

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

January 18, 2006

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

CITY COUNCIL MEETING

CALL TO ORDER

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

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	Human Resources Director Ali R. Freeman
Assistant City Manager Sam Chambers	Information Technology Director Steve Chapin
Assistant City Manager Maryann Ustick	Parks & Recreation Director Mike Henley
Acting City Attorney Carie Torrence	Planning and Zoning Director Jory Stewart
City Clerk Karen Storms	Planning and Zoning Manager Marc Jordan
Economic Development Director Mike Majewski	Police Chief Mark Paresi
Finance Director Phil Stoeckinger	Public Works Director Jim Bell
Fire Chief Al Gillelspeie	Utilities Director David Bereskin
General Services Director Eric Dabney	Chief Deputy City Clerk Anita Sheldon

VERIFICATION

Karen L. Storms, CMC
City Clerk

INVOCATION

Pastor Kevin Bergeson
Community Lutheran Church

PLEDGE OF ALLEGIANCE

Councilwoman Stephanie S. Smith

PUBLIC FORUM

There was no public participation.

PRESENTATIONS

★ **PRESENTATION OF THE GOVERNMENT FINANCE OFFICERS' ASSOCIATION
DISTINGUISHED BUDGET AWARD FOR BUDGET DOCUMENT PUBLICATION**

ACTION: PRESENTATION MADE

Finance Director Phil Stoeckinger presented the award and advised this was the 24th year the City was awarded this honor.

★ **PRESENTATION OF THE GOVERNMENT FINANCE OFFICERS' ASSOCIATION
CERTIFICATE OF ACHIEVEMENT FOR EXCELLENCE IN FINANCIAL
REPORTING FOR THE COMPREHENSIVE ANNUAL FINANCIAL REPORT**

Finance Director Phil Stoeckinger advised the City of North Las Vegas was the only city in the State of Nevada and one of only nine local governments to receive this award. He commended Staff for their efforts and hard work.

ACTION: PRESENTATION MADE

AGENDA

1. **APPROVAL OF THE REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING
AGENDA OF JANUARY 18, 2006.**

ACTION: APPROVED, AS AMENDED: ITEM NOS. 2, 10, 14, 51, 52 AND 59 CONTINUED TO FEBRUARY 1, 2006; ITEM NOS. 13 AND 53 CONTINUED TO FEBRUARY 15, 2006; ITEM NOS. 11 AND 12 CONTINUED TO APRIL 19, 2006; ITEMS NOS. 6 AND 54 WITHDRAWN WITHOUT PREJUDICE.

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

CONSENT AGENDA

Mayor Montandon directed that Item No. 30 be pulled from the Consent Agenda as the applicant requested to speak.

19. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH THE STATE OF NEVADA, PUBLIC WORKS BOARD, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT GRAND TETON DRIVE AND DECATUR BOULEVARD IN THE AMOUNT OF \$8,674 OR 1.2% OF THE TOTAL COST; ELKHORN ROAD AND DECATUR BOULEVARD IN THE AMOUNT OF \$58,973 OR 11.1% OF THE TOTAL COST; BELTWAY EB AND DECATUR BOULEVARD IN THE AMOUNT OF \$10,025 OR 8.0% OF THE TOTAL COST; AND BELTWAY WB AND DECATUR BOULEVARD IN THE AMOUNT OF \$7,436 OR 1.2% OF THE TOTAL COST, FOR THE DECATUR DMV PROJECT, LOCATED ON THE SOUTHEAST CORNER OF ELKHORN ROAD AND DECATUR BOULEVARD.**

ACTION: PAYMENT ACCEPTED

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. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH TOUSA HOMES, INC., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LONE MOUNTAIN ROAD AND BRUCE STREET IN THE AMOUNT OF \$6,395 OR 1.3% OF THE TOTAL COST; LONE MOUNTAIN ROAD AND LOSEE ROAD IN THE AMOUNT OF**

\$24,673 OR 4.3% OF THE TOTAL COST; WASHBURN ROAD AND LOSEE ROAD IN THE AMOUNT OF \$10,331 OR 2.1% OF THE TOTAL COST, AND WASHBURN ROAD AND BRUCE STREET IN THE AMOUNT OF \$6,197 OR 1.0% OF THE TOTAL COST, FOR THE LONE MOUNTAIN/LAWRENCE RESIDENTIAL SUBDIVISION, LOCATED ON THE NORTHWEST CORNER OF LONE MOUNTAIN ROAD AND LAWRENCE STREET.

ACTION: PAYMENT ACCEPTED

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. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH TOUSA HOMES, INC., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT ANN ROAD AND COMMERCE STREET IN THE AMOUNT OF \$11,314 OR 2.3% OF THE TOTAL COST; TROPICAL PARKWAY AND COMMERCE STREET IN THE AMOUNT OF \$8,501 OR 1.6% OF THE TOTAL COST; AND WASHBURN ROAD AND COMMERCE STREET IN THE AMOUNT OF \$12,220 OR 2.3% OF THE TOTAL COST, FOR THE ANN/COMMERCE STREET RESIDENTIAL SUBDIVISION, LOCATED ON THE SOUTHWEST CORNER OF ANN ROAD AND COMMERCE STREET.**

ACTION: PAYMENT ACCEPTED

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. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH REAL HOMES, A DIVISION OF CENTEX HOMES, FOR THEIR SHARE OF THE COST OF**

LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT BELTWAY EB AND LOSEE ROAD IN THE AMOUNT OF \$4,919 OR 1.0% OF THE TOTAL COST; BELTWAY WB AND PECOS ROAD IN THE AMOUNT OF \$7,228 OR 1.0% OF THE TOTAL COST; ANN ROAD AND LOSEE ROAD IN THE AMOUNT OF \$4,919 OR 1.0% OF THE TOTAL COST; CENTENNIAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF \$5,319 OR 1.0% OF THE TOTAL COST; AND TROPICAL PARKWAY AND PECOS ROAD IN THE AMOUNT OF \$5,466 OR 1.2% OF THE TOTAL COST, FOR THE ROSE LAKE RESIDENTIAL SUBDIVISION LOCATED ON THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND PECOS ROAD.

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

23. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH AMTI SUNBELT, LLP, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CRAIG ROAD AND VANDENBERG STREET IN THE AMOUNT OF \$8,033 OR 1.4% OF THE TOTAL COST, AND LONE MOUNTAIN ROAD AND LAMB BOULEVARD IN THE AMOUNT OF \$5,738 OR 1.0% OF THE TOTAL COST, FOR THE CIND-R-LITE STORAGE YARD, LOCATED ON THE NORTH SIDE OF LONE MOUNTAIN ROAD, APPROXIMATELY 350 FEET WEST OF VANDENBERG STREET.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

24. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH COLLEGE PARK REALTY COMPANY, FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT LAKE MEAD BOULEVARD AND MCDANIEL STREET IN THE AMOUNT OF \$8,000 OR 3.2% OF THE TOTAL COST, FOR THE COLLEGE PARK (STARBUCKS), LOCATED ON THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD AND MCDANIEL STREET.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

25. **ACCEPTANCE OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH DELUCA LIQUOR AND WINE, LTD., FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS AND TRAFFIC SIGNALS AT CAREY AVENUE AND SIMMONS STREET IN THE AMOUNT OF \$1,200 OR 1.0% OF THE TOTAL COST AND CHEYENNE AVENUE AND CLAYTON STREET IN THE AMOUNT OF \$5,760 OR 4.8% OF THE TOTAL COST, FOR THE DELUCA WAREHOUSE EXPANSION, LOCATED ON THE SOUTHEAST CORNER OF CHEYENNE AVENUE AND CLAYTON STREET.**

ACTION: PAYMENT ACCEPTED

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

26. **APPROVAL OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CAMINO AL NORTE VENTURES, LLC, TO PROVIDE FOR A PORTION OF THE COST OF LIGHTING INSTALLATION, STREET NAME**

SIGNS AND TRAFFIC SIGNALS LOCATED AT ANN ROAD AND CAMINO AL NORTE IN THE APPROXIMATE AMOUNT OF \$5,400 OR 4.5% OF THE TOTAL COST, FOR THE CAMINO AL NORTE OFFICE PARK, LOCATED ON THE SOUTHWEST CORNER OF WASHBURN ROAD AND CAMINO AL NORTE. (CNLV Contract No. C-6213)

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

27. APPROVAL OF SPECIAL IMPROVEMENT DISTRICT NO. 60 (ALIANTE) APPORTIONMENT REPORT NO. 48 BASED UPON THE SUBDIVISION OF LAND INTO NUMEROUS 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

