

**CITY COUNCIL MEETING OF
November 1, 2006**

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

**Item 69 [GPA-14325] - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT:
CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES,
LLC, ET AL - Request to amend the Downtown Redevelopment Area Land Use Plan
FROM: MXU (MIXED USE) TO: C (COMMERCIAL) on 1.33 acres at 700, 708, 712,
714 and 716 South 10th Street and 715 and 717 South 9th Street (APNs 139-34-810-101
through 105, 074 and 075), Ward 5 (Weekly). NOTE: As of August 6, 2006 this item is
located in Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission
(4-3 vote on a motion for approval) failed to obtain a supermajority which is
tantamount to DENIAL**

**Item 70 [ZON-14338] - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT:
CASINO CENTER PROPERTIES - OWNER: FIRST STREET PROPERTIES,
LLC - Request for a Rezoning FROM: P-R (PROFESSIONAL OFFICE AND
PARKING) AND R-4 (HIGH DENSITY RESIDENTIAL) TO: C-1 (LIMITED
COMMERCIAL) on 0.52 acres at 700, 708 and 712 South 10th Street (APNs 139-34-810
-101 through 103), Ward 5 (Weekly). NOTE: As of August 6, 2006 this item is
located in Ward 3 (Reese). Staff recommends DENIAL. The Planning Commission
(5-2 vote) recommends APPROVAL**

**Item 71 [VAR-14342] - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT:
CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES,
LLC, ET AL - Request for a Variance TO ALLOW NO STEPBACK BEYOND THE
BUILDING SETBACK LINE WHERE A 1:1 STEPBACK TO HEIGHT RATIO IS
REQUIRED ALONG A STREET CLASSIFIED AS COLLECTOR OR LARGER
IN CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.05
acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-
810-101 through 105, 074 and 075; and 139-34-812-003), R-4 (High Density**

**CITY COUNCIL MEETING OF
November 1, 2006**

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

**Residential) Zone, P-R (Professional Office and Parking) Zone and C-1 (Limited Commercial) Zone [Proposed: C-1 (Limited Commercial) Zone], Ward 5 (Weekly).
NOTE: As of August 6, 2006 this item is located in Ward 3 (Reese). The Planning Commission (5-2 vote) and staff recommend DENIAL**

**Item 72 [VAR-14345] - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT:
CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES,
LLC, ET AL - Request for a Variance TO ALLOW LOT COVERAGE OF 56
PERCENT WHERE 50 PERCENT IS THE MAXIMUM ALLOWED IN
CONJUNCTION WITH PROPOSED MIXED-USE DEVELOPMENT on 2.05 acres
at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-
101 through 105, 074, and 075; and 139-34-812-003), R-4 (High Density Residential
Zone, P-R (Professional Office and Parking) Zone and C-1 (Limited Commercial)
Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). NOTE: As
of August 6, 2006 this item is located in Ward 3 (Reese). The Planning Commission (4
-3 vote) and staff recommend DENIAL**

**Item 73 [VAR-14347] - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT:
CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES,
LLC, ET AL - Request for a Variance TO ALLOW 624 PARKING SPACES
WHERE 635 IS THE MINIMUM NUMBER OF PARKING SPACES REQUIRED IN
CONJUNCTION WITH A PROPOSED MIXED-USE DEVELOPMENT on 2.05
acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-
810-101 through 105, 074, and 075; and 139-34-812-003), R-4 (High Density
Residential) Zone, P-R (Professional Office and Parking) Zone and C-1 (Limited
Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5
(Weekly). As of August 6, 2006 this item is located in Ward 3 (Reese). Staff**

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

**recommends DENIAL. The Planning Commission (4-3 vote) recommends
APPROVAL**

**Item 74 [SUP-14339] - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT:
CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES,
LLC, ET AL - Request for a Special Use Permit FOR A PROPOSED MIXED-USE
DEVELOPMENT at the northwest corner of Charleston Boulevard and 10th Street
(APNs 139-34-810-101 through 105, 074, and 075; and 139-34-812-003), R-4 (High
Density Residential) Zone, P-R (Professional Office and Parking) Zone and C-1
(Limited Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward
5 (Weekly). NOTE: As of August 6, 2006 this item is located in Ward 3 (Reese). Staff
recommends DENIAL. The Planning Commission (4-3 vote) recommends
APPROVAL**

**Item 75 [VAC-12884] - ABEYANCE ITEM - PUBLIC HEARING - APPLICANT:
CASINO CENTER PROPERTIES - OWNER: CASINO CENTER PROPERTIES,
LLC, ET AL - Petition to Vacate public alleys generally located south of Garces
Avenue, between 9th Street and 10th Street, Ward 5 (Weekly). NOTE: As of August 6,
2006 this item is located in Ward 3 (Reese). Staff recommends DENIAL. The
Planning Commission (5-2 vote) recommends APPROVAL**

**Item 76 [SDR-14349] - ABEYANCE ITEM - PUBLIC HEARING APPLICANT:
CASINO CENTER PROPERTIES OWNER: CASINO CENTER PROPERTIES,
LLC, ET AL Request for a Site Development Pan Review FOR A PROPOSED
MIXED-USE DEVELOPMENT CONSISTING OF 350 RESIDENTIAL
CONDOMINIUM UNITS AND 18,000 SQUARE FEET OF COMMERCIAL
FLOOR AREA WITHIN ONE 14-STORY AND ONE 17-STORY BUILDING, AND
A WAIVER OF THE RESIDENTIAL ADJACENY REQUIREMENTS ON 2.05**

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

acres at the northwest corner of Charleston Boulevard and 10th Street (APNs 139-34-810-101 through 105,074, and 075; and 139-34-812-003), R-4 (High Commercial) Zone [PROPOSED: C-1 (Limited Commercial) Zone], Ward 5 (Weekly). NOTE: As of August 6, 2006 this item is located in Ward 3(Reese). The Planning Commission (4-3 vote) and staff recommend DENIAL

Appearance List:

OSCAR GOODMAN, Mayor

GARY REESE, Councilman

DAVID CLAPSADDLE, GC Garcia; 1711 Whitney Mesa Drive, Henderson, Nevada

STEVE WOLFSON, Councilman

JIM LEWIS, Deputy City Attorney

CHARLES SARELLIS, CPA, 10th Street and Garces, Las Vegas, Nevada

EARL HARLEY, Attorney, 916 Casino Center, Las Vegas, Nevada

TOM MCGOWAN, Las Vegas, Nevada

EDWARD MILEY, 711 South 9th Street, Las Vegas, Nevada

JORGE VOCHANEZ, 631 South Casino Center Boulevard, Las Vegas, Nevada

STEVE GREGORY, Applicant

GLENDA SHAW, 916 South Casino Center Boulevard, Las Vegas, Nevada

MARGO WHEELER, Director, Planning and Development

LARRY HARRISON, 724 South 9th Street, Las Vegas, Nevada

JOSEPH E. THERIET, 621 South 9th Street, Las Vegas, Nevada

LOIS TARKANIAN, Councilwoman

STEVEN D. ROSS, Councilman

BART ANDERSON, Engineering Project Manager, Public Works Department

RONI RONEMUS, City Clerk

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

(04:17:18 -05:32:39)

Typed by: Shamika Webb

Proofed by: Ydo Yturralde

MAYOR GOODMAN

Alright, we have 69, 70, 71, 72, 73 and 74. Sixty nine is GPA-14325, its gonna be a public hearing. The applicant is Casino Center Properties, the owner is Casino Centers Properties, LLC, ET AL. Request to amend the Downtown Redevelopment Area Plan use from: MXU, Mixed Use, to Commercial to C, Commercial on 1 point three, three acres at 700, 708, 712, 714 and 716 South 10th Street and 715 and 717 South 9th Street. This is in Ward 3. The Staff recommends denial. The Planning Commission failed to obtain a supermajority which is tantamount to a denial.

Seventy is ZON-14338. The same applicant, the owner is First Street Properties. Request for rezoning from PR, Professional Office and Parking and R4, High Density Residential to C1, Limited Commercial on point five two acres, 700, 708, 712 South 10th Street, this is in Ward 3. And the staff recommends denial, the Planning Commission recommends approval, subject to conditions.

Seventy-one is VAR-14342. The applicant is Casino Center Properties. The owner Casino Center Properties, LLC, ET AL, request for a Variance to allow no step back beyond the building set back line, where a one-to-one step back to height ratio is required. Along a street classified as collector or larger in conjunction with a proposed Mixed Use Development on two point oh five acres at the Northwest corner of Charleston Boulevard and 10th Street. The Planning Commission and staff both recommend denial.

Seventy-two is VAR-14345. The applicant is Casino Center Properties. The owner Casino Center Properties, LLC, ET AL, request for Variance to allow lot coverage of 56 percent where 50 percent is the maximum allowed in conjunction with a proposed Mixed Use Development on two point oh five acres at the northwest corner of Charleston

**CITY COUNCIL MEETING OF
November 1, 2006**

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Boulevard and 10th Street. The Planning Commission and staff recommend denial. Seventy-three is VAR-14347. The applicant is Casino Center Properties. The owner of Casino Center Properties, LLC, ET AL request for variance to allow six hundred and twenty-four parking spaces, where six hundred and thirty-five is the minimum number of parking spaces required. In conjunction with the proposed Mixed Use Development on two point oh five acres at the northwest corner of Charleston Boulevard and 10th Street. The staff recommends denial, the Planning Commission recommends approval subject to conditions.

