

**MINUTES OF  
SPECIAL JOINT MEETING OF  
THE NORTH LAS VEGAS CITY COUNCIL AND PLANNING COMMISSION**

**August 20, 2002**

**CALL TO ORDER:** 6:00 P.M.  
North Las Vegas Library Community Room, 2300 Civic Center  
Drive, North Las Vegas, Nevada

**ROLL CALL                      COUNCIL PRESENT:**

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

**PLANNING COMMISSIONERS PRESENT:**

Chairman Dean Leavitt  
Vice Chairman Anita Wood  
Commissioner A. Nelson Stone  
Commissioner Marilyn Kirkpatrick  
Commissioner Jo Cato  
Commissioner Jay Aston  
Commissioner Joy Diaz

**STAFF PRESENT:**

City Manager Kurt Fritsch  
Assistant City Manager Gregory Rose  
Assistant City Manager Dan Tarwater  
City Attorney Sean McGowan  
City Clerk Eileen M. Sevigny  
Public Works Director Jim Bell  
Deputy Fire Chief Jim Stubler  
Fire Chief Robert Dodge  
Assistant Fire Chief Jim Stubler  
Planning Manager Steve Baxter  
Parks & Recreation Director Ken Albright  
Senior Planner Misty Haehn  
Deputy City Attorney Jim Lewis  
Assistant to the City Manager Brenda Johnson  
Assistant City Clerk Karen L. Storms

**VERIFICATION:** Eileen M. Sevigny, CMC, City Clerk

**BUSINESS:**

1. DISCUSSION AND/OR ACTION REGARDING WHETHER LOTS SMALLER THAN 4500 SQUARE FEET SHOULD BE PERMITTED BY THE COMPREHENSIVE PLAN, AND UNDER WHAT CIRCUMSTANCES.
  
2. DISCUSSION AND/OR ACTION REGARDING THE POSSIBLE CREATION OF A MEDIUM-LOW DENSITY LAND USE CATEGORY IN THE COMPREHENSIVE PLAN.
  
3. DISCUSSION AND/OR ACTION REGARDING POSSIBLE AMENDMENTS TO PUD REQUIREMENTS.
  
4. DISCUSSION AND/OR ACTION REGARDING THE RANCH ESTATES PRESERVATION AREA INCLUDING WHETHER CHURCHES AND SCHOOLS SHOULD BE PERMITTED.
  
5. GENERAL DISCUSSION OF LAND USE MATTERS BETWEEN THE CITY COUNCIL AND PLANNING COMMISSION.

**PUBLIC FORUM**

ACTION: VERBATIM TRANSCRIPT ATTACHED AS EXHIBIT A

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 8:20P.M.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

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

NAYS: None

ABSTAIN: None

**APPROVED:      September 18, 2002**

/s/ Michael L. Montandon  
MAYOR MICHAEL L. MONTANDON

Attest:

/s/ Eileen M. Sevigny  
Eileen M. Sevigny, CMC City Clerk

**EXHIBIT A**

**Verbatim Transcript**

**Mayor Michael L. Montandon:** I'd like to welcome everybody out and thank you for being here at our joint meeting of the City Council and Planning Commission of the North Las Vegas City. And, first like to verify that with all these public officials here that we are in compliance with the open meeting law?

**City Clerk Eileen Sevigny:** Your Honor, we are in compliance.

**Mayor Montandon:** Thank you. Today, we're going to turn both the conducting and moderating of this meeting over to Kurt Fritsch who's gonna try and keep us all civil toward one another and go from there. Kurt.

**City Manager Kurt Fritsch:** Okay. Mayor and Council, Planning Commissioners welcome. I do run a tight meeting. If you get into a clinch, I will ask you to back away two steps and then proceed. What we want to do tonight is not to get into any issues where, personality issues or anything like that. We'd like to start out by walking through a few of these topics from Staff's point of view and then open it up to the twelve of you for your comments on each of these items.

1. **DISCUSSION AND/OR ACTION REGARDING WHETHER LOTS SMALLER THAN 4500 SQUARE FEET SHOULD BE PERMITTED BY THE COMPREHENSIVE PLAN, AND UNDER WHAT CIRCUMSTANCES.**

**City Manager Fritsch:** The first one is Number One, discussion and/or action regarding whether lots smaller than 4500 square feet should be permitted by the Comprehensive Plan, and under what circumstances. To a certain extent we have moved forward with this. Council gave approval to Staff to contact a contractor. We have a signed contract by the planners who are doing it, Danielian, and that contract is coming to me then, and it will be signed by myself. And, then it's about a five to six week process starting next week to move forward with that, developing the smaller 4500 square foot lots to regulations for that and requirements. Then, it will go to the Planning Commission and then forwarded to me, City Council with the Commission's recommendation. But, I think as much tonight, anything we'd like to get your input on it, what you'd like to see in that. Architectural requirements are going to be a large part, we believe, of

this development of the smaller lots. But, I'd like to turn it over to Mr. Baxter and have him give you a few ideas, what Staff has in mind.

**Steve Baxter:**

Thank you, Kurt. Originally, the Comprehensive Plan discouraged the use or the construction of small lots, less than 4500 square feet. That was kind of based on experience from the Valley, there hadn't been at that point in time too many higher quality developments at the small lot sizes, let's say, 3000 to 4000 square feet. But, we took a tour, actually myself, Jim Stubler, Shari Buck took a tour of some very well done developments in Southern California to see how they were handling small lots there. In Southern California, they've got a lot of cost issues for affordable housing issues really, for the residents. Much more than probably just about any where in the Country. And, we did see some designs that look like they would work very well up here and they were something that was very appealing. And, so based on that, we're looking at hiring the consultants to come up with architectural standards and standards on such things as parking in some of these small lot neighborhoods, guest parking spaces, driveway lanes. So, we're looking at the proper amount of open space that would be provided in the smaller lots, single family developments. And, what would be, you know, an appropriate minimum lot size. They're going to be presenting to us would be actually four different layouts depending on, you know, the choice of the developers. It would be an alley, one or two layouts that would involve alley loaded garages and then two layouts that would involve more standard street loading garages. When we review, we'll be reviewing these standards and then, at some point, we'd be meeting with home builders and we need to have certain discussion with the Planning Commission and Council during this process. And, so, as Kurt mentioned we'll be getting the product in about five weeks and then we'll go from there with our **workshops**.

**City Manager Fritsch:**

We'd like to open it up, I think, for comments. Any of you have something which you might like to see within this type of project. What you've seen out there maybe that doesn't work, what you've seen that has worked. I think a few more of you have actually seen the product

that Steve was talking about then just Councilman Buck and so, anything. Again, anything that's worked here in North Las Vegas. Some of those, we don't have to be site specific, but products that maybe that haven't worked as well that perhaps didn't have the amenities. And, of course, that's the big issue that we have with going with smaller lot sizes. The envelope is being shrunk by developers based upon what we have in the code and we're not getting the additional amenities. I don't think any of us feel that we're really should be entitled to, by having smaller lot sizes, narrower streets, less parking, smaller park areas in these small PUD's or small communities. Councilwoman Smith.

**Councilman Stephanie Smith:** Thank you, Mr. Fritsch. There's several things that I think really come to mind when dealing with higher density. I think, first and foremost is the issue of landscaping, setbacks and enough green space. And, I literally mean green. That, when people are giving up a lot of that personal yard room that there needs to be grass, there needs to be a lot of green in there. And, one thing that I've become convinced of more and more as I'm touring these different areas is that aside from the homeowner's association issue which should be a given and a CC and R Board that works on it, is the idea that when these neighborhoods become more dense that the front yard landscaping should become a common landscaping where that is maintained. Because, what tends to happen a lot in these compact areas is people can get into them. And as soon as they can afford to get to more space, they leave, and we go through the rental issue. By having closed areas maintained by a common maintainer, it keeps the properties looking nice and the neighborhoods looking good. Even as they go through those transitions. Now, I think there are a lot of options. Maybe people could select different yards that they want that, but that the association is the one that maintains it overall. And, I think, economically, it would not be much more burdensome than doing your own yard anyways, but make that the responsibility of the homeowner's association. I think that's really critical. The other thing I think is really critical when you're condensing issues a bit, or I mean condensing homes like that is to really have architectural things that are interesting. That when

everything looks like your kind of going through the base housing or anything, just the square, brown and, and very dull visually and you condense everybody like that. I think that if, it's more jarring to your aesthetic senses and so, making sure that we just don't address the front but we address the back of the houses. Different themes, I think, really helps when your condensing the lot size.

**City Manager Fritsch:**

You really don't have to raise your hands, just chime in.

**Councilman Buck:**

I agree with that. And, we actually talked on our little road trip on the back loaded. They were also maintained by the homeowner's association because, on the back loaded, that landscaping is very critical in an alley to make it look still nice. The other thing is, and I talked to Gregory about this, my concern is yes, we need to have architectural relief and we need to have better products if we're gonna have that condensed size. But, my problem is that as I drive by the products that we already have, on the models, they have shutters or different things but then when you get to the homes that are actually being built, those are not there because they're options and because the people can't afford or don't want to spend the money on those things that are really critical. So, I think it's important that we look at, if we're gonna require balconies on every fourth one, or we're gonna require shutters or whatever the things are, and I do believe they need to be probably on all four sides, that they're standard and that they're not optional so that we end up having the neighborhoods that we want to have. Because, otherwise people, people won't pay for those options and we won't get what we think we're wanting to have.

**Steve Baxter**

One thing we saw when we went down there was common lot front yards. In fact, our guide was pretty emphatic about how important that was because that's a uniformity of maintenance and you can maintain the quality of street scape that way. The other thing that I thought was very well done was that there are four or five different styles of housing all intermixed. So, when you go down the street, the street scape looked like custom housing.

**Mayor Montandon:**

Well, that's one of things I really wanted to mention, too. That, I think it's really critical here, by definition, the, you know, architecture involves some creativity. There's some art involved in that and if we start to define real, real closely what's allowed, you know, what exactly we want, 10% relief on the back wall and 12% on this wall. If we're gonna get exactly what we asked for, and not allow, if it, too much, so figure out some way to require four-sided architecture or architectural relief or whatever the word is without boxing the architect into a very specific plan. It is pretty important, yeah. And, also, it's just like you said. If you look at the projects, you know, we've looked at recently in Summerlin and Green Valley and those in Ladera Ranch in California, that there is a number of different ways we saw and anybody else kick in if they can remember the difference, was "Z" lots, rear loaded lots, cluster homes, which are essentially have a shared driveway around the cluster. And, actually, some attached product that had the feel, the look and feel of single family neighborhoods but they were attached product. And, you know, three or four different types and ways, I'm afraid that if we do come up with a standard and it's very specific, that we'll have the subdivisions that all look the same. And, you know, no offense intended, but they, you know, this, seeing Brad here reminds me that he built one called Genevieve Court and that's one possible option of a way to do it. I don't want to see every single one of them look like Genevieve Court. I want to see, you know, different types of product and some sort of variety around here. You know, we know, I think this whole discussion is being spurred by land values and what land costs right now. But, that won't always be the driving factor.

**Marilyn Kirkpatrick:**

I guess I would want to say. He said I didn't have to raise my hand, I'm sorry. I guess I'd want to know because we get such a variety, some we get at 1500 square feet and some we get at 4000 square feet. Are we looking to stay within a certain realm? I mean, do we want to limit the square footage is the least amount we can go down to. I mean, we probably said less than 4500 square feet. So, what would, what are we looking at as the bottom number?

**Mayor Montandon:**

Well, what if this is a discussion, we had a, I know we

have a, what's the minimum house size in North Las Vegas right now? Is it like 12, 1200 square feet? Some sort of a ratio of lot to house size. So, you know, which would effectively define a minimum lot size on that. But, that's just a thought that popped into my mind.

**Steve Baxter:**

One thing that on a trip that was, I thought, was really interesting was that they really made good use of the side lots by having shared sidewalks with easements. So that, typically, a side lot would be 10 feet for one house and then on the other side of the next house would be another 10 feet.

**Mayor Montandon:**

That use easements.

**Steve Baxter:**

Right, exactly. So, you not only have usable backyard but you have 10 feet of usable side yard. Instead of a non-useable 4 feet.

**Mayor Montandon:**

Effectively, they were zero lot line, is really what they ended up being.

**Steve Baxter:**

Right.

**Mayor Montandon:**

Which is, which is a very real consideration. Is some sort of a zero lot line. You get that through these "Z" lots. You get a little bit of that, that kind of look also.

**Nelson Stone:**

I, Steve or Kurt, when you develop the ordinance or whatever with the consultants, make sure you got good language in there on the amenities for the park space. One of the things that we've been sort of struggling with or we've been told or at least I've been told to want to see that stuff at the PUD stage rather than the final development plan stage. And, that's more, I don't want to quote our attorney but we have more legal rights at that stage, in terms of conditions, rather than at the final development plan stage.

**Jim Lewis:**

You have your most discretion at the preliminary development plan stage.

**Nelson Stone:**

I guess, we, I would think as a board, would want to see more of that at the PUD stage. We're actually holding some items for that right now. And, I maybe, I don't that

that could be something you can include in this ordinance, but, to make it a requirement that we get more information on is it a slide, top lot, is it a horseshoes, whatever. We've come along way with Tony being there at our meetings. I think just a little further would help us. 'Cause I think if we're gonna increase density, reduce lot size, we really want to see what we're getting for that reduction and I'd like to see that incorporated in here.

**Dean Leavitt:**

Well, with a, what the Mayor said about actually establishing different sizes by the, by the lots being determined by the size of the house. I think that we need to also look at the smaller the lot size, the greater the amenities. And, the denser the landscaping. We're willing to work and bring in products that will satisfy various needs but often times these other people that want those particular size lots and homes, they're looking for other, additional things other than just housing. So, I think that needs to be included in that.

**City Manager Fritsch:**

I think what we're looking at is by reducing the lot size, this becomes our affordable housing. And, I think what's important is, while in North Las Vegas, one of the things we've said is we don't need a lot of new forced low-end housing or affordable housing on us. We're trying to go another direction. Having said that, we will have to provide affordable housing to the community but it doesn't have to look like the standard cookie cutter tract homes. I think we can develop, through this process, a product that is attractive to the people who are moving into those communities as well as those who are passing through them. So, it becomes a real benefit to the community and we don't think of it as just a very small lot subdivision that becomes a future slum area for the City. That's what we're trying to avoid here.