28. AN APPEAL SUBMITTED BY BRIAN PRESMYK, THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-128-05 (PRESMYK ACCESSORY STRUCTURE); AN APPLICATION SUBMITTED BY BRIAN PRESMYK, PROPERTY OWNER, FOR A USE PERMIT IN AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT, TO ALLOW A 1,800 SQUARE FOOT ACCESSORY STRUCTURE ON PROPERTY LOCATED AT 3725 ALLEN LANE. (SET PUBLIC HEARING FOR FEBRUARY 1, 2006)

ACTION: PUBLIC HEARING SET FOR FEBRUARY 1, 2006

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

29. AMP-72-05 (PICERNE @ CENTENNIAL AND NORTH 5TH); AN APPLICATION SUBMITTED BY PICERNE DEVELOPMENT CORPORATION ON BEHALF OF THE PT CORPORATION AND NORTH 5TH CENTENNIAL, 1 LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF NEIGHBORHOOD COMMERCIAL TO VERY HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND NORTH 5TH STREET. (SET PUBLIC HEARING FOR FEBRUARY 1, 2006)

ACTION: PUBLIC HEARING SET FOR FEBRUARY 1, 2006

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

31. UN-154-04 (CENTENNIAL & LOSEE); AN APPLICATION SUBMITTED BY GOLDEN GAMING, INC., ON BEHALF OF AV NEVADA 2, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO A PREVIOUSLY APPROVED USE PERMIT IN A C-1 NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW THE "ON-SALE" OF ALCOHOLIC BEVERAGES IN CONJUNCTION WITH A TAVERN/RESTAURANT ON PROPERTY GENERALLY LOCATED AT THE SOUTHWEST CORNER OF CENTENNIAL PARKWAY AND LOSEE ROAD. (SET PUBLIC HEARING FOR FEBRUARY 15, 2006)

ACTION: PUBLIC HEARING SET FOR FEBRUARY 15, 2006

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

32. **VAC-36-05 (GOLDFIELD II); AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF WILLIAM LYON HOMES, INC., PROPERTY OWNER, TO VACATE A 10-FOOT WIDE PORTION OF THE NORTHERLY SIDE OF LONE MOUNTAIN ROAD COMMENCING APPROXIMATELY 125 FEET EAST OF THE INTERSECTION OF DEEM DRIVE AND LONE MOUNTAIN ROAD AND PROCEEDING EAST APPROXIMATELY 150 LINEAL FEET. (SET PUBLIC HEARING FOR FEBRUARY 15, 2006)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 15, 2006

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

33. **VAC-38-05 (GOLDFIELD III); AN APPLICATION SUBMITTED BY TANEY ENGINEERING ON BEHALF OF GOLDFIELD 20, LLC, PROPERTY OWNER, TO VACATE A 10-FOOT WIDE PORTION OF THE SOUTHERLY SIDE OF LONE MOUNTAIN ROAD COMMENCING AT GOLDFIELD ROAD AND PROCEEDING EAST APPROXIMATELY 625 LINEAL FEET TO DEEM DRIVE. (SET PUBLIC HEARING FOR FEBRUARY 15, 2006)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 15, 2006

MOTION: Councilman Eliason

SECOND: Mayor Pro Tempore Robinson

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

NAYS: None

ABSTAIN: None

34. **VAC-39-05 (CENTENNIAL WEST, LLC); AN APPLICATION SUBMITTED BY CENTENNIAL WEST, LLC, PROPERTY OWNER, TO VACATE THE SOUTHERLY TEN (10) FEET OF CENTENNIAL PARKWAY BETWEEN MOUNT HOOD STREET AND SHATZ STREET. (SET PUBLIC HEARING FOR FEBRUARY 15, 2006)**

ACTION: PUBLIC HEARING SET FOR FEBRUARY 15, 2006
MOTION: Councilman Eliason
SECOND: Mayor Pro Tempore Robinson
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

30. AN APPEAL SUBMITTED BY GREGORY M. LAVDANSKI, THE APPLICANT, OF THE DECISION OF THE PLANNING COMMISSION TO DENY UN-129-05 (DONNA MIA PIZZARIA); AN APPLICATION SUBMITTED BY GREGORY M. LAVDANSKI, ON BEHALF OF CRAIG RETAIL PARTNERS, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-2 GENERAL COMMERCIAL DISTRICT TO ALLOW THE "ON SALE" OF ALCOHOLIC BEVERAGES (BEER AND WINE) IN CONJUNCTION WITH A RESTAURANT ON PROPERTY LOCATED AT 725 W. CRAIG ROAD. (SET PUBLIC HEARING FOR FEBRUARY 15, 2006)

Greg Lavdanski, 4609 Crimson Leaf Drive, Las Vegas, the applicant, stated the Planning Commission denied his request for a special use permit because his restaurant was less than 400 feet from a developed park. Mr. Lavdanski requested that the special use permit be amended to reflect a new location for his proposed restaurant. The new location was more than 400 feet away from the park and conformed to the code.

ACTION: PUBLIC HEARING SET FOR FEBRUARY 15, 2006, AS AMENDED;
ADDRESS CHANGED TO 775 W. CRAIG ROAD, UNIT 146
MOTION: Mayor Montandon
SECOND: Councilwoman Smith
AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Council Members Smith,
Buck and Eliason
NAYS: None
ABSTAIN: None

BUSINESS

35. DISCUSSION AND/OR ACTION IN REGARD TO FILLING THE VACATED CITY ATTORNEY POSITION.

ACTION: STAFF DIRECTED TO NEGOTIATE AND PREPARE CONTRACT FOR COUNCIL APPROVAL TO RE-HIRE SEAN MCGOWAN AS CITY ATTORNEY

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

36. **APPROVAL OF PROFESSIONAL SERVICES CONTRACT AND PROPOSAL IN AN AMOUNT NOT-TO-EXCEED \$399,288, PRESENTED BY SEKON CORPORATION, TO PROVIDE THE HUMAN RESOURCES DEPARTMENT WITH ORACLE IMPLEMENTATION SERVICES FOR THE UPCOMING ORACLE SYSTEM UPGRADE TO 11I BY PROVIDING PROJECT PLANNING, ASSESSMENT AND BUSINESS PROCESS RE-ENGINEERING SERVICES, FOR THE PERIOD OF JANUARY 30, 2006 TO JUNE 30, 2006. (CNLV CONTRACT NO. C-6215)**

ACTION: APPROVED

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

PUBLIC HEARINGS - 6:15 P.M.

2. **AMP-46-05 (CRAIG & ALLEN); AN APPLICATION SUBMITTED BY ENGLE HOMES, ON BEHALF OF ALLEN VILLAGE, LLC, AND CRAIG SELF STORAGE, LLC, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 750 FEET WEST OF ALLEN LANE. (CONTINUED NOVEMBER 2 AND DECEMBER 21, 2005) (ASSOCIATED ITEM NO. 51, ORDINANCE NO. 2196)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO FEBRUARY 1, 2006

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

3. **AN APPEAL SUBMITTED BY GEORGE GARCIA ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-57-05 (CENTENNIAL & UPRR); AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP, ON BEHALF OF DAVID MORGAN, LLC, ET AL, AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF MEDIUM-LOW DENSITY RESIDENTIAL TO HIGH DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. (CONTINUED DECEMBER 21, 2005) (ASSOCIATED ITEM NO. 4, APPEAL, ZN-83-05)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart stated the property was previously approved for a Medium Density Residential development which allowed approximately 4.6 units per acre. The applicant requested the density be increased to High Density Residential to allow up to 25 units per acre. Properties in the area were approved for Medium Density land use designations. Staff recommended denial of this item because the proposed High Density land use would increase the units per acre significantly with close proximity to the Union Pacific Railroad, thus allowing a higher population next to this site and causing a potential problem with evacuation if the need arose. The proposed development was determined to be incompatible with the surrounding neighborhoods. The Planning Commission also recommended denial of this request.

Bill Curran, Curran and Parry, 300 South Fourth Street, Las Vegas, appeared on behalf of the applicant and requested Item Nos. 3 and 4 be addressed simultaneously.

George Garcia, 1711 Whitney Mesa Drive, Suite 100, Henderson, also represented the applicant and advised the zoning in the area had been discussed approximately 18 months ago and it was determined that residential, under certain circumstances, was appropriate in the area. Mr. Garcia stated the area was not conducive to single-family residential due to the noise and vibration factors created by the railroad; however, he felt this particular use

was well-suited for the location which was in close proximity to the railroad right-of-way, as well as a drainage channel and the high-speed arterial on the north side. Mr. Garcia agreed to conform to the noise and setback requirements previously established. The setback in this case would be a minimum of 240 feet back from the center line of the railroad.