Seventy-four is SUP-14339. The applicant is Casino Center Properties. The owner Casino Center Properties, LLC, ET AL, request for Special Use Permit for proposed Mix Use Development at the northwest corner of Charleston Boulevard and 10th Street. The Staff recommends denial, the Planning Commission recommends approval subject to conditions. These are all in Ward 3, and theyre all Public Hearings which are now declared open.

COUNCILMAN REESE

Your Honor.

MAYOR GOODMAN

Yes, Sir.

COUNCILMAN REESE

If I could, I'd like a minute to record I got a citizens concern, hot topic. There's ten or half dozen names supporting the project. Id like to read a letter that I received from a Carl F. Piazza. It says dear Councilman Reese as a long time property owner, November 1985 in the area of the proposed project. I want to express my opinion regarding the project. It has been our experience over the last 21 years, so on and so forth. Does assets, I hardly endorse

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

this project, further I applaud your efforts as well as Mayor Goodman's to accomplish this goal, gratefully yours, Carl F. Spiazza. He's in favor of these projects. I just wanna put that on the record.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

You know what, I thank you for that. I'm looking at the agenda. I think I have to read 75 and 76, they seem to be related.

COUNCILMAN REESE

Yes.

MAYOR GOODMAN

Is that correct?

COUNCILMAN REESE

Yes.

MAYOR GOODMAN

Okay, lets include them. Seventy-five is VAC-12884. The applicant is Steve Gregory. The owner is Casino Center Properties, LLC. Petition to vacate the public alleys, generally located south of Garces Avenue, between 9th and 10th Street. The staff recommends denial, the Planning Commission recommends approval subject to conditions. And finally 76, which is SDR-14349. The applicant is Casino Center Properties. The owner, Casino Center Properties, LLC, ET AL, request for site development plan. Reviewed for proposed mixed use development, consisting of 3 and 50 residential condominium units and 18,000 square feet of commercial floor area within one 14 storey and one 17 story building and a Waiver of the residential adjacency requirements on two point oh five acres at the northwest corner of Charleston Boulevard and 10th Street. The Planning Commission and staff recommends denial. These two are subject to Public Hearings, and theyre now declared open. Yes, Sir.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

DAVID CLAPSADDLE

Good afternoon, Your Honor, members of the Council. Dave Clapsaddle, with GC Garcia, 1711 Whitney Mesa Drive, in Henderson. Here on behalf of Steve Gregory and Glenda Shaw who are in the audience this afternoon.

This was held at your last meeting in order for us to do a neighborhood meeting, another neighborhood meeting. Just briefly, let me refresh your memory on the project. Here is Charleston, 9th, 10th this is the US Bank here, this is the 7-Eleven, frontage along Charleston Boulevard. What we're asking for is approval of two towers, 18,000 square feet of retail, 3 and 50 condominiums above, access off of 9th, 10th all the landscaping we, all the standards of the code. Pertaining to the alley vacation, what we clarified at the Planning Commission is that we will not vacate the alley north of the property we own. We do not own these three lots along this part of 9th Street, so we are not vacating this part of the alley to give assurance to all these property owners, that they will stay have access to the alley and will always, itll always act as it currently does today. Fourteen story tower here, 17 on this side, all the amenities will be on top of a seven- story parking garage. The pool amenities will be on top of the garage. And briefly, just to refresh your memory of the building, this is the 10th Street elevation. We think it's gonna be a gorgeous attractive addition to the north side of Charleston Boulevard. We think that a project of this style the scope, this type of Mixed Use project will spur development on the north side of Charleston, which we think it's time to do and is in need of it. And again, this is the Gas Charleston elevation, showing the height and design of both of the towers.

Now, since our last meeting, we had a neighborhood meeting and we heard four items at that neighborhood meeting that we want to try to clarify, and also answer some questions. One thing we heard is a concern about parking. We have withdrawn the parking variance. The parking variance is no longer on the table. We are going to stay within the parking standards of the code, and we're gonna make this project work.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Second, at our neighborhood meeting we heard parking a problem. Our parking garage is currently six stories, we would agree to add another level of parking to the parking garage to make sure that we are over parked and to make sure that the neighbors will not have any intrusion.

The other thing we heard is construction. How are we gonna handle parking and getting employees to the site during construction of the project? And what we've shared with the neighbors at that meeting is that we will shuttle construction employees from an offsite area. Second, we would commit to building the parking garage first, just like their doing on the City Center Project. So, while the parking garage is being built, we can stage off site, shuttle employees there. We're gonna build the parking garage first so that construction employees can park onsite while the remaining part of the project is being built to give the neighbors a higher level of comfort. As far as traffic, our traffic studys been submitted to the City. Your Public Works department has looked at it and they are reviewing it.

The other thing that we're agreeing to, as part as the construction is to have a 24-hour contact person, email, telephone so that if neighbors have a concern anytime during the day, any time during the night, days, weekends there's gonna be a contact that they can get a hold of if they have any questions, at all. The other thing we heard from the neighbors both to the north of us, the business owners and to the south in John S. Park is that they wanted amenities. They would like to have food service, they would like to have a restaurant. And what we would agree to also, as an idea, is that part of the retail mix of the 18,000 square feet, part of that is going to be food service. And that would leave us with about 13, 14, 15, 12,000 square feet of additional retail that is gonna make it a viable retail area for us to provide services to the doctors, to the lawyers, to the professional offices north of Charleston Boulevard, and also give those folks who live south of Charleston Boulevard a place to walk, to eat, to have amenities and have a place to go.

We have had several neighborhood meetings. There is a lot of neighborhood support for this project. Some of those folks are here, some of the neighbors are here. And what Id

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

rather do is reserve some time to be able to come back if there's any questions you have after the neighbors are done, Your Honor, wed like to be able to come back after that

MAYOR GOODMAN

No problem, certainly. Okay

COUNCILMAN WOLFSON

Mayor Goodman, I'm sorry.

MAYOR GOODMAN

Yes.

COUNCILMAN WOLFSON

In interest of full disclosure, I own an office building on the corner of 7th and Bonneville. It is just inside the notice area. I'm disclosing that fact. I don't think my property value will be affected any differently then any of the other properties in that area. It's my understanding from talking to Council that that is the necessary disclosure I can still vote on this matter.

JIM LEWIS

That is correct, Councilman.

COUNCILMAN WOLFSON

Thank you.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

DAVE CLAPSADDLE

Thank you, Your Honor.

MAYOR GOODMAN

All right, very good. Just by a show of hands, how many people would like to speak on this item? Okay, not that many. All right, why don't you just come up at your leisure, and tell us who you are, tell us your address, it'll be happy to hear from you. Yes.

CHARLES SARELLIS

My name is Charles Sarellis, and I'm a CPA. And I have an office on the corner of 10th and Garces, and I've been there since 1980. And I'm in full support of this project, I think it will really help the neighborhood. And, on both sides of Charleston, and really help Charleston, you know, the Charleston Street in particular, where we're gonna have some, you know, a nice project there Mixed Use. Thank you.

MAYOR GOODMAN

Thank you, Mr. Sarellis. Mr. Harley.

EARL HARLEY

Mr. Mayor, council people I'm Earl Harley, I'm an attorney here at 916 Casino Center. I represent two principles who've been studying this area that's in question for quite some time, and in expressing an interest in the project that is developed by the people here today. We would recommend to you that the full plan as proposed be accepted into this. And I will say that my clients are substantial, they have turned several large multi-million dollars projects in the downtown area, and they want to see this go forward. Thank you

MAYOR GOODMAN

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Thank you very much. Next, please.

TOM McGOWAN

Tom McGowan, Las Vegas resident. May I have the overhead, please? That is the from your planning department. It is the plot plan per development in the immediately, continuously adjacent community, which is called the Arts District. And that you would note that overhead, there are at least 10 high rise condominium volt towers under development in that particular district. The least of size is 30, 40 stories, the tallest is 73, Golden Ring Guy. And of course you got Stratosphere Tower at a hundred and ten stories. So, for your information its physically a generic fact that shadows will be cast from west to east, and from southwest to northeast, northwest to southeast. And they have the declamation seasonal tilt of the earths axes will cast that area of 9th and 10th Street into shadows. In case shadows ever arise as an issue, because the shadow regardless of rather this development is in or not. Okay, that's the first thing to understand.

