

RESOLUTION NO. R-65-2009

A RESOLUTION DISPOSING OF THE PROTESTS MADE AT THE HEARING ON THE PROVISIONAL ORDER FOR CITY OF LAS VEGAS, NEVADA, SPECIAL IMPROVEMENT DISTRICT NO. 1514 - ANN ROAD AND CIMARRON ROAD (WEST OF LEGGETT ROAD)

Summary: Protest Disposal Resolution

WHEREAS, the Las Vegas City Council of the City of Las Vegas (hereinafter the "City Council" and "City", respectively), in the County of Clark, State of Nevada, pursuant to a resolution heretofore adopted, provisionally ordered the acquisition of a Street Project as defined in Chapter 271, Nevada Revised Statutes (hereinafter the "Project") within the City of Las Vegas, Nevada, Special Improvement District No. 1514 - Ann Road and Cimarron Road (west of Leggett Road) (hereinafter the "District"); and

WHEREAS, pursuant to the resolution, the City Clerk gave notice of the time and place of a hearing thereon, in the manner specified by law; and

WHEREAS, the manner of giving such notice by mail, publication and posting was reasonably calculated to inform the parties of the proceedings concerning the District which might directly and adversely affect their legally protected interests; and

WHEREAS, all owners of property to be assessed and interested persons so desiring were permitted to file a written complaint, protest or objection on or before Friday, July 31, 2009, or to appear before the City Council on Wednesday, August 5, 2009, and be heard as to the propriety and advisability of acquiring the Project provisionally ordered, as to the cost thereof and manner of payment therefor, and as to the amount thereof to be assessed against the property for the Project; and

WHEREAS, the City Council has now considered each and every written protest and objection and all oral protests and objections made at the hearing, and the City Council finds that each and every oral protest or objection is without sufficient merit and is overruled and denied.

NOW, THEREFORE, BE IT RESOLVED BY THE LAS VEGAS CITY COUNCIL, IN THE STATE OF NEVADA; THAT:

Section 1. This Resolution shall be known as, and may be cited by, the short title "Special Improvement District No. 1514 Protest Disposal Resolution" (hereinafter the "Resolution").

Section 2. The City Council has determined and does hereby determine, that there are not more than 2,640-feet between existing improvements and that the exception provided by NRS 271.306(2)

(b) does exist with respect to the Project (stating that the City, at its option, may proceed with the improvements in the District regardless of the percentage of protests).

Section 3. The City Council determines that each and every protest and objection filed or otherwise made is without sufficient merit and that the same is overruled and finally passed on by the City Council.

Section 4. The City Council has determined, and does hereby determine, that it is advisable to acquire the Project, as provided by the Special Improvement District No. 1514 Provisional Order Resolution and to proceed with the District.

Section 5. Within 30 days after the City Council passes on the complaint, protest or objection, by adoption of this Resolution, any person who filed and did not withdraw a written complaint, protest or objection shall have the right to commence an action or suit in any court of competent jurisdiction to correct or set aside the determination, but thereafter, all actions or suits attacking the validity of the proceedings and the amount of benefits are perpetually barred.

Section 6. The City Engineer together with the City Engineer Division are requested and directed to prepare, in the manner required by law, and to present the following to the City Council:

- (a) A revised and detailed estimate of the total cost of the Project, including each of the incidental costs, if necessary;
- (b) Full and detailed final plans and specifications for the Project, if necessary;
- (c) A revised map and a revised assessment plat, if necessary; and
- (d) A revised and supplemental Report to the City Council on Benefits, if necessary.

Section 7. That the City Council has also determined and does hereby declare as follows:

- (a) The public convenience and necessity require the creation of District No. 1514 - Ann Road and Cimarron Road (west of Leggett Road) and the construction of the Project.
- (b) The creation of the District is economically sound and feasible.
- (c) The market value of each of the benefited lots, tracts and parcels of land in the District will be increased by an amount directly attributable to the Project for which the assessment is to be made.

Section 8. All actions, proceedings, matters and things heretofore taken, had and done by the City and the officers thereof (not inconsistent with the provisions of this Resolution) concerning the City of Las Vegas, Nevada, Special Improvement District No. 1514 - Ann Road and Cimarron Road (west of Leggett Road) including, but not limited to, the notice of the hearing provided which was mailed, posted, and published, and the same hereby are, ratified, approved and confirmed.

Section 9. The officers of the City are directed to effectuate the provisions of this Resolution.

Section 10. All resolutions, or parts thereof, in conflict herewith are hereby repealed to the extent of such inconsistency.

Section 11. The invalidity of any provision of this Resolution shall not affect any remaining provisions hereof.

Section 12. The City Council has determined, and does hereby declare, that this Resolution shall be in effect after its passage in accordance with the law.

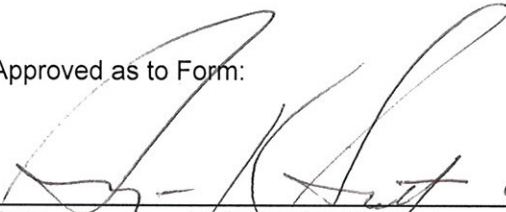
PASSED AND APPROVED this 19th day of August, 2009.

  
\_\_\_\_\_  
OSCAR B. GOODMAN, Mayor

Attest:

  
\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

Approved as to Form:

  
\_\_\_\_\_  
Date 8/4/09 Assistant City Attorney

STATE OF NEVADA            )  
                                      )  
COUNTY OF CLARK         ) ss  
                                      )  
CITY OF LAS VEGAS         )

I, Beverly K. Bridges, the duly chosen and qualified City Clerk of the City of Las Vegas (hereinafter the "City"), in the State of Nevada, do hereby certify:

1. The foregoing pages constitute a true, correct, complete and compared copy of a resolution adopted by the City Council of the City (hereinafter the "City Council") at a meeting held on August 19, 2009.

2. The adoption of the resolution was duly moved and seconded and the resolution was adopted by an affirmative vote of a majority of the members of City Council as follows:

|                   |                                                                                                                              |
|-------------------|------------------------------------------------------------------------------------------------------------------------------|
| Those Voting Aye: | Oscar B. Goodman<br>Gary Reese<br>Steve Wolfson<br>Lois Tarkanian<br>Steven D. Ross<br>Ricki Y. Barlow<br>Stavros S. Anthony |
|-------------------|------------------------------------------------------------------------------------------------------------------------------|

|                   |      |
|-------------------|------|
| Those Voting Nay: | None |
|-------------------|------|

|               |      |
|---------------|------|
| Those Absent: | None |
|---------------|------|

3. The original of the resolution has been approved and authenticated by the signatures of the Mayor of the City and myself as City Clerk and has been recorded in the regular official record of the City Council kept for that purpose in my office, which record has been duly signed by the officers and properly sealed.