**Mayor Montandon:**

Well, two things I want to put in. One, City Trustee of Sales having a discussion on affordable housing. The product we went and looked at yesterday, the base 1300 square foot model started at \$191,000 and I think, some how, my definition of affordable went out the window when I saw that. That, that was a 1300 foot home on a 3600 foot lot.

**Councilman Buck:**

And they're beautiful.

**Mayor Montandon:**

So, yeah, they are, but they are gorgeous, they really are. Yeah. The other thing I wanted to ask everybody here's opinion on is whether we should include off street parking, some sort of RV parking or parking lots allowed in open space calculations or allowed as amenities or maybe a small percentage of such. Just because, it seems to be, this is my opinion, make a tremendous difference in the subdivisions. For some reason, you know, 20 percent of it, homes in every subdivision have a trailer, a boat, a camper, something. And, if they don't have a place to put it, they or their cars end up in the street. And, you know, I have asked many, many developers to put, put aside some, maybe, some fenced parking something they can own. And, they're always willing to do so but only if they can count it as open space. What your thoughts are on that?

**Joy Diaz:**

Well, I think it's a very good idea. And, I think particularly, in some of subdivisions that we've seen, presenting tentative maps recently, streets have been so narrow, there's only parking on one side of the street. So, if you can only park on one side of the street and your trying to park in your driveway, then, you really don't have room for the jet skis or the boat or the motor home or whatever it is your trying to park. Guess parking's kind of limited too. So, I think we need to look at, if there's only going to be parking on one side of the street, making sure that they have additional guest parking and RV parking.

**Councilwoman Smith:**

Well, that brings up two things. Do we want people parking on one side of the street? And, I don't know that that should be allowed in there. Just 'cause the lots are smaller doesn't mean the streets should shrink too. And, the second thing is, I don't have a problem RV parking but I might have a problem counting it as open space. Because, if this takes away from the park or something, how hard is it to pour some asphalt down and paint a yellow line versus putting in some, an open space there.

**Mayor Montandon:**

That's why I'm asking. Obviously, some percentage of the open, not allow the whole thing but to allow 30

percent of your open, your parking lot to be calculated in the open space or some.

**Councilwoman Smith:**

Well, then we have to increase open space in those areas. But, I mean, because park and open space and greenery is as critical as parking an RV and I don't want to sacrifice one to keep the streets clean. We need both.

**Steve Baxter:**

In some subdivisions, the developers made a choice between either not allowing RV's due to CC and R's or allowing them through RV parking areas. And, I, a lot of that's marketing. You know, if they think there's a demand for RV's, then, they may want, prefer to provide the RV parking.

**Mayor Montandon:**

But, well, you know, what effectively happens is people get there, trailer, their lawn mower, their RV, their motorcycle, whatever and if it's not allowed in the street they put that in the garage and their car ends up in the street is what happens and you just get more clutter in the streets that way of just cars. And, I'm just, telling you I drive around and look in the subdivisions like Craig Ranch Village that have a place to put trailers, RV's, whatever. It gives them the opportunity to enforce no parking in the street. And, their streets are full width in there and it just, it just looks nicer. That, in combination with, the, you know, the front yards being maintained as common space and some things like that, allow us to get a little bit tighter in the density, I think.

**Marilyn Kirkpatrick:**

I personally, Los Prados is a small lot division. They have beautiful, green landscaping plus they have the RV parking and they have a lot of the small lots. So, I would personally like to see something like that because you get the best of both worlds. And, if we needed to work with the open space to maybe increase it by 10 percent when your gonna do a smaller lot division and add that and take it back out with RV parking but, I mean, they have nice trails there, they have RV parking, they have 3000 square foot lots. So, I think that we could win, it could be a win-win situation. We just have to stand our ground on our landscaping.

**City Manager Fritsch:**

Okay. We've got two or three different opinions on that

one, unless there are any different ones, let us take those, work with the consultant and come back with the best recommendation we can from you on that particular point.

**Joy Diaz:**

I want to say something real quick about the dense landscaping just because I deal with it all day long. We need to be careful because landscape grows. So, when you shove a lot of 36-inch box trees together, they look great at first, but, then, all of a sudden, you start looking like a jungle neighborhood. And, I've a real firm belief in the landscape issue also, but being careful in defining what dense landscaping, I know we didn't figure years, 'cause 35 years down the road, whose gonna landscape this now, covering our wonderful architectural points at some new point.

**Mayor Montandon:**

If I could Kurt, can I ask you if your taking the same notes I am and?

**City Manager Fritsch:**

It's being recorded so I assume I am.

**Mayor Montandon:**

Okay. But, just to summarize that.

**Councilman Buck:**

Well, just one second before you summarize. This Jay wants to speak.

**Jay Aston:**

I was just gonna say that I think it would be a good idea to hire a consultant and look at the different types of construction that's available out there. We're going by a lot of ideas of what individuals have seen, but the people who are professional and in the business have all the ideas and could probably present them before this decision is made to us, so that we can look at all the options and have a little bit of, I guess, professional education or data in front of us before a decision is made.

**Mayor Montandon:**

Absolutely. But, in, that's what I was gonna kind of summarize it. If we had, I mean, I know this seems like a lot but a consultant has to consider a way that you're going to allow multiple types of construction, as I say, "Z" lots, rear-loaded, cluster, even some attached product, maybe duplexes or the big house tri-plexes, you know, like they had in Ledera Canyon. But, you

know, standards that allowed multiple types of products that incorporated, in use, some of the things we've heard; common front-yard landscaping, off-street parking, house to lot ratio or a minimum lot size and four-sided architecture. Were there any others?

**Councilwoman Smith:**

Did you say RV parking?

**Mayor Montandon:**

Yeah.

**City Manager Fritsch:**

And, we've got those. And, those are things that actually, all we've talked about here are things that I would expect of a consultant to put together for us. What I might suggest, although there's a drawback to it, is that maybe there are some interconnecting pieces, depending on what you, what amenity you provide to the City you can do. You can have the parking as part of the open space but maybe you provide more, maybe you provide another amenity. The drawback to that is you all have to be able to stand up and say, if there's this trade off, this is what we get. We get Y for X and that we don't continue to use the PUD again to scrunch everything down and we're back in the same spot. But, that's possibly an option that you have different pieces that could fit into this depending on the individual situation. Maybe there is a minimum though that we say whether it's a, a floor area ratio to the home to square footage. Maybe that can be somewhat flexible based upon other amenities that are provided in the community.

**Councilman Buck:**

Can I just ask, or make a point also. I think there are appropriate areas for low, for these small lot size projects to go in. And, I think that's something that we're, we need to define where they are appropriate. Are they appropriate in R-1 area, are they appropriate in areas where only medium density would be allowed on the corner, or maybe where commercial would be allowed on the corner of two 100 foot right-of-ways. Where, where are they appropriate to go?

**Mayor Montandon:**

That's interesting that you ask that. The very next issue here is creation of a medium-low density category. And, we, that's, kind of, exactly what a question you just asked, is should we have a category, a Comprehensive

Plan category for that size of lot and, you know, sit down and re-work the Comprehensive Plan and figure out where those areas are.

**Councilwoman Smith:** One other issue on that list is, I think, street width and some consensus on that.

**City Manager Fritsch:** Right. Street width and on street parking.

**Councilwoman Smith:** Right. 'Cause I'm worried about the, number one, the smaller lot, they want to make the street smaller.

**Anita Wood:** And, if I could echo, too, what Nelson was saying. Some kind of an idea of what amenities that we're looking for. I mean, if you come in and you have a 4500 square foot lot project and you come in with a park, that may be appropriate. But, if you come in and you have a 2500 square foot lot project and you just come in with the same park, I mean, do we really expect the same amenities for both projects or do we expect some greater amenities from the 2500 square foot lot project, other than maybe just a park.

**City Manager Fritsch:** And, I think the key to touch on what Nelson mentioned and you, Anita, is that it's usable open space. It's not monument sign green space or the flower bed, you just simply use that area as your common area.

**Councilman Eliason:** One thing I'd like to ask, I guess, is from a wider street, don't you get faster traffic, typically?

**Steve Baxter:** Typically, but not if you make a curvilinear street or put in a.

**Councilman Buck:** Meandering sidewalks.

**Steve Baxter:** Curve lane streets or traffic calming devices various sorts, then you can slow the traffic down.

**City Manager Fritsch:** Should we move on then?

**Mayor Pro Tempore Robinson:** Move on.

2. **DISCUSSION AND/OR ACTION REGARDING THE POSSIBLE CREATION OF A**

**MEDIUM-LOW DENSITY LAND USE CATEGORY IN THE COMPREHENSIVE PLAN.**

**City Manager Fritsch:** Okay. Item 2, as the Mayor mentions.

**Mayor Montandon:** I knew William would agree with you on the move on part.

**City Manager Fritsch:** Discussion and/or action regarding the possible creation of a Medium-Low Density land use category in the Comprehensive Plan. Again, this was another item that the Council had asked us to look at that we wanted to discuss tonight. Steve.

**Steve Baxter:** You know, we, we got a conceptual memo here handed out and really, there probably several issues here. One is for, you know, this medium density land use category would, obviously, be between the low density, which is 2 to 4 ½ units an acre and medium density, which is now 4 ½ to 10 units an acre. Where those boundaries are for the Medium-Low Density residential, is somewhat open to discussion. One thought would be that for all lots that are 4500 square feet, they would be suitable in the Medium-Low Density residential category. If that's the case, then the parameters of the category would be from about 4 ½ units an acre to about 6 ½ units an acre. And, then, beyond that, smaller lots, say 3500 square foot lots would be in, still be in the Medium Density residential category. I guess the other option would be to allow for even greater density than 6 ½ units an acre that would include the small lot single-family development and just leave the Medium Density itself for townhouses, duplexes, low density condominiums, that kind of thing. They really, kind of, two different ways to go but, this conceptually, what we thought when we were doing this for Staff was that Medium-Low Density residential could handle the 4500 square foot lot developments and then Medium would still be eligible for the higher density. The, if we did it that way, then the Medium-Low Density residential would be suitable in a wider range of areas or locations than the Medium Density residential. In other words, it could be, could serve as being appropriate around the edge of Low Density residential areas as possibly between Low Density residential areas and Medium

Density residential areas and anywhere Medium Density residential areas were appropriate. So, that it would expand the ability to put in 4500 square foot lots beyond what would be normally advisable in the Comprehensive Plan now. The thing about the 4500 square foot lots is that, they do provide amenities that the R-1 development don't provide so that it's not something that, gee, you know, we're reducing this lot size and what's the, what's the gain for the City. Well, the gain for the Community is that you get all the amenities with those small lots that you don't get with the R-1. So, they're really a desirable type of development as the R-1 is, it's just for a different market of people that want some open additional common open area rather than larger lots. So, you know, I guess, basically, you know, the concept would be to allow the 4500 square foot lots as a separate land as category and allow them a broader part of the City than would be allowable to the Medium Density.

**Mayor Montandon:**

Let me ask the question then that your comments bring to mind. A couple of years ago, we eliminated a zoning category called RCL, that was our, that was basically our 4500 foot lot category. So, now anything under a 6000 foot lot comes in as a PUD. And, if we were to go forward and, you know, it's still open for discussion, at having a Medium-Low Density category and your numbers sound about right. I'm confirming, I was looking for Dean to even nod his head, yes or no. At a 4500 square foot lot's gonna equate to about 6 to 6.3, 6 units an acre? Okay. All right. Well, so. All right. So, if we had a category that basically, you know, topped out at somewhere around 6 1/2, should we also have a zoning category that kind of matches that. Should we have a zone, should we bring back a zoning category for 4500 square foot lots and specifically define some of the amenities we want in an RCL category and then have everything that comes in under 4500 square foot lots use a PUD? Currently, everything under 6000 lots has to be PUD. What are your thoughts? Not yours, Brad, everybody else's.

**Councilwoman Smith:**

Well, I think that would make sense. I think, but, and I mean the reason we got rid of a lot of this stuff, going back to the ROI and all the headaches that came with

that in trying to force people to adhere some standards. And, once we had our design standards, even the R-1 issues went away for the most part. Those people are looking at those standards. So, I think, if we define this and we have comparable standards, I think that we're covering ourselves. And, the questions you raise will all be addressed and everybody will know if they're coming to the table, what to expect. But, I imagine that we'll get everybody coming in for 3000 square foot lots and the PUD's because now that we have these standards. I mean, I think as it shrinks down, we're gonna keep having the same things played out.

**Mayor Montandon:**

Yes and no. I mean, we still get, you know, some 6000 square foot R-1 subdivisions. They just come in and they crank out 6000 foot lots. And, I don't know about you personally but, anymore, I don't know that I really care for those 'cause we don't get any amenities out of them. I see some of those and some of them are nice but some of them, you know, because of the fact that we have such set design guidelines. If someone comes through with a 6000 square foot lot R-1 subdivision in a conform, we don't even see it when it comes. It just goes through and the homes are going up before we even see them and they're just, you know, straight rows in those. So, the 4500's, maybe it's appropriate for us to, you know, match a category to that. You know, let the, you know, create a 4 ½ to 6 ½ unit category and an appropriately matching zoning with what, you said, 50 percent open space? Just checking to see who's listening.

**Councilwoman Smith:**

Well, and maybe, that brings to mind that we need to look at some of our standards, what we're doing in R-1. I mean, it's time to fine-tune some of those, as well.

**Mayor Montandon:**

Absolutely.

**City Manager Fritsch:**

Anyone else on that one? In favor of it, against it? Anyone opposed to going with that? A new zoning category.

**Councilwoman Smith:**

As long as we have standards that go with it, we're okay.

**Mayor Montandon:** Yeah. Bringing back an RCL category but not the same one we had before.

**Steve Baxter:** Right.

**Mayor Montandon:** You know, it's gotta have Robert's meandering sidewalks, it's gotta, you know those kind of things. And curvilinear streets, I wasn't finished talking, he interrupted me. Yes. But, obviously, a modified but creating that, and you know, if we create a 4 ½ to 6 ½ unit category, it means we have to do a complete update of the Comprehensive Plan to figure out where that's appropriate.

