

CITY COUNCIL MEETING OF
May 16, 2007
COMBINED VERBATIM TRANSCRIPT FOR ITEMS 73, 94 AND 95

Item 73 Discussion and possible action regarding the Parks Agreement between the City of Las Vegas and Kyle Acquisition Group, LLC, on approximately 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road (APNs 125-06-001-001 and 002; 125-06-002-001, 002, 003 and 009; 125-07-101-001 and 002; 125-07-201-001 and 002; 125-07-301-001 and 002; 125-07-401-001 and 002; 125-07-501-001 and 002; 125-07-601-001 and 002; and 126-12-000-001) Ward 6 (Ross)

Item 94 DIR-21605 - PUBLIC HEARING - KYLE ACQUISITION GROUP, LLC - Consideration and possible action regarding the Development Agreement for the Kyle Canyon Development on approximately 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road (APNs 125-06-001-001 and 002; 125-06-002-001, 002, 003 and 009; 125-07-101-001 and 002; 125-07-201-001 and 002; 125-07-301-001 and 002; 125-07-401-001 and 002; 125-07-501-001 and 002; 125-07-601-001 and 002; and 126-12-000-001), Ward 6 (Ross) and

Item 95 ZON-20543 - PUBLIC HEARING - APPLICANT/OWNER: KYLE ACQUISITION GROUP, LLC - Request for Rezoning FROM: R-E (RESIDENCE ESTATES) AND U (UNDEVELOPED) TND (TRADITIONAL NEIGHBORHOOD DEVELOPMENT) LAND USE DESIGNATION] TO: TD (TRADITIONAL DEVELOPMENT) on 1,712 acres at the southwest corner of Fort Apache Road and Moccasin Road (APNs 125-06-001-001 and 002; 125-06-002-001, 002, 003 and 009; 125-07-101-001 and 002; 125-07-201-001 and 002; 125-07-301-001 and 002; 125-07-401-001 and 002; 125-07-501-001 and 002; 125-07-601-001 and 002; and 126-12-000-001), Ward 6 (Ross).

Appearance List:

OSCAR GOODMAN, Mayor

TOM PERRIGO, Deputy Planning and Development Department Director

JAMES B. LEWIS, DEPUTY CITY ATTORNEY

BEVERLY BRIDGES, City Clerk

MARK FIORENTINO, Attorney on behalf of Kyle Acquisition Group, LLC

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STEVEN ROSS, Councilman

RICK GRACIA, Fire Marshall, Department of Fire and Rescue

LOIS TARKANIAN, Councilwoman

TOM McGOWAN, Las Vegas resident

JENNIFER TAYLOR, 8158 Hawk Clan Court

ALEX McKYTON, 9033 Big Plantation Avenue

EILEEN McKYTON

KENNETH CLERKE, 9104 Big Plantation Avenue, Las Vegas, Nevada

JEFF GREEN, 8916 Wolf Dancer Avenue

WENDY HEMMINGWAY WARM, 8920 Pine Mission Avenue

YALE YONDALE, Las Vegas resident

STEVE WOLFSON, Councilman

LARRY BROWN, Councilman

GARY REESE, Councilman

I hour 30 minutes

Typed by: Carmel Viado; Angela Crolli; Gabriela Portillo-Brenner; Lean Coleman

Proofed by: Lean Coleman, Angela Crolli, Vicky Darling, Carmel Viado

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MAYOR GOODMAN

All right. Item 94 is DIR-21605. Gonna be a public hearing. The Kyle Acquisition Group, LLC, consideration and possible action regarding the development agreement for the Kyle Canyon Development on approximately seventeen hundred and twelve acres at the southwest corner of Fort Apache Road and Moccasin Road, Ward 6.

And Item Number 95, ZON-20543. Also a public hearing. Same applicant/owner. Request for a rezoning from R-E (Residence Estates) and U (Undeveloped) TND (Traditional Neighborhood Development) Land Use Designation to D, TD (Traditional Development) on seventeen hundred and twelve acres at the southwest corner of Fort Apache Road and Moccasin Road. This is in Ward 6. Mr. Perrigo.

TOM PERRIGO

I think Mr. Lewis is

MAYOR GOODMAN

Mr. Lewis.

JAMES LEWIS

Mr. Mayor, there was a park agreement on the morning agenda. Wed also like to have that read into the record

MAYOR GOODMAN

Which is that?

BEVERLY BRIDGES

Number 73

JAMES LEWIS

That is Item 73, Sir.

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MAYOR GOODMAN

All right. Ill read that.

JAMES LEWIS

And

MAYOR GOODMAN

Seventy-three is discussion and possible action regarding the parks agreement between the City of Las Vegas and Kyle Acquisition Group, LLC, on approximately seventeen hundred and twelve acres at the southwest corner of Fort Apache Road and Moccasin Road in Ward 6.

JAMES LEWIS

And Mr. Mayor, and Ive talked a lot and I, if I can just ask one more favor

MAYOR GOODMAN

Certainly.

JAMES LEWIS

When were done with the item and this Board is going to vote, could we vote on the park agreement first

MAYOR GOODMAN

All right.

JAMES LEWIS

the development agreement second

MAYOR GOODMAN

All right.

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JAMES LEWIS
and the zoning third.

MAYOR GOODMAN
Fine.

JAMES LEWIS
Thank you, Sir.

MAYOR GOODMAN
Mr. Perrigo.

TOM PERRIGO
Mr. Mayor, members of the Council, Tom Perrigo, Planning and Development Department. A lot of what I was gonna talk about has already been covered this morning, so Ill try to keep my comments to the things that we havent talked about which is some of the details of this community. First off, Id like to say that the design guidelines and the development agreement before you do meet all the requirements of traditional development zoning in Title 19. Additionally, this is, as been said before, one of the most comprehensive planned projects youve ever seen before you. A lot of thought and detail has been put into this particular project and more participation from a cross-section of the departments that I think any other master plan that weve done before. The reason for that is because of the resolution that was adopted back in 2004 set out a path for a new type of development thats taken an enormous amount of effort and I think what were delivering today meets those expectations.

MAYOR GOODMAN
Yes.

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TOM PERRIGO

So I will skip directly to some of the details within the plan. The plan and the development agreement provide for safety, for fire safety by sprinkling all units. We've heard that before. That's the first time in the City of Las Vegas. Contributes one million dollars towards a fire station. Contributes two hundred eighteen dollars per unit towards a Metro station. Provides for over two hundred eighty four acres of parks, trails, transit and schools as follows: ninety-three acres of active recreation areas, twenty-two of which are part of the open space arroyo system, fifty acres of preserved open space natural areas, seventy-two acres for one elementary school, one middle school and one high school, eighty-nine acres of landscaped common areas and trails, and two point five acres for transit center. The plan also calls for ten million dollar contribution to an overpass of Kyle Canyon Road.

The community design lines, community design guidelines include provisions for connectivity and walkability. Houses must front or side onto all neighborhood or village streets. Dominant features of a typical street scene are trees and landscaping that separates sidewalks from cars. Architectural features on the front of the homes that include balconies, porches and courtyards, deemphasizing garages. They have to be setback from the front of the house. All of this creates a very pedestrian-friendly environment. A diversity of product types is required with different elevations, colors and architectural features. Block lengths will be considerably shorter than typical, and there are required pedestrian and auto connections between builder pods. There's a limit on the number of cul-de-sacs and each cul-de-sac must end with a pedestrian connection to a trail or an adjacent street. There's a limit on the number of gated communities. All homes will be within a quarter mile of a park or open space. And there's a requirement for a mixed-use village.

Green building is a major component of this program. The standards that were prepared or the resolution was adopted, obviously prior to the recently adopted green building program, so we worked towards a plan that's very consistent with the green building program and, in fact, these standards achieve approximately ninety percent of what the green building standards require. And additionally, all sixteen thousand homes are required to be built to the Southern Nevada Water Authority WaterSmart Home standard.

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We believe that this, these provisions meet the expectations of the resolution and that the documents meet the requirements of the traditional development zoning in Title 19 and staff recommends approval. There are a couple of, I handed out a sheet with, I believe, about six or seven amendments to the design guidelines and development agreement and with that, staff would recommend approval. And I believe the applicant wants to go over the plan as well.

MAYOR GOODMAN

Very good. Thank you, Mr. Perrigo. Its okay. Everything is all right.

MARK FIORENTINO

Good afternoon. Oops. Good afternoon again, Your Honor, members of the Council. Thank you again for your time on the previous matter and for your time to consider this plan today. My name is Mark Fiorentino. I represent the master developer. I will be very short. I think we prefer to answer your questions and address issues that you may have. I really do think we need to sincerely thank and honor your staff for the amount of time and effort that they put into this project

MAYOR GOODMAN

No kidding?

MARK FIORENTINO

It has been an extremely collaborative effort, an extraordinary amount of time and dedication making this everything that you envisioned when you adopt the resolution and more. You, people represented from every department in the City, the Managers Office, the Public Works Department, the Planning Department, the Parks Department, the Building and Safety Department, the City Attorneys Office, the Clerk Department, I mean, every department in your City has spent a substantial amount of time making sure they were coordinating together and coordinating with us to make this the master plan that you envisioned. And they really desire a tremendous amount of credit for that.

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Throughout that whole process, it has always been, you need to know this, Your Honor, a courteous and professional advocates for the City. We have a plan that we both support, were both very proud of, but thats because they did their job and they did it in a very professional and courteous manner. They deserve a tremendous amount of credit.

MAYOR GOODMAN

Well, thats why I turn to Ms. Fretwell, to ask her opinion, because I know how much effort shes put in and supervise the other City employees, as far as reaching this end result.

