

City of Las Vegas

SW

**RECOMMENDING COMMITTEE MEETING
CITY HALL, 400 STEWART AVENUE
CITY MANAGER'S CONFERENCE ROOM, EIGHTH FLOOR
CITY OF LAS VEGAS INTERNET ADDRESS: <http://www.lasvegasnevada.gov>
TUESDAY, FEBRUARY 15, 2005
4:00 P.M.**

RECOMMENDING COMMITTEE - COUNCILMAN WOLFSON AND COUNCILMAN WEEKLY

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.

ANY MEMBER OF THE CITY COUNCIL MAY SUBSTITUTE FOR A MEMBER OF THE RECOMMENDING COMMITTEE AT ANY TIME.

- CALL TO ORDER
- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW
- 1. Bill No. 2005-8 - Annexation No. ANX-5586 – Property location: On the northeast corner of Ann Road and Balsam Street; Petitioned by: Regal Village, LLC; Acreage: 6.85 acres, Zoned: R-E (ROI to C-1) (County zoning), U (R) (ROI to C-1) (City equivalent). Sponsored by: Councilman Michael Mack

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE 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

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:

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge
Court Clerk's Office Bulletin Board, City Hall Plaza
Las Vegas Library, 833 Las Vegas Boulevard North
Clark County Government Center, 500 S. Grand Central Parkway
Grant Sawyer Building, 555 E. Washington Avenue

154

(Mailing required under the provisions of NRS Chapter 241)

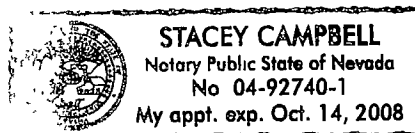
Paula Clark, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **8th** day of **February**, 2005, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the **15th** day of **February, 2005**, 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.

Paula Clark

City Clerk
DEPARTMENT

9TH day of February, 2005

Stacy Campbell
NOTARY PUBLIC in and for said County and State



AFFIDAVIT OF ELECTRONIC MAILING (email)

(Mailing required under the provisions of NRS Chapter 241)

STATE OF NEVADA)

) ss

COUNTY OF CLARK)

Paula Clark, an employee of the City of Las Vegas, Nevada being first duly sworn, deposes and says that on the **8th** day of **February**, 2005, a copy of a NOTICE, the attached of which is a true and correct copy of the Public Hearing - re: **Recommending Committee Meeting**, to be held on the **15th** day of **February, 2005**, was electronically mailed (emailed) to each person and/or organization whose name appears on the list maintained in the Office of the City Clerk.

Paula Clark

SIGNATURE

City Clerk

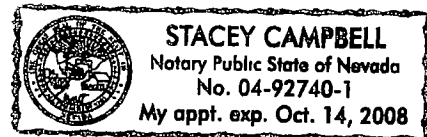
DEPARTMENT

Subscribed and sworn to before me this

9TH day of February, 2005

Stacy Campbell

NOTARY PUBLIC in and for said County and State



RECOMMENDING COMMITTEE AGENDA
RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 15, 2005

- CALL TO ORDER

MINUTES:

PRESENT: COUNCILMEMBERS WOLFSON and WEEKLY

Also Present: CHIEF DEPUTY CITY ATTORNEY VAL STEED, DEPUTY CITY MANAGER STEVE HOUCHENS, and DEPUTY CITY CLERK YDOLEENA YTURRALDE

- ANNOUNCEMENT RE: COMPLIANCE WITH OPEN MEETING LAW

MINUTES:

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

City Clerk's Bulletin Board, City Hall Plaza, 2nd Floor Skybridge

Court Clerk's Office Bulletin Board, City Hall Plaza

Las Vegas Library, 833 Las Vegas Boulevard North

Clark County Government Center, 500 S. Grand Central Parkway

Grant Sawyer Building, 555 E. Washington Avenue

(4:06)

1-1

AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 15, 2005

DEPARTMENT: CITY ATTORNEY

DIRECTOR: BRADFORD R. JERBIC

☐ **CONSENT** ☒ **DISCUSSION**

SUBJECT:

NEW BILL:

Bill No. 2005-8 - Annexation No. ANX-5586 – Property location: On the northeast corner of Ann Road and Balsam Street; Petitioned by: Regal Village, LLC; Acreage: 6.85 acres; Zoned: R-E (ROI to C-1) (County zoning), U (R) (ROI to C-1) (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 generally located on the northeast corner of Ann Road and Balsam Street. The annexation is at the request of the property owner. The annexation process has now been completed in accordance with the NRS and the final date of annexation (February 25, 2005) is set by this ordinance.