Mayor Montandon asked Staff if conditions could be put on the hard zoning request as to the minimum setback. In response, Mr. Garcia stated City policy dictated that noise and vibration studies would have to be completed before a permit was approved. Director Stewart advised conditions could be considered at the Site Plan Review phase of the project through the tentative map.

In response to a question by Mayor Montandon, Fire Chief Al Gillespie stated building in close proximity to a railroad presented a potential danger. He stressed that the development should provide easy ingress and egress in the event of an emergency situation.

Mayor Pro Tempore Robinson expressed concern that investors would purchase blocks of the units for rental purposes and asked if there were some way to prevent such an occurrence.

Brad Esposito, 4175 Cameron Street, Las Vegas, the developer, advised his company developed entry-level, for-sale homes for individuals and did not offer properties to investors until the last few units were left unsold. He stated there was currently a waiting list of more than 500 prospective homeowners but he offered to put a caveat in the CC&R's that would limit the number of units an investor would be permitted to buy. Mayor Pro Tempore Robinson suggested investors be limited to purchase no more than 25% of the units.

Councilman Buck suggested the item be brought back at the tentative map phase and the site plan review for further review by Council.

Councilman Eliason suggested the sale to investors be limited to the number of units per building rather than 25% of the entire product.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; AMP-57-05
APPROVED

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

4. **AN APPEAL SUBMITTED BY GEORGE GARCIA ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY ZN-83-05 (CENTENNIAL & UPRR); AN APPLICATION SUBMITTED BY DEVELOPMENT FUNDING GROUP, ON BEHALF OF DAVID MORGAN, LLC, ET AL, AND THE JOHN AND MOLLIE GUBLER TRUST, PROPERTY OWNERS, FOR RECLASSIFICATION OF PROPERTY FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-3 MULTI-FAMILY RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED SOUTH OF CENTENNIAL PARKWAY AND APPROXIMATELY 675 FEET EAST OF NOVAK STREET. (CONTINUED DECEMBER 21, 2005) (ASSOCIATED ITEM NO. 3, APPEAL, AMP-57-05)**

Mayor Montandon opened the Public Hearing.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION OVERTURNED; ZN-83-05 APPROVED, AS AMENDED; STAFF TO PREPARE AN ORDINANCE FOR PERMANENT ZONING TO R-3 WITH THE FOLLOWING CONDITIONS:

1. THAT THE SITE PLAN REVIEW COME BACK TO COUNCIL;
 2. THAT CC&R'S BE CREATED AND INCLUDE A LIMIT OF INVESTOR OWNERSHIP OF LESS THAN 25% PER BUILDING;
 3. THE TENTATIVE MAP MANDATES A SOUND ATTENUATION OF A 240-FOOT SETBACK FROM RAIL CENTER LINE;
 4. THAT DISCLOSURE IS MADE TO PROSPECTIVE BUYERS ABOUT THE PROXIMITY OF THE RAILROAD.
5. **AN APPEAL SUBMITTED BY CASEY MCGUIRE, A PERSON WHOSE PROPERTY RIGHTS ARE OR MAY BE AFFECTED BY THE DECISION OF THE PLANNING COMMISSION TO APPROVE UN-101-05 (CENTENNIAL PLAZA); AN APPLICATION SUBMITTED BY CASH AMERICA, INC., OF NEVADA ON**

BEHALF OF SIMMONS 15, LLC, PROPERTY OWNER, FOR A USE PERMIT IN A C-1, NEIGHBORHOOD COMMERCIAL DISTRICT TO ALLOW A PAWN SHOP ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF CENTENNIAL PARKWAY AND SIMMONS STREET. (CONTINUED DECEMBER 21, 2005)

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the applicant was granted the opportunity to apply for a pawnbroker license through the lottery that was conducted on May 16, 2005. The nearest pawn shop to this location was at 2020 West Craig Road, approximately 13,000 linear feet from the proposed pawn shop which met the separation requirements of the existing ordinance. Staff recommended approval, as did the Planning Commission.

Paul Larson, 300 South Fourth Street, Las Vegas, represented the applicant and stated all applicable requirements had been met for the location. He felt the appeal contained some legal irregularities which were brought to the attention of the City Attorney's office. Mr. Larson requested a continuance to the first Council meeting in July of 2006 to provide the applicant an opportunity to seek an alternative site for the project.

Mayor Montandon explained a continuance would allow the applicant to continue to move forward with the development and he expressed a desire to hear from the appellants before considering the request for a continuance.

Lisa Merrell, 6417 Gilded Flicker Street, North Las Vegas, stated the proposed pawn shop would be in very close proximity to the residents in her neighborhood and provided a list of homeowners who were opposed to the development. She felt commercial development was appropriate but she stated greater limitations should be imposed on the neighborhood commercial sites and opposed facilities that were adult-oriented and open 24 hours a day. Ms. Merrell advised she was very proud of her community and wished to maintain its integrity.

Leonie Mowat, 3020 Gnatcatcher Avenue, North Las Vegas, advised she was surprised to learn a pawn shop had been approved so close to her neighborhood. As a member of her homeowners' association, she stated many residents came to her and expressed opposition to the project. Ms. Mowat requested Council reconsider their decision to allow a pawn shop to be built near her neighborhood.

Bob Borgersen, 7617 Island Rail Drive, North Las Vegas, expressed opposition to the development of the pawn shop in his neighborhood.

Debra Clouten, 2117 Mountain Rail Drive, North Las Vegas, agreed with the comments made by the previous speakers and stated she would like to see a book store in her neighborhood. Ms. Clouten felt the application did not meet the requirements for a special use permit and submitted a petition with 97 signatures of residents who were opposed to the pawn shop.

Steve Congrave, 2113 Mountain Rail Drive, North Las Vegas, concurred with the previous comments and added he was concerned the pawn shop would not be properly maintained after opening.

Carlos Hank, 6209 Prospect Niche Street, North Las Vegas, felt the crime rate would increase if a pawn shop were opened in his neighborhood and stated there was no need for the services provided by a pawn shop. Mr. Hank was adamantly opposed to the proposed development.

Casey McGuire, 2608 Prospector Mine Avenue, North Las Vegas, stated two homes had been placed for sale since the pawn shop was approved. She expressed concern that the pawn shop would attract an undesirable element and cause an increase in the crime rate. Ms. McGuire submitted a petition with signatures of homeowners who could not attend the meeting.

John Orchard, 2624 Courlan Drive, North Las Vegas, felt there was no one in his neighborhood who would have a need for pawn shop services. He would like to see child care services, restaurants, dentists, cleaning services and parks in the area.

Councilman Buck thanked the speakers for their time and commended the applicant for his willingness to locate another site for the project.

Director Stewart explained the current code only provided for one six-month extension which was already approved through May 16, 2006. She suggested a continuance to the first Council meeting in May with which Mr. Larson agreed.

Mayor Montandon closed the Public Hearing.

ACTION: CONTINUED TO MAY 3, 2006

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

6. **AMP-64-05 (CAREY/COMMERCE); AN APPLICATION SUBMITTED BY JOSHI AND ASSOCIATES ON BEHALF OF THE HOUSING AUTHORITY, CITY OF NORTH LAS VEGAS, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LIGHT INDUSTRIAL AND LOW DENSITY RESIDENTIAL TO MEDIUM DENSITY RESIDENTIAL ON PROPERTY GENERALLY LOCATED NORTH OF CAREY AVENUE AND APPROXIMATELY 300 FEET EAST OF REVERE STREET. (CONTINUED JANUARY 4, 2006) (ASSOCIATED ITEM NO. 54, ORDINANCE NO. 2216)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

7. **AMP-65-05 (DEER SPRINGS CROSSING); AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING, LLC, ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF LOW DENSITY RESIDENTIAL TO REGIONAL COMMERCIAL ON PROPERTY LOCATED AT THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD. (CONTINUED JANUARY 4, 2006) (ASSOCIATED ITEM NO. 8, VAC-31-05 AND NO. 55, ORDINANCE NO. 2219)**

Mayor Montandon opened the Public Hearing.

Councilman Eliason abstained from Item Nos. 7, 8 and 9 and all associated items as he was employed by a partner of the applicant. He left Chambers prior to the discussion.

Planning and Zoning Director Jory Stewart advised the proposed site was to contain a power center-style retail facility with a minimum of 313,000 square feet and a maximum of 345,000 square feet of general commercial uses. There would be one major anchor tenant consisting of 96,000 square feet. In-line retail spaces were also included between the major anchor and Deer Springs Way. In between the major anchor and Rome Boulevard several other smaller retail spaces were proposed. Twelve pad locations were proposed around the perimeter of the property which would include a financial institution and a

convenience food restaurant. The applicant held a meeting with the residents who voiced concerns about the project at which time several conditions to the Site Plan Review were proposed.