MARK FIORENTINO

Very brief summary of the plan thats in front of you. The yellow areas, there are essentially three land-use categories shown on this plan. Let me take that back. There are four land-use categories on the plan. The green and blue make up one of them, those are the public facilities. As your staff pointed out, theres a high school site, a (sic) elementary school site, a middle school site, a transit site, thats very important. We agreed to dedicate at no cost to the RTC land sufficient for building a transfer station for whatever ultimate public transportation route they have out here. The green on the plan indicates open space and parks. Wherever you see community or CC on one of the parks, that stands for community center. That is a substantial difference between this plan and others that Ive seen. Every one of those parks will have a community center and a pool which, obviously, is more expensive to build than the traditional open space and parks that youve seen before. The dotted lines on the plan are trail and walkway systems that tie the whole projects together. The yellow color is the neighborhood residential. Obviously, neighborhood residential dominates the plans on the plan on both sides of US 95. The overall density in those yellow areas, this is very important, Your Honor, is not substantially different than what youve approved in other master plans in the community. They are almost identical to it, for example, to the overall average density in that yellow area, to the Providence Master Plan community south of this.

The other two colors on the plan are the urban mixed-use. This is intended to be, provide a mixed-use environment but more in the neighborhood commercial realm where were mixing potentially some commercial with housing, but its less than, intense than what you would see in the brown. The brown depicts what was very important in the resolution and the process that led up to it which was to create a town center environment here thats more mixed, that is also mixed-use, but more intense in terms of both its uses and its density. And so thats what the brown is on the plan. Again, all tied together with a very systematic, sophisticated, integrated system of roadways and open space components.

This green right here, I think, is substantial and merits particular attention today. Those are natural arroyos that we are going to preserve, instead of filling them in and developing over the top of em, and build into the (inaudible) open space plan. This doesnt quite show it, but this is more than just open space. Its usable, especially at the top. There are pocket parks and trails built all the way around it. And so that was a key component of your resolution and it was a key component of what went into the overall design of this master plan. Im sure youre gonna have numerous questions and there may be issues to address, but were happy to handle it in every, any way that you want us to, Your Honor.

MAYOR GOODMAN

Okay. Do the arroyos have water in em?

MARK FIORENTINO

No.

MAYOR GOODMAN

Well, those are dry beds, is that it?

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MARK FIORENTINO

They are dry beds.

MAYOR GOODMAN

But theyre natural.

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MARK FIORENTINO

They are natural. Public Works will probably correct me if I'm wrong, I think during certain rain conditions they do carry water, but the vast majority of the time, they are dry.

MAYOR GOODMAN

When do you think that this project will be begun, as far as the first structures on it?

MARK FIORENTINO

We're gonna begin the infrastructure components of it, the roadways, certain roadways and public facilities like flood control protection within the next six months.

MAYOR GOODMAN

Where will you start?

MARK FIORENTINO

Start building houses?

MAYOR GOODMAN

No. Where will you start building on the property?

MARK FIORENTINO

That kinda depends. It may begin here because this part of the project can vary, this is a very generalization, but can rely on the infrastructure, this is Providence Master Plan right here, so it can rely on an awful lot of the infrastructure that's already existing for Providence. Here you have other flood control issues, but if we can work out some of the timing issues, you will see, if we get the perfect world for us, development on both sides of the highway happening at the same time.

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MAYOR GOODMAN

And when do you think that the entire build out will be completed?

MARK FIORENTINO

Depends on the market conditions. I would suspect that it is probably no sooner than eight to ten years.

MAYOR GOODMAN

Do you think it will be that fast? Thats a lot of property.

MARK FIORENTINO

Maybe I should have said fifteen to twenty years, no

MAYOR GOODMAN

Well, its a lot of property.

MARK FIORENTINO

Remember I said no sooner than eight to ten years. It may take longer and it probably will take longer.

MAYOR GOODMAN

Do you have any idea what the price range of the residences in the development will be?

MARK FIORENTINO

No. Other than to say they will have a, you will have, and that was a key component of the resolution and what is before you today, a complete diversity in housing types ranging from single family homes to condominiums to apartments. So theres going to be available housing for every demographic that exists in the City.

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MAYOR GOODMAN

All right. Any other questions from the Council? Councilman Ross.

COUNCILMAN ROSS

Mr. Perrigo, would you approach the microphone there for a minute? I just wanna go over a couple of highlights here. And I too, Mr. Fiorentino, wish to express my appreciation to the City staff and all the departments involved here. This has been long and arduous to get to this point. This is by far the most comprehensive and best development agreement that this City has ever created, am I correct, Mr. Perrigo?

TOM PERRIGO

Yes, Sir. Thats my opinion. Weve, we did a tremendous amount of study when we went into this, of all the past development agreements with all the departments and said, lets, this time fix everything that we didnt like about the previous ones. And the result is a very detailed and comprehensive set of documents.

COUNCILMAN ROSS

And likewise, Mr. Fiorentino, your team also needs to be congratulated. To get to this point, many hours on both sides were spent getting to this point, not only with the beltway issue, but with all the rest of these issues. I have, in my hand and for the residents of Ward 6, a stack of emails, a stack of letters, a stack of concerns and a stack of questions and I need you both to stand there while I kinda highlight a couple things. And Mr. Perrigo, you already have, and Im gonna do it again. Mr. Fiorentino, you have, but Im gonna do it again for the benefit of those in the community. I have received many letters and emails talking about the Kyle Canyon project. Although there has been a lot, and Im gonna emphasize, a lot of misinformation, my focus has been on listening to the elements of the plan that were of concern to you, my residents in Ward 6. Someone suggested there wasnt any public safety issues addressed in this agreement and I tend to disagree. This is the only project that is requiring funding for the Centennial Hills police substation. Of course, our efforts to provide more police officers in the northwest continues. Every building, as someone mentioned earlier, and I think as Mr. Lewis mentioned, every building, not only commercial building (sic), every house, condo and apartment will have a sprinkler system in it. I cannot tell you how paramount that is for our fire and safe, fire and rescue teams. I cannot tell you how important that is for our own public safety. That was huge, Mr. Fiorentino, and I know you guys recognize that and I appreciate the

MARK FIORENTINO

Took us six months to get over that

COUNCILMAN ROSS

I know the

MAYOR GOODMAN

Councilman Ross

COUNCILMAN ROSS

Your Honor.

MAYOR GOODMAN

With your permission

COUNCILMAN ROSS

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Please.

MAYOR GOODMAN
Im gonna interrupt you

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COUNCILMAN ROSS

Please.

MAYOR GOODMAN

because I asked Chief Gracia to be here today because I asked the question during our briefing yesterday cause I really didnt understand what these sprinklers meant. And I, Id like him to give us a one minute description on this

COUNCILMAN ROSS

That would be great, Your Honor.

MAYOR GOODMAN

because its phenomenal. What this basically does, folks, is it alleviates from fire and rescue the responsibilities of really spending any serious time on any kind of fires out there. Theyre going to be able to concentrate their time on emergen, emergency medical treatment as a result of these sprinklers. Can you tell the folks what these sprinklers do?

RICK GRACIA

Yes, Your Honor. For the record, Im Rick Gracia, Fire Marshall, Department of Fire and Rescue. And just to be brief, were really excited about the opportunity to have an entire community with built-in fire protection for our residents. What happens is we have a passive fire response right now. Its by luck of the draw if we get notified in time. We start traveling. Theres many other factors in route that will affect our response time and that whole time fire is intensifying and its growing and its destroying. In many cases, most of our fire fatalities are in homes. By virtually having built-in sprinkler systems, we anticipate that our fire response in this community, will not only be more effective, but itll change. The work load will change because itll, the sprinkler system in most cases are (sic) gonna put out the fire, were gonna have to clean up, but more importantly were gonna be able to have reduced cost to response in those particular cases.

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MAYOR GOODMAN

As I understand it, the sprinkler actually, water cascades down and puts out the fire.

RICK GRACIA

Its the most efficient technology currently available to suppress fire. It uses far less water. Its dispersed (inaudible) stage. Its virtually full proof and the results in other communities have residential sprinkler (inaudible) are remarkable.

MAYOR GOODMAN

All right. Thank you very much. I hope you didnt mind my interrupting you.

COUNCILMAN ROSS

No, Im actually grateful, Your Honor, that you asked the Fire Marshall to come up and speak on that. Good thinking. I, Im glad you were here. Thank you.

MAYOR GOODMAN

Thank you.

MARK FIORENTINO

Your Honor and Councilman Ross, I wonder if I can amplify that point for just one second, talking about the benefits that your team negotiated on behalf of the City. Not counting the cost that the Fire Marshall just indicated to you, in savings to the City, this is approximately a forty million dollar cost to Kyle in just the construction cost to have the sprinklers in there. Its a very big deal.

MAYOR GOODMAN

It is.

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MARK FIORENTINO

Very big deal.

COUNCILMAN ROSS

We arm wrestled at great length, Your Honor. And fortunately Im a little bigger than Mr. Fiorentino is.

MARK FIORENTINO

I always lose those arm wrestling matches.

COUNCILMAN ROSS

No, and the Fire Marshall knows this and my colleagues know this, and staff is probably tired of hearing about, fire stations in the northwest. But Ive got to emphasize with forty-eight being built soon, forty-nine coming on line right after that, the Focus Development Group is also contributing one million dollars to an additional fire station in the northwest, which is definitely gonna be needed because of the growth.

Schools and the communications that have gone out to my com, to my residents and my constituents, talked about no schools. Mr. Fiorentino, you got that map, can you put that map back up there on the overhead and point those schools out for me again, please.

MARK FIORENTINO

Theyre on the overhead here. Can you see

COUNCILMAN ROSS

Yeah, theyre there.

MARK FIORENTINO

The schools are, this is a high school site, elementary school site and middle school site. This is existing dual elementary schools, but the new school sites are here, here and here.

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COUNCILMAN ROSS

Definitely necessary and I appreciate the Focus Development Group working with the school district in regards to the needs that are gonna be out there and with the City staff.