Secondly, Item 85 of todays agenda is for a billboard. (inaudible) a few blocks east of the particular property between 9th and 10th (inaudible) that billboard will cast a shadow, because it's 40 stories high. That billboard and its companion billboard within that same business area will cast a shadow in the morning, east to west. Again, this property will be in shadow regardless of whether this development is under construction or not. And then the development itself when completed will be in the same shadow caused by other properties in the adjacent areas. What I wanna say finally is these design is aesthetically appealing, it ranks easily under the (inaudible), with the finest quality design that you have in your current roster of developments. Easily if not equal to (inaudible) in terms of appearances and its operative to the entire community, not just the local or sub-local area. Furthermore, and this is very important, this is a plus quality(inaudible) principle until development. Okay, these are limited rise not high rise, 14, 17 stories is a virtually minuscule compared to other development projects which typically begin at 40, 30, 40 stories. So this development is not offensive to anybody in particular, except somebody

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

right next door who decides to look out the window bright and early every morning and stare directly at the sun, because (inaudible) to begin with or at the sunset at night.

(inaudible) light bins and will bend around those building so that the (inaudible) is limited in scope. You have to look at all that stuff, because it is factual in and of itself of the earth, earths rotation. Shadows are not invariable; they do vary in scope in the direction. So laws (inaudible) will be minimized completely.

Regarding the emergency parking issue, it's (inaudible) all the way around. It is responsibly government, it is in accordance to with your desire to revitalize (inaudible) the City of Las Vegas. You got downtown retail, very promptly, a very upscale restaurant, a nice quality of people. We (inaudible) a good piano bar, which this town needs, tell you the honest truth. And I can certainly provide on that, not pro bono necessarily, but affordable and permanently.

But finally, you have the eaves dropped in commercial corridor. Very badly in need, long over due for commercial development. This is the motivational incentive for other developers to come down and develop that East Charleston corridor all the way down Boulder Highway. And the people who are the applicants here are not fly-by-night developers. They're here to stay. And, they're doing this community a very important service, in my opinion. Theyre adding to housing stock, which you need very much so. They are acting out in accordance with your wishes and maybe you didnt ask them to do it but they're doing it, all you have to do is approve it. Thank you.

MAYOR GOODMAN

Anybody else liked to be heard?

EDWARD MILEY

Yes, Mayor. Edward Miley, 711 South 9th Street. If I could get the overhead, please. Heres a picture of the property the way it looked at the last City Council meeting. We've

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

met with Mr. Gregory and their group on multiple occasions. When I sat down with them, and in fact they would never actually even give me an offer to buy the property or whatever else. Look at how good this property looks, whatever. I said, "Look, you wanna build it, I'm not for it. I think it's too intense, I don't want it 17 and 19 stories." In fact we went back and forth. They're people and I said, look, I think five stories is probably the most that I think really is appropriate there. I prefer three stories behind, but it's really not doable. They proceed to say that they don't really intend to build anyway, they intend to flip the property for 17 million dollars. And I think that's pretty telling because there's three property owners, of which I am one. Ms. Robershaw is one and there are two ladies who had to work today and couldn't be here, they're the remaining hold outs. They bought the property around us for an amalgamated 38 dollars a square foot. I sit down and I explain to them, I said, you know, we don't wanna have a high-rise here especially behind me, whatever else. They, again explained it's not gonna happen, they're gonna flip it for 17 million dollars. They have plans or whatever else, but they've done nothing besides get an architectural drawing of saying this is what the property is gonna look like. At the Planning Commission they even said they anticipate this being built in three to five years. As the Mayor knows, he went into the RJ on August 9th, and said one year before stuff has to go on the ground.

MAYOR GOODMAN

What I said was, I want to put a one year limitation on the entitlements. That there has to be report back to the Council, but if I don't see that there's progress then we can reconsider the granting of the entitlement.

EDWARD MILEY

Most telling to me and this apparently happens more, I think Ms. Robershaw can address this, as well. But I, my office spoke with the two ladies that live in between Ms. Rober

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Shaws office and my office. Was Mr. Gregory contacted her and said, "say your for the project, if we, unless we get the entitlements, we'll be able to find some deep pocket to come in and take you out of the project. That to me explains right there, they don't have the where withal, they don't have the money to do it. Theyre simply looking to flip the property, do what they can. Our concern is that they don't intend to build there. And I'll show you, if I could get the overhead again. This is what the property looked like when I came in prior to the City Council order to pick it up. There was a fire arsonist, we were down without phones for about two days, internet. I was told by Mr. Gregory's group they were gonna have their insurance broker get a hold of me, work something out, as far as my loss of income for a couple days. I still haven't heard that. But I will show you pictures that were taken this afternoon, and this was just over the fence line. I don't know how much you can see, if you could see all these or not. But, basically it's hobo back there. Are we gonna have to wait three to five years before they start building, when we have homeless people coming in, children are going back there, there's needles back there, God knows what's happening inside the property itself.

MAYOR GOODMAN

Well, we could rectify that real fast with Neighborhood Services going out there and cleaning it up real fast, real fast

EDWARD MILEY

Just to let you know, are we gonna be looking forward to having basically empty

MAYOR GOODMAN

And as a matter of fact, I'm gonna, pardon me Mr. Miley, I am gonna direct staff right now. That is an attractive nuisance. That has to be cleaned up immediately. That's not something that we wanna have ten different visits by our Neighborhood Services people. I

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

want that cleaned up right away

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

EDWARD MILEY

I would point out, they were ordered last time to pick up. They went out and what they did is they basically boarded up these windows or whatever. This building is not architecturally sound, as you can see, that's the truss right there that's hanging free. It's only a matter of time before it collapses, whether somebody's inside or outside. But we think it's an attractive nuisance at the very least.

When I had my meeting with them and I said, you know, what's going on or whatever, I also said, I'm assuming since I represent numerous Carpenters and Teamsters in this town, this is gonna be union project. They laughed, and basically said, no. So, obviously assuming they get entitlements, they can actually scrape up enough money to start building or whatever it is. They're gonna have them Soho Loft where they're not gonna be able to get the labor entitlement or anything else. They've addressed various things about what they're gonna do with off sites. That's all they've done. People, some people live down here. This is not contrary to the gentleman speaking before me. There is nothing in this particular area that's beyond three stories. We're fine with three stories, five stories we want them to use it, we want them to put office spaces in, we want them to put restaurants in or whatever. We think that 17 and 19 story high rise is too intense for the area.

MAYOR GOODMAN

Thank you. Anybody else like to be heard?

COUNCILMAN WOLFSON

Mayor Goodman, may I ask Mr. Miley a question?

MAYOR GOODMAN

Certainly.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN WOLFSON

Mr. Miley how long have you owned your property?

EDWARD MILEY

I believe its four years.

STEVE WOLFSON

And do you believe that this project, if built as proposed, will increase or decrease the value of your property?

EDWARD MILEY

Speaking with my appraisers and stuff they say that my property will probably go down probably go down 40 percent if they build it. And that's just my particular property. I've heard stories of 25 to 30 percent from Mr. Piazza and stuff from across the street. I left a message Mr. Piazza yesterday; he hasn't returned my phone call.

MAYOR GOODMAN

All right, any other questions of Mr. Miley? All right, Mr. Vochanez.

JORGE VOCHANEZ

Good afternoon, Mayor, Council. My name is Jorge Vochanez. My office is located, if I could have the overhead, please. My office is located on 631 South 9th Street. I've had my law practice there, and 14, 15 employees there for the past 15 years. And I'm here to tell you today that first all, that myself and I think most of the other business owners along South 9th Street aren't opposed to development on this particular corner. But were definitely opposed to the magnitude and intensity of this development. This is a corner that is in dyer need of development, as Mr. Miley has shown you through some of his

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

photographs, but at the same time I really want to put the Council on notice of the fact that 9th Street, where my office and many others are located, looks like this. It's one and two story professional buildings that've all been there for a long time. And that are all servicing clients that come in that require on street parking. All of us have adequate parking under the code, when we established our businesses long ago, and we have parking that's sufficient for the current neighborhood as the way it stands. It's, we would submit to you that we don't have parking that's sufficient for 31 stories of retail and condominiums. At the last Council meeting I stated that we need to be practical here in that customers and retail users in the like of 31 stories of retail use aren't going to go to the sixth story of a parking garage, they're going to go to the street level. Street level is what we depend on for our parking. We all have adequate parking for that and for our businesses but not for this type of monstrous project within a neighborhood that looks like this one looks. I thought he had a question for me. I heard this man speaking behind me.