4. All members of the City Council were given due and proper notice of the meeting. Pursuant to § 241.020, Nevada Revised Statutes, written notice of the meeting was given not later than 9:00 a.m. on the third working day before the meeting, including in the notice the time, place, location, and agenda of the meeting:

(a) By posting a copy of the notice at least three working days before the meeting at the principal office of the City Council, or if there is no principal

office, at the building in which the meeting is to be held, and at least three (3) other separate, prominent places within the jurisdiction of the City Council, to wit:

- (i) City Clerk's Bulletin Board  
City Hall Plaza  
2<sup>nd</sup> Floor Skybridge  
Las Vegas, Nevada
- (ii) Bulletin Board  
City Hall Plaza (next door to Metro Records)  
Las Vegas, Nevada
- (iii) Las Vegas Library  
833 Las Vegas Boulevard North  
Las Vegas, Nevada
- (iv) Clark County Government Center  
500 South Grand Central Parkway  
Las Vegas, Nevada
- (v) Grant Sawyer Building  
555 E. Washington Avenue  
Las Vegas, Nevada
- (vi) The City of Las Vegas Website

(b) By mailing a copy of the notice to each person, if any, who has requested notice of the meetings of the City Council in the same manner in which notice is required to be mailed to a member of the City Council. Such notice was delivered to the postal service no later than 9:00 a.m. on the third working day prior to the meeting.

5. Upon request, the City Council provides at no charge, at least one copy of the agenda for its public meetings, any proposed ordinance or regulation which will be discussed at the public meeting, and any other supporting materials provided to the City Council for an item on the agenda, except for certain confidential materials and materials pertaining to closed meetings, as provided by law.

6. A copy of such notice so given of the meeting of the City Council on August 19, 2009, is attached to this certificate as Exhibit "A".

**IN WITNESS WHEREOF**, I have hereunto set my hand on this August 19, 2009.

(SEAL)

  
\_\_\_\_\_  
BEVERLY K. BRIDGES, CMC  
City Clerk

**Exhibit "A"**

**(Attach Notice of Meeting and Agenda)**



## **CITY COUNCIL AGENDA**

**COUNCIL CHAMBERS · 400 STEWART AVENUE · PHONE 229-6011**

**CITY OF LAS VEGAS INTERNET ADDRESS: [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov)**

**COUNCIL MEMBERS: OSCAR B. GOODMAN, MAYOR (At-Large)**

**COUNCILMAN GARY REESE, MAYOR PRO TEM (Ward 3)**

**STEVE WOLFSON (Ward 2), LOIS TARKANIAN (Ward 1), STEVEN D. ROSS (Ward 6)**

**RICKI Y. BARLOW (Ward 5), STAVROS S. ANTHONY (Ward 4)**

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Facilities are provided throughout City Hall for convenience of persons with disabilities. For meetings held in the Council Chambers, sound equipment is available for persons with hearing impairments. If you need an accommodation to attend and participate in this meeting, please call the City Clerk's office at 229-6311 and advise of your need at least 48 hours in advance of the meeting. The City's TDD number is 386-9108.

**August 19, 2009**

**Morning Session begins at 9:00 a.m.**

**Afternoon Session begins at 1:00 p.m.**

ALL ITEMS ON THIS AGENDA ARE SCHEDULED FOR ACTION UNLESS SPECIFICALLY NOTED OTHERWISE.

THESE PROCEEDINGS ARE BEING VIDEO RECORDED AS WELL AS PRESENTED LIVE ON KCLV, CABLE CHANNEL 2, AND ARE CLOSED CAPTIONED FOR OUR HEARING IMPAIRED VIEWERS. THE COUNCIL MEETING, AS WELL AS ALL OTHER KCLV PROGRAMMING, CAN BE VIEWED ON THE INTERNET AT [www.kclv.tv](http://www.kclv.tv). THE PROCEEDINGS WILL BE REBROADCAST ON KCLV CHANNEL 2 AND THE WEB THE WEDNESDAY OF THE MEETING AT 8:00 PM, AND ALSO ON FRIDAY AT 4:00 AM, SATURDAY AT 7:00 PM, SUNDAY AT 7:00 AM AND THE FOLLOWING MONDAY AT 1:00 PM.

DUPLICATE AUDIO CD'S AND DUPLICATE AUDIO/VIDEO DVD'S MAY BE AVAILABLE AT A COST OF \$5.00 EACH THROUGH THE CITY CLERK'S OFFICE.

NOTE: CELLULAR PHONES ARE TO BE TURNED OFF DURING THE COUNCIL MEETING.

### **CEREMONIAL MATTERS**

1. CALL TO ORDER
2. ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
3. INVOCATION -- PASTOR LINDA KELLY, MOUNTAIN VIEW PRESBYTERIAN CHURCH
4. PLEDGE OF ALLEGIANCE
5. RECOGNITION OF EMPLOYEE OF THE MONTH
6. RECOGNITION OF THE PUBLIC WORKS DEPARTMENT FOR A DECADE OF PEAK PERFORMANCE AWARDS
7. RECOGNITION OF THE 2010 CENSUS EFFORT
8. RECOGNITION OF THE CHARITY WORK OF PAUL JONES



## **BUSINESS ITEMS - MORNING**

9. Any items from the morning session that the Council, staff and/or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time
10. Approval of the Final Minutes by reference of the regular City Council meeting of July 15, 2009

## **CONSENT AGENDA**

MATTERS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED FOR APPROVAL BY THE SUBMITTING DEPARTMENTS. ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

### **ADMINISTRATIVE - CONSENT**

11. Approval for the City Manager to negotiate an agreement with the Young Men's Christian Association (YMCA) and/or the Charter School operated by Imagine School in the Valley (Imagine) for use of space at the Durango Hills Community Center (facility) located at 3499 North Durango Drive, operated by the YMCA - Ward 4 (Anthony)

### **CITY CLERK - CONSENT**

12. Approval of notification of filing of Declarations of Interest in property located in the existing Redevelopment Areas

