

Case No. 84221

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, a political subdivision of the State of Nevada,

Petitioner,

v.

EIGHTH JUDICIAL DISTRICT COURT of the State of Nevada, in and for the
County of Clark, and the Honorable Timothy C. Williams, District Judge,

Respondents,

and

180 LAND CO, LLC, a Nevada limited-liability company, FORE STARS LTD., a
Nevada limited-liability company,

Real Parties in Interest.

Eighth Judicial District Court, Clark County, Nevada

Case No. A-17-758528-J

Honorable Timothy C. Williams, Department 16

**APPENDIX TO ANSWER TO PETITIONER'S EMERGENCY PETITION
FOR WRIT OF MANDAMUS, OR IN THE ALTERNATIVE, WRIT OF
CERTIORARI**

VOLUME 11

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CERTIFICATE OF SERVICE

I hereby certify that the foregoing APPENDIX TO ANSWER TO PETITIONER'S EMERGENCY PETITION FOR WRIT OF MANDAMUS, OR IN THE ALTERNATIVE, WRIT OF CERTIORARI - **VOLUME 11** was filed electronically with the Nevada Supreme Court on the 8th day of March, 2022. Electronic Service of the foregoing document shall be made in accordance with the Master Service List as follows:

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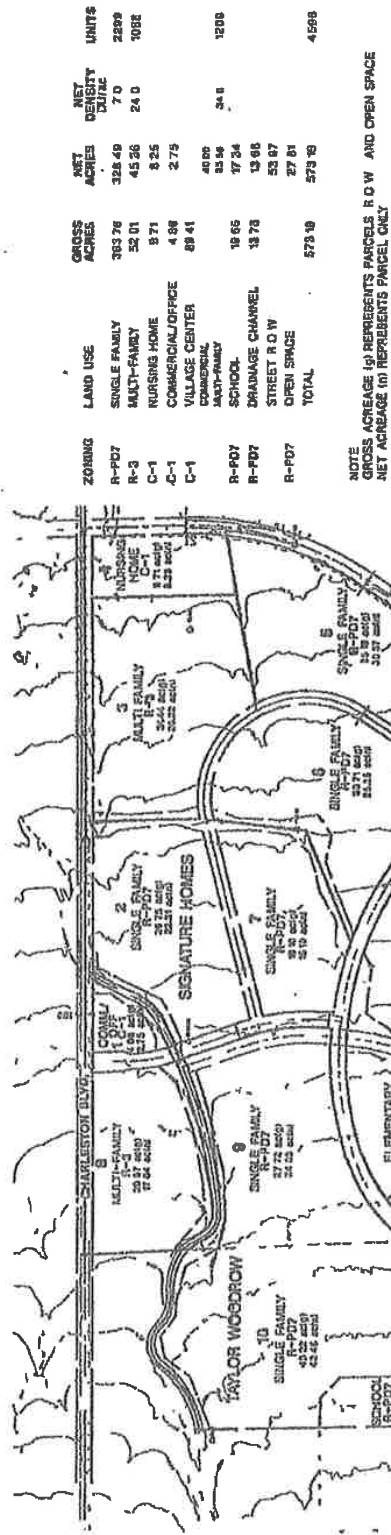
An Employee of the Law Offices of Kermitt L. Water

resort-casino. The golf course and drainageways have been refined and roadways were realigned to provide primary visibility and access to all parcels. In addition, the internal collector system will ultimately promote a reduction of traffic along the principle arterials.

The proposed Pecocle Ranch Master Plan realigns the major internal collector roadways through the residential and golf course area in Phase Two. The locations for both major entries to the Project were changed. The Charleston Boulevard entry now aligns with Apple Road in Phase One, and the Rampart Boulevard entry was moved to the northern boundary of the Project to avoid the need for an arroyo crossing and to provide a better relationship between the destination resort-casino and the golf course. An additional collector intersecting with Rampart Boulevard provides a second point of ingress/egress and also forms a buffer between a single family neighborhood, and the higher intensity uses along Charleston Boulevard. Alta Road, an east/west arterial, forms the boundary between the proposed Phase Two commercial center and the Bailey-McGah parcel. All arterial roadway names have remained consistent with the exception of Fort Apache Road which becomes Rampart Boulevard north of Charleston Boulevard

Phase One is currently under development and is anticipated for completion during the early 1990's. Four single family subdivision plats have been recorded the City and several others are in process. Infrastructure for Phase One is anticipated for completion by Spring 1990. Phase One is progressing as planned and is anticipated to continue development to meet the demand for housing alternatives with supporting commercial areas. Exhibit G on page 7 identifies those home builders currently active in Phase One.

Overall, the addition of the commercial center, the refinement of the golf course and drainageways, and the shifting of parcels and parcel boundaries to better use open space areas, creates the difference between the approved Pecocle Ranch Master Plan and the proposed Pecocle Ranch Master Plan. The proposed Phase Two has become more clearly defined in response to current market trends and remains consistent with the goals and the integrity of the approved Pecocle Ranch Master Plan.



NOTE
GROSS ACREAGE (9) REPRESENTS PARCELS R.O.W. AND OPEN SPACE
NET ACREAGE (10) REPRESENTS PARCEL ONLY

15 Landscape Sketch along Fort Apache Road to double as a Drainage Estimation up to Charleston Blvd

PHASE 1 - HOME BUILDERS Peccole Ranch Partnership

A Wayne Smith & Associates
1945 East Main Street Suite 100
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EXHIBIT G

PHASE TWO - PECCOLE RANCH

Phase Two of Peccole Ranch comprises approximately 996.4 acres bounded by Angel Park Golf Course on the north, Durango Drive on the east, small sections of Sahara Avenue, Charleston Boulevard, and Alta Road on the south, and the alignment of Hualpa Way on the west. Phase Two encompasses all of the remaining acreage within Peccole Ranch. The zoning designations proposed in Phase Two are R-PD7, R-3, and C-1, as described in the following land use descriptions. Overall density of Phase Two is 4.5 DU/AC.

Single Family Residential

The demand for housing remains strong in the Peccole Ranch vicinity, reflecting the continued growth of immigration to the area. The delineation of residential uses (single family and multi-family totalling 461.0 acres) proposed for Peccole Ranch Phase Two is based upon market study documentation of historical and projected single family housing subdivision and multi-family absorption patterns. Approximately 401.0 acres or 40.2 percent of Phase Two is devoted to quality golf course oriented single-family and custom lot developments, reflecting the fact that there is a demand for higher priced single family housing in the strong northwest/southwest markets. This fact is evident particularly at the Project location which is positioned as a natural northerly growth extension to the successful Lakes community, and which will benefit greatly from the surrounding golf environment and the Summerlin Parkway. Recent market data obtained evidences that there is now a growing preference for detached single family homes over apartment and condominiums, reflecting a stabilization of the Las Vegas Metropolitan economy. The significance of this growth is the expanding opportunity to provide single family housing alternatives to an increasingly diverse income base - particularly in association with a golf course community.

There is potential for gated entries to several of the single family parcels. Gated entries into Phase Two residential parcels will not only provide residents with a sense of security, but will promote the construction of quality housing products, and form an enclave within Peccole Ranch. A 50 acre single-family parcel central to Phase Two offers extensive golf course frontage to future residents in an exclusive environment bounded on all sides by the golf course. Depending upon market demand, additional gated neighborhoods can be provided in proximity to the clubhouse and adjacent to the golf course.

Multiple-Family Residential

The historical strong consumer demand for apartments has not yet reached a saturation point, however, existing inventory will most likely adequately meet current requirements. Therefore, Phase Two reflects a larger single family environment while still maintaining a small inventory of multi-family land areas which will be geared toward those future residents who prefer a more urban oriented lifestyle.

Two multi-family parcels are planned along Charleston Boulevard, and one 20 acre parcel is planned adjacent to Hualapai Way north of the commercial center on Sahara. Multi-family parcels are located adjacent to principal arterials to maximize exposure and to provide buffering to the internal single family neighborhoods from arterial traffic. Approximately 60 acres, or 60 percent of Phase Two is devoted to multi-family use.

Commercial

High intensity uses such as commercial, office, and employment opportunities are incorporated in the commercial/office, neighborhood commercial, and commercial center areas in Phase Two of Peccole Ranch. The largest commercial parcel (100.1 acres), the commercial center, is located adjacent to Angel Park Golf Course on the north, Durango Drive on the east, Alta Road on the south and Rampart Boulevard on the west to provide prime exposure and access. This commercial center is physically well sited in relationship to surrounding high volume major arterials and the future Summerlin Parkway interchange only one-half mile to the north. The site offers an excellent opportunity for internal circulation with arterials on two sides. This may be

evidenced from a review of the Area Plan (Exhibit C, page 2) which depicts the current lack of commercial centers, and the potential urbanization of the vacant residential lands from Jones Boulevard west to Hualpai Way.

Additional neighborhood commercial/office areas are located at intersection nodes to provide easy access and buffer less intense land uses. These parcels will accommodate basic support facilities and services required by the residential community. Commercial and office areas comprise a total of 83.5 acres in Phase Two.

A 56.0 acre destination resort-casino site is located at the intersection of an internal collector and Rampart Boulevard. The boundary of this parcel was altered from the previously approved overall Master Plan to accommodate the boundary changes of the refined golf course and road system. The golf course along the southern border of the parcel provides an aesthetic quality to the destination resort-casino. The resort-casino is planned as a destination golf resort and casino, and will provide the transition from a commercial center to single family residential. The resort will be comprised of approximately 300 to 500 guest rooms, and other elements which may include meeting, conference and ballroom facilities, restaurants, bars, and a casino including its own specialty restaurant and bar areas. Guest amenities may include use of the adjacent golf course, tennis facilities, fitness center, beauty salon, game rooms, a nursery and swimming pool. Exhibit D on page 11 illustrates the anticipated site layout and character for the resort-casino. The Peccole Ranch Resort will be designed to maximize the beauty of the desert surroundings, maintaining sensitivity to scale, character, landscape, and topography, and represents the true centerpiece of the Peccole Ranch Community.

Open Space and Drainage

A focal point of Peccole Ranch Phase Two is the 199.8 acre golf course and open space drainage system which traverses the site along the natural wash system. All residential parcels within Phase Two, except one, have exposure to the golf course and open space areas. The single family parcel which is not adjacent to the open space system borders Angel Park Golf Course on its northern boundary. Passive and active recreational areas will be provided, and residents will have an opportunity to utilize alternative modes of transportation throughout with the bike paths and pedestrian

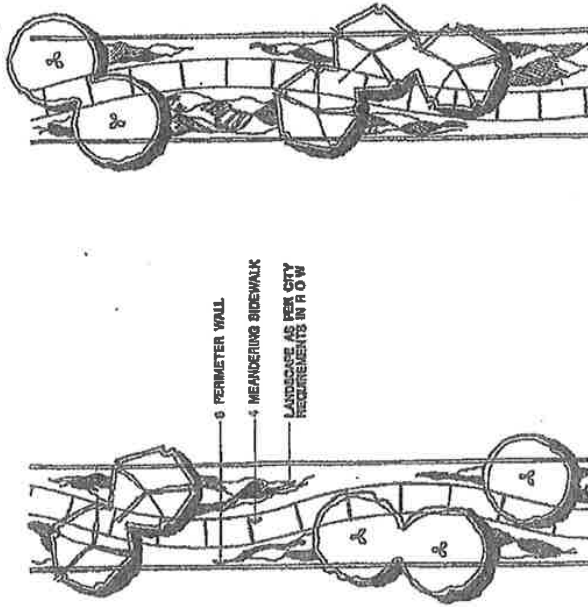
walkways (see Exhibits E and F on pages 13 and 14). The surrounding community as well as project residents may use the open space system to travel to neighboring areas including Angel Park. In addition, recreational improvements such as picnic tables, ramadas and pleasing water features will be located in passive gathering areas located throughout the open space.

The close proximity to Angel Park along with the extensive golf course and open space network were determining factors in the decision not to integrate a public park in the proposed Plan. According to the Parks, Recreation and Senior Citizen Activities Division a need for a dedicated public facility within Peccole Ranch is not indicated nor anticipated in the future.

South of Charleston Boulevard, drainage flows through the washes initially enter the site in two locations along the western boundary at a peak rate of 800 cubic feet per second (cfs), and move in a east/northeast direction. Two wash flows are then directed into the main drainage wash which flows northeasterly towards the large Angel Park reservoir at a rate of approximately 1,600 cfs. North of Charleston Boulevard an off-site flow of 2,000 cfs enters the Project. This storm water will be contained within the golf course until it reaches Rampart Boulevard, and will then flow through a channel adjacent to the commercial center to the Angel Park Basin. Based on the golf course routing plan by Mr. Ted Robinson, renowned golf course architect, the golf course has been designed in conjunction with existing drainage features on the site. The design of the golf course has been instrumental in preserving the natural character of the land and controlling drainage on and through the property.

Phase Two of the proposed Peccole Ranch Master Plan has approximately 33.1 additional acres allotted for golf course and drainageways. The additional acreage accommodates a clubhouse and driving range centrally located within the golf course and surrounding residential community. These features are also accessible to visitors staying at the adjacent destination resort-casino.

**A WAYNE SMITH
& ASSOCIATES**
A Subsidiary of Compton-Hoffert

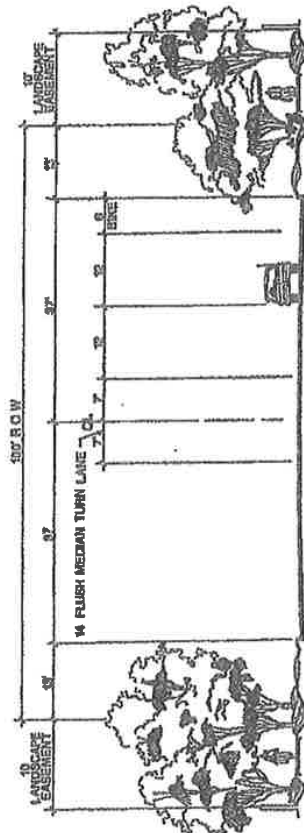


PLAN VIEW OF INTERIOR COLLECTOR ROADWAY N.T.S.

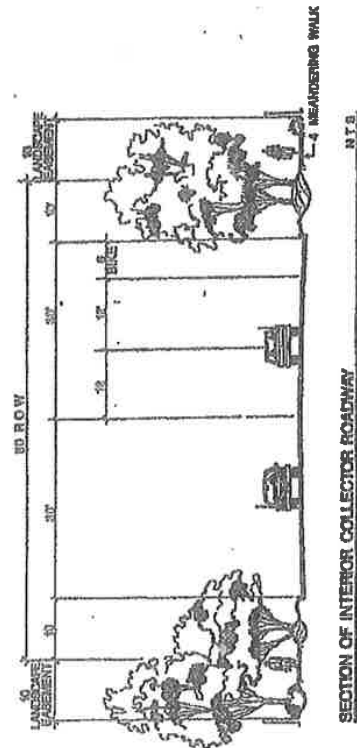
ROADWAY PLAN AND CROSS SECTIONS **Peccole Ranch Partnership**

EXHIBIT F
 2-96-00

A WAYNE SMITH
 & ASSOCIATES
 A Subsidiary of Conquest Midwest



CROSS SECTION OF ARTERIAL ROADWAY N.T.S.



CROSS SECTION OF INTERIOR COLLECTOR ROADWAY N.T.S.

Schools

A 19.7 acre school site is designated in Phase Two of Pecole Ranch. The level of education served by the site, such as elementary or middle school status, will not be determined until development occurs and the student population becomes more clearly defined. A 10.1 acre elementary school site is reserved in Phase One, and according to the Clark County School District the site has been approved and will be purchased based upon acceptable appraisals. The sites will be developed to meet the requirements of the Clark County School District. According to Clark County School District standards, a typical elementary school requires a student body of approximately 600 to support the facility, whereas a junior high school requires 1,250 students. Student population projections for Phase One and Two are attached.

DEVELOPMENT PLAN - PHASE TWO

The Peccole Ranch Partnership is the land developer for Peccole Ranch and will assume the responsibility of the following:

- * Full street improvements for internal collector streets and partial improvements for other public streets adjacent to the development, or as agreed upon with the City of Las Vegas. See roadway Exhibits E and F on the following pages
- * Delivery of water, sewer, telephone, and power to all parcels.
- * Rough grade of all parcels
- * Open Space development and landscaping.
- * Entry treatments, including landscaping, water features, special pavement, and project signs.
- * All landscaping along arterial roads (Charleston Boulevard, Sahara Avenue, and Fort Apache Road) and within internal boulevards.
- * An information center.

Street and utilities are currently under construction in Phase One.

QUALITY OF DEVELOPMENT

Design, Architecture, and Landscape standards will be established for the development. A Design Review Committee will review and approve all plans for parcel development in Peccole Ranch. Covenants, Conditions and Restrictions will be established to guarantee the continued quality of development, and a Master Homeowner's Association will be established for the maintenance of common landscaping and open space. Separate subsidiary associations will be created within individual development parcels to maintain the common area within these areas.

GENERAL PLAN CONFORMANCE

As the City of Las Vegas General Plan is designed as a set of guidelines to help direct the future growth of the City, so is the proposed Peccole Ranch Master Plan designed with an inherent flexibility to meet changing market demands at the time of actual development. Specifically, the proposed Plan is in conformance with the following Las Vegas General Plan Planning Guidelines:

- * Provide for an efficient, orderly and complementary variety of land uses.
- * Provide for "activity centers" as a logical concentration of development in each community area of the City to encourage economic, social and physical vitality, and expand the level of services.
- * Encourage the master planning of large parcels under single ownership in the growth areas of the City to ensure a desirable living environment and maximum efficiency and savings in the provision of new public facilities and services.
- * Provide for the continuing development of a diverse system of open space.

PECCOLE RANCH
LAND USE DATA
PHASE TWO

<u>LAND USE</u>	<u>ACRES</u>	<u>NET DENSITY</u>	<u>NET UNITS</u>
Single-Family	401.0	7.0 du/ac	2,807
Multi-Family	60.0	24.0 du/ac	1,440
Commercial/Office	194.3	-	-
Resort-Casino	56.0	-	-
Golf Course Drainage	211.6	-	-
Right-of-Way	60.4	-	-
Elementary School	13.1	-	-
TOTAL	996.4	4.5 du/ac	4,247

Note Overall density based upon all areas except R.O.W

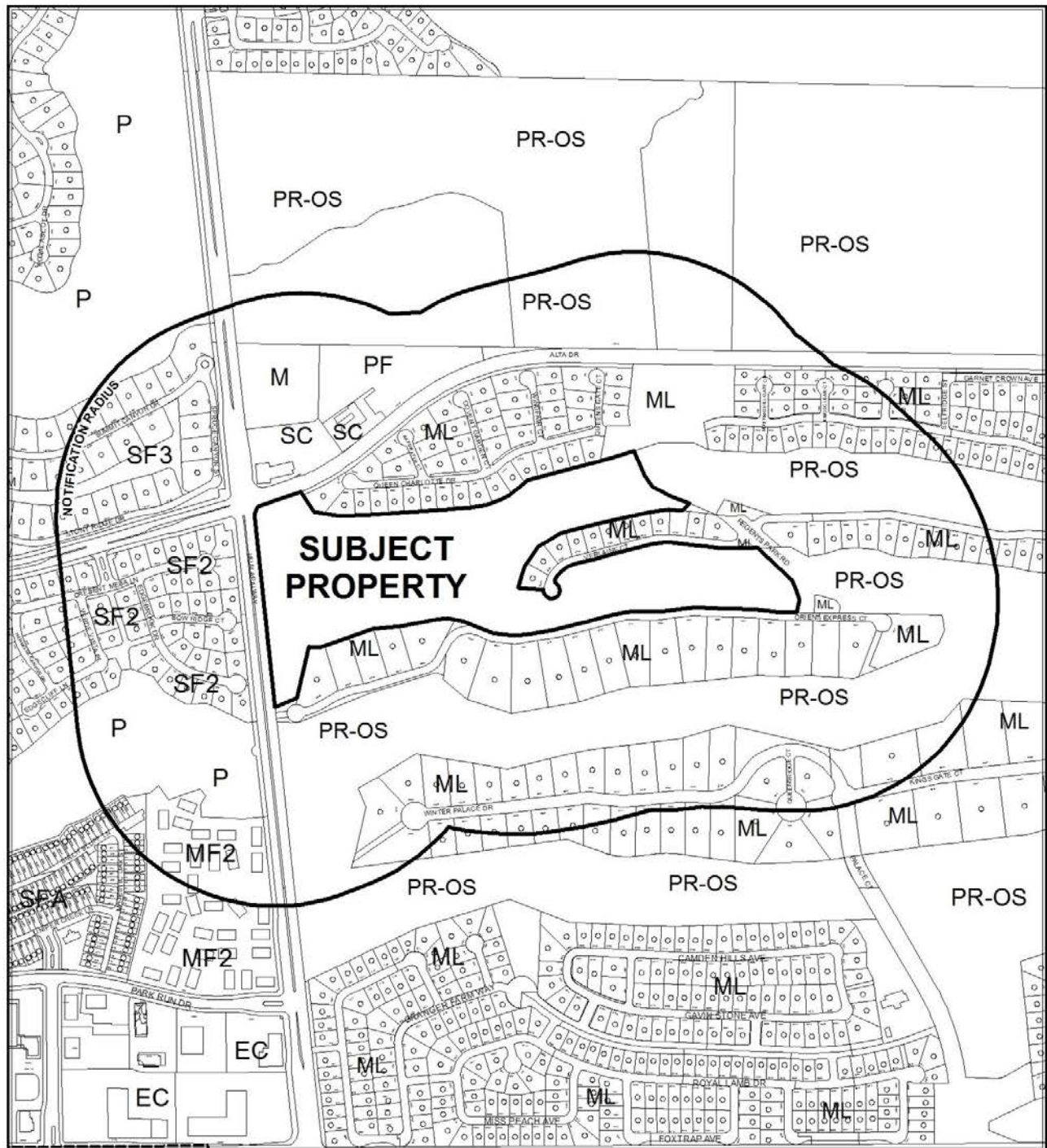
PECCOLE RANCH
LAND USE DATA
OVERALL MASTER PLAN

<u>LAND USE</u>	<u>NET ACRES</u>	<u>DENSITY RANGES</u>
Single Family	729.49	4.0 - 8.0 du/ac
Multi-Family	105.36	8.0 - 24.0 du/ac
Mixed Use Village Center (Commercial, Office, Multi-Family)	75.56	20.0 - 35.0 du/ac
Neighborhood Commercial/Office	197.05	
Resort-Casino	56.0	
Nursing Home	8.25	
Golf Course/Open Space/Drainage	253.07	
Right-of-Way	114.37	
Schools	30.44	
TOTAL	1,569.6	

PECCOLE RANCH
STUDENT POPULATION PROJECTIONS

<u>GRADE</u>	<u>PHASE ONE</u>	<u>PHASE TWO</u>	<u>MASTER PLAN</u>
K thru 6	902	765	1,667
7 thru 9	347	294	641
10 thru 12	343	291	634
TOTAL	1,592	1,350	2,942

Exhibit 71

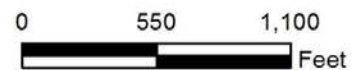


CASE: GPA-68385 (PRJ-67184)

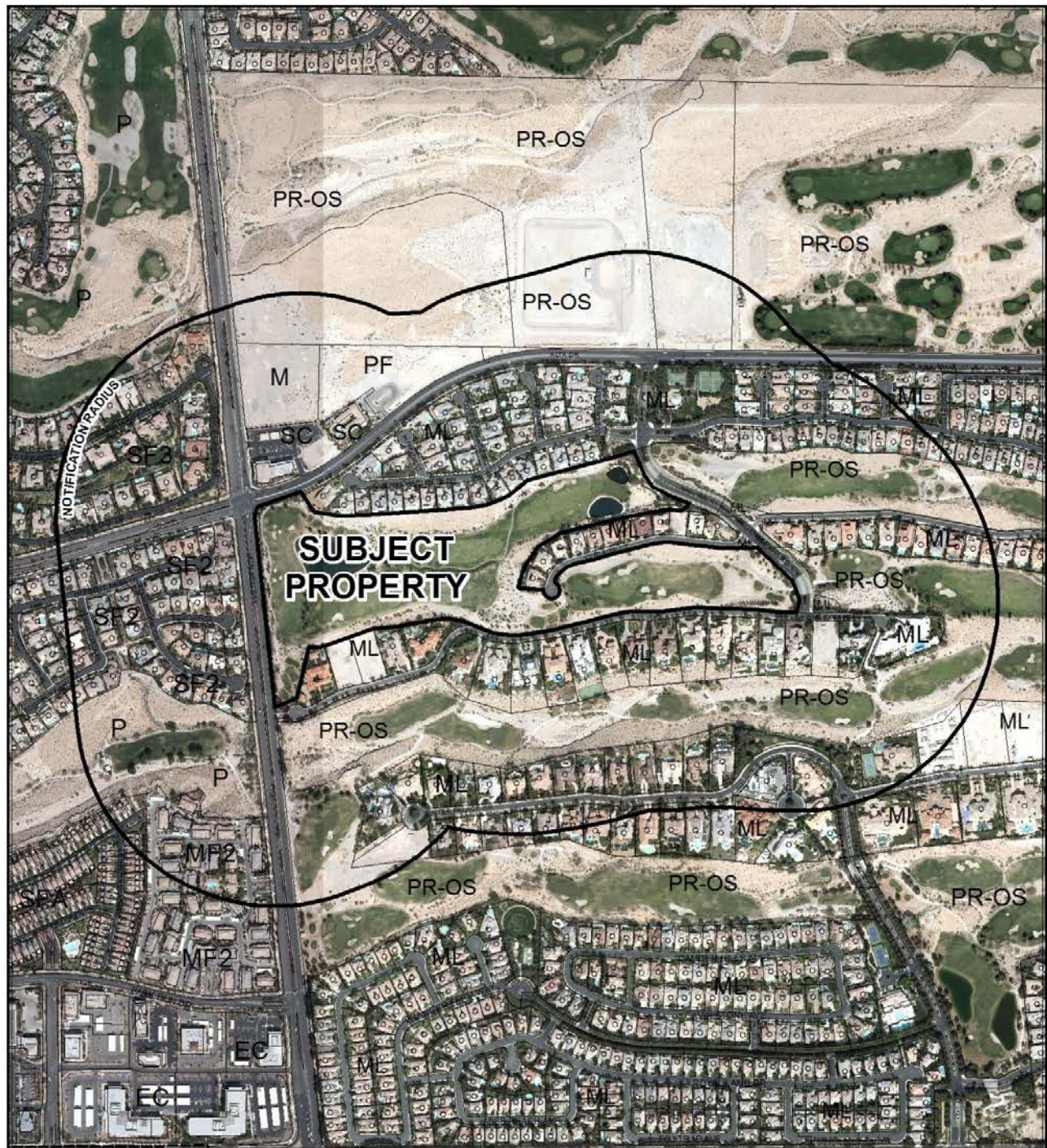
RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: PR-OS (PARKS/RECREATION/OPEN SPACE)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: L (LOW DENSITY RESIDENTIAL)



**002502
RA 02317**



CASE: GPA-68385 (PRJ-67184)

RADIUS: 1000 FEET

GENERAL PLAN OF SUBJECT PROPERTY: PR-OS (PARKS/RECREATION/OPEN SPACE)

PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: L (LOW DENSITY RESIDENTIAL)



**002503
RA 02318**

Exhibit 72



**GPA-68385 [PRJ-67184] - GENERAL PLAN AMENDMENT RELATED TO WVR-68480, SDR-68481 AND TMP-68482-
APPLICANT/OWNER: 180 LAND COMPANY, LLC
SOUTHEAST CORNER OF ALTA DRIVE AND HUALAPAI WAY**

01/05/17



**GPA-68385 [PRJ-67184] - GENERAL PLAN AMENDMENT RELATED TO WVR-68480, SDR-68481 AND TMP-68482-
APPLICANT/OWNER: 180 LAND COMPANY, LLC
SOUTHEAST CORNER OF ALTA DRIVE AND HUALAPAI WAY**

01/05/17



**GPA-68385 [PRJ-67184] - GENERAL PLAN AMENDMENT RELATED TO WVR-68480, SDR-68481 AND TMP-68482-
APPLICANT/OWNER: 180 LAND COMPANY, LLC
SOUTHEAST CORNER OF ALTA DRIVE AND HUALAPAI WAY**

01/05/17



**GPA-68385 [PRJ-67184] - GENERAL PLAN AMENDMENT RELATED TO WVR-68480, SDR-68481 AND TMP-68482-
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01/05/17



**GPA-68385 [PRJ-67184] - GENERAL PLAN AMENDMENT RELATED TO WVR-68480, SDR-68481 AND TMP-68482-
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01/05/17



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APPLICANT/OWNER: 180 LAND COMPANY, LLC
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01/05/17



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01/05/17



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APPLICANT/OWNER: 180 LAND COMPANY, LLC
SOUTHEAST CORNER OF ALTA DRIVE AND HUALAPAI WAY**

01/05/17

Exhibit 74



AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: JUNE 21, 2017

DEPARTMENT: PLANNING

ITEM DESCRIPTION: - APPLICANT/OWNER: 180 LAND COMPANY, LLC

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
GPA-68385	Staff recommends APPROVAL.	
WVR-68480	Staff recommends APPROVAL, subject to conditions:	GPA-68385
SDR-68481	Staff recommends APPROVAL, subject to conditions:	GPA-68385 WVR-68480
TMP-68482	Staff recommends APPROVAL, subject to conditions:	GPA-68385 WVR-68480 SDR-68481

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 32

NOTICES MAILED 1,025 - GPA-68385 (By City Clerk)
255 - WVR-68480 and SDR-68481 (By City Clerk)
255 - TMP-68482 (By City Clerk)

APPROVALS 24 - GPA-68385
0 - WVR-68480 and SDR-68481
0 - TMP-68482

PROTESTS 121 - GPA-68385
67 - WVR-68480 and SDR-68481
60 - TMP-68482

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002539
RA 02330

**** CONDITIONS ****

WVR-68480 CONDITIONS

Planning

1. Approval of a General Plan Amendment (GPA-68385) and approval of and conformance to the Conditions of Approval for Site Development Plan Review (SDR-68481) and Tentative Map (TMP-68482) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

SDR-68481 CONDITIONS

Planning

1. The single family residential subdivision shall be limited to no more than 61 residential lots.
2. The residential subdivision shall be gated.
3. A separate HOA from that of the Queensridge HOA shall be created.
4. Sidewalks shall be installed on one side of each street within the residential subdivision.
5. Landscaping within the community shall meet or exceed City standards. Palm trees are a permitted plant material within common lots and buildable lots.
6. Development within the community shall be limited to single-family residential homes only.
7. Building heights shall not exceed 46 feet.

Conditions Page Two

June 21, 2017 - City Council Meeting

8. A minimum home size of 3,000 square feet on lots less than or equal to 20,000 square feet in size shall be required.
9. A minimum home size of 3,500 square feet on lots over 20,000 square feet in size shall be required.
10. Perimeter and interior walls shall be composed of decorative block wall, wrought iron fencing or a combination of both. Perimeter decorative block walls are to comply with Title 19 requirements.
11. No construction shall occur during the hours of 8:00 pm and 6:00 am.
12. The subdivision's associated CC&Rs are to include design guidelines generally compatible with the Queensridge design guidelines.
13. Approval of a General Plan Amendment (GPA-68385) and approval of and conformance to the Conditions of Approval for a Waiver (WVR-68480) and Tentative Map (TMP-68482) shall be required, if approved.
14. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
15. All development shall be in conformance with the site plan, date stamped 01/25/17 and landscape plan, date stamped 01/26/17, except as amended by conditions herein.
16. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
17. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.

