

**SPECIAL NORTH LAS VEGAS
CITY COUNCIL MEETING MINUTES**

November 27, 2001

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

ROLL CALL COUNCIL PRESENT:

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

PLANNING COMMISSIONERS PRESENT:

Chairman A. Nelson Stone
Commissioner Scott Albright
Commissioner Marilyn Kirkpatrick
Commissioner L. Dean Leavitt
Commissioner Harry Shull
Commissioner Anita Wood

Excused:

Vice Chairman Thomas Langford

STAFF PRESENT:

City Manager Kurt Fritsch
Assistant City Manager Gregory Rose
City Clerk Eileen M. Sevigny
City Attorney Sean McGowan
Deputy City Attorney Jim Lewis
Deputy City Attorney Deidra Call
Acting Development Services Director Jim Stubler
Planning Manager Steve Baxter
Public Works Director Jim Bell
Community Development Director Jacquelin Risner
Parks and Recreation Director Ken Albright
Fire Chief Bob Dodge
Assistant to the City Manager Brenda Johnson

Assistant City Clerk Karen Storms

VERIFICATION

Eileen M. Sevigny, CMC
City Clerk

BUSINESS:

1. **DISCUSSION AND/OR ACTION REVIEWING THE ROLES, DUTIES, AND RELATIONSHIP OF CITY COUNCIL, PLANNING COMMISSION, AND CITY STAFF.**
2. **DISCUSSION AND/OR ACTION REGARDING WORKSHOPS/STAFFING LIMITATIONS.**
3. **DISCUSSION AND/OR ACTION REGARDING THE NEED FOR BI-ANNUAL MEETINGS.**
4. **REVIEW STATUS OF RESOLUTIONS OF INTENT (ROI).**
5. **GENERAL DISCUSSION OF LAND USE MATTERS BETWEEN THE CITY COUNCIL AND PLANNING COMMISSION.**

City Attorney Sean McGowan introduced the Joint City Council/Planning Commission Meeting Topic Outline (Exhibit A).

Mayor Montandon questioned Commissioner Albright as to what he believed his role as a Commissioner was as opposed to a Planning staff member. Mr. Albright responded, as a Planner for the City of Las Vegas, he was to provide staff support to the City's Planning Commission by doing research and developing recommendations. As a Planning Commissioner, he felt his role was to facilitate development through the compliance with adopted ordinances and fulfillment of the Master Plan.

Commissioner Kirkpatrick added there should be a compromise between giving the developers what they want and still having a quality project. As a Planning Commissioner, she felt she worked very hard to have a win/win situation for the developers as well as the residents. She stated her biggest challenge was developing a cohesive unit between the different government entities to allow development to continue in the City but to adhere to

standards to produce quality work.

Commissioner Leavitt stated as a Planning Commissioner, he attempted to take the time to meet with developers and residents to discuss pending projects and challenges in the City in order to make an informed decision. He also felt it was important that the Planning Commission and the City Council work together to facilitate development. He felt that most residents wanted commercial developments, but not in their neighborhood. Commissioner Leavitt stated his concern for the mature sections of the City. He felt proper planning was essential and if the City did not plan for the new areas, it would soon become another part of the City that was in need of redevelopment. He felt the City should adhere to the Master Plan as closely as possible.

Chairman Stone felt it was his responsibility to facilitate discussion between the Commissioners and the applicants to have a fair representation of the facts to make informed decisions. He stated one of the first opportunities the City had to fuel the economic opportunities associated with growth was the land use application. He felt it was key to planned use and stated once he was aware of the direction Council desired to go, he could support those decisions through his actions on the Planning Commission. He felt as Planning Commissioners, they often had a very narrow view of the direction of the City and often did not comprehend the scope of their actions in relation to the City Council's goals. He felt that sometimes the views of the Planning Commission and the Council conflicted because of the limited information offered to the Commissioners. Chairman Stone requested information on a monthly basis rather than quarterly. He asked for specific information regarding Council's policies to give him more guidelines when reviewing and deliberating upon development applications.