### **FINANCE & BUSINESS SERVICES - ADMINISTRATION CONSENT**

13. Approval of Service and Material Checks/Payroll Checks/Wire Transfers/Other Checks and Investments
14. Approval of a report by the City Treasurer of the July 28, 2009 sale of properties subject to the lien of a delinquent assessment in Special Improvement Districts 707, 808, 809, 607 and various districts - Wards 2,3,4 and 5 (Wolfson, Reese, Anthony and Barlow)

### **FINANCE & BUSINESS SERVICES - BUSINESS SERVICES CONSENT**

15. Approval of a new Beer/Wine/Cooler Off-sale License subject to Health Dept. regulations, Terrible Herbst, Inc., dba Terrible's #310, 3320 Novat Street, Jerry Herbst, Pres, 100% - Ward 4 (Anthony)
16. Approval of a new Restricted Gaming License subject to confirmation of approval by the Nevada Gaming Commission, E-T-T, Inc., db at Terrible's #310, 3320 Novat Street - Ward 4 (Anthony)
17. Approval of a new Non-restricted Gaming license subject to confirmation of approval by the Nevada Gaming Commission, Rampart Sports Pool, db at Rampart Casino, 221 North Rampart Boulevard, Gaughan South, LLC, Michael Gaughan, Owner, 100% - Ward 2 (Wolfson)
18. Approval of a Change of Location for a Class III-A Secondhand Dealer License, Edward Taguba, dba Jewelry Express of Las Vegas, From: 3071 North Rainbow Boulevard, Suite 100, To: 4726 West Sahara Avenue, Edward Taguba, Owner, 100% - Ward 1 (Tarkanian)
19. Approval of a Change of Business Name for a Class II Secondhand Dealer License, a Pawnbroker License, and a Pistol Permit, BDL Investments, LLC, dba From: Metro Pawn, To: Metro Jewelry & Loan, 7960 West Sahara Avenue, Suite 120, CSN, Inc., Shareholder, 90%, Mark D. Bell, Pres and M. Neil Duxbury, VP and G. Martin Limon, Managing Mmbr, 10% - Ward 2 (Wolfson)

## **FINANCE & BUSINESS SERVICES - PURCHASING & CONTRACTS CONSENT**

20. Approval of revision to Purchase Order No. 219386, Access Control System located at the Water Pollution Control Facility, 6005 East Vegas Valley Drive - Department of Public Works - Award recommended to: DIEBOLD, INC. (\$150,700 - Sanitation Enterprise Fund) - County
21. Approval of award of Agreement No. 100015-LD, Design Services Agreement for Water Pollution Control Facility Sludge Blending and Feed Station located at 6005 East Vegas Valley Drive - Department of Public Works - Award recommended to: MWH AMERICAS, INC. (\$1,498,810 - Sanitation Enterprise Fund) - County
22. Approval of award of Modification No. 3 for Contract No. 030151-KR, Volume Pricing, Maintenance and Professional Services for City-wide Computer Network Equipment - Department of Information Technologies - Award recommended to: DYNTEK SERVICES, INC. (\$2,000,000 - Computer Services Internal Service Fund)
23. Preapproval of award of Bid No. 10.1730.05-DC, Symphony Park Off-Site Electrical Conduit System located between First Street and Main Street along Coolidge Avenue and Gass Avenue to the lowest responsive and responsible or best bidder and the construction conflicts and contingency reserve set by Finance and Business Services - Department of Public Works (\$2,758,580 - General Capital Projects Fund) - Ward 3 (Reese)
24. Approval of award of Contract No. 090128-PL, Marketing/Branding Services for the Las Vegas Museum of Organized Crime and Law Enforcement located at 300 Stewart Avenue - Department of Administrative Services - Award recommended to: WALL TO WALL STUDIOS (249,960 - Parks and Leisure Activities Capital Projects Fund) - Ward 5 (Barlow)
25. Approval of the rejection of the lowest and second lowest non-responsible bidders and award of Bid No. 090159-TF, Annual Requirements Contract for Food Services for the Department of Detention and Enforcement located at 3100 Stewart Avenue - Department of Detention and Enforcement - Award recommended to: INSTITUTIONAL FOODSERVICE MANAGEMENT, LLC (\$1,630,636 - General Fund) - Ward 3 (Reese)
26. Approval of award of Contract No. 090256-TM, Annual Requirements Contract for Water Treatment Chemicals - Department of Public Works - Award recommended to: THATCHER COMPANY OF NEVADA (\$1,500,000 - Sanitation Enterprise Fund)

## **NEIGHBORHOOD SERVICES - CONSENT**

27. Approval of an agreement to replace \$30,000 Community Development Block Grant funds (CDBG) with Affordable Housing Special Revenue Fund (Redevelopment 18% Set Aside) funds for HELP of Southern Nevada to operate a tenant based rental assistance program (TBRA) – All Wards
28. Approval of an agreement to replace \$30,000 Community Development Block Grant funds (CDBG) with Affordable Housing Special Revenue Fund (Redevelopment 18% Set Aside) funds for Catholic Charities of Southern Nevada to operate a tenant based rental assistance program (TBRA) – All Wards
29. Approval of an agreement with the State of Nevada Department of Business and Industry Housing Division (NHD) to receive \$430,712 in FY 2009 Home Investment Partnerships Program (HOME) Funds for future affordable housing projects – All Wards
30. Approval of an agreement with the UNLV Child Care and Development Program (CCDP) and United Way of Southern Nevada to receive \$118,640 as part of the Quality Enhancement Programs and Services for the Parents As Learning Support (PALS) Program - All Wards

## **PUBLIC WORKS - CONSENT**

31. Approval of an Encroachment Request from Thomason Consulting Engineers on behalf of Gold Spike Holdings, LLC, owner (northeast corner of Ogden Avenue and 4th Street) - Ward 5 (Barlow)
32. Approval of an Encroachment Request from JHR Associates, Limited, on behalf of William D. Hitt, owner (northwest corner of Deer Springs Way and Durango Drive) - Ward 6 (Ross)

