

City of Las Vegas

RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.ci.las-vegas.nv.us>
MONDAY, MAY 14, 2001
4:00 P.M.

CALL TO ORDER

ANNOUNCEMENT RE. COMPLIANCE WITH OPEN MEETING LAW

THE RECOMMENDING COMMITTEE WILL RECEIVE PUBLIC INPUT ON EACH ITEM OF LEGISLATION BEING CONSIDERED. THE RECOMMENDING COMMITTEE MAY, THEREAFTER, CONTINUE THE HEARING TO A FUTURE DATE OR FORMULATE A RECOMMENDATION TO THE CITY COUNCIL FOR PASSAGE, REJECTION OR AMENDMENT OF THE PROPOSED BILL

THE FOLLOWING BILLS MAY BE ELIGIBLE FOR ADOPTION AT THE 6/6/2001 CITY COUNCIL MEETING.

- 1 Bill No. 2001-43 – Annexation No. A-0030-98(A) – Property Location: Between Grand Teton Drive and Gilcrease Avenue, approximately 660 feet east of Hualapai Way; Petitioned By: City of Las Vegas; Acreage. Approximately 20.54 acres; Zoned: R-E (County Zoning), U (PCD) (City Equivalent), Sponsored by: Councilman Michael Mack
Committee: Councilmen Weekly and Mack
- 2 Bill No. 2001-44 – Annexation No. A-0013-99(A) – Property Location: On the northwest corner of Gowan Road and the Western Beltway; Petitioned By: City of Las Vegas; Acreage Approximately 10.34 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent), Sponsored by: Councilman Larry Brown
Committee: Councilmen Weekly and Mack
- 3 Bill No. 2001-45 – Annexation No. A-0005-00(A) – Property Location: On the northeast corner of Cheyenne Avenue and Fort Apache Road, Petitioned By: Fort Apache Convenience Limited Liability Company; Acreage. 2.67 acres; Zoned: C-2 (County Zoning), C-1 (City Equivalent); Sponsored by: Councilman Larry Brown
Committee: Councilmen Weekly and Mack
- 4 Bill No. 2001-46 – Expands the boundaries of the Downtown Casino Overlay District and allows the waiver of certain distance requirements within that District. Sponsored by: Mayor Oscar B. Goodman and Councilman Lawrence Weekly
Committee: Councilmen Weekly and Mack

CITIZENS PARTICIPATION:

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

ALL INTERESTED PERSONS ARE INVITED TO ATTEND. A tape recording of all the proceedings will be kept on file in the Office of the City Clerk until final disposition is made. Copies of the above Bills may be obtained through the Office of the City Clerk, Monday through Friday, 8:00 A.M. to 5:00 P.M.

Facilities are provided throughout City Hall for the convenience of disabled persons. Reasonable efforts will be made to assist and accommodate physically handicapped persons. 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.

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

Downtown Transportation Center, City Clerk's Board
Senior Citizens Center, 450 E. Bonanza
Clark County Government Center, 500 S. Grand Central Parkway
Court Clerk's Office Bulletin Board, City Hall Plaza
City Hall Plaza, Special Outside Posting Bulletin Board

AFFIDAVIT OF MAILING

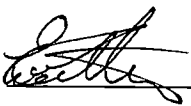
(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Eva Cotton, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **8th** of May, **2001**, a copy of NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting** to be held on the **14th** day of **May, 2001** was deposited in the United States Mail, Postage prepaid, First Class Mail, to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.



SIGNATURE

City Clerk

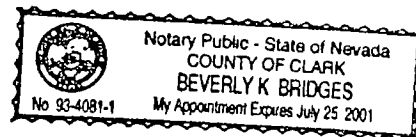
DEPARTMENT

Subscribed and sworn to before me this

8th day of May, 2001



NOTARY PUBLIC in and for said County and State



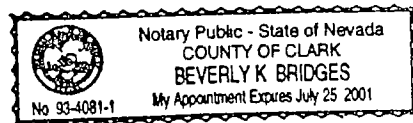
STATE OF NEVADA)
) ss
COUNTY OF CLARK)

1. On the City Clerk's Bulletin Board at the Downtown Transportation Center;
2. In the Senior Citizens Center, 450 E. Bonanza Road;(Faxed)
3. Clark County Government Center, 500 S. Grand Central Parkway; (Faxed)
4. On the Public Bulletin Board at the Plaza Level of City Hall, 400 Stewart Avenue (near the entrance to the Court Clerk's Office);
5. On the Special Bulletin Board at the Plaza Level of City Hall, 400 Stewart Avenue (in the walkway area between Metro and Municipal Court).