Mayor Montandon asked the Council and Commissioners if they felt their role was to facilitate growth at all costs or to facilitate more planned growth. He asked how the development of commercial and residential areas affected the City's infrastructure. Public Works Director Jim Bell responded that Master Planned developments offered many advantages for the City. Referencing Green Valley in Henderson, Mr. Bell explained the idea was to have a commonality of purpose and thematic approach. There were ground rules established to develop the area. The original plans for Green Valley were very schematic but the developers were key in shaping the community because they were consistent with their designs and concepts. Mr. Bell stated the City of North Las Vegas had several types of approaches to development. There was the traditional approach that provided a set master plan for an area. Mr. Bell stated there were, however, new approaches to be taken with future communities. If the City anticipated a master plan design, it would then legislate a community; that being the traditional approach. Another approach would be to allow the developer to plan a community with specific details and structure. With regard to the 1900 acres, Mr. Bell stated specialized rules would be created for the development. If those rules were prepared correctly and if the

developers were committed to an approach that would provide long term perspective, there would be consistency throughout the entire project.

Councilwoman Smith questioned whether the City could master plan areas where there was no development. City Manager Fritsch stated Council, to a great extent had already done that. He stated there had to be a trust between staff, City Council and the Planning Commission. Once that relationship was there, Staff needed to be trusted to work with the developers to accomplish Council's goals. He felt staff could improve in the area of building trust with the elected officials and the Planning Commission. City Manager Fritsch stated staff interpreted the guidelines set by Council, then the Planning Commission may adhere to staff recommendations or they may override it. Council at times would override the decisions of staff and the Planning Commission as well. He felt if Council reversed decisions made by the Planning Commission based on staff's recommendations, it broke down the City's authority for future decisions. For example, City Manager Fritsch stated the City should be gaining additional amenities for reduced lot sizes. Councilwoman Smith added each entity was attempting to accomplish the desires of the others when those desires were not always apparent. She felt each entity should make recommendations independent of what was perceived the other body wanted. City Manager Fritsch agreed and stated it was one area where staff had broken down the process. Mayor Montandon reiterated the trust referred to by the City Manager was more a function of communication, knowledge and shared information.

Mayor Montandon stated he had recently attended a seminar on the topic of urban sprawl. He questioned whether urban sprawl was good or bad. He stated there was a dichotomy between the purposes of the Master Plan in that every identified use had to be buffered from every other use. The Master Plan did not allow for mixed use development. He gave the example of not having clearly defined design standards for a warehouse and an office building in the same development. From a policy standpoint, Mayor Montandon questioned whether the City was going in the right direction or if the City was facilitating development that would have a social cost for a long period of time. Commissioner Albright stated the City had no vision statement for land use. There was no clear direction with regard to land use and development. He felt it would be useful to determine concepts such as if the City was going to support urban sprawl, if the City was going to have a defined downtown area, and if the concept of commercial nodes was supported. He felt it would be very helpful to know what direction the Council desired the City to go. He pointed out the Comprehensive Plan did not present a vision for the City.

Commissioner Leavitt concurred with Commissioner Albright and stated the City of North Las Vegas Planning Commission had more appeals filed than any other entity in the valley. That was an indication there was a lack of communication and understanding of the Council's goals. He stated the Planning Commission was getting mixed signals and gave the example

that convenience store developments could be as small as three acres. However, commercial developments could not be less than ten acres. He felt those types of inconsistencies should be addressed.

Commissioner Wood stated the events of September 11th were changing the vision of planning. She stated current planning concepts forced people to drive to commercial areas for shopping. By walling off subdivisions, communities at-large were not being created whereby residents could unite as members of the City. She pointed out the City may want to revisit the concept of larger commercial areas within walking distance of several subdivisions as opposed to three acre convenience commercial areas.

Mayor Montandon stated at the last meeting, residents incorrectly assumed neighborhood commercial developments would create traffic. He pointed out that neighborhood commercial intercepted traffic; residential developments generated traffic. It was those misconceptions that needed to be discussed and resolved. Mayor Montandon stated Council had given the Planning Commission the assignment to reviewed the Centennial Corridor and give Council some ideas for Commerce Street, North Fifth Street, and Losee Road. He stated there was no specific direction given and no data to review as to what the effects of the Planning Commission's decision would be. The report given to the Council was confusing in that the first recommendation was for a three acre commercial site and a fifteen acre commercial site when a previous recommendation from the Planning Commission was that there be no commercial development less than ten acres.