33. Approval to rescind the July 15, 2009 Council action approving Interlocal Agreement 113295 between the City of Las Vegas and the Las Vegas Valley Water District for water services to provide irrigation to landscaping for the North and South Environmental Enhancement Areas within Floyd Lamb Park located at 9200 Tule Springs Road (\$157,298 - Clark County Regional Flood Control District [CCRFCD] - Ward 6 (Ross))
34. Approval of Interlocal Agreement 113295 between the City of Las Vegas and the Las Vegas Valley Water District for water services to provide irrigation for landscaping in the North and South Environmental Enhancement Areas within Floyd Lamb Park located at 9200 Tule Springs Road (\$157,928 - Clark County Regional Flood Control District [CCRFCD] - Ward 6 (Ross))
35. Approval of a Rule 9 Line Extension Agreement with Nevada Power Company, d/b/a NV Energy, for the installation of power facilities to provide power for streetlight services for the Downtown Connector Bus Rapid Transit project located along Paradise Road between Convention Center Drive and Sahara Avenue (\$8,073 - Regional Transportation Commission [RTC]) - Wards 3 and 5 (Reese and Barlow)
36. Approval of an Amendment to an Agreement with Embarq for relocation and under grounding of non-franchise facilities in conjunction with the Martin L. King widening project along Martin L. King Boulevard from Mount Mariah Drive to Carey Avenue (\$128,954 - Regional Transportation Commission [RTC]) - Ward 5 (Barlow)

#### **RESOLUTIONS - CONSENT**

37. R-64-2009 - Approval of a Resolution Awarding Bid for Special Improvement District No. 1513 - Via Olivero Avenue and Valadez Street (East of Cimarron Road) (\$136,804.93 - Capital Projects Fund/Special Assessments) - Ward 2 (Wolfson)
38. R-65-2009 Approval of a Resolution Disposing of the Protests made at the hearing on the Provisional Order for Special Improvement District No. 1514 - Ann Road and Cimarron Road (West of Leggett Road) - Ward 6 (Ross)

#### **DISCUSSION/ACTION ITEMS**

#### **HEARINGS - DISCUSSION**

39. Public Hearing to consider the report of expenses to recover costs for abatement of nuisance located at 4931 Vermont Avenue in the amount of \$3,416 (General Fund) and assess a maximum of \$60,050 in daily civil penalties. PROPERTY OWNER: GERALD L & LANA G CHARLEBOIS - Ward 1 (Tarkanian)
40. Public Hearing to consider the report of expenses to recover costs for abatement of vacant or abandoned dangerous building located at 4612 Stacey Avenue in the amount of \$2,875.50 (General Fund) and assess a maximum of \$42,700 in daily civil penalties. PROPERTY OWNER: JOSEFINA & FRANCISCO HUERTA - Ward 5 (Barlow)
41. ABEYANCE ITEM - Hearing to consider the appeal regarding the Notice and Declaration of Chronic Nuisance located at 2100 Fremont Street - Unit #110. PROPERTY OWNER: MARY 22 BARTSAS LLC - Ward 3 (Reese)

#### **ADMINISTRATIVE - DISCUSSION**

42. Discussion and possible action regarding an Amended And Restated Disposition and Development Agreement between City Parkway V, Inc., and Heritage-Nevada VIII, LLC, for the development of the World Jewelry Center, an industry-specific office, residential condominium and retail complex on a portion of the Symphony Park property known as Parcel E and bounded by Grand Central Parkway, Parkway Center and West Carson Avenue (APN 139-34-110-007) - Ward 5 (Barlow)

#### **CITY ATTORNEY - DISCUSSION**

43. Discussion and possible action regarding a renewal of the City's Franchise Agreement with Southwest Gas Corporation for natural gas transmission and distribution services - All Wards
44. Discussion and possible action regarding complaint seeking disciplinary action against Dominic Laino dba Club 2100, 2100 Fremont Street, Las Vegas, Clark County, Nevada, for violations of the Las Vegas Municipal Code - Ward 3 (Reese)

45. Discussion and possible action regarding complaint seeking disciplinary action against SNICK'S PLACE, INC., dba SNICK'S PLACE ("SNICK'S PLACE"); and DOMINICK RALPH VITALE ("VITALE"), 1402 South Third Street, Las Vegas, Clark County, Nevada, for violations of the Las Vegas Municipal Code -- Ward 3 (Reese)

#### **FINANCE & BUSINESS SERVICES - BUSINESS SERVICES DISCUSSION**

46. Discussion and possible action regarding Temporary Approval of a new Hypnotherapy License, William Pappapetru, dba William Pappapetru, 800 North Rainbow Boulevard, Suite 170, William Pappapetru, Owner, 100% - Ward 1 (Tarkanian)
47. Discussion and possible action regarding a Change of Business Name and Change of Ownership for a Tavern Limited License subject to Health Dept. regulations, From: Take 1 Inc., dba Take 1 Inc., John V. Ardito, Dir, Secy, Treas, 95% and Gary Sax, Pres, 5%, To: Rafael Manzanares, dba Gato 1 Nite Club, 707 Fremont Street, Rafael P. Manzanares, Owner, 100% - Ward 5 (Barlow)
48. Discussion and possible action regarding an Appeal of Work Card Denial for Gregory Floyd, db at Zada's Ice Cream, 2850 East Charleston Boulevard - Ward 3 (Reese)
49. Discussion and possible action regarding an Appeal of Work Card Denial for Gina Mourning, db at Buy Low Market 4, 1061 West Owens Avenue - Ward 5 (Barlow)
50. Discussion and possible action regarding an Appeal of Work Card Denial for Manuel Porras, db at Pogo's Tavern, 2103 North Decatur Boulevard - Ward 5 (Barlow)

#### **PLANNING & DEVELOPMENT - DISCUSSION**

51. Discussion and possible action regarding an agreement between the City of Las Vegas and Green Chips for the purpose of funding a pilot program to perform energy audits and retrofits for low income households and a non-profit organization (\$90,000 -- Green Building Special Revenue Fund/Energy Efficiency and Conservation Block Grant) - All Wards

#### **RESOLUTIONS - DISCUSSION**

52. R-66-2009 - Discussion and possible action regarding a resolution of the governing bodies of the County of Clark and the Cities of Henderson, Las Vegas and North Las Vegas to form the Southern Nevada Regional Housing Authority and a report on the rotation of the Tenant Commissioner for the Southern Nevada Regional Housing Authority - All Wards
53. R-67-2008 - Discussion and possible action regarding a Resolution to seek approval from the Clark County Debt Management Commission to issue an installment-purchase agreement in an amount not to exceed \$5,845,921 to finance energy conservation projects - All Wards

#### **BOARDS & COMMISSIONS - DISCUSSION**

54. ABEYANCE ITEM - Discussion and possible action on appointments of Council members to various City of Las Vegas and other jurisdictional Boards, Commissions and Authorities -- Chief Local Elected Officials Consortium
55. HISTORIC PRESERVATION COMMISSION -- H. Richard Cuppett, Term Expiration 9-19-2009
56. Discussion and possible action on the appointment of two commissioners to the Southern Nevada Regional Housing Authority representing the City of Las Vegas

#### **RECOMMENDING COMMITTEE REPORT - DISCUSSION**

#### **BILLS ELIGIBLE FOR ADOPTION AT THIS MEETING**

57. Bill No. 2009-33 -- Revises the zoning regulations governing small wind energy systems. (TXT-33703) Sponsored by: Councilman Steven D. Ross

### **BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS AND NO ACTION WILL BE TAKEN BY THE COUNCIL AT THIS MEETING, EXCEPT THOSE ITEMS WHICH MAY BE STRICKEN OR TABLED. PUBLIC TESTIMONY TAKES PLACE AT THE RECOMMENDING COMMITTEE MEETING HELD FOR THAT PURPOSE.