Signature

this 9th day of May, 2001

Bernard K. Bridger
NOTARY PUBLIC in and for said County and State



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2001

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

PRESENT: COUNCILMEN WEEKLY and REESE (Sitting in for COUNCILMAN MACK)

Also Present: DEPUTY CITY MANAGER DOUG SELBY, CHIEF DEPUTY CITY ATTORNEY VAL STEED, MANAGER OF COMPREHENSIVE PLANNING CHRISTOPHER KNIGHT and ASSISTANT DEPUTY CITY CLERK VICKY DARLING

ANNOUNCEMENT MADE – meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board

Senior Citizens Center, 450 E. Bonanza Road

Clark County Government Center, 500 S. Grand Central Pkwy

Court Clerk's Bulletin Board, City Hall

City Hall Plaza, Posting Board

(4:05)

1-1

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-43 – Annexation No. A-0030-98(A) – Property Location: Between Grand Teton Drive and Gilcrease Avenue, approximately 660 feet east of Hualapai Way; Petitioned By: City of Las Vegas; Acreage: Approximately 20.54 acres; Zoned: R-E (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Michael Mack

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located between Grand Teton Drive and Gilcrease Avenue, approximately 660 feet east of Hualapai Way. The annexation is at the request of the City, with the concurrence of the Bureau of Land Management as owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 15, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-43 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2001-43 be forwarded to the Full Council with a "Do Pass" recommendation – COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED stated that this Bill is in order.

No one appeared in opposition and there was no further discussion.

CITY COUNCIL MEETING OF MAY 14, 2001
Finance and Business Services
Item 1 – Bill No. 2001-43

MINUTES – Continued:

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05)

1-8

1 **BILL NO. 2001-43**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER
RELATED MATTERS. (A-0030-98(A))

6 Sponsored by:
7 Councilman Michael Mack

Summary: Annexes property described generally
as located between Grand Teton Drive and
Gilcrease Avenue, approximately 660 feet east of
Hualapai Way.

8
9 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
10 AS FOLLOWS:

11 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby
12 extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following
13 described real property, to-wit:

14 Those portions of the North Half (N 1/2) of the Northwest Quarter (NW 1/4) of
15 Section 18, Township 19 South, Range 60 East, M.D.M., in the County of Clark, State
of Nevada, described as follows:

16 PARCEL 1

17 The West Half (W 1/2) of the Northwest Quarter (NW 1/4) of the Northeast Quarter
18 (NE 1/4) of the Northwest Quarter (NW 1/4) of said Section 18.

19 PARCEL 2

20 Government Lots 5, 6, and 11 in the Northwest Quarter (NW 1/4) of said Section 18,
21 as shown on the DEPENDENT RESURVEY of portions of Township 19 South, Range
60 East, M.D.M., completed April 20, 1956 on file in the Nevada State Office of the
United States Department of Interior, Bureau of Land Management in Reno, Nevada.

22 SECTION 2: That said City Council has determined and does hereby determine, that
23 said described territory meets the requirements provided by law for annexation to the City of Las
24 Vegas for the following reasons:

- 25 A. The area to be annexed was contiguous to the City's boundaries at the time the
26 annexation proceedings were instituted;
- 27 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are
28 contiguous to the City of Las Vegas;

1 C. The territory proposed to be annexed is not included within the boundaries of
2 another incorporated city or within the boundaries of any unincorporated town
3 as those boundaries existed as of July 1, 1983;

4 D. The City of Las Vegas is eligible to annex the area described in this report
5 since the landowners have signed a petition constituting one hundred percent
6 (100%) of the owners of record of individual lots or parcels of land within the
7 annexation area.

8 SECTION 3: The City of Las Vegas will provide police protection through the Las
9 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
10 immediately upon annexation. Garbage collection by the company franchised by the City will also
11 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
12 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
13 of the landowners. Other services, such as participation in the City's recreational programs, special
14 education classes and programs, public works planning, building inspections, and other City services
15 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
16 by private utility companies and other services to the area will not be affected by annexation. Street
17 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
18 will be installed in the presently developed areas upon the request of the property owners and at their
19 expense by means of special assessment districts. Such improvements will be extended into the
20 undeveloped areas as development takes place and the need therefor arises, and will be located
21 according to the needs of the area at that time. Such installations will also be made at the expense of
22 the property owners, either by means of special assessment districts or as prerequisites to the approval
23 of subdivision plats, building permits or other land use or development applications.

24 SECTION 4: The annexation of said described territory shall become effective on the
25 15th day of June, 2001, and on such date the City of Las Vegas will have the funds appropriated in
26 sufficient amount to finance the extension into said described territory of police protection, fire
27 protection, street maintenance, street sweeping, and street lighting maintenance.

28 SECTION 5: Said described territory, together with the inhabitants and property

1 thereof, shall, from and after the 15th day of June, 2001, be subject to all debts, laws, ordinances and
2 regulations in force in the City of Las Vegas and shall be entitled to the same privileges and benefits
3 as other parts of said City, and shall be subject to municipal taxes levied by the City of Las Vegas,
4 Nevada.

5 SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
6 to cause to be prepared an accurate map or plat of said described territory and to record the same,
7 together with a certified copy of this ordinance in the office of the County Recorder of Clark County,
8 Nevada, which said recording shall be done prior to the 15th day of June, 2001.

9 SECTION 7: The said described territory, which heretofore has been zoned R-E
10 (County of Clark classification), is hereby classified as U (PCD) (City of Las Vegas classification),
11 which is deemed to be the City equivalent of said County classification.