Conditions Page Three

June 21, 2017 - City Council Meeting

18. The standards for this development shall include the following:

Standard	Lots less than or equal to 20,000 sf*	Lots greater than 20,000 sf
Minimum Lot Size	10,000 sf	20,000 sf
Building Setbacks:		
• Front yard to private street or access easement	30 feet	35 feet
• Side yard	5 feet	7.5 feet
• Corner side yard	12.5 feet	15 feet
• Rear yard	25 feet	30 feet

Standard	Lots less than or equal to 20,000 sf*	Lots greater than 20,000 sf
Accessory structure setbacks:		
• Porte cochere to private street	15 feet	15 feet
• Side loaded garage to side yard property line	15 feet	15 feet
• Patio covers and/or 2 nd story decks	20 feet	20 feet
• Separation from principal dwelling	6 feet	6 feet
• Side yard	5 feet	5 feet
• Corner side yard	5 feet	5 feet
• Rear yard	5 feet	5 feet
Building Heights:		
• Principal dwelling	46 feet	46 feet
• Accessory structures	25 feet	30 feet
• Floors	2 stories on slab or over basement	3 stories on lots greater than 35,000 sf; otherwise 2 stories
Permitted uses	Single family residence and accessory structures**	Single family residence and accessory structures**

*Includes Lots 1, 2 and 24.

**Accessory structures may have a trellis or canopy attached to the principal dwelling.

19. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time as Final Map submittal. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device.

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Conditions Page Four

June 21, 2017 - City Council Meeting

20. No turf shall be permitted in the non-recreational common areas, such as medians and amenity zones in this development.
21. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
22. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

Public Works

23. Correct all Americans with Disabilities Act (ADA) deficiencies on the public sidewalks adjacent to this site in accordance with code requirements of Title 13.56.040, if any, to the satisfaction of the City Engineer concurrent with development of this site.
24. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed subdivision. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services. Curbing on one side of the 32-foot private streets shall be constructed of red concrete and shall be in accordance with the adopted Fire Code (Ordinance #6325). The required curb coloring, painting, and signage shall be privately maintained in perpetuity by the Homeowner's Association.
25. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.
26. Coordinate with the Sewer Planning Section of the Department of Public Works to determine the appropriate location and depth of public sewer lines servicing this site prior to approval of construction drawings for this site. Provide appropriate Public Sewer Easements for all public sewers not located within existing public street right-of-way. Construct paved vehicular access to all new Public Sewer Manholes proposed east of this site concurrent with on-site development activities. No structures, and no trees or vegetation taller than three feet shall be allowed within any Public Sewer Easements.

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RA 02334

27. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. The Drainage Study required by TMP-68482 may be used to satisfy this condition.
28. Site Development to comply with all applicable conditions of approval for TMP-68482 and any other site related actions.

TMP-68482 CONDITIONS

Planning

1. Approval of the Tentative Map shall be for no more than four (4) years. If a Final Map is not recorded on all or a portion of the area embraced by the Tentative Map within four (4) years of the approval of the Tentative Map, this action is void.
2. Approval of a General Plan Amendment (GPA-68385) and approval of and conformance to the Conditions of Approval for Waiver (WVR-68480) and Site Development Plan Review (SDR-68481) shall be required, if approved.
3. Street names must be provided in accordance with the City's Street Naming Regulations.
4. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
5. In conjunction with creation, declaration and recordation of the subject common-interest community, and prior to recordation of the Covenants, Codes and Restrictions ("CC&R"), or conveyance of any unit within the community, the Developer is required to record a Declaration of Private Maintenance Requirements ("DPMR") as a covenant on all associated properties, and on behalf of all current and future property owners. The DPMR is to include a listing of all privately owned and/or maintained infrastructure improvements, along with assignment of maintenance responsibility for each to the common interest community or the respective individual property owners, and is to provide a brief

Conditions Page Six

June 21, 2017 - City Council Meeting

description of the required level of maintenance for privately maintained components. The DPMR must be reviewed and approved by the City of Las Vegas Department of Field Operations prior to recordation, and must include a statement that all properties within the community are subject to assessment for all associated costs should private maintenance obligations not be met, and the City of Las Vegas be required to provide for said maintenance. Also, the CC&R are to include a statement of obligation of compliance with the DPMR. Following recordation, the Developer is to submit copies of the recorded DPMR and CC&R documents to the City of Las Vegas Department of Field Operations.

6. All development is subject to the conditions of City Departments and State Subdivision Statutes.

Public Works

7. Grant all required public easements (sewer, drainage, fire, etc.) that are outside the boundaries of this site prior to or concurrent with the recordation of a Final Map for this site.
8. Correct all Americans with Disabilities Act (ADA) deficiencies on the public sidewalks adjacent to this site in accordance with code requirements of Title 13.56.040, if any, to the satisfaction of the City Engineer concurrent with development of this site.
9. Private streets must be granted and labeled on the Final Map for this site as Public Utility Easements (P.U.E.), Public Sewer Easements, and Public Drainage Easements to be privately maintained by the Homeowner's Association.
10. Meet with the Fire Protection Engineering Section of the Department of Fire Services to discuss fire requirements for the proposed subdivision. The design and layout of all onsite private circulation and access drives shall meet the approval of the Department of Fire Services. Curbing on one side of the 32-foot private streets shall be constructed of red concrete and shall be in accordance with the adopted Fire Code (Ordinance #6325). The required curb coloring, painting, and signage shall be privately maintained in perpetuity by the Homeowner's Association.
11. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

12. Coordinate with the Sewer Planning Section of the Department of Public Works to determine the appropriate location and depth of public sewer lines servicing this site prior to approval of construction drawings for this site. Provide appropriate Public Sewer Easements for all public sewers not located within existing public street right-of-way. Construct paved vehicular access to all new Public Sewer Manholes proposed east of this site concurrent with on-site development activities. No structures, and no trees or vegetation taller than three feet, shall be allowed within any Public Sewer Easements.
13. A working sanitary sewer connection shall be in place prior to final inspection of any units within this development. Full permanent improvements on all major access streets, including all required landscaped areas between the perimeter wall and adjacent public street, shall be constructed and accepted by the City prior to issuance of any building permits beyond 50% of all units within this development. All off-site improvements adjacent to this site, including all required landscaped areas between the perimeter walls and adjacent public streets, shall be constructed and accepted prior to issuance of building permits beyond 75%. The above thresholds notwithstanding, all required improvements shall be constructed in accordance with the Title 19.
14. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site.
15. The approval of all Public Works related improvements shown on this Tentative Map is in concept only. Specific design and construction details relating to size, type and/or alignment of improvements, including but not limited to street, sewer and drainage improvements, shall be resolved prior to approval of the construction plans by the City. No deviations from adopted City Standards shall be allowed unless specific written approval for such is received from the City Engineer prior to the recordation of a Final Map or the approval of subdivision-related construction plans, whichever may occur first. Approval of this Tentative Map does not constitute approval of any deviations. If such approval cannot be obtained, a revised Tentative Map must be submitted showing elimination of such deviations. We note that curved sewers are not allowed and do not comply with City Standards.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The applicant is proposing a 61-lot gated single-family residential development on a portion of a large lot currently developed as a golf course generally located at the southeast corner of Alta Drive and Hualapai Way. The development would feature custom homes and contain small open space and park areas.

ISSUES

- A General Plan Amendment is requested from PR-OS (Parks/Recreation/Open Space) to L (Low Density Residential) on the primary parcel (that makes up the Badlands Golf Course).
- A Waiver of Title 19.02 is requested to allow 32-foot wide private streets with a private sidewalk and landscape easement on one side and another landscape easement on the other side where 47-foot wide streets including sidewalks on both sides are required within a proposed gated development. Staff supports this request.
- A Site Development Plan Review for a single-family residential development on this site is required for all planned developments zoned R-PD (Residential Planned Development). The proposal includes developer-proposed standards for development of the site.
- A Tentative Map is requested for a 61-lot single-family residential subdivision on a 34.07-acre parcel, which is a portion of the primary golf course parcel that is the subject of the proposed General Plan Amendment.
- A Parcel Map (PMP-64285) dividing the majority of the Badlands Golf Course into four separate lots, including a 34.07-acre lot at the southeast corner of Alta Drive and Hualapai Way that defines the extent of the proposed residential development, was recorded on 01/24/17. Although Assessor's Parcel Numbers have not yet been assigned, recordation of the Parcel Map has created four legal lots with valid legal descriptions.

ANALYSIS

The subject parent parcel (APN 138-31-702-002) is a significant portion of a developed golf course that is located within the Peccole Ranch Master Plan. The parcel is zoned R-PD7 (Residential Planned Development – 7 Units per Acre), allowing up to 7.49 dwelling units per acre spread out across the zoning district. The proposed L (Low Density Residential) General Plan designation allows density up to 5.49 dwelling units per acre, which is consistent with the density permitted by the existing R-PD7

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zoning across the Peccole Ranch Master Plan area. The approved 1990 Peccole Ranch Master Plan indicates that the subject area is planned for both single family residential and golf course/open space/drainage uses. Over time, the development pattern in this area did not follow the master plan as approved.

Title 19.16.110 states that “except as otherwise authorized by this Title, approval of all Maps, Vacations, Rezoning, Site Development Plan Reviews, Special Use Permits, Variances, Waivers, Exceptions, Deviations and Development Agreements shall be consistent with the spirit and intent of the General Plan.” Within the area known as the Peccole Ranch Master Plan, the 1992 General Plan for the City of Las Vegas designated the proposed golf course area P (Parks/Recreation/Open Space) and the various residential areas around the proposed golf course as ML (Medium Low Density Residential). As other uses within the Peccole Ranch Master Plan were proposed that deviated from the established General Plan or zoning, a General Plan Amendment or Rezoning was required for consistency with the General Plan. As the proposed land area is no longer intended for a golf course or open space, but instead for residential development, an amendment to the General Plan is necessary and appropriate.

As a Residential Planned Development, density may be concentrated in some areas while other areas remain less dense, as long as the overall density for this site does not exceed 7.49 dwelling units per acre. Therefore, portions of the subject area can be restricted in density by various General Plan designations. A closer examination of the existing development reveals that single-family lots adjacent to the golf course average 12,261 square feet and a density of 3.55 units per acre along Queen Charlotte Drive west of Regents Park Road, an average of 11,844 square feet and a density of 3.68 units per acre along Verlaine Court and an average of 42,806 square feet and a density of 1.02 units per acre along Orient Express Court west of Regents Park Road. Each of these adjacent developments are designated ML (Medium Low Density Residential) with a density cap of 8.49 dwelling units per acre. The proposed development would have a density of 1.79 dwelling units per acre, with an average lot size of 19,871 square feet. In addition, open space and planned park areas are included as required for all new R-PD developments. Compared with the densities and General Plan designations of the adjacent residential development, the proposed L (Low Density Residential) designation is less dense and therefore appropriate for this area, capped at 5.49 units per acre.

Open space is provided in the form of three small park areas totaling approximately 62,000 square feet. Approximately 44,000 square feet or 1.01 acres of the development must consist of usable open space, which this proposal meets. An eight-foot buffer and six-foot wrought iron fence would separate the proposed “D” Avenue from Orient Express Court to the south. These areas are all common lots to be privately maintained.

Title 19.04 requires private streets to be developed to public street standards, which require 47-foot wide streets with sidewalks on both sides of the street, as well as either a three-foot amenity zone with street trees or a five-foot planting zone on the adjacent private properties. This is to allow adequate space for vehicular travel in both directions, as well as a safe environment for pedestrians, bicycles and other modes of transportation. In the existing adjacent residential developments, the streets range in size from 36 feet to 40 feet in width with wide roll curbs. In addition, the San Michelle North development abutting this site to the north also contains a four-foot sidewalk, six-foot amenity zone and three-foot landscape strip within a common element on the north side of Queen Charlotte Drive. The side streets in that development contain the 36-foot private roadway with a four-foot sidewalk and five-foot amenity zone on one side contained in a private easement for a total sectional width of 45 feet.

The applicant is requesting a street section comparable to San Michelle North, with proposed 32-foot private streets with 30-inch roll curbs, a four-foot sidewalk and three-foot private landscape easement on one side and a five-foot private landscape easement on the other side for a total sectional width of 44 feet. A 32-foot wide street will allow for emergency vehicle access while still permitting parking on one side. Red colored concrete and signage will be required to clearly mark the side of the street with no parking. This design is comparable to the private streets in the adjacent gated subdivisions along the golf course. Staff can support the Waiver request with conditions that include a requirement for the applicant to coordinate with the Fire Protection Engineering Section of the Department of Fire Services to discuss the design and layout of all onsite private circulation and access drives to meet current fire codes.

The Site Development Plan Review describes two lot types with different development standards; those that contain 20,000 square feet or less and those containing greater than 20,000 square feet. However, three lots (Lots 1, 2 and 24) are included with the "20,000 square feet or less" classification for consistency of development. Development standards for lots that are 20,000 square feet or less are generally consistent with R-D zoned properties, while those in the category greater than 20,000 square feet are generally consistent with R-E zoned properties. Some exceptions include building height, which is proposed to be 40-50 feet where 35 feet is the requirement in the standard zoning districts, and patio covers, which are treated the same as second story decks unlike in the Unified Development Code. The additional height is comparable to existing residential dwellings in the R-PD7 zoning district. It is noted that no building height restriction was conditioned for the existing residential development surrounding the subject property.

The submitted Tentative Map contains the elements necessary for a complete submittal. The natural slope from west to east across the site is approximately 2.5 percent. Per Title 19, a development having a natural slope of greater than two percent is allowed to contain up to six-foot retaining walls and eight-foot screen walls on the perimeter, with a maximum height of 12 feet. A 10-foot combined perimeter wall consisting of no more

than six feet of retaining is proposed along Hualapai Way, set back 20 feet from the property line. Only the screen wall would be visible from Hualapai Way. A six-foot screen wall or fence is proposed on the east perimeter at Regents Park Road.

The submitted north-south cross section depicts maximum natural grade at two percent across this site. Per Title 19, a development with natural slope of two percent or greater is allowed to contain up to six-foot retaining walls and eight-foot screen walls on the perimeter, with a maximum height of 12 feet. The retaining walls along the northern property line are shown as maximum six-foot retaining walls, with a maximum of 10 feet of both retaining and screening. From the adjacent properties, no more than 10 feet of wall or wrought iron fencing would be visible.

Per Title 19.04.040, the Connectivity Ratio requirement does not apply for R-PD developments. In addition, per Title 19.04.010, where a proposed development is adjacent to existing improvements, the Director of Public Works has the right to determine the appropriateness of implementing Complete Streets standards, including connectivity. In this case, Public Works has determined that it would be inappropriate to implement the connectivity standards, given the design of the existing residential development and configuration of available land for development.

FINDINGS (GPA-68385)

Section 19.16.030(I) of the Las Vegas Zoning Code requires that the following conditions be met in order to justify a General Plan Amendment:

- 1. The density and intensity of the proposed General Plan Amendment is compatible with the existing adjacent land use designations,**

The density of the proposed General Plan Amendment is compatible with the existing adjacent land use designations, which include ML (Medium Low Density Residential), MLA (Medium Low Attached Density Residential) and PR-OS (Parks/Recreation/Open Space); the L (Low Density Residential) designation is less dense than any of these residential land use designations. However, as a Residential Planned Development, density may be concentrated in some areas while other areas remain less dense.

2. **The zoning designations allowed by the proposed amendment will be compatible with the existing adjacent land uses or zoning districts,**

The overall residential development, including the proposed site and surrounding adjacent residential development, is zoned R-PD7 (Residential Planned Development – 7 Units per Acre), which is allowed by the proposed amendment. Additionally, the zoning districts allowed by the proposed L (Low Density Residential) designation would be less dense than the existing R-PD7 zoning district.

3. **There are adequate transportation, recreation, utility, and other facilities to accommodate the uses and densities permitted by the proposed General Plan Amendment; and**

Additional streets, utilities and open space amenities would be constructed or extended to support the residential uses permitted by the proposed General Plan Amendment to L (Low Density Residential).

4. **The proposed amendment conforms to other applicable adopted plans and policies that include approved neighborhood plans.**

The proposed General Plan Amendment is consistent with the Peccole Ranch Master Plan, which designates the subject area for single family residential uses.

FINDINGS (WVR-68480)

Staff supports Title 19 requirements for streets within the city, which require private streets to be developed to public street standards. The Unified Development Code requires 47-foot wide private streets that contain sidewalks on both sides. However, none of the existing residential developments with private streets in this area adhere to this standard. The applicant is proposing streets that provide similar amenities and widths to the adjacent private streets, once private easements are granted. This configuration would be more compatible with the surrounding development than the required 47-foot streets. Build-out of the proposed streets will not cause an undue hardship to the surrounding properties and will allow for fire access and limited on-street parking. Therefore, staff recommends approval of the requested waiver, with conditions.

FINDINGS (SDR-68481)

In order to approve a Site Development Plan Review application, per Title 19.16.100(E) the Planning Commission and/or City Council must affirm the following:

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1. **The proposed development is compatible with adjacent development and development in the area;**

The proposed residential lots throughout the subject site are comparable in size to the existing residential lots directly adjacent to the proposed lots. The development standards proposed are compatible with those imposed on the adjacent lots. Several small park and open space amenities are provided for the benefit of residents.

2. **The proposed development is consistent with the General Plan, this Title, the Design Standards Manual, the Landscape, Wall and Buffer Standards, and other duly-adopted city plans, policies and standards;**

The proposed development would be consistent with the General Plan if the plan is concurrently amended to L (Low Density Residential) or a lower density designation. The proposal for single-family residential and accessory uses is consistent with the approved 1990 Peccole Ranch Master Plan, which designates the subject area for single family uses. The proposed R-PD development is consistent with Title 19 requirements for residential planned developments prior to the adoption of the Unified Development Code. However, streets are not designed to public street standards as required by the Unified Development Code Title 19.04, for which a waiver is necessary.

3. **Site access and circulation do not negatively impact adjacent roadways or neighborhood traffic;**

Site access is proposed from Hualapai Way through a gate that meets Uniform Standard Drawing specifications. The street system does not connect to any existing streets and therefore should not negatively affect traffic within the existing residential areas.

4. **Building and landscape materials are appropriate for the area and for the City;**

Custom homes are proposed on the subject lots, which will be subject to future permit review. Landscape materials are drought tolerant and appropriate for this area.

5. **Building elevations, design characteristics and other architectural and aesthetic features are not unsightly, undesirable, or obnoxious in appearance; create an orderly and aesthetically pleasing environment; and are harmonious and compatible with development in the area;**

Custom homes are proposed on the subject lots, which will be subject to future permit review against the proposed development standards.

6. Appropriate measures are taken to secure and protect the public health, safety and general welfare.

Development of this site will be subject to building permit review and inspection, thereby protecting the public health, safety and general welfare.

FINDINGS (TMP-68482)

The submitted Tentative Map is in conformance with all Title 19 and NRS requirements for tentative maps.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/17/80	The Board of City Commissioners approved the Annexation (A-0018-80) of 2,243 acres bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east. The annexation became effective on 12/26/80.
04/15/81	The Board of City Commissioners approved a General Plan Amendment (Agenda Item IX.B) to expand the Suburban Residential Land Use category and add the Rural Density Residential category generally located north of Sahara Avenue, west of Durango Drive.
	The Board of City Commissioners approved a Generalized Land Use Plan (Agenda Item IX.C) for residential, commercial and public facility uses on the Peccole property and the south portion of Angel Park lying within city limits. The maximum density of this plan was 24 dwelling units per acre.
05/20/81	The Board of City Commissioners approved a Rezoning (Z-0034-81) from N-U (Non-Urban) to R-1 (Single Family Residence), R-2 (Two Family Residence), R-3 (Limited Multiple Residence), R-MHP (Residential Mobile Home Park), R-PD7 (Residential Planned Development), R-PD8 (Residential Planned Development), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) generally located north of Sahara Avenue, south of Westcliff Drive and extending two miles west of Durango Drive. The Planning Commission and staff recommended approval.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
05/07/86	The City Council approved the Master Development Plan for Venetian Foothills on 1,923 acres generally located north of Sahara Avenue between Durango Drive and Hualapai Way. The Planning Commission and staff recommended approval. This plan included two 18-hole golf courses and a 106-acre regional shopping center. [Venetian Foothills Master Development Plan]
	The City Council approved a Rezoning (Z-0030-86) to reclassify property from N-U (Non-Urban) (under Resolution of Intent) to R-PD4 (Residential Planned Development), P-R (Professional Offices and Parking), C-1 (Limited Commercial), and C-V (Civic) on 585.00 acres generally located north of Sahara Avenue between Durango Drive and Hualapai Way. The Planning Commission and staff recommended approval. [Venetian Foothills Phase One]
02/15/89	The City Council considered and approved a revised master development plan for the subject site and renamed it Peccole Ranch to include 1,716.30 acres. Phase One of the Plan is generally located south of Charleston Boulevard, west of Fort Apache Road. Phase Two of the Plan is generally located north of Charleston Boulevard, west of Durango Drive, and south of Charleston Boulevard, east of Hualapai Way. The Planning Commission and staff recommended approval. A condition of approval limited the maximum number of dwelling units in Phase One to 3,150. [Peccole Ranch Master Development Plan]
02/15/89	The City Council approved a Rezoning (Z-0139-88) on 448.80 acres from N-U (Non-Urban) under Resolution of Intent to R-PD4, P-R, C-1 and C-V to R-PD7 (Residential Planned Development – 7 Units per Acre), R-3 (Limited Multiple Residence) and C-1 (Limited Commercial). [Peccole Ranch Phase One]
04/04/90	The City Council approved an amendment to the Peccole Ranch Master Development Plan to make changes related to Phase Two of the Plan and to reduce the overall acreage to 1,569.60 acres. Approximately 212 acres of land in Phase Two was planned for a golf course. The Planning Commission and staff recommended approval. [Peccole Ranch Master Development Plan]
	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) (under Resolution of Intent to multiple zoning districts) to R-3 (Limited Multiple Residence), R-PD7 (Residential Planned Development – 7 Units per Acre) and C-1 (Limited Commercial) on 996.40 acres on the east side of Hualapai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue. A condition of approval limited the maximum number of dwelling units for Phase Two of the Peccole Ranch Master Development Plan to 4,247 units. The Planning Commission and staff recommended approval. [Peccole Ranch Phase Two]

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
12/05/96	A (Parent) Final Map (FM-0008-96) for a 16-lot subdivision (Peccole West) on 570.47 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 77 Page 23 of Plats]. The golf course was located on Lot 5 of this map.
08/14/97	The Planning Commission approved a request for a Site Development Plan Review [Z-0017-90(20)] for a proposed 76-lot single family residential development on 36.30 acres south of Alta Drive, east of Hualapai Way. Staff recommended approval.
03/30/98	A Final Map (FM-0190-96) for a four-lot subdivision (Peccole West Lot 10) on 184.01 acres at the southeast corner of Alta Drive and Hualapai Way was recorded [Book 83 Page 61 of Plats].
03/30/98	A Final Map [FM-0008-96(1)] to amend portions of Lots 5 and 10 of the Peccole West Subdivision Map on 368.81 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 83 Page 57 of Plats].
10/19/98	A Final Map (FM-0027-98) for a 45-lot single family residential subdivision (San Michelle North) on 17.41 acres generally located south of Alta Drive, east of Hualapai Way was recorded [Book 86 Page 74 of Plats].
12/17/98	A Final Map (FM-0158-97) for a 21-lot single family residential subdivision (Peccole West – Parcel 20) on 20.65 acres generally located south of Alta Drive, east of Hualapai Way was recorded [Book 87 Page 54 of Plats].
09/23/99	A Final Map (FM-0157-97) for a 41-lot single family residential subdivision (Peccole West – Parcel 19) on 15.10 acres generally located south of Alta Drive, east of Hualapai Way was recorded [Book 91 Page 47 of Plats].
06/18/15	A four-lot Parcel Map (PMP-59572) on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 120 Page 49 of Parcel Maps].
11/30/15	A two-lot Parcel Map (PMP-62257) on 70.52 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 120 Page 91 of Parcel Maps].
01/12/16	The Planning Commission voted [6-0] to hold requests for a General Plan Amendment (GPA-62387) from PR-OS (Parks/Recreation/Open Space) to H (High Density Residential), a Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-4 (High Density Residential) and a Site Development Plan Review (SDR-62393) for a proposed 720-unit multi-family residential development in abeyance to the March 8, 2016 Planning Commission meeting at the request of the applicant.

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/08/16	The Planning Commission voted [7-0] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the April 12, 2016 Planning Commission meeting at the request of the applicant.
03/15/16	A two-lot Parcel Map (PMP-63468) on 53.03 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 121 Page 12 of Parcel Maps].
04/12/16	The Planning Commission voted [7-0] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the May 10, 2016 Planning Commission meeting at the request of the applicant.
04/12/16	The Planning Commission voted [7-0] to hold requests for a Major Modification (MOD-63600) of the 1990 Peccole Ranch Master Plan; a Development Agreement (DIR-63602) between 180 Land Co., LLC, et al. and the City of Las Vegas; a General Plan Amendment (GPA-63599) from PR-OS (Parks/Recreation/Open Space) to DR (Desert Rural Density Residential) and H (High Density Residential); and a Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-E (Residence Estates) and R-4 (High Density Residential) on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard in abeyance to the May 10, 2016 Planning Commission meeting at the request of the applicant.
05/10/16	The Planning Commission voted [7-0] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the July 12, 2016 Planning Commission meeting at the request of City staff.
	The Planning Commission voted [7-0] to hold MOD-63600, GPA-63599, ZON-63601 and DIR-63602 in abeyance to the July 12, 2016 Planning Commission meeting at the request of City staff.
07/12/16	The Planning Commission voted [5-2] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the October 11, 2016 Planning Commission meeting.
	The Planning Commission voted [5-2] to hold MOD-63600, GPA-63599, ZON-63601 and DIR-63602 in abeyance to the October 11, 2016 Planning Commission meeting.
08/09/16	The Planning Commission voted [7-0] to rescind the action taken on 07/12/16 to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the October 11, 2016 Planning Commission meeting. Action was then taken to reschedule the hearing of these items at a special Planning Commission meeting on 10/18/16.
08/09/16	The Planning Commission voted [7-0] to rescind the action taken on 07/12/16 to hold MOD-63600, GPA-63599, ZON-63601 and DIR-63602 in abeyance to the October 11, 2016 Planning Commission meeting. Action was then taken to reschedule the hearing of these items at a special Planning Commission meeting on 10/18/16, at which they were recommended for denial.

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Related Relevant City Actions by P&D, Fire, Bldg., etc.	
11/16/16	At the applicant's request, the City Council voted to Withdraw Without Prejudice requests for a Major Modification (MOD-63600) of the 1990 Peccole Ranch Master Plan; a Development Agreement (DIR-63602) between 180 Land Co., LLC, et al. and the City of Las Vegas; a General Plan Amendment (GPA-63599) from PR-OS (Parks/Recreation/Open Space) to DR (Desert Rural Density Residential) and H (High Density Residential); and a Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-E (Residence Estates) and R-4 (High Density Residential) on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission recommended denial; staff recommended approval.
	The Planning Commission voted to hold in abeyance to the January 18, 2017 City Council meeting a General Plan Amendment (GPA-62387) from PR-OS (Parks/Recreation/Open Space) to H (High Density Residential), a Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-4 (High Density Residential) and a Site Development Plan Review (SDR-62393) for a proposed 720-unit multi-family residential development on 17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval.
01/10/17	The Planning Commission voted to hold in abeyance to the February 14, 2017 Planning Commission meeting GPA-68385 [PRJ-67184].
01/18/17	The City Council voted to hold in abeyance to the February 15, 2017 City Council meeting GPA-62387, ZON-62392 and SDR-62393 at the applicant's request.
01/24/17	A four-lot Parcel Map (PMP-64285) on 166.99 acres at the southeast corner of Alta Drive and Hualapai Way was recorded [File 121 Page 100 of Parcel Maps].
02/14/17	<p>The Planning Commission voted to recommend APPROVAL on the following requests:</p> <ul style="list-style-type: none"> • Waiver (WVR-68480) TO ALLOW 32-FOOT PRIVATE STREETS WITH A SIDEWALK ON ONE SIDE WHERE 47-FOOT PRIVATE STREETS WITH SIDEWALKS ON BOTH SIDES ARE REQUIRED WITHIN A PROPOSED GATED RESIDENTIAL DEVELOPMENT • Site Development Plan Review (SDR-68481) FOR A PROPOSED 61-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT • Tentative Map (TMP-68482) FOR A 61-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 34.07 acres at the southeast corner of Alta Drive and Hualapai Way (Lot 1 in File 121, Page 100 of Parcel Maps on file at the Clark County Recorder's Office; formerly a portion of APN 138-31-702-002), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Beers) [PRJ-67184]

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Related Relevant City Actions by P&D, Fire, Bldg., etc.	
02/14/17	The Planning Commission vote resulted in a TIE which is tantamount to DENIAL on a request for a General Plan Amendment (GPA-68385) which is a FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO: L (LOW DENSITY RESIDENTIAL) on 166.99 acres at the southeast corner of Alta Drive and Hualapai Way (APN 138-31-702-002), Ward 2 (Beers) [PRJ-67184].
03/15/17	<p>The City Council voted to hold the following four related items in abeyance to the April 19, 2017 City Council meeting.</p> <ul style="list-style-type: none"> • General Plan Amendment (GPA-68385) which is a FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO: L (LOW DENSITY RESIDENTIAL) • Waiver (WVR-68480) TO ALLOW 32-FOOT PRIVATE STREETS WITH A SIDEWALK ON ONE SIDE WHERE 47-FOOT PRIVATE STREETS WITH SIDEWALKS ON BOTH SIDES ARE REQUIRED WITHIN A PROPOSED GATED RESIDENTIAL DEVELOPMENT • Site Development Plan Review (SDR-68481) FOR A PROPOSED 61-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT • Tentative Map (TMP-68482) FOR A 61-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 34.07 acres at the southeast corner of Alta Drive and Hualapai Way (Lot 1 in File 121, Page 100 of Parcel Maps on file at the Clark County Recorder's Office; formerly a portion of APN 138-31-702-002), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Beers) [PRJ-67184]
04/19/17	<p>The City Council voted to hold the following four related items in abeyance to the May 17, 2017 City Council meeting.</p> <ul style="list-style-type: none"> • General Plan Amendment (GPA-68385) which is a FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO: L (LOW DENSITY RESIDENTIAL) • Waiver (WVR-68480) TO ALLOW 32-FOOT PRIVATE STREETS WITH A SIDEWALK ON ONE SIDE WHERE 47-FOOT PRIVATE STREETS WITH SIDEWALKS ON BOTH SIDES ARE REQUIRED WITHIN A PROPOSED GATED RESIDENTIAL DEVELOPMENT • Site Development Plan Review (SDR-68481) FOR A PROPOSED 61-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT • Tentative Map (TMP-68482) FOR A 61-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 34.07 acres at the southeast corner of Alta Drive and Hualapai Way (Lot 1 in File 121, Page 100 of Parcel Maps on file at the Clark County Recorder's Office; formerly a portion of APN 138-31-702-002), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Beers) [PRJ-67184]

Related Relevant City Actions by P&D, Fire, Bldg., etc.	
05/17/17	<p>The City Council voted to hold the following four related items in abeyance to the June 21, 2017 City Council meeting.</p> <ul style="list-style-type: none"> • General Plan Amendment (GPA-68385) which is a FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO: L (LOW DENSITY RESIDENTIAL) • Waiver (WVR-68480) TO ALLOW 32-FOOT PRIVATE STREETS WITH A SIDEWALK ON ONE SIDE WHERE 47-FOOT PRIVATE STREETS WITH SIDEWALKS ON BOTH SIDES ARE REQUIRED WITHIN A PROPOSED GATED RESIDENTIAL DEVELOPMENT • Site Development Plan Review (SDR-68481) FOR A PROPOSED 61-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT • Tentative Map (TMP-68482) FOR A 61-LOT SINGLE FAMILY RESIDENTIAL SUBDIVISION on 34.07 acres at the southeast corner of Alta Drive and Hualapai Way (Lot 1 in File 121, Page 100 of Parcel Maps on file at the Clark County Recorder's Office; formerly a portion of APN 138-31-702-002), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Beers) [PRJ-67184]

Most Recent Change of Ownership	
11/16/15	A deed was recorded for a change in ownership on APN 138-31-702-002.