Mayor Montandon asked for a consensus if the goal of the Planning Commission and City Council was to facilitate growth. Councilwoman Smith felt that mediate growth was a better term than facilitate. She felt facilitate enabled developers to construct what they desired while mediate meant that growth would encompass the City's vision as well. Mayor Pro Tempore Robinson agreed with Commissioner Albright in that a mission statement was needed to keep all entities on the same path. He suggested more joint meetings were needed on a regular basis to better plan future growth. He felt all members of both bodies had been remiss in not better communicating with each other. It was critical to create a mission statement and strive to work closely with each other if the City was to grow to its fullest potential. Commissioner Wood added although it was apparent the City wanted to grow, it was essential to determine in what way the City wanted to grow. She stated in the past, the City had been attempting to attract larger lot and higher priced homes. Lately, most applications for development had been for 4,500 square foot lots or less. She questioned if there needed to be a balance between the different types of development and how the dichotomy should be handled.

Mayor Montandon questioned what needed to be done to get the developers to start asking to build larger homes in the City. George Garcia stated that growth was going to occur and

the challenge was how to respond to it. He felt there was an opportunity to embrace growth and properly direct it. He stated a goal of the City should be to have seamless growth but development on a project by project basis. He stated developments needed to be judged on an individual basis. The private and public sectors working together would produce development that both the City and the residents wanted and needed. He stated a community needed all components, including residential, commercial, and public areas such as parks, libraries and schools. Commercial areas could be part of the social fabric of a community that brought people together. He gave the example of Starbucks Coffee Houses where people gathered on a social basis. He felt each project could not be forced to comply with City standards to ensure it was a success. It was incumbent on the City to ensure those developments would not be failures by extracting certain reasonable standards. He felt it was appropriate to 'push the envelope' when requiring the developer to conform to City standards. Because high standards were adhered to, each developer would know the value of their land would increase with the development of each subsequent project. The City of North Las Vegas could benefit from the successes and failures of a master planned community such as Green Valley.

Mayor Montandon summarized it was incumbent upon Council to check on the temperature of the market as to what developments would be best placed in certain areas of the City. Mayor Montandon asked if only three development agreements had been entered into by the City; Ann and Allen, Eldorado, and the new 1,900 acres. Public Works Director Jim Bell added the Kiel Business Park was also a development agreement. Mayor Montandon stated the City had received a fire station out of each development agreement and asked Parks and Recreation Director Ken Albright what the City could expect to get from a development agreement with respect to parks and open land. Director Albright stated PUD's were treated as development agreements and were opportunities for the City to get additional amenities from developers that the City was not currently getting. He added there was no commitment between staff, the Planning Commission and the Council to get what the City needed in the area of parks and open space. Director Albright agreed with Mr. Garcia that quality development generated quality development but felt the City's amenities were lacking. The City had the lowest per capita for parks. He stated the privately developed parks did not contain many amenities other than open space. He added the City was pushing hard to change that but the change would not come overnight. Mayor Pro Tempore Robinson agreed with Director Albright and stated the Planning Commission and Council needed to start demanding more from the developers. Director Albright responded the City was beginning to demand more.

Commissioner Shull stated the price of land had essentially doubled in North Las Vegas in the past few years. In some areas, land was priced at upwards of \$120,000 per acre. The price of land would change the type of homes that would be built in the City. As a developer, Commissioner Shull felt he was giving more amenities than before. New communities were required to have peripheral landscaping and open spaces which added amenities to the communities but also enhanced the value of the property. This required the developers to

spend more money, but in return they would gain more profit. He commented there was always a battle to keep the prices of homes affordable and also offer the desired amenities. He stated he was attempting to provide housing the average working family could afford to purchase. He thought in the new 1,900 acres, there would be an increase in density in order to keep the price of homes under \$150,000. Ten years ago, he was able to build a 1,200 square foot home on a 6,000 square foot lot for \$89,000. Today that same house would be approximately \$140,000. Through market forces and the changes in the community, property values had doubled in the entire valley. Even at \$120,000 per acre, North Las Vegas still offered the most inexpensive land for development purposes. He felt the City would not attract upper income families to the community. He agreed with Mr. Garcia that in the beginning, the transformation would be slow but would be realized with proper planning.