Scherkenbach/Bilbray, high priority on my list of concern; number one, traffic and children running around there. There's two sides of that development that are approved, improved right now. This will finish the improvements around Scherkenbach and Bilbray. This will alleviate the necessary flood control issues that those two elementary schools have been faced with. And I'm looking forward that infrastructure, Mr. Fiorentino, being taken care of there for the benefit of our moms and dads picking their kids up and dropping them off.

Open space, somebody wrote me letters said were not addressing enough open space and I think, Mr. Fiorentino, Focus Development is providing two hundred and eight-two acres, and correct me if I'm wrong, Mr. Perrigo, two hundred and eighty-two acres of open space and you're only required to provide two hundred and forty-five acres. Am I correct?

TOM PERRIGO

That's close, Councilman. The two hundred and eighty-two acres what's being provided for open space, parks, trails, schools, all of that. So, you are correct they're providing that and that, all that was expected, the resolution for all of that was two forty-five.

COUNCILMAN ROSS

Okay. And here's one of my favorites, and, if I can find the other notes, the Focus Development will be building the soccer/lacrosse fields next to Bilbray Elementary School first. Am I correct, and I have a note here, something about within a hundred and eighty days, Indian Hills Park?

MARK FIORENTINO

Yeah, the way our, Councilman Ross, the way our Development Agreement works is, if the City does its part, it will, that will definitely be the first park to be built and likely be built before we have any houses in the ground at all.

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Let me explain what I mean by the City doing its part. You have to finish the design. You, youve done a part of the design, you need to finish it, as soon as you give us the finished documents, we have a hundred and eighty days, I think, to finish the park. Or is it to start?

COUNCILMAN ROSS

And I bring that up cause that

TOM PERRIGO

To start.

MARK FIORENTINO

To start.

COUNCILMAN ROSS

cause that was a huge priority to get more parks built out as quickly as possible. You committed to it I'll work with the City staff to make that happen so we can get that going.

MARK FIORENTINO

I kind of muddied my answer, let me go back to the beginning of the answer, 'cause I think that what's most important is, it will be the first park that will be built and it will be built ahead, in all likelihood, of any of the homes in our development.

COUNCILMAN ROSS

Of anything else.

MARK FIORENTINO

Of any of the homes that are involved.

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COUNCILMAN ROSS

Of the homes in the

MARK FIORENTINO

Probably not ahead of some of the roads, but

COUNCILMAN ROSS

You're also gonna build a ten-acre little league baseball park. I don't think the residents know that, and some of them did read the developer agreement.

MARK FIORENTINO

Is it ten or fifteen.

TOM PERRIGO

Twelve.

COUNCILMAN ROSS

Are you aware of that, Mr. Fiorentino?

MARK FIORENTINO

No, I am. Its more than ten acres.

COUNCILMAN ROSS

Is it more than ten acres?

MARK FIORENTINO

Yes , we are building a little league baseball complex, approximately, let me get you the right map

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COUNCILMAN ROSS

And , while youre looking for that, its important that everybody understands

MARK FIORENTINO

(inaudible)

COUNCILMAN ROSS

we really worked hard in making this a great community. We took that blank pallet, and we painted it the way we think this community should be built. Focus Development stepped up to the plate. They said yes, they said no; we said yes, we said no, and were here today with some great amenities for this community. You have that park picture up there?

MARK FIORENTINO

Hes, his pen is pointing at it.

COUNCILMAN ROSS

His pen is pointing at it. Okay, theres the baseball fields. More soccer/lacrosse fields, more baseball parks. The protection of the arroyos, very important to a lot of environmental folks out there who like hikin the trails and taking part of that in their lives. I wanna point out, theres thirteen parks on this, in this community, that the developer is building. There are five community centers. And, Mr. Fiorentino, theres a swimming pool at each community center?

MARK FIORENTINO

Yes.

COUNCILMAN ROSS

What a great asset in a community. This also, folks, I need you to understand, this is one of the only developments that came in with a traffic study when they didnt have to have it yet. So, we actually have a traffic study, have the traffic study for this entire project. The Kyle Canyon group is going to spend ten million dollars on the Kyle Canyon Overpass. And you wanna elaborate on that, Mr. Fiorentino, any, or youre just gonna

MARK FIORENTINO

Maybe just a little. Its more than just the overpass. Its the inner improvements thatll both provide an overpass and improve the ramps on and off of US-95 from Kyle Canyon.

COUNCILMAN ROSS

On both sides.

MARK FIORENTINO

So, it benefits not only your resident, but everybody who uses and lives on Mt. Charleston as well.

COUNCILMAN ROSS

Thats perfect, because those folks, and you know where a number, where, a main concern of mine, early on in our discussions, and I shared that with you two years ago, about this. Weve already recognized in the Master Streets and Highways Plan that theyre required to build out the roadways, the street networks, including Fort Apache, Horse and Hualapai. The transit facility, Mr. Fiorentinos already mentioned. A lot of concerns about a casino, and Im gonna let you point back around where that casino area is, Mr. Fiorentino, so we could talk about that for a minute.

MARK FIORENTINO

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Well, first, obviously, there is no casino in front of you today. There is

COUNCILMAN ROSS

You dont have a real project right now, do you?

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MARK FIORENTINO

We have a proposed area where we think the casino should go and how it would anchor the Town Center, and so forth, but the development agreement doesn't obligate you to make any decisions on any gaming or, it only recognizes that we will file. And there will be public hearings about that. I've already committed to you, and I committed publicly at the Planning Commission, I took down the names of the people who were interested, that we will invite them in and show them the proposed plans before it ever goes to any hearings.

But, if we do a casino, and when we present it to you, it will be in this area here, which will be under what is gonna be the new, or near, I shouldn't say under, the new Kyle Canyon Interchange. So, it's tucked up on the, in the northwest area of the plan. It is entirely west of US-95.

COUNCILMAN ROSS

And that was important to point out, Mr. Fiorentino, because, in a lot of the communications I received, folks think we're gonna let a casino be built right next to the elementary schools. And, that, that's just an absolute falsity, and I want folks to understand that.

MARK FIORENTINO

It is false.

COUNCILMAN ROSS

Now, this is across the highway. This is very far away, out in the desert, next to the proposed on and off ramps, basically, where the new Mountains Edge Parkway is gonna be.

And this case, if they do propose a casino, Mayor and Councilmembers, they'll have to bring it back to us. This is something that will require more public meetings, more public input and have to come back before this Council. And, I believe, that should this come back to us, Mr. Fiorentino, you must notice within twenty-five hundred-foot radius?

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MARK FIORENTINO

Under state law, yes; that is correct.

COUNCILMAN ROSS

Under state law, not our own local laws; the state law?

MARK FIORENTINO

Yes. The state law is more aggressive than your code. In other words, it requires a broader notification, so it will be twenty-five hundred feet from the casino site.

COUNCILMAN ROSS

All right. I wanna address, and bear with me, Im almost finished, I appreciate your patience, the mixed-use area. The area before the zoning is PC-D, and a lot of my constituents out there dont quite understand that PC-D already allows apartments, condos, single-family homes. The zoning allows for all the same things that youre asking for in these, in this developer agreement. Based on resident concerns from past meetings, there have been several meetings. Do you have a list of those dates, Mr. Fiorentino, in regards to those meetings?

MARK FIORENTINO

Actually, I think Mr. Perrigo does.

COUNCILMAN ROSS

Mr. Perrigo

MARK FIORENTINO

I know I was involved in some and he in others

COUNCILMAN ROSS

Mr. Perrigo, would you provide that with us, for the public record.

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TOM PERRIGO

I gave it to, Im sorry, Coun

COUNCILMAN ROSS

And, while youre looking for that, those public meetings, the residents, this was the residents concern out of those public meetings that there be single-family homes, as well as other homes in that mixed use area. And, Mr. Fiorentino, you guys did that. That was addressed in this interlocal a, or in this developer agreement.

The residents asked that there be more neighborhood meetings. And, Mr. Fiorentino, I think as you move along, if its not, anything different varies from that DDA, this developer agreement, youll have those meetings, as required.

Now, Mr. Perrigo, you see those, its kinda hard to read from a monitor, but if you could read some dates.

TOM PERRIGO

Yes, Sir, Councilman.

COUNCILMAN ROSS

Now thats looking better.

TOM PERRIGO

Yes. For the GPA that created the traditional neighborhood development designation, there was a neighborhood meeting in October of 05, Planning Commission meeting October of 05 and City Council in November of 05. For the Kyle Canyon GPA, the changed land use from PC-D to TN-D, there was a neighborhood meeting in October of 05, Planning Commission in October of 05, then the item was abeyed from the November of 05 City Council and approved at the December 05 City Council.

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Then there was the TN-D ordinance that created the TD zoning, and that went to Recommending Committee in December of 05, Planning Commission January of 06 and City Council January of 06.

COUNCILMAN ROSS

With that, there were other meetings.

TOM PERRIGO

Thats correct. Have to pull over here to read it, Sir. There was an information fair in May of 06. There was another information fair at Thompson Elementary School. Im sorry, May of 06 there was an information fair at Scherkenbach. In November of 06 an information fair at Thompson Elementary. There was a presentation to Lower Kyle Canyon Citizens Advisory Committee in November of 06. The mountain, the Mt. Charleston Town Board presentation was made November of 06. There was a Kyle Canyon neighborhood meeting at Cadwallader in December of 06, and another information fair at Lied Middle School in April of 07.

COUNCILMAN ROSS

So, as my residents have sent me emails and letters and phone calls saying they knew nothing about this, and it just snuck up on em, its important to know this has been in the works for almost three years, literally, to get to this point. In my information fairs, and, Mayor, for your benefit, and my colleagues, my info fairs, we sent out a ton of invitations to those, and we invite developers who have significant projects in Ward 6 that will impact our neighborhoods, so neighbors can get the information they need directly from the developer. Like it, dont like it, they get to tell em right there, and its a great format; its working very well. But I wanna point out. I sent out my first info fair at Scherkenbach Elementary School, almost fifty-six thousand notices. The second one at Thompson Elementary School, almost forty-five thousand notices. My third one at Lied Middle School, almost forty-five thousand notices went out to residents of Ward 6 to be at these info fairs to address these concerns with this developer. So, when I hear that, Im a little hardpressed to buy into it.