Related Building Permits/Business Licenses	
There are no building permits or business licenses relevant to these requests.	

Pre-Application Meeting	
09/29/16	A pre-application meeting was held to discuss submittal requirements for Site Development Plan Review and Tentative Map applications. The applicant proposed 30-foot wide private streets with 30-inch roll curbs. Staff indicated that a Waiver would be necessary to deviate from public street standards. There was concern that the long and narrow streets would come into conflict with fire codes and that the applicant should work with staff to address these issues. In addition, the applicant was advised that a parcel map currently in review would need to be recorded prior to these items being notified for hearing.
12/06/16	The requirement for a General Plan Amendment and neighborhood meeting was added to the original submittal checklist.

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Neighborhood Meeting	
01/09/17	<p>A neighborhood meeting was held at the Badlands Golf Course Clubhouse at 9119 Alta Drive, Las Vegas, Nevada. Approximately 50 members of the public were in attendance, as well as seven members of the development team, one City Council Ward staff member and one Department of Planning staff member.</p> <p>The applicant set up display boards showing the proposed General Plan Amendment. At sign in, neighbors were given a handout describing the request, which noted that the item had been requested to be abeyed to the February 14, 2017 Planning Commission meeting. No formal presentation was given; instead, members of the public were invited to examine the request and approach development team members with any questions.</p>

Field Check	
01/05/17	The site contains a well-maintained golf course surrounded by existing single-family residential dwellings.

Details of Application Request	
Site Area	
Net Acres (GPA)	166.99
Net Acres (WVR/SDR/TMP)	34.07

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Commercial Recreation/Amusement (Outdoor) – Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD7 (Residential Planned Development – 7 Units per Acre)
North	Multi-Family Residential (Condominiums) / Club House	GTC (General Tourist Commercial)	PD (Planned Development)
	Hotel/Casino Office, Medical or Dental	SC (Service Commercial)	C-1 (Limited Commercial)

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
North	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
		MLA (Medium Low Attached Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
South	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
	Single Family, Attached	M (Medium Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
	Multi-Family Residential		R-3 (Medium Density Residential)
East	Shopping Center	SC (Service Commercial)	PD (Planned Development)
	Office, Other Than Listed		C-1 (Limited Commercial)
	Mixed Use	GC (General Commercial)	C-2 (General Commercial)
	Utility Installation	PF (Public Facilities)	C-V (Civic)
	Single Family, Attached	M (Medium Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
West	Single Family, Detached	SF2 (Single Family Detached – 6 Units per Acre)	P-C (Planned Community)
	Golf Course	P (Parks/Open Space)	

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
West	Multi-Family Residential	MF2 (Medium Density Multi-family – 21 Units per Acre)	

Master Plan Areas	Compliance
Peccole Ranch	Y
Special Purpose and Overlay Districts	Compliance
R-PD (Residential Planned Development) District	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

DEVELOPMENT STANDARDS

Pursuant to Las Vegas Zoning Code Title 19.06.040 prior to Ordinance 6135 (March 2011), the Development Standards within an R-PD District are established by the Site Development Plan. The following standards are proposed by the applicant:

Standard	Lots less than or equal to 20,000 sf*	Lots greater than 20,000 sf
Minimum Lot Size	10,000 sf	20,000 sf
Building Setbacks:		
• Front yard to private street or access easement	30 feet	35 feet
• Side yard	5 feet	7.5 feet
• Corner side yard	12.5 feet	15 feet
• Rear yard	25 feet	30 feet
Accessory structure setbacks:		
• Porte cochere to private street	15 feet	15 feet
• Side loaded garage to side yard property line	15 feet	15 feet
• Patio covers and/or 2 nd story decks	20 feet	20 feet
• Separation from principal dwelling	6 feet	6 feet
• Side yard	5 feet	5 feet
• Corner side yard	5 feet	5 feet
• Rear yard	5 feet	5 feet

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Standard	Lots less than or equal to 20,000 sf*	Lots greater than 20,000 sf
Building Heights: <ul style="list-style-type: none"> Principal dwelling Accessory structures Floors 	40 feet 25 feet 2 stories on slab or over basement	50 feet 30 feet 3 stories on lots greater than 35,000 sf; otherwise 2 stories
Permitted uses	Single family residence and accessory structures**	Single family residence and accessory structures**
Lot Coverage	Bound by setbacks	Bound by setbacks

*Includes Lots 1, 2 and 24.

**Accessory structures may have a trellis or canopy attached to the principal dwelling.

Existing Zoning	Permitted Density	Units Allowed
R-PD7	7.49 du/ac	1,250 (based on 166.99 acres)
Proposed Zoning	Permitted Density	Units Allowed
N/A	N/A	N/A
General Plan	Permitted Density	Units Allowed
PR-OS	N/A	N/A
Proposed General Plan	Permitted Density	Units Allowed
L	5.49 du/ac	916 (based on 166.99 acres)

Pursuant to Title 19.06.040, the following standards apply:

Landscaping and Open Space Standards				
Standards	Required		Provided	Compliance
	Ratio	Trees		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	10 Trees	15 Trees	Y
• South	N/A	N/A	81 Trees	N/A
• East	N/A	N/A	0 Trees	N/A
• West	1 Tree / 20 Linear Feet	43 Trees	47 Trees	Y

Pursuant to Title 19.06.040, the following standards apply:

Landscaping and Open Space Standards					
Standards	Required		Provided	Compliance	
	Ratio	Trees			
TOTAL PERIMETER TREES			53 Trees	143 Trees	Y
LANDSCAPE BUFFER WIDTHS					
Min. Zone Width					
• North		6 Feet		20 Feet	Y
• South		0 Feet		0 Feet	Y
• East		0 Feet		0 Feet	Y
• West		6 Feet		20 Feet	Y
Wall Height	Not required	6' wrought iron or CMU adjacent to Orient Express Ct. Stepped retaining/screen wall not exceeding 10' adjacent to Verlaine Ct. and existing lots to the north 10' retaining/screen wall adjacent to Hualapai Way			Y

Open Space – R-PD only							
Total Acreage	Density	Required			Provided		Compliance
		Ratio	Percent	Area	Percent	Area	
34.07 ac	1.8	1.65	2.97%	1.01 ac	6.22%	2.12 ac	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Alta Drive	Major Collector	Master Plan of Streets and Highways Map	84	Y
Hualapai Way	Primary Arterial	Master Plan of Streets and Highways Map	98	N

SS

19.04.040 Connectivity		
Transportation Network Element	# Links	# Nodes
Internal Street	9	0
Intersection – Internal	0	5
Cul-de-sac Terminus	0	3
Intersection – External Street or Stub Terminus	0	0
Intersection – Stub Terminus w/ Temporary Turn Around Easements	0	0
Non-Vehicular Path - Unrestricted	0	0
Total	9	8

	Required	Provided
Connectivity Ratio (Links / Nodes):	N/A	1.13

Pursuant to Title 19.08 and 19.12, the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Required		Provided		Compliance	
		Parking Ratio	Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Single Family, Detached	61 units	2 spaces per unit	122				
Accessory Structure (Class I) [Casita]	61 casitas	1 additional space per lot	61				
TOTAL SPACES REQUIRED			183		183		Y
Regular and Handicap Spaces Required			183	0	183	0	Y

Waivers		
Requirement	Request	Staff Recommendation
Private streets must meet public street standards unless waived (47' minimum with L-curbs and sidewalks on both sides of the street)	To allow 32' wide private streets with 30" roll curbs with sidewalk on one side (easement) in a gated community	Approval

SS

Exhibit 75

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VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

1 **ABEYANCE - GPA-68385 - GENERAL PLAN AMENDMENT - PUBLIC HEARING -**
2 **APPLICANT/OWNER: 180 LAND COMPANY, LLC - For possible action on a request for**
3 **a General Plan Amendment FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO:**
4 **L (LOW DENSITY RESIDENTIAL) on 166.99 acres at the southeast corner of Alta Drive**
5 **and Hualapai Way (APN 138-31-702-002), Ward 2 (Beers) [PRJ-67184]. Staff has NO**
6 **RECOMMENDATION.**

7
8 **WVR-68480 - WAIVER RELATED TO GPA-68385 - PUBLIC HEARING -**
9 **APPLICANT/OWNER: 180 LAND COMPANY, LLC - For possible action on a request for**
10 **a Waiver TO ALLOW 32-FOOT PRIVATE STREETS WITH A SIDEWALK ON ONE**
11 **SIDE WHERE 47-FOOT PRIVATE STREETS WITH SIDEWALKS ON BOTH SIDES**
12 **ARE REQUIRED WITHIN A PROPOSED GATED RESIDENTIAL DEVELOPMENT on**
13 **34.07 acres at the southeast corner of Alta Drive and Hualapai Way (Lot 1 in File 121, Page**
14 **100 of Parcel Maps on file at the Clark County Recorder's Office; formerly a portion of**
15 **APN 138-31-702-002), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone,**
16 **Ward 2 (Beers) [PRJ-67184]. Staff recommends APPROVAL.**

17
18 **SDR-68481 - SITE DEVELOPMENT PLAN REVIEW RELATED TO GPA-68385 AND**
19 **WVR-68480 - PUBLIC HEARING - APPLICANT/OWNER: 180 LAND COMPANY, LLC**
20 **- For possible action on a request for a Site Development Plan Review FOR A PROPOSED**
21 **61-LOT SINGLE FAMILY RESIDENTIAL DEVELOPMENT on 34.07 acres at the**
22 **southeast corner of Alta Drive and Hualapai Way (Lot 1 in File 121, Page 100 of Parcel**
23 **Maps on file at the Clark County Recorder's Office; formerly a portion of APN 138-31-702-**
24 **002), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Beers)**
25 **[PRJ-67184]. Staff recommends APPROVAL.**

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VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

26 **TMP-68482 - TENTATIVE MAP RELATED TO GPA-68385, WVR-68480 AND SDR-**
27 **68481 - PARCEL 1 @ THE 180 - PUBLIC HEARING - APPLICANT/OWNER: 180 LAND**
28 **COMPANY, LLC - For possible action on a request for a Tentative Map FOR A 61-LOT**
29 **SINGLE FAMILY RESIDENTIAL SUBDIVISION on 34.07 acres at the southeast corner**
30 **of Alta Drive and Hualapai Way (Lot 1 in File 121, Page 100 of Parcel Maps on file at the**
31 **Clark County Recorder's Office; formerly a portion of APN 138-31-702-002), R-PD7**
32 **(Residential Planned Development - 7 Units per Acre) Zone, Ward 2 (Beers) [PRJ-67184].**
33 **Staff recommends APPROVAL.**

34

35 **Appearance List:**

36 TRINITY SCHLOTTMAN, Chairman
37 TODD L. MOODY, Commissioner
38 PETER LOWENSTEIN, Planning Section Manager
39 PAULA QUAGLIANA, Queensridge resident
40 STEPHANIE ALLEN, Attorney representing the applicant
41 FRANK SCHRECK, Queensridge resident
42 MICHAEL BUCKLEY, Attorney, representing the Frank and Jill Fertitta Family Trust
43 CLYDE SPITZE, Queensridge resident
44 GEORGE GARCIA, 1055 Whitney Ranch Drive, Henderson
45 SHAUNA HUGHES, representing Queensridge Homeowners Association
46 ELAINE WENGER-ROESENER, President of the Queensridge Homeowners Association
47 HERMAN AHLERS, Queensridge resident
48 RON IVERSEN, Queensridge resident
49 STEVE SEROKA, Queensridge area resident
50 ANNE SMITH, Queensridge resident
51 DEBRA KANER, Queensridge resident
52 GORDON CULP, Queensridge resident
53 RAY STAZZONI, Queensridge, resident
54 CLYDE TURNER, Queensridge resident

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- 55 EVA THOMAS, Queensridge resident
- 56 DUNCAN LEE, Queensridge resident
- 57 MARK NEWMAN, area resident
- 58 PATRICK SPILOTRO, Queensridge resident
- 59 DALE ROESENER, Queensridge resident
- 60 CHRISTINA ROUSH, Queensridge resident
- 61 JAMES JIMMERSON, Attorney, representing the applicant
- 62 CHRIS KAEMPFER, Attorney, representing the applicant
- 63 GLENN TROWBRIDGE, Commissioner
- 64 FRANK PANKRATZ
- 65 CEDRIC CREAR, Commissioner
- 66 BRAD JERBIC, City Attorney
- 67 SAM CHERRY, Commissioner
- 68 VICKI QUINN, Commissioner
- 69
- 70 (5 hours and 15 minutes) [6:15 – 11:15]
- 71 Typed by: Speechpad.com
- 72 Proofed by: Patty Hlavac

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73 **CHAIRMAN SCHLOTTMAN**

74 Moving on to Items 21 through 24. abeyance GPA-68385, Applicant/Owner 180 Land Company,
75 LLC, for possible action on a request for a General Plan Amendment from PR-OS
76 (Parks/Recreational/Open Space) to L (Low Density Residential) at the southeast corner of Alta
77 Drive and Hualapai Way, Ward 2 (Beers). Staff recommends approval.

78 Item 22, Waiver 68480 for possible action on a request for a waiver to allow 32-foot private
79 streets with a sidewalk on one side where 47-foot private streets with sidewalks on both sides are
80 required within a proposed gated residential subdivision, Ward 2 (Beers). Staff recommends
81 approval.

82 Item 23, SDR-68481 for possible action on a request for a Site Development Plan Review for a
83 proposed 61-lot single family residential development, Ward 2 (Beers). Staff recommends
84 approval.

85 And Item 24, TMP-68482 for possible action on a request for a Tentative Map for a 61-lot single
86 family residential subdivision, Ward 2 (Beers). Staff recommends approval.

87 Can we get the Staff report, please?

88

89 **COMMISSIONER MOODY**

90 Mr. Chairman? I'm sorry to interrupt before Staff's report, but I just want to make a disclosure
91 before-

92

93 **CHAIRMAN SCHLOTTMAN**

94 Yes. Please do.

95

96 **COMMISSIONER MOODY**

97 -we hear this item. Back in April of 2016, I sought an opinion from our City Attorney, Mr. Jerbic,
98 with two questions for him based on the Badlands applications. One was because of the
99 proximity of the law firm, the building that I work for, which is at the corner of Alta and
100 Hualapai, and the other one was based on my friendship with Billy Bayne, an officer of the
101 former owner of the property. Mr. Jerbic sent me a letter, dated April 12, 2016, stating that I do

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102 not have a conflict and asking me to put this into the record each time one of these applications
103 appears.

104 So I just want to make that part of the record tonight. I plan to hear the application, hear the
105 public hearing and then participate in the vote.

106

107 **CHAIRMAN SCHLOTTMAN**

108 Thank you. I appreciate that. Staff report, please.

109

110 **MR. LOWENSTEIN**

111 Mr. Chairman, the proposed 61-lot residential development would have a net density of 1.79
112 dwelling units per acre. The proposed low density general plan designation, which allows up to
113 5.40 units per acre, allows for less intense development than the surrounding established
114 residential areas, which allow up to 8.49 units per acre. The densities and average lot size of the
115 proposed development are compatible to the adjacent residential lots. Staff therefore
116 recommends approval of the General Plan Amendment to low density residential.

117 The Applicant is requesting interior streets that do not meet Title 19 standards. However, the
118 proposed private interior streets will provide roadways, sidewalks, and landscaping in a
119 configuration similar and compatible with that of the surrounding development. The 30-foot
120 wide streets will allow for emergency access and limited on street parking, while the adjacent
121 sidewalk and landscaping will provide safe pedestrian movement and enhance aesthetics within
122 the subdivision. Staff therefore recommends approval of the requested waiver.

123 The development standards proposed by the Applicant fall into two categories, those containing
124 20,000 square feet or less, and those containing greater than 20,000 square feet. Standards for a
125 lot 20,000 square feet or less are generally consistent with the RD zoning properties, and lots
126 greater than 20,000 square feet are generally consistent with RE zoned properties.

127 If applied, these standards would allow for development that is compatible with that of the
128 surrounding gated neighborhoods. In addition, the proposed plan includes usable open space
129 areas that exceed the requirements of Title 19. Staff therefore recommends approval of the Site
130 Development Plan Review and Tentative Map.

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131 If approved, Staff would like to amend Condition 6 of SDR-68481 to reflect a double asterisk
132 being placed within both columns of the permitted uses row. Thank you.

133

134 **CHAIRMAN SCHLOTTMAN**

135 Thank you. And before we get started, just by a show of hands, can we see how many people are
136 here to talk on this item tonight? Okay. So what I'm going to do, because we already heard this
137 item and we had the special hearing on this and this isn't dealing with the; Ma'am, if I can ask
138 you can sit down right now. I will bring you up in a moment.

139

140 **PAULA QUAGLIANA**

141 Okay. I apologize.

142

143 **CHAIRMAN SCHLOTTMAN**

144 No problem.

145

146 **PAULA QUAGLIANA**

147 But I didn't want you to forget. Thank you.

148

149 **CHAIRMAN SCHLOTTMAN**

150 Right. I'm going to give the Applicant 10 minutes to present. And then if the consultants or the
151 HOA wants to get up and give a 10-minute presentation, we'll give you 10 minutes, and then
152 we'll give each applicant up to 2 minutes and try moving this meeting along.

153 So, with that being said, can we have your name and address for the record?

154

155 **STEPHANIE ALLEN**

156 Sure. Thank you, Mr. Chairman, Commissioners. Stephanie Allen, 1980 Festival Plaza, here on
157 behalf of the Applicant. First of all, we very much appreciate your consideration this evening. I
158 know you have spent hours and hours and hours of time on this application and on this particular
159 property.

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160 We were before you a few weeks ago with the overall proposed development plan for this
161 property, and on the aerial you can see here this is the overall property that was before you
162 previously. You considered it for hours. You heard testimony from all of us, our experts, the
163 residents in the area; and at that meeting, the outcome of that meeting was a recommendation of
164 approval on the portion that's at the corner of Alta and Rampart and denial of the remainder of
165 the application.

166 I'm sure you all know we have since then withdrawn those applications, with the exception of the
167 corner, which is going to City Council tomorrow, but we listened to your recommendation and
168 have since withdrawn the remainder of that application.

169 So what we're before you today with is simply an application to do a development within the
170 existing zoning on a portion of the property. The portion of the property that's before you this
171 evening in grey is for the GPA request, and that is at the request of Staff asked us to submit a
172 GPA to be consistent with the RPD-7 zoning that's already on the property. So the area in grey
173 covers the GPA request.

174 The portion of the property that the remainder of the applications relate to is the approximately
175 34 acres of property right at the southeast corner of Alta Drive and Hualapai Way. And what
176 we're proposing, as I mentioned, is a development within the existing RPD-7, in fact
177 significantly lower than the RPD-7 that's the zoning on the property. RPD-7 allows up to 7.4
178 units to the acre. What we're proposing on this small portion of the property is a density of
179 approximately 1.79 units to the acre.

180 You heard your Staff say this evening that that is appropriate and compatible for the area and this
181 application is simply a submittal that is consistent with what's already in the Queensridge
182 development.

183 We understand that this is an infill piece of property. There's obviously a very nice community
184 that already exists here, so we're sensitive to the fact that we're coming in to develop a project
185 within essentially an infill parcel development. So what we did is we did have a voluntary
186 neighborhood meeting last night with the residents that immediately surround this area.

187 We heard from them quite a bit of input. Many of them are here tonight. I'm sure many of them
188 are still in opposition to this portion of the project or what's before you this evening, just as they

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189 were to the development plan, the overall development plan that was before you a few weeks
190 ago. But we did have some very good dialogue. We heard a lot of feedback from the residents.
191 So, after I go over the overall project, I'll share with you a number of conditions that we're
192 willing to offer tonight that were in response to some of the feedback that we heard last night at
193 that neighborhood meeting. And we will assure you that, depending on whatever happens
194 tonight, we'll certainly continue that dialogue between now and City Council if there are things
195 that we can continue to do on this project that would further address their concerns.
196 With respect to the proposed plan, as I mentioned, this is at the corner of Hualapai and Alta. This
197 property will not be reliant on or a part of the Queensridge community whatsoever. There will be
198 a new gated entry that will be located on Hualapai Way, located right here, with an open space
199 area in green or the lighter green located right at the main entrance.
200 The street network will be a new street network, separate and apart from the Queensridge street
201 network. As you can see on your Agenda, one of the requested applications is a waiver to allow
202 an alternative street scenario. That is consistent with what is already existing in the community to
203 the north, and I'll show you an exhibit on that. But basically we're asking for sidewalks on one
204 side of the street with landscaping and then the rolled curbs, very similar to St. Michel, that's to
205 the north of the project.
206 The overall density, as I mentioned, is 1.7 units to the acre. We have 61 lots that are proposed
207 here. The lot sizes are consistent with basically what's already out there, and we tried to line
208 these up lot for lot with the existing homes.
209 The reason I'm showing this, this is not the site plan, but it's an easier exhibit so that you can see
210 the existing homes in this lighter grey, and you can see that, for example, along Orient Express
211 here to the south, there are one, two, three, four, five homes located in this area that we're
212 proposing, and you'll see here one, two, three, four, five homes located on Orient Express with
213 sizes that are substantially similar in size to those that are already existing.
214 Similarly here, just by way of example, there's one, two, three, four, five, six, seven, eight, nine,
215 ten, eleven, twelve, thirteen homes on Orient Express located right here. We are proposing one,
216 two, three, four, five, six, seven, eight, nine homes across the street. Again, very much

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217 substantially the same in size, compatible and harmonious with what is currently out there. They
218 will all be custom homes, so similar to what's already in Queensridge.
219 One of the questions that came up last night was what they would look like. Would they be
220 compatible with what's already existing out there? So, when I read in the conditions that we're
221 willing to agree to, one of them is that the CC&Rs for this new community will have design
222 guidelines that are compatible with the existing Queensridge design standards so that the
223 communities are compatible. So I'll read that into the record shortly.
224 But again, overall, this is the proposed project. There will be cul-de-sacs at the end, right here
225 where Regent Park Road is located, so there won't be any access to the east. All of the access will
226 be on Hualapai, and that's basically the overall project.
227 The conditions of approval that we heard concerns from folks and are willing to agree to tonight
228 I've already provided to your staff. I also emailed those out to any of the residents that provided
229 me with their email address last night. I sent those to them so that they knew what we would be
230 saying tonight.
231 Many of these are kind of duplicative and are already in your Staff Report, but we want to make
232 sure they're tied to the application so that the residents understand that they are protected and we
233 are limited to just this site plan should it be approved tonight.
234 So the first one is that a single family residential development shall be limited to no more than 61
235 lots. So I think that goes without saying that we would have to come back if we wanted to revise
236 anything, but we'd like to agree to a condition so that even though the zoning on the property is
237 RPD-7, we would be limited to the density of 1.79 units to the acre, which is significantly less
238 than what the zoning is.
239 Number two, a residential subdivision shall be gated, so we'd be required to gate this entryway. A
240 separate HOA from the Queensridge HOA would be created. Sidewalks would be installed on
241 one side of each street within the residential development. Landscaping within the community
242 shall meet or exceed the city standards, and palm trees would be permitted as a plant material
243 within the common lots and the buildable lots.
244 Development within the community shall be limited to single family residential homes only.
245 Building heights, what we had originally suggested was that building heights for the homes

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246 would not exceed any of the Queensridge homes, the existing Queensridge homes. Staff had
247 asked us to put a number on that. What we believe is the highest home in Queensridge is 46 feet,
248 so we'd be willing to agree to a condition that building heights shall not exceed 46 feet.

249 A minimum home size of 3,000 square feet on lots that are less than or equal to 20,000 square
250 feet would be required, and then a minimum home size of 3,500 square feet on lots that are over
251 20,000 square feet in size would be required.

252 Perimeter and interior walls shall be composed of decorative block wall, rod iron fencing, or a
253 combination of both. What we did say to the neighbors last night is that we would talk with them
254 on an individual basis to see do they want two fences or two walls next to one another, how it
255 would impact their lots directly, and we, of course, agree to do that as we move forward with the
256 final development plan.

257 No construction shall occur during the hours of 8:00 p.m. and 6:00 a.m. That's consistent with
258 the Queensridge CC&Rs. So that's language directly from their CC&Rs. The subdivision's
259 associated CC&Rs are to include design guidelines generally compatible with the Queensridge
260 design guidelines. So it may not look exactly like what's in Queensridge when we come up with
261 our CC&Rs, but we do want to make sure that it's compatible, obviously, and improves the
262 overall look and feel of the community even though they will be two separate communities.

263 Briefly, I just want to show you the street section. This is what we're proposing within the
264 community. You can see we'd have a 32-foot wide street with rolled curb. Both sides would have
265 landscaping and then the sidewalk would be on one side of the street. And again, this is
266 consistent with what's currently in the San Michel development. This is what's currently in the
267 San Michel development. It has rolled curbs, but it does not have landscaping on both sides. So
268 we actually prefer our street section a little bit more.

269 So that's the requested waiver, and Staff is recommending approval of that as well. And I know
270 my time's up, but we very much appreciate Staff's recommendation of approval. I would like the
271 opportunity to maybe say a few words after we hear from the residents. We would very much
272 appreciate your recommendation of approval tonight.

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273 **CHAIRMAN SCHLOTTMAN**

274 Thank you. And I'm unsure if there's a group, but we'll go ahead and give 10 minutes. It looks
275 like Mr. Schreck.

276

277 **FRANK SCHRECK**

278 Mr. Chairman, members of the Commission, Frank Schreck, 9824 Winter Palace Drive. I want to
279 assure you I'm not an extortionist.

280

281 **CHAIRMAN SCHLOTTMAN**

282 Thank you.

283

284 **FRANK SCHRECK**

285 So we're up here to make a presentation. But this has never been heard by this Commission
286 before. There are some very significant legal issues which we have a tremendous disagreement
287 with your City Attorney and what's been presented. We don't have a capability of presenting this
288 adequately in 10 minutes.

289 We want, if we need to draw time from some of our residents here if you want to keep this short,
290 but we have a presentation that we feel that we need to make for the record, because we have a
291 great deal of difference in opinion based upon some of the legal positions that the City Attorney's
292 Office and Staff -.

293

294 **CHAIRMAN SCHLOTTMAN**

295 Mr. Schreck, how much time do you feel that you need?

296

297 **MICHAEL BUCKLEY**

298 -I think that, Michael Buckley, 300 South 4th Street, I have a short presentation, and we have
299 Shauna Hughes, who represents the Association, and George Garcia has a presentation that
300 involves these exhibits, which we would like to submit for the record.

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301 **FRANK SCHRECK**

302 And I have a brief presentation with respect to major modifications.

303

304 **CHAIRMAN SCHLOTTMAN**

305 Mr. Schreck, how much time do you feel that you need?

306

307 **FRANK SCHRECK**

308 Probably 20 minutes? 30 minutes. We'll draw them from some of our residents that are here so
309 you don't have to worry about your time.

310

311 **CHAIRMAN SCHLOTTMAN**

312 Sure. We'll go ahead and hear this out.

313

314 **FRANK SCHRECK**

315 Thank you very much.

316

317 **MICHAEL BUCKLEY**

318 Thank you, Mr. Chairman. Once again, Michael Buckley. I'm here in opposition to this project.

319 My address is 300 South 4th Street.

320 The application is really falsely premised on this, the description of the zoning in this December
321 letter to the, from the Planning Department. Both the Applicant and for some reason the City
322 conclude that any part of Badlands can be developed with up to 7.49 units per acre based on the
323 RPD-7 zoning. That is not correct.

324 This ignores the plain language of both the planning letter and the Development Code. This is a
325 residential planned development district. It's the district that's zoned RPD-7. As the Code states,
326 the numerical designation refers to the number of units in the gross acreage of the district, not
327 any particular parcel.

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328 The Staff reports states: Except as otherwise authorized by this title, approval of all maps,
329 vacations, rezoning, site development plan reviews, and so forth shall be consistent with the
330 spirit and intent of the general plan.

331 Page 77 of the 2020 Master Plan and page 26 of the Land Use Element both identify Peccole
332 Ranch as subject to a Special Master Development Plan. That plan is the Peccole Ranch Master
333 Plan approved in 1990 as Z-1790.

334 Any development here must be consistent with that master plan, which includes 211 acres of golf
335 course drainage. That golf course drainage is identified in several recorded maps affecting
336 Badlands, including the 1996 final map parent final map. In the 1998 final map for Lot 10, which
337 segregated the part of the golf course from the adjacent residential parcel and dedicated this
338 particular parcel, Lot 21, as a public drainage easement to be privately maintained.

339 The Staff Report statement on page two that over time the development pattern in this area did
340 not follow the master plan as approved is incorrect. These drainage and open space areas remain.
341 Moreover, the zoning history within this area, after 1990, shows that virtually every development
342 has been subject to Z-1790.

343 There's been conversation that the hard zoning for Badlands is unique. This is also not true.
344 Canyon Gate is zoned RPD-4. Los Prados is zoned RPD-9. Silverstone is zoned RPD-3. Even the
345 lake at The Lakes is zoned RPD-3. As the City Attorney here stated on October 18th, if there is
346 another golf course in town that has hard zoning like this one does, then they would have the
347 same rights as this applicant.

348 This is not complicated. Peccole Ranch Phase 2 had and has a plan. It is an RPD district, a
349 planned development. That plan, the 1990 Peccole Ranch Master Plan has been and must be
350 followed. A project not consistent with that plan must first change the plan.

351 Lastly, what you do tonight will set a precedent not only for the golf course communities
352 mentioned, but many other small RPD districts in the city, enabling development of open space
353 in other areas, turning upside down expectations of homeowners throughout the city.

354 I have here a binder put together that deals with the RPD-7 zoning district, which I'd like to put
355 in, and this also a binder prepared by Mr. Garcia, which contains the zoning history of Peccole
356 Ranch. Thank you.

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357 **CHAIRMAN SCHLOTTMAN**

358 Thank you.

359

360 **CLYDE SPITZE**

361 Good evening. My name is Clyde Spitze. I have a residence in Queensridge. I also have a
362 document that I have prepared.

363

364 **CHAIRMAN SCHLOTTMAN**

365 Sir, can we get your address?

366

367 **CLYDE SPITZE**

368 I will not take the time to read all of it.

369

370 **CHAIRMAN SCHLOTTMAN**

371 Sir, can we get your address?

372

373 **CLYDE SPITZE**

374 1008 Greystoke Acres.