Councilwoman Smith questioned if it was the City's job to accommodate all of the affordable housing in the valley. She felt the City went to extremes to meet the federal affordable housing guidelines. She stated the rest of the valley needed to do its share to offer affordable housing so the City could develop the diversity it was seeking. Commissioner Shull agreed and added in other municipalities in the valley there was adequate affordable housing being built. He felt in North Las Vegas, consumers were getting more for their dollar because the City was providing larger lots and other amenities. Mayor Montandon stated in Denver, ten percent of all developments must meet federal affordable housing guidelines. He requested the topic of affordable housing be discussed in subsequent workshop.

Councilman Eliason stated bigger lots did not necessarily mean higher priced homes. At times, higher densities with more amenities would sell more than homes on bigger lots. He felt it was a matter of quality development and amenities and that a more diverse range of products would attract residents. Mayor Montandon proposed the scenario that if a standard R-1 subdivision was proposed with little amenities a similar PUD zoning would allow the developer to build smaller lots, but overall the density would not change significantly. If the density allowed 300 lots, the PUD zoning would still allow 300 lots but the lots would be smaller and the density would be transferred to provide more parks and open space. Commissioner Shull stated his concept of a PUD was to increase the density for an economic benefit and to add the amenities that would enhance the community. The trade-off to the developer would be to build more houses. He felt in the past, the City did not require the developers to install appropriate types of amenities. He stated the City needed to adhere to standards for amenities that would attract families to purchase homes in those communities. He added the smaller lots afforded home owners less maintenance but included amenities such as parks and recreation areas. Mayor Montandon questioned if the number of lots were increased, where would the amenities be placed. Commissioner Shull responded the amenities would be placed in the open space created by the smaller lot sizes. Mayor Montandon questioned whether an additional open space requirement of ten percent was adequate or was thirty percent more in line with the City's vision. Chairman Stone agreed and

stated he believed an incentive by way of a density bonus might be appropriate but questioned what that bonus should be. He felt it was a good topic of discussion at a future workshop.

Councilman Eliason felt developers would not complain if the quality of development was consistent throughout the City. He felt it was when developers were treated differently from each other that problems arose.

Mayor Montandon noticed a radical change between the negotiation process of resolutions of intent versus the design guidelines that culminated in a hard zoned ordinance.

Commissioner Wood recently attended a Council meeting and commented Council requested amenities for a park but also requested oversize parking for boats and RV's. She commented if smaller lots were the direction the Council desired to go, it might mean the homeowners did not want yard space but still required additional space for recreational vehicles. Mayor Montandon pointed out it might require meeting with citizens to develop a consensus of what types of development they preferred. He added most residents preferences did not relate to lot sizes. It was his finding that most residents had concerns regarding the number of cars parked on the streets. He felt it was incongruous to build a large home with a two car garage on a small lot when it would most likely be purchased by a three car family. That would force cars onto the street. City Manager Fritsch stated smaller lots could be constructed in various designs to accommodate those types of considerations. One alternative would be to construct wide, shallow lots. He pointed out Council was focusing on the lot size, but it may be appropriate to review the size of the homes. He questioned if a 1,200 square foot home was too small. Commissioner Shull stated in North Las Vegas, homes that were considerably smaller were selling. He was not in favor of increased the minimum home size. City Manager Fritsch stated allowing smaller homes might be an incentive for in-fill developments. Mayor Montandon felt that allowing developers to build 1,300 or 1,400 square foot homes would not entice them to built very large homes. City Manager Fritsch responded it was raise the minimum standard in the City. Commissioner Shull disagreed and stated the inclusion of smaller homes in a development allowed the developer to advertise the lower price but also added the most popular homes were the bigger models. Councilwoman Smith agreed with the City Manager and stated in the past, developers were not concerned with the condition of their developments as long as they met with the City's minimum guidelines. She felt it was incumbent upon the City to raise the minimum standards. City Manager Fritsch stated the City had to grow based on past successes. Mayor Pro Tempore Robinson stated if Council did not create the guidelines to demand higher end homes, the City would continuously be faced with first time home buyers purchasing smaller homes. City Manager Fritsch stated the way to push the top level up was to push the minimum requirements up.