**Steve Baxter:** Right. We can slip in a category in the Comprehensive Plan. It wouldn't be that difficult. The zoning one is gonna to require some thought because with a PUD there's flexibility and there's a little bit of trade offs that can be done. If we're gonna go with a straight RCL, we'd lose that flexibility that we have with a PUD. We want to make sure that we had enough open space so that that wasn't less nice than what you can get with a PUD.

**Mayor Montandon:** Kay.

**City Manager Fritsch:** The first three items we have here are all pretty much related. I mean, we're finally taking a comprehensive look at really, the PUD's in the City and the smaller lots. So, maybe I can circumvent a little bit of discussion on number three. But, to wrap this one up then, Staff will work on this set, next tier, zoning category and come back to you with that. Any other discussion on it? Stephanie? Go ahead, Jay.

**Commissioner Aston:** Would that include recommendations then, as far as, what area in North Las Vegas that, that would be considered?

**City Manager Fritsch:** Yes.

**Steve Baxter:** Yeah. Actually, it would be more like criteria. The same type of approach that we take for Low Density, Medium Density, Commercial. There would be criteria under which, when applications come in, they fit that criteria,

then there would be approval. And, so, it would be the same concept. We wouldn't try to apply Medium-Low Density residential over the whole City. We'd let it happen on a case by case basis, as long as it meets the criteria and encompasses the plan, then it could be approved. Just one more thing, the PUD's, I think the reason this was in here was that I think some of the Commissioners were interested in coming up with a conceptual sliding scale for PUD's based on residential density. The denser the residential development, the more amenities that would be provided, as well. And coming up with that sliding scale is something that, you know, will be quite a bit of work. But, that was the concept anyway, that the same thing that works in PUD for 4500 square foot lots, maybe there should be a little more intensity of amenities on 2500 or 3000 square foot lot development.

**City Manager Fritsch:**

Stephanie, you had a comment?

**Councilwoman Smith:**

Yeah. That's what I was going to say is, you know, whatever we do, let's not lose ground. That, whatever we do, we're maintaining what we have or raising the bar. But, let's not, you know, if we go into the zoning or whatever, let's make sure that we don't slide backwards into some of the things. Because, people are gonna keep coming here, I mean land is running out. North Las Vegas is a happening place now and I think we have everywhere up to go. And, I want to just make sure, I think, we, already in these few short years, tremendously changed the look of our City and the direction we're headed. I just don't want to see us do anything to impede that or reverse that.

**Councilman Buck:**

But, you don't have any developers, even in this room, that would look for loop holes or any way around.

**Mayor Pro Tempore Robinson:** Never. What are you drinking, Shari? I want some of that.

**City Manager Fritsch:**

Right. And, that's the importance of what we're doing on both these first three. We're really, as much as anything, tightening up the development standards in the City. And, we're putting those floors as to how far you can go down, how much you can compress. Steve,

what is a realistic time frame that it would take Staff to put together this particular ordinance?

**Steve Baxter:**

For the amending the Comprehensive Plan for Medium-Low Density residential and the RCL?

**City Manager Fritsch:**

Yes.

**Steve Baxter:**

I think it would be, we'd probably need a couple of months to put it together.

**City Manager Fritsch:**

Okay. So, you could at least, your asking for about 8 weeks, I'm gonna say. It will track pretty closely to what we're doing with the 4500 square foot lots and under. Because, it would be nice to, we don't want to hold one up because we want to talk about also, something I haven't mentioned but wanted to on number one. We don't want to hold a lot of projects up because we're working on different tiers, either here. So.

**Mayor Montandon:**

Well, let me ask this question. Effectively, Steve, you don't really have the luxury of having an advanced planning department in the, like Clark County does.

**Councilman Eliason:**

We have Misty.

**Mayor Montandon:**

Yeah. Our advanced planning department back there. If our advanced planning department gets a cold, the whole department's out sick. And, the only reason I ask is then, it seems to me to make sense that on stuff like this, which would normally fall under Advanced Planning, be a special project, would be the kind of thing, with Kurt's help, you get out source and get the, maybe get the consultants in you need to help expedite those kind of things.

**City Manager Fritsch:**

We'd be happy to look at that.

**Mayor Pro Tempore Robinson:** As long as it don't cost too much money.

**City Manager Fritsch:**

Yes, sir.

**Mayor Montandon:**

24999.

**Councilman Buck:**

So, does this slow down the, this actually does tie it in?

**City Manager Fritsch:**

No. I don't want it to slow down the other one. But, I want it to, as much as we can keep them on track, so we'll bring you, you can look at it all. I don't know if it's gonna be all at one time or not, but at least it'll be fresh in your mind. You can look and you'll know what you've done with one, what you've done with the other. And, the next one we're gonna talk about with the PUD's. I'm ready to move on to Item 3, I would like to go back to Item 1 for just a moment and I want to ask you what your thoughts are on having a moratorium on developments that are proposed now that we're facing of lots under the 4500 square feet.

**Councilwoman Smith:**

I think that, considering that we may be making some substantial changes, I think it would be real important that we don't accept any new applications. I don't know that we could do anything with people who are currently in the process. But, as far as going on any further, I think that we need to not accept anymore applications until we make some decisions. Because, if we do anything substantial, we're gonna miss a lot of opportunity to have people comply with the new standards. And, they miss opportunity too to come in under them. So, I think it would be fair to both entities, the City and the developer, to not accept anything 'til we know what we want.

**Mayor Montandon:**

I, sometimes I'm grateful for the, our growth in the City and sometimes not. Ninety-nine percent of the cities in the United States, if they were to make a change like this, odds were, odds would be that they wouldn't get an application during an 8 to 10 week period. But, if we, right now, an application that comes before the Planning Commission would probably be difficult. They would 100 percent subjective real, or not 100 percent, but, mostly subjective if they didn't have those criteria. If we were to put a moratorium on it, I think it would probably behoove us to put a specific time frame, say maybe 10 weeks, and that give us a goal that we simply have to come up with something within that time.

**City Manager Fritsch:**

I think 10 weeks might be a little tight. Only because we have to bring everything through Planning Commission

and the Council after the 5 or 6 work period.

**Mayor Montandon:**

Eleven.

**Councilwoman Smith:**

I know we agree that I don't think we can penalize those already in the process.

**City Manager Fritsch:**

Right. The only thing, we need to have Council action but I think we would need some direction now. Are we gonna have a gold rush to get sub, I won't call them sub-standards, but the smaller lots between now and when I can get it to City Council by September 4<sup>th</sup>.

**Mayor Montandon:**

Well, now hang on, I'm gonna roll back for a moment to when we went through this and we had the expertise of Mark Fiorentino standing before us when we did this with billboards. We were allowed to put an administrative moratorium on billboards that stood the legal test because of the fact that we were in the process of changing billboard laws. Am I not correct?

**City Attorney McGowan:**

Sure. Sure, but I, what I think Kurt is talking about is a resolution of the Council that would effectively do the same thing for a limited period of time.

**Mayor Montandon:**

But, yet, I'm saying, he's looking for, he's worried that we're gonna get 14 applications in between now and the day he can get a resolution drafted. Can't he put an administrative moratorium on?

**City Attorney McGowan:**

No. No, I wouldn't. We can't administratively suspend our ordinances but if you act in a manner that gives notice about potential changes, then, I think, there is the ability to treat those subsequent applications differently after an action of the Council.

**Councilman Eliason:**

Kurt, are you talking about a moratorium of 4500 and under?

**City Manager Fritsch:**

Yes. Until we have the standards developed.

**Brad Burns:**

What about the size of the project?

**Mayor Montandon:**

Excuse me?

**Brad Burns:** The size of the project, a hundred acres or more.

**Mayor Montandon:** I missed what you're saying.

**Brad Burns:** Size of a product, 100 acres or more. You know, projects that will have, that can fall within the ordinance once it's accepted, the projects that we'll have 6000 lots, 4500 lots, you know, multi-family or what if it's an R-2 zone?

**City Manager Fritsch:** How many of those will you be submitting in the next 14 days?

**Brad Burns:** A lot. Three.

**Councilman Buck:** Well it doesn't effect the 6000 square foot lots or the 45's? It would only effect the small lot size.

**City Manager Fritsch:** Yeah. But, it could effect his whole design of the project though if he's got a piece he has to cut out.

**Brad Burns:** If the City accepts a bubble diagram program and then we have to conform to the PUD, is what it is. So, are you putting a moratorium on PUD's?

**Councilwoman Smith:** No.

**Steve Baxter:** Maybe, if I do this it will clarify what it would be. First of all, if there's something in the pipeline, it wouldn't be effected by the moratorium. But, the moratorium would be a time specific period, in which, a new application is for a small lot, single family residential would not be, would not be processed.

**Brad Burns:** On their own.

**Councilman Eliason:** Standing alone. Standing alone, 45 and under you will moratorium. Not a PUD.

**Steve Baxter:** A PUD though, I just want to make sure that, to clarify this. The PUD, if there was a component that was small lot, that would also be, that would also come under the moratorium. The High Density wouldn't, the larger lot wouldn't, but there was a small lot.

**Brad Burns:** I wonder if the developer would be willing to contend with the issue of ordinance, whatever it was?

**Dean Rasmussen:** Brad's point is that if you've got something on the drawing board (unintelligible).

**City Manager Fritsch:** Excuse me, Brad. Brad, when you speak could you please identify yourself because we're picking it up.

**Mayor Montandon:** We're recording.

**Brad Burns:** I'm sorry.

**Mayor Montandon:** No. No, we want you to be on the record. We just want you

**Dean Rasmusson:** Dean Rasmussen, for the record. We have a number of projects the application's ready, got site plans ready. They're moving forward ready to get submitted in that have multi lots, ranging in size, let's say from 3500 square feet on up to 8,000 square feet in some cases. Now, their bubble diagram, at this time, as they fall into your community category. Can we get those in and process those subject to us conforming with the ordinance as it becomes adopted? What we're doing, we're taking this area, this is gonna be clusters or this area is gonna be some new fancy "Z" lot stuff. Fall into your guidelines but we're not laying the lots out yet, it's just a bubble saying this PUD is gonna have, overall, an eighth of the acre, this portion is higher density this portion is medium density, this is the large lots and so on approved. Can we get those moving forward subject to whatever you come with?

**Steve Baxter:** You know, they could do with a PUD it would be possible to do a density only for a part of the PUD. Let's say you have 120 acre PUD and you have a 30 acre, 6 unit an acre area in there subject to the design guidelines being approved. In other words, all you'd get is the density. You can build at 6 units an acre. Then, when the design guidelines are approved you would, you know, we would.

**Mayor Montandon:** Yeah. That's basically what we did with Gronauer and Nigro's project the other day on that. And, in that, in that case, I don't see a problem in it unless somebody else see's a problem with that?

**Councilman Buck:** We can't go forward 'til we have our standards down anyway.

**Mayor Montandon:** Yeah. 'Cause their, yeah, their not gonna go forward with the actual lot designs 'til we have standards for it.

**Brad Burns:** It's just zoning. You know, get the PUD approved so you know you have a density count. Excuse me, Brad Burns, Centex Homes, 3600 North Rancho. But, it's the zoning, right. We don't, we're going to comply with the ordinance when you do adopt the ordinance.

**Mayor Montandon:** Of course your are.

**Brad Burns:** So, move forward. It just allows the process not to stop in those eight to ten week period. That you'd like to recognize or change this ordinance or create subcategories, it will work fine. But to stop all submittals. And the other issue for us would be, if I may, is to what if it's already zoned R-2, an R-2 zone would allow attached housing and the attached housing, be some ordinance, would create a 3500 square foot lot, give or take.

**Mayor Montandon:** That, we're, that, on that second. No, on the second example, your gonna have to wait.

**Brad Burns:** Even with R-2?

**Mayor Montandon:** Yeah. Your gonna have to wait.

**Brad Burns:** Well, but your not changing R-2 ordinance, are you? Then why do we have to wait?

**Mayor Montandon:** But, the R-2. The R-2 ordinance is essentially a, is a lot smaller than 35, or than 4500 square feet.

**Brad Burns:** It's attached product, though. So, actually the lot is 6000 feet minimum and then if your ordinance requires it to be split. So, we're, it's following ordinance so that means your changing your R-2 ordinance too.

**Steve Baxter:** He raises a good point. It could be done either with including the R-2 or not including the R-2. It's up to the

Council to decide what they want to include in the moratorium. You know, if we want to include R-2 in there, that's fine. But, I think what we're talking about was single family detached small lot development.

**Mayor Montandon:**

Okay.

**Councilman Eliason:**

Brad has already developed (unintelligible). Your willing to take a chance of getting a ten units to the acre zoning than you are in PUD and then we change the zone, so it's actually 50 percent open space. Then how are you gonna accomplish that

**Brad Burns:**

The likelihood of getting density at ten units to an acre than doing 50 percent, I would say can't happen, so.

**Councilman Eliason:**

I was just saying that your perfectly willing to take that, that gamble?

**Brad Burns:**

We could always rezone something. Back to the gambling, yes,sir. I've also got a point that. You will stop growth.

**Nelson Stone:**

At Planning Commission level, it seems like when we involve it in a confusing issue, when in doubt we continue. And, so, I guess I would say there's a pretty good chance that if we have something come before us that it could get continued. And, that's our discretion and I'll go back to Mr. Lewis' point where we get the most discretion on our applications at the PUD stage of an application. And, so, I'm nervous about letting the PUD slide by us with just a density number. So.

**Mayor Montandon:**

Okay. Well, I'm, let me ask this then 'cause it's, I'm kind of, hacking through the pieces. A few years ago, my brother-in-law was a Planning Commissioner in Gilbert, Arizona and I remember reading the headlines that they put a moratorium on new zoning applications. And, I went in a couple months later and asked him, he said, it didn't stop one application. We created enough loop holes and ways through that, you know, nothing ever stopped. And, I kind of hear that happening. If we, if we put a moratorium on small lots but we allow PUD's to come in with density bubbles and we allow R-2, that's the only way we're really getting small lots anyway. So,

we wouldn't really be putting a moratorium on anything. What we'd really be putting a moratorium on is on tentative maps. Am I correct?