375

376 **CHAIRMAN SCHLOTTMAN**

377 Thank you, sir.

378

379 **CLYDE SPITZE**

380 I won't read this all, but I have worked on this project since 1972. I've been a project manager on
381 this project until I retired in 2005. I am the one that has worked entirely with Mr. Peccole and the
382 Peccole family in developing this. This letter states and is an answer to two letters that were filed
383 by the Applicant using my letter and a letter from the City as his example of this use.

384 This represents my understanding and my understanding to you that this piece of property, this
385 letter was developed for a bank to make sure that that bank, when it developed, when it gave

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386 money to the developer was not going to be faced with anything except open space and the use
387 of that open space legally defined. Golf courses are available, and this letter from the City does
388 state that.

389 I have put my life into this project. I can guarantee that if Mr. Peccole were here, this would fit
390 exactly what he said. I have been personally involved in this. I want you to take this, understand
391 it, and it is the truth and I will back it up. And there's, also the two copies of the letter that were
392 sent from me and the response to the City.

393 If you have any questions, I will be here to answer them.

394

395 **CHAIRMAN SCHLOTTMAN**

396 Thank you, sir.

397

398 **FRANK SCHRECK**

399 Once again, Mr. Chairman and members of the Commission, Frank Schreck, 9824 Winter Palace
400 Drive.

401 I'm just going to be as brief as I can. There's no way you can approve this application without a
402 major modification application. If you follow the law, if you follow your ordinances, it has to
403 have a major modification.

404 If you take a look at Chapter 1910, Subsection G, it talks about the development of property
405 within a planned development district, and as you've heard already, this is a planned development
406 district, and I'll submit additional evidence that it's a planned district.

407 Three of your maps, from the beginning of 1992 through 1999, 2015, show and designate the
408 Peccole Ranch as a master plan community, and your final zoning approval, that was given after
409 the 1990 Master Plan was approved January 29th, 1991, talks about all those approvals being in
410 conformance to the condition of approval for the Peccole Ranch Master Development Plan
411 Phase 2.

412 So there's no question this is a master plan community. It's never been built in a hodgepodge
413 fashion. Everything that's been built in that community has been tied in with the mapping over a
414 seven or eight-year period, all referring back to Z-1790.

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415 But if you take a look at your ordinance, it requires in a master plan community that if you're
416 going to go ahead and make any changes within the master plan community and those changes
417 don't fall within the minor modifications, which this does not fall within a minor modification,
418 there has to be a major modification.

419 Now, your own staff, in January of 2016, in respect of the 720 that were being proposed and that
420 will be heard tomorrow night, stated, uncategorically, that it is the determination of the
421 Department of Planning that any proposed development not in conformance with the approved
422 Peccole Ranch Master Plan would be required to pursue a major modification of the plan prior or
423 concurrently with any new entitlements. That's from your own staff.

424 And then the first finding that they made, the proposed general plan amendment, which you have
425 here before you tonight, would result in the modification of the Peccole Ranch Master Plan;
426 without approval of a major modification to said plan, no finding can be reached at this time. It's
427 axiomatic that if you have to go and change the master plan to do something on a piece of
428 property in a master plan community, that obviously is a substantial change or requiring a major
429 modification. There is absolutely no question about it.

430 And to be consistent with the, let's see if I have it here, if you'll just, I don't know which way to
431 put this. Did this come up right? Is it this way?

432

433 **CHAIRMAN SCHLOTTMAN**

434 Yes. That's great. Thank you.

435

436 **FRANK SCHRECK**

437 This is taken from your Land Use Elements and if you talk about something that's not compatible
438 and that isn't consistent with the general plan with respect to Peccole Ranch, you look where we
439 have PR-OS, which for 20 years, the entire 27 holes of that golf course has been designated on
440 your land use plan at the top level, which is far above any zoning which is way below it. Zoning
441 effectuates the densities that are provided under the master plan, and you'll see those zonings
442 right under PR-OS.

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443 What does it say for residential? Nothing. Zero. And that's exactly what's happened for 25 years.
444 And under that, what's the only type of consistent and compatible zoning can you have there? It's
445 CV. It's not anything else. So you have to, if you want to change our master plan by putting in
446 this, by approving this application, they have to have a major modification, or you're violating
447 your own ordinance. Thank you.

448

449 **CHAIRMAN SCHLOTTMAN**

450 Thank you.

451

452 **CHAIRMAN SCHLOTTMAN**

453 Good evening.

454

455 **GEORGE GARCIA**

456 Thank you, Mr. Chairman, Commissioners. George Garcia, 1055 Whitney Ranch Drive, Suite
457 210. Pleasure to be before you.

458 So if we can go to the overhead and start with this and picking up where Mr. Schreck left off, this
459 is a copy or portions of excerpts from the 1990 approval for the Master Development Plan and
460 the PUD. There were two actions on the Planning Commission and City Council that ultimately
461 creates what we call the Peccole Ranch Phase 2 Master Plan. And that's more than just
462 Queensridge, actually. So we all think of it as Queensridge, but there's actually more than that in
463 it.

464 But one thing that's very clear, to reiterate what Mr. Schreck said, if we look at this particular
465 chart, and real simple, if we can zoom in on that portion of it, you'll see very clearly that the
466 master developer, the declarant, the Peccoles, identify Peccole Ranch Land Use Data Phase 2. It
467 spells out very clearly, in the column on the left-hand side, what are the permissible land uses.

468 I don't think it's too hard to read single family, multi-family and then of course, we get down to
469 golf course and drainage. Very clearly articulated in how many acres. At that time, it was 211. It
470 later gets amended to where they add the extra nine holes and it gets to 250.

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471 We look across there, is there any net density in the third column? There is no net density. Just as
472 we see in the PR-OS, there is no residential allowed, no net density. Therefore, how many units
473 are allowed at the end? In the far column on the right, there are none. You can see where the
474 density is allowed. It's in the single-family and multi-family on the acreage as identified.
475 So the RPD-7 that was there, the 7 just constituted what was part of the City's Master Plan,
476 general plan back that was adopted in 1985, and this was done under that and consistent with that
477 plan, which allowed up to 8 units per acre. They said seven. And the developer decided, I don't
478 even need all seven; I'll take less than the maximum seven because I think it will affect
479 transportation. I'm trying to create a quality community; I don't need all that.
480 The City didn't make them do that. The master developer offered to do that. The master
481 developer offered to create this golf course, open space, drainage for a number of reasons, but it
482 was accepted by the City, and it has been consistently applied over the entire life of this project.
483 This chart has never been altered.
484 The design, while conceptual at the time here in terms of the actual layout of the land, in terms of
485 where the golf course, those things are conceptual. The way that Alta was done originally was
486 conceptual. It got finalized and changed. So the plans are conceptual at the outset and get fine-
487 tuned as the engineering and all the design details are done.
488 What is clear today is that it's a completely built master plan community. It is completed. The
489 declarant has gone. There is no development company left. That under the state statute, NRS
490 278, constitutes a completed master plan, which entitles every resident to special protection that's
491 not otherwise afforded in other places in the Code, that are just standard development. It's under
492 278A, and I think we've set this before, they're provided the protection.
493 That is, if you're going to change the master plan, and remember, these are people who came
494 down to the City and said, what does your master plan show? Well, the City did a master plan
495 that showed it's PR-OS (Parks/Recreation/Open Space) and all this golf course drainage. So the
496 City made changes to its plan to match what they had approved under the Master Development
497 Plan and the PUD. That's existed up until this day when it's being sought to be changed.
498 Every purchaser looking at those documents and disclosures would think it's going to be parks,
499 recreation, open space by virtue of what the developer and the City are telling me. They buy in

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500 there in reliance on that. And if you reasonably rely on it, NRS says you have a right to
501 reasonably rely on things and somebody just can't take it away from you. They have to come
502 back and seek your consent before they can even apply to the City to alter this Master Plan.

503 So, unlike a typical subdivision, the developer gets lots of flexibility, the City gets a better, more
504 innovative, creative project, and, in return, the residents pay premiums in master plan
505 communities, but they have a right to a higher level of protection. And that's what both the
506 statute says, city ordinance say, and as well a Supreme Court case that has been adjudicated says
507 as well.

508 So, to give you an example of what the residents would believe, this is out of their documents,
509 and it shows you what would they expect. They have a golf course here. It says golf course open
510 space. What does it say at every one of these where these homes are showing configuration of
511 potential lots? Every one of them shows views.

512 So while the documents that have been shown indicate very clearly, they don't have the right to
513 use the golf course, they don't own it, they don't have a membership right in it. They have the
514 right to the enjoyment of that property, and state statute says you have the right to use or
515 enjoyment.

516 In this case, it's enjoyment. And what does enjoyment mean? I don't think it's too difficult to
517 understand in a master plan community. The enjoyment is you have great views, you have
518 microclimate, you have peace and quiet, you have a lot of amenities that go with it, you have a
519 gated golf course community that people want to live in, it creates value, and they want it
520 protected. So there was that expectation at the City level all the way down into the CC&R design
521 guidelines.

522 And as was indicated, we see this same kind of protection contemplated in all these other RPD
523 districts. So City Muni-Course is C-V, but all the developments, Silverstone, Los Prados, and
524 Suncrest Trails here are RPD.

525 The decision that gets made tonight and at the City Council, ultimately, will in fact set precedent,
526 even though some may say it not, it does and it will. And if it does, as I said and predicted, if this
527 gets approved, it will in fact be a golf course gold rush. The company that owns the golf course,
528 or operates the golf course at Canyon Gate, is ultimately owned by a hedge fund company. So if

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529 there's not an exit..., that's a great exit strategy at the end of the day. If golf isn't as valuable, you
530 can turn it into multi-family apartment or a single-family development and eliminate the golf
531 course.

532 To reiterate this point, I think that was mentioned already, public drainage, this entire lot and all
533 of that acreage that we're talking about is covered by a public drainage easement, per book, and it
534 tells you the book and page it's on. You can't put homes on a drainage easement. That drainage
535 easement would have to be vacated before you can develop this.

536 Some of this land that we're talking about is 100-year flood plain, some of it is not. But to put
537 any of that done, you're putting the cart in front of the horse. City Engineer is required to make
538 certain findings. Those findings are not present. Under Title 20 of the Municipal Code, it says
539 very specifically NRS 278A applies under Title 20 and the four PUDs and that the City Engineer
540 must report on those to you. That has not occurred. We think that's a deficiency.

541 Here, as I was saying, this is Canyon Gate showing you all of these same designations, PR-OS,
542 open space, the same protections that we're seeking. I guarantee you every resident in one of
543 those master plan communities will want these same protections. They won't want to have
544 development without their consent.

545 So, in part, that sets the framework for this, but let me tell you, with this specific application, we
546 believe is defective and deficient, as I pointed out some of those. First off, a major mod is
547 pointed out as required. That's an amendment to the Peccole Ranch Master Plan. That's not
548 before you.

549 RPD is specifically not allowed under today's code. In the Zoning Code, it says RPD
550 development is not allowed under the current code, and yet we see it here being used. Previously,
551 we've seen PD used because PD is the new designation that the City says that's what you should
552 be using, not RPD. We think that's, this is an error.

553 The site has been mapped improperly, and we've set that case forth and it has not been dismissed.
554 The mapping has been done by serial maps, and what that sets up, the 61 lots that you're looking
555 at is one piece of that serial mapping process. That serial mapping, while it's not only illegal,
556 violates the whole concept of basically what the Planning Commission entire history is, which is
557 every map, up until this property was acquired recently, was done through a tentative map and

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558 final map process. Those tentative maps were seen by this body. This does not, this is not
559 consistent with all the prior actions we've provided.

560 So in the large book that Mr. Buckley provided you, the entire history of Peccole Ranch Phase 2
561 is in there, whether it's on zoning entitlements, showing you consistency with a master plan,
562 consistency on zoning and mapping.

563 This RPD is required by Code 19.06.040 Subsection C. It's supposed to have floor plans,
564 elevations, and CC&Rs. What do we have tonight? We heard promise of CC&Rs. We've heard
565 promises of what's to follow. That's not allowed. It's not a promise that you're allowed to make.

566 In addition, those promises, I can tell you, if it's an SDR or a tentative map that those conditions
567 are attached to, if I come back and if I never finalize any of that, I can come back and do a new
568 SDR and a new tentative map anyway. They're not binding. But in any case, they are required per
569 the Code.

570 As I've said before, it does not meet Title 20 for subdivision proposal as an example as drainage
571 easement, as I pointed it out. Title 20.08.370 specifically acknowledges that 278A applies to
572 PUDs.

573 So to go back and conclude on why it's defective and deficient, last point, no application should
574 be accepted by the City without the consent of the owners of a master plan community as
575 required by state statute NRS 278A.

576 Fundamentally, what we're talking about is very basic issues. And here's another one. On
577 planning and zoning, and I'll go into this so, just so we're clear, since we're going to get this, so
578 just to be clear, what takes precedence, the zoning or the master plan? And the answer is the
579 master plan. Generally, the rule is it takes precedence.

580 Zoning does not trump the master plan of the City. And I think Mr. Schreck showed you that
581 chart, and we can show you another one that there's a pyramid that actually shows the exact order
582 in which things occur, general plan/master plan first, specific area or master development plan
583 second, and further down the road is zoning. They follow in that order descending down to
584 zoning.

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585 Here we have a general plan for PR-OS. We have a master development plan that says it's open
586 space and drainage, and the zoning is RPD-7. But they follow the master plan and the plan set as
587 I showed you.

588 So NRS 278 says the City's plan and general code and Nevada Supreme Court, the City's own
589 approvals regarding the Peccole Ranch Master Plan Phase 2 conform and confirm the developer
590 and City's Planning Department are 100% wrong if they want to say that zoning trumps the
591 general plan, it does not.

592 Creation of the City's plan, there's an entire history, I'll leave this document, but basically, as I've
593 said, all of the documents that have been provided in the entire history of this is going from the
594 approvals that were conceptual at the time, and every amendment thereto, basically is all
595 consistent with that Z-1790 chart I showed you, and then additions thereafter, but all consistent
596 with public parks and recreation, open space, and the protection of the community with no
597 residential in there.

598 The City's General Master Plan is entitled the Las Vegas 2020 Plan. We point out in there that,
599 where, again, it specifically sets forth that this is a master development plan for Peccole Ranch.
600 You can see here is the chart I was referring to, if we can go to the overhead. Very clearly, this is
601 the chart right out of the City's Land Use Plan. This is part of the Land Use Element.

602 This is the 2020 plan. As I was saying, this pyramid showing the Las Vegas Master Plan, and this
603 is starting going from broad to specific, then the Land Use Element, Land Use Designations.
604 Here we have here master development plans, such as we see here for Peccole Ranch, and zoning
605 designation as being the most specific, but progressing from broad to specific.

606 The hierarchy then established is, as I said, that the land use plan, general plan, and the master
607 development plan dictate the zoning, not the other way around. All of the allowable densities, all
608 of the land uses, everything derived from the master development plan and then the zoning
609 follows. And again, that chart that Mr. Schreck showed you, I've got it here as well included.

610 The Peccole Ranch, as I said, Master Plan conforms to the General Plan. It conforms, so it
611 follows that hierarchy going from the general to the specific. So City Plan, PR-OS, Peccole
612 Ranch Master Development Plan, I showed you open and drainage space with no units and then
613 finally the zoning.

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614 So, specifically in the Code in Title 19, it talks about well, let's talk about the City's Master Plan
615 and General Plan. The adoption is consistent. The adoption of the title is consistent and
616 compatible with all further goals, objectives, and programs of the General Plan. It is consistent.
617 The zoning is consistent with the General Plan, which means it's not only consistent with the
618 General Plan's land use and density regulations, but consistent with all programs and policies of
619 the General Plan. Again, the General Plan dictates. The zoning implements the densities of the
620 General Plan, not the other way around.

621 In *Nova Horizon*, one of the cases by the Supreme Court, it says the Nevada Supreme Court held
622 that zoning authority must adopt zoning regulations that are in substantial agreement with the
623 master plan, including any land uses, a guide, and the court further said, determined that master
624 plans are to be accorded substantial compliance under the Nevada Statutory Scheme. Again, city
625 general plan, master development plan, and then the zoning. They have to follow.

626 In conclusion, it's irrefutable that the zoning regulations only implement, not create densities.
627 The Master Development Plan for Peccole Ranch sets forth very clearly that stripping away the
628 PR-OS and then trying to take away the master development plan designation would require a
629 major mod to accompany all that you have before you. That's not before you.

630 So let me leave that for you and conclude that at the end, again, this is a completed master plan.
631 It deserves all the protections and designations that every master plan community will want and
632 every homeowner would research and found and relied on. They deserve your protection. We'd
633 be happy to answer any questions you have. And I'll leave these for the record.

634

635 **CHAIRMAN SCHLOTTMAN**

636 Thank you. There's currently three and a half minutes left.

637

638 **SHAUNA HUGHES**

639 Thank you very much. Chairman, members of the Planning Commission, good evening. My
640 name is Shauna Hughes, 1210 South Valley Verde, Suite 250.

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641 **CHAIRMAN SCHLOTTMAN**

642 Thank you.

643

644 **SHAUNA HUGHES**

645 I appear before you tonight on behalf of my client, the Queensridge Homeowners Association.
646 Since we were last in front of you, several important events have transpired, starting with we
647 attended a nine-hour City Council meeting on this project, during which I was instructed to work
648 with the developer's representative, Mr. Pankratz, to meet and negotiate a complete global
649 resolution with respect to the development of the entire 250 acres, now owned by the developer.

650 We met a total of five times, and unfortunately no progress was made that I can report. At the
651 first meeting, I was told that the golf course was closing. Between our second and third meeting,
652 the developer filed the applications which are in front of you this evening for your consideration.
653 Despite clear direction from the Mayor and City Council to reach a global resolution on all 250
654 acres, the developer chose to file applications to develop 61 lots on 35 acres. This piecemeal
655 approach is precisely what the homeowners have vehemently and continuously objected to, and
656 we continue our objection to you here tonight.

657 We stand ready, willing, and able to negotiate in good faith. Approval of the items on tonight's
658 agenda will put an end to any hope of reaching a global resolution, because it will, in effect, put
659 your stamp of approval on the piecemeal development in this beautiful master plan community.
660 The residents implore you not to green light piecemeal development. Please affirm the Council's
661 direction to negotiate in good faith, both sides, toward reaching a solution that provides
662 compatible, harmonious development in this already existing community.

663 Just 24 hours ago, I attended a homeowners meeting hosted by the developer to discuss tonight's
664 applications. Twenty-four hours ago I was at this meeting, one day ago. The homeowners were
665 asked what concerns they had as if any of them could or would be addressed today.

666 Nevertheless, the neighbors did ask questions, such as what type of walls or fences would be
667 erected next to their homes. The answer was: We will meet with you later to see what you want.

668 Yet, a secondary question: What type of landscaping will be required on the newly created
669 adjacent lots? Answer: We will address that in the CC&Rs.

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670 What type or style of architecture will be required to ensure compatibility with the existing
671 homes? Answer: That will be addressed in the CC&Rs.

672 My question here today is, okay, where are the CC&Rs so these critically important concerns and
673 how they will be addressed can be reviewed by the neighbors and by each of you prior to any
674 vote on this project?

675 These are not inappropriate or burdensome questions by any means. They are very simply the
676 questions any responsible homeowner would have about what would be built on land
677 immediately adjacent to their own homes. We will meet with you later or show you later, is not a
678 response that you, as planning commissioners, should find acceptable, and indeed I am confident
679 that you will not.

680 Please continue these applications until meaningful negotiations on the entire project are
681 completed. Please do not vote on any of these applications until the developer is required to
682 address these reasonable homeowner concerns in a meaningful and enforceable way.

683 Thank you very much for your time this evening.

684

685 **CHAIRMAN SCHLOTTMAN**

686 Thank you. I appreciate your time as well.

687 We're going to go ahead and open this up, and anyone wanting to discuss, we'll give you two
688 minutes. Please come forward. And we have three microphones, so please line up at the
689 microphones so we don't have to wait on anyone. Good evening.

690

691 **ELAINE WENGER-ROESENER**

692 Hi. Good evening. I'm Elaine Wenger-Roesener, and I reside at 9811 Orient Express Court. I'm
693 here tonight as President of the HOA of the Queensridge community.

694 The Queensridge community remains opposed to the development as presented and concerned
695 over the lack of a completed comprehensive development plan for the entire proposed
696 development. The lack of a completed development plan creates uncertainty and anxiety.
697 Residents just met last night with representatives of EHB and request time to understand these
698 proposals in the context of a completed plan. Piecemeal development is simply not fair.

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699 Also, the City has a drainage easement on the land in this proposed 61-home development, and
700 the developer has not requested a vacation of this easement. If this application is approved
701 without appropriate measures taken regarding drainage and if anyone, God forbid, is hurt or if
702 there is any property damage, I wonder who would be liable. Would it be the City, the developer,
703 or the newly formed HOA?

704 This is a critical issue, and we believe it should be addressed. With respect to the request before
705 the planning commissioners tonight, I ask that they abey these applications. I would also like to
706 leave a copy of a petition that circulated in the community. Many residents weren't able to come
707 tonight to speak, because it's the 14th of February, Valentine's Day, and they had other plans. And
708 I just wanted to leave this petition.

709

710 **CHAIRMAN SCHLOTTMAN**

711 Thank you.

712

713 **ELAINE WENGER-ROESENER**

714 And I did have one request. We have a homeowner that would like six minutes, but I have five
715 homeowners that have agreed not to speak, and they would like to give Paula their time if you
716 would allow that please.

717

718 **CHAIRMAN SCHLOTTMAN**

719 Who? Would...could we see who the homeowners are?

720

721 **ELAINE WENGER-ROESENER**

722 Sure. Just one second. There (inaudible) and those are the people that will not speak tonight.

723

724 **CHAIRMAN SCHLOTTMAN**

725 How many people tonight, by a show of hands, do we have to speak or that want to speak,
726 because we gave 30 minutes to the, you know, the gentlemen that came up? So we've already
727 given up a lot of our time to the gentlemen and the lady who's come up here previously. It's

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728 going to be hard for me to keep track of one person over here and three people back here and
729 four people back there. I just don't know how to physically?

730

731 **ELAINE WENGER-ROESENER**

732 I guess we could ask, sir, if you don't mind, of the Queensridge residents here, if you would like
733 them to stand, those people that are willing not to speak, and then I think you can have a
734 headcount. Of the residents that have talked to me, there's only one person that would like a few
735 extra minutes.

736

737 **CHAIRMAN SCHLOTTMAN**

738 Okay.

739

740 **ELAINE WENGER-ROESENER**

741 Thank you.

742

743 **CHAIRMAN SCHLOTTMAN**

744 Thank you. Go ahead.

745

746 **PAULA QUAGLIANA**

747 Paula Quagliana, 9621 Orient Express.

748 I have in my hand here the Citizens Land Use and Toolkit. It's put out by the City. It says the
749 Citizens Land Use and Toolkit, on the third page today, zoning ordinances or laws in Clark
750 County are designed to ensure the development will preserve air quality, conserve open space,
751 provide recreational needs, protection from flood, landslides, provide harmonious development
752 compatible with surrounding area.

753 These commitments are what you advertised that we citizens can expect that you will do for us.
754 If you don't, my message here tonight is that lives will not be changed for the better in our
755 association. If the existing zoning of RPD-7 is changed or the General Plan Amendment PR-OS
756 is changed to low density, it would be a disaster.

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757 As you know, low density permits single family detached homes, but it also permits mobile
758 homes on individual lots and family childcare facilities and many other things. Allowing this
759 General Plan Amendment would allow the developer to tear up and legally reinvent, recreate,
760 change the Queensridge Association as we know it today.

761 I will lay out the facts and the truth of what can happen to over 800 homeowners and their
762 families, both personally and financially, if the developer gains the power of low density and is
763 allowed to develop 250 acres of land within the walls of our association.

764 Number one, once the developer starts this project and tears up the existing areas for utilities,
765 sewer, walls, roads, I heard another person talk about banks, they may not make new loans for
766 homes. Homeowners may find cash buyers only. Some banks may call in their loans. These are
767 the worst disasters that can happen with your vote.

768 What the developer chooses to build with low density zoning may not even be compatible with
769 the existing association's CC&Rs. Moreover, remember, the developer does not have to follow
770 our CC&Rs or even comply with association building guidelines. Just last night at the meeting
771 you're hearing about, the developer informed us he intends to build homes over 50 feet tall.
772 Already he's deviating from the compatibility which he is required.

773 The change in the General Plan Amendment you are considering will not enhance our current
774 residential amenities and home values. We believe it could do the opposite. Underwater
775 mortgages, you're talking about. Also, there could be an impact if these flooding issues from
776 installing culverts in the arroyo flood zone. U.S. Army of Engineer, BLM, Fish & Wildlife,
777 FEMA must be contacted.

778 Just last night, the developer informed a resident, who lives next to a flood zone, he'll call him
779 during construction to meet with the engineer and discuss what will happen to the flood zone
780 next to his residence? Unacceptable.

781 The community would no longer be built as originally seen by insurance companies, including
782 the six days of bulldozers digging, chipping, and drilling. Homeowners additional insurance
783 could result.

784 The turmoil I've listed could cause existing homes to be somewhat unmarketable, I would say, so
785 senior citizens and other people who are ill would have to move and maybe they'd get stuck and

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786 they can't sell their residence. As a result, the responsibility of this debt to maintain their property
787 could be impossible. It's a financial disaster for these people. Tivoli Village, not completed and
788 left rusting after 2009 economic turndown, could this happen to us? Why not?

789 Mr. Lowie at the last City Council meeting shouted: We have land rights, granted land rights.
790 You, City Council, don't seem to understand there are lenders involved for \$4.5 million. He
791 further said something like he changed his plan to present to screaming homeowners. I will
792 continue on a path to go on with zoning; I'll have no meetings with anyone.

793 Mr. Lowie appears to believe this project is only about him and his investors. What about the
794 homeowners and land owners and our land rights? We have lenders for \$800 million to \$1 billion
795 right now in our homes that are at risk.

796 We homeowners have paid millions of dollars on property taxes to this city. Over 20 years,
797 individuals have paid \$300,000 over 15 years in property taxes on just one acre more than these
798 developers have paid on a 166 acres in 20 years. We could have bought this golf course ten times
799 over. Why did we pay this high price? It's called PR-OS RPD-7. I hear this is now some kind of
800 land error. No. We are an association. We're as-built now. You allowed it. The City allowed it. We
801 paid millions to preserve it.

802 Records show that, on December 30th, 2014, Mr. Pankratz, Lowie's associate, received a letter
803 from the City advising him that 166 acres of golf course property was RPD-7 among other
804 written restriction. This developer certainly cannot say they are innocent buyers of the golf
805 course and deserve approval for this project. They knew exactly what they bought.

806 The intent of RPD district zoning promote and enhance the enhancement of residential amenities,
807 utilization of open space, harmonizing with open space, removing such open space and
808 developing the property far more than ever contemplating would defeat this purpose and be
809 inconsistent with the intent of RPD zoning, and that's what we have.

810 I would ask you this evening to look at some of the horrendous things that could happen to the
811 homeowners if you allow all of these changes, to vote no on the project and the site plan
812 approval. And last, just like you say in your documents that you put out, we ask that you look out
813 for the health, safety, and financial wellbeing of your constituents of over 800 people just as
814 stated in your Land Use and Zoning Toolkit. I thank you this evening.

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815 **CHAIRMAN SCHLOTTMAN**

816 Thank you. Please hold your applause. Good evening.

817

818 **HERMAN AHLERS**

819 I am Herman Ahlers. I live at 9731 Orient Express Court.

820 I want to just address this new subdivision that we recently found out about. I attended the
821 meeting last night, asked a bunch of questions, didn't get answers. But my biggest concern is I
822 cannot for the life of me understand why the Planning Commission is recommending this
823 subdivision. It is non-conforming. It is non-compliant with the area around us, with our homes. I
824 live on Orient Express Court, and the back of these homes is going to face our single loaded
825 street. I'm trying to figure out what do they like about it.

826 Now, they're proposing to put...I used to build mobile home parks, 32 feet with small sidewalks
827 on each side is a mobile home street. You're recommending or the Planning Commission, if they
828 approve this, is recommending mobile home streets inside of Queensridge North, across the
829 street from all these custom homes.

830 There must be something that somebody likes that this is a benefit to other than the developer,
831 and I don't think that would be a benefit to him. I wouldn't build on a 32-foot straight. That
832 doesn't make any sense. But maybe they can get this thing squeezed in there if they could get the
833 approval to lower the street's size by 15 feet and then take out a sidewalk. Now, we can build,
834 and we want you to approve it and the Planning Commissioners or somebody is recommending
835 approval. Why would you do that?

836 Now, there is only one thing I can think of, and that may be someone said that the Planning
837 Commission needs revenue from development. Certainly EHB has given you a lot with Trivoli
838 and what have you. However, if the values in Queensridge are reduced by 30%, my taxes are
839 \$30,000 a year. They tell me that if I apply, I can get this reduced to \$20,000, because the values
840 are 30% less now. So now the City is going to get less revenue from property taxes and totally
841 ruin this project by making non-conforming approvals.

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842 **CHAIRMAN SCHLOTTMAN**

843 Thank you, sir. I let you go about 30 seconds over. That beeping noise that you hear means that
844 your time is up.

845

846 **HERMAN AHLERS**

847 But anyway, I recommend that you certainly turn down these mobile home streets and make sure

848 -

849

850 **CHAIRMAN SCHLOTTMAN**

851 Thank you. I appreciate that.

852

853 **HERMAN AHLERS**

854 - that any project in the future is (inaudible).

855

856 **CHAIRMAN SCHLOTTMAN**

857 Thank you, sir. Thank you. Thank you. Good evening.

858

859 **RON IVERSEN**

860 Good evening. My name is Ron Iversen. I reside at 9324 Verlaine Drive.

861 In the interest of time, I just want to say that I agree with comments of previous residents with
862 regard to all of this and request you to deny the four items that are in front of you tonight. So I
863 won't say any more than that. Thank you.

864

865 **CHAIRMAN SCHLOTTMAN**

866 Thank you. I appreciate it. I appreciate everybody coming up and lining up and not making us
867 wait. So, good evening, sir.

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868 **STEVE SEROKA**

869 Good evening. I'm Colonel Steve Seroka. I reside at 10100 Stony Ridge Drive, not in
870 Queensridge. I live in the neighborhood across the street, and I'm here to represent not only
871 myself and my neighbors, but my neighbors of Queensridge and the hundreds of thousands of
872 folks that are in our community as well. I think it's fair to say tonight that not just the majority of
873 people in this room, barring those that are being paid by the developer, but hundreds and
874 thousands of the people that I've talked to in my community are not happy and are not supportive
875 of this project.

876 On the issue of the waivers that we're discussing tonight, pre-recession, we had an attitude of
877 grow at all costs. We had an attitude of approve all waivers that are in the interest of the
878 developer and lobbyist. We don't need to emulate that now again in 2017. We don't need skinny
879 streets. We don't need streets where a fire vehicle cannot even turn around. We do not need to be
880 fearful of the complexity of this issue and the large terminology that is thrown out. We do not
881 need to be fearful of that.