12 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
13 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
14 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
15 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
16 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
17 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
18 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
19 invalid or ineffective.

20 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,

21 ...

22 ...

23 ...

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27 ...

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1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this _____ day of _____, 2001.

4 APPROVED:

5
6 OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 BARBARA JO RONEMUS, City Clerk

10
11 APPROVED AS TO FORM:

12 Val Stead 4-18-01
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____
9 VOTING "NAY": _____
10 ABSENT: _____

11 APPROVED:

12
13 _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk
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PROPOSED PROPERTY
TO BE ANNEXED

CITY LIMITS

GRAND TETON DR

GRAND CANYON DR

HUALAPAI WY

GILCREASE AV



CASE: A-30-98(A)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-44 – Annexation No. A-0013-99(A) – Property Location: On the northwest corner of Gowan Road and the Western Beltway; Petitioned By: City of Las Vegas; Acreage: Approximately 10.34 acres; Zoned: R-U (County Zoning), U (PCD) (City Equivalent); Sponsored by: Councilman Larry Brown

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the northwest corner of Gowan Road and the Western Beltway. The annexation is at the request of the City, with the concurrence of the Bureau of Land Management as owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 15, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-44 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2001-44 be forwarded to the Full Council with a “Do Pass” recommendation – COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY VAL STEED advised that this Bill is in order.

No one appeared in opposition and there was no further discussion.

CITY COUNCIL MEETING OF MAY 14, 2001
Finance and Business Services
Item 2 – Bill No. 2001-44

MINUTES – Continued:

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:05)

1-24

1 **BILL NO. 2001-44**

2 **ORDINANCE NO. _____**

3 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY
4 DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE
5 LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER
RELATED MATTERS. (A-0013-99(A))

6 Sponsored by:
7 Councilman Larry Brown

Summary: Annexes property described generally
as located on the northwest corner of Gowan
Road and the Western Beltway.

8 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
9 AS FOLLOWS:

10 SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby
11 extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following
12 described real property, to-wit:

13 The Southeast Quarter (SE 1/4) of the Southeast Quarter (SE 1/4) of the Northwest
14 Quarter (NW 1/4) of Section 12, Township 20 South, Range 59 East, M.D.M., in the
County of Clark, State of Nevada.

15 SECTION 2: That said City Council has determined and does hereby determine, that
16 said described territory meets the requirements provided by law for annexation to the City of Las
17 Vegas for the following reasons:

- 18 A. The area to be annexed was contiguous to the City's boundaries at the time the
19 annexation proceedings were instituted;
- 20 B. More than one-eighth (1/8) of the aggregate external boundaries of the area are
21 contiguous to the City of Las Vegas;
- 22 C. The territory proposed to be annexed is not included within the boundaries of
23 another incorporated city or within the boundaries of any unincorporated town
24 as those boundaries existed as of July 1, 1983;
- 25 D. The City of Las Vegas is eligible to annex the area described in this report
26 since the landowners have signed a petition constituting one hundred percent
27 (100%) of the owners of record of individual lots or parcels of land within the
28 annexation area.

1 SECTION 3: The City of Las Vegas will provide police protection through the Las
2 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
3 immediately upon annexation. Garbage collection by the company franchised by the City will also
4 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
5 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
6 of the landowners. Other services, such as participation in the City's recreational programs, special
7 education classes and programs, public works planning, building inspections, and other City services
8 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
9 by private utility companies and other services to the area will not be affected by annexation. Street
10 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
11 will be installed in the presently developed areas upon the request of the property owners and at their
12 expense by means of special assessment districts. Such improvements will be extended into the
13 undeveloped areas as development takes place and the need therefor arises, and will be located
14 according to the needs of the area at that time. Such installations will also be made at the expense of
15 the property owners, either by means of special assessment districts or as prerequisites to the approval
16 of subdivision plats, building permits or other land use or development applications.

17 SECTION 4: The annexation of said described territory shall become effective on the
18 15th day of June, 2001, and on such date the City of Las Vegas will have the funds appropriated in
19 sufficient amount to finance the extension into said described territory of police protection, fire
20 protection, street maintenance, street sweeping, and street lighting maintenance.

21 SECTION 5: Said described territory, together with the inhabitants and property
22 thereof, shall, from and after the 15th day of June, 2001, be subject to all debts, laws, ordinances and
23 regulations in force in the City of Las Vegas and shall be entitled to the same privileges and benefits
24 as other parts of said City, and shall be subject to municipal taxes levied by the City of Las Vegas,
25 Nevada.

26 SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
27 to cause to be prepared an accurate map or plat of said described territory and to record the same,
28 together with a certified copy of this ordinance in the office of the County Recorder of Clark County,

1 Nevada, which said recording shall be done prior to the 15th day of June, 2001.

2 SECTION 7: The said described territory, which heretofore has been zoned R-U
3 (County of Clark classification), is hereby classified as U (PCD) (City of Las Vegas classification),
4 which is deemed to be the City equivalent of said County classification.