**Steve Baxter:**

Tentative maps and also on the elevations that would normally be brought in as part of that PUD they'd be bringing elevations and site plans there would be a moratorium then it is as well. So, the site plans couldn't be considered until after the moratorium was over.

**Mayor Montandon:**

So, for ten weeks, Nelson, we'd be making the Planning Commission's life very difficult, or twelve weeks, or whatever it is, very difficult because you'd be reviewing products without the discretion that you normally have to look at elevations. I didn't ask you yet, Dean. No, I'm just kidding. So, you know what I'm saying?

**Anita Wood:**

So, Mayor, I mean, what exactly are you saying? Are you saying that as we looked at a PUD, we have to put like an extra condition on that would require the site plan to come back before the Planning Commission later?

**Mayor Montandon:**

No. It already has to anyway.

**Deputy City Attorney Lewis:**

Your also, I mean, that you'd also be talking about prohibiting the application, the application of PUD's with lots under 4500 square feet. That's also, that would also be included. So, I mean, if we really, if we really want to stop the application of lots that are under 4500 square feet, we talked about tentative maps. And, then R-2, you talked about PUD's with lot sizes under 4500 square feet. So.

**Mayor Montandon:**

I don't know that we need to stop all that stuff. Well, may, I don't know, maybe we do, whatever.

**City Manager Fritsch:**

You don't stop all, I don't think you stop any.

**Councilwoman Smith:**

That's true.

**Mayor Montandon:**

Dean.

**Dean Rasmussen:**

I guess, I see where this is going. I like the idea but we got work to do here. What everybody's concern seems

to be approving a bubble without seeing the specifics behind it. And, when we do PUD's now, we condition PUD's, lot's of time with a lot of the same conditions we have on tentative map. But, I really think, looking for is kind of what Anita's said, if we're gonna approve a PUD as a bubble and you make a condition of the subsequent PUD action and/or some type of tentative map of additional conditions comes through that does then go within the architecture, landscaping plan, all the street, all the things you want to meet. So, in other words, we're gonna level a PUD that goes through that's just density that's actually first.

**Mayor Montandon:**

So, that's kind of what Steve was saying also. In other words, we couldn't accept, if there was a moratorium, we couldn't accept a complete PUD. We could accept the preliminary PUD and then the rest of it would have to measure up.

**City Manager Kurt Fritsch:**

But why would anybody submit it like that?

**Mayor Montandon:**

Well, that's what I'm saying is, you know, that only reason someone would submit it like that is because we required it. You know, as we, 'cause we didn't know the status.

**Dean Rasmussen:**

There are a number of bubble plans that have gone forward and approved in PUD by the City Council. Bubble plans that we're looking at Medium Density here with lot sizes ranging and we've done bubble plans that have gone through the PUD's, correct me if I'm wrong, Steve.

**Jim Lewis:**

Very few though. Very few, maybe two in two and a half years.

**Dean Rasmussen:**

But, coming from a builder's standpoint is, is now you're going to start saying okay on my overall projects, 100 acres say, I've been approved for 6 ½ units to the acre. Now, I can start working within the correct guidelines on developing product types. Maybe it's a hundred acres, maybe three different product types. Clusters, duplexes, some medium size lots. And, so, at least now we know as builders and engineers that we got 6 ½ units to the acre. Where it would be before, we'd build, it's

very expensive to develop a product, layout, this, that and the other thing, when you don't know what the PUD's gonna look like.

**Mayor Montandon:**

Well, we can't even approve a 6 ½ unit acre, we don't have that zoning category or that Comprehensive Plan category yet.

**Councilman Eliason:**

All we have is your R-1, 6000.

**Dean Rasmussen:**

Well (unintelligible) change something to Medium Density residential, right now. You know, wide range at 4 ½ if we can, we want to come in at 6, it gets a little nervous for these people up here going, wow, we're open the flood gates so that we can, even though we know the builder wants one at 6 ½.

**Mayor Montandon:**

Well, that's why we're changing this category and creating the 6 ½. But, the problem is, what do we do in the next 10 to 12 weeks before we have that 6 ½ category.

**Joy Diaz:**

Did Jim say, we only had two, and like, two or three in 2 ½ years. So, how many are you going to have in 10 weeks?

**Mayor Montandon:**

That's the bubble.

**City Manager Fritsch:**

Is anyone opposed to the idea of the moratorium? We'll refine it, what we heard here today. I think there's a consensus what's in the pipeline today is in the pipeline.

**Councilwoman Smith:**

Tomorrow it stops.

**City Attorney McGowan:**

Well, tomorrow doesn't count until there's definite details and I don't know what it is we're gonna say yet. Because, we still have the PUD process, that's a matter of code. We have R-1. I mean, our rules are our rules until we change them. So, you know, until we have a resolution and the Council takes action, our ordinances still all apply.

**Councilwoman Smith:**

Well, Sean, I have a question. Why was it okay for Kurt to do administratively with the signs that we can't do this time with the zoning?

**City Attorney McGowan:** That was, that was different because we had an ordinance introduced for adoption by the Council.

**City Manager Fritsch:** The previous manager.

**City Attorney McGowan:** I believe that may have been the previous manager. That was an ordinance that the Council introduced that was notice to the world. That here is a, here is a possible ordinance.

**Mayor Montandon:** Yeah. And, that that was the case. I remember him bringing tons of case law before us saying that.

**City Manager Fritsch:** The difference is we don't have something on the table today.

**Councilwoman Smith:** Well, we got this. It's on the table.

**City Manager Fritsch:** Okay. Any other discussion?

**Mayor Montandon:** No. But, do, I know that that dabble into the details of that and so, if you have a draft moratorium before us at our next meeting, your gonna have to sit down and put a lot head work into how to define that and give us a gate, a timeline that will force you guys to move quickly on this issue and we may or may not approve that moratorium at the next meeting depending on how you write it. Or may modify it.

**Councilwoman Smith:** If I may also throw this out. Is there any reason why we couldn't call a special meeting and do it sooner, do we have to wait all that time?

**City Manager Fritsch:** Well, we're only two weeks out and I don't think they're gonna have it drafted in that time or have it posted. We won't have anything drafted that quickly.

**Councilman Eliason:** If the ordinance is done sooner, we can take the moratorium off.

**Councilwoman Smith:** No. I'm saying call a special meeting for the, to declare the moratorium and start that sooner. Because, I don't think that's gonna take that long to come up with.

- City Manager Fritsch:** What's your desire, Council?
- Mayor Montandon:** Why don't you get to us when you have it drafted and if we've got, if we can get it through. I mean, you know, we're talking
- Councilwoman Smith:** It would only be a 10 minute meeting for one topic. Especially, if you let William Chair.
- Councilman Eliason:** Five minutes.
- Councilwoman Smith:** Two and a half.
- Dean Leavitt:** Conference call.
- City Manager Fritsch:** We will see what we can do because we'll have to have it by this Thursday to do it.
- Mayor Montandon:** Yes.

**3. DISCUSSION AND/OR ACTION REGARDING POSSIBLE AMENDMENTS TO PUD REQUIREMENTS.**

- City Manager Fritsch:** Okay. Moving on to Item 3. Discussion and/or action regarding possible amendments to the PUD requirements. And, we've talked a lot about, I think, what we expect to see in the smaller lots. I think, what I'm hearing is you want to see a lot of those same things in the PUD. Steve, do you have anything to add to it.
- Steve Baxter:** No, I think that was the key to that was that it would, there would be assigned scale that would increase amenities based on density.
- City Manager Fritsch:** And, I think, if I can, if we can take some of the ideas, the concepts you've already come up with on the first two items and see how we can roll those into the general PUD process. We on the mark with that? Anybody want to make any comments? Planning Commissioners?
- Anita Wood:** Are you, your talking about, I'm sorry, on Item 3?

**City Manager Fritsch:**

Yes.

**Vice Chairman Wood:**

Well, I, the only comments that I want to make is I think that that the Commission is just looking for a little bit of direction in that we've come up with this, we've come up with a good plan, the developers are very aware of that. If they're gonna come in with a PUD application, they need to meet with Ken Albright in the Parks Department and discuss open space and discuss amenities up front before they ever come before the Planning Commission and they're certainly doing that. But, the problem is that when Planning Commission and when City Council gets recommendations from the Parks and Rec Department, most of their recommendation is, yes, they meet the open space or they're shy on their open space. But, the amenities question has not been really coming up. When the developers meet with the Parks and Rec Department, a lot of their discussion is that they'll discuss the specific amenities at the final development plan and then the PUD and the preliminary development plan comes before Planning Commission and that's where Nelson was mentioning that we have Jim Lewis saying, well, if you want anything that's a major amenity, that really needs to be done at the preliminary development plan. So, you've got the developers working at the final development plan and you've got City Staff, you know what I'm saying? But, everybody's at a kind of different spot.

**Mayor Montandon:**

So, Anita, would, would you like, like it if, you know, your mentioning one thing. That being, but, I'm totally at the whim of Ken Albright. Which I don't mind, you know. He has his good days. But, would you, would the Planning Commission prefer it if there were more specific guidelines at this density, you put in a pool, at this density you add a tot, you know, or not a pool but, you could move to this density and here's a list of possible amenities or, I mean, is that what your asking for? I don't know.

**Vice Chairman Wood:**

Well, I think just making sure that everybody's on the same page and that might be one way to accomplish that. Right now, I think that I think there's just confusion as we look at applications because the developers, you know, you've got a lot, what amenities are, are you

planning for this particular project. Their answer is, we're not quite there yet. And then, you know, so you go okay well, we'll deal with that at the final development plan and then, of course, you have Jim Lewis speaking up, going, no, no. If your gonna do amenities, do them now. So, I think we just need a process as to how do we start getting the amenities into the thought process sooner.

**Joy Diaz:**

Not necessarily tell them the list of amenities, but give them the chance to show us the amenities. 'Cause the minute you corner them and say, there's gotta be a pool. I mean, I think that takes away, I'm for less; don't tell them what to do. Have them come and show us what they're gonna do. You don't have to define it for them.

**Dean Leavitt:**

We need to be careful because if we say, for every acre of open space you have to have certain amenities, we can end up possibly, this is a weird thing, but we'd end up with like a three-legged stool 'cause it falls within those categories. So, we have to give, not only the developer, but Parks and Rec the latitude to come to those understandings.

**Mayor Montandon:**

So, a statement in there and I'm being a little bit, I'm over exaggerating when I say this. But, a statement in there that says that, you know, if Planning and Parks and Rec aren't happy, don't bother bringing it to the Council, to the Commission? You know, and exaggerating but, you know, I've seen that happen. I saw Jimmy do it several times. You know, don't bring this back until I see a pool right here, you know.

**Councilman Eliason:**

Couldn't there be a list provided, someway for something like the trees or something, an acre of land there's this many amenities you supply to us. This many acres of land you supply this one, this many, you supply this many amenities. And, have it spelled out.

**Mayor Montandon:**

In general, I think it's a good idea. But, the problem is it's just like architecture. If we take away the creativity, you know, we're never gonna get the touch-sensitive dinosaur park like we're getting in Aliante. You know, I mean, I don't want it to, I don't want to define too much.

**Marilyn Kirkpatrick:**

So, how about this?

**Councilman Eliason:**

But, the only problem is you don't define the minimum, you don't get anything.

**Marilyn Kirkpatrick:**

So, could we, let's just get on the same page. Either they're gonna bring in before this step, final development plan or they're not. So, at least the developers know where we're going. And, then we know, do we expect them at the final development plan or do we expect them before. So, maybe if we could agree on that, that might

**Councilman Eliason:**

Well, Ken, we'll make life easier for you.

**Ken Albright:**

I prefer the developers bring me what they expect. And, with some indication from the Planning Commission. I prefer to have latitude to say that's not enough. So, I prefer to have some input already from our standpoint.

**Mayor Montandon:**

So, prior to the PUD application. Or, or

**Ken Albright:**

Prior to the application.

**Mayor Montandon:**

Yeah.

**Gregory Rose:**

As a part of that process.

**Steve Baxter:**

Before the Planning Commission reviews it, right?

**Ken Albright:**

That's not how it's currently happening.

**Steve Baxter:**

No, but that's what we

**Ken Albright:**

I would appreciate it but it has never happened so I don't know.

**Mayor Montandon:**

No. Brad was first. Brad. This is Brad Burns for the record.

**Brad Burns:**

Why don't we submit with our application, our PUD applications, a preliminary plan? Simultaneously. I don't think, I'm speaking as a developer with 25 percent of your business, I don't have a problem doing it myself.

If you, we know the rules, we can do it. It's when you get up and it's just frustrating for us. And, since we're commissioned, we get up there, say, okay. And, we do, we go up and talk to Ken and we try that and then we go up to the Commission and, you know, we don't necessarily meet eye-to-eye every time. But, we do provide the certain things that he is looking for. We do make adjustments according to what he's looking for. And, then we present it, the Commission still doesn't have a, you know, Parks and Rec says okay. And, so, you know, they get the memorandum that it meets the open space like your talking about. So, I think it makes sense to, part of the submission package to present a preliminary park plan or preliminary amenity plan. That's something we could do.

**Mayor Montandon:**

I don't really have a problem with that. My question to developers is, if we're not gonna write the standards, is the developer willing to submit a preliminary open space development plan and be subject to Ken's mood that day. I will, I'd personally like that. But, I know, that would be my question is do we have.

**Brad Burns:**

I don't think there's anything we've been able not to do with Ken, I mean you know, there's always differences of opinions with regards to quality of life, product style, you know.

**Councilman Eliason:**

And, that's the concern I have is the quality of life being Ken might like swimming pools and Anita might like basketball courts and Ken gets a pool and they get in front Anita and she changes it to a basketball court.

**Brad Burns:**

I think what the biggest debate is

**City Manager Fritsch:**

Okay. Let's, let's, Brad, just a minute. Let's hold it to thoughts from the Planning Commissioners and the City Council and then I'll ask for comments from the developers.