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My definition of smart growth and protecting families, since several of these notices came referring to my campaign and the way I feel about our neighborhoods, it , is to make development responsible for roads, schools, parks, police and fire, and this has absolutely been accomplished by this developer agreement. This developer agreement enhances the quality of life, not only for the existing residents over in the Spring Mountain area, but for the new residents that are gonna buy homes and enjoy the amenities of this fabulous community in Ward 6.
Thank you, Your Honor. With that, Im gonna follow

MAYOR GOODMAN

We have to have public comment.

COUNCILMAN ROSS

Okay.

COUNCILWOMAN TARKANIAN

Mr. Mayor?

MAYOR GOODMAN

Yes.

COUNCILWOMAN TARKANIAN

Could I ask Councilman Ross a question?

MAYOR GOODMAN

Certainly.

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COUNCILWOMAN TARKANIAN

With all this wonderful thing, things that you have here, Councilman Ross, if I could just ask for a little more frosting on the cake, and ask, on these swimming pools that are going into the community centers, I believe you pointed out two of them, would they, would one of em be covered? Could you do that? And I say that because I know the residents in your area will need a covered pool, and I know we dont have enough places to practice swimming in this area of the desert, which we should have.

MARK FIORENTINO

Your Honor, Councilman Ross, Councilwoman Tarkanian, as you listen to public comment, I will go back and, cause, the standards that you developed for each one of these are very, very detailed. Ill go back and look and see whether they, we were planning on covering them, and try to get you an answer to that.

MAYOR GOODMAN

(inaudible)

COUNCILWOMAN TARKANIAN

And, you know, this is up to Councilman Ross, of course, but I just know that great need, and I know that we are finally being able to do something in another ward. And we, it would be wonderful if its not after the fact; its when its being built. It would cost less money, and everything. Thank you.

MAYOR GOODMAN

All right.

COUNCILWOMAN TARKANIAN

Mr. Ross.

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MAYOR GOODMAN

Okay. This is the time for the public comment.

TOM McGOWAN

Im coming up,

MAYOR GOODMAN

Were gonna have a two-minute timer on, Bev, or else well never get anybody out of here.

TOM McGOWAN

Tom McGowan

MAYOR GOODMAN

Well, if you have a need to speak more than two minutes, ask me, and Ill give it to you, but

TOM McGOWAN

You can have one of my minutes; Ill only use one

MAYOR GOODMAN

No. Im not talking to you, Sir. Im, I saw a look at a scans at somebody who said they needed more than two minutes, so, if you need it, ask for it, please. But Id like to try to set the tone here. So many people have been waiting here for other matters all day long, and this has taken up an ordinate amount of their time. Were here to serve, but I wanna take care of their issues as well.

TOM McGOWAN

Tom McGowan, Las Vegas resident, my compliments to ward representative of Ward 6, Steve Ross, and staff and the developers, with one qualifying reminder. In the cause of understanding, Ward 6 is the newest ward; is that correct? So, its practically a new world. You have room to develop. This is by no means infill; is it? So, we expect that and much more from you, because you have that advantage. And now, let me ask, (inaudible) back to your presentation, as you very eloquently delivered, has the traffic (inaudible) read the traffic report, or is that something you hope they will find to their liking when they arrive? Is that the way it is? Okay. Fine. Now, the serious question, really, what implications of the green buildings element, how will that affect the tax revenue necessary for other projects community wide in the future

MAYOR GOODMAN

We dont

TOM McGOWAN

We know theres an advantage

MAYOR GOODMAN

We dont know the answer to that. Thats something (inaudible)

TOM McGOWAN

No, you dont. So remember one thing, that a lot of this is on the if come. I havent seen a picture of one house yet, but Im sure it will be beautiful. The question is will it be that when its completed, so lets not count the chickens too quickly because you may be very busy explaining it later. Thank you.

MAYOR GOODMAN

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Yes, Maam.

JENNIFER TAYLOR

Mayor Goodman and City Council, again, my name is Jennifer Taylor. My address is 8158 Hawk Clan Court, and I am gonna ask you for more than two minutes. I have a statement, and I would like to be able to read it

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MAYOR GOODMAN

Thats fine.

JENNIFER TAYLOR

in its entirety.

MAYOR GOODMAN

Thats fine. Im just trying to help these other folks here

JENNIFER TAYLOR

I understand that, Mayor Goodman, but we spent an awful lot of time with the members of the public who had concerns

MAYOR GOODMAN

Take your time.

JENNIFER TAYLOR

about their land in 93.

MAYOR GOODMAN

Take your time.

JENNIFER TAYLOR

Item 93.

MAYOR GOODMAN

As I said, Im just trying to get this

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JENNIFER TAYLOR

Fair enough

MAYOR GOODMAN

so we can

JENNIFER TAYLOR

and Ill hurry. Im here as a member of Northwest Residents for Responsible Growth. Councilman Ross is aware of our group. He, as he showed you, we received countless emails from concerned citizens who may not necessarily understand the process. Despite the discussions that youve had about the number of meetings youve had, this is very technical, complex type of information going to residents. And to just say, well we had information fairs, etcetera, is not necessarily sufficient to provide adequate knowledge and a comprehensive understanding of whats really gonna happen in Ward 6 with this Kyle Canyon Agreement.

The neighborhoods and families of Ward 6 are trusting in you, Councilman Ross, and Mr. Mayor, and the remainder of the Councilmembers to take a moment to consider our concerns and our issues and not just focus on the benefit to Focus Group and the perceived benefit to the City.

Councilman Ross, in your campaign statement, we did go back to your campaign statement, and you said "The neighbors must be listened to when a development can change a neighborhood."

This development is absolutely gonna change the neighborhood, not just of the west side of the freeway; not just of the Spring Mountain Ranch HOA, but far and well into Ward 6. I live at the base of Tule Springs, and it will have a huge impact on me from a quality of life issue with whats proposed here.

Accordingly, all we are asking is that these two items be held for seventy-five days to allow the neighbors to be truly involved in the final version of the Kyle Development Agreement. This has been going on, as youve said, for a number of years. Mr. Fiorentino represented that there would not be any development out there for six months. Weve heard representations from Councilman Ross office that there wouldnt be any building for two years. So theres really no prejudice in granting our request to hold this for seventy-five days to allow the neighbors to fully understand whats going to be included in the development agreement. And additionally to allow Focus Group to fully and finally develop it because at Planning Commission, they admitted and there are not any development standards for the Town Center area or for the urban mixed use area.

Theres no prejudice to Focus versus the huge prejudice that the neighbors face if were not allowed to have some input, information and understanding. The main issues that are group has (sic) with the development agreement, and with all due respect to Mr. Lewis, the City may have wanted this type of a neighborhood, and the City may have wanted this type of development, but I think youll find that if you talk to the residents of Ward 6, this is not the type of community that they necessarily understand, want or contemplated. Their grave concerns about certain issues that have never been really addressed and have changed as Focus Group has developed this project. And they havent provided that same information to the citizens.

First of all, this is not smart growth. Allowing the development of sixteen thousand new residents in the inclusion of potentially more than fifty thousand residents does not take into account the fragile nature of our community and does not protect the character of the northwest. At some point, the development agreement, or the proposal was for twelve thousand units. Id be curious to know what point and why and what it was that Focus, or the City perceived Focus traded for an additional four thousand units. Here is a chart that we have created, and it shows theres a substantial larger amount of density in Kyle Canyon than in Providence, one of the neighboring communities, and then in Mountains Edge, which is Clark County. The members of the Clark County Commission only allowed a certain number of units per acre, which is much lower than what theyre proposing here. Henderson, Mayor Gibson, made them drop their density for Inspirada, and the same with North Las Vegas, Park Highland, that density is substantially lower

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than what's being proposed here. This is an extraordinarily greater amount of density than in all these other Focus Group projects.

The Kyle Canyon Agreement contemplates an entitlement to a casino as the centerpiece of the Town Center area of Kyle Canyon community. We request that this casino entitlement be eliminated as part of this development agreement.

Councilman Ross, in your campaign, you stated "No neighborhood should be dominated by a huge high rise casino." At a hundred and sixty feet as the proposed maximum for the Town Center, that is exactly what the Kyle Canyon development will be. A neighborhood dominated by a huge high rise casino. Please know, and you've all heard from my colleague, Lisa Mayo, you all need to understand that if you allow this to go forward with the entitlement for gaming, we will avail ourselves of the rights in NRS to appeal any inclusion of the gaming entitlement in the development agreement.

There's been a lot of information. There's been a lot of touting and boasting about the extent of the parks and open spaces in this community, but in all reality, it's six percent of seventeen hundred acres. Six percent, and again, I have a graph for that. Here's the parks, again, here's the parks for Kyle Canyon Gateway per acre. Is that right, Eileen?

ALEX McKYTON

Yeah.

JENNIFER TAYLOR

Is this your chart?

ALEX McKYTON

Yeah. If you look in the email that I sent to the Council, you'll see, these basically up-to-date. Okay. This was done.

MAYOR GOODMAN

You have to identify

ALEX McKYTON

two weeks ago.

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MAYOR GOODMAN
yourself for the record.

ALEX McKYTON
Oh, Im Alex McKyton, 9033 Big Plantation Avenue.

JENNIFER TAYLOR

And youll see again, that the amount of open space and parks in Mountains Edge is far greater than whats being contemplated and allowed and permitted in Kyle Canyon. Inspirada, which is in Henderson, also provides for substantially greater open parks and, open space and parks, as does Park Highland in North Las Vegas. So we would ask that you consider what it is that youre really negotiating with Focus Group about. This, we do not believe is a good deal. We dont believe that this is really sufficient amount of open space.

