

**CITY OF NORTH LAS VEGAS  
REGULAR CITY COUNCIL MEETING MINUTES**

March 21, 2001

**CITY COUNCIL INFORMATION SESSION**

**CALL TO ORDER**

6:30 P.M. City Manager's Conference Room, 2200 Civic Center Drive, North Las Vegas, Nevada

- a. Verification
- b. Discussion of City Council Agenda
- c. Discussion regarding recent actions concerning the Northern Beltway - information only
- d. Public Comment

**CITY COUNCIL MEETING**

**CALL TO ORDER**

7:00 P.M., Council Chambers, 2200 Civic Center Drive, North Las Vegas, Nevada

**ROLL CALL**

**PRESENT**

Mayor Michael L. Montandon  
Mayor Pro Tempore William E. Robinson  
Councilman John K. Rhodes  
Councilwoman Stephanie S. Smith  
Councilman Shari Buck

**STAFF PRESENT**

City Manager Kurt Fritsch  
Assistant City Manager Gregory Rose  
City Clerk Eileen M. Sevigny  
Deputy City Attorney Marqueta Johnson  
Finance Director Vytas Vaitkus  
Human Resources Director Dan Tarwater  
Public Works Associate Director Lournal Gubler

Development Services Director Tom Bell  
Parks & Recreation Director Ken Albright  
Community Development Director  
Jacque Risner  
Administrative Services Director Eric Dabney  
Police Deputy Chief Ed Finizie  
Chief of Detention Ken Ellingson

Fire Chief Robert Dodge  
Public Information Officer Brenda Johnson

Assistant City Clerk Karen L. Storms

**WELCOME**

Mayor Michael L. Montandon

**VERIFICATION**

Eileen M. Sevigny, CMC  
City Clerk

**INVOCATION**

Willie Mae Scott

**PLEDGE OF ALLEGIANCE**

Councilman John K. Rhodes

**AGENDA**

**1. REGULAR NORTH LAS VEGAS CITY COUNCIL MEETING AGENDA OF MARCH 21, 2001.**

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**PUBLIC HEARINGS - 7:05 P.M.**

2. **AMP-02-01 (BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC), AN APPLICATION SUBMITTED BY BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC, TO CHANGE THE MASTER PLAN OF STREETS AND HIGHWAYS TO REMOVE VISTA STREET, SOUTH FROM BROOKS AVENUE FOR APPROXIMATELY 1,320 FEET. (ASSOCIATED ITEM NO. 3, VAC-04-01)**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the Planning Commission, on January 10, 2001, reviewed and unanimously recommended approval of the amendment to the Master Plan. Staff believed there was no longer a public need for that portion of Vista Street and therefore, concurred with the recommendation for approval.

**John Demilte, 4640 South Eastern Avenue, Las Vegas**, represented the applicant and stated they concurred with the recommendations.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

3. **VAC-04-01 (BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC), AN APPLICATION SUBMITTED BY BIGELOW DEVELOPMENT AEROSPACE DIVISION, LLC, ON BEHALF OF ZELHOEFER REVOCABLE TRUST, JON W. AND ALAN W., PROPERTY OWNERS, TO VACATE THE EASTERN 30 FEET OF VISTA STREET SOUTH FROM BROOKS AVENUE FOR APPROXIMATELY 828**

**FEET. (ASSOCIATED ITEM NO. 2, AMP-02-01)**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained this was the accompanying item to Item No. 2. Staff and the Planning Commission recommended approval of the subject vacation subject to two conditions. The Bigelow Aerospace Campus would encompass the entire area surrounding the street, making it unnecessary.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING TWO CONDITIONS:

1. That all emergency access concerns be resolved with the Fire Department prior to recordation; and,
2. That the applicant submit a reversionary map or a merger and resubdivision parcel map to combine parcels 139-16-210-003, 139-16-201-001, and 139-16-201-002 to maintain access via Brooks Avenue or Clayton Street. The vacation shall record concurrently with the resubdivision map.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

4. **VAC-21-00 (NORTHSTAR BUSINESS PARK), AN APPLICATION SUBMITTED BY VEGAS INDUSTRIAL DEVELOPMENT, LLC, PROPERTY OWNERS, TO VACATE A DRAINAGE RIGHT-OF-WAY COMMENCING SOUTH OF CRAIG ROAD AT THE CRAIG ROAD AND VANDENBERG DRIVE INTERSECTION AND PROCEEDING SOUTH APPROXIMATELY 118 FEET.**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the item had been reviewed and unanimously approved by the Planning Commission on January 10, 2001. The Public Works Department had reviewed the application as well and concluded there was no longer a public

interest in the property.