**Marilyn Kirkpatrick:**

How about then we, I know a lot of times with Public Works we do subject to Public Works or subject to traffic engineering so, that way we know, okay, we got something in the works. We'll let Parks and Rec have the final say if that's

**Nelson Stone:**

I don't agree with that. I think it's at the PUD stage, I can't define what I'm gonna like but I know it when I see it. Okay. Whether it's a dinosaur or a, I just want to see swing sets, I want to see tot lots. I don't know how many that is, but I know when I have something in front of us that Ken's looked at, says, yeah, it's okay. And, I can see it, that's what I want. I don't want to see another Tierra De Las Palmas, five acres of grass. And, William and I both live there and I drive by it every day. So, I want to see something. I don't know how you define something, creativity. I would like to just say, I'll know it when I see it, you know.

**Mayor Montandon:**

Well, the question though, is, I think we defined a way to get there, and but, I'm interested in both the Council and the Planning Commission's opinion is we all know it when we see it; do we trust our Parks and Rec Director to know it when he sees it and bring us a recommendation.

**Mayor Pro Tempore Robinson:** I trust him to do it when he's not wearing the dress.

**Mayor Montandon:**

Yeah. If he's not wearing a dress.

**Councilwoman Smith:**

Yeah. If we don't trust him, we shouldn't have him there. So, of course, we trust him.

**Mayor Montandon:**

Okay. Well, if that's the problem then I think the direction that I hear, Kurt, is that a, an open space development plan be submitted with the PUD.

**Anita Wood:**

Because I think this same issue is gonna come up when we look at the small lot.

**Mayor Montandon:**

Well, absolutely. 'Cause that's gonna be a PUD, small lots, obviously. So, a small lot will require an open space development plan like every other PUD.

**Anita Wood:**

But, too, like we were saying that if come in with 2500 square foot lots, there should be maybe some more amenities, but if your coming in with that 4500 square foot lot. So, again, it's better that we ask for that up front, at the, when we're originally looking at the PUD then at the final development plan and then kind of throw it on them and say, oh, by the way, you came in

with smaller lots, you should have more.

**Mayor Montandon:**

Jim.

**Deputy City Attorney Lewis:**

Well, and so, what will happen is when we're looking at our code amendments and we can then insert something specific within the PUD Ordinance and say, and say that just open space, we'll say amenity plan. And, that's one of the application, something that will come with the application packet. And, so developers.

**Mayor Montandon:**

Is the Amenity Plan.

**Deputy City Attorney Lewis:**

Yes.

**Mayor Montandon:**

And then, we'll get a recommendation from Parks and Rec on the amenity plan.

**Deputy City Attorney Lewis:**

That's right.

**Mayor Montandon:**

Sounds good. Kurt's the one who's gonna let you speak or not.

**Brad Burns:**

I was about to say before we, just, there is an issue, I think, between quality of life with regards to linear types of parks and parks sitting in the middle of projects. Parks I know that (unintelligible) with Parks and Rec. And there's clearly desire by the public to have linear parks and the use is different than a congregating park. And, so, as a developer, I'd like to see some latitude in that to some degree within that. And, that, leave it all there, I mean, maybe when we bring it to Council, I hate to be, we don't like to fight people (unintelligible). And, then you go to Commission, and you deal with that or Council. I mean, you all are different types of parks.

**Mayor Montandon:**

It sounds like, under the guidelines we've just given them, that what you need to be having this discussion with Ken. Now, I'm answering your question, though, Brad. It sounds like what this dis, the discussion you having right now, you need to be having with Ken Albright.

**Brad Burns:**

Yeah. I think, though, the difference is necessarily more amenities. It's different amenities.

**City Manager Fritsch:** We think it's more.

**Councilwoman Smith:** More different ones.

**City Manager Fritsch:** More better.

**Councilman Eliason:** (Unintelligible)on what open space provided. (Unintelligible) acres provided us ten amenities. I don't care what ten they are. And, he can decide that, Ken can. But, we need to give him some guideline. There, again, if they come on one acre park, they're going to give us ten amenities. Whatever ten Ken wants.

**Mayor Montandon:** All I can say is, that, and Robert, I'll tell you the same thing and I just told Brad. This is a discussion we should all be having with Ken. You know, any member of this Commission and Council can have that same discussion with Ken that a developer can have.

**City Manager Fritsch:** But, I hope you don't expect him to be directed to do that until you've talked to me.

**Mayor Montandon:** Yeah.

**City Manager Fritsch:** Okay. Anybody else on that one?

**Councilman Buck:** He's going to get twenty different people telling him

**City Manager Fritsch:** That's right.

**Councilman Eliason:** I don't want Ken out on a limb and we start sawing behind him.

**Councilwoman Smith:** If we don't approve any trees, there won't be any limbs.

**City Manager Fritsch:** Okay. Anybody else on that one?

**4. DISCUSSION AND/OR ACTION REGARDING THE RANCH ESTATES PRESERVATION AREA INCLUDING WHETHER CHURCHES AND SCHOOLS SHOULD BE PERMITTED.**

**City Manager Fritsch:** All right. Item 4, is discussion and/or action regarding the Ranch Estates Preservation Area including whether

churches and schools should be permitted. If I could take just a moment, Mr. Lewis, could you tell us about perhaps some of the limitations we have.

**Councilwoman Smith:**

Kurt, before we do this, could we have a prayer?

**City Manager Fritsch:**

If you'd like. Specifically regarding churches and what limitations are placed upon us, as far as, you eliminating, right now, they're allowed under special use permit, as I understand, in the preservation area.

**Deputy City Attorney Lewis**

Yes. In the Ranch Estates zone districts, churches are allowed as a conditional use.

**City Manager Fritsch:**

And, to take that away, if you were to eliminate churches, we would have to eliminate churches in all Ranch Estates zones, correct?

**Deputy City Attorney Lewis:**

That's correct. That would be, that would be the safest approach.

**City Manager Fritsch:**

So, I don't think we're proposing here today to eliminate that, is that correct?

**Councilman Eliason:**

Isn't churches allowed in any zone under use permit law, residential zone in the use permit anyway?

**Steve Baxter:**

Yes, it is. Any residential zone by use permit.

**City Manager Fritsch:**

But, to take it away, we would have to take it away from those other residential zones.

**Mayor Montandon:**

Let me ask this for a sec.

**City Manager Fritsch:**

Because we have some cards in, I just want people to be clear in the audience as much as anyone that we can't just propose taking churches out of the preservation area.

**Mayor Montandon:**

How much Ranch Estates Preservation Area do we have left? Let me ask Steve.

**Steve Baxter:**

It's about 500 acres, 5 or 600 acres, I would say.

**City Manager Fritsch:** Did that answer your question?

**Mayor Montandon:** When I say left, I meant undeveloped actually. There, most of that's developed.

**Steve Baxter:** Yeah. Undeveloped, a couple hundred acres, maybe.

**Mayor Montandon:** Basically, the stuff around Guy and Wolf and the stuff up in Mount Fusilier, between Gowan and San Miguel? That's really it?

**Steve Baxter:** Right.

**City Manager Fritsch:** Steve, what was the basis for this topic?

**Steve Baxter:** This is actually, it came from the Planning, one or two Planning Commissioners and they, they, I think their concern was that in the Ranch Estates Preservation Area, when you get the schools going in there, there's a lot of traffic now. Parents tend to drop their kids off at schools. It's not like in the old days where we all used to ride our bikes to school. Drop the kids off, a lot of traffic is created and that kinds of disrupts the ambience of the Ranch Estates area.

**Marilyn Kirkpatrick:** That would have been me that asked for that because the Ranch Estates Preservation area. I worked on their original ordinance with Tom Collins and what was happening is we all moved out there 30 years ago, when it was dirt road. Decatur didn't go past Vegas Drive. And, what happened was, we needed something to keep, we had all this growth going around us. And, growth is good, we need constructive growth around us. But, the people that had the pigs and the chickens and the ducks and all that were being encroached by our neighbors. Kind of like the pig farm, you know, everybody's moving around them and then they're complaining. Okay, the smell this, this, made nowhere trade your horses anymore. And, what's happening with the Ranch Estates, the developers, let's see, how does this go? The dev, it's hard for them to do infill projects because the land is so expensive to build on and they don't kind of get their buck for their bang or whatever. And, so, what's happening is you have two to three schools, two to three churches within a two mile

radius. So, your not actually building Ranch Estates area, your not having a Preservation area, your having a church, church, school on every corner. And, for instance, on Washburn and Allen we have two churches back to back, two schools back to back and the School District owns another 40 acres. So, we're gonna have three schools and three churches by the time we're done. So.

**Councilman Buck:**

Only if we approve them to build another school.

**Marilyn Kirkpatrick:**

Right, but, I mean, but, but so. So, I guess what we're, I'm thinking for the residents is that we put some Ranch Estates Preservation area back in. Because, they really are top sellers in the City of Las Vegas, there that, they sell like hot cakes. So, some how we got to get developers to build them because I know up on Lone Mountain and Campbell they're selling for \$270,000. People are buying them, they're gorgeous houses. So, we're losing our Ranch Estates Preservation area to churches or schools. So, if we're gonna continue to allow churches and schools, then maybe we could expand our Ranch Estates Preservation area.

**City Manager Fritsch:**

Okay. So that's the direction we're talking about. Okay.

**Mayor Montandon:**

Let me ask this question. I know it's just kind of theoretical. I don't know whether I'm asking it of the Ranch Estates people that live there or maybe of a developer or what. But, what, what, the part that doesn't calculate for me is the reason that churches and schools are buying in the Ranch Estates is 'cause the land's cheaper. And, if the land's cheaper, how come nobody can afford to develop it with Ranch Estates?

**Marilyn Kirkpatrick:**

I don't know, you got to ask them. I've asked them.

**Mayor Montandon:**

I mean, that land has been Ranch Estates for 30 years and yet nobody's developed it with Ranch, nobody's even put Ranch Estates out there.

**Joy Diaz:**

I think that's 'cause they can't put ten houses on one acre.

**Mayor Montandon:**

Well, then, no, but, that's what I'm saying is. The, you

know, on the one side, we're hearing Marilyn say the same thing. You know, I've heard it from developers before. We can't afford to develop half acre lots out there. And, so, because they can't afford to do it, nobody buys it, the land price goes down. And, then it goes down low enough where churches and schools can afford to buy it, is what is happening. So, eff, essentially, what you're asking us to do is, is leave the land vacant.

**Member of audience:** Not necessarily.

**Mayor Montandon:** Kurt's got some cards, we'll let you stand up.

**City Manager Fritsch:** I got some cards. If we could go through these and then we'd have a better sense, I think, too of what your asking for or looking for. The first one I have is Greg Vasquez.

**Greg Vazquez:** Greg Vazquez, 4010 Scott Russell Court. I live in Preservation area. Pretty much, Ms. Kirkpatrick read my mind as far as what I wanted to talk about. The issues is basically stem from the safety point of traffic. And, to answer your question about developers, there's a 20 acre lot next to us that's being developed currently with half acre estates ranging from \$100,000 on up. So, there are developers in the past.

**Mayor Montandon:** Where is that?

**Mr. Vazquez:** This is off of Allen and Fisher, Jackson Estates.

**Mayor Montandon:** Yeah. I'm not familiar with that. I'd like to see it. You know, 'cause.

**Mr. Vazquez:** Forty houses or forty lots being already set up, the pads are set up. The pads are selling anywhere from \$100,000 on up. That's without the houses itself. All the amenities been included in that, water and power and everything else. They are sticking to the rural street standards from what I understand. In the past two years there have been

**Mayor Montandon:** So, we're not requiring curb gutter and sidewalk.

**Mr. Vazquez:**

Correct. In the past two years, there have been five houses built up in the area already. Some of them are near the end stages of their construction. And, I'm sure there are more in the planning. It's just that she said the school district does own 40 acres on the south end, just north of Lone Mountain there. However, we do have two grade schools, elementary schools, back-to-back, that are already present here. I'm sure it started off as one elementary school, single session and then it went to one elementary school, double session and now it's two elementary schools, double session and a possibility of a third one. How many schools are we gonna have in the Ranch Preservation? We got these two, possibly a third one, there's one at, I believe is near or end of construction within less than a mile away off of Simmons just north of Lone Mountain, south of Ann. So, two church, two Baptist churches have already been approved from my understanding, right on Washburn across from the park. And, the park is another whole issue. And, there was another church

**Mayor Montandon:**

You don't want the park either?

**Mr. Vazquez:**

I'm sorry?

**Mayor Montandon:**

You don't want the park either?

**Mr. Vasquez:**

Oh, no. I'm not against the park or any of that. I'm not against having a church, I'm not against having a school. The question is, you know, what you said, we moved here to have, maintain a rural lifestyle and the area has been designated as a Preservation area. Sure, we can have a church, we can have a school. But, are we gonna have all ten schools or however many number of churches. When does it stop? I seen, I seen little girls walking down the street or riding their horses where the school buses are chasing them off the road. The parents tend to use all the side streets to get to the schools and the 25 mile an hour speed zone just is not cutting it. I mean, whether the cops are there or not. The school buses do it. They sidetrack the speed limit and they go around the other way down 25. I've people run over my little signs, Caution, animals, kids, everything you could think of. So, it's more of a safety issue and what's gonna happen now is, you know,

obviously, we're definitely closed in in that area. There's another subdivision that's, American West Homes, they're putting over 100 houses over there. So, now, we're gonna have that influx of traffic. There's another tract just to the north of us, they're putting in a hundred homes over there. They've all ready about 30 percent constructed. So, now all that traffic's gonna start flying down my street or my neighbor's streets as well. And, I think it's fair to say that we're a little upset with the traffic situation that's happening. Yes, it does seem like yes, just one elementary school. But, it's not. It's multiple schools, multiple churches. We have the park, the park keeps lights on 'til 10,11 o'clock. They have a pavilion there, they have parties to all hours of the night. You can hear the music all the way down the road, at least 4 or 5 blocks away. You know, being a preserve it, let's make some type of effort to preserve it. After all, the efforts been made and has been declared as a preservation area.

**City Manager Fritsch:**

Thank you, Mr. Vazquez. Ms. Susan Allen.