- 58. Bill No. 2009-34 – Adopts the Land Use and Rural Neighborhoods Preservation Element of the Las Vegas 2020 Master Plan. Proposed by: M. Margo Wheeler, Director of Planning and Development
- 59. Bill No. 2009-35 – Adopts the Economic Element of the Las Vegas 2020 Master Plan. Proposed by: M. Margo Wheeler, Director of Planning and Development
- 60. Bill No. 2009-36 – Creates the City of Las Vegas, Nevada Tourism Improvement District for parcels at Fourth Street and Stewart Avenue (area bounded by Stewart Avenue, Casino Center Boulevard, U.S. Highway 95 and Fourth Street). Sponsored by: Mayor Oscar B. Goodman
- 61. Bill No. 2009-37 – Clarifies and updates the zoning and parking standards relative to retail bakeries. (TXT-34897) Proposed by: M. Margo Wheeler, Director of Planning and Development

### **NEW BILLS - DISCUSSION**

THERE IS NO PUBLIC COMMENT ON THESE ITEMS. NEW BILLS ARE READ INTO THE RECORD AND REFERRED TO RECOMMENDING COMMITTEE FOR A SEPARATE HEARING TO RECEIVE PUBLIC TESTIMONY BEFORE ACTION BY THE COUNCIL AT A LATER MEETING. EXCEPTION: EMERGENCY BILLS OR THOSE ITEMS TO BE STRICKEN OR TABLED.

- 62. Bill No. 2009-38 - Ordinance Creating Special Improvement District No. 1514 - Ann Road and Cimarron Road (West of Leggett Road) Sponsored by: Step Requirement

### **1:00 P.M. - AFTERNOON SESSION**

#### **BUSINESS ITEMS – AFTERNOON**

- 63. Any items from the afternoon session that the Council, staff and /or the applicant wish to be stricken or held in abeyance to a future meeting may be brought forward and acted upon at this time

### **PLANNING & DEVELOPMENT**

THE ITEMS LISTED BELOW, WHERE APPROPRIATE, HAVE BEEN REVIEWED BY THE VARIOUS CITY DEPARTMENTS RELATIVE TO REQUIREMENTS FOR STORM DRAINAGE AND FLOOD CONTROL, CONNECTION TO SANITARY SEWER, TRAFFIC CIRCULATION, AND BUILDING AND FIRE REGULATIONS. THEIR COMMENTS AND/OR RECOMMENDATIONS AND REQUIREMENTS HAVE BEEN INCORPORATED INTO THE ACTION.

#### **PLANNING & DEVELOPMENT - CONSENT**

PM SESSION - ALL ITEMS LISTED ON THE CONSENT AGENDA ARE CONSIDERED TO BE ROUTINE AND HAVE BEEN RECOMMENDED "FOR APPROVAL". ALL ITEMS ON THE CONSENT AGENDA MAY BE APPROVED IN A SINGLE MOTION. HOWEVER, IF A COUNCIL MEMBER SO REQUESTS, ANY CONSENT ITEM MAY BE MOVED TO THE DISCUSSION PORTION OF THE AGENDA AND OTHER ACTION, INCLUDING POSTPONEMENT OR DENIAL OF THE ITEM, MAY TAKE PLACE.

- 64. EOT-35061 - EXTENSION OF TIME - VARIANCE - APPLICANT: TANEY ENGINEERING - OWNER: WILLIAM LYON HOMES - Request for an Extension of Time of a previously approved Variance (VAR-13853) TO ALLOW ZERO SQUARE FEET OF OPEN SPACE WHERE 35,293 SQUARE FEET ARE REQUIRED FOR A 49-LOT RESIDENTIAL SUBDIVISION on 24.8 acres at the southwest corner of Horse Drive and Coke Street (APN 125-09-602-004, 125-09-702-001, 002, 003, and 125-09-704-001), R-PD2 (Residential Planned Development- 2 Units per Acre) Zone, Ward 6 (Ross). Staff recommends APPROVAL

65. EOT-35064 - EXTENSION OF TIME - SITE DEVELOPMENT PLAN REVIEW - APPLICANT: TANEY ENGINEERING - OWNER: WILLIAM LYON HOMES - Request for an Extension of Time of a previously approved Site Development Plan Review (SDR-13852) FOR A 49-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 24.8 acres at the southwest corner of Horse Drive and Coke Street (APNs 125-09-602-004, 125-09-702-001, 002, 003, and 125-09-704-001), R-PD2 (Residential Planned Development- 2 Units per Acre) Zone, Ward 6 (Ross). Staff recommends APPROVAL

#### **PLANNING & DEVELOPMENT - ONE MOTION/ONE VOTE**

THE FOLLOWING ARE ITEMS THAT MAY BE CONSIDERED IN ONE MOTION/ONE VOTE. THEY ARE CONSIDERED ROUTINE NON-PUBLIC AND PUBLIC HEARING ITEMS. ALL PUBLIC HEARINGS AND NON-PUBLIC HEARINGS WILL BE OPENED AT ONE TIME. ANY PERSON REPRESENTING AN APPLICATION OR A MEMBER OF THE PUBLIC OR A MEMBER OF THE CITY COUNCIL NOT IN AGREEMENT WITH THE CONDITIONS AND ALL STANDARD CONDITIONS FOR THE APPLICATION RECOMMENDED BY STAFF, SHOULD REQUEST TO HAVE THAT ITEM REMOVED FROM THIS PART OF THE AGENDA.