5 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
6 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
7 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
8 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
9 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
10 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
11 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
12 invalid or ineffective.

13 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this ____ day of _____, 2001.

17 APPROVED:

18
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21
22 BARBARA JO RONEMUS, City Clerk

23
24 APPROVED AS TO FORM:

25 Val Steel 4-18-01
26 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

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14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

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17 BARBARA JO RONEMUS, City Clerk
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**PROPERTY TO
BE ANNEXED**



MARLA ST

BORDEN AV

CITY LIMITS

GILMORE AV

WY

HUALAPAI

GOWAN RD

WESTERN BELTWAY

CHEYENNE AV



CASE: A-13-99(A)

AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

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CONSENT

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DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-45 – Annexation No. A-0005-00(A) – Property Location: On the northeast corner of Cheyenne Avenue and Fort Apache Road; Petitioned By: Fort Apache Convenience Limited Liability Company; Acreage: 2.67 acres; Zoned: C-2 (County Zoning), C-1 (City Equivalent); Sponsored by: Councilman Larry Brown

Fiscal Impact

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No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The proposed ordinance annexes certain real property located on the northeast corner of Cheyenne Avenue and Fort Apache Road. The annexation is at the request of the owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (June 15, 2001) is set by this ordinance.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-45 and Location Map

COMMITTEE RECOMMENDATION:

COUNCILMAN WEEKLY recommended Bill 2001-45 be forwarded to the Full Council with a "Do Pass" recommendation.

NOTE: Initially COUNCILMAN MACK recommended Do Pass, which he subsequently retracted upon realizing that his brother-in-law owns a tavern on the subject site. Once the conflict was identified and confirmed, he disclosed that he would abstain on this item

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CITY COUNCIL MEETING OF MAY 14, 2001
Finance and Business Services
Item 3 – Bill No. 2001-45

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY VAL STEED indicated that this Bill is in order.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06/4:09)

1-39/1-132

BILL NO. 2001-45

ORDINANCE NO. _____

AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (A-0005-00(A))

Sponsored by:
Councilman Larry Brown

Summary: Annexes property described generally as located on the northeast corner of Cheyenne Avenue and Fort Apache Road.

THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following described real property, to-wit:

The Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of the Southwest Quarter (SW 1/4) of Section 8, Township 20 South, Range 60 East, M.D.M., in the County of Clark, State of Nevada.

SECTION 2: That said City Council has determined and does hereby determine, that said described territory meets the requirements provided by law for annexation to the City of Las Vegas for the following reasons:

- A. The area to be annexed was contiguous to the City's boundaries at the time the annexation proceedings were instituted;
- B. More than one-eighth (1/8) of the aggregate external boundaries of the area are contiguous to the City of Las Vegas;
- C. The territory proposed to be annexed is not included within the boundaries of another incorporated city or within the boundaries of any unincorporated town as those boundaries existed as of July 1, 1983;
- D. The City of Las Vegas is eligible to annex the area described in this report since the landowners have signed a petition constituting one hundred percent (100%) of the owners of record of individual lots or parcels of land within the annexation area.

1 SECTION 3: The City of Las Vegas will provide police protection through the Las
2 Vegas Metropolitan Police Department, fire protection, street maintenance, and library services
3 immediately upon annexation. Garbage collection by the company franchised by the City will also
4 be provided immediately. The City sanitary sewer system will serve the proposed annexation area.
5 Any connection to or extension of this sewer line to serve the annexation area shall be at the expense
6 of the landowners. Other services, such as participation in the City's recreational programs, special
7 education classes and programs, public works planning, building inspections, and other City services
8 will also be available immediately. Utilities such as gas, electricity, telephone, and water are provided
9 by private utility companies and other services to the area will not be affected by annexation. Street
10 paving, curbs and gutters, sidewalks and street lights which are not in place at the time of annexation
11 will be installed in the presently developed areas upon the request of the property owners and at their
12 expense by means of special assessment districts. Such improvements will be extended into the
13 undeveloped areas as development takes place and the need therefor arises, and will be located
14 according to the needs of the area at that time. Such installations will also be made at the expense of
15 the property owners, either by means of special assessment districts or as prerequisites to the approval
16 of subdivision plats, building permits or other land use or development applications.

17 SECTION 4: The annexation of said described territory shall become effective on the
18 15th day of June, 2001, and on such date the City of Las Vegas will have the funds appropriated in
19 sufficient amount to finance the extension into said described territory of police protection, fire
20 protection, street maintenance, street sweeping, and street lighting maintenance.

21 SECTION 5: Said described territory, together with the inhabitants and property
22 thereof, shall, from and after the 15th day of June, 2001, be subject to all debts, laws, ordinances and
23 regulations in force in the City of Las Vegas and shall be entitled to the same privileges and benefits
24 as other parts of said City, and shall be subject to municipal taxes levied by the City of Las Vegas,
25 Nevada.