MAYOR GOODMAN

I didn't hear anything

JORGE VOCHANEZ

Okay. In addition to that, with respect to the compatibility of this project besides parking, there's also the issue regarding traffic. This is gonna have access on 9th Street. Again you've heard the figures on the square footage with respect to the different types of retail use, with respect to the different types of condo use and the like. Again, it's our position that this going to have a severe impact on our traffic, on 9th Street. I guess they have submitted a traffic report. Since most of my practice is devoted to litigation-type issues, I can tell you that, you know, paying an expert five to ten thousand dollars gets you amazing results to support basically whatever you want. So I'd ask that you take, if you're going to rely upon that report. I bet I can get a traffic report that would say the exact opposite. So

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

again, I'd ask that the Council be practical here when looking at putting 31 stories of retail and condo and offices near businesses that nothing, are nothing but one and two story offices. Now, with respect to the project itself, I think that it's also important that you look at the developer, the applicant here. This is a person with no history of building high-rise development. This is a person that has admitted to you basically that what they're going to do is simply flip it. They want your entitlements and they want you to flip it. And they want them to be able to flip it to some developer. Well, if there's mysterious principals back there that are looking at this very very seriously, and that are actually wanted to come in and look at this project as it's being proposed to you, as was told to you today, let's see them. Let them come forward. And obviously they're not coming forward and they are mysterious because, you know what? There's no one here to produce to you for that. We'd also ask that, I guess there's all of a sudden names of neighbors that are in favor of this project, as was told to you by Mr. Miley. I've also been informed that neighbors near my office that were told that they were gonna make fantastic profits, if they came out in favor of this project. And that sounds very consistent with the neighbors here on 9th Street are also being told. So again, I'd look at a weary eye also with all of a sudden homeowner approval here that wasn't in existence a few weeks ago. Again, this is all about compatibility and it's all about who's proposing this. I submit to the Council that it's bad planning policy to allow development based on flipping. And that's not how you're going to establish projects. What it's gonna do it's just gonna cause the whole project to be re-reviewed, when the actual real developer, whoever that may be, comes in. Because I submit to you that this isn't about shadows and it isn't about mystery developers, it's about good sound development. And, what good, if I got the overhead, what good sound development isn't is having entitlements given and then having other individuals come up and try to later flip this project to other people

COUNCILMAN REESE

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Your Honor, if I could please.

MAYOR GOODMAN

Yes

COUNCILMAN REESE

I'm sitting up here, and I'm not an attorney, okay. But I've heard allegations here, that I want Mr. Gregory come up here and talk to these allegations that these attorneys are making here. And what they're doing to me is (inaudible) not above (inaudible). If there's talk like this going on, then what are we even doing here?

MAYOR GOODMAN

Well ?

COUNCILMAN REESE

I'm talking about this flipping. They're admitting that they, they been approached. That all they're gonna do is flip this property, and I don't want to hear this stuff any more

MAYOR GOODMAN

Okay, well I appreciate.

COUNCILMAN REESE

(inaudible) either pass this project on its merits or we will not riot because there's illegal activity going on, as far as I'm concerned.

MAYOR GOODMAN

Okay, well I received a letter from

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

JORGE VOCHANEZ

Can I answer any other questions while I'm up here?

MAYOR GOODMAN

Not right now, thanks.

JORGE VOCHANEZ

Thank you.

MAYOR GOODMAN

I received a letter from Mr. Gregory, which I read over the noon hour, and the very allegations that have been addressed today were addressed in that letter, as though it was a preempted strike on his part, anticipating what was gonna be said. And he denies that he has any intention, other than to develop the property. He denies ever saying that he wasn't going to use a union help. And, basically what it comes down to, Mayor Pro Tem, is that we wanna see these kinda projects in our downtown. We don't want to see them delayed, and we don't want to be taken advantage of and defrauded by representations, where people come to us and they ask for entitlements, and then we see that the next thing that they do is they're trying to flip the property. But truth of the matter is, I think we have to judge the project on its merits. And we're in America, if there's a flipping there's a flipping. But that's why I want to put this year limitation on it, so that it has to come back and we have to see that there's progress.

COUNCILMAN REESE

Your Honor, if I could I would like to ask Mr. Gregory a question. Did you in anybody presence did you ever tell anybody what's been said here today, you were gonna flip this property?

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

STEVE GREGORY

Never.

COUNCILMAN REESE

And theyre saying, Your Honor, that they was told by this applicant that thats all hes gonna do is flip this property.

STEVE GREGORY

That's absolutely inaccurate.

MAYOR GOODMAN

What did you say if anything about your intentions of, on this piece of property?

STEVE GREGORY

To build this project, Your Honor. Currently, just to give you a little bit of a back ground. My background is in finance. I spent 38 years in the securitys industry. A significant portion of my net worth is tied up in this project. I do own other projects here in Las Vegas. Im currently developing, since there was an allegation made I had no experience. I'm currently developing a 250 lot subdivision outside of St. George, Utah, two multi million dollar homes in Cabos San Lucas, Mexico and 40 condominiums in Puerte Viallarta, Mexico. So, to say I have no experience is in accurate.

MAYOR GOODMAN

All right. Well

STEVE GREGORY

It is my intent to build this project

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

What I don't want to do Mayor Pro Tem. I feel like Ms. Mazio and the Congressman. The only difference is there's nothing to drink, pardon me. But the, I don't want to start putting you under oath. I mean, I really don't, I don't like to do that. I really don't, but I think we have to proceed. Unless Mr. Miley, do you wanna give us specifics as to when these statements were made?

EDWARD MILEY

I can't give you the exact date. There were several people in the room

MAYOR GOODMAN

All right. Who was there, and

EDWARD MILEY

Michael McDonald, Richard Henry, I believe that Mr. Gregory was there, I don't know if Mr. Clapsaddle was there or not and I forget, Ms. Shaw was there.

MAYOR GOODMAN

And what was his statement that was made?

EDWARD MILEY

Basically I said, you don't have the money, I'm not opposed to it, let's work out a deal. I don't want to be around, if you're gonna build. Give me some space in there, so I can move out for a couple years

MAYOR GOODMAN

How about the flipping?

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

EDWARD MILEY

Well, that's when he said. We bought this property next to us, behind you for 38 dollars a square foot, amalgamated. And they volunteered that, and I was like, I was in shock, because I thought property was about 145 a square foot. They said we're looking to sell this property behind you for 17 million dollars, is what they said. They just also said basically that they want to work out a deal, pay me below market interest rate (inaudible) square foot for my property, and then split it 50, 50, and Mr. Reese and I spoke about that in his chambers the other day. And split it 50, 50 when the project ever goes forward

MAYOR GOODMAN

All right

EDWARD MILEY

With respect to union labor, Your Honor, I even got on the phone with the labor union that afternoon and said just guess he conversation I had today. As an officer of the court, you've seen me in court before, Mr. Wolfson seen me in court before. I'm on the State Bar Committee, I disbar attorneys for lying. The fact that (inaudible) question by someone who's not even from this state. Who's had, who has already admitted, I don't know how much money tied up in this project. I find personally insulting and offensive.

STEVE GREGORY

First of all, my residence is 283 Pear Meadow Street in Henderson, Nevada, for the record.

MAYOR GOODMAN

All right. Thank you gentleman. Okay, anybody else wanna be heard? Yes, ma'am. Let's have a calm reasoned presentation.

**CITY COUNCIL MEETING OF
November 1, 2006**

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

GLEND A SHAW

Glenda Shaw, 916 South Casino Center Boulevard. I am a 48-year resident of Las Vegas. I love the city; I have a good reputation in this town. And, I was present at all of these meetings. Perhaps there has been some miscommunication or a misinterpretation of the word joint venture. Joint venture is not flipping. We did discuss doing joint venture on this property. We are flipping and have flipped other properties that we have purchased in the Centennial area. And are, presently do have those on the market. So that we have all of the sufficient funds to do this project. This project is our focus for development. As far as the fire, we have had lots of homeless, and as the weather change, we get a lot of them breaking in constantly. We are constantly on top of getting these properties cleaned up. It is a weekly job, almost daily any more because they keep breaking into these residences. We're doing everything we can, we do have security that patrols the area for us, reports to us and we send our maintenance people out as soon as we possibly can to clean up the mess, bur up the mess and keep them from being a health or liability hazard.

MAYOR GOODMAN

Thank you.

COUNCILMAN REESE

Where by. Excuse me, Your Honor.

MAYOR GOODMAN

Yes. Certainly, Mayor Pro Tem.

COUNCILMAN REESE

Ma'am.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

GLENDAS SHAW

Yes.

COUNCILMAN REESE

What about that property that was showing, that the Mayor was asking that Neighborhood Services go clean up right away?

GLENDAS SHAW

That is right behind Mr. Miley's office. The fire started on a Saturday evening

COUNCILMAN REESE

No, I'm not talking about the fire. I'm talking about the picture he showed after that.

GLENDAS SHAW

Sure. That he said was done today?

GARY REESE

Yes.

GLENDAS SHAW

Yes, we had a crew over there this morning, cleaning up. They had other jobs to do before they went to this property. It got broken into again, over the last couple of days because of the weather, and because of Halloween last night, there were a lot of them that broke in again. We keep trying to mitigate these problems but unfortunately, these are distress properties that are uninhabitable, so we boarded them up.

COUNCILMAN WOLFSON

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Mayor Goodman.

MAYOR GOODMAN

Yes, Councilman.

COUNCILMAN WOLFSON

With Mayor Pro Tem's permission.

GARY REESE

Yes.

COUNCILMAN WOLFSON

You know, I bought two properties on 7th and Bonneville about 6, 7, 8 years ago. And one of them was boarded up and the other one was close to it, and rather than leave them in that condition so that the things you described occur, I leveled them. Why don't you do that?

GLENDIA SHAW

And, we are.

STEVE GREGORY

We would be happy to level those properties, Councilman.

GLENDIA SHAW

We have taken bids on them. And unfortunately, there are so many demolition jobs out there that we have to wait our turn. And unfortunately, we have a waiting period to in order to get those demolition. Yes, we have got, especially those that are uninhabitable.

