Attorney Lewis responded it would not. Councilwoman Smith quoted a section of the ordinance which stated a person who was licensed on the effective date of the ordinance but was not certified may only work at a licensed massage establishment. She asked Senior Deputy City Attorney Lewis if this precluded a non-certified therapist from performing outcall massage therapy and he responded it did.

Mayor Pro Tempore Robinson asked Chief Paresi how the massage therapists would be monitored. Chief Paresi said the Police Department would conduct unannounced random checks of the businesses.

Senior Deputy City Attorney Lewis asked Council to have several text amendments entered into the record for Council consideration. There were several typographical errors and one was a change which was necessary for the Planning and Development Department.

**ACTION: AMENDMENTS APPROVED AS FOLLOWS:**

- 5.28.070 had two subsection "E's"; change the second one to an "F";
- 5.28.100, second sentence reads "heath" instead of "health";
- 5.28.140A, first sentence reads "licenced", should be "licensed";
- 5.28.180, "licence" should read "license".

Strike 5.28.130, "Massage Establishment–License" and replace with the following:

- A. A massage establishment license allows the holder to operate a massage establishment.
- B. Prior to being issued a massage establishment license, all applicants seeking such license must obtain all necessary land use approvals in accordance with Title XVII of this code.

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

**ACTION: ORDINANCE PASSED AND ADOPTED AS AMENDED**

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

### **COUNCIL ITEMS**

Councilman Buck requested a workshop to determine if developers could be required to install roadways first in an attempt to alleviate some traffic problems in the faster-growing areas. City Manager Rose said he would direct Public Works Director Jim Bell to prepare a presentation for Council to outline some of the alternatives.

Councilman Buck asked if there had been a special use permit requested for the pot belly pig. Planning and Development Director Jory Stewart said a letter was being prepared to the pig's guardian requesting the application be submitted within 30 days.

### **CITY MANAGER'S REPORT**

No report was given.

### **PUBLIC FORUM**

**William Parker, 2208 Matheson Street, North Las Vegas,** spoke about street maintenance problems at Gilday and Revere. He said there were problems with standing water and potholes at the intersection and the street was deteriorated on Revere to Lake Mead. Mayor Montandon stated Public Works Director Bell would contact him and provide him with the street maintenance schedule.

Another issue Mr. Parker was concerned about was when the wind blew, the covers on the classic cars in his neighborhood came off and left the vehicles uncovered.

### **ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 8:28 P.M.

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

**APPROVED: APRIL 6, 2005**

---

Mayor Michael L. Montandon

**ATTEST:**

---

Karen L. Storms, CMC  
City Clerk