26 SECTION 6: The City Engineer of the City of Las Vegas, Nevada, is hereby instructed
27 to cause to be prepared an accurate map or plat of said described territory and to record the same,
28 together with a certified copy of this ordinance in the office of the County Recorder of Clark County,

1 Nevada, which said recording shall be done prior to the 15th day of June, 2001.

2 SECTION 7: The said described territory, which heretofore has been zoned C-2
3 (County of Clark classification), is hereby classified as C-1 (City of Las Vegas classification), which
4 is deemed to be the City equivalent of said County classification.

5 SECTION 8: If any section, subsection, subdivision, paragraph, sentence, clause or
6 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
7 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
8 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
9 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
10 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
11 subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,
12 invalid or ineffective.

13 SECTION 9: All ordinances or parts of ordinances, sections, subsections, phrases,
14 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
15 1983 Edition, in conflict herewith are hereby repealed.

16 PASSED, ADOPTED and APPROVED this _____ day of _____, 2001.

17 APPROVED:

18
19 OSCAR B. GOODMAN, Mayor

20 ATTEST:

21
22 BARBARA JO RONEMUS, City Clerk

23
24 APPROVED AS TO FORM:

25 Val Steed 4-18-01
26 Date

1 The above and foregoing ordinance was first proposed and read by title to the City Council on the
2 _____ day of _____, 2001, and referred to the following committee composed of
3 _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the _____ day of
5 _____, 2001, which was a _____ meeting of said Council; that at said
6 _____ meeting, the proposed ordinance was read by title to the City Council as first
7 introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12

13

14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16

17

18 BARBARA JO RONEMUS, City Clerk

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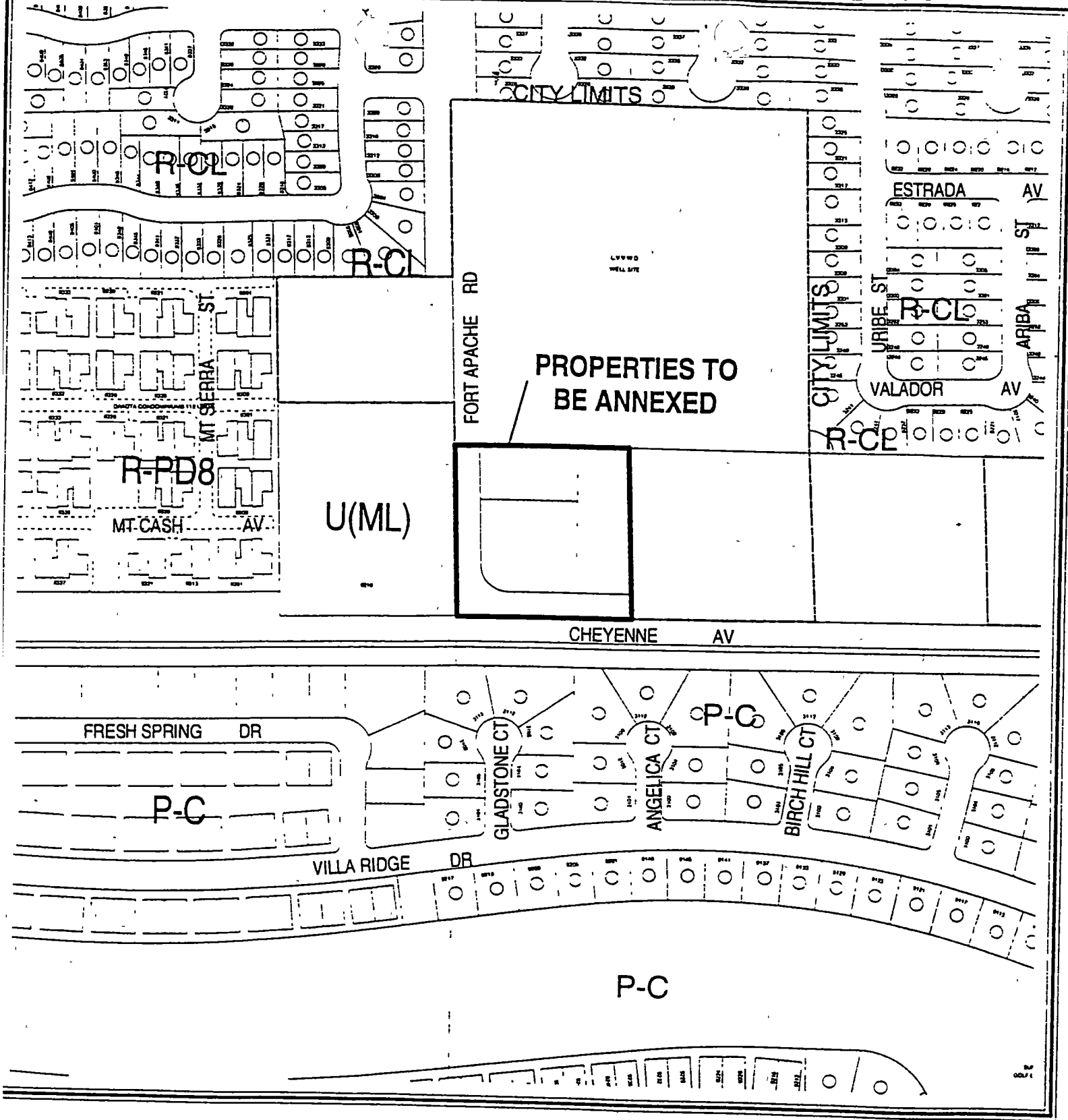
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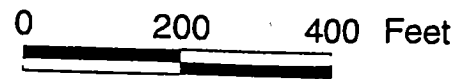
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CASE: A-0005-00(A)