MAYOR GOODMAN

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

All right. Thank you, ma'am.

MARGO WHEELER

Mr. Mayor.

MAYOR GOODMAN

Yes.

MARGO WHEELER

I apologize.

MAYOR GOODMAN

No problem.

MARGO WHEELER

Just one point of clarification for the record.

MAYOR GOODMAN

Yes.

MARGO WHEELER

This project is not within the Downtown Centennial Plan area.

MAYOR GOODMAN

All right. Thank you. All right. Anybody else wanna be heard before we close the public hearing? I guess apparently so.

LARRY HARRISON

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

My name is Larry Harrison. I have an office at 724 South 9th Street. I am not adverse to the project itself. My concerns is that I have four or five licensed agents in my office at any given time. And, when you're going through this construction process, my concerns as I'm driving up and down the other corridors is the construction and trucks, the utilities, the tearing up of the street, and no access or limited access to my office. Ive, as soon as I heard about this project I put my office up for sale. That was over 90 days ago. Ive yet to have anybody come through because of the concerns that I'm expressing today is limiting me from even being able to sell my project. I think that my office would make an excellent construction office. Id like to see them use my office as a construction office, level it for parking, for rural parking, whatever it might be. But (inaudible) to be there, my office is very much like a retail store, in that I am offering health insurance. And I need to have easy access to my office or this project can sink me during the next three to five years if we have construction delays. That's my concern

MAYOR GOODMAN

All right. I'm asking the City, the City Manager to send the gentleman a bill for that free advertisement. All right. Very good, thank you. All right. Any body else?

JOSEPH E. THERIET

I'd like to say that.

MAYOR GOODMAN

Please give us your name, please.

JOSEPH E. THERIET

Oh my name is Joseph E. Theriet. I came here in 1940 to teach high school at the Las Vegas High School. And in 1942, I bought the property at 621 South 9th Street. I've lived

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

there every since, had lots of chances to sell, but I like the area, I think it is a wonderful place, it's close to town. I use to walk to high school. I think that it's a good place to live, a good place to be. And I think that this project will improve the place. I would like to have some real neighbors. I ve got a lot of lawyers, you know. But

MAYOR GOODMAN

And lawyers are not neighbors, I know that

JOSEPH E. THERIET

Well yeah theyre neighbors but I dont see them. And (inaudible) I think that this would improve (inaudible). I believe were very happy to have a nice restaurant (inaudible) close, so I could (inaudible) maybe dinner. Any rate, I'm in favor of it and I hope that it goes through. Thank you.

MAYOR GOODMAN

All right. Thank you, sir. Kay, anybody else? All right. Seeing none, we'll close the public hearing. I got a couple questions, Mr. Clapsaddle.

DAVE CLAPSADDLE

Yes, Sir.

MAYOR GOODMAN

Do you have the financing in place for the project?

DAVE CLAPSADDLE

Let me defer to Mr. Gregory or Mr. Shaw or Mrs. Shaw.

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

All right.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

DAVE CLAPSADDLE

I can tell you this, is that when Glenda was talking about joint venturing with a partner, we are in the midst of doing that. We own this dirt, we are negotiating with joint venture partners who can come in and help us build this. As far as financing, normally you go do that as, after entitlements then you have a project to go and talk to a financier about. But let me refer to Mr. Gregory to tell you about his activity (inaudible) financing

MAYOR GOODMAN

Okay, but as far as you know. Your answer, I'm gonna take it is a long way of saying, no, you don't.

DAVE CLAPSADDLE

I'm gonna say, I'm gonna defer to the owner.

MAYOR GOODMAN

Okay, so I'll strike your answer then. Okay, fine.

STEVE GREGORY

Mr. Mayor, we've had discussions with several groups. As the same, my background is finance and Wall Street for the last 30 years. Up until my retirement last December 31. I was the national spokesperson for the Aim Management Group, which is one of the largest money management companies in the whole world. We have a local funder who has funded another project here, whos expressed interest in providing up to 20 million dollars worth of equity financing. But as my colleague here said, until such time as we have the entitlements it really is difficult to be able to quantify exactly what is going to be needed. So the short answer is we have interest, but do we have something in place right now? The answer is, no.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

How much will the project cost to build?

STEVE GREGORY

But let me defer to Mr. Clapsaddle. We're saying some where in the neighborhood around, depending upon. And the good news is that construction cost have been coming down.

DAVE CLAPSADDLE

Its, I would hate to give him a figure. But construction costs are coming down. The cost of steel is coming down, the cost of concrete is coming down, the cost of dealing these types of projects

MAYOR GOODMAN

How much will it cost you?

DAVE CLAPSADDLE

that we've seen in the past will help us get it built quicker

MAYOR GOODMAN

How much will it cost?

DAVE CLAPSADDLE

To do this, I

STEVE GREGORY

Somewhere in excess of a hundred million

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

DAVE CLAPSADDLE

Probably.

MAYOR GOODMAN

All right

DAVE CLAPSADDLE

I would just hate to tell you

STEVE GREGORY

And

MAYOR GOODMAN

when will it be built? When is it gonna be finished?

STEVE GREGORY

As soon as physically possible, Your Honor. And does that mean in the next two years, does that mean we can start in a year? The process right now of getting building permits, plans approved could take 12 to 18 months. We would like to start this as soon as possible because quite frankly, this is not the best use of my money. I would like to see this project get under way, as quickly as humanly possible. That's all that I can tell you.

MAYOR GOODMAN

Well, assuming that this Council approves the project

MR. GREGORY

Yes, Sir.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

And assuming that part of the motion by the Mayor Pro Tem would be to have a year review on this. What could we expect to hear at the end of the year, as to the progress made on this?

STEVE GREGORY

Well, I'd like to say that within six months that, you know, Your Honor and members of the Council we have a builder lined up, we have construction financing in place, we have equity financing. I'd like to be able to come back within six months and tell you that we have something concrete to move forward. Again, it is my intent to move forward with this project, as quickly as possible. There is no reason for me to sit on these entitlements. As was mentioned before, I have other properties that's up for sell. I've not come for this Council, saying that I'd like entitlements on this property, when I never had any intention. I, Casino Center Boulevard. So, if you'd like me to come back here in three months, six months, nine months, 12 months I'd be more than happy to tell you exactly what we're doing you know, and the progress that we're making. I'm in totally sincere in telling you that this project is for real, and we're going to move it as quickly as possible to get this thing approved and to get this thing built.

MAYOR GOODMAN

Thank you. All right. Are there any other questions?

COUNCILMAN WOLFSON

Yes, Your Honor.

MAYOR GOODMAN

Yes, Council (sic) Wolfson.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN WOLFSON

I think I know the answer to this question but, Mr. Lewis, entitlements run with the land not the owner; is that right? So, if we grant the entitlements as requested and it's flipped or sold or whatever you wanna call it and the new owner comes in, that new owner has the entitlements. So we can't condition entitlements on just this owner; is that right?

JIM LEWIS

Mr. Councilman that is correct. You can condition the entitlements as you see fit within your discretion. But with regard to this property owner, he may not be the property owner within the year.

COUNCILMAN WOLFSON

And the reason I bring this up for obvious reasons, is we're judging some integrity here

STEVE GREGORY

Absolutely.

COUNCILMAN WOLFSON

and the gentleman sounds credible, he sounds believable. But I'd hate to grant the entitlements and like we all have the concern, six or 12 months from now, he's gone because a better deal came around. And then we have to rely on a new owner, who may take another two or three or four years and it's just sitting there.

MAYOR GOODMAN

Mayor Pro Tem, may I ask this question?

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

Absolutely.

MAYOR GOODMAN

Thank you. Assuming that we put a year review on it, and at the end of the year we conclude that there really hasn't been sufficient movement to have the project actualized. We can then remove the entitlements, can we not?

JIM LEWIS

Mr. Mayor, is that question for me?

MAYOR GOODMAN

Yes.

JIM LEWIS

Yeah, the answer is it's not so much you'd be putting review on your Site Plan review, today or your Special Use Permits. They would be special, their entitlements would be for a time certain. So, they would expire in one year. So they would have to come back for it again, and they would have to indicate to you why it is they need the extension.

MAYOR GOODMAN

Right, okay, that was my intention when I began to talk about this, because I did not want us to be taken advantage of. I didn't want developers, and I'm not talking about this particular instance, to come before us, get the entitlements and, we don't have, I'm more interested and the Councils more interested in the project.

JIM LEWIS

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Absolutely

MAYOR GOODMAN

Rather than who's building, whether or not you're gonna make money from it. We wanna see these kind of developments in our downtown and throughout our city. And we have to have some kind of a hold on it, that if they're not progressing in a reasonable manner that we have the right to then terminate the entitlements and go back to square one. And that's our intention. All right. Very good. All right, Mayor Pro Tem.