Mayor Montandon closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:**

1. The vacation is to be filed concurrently with the dedication of Street "A" as shown on the tentative map (T-848). Street "A" begins on Craig Road and extends south from Craig Road and circles around to the east where it intersects Lamb Boulevard. The portion of "A" street within the City of North Las Vegas is on the Vandenberg Drive alignment.

**MOTION:** Mayor Pro Tempore Robinson

**SECOND:** Councilman Rhodes

**AYES:** Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

**NAYS:** None

**ABSTAIN:** None

5. **VAC-01-01 (EQUADOR AVENUE), AN APPLICATION SUBMITTED BY GREAT WEST ENGINEERING ON BEHALF OF SALVATION ARMY, PROPERTY OWNER, TO VACATE A PORTION OF EQUADOR AVENUE, COMMENCING APPROXIMATELY 345 FEET EAST OF CRAWFORD STREET AND CONTINUING EAST APPROXIMATELY 82 FEET.**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the Planning Commission reviewed and unanimously recommended approval at the January 10, 2001 meeting. Staff recommended approval as well subject to four conditions.

Mayor Montandon closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO THE FOLLOWING FOUR CONDITIONS:**

1. That landscaping and an irrigation system shall be provided in accordance with ordinance requirements and that landscape plans shall be subject to review and approval by staff; and

2. That the City shall retain a utility easement over the proposed vacation; and
3. That the applicant shall vacate all of the right-of-way east of the newly dedicated cul-de-sac; and
4. That the vacation shall include the entire right-of-way.

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**6. VAC-02-01 (TEXACO), AN APPLICATION SUBMITTED BY ACE ENGINEERING ON BEHALF OF MARIA ENAMORADO, PROPERTY OWNER, TO VACATE A WESTERLY PORTION OF CLAYTON STREET, COMMENCING AT ANN ROAD AND EXTENDING NORTH APPROXIMATELY 285 FEET.**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the item was reviewed and unanimously recommended for approval by the Planning Commission at its meeting on January 10, 2001. The portion of Clayton street proposed for vacation was no longer needed for public use. Staff recommended approval as well.

Mayor Montandon closed the Public Hearing.

ACTION: APPROVED SUBJECT TO THE FOLLOWING CONDITION:

1. A five-foot utility easement must be maintained adjacent to the street right-of-way.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**7. VAC-03-01 (CRAIG/VALLEY CENTER), AN APPLICATION SUBMITTED BY PJC INC. ON BEHALF OF PHILLIP J. COHEN, PROPERTY OWNER, TO VACATE A PORTION OF AN ACCESS EASEMENT, COMMENCING APPROXIMATELY 672 FEET WEST OF VALLEY DRIVE AND APPROXIMATELY 364 FEET NORTH OF CRAIG ROAD AND EXTENDING SOUTH APPROXIMATELY 176 FEET.**

Mayor Montandon opened the Public Hearing.

Development Services Director Tom Bell explained the Planning Commission had reviewed and unanimously recommended approval at its meeting on January 10, 2001. The easement was no longer necessary for public use. The property to the west was fully developed and the property to the east was proposed to be developed. Staff recommended approval subject to two conditions.

Mayor Montandon closed the Public Hearing.

**ACTION: APPROVED SUBJECT TO THE FOLLOWING TWO CONDITIONS:**

1. That approval of this vacation shall not constitute or imply approval of the proposed site plan submitted with this application.
2. That the vacation include both east and west sides of the easement from the end of the returns at Craig Road to the northern property line. The entire egress and ingress easement shall be vacated.

**MOTION:** Mayor Pro Tempore Robinson

**SECOND:** Councilman Rhodes

**AYES:** Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

**NAYS:** None

**ABSTAIN:** None

**CONSENT AGENDA**

**8. APPROVAL OF REGULAR CITY COUNCIL MEETING MINUTES OF MARCH 7, 2001.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

9. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CLARK COUNTY SCHOOL DISTRICT FOR THEIR SHARE OF THE COST OF LIGHTING INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT ALEXANDER ROAD AND REVERE STREET IN THE AMOUNT OF 17.8% OF THE TOTAL COST OR APPROXIMATELY \$102,134; GOWAN ROAD AND REVERE STREET IN THE AMOUNT OF 18.8% OF THE TOTAL COST OR APPROXIMATELY \$92,483; CHEYENNE ROAD AND COMMERCE STREET IN THE AMOUNT OF 9.4% OF THE TOTAL COST OR APPROXIMATELY \$49,941; GOWAN ROAD AND COMMERCE STREET IN THE AMOUNT OF 5.9% OF THE TOTAL COST OR APPROXIMATELY \$24,883; AND SCHOOL ZONE FLASHING LIGHTS - ONE LOCATION, IN THE AMOUNT OF 100% OF THE TOTAL COST OR APPROXIMATELY \$25,782, IN CONNECTION WITH SEDWAY MIDDLE SCHOOL.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

10. **APPROVAL OF A CASH PAYMENT IN LIEU OF A TRAFFIC CONTROL IMPROVEMENT COST PARTICIPATION AGREEMENT WITH CLARK COUNTY SCHOOL DISTRICT FOR THEIR SHARE OF THE COST OF LIGHTING**



**INSTALLATION, STREET NAME SIGNS, AND TRAFFIC SIGNALS AT CENTENNIAL PARKWAY AND CLAYTON STREET IN THE AMOUNT OF 25.2% OF THE TOTAL COST OR APPROXIMATELY \$123,967; DEER SPRINGS WAY AND CLAYTON STREET IN THE AMOUNT OF 26.7% OF THE TOTAL COST OR APPROXIMATELY \$141,853; TROPICAL PARKWAY AND CAMINO ELDORADO IN THE AMOUNT OF 12.5% OF THE TOTAL COST OR APPROXIMATELY \$56,937; TROPICAL PARKWAY AND CLAYTON STREET IN THE AMOUNT OF 6.5% OF THE TOTAL COST OR APPROXIMATELY \$31,976; AND SCHOOL ZONE FLASHING LIGHTS - TWO LOCATIONS IN THE AMOUNT OF 100% OF THE TOTAL COST OR APPROXIMATELY \$51,564, IN CONNECTION WITH CRAM MIDDLE SCHOOL.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**11. APPROVAL TO ACCEPT THE REMODEL PORTIONS OF THE PUBLIC SAFETY BUILDING (OLD JUSTICE COURT REMODEL) PROJECT FOR MAINTENANCE AND AUTHORIZATION TO FILE THE NOTICE OF COMPLETION.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**12. APPROVAL TO AWARD BID NO. B-1101 TO COMPUTER DEDUCTIONS, INC., IN THE AMOUNT OF \$125,727, TO PURCHASE 32 NOTEBOOK COMPUTERS AND ACCESSORIES FOR THE POLICE DEPARTMENT.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**13. APPROVAL TO PURCHASE A DATA RADIO SYSTEM FROM HI-DESERT COMMUNICATIONS, IN THE AMOUNT OF \$115,607, FOR THE POLICE DEPARTMENT.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**14. APPROVAL TO AWARD BID NO. B-1098 TO OFFICE IMAGES, IN THE AMOUNT OF \$42,414, TO FURNISH AND INSTALL MODULAR WORK STATIONS IN THE CDC COMPLEX FOR THE PUBLIC WORKS DEPARTMENT.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**15. APPROVAL OF THE MODIFICATIONS TO THE INTERGOVERNMENTAL**

**AGREEMENT (J-E48-M-114) WITH THE US MARSHALS SERVICE TO INCORPORATE NEW COOPERATIVE AGREEMENT PROGRAM (CAP) LANGUAGE INTO THE EXISTING AGREEMENT RESULTING IN \$1.5 MILLION IN ADDITIONAL REVENUE. (Contract No. C-3786)**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

16. **APPROVAL OF A GRANT APPLICATION FOR SUBMISSION TO THE US DEPARTMENT OF JUSTICE FOR THE COPS MORE 2001 TECHNOLOGY AND EQUIPMENT GRANT, IN THE AMOUNT OF \$375,000; \$125,000 MATCHING FUNDS, TO PROVIDE FOR TECHNOLOGY AND EQUIPMENT SUCH AS A RECORDS MANAGEMENT SYSTEM AND SOFTWARE, MAPPING SOFTWARE, FINGERPRINTING EQUIPMENT AND SOFTWARE, DATA ENTRY AND RETRIEVAL SOFTWARE, AND TRAINING OF NORTH LAS VEGAS POLICE DEPARTMENT PERSONNEL.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