AGENDA SUMMARY PAGE
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2001

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐

CONSENT

☒

DISCUSSION

SUBJECT:

NEW BILL:

Bill No. 2001-46 – Expands the boundaries of the Downtown Casino Overlay District and allows the waiver of certain distance requirements within that District. Sponsored by: Mayor Oscar B. Goodman and Councilman Lawrence Weekly

Fiscal Impact

☒

No Impact

Amount:

☐

Budget Funds Available

Dept./Division:

☐

Augmentation Required

Funding Source:

PURPOSE/BACKGROUND:

The Downtown Casino Overlay District currently serves to mark the boundaries within which certain casino-related uses may operate outside the usual zoning requirements. This bill would expand the District to include an additional block to the east, as well as the UP Site to the west and southwest. Additionally, the bill would relax within the expanded District the normal distance requirements applicable to taverns. This will allow entertainment locations to be grouped together where appropriate, thereby encouraging redevelopment and revitalization of the area. The City Council will continue to have the discretion to approve or deny an application at any particular location.

RECOMMENDATION:

This bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

BACKUP DOCUMENTATION:

Bill No. 2001-46 (including incorporated map)

Additional Map Illustrating Expansion

COMMITTEE RECOMMENDATION:

COUNCILMAN MACK recommended Bill 2001-46 be forwarded to the Full Council with a "Do Pass" recommendation – COUNCILMAN WEEKLY concurred.

MINUTES:

COUNCILMAN WEEKLY declared the Public Hearing open.

CITY COUNCIL MEETING OF MAY 14, 2001
Finance and Business Services
Item 4 – Bill No. 2001-46

MINUTES – Continued:

CHIEF DEPUTY CITY ATTORNEY VAL STEED explained that this Bill is intended to follow up on a concept put in place several years ago for the Downtown Casino Overlay District. This District was created to provide an area of exception within which a hotel/casino nude show would not be characterized as a sexually oriented business. It has been determined that the area of exception should be expanded so that tavern distance requirements will not apply. The theory is to enhance development of entertainment locations within the area. The District boundaries are expanded one block to the east and to include the Union Pacific property to the west. The zoning code requirements are also amended to permit Council to waive normal distance requirements relating to taverns.

COUNCILMAN WEEKLY thanked MR. KNIGHT for the hard work he put into the project. This Bill will meet the needs of downtown and allow the City to reach the goals and objectives established by the City for downtown.

No one appeared in opposition and there was no further discussion.

COUNCILMAN WEEKLY declared the Public Hearing closed.

(4:06 – 4:09)

BILL NO. 2001-46

ORDINANCE NO. _____

AN ORDINANCE TO EXPAND THE BOUNDARIES OF THE DOWNTOWN CASINO OVERLAY DISTRICT, ALLOW THE WAIVER OF CERTAIN DISTANCE REQUIREMENTS WITHIN THAT DISTRICT, AND PROVIDE FOR OTHER RELATED MATTERS.

Sponsored by:
Mayor Oscar B. Goodman
Councilman Lawrence Weekly

Summary: Expands the boundaries of the Downtown Casino Overlay District and allows the waiver of certain distance requirements within that District.

**THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY ORDAIN
AS FOLLOWS:**

SECTION 1: Subchapter 19A.06.100 of the Zoning Code of the City of Las Vegas is hereby repealed in its entirety.

SECTION 2: Chapter 19A.06 of the Zoning Code of the City of Las Vegas is hereby amended by adding thereto a new Subchapter 100, reading as follows:

19A.06.100 DOWNTOWN CASINO OVERLAY DISTRICT

There is hereby created the Downtown Casino Overlay District, whose boundaries are depicted in the map that appears below.

(map appears here)

SECTION 3: The map of the Downtown Casino Overlay District referred to in Section 2 of this Ordinance, to be included in Subchapter 19A.06.100 of the Zoning Code of the City of Las Vegas, is attached to this Ordinance and is hereby adopted and incorporated by this reference.

SECTION 4: Section 19A.04.050(B) of the Zoning Code of the City of Las Vegas is hereby amended so that the subdivision entitled "Liquor Establishment (Tavern)" reads as follows:

LIQUOR ESTABLISHMENT (TAVERN) [C-1 THROUGH M]

Pursuant to its general authority to regulate the sale of alcoholic beverages, the City Council declares that the public health, safety and general welfare of the City are best promoted and protected by requiring that:

***1.** No tavern shall be located within 1,500 feet of any church, synagogue, school, child care facility licensed for more than twelve children or City park.