COUNCILMAN REESE

Thank you, Your Honor. I wanna thank the Councilmembers for their questions. I wanna thank the applicants, as well as the residents. How much I appreciate their meeting. I really thought we might be able to come up with some type of agreement. I don't think we have. I do have some added conditions. I guess the first condition I wanna put on here, and this is just because I've been sitting here today and some of things that Mr. Miley had to present to us. I would ask staff, is there any way we condition this property, and I'm not trying to use it, as far as getting the project built. But I would like to see this whole project demolished and a fence put around it until such time that they start construction.

STEVE GREGORY

May I make a point of reference here. Right now we have a, quite a viable shopping center on Charleston. It is fully leased, and so this is good rent paying customers

COUNCILMAN REESE

How 'bout the empty ones?

STEVE GREGORY

**CITY COUNCIL MEETING OF
November 1, 2006**

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

The empty ones? Right now there is only one empty, and we're referring to the 10th Street properties at 700, seven oh eight and 712. Seven oh eight is owner occupied, actually the gentleman that I purchased the property from, is occupying that property. It's 712 that is vacant at this point. And based upon our analysis it's really impossible to rehab that property. And so I would be more than happy to demolish that property.

COUNCILMAN REESE

Is that the burnt house structure?

STEVE GREGORY

Yes, Sir, it is.

COUNCILMAN REESE

Which is the one that Mr. Miley, right behind Mr. Miley's?

STEVE GREGORY

That is the one that Mr. Miley was referring to, it's seven, 712.

COUNCILMAN REESE

We can get that demolished right now?

STEVE GREGORY

We can get that demolished as soon as the Council requested. Within 30 days, I'm sure there's no problem.

COUNCILMAN REESE

Within 30 days would be my condition then.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

STEVE GREGORY

Very good.

JIM LEWIS

Mr. Mayor Pro Tem, I would either put that condition on Item 74 or 76 or above.

GARY REESE

Councilwoman.

MAYOR GOODMAN

Councilwoman, did you wanna say something?

COUNCILWOMAN TARKANIAN

I did wanna say anything (sic). I got lost a little bit there between those comments (inaudible). So excuse me. And I maybe taking a different tack in this. I just wanted to note, that I'm very concerned about the consistency that we have in development within the city. And we need to look at the message we're sending to the development community and those people as well as to the neighborhood surrounding the areas of the development. My concern is that this site is outside of the Centennial plan as, Betsy Fretwell mentioned, but at the same time we're continuing to discuss limiting height on other major commercial quarters that are within the Centennial plan. And to me, it's just let's have a plan one way or the other, and keep within that plan. I think that way we're not causing problems within the building community.

The applicants who applies to me, were not very definite on cost or where the financing it could be obtained. I think the intensity of this building is at great variance with the neighborhood. I thought that Councilman Wolfson had excellent point on the granting of entitlement. We've been granting entitlements, and we've been noting in open meetings for

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

some time now that there are many problems recently on the delays that are caused. So, I just wanted to voice my concerns in this. And, thank you very much for listening, and thank you very much, Councilman Reese, for letting me have those comments.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

You bet.

MAYOR GOODMAN

Alright. Thank you.

COUNCILMAN REESE

And again, I can certainly appreciate that, the locations. I think we've, I've tried to look at each project that comes before me more on its merit rather than what's built around the corner. And I think some projects need to be built, and some of them need to go back and be redone or relooked at. And so, this one here I went by there probably five or six different times. I have concerns, I think I've brought this out, I have concerns about once the project is built, how we're gonna affect the flow of traffic. I had concerns about the gentleman that has an office down there. During construction how we're gonna effect his in and out, his parking for his customers, his real estate people. That bothers me also, because I'm a small businessman myself and I understand what parking is. And all these things we don't have any records. I would hope because of the SohoLofts that we would be able to see what kind of traffic problem is generated on one of these high rises. But we got construction going on downtown and when we try and get downtown it's pretty impossible. And I really think that if we allow this project to be built, that we are going to have problems during construction and after construction. And I wanna add a condition on here that six months or a year after this project is completed that if there's a need for traffic signalization, one spot, two spot, three spots, four spots because of this project that the developer will fund and will put in those mechanisms that we have to have for traffic control.

STEVE GREGORY

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Councilman Reese, we are happy to commit to that.

COUNCILMAN REESE

Okay, that will be my condition number 10 then. Also, I don't know whether I can, but I do have a problem with what Mr. Miley indicated as far as union work. I would hope that you would commit on your own, that you will make sure that this is built 100 percent union.

STEVE GREGORY

Absolutely. We, as I said, I don't recall that that was ever brought up. But we have no problem with that, and that would be a commitment.

COUNCILMAN REESE

I won't speak for the other Councilmembers, but I do have a concern about that also. So, that would be my condition number 11. They volunteered that.

JIM LEWIS

Mr. Mayor Pro Tem. I hate to interject at this time

MAYOR GOODMAN

Well then, don't.

COUNCILMAN REESE

He volunteered.

JIM LEWIS

I think, I think its good to hear from the applicant that this would be in fact that

COUNCILMAN REESE

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

(inaudible)

JIM LEWIS

Union raider. But I might advise against making that a condition of approval. I'm not sure that could, that is enforceable, that it can go to the RJC and enforce that on your behalf.

MAYOR GOODMAN

Right.

JIM LEWIS

So, I would just recommend that we've heard it on the record. I think that we can enforce it as gentlemen but I'm not sure I would advise it being on our application as a condition.

COUNCILMAN REESE

Well, I don't know how to use dynamite either.

STEVE GREGORY

We are, we are on the record.

COUNCILMAN REESE

Okay. My first condition that I would add then. I'm gonna read these in, and Margo will put them wherever they become necessary, okay? She's sticking his tongue out at me.

STEVE GREGORY

Oh.

MARGO WHEELER

Is this Mayor Pro Tem, is this the list that Mr. Clappsaddle provided?

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

Yes.

MARGO WHEELER

Just to go over that, to review those. With regards to the construction plan, there is a condition already written with regard to the construction plan. What I think would be good to add is that during the construction phase of the project, the applicant shall provide a contact person, email address and telephone number to the Council Ward office and the Planning and Development Department, as a contact on a 24-hour basis. I think that is one that we don't have that we should have, that you, should be added. The provision of a security barrier to ensure the protection of properties butting the neighbors during construction subject to the approval of the Building and Safety Department is another one that could be added that is not in there. If the Councilman wishes, this shadow study submitted to the department prior to commencement of the construction, but I don't know what we would do with that.

COUNCILMAN REESE

Yeah, I don't either. That's

MARGO WHEELER

Right, so, I that's some rewording on a couple of them. If there's others, Sir, we'll certainly work with you on that.

COUNCILMAN REESE

Kay. Well, the first one I had was the applicant shall amend the site Development Plan to add an additional. An additional level of parking to the parking garage. The applicant shall ensure their portion on the Retail Mix of the project shall include a nice restaurant.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MARGO WHEELER

A nice restaurant.

COUNCILMAN REESE

During construction phase of the project the applicant shall provide an offsite staging area and transport employees to the site. And I don't know that we, the City have enough staff to go out there and man that, make sure that's it's done. But if one of the businesses in the area, if they call and complain about employees parking in front of their businesses I would like to have them, give them the ability to have the car towed immediately. I mean if they don't call you guys first, Margo I'm just talking right now, it's not a condition. But if they call you and if you don't respond, like you got that 24 hour, you promise me you'll have a 24-hour number where somebody can call. And if they know somebody pulling in there with there hard hat and walking across the street and they call you and the car isn't removed within a reasonable amount of time, that they have a right to have that car towed.

STEVE GREGORY

No, I have no problem with that, Councilman.

COUNCILMAN REESE

Because, I definitely feel, I don't want to put any of these people that have business there out of business. I want this to be a project that's gonna to help all those people in this area.

STEVE GREGORY

You have my assurance that we would like to be the best of neighbors.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

Okay.

DAVID CLAPSADDLE

On top of that Mayor Pro Tem, we have to give your staff a plan for construction, that will all be part of the plan. So, all this be written in not only as conditions of approval. When we come back to your staff and give you a construction plan and a schedule and all that, all of this will be incorporated into that report.

COUNCILMAN REESE

Thank you.

BART ANDERSON

Mayor Pro Tem.

COUNCILMAN REESE

Yes.

BART ANDERSON

I'm sorry, Bart Anderson, Public Works

COUNCILMAN REESE

I know you.

BART ANDERSON

I'm just a little bit concerned over how such a request would be enforced. That we would have selective public parking on the street. And some people can and some people can't.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

And who would do the towing

COUNCILMAN REESE

Im only talking about the businesses will know. Okay, if the car has been parked out there for seven hours, two days in a row they know they've been working over here.

BART ANDERSON

I know that.

COUNCILMAN REESE

But if they call them and ask them to have this car moved, they should go and move it.

BART ANDERSON

And who do they call to have the car towed away?

COUNCILMAN REESE

They can call a towing company or somebody, there's a whole bunch them in the yellow pages.

BART ANDERSON

Well, I understand that, but at whose expense is it going to be towed? And on whose authority?