Finally, or no fourth, sorry, the height of the structures contemplated in the Kyle Canyon Development Agreement for the Town Center urban mixed-use areas are excessive. They call for a hundred and sixty feet at, in the Town Center and eighty feet in the urban mixed-use areas.

Allowing structures of this height, and heres a comparison chart showing the proposed, hotel or casino or building at a hundred and sixty feet, apartments at eighty feet, and then your typical suburban homes. Allowing structures of these heights will forever and detrimentally affect the characters in Vistas of the northwest and the entrance to Kyle Canyon. And again, these are areas, this potential height of eighty feet is something that could go right next to Bilbray and Scherkenbach Elementary school in that urban mixed-use area where no design standards and no plans have been presented.

Although there have been plans called out for fire safety facilities and police facilities, the reality is Focus can say that theyre paying for this, but Id be very curious to see whether or not those prices are going to be built back into the cost of homes. I doubt seriously a smart developer like the consortium of builders set up in this Kyle Canyon Development Agreement are not gonna somehow build that cost back into these homes that theyre counting as potentially in a lot of the areas affordable.

We dont believe that this Kyle Canyon Development Agreement allows for sufficient buffering between uses. One example of this, which we probably, previously brought to the attention of Planning Commission, is the urban mixed-use designation immediately adjacent to Bilbray and Scherkenbach. No project has yet been proposed for this parcel, however, were concerned that after specific requirements for sufficient buffering and incom, and in, inappropriate and incompatible use would be requested for this area. We dont believe that Kyle Canyon Agreement takes into consideration compatibility with existing uses.

And further, we are very concerned that the citizens of Ward 6 will not be given an opportunity to comment on compatibility if the Kyle Canyon Development Agreement is passed without additional details and conditions as to the proposed uses within the different areas of development.

Oh, sorry, I missed one of my issues, were also concerned that the public review process for the future development of Kyle Canyon is insufficient as set out in the development agreement. We believe that expanded scrutiny, especially in the Town Center in the urban mixed-use areas needs to be specifically included in the development agreement, including notification range well beyond the one thousand-foot radius. And we would propose, and we would request twenty-five hundred feet, not just for the casino but for every single urban mixed-use and Town Center issue that needs to come back before the Commission. We would also request strict scrutiny of the compatibility and buffering of any proposed uses in the Town Center and mixed areas.

Finally, members of the Council and Mayor Goodman, please remember that this is a contract between the City of Las Vegas and the developer, and the effectiveness and the appropriateness of a contract are all in its details. You talk about how comprehensive this agreement is; yet again, there are no development standards, there are plans, theres no specific or projects called out for the

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most key and dense and intense uses in this development, which are the urban mixed and town center areas.

We as citizens and taxpayers deserve to have sufficient input into the terms of this very important contract, including the opportunity to show you how and where the Kyle Canyon Development Agreement is incomplete, inconsistent and ambiguous. While we understand staff in Planning and Focus has had significant time and input into the Kyle Canyon Development Agreement, the failure to allow adequate input from the citizens, and remember, we as a public body did not have the ability to look at the development agreement until not le, about a week ago. It was prop, it was brought down to the floor on April 26th during Planning Commission; we all reviewed it then; it was then stayed until May 10th. But it was still not available to the public at large, and members of our group got it only because we came, until about another week later.

The failure to allow adequate input from citizens on this contract puts us in the position we are in now, confused citizens upset with the process and feeling that their interests were not and are not being considered. Theres really not been public input and no real work sessions on a issue-by-issue basis. The public at large was not even aware or given access to the Kyle Canyon Development Agreement until about a week ago. The City of Las Vegas should not accept, for the sake of its citizens, a contract that is not fully bedded, and this one is not. Therefore, the only appropriate action is to hold this matter for further review and in put and revisions.

I wanna thank you very much for allowing me this additional time. I think its very important, and, as I said, there are a lot of citizens who cant be here today because of the timing, and I appreciate the opportunity to speak on their behalf. Thank you.

MAYOR GOODMAN

Yes, Sir.

ALEX McKYTON

Thank you. Alex McKyton, 9033 Big Plantation Avenue. I agree with everything she said, but there are a couple of things that I can show you. Advertisement for Kyle Canyon, okay? Proportionate drawing is what a seventy-five, a hundred and ten and a hundred and sixty foot building is gonna like. The proportion to the building is showed in the photo. Okay? Its gonna change the skyline. Okay? The other thing is, yes, were voting on the yellows, or youre voting on the yellow areas, but the mixed use and Town Center areas, youre also voting on the densities of them, holding them for seventy-five days and restricting them to have to come back and redo those areas totally would not be uncalled for. Did they come back and justify why they need three units per acre? Okay? This project has been running so fast that heres your agenda. Youll notice every item on that agenda has the Planning Commission vote and the staff recommendation, except for these two. Okay? You have the original agreement, or the original agenda item from the Planning Commission and the agenda item for today. The wordings totally different. Okay? Im not gonna blame anybody for doing anything sinister. Okay? But what Im saying is this plan is going so fast. Youre looking at fourteen working days between it being put in front of the Commission to you voting ya (sic) or nay on it, on a project thats sixteen thousand homes and seventeen hundred acres. Take a look at their list of who they talked to. They talked to Kyle Canyon people. Were sixteen hundred residents that are across the street from their development. Theyre saying that they cant even talk to us? Councilman Ross did. We told him we didnt like it.

So, thats all I have to say, that abeying it and making some restrictions on mixed use and the Town Center and holding them and having to go through a complete process would not be uncalled for. Thank you.

MAYOR GOODMAN

Thank you. Next, please.

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EILEEN McKYTON

Hi, my names Eileen McKyton. I may take a little longer, only because, first of all, I have been accused of handing out misinformation. The pink copy is the copy asking pe, residents to come to the April 26th Planning meeting.

COUNCILMAN ROSS

Your Honor?

MAYOR GOODMAN

Yes.

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COUNCILMAN ROSS

May I ask her a question? Who accused you of handing out misinformation?

EILEEN McKYTON

Your office.

COUNCILMAN ROSS

Im sorry, can you tell me specifically who?

EILEEN McKYTON

Sheila.

COUNCILMAN ROSS

Could you tell me specifically what she said?

EILEEN McKYTON

She said that there was misinformation handed out

COUNCILMAN ROSS

Did she say, Ms. McKyton, to you

EILEEN McKYTON

yeah, that it was handed out from Bilbray School.

COUNCILMAN ROSS

Your Honor, Id like the record to show that my office accused no one of handing out misinformation. Misinformation went out from Bilbray Elementary School; the School District handled it on their level, and that was the end of it. Thank you.

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EILEEN McKYTON

Bilbray School did not hand out the information; I handed out that flyer at Bilbray School. I went into Bilbray School and asked if I could. They told me I could not do it on school property without prior authorization, which would take time. We did not have time. They said I could do it on the sidewalk or the street, so I did. I handed out about a hundred flyers. So, there's no misinformation in there. Okay. I'm sorry, but the way Sheila worded it, I was being accused of handing out misinformation. And, the second one didn't have any misinformation either asking for things.

Okay. Otherwise, by now I know more about the planning system in Las Vegas than I ever wanted to know. I spoke with numerous planners who know less than I know about this project when I called during the daytime. But at least, they pointed me in the proper direction. Tom Perrigo, who worked with the developer, I spoke with, gave me a lot of information. Jim Lewis, the City Attorney on this, I spoke with, the Public Works regarding the horse interchange, because I couldn't understand the layout by an overhead. And, the department that handles flood control cause I was concerned about where the flashflood waters would go.

That said, I have to disagree with Focus Group, not so much on the amount of, quote, public meetings they've had; however, I have to disagree with how the plan was presented and why there was no public outcries to what was being proposed, not only in the creation of the new zone TD, but what was going to be developed on the site that TD was created for. This might work very nicely, if they either had a square oblong lot that was surrounded by nothing, or if the community had build-out differently, but neither is true. We had horse ranches, pig farms, etc., here less than ten years ago. Twenty years ago, even less. Now, however, we have the suburbs. And what is being proposed is a mini-city, to quote one of the Planning Commissioners, that this is kind of true. What I see is a design pattern more like a large outlet center, not unlike Premium Mall, with an anchor of a casino surrounded by a mixed-match of dwellings in no particular density order. Another correlation would be the District and the Station Casino. There, however, they took a large parcel of, basically, rectangular land, did The District and casino. They are bordered by the 215, a four-lane road with an island and green space buffering on both sides of more than fifty feet, the project on the east side has been put on hold, possibly because it abuts two elementary schools.

Neither side is over three stories tall in The District, and the condos, apartments above the stores are vacant. Many of the condos and stores, and apartments above the stores are vacant, from what I could tell, since they had no window treatments. If this development could develop like that, as I believe it probably was explained to people who attended the meeting, then great, I'd be for it too, and there'd be no complaints.

Here, however, you're putting an urban mixed-use directly across from an elementary and high school, and, according to the developer, they want to put in apartments, as stated in the December 06 meeting with the public, which caused objections. Sheila was there; she should have told you. In January, we had Councilman Ross at our Spring Mountain Ranch Board meeting, a development of sixteen hundred units already of different densities, all walled in communities with a progression from more dense to the less dense. And we objected to the uses across from the elementary schools. This project would have urban mixed-use next to schools. Which, after doing a study myself, handing it to Councilman Ross at that meeting, shows the incidents of increased crime, as the density of dwellings increase around an elementary school. Unfortunately, I did not make a copy for myself due to time constraints, and their office could not find it.

The public is supposed to have its input as to what goes by the schools in these areas (sic); however, if you pass this today, we are severely limited because of Table 8.2, which already specifies what is permitted in the UM, U and TC areas, and even the residential uses in Figure 2.2, because it describes residential uses and their standards and guidelines.