Diana Bossard, 2920 North Green Valley Parkway, Henderson, stated the applicant would discuss the results of the meeting held on January 10, 2006 with the residents of Donna Street.

John Stewart, 8375 West Flamingo Road, Suite 200, Las Vegas, advised approximately 25 residents attended the neighborhood meeting and left the meeting in support of the project subject to six additional conditions which included deletion of the waiver of the screen wall adjacent to the property at the corner of Donna Street and Rome Boulevard. Mr. Stewart advised there would be a decorative block wall with varying heights along the eastern property line of the retail development. The purpose of the wall was to screen deliveries and trash collections, as well as provide a noise barrier. A decorative block wall would also be constructed along Rome Boulevard to screen the rear of retail building.

The developer agreed to install a linear park at a minimum of 25 feet in width along Donna Street, including intense landscaping, a meandering sidewalk with evergreen trees spaced 20 feet on center on one side and additional trees on the street side of the meandering sidewalk spaced every 20 feet to create an effect of a 10-foot on center landscape buffer and accent lighting.

The developer proposed the street section of Donna Street from Deer Springs Way to Rome Boulevard be reduced to, at minimum, a 51-foot-wide residential street section. As an additional traffic-calming measure, the developer agreed to add a right-of-way to the linear park to create a 30-foot-wide linear park effect. Mr. Stewart commented on several alternative solutions to the right-of-way landscaping to reduce the throat width of the right-of-way. He requested input from Public Works Staff regarding this issue.

Another condition agreed to by the developer was the limitation of deliveries backing up to Donna Street, as well as the coordination with Republic Services for trash collection to be completed in the afternoon hours.

Lighting from the retail development would be non-fugitive lighting to the residential neighborhood east of the retail development.

Mr. Stewart assured the residents the facility would be maintained as a first-class retail center and operating covenants discussing the maintenance and upkeep of the retail center would be recorded against the property and strictly enforced.

Mr. Stewart added some of the residents expressed a desire to have "No Truck Traffic" signs posted on Donna Street and at the entrance of Deer Springs Way.

Referencing Condition No. 46a, Mr. Stewart advised there would be an additional 13 feet dedicated for the linear park; however, that would leave only one lane of parking in addition to the two through lanes. From conversations with the residents, some would rather have the two rows of parking and others wanted the increase to the linear park. The applicant proposed to go with the option provided by Planning Staff which would leave only one row of parking but increased the linear park.

Mr. Stewart stated a drainage study had been submitted to the City for review and he requested permission to begin mass grading immediately upon approval of the drainage study to accommodate the length of time it would take to bring the site up to the proposed grade. He advised the project consisted of approximately 14 parcels with dedicated rights-of-way interspersed throughout. Mr. Stewart advised there was an application associated with this item on the agenda and he requested the vacation be recorded as soon as the relinquishments of utilities were facilitated in order to complete the early grading.

Mr. Stewart commented he fully supported the City's plans for the transit corridor on North 5th Street, as well as the dedication of the additional 25 feet. However, until the installation of the transit system was completed, Mr. Stewart requested left-in, left-out access 660 feet south of Deer Springs Way on North 5th Street.

Mayor Montandon stated discussion would be held on Item No. 7 and Item No. 8 simultaneously, including Mr. Stewart's request for temporary left-in, left-out access on North 5th Street.

Director Stewart commented in the proposed conditions, Staff did not propose a reduction in right-of-way but a retention of right-of-way, granting an encroachment agreement for the additional landscaping. The effective paved width of the right-of-way would be reduced but the right-of-way itself would remain intact.

Public Works Director Jim Bell stated he was aware of Staff discussions with the developer on some of the alternatives and conditions. Staff supported the variant section on the roadway and recommended keeping the 60-foot overall width to allow an encroachment of landscaping in the right-of-way. He felt two ten-foot travel lanes, five-foot bike lanes, curb and gutter sections and the existing five-foot sidewalk could be maintained on the development side. If that were accomplished, 13 feet could be generated within a public right-of-way for additional landscaping.

Director Bell expressed concern about the request for temporary left turn access and encouraged right-in, right-out access for the long term.

Kay Watts, 1016 Bob Barney Court, North Las Vegas, felt there were too many questions to be answered before a decision was made. She was concerned about traffic going through her neighborhood to get to the retail center. Mayor Montandon responded the traffic study conducted for the project required the developer to pave North 5th Street from Centennial Parkway to Rome Boulevard. Ms. Watts was still opposed to the project.

Harvey Ferber, 1504 Lazy Hill Ranch Way, North Las Vegas, was opposed to homes facing out to 60-foot streets.

Jennifer Lazovich, 3800 Howard Hughes Parkway, Las Vegas, appeared on behalf of the property owners who owned parcels located on Donna Street between Rome Boulevard and Engel Avenue. She expressed concern about the reduced street section and the new landscaping being proposed. Ms. Lazovich pointed out a five-acre parcel of land between Rome Boulevard and Engel Avenue for which no zoning application had yet been submitted. Ms. Lazovich requested the condition regarding the length of the linear park be terminated at the alignment of Engel Avenue.

Councilman Buck advised Council's main concern was mitigating the problems faced by the residents facing Donna Street and if an application were presented on her client's property that was not compatible with the neighborhood, it would not be approved.

Alicia Carnes, 1212 East Rome Boulevard, North Las Vegas, stated the majority of the residents who met with the developer were very pleased with the attempts by the developer to reach a compromise with the residents. She was in favor of the project with the added conditions.

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 and Buck

NAYS: None

ABSTAIN: Councilman Eliason

55. **ORDINANCE NO. 2219; 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 36 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-71-05, DEER SPRINGS CROSSING), FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JANUARY 4, 2006) (ASSOCIATED ITEM NO. 7, AMP-65-05 AND NO. 8, VAC-31-05)**

Ordinance No. 2219 as introduced by the City Manager:

ORDINANCE NO. 2219; 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 36 ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO A C-2 GENERAL COMMERCIAL DISTRICT (ZN-71-05, DEER SPRINGS CROSSING), FOR PROPERTY LOCATED ON THE NORTHEAST CORNER OF NORTH FIFTH STREET AND ROME BOULEVARD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: Councilman Eliason

8. **VAC-31-05 (DEER SPRINGS CROSSING); AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, TO VACATE A PORTION OF ENGEL AVENUE FROM NORTH FIFTH STREET TO DONNA STREET (APPROXIMATELY 1250 LINEAL FEET) AND A PORTION OF HOPE STREET FROM DEER SPRINGS WAY TO ROME BOULEVARD STREET (APPROXIMATELY 1250 LINEAL FEET). (ASSOCIATED ITEM NO. 7, AMP-65-05 AND NO. 55, ORDINANCE NO. 2219)**

Mayor Montandon opened the Public Hearing.

Councilman Buck left Chambers at 7:13 P.M. and returned at 7:15 P.M.

Public Works Director Jim Bell stated Staff was in support of the vacation request. However, there was an associated five-acre parcel discussed by Jennifer Lazovich that involved her client which he felt needed to be addressed.

Regarding the temporary left-in, left-out access on North 5th Street, Mr. Stewart stated he supported the City's stand on long-term planning; however, there was no indication as to when the transit system would be installed. As part of the off-site improvements for North 5th Street, Mr. Stewart offered to install the half-section with any requirements by the City and set aside funding for the installation of the median to close off the access at the appropriate time.

Councilwoman Smith felt Mr. Stewart's request for temporary left-in, left-out access should be approved. Director Bell supported the request with the caveat that the temporary access would be removed when necessary and the median improvements would be funded by the developer.

Mr. Stewart again requested the vacation be recorded immediately upon the receipt of the drainage study to accommodate early grading. Director Bell did not foresee any problem resulting from Mr. Stewart's request.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, AS AMENDED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. Dedication of the following right-of-way is required:
 - a. An additional twenty five (25) feet along North 5th Street and associated spandrels.
 - b. An additional five (5) feet along Deer Springs Way at North 5th Street, per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1, to construct a flared intersection.
 - c. Right-of-way dedication and construction of a CAT bus turn-out is required on Deer Springs Way near North 5th Street per the *Uniform Standard Drawings for Public Works' construction Off-Site Improvements* Drawing Number 234.1.

2. Left turn/full access locations for this development may be permitted along Deer Springs Way, 660 feet east of the North 5th Street intersection and along Rome Boulevard, also 660 feet east of the North 5th Street intersection. All other permanent, permitted driveways shall be right in/right out. Placement of a temporary left turn in and out on North 5th Street may be permitted. The developer is responsible for the removal of the access when required for the development and construction of North 5th Street and/or when required by the Director of Public Works. The Developer shall make full disclosure to their tenants the fact that any left turn access on North 5th Street is temporary by the recordation of a memorandum of conditions for this development. Said memorandum shall be recorded prior to the issuance of any permits. A separate surety for the removal of the access and reconstruction of the area shall be required prior to approval of the civil improvement plans.
3. A reversionary parcel map, or other mapping in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*, is required to consolidate the parcels and shall record concurrently with this vacation.