Mayor Montandon asked what other development tools or criteria would encourage developers to want to build large homes in North Las Vegas. He pointed out a member of the public who spoke at a recent Council meeting stated she did not want a commercial development in her neighborhood; she wanted a recreation center. Mayor Montandon pointed out the commercial developments were what fueled those types of amenities. He commented that while the City was planning what they wanted in the City, the developers were in the process of building. The City was facing an immediate situation where 2,000 to 2,500 homes were to be built in the vicinity of the Centennial interchanges. That area had no infrastructure, no fire stations, and no commercial developments at the current time. He asked if Council wanted commercial nodes in the neighborhoods, or would interspersed commercial within the neighborhood be more appropriate. Councilman Buck responded the City needed to carefully place commercial development throughout that rapidly growing area of the community. The Master Plan indicated a community commercial center at Centennial and North Fifth Street. When Council asked the Planning Commission to review the Centennial Corridor, it was assumed the community commercial designation would be broken into smaller sections and the opportunity for the community commercial was taken away. She commented the Master Plan was put into place for a specific purpose and clearly defined the areas for community commercial. Councilwoman Smith agreed and explained Council tasked the Planning Commission with reviewing the area and it was assumed they were to report back to Council with an alternative plan. It was Council's desire for the Planning Commission to report if the area was properly planned or not; but not necessarily to change it. Councilwoman Smith stated it was Council's vision when the Master Plan was revised to have commercial nodes and do away with strip commercial. The nodes were established in the Master Plan. She felt Council should adhere to the plan that was set and allow developers to determine how their projects conformed to the plan. Commissioner Wood stated input from the citizens indicated a desire to place community commercial next to the beltway. Councilwoman Smith stated North Fifth Street was a beltway interchange.

Mayor Montandon stated he had made the recommendation to send the Centennial Corridor study to the Planning Commission without sufficient explanation as to what the Council was attempting to do. He explained there was community commercial core of approximate 100 acres in the area of North Fifth Street and the beltway. Because of subsequent design changes of the beltway and residential developments, commercial developments were needed immediately. Some of the concerns were a row of one acre parcels at the corner of North Fifth Street and Centennial that were too small to develop as commercial. Another concern was RC Farms and what would be developed in that area. Rather than deal with those issues, developers proposed to build shopping centers at Commerce Street. It was Council's decision to build the development as the services were necessary in the area. Councilwoman Smith pointed out the residents in the area did not want the shopping center in their vicinity. Mayor Montandon countered that was Council's responsibility to take all factors into consideration. Commissioner Wood questioned whether the City wanted to

encourage a major commercial area that people would travel long distances to shop at; or if it was more prudent to create neighborhood commercial centers. Mayor Montandon stated there were defined regional and community commercial areas zoned at the beltway interchanges. Councilman Buck stated the market would determine whether the acreage designated as commercial would be built out.

Commissioner Albright felt with regard to the Centennial Corridor, the City had the opportunity to reverse some land use problems. He felt it was incumbent upon the City to provide convenient services within walking distance of residential developments. His concern was if the City did not provide for service nodes, the citizens would be deprived of neighborhood commercial centers and would be forced to drive to other areas of the City for shopping opportunities. He asked Council to not be reactionary to market forces when determining where commercial centers should be placed. Mayor Montandon questioned what the problems were that Commissioner Albright was referring to. Commissioner Albright stated his perspective was that the current commercial was too centralized and should be designed in nodes. He felt there should be a focal point in the northwest area of the City but did not feel it should necessarily be commercial in nature. Services needed to be provided within reasonable distance to the residents who used them. He felt the City should look beyond the valley for examples of good commercial planning. Many people did not want commercial developments near their homes because of issues such as lighting and those types of issues should be addressed in the design standards.

Mayor Montandon stated the City would never have an established downtown area because of the lack of office high-rise buildings. Councilman Eliason asked Mayor Montandon to explain the results of no commercial development in the master planned community of Awatuki, Arizona. Mayor Montandon explained Awatuki was a community encompassing 5,400 acres with no commercial development. Near the end of construction, the developers discovered the lack of commercial was creating a problem and began allowing commercial developments to be built. It was found residents were moving to developments where they did not have to travel so far to reach a commercial development. The traffic and air pollution was significant because of the increased travel to areas outside Awatuki. By the time the developers discovered the problem and went back to include commercial zoning, the citizens did not desire shopping centers in their neighborhoods.