17. **APPROVAL OF A GRANT APPLICATION FOR SUBMISSION TO THE OFFICE OF NATIONAL TELECOMMUNICATIONS & INFORMATION ADMINISTRATION, COMMERCE, FOR A "TV COPS" COMMUNITY OUTREACH PROGRAM STRATEGIES GRANT, IN THE AMOUNT OF \$810,000; \$405,000 MATCHING FUNDS (GRANT LLEBG AND INKIND SERVICES) TO PROVIDE CITIZEN**

**ACCESS TO THE NORTH LAS VEGAS POLICE DEPARTMENT AND DARE OFFICERS TO RECEIVE INFORMATION NEEDED TO HELP FAMILIES DEAL WITH JUVENILES.**

ACTION: APPROVED

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

18. **AMP-22-00 (CITY OF NORTH LAS VEGAS), AN APPLICATION SUBMITTED BY THE CITY OF NORTH LAS VEGAS TO ADD FUSELIER DRIVE FROM CRAIG ROAD NORTH APPROXIMATELY 1,234 FEET TO THE GOWAN CHANNEL AS A SIXTY (60) FOOT RIGHT-OF-WAY AND ADD AMANDA AVENUE FROM FUSELIER DRIVE EAST APPROXIMATELY 636 FEET TO WHITNEY PEAK WAY AS A FIFTY-ONE (51) FOOT RIGHT-OF-WAY. (SET PUBLIC HEARING FOR APRIL 18, 2001)**

ACTION: PUBLIC HEARING SET FOR APRIL 18, 2001

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

19. **APPEAL SUBMITTED BY JOE KENNEDY REGARDING THE DECISION OF THE PLANNING COMMISSION TO DENY T-865; AN APPLICATION SUBMITTED BY KAUFMAN & BROAD ON BEHALF OF RENALDO TIBERTI AND THE SHEARING FAMILY TRUST, STEVEN P. SHEARING, TRUSTEE, PROPERTY OWNERS, FOR A TENTATIVE MAP REVIEW IN AN R-1 SINGLE FAMILY RESIDENTIAL DISTRICT TO SUBDIVIDE 50.27 ACRES INTO 260 LOTS. THE PROPERTY IS GENERALLY LOCATED AT THE NORTHWEST CORNER OF WASHBURN ROAD AND CAMINO AL NORTE. (SET PUBLIC HEARING FOR**

**APRIL 4, 2001)**

ACTION: PUBLIC HEARING SET FOR APRIL 4, 2001

MOTION: Councilwoman Smith

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**BUSINESS**

**20. PRESENTATION OF AN OFFER BY THE CHEYENNE LITTLE LEAGUE TO DONATE ADDITIONAL FENCING ALONG THE BALLFIELDS AT SEASTRAND PARK.**

**William Casiere, President, Cheyenne Little League**, stated the League had developed a good relationship with the Staff at Seastrand Park. The park had been plagued with lighting problems and Staff went to extra lengths to get them in working order for the little league games.

Mr. Casiere stated the organization wanted to donate fencing that would run down the foul lines to connect to the outfield fields, putting in foul poles and installing 12-foot access gates at each entry.

ACTION: DONATION ACCEPTED

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**21. APPROVAL OF AN OPTION AGREEMENT WITH COMMUNITY DEVELOPMENT PROGRAMS CENTER OF NEVADA FOR CITY OWNED VACANT LAND, LOCATED AT THE SOUTH SIDE OF TONOPAH AVENUE AND**

**APPROXIMATELY 210 FEET WEST OF YALE STREET; IN THE AMOUNT OF \$320,000 REVENUE TO THE CITY. (Contract No. C-4879)**

Community Development Director Jacque Risner explained in October 2000, the North Las Vegas Redevelopment Agency issued a Request for Proposal for a city owned parcel of land in the vicinity of Tonopah Avenue and Yale Street. There was one respondent that consisted of a joint proposal from the North Las Vegas Housing Authority and the Community Development Program Centers of Nevada. They proposed a 70-unit low income senior housing facility on the property. To be able to apply for tax credits to finance a portion of the project, the application must be submitted to the State by April 6, 2001 and the applicant must demonstrate some form of a binding contract or an option to purchase on the property. The approval of the option agreement was contingent upon the applicant receiving the tax credit which was expected to be received by May 31, 2001 and the option agreement had an expiration date of December 31, 2001.