STAFF DIRECTED TO ALLOW EARLY GRADING TO OCCUR

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

9. **AN APPEAL SUBMITTED BY STACEY MOSTI, A PERSON WHOSE PROPERTY RIGHTS ARE OR MAY BE AFFECTED BY THE PLANNING COMMISSION'S DECISION TO APPROVE SPR-60-05 (DEER SPRINGS CROSSING); AN APPLICATION SUBMITTED BY DEER SPRINGS CROSSING, LLC, ON BEHALF OF ROME'S GOLDEN 40, LLC, PROPERTY OWNER, FOR A SITE PLAN REVIEW IN AN R-E RANCH ESTATES DISTRICT (PROPOSED C-2 GENERAL COMMERCIAL DISTRICT) CONSISTING OF 345,000 SQUARE FEET OF COMMERCIAL RETAIL BUILDINGS AND LANDSCAPE WAIVERS ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF NORTH FIFTH STREET AND DEER SPRINGS WAY.**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart recommended approval subject to the amended conditions listed in a memorandum from Staff dated January 18, 2006. She explained the amended conditions were a compilation of Staff's conditions incorporated with the developer's suggested conditions. Mr. Stewart advised he was in agreement with the amended list of conditions. However, with regard to Condition Nos. 8 and 9 which referenced interior screening walls, Mr. Stewart stated with the inclusion of the decorative exterior walls separating the linear park and the retail center, the need for the interior screening walls would not be necessary. He advised this issue was discussed at the neighborhood meeting and was agreed to by the residents who attended the meeting.

Mr. Stewart stated one of the items that concerned the residents was the early construction of the linear park which he assured them would be completed in the first phase of construction.

Mayor Montandon closed the Public Hearing.

ACTION: PLANNING COMMISSION DECISION UPHELD; SPR-60-05 APPROVED, AS AMENDED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. Unless expressly authorized through a variance, waiver or another method, development shall comply with all applicable codes and ordinances.
2. This site plan (SPR-60-05) shall be considered null and void if AMP-65-05 and ZN-71-05 are not approved by the City Council.
3. The sign locations and dimensions shown on the submitted site plan shall be considered conceptual, and shall be reviewed with the Unified Sign Plan.
4. The development shall comply with all requirements of the Commercial Development Standards and Design Guidelines, except for:
 - a. A tree diamond every three (3) parking spaces in every double row of parking in lieu of the requirement for a row of landscaping every other double row of parking shall be provided, or as approved by staff.
5. Site amenities shall be provided as required by the Commercial Development Standards and shall be detailed with the landscaping plans, as approved by staff.
6. The square footage of pedestrian plaza areas shall be provided as shown on the submitted site plan.

7. A pedestrian pathways shall be provided in the locations shown on the submitted site plan and shall be constructed of textured dyed concrete or pavers, as approved by staff.
8. An attached twelve (12) foot screen wall shall be provided the length of each loading area behind Retail J and Retail K constructed to match the primary buildings in addition to one tree every twenty (20) feet on center for an intense landscaping buffer.
9. An attached twelve (12) foot screen wall shall be provided the length of each loading area behind Retail B and Retail C constructed to match the primary buildings in addition to one tree every twenty (20) feet on center for an intense landscaping buffer..
10. The financial institution (bank) shall comply with the conditions of approval for UN-123-05.
11. The convenience food restaurant shall comply with the conditions of approval for UN-124-05.
12. Fire access lanes shall be designed in accordance with Fire Code requirements.
13. Fire access lanes shall be marked to prohibit parking in accordance with the Fire Code.
14. This item shall comply with the conditions of approval for VAC-31-05.
15. Left turn/full access locations for this development may be permitted along Deer Springs Way, 660 feet east of the North 5th Street intersection and along Rome Boulevard, also 660 feet east of the North 5th Street intersection. All other permitted driveways shall be right in/right out.
16. As North 5th Street is a planned, limited access corridor, two commercial driveways will be permitted along North 5th Street. The driveways shall be right in/right out.
17. North 5th Street shall be designed in accordance with the *City of North Las Vegas Uniform Standard Drawings for North 5th Street Improvements*.
18. All development along North 5th Street shall provide a twenty foot landscape and pedestrian access easement/common element adjacent to the right-of-way.
19. The civil improvement plans for the project shall include schedule 40 PVC fiber optic conduit along North 5th Street and Deer Springs Way.

20. Dedication and construction of the following streets and/or half streets is required per the *Master Plan of Streets and Highways* and/or *City of North Las Vegas Municipal Code* section 16.24.100:
 - a. North 5th Street
 - b. Deer Springs Way
 - c. Rome Boulevard
 - d. Donna Street
21. The Rome Boulevard and Donna Street geometrics may be required to be designed and constructed per the *City of North Las Vegas 60' Standard Street Section with Offset Sidewalk*.
22. An additional five (5) feet of right-of-way must be dedicated along Deer Springs Way at North 5th Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 201.1 to construct a flared intersection.
23. Right-of-way dedication and construction of a CAT bus turn-out is required on Deer Springs Way near North 5th Street per the *Uniform Standard Drawings for Public Works' Construction Off-Site Improvements* Drawing Number 234.1.
24. Adjacent to any eighty (80) foot right-of-way, a common lot and/or landscape and pedestrian access easement , with a minimum width of five (5) feet, shall be provided behind the required bus turn-out.
25. All Nevada Power Company easements, appurtenances, lines and poles must be shown and shall be located entirely within the perimeter landscape area of this development. Distribution lines, existing or proposed, shall be placed underground.
26. All public street sections and geometrics are subject to review and approval of the Director of Public Works, or his designee.
27. Approval of a drainage study is required prior to submittal of the civil improvement plans.
28. Clark County Regional Flood Control District (CCRFCD) concurrence with the results of the drainage study is required prior to approval of the civil improvement plans.
29. All local facilities and street centerline grades must be constructed in conformance with the City of North Las Vegas' *North Neighborhood Flood Control Master Plan*, or as otherwise approved by the Director of Public Works or his designee.

30. Approval of a traffic study is required prior to submittal of the civil improvement plans.
31. The size and number of driveways and their locations are subject to review and approval by the City of North Las Vegas Traffic Engineer and must meet the standards set forth in *North Las Vegas Municipal Code* section 17.24.130. Conformance may require modifications to the site.
32. Commercial driveways are to be constructed in accordance with *Clark County Area Uniform Standard Drawing* numbers 222A and 225, with minimum widths of 32 feet as measured from lip of gutter to lip of gutter.
33. The property owner is required to grant a roadway easement for commercial driveway(s).
34. The property owner is required to grant a pedestrian access easement for sidewalk located within a common element, or on private property, when that sidewalk is providing public access adjacent to the right-of-way.
35. A revocable encroachment permit for landscaping within the public right of way is required.
36. The property owner is required to sign a restrictive covenant for utilities.
37. All off-site improvements must be completed prior to final inspection of the first building.
38. A Merger and Resubdivision Parcel Map, or other mapping in conformance to NRS Chapter 278 and Title 16 of the *North Las Vegas Municipal Code*, is required to consolidate the parcels.
39. If the property is subdivided in the future, the applicant must submit a commercial subdivision map.
40. Should VAC-31-05 be denied, this application shall be deemed null and void.
41. Tree triangles with a minimum width of three (3) feet on a side shall be provided on each side of all pedestrian ways that transverse parking lots between two (2) rows of parking. The tree triangles shall be provided with a frequency of one (1) tree triangle for every four (4) parking spaces in each row of parking on each side of the pedestrian way.
42. The maximum square footage of this development shall be 345,000 square feet.

43. The developer shall provide one four (4) foot by four (4) foot planter box or pot an average of every twenty (20) feet in addition to awnings and colonnades where six (6) feet of foundation landscaping would be required, as approved by staff.
44. A decorative block wall and retaining wall shall be provided at the rear of the required perimeter landscaping area along Donna Street. The retaining and screen wall shall meet the following requirements:
 - a. The retaining wall and screen wall shall be a minimum of fourteen (14) feet and a maximum of fifteen (15) feet in height above grade on the interior side facing the retail buildings.
 - b. The screen wall shall be a minimum of eight (8) feet high above grade facing Donna Street.
 - c. The decorative block wall shall be decorative on both sides.
 - d. The retaining wall and screen wall shall be separated by a five (5) foot landscape strip.
 - e. The landscape strip shall be designed to meet the requirements of the geotechnical report to provide landscaping in this area, as approved by staff.
 - f. Trees shall be provided in the landscape strip offset from the trees provided in the perimeter landscaping area, as approved by staff.
45. No pedestrian access shall be permitted from the rear of the retail development to Donna Street except at the intersection of Donna Street and Deer Springs Way.
46. In addition to the landscaping requirements of the Commercial Development Standards, the perimeter landscaping area shall at a minimum include the following adjacent to Donna Street:
 - a. The minimum width from back of curb to the screen wall shall be thirty-three (33) feet.
 - b. A meandering sidewalk shall be provided in the perimeter landscaping area, with a minimum width of five (5) feet.
 - c. Benches shall be provided along the meandering sidewalk, as approved by staff.