Councilman Buck stated determining where commercial would be placed in the City was a policy decision to be discussed at a different special meeting. She pointed out there were applications that would be going to the Planning Commission at its next meeting regarding commercial development in the area of the Centennial Corridor. She stated Council had not established specific policies that could then be relayed to the Planning Commission. Mayor Montandon stated the topics discussed were all serious policy issues that needed to be dealt with. Commissioner Wood stated Craig Road had become a difficult street to navigate

because of the intense commercial development. She felt it would be prudent to break up the commercial with business office development. It would be inappropriate to have Centennial be similar to Craig Road with commercial along the entire road but felt if a large commercial node were established at Centennial and North Fifth, the demand would then be for more scattered neighborhood commercial throughout the rest of the area. Councilwoman Smith stated testimony received from residents stated there was commercial planned in the area. Councilman Buck added there was commercial development planned in Eldorado at Revere Street and Centennial. Mayor Montandon pointed out there was commercial zoning in the area but the developers would determine where the commercial sites would be placed. He stated no developer had spoken to him regarding real projects; their concerns at that point were zoning issues along the beltway. The tangible projects such as shopping centers and related stores were planned for Commerce, Centennial, and Losee Roads. Commissioner Kirkpatrick felt the City had solid ordinances and sound zoning practices but the two were not combined when decisions were made regarding planning. She felt the City was not enforcing its own ordinances. Councilman Eliason questioned whether the City could handle the amount of commercial developments it had planned.

Planning Manager Steve Baxter reviewed the status of the five outstanding Resolutions of Intent. Those five Resolutions of Intent would either be permanently zoned or expire in 2002. He stated in lieu of Resolutions of Intent, the City began using permanent zoning with design guidelines. That method was a much more consistent application of rules than was used with the Resolutions of Intent. Mayor Montandon felt the City was trendsetting with the use of permanent zoning with design guidelines. He was confident other cities would be following suit.

Mayor Montandon felt it was appropriate to have joint City Council and Planning Commission meetings twice a year. Mayor Pro Tempore Robinson felt the meetings should be held quarterly with fewer items on the agenda. Mayor Montandon directed the City Manager to schedule quarterly meetings with a time limit of one and one half hours.

Chairman Stone stated the Planning Staff had been working diligently on 'big picture' items but often did not have the time to complete routine tasks. He requested overtime for staff to provide the Planning Commission information on a regular basis. He asked for advance information as to when the information for meetings would be delivered. A helpful practice had been when the department director had briefed the Commissioners on items that had previously been decided upon by Council and were referred back to the Planning Commission. He asked to be told the reasoning behind Council actions. Gaining more knowledge from staff regarding Council decisions could help both bodies be in concert with each other. Chairman Stone pointed out at times, Council had more information presented to them than the Planning Commission. Commissioner Leavitt countered Council did not receive more information, rather, they were often presented with totally new information. He felt at times, the Planning Commission reviewed all information available to them and made

a decision based on that data. Then, the developer would present Council with entirely different information. He stated the developers would 'push the envelope' in order to get what they wanted. If the Commission were to refuse, they would realize they would have to make some concessions. When before Council, the developers would then realize they would not be allowed to negotiate and needed to provide the same information to Council as they did to the Commission. Mayor Montandon agreed with Commissioner Leavitt and stated sometimes developers would present a radically different project to the Council than they had to the Planning Commission. Mayor Montandon questioned if the system was a problem. Parks and Recreation Director Ken Albright stated that process often excluded staff. Mayor Montandon countered the process offered some benefit to the City. Mayor Pro Tempore Robinson stated all entities involved needed to be equally informed at all times. He felt the negotiating needed to be completed at the Planning level and Council had the option to add on to the basic project. It was inappropriate for Council to negotiate with developers at meetings. Commissioner Kirkpatrick stated it was frustrating because in the past, developers had desired the Planning Commission to deny their request only to have that decision overturned at the City Council. Mayor Montandon pointed out he had spoken with some developers who expressed their desire to speak to the Planning Commissioners but felt Commissioner Langford was not very open to discussion. He felt that was where the trust was important between the Commissioners and the Council. He stated if the Planning Commission was given good information and was able to have productive discussions with applicants and developers, Council would not be subjected to negotiating at City Council meetings. Councilwoman Smith added it was the City Council's function to provide the ultimate decisions on those issues. She did not believe the Planning Commission and City Council always had to come to the same conclusions on items. She did not believe the functions of the two bodies were identical and believed reliable input from the Planning Commission would allow the Council to make the most informed decisions; regardless if those decisions were in agreement with the Planning Commission. Planning Manager Steve Baxter stated a major portion of the Planning Commission's responsibility was to distill information. The information received by the Planning Commission was condensed and structured into a recommendation for City Council. It was rare for the Planning Commission and City Council to agree on all applications. Chairman Stone commented it was not always necessary for the Planning Commission and the City Council to always agree; what was important was for both bodies to be making decisions with the same information. He did not feel the Planning Commission should denigrate applicants if they disagreed with the project. He did not feel it was appropriate for the Commissioners to make applicants feel disrespected and that at times it may have happened and cautioned Commissioners to be aware of their actions in the future.