**Susan Allen:**

My name is Susan Allen. I live at 3715 Fisher. I do live inside the Ranch Preservation area. I've come to meetings before. The City Council meetings in reference to the two churches that are going in. I didn't want either one of them, mainly, because they each are on back of my property. I'm kind of stuck with them, I guess I don't have much of say so at this point in time. I do think that they need to put some type of a limit as to how many schools, churches can go in on such close areas. Two churches back-to-back in the Ranch Preservation area, where is our Ranch Preservation area slowly going? You know, if you're not leaving any room there. There's not room for those that do have the animals and horses to be able to ride. You put in a really nice park and I love the park. What happened to a park for the people with the horses? Something that can compensate them as well. Something that the City would be willing to do. Some areas, like I've seen that they do a pathway for people with horses to be able to leave the sidewalk in the developments themselves. (Unintelligible). There's an easement right now on Allen from the sidewalk to the block wall (Unintelligible) that they can not use because of the power lines that go

straight down Allen. What's wrong with having the City come in and put something in there for being able to at least walk the horses in that area without having to worry about the hitting caliche and rock that are already in that area because of the additional development that was dug up and left there; never completed by the builder. So, I mean, I would like to see some type of a cap put on it even if it, even it might be too late for my area, because it kind of feels that way now. I think it should have some type of cap as a reference to how much you are allowed to go in between schools and the churches inside Ranch Preservation Area. That's my comment. That is why we moved out there in the first place. Just to get away from all the heavy traffic, with the, with the schools and the parks and all that and the churches. I've complained before about the extra garbage out in front of my yard because the school, since the school has gone in. There have been a many nights that the lights over at the park have been on all night long shining in my bedroom, at 3 o'clock in the morning, I'm up and those lights are on in my room like daylight. I mean, those are things I've had, have a tendency to annoy me. Trust me, I've got the City number by my phone. From now on, when that happens, let's call somebody. But, you know, I think there should be some type of a cap put on in the development that you would do outside of that few items that require special radius in order to get into Ranch Preservation area.

**Councilwoman Smith:**

Ken, would you like to give her your home phone number?

**Ken Albright:**

Yes, ma'am.

**City Manager Fritsch:**

Cliff Vellinga.

**Cliff Vellinga:**

Cliff Vellinga at 4020 Nobar Circle. We're one of the people that are building a home in that area. And, we think our home value (Unintelligible). And, we chose that area. When we first started looking, we had rumors that they were gonna build another school right there (Unintelligible). And, we checked it out and the School Board assured us that they weren't gonna build a school there. But, I know, for a fact, that had they said yes, we

would not have been purchasing land in that area. We wonder why people aren't developing in that area. And, I think one of the reasons is the people that want to build good homes and nice homes don't want to live where there's six schools and lots of churches. We don't mind churches, we don't mind schools. We don't think we should have all of the churches and all of the schools. Because, you're exactly right, the reason that we're there is because the land is cheap. And, the reason the land is cheap is because there's too many. And, I'm a firm believer that a community needs to have a variety of homes, and a variety of living spaces. Because, I think a community should be a type of a community where people want to live their entire lives. Not just live, move in for, they can barely afford to buy the house and leave as soon as they can afford something else. And, if we don't build a community where people want to stay and make it liveable from the beginning, we're not gonna have a community where you can be proud. And, that's what I think North Las Vegas wants, something they can be proud of. And, I think we should make a special effort to make sure that the developers plan for churches, plan for schools but in their own area and make the land available for churches at a price they can afford, instead of

**Mayor Montandon:**

And, on that, yeah. Making land available, we don't own land.

**Cliff Vellinga:**

I know, but you can put restrictions on it.

**Mayor Montandon:**

And, see, what your saying is. It's kind of a two way sort. We have done so, we put restrictions on it's use and that didn't detract, it attracted churches. 'Cause, whenever we restrict use it lowers the value and it attracted. Let me ask this of legal. You did say that, we're talking about ranch estates everywhere, not just in the preservation area. What is our ability, our preservation area, the boundaries of it are codified.

**City Attorney McGowan:**

Yes, there is a resolution.

**Mayor Montandon:**

Okay, well, okay. So codified is not the right word then, is it.

**City Attorney McGowan:** Well, right. But, go ahead. I think for purposes of your question.

**Mayor Montandon:** Okay. Is it possible to actually codify a Ranch Estates Preservation area and define uses within that area that are different from uses elsewhere in the City?

**City Attorney McGowan:** Well, yes. I think Jim touched on, you mentioned both churches and schools. Churches are clearly separate because of new Federal law that says, effectively, the burden has switched, where cities have to have good reasons on why churches should be precluded. Not the other way around anymore, as to all other uses. It's the applicant's burden to show why their use is harmonious and compatible. So, once we go to limitations on churches from residential districts, in any district

**Mayor Montandon:** Okay. Don't say churches. What if we had an area, and I'm just kind of thinking out loud and we define a limit on non-residential uses. Say, this is the Ranch Estates Preservation area and no more than, I don't know, pick a percentage, can be used for non-residential uses.

**Mayor Pro Tempore Robinson:** It sounds good. But, that also brings us a lawsuit.

**Mayor Montandon:** Well, that's why I'm asking legal. I'm just, I'm thinking out loud. You guys can jump in whenever you want.

**Deputy City Attorney Lewis:** You know, that, you know, if we're gonna be creative, maybe we can create a new zoning classification. But, as long as we've got Ranch Estates, and, yes, we do have this preservation area that was, that was voted on and adopted by resolution back in '98 and first, apparently, in 1992. As long as it's all ranch estates, it's hard for our, the City to legally differentiate uses in one area as opposed to another. So, maybe what we're really talking about is defining another type of zoning district that would limit further, these uses.

**Mayor Montandon:** Well, we used to have them. We called them Gaming Overlay Districts. That, you know, I'm trying to spec, virtually the same model; create an overlay district. So, that in one particular area there would be two separate zoning laws. The Ranch Estates Zoning law and an

overlay district. An overlay district that specifically limited non-residential uses. I'm just thinking out loud, I don't know what I'm talking about. Would that work?

**City Attorney McGowan:**

I think that, well, for awhile. And, that's what this effort was supposed to be in 1992 first and then in '98. Community changes, things evolve and this is the give and take of what is best for the community.

**Mayor Montandon:**

Okay. Does anybody here have an objection if legal took a crack at it and brought it back to us in a form of an overlay district?

**Councilwoman Smith:**

Well, the only thing is that, and I, I'm only the unofficial attorney, but I know from just listening to the news and following, and having been involved in some legislative processes, that when it comes to churches, we have, we don't even, two of the three legged stool to stand on. That the Federal law is superceding everything in those regards. And, we may try and do it, but whether it would withstand any kind of an appeal would be very minimal. Particularly with, I'm not so sure with schools, but I know with churches. That, I mean, there have been issues in Las Vegas where people have churches in the middle of the neighborhoods and there have been huge problems and they can't touch them because they're churches. So, I don't know how much latitude we will have.

**Mayor Montandon:**

I absolutely agree with you. But, the people who live out there were discussing more than churches, they were discussing numerous non-residential uses. That's why I'm asking legal to take a crack at it and see what the best they can do with it.

**Councilwoman Smith:**

But I just, I don't want to send out a message that there's a lot of hope.

**Mayor Montandon:**

Well, we did just kick a church out of an office building.

**City Manager Fritsch:**

But, not out of that zone.

**Councilwoman Smith:**

No. And, that's different.

**Mayor Montandon:**

Yeah. But, well, that's what I'm saying. We don't have

the answers right now, but that's what legal's there for to come up with them quickly.

**Councilwoman Smith:**

But, I just wanted to put that on the record. Because, I don't want to leave with people, this hope that we're gonna be able to do this if we may not be able to do anything.

**Councilman Buck:**

Let me ask this question. Is there any way to put perimeters that you can only have it, they can be in the Ranch Preservation area but they have to be two miles apart? Maybe you do that with schools, maybe you do that with churches so we are allowing them, but they have to be a mile from the next one.

**City Attorney McGowan:**

Yeah, I think proximity prohibitions are defensible.

**Councilman Buck:**

Maybe we do that with schools, and maybe we do that with churches so we are allowing them but they have to be a mile from the next one.

**Mayor Montandon:**

I think you have a couple of options for an overlay district. Either a separation requirement or a non-residential limit or something like that in, all into the form of an overlay district. If you could take a crack at it and bring it back.

**City Manager Fritsch:**

I think Councilwoman Smith makes a good point. I think the City Attorney can take a crack at it, but we don't want to deceive anybody to think that we're gonna come up with anything new. This thing could fall either way. But, I think, let Sean and his staff take a look at it and we'll what they come back with.

**Karen Vazquez:**

I have a general question, is the School District own

**City Manager Fritsch:**

What's your name, ma'am?

**Karen Vazquez:**

Karen Vazquez. Own, the School District already owns that 40 acres next to the other school? Now that they own it, does that mean there's gonna be a school there or does it mean that just 'cause they own it that they can put a school there?

**Mayor Montandon:**

Ownership of the land and the entitlement of the land

are completely separate issues.

**Karen Vazquez:** Okay. I wasn't sure.

**City Attorney McGowan:** They would need a special use permit.

**Mayor Montandon:** Which the School District found out the hard way.

**City Manager Fritsch:** We probably don't want to get into that, but it would be difficult for us to stop that.

**Mayor Montandon:** I understand, I understand.

**City Manager Fritsch:** All right. Thank you all very much. Mr. Vazquez, a question?

**Greg Vazquez:** The code states in your Comprehensive Plan book, (unintelligible) there that to be sure that neighborhood parks are to be built with a need to the immediate neighborhood. We haven't seen anything as far as our needs and wants.

**City Manager Fritsch:** From the horse users?

**Marilyn Kirkpatrick:** But, you say, you know, we had to fight for that park so we are very thankful that we have that park. We waited a lot of years for that park. And, I mean, it was a start, it was a lot farther than we had been able to come in a long time. So, I'm very thankful for that park. It's been a long time there.

**Mayor Montandon:** Yeah. If you'd have told us you didn't want it, we could of spent the ten million elsewhere. Gladly.

**City Manager Fritsch:** Thank you, sir.

**Greg Vazquez:** Thank you.

**5. GENERAL DISCUSSION OF LAND USE MATTERS BETWEEN THE CITY COUNCIL AND PLANNING COMMISSION.**

**City Manager Fritsch:** All right. Moving on to Item 5 is a general discussion of

land use matters between the City Council and the Planning Commission. A couple of things that I wanted to get out on the table and I guess this is where it gets back to my opening comments. This, these are not personality issues. But some of it are issues that have come to me from the City Council, as well as, some concerns, maybe concerns is a little strong, but some observations I've had. And, I'd like to hear from the Planning Commissioners. And, my first observation is that we have an extremely high number, I feel, number of cases that we are seeing recommendations, one way or the other, from Staff, usually denial. That are then overturned by the Planning Commission and more times than not, when it comes to City Council, and I'm gonna say 60 percent is more times than not. City Council goes back to the Staff's recommendation. I'm not implying there's anything wrong with the Planning Commission. What I'm asking is, is there a philosophical area or disconnect between Planning Commission and Council or Planning Commission and Staff?

**Marilyn Kirkpatrick:**

Okay, I think this PUD thing is gonna save a lot of it. 'Cause there's no direction and, on my part, I ask, okay, I read the book, and I'm good about thinking outside of the box. But, I read the book, the book says 6000 square foot lots. But, then, me being someone that's lived in my house for twelve, you know, twelve years. I don't know new developments, so I go and I drive different lots. And, I think, you know what, those 4000 square foot lots don't look bad, so I see something that comes before me and, I think, well, we got to have diversity, it says 6000, Staff is recommending denial because it doesn't fit within our book, but, yet, I don't know, I mean, we heard tonight that sometimes 6000 square foot lots isn't exactly what we want, but, it might be a plan that comes before us that's 4500 square foot lots with two 4000 square foot lots and it's got a park and this or that. So, sometimes, I mean I'll vote for it over staff because I think, well, you know, I think this is actually, when I do it, I think it's actually what is best for the community, what is best for this area. So, I'm, I guess I'm not afraid to say that sometimes I go against Staff.

**City Manager Fristch:**

Okay. No. And, I can understand that if it's predominantly in your mind, the PUD's. But, then, I'm also asking, then, is there a disconnect between what you see as the philosophy of the City Council?

**Marilyn Kirkpatrick:**

In my opinion? I, last week, asked some developers to

**City Manager Fritsch:**

Or does it not matter what the City Council thinks?

**Marilyn Kirkpatrick:**

I think it does matter. We elect them as our officials to represent us, but I think that last week, for instance, I asked the developer, I almost pleaded with him, please wait until our joint meeting so we know which direction to go on this and the developer says, nope, I need an up or down tonight. Okay. Then, we're kind of forced to make a decision. So, I think this will clear up a majority of my denials or my approvals against Staff because they're, we weren't sure, and I called Shari and I called Robert and I've asked them, so, you know, what do you perceive as, you know, the, what should, you know, what is your idea. A 4000 square foot lot in the Medium Density, that makes sense, 6.5, okay, there's where you get your Medium-Lows. Sometimes we have things that come before us that are a Medium-Low, 6.5 units to acre and in the wrong zoning category. It's just a matter of, you know, a few units over. So, I think tonight, we discussed a lot of things that will help a transaction go smoother, in my opinion, for me.

**City Manager Fritsch:**

Dean.

**Dean Leavitt:**

Thanks. There's been a couple of times that we have actually gone against what Staff has recommended in an attempt to protect the residents. And, so, I'm really excited about this Medium-Low possibility. Case in point, Lone Mountain and Decatur. The developer came in and said that we will not go higher than 6 ½. But, under Medium Density, they can go all the way to 10. So, we denied it and then when they came before City Council, they deed restricted the lots. So, sometimes it, sometimes it's a measure that gets the project where it needs, actually needs to be. And, I think that all of these items that we've discussed tonight will, will bring a little more consistency and cohesiveness between the Council and the

Commission. And, I'm really excited about having this meeting.