NOTE: Although the subject property has been approved for commercial zoning, the applicant indicates a desire to pursue residential development.

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. 2005-8 and Location Map

MOTION:

COUNCILMAN WEEKLY recommended Bill 2005-8 be forwarded to the Full Council with a "Do Pass" recommendation. COUNCILMAN WOLFSON concurred.

MINUTES:

COUNCILMAN WOLFSON declared the Public Hearing open.

CHIEF DEPUTY CITY ATTORNEY STEED stated this is a standard annexation that has been zoned under resolution and intent for commercial in the county but has not been developed. They are suggesting to change the intent to pursue residential development in the City. The annexation is in order and he recommended approval.

COUNCILMAN WEEKLY questioned if notifications are sent in preparation to an annexation. MR. STEED explained that notices are not sent to anyone whose land is not affected. If there are multiple parcels and not all have asked for annexations, notices are sent out to those who would be affected but have not asked for the annexation. COUNCILMAN WEEKLY commented on a situation involving property that is located in his ward where residents, as well as the County Commissioner, oppose the annexation for fear that the proposed development may not be compatible with their uses. MR. STEED stated that the situation is unusual and is unsure of the intent of the opposition. He stated that ultimately

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 15, 2005

MINUTES - Continued:

the Councilperson has the choice to support the annexation taking into account all the factors involved.

No one appeared in opposition.

COUNCILMAN WOLFSON declared the Public Hearing closed.

(4:07 - 4:09)

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9 **BILL NO. 2005-8**

10 **ORDINANCE NO. _____**

11 AN ORDINANCE TO EXTEND THE BOUNDARIES OF THE CITY, TO
12 PARTICULARLY DESCRIBE THE LAND TO BE ANNEXED, TO MAKE ITS
13 INHABITANTS SUBJECT TO THE LAWS, OBLIGATIONS AND BENEFITS OF THE
CITY, AND TO PROVIDE FOR OTHER RELATED MATTERS. (ANX-5586)

14 Sponsored by: Councilman Michael Mack Summary: Annexes property described
15 generally as located on the northeast corner
of Ann Road and Balsam Street.

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

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

21 That portion of the Southeast Quarter (SE 1/4) of the Southeast Quarter
22 (SE 1/4) of Section 27, Township 19 South, Range 60 East, M.D.M., in the
County of Clark, State of Nevada, being LOT 2 and the adjacent half street
23 rights of way of RAINBOW BOULEVARD (width varies), ANN ROAD
(width varies), and BALSAM STREET (30.00 feet wide as measured from
24 the centerline thereof) as shown on Parcel Map in File 96, Page 77, recorded
December 1, 1999 of Clark County, Nevada Records, described as follows:

25 COMMENCING at the southeast corner of said Section 27, said corner also
26 being the centerline intersection of RAINBOW BOULEVARD and ANN
ROAD; thence along the south line of said Section 27 and the centerline of
27 ANN ROAD, South 89°13'48" West 339.45 feet to the POINT OF
BEGINNING; thence continuing along said south line, South 89°13'48" West
28 335.84 feet to the centerline of said BALSAM STREET; thence departing
said south line and along the centerline of said BALSAM STREET, North