COUNCILMAN REESE

The car owners expense after he's been warned and stuff. Yes, its gonna be the car owners expense. Theyre gonna be told. Their gonna ensure all their employees

BART ANDERSON

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

I understand.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

Theyre gonna be told that they can't , that this is where theyre gonna pick you up over here at this designated area and we're gonna bring you over here to the site.

BART ANDERSON

Can, how

COUNCILWOMAN TARKANIAN

Mr. Councilman, if I can just interject. If you work that out and it works well, I want you to give me that plan to use for those parking places on Sahara that we've been fighting for a year and a half. And where we've done everything you've done and code cited. They just don't listen to us. I've told the Mayor, it's not right they don't listen to us, but they don't.

COUNCILMAN REESE

Well, but again though, you know this is new territory and we got businesses over here it's not like between Maine and Las Vegas Boulevard. Theyre going into an existing neighborhood. And again, this is not the first time I've been involved in this. When the attorneys moved in there, I had the same kinda meetings. And they didn't want people parking, the home owners they didn't want people parking in front of their homes either. That they had their way to get in their driveways, they blocked their driveways. I went through this before. You have to enforce it.

BART ANDERSON

If I may then suggest that the condition require the applicant to coordinate with Parking Enforcement to come up with a plan for limiting or

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

You could've said that right at the beginning.

BART ANDERSON

I apologize, Sir.

COUNCILMAN REESE

Okay.

BART ANDERSON

Im thinking on my feet and I'm slow.

DAVID CLAPSADDLE

We will do, we will incorporate what Mr. Anderson is talking about

COUNCILMAN REESE

The parking (inaudible)

DAVID CLAPSADDLE

As the part of the part of the construction plan. Yes, Sir.

COUNCILMAN REESE

And again, I wanna emphasize, this is something to me that is very very new. We don't know what's gonna happen once this project is done. We don't know how it's gonna affect traffic. We don't know whether were gonna have to make oneway streets. We don't know whether we gone have to put in a traffic signal at 8th and Bonneville. We don't know how it's gonna affect traffic. I wanna make sure that this project is as hundred percent good as

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

we could possibly make it. And I think working with the applicant we can do that.

JIM LEWIS

Mr. Mayor.

COUNCILMAN REESE

Yes.

JIM LEWIS

Jim Lewis, City Attorney's office. Mr. Mayor Pro Tem, I think that with regard to this condition, Bart, I think we do need to say pursuant to provisions of our Code the applicant will do so, because we, our Code doesn't allow the City to tow these cars legally. We don't want to create a new thing or just for this, because we may not be able to do so. So I would just ask that we add to the condition pursuant to Las Vegas Municipal Code, the applicant will blow, blow, blow, blow. We, it'll be dangerous for us to have City Parking Enforcement created having those rules created for this project itself. We may be able to come up with a comprehensive framework for these projects, as well. But it would be deemed as a case by case basis, to try to amend our Code through site plan reviews. So, I would just ask that we add that as part as the condition.

COUNCILMAN REESE

Thats fine.

JIM LEWIS

Thank you, Sir.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

And also

MAYOR GOODMAN

And as long as you're talking about this, gentlemen. This is not gonna be the first this is the first time a project of this magnitude is being built in a residential area

COUNCILMAN REESE

Yes, it is.

MAYOR GOODMAN

But I think it's just the beginning of projects like this being built in residential areas. So it would do us well, Mr. Anderson and Ms. Wheeler, it would do us well as a city to begin enacting provisions, which they can be part of our Code, which will address issues like this, so there will be a consistency. And when developers come before us, they'll know exactly what they're going to be expected to do. This one here is sort of like a Ginny pig or a test case, but this is not gonna be the last of these projects.

MARGO WHEELER

Mayor, we agree. And the condition regarding the comprehensive construction staging plan is a required condition now on all of these projects.

COUNCILMAN REESE

And again Your Honor, we put in a SRO, single home occupant at 8th and Ogden. And we went kinda through the same history there. We didn't have anything to base our conditions on and we didn't have anything to base our parking requirements on. And so it was brand new then. This is, to me this is kinda the same thing, only this is at a bigger

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

magnitude, and I'm skeptical. I'm scared to death what we're going to create here. But again though, I've had many many residents call me that was opposed to the attorneys moving into this eight or nine years ago. So I like I say I'm trying to do what the constituents want. They want this, I'm gonna try to make sure that we condition it such that we impact the people in the area the least amount that we can. And, I feel like that's all we can do as a Council is to try, you know, the least impact we can have on them the better they're gonna like the project too.

I'd like to have the hours of operation during the construction phase be between 6:00 am and 6:00 pm. The staging area we talked about, the safety barrier we've talked about. The shadow study, I think its important. I don't know whos gonna benefit from it but I'd like to see a shadow study, to see how it's gonna affect.

I think that's, thats all the conditions I have. Councilmembers is there anything else you'd like to add before I make the motions?

MAYOR GOODMAN

Now, gentlemen are those conditions agreeable?

STEVE GREGORY

They are indeed

DAVID CLAPSADDLE

They are.

MAYOR GOODMAN

Very good.

COUNCILMAN WOLFSON

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

Mayor Goodman.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

Yes.

COUNCILMAN WOLFSON

Mayor Pro Tem, forgive me if I didn't hear it, but did we say something about the one year time frame?

COUNCILMAN REESE

That's in there, yes. It's an existing condition right now, but it says two years. I'm wanna change that to one year.

MAYOR GOODMAN

Very good, thank you.

JIM LEWIS

And, Your Honor.

MAYOR GOODMAN

Yes.

COUNCILMAN ROSS

Mayor Pro Tem, did we discuss, was there a condition in there about the parking garage being built first?

COUNCILMAN REESE

I went over the top of that one. That's my condition number four. During the construction phase of the project the applicant shall construct a parking garage, as the first phrase of the

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

project, provide onsite parking for employees building the Mixed Use portion of this development.

MAYOR GOODMAN

Agreeable gentlemen?

STEVE GREGORY

Yes, Sir

DAVID CLAPSADDLE

Its agreeable.

MAYOR GOODMAN

Very good.

COUNCILMAN REESE

Thanks, Sir. Okay, with that Your Honor, I'm gonna make **a motion on the General Plan Amendment, I make for approval of that item with all conditions, please.**

MAYOR GOODMAN

All right. Item 69, let's vote on it, please.

COUNCILWOMAN TARKANIAN

Could I just ask one question? You said that your, youve gone to the neighbors and you haven't had the complaints of the neighbors then?

COUNCILMAN REESE

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

No, none.

COUNCILWOMAN TARKANIAN

No complaints from the neighbors.

COUNCILMAN REESE

One of the residents that live there, the one lady that is in between the two attorneys, she's kind of, I think hesitant, I think that she's scared a little bit. She told me that she really don't want it, but it wasn't an emphatic no. She just kinda said she didn't wanna have it.

LOIS TARKANIAN

Okay, I still have my concerns but the citizens in that area feel that way then (inaudible)

COUNCILMAN REESE

Well, we see a gentleman. And I God bless him, I love him to death. Mr. Thierit comes here. We had a meeting here the other night at the same chambers, a hundred years old, he comes out to voice his opinion. And I want him to know how much I appreciate that. I think it's important that we have somebody that cares. And like they say, I have had many many meetings with attorneys over some the attorney offices being built, originally. So I appreciate what he does, I appreciate what he has done and what he continues to do for his community, and I appreciate that.

And so, Your Honor, **my motion on for it to approve the GPA.**

MAYOR GOODMAN

All right. Let's vote, please. Post, motion carries. [UNANIMOUS]

COUNCILMAN REESE

And on the Rezoning 14338, I make **the motion for approval with all conditions.**

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

All right. Please vote. Post.

COUNCILMAN REESE

With a change in the condition there, Margo, one year

MARGO WHEELER

Thats coming.

COUNCILMAN REESE

Okay.

JIM LEWIS

Margo, I wouldn't think that you want **the one year on rezoning as well**. We can't get it on the GPA, but I think you gotta have a one-year time limit on the rezoning, as well. That way it expire the Resolution of Intent expires too.

MAYOR GOODMAN

Very good. All right. **That's the motion then.**

RONI RONEMUS

Okay, that's an amendment

MAYOR GOODMAN

Yes.

RONI RONEMUS

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

to condition number two.

COUNCILMAN REESE

Yes.

RONI RONEMUS

Is that correct, Margo?

MAYOR GOODMAN

Yes, a one year review.

MARGO WHEELER

Right, that would be a one-year expiration on the zoning, Item 70.

MAYOR GOODMAN

Okay, let's vote please. Post, motion carries. [UNANIMOUS] Seventy-one, please.

COUNCILMAN REESE

On the Variance 14342 make the motion for approval with all conditions.

MAYOR GOODMAN

All right please vote. Post.

COUNCILMAN REESE

And on

RONI RONEMUS

Councilman Ross, your vote didnt register. Thank you.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MAYOR GOODMAN

Carries. [UNANIMOUS]

COUNCILMAN REESE

On Item 72, I make a motion for approval with all conditions.

MAYOR GOODMAN

Thank you. Let's vote, please. Post. Carries. [UNANIMOUS]

COUNCILMAN REESE

And Item 73, Variance 14347. I would like to make a motion to strike that item.