ACTION: APPROVED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

22. **RESOLUTION NO. 2197; A RESOLUTION MAKING A PROVISIONAL ORDER THAT THE INTERESTS OF THE CITY REQUIRE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW TO BE KNOWN AS NORTH LAS VEGAS, NEVADA, SPECIAL ASSESSMENT DISTRICT NO. 58 (CRAIG ROAD); SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE PROJECT; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HERewith; AND PROVIDING THE EFFECTIVE DATE HEREOF. (SET PUBLIC HEARING FOR APRIL 18, 2001)**

Resolution No. 2197 as introduced by the City Manager:

A RESOLUTION MAKING A PROVISIONAL ORDER THAT THE INTERESTS OF THE CITY REQUIRE THE ACQUISITION AND IMPROVEMENT OF A STREET PROJECT PURSUANT TO THE CONSOLIDATED LOCAL IMPROVEMENTS LAW, TO BE KNOWN AS NORTH LAS VEGAS, NEVADA, SPECIAL

ASSESSMENT DISTRICT NO. 58 (CRAIG ROAD); SETTING A TIME AND PLACE FOR A PUBLIC HEARING ON THE PROJECT; PROVIDING THE MANNER, FORM AND CONTENTS OF THE NOTICE THEREOF; RATIFYING ACTION HERETOFORE TAKEN NOT INCONSISTENT HERewith; AND PROVIDING THE EFFECTIVE DATE HEREOF.

ACTION: PASSED AND ADOPTED. PUBLIC HEARING SET FOR APRIL 18, 2001.

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

## **ORDINANCES**

### **INTRODUCTION ONLY**

23. **ORDINANCE NO. 1499; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR M-1 BUSINESS PARK USES, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE (ZN-05-01, LAKE MEAD AIRPORT PARK II) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 4, 2001)**

Ordinance No. 1499 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO PUD FOR M-1 BUSINESS PARK USES, FOR PROPERTY GENERALLY LOCATED AT THE SOUTHEAST CORNER OF LAKE MEAD BOULEVARD AND ALLEN LANE (ZN-05-01, LAKE MEAD

AIRPORT PARK II) AND PROVIDING FOR OTHER MATTERS  
PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 4, 2001

24. **ORDINANCE NO. 1500; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND VALLEY DRIVE (ZN-46-98, TROPICAL VALLEY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO. (SET FINAL ACTION FOR APRIL 4, 2001)**

Ordinance No. 1500 as introduced by the City Manager:

AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE SOUTHWEST CORNER OF TROPICAL PARKWAY AND VALLEY DRIVE (ZN-46-98, TROPICAL VALLEY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

ACTION: FINAL ACTION SET FOR APRIL 4, 2001

## **ORDINANCES**

### **FINAL ACTION**

25. **ORDINANCE NO. 1473; AN ORDINANCE TO AMEND PORTIONS OF ORDINANCE 1280, PRESENTLY CODIFIED IN TITLE 5, CHAPTER 20, SECTIONS 020 ("DEFINITIONS") AND 180 ("NONRESTRICTED GAMING LICENSE ISSUANCE - RESTRICTED TO HOTELS AND MOTELS"), OF THE NORTH LAS VEGAS MUNICIPAL CODE; PROVIDING FOR NEW DEFINITIONS; CLARIFYING TYPES OF NON-CONFORMING NONRESTRICTED GAMING ESTABLISHMENTS, AND ESTABLISHING STANDARDS REGARDING RIGHTS**



**TO CONTINUE OPERATIONS.**

Ordinance No. 1473 as introduced by the City Manager:

AN ORDINANCE TO AMEND PORTIONS OF ORDINANCE 1280, PRESENTLY CODIFIED IN TITLE 5, CHAPTER 20, SECTIONS 020 (“DEFINITIONS”) AND 180 (“NONRESTRICTED GAMING LICENSE ISSUANCE - RESTRICTED TO HOTELS AND MOTELS”), OF THE NORTH LAS VEGAS MUNICIPAL CODE; PROVIDING FOR NEW DEFINITIONS; CLARIFYING TYPES OF NON-CONFORMING NONRESTRICTED GAMING ESTABLISHMENTS, AND ESTABLISHING STANDARDS REGARDING RIGHTS TO CONTINUE OPERATIONS.

Mayor Montandon opened the Public Hearing.

Deputy City Attorney Jim Lewis stated there was an amendment to the ordinance. Mayor Montandon read those amendments into the record:

5.20.020 Definitions:

Added:

- B. “Footprint” means the exterior dimensions of an applicant’s use as approved by the City pursuant to that applicant’s approved site plan and special use permit.