882 In fact, we wouldn't be here today, if in the beginning we had said as responsible representatives
883 of the community, over my dead body will I allow a project that will drive property values down
884 30% in just a year; over my dead body will I allow those constituents to have a decrease
885 compared to their residents in other parts of our city at 45% relative property values; over my
886 dead body will I allow a project that will set a precedent that will ripple across the community
887 that those property values do not just be impacted in Queensridge, but throughout the
888 community.

889 I ask you to find that moral courage to stand up. I ask you to find that Fallujah moral courage,
890 that Pork Chop Hill moral courage, that Heartbreak Ridge and Doolittle Raid moral courage to
891 stand up for what you know is right. I ask you to stand up and be accountable to your
892 constituents. So tonight I ask you no waivers that only benefit the interest of the developer, and I
893 ask that you consider the precedent that you are setting in our community. Thank you.

894

895 **CHAIRMAN SCHLOTTMAN**

896 Thank you, sir. Good evening. Please hold your applause. Good evening, ma'am.

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897 **ANNE SMITH**

898 Good evening. I'm Anne Smith, 653 Ravel Court.

899 In November, the City Council put the 720 that you heard in abeyance to facilitate negotiations
900 between the developer and the Queensridge HOA, which Shauna has talked about, to develop a
901 full development plan that both could live with. However, today the developer is here with
902 another application to slice and dice the open space with more piecemeal development. How is
903 that good faith negotiations, while at the same time moving forward with a project that's the
904 antithesis of a comprehensive plan?

905 So I'm opposing the tentative map, 68482, and related applications as follows: one, it's not
906 compatible with the existing open space RPD-7 as presented by Mr. Schreck and Mr. Garcia
907 tonight.

908 Two, there will be severe traffic impacts. The 720 already takes Rampart Boulevard to 97%
909 capacity, and City Staff hasn't even been able to consider the impact of the ultimate development
910 because it's unknown yet.

911 Three, all neighborhood schools are already over 100% capacity. That affects everyone in the
912 area, not just Queensridge. It's not a personal issue for just our development. There's no
913 mitigation plan for any of this development with the school district.

914 Four, the constant uncertainty around the development has decreased our property values. The
915 County Assessor reduced all Queensridge taxable values an average of 10%, and that's without
916 any consideration of the future loss of the open space. So it's without that.

917 So we're also opposing GPA-68385 as it will be a major, not a minor modification for the entire
918 area.

919 So none of these applications should be considered. I'm going to leave you with just one image
920 of what we have been going through with this process for the last 18 months. This developer is
921 cannibalizing our community. They're eating us alive, biting off an arm here, a leg there, slowly
922 squeezing the life out of everyone in Queensridge and the Towers with every little incremental
923 bait and switch application.

924 So please keep that image in mind of what we are going through. We urge you to stop it and deny
925 these piecemeal applications tonight and demand a comprehensive development plan.

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926 **CHAIRMAN SCHLOTTMAN**

927 Thank you. I appreciate it.

928

929 **ANNE SMITH**

930 Thank you.

931

932 **CHAIRMAN SCHLOTTMAN**

933 Good evening, ma'am.

934

935 **DEBRA KANER**

936 Good evening. Debra Kaner, 660 Ravel. Here we are again and spending Valentine's Day
937 together.

938 When my children attended school in Las Vegas, they were taught continuously how to be good
939 citizens. They were awarded plaques in school programs for citizenship. During my career at
940 CCSD, we taught special education students how to be good friends to help each other. And now,
941 the citizen homeowners of Queensridge feel devastated by the potential abandonment of our
942 master plan. This was to be the highest homeowner protection.

943 We wonder why the city is trying so hard to protect this now fragmented high-density
944 development at our expense. What protection is given to us?

945 As a CCSD retiree, I'm especially concerned with the rudimentary attention given to the school
946 study rather than a full plan in place prior to accepting a major general plan amendment. Our
947 neighborhood schools are already overcrowded. We homeowners are asking you to protect the
948 good citizens of Queensridge.

949 I have wanted to downsize since my retirement, and, as you have heard, our property values have
950 decreased. At the last meeting, I informed you of the difficulty selling our homes. Well now, not
951 only have we had to reduce them by hundreds of thousands of dollars, but most of us have had to
952 remove our homes from the listings because realtors just won't even show our homes. Two
953 homes are now rentals. This is a painful effect on our beautiful Queensridge neighborhood.

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954 As an original homeowner in Queensridge, I urge you not to award the developer the Valentine's
955 gift of carte blanche, a blank check to piecemeal our beautiful oasis.

956

957 **CHAIRMAN SCHLOTTMAN**

958 Thank you. Good evening, sir.

959

960 **GORDON CULP**

961 Thank you. My name is Gordon Culp. I live at 653 Ravel Court. I've been a consulting civil
962 engineer for over 50 years and still maintain a full-time practice. It's just basic engineering when
963 you're developing a drainage plan for a watershed that you look at the entire basin and not look
964 at it on a piecemeal basis, particularly when you know there are going to be major modifications
965 made downstream of the particular area that you're looking at.

966 We know it's going to happen, but we don't know what they are, they haven't been defined. We
967 just know they're going to be much more intense than was originally proposed. The more open
968 space you replace with pavement and rooftops, the more storm runoff you get. So the total
969 magnitude of the runoff that must be handled by the overall drainage system for the 200 acres
970 cannot be determined without a comprehensive development plan for the entire drainage area,
971 not a piecemeal approach.

972 The other point I'd like to just very briefly cover is that the loss of open space called for the
973 general plan is going to lead to development that's going to adverse the quality of life that you've
974 heard from several speakers already. The proposed development of 63 homes establishes some
975 really bad precedents. In the design standards for this development and in the original
976 development plan, 10-foot high walls are proposed on the property lines between the
977 development and the existing homes.

978 We met with the developer a year ago because our homes back up and are immediately adjacent
979 to the areas proposed, where there's going to be multi-story condos literally in our backyard. We
980 asked him, please provide us renderings; what is this going to look like; what is this going to do
981 to us? A year later, what have we got? Absolutely nothing.

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982 So we've prepared our drawings based on what they told us are going to be 10-foot walls, if I can
983 just borrow the overhead for a moment. Is that working okay? That's our existing view. Here's
984 what will happen to it with a 10-foot high wall. You expect me to believe what the developer
985 says that my property value is going to go up?

986 We need a comprehensive overhaul plan for the entire development where there's some
987 consideration of minimizing the impacts from the folks that already live there. Thank you.

988

989 **CHAIRMAN SCHLOTTMAN**

990 Thank you, sir. Good evening.

991

992 **RAY STAZZONI**

993 Good evening. My name is Ray Stazzoni, and my address is 9940 Orient Express.

994 When I purchased my house, in 2013, I was shown documents that showed a master plan that
995 this was open space golf course. Had I known that, you know, the City Council and the Planning
996 Commission could change at will a master plan, I never would have purchased there, and I dare
997 say a lot of people, that may want to sell their homes, they're going to be looking at the same
998 things, so the property values are going to decrease tremendously.

999 If I could have a show of hands of the people that are opposed to this project, could you please
1000 raise your hands, everybody? If you could imagine that, if you could imagine that Planning
1001 Commission times about 100, that's how many people are in Queensridge. That's how many
1002 people are opposed to this. You've got to look at the numbers, guys. Thank you.

1003

1004 **CHAIRMAN SCHLOTTMAN**

1005 Thank you, sir.

1006

1007 **CLYDE TURNER**

1008 I'm Clyde Turner, 9511 Orient Express Court.

1009 Mr. Chairman, ladies and gentlemen of the Commission, I urge you to not deny these
1010 applications. If you don't have time to digest the technical information that was provided to you

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1011 tonight, then I ask you to defer it until you can digest it. I think this is a situation that on two
1012 counts could be handled quite easily.

1013 One is the 50,000 foot count, which tells you that it's just ridiculous, the projects and what's been
1014 offered all the way through this whole process to be done to this community. Secondly, on the
1015 technical basis, done by the Queensridge attorneys tonight, the information they've provided to
1016 you, if you need time to digest that, then defer it. If not, please deny it.

1017

1018 **CHAIRMAN SCHLOTTMAN**

1019 Thank you, sir. Good evening, ma'am.

1020

1021 **EVA THOMAS**

1022 Hi. I'm Eva Thomas at 652 Ravel Court.

1023 I'm here with pictures that I'm going to leave again. I oppose all the items related on the agenda
1024 in regards to the Badlands development. First off, the developer keeps changing the density. So
1025 we don't know what he is going to build or where he's going to build it because everything is
1026 always changing.

1027 I look out my backyard every day and I'm very lucky that I do look at where the Towers are. I
1028 was told on December 1st the water would be turned off, and it was turned off. But there are
1029 pictures here that I would love for you guys to see, that the sprinklers are on every single day
1030 now. Not only that, I had the Bellagio for about two days, water shooting straight up in the air for
1031 almost a week. Nobody did anything about it.

1032

1033 **CHAIRMAN SCHLOTTMAN**

1034 Ma'am, if you want to put them in the middle, we could put them on the projector.

1035

1036 **EVA THOMAS**

1037 Here?

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1038 **CHAIRMAN SCHLOTTMAN**

1039 Yes.

1040

1041 **EVA THOMAS**

1042 There?

1043

1044 **CHAIRMAN SCHLOTTMAN**

1045 Yes, Ma'am.

1046

1047 **EVA THOMAS**

1048 Okay. There's that one. So the water is supposed to be turned off, and that clearly, I mean, isn't
1049 turned off. Here's what's still down there. You can see it's like a black marsh. I don't know what it
1050 is. We're not allowed to walk on the golf course, but it isn't green. It's totally soaked with water.

1051 This is another like little leakage thing that comes out of it.

1052 On the bottom, you'll see the dates, January 18th, January 11th. This is it gushing again. It just
1053 never stops with the water. The water control over there is not. Here's January 18th, same spot is
1054 leaking again. This is from my house where they've turned the water off and now it's back on. So
1055 it's half green and half dead. I'm not sure what the purpose of that's about, because they don't tell
1056 us what the purpose of any of it is about.

1057 There is that....This is the dead part. Here's that one part where the water is still consistently
1058 leaking on February 9th. That's one month later. And here's the sprinklers on as of last night, the
1059 12th, and the 12th and look how nice and green it is there.

1060 So I'm just, brought the pictures to show again, once again, things that he has told us he's going
1061 to do has not happened. I totally want to deny this project. And we need a complete development
1062 plan.

1063

1064 **CHAIRMAN SCHLOTTMAN**

1065 Thank you. And let me just go ahead and make a, just take a quick second for a reminder. This is
1066 about the application before us today, not whether if they're watering the golf course, not

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1067 watering the golf course, or it's, are you here for this project, not for this project, and what is it
1068 about the project that you like or dislike?

1069

1070 **EVA THOMAS**

1071 No, this is about, this is about being here last time, being told what was going to be happening
1072 and to be getting ready for it, and none of it happened.

1073

1074 **CHAIRMAN SCHLOTTMAN**

1075 Ma'am, this isn't against you.

1076

1077 **EVA THOMAS**

1078 No, I'm just saying.

1079

1080 **CHAIRMAN SCHLOTTMAN**

1081 I'm just making a general comment.

1082

1083 **EVA THOMAS**

1084 But I'm just saying this just shows that the developer again did not do what he said he was going
1085 to do. And what is he doing? I mean, this isn't, so do you want me to leave these here, take them,
1086 leave them?

1087

1088 **CHAIRMAN SCHLOTTMAN**

1089 If you want to leave them here, we'll put them in the record if you so choose.

1090

1091 **EVA THOMAS**

1092 Okay. I'm just bringing it to your attention.

1093

1094 **CHAIRMAN SCHLOTTMAN**

1095 Thank you, ma'am.

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1096 **EVA THOMAS**

1097 And I'm totally against the development.

1098

1099 **DUNCAN LEE**

1100 Good evening, Commissioner. My name is Duncan Lee, and I live at 9631 Orient Express Court.

1101 I came before you last October 17th for my public comment, and I shared that all residential

1102 developers are watching your decision on this Queensridge matter and will reverberate

1103 throughout Southern Nevada. As you see here today and read the newspaper, several golf courses

1104 communities, such as Sienna, Silverstone, Las Vegas Country Club, and even Southern

1105 Highlands all have potential residential redevelopment on or around the golf course. Yet, as

1106 Planning Commissioners, I hope that you will listen to the process of our affected neighbors'

1107 comments and take their opinions as part of the process for approval or denial.

1108 So, for almost two years, you have overwhelming outcry from neighbors against this proposed

1109 piecemeal project. There's no independent study for flood controls or public safety. The last

1110 update I've received today, from the Chief of Staff from CCSD, is that there's no memorandum of

1111 agreement for the Clark County School District. We already have overcrowded schools. It's

1112 probably about 116 overcrowded, and yet there's no address where these future students may go.

1113 At last night's meeting for these 61 homes, I think there were a lot of issues I talked about which

1114 was minor issues, but I think overall, by the vote of hands of the people there last night, it was

1115 overwhelming objection to this development. So, please, deny this application until we have a

1116 complete plan for the entire development. Thank you.

1117

1118 **CHAIRMAN SCHLOTTMAN**

1119 Thank you.

1120

1121 **MARK NEWMAN**

1122 Mark Newman, 8440 Westcliff Drive.

1123 I would be against this project. If you haven't noticed or need a reminder, this town is less than

1124 10 years removed from a major economic crash on our real estate values. This project in the

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1125 course of one year has devalued the comparable real estate in the area by 30%, and the way this
1126 thing has been piecemealed, it makes me and reminds me of a very perfect political adage,
1127 BOHICA, bend over, here it comes again, because that's how government has been treating these
1128 residents. Thank you.

1129

1130 **CHAIRMAN SCHLOTTMAN**

1131 Thank you, sir. Good evening.

1132

1133 **PAT SPILOTRO**

1134 Could I have the overhead projector?

1135

1136 **CHAIRMAN SCHLOTTMAN**

1137 Yes

1138

1139 **PAT SPILOTRO**

1140 Hi, my name is Pat Spilotro, 8177 Bay Colony. I live in Silverstone Ranch on the other golf
1141 course that's under siege in Las Vegas. I did not bring a bunch of people with me. I'll beg the
1142 Council's indulgence for a couple extra minutes maybe.

1143 I didn't want to bring 100 people up here. I was here last July. I said, look it you guys, this is like
1144 the ninth or tenth or eleventh meeting I think I've been to on Queensridge since this whole thing
1145 started. I know there's a law against that. I can't be dragging people up here on various days from
1146 Silverstone Ranch to make a statement in front of the Committee. It's just a matter of access and
1147 availability.

1148 We spent the entire afternoon in Federal Bankruptcy Court in front of a federal judge that said
1149 that homeowners on a golf course have adequate access to all the legal documentation that
1150 affects the property underneath them. That includes the fact that all these people here have the
1151 same equitable servitude on the property that we have here at Silverstone Ranch.

1152 This Council has made great pains to say that Silverstone Ranch is not the same as Badlands and
1153 that Badlands is not a precedent for Silverstone Ranch. That's absurd. The fact is here's a picture

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1154 of Badlands, and if you can see it on your monitor, this is Badlands before the houses were built.
1155 The golf course was here, which means that every person that built here or bought a house here,
1156 whether they be subsequent owners or original owners, relied on the fact that the golf course was
1157 there.

1158 That gives them an equitable servitude on this land. They have a right to the open space, the
1159 expectation of the open space they had when they bought the property.

1160 This is Silverstone Ranch. It's the exact same thing. There are six houses there that Sommers had
1161 built, before the place went bankrupt when they were Mountain Spa. They stopped Mountain
1162 Spa, but they did build and when Pulte built it, they had an agreement that they drew up and said
1163 everybody has a right to the golf course open space.

1164 It's not a matter of the fact that they need X amount of acres, but they actually allocated this open
1165 space because of the fact that it adds value to the rest of the houses. They're talking about a 30%
1166 decrease. We've already had it. We already had our adjustment last year in front of the County
1167 Commission, the Board of Equalization where they reduced our taxes and held them.

1168 The same Commission is having hearings on the 24th or the 29th for the tax appeals for
1169 Badlands. They've already had stipulations agreed with a bunch of homeowners that said they've
1170 gotten 20% and 30% decreases in their properties. This is what you have to look forward to. The
1171 fact is, one more second and I'll be done.

1172

1173 **CHAIRMAN SCHLOTTMAN**

1174 Okay. I just want to let you know we're kind of going off track of talking about property values-
1175

1176 **PAT SPILOTRO**

1177 Well, no, the fact-
1178

1179 **CHAIRMAN SCHLOTTMAN**

1180 -because we cannot consider property values on the Planning Commission.

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1181 **PAT SPILOTRO**

1182 -I understand that. But the primary thing is the equitable servitude that serves upon the land,
1183 which the developer is just ignoring and the City is going ahead and approving over, is going to
1184 get to the courts, and the courts are all going to say, no, it doesn't exist.

1185 I'm submitting a brief with five cases in it. It also has recommendations from the 361A and 278A
1186 that says that you guys can't just go ahead and make a piecemeal, arbitrary dissection of a golf
1187 course and say that, oh, we're going to only do one corner, but it doesn't affect everybody else on
1188 the golf course.

1189 When you guys sent out notices for this particular project today, you sent them to a 1,000 foot
1190 area around that corner of the golf course. You should have sent them to a 1,000 foot area around
1191 the entire golf course. You can't separate this place out and say, oh, we're going to take one acre
1192 and just notify the people around this one acre; because the one acre actually destroys the entire
1193 golf course.

1194

1195 **CHAIRMAN SCHLOTTMAN**

1196 Okay, sir. I let you go a minute and a half over.

1197

1198 **PAT SPILOTRO**

1199 That's fine. I'll give these for the Council and here are some pictures of Silverstone Ranch that
1200 you all can look at. Thank you very much.

1201

1202 **CHAIRMAN SCHLOTTMAN**

1203 And I appreciate you, appreciate your testimony tonight. Good evening, sir.

1204

1205 **DALE ROESENER**

1206 Good evening. My name is Dale Roesener, 9811 Orient Express. I have concerns regarding the
1207 various applications, and I just have two kind of main points I want to key in on and they're more
1208 specific to this.

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1209 Last night, I noticed two of the lots on the layout plan are about one-third smaller than adjacent
1210 lots within Queensridge, which they represented that they were all harmonious and compatible. I
1211 was surprised, because I had met with Mr. Perrigo previously and he explained to me that
1212 compatibility guidelines require adjacent lots to be similar in size. Mr. Perrigo was there last
1213 night. When I brought it to his attention, he said he hadn't noticed, but it was a valid concern.
1214 I make this point for two reasons. The lot layout plan does not meet the compatibility guidelines.
1215 I know at least two cases that a third off is quite significant, I think.
1216 Additionally, the applications were received a short time ago, and I think part of the reason
1217 people overlook things as city planners, homeowners, and the like is that we have not had
1218 adequate time to reduce the documentation. As a result, I feel everyone involved in the review
1219 process has been disadvantaged and deserves significantly more time to review.
1220 Secondly, the entrance to the homes at Hualapai is ill-conceived and brings additional hazards to
1221 an already hazardous area. Because the turning exit is right in and right out, the only way to get
1222 to the south, which would be down towards Charleston where everybody shops and it's more
1223 popular, I think, than going to the north, you're going to have to go up to Alta and do a U-turn.
1224 I think Commissioner Moody, your office is nearby. I think you mentioned you see the golf
1225 course there. If I recall, a car actually had an accident and went into the entrance to your office
1226 building. I think it was boarded up for a while. And just last year, there was a teenager from
1227 Queensridge, a fatality at that intersection, and there have been multiple fatalities over the years.
1228 These residents coming out of there are going to have to cross three lanes, one of which is a new
1229 turn lane that was designed, I think, to help. They're going to have to cross three lanes and do a
1230 U-turn. So I really feel like we're adding problems.
1231 The developer's requests are going to make profound changes to the neighborhood and have a
1232 myriad of impacts. I request that you deny or alternatively abey the applications to provide
1233 adequate time to review. Thank you.

1234

1235 **CHAIRMAN SCHLOTTMAN**

1236 Thank you, sir. Good evening.

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1237 **CHRISTINA ROUSH**

1238 Good evening. Christina Roush, 8901 Greensboro Lane. I live in Tournament Hills, very near
1239 this proposed development, and I am not in favor of it. I'll speak quickly and swiftly, because
1240 you've already heard some very compassionate and very well-sounded arguments about why you
1241 shouldn't approve this tonight.

1242 But I know and you know that I know land use. My years in real estate, I've been before this City
1243 Council before. I've been through the County Commission before. I know you have to make a
1244 decision based on precedent as well as based on the law, and I know that you have a lot of facts
1245 that you've been briefed on by the City Attorney and by Director Perrigo.

1246 But I would submit to you that you need to consider the fact that the master plan should hold.
1247 The people that I talk to in this neighborhood and the people I talk to in the surrounding
1248 neighborhoods are extremely concerned about the lack of a master plan enforcement in the area.
1249 Many people that I've talked to throughout this entire community are very concerned about the
1250 fact that this will set a very dangerous precedent.

1251 Everyone is watching this case to see what happens next, to see what's decided on Queensridge,
1252 because then it will happen again and again and again in every community that's experiencing a
1253 golf course failure. This is a national epidemic. This isn't something that's just new to Las Vegas.
1254 Golf is changing dramatically, and as we go through this process, we're all going to have to
1255 figure out a good solution.

1256 But the solution is not to strip homeowners of their rights. It's not to take away the open space
1257 that they were granted. If something is zoned RPD-7, that is a master plan for the entire space.
1258 That doesn't mean that you can take that and piecemeal use it. You can't put in a partial
1259 application. If you're going to apply something to the entire development, it needs to be applied
1260 correctly, and that math does not work. That math was already used up when the Towers were
1261 built and other densities were awarded.

1262 So I submit that to you, and I have you consider that as you take this vote under consideration.

1263 Thank you.

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1264 **CHAIRMAN SCHLOTTMAN**

1265 Thank you. Appreciate your input. All right. Anyone else wishing to speak, please come forward.

1266 Seeing none, I'll close the public hearing and turn this over to the Planning Commission.

1267 Actually, I am going to give a rebuttal to the Applicant, per our Rules of Conduct. And...Ms.

1268 Allen, considering that we gave them triple the amount of time as your initial presentation, do

1269 you need 10 minutes, or how much time do you feel that you'd like?

1270

1271 **STEPHANIE ALLEN**

1272 If we could, 15 would be fabulous.

1273

1274 **CHAIRMAN SCHLOTTMAN**

1275 Okay. Thank you.

1276

1277 **STEPHANIE ALLEN**

1278 Thank you very much. We'll let Jim go first, and then Chris and I will wrap up.

1279

1280 **JAMES JIMMERSON**

1281 Good evening, Mr. Chairman and members of the Planning Commission. My name is James

1282 Jimmerson. I am a resident of Queensridge community. My address is 9101 Alta Drive in Las

1283 Vegas. I am also an attorney, and I have the privilege of representing the land owner whose

1284 project is before you tonight.

1285 One of the things that you take away from this presentation is the absence of appreciation by

1286 those who speak against this project, and I want to make it clear that I do speak in favor of this

1287 project, about the work and effort that your City Staff has performed. How did we get here? We

1288 got here because of the men and women employed by the City of Las Vegas, and specifically, of

1289 course, the Planning Department, headed by Mr. Perrigo, that has recommended approval of this

1290 project. That's not arbitrary and capricious. That is well-grounded in fact.

1291 Not one sentence, not one evidence of that in the last hour, hour and a half that you've heard from

1292 the opponents referenced the fact that City Staff, professionals who are dedicated to reviewing

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1293 applicants' projects has recommended supporting this project that you vote in favor of it and that
1294 you pass it on to the City Council for final approval at its next meeting.

1295 Why is that? The City Council, excuse me, the City Planning Department has looked at this.
1296 They've examined the facts. They've examined issues like compatibility. They've examined
1297 issues with regard to traffic. They reviewed issues like drainage. They've looked at every one of
1298 those issues, as they are mandated to do as part of their duties and responsibilities, I believe, and
1299 certainly it is wise to do that. Just like those who are concerned about those issues are also wise
1300 to make a point to you.

1301 But here you have City Staff that is unequivocally recommending approval for this 61-home
1302 project on 34 acres. It is of less density than the surrounding neighborhood. It will not impact
1303 traffic. You have a traffic study that was commissioned by you, the City of Las Vegas, verifying
1304 that fact.

1305 Contrary to a couple of the homeowners, this is not going to adversely impact our school district.
1306 The school district's current position is that there will be little or negligible impact upon their
1307 school system at all by virtue of this small project.

1308 Step back. One of the things that you don't hear from the people who do object, which is just a
1309 small fraction of all the homes and all the homeowners who reside in Queensridge, you don't
1310 hear the fact that this property is owned by one entity, Seventy Acres, LLC. But when you talk
1311 about the golf course, since the inception, since 1995, at least, this property has been owned by
1312 three or four different landowners.

1313 So when you have the homeowners come here, who object to this project, and try to tell you:
1314 You, City, must oppose this; you must; we're going to tell you and we're going to tell the
1315 landowner how it's going to use its own property. Besides the arrogance that that kind of attitude
1316 includes, it ignores the facts, which is that the golf course has been owned by three or four
1317 entities since 1995 or later. Yet they would seem to say that you are going to control, you have
1318 the power by fiat, you know, by decree, to compel three different landowners to somehow
1319 respond to the dictates of a complaining neighbor. It makes no sense.

1320 I did want to show you a couple of handouts that are important. One of the points that needs to
1321 be emphasized, and I know that you've been briefed by this by not only your City Attorney, but

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1322 through your planning staff, is every person who has spoken here today who lives in the
1323 Queensridge common community received a booklet, and I have an example here for you. It's
1324 quite lengthy, it's this size, that contains their CC&Rs and their rights and regulations and
1325 obligations.

1326 You hear so much loosely talked by those who speak against this project about what their rights
1327 are. But if you look to what is recorded of record, those rights that they claim exist don't exist at
1328 all. I'd like to show you what was given to every homeowner who lives there, who bought a
1329 home there and this is a map that is found at page 14 of their CC&Rs. If I can have that shown,
1330 this is the golf course property here that's been owned by four different entities and this project
1331 right here is the project you have before you.

1332 This is what was given to each and every homeowner. What does it read? Let's read it together.
1333 Just two words, future development. So, of those who would say and argue, passionately or not,
1334 sincerely or insincerely, don't look at their own documents, don't look at their own contract,
1335 which says this property that's being proposed to be developed by Seventy Acres is for future, is
1336 for, I'm sorry, for 180 Land Company is for future development, right there on the document. 180
1337 Land Company, my client, has advised that it seeks to develop just a small part. So they knew
1338 right away.

1339 In 1990, this map was produced, and it shows what was planned for this property. Let me show
1340 you what that map was in 1990. The Z-1790.

1341 On April 4th of 1990, your predecessor, the City Council of Las Vegas, approved this Z-1790
1342 zoning map, and it granted to all of this property, in what was then called Peccole or Peccole
1343 Ranch, RPD-7 all in the yellow, commercial in red, and multi-family in the orange.

1344 So all of the property we're talking about in terms of the golf course, which is all here, was all
1345 from the start, in 1990, long before you had land use designations, long before you had much
1346 else was the right to build 7.49 or up to 7.49 dwelling units per acre. And all of this was since
1347 1990.

1348 For the folks to come in, for the lawyers to come in and misrepresent to you the record is most
1349 inappropriate. You had one speaker who was a consultant, who said that master plans control or

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1350 trump zoning. I'm going to speak to that in a second, except that if that speaker were to be
1351 analyzing American history, you would think that the South won the Civil War. That's not true.
1352 Our statutes make it clear under NRS 278.349, Sub 3(e), that zoning trumps land use
1353 designation. Let me find that. The state statute on that point is very clear. When there is a
1354 contradiction or a disagreement over what is governed between land use designation and zoning,
1355 3(e) says conformity with the zoning ordinance and master plan, except that if any existing
1356 zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence.
1357 So when you hear these kinds of arguments that somehow a master plan controls, you know
1358 they're false just by the wording. Again, when I talk about deference or respect for your City
1359 Staff, how about your City Attorney? Did he get it all wrong? No. Has he read his statutes? Yes.
1360 Does he know that zoning controls the master plan? Answer yes.
1361 Let's look at the word. What is the word within the action of 1990? The master plan is
1362 conceptual. You've worked with master plans for different areas. What does that mean? That
1363 means it's subject to change. It's flexible. And that's what the master plan in its first paragraph,
1364 first sentence says here. It says that the proposed plan is conceptual in nature to allow for
1365 detailed planning at the time of development. And that makes common sense.
1366 Well, would you look at what's happened in Queensridge from 1990 to 2016? Contrary again to
1367 our homeowner representative consultants, there is no requirement of a major modification. I'm
1368 sure that's been advised to you by your counsel. Why is that? Because the 2020 Plan passed in
1369 2000, specifically omits Peccole Ranch or all of this property as being subject to a major mod.
1370 And Mr. Perrigo and Mr. Lowenstein have testified under oath. They've been compelled to
1371 appear in a deposition, and they confirmed that fact that a major mod is not required.
1372 So you start with the fundamental right to develop. That's one of the things I want to
1373 communicate to you. Hopefully, we did so effectively when we were last before you, and we'll
1374 continue to make that point.
1375 You know this is true because you've observed the change in positions. You were first told that
1376 the property had to be a golf course in perpetuity, the first argument. Then you were told that it
1377 has to be a park and open space. Not true.

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1378 When you look at what these people relied upon, when they bought their property, it was very
1379 clear in the purchase agreement that there was no right to the golf course, no right to a view, no
1380 right to anything. They were subject to this property being developed. And what is being
1381 developed? Something that's compatible with the property. Something that you can get behind
1382 and support.

1383 When you realize and when you acknowledge, as I know you have and will, the developer's right
1384 to develop, then the issue becomes, what can the developer develop that would be reasonable,
1385 would be compatible with the neighborhood, would make good sense, make sure that there's no
1386 flooding, make sure there's appropriate traffic? All of that has been addressed in this application.
1387 None of that has been spoken to of the 20 people who have spoken here this evening against this
1388 project, address those issues, but you have it all before you.

1389 There's no lack of hypocrisy by those who would argue with regard to their right to enjoy.
1390 Mr. Garcia used the word, there's a right of enjoyment of the golf course. Really? They have the
1391 right to tell each and every one of you how to use your home or your property.

1392 When you look at the signed contract, it makes it very clear here. As I said, I'll be delivering all
1393 these documents to the Clerk, that there is not only no right, there's no right to a view. You can
1394 expect the property potentially to be developed. It can be developed right over the fence, and you
1395 recognize that when you sign the contract.

1396 The map that I showed you showed the right to development, and that's exactly the parcel that's
1397 being developed.

1398 I would like to also reference, you heard from some of these homeowners there's a PR-OS. The
1399 PR-OS was a land use designation that, based upon our investigation, was sought to be imposed
1400 upon this property in 2005. Understand, that's 15 years after this property received its zoning.
1401 That's why you have to know there are apples and eggs and why you really have to, you know,
1402 kind of look at the facts and look at it with some discernment.

1403 You hear from a representative of or a homeowner of Silverstone. This is not Silverstone.
1404 Silverstone had a covenant that required it to be used as a golf course. There's no such covenant
1405 here. A District Court judge, in the case of *Peccole vs. Four Stars*, has found, just on November
1406 30th, two months ago, 2016, that the Queensridge community has no control over the property

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1407 that is owned by my clients, that the Queensridge Homeowners Association's CC&Rs do not
1408 apply to my client's property.