1 *2. Establishments licensed as taverns or comparable establishments shall not be located closer than
2 1,500 feet to each other.

3 *3. Except as otherwise provided in Paragraphs 4 and 5 below, the distances referred to in Paragraphs
4 1 and 2 shall be determined with reference to the shortest distance between two property lines, one
5 being the property line of the proposed liquor establishment (tavern) which is closest to the existing
6 use to which the measurement pertains, and the other being the property line of that existing use which
7 is closest to the proposed liquor establishment (tavern). The distance shall be measured in a straight
8 line without regard to intervening obstacles. For purposes of measurement, the term "property line"
9 refers to property lines of fee interest parcels and does not include the property line of:

10 a. Any leasehold parcel; or

11 b. Any parcel which lacks access to a public street or has no area for on-site parking and
12 which has been created so as to avoid the distance limitation described in Paragraph 1.

13 *4. In the case of a liquor establishment (tavern) proposed to be located on a parcel of at least eighty
14 acres in size, the minimum distances referred to in Paragraph 1 shall be measured in a straight line:

15 a. From the nearest property line of the existing use to the nearest portion of the structure in
16 which the liquor establishment (tavern) will be located, without regard to intervening obstacles; or

17 b. In the case of a liquor establishment (tavern) proposed to be located within a shopping
18 center or other multiple-tenant structure, from the nearest property line of the existing use to the
19 nearest property line of a leasehold or occupancy parcel in which the liquor establishment (tavern) will
20 be located, without regard to intervening obstacles.

21 *5. In the case of a liquor establishment (tavern) proposed to be located within the vicinity of another
22 liquor establishment (tavern), where either one or both establishments is or will be located on a parcel
23 of at least eighty acres in size, the minimum distance referred to in Paragraph 2 shall be measured in
24 a straight line along the shortest distance from structure to structure. Where either structure is a
25 shopping center or other multiple-tenant structure, the measurement with respect to that structure shall
26 occur from the nearest property line of a leasehold or occupancy parcel in which the liquor
27 establishment (tavern) is or will be located.

28 *6. The minimum distance requirements in Paragraphs 1 and 2 do not apply to an establishment

1 which has a non-restricted gaming license in connection with a hotel having 200 or more guest rooms
2 on or before July 1, 1992 or in connection with a resort hotel having in excess of 200 guest rooms after
3 July 1, 1992.

4 *7. All businesses which sell alcoholic beverages shall conform to the provisions of Chapter 6.50 of
5 the Las Vegas Municipal Code.

6 8. The minimum distance requirements set forth in Paragraphs 1 and 2, which are otherwise
7 nonwaivable under the provisions of this subdivision, may be waived in accordance with the
8 provisions of Subsection 19A.04.050(A)(4) for any liquor establishment (tavern) which is proposed
9 to be located on a parcel [with frontage along Fremont Street between Main Street and Las Vegas
10 Boulevard.] within the Downtown Casino Overlay District.

11 SECTION 5: In Section 4 of this Ordinance, the brackets that appear in the
12 subdivision heading **LIQUOR ESTABLISHMENT (TAVERN) [C-1 THROUGH M]** are brackets
13 normally found in the Zoning Code, while the brackets found in the text of that subdivision represent
14 matter deleted by this amendment.

15 SECTION 6: If any section, subsection, subdivision, paragraph, sentence, clause or
16 phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid
17 or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or
18 effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the
19 City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision,
20 paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections,
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22 invalid or ineffective.

23 SECTION 7: All ordinances or parts of ordinances or sections, subsections, phrases,

24 ...

25 ...

26 ...

27 ...

28 ...

1 sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada,
2 1983 Edition, in conflict herewith are hereby repealed.

3 PASSED, ADOPTED and APPROVED this ____ day of _____, 2001.

4 APPROVED:

5
6 By _____
OSCAR B. GOODMAN, Mayor

7 ATTEST:

8
9 _____
BARBARA JO RONEMUS, City Clerk

10 APPROVED AS TO FORM:

11 Val Steed 4-18-01
12 _____
Date

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8 VOTING "AYE": _____

9 VOTING "NAY": _____

10 ABSENT: _____

11 APPROVED:

12
13 By _____
OSCAR B. GOODMAN, Mayor

14 ATTEST:

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16 BARBARA JO RONEUMUS, City Clerk

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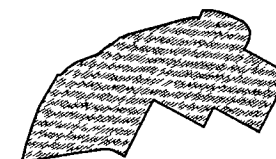
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City of Las Vegas