Chairman Stone asked the City's legal staff to review Assembly Bill 182 and its impact on Comprehensive Plan amendments. It was his belief the bill stated Comprehensive Plans could only be amended four times per year. Councilwoman Smith clarified that requirement

was for amendments of a certain size and the actions of the City did not generally apply.

Chairman Stone stated he had wanted to know more of the Council's wishes before completing the Centennial Corridor study. He commented the study had evolved into a Comprehensive Plan amendment that spanned from Ann Road on the south, the beltway on the north, Revere Street on the west, and Pecos on the east. The project had gone from commercial to high density residential and the Planning Commission was piecing the area as they saw fit but was unsure if it was the direction Council wanted them to go. Mayor Montandon responded he had originally sent the project to the Planning Commission and was receiving much different results than anticipated. His main concern was if commercial should be allowed to be developed where the developers wanted to place it or should Council tell them to wait until North Fifth Street was developed. When the project was given to the Planning Commission, the Mayor felt he would be satisfied with whatever course of action was recommended. He was now concerned that if there was no commercial allowed on Commerce, it would create the problems associated with urban sprawl. There would be no sense of community. Commercial developments were considered good neighbors in other areas of the country. He stated he had spoken to Bob Combs, owner of RC Farms, who told him he had an 80-acre piece of land that was bordered on three sides by 100 foot commercial arterials on North Fifth Street, Ann Road, and Commerce Street. He told the Mayor he might be interested in developing the land. The Mayor felt that piece of land was created by default because the development of the pig farm was not considered. Councilwoman Smith pointed out the entire Council was not unified on the development of the area and thus sent confusing messages to the Planning Commission with regard to the Centennial Corridor study. Councilman Buck pointed out that Council had voted to return recent items back to the Planning Commission to review the Comprehensive Plan in that area to determine the best use of the land.

Commissioner Kirkpatrick requested completion of the City's cell tower ordinance. She felt if cell towers were going to be allowed in neighborhoods they should be placed where they would most benefit the City. She also requested a review of the Ranch Estates Preservation Area and how close churches were allowed to be built to each other. Mayor Montandon asked Commissioner Kirkpatrick to send her requests to Planning Manager Steve Baxter for inclusion on an upcoming joint meeting.

Mayor Montandon added by the approval of the plan for the new 1,900 acres, beltway access to the south that had previously been zoned as commercial was altered. He felt that was also an issue to be discussed at a joint meeting. Councilman Buck requested a review of design guidelines in commercial areas. Planning Manager Steve Baxter requested a prioritization of the items for future meetings. He felt the Centennial Corridor study was the first priority. Councilman Eliason asked if the Planning Commission was still preparing an annual report for the City Council. Planning Manager Baxter stated one had not been prepared last year. He felt the report would show the Council did not overturn as many Planning Commission decisions as was thought.

Mayor Pro Tempore thanked staff for attending the meeting and commended the Planning Commission for their difficult tasks. He felt the joint meetings were beneficial to all concerned. Commissioner Leavitt also thanked staff, Council, and members of the audience for the opportunity to discuss their concerns.

PUBLIC FORUM

George Garcia stated all should be grateful for the economy and the community that enabled those types of discussions to occur.

ADJOURNMENT

ACTION: THE MEETING ADJOURNED AT 8:24 P.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: December 19, 2001

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

Attest:

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