1409 And indeed when you look at all the deeds that are recorded, you'll see no title exceptions to our
1410 property, owned by our clients or any reference to either 116 or 278A, which is now their latest
1411 preposterous argument that this is somehow a planned unit community, yet not one document
1412 that you've seen here makes reference to the issue of planned unit development.

1413 Planned unit development does not exist within the City of Las Vegas. Instead, the City of Las
1414 Vegas has refused to pass an ordinance, which is a condition precedent for that statute to apply,
1415 and the reason that they have is they've chosen to use, as you well have delved into, development
1416 agreements.

1417 So they use development agreements and contracts with an individual owner/developer and the
1418 City to make sure that the promises of the developer are adhered to, at least substantially, maybe
1419 not always exactly, but certainly with the spirit and intent of what's been agreed upon.

1420 So these arguments that you hear have been rejected. I do want to instigate two weeks ago, on
1421 January 31st, pretty recent stuff, 2017, the same District Court judge held specifically that 278
1422 does not apply to the Queensridge community and that the suggestion or argument by
1423 Mr. Peccole, who was a co-plaintiff with some of the folks here today, was an error, that 278 has
1424 no application whatsoever.

1425 The, sorry [inaudible], the specific statement is within the Order: Plaintiffs do not even possess
1426 standing to assert this claim under 278A...reading from page 13, line 18.

1427 And the protections of the Queensridge CC&Rs apply to their property, which is entirely
1428 appropriate. But the idea that they would say to you that their CC&Rs or their position could
1429 control any one of your homes is preposterous.

1430 And so when you look, where, where do you look? You look to deeds. You look to what are the
1431 exceptions, if there are any on your house. And this is important and I would like to kind of close
1432 with this.

1433 This so-called conceptual master plan of 1990 was never recorded. There is no reference to a
1434 planned unit development ever recorded. The Z-1790 was not recorded.

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1435 When you look to what has been presented by the opponents of this project, factually and legally,
1436 they are without merit to their case. More importantly, you should focus upon the merits of this
1437 project and vote it up or down as you personally see fit. It's ready and ripe for a decision, and it is
1438 a project that will make you proud.

1439 I thank you for this opportunity to speak before you and the ladies and gentlemen here in the
1440 audience as well. I appreciate everyone's view. Thank you.

1441

1442 **CHRIS KAEMPFER**

1443 Mr. Chairman, if I can impose on you for one minute for myself and one for Ms. Allen.

1444

1445 **JAMES JIMMERSON**

1446 Could I just [inaudible] introduce it into the record?

1447

1448 **CHRIS KAEMPFER**

1449 All right. Well, go ahead.

1450

1451 **JAMES JIMMERSON**

1452 I'd just like to offer the exhibits that I made reference to, please, into the record. I have the
1453 collection here for Ms. Holmes or whoever the clerk is today.

1454

1455 **CHAIRMAN SCHLOTTMAN**

1456 Thank you.

1457

1458 **JAMES JIMMERSON**

1459 Thank you.

1460

1461 **CHRIS KAEMPFER**

1462 Mr. Chairman, members of the Commission, Chris Kaempfer here on behalf of the Applicant.

1463 First of all, I want to say-.

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1464 **CHAIRMAN SCHLOTTMAN**

1465 Chris, Mr. Kaempfer, can we get your address?

1466

1467 **CHRIS KAEMPFER**

1468 -Yes, 1980 Festival Plaza Drive, Las Vegas. I want to say that every person who spoke in
1469 opposition today, every single one cares about this community deeply, and they care about what's
1470 happening to the community.

1471 And candidly, even though I've heard comments that maybe I don't, I do probably more than
1472 most. And the reason I do is because, before I got involved in working with the developer, I
1473 talked to your City Attorney. I talked to your planning people. And they told me and I confirmed
1474 that this property is not just zoned RPD-7, but it can be developed.

1475 And they even informed me that my neighbors and I, who live on Fontainebleu, could expect
1476 anywhere from four to five units an acre behind us, because we're between four units an acre and
1477 Charleston. And because of that, I made a commitment to come up with the best overall plan that
1478 we possibly could.

1479 Now, what I'm saying is in all of the arguments that you've heard, all of these legal arguments, I
1480 have never in all my years of practice had a City Council, a County Commission, a Planning
1481 Commission reject the opinion of its City Attorney and its Planning Department over opinions of
1482 attorneys, whether it be me or somebody else.

1483 And that was always my fear, that regardless of what I thought or how great a case might be
1484 presented otherwise, that you would say, we have a City Attorney with whom we deal with and a
1485 Planning Director with whom we deal with and trust, and that's the people upon whom we must
1486 rely. And that is why I'm taking the position I can or I do.

1487 I want you to forget about Queensridge for a second. Forget about all these issues. Those are
1488 legal issues. And as your City Attorney will tell you, when somebody comes in and says they
1489 can't build because there's an easement, or they can't build because of this legal issue or not, the
1490 City Attorneys always take the position. Those are court decisions, your planning people.

1491 And what I am asking you is, if you look at this plan that has comparable densities and Stephanie
1492 pointed that out, 1.179 units per acre when the overall density at Queensridge is 3.48. There is

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1493 not a circumstance in which if I came in front of this Planning Commission and said, I'm
1494 proposing 1.79 units per acre, that you would not feel that that's comparable, compatible. And
1495 that's the requirement that your City Attorney imposed on all of us and your Planning Director
1496 imposed on us.

1497 So look at it from just that standpoint, a planning standpoint and what makes sense. Thank you.

1498

1499 **CHAIRMAN SCHLOTTMAN**

1500 Thank you.

1501

1502 **STEPHANIE ALLEN**

1503 Mr. Chairman, just briefly and Commissioners, again, thank you for your consideration this
1504 evening. We're happy. We have our engineer here if you have questions about drainage.

1505

1506 **CHAIRMAN SCHLOTTMAN**

1507 This is Stephanie Allen for the record.

1508

1509 **STEPHANIE ALLEN**

1510 Sorry, excuse me, Stephanie Allen, 1980 Festival Plaza, here again on behalf of the Applicant
1511 just briefly. If there are questions about drainage, we do have our engineer here, Mark Fakler.
1512 The walls, the landscaping, all of that is part of this application. I'm happy to answer those
1513 questions if you have them, detailed information as part of this submittal.

1514 As I mentioned at the very beginning, we were here several weeks ago with an overall
1515 development plan that we wanted to develop. We will continue to discuss that option with these
1516 neighbors. When we said that at the neighborhood meeting last night, we will continue to say it,
1517 we will work with these folks.

1518 If there are issues that they have on this plan or an overall plan, I just want the Commission to
1519 know that, and I think that's a quality thing of a developer, not meant to be, we don't know the
1520 answers. We have the answers, but we'd like to continue the dialogue and continue to work with

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1521 people, and I think that's a positive thing for this community and all of the residents of the
1522 community.

1523 So, with that said, I'm happy to answer any questions as are our consultants.

1524

1525 **CHAIRMAN SCHLOTTMAN**

1526 Thank you. I appreciate your time.

1527 All right. We're going to close public comment and turn this over to the Planning Commission,
1528 starting with Commissioner Trowbridge.

1529

1530 **COMMISSIONER TROWBRIDGE**

1531 Thank you, Chairman, I appreciate this opportunity. I've sat through probably 20 or 40 hours of
1532 public presentations on this, attended four meetings up at the area. I've attended the City Council
1533 meeting and sat there through eight hours, and numerous times it's been before the Planning
1534 Commission, this item in various forms, and has been continued or abeyed or changed because
1535 one group or another wanted it changed.

1536 And so I feel like I've earned the right to ask a whole bunch of questions that I have, and I'm also
1537 going to respond to some statements that were made that are wrong. You know, the first proposal
1538 that came before us a year and a half or two years ago was a complete proposal. That's what you
1539 guys are asking for now. We've already rejected the complete proposal. So that's what forced us
1540 to come, forced the proponents to come back in what you're calling a piecemeal fashion. You ask
1541 for what you get.

1542 Now, I can answer some of the questions that I was going to ask, because I've sat through so
1543 many meetings and I've groped for answers to them. You know, one charge that was made is that
1544 this project is going to diminish somehow the CC&Rs for Queensridge. The answer is obviously
1545 no.

1546 The next question is the 32-foot streets are going to not allow for public safety vehicles. That's
1547 not true either. Thirty-two foot streets have to be approved by the Fire Department, the largest
1548 vehicles that are going to be coming down the road.

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1549 Someone said that a 30% decrease in property values. I'd like to know where that came from.
1550 The County Assessor and I sat on the Board of Equalization for many years, so I understand
1551 property values and how they're diminished. The County Assessor reduced property values 10%.
1552 That's a pretty good chunk. You've still got, if the property values do actually reduce, you can go
1553 back and appeal that assessment at another time.
1554 I've asked this question many times and have never had anything except smiles and rolling eyes.
1555 And so I ask it again. The number of public school children that are currently in Queensridge, I
1556 would still expect the same ratio to apply in these houses. And I would speculate that the number
1557 of public school children in the Queensridge area is minimal. And so the impact about this is
1558 going to cause the schools to have children in bungalows and trailers and sitting outside in the
1559 sun during the summer, it's just a weak argument.
1560 A statement that was involved in the deeds and other documents that are signed at the time a
1561 person purchases a property had the language in it that I've seen. It clearly says this is not going
1562 to be a golf course forever. It's RPD-7, seven units per acre. You know, the people that are
1563 involved here fighting, a lot of them are real estate developers and builders and attorneys. Give
1564 me an answer as to why that statement is not valid. You're smart people. You've been successful,
1565 but not too successful at reading your own deeds.
1566 Floor plans and elevations. In an expensive development, where the minimum size lot is going to
1567 be a half an acre, nobody is going to want to buy a cookie cutter house. How many of you would
1568 have bought your homes had they been pre-planned and approved by the Planning Commission
1569 perhaps years in advance? You wouldn't have bought it. You wanted a custom home on your
1570 expensive lot. There's no reason to think that what's going to happen here is going to be any
1571 different.
1572 If I was to go out there and buy an acre or half-acre lot for \$500,000. Is that what we're talking
1573 about? I would want a custom home. I would not want a cookie cutter built by, well, I'm not
1574 going to use the name of the developer, but we have some low end developers around. We're not
1575 talking that.
1576 I can go on and on. Let's see.

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1577 Now I have something that I do need answers to perhaps. First of all, I would like to reference
1578 this document that you promised to provide last night's meeting and that was that you had the
1579 additional conditions that would be proposed.

1580 Some of those are excellent and addressed the deficiencies in not having a complete CC&R
1581 document to hand out. That related to the minimum home size on the smaller lots and the home
1582 size of the larger lots. It talks about the height of the developments, although now it says heights
1583 no higher than any home in Queensridge. I thought last night that we were talking about 35 feet
1584 being the max. I don't know, but that's a question. So if you can save it up.

1585 Decorative block walls. When we're talking about a project of this size, to get down and say we
1586 want red brick versus white brick versus stone; you're talking about pennies over dollars. And if
1587 the developer is inclined to say whatever you want, it's not that big a deal; we're going to pass it
1588 along to the buyer. So, you know, the specificity that you're asking for simply isn't available in
1589 this level of home that's being built.

1590 Let's see. The question that you can write down too is when and how will the flood control issues
1591 be addressed? Those need to be approved by the City Public Works Staff before it goes anyplace.
1592 So it's not like they're going to be able to hide flood control behind their back and then sell those
1593 lots. That's not going to work. It's going to have to be approved by Public Works.

1594 Mr. Schreck says that a major modification is required. He emphatically said that. The other
1595 attorney that was up here, Mr. Jimmerson, said emphatically, a major mod is not required. I'll
1596 have to ask the City Attorney on that one. So I'll give him a second to propose or think about it.

1597 What's being proposed here is, what is it? Low density; low density would provide more units
1598 per acre than what is being really requested, you know, but any change above the 1.7, it's my
1599 belief they would have to come back, refile, start from Ground Zero. So 1.7 is what we're talking
1600 about here.

1601 Another question that I think is a good one is how can a park and recreation/open space be
1602 eliminated from a master plan? And the impact, the removal of that open space, how does that
1603 affect the master plan that was approved, in part, because of open space? We're losing the open
1604 space, but it may be legal. And if that's the case, then that's the case.

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1605 Someone else mentioned something that I didn't get. It was at the density authorization, the seven
1606 units per acre over the entire parcel, that was all used up when they built the Towers. I don't
1607 know if that's the case or not. So if you could answer some of those questions, I'll then go to page
1608 two of my questions, he said facetiously. That was all.

1609

1610 **STEPHANIE ALLEN**

1611 Okay.

1612

1613 **COMMISSIONER TROWBRIDGE**

1614 I'm not going to page two unless you want me to.

1615

1616 **STEPHANIE ALLEN**

1617 Okay. No. No. I was writing them down.

1618

1619 **COMMISSIONER TROWBRIDGE**

1620 I sit here and take copious notes, believe me. So, what do we do?

1621

1622 **STEPHANIE ALLEN**

1623 Mr. Chairman, through you, if I could answer Commissioner Trowbridge's questions. Those were
1624 great questions. And again, we appreciate all of the Commissioners' time and effort that you've
1625 put into this. I know there's a lot of information and there's been a number of plans.

1626 I guess I'm going to start with the density issue. This, as Mr. Jimmerson read into the record in
1627 the NRS statutes, density does trump the master plan. So this is zoned RPD-7. We didn't zone it
1628 RPD-7, but I can tell you when our client bought the property, he relied upon the fact that it was
1629 zoned RPD-7.

1630 So what RPD-7 allows, it's no longer in the Zoning Code, but what it allows is up to 7.49 units to
1631 the acre. We knew going into this that that's not necessarily compatible or harmonious with
1632 what's currently existing. So what you see before you today, which makes it an easier zoning
1633 decision, is not a request to change anything with respect to the zoning or the density.

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1634 It's, in fact, a request to do something significantly less than what's allowed under RPD-7. We're
1635 asking for your approval to limit us to 1.79 units per acre. And if we ever want to change that on
1636 this 35 acres, we have to come back before you and ask for that change. So, from a density
1637 standpoint, it's RPD-7. We're not asking for a zone change. We're not asking for any change.

1638 The PR-OS was placed on the property, as Mr. Jimmerson mentioned, and there is no record that
1639 we found as to how it was placed on the property, unfortunately. So we can't find a public
1640 hearing. We can't find a public notice. We can't find anything in the City records that shows how
1641 PR-OS was put on the property.

1642 The speculation is, is because it was a golf course. So, at some point, someone decided to match
1643 that up, but from a master planning standpoint, prior to that it was medium low. That's our
1644 position, that it should still be medium low. The request today is for low, which is less than what
1645 it was prior to the PR-OS.

1646 From a height standpoint, we did discuss that at the neighborhood meeting. What was submitted
1647 with this application was that we would have a height limitation of 40 feet on lots that were...
1648 This is on your table and the conditions on lots that were 10,000 square feet or between 10,000
1649 and 20,000 square feet and that the height would be up to 50 feet on lots that were over 20,000
1650 square feet.

1651 We agreed last night that we would reduce that, and we looked into what the maximum height of
1652 homes in the neighborhood was, what we were told is we believe it to be 46 feet. So what we
1653 suggested in these revised conditions of approval was that we have a maximum height of 46 feet
1654 to be consistent with and compatible with what's already in Queensridge.

1655 Flood control, it's not unusual that you change the flood designations or how flooding is handled
1656 and water is handled on property. So there is a condition of approval that we have a technical
1657 drainage study submitted. It's Condition 15. We have to have a drainage plan and technical
1658 drainage study prior to pulling any permits. So your City Staff, who is more than competent, has
1659 to approve that drainage study and has to tell us what, if anything, we need to mitigate that
1660 drainage.

1661 There is a FEMA flood zone south of this property. This property is not within the FEMA flood
1662 zone.

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1663 So, from a drainage standpoint, those issues will be addressed, and I have all the confidence in
1664 the world that your City Staff will ensure that the neighborhood is protected from a drainage
1665 standpoint. As I mentioned, Mark Fakler from G.C. Wallace is here if you need specific questions
1666 about drainage, he can answer those.

1667 I believe that addressed your questions, unless I missed anything.

1668

1669 **COMMISSIONER TROWBRIDGE**

1670 Thank you. You shouldn't have given me enough time to read some of my other notes, because I
1671 have another question. The rendering that was just up, if someone could pull that back up again.
1672 There you go, that one. That shows those little nodes on the far right-hand side, where the safety
1673 vehicles could turn around.

1674

1675 **STEPHANIE ALLEN**

1676 Correct.

1677

1678 **COMMISSIONER TROWBRIDGE**

1679 There you go, those. I would want to make sure that those do not permit traffic from the east to
1680 come through the 40 or through the acreage, through the corridors.

1681

1682 **STEPHANIE ALLEN**

1683 They do not. These will be dead end, just turnarounds from here. There's no access.

1684

1685 **COMMISSIONER TROWBRIDGE**

1686 Okay. They're going to be gates, so there's no access out.

1687

1688 **STEPHANIE ALLEN**

1689 Correct.

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1690 **COMMISSIONER TROWBRIDGE**

1691 Maybe emergency gates or something like that.

1692

1693 **STEPHANIE ALLEN**

1694 Correct.

1695

1696 **COMMISSIONER TROWBRIDGE**

1697 No traffic.

1698

1699 **STEPHANIE ALLEN**

1700 No traffic.

1701

1702 **COMMISSIONER TROWBRIDGE**

1703 Okay.

1704

1705 **FRANK PANKRATZ**

1706 My name is Frank Pankratz, 9103 Alta Drive, Las Vegas, Nevada. One of the exhibits that we

1707 provided with the application shows and reflects that..., that one right there, Stephanie. You

1708 think? Doesn't it?

1709

1710 **STEPHANIE ALLEN**

1711 [Inaudible].

1712

1713 **FRANK PANKRATZ**

1714 Does it show on the screen?

1715

1716 **CHAIRMAN SCHLOTTMAN**

1717 Yes, sir.

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1718 **FRANK PANKRATZ**

1719 Both these cul-de-sacs show future connection, when the property to the east would come in with
1720 an application. The intent is that there would be connection there, and that would provide the
1721 secondary, ultimately a secondary ingress/egress point for these homes.

1722

1723 **STEPHANIE ALLEN**

1724 That would be part of a future site development plan review. So, for purposes right now, there
1725 will be no access there.

1726

1727 **COMMISSIONER TROWBRIDGE**

1728 I wish you good luck with your application on that. Take a hint. Thank you.

1729 Let's see. Where I got the 35 feet was one of the gentlemen at the meeting last night mentioned
1730 that his house was the tallest one in the area and it was 35 feet. That was just where I got that
1731 number.

1732

1733 **STEPHANIE ALLEN**

1734 So we looked into that last night. I know Mr. Lowie developed a home in Queensridge that's 46
1735 feet, so that's where we got that number.

1736

1737 **COMMISSIONER TROWBRIDGE**

1738 Thank you.

1739

1740 **CHAIRMAN SCHLOTTMAN**

1741 Thank you. Commissioner Crear?

1742

1743 **COMMISSIONER CREAR**

1744 Thank you, Mr. Chair. We're back again. And so one of the things that I keep going back to is
1745 what the neighbors have to say. And if you look at the notices that were mailed three to four to
1746 one are against this project still, and you only mailed to a small portion of the entire

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1747 Queensridge, which I somewhat have an issue with as well, because I think what happens on that
1748 particular corner is also affecting everybody else who lives within Queensridge. I would have
1749 liked to have seen you notice everybody who lives in Queensridge, especially considering this is
1750 such a sensitive issue and it's been talked about over and over and over again.

1751 Another thing that I have concern about is the fact that we keep talking about the land is zoned
1752 RPD-7. And it's my understanding that that's really an overlay for the master plan that's there.
1753 But the property that you're talking about is actually zoned PR-OS. Well, and if that's not the
1754 case, then our agenda item says that the General Planning Amendment is going from PR-OS to
1755 low density. It doesn't say RPD-7 to low density.

1756 So maybe someone could help me understand how that is, because if you're going for PR-OS
1757 (Parks/Recreation/Open Space) to residential, basically, even though it's low density, you're still
1758 taking away the parks, recreation, and open space.

1759

1760 **STEPHANIE ALLEN**

1761 If I may, Mr. Chairman, through you?

1762

1763 **CHAIRMAN SCHLOTTMAN**

1764 Please do.

1765

1766 **STEPHANIE ALLEN**

1767 We do not have a request for any type of zone change related to this application. So the PR-OS is
1768 the master plan, and the request by the City was to match the master plan to our existing zoning.
1769 So the zoning is RPD-7. The request to change the PR-OS to low is with respect to the master
1770 plan.

1771

1772 **COMMISSIONER CREAR**

1773 So maybe our attorney can verify that. So the zoning for the land use is not, the zoning for the
1774 overlay is what, for the master plan?

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1775 **CITY ATTORNEY JERBIC**

1776 Let me break it into two parts.

1777

1778 **COMMISSIONER CREAR**

1779 Okay.

1780

1781 **CITY ATTORNEY JERBIC**

1782 The General Plan for the City of Las Vegas has various areas that specify a range of zoning that
1783 can occur within those areas. It can be L. It can be medium. It can medium low. It can be
1784 commercial. It can be other things. Within those areas, where you have those limitations as to
1785 what the zoning can be, the zoning for this property happens to be hard zoned RPD-7.

1786 So to state, I agree with what Ms. Allen just said. I just wanted to break it down so that what
1787 happened over time, somehow PR-OS became the General Plan designation only after the hard
1788 zoning was put in place. And the rule is the hard zoning, in my opinion, does trump the General
1789 Plan designation.

1790 Now, we have a separate City Code provision that requires an applicant, who comes forward
1791 with a plan where the zoning is incompatible with the General Plan, has to ask for a general plan
1792 amendment. That's why this Applicant has submitted a general plan amendment because our
1793 Code requires it.

1794 I want to go a step further, even though you haven't asked a question, because I think it's going to
1795 come up, and that is, what happens if you do not grant the general plan amendment tonight? If
1796 you do not grant the general plan amendment tonight, you will merely leave in place a general
1797 plan that's inconsistent with the zoning, and the zoning trumps it, in my opinion.

1798

1799 **COMMISSIONER CREAR**

1800 So you're saying that this is more of a cleanup item?

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1801 **CITY ATTORNEY JERBIC**

1802 It is more of a cleanup item. It gives an opportunity, because our Code requires it, for this
1803 Applicant to try and get you to recognize there's an inconsistency between the General Plan and
1804 the in-place zoning and gives you an opportunity to synchronize the two.

1805

1806 **COMMISSIONER CREAR**

1807 So if this doesn't happen at all, this doesn't take place, you're saying the developer does have the
1808 right to go and develop 7.49 units per acre, whether this general plan amendment changes from
1809 PR-OS to L or not.

1810

1811 **CITY ATTORNEY JERBIC**

1812 I would phrase it this way. They have the right to pursue whatever they can do with RPD-7. That
1813 doesn't mean-.

1814

1815 **COMMISSIONER CREAR**

1816 Within RPD-7, up to RPD-7.

1817

1818 **CITY ATTORNEY JERBIC**

1819 -right. Correct. They would have to be within RPD-7, which, remember everybody, RPD-7
1820 doesn't give you 7.49 units per acre. It has to be harmonious and compatible. I think we have
1821 stated to the developer and to the neighborhood that there's nothing in Queensridge out there
1822 within the residential, the single family residential that's anywhere close to 7.49. So there's
1823 almost no chance that Mr. Perrigo's office will ever recommend 7.49 units per acre out there.

1824

1825 **COMMISSIONER CREAR**

1826 Okay. So I'm clear then. If this general plan amendment from PR-OS to low density does not
1827 take place tonight or with City Council, the developer still has the right to go and develop that
1828 land.

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1829 **CITY ATTORNEY JERBIC**

1830 Whatever you approve, they have a right to pursue.

1831

1832 **COMMISSIONER CREAR**

1833 Thank you. That's all.

1834

1835 **STEPHANIE ALLEN**

1836 If I could clarify one more thing, Mr. Chairman, please, just with respect to the notice, because
1837 that's a very good issue that you raised. We did have two neighborhood meetings. The first
1838 neighborhood meeting was January 9th, related to the General Plan Amendment, because that's a
1839 mandatory, noticed neighborhood meeting. That was prior to having the site plan prepared, and
1840 so we asked that that GPA request be held until we could have the site plan.

1841 So the notices for the GPA, there were 1,000 notices that went out for the GPA application. When
1842 the site plan was finished and we wanted to hear them all together, you're absolutely right. We
1843 noticed the neighbors that were immediately adjacent, because we wanted to have some real
1844 dialogue with respect to how these proposed lots would impact their homes.

1845 So I think we had a productive meeting. Obviously, there's neighbors that still have concerns, but
1846 that's how we came up with the list of conditions of approval that we thought would help protect
1847 the immediate homeowners adjacent to this property.

1848 Anything future in the neighborhood, we have to do the same process. We'll have to come
1849 through with a site development plan. We'll have to have the same dialogue should we decide to
1850 come through with some additional development over the property.

1851

1852 **COMMISSIONER CREAR**

1853 You know, I just find it very hard to believe, as many neighborhood meetings as you've had over
1854 the course of the past year and a half, two years or so, that there hasn't really been any consensus
1855 from the neighbors to today. I really haven't seen a number of neighbors come up and say man,
1856 we really had a productive meeting; we really made some great changes; this is going to be great.

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1857 I haven't heard that, like outside of the people that live there that are, you know, somewhat, I
1858 don't know if they're working for the cause or not, but I haven't heard that.

1859

1860 And I just don't, I just find it very, very hard to believe with all the development that has
1861 happened over the course of our city over the years, there's been consensus, there's been give and
1862 take. Red Rock was supposed to be 200 feet. It's 100 feet. Right? There is consensus. I just
1863 haven't seen it anywhere at all.

1864

1865 **STEPHANIE ALLEN**

1866 If I may, Mr. Chairman, just briefly. We have tried a lot, and we have made some huge
1867 concessions over the course of this 18 months or 2 years.

1868

1869 **COMMISSIONER CREAR**

1870 Well, you've changed. You've changed the submittal.

1871

1872 **STEPHANIE ALLEN**

1873 Yes. Well, this is-

1874

1875 **COMMISSIONER CREAR**

1876 I'm not sure, I don't really know what the, the changes were a shift in the submittal, because
1877 there's going to be the three towers and other things. But I just.

1878

1879 **STEPHANIE ALLEN**

1880 - I understand. This is a hard. There's no doubt that this is a hard decision no matter what you're
1881 considering tonight. The one thing that one resident said to me after the meeting last night, and
1882 these are not the folks that come up here and talk, but it was a fair point and a fair statement. He
1883 said, you know, when you said at the last meeting that we may come in with an alternative plan
1884 that would show density that's consistent and compatible with what you all have, we didn't really
1885 think that was going to happen; we kind of took it as a threat.

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1886 Well, this property owner has a right to develop his property. And so if we can't get consensus to
1887 do something outside of the box with the overall plan, which was what we presented several
1888 weeks ago, then we have to resort to the existing zoning. And so that's why we're here today is
1889 because the existing zoning is RPD-7. We're asking you to look at this as a zoning case, just like
1890 you do every day. You know your Zoning Code better than anyone in this room, as does your
1891 City Attorney and your staff.

1892 And in any other case, as Mr. Kaempfer mentioned, if we were coming in and saying, this is
1893 zoned for 7.5 units to the acre; we'd like to put 1.79 units to the acre adjacent to homes that are
1894 pretty much the exact same size or substantially the same. Never have we had a case that I can
1895 recall, where someone has said no, don't put an acre lot next to an acre lot; no, don't put a half-
1896 acre lot next to a half-acre lot; or where they've said, in fact, put something larger next to that
1897 acre lot. I've never seen that happen in any scenario in any zoning case.

1898 I'm not suggesting this is an easy situation, but this case is different than what we presented last
1899 time, because it is zoned RPD-7 and the property owner has a right to do something with it.

1900

1901 **COMMISSIONER CREAR**

1902 I would agree with the fact that I haven't seen that either, and you haven't seen it, but I also
1903 haven't seen someone want to rip up a golf course and put homes in there, in open space and take
1904 away views for the neighbors. So that's a whole different scenario that needs to be added into
1905 your conversation, and that just makes it tough not having the neighbors on board with this.
1906 Thank you.

1907

1908 **CHAIRMAN SCHLOTTMAN**

1909 Thank you. Mr. Cherry, Vice Chair Cherry.

1910

1911 **VICE CHAIRMAN CHERRY**

1912 Through the Chair, so when the application for the project came in its previous form, I really
1913 didn't have an issue with the 75 homes that were proposed and quite liked the layout of it. I did

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1914 not like the development plan. I wasn't, I didn't feel like it afforded enough protection for the
1915 City and for the homeowners around it.

1916 And I also felt that the apartments were too dense, and we ended up voting on a lesser amount of
1917 720 units. And so now, you know, I wish we were looking at the 75 units for the entire project.
1918 We're not. We're looking at the 61. And, you know, I don't have an issue with it. The issue I have
1919 is more looking at how the lots are lining up within the development.

1920 After hearing the conditions that were proposed as well, I feel a lot more comfortable with it. But
1921 there are some lots that I feel on the smaller side, that, you know, there's two lots to one on where
1922 that kind of cul-de-sac or that little roundabout comes into play. As I quickly did a count on that
1923 side, it seemed like there was two lots, you'd probably have to lose two lots on that side and then
1924 three lots to the northwest of that, on the other side, to get the homes to line up a little better.

1925 So that's really my comment and where I stand today. It's unfortunate that when the project was
1926 presented as a whole in the past that we didn't push forward with the 75 units on the entire piece,
1927 but this is where we are today, and that's where I stand. Thank you.

1928

1929 **CHAIRMAN SCHLOTTMAN**

1930 Thank you. I'll just go ahead and make a couple comments unless Commissioner Quinn wants to
1931 go first. Please. Yea, I'll just make a few comments.

1932 And not to reiterate everything that's already been said, but I would agree with Vice Chair Cherry
1933 that the lots 27 through, sorry, my screen is kind of going nuts, but 27 around to 34 is a little bit
1934 tighter than everything, than the adjacent lots. But the lots towards the south are relatively large
1935 lots, a lot bigger than the other lots up against Orient Express.

1936 And, you know, I don't think that 32-foot wide streets are mobile home park streets and trailer
1937 parks. I build lofts in downtown, and we have 32-foot wide streets. And I wouldn't consider
1938 Orient Express Court a mobile home park, even though they only have 29-foot wide streets. And
1939 a lot of these other streets within the surrounding community have smaller streets than this
1940 particular community.

1941 So, you know, I do understand, you know, looking out onto a golf course and then always
1942 wanting to look out on that golf course, but that's not necessarily what's before us today. What's

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1943 before us today is a proposal from a developer, and we have to fill, I mean, we have to consider,
1944 does this fit and is this compatible with the adjacent houses?

1945 As Brad Jerbic said, even though it has, you know, RPD-7 up to 7.49 units an acre, if anything
1946 coming in here was 7.49 units an acre, we would deny this. I mean, absolutely, that wouldn't be
1947 compatible.

1948 But I think at the 1.17 or wherever it's landed, and I think that is compatible. To echo the Vice
1949 Chair's comments, I like the 75 or 80 units on the 180 acres a lot better than this. But maybe this
1950 will give us the opportunity to see what can happen on 61 acres and go from there. And then
1951 maybe we can reevaluate what happens in the future. And I have no other comments.