00°09'43" West 595.34 feet; thence departing said centerline, South 89°54'32" East 30.00 feet to the northwest corner of said LOT 2; thence along the north line of said LOT 2, South 89°54'32" East 595.16 feet to the northeast corner of said LOT 2; thence continuing along the easterly projection of said north line, South 89°54'32" East 50.00 feet to the centerline of said RAINBOW BOULEVARD; thence along the centerline of said RAINBOW BOULEVARD, South 00°10'17" East 283.93 feet; thence departing said centerline, South 89°49'43" West 55.00 feet to the southeast corner of said LOT 2 on the west line of said RAINBOW BOULEVARD and to the beginning of a non-tangent curve, concave northwesterly, having a radius of 20.00 feet, the radial line through said corner bears South 48°44'36" East; thence southwesterly through a central angle of 48°35'36", and an arc distance of 16.96 feet; thence non-tangent to said curve, South 00°10'17" East 5.00 feet to the north line of LOT 1 as shown on said Parcel Map in File 96, Page 77; thence along the north line of said LOT 1, South 89°49'43" West 270.00 feet to the northwest corner of said LOT 1; thence along the west line thereof, South 00°10'17" East 238.04 feet to the north line of said ANN ROAD; thence South 00°46'12" East 55.00 feet to the POINT OF BEGINNING.

The BASIS OF BEARING; North 89°13'48" East, being the south line of the Southeast Quarter (SE 1/4) of Section 27 Township 19 South, Range 60 East, M.D.M., also being the centerline of ANN ROAD as per Book 68 of Plats, Page 1 of Clark County, Nevada Records.

Written by:
Brian Yu PLS
731 Fourth Street,
Public Works,
City of Las Vegas

SECTION 2: The City Council hereby determines that the described territory meets the requirements provided by law for annexation to the City 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;
- 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 is eligible to annex the described territory since the landowners have signed a petition constituting one hundred percent

1 (100%) of the owners of record of individual lots or parcels of land
2 within the annexation area.

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

21 SECTION 4: The annexation of the described territory shall become
22 effective on the 25th day of February, 2005, and on that date the City will have the funds
23 appropriated in sufficient amount to finance the extension into the described territory of
24 police protection, fire protection, street maintenance, street sweeping, and street lighting
25 maintenance.

26 SECTION 5: The described territory, together with the inhabitants and
27 property thereof, shall, from and after the 25th day of February, 2005, be subject to all debts,
28 laws, ordinances and regulations in force in the City and shall be entitled to the same

1 | privileges and benefits as other parts of the City, and shall be subject to municipal taxes
2 | levied by the City.

3 | SECTION 6: The City Engineer is hereby instructed to cause to be prepared
4 | an accurate map or plat of the described territory and to record the map or plat, together with
5 | a certified copy of this ordinance, in the office of the County Recorder of Clark County,
6 | Nevada, which recording shall be done prior to the 25th day of February, 2005.

7 | SECTION 7: The described territory, which previously has been zoned R-E
8 | (ROI to C-1) (County of Clark classification), is hereby classified as U (R) (ROI to C-1)
9 | (City of Las Vegas classification), which is deemed to be the City equivalent of the County
10 | classification.

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

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

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

3 PASSED, ADOPTED and APPROVED this ____ day of _____,
4 2005.

5 APPROVED:

6
7 By OSCAR B. GOODMAN, Mayor

8 ATTEST:

9
10 BARBARA JO RONEMUS, City Clerk

11 APPROVED AS TO FORM:

12 Val Steed 1/19/05
13 Date

1 The above and foregoing ordinance was first proposed and read by title to the Council on the
2 ____ day of _____, 2005, and referred to the following committee
3 composed of _____ and _____ for recommendation;
4 thereafter the said committee reported favorably on said ordinance on the ____ day of
5 _____, 2005, which was a _____ meeting of said Council; that
6 at said _____ meeting, the proposed ordinance was read by title to the City
7 Council as first introduced and adopted by the following vote:

8 VOTING "AYE": _____

9 VOTING "NAY": _____

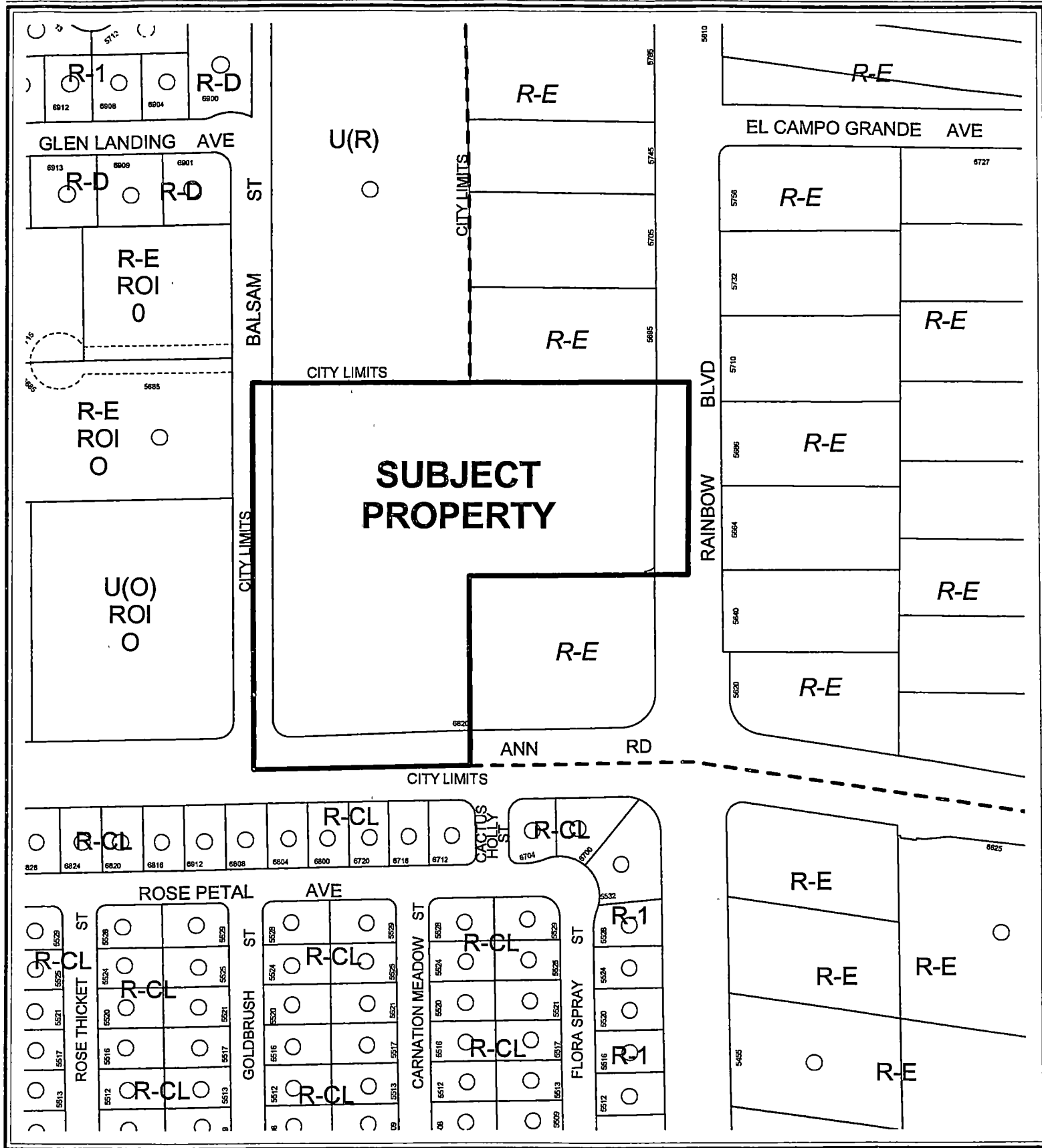
10 ABSENT: _____

11 APPROVED:

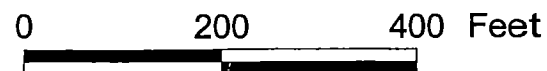
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13 By _____
14 OSCAR B. GOODMAN, Mayor

15 ATTEST:

16 BARBARA JO RONEMUS, City Clerk
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CASE: ANX-5586



AGENDA SUMMARY PAGE

RECOMMENDING COMMITTEE MEETING OF: FEBRUARY 15, 2005

CITIZENS PARTICIPATION: PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS WITHIN THE JURISDICTION OF THE COMMITTEE. NO SUBJECT MAY BE ACTED UPON BY THE COMMITTEE 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

MINUTES:

None.

(4:09 - 4:10)

1-120

THE MEETING ADJOURNED AT 4:10 P.M.

Respectfully submitted:



YDOLEENA YTURRALDE, DEPUTY CITY CLERK

February 22, 2005