5.20.185 Non-Conforming Non-Restricted Gaming Establishments

- C. Any Establishment originally licensed for nonrestricted gaming by the State of Nevada before December 31, 1999, based upon an application for such Nonrestricted Gaming License filed with the State of Nevada before July 1, 1992, but did not complete construction of its Resort Hotel is non-conforming and may continue to so operate provided that:
  - 1. Such Establishment does not expand beyond its Footprint as delineated by the most current approved site plan on file with the Public Works Department;
  - 2. Such Establishment is validly licensed by all appropriate licensing authorities on the effective date of this chapter;

3. Remains continuously so licensed and operational thereafter;
4. Does not relocate; and
5. The applicant remains suitable.

Mayor Montandon explained this ordinance allowed the eleven existing casinos in North Las Vegas the ability to expand on their existing footprints on a case by case basis.

Councilman Rhodes asked if the concept of footprint meant the casinos could increase in size vertically or if it restricted them to horizontal expansion. Deputy City Attorney Lewis explained the new amendment related to only those structures that were originally licensed before December 31, 1999 that had the appropriate application in to the Gaming Control Board before 1997 and had not yet built the required hotel rooms. Those establishments would have to stay with the currently approved footprint unless they appeared before Council for special consideration.

Mayor Montandon closed the Public Hearing.

ACTION: ORDINANCE NO. 1473 AMENDED; PUBLIC HEARING HELD; FINAL ACTION SET FOR THE MEETING OF APRIL 18, 2001.

26. **ORDINANCE NO. 1489; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND LA MADRE WAY (ZN-03-01, AUTUMN CHASE) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1489 as introduced by the City Manager:

ORDINANCE NO. 1489; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHWEST CORNER OF SIMMONS STREET AND

LA MADRE WAY (ZN-03-01, AUTUMN CHASE) AND  
PROVIDING FOR OTHER MATTERS PROPERLY RELATING  
THERE TO.

Development Services Director Tom Bell explained at the January 24, 2001 meeting, the Planning Commission unanimously recommended approval of permanent zoning to R-1. The tentative map (T-860) was approved by the Planning Commission at that same meeting. The proposal was consistent with the Comprehensive Plan and Staff recommended approval.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**27. ORDINANCE NO. 1490; AN ORDINANCE RELATED TO ZONING; AMENDING PARAGRAPH F OF SECTION 040 OF CHAPTER 20 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO AMEND THE ZONING ORDINANCE; BY ALLOWING A FRONT YARD SETBACK OF 15 FEET WHILE KEEPING A 20-FOOT SETBACK TO THE FACE OF THE GARAGE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.**

Ordinance No. 1490 as introduced by the City Manager:

ORDINANCE NO. 1490; AN ORDINANCE RELATED TO ZONING; AMENDING PARAGRAPH F OF SECTION 040 OF CHAPTER 20 OF TITLE 17 OF THE MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS TO AMEND THE ZONING ORDINANCE; BY ALLOWING A FRONT YARD SETBACK OF 15 FEET WHILE KEEPING A 20-FOOT SETBACK TO THE FACE OF THE GARAGE AND PROVIDING FOR OTHER MATTERS PROPERLY RELATED THERETO.

Development Services Director Tom Bell explained on January 24, 2001, the Planning Commission unanimously recommended approval of the zoning ordinance amendment

submitted by William Lyon Homes to amend Title 17 which would provide flexibility in the development of the community. The amendment would benefit street appeal and encourage compliance with the single family guidelines.

**Chad Halverson, CVL Consultants**, appeared representing the applicant to answer question..

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**28. ORDINANCE NO. 1491; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO PUD FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST ALIGNMENT OF VISTA STREET AND EVANS AVENUE (ZN-02-01, BIGELOW AEROSPACE CAMPUS ADDITION) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1491 as introduced by the City Manager:

ORDINANCE NO. 1491; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO PUD FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST ALIGNMENT OF VISTA STREET AND EVANS AVENUE (ZN-02-01, BIGELOW AEROSPACE CAMPUS ADDITION) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Services Director Tom Bell explained on January 24, 2001, the Planning

Commission unanimously recommended permanent zoning of the subject property as part of the Bigelow Aerospace Research Campus. The parcel in question was intended to have a 10,000 square foot building with the remainder of the property designed as a parking lot.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

29. **ORDINANCE NO. 1492; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ALLEN LANE AND LA MADRE WAY (ZN-69-98, SCHELLING ESTATES TRACT 1) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1492 as introduced by the City Manager:

ORDINANCE NO. 1492; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-1 FOR PROPERTY GENERALLY LOCATED AT THE NORTHEAST CORNER OF ALLEN LANE AND LA MADRE WAY (ZN-69-98, SCHELLING ESTATES TRACT 1) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Services Director Tom Bell explained the subject property had received City Council approval in the form of a resolution of intent which was approved January 20, 1999. The requested R-1 zoning was consistent with the Comprehensive Plan.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None  
ABSTAIN: None

**30. ORDINANCE NO. 1493; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF PECOS ROAD, NORTH OF ALEXANDER ROAD (ZN-3-97, SILVERADO BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1493 as introduced by the City Manager:

ORDINANCE NO. 1493; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF PECOS ROAD, NORTH OF ALEXANDER ROAD (ZN-3-97, SILVERADO BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Services Director Tom Bell explained the original resolution of intent was approved by City Council on February 5, 1997 and the requested M-1 zoning was consistent with the Comprehensive Plan. The area was fully developed with M-1 uses as well.

ACTION: PASSED AND ADOPTED

MOTION: Councilman Rhodes

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**31. ORDINANCE NO. 1494; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS**

**VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO C-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF ANN ROAD AND SIMMONS STREET (ZN-4-96, BECKER REALTY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1494 as introduced by the City Manager:

ORDINANCE NO. 1494; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO C-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHEAST CORNER OF ANN ROAD AND SIMMONS STREET (ZN-4-96, BECKER REALTY) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Services Director Tom Bell explained the original resolution of intent was approved by City Council February 7, 1996. A portion of the area was permanently zoned to C-1 by Ordinance Number 1465 on December 20, 2000. The C-1 zoning on the subject portion of the property was consistent with the Comprehensive Plan.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

32. **ORDINANCE NO. 1495; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF CLAYTON STREET AND EVANS AVENUE (ZN-35-00, CLAYTON BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1495 as introduced by the City Manager:

ORDINANCE NO. 1495; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-1 TO M-1 FOR PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF CLAYTON STREET AND EVANS AVENUE (ZN-35-00, CLAYTON BUSINESS PARK) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Services Director Tom Bell explained at the February 7, 2001 meeting the City Council considered an appeal of the Planning Commission's decision to deny the applicant's M-2 zoning request and approved rezoning to M-1. This ordinance permanently zoned the subject property to M-1.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilwoman Smith

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

33. **ORDINANCE NO. 1496; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TOR-3 FOR PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF NORTH 5<sup>TH</sup> STREET AND DEER SPRINGS WAY (ZN-36-00, NORTH 5<sup>TH</sup> AND DEER SPRINGS APARTMENTS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1496 as introduced by the City Manager:

ORDINANCE NO. 1496; AN ORDINANCE RELATED TO ZONING; AMENDING SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE CITY OF NORTH LAS VEGAS MUNICIPAL



CODE BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM R-E TO R-3 FOR PROPERTY GENERALLY LOCATED ON THE NORTHWEST CORNER OF NORTH 5<sup>TH</sup> STREET AND DEER SPRINGS WAY (ZN-36-00, NORTH 5<sup>TH</sup> STREET AND DEER SPRINGS APARTMENTS) AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Services Director Tom Bell explained on February 7, 2001, City Council considered an appeal of the Planning Commission's recommendation to deny permanent zoning of the subject property. The Council overturned the denial and approved the requested zoning designation of R-3 Multi-Family Residential. This ordinance permanently zoned the property.

ACTION: PASSED AND ADOPTED

MOTION: Mayor Pro Tempore Robinson

SECOND: Councilman Rhodes

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, and Buck

NAYS: Councilwoman Smith

ABSTAIN: None

**34. ORDINANCE NO. 1498; AN ORDINANCE RELATED TO ZONING; REPEALING ORDINANCE NO. 1403 WHICH AMENDED SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM M-2 TO PUD (ZN-13-98, GLENEAGLES), AND REPLACING SAID ORDINANCE WITH CONDITIONS ADDED TO THE PUD ZONING, GENERALLY LOCATED NORTH OF GOWAN ROAD AND WEST OF COMMERCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.**

Ordinance No. 1498 as introduced by the City Manager:

ORDINANCE NO. 1498; AN ORDINANCE RELATED TO ZONING; REPEALING ORDINANCE NO. 1403 WHICH AMENDED SECTION 010 OF CHAPTER 16 OF TITLE 17 OF THE NORTH LAS VEGAS MUNICIPAL CODE OF THE CITY OF NORTH LAS VEGAS BY RECLASSIFYING A CERTAIN PROPERTY THEREIN FROM M-2 TO PUD (ZN-13-98,

GLENEAGLES), AND REPLACING SAID ORDINANCE WITH CONDITIONS ADDED TO THE PUD ZONING, GENERALLY LOCATED NORTH OF GOWAN ROAD AND WEST OF COMMERCE STREET; AND PROVIDING FOR OTHER MATTERS PROPERLY RELATING THERETO.