We can, so, sure we can recommend setbacks, building appearance, and the like, but we cannot stop something like a McDonald's from going across the street from the high school or elementary school because they are permitted uses. I ask that you should pass this today, you at

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least amend the mentioned sections, then at least you're truly giving the public a chance to have a realistic input into what goes into at least the multi-mixed units and the Town Center. In the agreement with the developer, Section 3.01(e), needs to be modified to not include UM, C and TC. I put a lot of time into researching this project after April 26th. Planning Commission meeting and you have packets, have, you, and you have in your packets a letter describing what I feel is wrong. I did not move to the suburbs of Las Vegas to have a mini-city dumped in my backyard. Lived there in Philly, done that, moved out, really quickly because of crime and drugs in my early twenties, when, as a stupid young adult, we normally have no fears and feel we're gonna live forever. But even I was intimidated by this. I plan on staying in this house that I now live in for retirement. However, if this project goes in, I will doubtless move. We already have enough vandalism and drug trafficking in our six- to eight-acre park. We spend two to five thousand dollars a month on graffiti, broken out glass light panes and irrigation lines being tampered with. We will have to get twenty-four/seven security, which will raise our dues. So, I might as well move to an over fifty-five community, where my dues will be the same, but I'll have no, I will have amenities instead of vandalism and crime. I do not want to leave, because I've put a lot of money into my home, but I need to feel safe. I am sixty and not in good health. I have good neighbors that I can depend on, and were the only Neighborhood Watch block in the community. I urge you to give either a seventy-five day abeyance, or at least take out the permitted uses in Table 8.2 and the residential in Figure 2.2, by using Section 3.01 in the agreement document. Since you're supposedly only voting on the yellow residential area, if you vote to change the zoning to TD, this is putting the cart before the horse, because the guidelines and standards are incomplete in the brown and orange zones. Thank you.

MAYOR GOODMAN

Thank you. Yes, Sir.

KENNETH CLERKE

Hello. My name is Kenneth Clerke. I'm from 9104 Big Plantation Avenue, Las Vegas, Nevada. I'm approximately three hundred feet from the proposed development, and I have to say that I strongly oppose it, as a concerned citizen and taxpayer. I was never notified by the tax, by the developer or by the town or by my Councilman in the ward or district. I know you said, and I quote, you're hard pressed to buy into the fact that we weren't, that the citizens were never informed. But, I'm less than five hundred feet away from this development, and I never got any information, except from my homeowners association. And, the people in this group that came before me, they just gave it to me two days ago.

The other thing I wanted to point out is that, roughly, I think the end of January, Councilman Ross, you stood in front of my homeowners association, and you told us that in no way you would let this go through. What happened?

COUNCILMAN ROSS

Your Honor, would you like me to respond?

MAYOR GOODMAN

I don't think you have to.

COUNCILMAN ROSS

Thank you.

KENNETH CLERKE

That's all I had to say. Thank you.

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MAYOR GOODMAN

Yes, Sir.

JEFF GREEN

Good afternoon, Mayor, Council. My names Jeff Green, 8916 Wolf Dancer Avenue. I am concerned with the density. I echo some of the comments on with them. Id like to show a few pictures, if I might, regarding, especially, traffic and the portions of the traffic study that were not completed that affect the area.

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Page 8 of the traffic study states that access to and from the east will also be provided via Log Cabin Way, Ohare Avenue, Iron Mountain Lane, Brent Lane, Horse Drive and Racel Street. Those are here. Page 10 of the traffic study further states that these streets are fully constructed sixty-foot collector streets east of the project between Fort Apache Road and El Capitan Way.

Despite the addition of two interchanges, there is a mention of traffic moving to the east and to the south to the Durango Interchange. I'd like to show you a few pictures of that area. You do it this way. This is looking down Brent from Bilbray Elementary at Fort Apache. Granted, at the most busy time of the day, but traffic stretches up here about a quarter of a mile to the school and down about a quarter of a mile toward El Capitan. This is a picture of El Capitan looking south at Racel Street. Notice that it's a nice four-lane road with a left-turn lane. Looking in the other direction, we see that the road narrows right here, and we lose the left-hand turn lane into these neighborhoods. That's looking from the middle of the street. I won't go too much longer. At Horse Drive, we lose one of the northbound lanes, where everything merges. About six weeks ago, an accident occurred right here at T-Bone, where Flight for Life had to come in and take care of three people.

Because there are no traffic controls along any of this, this is Brent going to Bilbray, you'll notice there is one lane here, and traffic backs up in order to yield to two lanes of southbound traffic. If this is going to be a collector street for the development, then we need to consider improvements and work with the County on improvements to this, as well as traffic controls. There's a one point six mile stretch from Rustin to Grand Teton that has no traffic controls at all. And, at a thirty-five-mile-an-hour speed zone, you can imagine what happens.

This is looking the other way, the traffic backed up, trying to turn left. This is approaching Iron Mountain Road. You'll notice that there's another narrowing. We now get down to two lanes, one in each direction. This is Iron Mountain Road. The width of this road is twenty-three feet, and we're supposed to accept this as additional traffic for this area. I would hope that, if a (sic) Council goes ahead and okays this today, that they require that the phase, the phasing of the projects coincide with the street improvements promised at the Horse Interchange, so that we don't get the traffic from that area moving south through our neighborhoods and endangering our children walking back and forth from school, and, as well working with the County to increase the width of El Capitan to handle increased traffic, and put signals there that will limit the rate of speed in those areas. Thank you.

MAYOR GOODMAN

Thank you. Ma'am.

WENDY HEMMINGWAY WARM

Hi. My name is Wendy Hemmingway Warm, and I live at 8920 Pine Mission Avenue. I'm here representing not only the Northwest Citizens for Responsible Growth, but I'm here representing my homeowners association, Spring Mountain Ranch. There are sixteen-hundred homes. I may take three minutes; that's what I was intending on, but I will try to be brief.

There are several things I'd like to put into the record. Todd Schwartz, the president of the HOA, asked me to present these things. I was only able to make a couple of copies of each. And one is an article regarding Southern Highlands Developer Gets Busy in North Las Vegas. It talks about Aliante and the Olympus Group and what happened in that development. There is a Principles of New Urbanism and some bullet points there and something called Smart Code. And grant it, I have not had the time to even look at this. On Thursday

MAYOR GOODMAN

Why don't

WENDY HEMMINGWAY WARM

I was at the Planning Commission meeting

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MAYOR GOODMAN
Why don't

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you hand those to our Clerk, please. There you go.

WENDY HEMMINGWAY WARM

Like I said earlier, I moved here a year ago. I was not notified for any of this until December in 2006. I got Council, I get Councilman Ross' emails which I was put on the list because I was made a board member in December of 2006. I walked my neighborhood after the Planning and zoning meeting approved for this to come before you today. There's been a five-day notice between Thursday, last week and today. We got together as a citizens' group and stuffed envelopes. I was at the post office on Saturday morning putting nine hundred stamps on nine hundred envelopes and mailing them at our expense. I walked my neighborhood on Saturday and Sunday and Monday, hand delivering some of the flyers so that our public, who lives outside of the thousand-foot radius could be aware of what is happening right next to us. It's hard walking your neighborhood when it's ninety degree outside.

I appreciate the fact that they're gonna put in this nice open space in the Arroyos. Who's gonna use 'em? Where's the green space? This looks very dense to me. I was told in talks that some of the green space is being counted at the schools. The school land is being counted as the green space. That doesn't really seem like that's open space. That's for use for the schools.

There are a lot of concerns that I have about this project, and no doubt it's gonna go through, but what we are asking for is time. We have had five days to prepare for this meeting. You've had meetings with the developer for the last couple of years. We need time. We'd like seventy-five days for you to wait to decide on this so that truly the neighbors that live in the immediate surrounding areas that are, in fact, outside of the thousand-foot radius can be notified as to what's going on. The people I talk to on the streets said I haven't heard about this. How can we be notified if we don't get the little postcard in the mail and we're not on Councilman Ross' list and our HOA doesn't send out a newsletter? How is the public notified about a seventeen hundred-acre project, sixteen thousand new residential homes?

Schools. How do you justify putting sixteen thousand residential units, how does sixteen thousand people get into one elementary school, one junior high and one high school? I don't know how that happens. I work numbers during the day. How do you put sixteen thousand households into one high school? I don't understand.

I'd like to quote, oh my mouth is very dry. I'd like to quote a neighbor, who in part of the correspondence said, she was stating her support for our cause, and she said my experience with the County and City Planning Commissions and Councils has taught me that political power comes from the wallets of the developers and big business and not from the mouths of the citizens. Thank you.

Now, money may make the world go around, but wasn't our country founded by the people and for the people. We the people deserve the right to be heard. We would like time to have proper public input to the neighbors that are surrounded and will definitely be affected. Sixteen thousand new residences. We got over twenty thousand properties on the market right now that are on the market. People come, people go. I moved here a year ago. I just lost thirty thousand dollars in equity in my home because of the real estate glut. And now you're gonna put sixteen thousand new residences next to us. How are we gonna absorb it? What's gonna happen? I thought there was a moratorium on growth or on development. I thought there was some sort of a permit restriction. I thought I heard that in the press, no more development because of the market value right now. Isn't it time to rethink irresponsible growth? I appreciate the efforts of the developer. It looks like a good project, but do we really need to move forward right now at this time? Can't we have the time to have proper input from the people that I represent and the people that are my neighbors and are becoming my friends.

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MAYOR GOODMAN

Thank you. Yes, Sir.

YALE YONDALE

Yale Yondale, resident of Las Vegas. I would just like to reflect some of things that, I've worked with some of these people, on what's happening here. And I think growth unchecked is a serious issue in our community. We are the fastest growing city in, probably, the United States, probably the world. And I work in, at the Wynd (sic) Casino, and I have a commute that approximately lasts about an hour for me to get down to my job. I'm a stage technician. I work at Le Reve, the best show on the Strip, by the way. And you know one of the things that I see these people concerned, it just seems like, you know, five days is not enough to really, you know, let the entire city know what's going on. I mean, I'm sure you've worked for this for three years, and you want to get all the bugs and details out, but you know, people are shocked by growth. And we need to temper our growth in this city.