**City Manager Fritsch:**

Well, and I appreciate those responses because I don't expect Planning Commission to be a rubber stamp for what Staff recommends. But, I just wanted to know is there some kind of disconnect, something we're missing. And, I understand, Staff many times has to operate under very narrow perimeters. You are that next step that can take a little broader look at it. Jo, you've been awful quite tonight. Are you

**Jo Cato:**

Yeah. I have been. I know I've sat in about 4, 4 meetings so far, so, I'm still new to all of this. When I started out, I got the book from Anita. What I've done, I've sat with her with a couple of her co-developers with her and use her as my blueprint. But, not having a guideline, so to speak, especially with the PUD, I have voted against that too and I've gone to the community, drive out there, since I think this is good for the community. I'll listen to the developer, I listen to the homeowners and I make my decision based on what I think is good for that particular area. So, now we have our blueprint, we're working on a blueprint. So, that's gonna help me to make up, to probably work with Staff and make a determination. I probably still might go against that, you know, but, I'll have a better understanding.

**Dean Leavitt:**

She'll know why she's going against that.

**City Manager Fritsch:**

Nelson.

**Nelson Stone:**

Just remember one thing. We want a diverse Planning Commission. I think we all agree with that. And, I think you said, we don't want to rubber stamp Staff's

**City Manager Fritsch:**

I'd just like to see a few more 4- 3 votes, instead of 6- 1, 5-2.

**Nelson Stone:**

Yeah. And, so I, you know, I encourage people disagreeing indirectly. I think, maybe a lot of times, we hammer that a little too long in our meetings, but you know, that's the discretion of the Board. The other thing for me, is that I always sort of want to, I want to think of

what my Council was thinking. I, you know, pol, I'll call it policy. And, I guess, we've talked about this, you know, you guys are really busy. You know, you get the big bucks and that's why we elected you. You really don't want to have joint meetings with us every month. But, I sure think that, I've been on the Commission for, jeez, it's something like five years. I know that we've only met with you guys three times and I mean, I can visual, I, Tom Lisiewski was Chairman, I was Chairman, and Dean was Chairman. So, it's helpful for me to see how all of you guys think, so that when I'm sitting up there

**Mayor Montandon:**

I think I've called you twice in five years.

**Nelson Stone:**

It's been about that, yeah. You know, we just, it's nice to get together and hear how you guys are thinking about things. So, I call that policy or whatever. Yeah, I had lunch with a few of you guys once in awhile. I have a sense of what's going on. But, boy, if we're going left and you guys are going right, we don't want to do that necessarily. The other thing is that remember

**City Manager Fritsch:**

Let me jump in just a second just to tell you that one of the recommendations to, from Staff to Council and Council accepted it was that we meet more often with the Planning Commission; two times a year, I think is what we agreed to, every 6 months.

**Nelson Stone:**

That would be wonderful.

**City Manager Fritsch:**

Because, we get too many things built up over a year.

**Nelson Stone:**

Yeah. It doesn't have to be this long. It could be, you know, an hour and we're out of here kind of thing. The other thing I just remembered that we have a new, sort of a new Commission. You know, we really, truly, have a lot of new members. And you know, so, I don't know, as we look forward, if the disconnect question may or may not have applied to the old board. You know, I'm really

**City Manager Fritsch:**

That's when I first started observing it actually.

**Mayor Montandon:**

We just have this new rule that your first name has to be

start with J - By the end of the year.

**Nelson Stone:**

Right. So, I don't think it's nearly as bad as we might think. I think it's always getting better and, you know, discussing the issues are always helpful. So, and I also would mention that at the end of our briefing, one of the things that we do discuss is the Council meeting just prior to our meeting, what was you guys upheld and what you guys reversed the decision. And, I'm a little, I don't think we've been batting that bad of a batting average with the Council and, I guess, maybe we have. You know, as I think back, that's what really jumped out at me. But, I know that the lot size stuff has been, we've been struggling with. I think we all get better.

**City Manager Fritsch:**

Janita.

**Anita Wood:**

I guess I'd have to agree that I think some of it has been, I think we're doing our best to try to interpret the direction that Council's going in. And try to look at everything accordingly and I think we knew that the Council was not having a problem with some of the lots that were less than 4500 square feet. But, some of the minutia of okay, under what circumstances do we allow it, I think has been really confusing for a lot of the Commissioners and I think particularly the brand new Commissioners who are trying to, I mean it's a lot to kind of walk in when your kind of, not sure what the rules are. And, so, I think that a lot of the new ordinances that we talked about tonight are going to alleviate a lot of that, a lot of that concern. And, I think even if we look at Robert's idea, of even, you know, coming up with amenities whether input from Ken or getting them an option of what they can do again will get that issue, which I think lately, has been the predominant one is the amenity issues with the PUD's, but even that comes with quick resolve.

**City Manager Fritsch:**

Okay. Thank you. Joy.

**Joy Diaz:**

Well, I think I was the only one that was ribbed unmercifully about the red button for the first two times. Joy, is it stuck on red? I think it's a learning process. And

**City Manager Fritsch:**

So you were supporting Staff?

**Joy Diaz:**

Not always. I had the Ranch Estates problem. I drove it, you know, and I think going to bed for two months with that huge old book that I got, going, oh, my gosh. It's a learning process and also, getting information from even Council and like Anita, like Nelson and realizing that they're input is diverse. That's what makes us a strong Commission, is that we are very diverse and we have developers, we have, you know, a wide variety. So, realizing that we can work as a team as we were, and we're new and that's the bottom line. It's like, hang on people, we'll get there. Figure out what direction the City was going based on the information that City Council (unintelligible) . It's getting more comfortable, it was hard at first. To be, you don't want to screw up. It's exciting, it's a privilege. Thank you.

**City Manager Fritsch:**

Jay.

**Jay Aston:**

I guess, if I were to think the word disconnect would lie between us and Staff and us and the Council, is, I think North Las Vegas is, obviously, has most of the land available in the Valley, there's a lot of room for growth. And, I think in those high growing areas, we're moving in a very positive direction for land use. There still are a lot on infield pieces in North Las Vegas that people come in and want to try to match existing situations and I think that's where we get our disconnect and our diversity because everyone has a different opinion and you go, your heart goes out to a developer or surrounding community or somebody's already started developing on something. And, you know, they have a ten acre, or a ten foot landscape buffer and now, all of a sudden we're requiring twenty. Those are things that, you know, we're probably gonna vary on because Staff is pretty much, they gotta go by the recommendation and the land use guidelines and I think we're gonna interpret those things a little bit different, so is the Council. And, I think for a while with infield pieces, we're probably gonna have to struggle through some of that. But, as far as the areas that, that are still open to full development. I think we're moving in a good direction.

**City Manager Fritsch:** Council, any comments.

**Mayor Montandon:** I think I'd be redundant if I said anything now.

**City Manager Fritsch:** Was that a redundant statement? Any other Council members? Staff? Steve, any comments on that?

**Steve Baxter:** Well, I think that, as Jay mentioned, we, you know, we follow the book, we follow the Comprehensive Plan and the zoning ordinance. And, our job is to be, one of our jobs is to be somewhat conservative in our recommendations because there's a lot at stake out there and it's easier to go from denial to approval than from approval to denial. And, so, from time to time there may be some issues that come up where the Planning Commission and Council feel that this law that was written back in 1985 or whatever, just doesn't apply in this particular cases, here in 2002. So, there's bound to be some situations where there isn't agreement between Staff's recommendations and Planning, Planning Commission and Council. We'd like to have as much agreement as possible, but, it's not always, it doesn't always pan out that way.

**City Manager Fritsch:** And, I think it's incumbent upon us to come to you with agenda's like this, where we may see those disconnects, and what rules do we need to change, which ordinances do we need to change so that we're bringing essentially the products, projects that the Council wants to eventually see in this community, and the Planning Commission is expecting. The last thing I had is, I guess, a little more sensitive. And, it has to do with communication issues. And, putting it, I guess there is a concern, and I need to hear response back from both Commissioners and Council, as to whether at times the Commission is perceived as being an advocate one way or the other for developers or for neighborhood groups. Whether, sometimes, maybe that you slip out of the role as independent arbiter sitting up there judging a case and perhaps become more active in individual cases, maybe depending upon who the developer is, who the legal representative is or who the neighborhood group is. And, there have been discussions, I will tell you quite frankly from Council's point of view, whether we would consider having no ex

parte communication between the Planning Commission and those appearing before the Planning Commission, whether we keep the process the same as it is today, whether we have, perhaps a program similar to the City of Henderson, where Staff schedules time between the Planning Commission and developers or coordinated neighborhood groups, to come in and talk to Planning Commission with Staff there on a one on one, two on one, I think we could go to three on one. Different ideas like that. I guess, I'm asking if, are, Council any comments you might have on that and Planning Commission, any comments you may have. And, you may have different opinions, those of you on the Planning Commission. I don't know if all of you, or how many of you meet with the public, meet with Planning, or meet with developers. Maybe some of you have a policy that you don't do that. I think we've had Council members who taken that policy, they don't sit down with those groups. So, I'd like to hear back and your thoughts reacting to me. And, again, I'm not trying to single any one person out, that's not the, several persons out here. But, to get some feedback, your observations on that. Differences of opinion, agreements, whether this is the direction we need to go, whether we need to do something else, whether it's working for us. I hear the crickets.

**Jo Cato:**

For me, I have met with developers and it has helped me tremendously because for projects that have been going on for a long time. Meeting with the developer gives me a history of the, that project that I'm gonna have to vote on. I've met, if I have questions, I'll call Staff, I read the reports and then I can, I will even gone out to communities where, met with the people living in the community. So, it has helped me. I've not met with a developer by myself. I've always gone with a seasoned Commissioner. So, that helps me along the way.

**City Manager Fritsch:**

I think another concern, that has been brought to my attention, is that there are maybe times when Commissioners may be designing projects with developers and developers are running into that issue, where they feel they have to change a project dealing on that one on one relationship before it ever gets to the

Planning Commission or to the City Council, thinking that's what it's going to take to get it passed. And, I think some of the Council members, that that's been brought to their attention. Nelson.

**Nelson Stone:**

We certainly want to, wouldn't want to do this in public but maybe, there maybe some, some reason to have individual evaluation sessions with each Commissioner to lay out constructive criticisms from Staff. You know, that might be helpful. Because, some, I'll tell you right now, maybe some folks have no idea what your talking about and aren't even aware that there's an issue out there. So, I don't think that's the kind of forum, forum here we would do that at. But, I think that would be helpful. I, that would be my thought. I think it's beneficial if we talk with the developers and I'd say most of the time when I meet with them I'm with, at least, one or two other Commissioners. So, anyway, that's, those are my thoughts.

**City Manager Fritsch:**

How do we best address it then, if it is an issue or isn't an issue. How do we make sure it isn't one other than an evaluation? Do you need direction from Council within some perimeters on what's appropriate, what's not appropriate?

**Nelson Stone:**

Yeah. Well, I think you could maybe dancing around ethics and, you know, that's a tough thing to define. Especially, at our end, you know, we're, we've got, we work for a living and I just, I'd be, I think it'd be great if we could sit down with you or Greg or someone and they could just say, hey, you know, your fine or boy, you know, you ought to watch out in this area here. I think every one of us would respond to that in a positive way. I really do.

**City Manager Fritsch:**

I wouldn't mind sitting down. Gregory and I are doing it, if Council so directed. I'd be a little reluctant that we'd be judging you. I think we could talk about perimeters and maybe appropriate behaviors that, as we see it, from our professional standpoint. But, I'd be reluctant to sit in judgement of any of you.

**Councilman Buck:**

I think it's important, especially that the newer Planner, Planning Commissioners have guidelines or know what

it is that they're responsible for. Zoning, Master Plan, but as far as getting into designing projects or making, telling a developer to change this or that before they bring it back, I'm hearing that there's some overstepping of boundaries or what I think are probably boundaries that we don't want our newer, our newer Commissioners to think that that's standard or that they should assimilate.

**City Manager Fritsch:**

Pick up bad habits.

**Councilman Buck:**

Or should be conducting themselves that way and also other Commissioners, if that is happening, probably need to understand that that's not appropriate and we, maybe, could be getting ourselves in some legal trouble by some misrepresentations or

**Mayor Pro Tempore Robinson:**

Bottom line is in essence stated, if this is happening, then you need to schedule meetings with all of the Planning Commissioners and if it's a ceased and deceased thing, then that should happen.

**City Manager Fritsch:**

And, I think it's a good idea that Gregory and I go to lunch with all seven of you. Not for any disciplinary reason, but just to sit down with you and talk about some more, maybe help with this connect that we need to have here.

**Councilman Eliason:**

As long as you post it.

**City Manager Fritsch:**

Individually.

**Joy Diaz:**

There was, I can say for me, it was uncomfortable coming in, because I didn't want to be labeled as, oh, you're for the developer or you're for the neighbor. So, my knee-jerk reaction, and granted, I was for gone for a month on vacation. My knee-jerk reaction was time-out, let me learn what I need to do before I start meeting because that's encouraged to meet with the developers and meet, so that you get information. So, needless to say, I've only met once and I had another person with me. Just because, I think ethically, we've got to be careful, you know, that, who you're with; I don't know, my father always said that, what's the position that your in and how can it be misinterpreted. So, guidelines

would be great because my concern is I don't want to look like I'm playing a favorite, but I also want to get the education. And, sometimes, you know the education might be meeting them somewhere or meeting (unintelligible). So, I don't know if that helps but that was uncomfortable coming and going. Do you meet or don't you meet. And, if you do, why are you in trouble and how does it look and blah, blah, blah.

**Councilman Eliason:**

I don't think as a Councilman, I have a problem with the Commissioners meeting with people. I have a real strong problem with the Commissioner being an advocate for an issue. That's where I think that they have definitely stepped over the line. They're supposed to be neutral. They're not supposed to be one way or another. And, I was always, in the training that I got as a Planning Commissioner was told that if you give the developer 10 minutes, you give the other side 10 minutes. And, you can't hear one side and not the other side. 'Cause that's when your gonna get yourself in trouble. And, you never meet them alone. You know what I mean, so, if there's people meeting out in the community as an advocate for an issue, then I have some great concerns.

**Mayor Pro Tempore Robinson:** Because you're gonna find from the community of people, as Commissioners, the NIMBY syndrome everywhere. That rural preservation thing I've been dealing with since 1983. I got on the Council and dealt with it, and if I be here for another ten years, I would still be dealing with it. And, as Councilman Eliason stated, I would hate to think that we got, and I know we don't have that on the North Las Vegas Planning Commission, we have advocates that's going out advocating various projects or to John Q. Citizen or to John Q. Developer. I know we don't have this in our City so we don't even worry about it. Kurt, my suggestion is you meet with them and give us a report and we go from there.