Development Director Tom Bell explained on January 24, 2001, the Planning Commission considered amendments to the conditions of Ordinance Number 1403 (ZN-13-98; Gleneagles Planned Unit Development) that was passed and adopted on June 7, 2000. The applicant had requested approval of a preliminary development plan for the multi-family component of the PUD and a modification of setbacks. In addition, the applicant requested that Conditions 25C and 26 be amended to allow a density of 14.1 dwelling units per acre where 11 dwelling units per acre was the maximum allowed. Mr. Bell further explained the Planning Commission recommended keeping the density of 11 units per acre but allow for zero setbacks for the fourplexes to allow the units to be made for sale.

**Bob Gronauer, Kummer, Kaempfer, Bonner & Renshaw**, represented the applicant and stated the property was adjacent to Commerce Street with properties in the area zoned M-1. Originally, when the application was presented to the Planning Commission, the request was to build 192 units for a multi-family complex. The applicant, after comments made by the Planning Commission, was proposing some changes to the application. The requested waiver to be within 40 feet of proposed single family residential development was withdrawn. The applicant proposed to remove four buildings along the property line which would allow for adequate setbacks. The removal of those buildings would also reduce the density from 14.1 to 12.87 units to the acre. The applicant was asking for a five foot landscape buffer where ten feet were required along the parking area. The applicant felt there was adequate distance from the property line to the multi-family units.

Mr. Gronauer stated the applicant was originally requesting a ten foot separation between the buildings but because of the new configuration, was now requesting to gate each end of the two buildings that would face each other for storage of heating and air conditioning equipment.

Mr. Gronauer felt the project was a first class multi-family development with many amenities including pools, jogging paths, picnic areas and tot lots.

Councilwoman Smith asked how far apart the buildings were that required a ten foot setback. Mr. Gronauer responded that new configuration would only be for the rear buildings and would be ten feet in width where twenty feet was required.

Councilman Buck asked what landscaping buffer was required on M-1 zoning. Mr. Bell responded he believed it was twenty feet.

Councilwoman Smith asked if the entire length of the back of the development had the same setback. Mr. Gronauer stated it was the developers' intent to have a fifty foot setback along the entire length of the project.

**ACTION: PASSED AND ADOPTED AS AMENDED AS FOLLOWS:**

1. Density not to exceed 12.87 units per acre;
2. Landscaping setback as required in the development standards along the north side of the project;
3. A five foot buffer yard between the parking lot and the light industrial to the south.
4. A building separation of 10 feet may be allowed for buildings that back up to each other.

**MOTION:** Mayor Montandon

**SECOND:** Mayor Pro Tempore Robinson

**AYES:** Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

**NAYS:** None

**ABSTAIN:** None

### **COUNCIL ITEMS**

Councilman Rhodes stated community meetings had been held regarding the recent shootings in the City. All efforts were being focused on ending the violence. Two marches were being planned for the weekend.

### **CITY MANAGER'S REPORT**

City Manager Fritsch stated there were some upcoming legislative issues that were of great concern to local governments. One bill would take a portion of the motor vehicle tax away from the cities and another would allow the State to take a larger portion of the ad valorem tax. City Staff was meeting with legislative representatives to respond to these bills.

**PUBLIC FORUM**

Ed Miller spoke about the rezoning of land from residential to C-1 in the vicinity of Allen Lane and Ann Road. Mayor Montandon informed him the item had been noticed for Public Hearing at the Planning Commission and that was the proper forum to voice his concerns.

Mike Thomas spoke of Police Department and arbitration matters.

John Armstrong spoke about Police Department related issues.

**ADJOURNMENT**

ACTION: THE MEETING ADJOURNED AT 7:55 P.M.

MOTION: Mayor Montandon

SECOND: Mayor Pro Tempore Robinson

AYES: Mayor Montandon, Mayor Pro Tempore Robinson, Councilmen Rhodes, Smith and Buck

NAYS: None

ABSTAIN: None

**APPROVED: April 4, 2001**

/s/  
MAYOR MICHAEL L. MONTANDON

Attest:

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