Expanded Downtown Casino Overlay District

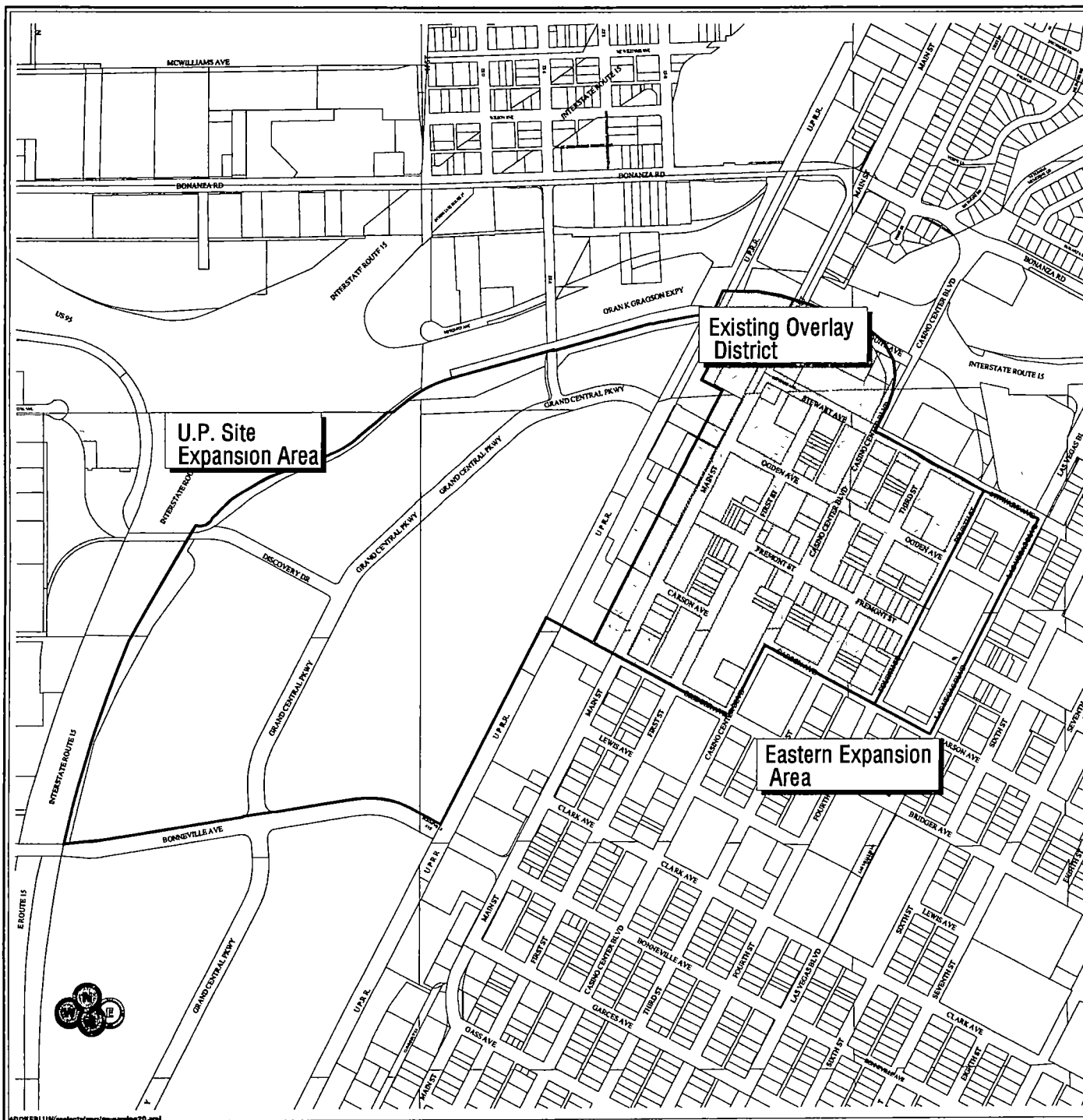


Plotted on: April 19, 2001



GIS maps are normally produced
only to meet the needs of the City.
Due to continuous development activity
this map is for reference only.
Geographic Information System
Comprehensive Planning
702.250.6022





City of Las Vegas

Downtown Casino Overlay District and Proposed Expansion Area

-  Existing Casino Overlay District
-  U.P. Site Expansion for Downtown Casino Overlay District
-  Eastern Expansion of Downtown Casino Overlay District

February 21, 2001



GIS maps are normally produced only to meet the needs of the City. Due to continuous development activity this map is for reference only.

Geographic Information System
Comprehensive Planning
702 225-6022



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: MAY 14, 2001

ITEMS RAISED UNDER THIS PORTION OF THE AGENDA CANNOT BE DELIBERATED OR ACTED UPON UNTIL THE NOTICE PROVISIONS OF THE OPEN MEETING LAW HAVE BEEN MET. IF YOU WISH TO SPEAK ON A MATTER NOT LISTED ON THE AGENDA, PLEASE CLEARLY STATE YOUR NAME AND ADDRESS. IN CONSIDERATION OF OTHERS, AVOID REPETITION, AND LIMIT YOUR COMMENTS TO NO MORE THAN THREE (3) MINUTES. TO ENSURE ALL PERSONS EQUAL OPPORTUNITY TO SPEAK, EACH SUBJECT MATTER WILL BE LIMITED TO TEN (10) MINUTES.

MINUTES:

None.

(4:09)

1-146

MEETING ADJOURNED AT 4:09 P.M. (1-147)

Respectfully submitted:



VICKY DARLING
May 15, 2001