I've personally have seen, I've been here fourteen years, and I've seen casinos, you know, go by the wayside. My, the casino I work at now is really the old DI, if you look at it.

You know, changing the southern interchange to the northern interchange, and then you know, three years later, it's gonna be the northern, northern interchange. You know, I mean, all this, all these things we really need to stop, look at it and say, you know, do we really need all this growth. Just, is this the legacy that this City Council wants to leave behind. It's like, well we grew 'til there was no more water. You know, we grew 'til there was no more electricity. We grew to there was no more people. I mean, I think you can force the people that've been here, you know, since the 70s that bought in this area and you know, they want a rural life when they came out here. And you know, growth is natural for a city, but you always have to respect, you know, who was here before. I mean, I wonder what Mr. Gilcrease would say with all this land that he originally staked, put a flag down on originally when he first came here. You know, I'm just asking the City Council to please, please, put the brakes on. Seventy-five days is really not that much, you know, to really consider. Just look at, you know, have the residents, you know, come to these meetings. You know, five days is really not enough time, and that's all I have to say.

MAYOR GOODMAN

Anybody else want to speak? All right. Seeing none, we'll close the public hearing. Councilman Ross.

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COUNCILMAN ROSS

Thank you, Your Honor, and I appreciate all of the comments from the folks who live out there, are gonna be affected. In fact, I've got a couple of comments, things I'd like to address. Mr. Lewis, would you approach the microphone as well with Mr. Perrigo just to give me a level of comfort as we go here. Mr. Fiorentino, don't go away because you're gonna be a part of this. Sixteen thousand units, I've heard that many times. I've seen it on paper many times. I'm a firm believer that, and Mr. Fiorentino, this is to you, I, you can say yea or nay, either direction you wanna go. I'm gonna submit that the market is gonna dictate what your clients out there are gonna build. Am I correct?

MARK FIORENTINO

Yes.

COUNCILMAN ROSS

Sixteen thousand units in this developer agreement is the maximum number of residential units. Am I correct?

MARK FIORENTINO

That's correct. We would, I submit we would all be very blessed if we actually got to that number.

COUNCILMAN ROSS

The Mayor himself asked you when do you think you're gonna start moving dirt, putting sticks in the air?

MARK FIORENTINO

Homes?

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COUNCILMAN ROSS

Yeah, homes.

MARK FIORENTINO

Probably eighteen months.

COUNCILMAN ROSS

Eighteen months, and show me the area that you're thinking eighteen months up there by Providence.

MARK FIORENTINO

It's probably gonna start in this area here.

COUNCILMAN ROSS

And, thank you for that. I'm getting the input and the general feeling from many of the folks that spoke that it's okay for me to live here but not for anybody else. And I'm really shocked at that kind of attitude at this Council level. To the gentleman who I spoke to at his homeowner's association, who insinuated that I lied, let me correct you. What I said was, I will work with the developer to make sure there is buffering between your residences and his. And there is. Fort Apache, I believe, is a hundred-foot right-of-way, along with the dense landscaping requirements that Mr. Fiorentino and I spoke about. And about the set, not the setbacks, but the single stories moving to the west to protect your neighborhood. And I stand by that.

The traffic studies, for the gentleman, Mr. Green, I think it was, in regards to Iron Mountain, I hope you understand that the traffic studies were done and, as development occurs, those roadways will be improved, absolutely, part of the infrastructure of any development, Mr. Green, that I'm part of in this City Council, and I'm a stickler for getting those off-sites done first; the roads, the streets, the gutters, the sidewalks, the streetlights. Those also help mitigate a lot of the flood-control issues out there. Some of these streets are gonna be next to the County, and I want you to know that I work very closely with County Commissioner Chip Maxfield and Tom Collins to make those things happen. If we have an intersection that needs some help right away, our traffic study gets done. If it's a shared intersection with the County, we work together to fix it, so no people get hurt. I hope that helps, and I have no problem talking to you about this, or getting you with our traffic engineers to discuss it more with you.

Mrs. Warn, I believe it's Warn, or warm, I can't recall, your involvement with your homeowners associations commendable. I appreciate that. If you're working so closely with Todd Schwartz, I'm still amazed that you've only had a five-day notice since Todd's been part of this for many months, going back many months, in private meetings with the developers. So I'm a little concerned about that.

Folks, I wanna encourage you, whether you like me today or you hate me today, sign up for my newsletter, so you can be informed, so this doesn't take you by surprise, because I put everything in there to help make your lives better. If it's something you don't like, I expect to see you down here. If it's something you love, I expect to get a love letter from you. This is tough.

I'm not even gonna comment on this individual. Mr. Fiorentino, let me ask you this. You've heard the requests from my constituents in Ward 6, and their concerns, would you share with us the impact of possibly holding this off for seventy-five days.

MARK FIORENTINO

Actually, it would be devastating to us. We have obligations under our financing agreement to be done by a certain date. It also is about a hundred thousand dollars a day in interest carry, to, and we can't do, it's very misleading to say, well, you're not gonna build for eighteen months anyway, so

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you might as well, you got eighteen months that you could work with us. We have to have action today to set the parameters and standards and our obligations, so we can go ahead and take that next step.

Now, one thing they did say, however, that I do agree with, and, I think, we committed to. Much of their concern is about the orange areas, and those, the buffering and setback standards have not been set for those. We've been very open about that. And we indicated that they will have as much input in that process as we want

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COUNCILMAN ROSS

All right, repeat this for everybody, cause Im having a hard time hearing you. Can you speak a little louder in the microphone for me.

MARK FIORENTINO

Sorry, Councilman. Weve committed that they could have as much input as they want in the development of those standards in the key areas where they are most concerned about; the commercial, the brown and orange on this. That has to come back for a public-hearing process; it has to be approved by the Planning Commission; it has to be approved by you. We will, Ive already taken the names, of many of the people who spoke here tonight, at the Planning Commission and said, I will personally make sure you are invited to meetings when we begin to work and develop those standards. If you want to ask me to commit on the record that we will also do a twenty-five hundred-foot notice when those go to the Planning Commission, were happy to do that. They will have the input that theyre asking for.

COUNCILMAN ROSS

Whats required of you now? A thousand feet?

MARK FIORENTINO

Yes. With, it depends on what application. But, yes its generally a thousand feet.

COUNCILMAN ROSS

Then lets do this, lets do that on record today, if you agree, to do those notifications for twenty-five hundred feet.

MARK FIORENTINO

We will commit on the record that when we do the casino, well do twenty-five hundred feet, and when we do the standards that develop, the, for the brown and orange, we will notify everybody within twenty-five hundred feet, and I will also, personally, contact the people whove already given me their number, so that they have input in that process before the first public hearing.

COUNCILMAN ROSS

So, these folks, and I had you say that again and a little louder, cause I want everybody to understand, youre gonna have more public input here. At your homeowners association meeting, we talked about this. We talked about the buffers. I never said, no way. I dont know where that ever came from. I said I will get with the developer and make sure that those buffers are included. And, hes just made public record that youre gonna have the opportunity to give your input one more time, or several more times, if thats what it takes.
With that being said, Mr. Lewis, am I leaving anything out?

JAMES LEWIS

Wow, thats quite a question. You wanna, youre gonna ask a lawyer a question like that, we might be here until 9:00. But I

COUNCILMAN WOLFSON

Were already gonna be here til 9:00.

JAMES LEWIS

Thank you, Councilman Wolfson. But

MAYOR GOODMAN

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(inaudible)

JAMES LEWIS
I the, yes, Mayor?

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MAYOR GOODMAN

I think that (inaudible), I believe that Councilman, I forgot his name, Councilman Brown would like to make a comment, with your permission.

COUNCILMAN ROSS

Oh, Id love to hear it.

COUNCILMAN BROWN

Coun, Councilman Ross, with your permission, I just, Ive been sitting here listening to this, and, if I could just take a few minutes and offer a perspective, because this is a little bit of deja vu. In, when I got into office in 97, there was no Ward 6. Everything out here was Ward 4. The things that were in existence were the County had designated the beltway alignment at the 95 and the 215. Each side of that highway, and youre familiar with it, if you live out there, we had the Gilcrease Ranch area, perhaps one of the largest rural areas in the Valley. On the west side, bounded by Centennial, Alexander, Durango and the foothills, another large unincorporated County area, where, minimum sizes were half-acre lots. And, I say that because that was where the Citys growth was heading, and, especially Spring Mountain Ranch. Even those that live in some of the larger lots, Im not sure the final blended density, but it was anywhere from three-and-a-half units up to six-and-a-half units. And I can emphatically tell you that there were fifty people in this audience protesting Spring Mountain Ranch. They did not want the City and stick dwellings to come out and ruin, thats a tamed word use, but ruin their lifestyle. And, these are people that probably, like the Gilcrease, that have been out there for decades. And the challenge to the City, at the time, was we werent getting master-planned communities. You had sixteen hundred homes, that might have been one of the largest assemblages. We were getting ten acres, forty acres, twenty acres, and trying to make some kind of master plan out of that. And the whole concept of the Town Center was, we were gonna put all the traditional commercial and intensity in Town Center to start protecting urban residential areas, like yours. Its not by accident theres not a convenience store on every corner up in your area. Its a very protected area. The interlocal agreement that we signed with the County gave some protections. But, the one thing that weve been lacking in the northwest is the fact that we have had little assemblage where you can come in and do a Summerlin-type master plan or Aliante, cause no ones every assembled that much land. But, to hear some of you co, and I think, from my perspective, there may be more of a concern of the unknown, or fear of the unknown, whats gonna be over there. But, from a planning perspective, if we had this kind of development ten years ago, it would have been perfect, it would have been ideal. And, believe me, and I want you to understand, and go back and check the records, they protested you in your homes. You were going to ruin their lifestyle. What we have today is a major metropolitan city with two very large rural areas surrounded by urban growth. And, to compliment your association, and many others out there for the last five to ten years, done a heck of a job keeping up that quality of life.