- d. Landscape lighting shall be installed, as approved by staff.
 - e. Large variety evergreen trees shall be planted a minimum of one (1) tree every twenty (20) feet on center. The trees shall be a minimum of nine (9) feet in height (minimum 24" box) at planting, as approved by staff.
 - f. Trees shall be provided on the street side of the of the meandering sidewalk a minimum of one (1) tree every twenty (20) feet on center. The trees shall meet the minimum size requirements of the Commercial Development Standards.
47. The CC&R's (or other similar document such as an Operating Easement Agreement) shall limit the delivery hours of the buildings backing up to Donna Street from 6 a.m. to 10 p.m.
48. The retail development shall be maintained as a first class retail center. Operating covenants discussing the maintenance and upkeep of the retail center shall be recorded against the property and strictly enforced.
49. Lighting shall be non-fugitive, and shall comply with the requirements of the Commercial Development Standards and lighting shall not exceed 0.5 foot candles at the property line.
50. All public street sections and geometrics, including any proposed traffic calming measures, are subject to review and approval of the Director of Public Works, or his designee.

THE DEVELOPER'S MEMORANDUM WILL BE ATTACHED TO THE LIST OF CONDITIONS AS REFERENCE FOR INTENT OF STAFF'S CONDITIONS. ALL REFERENCE TO DONNA STREET BETWEEN ROME BOULEVARD AND ENGEL AVENUE WILL BE EXCLUDED.

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

10. VAC-32-05 (LA MADRE/BRUCE); AN APPLICATION SUBMITTED BY TIOGA

GRAND, LLC, ON BEHALF OF TIOGA GRAND, LLC, AND TOK SUN KIM, PROPERTY OWNERS, TO VACATE A PORTION OF LA MADRE WAY FROM BRUCE STREET TO HAROLD STREET (APPROXIMATELY 585 LINEAL FEET). (CONTINUED JANUARY 4, 2006)

Mayor Montandon opened the Public Hearing.

ACTION : CONTINUED TO FEBRUARY 1, 2006

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

11. **AN APPEAL SUBMITTED BY JENNIFER LAZOVICH ON BEHALF OF THE APPLICANT OF THE DECISION OF THE PLANNING COMMISSION TO DENY AMP-28-05 (CANYON BAY); AN APPLICATION SUBMITTED BY R. S. BHATHAL AND MARTHA S. BHATHAL, PROPERTY OWNERS, FOR AN AMENDMENT TO THE MASTER PLAN OF STREETS AND HIGHWAYS TO DELETE RICE AVENUE BETWEEN DECATUR BOULEVARD AND MONTGOMERY STREET.**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 19, 2006

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

12. **VAC-18-05 (CANYON BAY); AN APPLICATION SUBMITTED BY R. S. BHATHAL AND MARTHA S. BHATHAL, PROPERTY OWNERS, TO VACATE RICE AVENUE BETWEEN DECATUR BOULEVARD AND MONTGOMERY STREET AND TO VACATE MONTGOMERY STREET BETWEEN RICE AVENUE AND RANCH HOUSE ROAD.**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO APRIL 19, 2006

MOTION: Councilman Eliason

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

13. **AMP-66-05 (AZURE & NOVAK); AN APPLICATION SUBMITTED BY DON GRISLEY, ON BEHALF OF QUANTUM INVEST GROUP NUMBER TWO, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF BUSINESS RESEARCH OR DEVELOPMENT PARK AND INDUSTRIAL TO HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND NOVAK STREET. (ASSOCIATED ITEM NO. 53, ORDINANCE NO. 2218)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO FEBRUARY 15, 2006

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

14. **AMP-67-05 (AZURE AND NORTH 5TH); AN APPLICATION SUBMITTED BY MOUNTAIN VIEW TOWNHOMES, LLC, ON BEHALF OF DURANGO ELKHORN, LLC, ET AL, PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF COMMUNITY COMMERCIAL TO HIGH DENSITY RESIDENTIAL ON PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND NORTH 5TH STREET. (ASSOCIATED ITEM NO. 59, ORDINANCE NO. 2225)**

Mayor Montandon opened the Public Hearing.

ACTION: CONTINUED TO FEBRUARY 1, 2006
MOTION: Councilman Eliason

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

Councilman Eliason returned to Chambers at 8:12 P.M.

15. **AMP-70-05 (VALENCIA #6); AN APPLICATION SUBMITTED BY ALEX COLEMAN, LLC, ON BEHALF OF SOUTHERN NEVADA WATER AUTHORITY (006), PROPERTY OWNER, FOR AN AMENDMENT TO THE COMPREHENSIVE PLAN, LAND USE ELEMENT, TO CHANGE THE CURRENT DESIGNATION OF VERY LOW DENSITY RESIDENTIAL TO LOW DENSITY RESIDENTIAL ON PROPERTY LOCATED WEST OF COLEMAN STREET AND APPROXIMATELY 300 FEET NORTH OF GOWAN ROAD. (ASSOCIATED ITEM NO. 58, ORDINANCE NO. 2224)**

Mayor Montandon opened the Public Hearing.

Planning and Zoning Director Jory Stewart advised the applicant indicated this parcel would be developed in conjunction with the adjoining parcels to the north and west as part of the overall single-family development in the area.

George Garcia, 1711 Whitney Mesa Drive, Suite 110, Henderson, represented the applicant and requested Council approval.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

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

58. **ORDINANCE NO. 2224; 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 2.27± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1**

SINGLE FAMILY RESIDENTIAL DISTRICT (ZN-95-05, VALENCIA #6), FOR PROPERTY WEST OF COLEMAN STREET AND APPROXIMATELY 300 FEET NORTH OF GOWAN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 15, AMP-70-05)

Ordinance No. 2224 as introduced by the City Manager:

ORDINANCE NO. 2224; 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 2.27± ACRES THEREIN FROM AN R-E RANCH ESTATES DISTRICT TO AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT (ZN-95-05, VALENCIA #6), FOR PROPERTY WEST OF COLEMAN STREET AND APPROXIMATELY 300 FEET NORTH OF GOWAN ROAD 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

16. **VAC-34-05 (LONE MOUNTAIN/LAWRENCE); AN APPLICATION SUBMITTED BY ENGLE HOMES, ON BEHALF OF GMAC MODEL HOME FINANCE, INC., PROPERTY OWNER, TO VACATE A 10-FOOT WIDE PORTION OF THE NORTHERLY SIDE OF LONE MOUNTAIN ROAD COMMENCING AT THE NORTHWEST CORNER OF LAWRENCE STREET AND LONE MOUNTAIN ROAD AND PROCEEDING WEST APPROXIMATELY 275 LINEAL FEET.**

Mayor Montandon opened the Public Hearing.

Public Works Director Jim Bell stated this vacation had been considered previously and was a reduction of Lone Mountain from a 100-foot right-of-way overall to a 90-foot right-of-way just west of Lawrence Street off the intersection of Lawrence Street and Lone Mountain Road.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED, SUBJECT TO THE FOLLOWING CONDITIONS:

1. DEDICATION OF THE FOLLOWING RIGHT-OF-WAY IS REQUIRED:
 - A. AN ADDITIONAL TWENTY-FIVE (25) FEET ALONG NORTH 5TH STREET AND ASSOCIATED SPANDRELS.
 - B. AN ADDITIONAL FIVE (5) FEET ALONG DEER SPRINGS WAY AT NORTH 5TH STREET, PER THE *UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION OFF-SITE IMPROVEMENTS* DRAWING NO. 201.1, TO CONSTRUCT A FLARED INTERSECTION.
 - C. RIGHT-OF-WAY DEDICATION AND CONSTRUCTION OF A CAT BUS TURN-OUT IS REQUIRED ON DEER SPRINGS WAY NEAR NORTH 5TH STREET PER THE *UNIFORM STANDARD DRAWINGS FOR PUBLIC WORKS' CONSTRUCTION OFF-SITE IMPROVEMENTS* DRAWING NO. 234.1.
2. LEFT TURN-FULL ACCESS LOCATIONS FOR THIS DEVELOPMENT MAY BE PERMITTED ALONG DEER SPRINGS WAY, 660 FEET EAST OF THE NORTH 5TH STREET INTERSECTION. ALL OTHER PERMITTED DRIVEWAYS SHALL BE RIGHT IN-RIGHT OUT.
3. A REVERSIONARY PARCEL MAP, OR OTHER MAPPING IN CONFORMANCE TO NRS CHAPTER 278 AND TITLE 16 OF THE *NORTH LAS VEGAS MUNICIPAL CODE* IS REQUIRED TO CONSOLIDATE THE PARCELS AND SHALL RECORD CONCURRENTLY WITH THIS VACATION.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

17. PUBLIC HEARING REGARDING RESOLUTION NO. 2329.

Mayor Montandon opened the Public Hearing.