66. RQR-34682 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT: CLEAR CHANNEL OUTDOOR, LLC - OWNER: BRIGHT PATH, LLC - Request for Required Review of a previously approved Special Use Permit (SUP-4521) FOR A 40-FOOT BY 48- FOOT OFF-PREMISE SIGN at 820 South Valley View Boulevard (APN 139-31-801-002), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend APPROVAL
67. DIR-35127 - DIRECTOR'S BUSINESS - NON-PUBLIC HEARING - APPLICANT/OWNER: MONTECITO COMPANIES - Required review of a development report as required by Subsection 5.1 of that certain Development Agreement between the city of Las Vegas and Montecito Town Center, LLC dated April 3, 2002, on 217.50 acres generally located southeast of Elkhorn Road and El Captain Way (APNs multiple), Ward 6 (Ross). Staff recommends APPROVAL
68. DIR - 35174 - DIRECTOR'S BUSINESS - NON-PUBLIC HEARING - APPLICANT/OWNER: TRIAD DEVELOPMENT, LLC - Required review of a development report as required by Subsection 5.1 of that certain Development Agreement between the city of Las Vegas and Triad Development, LLC dated July 18, 2001, on 11.5 acres generally located south of Village Center Drive, East of Trails Center Drive (APNs multiple), Ward 2 (Wolfson). Staff recommends APPROVAL
69. DIR-35251 - DIRECTOR'S BUSINESS - NON-PUBLIC HEARING - APPLICANT/OWNER: CLIFFS EDGE, LLC - Required review of an annual development report as required by Section 5.1 of the Cliff's Edge Development Agreement, on approximately 1,134 acres generally located adjacent to the south side of Grand Teton Drive, between Hualapai Way and Puli Road (APN multiple), Ward 6 (Ross). Staff recommends APPROVAL

#### **PLANNING & DEVELOPMENT - DISCUSSION**

70. GPA-32424 - ABEYANCE ITEM - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT/OWNER: GARNON LLC - Request to Amend a portion of the Southeast Sector Plan of the General Plan FROM: SC (SERVICE COMMERCIAL) TO: GC (GENERAL COMMERCIAL) on 0.35 acres at 4201 West Charleston Boulevard (APN 162-06-510-004), Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL
71. SUP-30693 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO GPA-32424 - PUBLIC HEARING - APPLICANT/OWNER: GARNON, LLC - Request for a Special Use Permit FOR A PROPOSED AUTO REPAIR GARAGE (MAJOR) WITH A WAIVER TO ALLOW THE OPENINGS OF THE SERVICE BAYS TO FACE THE PUBLIC RIGHT-OF-WAY at 4201 West Charleston Boulevard (APN 162-06-510-004), C-2 (General Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL
72. VAR-33989 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: SANARP TRUST - Appeal from the denial by the Planning Commission of a request for a Variance TO ALLOW AN EXISTING 3,783 SQUARE-FOOT ACCESSORY STRUCTURE (CLASS II) WHERE 2,029 SQUARE FEET IS THE MAXIMUM SIZE ALLOWED; TO BE 17 FEET IN HEIGHT WHERE A HEIGHT OF 13.25 FEET IS PERMITTED; NOT TO BE AESTHETICALLY COMPATIBLE (METAL) WITH THE PRINCIPLE DWELLING UNIT; AND TO ALLOW FOR TWO-FOOT SIDE YARD SETBACK WHERE THREE FEET IS REQUIRED on 0.94 acres at 3018 Ashby Avenue (APN 162-05-115-006), R-E (Residence Estates) Zone, Ward 1 (Tarkanian). The Planning Commission (6-0 vote) and staff recommend DENIAL

73. VAR-32640 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW 119 PARKING SPACES WHERE 146 ARE REQUIRED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.
74. VAR-33015 - ABEYANCE ITEM - VARIANCE RELATED TO VAR-32640 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Variance TO ALLOW A 10-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 132 FEET AND TO ALLOW A LOT COVERAGE OF 82% WHERE 50% IS THE MAXIMUM PERMITTED on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.
75. SUP-32639 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-32640 AND VAR-33015 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Special Use Permit FOR A PROPOSED SENIOR CITIZEN APARTMENT COMPLEX WITH A WAIVER TO ALLOW APARTMENTS ON THE GROUND FLOOR WHERE NONE ARE PERMITTED adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.
76. SDR-32638 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-32640, VAR-33015, AND SUP-32639 - PUBLIC HEARING - APPLICANT: METROPOLITAN HOMES - OWNER: ISANI RAZIA AND SARIHAN GUNAY - Request for a Site Development Plan Review FOR A PROPOSED THREE-STORY, 44-FOOT TALL, 151-UNIT SENIOR CITIZEN APARTMENT COMPLEX WITH 5,460 SQUARE FEET OF COMMERCIAL SPACE on 2.16 acres adjacent to the west side of Decatur Boulevard, approximately 1,000 feet south of Lake Mead Boulevard (APN 138-24-703-006), U (Undeveloped) Zone [SC (Service Commercial) General Plan Designation] under Resolution of Intent to C-1 (Limited Commercial), Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (5-1-1 vote) recommends APPROVAL.
77. VAR-34008 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Variance TO ALLOW A ZERO-FOOT SIDE YARD SETBACK WHERE 10 FEET IS THE MINIMUM REQUIRED AND TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 20 FEET WHERE 57 FEET IS REQUIRED on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL.
78. SUP-34006 - ABEYANCE ITEM - SPECIAL USE PERMIT RELATED TO VAR-34008 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Special Use Permit FOR A BEER/WINE/COOLER OFF-SALE ESTABLISHMENT at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL.
79. SDR-34010 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO VAR-34008 AND SUP-34006 - PUBLIC HEARING - APPLICANT: AMERICAN WEST PETROLEUM - OWNER: PHAM CAPITAL, LLC - Request for a Site Development Plan Review FOR A PROPOSED 3,018 SQUARE-FOOT CONVENIENCE STORE WITH FUEL PUMPS AND A WAIVER TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ON A PORTION OF THE SOUTH AND WEST PERIMETER WHERE EIGHT FEET IS THE MINIMUM REQUIRED AND TO ALLOW A WAIVER OF THE BUILDING PLACEMENT AND ORIENTATION STANDARDS on 0.58 acres at the southwest corner of Sahara Avenue and Valley View Boulevard (APN 162-07-512-010), C-1 (Limited Commercial) Zone, Ward 1 (Tarkanian). The Planning Commission (7-0 vote) and staff recommend DENIAL.
80. SUP-34255 - ABEYANCE ITEM - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE MINISTRIES, INC. - Request for a Special Use Permit FOR A CHURCH/HOUSE OF WORSHIP at 5300 North Rainbow Boulevard (APN 125-35-201-006), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (5-2 vote) and staff recommend APPROVAL.