So, what were seeing here, is an opportunity not to go through some of the challenges and find, fight some mistakes we made in growing into the northwest. The benefit of having a development agreement, you take away the unknown. I think youve been heard today, that youre gonna have a commitment to be notified for some of the development in there. But, its just, the overall density, thats where this is going. There were, part of Spring Mountain and those closest, Im not sure where you live exactly, but those closest to the State Park, we had a hundred people protesting two-and-a-half units per acre, and, yet, its turned out to be a pretty nice neighborhood.

And I would just, I would offer, from my perspective of the past ten years, is give this development a chance. Have trust in the Councilman and this Council to protect the quality of life that you have. But, believe me, from a historical perspective, this is the kind of master-planned development area that we want, because it takes away those convenience stores on the corner that everybody used to protest.

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COUNCILMAN REESE
(inaudible)

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COUNCILMAN BROWN

So, I, and Id be more than happy to talk to any of you, as far as the history out there, but what youve accomplished, without a master plan, is great.

MAYOR GOODMAN

(inaudible)

COUNCILMAN REESE

(inaudible)

COUNCILMAN BROWN

I think this is going to be a tremendous addition and amenity to the entire northwest. And, if you look at some of the areas in the City that have some height, have some density, and perhaps have some casinos, theyre some of the nicest areas in town. And, I, again, I would offer my perspective, but, as far as the development agreement goes, I just wish we had more of these to better plan our City, and thats where its going. You guys are part, you used to be at the boundaries of the City of Las Vegas; in another decade, therell be two, three, four miles further development out in the northwest.

So, I appreciate your comments. Ive heard them before. But, when I heard them before, they were protesting you and what we were approving for you. I would ask you to have some faith in what were anticipating will happen in this community, because its going to be special. Its the first opportunity, outside of Summerlin, on a scale of what were talking about today, to be able to literally control and manage many of the concerns that youve raised today.

MAYOR GOODMAN

Okay.

COUNCILMAN BROWN

Thank you, Mayor.

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JAMES LEWIS

Mr. Mayor?

MAYOR GOODMAN

Yes.

JAMES LEWIS

Even though Councilman Ross tried to give me carte blanche as to the microphone, I only got one thing to put on the record.

MAYOR GOODMAN

All right, Mr. Lewis.

JAMES LEWIS

Thank you very much. If we could, if you could please zoom in on the overhead. There was a question as to school sites, and, are these enough schools? Do we need more schools? Well, the developer went to the Clark County School District, the City went to the Clark County School District and, said, youve seen the plan, what do you think? This letter dated November 2nd, 2006, says, the School Dist, Dear Mr. Perrigo, thats Tom Perrigo to my left, the School District has worked with Kyle, LLC, on the Kyle Master Plan, and we have no objection to the City adopting the plan attached with the school sites shown.

And, if I just may for the record, the school sites shown are the same shown on this master plan. This City does not plan schools; the Clark County School District plans schools. We assume, and we need to trust the School District feels that these school sites are appropriate for this master plan. I did want to put that on the record today.

MAYOR GOODMAN

All right.

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COUNCILWOMAN TARKANIAN

And, Mr. Mayor?

MAYOR GOODMAN

Yes.

COUNCILWOMAN TARKANIAN

I just wanted to add that, its, they are giving us the land for the schools, and weve not have that done before any place, even Summerlin didnt give us the land fully. We had a percentage of off-sites and other things. I dont know if youve worked that out with them or not. But, the School, Im sure, will be adding additional schools there. These are three that you begin with and they approve this, but I dont think theyre saying thesell be the only schools. But they will have to add, and they know that, but they dont know that far in the future.

MAYOR GOODMAN

Okay. All right. Thank you. Councilman Ross, I think everybodys had their say.

COUNCILMAN ROSS

I think so, too, Your Honor, and I appreciate, Councilman Brown, your comments, and Councilwoman Tarkanian, thank you very much. And Mr. Lewis, thanks for touching on that cause I had that in my notes and forgot to address it.

Councilwoman, its also important we continue our good relationship with the Clark County School District as projects to come to us, and we have the foresight and try to plan for the years to come cause I know they do. So, were an integral part of that and wanna continue that relationship.

MAYOR GOODMAN

Councilman Ross, Mr. Perrigo, I believe, wanted to add something.

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TOM PERRIGO

Thank you, Mayor. Very briefly, I did want to point out, I said it in my presentation earlier, but I want to point out on the screen here is a copy of the amendments to the design guidelines and development standards that was handed out to you and was given to the City Clerk for the record. They don't substantially change any of the documents, it's just some cleaning up of some of the language.

MAYOR GOODMAN

All right. Thank you.

COUNCILMAN ROSS

We don't

MAYOR GOODMAN

All right.

COUNCILMAN ROSS

We

MAYOR GOODMAN

Coun

COUNCILMAN ROSS

Thank you, Your Honor.

MAYOR GOODMAN

Okay.

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COUNCILMAN ROSS

We dont need to do an, as an amendment do we, Mr. Perrigo? Or do we?

JAMES LEWIS

Mr. Mayor, if I may?

MAYOR GOODMAN

Yes.

JAMES LEWIS

Actually, because I , I, for the record, would like this to be completely clear. There is no assertion in some later date that some language got changed and nobody knew that, how it got changed, when it got changed, why it got changed. I would ask that you take the document dated May 16th, 2007, that has been distributed to this Council, and actually make a formal amendment, by voting to include these amendments into the development agreement. Now having said that, remember the order in which I had asked that we do this. We Id ask you to approve the park agreement for, or Id ask you to consider the park agreement first. I would ask you then to consider the amendments on the May 16th draft of amendments, then I would ask you to consider the development agreement once those amendments are officially made, then I would like you to consider the zoning matter, if you could, please.

MAYOR GOODMAN

Right. Were gonna vote on Item 73 first.

COUNCILMAN ROSS

Thank you, Your Honor. Thank all of you that have been here today, especially the folks who live out there. Your Honor, **I move to approve Agenda Item 73, subject to all conditions.**

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MAYOR GOODMAN

All right. Please vote. Post. Motion carries. **(Motion carried unanimously.)**

COUNCILMAN ROSS

And, likewise, I approve, and thisll be taking it out of order, Mr. Lewis.

MAYOR GOODMAN

94.

COUNCILMAN ROSS

Well

JAMES LEWIS

Well, weve got, next would be the amendments to the development agreement, that wed like you to vote on and to approve, and then we would ask you to then approve the development agreement.

COUNCILMAN ROSS

So, well stay in order, 94, 95?

JAMES LEWIS

Right . Yes, Sir. Our recommendation, 94 is the development agreements, so, yes, vote then on the amendments for the May 16th letter, then vote upon 94, please.

COUNCILMAN ROSS

All right. I would move

COUNCILWOMAN TARKANIAN

Mr. Mayor?

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MAYOR GOODMAN

Yes.

COUNCILWOMAN TARKANIAN

Could I just ask a question? Councilman Ross, now, were voting on the development plan that they have visioned in their mind that this is whats gonna happen in these different places, but when you do get to the casino, which might be of significant impact and concern, you will come back to it. You will do the mailings at the distance you said, I think twenty-five hundred and that will then give the input to the public of, I hope, a transparency of being able to give their concerns. Am I correct? Were not saying, yes, youre gonna put it there for sure. Were saying this is what were, the plan has but, to be sure, you have to go through the final vote?

COUNCILMAN ROSS

Councilwoman, theyre not sure theyre gonna put it there for sure, but Ill let Mr. Lewis comment.

COUNCILWOMAN TARKANIAN

Well, I thought some people didnt know that. Theyd asked me questions

COUNCILMAN ROSS

No.

COUNCILWOMAN TARKANIAN

and I just wanna clarify it.

MARK FIORENTINO

Its actually an easy answer, Your Honor, Councilman Ross, Councilwoman. The answer is, yes. We cant do a casino without another action and vote by you all and they will get notice of it.

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JAMES LEWIS

And I might just add, its several actions, several

COUNCILWOMAN TARKANIAN

All of them, really.

JAMES LEWIS

All of them. So, he said action. Really, there are several items so

COUNCILWOMAN TARKANIAN

Right

JAMES LEWIS

that will come back before you, a gaming enterprise district, a special use permit, many discretionary items. They the residents may and probably will be involved in those conversations.

MAYOR GOODMAN

And, Councilman Ross, I believe that the motion would be, on Item No. 94, to be approve it with the amendments.

COUNCILMAN ROSS

I think so, instead of approving the amendment, and then 94, cause that amendment is not agendized (sic).

MAYOR GOODMAN

Thats correct.

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JAMES LEWIS

Well

COUNCILMAN ROSS

So, Im following this legal counsel.

JAMES LEWIS

Okay.

COUNCILMAN ROSS

Were gonna move to approve Agenda Item 94, with the amendment of that letter, dated May 16th

JAMES LEWIS

May 16th, 2007.

MAYOR GOODMAN

(inaudible)

JAMES LEWIS

May 16th, 2007.

COUNCILMAN ROSS

That should cover us. Am I correct, Mr. Lewis?

JAMES LEWIS

That will certainly do the job.

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COUNCILMAN ROSS

Thats my motion, Your Honor.

MAYOR GOODMAN

All right. That, thats the motion. Lets vote, please. Post, please. Motion carries. **(Motion carried unanimously.)**

COUNCILMAN ROSS

And also Agenda Item No. 95, would move to approve, subject to conditions, and as discussed in this great meeting.

MAYOR GOODMAN

All right. Lets vote, please. Post. Thats okay. Motion carries. **(Motion carried unanimously.)**
Thank you.

(END OF DISCUSSION)

/cv;ac;gpb;lc