1952 Commissioner Quinn?

1953

1954 **COMMISSIONER QUINN**

1955 Thank you. Good evening. I think my concerns, Ms. Allen, remain the same, regardless if they're
1956 the \$1 million to \$5 million lots down to the 1.7 unit per acre lots. My concerns then are my
1957 concerns now.

1958 We have no idea where the construction vehicles are coming in or out of. We have no idea where
1959 you're parking them. We have no idea what this place is going to look like.

1960 And you might say, well, you don't have to show us drawings because they're on an acre or a
1961 half-acre. But let me just tell you something. When you encroach into someone's neighborhood,
1962 your company is known for and takes pride in showing this Commission what we are going to
1963 vote on before it's built. I don't care if it's the littlest house to the biggest house. You're putting
1964 something in people's neighborhoods that I'm going to vote on 61 acres at an acre and a half a lot
1965 or whatever and I don't know what the heck it's going to look like. Okay? So that bothers me, and
1966 it bothers me immensely.

1967 I have worked with your company, Ms. Allen, so many years. I've had a wonderful, wonderful
1968 relationship. I have never been more unsure of a project and what it's going to look like or what
1969 it's going to encroach and what it's going to do to the surrounding areas than this project in my
1970 life. And I pay attention. I go to meetings and I dig in as deep as I can. So don't ever think that I

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1971 have not done the same for you, Ms. Allen like I would do for Ms. Lazovich or Mr. Gronauer
1972 because I have worked that hard.

1973

1974 **STEPHANIE ALLEN**

1975 No, we know.

1976

1977 **COMMISSIONER QUINN**

1978 I have sat on this Planning Commission for 10 years. I have had the heart and the soul of every
1979 neighbor in my votes, and I've had the heart and soul of developers, like Mr. Kaempfer and
1980 representatives, because I want it all to work. I like things to work.

1981 I'm at a briefing last week and I'm told that possibly I could be sued and liable myself if I did not
1982 approve what Staff recommends tonight, because I was, I don't know what law I was breaking,
1983 but to tell me I could possibly be sued, possibly; I'm not saying I was threatened, it was possibly
1984 liable if I did not agree with Staff's recommendations tonight. How dare you.

1985 And I'm going to tell you another thing. I put more time into this project than most things I do for
1986 my Councilwoman. And as I sit here tonight, I will not, I will not support this project, because
1987 maybe I'm not as qualified as I think. I have no idea what the hell I'm even voting on and what
1988 it's going to look like and how it's going to impact the public, not just in Queensridge, but the
1989 entire area.

1990 So you lost me just because it's just too much of unknown. You call it bits and pieces. You call it
1991 building here and building there. We open these floodgates, and we change this master plan. And
1992 it says one page four [inaudible] houses per acre, another, this per acre. At the end of the day, you
1993 know, I don't know what I'm; I can't support something I am so unsure of what's going to
1994 happen. You will not see my support tonight on this project.

1995

1996 **CHAIRMAN SCHLOTTMAN**

1997 Please hold your applause. Yes?

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VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

1998 **STEPHANIE ALLEN**

1999 If I could briefly, Mr. Chairman.

2000

2001 **CHAIRMAN SCHLOTTMAN**

2002 Not just yet. Commissioner Trowbridge?

2003

2004 **COMMISSIONER TROWBRIDGE**

2005 Thank you. I need to clarify something and accept responsibility. I'm the one that made the

2006 comment regarding if you do not follow your City Attorney's legal opinion, then you are on your

2007 own in terms of defending your actions. You can't go against the City Attorney's opinion and then

2008 come over later and say, I went the other way, I know, but I want you to represent me in court.

2009 That doesn't work like that.

2010

2011 **COMMISSIONER QUINN**

2012 Excuse me, Mr. Trowbridge, what was said was I would, we could be personally held liable.

2013

2014 **COMMISSIONER TROWBRIDGE**

2015 You could. That's what happens when you go to court. Yes.

2016

2017 **COMMISSIONER QUINN**

2018 I don't want to be personally held liable for my vote.

2019

2020 **COMMISSIONER TROWBRIDGE**

2021 That's why I'm following the City Attorney's advice.

2022

2023 **COMMISSIONER QUINN**

2024 Well, that's why I'm not.

PLANNING COMMISSION MEETING

FEBRUARY 14, 2017

VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

2025 **CHAIRMAN SCHLOTTMAN**

2026 Okay. Please hold your applause, please. Commissioner Moody?

2027

2028 **COMMISSIONER MOODY**

2029 Yeah. Thank you, Mr. Chair. First of all, I think I need to wish my wife and youngest daughter
2030 Happy Valentine's Day. They're wondering if I'm coming home to eat homemade cookies, and
2031 they need to know not to wait up for me, because we're going to be a while, not because my
2032 remarks are lengthy, but we've still got a lot ahead of us on tonight's agenda.

2033 So, you know, I was in the minority back in October, when this Commission last considered this
2034 property, and I was one of just a few that voted for approval of all the applications. What I
2035 wanted to hear then and what I didn't and hope to hear tonight were really some alternatives
2036 about if this can move forward with development, then what is it going to look like? Perhaps too
2037 many have based their decisions and have been silent about what they would like us to approve
2038 on that because they've assumed that development can't happen.

2039 Like Commissioner Cherry, I sure like the application that came in front of us back in October. I
2040 like it better than what we're now considering, but for the same reasons I voted for approval then,
2041 that's the same way I'm going to vote tonight. It's not based on revenues. It's not based on the
2042 overwhelming numbers of the people who are clearly here in opposition to it, and it's certainly
2043 not based on what may or may not happen to property values there.

2044 And by the way, I don't have constituents. I'm an appointed Planning Commissioner. I was
2045 appointed by a City Councilman who has constituents. But I serve at large. So, you know, my
2046 decision tonight is purely based on land uses.

2047 The proposed density is consistent with the density permitted by the existing RPD-7. And
2048 because the property is no longer intended for a golf course or open space, a GPA is necessary,
2049 and the proposed density, quite frankly, is less dense than the adjacent development. And I find
2050 it, therefore, harmonious and compatible and, for the same reasons, intend to follow Staff's
2051 recommendations on Items 22 through 24.

2052 I've heard several ask for us to delay our vote until further negotiations can occur. But I also
2053 heard that there is uncertainty that continues to loom, and that it's no one's best interest for this to

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VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

2054 be dragged out anymore. I want to move this forward to City Council rather than abey this. I
2055 think there continues to be time for both sides to try to continue negotiating between now and the
2056 time that City Council hears this.

2057 Perhaps the most compelling testimony I heard tonight in opposition to the development was
2058 about traffic and safety. But I am confident that the City can come up with some solutions to
2059 address those concerns if the existing traffic study is insufficient.

2060 And then finally, I think it's appropriate to thank everyone who has participated who would also
2061 rather be, you know, at dinner tonight with a significant other celebrating Valentine's Day. These
2062 have been really emotional and difficult items. So many people have money at stake. They have
2063 spent significant time. But despite that, you've come here tonight and you have been
2064 professional. You've been respectful, and this meeting could have gone very differently. So thank
2065 you and that's all I have to say.

2066

2067 **STEPHANIE ALLEN**

2068 Mr. Chairman, just briefly if I could just reiterate what Commissioner Moody said.

2069

2070 **CHAIRMAN SCHLOTTMAN**

2071 Yes.

2072

2073 **STEPHANIE ALLEN**

2074 I very much appreciate all of the hard work that this Commission and all of these folks that are
2075 here, whether we agree to disagree or not and however you all vote, there is a lot of integrity in
2076 this room.

2077 Commissioner Quinn, you work your tail off, so never, ever would I want you to feel like I was
2078 threatening you. I was not. Just for the record, I did not say that and never would insinuate that
2079 there's some kind of liability based on how you vote today. I know you all vote your hearts. Even
2080 the opposition, everyone has a lot of integrity in this room. These are hard, hard decisions, and
2081 we very much appreciate your consideration tonight.

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VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

2082 And so I just wanted to put that on record, because I don't want there to be any question as to
2083 integrity in this room. Our client has a lot of integrity. The folks in opposition have a lot of
2084 integrity. The Staff is amazing. So, no matter how this goes, I just wanted to put that on the
2085 record so that it's clear and we appreciate all of your efforts.

2086

2087 **CHAIRMAN SCHLOTTMAN**

2088 Thank you. I appreciate that. I'm ready for a motion.

2089

2090 **COMMISSIONER TROWBRIDGE**

2091 Thank you. I'm willing to jump out there. Staff, I'd like to ask you to please insert in the
2092 appropriate places in the appropriate items the additional conditions that have been offered on
2093 SDR-68481, the ones that were submitted in writing.

2094 So, having said that, in regards to Item 21, the General Plan Amendment, 68385, I make a
2095 recommendation for approval subject to all Staff conditions.

2096

2097 **CHAIRMAN SCHLOTTMAN**

2098 And Mr. Attorney, Mr. Jerbic, that does not meet a super majority, so that would go forward as-

2099

2100 **CITY ATTORNEY JERBIC**

2101 -It will show denial at the City Council, because it didn't have the super majority, but it will go
2102 on to City Council.

2103

2104 **CHAIRMAN SCHLOTTMAN**

2105 Okay. Thank you. **(Motion for approval failed due to lack of super majority with QUINN**
2106 **and CREAR voting No, which is tantamount to Denial)**

2107

2108 **COMMISSIONER TROWBRIDGE**

2109 Okay. In regards to Item number 22, the waiver related to the General Plan Amendment, 68358, I
2110 make a recommendation for approval subject to all Staff conditions.

PLANNING COMMISSION MEETING

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VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

2111 **CHAIRMAN SCHLOTTMAN**

2112 Motion is on the floor. Please cast your vote. The motion is approved. **(The motion carried with**
2113 **QUINN and CREAR voting No.)**

2114

2115 **COMMISSIONER TROWBRIDGE**

2116 In regards to Item number 23, Site Development Review 68481, make a recommendation for
2117 approval subject to all Staff conditions.

2118

2119 **MR. LOWENSTEIN**

2120 Mr. Chairman, those are with all of the added conditions as read into the record by Staff and the
2121 Applicant. I would also like to ask for a further amendment to Condition number 6 so that the
2122 table indicates the maximum building height of 46 feet in both columns.

2123

2124 **VICE CHAIRMAN CHERRY**

2125 Through the Chair if I may.

2126

2127 **CHAIRMAN SCHLOTTMAN**

2128 Please do.

2129

2130 **VICE CHAIRMAN CHERRY**

2131 I really, on Item number 23, would feel a lot more comfortable in the motion if we did look at
2132 those lots and were able to get them to line up more compatible with the adjacent lots there,
2133 which by a quick look, it looks like there would be a reduction of probably five lots on there.

2134

2135 **STEPHANIE ALLEN**

2136 Mr. Chairman, we're fine if you have a suggestion. I think maybe even if we lost one lot here,
2137 this would probably line up. I don't know. We haven't looked at it, but if this is the area you're
2138 talking about, my guess is if we lost at least one lot in here, we probably would line up a little bit

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2139 more. These are longer, so they are consistent with the sizes along here, but I understand how it
2140 looks that these are longer instead of wider lots, but it's up to the Commission.

2141

2142 **VICE CHAIRMAN CHERRY**

2143 I would just have a better comfort level. I mean, it's there when I see two lots going up against
2144 the one, and then the two adjacent to that, it kind of bumps up against it. Again, a quick count of
2145 mine, it would look like two on that side and three on the other, for a total of five. But that's just,
2146 I mean that's just me looking at the site plan without your professionals looking at it.

2147

2148 **COMMISSIONER TROWBRIDGE**

2149 If I may, how about if we just say that the square footage should be equivalent of the lots?

2150

2151 **VICE CHAIRMAN CHERRY**

2152 Are the lot size, so is that, could you ask that again, Commissioner Trowbridge?

2153

2154 **COMMISSIONER TROWBRIDGE**

2155 Would it be acceptable to you in the additional condition if we would simply say that the square
2156 footage of the lots need to be essentially compatible to the ones that they neighbor, the
2157 neighboring lots, where they take these lots?

2158

2159 **VICE CHAIRMAN CHERRY**

2160 Yeah. That would be reasonable. Through the Chair, I think that's a reasonable ask. Yeah. That
2161 way they wouldn't have to redo the site plan here as we sit through the meeting.

2162

2163 **STEPHANIE ALLEN**

2164 Yeah, and we'd be fine with that. We'll look at it a little closer. I have the exact square footages if
2165 you have questions about specific lots, but-

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VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

2166 **COMMISSIONER TROWBRIDGE**

2167 Okay. I think we made our point.

2168

2169 **STEPHANIE ALLEN**

2170 -okay.

2171

2172 **COMMISSIONER TROWBRIDGE**

2173 Okay. So, with the addition of the condition addressed by the Vice Chair, which would be to say
2174 that the lots along that area we're discussing are the equivalent, not identical, but just basically
2175 the equivalent size of the lots square footage, then that would be acceptable.

2176

2177 **STEPHANIE ALLEN**

2178 We are fine with that condition. The only thing I want to say is I think they are fairly compatible
2179 and equivalent. But we'll certainly look at it closer.

2180

2181 **COMMISSIONER TROWBRIDGE**

2182 Somebody will check it.

2183

2184 **STEPHANIE ALLEN**

2185 Sure. Absolutely.

2186

2187 **COMMISSIONER TROWBRIDGE**

2188 Okay. So, having made those modifications, the motion has been made for approval subject to all
2189 conditions, including those added by Staff and those added by the Vice Chair.

2190

2191 **CITY ATTORNEY JERBIC**

2192 I'm looking at Planning and looking at each other, and I can read their minds from here. There's
2193 been a lot of pointing, but there's been absolutely no description of what that is. And so to put
2194 that in the form of a condition, I think we all know what you mean, but I think it needs to...in

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2195 order to be a condition, it needs to be absolutely written as a condition. I don't know if anybody
2196 has any suggestions or not.

2197

2198 **COMMISSIONER TROWBRIDGE**

2199 I'll leave that up to the planners to word it correctly.

2200

2201 **MR. LOWENSTEIN**

2202 Through you, Mr. Chairman, so if the intent of the condition to be crafted is that the homes that
2203 abut Verlaine Court, the homes that are abutting the homes on Verlaine Court are to have their
2204 rear yards be a one to one, or is it to be the equivalent square footage of those lots? So if it's the
2205 latter, then I think the condition as they were reading it was acceptable. I think it just needs to
2206 specify that the homes that abut the backs of the homes that face Verlaine Court shall be similar
2207 in lot square footage.

2208

2209 **CHRIS KAEMPFER**

2210 Mr. Chairman, if it helps, I appreciate what Brad's saying about pointing. But if we look at Lot
2211 34 back down to Lot 24, which is the lots along that Verlaine Court there, that those lots have to
2212 be the same size as the corresponding lots in this section here is I think what you're trying to get
2213 at, Vice Chair had said.

2214

2215 **COMMISSIONER TROWBRIDGE**

2216 Yes, you're right, but I think that we're going to have to include a tape of this pointing session so
2217 that we really understand.

2218

2219 **STEPHANIE ALLEN**

2220 Those lots.

2221

2222 **CHRIS KAEMPFER**

2223 I think it's clear.

PLANNING COMMISSION MEETING

FEBRUARY 14, 2017

VERBATIM TRANSCRIPT – AGENDA ITEMS 21-24

2224 **CHAIRMAN SCHLOTTMAN**

2225 Okay. There's a motion on the floor. Please cast your vote. The motion carries. **(The motion**
2226 **carried with QUINN and CREAR voting No.)**

2227

2228 **COMMISSIONER TROWBRIDGE**

2229 And in regards to Item number 24, the Tentative Map related to the GPA-68385, I make a
2230 recommendation for approval subject to all Staff conditions.

2231

2232 **CHAIRMAN SCHLOTTMAN**

2233 The motion carries. **(The motion carried with QUINN and CREAR voting No.)**

2234

2235 **STEPHANIE ALLEN**

2236 Thank you very much. We very much appreciate your time.

2237

2238 **CHAIRMAN SCHLOTTMAN**

2239 Director, do you want to say-

2240

2241 **TOM PERRIGO**

2242 Yes, thank you. Items 21, 22, 23, and 24 will be heard at City Council on March 15th, 2017.

2243

2244 **CHAIRMAN SCHLOTTMAN**

2245 And we have officially been going for three hours, and we usually take a break after two, so we'll
2246 call a short recess, and we'll be back in approximately 10 minutes.

2247

2248 **(END OF DISCUSSION)**

2249

2250 /ph

Exhibit 77

*City of Las Vegas***AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: JUNE 21, 2017

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: 180 LAND CO, LLC, ET AL

**** STAFF RECOMMENDATION(S) ****

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
DIR-70539	Staff recommends APPROVAL.	

**** NOTIFICATION ****NEIGHBORHOOD ASSOCIATIONS NOTIFIED 44NOTICES MAILED 1,550PROTESTS 30APPROVALS 5

SS

002652
RA 02439

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for consideration of and possible action on a development agreement between the Master Developer (180 Land Co, LLC) of the 250.92-acre golf course property (alternately referred to in the Agreement as “The Property,” “The Community” or “The Two Fifty”) and the City of Las Vegas, located at the southwest corner of Alta Drive and Rampart Boulevard. The Agreement addresses phasing, planning and restrictions of development of the Property and the obligations of the Master Developer. The Agreement also includes exhibits that contain design guidelines, development standards and permitted uses.

ISSUES

- The intent of this development agreement is to provide for an orderly and consistent plan of development for 250.92 acres of land at the southwest corner of Alta Drive and Rampart Boulevard. A 17.49-acre portion of the Property has already been reviewed and approved for site development against Title 19 standards for the R-3 (Medium Density Residential) zoning district.
- Development of the site is in conformance to LVMC Title 19.06.040 (adopted March 1997 and as revised and amended prior to March 16, 2011) for R-PD zoned developments and LVMC Title 19.06.110 (adopted March 16, 2011).
- The Development Agreement contains 2.13 acres of land zoned PD (Planned Development) for which no residential density is assigned.
- Nevada Revised Statutes (NRS) Chapter 278.0349 states that where the zoning ordinance is inconsistent with the master plan, the zoning ordinance takes precedence. The parties to this agreement acknowledge that the extant approved zoning and land use designations for this site do not match. The City may request a General Plan Amendment at a future date to make the land use and zoning designations consistent.

ANALYSIS

A development agreement (DIR-63602) for the 250.92 acres was brought forward for review by the City of Las Vegas in 2016. On 11/16/16, the City Council, at the applicant's request, voted to withdraw the application for the agreement without prejudice, allowing for a new agreement to be presented at a future date. The current request incorporates some of the elements of the agreement filed under DIR-63602, but is a separate development agreement and not an amendment of that agreement.

SS

Staff Report Page Two
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On 02/15/17, a portion of the overall development that includes 435 multi-family dwelling units on 17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard was approved through a Site Development Plan Review (SDR-62393). An accompanying General Plan Amendment (GPA-62387) from PR-OS (Parks/Recreation/Open Space) to M (Medium Density Residential) and Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 units per Acre) to R-3 (Medium Density Residential) were approved concurrently with the Site Development Plan Review. Staff reviewed the proposed development against the applicable codes and found that the proposed development on 17.49 acres generally conformed to R-3 zoning district standards and contained a density that remained under the 25.49 dwelling units per acre allowed under the M (Medium Density Residential) General Plan Designation.

The site development proposed through this Development Agreement includes the approved development on 17.49 acres of the Property and adds 233 acres of existing R-PD7 and PD zoned land comprising the remainder of the former golf course. The analysis of Section Three of the Agreement includes tables indicating the number of units, acreage and density within each proposed development area. Although the site plan, landscape plan, elevations and floor plans for development on the 17.49 acres have already been approved, the Agreement includes this area for consistency with proposed development and the Master Studies.

This development agreement is based on the assumption that the portion of the Property currently zoned R-PD7 (Residential Planned Development – 7 Units per Acre) and PD (Planned Development) will remain zoned R-PD7 and PD throughout the duration of the Agreement. The development proposed thereon is intended to conform to the requirements and procedures of the R-PD zoning district prescribed within LVMC Title 19.06.040, the version of the zoning code prior to adoption of the Unified Development Code and under which this portion of the Property was originally rezoned. (Note: the Unified Development Code refers to this zoning district as a “legacy district.” New Rezoning applications to R-PD are no longer available under the UDC.) The “site development plans” as referred to in this code section were submitted as part of the Development Agreement. Instead of reviewing these plans and documents as part of a separate Site Development Plan Review application, the Development Agreement is sufficient to satisfy the review requirement in Title 19.06.040. However, a Site Development Plan Review will still be required for development in Development Areas 2 and 3 in accordance with the terms of the Development Agreement. With the approval of this development agreement, additional standards and restrictions will be in place to show the compatibility of the phased project as compared to Development Area 1.

An overview of the major terms of the Development Agreement follows:

SS

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Development Agreement Summary

The Agreement begins with a preamble containing recitals followed by division into eight sections.

Recitals

This section establishes several grounding statements about the Property that form the basis for entering into a development agreement; namely, that 180 Land Co, LLC is Master Developer of the Property, defined as the 250.92 acres on which the former Badlands Golf Course is situated, and that the Master Developer intends to repurpose the Property in a manner that is complementary and compatible with adjacent uses due to the alleged infeasibility of maintaining the golf course as it presently exists. As a result of development of the Property, the City of Las Vegas will receive assurances with regard to phasing, timing and orderly development and infrastructure improvements. It is noted that 17.49 acres of the Property have already been entitled for the development of up to 435 multi-family units on R-3 (Medium Density Residential) zoning through previous actions of the City Council.

Section One: Definitions

This section assigns specific meanings to the terms used throughout the Agreement for consistency and the understanding of both parties.

Of note in this section is the definition of “Master Studies,” which refer to the Master Drainage Study, Master Sanitary Sewer Study and Master Traffic Study. Each study is to be approved by the Director of Public Works prior to the issuance of any permits except grub and clear permits outside of FEMA (Federal Emergency Management Agency) designated flood areas and/or demolition permits. A significant portion of this area is located in a FEMA designated flood zone.

Several definitions refer to specific documents noted as separate exhibits. These include the following:

- “Design Guidelines” – Exhibit C
- “Development Area(s)” – Exhibit B
- “Master Land Use Plan” – Exhibit B
- “Property” or “Community” – Exhibit A
- “Unified Development Code” or “UDC” – Exhibit E

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Section Two: Applicable Rules and Conflicting Laws

This section stipulates that the Agreement shall supersede any conflicting provision of Title 19 of the Las Vegas Municipal Code, provided that the City rules in force at the time of approval generally apply to development of the Property. If there are subsequent changes to federal or state law that conflict with the Agreement, the parties will endeavor to modify the Agreement to conform to the law through a City Council hearing. Exhibit E of the Agreement is offered for reference to memorialize the Unified Development Code at the time of recordation of the Agreement. This action is typical of previous development agreements between the City and developers in order to maintain the integrity of the agreements.

Section Three: Planning and Development of the Community

Section Three demonstrates compliance with the requirements of NRS 278.0201 regarding the content of development agreements. The permitted uses of land, density or intensity of land use, maximum height and size of proposed buildings, maximum number of units, phasing or timing of construction, construction operations, conditions, terms, requirements and restrictions for infrastructure and modification of the Agreement are addressed.

Specifically, the Master Developer is proposing to construct up to a maximum of 2,169 dwelling units on the Property, including an option for assisted living units, for a maximum overall density of 8.64 dwelling units per acre. Density within the area of the Property not currently entitled for development (i.e., 231.30 acres) will not exceed 7.49 dwelling units per acre as required by Title 19 prior to adoption of the Unified Development Code. This area does not include the 2.13 acres of PD (Planned Development) zoned property that is not assigned residential density and which will not contain any residential dwellings.

The Property is to be divided into four development areas that are characterized by land use type, zoning, density and unique standards for development. The areas are numbered southwesterly from Alta Drive, but are not necessarily in order of physical development.

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Proposed Development Areas*						
Development Area	Area (acres)	Proposed Land Use	Existing General Plan	Existing Zoning	Max. Dwelling Units	Max. Density (du/ac)
1	17.49	Multi-Family Residential	M	R-3	435	24.87
2	20.69	Multi-Family Residential/Commercial	PR-OS	R-PD7	1669	35.07
3	26.90	Multi-Family Residential/Commercial	PR-OS	R-PD7		
	2.13			PD	0	
4	183.71	Single-Family Residential	PR-OS	R-PD7	65	0.35
TOTAL	250.92				2169	8.64

*Established through this Development Agreement (DIR-70539) and provided here by reference.

Existing R-PD7 and PD Development Areas			
Development Area	Area (acres)	Max. Dwelling Units	Max. Density (du/ac)
2	20.69	1669	33.57
3	29.03		
4	183.71	65	0.35
TOTAL	233.43	1734	7.43

Existing R-PD7 Development Area only			
Development Area	Area (acres)	Max. Dwelling Units	Max. Density (du/ac)
2	20.69	1669	35.07
3	26.90		
4	183.71	65	0.35
TOTAL	231.30	1734	7.49

The R-PD7 classification is as approved through the 1990 Rezoning (Z-0017-90) for Phase 2 of the Peccole Ranch Master Plan.

Development Areas 1 through 3 are proposed to contain multi-family dwellings to be mapped as condominiums after an unspecified period of time. Development Area 1 is to contain a complex of four buildings of four stories each, for which a Site Development Plan Review (SDR-62393) for a maximum of 435 units has been approved. Development Area 2 is to contain four and six-story multi-family residential buildings, as well as two multi-family residential towers of up to 15 stories and 150 feet in height, sited so as to minimize impact on view corridors. Development Area 3 is to contain multi-family residential buildings of no more than four stories in height. As this area is nearest to existing single-family dwellings, Development Area 3 includes a 75-foot “No Building Structures” zone on the perimeter containing only an access road and landscaping and an additional 75-foot “Transition Zone” within which buildings cannot exceed 35 feet above the average finished floor elevation of the existing adjacent residence. All buildings are intended to conform to the residential adjacency requirements of the Unified Development Code. In addition, Development Areas 2 and 3 may contain an unspecified number of assisted living apartments and up to 15,000 square feet of ancillary commercial uses for the benefit of residents. A non-gaming boutique hotel with up to 130 units would also be permitted. The assisted living units would count toward the total number of units within Development Areas 2 and 3, whereas the hotel units would not.

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002657
RA 02444

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Development Area 4 occupies approximately 73 percent of the Property, but would be restricted to low density residential and associated uses and only contain up to 65 single-family residential dwellings. Lots of one-half acre minimum will be limited to the area of the Property north of Charleston, corresponding to Section A on the Master Land Use Plan. All other lots in this development area are to consist of at least two acres.

New development within Development Areas 1 through 3 will require a Site Development Plan Review. Site development within Development Area 4 will not require a Site Development Plan Review; however, development is subject to current subdivision regulations and procedures, and dwellings are subject to review by the Master Developer prior to the issuance of permits. Within Development Areas 2 and 3, any Site Development Plan Review will acknowledge that all proposed development will be in conformance with the Design Guidelines (Exhibit C), be generally compatible with adjacent development and satisfy the determinations necessary for approval of a Site Development Plan Review listed in LVMC Title 19.16.100(E).

Minor Modifications of the Design Guidelines, Development Standards and Permitted Uses ("Design Guidelines") in Exhibit C may be submitted to the Department of Planning for administrative review. If the proposed change is deemed to not qualify as a minor change, a Major Modification with a hearing by the Planning Commission and City Council would be necessary. Deviations from the Design Guidelines for specific Development Parcels or lots may be submitted to the Department of Planning for administrative review if minor or to the Planning Commission and/or City Council for public hearing if deemed major.

Phasing of development is indicated by Exhibit D. The actual sequence of construction, including infrastructure installation, is market-driven and not intended to follow any numeric or alphabetical sequence as shown on the exhibit. Portions of the construction are tied to milestones based on approval for construction of a certain number of units (typically measured by permits); however, no development in FEMA designated flood areas may commence, including grading, unless the Master Developer first receives a Conditional Letter of Map Revision from FEMA. Now that the golf course has been closed, the Agreement stipulates that the Master Developer would continue to maintain the Property by rough mowing, watering and/or clear and grub. The Master Developer would use best efforts to continue to water the Property until such time as construction activity commences in a given area.

Landscaping and open space would be constructed incrementally relative to the development phasing. Development of the Property contains an open space component whereby approximately 40 percent of the land (or exactly 100 acres) is to be landscaped and/or amenitized for residents. Most of this space is to be located within Development Area 4, maintained by individual property owners, a homeowner's association, sub-HOA or possibly a combination of these. Similar to phasing of construction of the main north-south

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interior drive, public open space improvements within Development Areas 1 through 3 shall be completed prior to approval for construction of the 1,500th residential unit. A stated goal of the Parks Element of the City of Las Vegas 2020 Master Plan is to ensure new subdivisions are developed into walkable communities, where reliance on auto trips for convenience shopping and access to education and recreation is minimized and where densities support transit. Per the 2012 Southern Nevada Regional Planning Coalition Regional Policy Plan, between 2.5 and 10 acres of open space per 1,000 residents is recommended. A minimum of 12.7 acres of landscaping and open space is proposed within Development Areas 1 through 3, including a 2.5-acre private park that may be open to the public from time to time at the discretion of the Master Developer. Pre-UDC Title 19 R-PD standards require a minimum of 28.85 acres (or 12.35 percent) of the R-PD zoned portion of the Property to contain usable open space, which will be satisfied through the terms of the Agreement (12.7 acres in Development Areas 1 through 3 and approximately 87 acres in Development Area 4).

Section Four: Maintenance of the Community

Sidewalks, common landscaped areas, landscaping within street rights-of-way and private drainage facilities are to be managed and maintained by a master homeowner's association, sub-homeowner's association or a combination of these as established by the Master Developer. This section defines the responsibilities of these entities and provides for a plan for maintenance of private amenities. The City would continue to maintain any public facilities dedicated within the Property.

Section Five: Project Infrastructure Improvements

The Master Sanitary Sewer Study shall determine the impact of proposed development on Off-Property sewer pipelines; updates to the sewer study may be required if proposed development substantially deviates from the approved Master Study. Major traffic improvements include the provision of an additional right turn lane on northbound Rampart Boulevard at Summerlin Parkway, an additional lane on the Property's Rampart Boulevard frontage and any traffic signals required by the Master Traffic Study. Drainage improvements are the sole responsibility of the Master Developer and stipulations are made to ensure timely provision of drainage facilities.

Section Six: Default

As is required by NRS 278, the Agreement specifies the events that constitute breach of the agreement and the periods during which any breach of the Agreement may be cured. The City may elect to amend or terminate the Agreement pursuant to state law if a finding of default is made by the City Council. The Master Developer has the right to scrutinize the finding of default and take legal action if necessary.

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Section Seven: General Provisions

This section includes NRS-mandated provisions such as the duration of the Agreement (30 years with an optional five-year extension), the assignment or transfer of the rights in this Agreement to another party, indemnity of the City in cases of damages incurred by the Master Developer and recordation of the Agreement. There is no third party to this Agreement in the cases of land sales to other entities.

Section Eight: Review of Development

NRS Chapter 278.0205 requires that Development Agreements be subject to review by the City of Las Vegas at least once every two years to assess the progress of the parties in fulfilling their obligations. The Master Developer will provide a report to the City of term compliance within each two-year period. Such review is typically brought forward to the City Council in a public hearing.