MAYOR GOODMAN

All right. Let's vote, please. Post.

MARGO WHEELER

Okay.

COUNCILMAN REESE

That's the parking variance

MARGO WHEELER

Yea, I was just thinking for them to withdraw would then take it off (inaudible)

DAVID CLAPSADDLE

Either way is fine. Striking, I think would accomplish the same thing.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

Sorry, Margo.

MARGO WHEELER

Okay.

MAYOR GOODMAN

Theres been a motion to strike, let's vote.

RONI RONEMUS

Councilman Weekly, your vote didnt register.

MAYOR GOODMAN

Post, carries. [UNAIMOUS]

COUNCILMAN REESE

**And Item 74 is Special Use Permit 14 three 39. I will make a motion for approval
with all conditions as amended.**

MAYOR GOODMAN

All right. Thank you. Let's vote.

MARGO WHEELER

How, I'm sorry. What amendment, Sir?

COUNCILMAN REESE

Is there some on 74?

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MARGO WHEELER

Seventy-six will be the place, I believe to put them all especially the one you discussed with regard to the demolition. But since they well, may well not be exercising this SUP on the Mixed Use, immediately my thought would be to put it on the SDR.

COUNCILMAN REESE

Okay, that's fine. Okay, with all conditions then.

MAYOR GOODMAN

Okay, let's vote. Post, please. Motion carries. [UNANIMOUS]

COUNCILMAN REESE

And on eight, 75 make a motion with all conditions.

MAYOR GOODMAN

All right. Please vote. Post. Carries. [UNANIMOUS with Councilman Brown not voting]

COUNCILMAN REESE

**And Item eighty, 76 is Site Development Review 14, three 49, make a motion for
'proval with all conditions as amended.**

MARGO WHEELER

May I take try to sure we got them all?

COUNCILMAN REESE

Absolutely, please.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MARGO WHEELER

Okay, thank you. The change to condition number two, that the approval shall be for one year instead of two years with the rest of the language, and number two remaining. In number three, the development shall be in conformance with this submitted plans as shown in condition number three adding the phrase that a new site plan including ground floor restaurant use shall be submitted to provide parking to meet all Code requirements. So that will take care of the parking, Sir.

COUNCILMAN REESE

Is that, I want it in there though that they have, they gonna add one more level of parking.

MARGO WHEELER

Well, the issue. And that certainly may, but this would allow them, they either remove units or they add the parking.

COUNCILMAN REESE

I don't want them to remove the units. I want them to add the parking.

MARGO WHEELER

Okay, so to provide parking within an additional level to meet Code.

DAVID CLAPSADDLE

Will it increase in the parking garage height from six stories to seven

COUNCILMAN REESE

Yes.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

DAVID CLAPSADDLE

Mayor Pro Tem, accomplish the same thing?

COUNCILMAN REESE

Yes.

MARGO WHEELER

Well again, my concern is we noticed the floors, the stories of the buildings. We could not at this time

COUNCILMAN REESE

No, they're just

MARGO WHEELER

Approve additional stories

COUNCILMAN REESE

No, they're just gonna add one story of parking to what they, existing to what they have.

MARGO WHEELER

Right and that would have to be subterranean. It would not be able to add to the height of the buildings.

COUNCILMAN REESE

No, they're gonna have the sixth floors of parking and they're gonna have

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

STEVE GREGORY

We would add one additional above ground parking in the sixth story parking structure. So we would go from six to seven. That would not change the height of the two buildings that would have the condominiums.

MAYOR GOODMAN

You would have one less floor in your condominiums.

STEVE GREGORY

No Sir.

COUNCILMAN REESE

The parking garage is right there.

STEVE GREGORY

Since the parking garage is separate

MAYOR GOODMAN

Oh, okay.

STEVE GREGORY

We're talking separate.

COUNCILMAN REESE

We can't do that, Margo?

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

MARGO WHEELER

Well, the problem, Sir, is that generally when we notice a 14 story and a 17 story building. We do not allow them to go any higher than what was noticed

COUNCILMAN REESE

But this is the parking garage itself, though

MAYOR GOODMAN

It's a separate building

STEVE GREGORY

Its separate.

MAYOR GOODMAN

That's where I was confused. It's a separate building. The parking is separate from the condos.

MARGO WHEELER

No, its not.

DAVID CLAPSADDLE

The site plan, if I may, Your Honor.

MAYOR GOODMAN

Yes.

CITY COUNCIL MEETING OF
November 1, 2006

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

DAVID CLAPSADDLE

To Mayor Pro Tem and Director Wheeler. The site plan shows a number of level and a height of the parking garage. What we're suggesting is that we would just take one more level and add it to that, to accomplish what you want. Every level has a certain number of parking spaces to it. I can't remember what it is off hand. But we would add one more level with that number of parking spaces to make sure we are over parked.

MARGO WHEELER

Okay, then the language that I had that the new site plan, including ground floor restaurant use shall be submitted to provide parking within an additional level to meet Code requirements.

COUNCILMAN REESE

That be fine.

MARGO WHEELER

Okay.

COUNCILMAN REESE

That's great.

MARGO WHEELER

An additional condition that the property at seven-twelve 10th Street shall be demolished within thirty days. That during the construction of the project the applicant shall construct the parking garage as the first phase of the project to provide onsite parking for employees subject to the requirements of the Building Code. They need to be sure to meet that. That during the construction phase the applicants shall provide a contact person, email address

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

and telephone number to the Council Ward office and Planning and Development Department, as a 24-hour contact. That the hours of operation of construction shall be limited to 6:00 am to 6:00 pm. That a safety barrier to ensure the protection of abutting properties be constructed subject to approval of Building Code requirements. A shadow study shall be prepared and submitted to the Planning and Development Department prior to the commencement of construction. And then I'll take that the applicant shall work with a Parking Enforcement, or do you wanna try these?

BART ANDERSON

I can try it.

MARGO WHEELER

You got 'em

BART ANDERSON

I'll try it.

MARGO WHEELER

He'll try 'em.

BART ANDERSON

With the caveat that Parking Enforcement is not a part of Public Works and I can't commit them, here is what I'll take a stab at. Pursuant to Municipal Code provisions, provide a plan that can be approved by Parking Enforcement prior to the issuance of permits whereby any vehicles of contractors or employees associated with this development may be towed if they are parked along the street adjacent to property not owned by this applicant.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

Great.

BART ANDERSON

And I would defer to the attorneys to make sure that I'm not busting anything.

JIM LEWIS

No. Mr. Mayor Pro Tem, that sounds great.

BART ANDERSON

And I have not addressed the signalization that you had spoke to. Did you want that to be a condition, as well?

COUNCILMAN REESE

Absolutely, yes.

BART ANDERSON

How about, coordinate with the, okay, we need a one year after development?

COUNCILMAN REESE

Yes, after construction.

BART ANDERSON

How do we do that? Oh, well, yes

COUNCILMAN REESE

After completion.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

BART ANDERSON

Within one year after a Certificate of Occupancy is issued coordinate with traffic engineer to determine if additional signalization is required in the neighborhood as a result of this development. The developer shall be responsible for the total cost of all signalization required or recommended by the traffic engineer.

DAVID CLAPSADDLE

Through you, Your Honor

MAYOR GOODMAN

Yes.

DAVID CLAPSADDLE

We have no problem with that. We will after that, we will update our traffic study, bring it in, we'll sit down with your staff, what they tell us we have to do, we'll do.

MAYOR GOODMAN

And pay for it?

STEVE GREGORY

And pay for it.

MAYOR GOODMAN

Very good.

*CITY COUNCIL MEETING OF
November 1, 2006*

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

COUNCILMAN REESE

And I got one other condition. Construction staging access shall cause minimal disruption to the free flow of traffic along Charleston Boulevard, Gas, Garces, 9th and 10th Street.

MARGO WHEELER

If I may, that would be added to condition number 13 to further describe the comprehensive construction staging plan.

DAVID CLAPSADDLE

And Mayor Pro Tem that is the same condition we have placed on other projects of this nature, we're happy to except that.

COUNCILMAN REESE

Thank you. Any other conditions we need to add? Your Honor, that would be my **motion then for approval of Item Number 76 with all conditions as amended.**

MAYOR GOODMAN

All right. Thank you. Let's vote, please. Post. Okay, motion carries. [UNANIMOUS]
Thank you very much.

COUNCILMAN REESE

I just wanna thank everyone for their participation. I hope we see this project started within a year or two.

STEVE GREGORY

And I'd just like to say to the Council, thank you for your support and we hope to make this project a credit to the community at large. Thank you.

***CITY COUNCIL MEETING OF
November 1, 2006***

**COMBINED VERBATIM TRANSCRIPT - ITEM 69 [GPA-14325],
ITEM 70 [ZON-14338], ITEM 71 [VAR-14342], ITEM 72 [VAR-14345],
ITEM 73 [VAR-14347], ITEM 74 [SUP-14339], ITEM 75 [VAC-12884] AND
ITEM 76 [SDR-14349]**

(END OF DISCUSSION)

/sw; yy