Finance Director Phil Stoeckinger advised this Public Hearing was to elicit public comment on the incurrence of debt in the form of medium-term (10 years) bonds in the amount of \$55,000,000. The bonds would be used to fund a Multi-Generational Center, the Police Downtown Command Center and the Fire Station 53 relocation.

Mayor Montandon stated, as a member of the Debt Management Commission, he recommended the bond issuance to fund these projects.

Mayor Montandon closed the Public Hearing.

ACTION: PUBLIC HEARING HELD

18. RESOLUTION NO. 2329; A RESOLUTION AUTHORIZING MEDIUM-TERM OBLIGATIONS IN AN AMOUNT OF UP TO \$55,000,000 TO FINANCE THE COST OF BUILDING PROJECTS FOR THE CITY; AND PROVIDING THE EFFECTIVE DATE HEREOF.

Resolution No. 2329 as introduced by the City Manager:

RESOLUTION NO. 2329; A RESOLUTION AUTHORIZING MEDIUM-TERM OBLIGATIONS IN AN AMOUNT OF UP TO \$55,000,000 TO FINANCE THE COST OF BUILDING PROJECTS FOR THE CITY; AND PROVIDING THE EFFECTIVE DATE HEREOF.

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

BUSINESS (CONT'D)

37. APPROVAL TO PURCHASE RADIO EQUIPMENT FOR THE POLICE DEPARTMENT, UTILIZING HOMELAND SECURITY GRANT FUNDS, IN AN AMOUNT NOT-TO-EXCEED \$133,000, FROM MOTOROLA, INC., USING THE COMPETITIVE BIDDING EXCEPTION PURSUANT TO NRS 332.115(A).

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

38. APPROVAL TO ADD TWO SCHOOL CROSSING GUARD POSITIONS (1 FULL TIME EQUIVALENT) TO THE POLICE DEPARTMENT'S FY05-06 GENERAL FUND OPERATING BUDGET, LOCATED AT TROPICAL PARKWAY AND PECOS ROAD (TARTAN ELEMENTARY SCHOOL) AND DEER SPRINGS WAY AND ALIANTE PARKWAY (GOYNES ELEMENTARY SCHOOL).

In response to a question by Councilman Buck, Police Chief Mark Paresi stated the need for school crossing guards was based on feedback from the Public Works Traffic Division, input from the community and police staff observation. Councilman Buck suggested that crossing guards be selected and trained in preparation for the opening of several new schools in the next year.

ACTION: APPROVED AS AMENDED FOR 3 SCHOOL CROSSING GUARDS (1.5 FULL TIME EQUIVALENTS)

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

39. APPROVAL TO RENEW AN INTERLOCAL AGREEMENT WITH THE CITY OF HENDERSON FIRE DEPARTMENT TO UTILIZE THE HENDERSON FIRE DEPARTMENT TRAINING TOWER, DRIVING AREA, BURN PROPS, EXTRACTION AND PORTIONS OF DRILL GROUNDS, TO CONDUCT ON-GOING

FIREFIGHTER TRAINING AND TESTING. (CNLV CONTRACT NO. C-6218)

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

40. APPROVAL TO AMEND AND AUGMENT THE FY05-06 GENERAL FUND BUDGET FOR THE PUBLIC WORKS DEPARTMENT, IN THE AMOUNT OF \$20,000, FOR FLOORING AND PAVING EXPENSES FOR THE LOSEE ROAD MODULAR ADDITION PROJECT, LOCATED AT 3120 LOSEE ROAD.

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

41. ACCEPTANCE OF THE NOTICE OF PROPOSED INITIAL PUBLIC OFFERING, BY EMERGENCY MEDICAL SERVICES CORPORATION, AS REQUIRED UNDER THE TERMS OF THE EXISTING FRANCHISE AGREEMENT WITH THE CITY OF LAS VEGAS, CLARK COUNTY AND MERCY, INC., RELATING TO CHANGE IN OWNERSHIP OR CONTROL OF MERCY, INC., DOING BUSINESS AS AMERICAN MEDICAL RESPONSE, A WHOLLY OWNED SUBSIDIARY OF LAIDLAW MEDICAL TRANSPORTATION, INC., A WHOLLY OWNED SUBSIDIARY OF AMERICAN MEDICAL RESPONSE, INC. (CNLV CONTRACT NO. C-6182)

ACTION: NOTICE ACCEPTED

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. **APPROVAL TO AWARD BID NO. 1204, IN THE AMOUNT OF \$3,685,602, TO RAFAEL CONSTRUCTION, INC., FOR THE FIRE STATION NO. 57 PROJECT, LOCATED ON A CITY-OWNED PARCEL AT 3120 E. AZURE AVENUE; CONSTRUCTION IS SCHEDULED TO BEGIN FEBRUARY, 2006. (CNLV CONTRACT NO. C-6217)**

ACTION: BID AWARDED

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

43. **APPROVAL TO AWARD BID NO. 1218, IN THE AMOUNT OF \$416,568, TO ROADRUNNER ELECTRIC FOR LOTS 1-3 AND LOTS 5-8 IN THE COMBINED TOTAL AMOUNT NOT-TO-EXCEED \$375,108; TO SCOTT CAMPBELL ELECTRIC FOR LOT 4 IN AN AMOUNT NOT-TO-EXCEED \$142,000; AND REJECT THE BID OF SCOTT CAMPBELL ELECTRIC FOR LOTS 3, 6, AND 7 AS BEING NON-RESPONSIVE, FOR THE INSTALLATION OF STREET LIGHTING AND TRAFFIC SIGNAL PROJECTS THROUGHOUT THE CITY. (CNLV CONTRACT NO. C-6220 / C-6221)**

ACTION: BID AWARDED

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

44. **APPROVAL TO AWARD BID NO. 1220, IN THE AMOUNT OF \$90,897, TO TRUCKS WEST OF NEVADA, FOR THE PURCHASE OF A WATER TRUCK TO BE USED AT WORK SITES REQUIRING DUST CONTROL, SOIL COMPACTION, AND WASH-DOWNS.**

ACTION: BID AWARDED

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

45. FINAL ACCEPTANCE OF THE 16TH YEAR TRAFFIC CAPACITY AND SAFETY IMPROVEMENTS PROJECT AND THE CHEYENNE AVENUE RESTRIPING PROJECT, PHASE I, BID NO. 1177, FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-5817)

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

46. FINAL ACCEPTANCE OF THE CAREY-LAKE MEAD DETENTION BASIN LOW-FLOW CHANNEL PROJECT, BID NO. 1195, FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION. (CNLV CONTRACT NO. C-6046)

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

47. APPROVAL OF AMENDMENT NO. 1 TO THE PROFESSIONAL ENGINEERING SERVICES AGREEMENT WITH CARTER AND BURGESS, INC., IN THE TOTAL AMOUNT OF \$110,947, TO BE PAID BY THE REGIONAL TRANSPORTATION COMMISSION AND THE CLARK COUNTY REGIONAL FLOOD CONTROL DISTRICTS, FOR THE LAMB BOULEVARD IMPROVEMENT PROJECT, TO PERFORM AN UPDATED HYDRAULIC EVALUATION, PREPARE PLAN AND

SPECIFICATION REVISIONS TO REFLECT RECENT DEVELOPMENT CHANGES, PREPARE THE CHANGE OF ACCESS REPORT FOR THE FEDERAL HIGHWAY ASSOCIATION, PROVIDE ADDITIONAL TRAFFIC ANALYSES, SPECIAL IMPROVEMENT DISTRICT WORK AND UTILITIES DESIGN SERVICES. (CNLV CONTRACT NO. C-5557)