81. SDR-34254 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW RELATED TO SUP-34255 - PUBLIC HEARING - APPLICANT/OWNER: RIVER OF LIFE MINISTRIES, INC. - Request for a Site Development Plan Review FOR A PROPOSED CONVERSION OF AN EXISTING 5,313 SQUARE-FOOT SINGLE-FAMILY RESIDENCE TO A CHURCH/HOUSE OF WORSHIP WITH A WAIVER OF THE PERIMETER LANDSCAPE BUFFER STANDARDS TO ALLOW A ZERO-FOOT LANDSCAPE BUFFER ALONG A PORTION OF THE SOUTHERN PROPERTY LINE WHERE EIGHT FEET IS THE MINIMUM REQUIRED on 3.52 acres at 5300 North Rainbow Boulevard (APN 125-35-201-006), R-E (Residence Estates) Zone, Ward 6 (Ross). The Planning Commission (5-2 vote) and staff recommend APPROVAL
82. VAR-34603 - ABEYANCE ITEM - VARIANCE - PUBLIC HEARING - APPLICANT: P2R LAS VEGAS, LLC - OWNER: ASSAF NEVADA, INC. - Request for a Variance TO ALLOW 176 PARKING SPACES WHERE 331 ARE REQUIRED FOR A PROPOSED 45,098 SQUARE-FOOT COMMERCIAL RECREATION/AMUSEMENT (INDOOR) USE (Go-Kart Track) on 7.42 acres at 7350 Prairie Falcon Road (APN 138-15-310-003 and 017), C-PB (Planned Business Park) Zone, Ward 4 (Anthony). Staff recommends DENIAL. The Planning Commission (6-0 vote) recommends APPROVAL
83. SDR-34450 - ABEYANCE ITEM - SITE DEVELOPMENT PLAN REVIEW - PUBLIC HEARING - APPLICANT/OWNER: 521 SOUTH THIRD, LLC - Appeal filed from the denial by the Planning Commission of a request for a Major Amendment of a previously approved Site Development Plan Review (SDR-23906) FOR A 34-FOOT HIGH, 5,705 SQUARE-FOOT OFFICE BUILDING WITH THREE PARKING SPACES on 0.16 acres at 521 South 3rd Street (APN 139-34-311-092), C-2 (General Commercial) Zone, Ward 3 (Reese). The Planning Commission (5-0 vote) and staff recommend DENIAL
84. GPA-34610 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA - Request to Amend a portion of the Southwest Sector Plan of the General Plan FROM: DR (DESERT RURAL DENSITY RESIDENTIAL) TO: PF (PUBLIC FACILITIES) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson). Staff recommends APPROVAL. The Planning Commission (7-0 vote) recommends DENIAL
85. ZON-34611 - REZONING RELATED TO GPA-34610 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA - Request for a Rezoning FROM: R-E (RESIDENCE ESTATES) TO: C-V (CIVIC) on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), Ward 2 (Wolfson). Staff recommends APPROVAL. The Planning Commission (7-0 vote) recommends DENIAL
86. SDR-34612 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34610 AND ZON-34611 - PUBLIC HEARING - APPLICANT: FLO TV, INC - OWNER: UNITED STATES OF AMERICA - Request for a Site Development Plan Review FOR AN EXISTING 321-FOOT RADIO, TV OR MICROWAVE COMMUNICATION TOWER AND THE INSTALLATION OF ONE ANTENNA AT A HEIGHT OF 300 FEET ON AN EXISTING TOWER on 10.89 acres located on the north side of Del Rey Avenue, approximately 900 feet west of Monte Cristo Way (APN 163-03-101-001), R-E (Residence Estates) Zone [PROPOSED: C-V (Civic)], Ward 2 (Wolfson). Staff recommends APPROVAL. The Planning Commission (7-0 vote) recommends DENIAL
87. GPA-34706 - GENERAL PLAN AMENDMENT - PUBLIC HEARING - APPLICANT: NV ENERGY - OWNER: USA AND NEVADA POWER COMPANY - Request to Amend a portion of the Centennial Hills Sector Plan of the General Plan FROM: PCD (PLANNED COMMUNITY DEVELOPMENT) TO: PF (PUBLIC FACILITIES) on 70 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APNs 126-01-101-002 through 004, 007, 015, 016 and 126-01-201-016), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
88. ZON-34709 - REZONING RELATED TO GPA-34706 - PUBLIC HEARING - APPLICANT: NV ENERGY - OWNER: USA AND NEVADA POWER COMPANY - Request for a Rezoning FROM: U (UNDEVELOPED) [PCD (PLANNED COMMUNITY DEVELOPMENT) GENERAL PLAN DESIGNATION] TO: C-V (CIVIC) on 35 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APN 126-01-101-016), Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL



89. SDR-34710 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-34706 AND ZON-34709 – PUBLIC HEARING - APPLICANT: NV ENERGY - OWNER: USA AND NV ENERGY - Request for a Site Development Plan Review FOR AN EXPANSION OF AN EXISTING ELECTRIC UTILITY SUBSTATION on 60 acres generally located on the south side of Moccasin Road alignment, 660 feet west of Larry McBryde Street alignment (APNs 126-01-101-002 through 004, 016 and a portion of 126-01-201-016), U (Undeveloped) [PCD (Planned Community Development) General Plan Designation] and C-V (Civic) Zones [PROPOSED: C-V (Civic)], Ward 6 (Ross). The Planning Commission (7-0 vote) and staff recommend APPROVAL
90. VAR-34662 - VARIANCE - PUBLIC HEARING - APPLICANT/OWNER: REBECCA CARR - Request for a Variance TO ALLOW AN 11-FOOT FRONT YARD SETBACK WHERE 20 FEET IS REQUIRED AND A FOUR-FOOT ENCROACHMENT FOR AN ARCHITECTURAL FEATURE (ROOF EAVE) WHERE TWO FEET IS THE MAXIMUM PERMITTED FOR AN EXISTING CARPORT on 0.15 acres at 521 Byrnes Avenue (APN 139-22-410-133), R-1 (Single Family Residential) Zone, Ward 5 (Barlow). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
91. VAR-34780 - VARIANCE - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: SUN CITY SUMMERLIN COMMUNITY - Request for a Variance TO ALLOW A 127-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 210 FEET FOR A PROPOSED 70-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) on 0.45 acres on the north side of the Sun City Boulevard and Lake Mead Boulevard intersection (APN 137-13-897-002), P-C (Planned Community) Zone, Ward 4 (Anthony). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
92. SUP-34779 - SPECIAL USE PERMIT RELATED TO VAR-34780 - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: SUN CITY SUMMERLIN COMMUNITY - Request for a Special Use Permit FOR A PROPOSED 70-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) north of Lake Mead Boulevard at Sun City Boulevard (APN 137-13-897-002), P-C (Planned Community) Zone, Ward 4 (Anthony). Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL
93. RQR-34323 - REQUIRED REVIEW - PUBLIC HEARING - APPLICANT/OWNER: MARSHALL FAMILY, LIMITED PARTNERSHIP - Required Review of a previously approved Special Use Permit (U-0126-94) FOR A 40-FOOT HIGH, 14-FOOT BY 48-FOOT OFF-PREMISE SIGN at 2330 Industrial Road (APN 162-04-802-007), M (Industrial) Zone, Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission (7-0 vote) recommends APPROVAL
94. SUP-34764 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: HOUSE OF VINO, LLC - OWNER: PROVIDENCE VILLAGE, LLC - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR LIQUOR SALES (FOR OFF-PREMISE CONSUMPTION) WITHIN A PROPOSED 1,925 SQUARE-FOOT CONVENIENCE STORE at 7181 North Hualapai Way, Suite #105 (APN 126-24-517-001), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL
95. SUP-34765 - SPECIAL USE PERMIT RELATED TO SUP-34764 - PUBLIC HEARING - APPLICANT: HOUSE OF VINO - OWNER: PROVIDENCE VILLAGE, LLC - Appeal filed from the denial by the Planning Commission of a request for a Special Use Permit FOR GAMING (INCIDENTAL GAMING MACHINES ONLY) WITHIN A PROPOSED 1,925 SQUARE-FOOT CONVENIENCE STORE at 7181 North Hualapai Way, Suite #105 (APN 126-24-517-001), PD (Planned Development) Zone [VC (Village Commercial) Cliff's Edge Special Land Use Designation], Ward 6 (Ross). The Planning Commission (6-0-1 vote) recommends DENIAL. Staff recommends APPROVAL
96. SUP-34791 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CASH EXPRESS - OWNER: ALTA DECATUR, LLC - Request for a Special Use Permit TO ADD AN AUTO TITLE LOAN USE TO AN EXISTING NON-CONFORMING FINANCIAL INSTITUTION, SPECIFIED at 459 South Decatur Boulevard (APN 139-31-221-005), C-2 (General Commercial), Ward 1 (Tarkanian). The Planning Commission (6-1 vote) and staff recommend APPROVAL
97. EOT-35170 - EXTENSION OF TIME - SPECIAL USE PERMIT - NON-PUBLIC HEARING - APPLICANT: YESHIVA DAY SCHOOL OF LAS VEGAS - OWNER: VILLAGE SQUARE SHOPPING CENTER - Request for an Extension of Time of a previously approved Special Use Permit (SUP-29448) FOR A PROPOSED PRIVATE SCHOOL, PRIMARY at 9420 West Sahara Avenue (APN 163-06-816-037), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL

98. ROC-35032 - REVIEW OF CONDITION RELATED TO EOT-35170 -- PUBLIC HEARING - APPLICANT: YESHIVA DAY SCHOOL OF LAS VEGAS - OWNER: VILLAGE SQUARE SHOPPING CENTER - Request for a Review of Condition 'A' of a previously approved Special Use Permit (SUP-29448) TO ALLOW 48 STUDENTS WHEN THE SITE RESTRICTED THE NUMBER OF STUDENTS ALLOWED TO 25 AND STAFF MEMBERS TO FOUR at 9420 West Sahara Avenue Suite 201 (APN 163-06-816-037), C-1 (Limited Commercial) Zone, Ward 2 (Wolfson). Staff recommends APPROVAL
99. ROC-35171 - REVIEW OF CONDITION - SPECIAL USE PERMIT -- PUBLIC HEARING - APPLICANT/OWNER: AHMED PEYGHAMBARIAN - Request for a Review of Condition to delete Condition Number 4 of a previously approved Special Use Permit (SUP-20462) WHICH STATED THAT THE SALE OF INDIVIDUAL CONTAINERS OF ANY SIZE BEER, WINE COOLERS OR SCREW CAP WINE IS PROHIBITED. ALL SUCH PRODUCTS SHALL REMAIN IN THEIR ORIGINAL CONFIGURATIONS AS SHIPPED BY THE MANUFACTURER. FURTHER, NO REPACKAGING OF CONTAINERS INTO GROUPS SMALLER THAN THE ORIGINAL SHIPPING CONTAINER SIZE SHALL BE PERMITTED AT 850 North Decatur Boulevard (APN 139-30-301-001), C-1 (Limited Commercial) Zone, Ward 5 (Barlow). Staff recommends DENIAL

#### **SET DATE**

100. SET DATE ON ANY APPEALS FILED OR REQUIRED PUBLIC HEARINGS FROM THE CITY PLANNING COMMISSION MEETINGS AND DANGEROUS BUILDING OR NUISANCE/LITTER ABATEMENTS

#### **COUNCIL MEMBER RECOGNITION**

101. COUNCIL MEMBER RECOGNITION: COMMENTS MADE BY INDIVIDUAL CITY COUNCIL MEMBERS DURING THIS PORTION OF THE AGENDA WILL NOT BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND SCHEDULED FOR ACTION

#### **CITIZENS PARTICIPATION**

102. CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE CITY COUNCIL. NO SUBJECT MAY BE ACTED UPON BY THE CITY COUNCIL UNLESS THAT SUBJECT IS ON THE AGENDA AND IS SCHEDULED FOR ACTION. IF YOU WISH TO BE HEARD, COME TO THE PODIUM AND GIVE YOUR NAME FOR THE RECORD. THE AMOUNT OF DISCUSSION ON ANY SINGLE SUBJECT, AS WELL AS THE AMOUNT OF TIME ANY SINGLE SPEAKER IS ALLOWED, MAY BE LIMITED

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THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED AT THE FOLLOWING LOCATIONS:

City Clerk's Bulletin Board, City Hall Plaza, 2<sup>nd</sup> Floor Skybridge  
Bulletin Board, City Hall Plaza, (next door to Metro Records)  
Las Vegas Library, 833 Las Vegas Boulevard North  
Clark County Government Center, 500 S. Grand Central Parkway  
Grant Sawyer Building, 555 E. Washington Avenue