Development Agreement Exhibits Summary

Exhibit A: Property Legal Description

As required by NRS 278.0201, a signed and stamped legal description of the Property referenced by the Agreement is included. The area includes 250.92 acres and encompasses the entire former Badlands Golf Course.

Exhibit B: Development Areas

This exhibit divides the Property into four distinct Development Areas as described in Section 3. The zoning classification of each area is stated, as well as the number of acres in each area and section. Development Area 4 is further subdivided into seven sections (A-G) that are not intended to be subdivided or built out in any particular order. Development Area 1 as proposed is in conformance with the General Plan. Development Areas 2, 3 and 4 as proposed are in conformance with the allowable density under the R-PD zoning district.

Exhibit C: The Two Fifty Design Guidelines, Development Standards and Permitted Uses

In order to ensure orderly and consistent development and provide flexibility to fulfill the Master Developer's vision for redevelopment of the Property, the Master Developer has proposed a unique set of standards, procedures and permitted uses as part of the Development Agreement. The document allows the Master Developer to deviate from

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standards established by LVMC Title 19 where it deems necessary to effect imaginative and flexible design of buildings and open spaces. Per Title 19.06.040 (adopted March 1997 and as amended prior to March 24, 2011), standards within the R-PD7 zoned areas of the Property may be proposed in conjunction with a Rezoning or Site Development Plan. In this case, the Master Developer proposes standards within the framework of the Agreement and the Design Guidelines. Generally, the standards within Development Areas 2 and 3 are similar to those in the R-4 (High Density Residential) and C-1 (Limited Commercial) zoning districts, while those within Development Area 4 are similar to standards in the R-E (Residence Estates) zoning district. In Development Area 4, all standards for single-family home development are addressed in the Design Guidelines, except for the exterior elevations of the individual custom homes, which will be reviewed by the Master Developer.

The tables below indicate where the proposed standards meet, exceed or are less restrictive than Title 19.

R-3 Lot Standards (Development Area 1)			
Standard	Required per UDC	Proposed per DA	Compliance per UDC
Min. Lot Size	6,500 sf	7,000 sf	exceeds
Min. Lot Width	N/A	N/A	meets
Max. Lot Coverage	N/A	N/A	meets
Dwelling Units per Acre	13-50, but not to exceed General Plan designation	Max. 24.87 du/ac	meets
Min. Setbacks:			
Front	10 feet	10 feet	meets
Side	5 feet	5 feet	meets
Corner Side	5 feet	5 feet	meets
Rear	20 feet	10 feet	less restrictive
Min. Distance Between Buildings	10 feet	0 feet	less restrictive
Accessory Structures:			
Separation from Main Building	6 feet	6 feet	meets
Min. Corner Side Yard Setback	5 feet	5 feet	meets
Min. Side Yard Setback	3 feet	3 feet	meets
Min. Rear Yard Setback	3 feet	3 feet	meets
Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit	No limitations	less restrictive
Max. Building Height:			
Stories	Max. 5	4	more restrictive
Floors	N/A	See "Stories"	N/A
Height (Flat Roof)	55 feet to the top of the roof coping	55 feet to the top of the roof coping	meets

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R-3 Lot Standards (Development Area 1)			
Standard	Required per UDC	Proposed per DA	Compliance per UDC
Max. Building Height:			
Height (Pitched Roof)	55 feet to the midpoint between eaves and ridgeline	55 feet to the midpoint between eaves and ridgeline	meets
Accessory Buildings	2 stories, 35 feet or the height of the principal dwelling unit, whichever is less	No taller than the height of the principal dwelling unit	less restrictive
Landscape Buffers:			
Min. Buffer Depth			
Adjacent to public ROW	10 feet	10 feet within and/or adjacent to ROW	less restrictive
Interior Lot Lines	6 feet	Zero feet	less restrictive
Turf Coverage—front yard	30% of landscapable area	No limitations	less restrictive
Parking:			
1 BR or Studio Units	1.25 spaces per unit	1.25 spaces per unit	meets
2 BR Units	1.75 spaces per unit	1.75 spaces per unit	meets
3+ BR Units	2.00 spaces per unit	2.00 spaces per unit	meets
Guest Parking	1 space per 6 units	1 space per 6 units	meets

Fences and Walls:			
Front Yard:			
Max. Primary Wall Height	5 feet	12 feet	less restrictive
Max. Solid Wall Base Height	2 feet	N/A	less restrictive
Max. On-Center Distance Between Pilasters	24 feet	N/A	less restrictive
Max. Secondary Wall Height	2 feet	N/A	less restrictive
Min. Spacing Between Walls	5 feet	N/A	less restrictive
Perimeter/Retaining Walls:			
Max. Wall Height	10 feet for slopes $\leq 2\%$ 12 feet for slopes $> 2\%$	12 feet	meets
Max. Perimeter Wall Height	6-8 feet for slopes $\leq 2\%$ 6-8 feet for slopes $> 2\%$	12 feet	less restrictive
Max. Retaining Wall Height	4 feet for slopes $\leq 2\%$ 6 feet for slopes $> 2\%$	8 feet	less restrictive
Stepped Perimeter Walls:			
Max. Primary Wall Height	6-8 feet	No restrictions	less restrictive
Max. Secondary Wall Height	4 feet	No restrictions	less restrictive
Min. Spacing Between Walls	5 feet	No restrictions	less restrictive

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Signage:			
Development Entry Statement Signs	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	meets
Other Residential Sign Types	Per UDC Title 19.06 R-3 District Standards	Per UDC Title 19.06 R-3 District Standards	meets

R-PD Lot Standards – Multi-Family and Commercial (Development Areas 2-3)			
Standard	Required per UDC	Proposed per DA	Compliance per UDC
Min. Lot Size	Determined by SDR	N/A	N/A
Min. Lot Width	Determined by SDR	N/A	N/A
Max. Lot Coverage	Determined by SDR	N/A	N/A
Dwelling Units per Acre	N/A	Max. 33.87 du/ac (overall R-PD density is 7.49 du/ac)	N/A

R-PD Lot Standards – Multi-Family and Commercial (Development Areas 2-3)			
Min. Setbacks:			
Front	Determined by SDR	10 feet	meets R-3
Side	Determined by SDR	5 feet	meets R-3
Corner Side	Determined by SDR	5 feet	meets R-3
Rear	Determined by SDR	10 feet	N/A
Min. Distance Between Buildings	Determined by SDR	0 feet	N/A
Accessory Structures:			
Separation from Main Building	Determined by SDR	6 feet	meets R-3
Min. Corner Side Yard Setback	Determined by SDR	5 feet	meets R-3
Min. Side Yard Setback	Determined by SDR	3 feet	meets R-3
Min. Rear Yard Setback	Determined by SDR	3 feet	meets R-3
Size and Coverage	Determined by SDR	No limitations	N/A
Max. Building Height:			
Stories	Determined by SDR	4-6 – midrise (DA 2) 15 – towers (DA 2) 4 (DA 3)	N/A
Floors	Determined by SDR	See “Stories”	N/A
Height (Flat Roof)	Determined by SDR	55 feet to the top of the roof coping (DA 3)	meets R-4
		55 feet to the top of the roof coping (DA 2, 4-story buildings)	meets
		75 feet to the top of the roof coping (DA 2, 6-story buildings)	less restrictive

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R-PD Lot Standards – Multi-Family and Commercial (Development Areas 2-3)			
Max. Building Height:			
		150 feet to the top of the roof coping (DA 2, towers)	less restrictive
Height (Pitched Roof)	Determined by SDR	55 feet to the midpoint between eaves and ridgeline (DA 3)	meets R-4
		55 feet to the midpoint between eaves and ridgeline (DA 2, 4-story buildings)	meets R-4
		75 feet to the midpoint between eaves and ridgeline (DA 2, 6-story buildings)	N/A
		150 feet to the midpoint between eaves and ridgeline (DA 2, towers)	N/A
Accessory Buildings	Determined by SDR	No taller than the height of the principal dwelling unit	N/A
Transition Zone – Building Height (Development Area 3 only)	N/A	Buildings within the area 75 feet inward from the No Building Structure Zone shall not exceed the height of the tallest existing adjacent residence located outside the Property	N/A
Patio Covers:			
Setback to Post	Determined by SDR	Not stated	per UDC
Overhang	Determined by SDR		
Other Restrictions	May not extend into front yard setback		
Residential Adjacency:			
Building Height/Setback per Proximity Slope	3 feet of setback for each 1 foot of building height above 15 feet	3 feet of setback for each 1 foot of building height above 15 feet	meets
Building Setback	Must at a minimum match the established setback of the protected property	60 feet from existing SFD (R-PD7 or less density)	exceeds
		50 feet from existing SFD (greater than 7.49 du/ac)	exceeds
		10 feet from existing commercial property	meets except rear setback
No Building Structures Zone (Development Area 3 only)	N/A	75 feet from the PL of any existing single family lot located outside the Property; no buildings permitted in this area	N/A

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R-PD Lot Standards – Multi-Family and Commercial (Development Areas 2-3)			
Landscape Buffers:			
Min. Buffer Depth			
Adjacent to public ROW	10 feet	10 feet within and/or adjacent to ROW	less restrictive
Interior Lot Lines	6 feet	Zero feet	less restrictive
Turf Coverage	30% of landscapable area	No limitations	less restrictive
Parking:			
1 BR or Studio Units	1.25 spaces per unit	1.25 spaces per unit	meets
2 BR Units	1.75 spaces per unit	1.75 spaces per unit	meets
3+ BR Units	2.00 spaces per unit	2.00 spaces per unit	meets
Guest Parking	1 space per 6 units	1 space per 6 units	meets
Fences and Walls:			
Front Yard:			
Max. Primary Wall Height	5 feet	12 feet	less restrictive
Max. Solid Wall Base Height	2 feet	N/A	less restrictive
Max. On-Center Distance Between Pilasters	24 feet	N/A	less restrictive
Max. Secondary Wall Height	2 feet	N/A	less restrictive
Min. Spacing Between Walls	5 feet	N/A	less restrictive
Perimeter/Retaining Walls:			
Max. Wall Height	10 feet for slopes $\leq 2\%$ 12 feet for slopes $> 2\%$	12 feet	meets
Max. Perimeter Wall Height	6-8 feet for slopes $\leq 2\%$ 6-8 feet for slopes $> 2\%$	12 feet	less restrictive
Max. Retaining Wall Height	4 feet for slopes $\leq 2\%$ 6 feet for slopes $> 2\%$	8 feet	less restrictive
Stepped Perimeter Walls:			
Max. Primary Wall Height	6-8 feet	No restrictions	less restrictive
Max. Secondary Wall Height	4 feet	No restrictions	less restrictive
Min. Spacing Between Walls	5 feet	No restrictions	less restrictive
Signage:			
Development Entry Statement Signs	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	meets
Other Residential Sign Types	Per UDC Title 19.06	Per UDC Title 19.06 R-4 District Standards	meets

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R-PD Lot Standards – Single Family (Development Area 4)				
Standard	Required per UDC	Custom Lots Proposed per DA	Estate Lots Proposed per DA	Compliance per UDC
Min. Lot Size	Determined by SDR	0.5 acre	2 acres	meets R-E
Min. Lot Width	Determined by SDR	100 feet	100 feet	meets R-E
Max. Lot Coverage	Determined by SDR	N/A	Subject to max. buildable area	N/A
Max. Buildable Area	N/A	N/A	45% - 2 to 2.24 acre lot	N/A
Lots ≥ 2 acre in size		N/A	40% - 2.25 to 4.99 acre lot	N/A
		N/A	33% - ≥ 5 acre lot	N/A
Dwelling Units per Acre	N/A	Max. 0.35 du/ac	N/A	N/A
Min. Setbacks:				
Front (public street)	Determined by SDR	50 feet	meets R-E	meets R-E
Front (private street or access easement)	Determined by SDR	30 feet	meets R-E	meets R-E
Side	Determined by SDR	10 feet	meets R-E	meets R-E
Corner Side	Determined by SDR	15 feet	meets R-E	meets R-E
Rear	Determined by SDR	35 feet	meets R-E	meets R-E
Lots ≥ 2 acre in size	N/A	Must meet buildable area restrictions	N/A	N/A
Accessory Structures:				
Separation from Main Building	Determined by SDR	6 feet	No separation required	custom meets R-E
Min. Corner Side Yard Setback	Determined by SDR	5 feet	N/A	less restrictive
Min. Side Yard Setback	Determined by SDR	5 feet	N/A	less restrictive
Min. Rear Yard Setback	Determined by SDR	5 feet	N/A	less restrictive
Size and Coverage	Determined by SDR	No limitations	N/A	less restrictive
Max. Building Height:				
Stories (above grade)	Determined by SDR	3 max	N/A	N/A
Floors	Determined by SDR	See Stories	N/A	N/A
Flat Roof	Determined by SDR	50 feet to the top of the roof coping	N/A	N/A
Pitched Roof	Determined by SDR	50 feet to the midpoint between eaves and ridgeline	N/A	N/A
Accessory Structures	Determined by SDR	Lesser of 3 stories or 50 feet	N/A	N/A
Patio Covers:				
Setback to Supports	Determined by SDR	Not stated	Not stated	per UDC
Overhang	Determined by SDR			
Other Restrictions	May not extend into front yard setback			

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R-PD Lot Standards – Single Family (Development Area 4)				
Residential Adjacency:				
Building Height/Setback per Proximity Slope	N/A	N/A	N/A	N/A
Building Setback	N/A	N/A	50 feet from existing SFD (R-PD7 or less density); 45 feet for lots between 2.0-2.5 ac	exceeds
		N/A	50 feet from existing SFD (greater than 7.49 du/ac)	exceeds
Residential Adjacency:				
		N/A	10 feet from existing commercial property	exceeds
Landscape Buffers:				
Min. Buffer Depth				
Adjacent to public ROW	6 feet	6 feet within and/or adjacent to ROW	6 feet within and/or adjacent to ROW	meets R-E
Interior Lot Lines	0 feet	0 feet	0 feet	meets R-E
Turf Coverage	0% of front yard area	No limitations	No limitations	less restrictive
Parking:				
Single-Family Detached units	2 unimpeded spaces per unit	2 spaces per unit	2 spaces per unit	meets
Accessory Structure (Class I)	1 additional space beyond base requirements	Not addressed	Not stated	per UDC
Fences and Walls:				
Front Yard:				
Max. Primary Wall Height	5 feet	12 feet	12 feet	less restrictive
Max. Solid Wall Base Height	2 feet	8 feet	8 feet	less restrictive
Max. On-Center Distance Between Pilasters	24 feet	N/A	N/A	N/A
Max. Secondary Wall Height	2 feet	N/A	N/A	N/A
Min. Spacing Between Walls	5 feet	N/A	N/A	N/A

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R-PD Lot Standards – Single Family (Development Area 4)				
Fences and Walls:				
Perimeter/Retaining Walls:				
Max. Total Wall Height	10 feet for slopes \leq 2% 12 feet for slopes $>$ 2%	12 feet	12 feet	meets
Max. Perimeter Wall Height	6-8 feet for slopes \leq 2% 6-8 feet for slopes $>$ 2%	12 feet	12 feet	less restrictive
Max. Retaining Wall Height	4 feet for slopes \leq 2% 6 feet for slopes $>$ 2%	8 feet	8 feet	less restrictive
Stepped Perimeter Walls:				
Max. Primary Wall Height	6-8 feet	no restrictions	no restrictions	less restrictive
Max. Secondary Wall Height	4 feet	no restrictions	no restrictions	less restrictive
Min. Spacing Between Walls	5 feet	no restrictions	no restrictions	less restrictive
Signage:				
Development Entry Statement Signs	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	meets
Other Residential Sign Types	See UDC Title 19.06	Per UDC Title 19.06.140 for the R-1 District	Per UDC Title 19.06.140 for the R-1 District	meets R-1

As the table above shows, where the proposed standards are less restrictive than Title 19 (primarily setbacks and wall heights), additional controls mitigate any negative impact they might have to adjacent properties and uses. For example, although the proposed height of the towers is nearly three times as tall as the R-3 and R-4 standard, the towers would be situated in such a way that no tower would be adjacent to any single-family residential lot and would be shielded by other mid-rise buildings. Additionally, structures within Development Area 3 would be subject to the No Building Structures and Transition Zones as well as Title 19 Residential Adjacency Standards. Likewise, lots would be configured along the perimeter so that property line walls will be adequately buffered by access roads and landscaping. Within Development Area 4, buildable area restrictions would ensure lots are not overbuilt and sufficient open space is provided. Within this context, the larger size of the estate lots justifies the increased building height standard.

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Where the proposed standards are silent, such as standards for patio covers or parking for commercial development, the Unified Development Code as provided in Exhibit E applies. A note to this effect accompanies the Design Guidelines, Development Standards and Permitted Uses table provided in Exhibit C-II.

Permitted uses are named according to the terms used by the Unified Development Code, except those called out in the Permitted Uses table in Exhibit C-II of the Design Guidelines, Development Standards and Permitted Uses. Definitions of these uses are assumed to correspond to those used in LVMC 19.18.020, except as noted. All permitted uses in the R-3 and R-E zoning districts not listed in Exhibit B are permitted in Development Areas 1 and 4, respectively, according to the UDC. No additional uses beyond those listed in Exhibit C-II are permitted in Development Areas 2 and 3. Additional uses listed in Exhibit C-II not in LVMC 19.12.010 include the following:

- Guard Gate Entry Structure (not considered a use of land in UDC)
- Landscape Maintenance Facility
- Temporary Rock Crushing Operation
- Temporary Stockpiling Operation
- Water Feature (not considered a use of land in UDC)

Permitted uses: Deviations from LVMC Title 19.12					
Use	UDC		Proposed per DA		
	R-3	R-PD*	R-3	DA 2,3	DA 4
Accessory Structure (Class I)	Not allowed	SUP required	Not allowed	Permitted	Permitted
Accessory Structure (Class II)	Conditional	Conditional	Not allowed	Permitted	Permitted
Mixed Use	SUP required	Not allowed	Permitted	Permitted	Not allowed
Restaurant with Alcohol (boutique hotel only)	Not allowed	Not allowed	Not allowed	Permitted	Not allowed
Lounge bar (boutique hotel only)	Not allowed	Not allowed	Not allowed	Permitted	Not allowed
Restaurant with Service Bar	Not allowed	Not allowed	Not allowed	Permitted	Not allowed
Beer/Wine/Cooler On-sale Establishment	Not allowed	Not allowed	Not allowed	Permitted	Not allowed

*Per LVMC Title 19, single-family and multi-family uses in the R-PD District are permitted to the extent that they are determined by the Director of Planning to be consistent with the density approved for the district and compatible with surrounding uses.

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Development Areas 2 and 3 are allowed per the Agreement to have a total of 15,000 square feet of ancillary commercial uses, with no one space exceeding 4,000 square feet. A boutique hotel is also permitted within this area with ancillary alcohol uses. Alcohol Related Uses that would be permitted within Development Areas 2 and 3 include Beer/Wine/Cooler On-Sale Establishment, Restaurant with Service Bar, Restaurant with Alcohol and Lounge Bar as defined by the UDC. Normally, all such uses require either conditional approval or approval of a Special Use Permit prior to licensed operation. However, it has been determined that these uses would be compatible within the planned mixed-use development proposed in Development Areas 2 and 3 and therefore would be permitted in those areas. The only exception would be the ancillary commercial uses, which would require a Special Use Permit for Restaurant with Alcohol and Lounge Bar uses. Within the UDC, these uses are allowed as part of the Mixed Use use rather than as separate categories within the R-PD zoning district. The same applies to the ancillary commercial uses that are planned to serve residents of the multi-family development. The Agreement stipulates that Alcohol Related Uses be permitted adjacent to a private park.

The document also includes cross sections of various private road types and their locations within the Property (Exhibit C-III). The primary north-south street is planned to be 84 feet wide with two lanes in each direction and a median. The primary east-west street would have a maximum width of 59 feet with parallel parking stalls, attached sidewalks and landscaping on both sides. Private, gated streets within Development Area 4 are proposed to be 21 feet wide with no sidewalks, but would have widened turnouts every 800 feet for emergency access and parking. Primary access to the development would be from Hualapai Way, Rampart Boulevard and the southwestern boundary of Development Area 3. The access and circulation provided are adequate to meet the needs of the proposed residential development and would not create traffic conflicts within the Property. The proposed public street improvements as required by the approved Traffic Study will be necessary to handle the projected increase in traffic in the vicinity.

All site or lot development plans will first be reviewed by the Master Developer before review by the City of Las Vegas. Staff finds that the standards, procedures and permitted uses are compatible with the type of development proposed and would not have a negative effect on adjacent properties outside the 250.92 acres.

Exhibit D: Development Phasing

Phasing of construction is to be determined by market conditions and is not intended to be tied to any specific duration of time; however, milestones linked to a set number of residential construction permits have been established to ensure completion of certain components of each Development Area:

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- The extension of Clubhouse Drive (also termed “The Two Fifty Drive Extension”) is to be completed prior to the approval for construction of the 1,500th residential unit (or group of units that includes such permit).
- A new traffic signal at the Rampart Boulevard entrance to Development Area 1 is to be completed as soon as possible pursuant to updated traffic studies.
- Open space/amenities within Development Areas 1 through 3 are to be constructed incrementally as the multi-family residential units and commercial amenities are constructed. Prior to the approval for construction of the 1,500th residential unit, the 2.5 acres of private park area must be completed.
- Drainage infrastructure, including box culverts and/or drainage channels, access points and landscaping within Development Area 4, is to be completed prior to the approval for construction of the 1,700th residential unit.
- Development of areas currently designated as FEMA flood zones cannot commence until the Master Developer receives a Conditional Letter of Map Revision from FEMA.

Exhibit E: Unified Development Code as of the Effective Date

As permitted by NRS 278.0201, the Master Developer intends to “freeze” the standards and processes contained within LVMC Title 19 (Unified Development Code) in order to maintain consistency of development throughout the life of the Agreement. The version of the UDC in effect at the time of recordation of the Agreement would become the basis for all plan review and procedural activity not explicitly contained within the Agreement itself. This includes all amendments approved prior to the Effective Date of the Agreement that have not been published in the UDC.

FINDINGS (DIR-70539)

The proposed Development Agreement conforms to the requirements of NRS 278 regarding the content of development agreements. The proposed density and intensity of development conforms to the existing zoning district requirements for each specified development area. Through additional development and design controls, the proposed development demonstrates sensitivity to and compatibility with the existing single-family uses on the adjacent parcels. Furthermore, the development as proposed would be consistent with goals, objectives and policies of the Las Vegas 2020 Master Plan that call for walkable communities, access to transit options, access to recreational opportunities and dense urban hubs at the intersection of primary roads. Staff therefore recommends approval of the proposed Development Agreement.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/04/90	The City Council approved an amendment to the Peccole Ranch Master Development Plan to make changes related to Phase Two of the Plan and to reduce the overall acreage to 1,569.60 acres. Approximately 212 acres of land in Phase Two was planned for a golf course. The Planning Commission and staff recommended approval. [Peccole Ranch Master Development Plan]
	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) (under Resolution of Intent to multiple zoning districts) to R-3 (Limited Multiple Residence), R-PD7 (Residential Planned Development – 7 Units per Acre) and C-1 (Limited Commercial) on 996.40 acres on the east side of Hualapai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue. A condition of approval limited the maximum number of dwelling units for Phase Two of the Peccole Ranch Master Development Plan to 4,247 units. The Planning Commission and staff recommended approval. [Peccole Ranch Phase Two]
12/05/96	A (Parent) Final Map (FM-0008-96) for a 16-lot subdivision (Peccole West) on 570.47 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 77 Page 23 of Plats]. The golf course was located on Lot 5 of this map.
03/30/98	A Final Map [FM-0008-96(1)] to amend portions of Lots 5 and 10 of the Peccole West Subdivision Map on 368.81 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 83 Page 57 of Plats].
05/16/05	A Boundary Line Adjustment (BLA-6449) between 801 South Rampart Boulevard and the Badlands Golf Course was recorded [File 148 Page 62 of Surveys].
06/08/15	A two-lot Parcel Map (PMP-58527) on 10.54 acres on the south side of Alta Drive, approximately 1,590 feet west of Rampart Boulevard was recorded [File 120 Page 44 of Parcel Maps].
06/18/15	A four-lot Parcel Map (PMP-59572) on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [File 120 Page 49 of Parcel Maps].
11/30/15	A two-lot Parcel Map (PMP-62257) on 70.52 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [File 120 Page 91 of Parcel Maps].
03/15/16	A two-lot Parcel Map (PMP-63468) on 53.03 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [File 121 Page 12 of Parcel Maps].

Staff Report Page Twenty-One
June 21, 2017 – City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
11/16/16	The City Council, at the applicant's request, voted to Withdraw Without Prejudice a request for a Major Modification (MOD-63600) of the 1990 Peccole Ranch Master Plan to amend the number of allowable units, to the change the land use designation of parcels comprising the current Badlands Golf Course, to provide standards for redevelopment of such parcels and to reflect the as-built condition of the remaining properties on 1,569.60 acres generally located east of Hualapai Way between Alta Drive. The Planning Commission recommended denial. Staff recommended approval.
	The City Council, at the applicant's request, voted to Withdraw Without Prejudice a request for a General Plan Amendment (GPA-63599) from PR-OS (Parks/Recreation/Open Space) to DR (Desert Rural Density Residential) and H (High Density Residential) on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission recommended denial. Staff recommended approval.
	The City Council, at the applicant's request, voted to Withdraw Without Prejudice a request for a Rezoning (ZON-63601) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-E (Residence Estates) and R-4 (High Density Residential) on 248.79 acres and from PD (Planned Development) to R-4 (High Density Residential) on 2.13 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission recommended denial. Staff recommended approval.
	The City Council, at the applicant's request, voted to Withdraw Without Prejudice a proposed Development Agreement (DIR-63602) between 180 Land Co. LLC, et al. and the City of Las Vegas on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission recommended denial. Staff recommended approval.
01/24/17	A four-lot Parcel Map (PMP-64285) on 166.99 acres generally located at the southeast corner of Alta Drive and Hualapai Way was recorded. [File 121 Page 100 of Parcel Maps]
02/15/17	The City Council approved a request for a General Plan Amendment (GPA-62387) from PR-OS (Parks/Recreation/Open Space) to M (Medium Density Residential) on 17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval. The original request was amended from H (High Density Residential) to M (Medium Density Residential).

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Staff Report Page Twenty-Two
June 21, 2017 – City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/15/17	The City Council approved a request for a Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-3 (Medium Density Residential) on 17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval. The original request was amended from R-4 (High Density Residential) to R-3 (Medium Density Residential).
	The City Council approved a request for a Site Development Plan Review (SDR-62393) for a proposed 435-unit Multi-Family Residential (Condominium) development consisting of four, four-story buildings on 17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard. The Planning Commission and staff recommended approval. The original request was amended from 720 multi-family residential units to 435 units.
03/15/17	The City Council voted to abey a request for a General Plan Amendment (GPA-68385) from PR-OS (Parks/Recreation/Open Space) to L (Low Density Residential) on 166.99 acres at the southeast corner of Alta Drive and Hualapai Way to the 04/19/17 City Council meeting. The Planning Commission failed to reach a supermajority recommendation, which is tantamount to denial. Staff recommended approval.
	The City Council voted to abey a request for a Waiver (WVR-68480) to allow 32-foot private streets with a sidewalk on one side where 47-foot private streets with sidewalks on both sides are required within a proposed gated residential development on 34.07 acres at the southeast corner of Alta Drive and Hualapai Way to the 04/19/17 City Council meeting. The Planning Commission and staff recommended approval.
	The City Council voted to abey a request for a Site Development Plan Review (SDR-68481) for a proposed 61-lot single family residential development on 34.07 acres at the southeast corner of Alta Drive and Hualapai Way to the 04/19/17 City Council meeting. The Planning Commission and staff recommended approval.
	The City Council voted to abey a request for a Tentative Map (TMP-68482) for a 61-lot single family residential subdivision on 34.07 acres at the southeast corner of Alta Drive and Hualapai Way to the 04/19/17 City Council meeting. The Planning Commission and staff recommended approval.
04/19/17	The City Council voted to abey GPA-68385, WVR-68480, SDR-68481 and TMP-68482 to the 05/17/17 City Council meeting.
05/17/17	The City Council voted to abey GPA-68385, WVR-68480, SDR-68481 and TMP-68482 to the 06/21/17 City Council meeting.

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Staff Report Page Twenty-Three
June 21, 2017 – City Council Meeting

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/13/17	The Planning Commission considered a request for a Development Agreement (DIR-70539) between 180 Land Co, LLC, et al. and the City of Las Vegas on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard (APNs 138-31-201-005; 138-31-601-008; 138-31-702-003 and 004; 138-31-801-002 and 003; 138-32-202-001; and 138-32-301-005 and 007), Ward 2 (Beers) [PRJ-70542]
06/21/17	The City Council will consider a GPA-68385, WVR-68480, SDR-68481 and TMP-68482 to the 06/21/17 City Council meeting.

<i>Most Recent Change of Ownership</i>	
04/14/05	A deed was recorded for a change in ownership on APN 138-32-202-001.
11/16/15	Deeds were recorded for a change in ownership on APNs 138-31-201-005; 138-31-601-008; 138-31-702-003 and 004; 138-31-801-002 and 003; and 138-32-301-005 and 007.

<i>Related Building Permits/Business Licenses</i>	
There are no building permits or business licenses relevant to this request.	

<i>Pre-Application Meeting</i>	
Multiple meetings were held with the applicant to discuss the proposed development agreement and the timelines and requirements for application submittal.	

<i>Neighborhood Meeting</i>	
05/30/17	A voluntary neighborhood meeting was held at the Suncoast Hotel, 9090 Alta Drive in Las Vegas.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	250.92

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Staff Report Page Twenty-Four
June 21, 2017 – City Council Meeting

<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Commercial Recreation/Amusement (Outdoor) – Golf Course	M (Medium Density Residential)	R-3 (Medium Density Residential)
		PR-OS (Parks/Recreation/Open Space)	R-PD7 (Residential Planned Development – 7 Units per Acre)
North	Multi-Family Residential (Condominiums) / Club House	GTC (General Tourist Commercial)	PD (Planned Development)
	Hotel/Casino	SC (Service Commercial)	C-1 (Limited Commercial)
	Office, Medical or Dental		
	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
		MLA (Medium Low Attached Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
South	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
	Single Family, Attached	M (Medium Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
	Multi-Family Residential		R-3 (Medium Density Residential)
East	Shopping Center	SC (Service Commercial)	PD (Planned Development)
	Office, Other Than Listed		C-1 (Limited Commercial)
	Mixed Use	GC (General Commercial)	C-2 (General Commercial)

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Staff Report Page Twenty-Five
June 21, 2017 – City Council Meeting

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
East	Utility Installation	PF (Public Facilities)	C-V (Civic)
West	Single Family, Attached	M (Medium Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
	Commercial Recreation/Amusement (Outdoor) – Golf Course	P (Parks/Open Space)	
	Multi-Family Residential	MF2 (Medium Density Multi-family – 21 Units per Acre)	

Master and Neighborhood Plan Areas	Compliance
Peccole Ranch	Y
Special Purpose and Overlay Districts	Compliance
R-PD (Residential Planned Development) District	Y
PD (Planned Development) District	Y
Other Plans or Special Requirements	Compliance
Trails (Pedestrian Path – Rampart Blvd)	Y
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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