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

48. **APPROVAL TO AWARD A CONTRACT TO GREELEY AND HANSEN, IN THE AMOUNT OF \$1,494,975, FOR THE IMPLEMENTATION OF THE CITY OF NORTH LAS VEGAS WASTEWATER PROGRAM AND ROLE OF THE OWNER'S REPRESENTATIVE FOR THE WATER RECLAMATION FACILITY; TO ASSIST IN THE PLANNING FOR THE DESIGN AND CONSTRUCTION OF THE WATER RECLAMATION FACILITY. (CNLV CONTRACT NO. C-6214)**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

49. **APPROVAL OF PAYMENT OF HANSEN UTILITY BILLING AND LAND MANAGEMENT MAINTENANCE AND SUPPORT, IN THE AMOUNT OF \$119,426, TO HANSEN INFORMATION TECHNOLOGIES, FOR TECHNICAL SUPPORT AND UPGRADES FOR LAND MANAGEMENT, PERMITS, BUSINESS LICENSES, CODE ENFORCEMENT AND UTILITY BILLING, FOR THE PERIOD FEBRUARY 1, 2006 THROUGH JANUARY 31, 2007. (CNLV CONTRACT NO. C-4482)**

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

50. APPROVAL OF A PROFESSIONAL CONSULTING SERVICES AGREEMENT WITH MANAGEMENT PARTNERS, INC., IN THE AMOUNT OF \$109,000 TO DEVELOP A STAFFING PROJECTION MODEL FOR THE CITY OF NORTH LAS VEGAS. (CNLV CONTRACT NO. C-6219)

City Manager Rose stated if Council approved the agreement, he would recommend a similar service for the Fire Department.

ACTION: APPROVED

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

ORDINANCES
FINAL ACTION

51. ORDINANCE NO. 2196; 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 22.2+ ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT (ZN-74-05, CRAIG AND ALLEN), FOR PROPERTY LOCATED SOUTH OF CRAIG ROAD AND APPROXIMATELY 750 FEET WEST OF ALLEN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED NOVEMBER 2 AND DECEMBER 21, 2005) (ASSOCIATED ITEM NO. 2, AMP-46-05)

ACTION: CONTINUED TO FEBRUARY 1, 2006

MOTION: Councilman Eliason

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

52. ORDINANCE NO. 2213; 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 6.65± ACRES THEREIN FROM A PUD, PLANNED UNIT DEVELOPMENT DISTRICT TO A PUD, PLANNED UNIT DEVELOPMENT DISTRICT (ZN-73-05, CRAIG AND ALLEN) CONSISTING OF A MINI-WAREHOUSING FACILITY, FOR PROPERTY LOCATED AT THE SOUTHWEST CORNER OF CRAIG ROAD AND ALLEN LANE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED DECEMBER 21, 2005)

ACTION: CONTINUED TO FEBRUARY 1, 2006

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

53. ORDINANCE NO. 2218; 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 6.37 ACRES THEREIN FROM AN M-2 GENERAL INDUSTRIAL DISTRICT TO AN R-2 TWO FAMILY RESIDENTIAL DISTRICT (ZN-91-05, AZURE & NOVAK), FOR PROPERTY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND NOVAK STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED DECEMBER 21, 2005) (ASSOCIATED ITEM NO. 13, AMP-66-05)

ACTION: CONTINUED TO FEBRUARY 15, 2006

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

54. **ORDINANCE NO. 2216; 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 30.60 ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO AN R-2 TWO-FAMILY RESIDENTIAL DISTRICT (ZN-90-05, CAREY/COMMERCE), FOR PROPERTY GENERALLY LOCATED NORTH OF CAREY AVENUE AND APPROXIMATELY 300 FEET EAST OF REVERE STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JANUARY 4, 2006) (ASSOCIATED ITEM NO. 6, AMP-64-05)**

ACTION: WITHDRAWN WITHOUT PREJUDICE

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

56. **ORDINANCE NO. 2221; 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 26 ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD PLANNED UNIT DEVELOPMENT DISTRICT (ZN-87-05, INTERNATIONAL VILLAGE) CONSISTING OF 158 SINGLE-FAMILY DWELLING UNITS, FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 800 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (CONTINUED JANUARY 4, 2006)**

Ordinance No. 2221 as introduced by the City Manager:

ORDINANCE NO. 2221; 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 26 ACRES THEREIN FROM AN R-1 SINGLE-FAMILY RESIDENTIAL DISTRICT TO A PUD

PLANNED UNIT DEVELOPMENT DISTRICT (ZN-87-05, INTERNATIONAL VILLAGE) CONSISTING OF 158 SINGLE-FAMILY DWELLING UNITS, FOR PROPERTY GENERALLY LOCATED APPROXIMATELY 800 FEET NORTHEAST OF THE INTERSECTION OF VALLEY DRIVE AND GOWAN ROAD AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Buck

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

NAYS: None

ABSTAIN: None

57. **ORDINANCE NO. 2223; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS EXTENDING BY FOUR MONTHS THE CURRENT SIX MONTH MORATORIUM PROHIBITING THE FILING AND/OR ACCEPTANCE OF ANY LAND USE APPLICATIONS OR BUSINESS LICENSE APPLICATIONS PURSUANT TO NORTH LAS VEGAS MUNICIPAL CODE TITLE 17 AND TITLE 5, RESPECTIVELY, FOR ANY FINANCIAL INSTITUTION OFFERING DEFERRED DEPOSIT SERVICES AS DEFINED BY THE NOT YET CODIFIED AB 384, COMMONLY REFERRED TO AS PAYDAY LOAN, PAYDAY ADVANCE OR CASH ADVANCE SERVICES; AND FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 2223 as introduced by the City Manager:

ORDINANCE NO. 2223; AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF NORTH LAS VEGAS EXTENDING BY FOUR MONTHS THE CURRENT SIX MONTH MORATORIUM PROHIBITING THE FILING AND/OR ACCEPTANCE OF ANY LAND USE APPLICATIONS OR BUSINESS LICENSE APPLICATIONS PURSUANT TO NORTH LAS VEGAS MUNICIPAL CODE TITLE 17 AND TITLE 5, RESPECTIVELY, FOR ANY FINANCIAL INSTITUTION OFFERING DEFERRED DEPOSIT SERVICES AS DEFINED BY THE NOT YET CODIFIED AB 384, COMMONLY REFERRED TO AS PAYDAY LOAN, PAYDAY ADVANCE OR CASH ADVANCE SERVICES; AND FOR OTHER MATTERS PROPERLY RELATED 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

59. **ORDINANCE NO. 2225; 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 9.5 ACRES THEREIN FROM A PUD PLANNED UNIT DEVELOPMENT DISTRICT TO AN R-3 MULTIFAMILY RESIDENTIAL DISTRICT (ZN-93-05, AZURE AND NORTH FIFTH), FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF AZURE AVENUE AND NORTH FIFTH STREET AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (ASSOCIATED ITEM NO. 14, AMP-67-05)**

ACTION: CONTINUED TO FEBRUARY 1, 2006

MOTION: Councilman Eliason

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

60. **ORDINANCE NO. 2226; AN ORDINANCE OF THE CITY OF THE NORTH LAS VEGAS AMENDING ORDINANCE NO. 1587 AND ORDINANCE NO. 1967 REGARDING THAT CERTAIN DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH LAS VEGAS AND NORTH VALLEY ENTERPRISES, LLC FOR THE DEVELOPMENT OF LAND AND PROVIDING OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 2226 as introduced by the City Manager:

ORDINANCE NO. 2226; AN ORDINANCE OF THE CITY OF THE

NORTH LAS VEGAS AMENDING ORDINANCE NO. 1587 AND
ORDINANCE NO. 1967 REGARDING THAT CERTAIN
DEVELOPMENT AGREEMENT BETWEEN THE CITY OF NORTH
LAS VEGAS AND NORTH VALLEY ENTERPRISES, LLC FOR THE
DEVELOPMENT OF LAND AND PROVIDING OTHER MATTERS
PROPERLY RELATING THERETO.

Planning and Zoning Director Jory Stewart advised this ordinance was to amend the North Valley Enterprises development agreement on Aliante. It would provide a development opportunity for mixed use on Parcel No. 35.

ACTION: PASSED AND ADOPTED

MOTION: Councilwoman Smith

SECOND: Councilman Eliason

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

NAYS: None

ABSTAIN: None

COUNCIL ITEMS

Councilwoman Smith directed Staff to stop approving subdivisions with houses facing out onto 60-foot wide streets. She also directed Staff to upgrade the audio/visual/recording system in the Council Chambers.

Councilman Buck directed Staff to change the Planning Commission minutes to include the wording of the motion. City Manager Rose stated that information would be provided to Council.

CITY MANAGER'S REPORT

No report was given.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:33 P.M.

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

APPROVED: April 5, 2006

Mayor Michael L. Montandon

ATTEST:

Karen L. Storms, CMC
City Clerk