**Councilwoman Smith:**

Well, and Kurt, and I just want to say that I agree with what Robert and Shari have said, that we need to be careful. And, obviously if we're getting reports back, I think that's an indication that something isn't right. Because we don't usually hear about things unless it's

getting to an extreme level. And, we've had examples in Council meetings where people come up and said, you know, we've met with such and such a Planning Commissioner and they've been helping us with this. I mean, I think it's right on the minutes of our meetings. So, obviously, something is going on even between the Planning Commission meeting and the Council meeting. After the votes already been cast and then there's still this relationship going on between that. And, I think that is a really fine line that you're walking. And, you know, your exceeding your perimeters and I think that it does not put, puts the whole Planning Commission in bad light, I think. Because you are, this is for your membership. So, I think that has something that needs to be considered in the future. I mean, I don't see anything wrong with talking to developers and maybe we need to look at the way Henderson handles it and that way there's no question of what's going on. And, it's more finite and there can be no reproach towards anyone. But, I do think that if we're all getting a sense of it, then perhaps there's something to be thought about. And, maybe nobody's ever thought about it before and maybe they're gone. I mean, this is a chance to reflect on, oh yeah, I didn't even consider that.

**Dean Leavitt:**

Well, I agree with what Nelson said. I think that, and the other Commissioners, that we, as Planning Commissioners, feel it an honor to be able to set and help mold what the City of North Las Vegas' future is gonna be. And, I truthfully believe that no Planning Commissioner intentionally is doing things wrong. I think, if there is some areas that we need to be improved in, it's probably because of lack of communication or a misunderstanding or lack of knowledge. As Nelson said, through no fault of anybody else but no, I've been on the Planning Commission for over two years and this is the second meeting that I've participated in. And, I think that Joy and Jo and Jay have done a fine job. The J's. The three J's. Unfortunately, they just, last week received their orientation and they had to, they had to sit and make decisions without even understanding what their job was. And, so, that might have been some of that disconnection that was, we were discussing. And, I

think that we're gonna change that.

**Mayor Montandon:**

Wait a minute. They got an orientation?

**Dean Leavitt:**

Yeah.

**Mayor Montandon:**

I never got.

**Dean Leavitt:**

You see, that's it. Communications. But, and, I think another thing is, with the fact that North Las Vegas has the most developable land. That North Las Vegas is moving fast. Hopefully, we all get up on the curve and be able to make this, this process positive, productive and beneficial for everybody. Not just around the table but everybody in the room and ultimately, the whole City. We do have the future and we have the opportunities and we want to capitalize on them and if there's direction or training that we can participate in and receive to make us more effective, that's what we want to do.

**City Manager Fritsch:**

Thank you. Any other topics any of the twelve of you want to touch on tonight?

**Marilyn Kirkpatrick:**

We're getting faster. We did twenty items in an hour and ten minutes last week.

**Dean Leavitt:**

Yes.

**Councilman Eliason:**

Kurt, I'm just thinking of all the lunches your gonna get.

**City Manager Fritsch:**

Yeah. But, I gotta pay for all them.

**Mayor Montandon:**

Deal with it. It's like the rising tide. It just happens.

**City Manager Fritsch:**

Okay. If we have nothing else from Mayor, Council or Commissioners.

**Councilwoman Smith:**

Can I throw one thing in?

**City Manager Fritsch:**

Sure.

**Councilwoman Smith:**

I have some things but it's not on this topic.

- City Manager Fritsch:** This is just our open
- Mayor Montandon:** This is the beginning of Public Forum.
- Councilwoman Smith:** Is it the beginning of the Public Forum?
- City Manager Fritsch:** Well, I, this is pretty much, I feel, fall's under Item 5 and then we were gonna open Public Forum.
- Councilwoman Smith:** 'Cause I had a topic that was omitted on this agenda but I want to bring up too.
- City Manager Fritsch:** Okay.
- Councilwoman Smith:** Go ahead.
- Anita Wood:** Well, I was thinking 'cause it had to do with what Kurt, Kurt was talking about. One of the things that I, and I had talked to Kurt and I talked to Robert and Stephanie and I hadn't had a chance to talk to some of the other Council. But, one of things that we were just talking about was training. And, I think, particularly for the new people that training is very important. And, one of the things that is coming up, of course, is the APA seminar for the Planning Commission that's in Reno this year. And, getting some City support in helping to, perhaps finance some of the Planning Commissioners being able to go to that, particularly the newer members, might be something that would be very, very helpful to them and actually for all of us but particularly for the new, the new people. So, if that's all right.
- City Manager Fritsch:** The feedback I've gotten thus far is, has been negative regarding funding that for this year. I understand we do have this training coming to Las Vegas next year. And, if we have more time where we can budget for it, I think, if you come to Steve and we talk about that during our budget session and I would say talk to him in about November, then we can start planning for it to get it into their budget. Development Services does not have the fattest budget in the City, so it's very difficult. It's one of the few that doesn't have a couple slush funds for it to take money from and be able to just to move it in, into that training. It's pretty tight.

**Anita Wood:**

Yes. Because, I think, but, I think when you talk about that communication, I think some of that in the past has been lacking, as far as, putting some of that funding in for the Planning Commission to, to go to get the training that the Planning Commission needs to, to be effective. So, the support that we can get, if not now, at least in the future from the, from the Council would be helpful.

**City Manager Fritsch:**

And that makes sense to, from my standpoint.

**Councilwoman Smith:**

Is it my turn now?

**City Manager Fritsch:**

Ms. Smith.

**Councilwoman Smith:**

Are we done? Okay, well, two things. One is just a thought that I had for Sean for our legal language. When we were debating about the parks and amenities, I think we should give them a new title and we should call them Kementities. Well, they're Ken's amenities so we'll just make them Kementities and that will be our new.

**City Attorney McGowan:**

All right.

**City Manager Fritsch:**

Well, how did we leave that off the agenda?

**Councilwoman Smith:**

With a little work. The other thing that

**Councilman Buck:**

Is it time to have that prayer yet?

**Councilwoman Smith:**

For some. But, one thing I wanted to talk about as long as we were talking about all the standards tonight and we, sort of alluded to with the horses a little bit. But, another component that I think we do not address in any of our planning is the issue of bicycles and bike paths and bikes in traffic and our roadways. I mean, even in our 1900 acres, I don't think we really discussed bike lanes and planning for that and we've got a lot of developments coming up. And, that's never been a discussion, it's never been a criteria, it's never been anything at all and I would like to have us consider and, as Planning Commissioners, if you can consider thinking about planning for a bicycle traffic. And, you know, as we grow and if we want to ease the traffic flow and air quality and all those things, we need to start

providing lanes. And, in a lot of the new communities everywhere those are going up. And, if you've ever been in Europe, I mean, they get their whole trail system through the whole country. So, I think that's something we have not addressed as a City. And, well, all these people are coming in and all these projects, I think we need to start requiring, or at least considering, how we can incorporate that.

**Councilman Eliason:**

I guess, bike trails are great but do they include horses? I mean, we have horse people here.

**Councilwoman Smith:**

Well, I'm not necessarily talking about trails, I'm talking about lanes in the road.

**Councilman Eliason:**

Well, I mean, are they gonna accommodate horses and everything else?

**City Manager Fritsch:**

And, we've looked, we've looked at alternatives to lanes in the roads as well. Misty's here, I don't know if she brought any maps. We did plan for some of the bicycle activity on the paths, that's why we widened the paths in the 1900 acres. They specifically did not want horses in the 1900 acres, so that's left out. However, the trail systems that we're building along Las Vegas Wash

**Mayor Montandon:**

And, this still got us millions of dollars, literally, for a trail system in the Las Vegas Wash.

**Councilwoman Smith:**

But, if I could just say one more thing before we go to Misty. You know, to me those are two separate issues. One is the recreational bike paths and things, but there are literally people who are riding their bikes to work or ride them to the store and are forced to be in traffic and it seems to me as we're planning these roads, we need to give consideration to actually planning lanes within the roads for bicycles. And, you know, some places have little bike lights even where the bikes go and what do you do when your in the right lane but you got to get to the left lane to make a left turn and those situations. Which, to me, are different then just trails and paths which are equally important but serve a different use.

**City Manager Fritsch:**

They are different, but, I know Misty has worked on trying to link the entire Valley from that very standpoint.

Not just recreation but commuter traffic, as well. But, it's going to come a lot of it, because we've already got streets in place and we can't widen them with the limitations and what we're doing with buses. But, Misty, why don't, do you have a couple comments and

**Misty Haehn:**

You bring up just an excellent point because the bike path and bike issues is something that the entire region has been looking at. And, what has been great is the RTC actually funded, I think a \$425,000 grant to look at how we can get bicycle or modal transportation through the Valley. And, that study is gonna come out as soon, I would say three to six months. And, they're looking at all the streets and they looked at the North Las Vegas streets and so, the good news is that you bring up a great point and the better news is that we're all, we're working on it and will be able to bring that to you really soon.

**Councilwoman Smith:**

So, will this be Regional or will we have the opportunity to, as our City, we could, could we not start today, planning for this? Are these, we're talking condensed lots and all these other things as they're coming in. Could we not start planning for this now?

**Misty Haehn:**

Right. You're exactly right and the only really backstep I take is that they had so much funding to go ahead and plan for the whole region and including the City that we were working with them on getting that. And, then when we get that adopted, we've got parks and trails master plan. We've got a work program for our trails plan and bicycle thing and we're gonna all integrate it and we're gonna come before you guys with a great trails and park system and bike plans, etc, etc...

**Councilwoman Smith:**

And little bike stoplights and everything?

**Councilman Eliason:**

(Unintelligible) by Parks and Rec.

**Councilwoman Smith:**

More Kamenities. Thank you.

**City Manager Fritsch:**

Your welcome. Thank you. Anyone else?

**PUBLIC FORUM**

**City Manager Fritsch:** Well, with that, I'll open it up to Public Forum if there's anyone else who wants to speak on another topic. Brad.

**Brad Burns:** I just got a question. In going back to the

**City Manager Fritsch:** What's your name, sir? What's your name?

**Brad Burns:** Brad Burns. Going back to Medium-Low Density issue, 4 ½ to 6 ½ dwelling units per acre. Are we directed or is Council and Commission directing Staff to consider smaller lot size than 4500 in 4 ½ to 6 ½ units per acre or are they saying, that's what they want in 4500? I'm confused by that. I don't know if that was clear or not?

**Mayor Montandon:** No. I think it's pretty clear. If you want more than 6 ½ units per acre, your gonna be in, have to be in a Medium Density master, zoning area, Comprehensive Plan category.

**Brad Burns:** So, if your in a Medium-Low though

**Mayor Montandon:** You can go to 6 ½.

**Brad Burns:** You can go, so it doesn't, the lot size is not relevant. 'Cause the guideline is what's been, where this stuff's been getting turned over often. It's been the guidelines that they've been following that says, that the guidelines of a minimum lot size 4500, you go to Commission, Commission seems to say, oh, good project. And, sometimes they say not a good project and then we go to Council and Council says okay. So, you get this disconnect. Due to that guideline, I've seen that often with our projects. So, I just want to be clear that 4 ½ to 6 ½ drawings per acre is clearly that and the lot size is not relevant.

**City Attorney McGowan:** There's been no action taken.

**Mayor Montandon:** There's been no action taken but the general guidelines.

**Brad Burns:** They're giving Staff.

**Steve Baxter:** Yeah. If I could just comment with the memo I handed

out was talking about 4500 square foot minimum lot size as being the minimum for the Low Density, Medium Density residential. If it's less than 4500 square feet, then it would be in the Medium Density residential category.

**Brad Burns:**

Again, I mean, what does the Commission or the Council think? I mean, we're saying 4 ½ dwelling units to 6 ½ dwelling units. Are we saying the minimum lot size is 4500 within that? I know it's not an ordinance, I know it's not that. What is the guidance you're giving Staff?

**City Attorney McGowan:**

Come back for the other discussion, when they have the verbiage in front of them.

**Mayor Montandon:**

But, roughly, if you've got a project with 6 ½ units per acre, okay, so you can fit it within a Comprehensive Plan. But, somehow your engineers manage to get lots that are smaller than 4500 square feet on a 6 ½ unit, your gonna have to follow our small lot guidelines. I am, I would imagine. Does that make sense?

**Brad Burns:**

That makes sense to me. I just want to be clear about that.

**Mayor Montandon:**

Okay.

**City Manager Fritsch:**

Anybody from the real public?

**Cliff Vellinga:**

I'd just like to express that I appreciate your concern for our, for all of us and I've enjoyed living here in Las Vegas, in North Las Vegas. I'm one of these guys who would rather be in the shop working than living in a High Density housing area where I can't have a shop, you know. And, we need that variety. Every community needs a variety of housing. And, I think that we should extend that to all the communities we build. Whether it's a planned unit development or whether it's our residential estates area. I think that there should be the type of variety where we can have all of our people living together as neighbors where we have diversity. To make neighborhoods without diversity, I think will destroy (unintelligible). And, I think we need to have that as much as possible. And, I appreciate your

concern for that. That's just a comment. Thank you.

**City Manager Fritsch:**

Mayor, Council, Commission, I'd like to thank you tonight for the input you've given us to work with. I'd like to thank the public and, if I may so be, may be so bold. We're adjourned. Oh, I'm sorry, ma'am.

**Carol Bailey:**

I didn't know you were. I'm Carol Bailey and I'm with the School District Onsite Development Planner. And, what I have for you tonight is, some of our student will factors that might help Planning and the Staff. And, I'm know that Mr. LaCroix will be meeting with Mr. Baxter and a few of your other planners. But, I thought it might be valuable this evening and I apologize, I don't have enough for everybody. So, I'll leave these.

**City Manager Fritsch:**

If you give them to our City Clerk and we'll make sure everybody gets copies of it.

**Carol Bailey:**

That would be great. Oh, do you? Oh. These are in color. Thank you very much.

**City Manager Fritsch:**

Thank you all.

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