

IN THE SUPREME COURT OF THE STATE OF NEVADA

CITY OF LAS VEGAS, A POLITICAL  
SUBDIVISION OF THE STATE OF  
NEVADA,

Appellant,

vs.

180 LAND CO., LLC, A NEVADA LIMITED-  
LIABILITY COMPANY; AND FORE STARS,  
LTD., A NEVADA LIMITED-LIABILITY  
COMPANY,

Respondents.

180 LAND CO., LLC, A NEVADA LIMITED-  
LIABILITY COMPANY; AND FORE STARS,  
LTD., A NEVADA LIMITED-LIABILITY  
COMPANY,

Appellants/Cross-Respondents,

vs.

CITY OF LAS VEGAS, A POLITICAL  
SUBDIVISION OF THE STATE OF  
NEVADA,

Respondent/Cross-Appellant.

No. 84345

Electronically Filed  
Aug 21 2022 10:04 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

No. 84640

**JOINT APPENDIX,  
VOLUME NO. 12**

LAW OFFICES OF KERMITT L. WATERS

Kermitt L. Waters, Esq.

Nevada Bar No. 2571

[kermitt@kermittwaters.com](mailto:kermitt@kermittwaters.com)

James J. Leavitt, Esq.

Nevada Bar No. 6032

[jim@kermittwaters.com](mailto:jim@kermittwaters.com)

Michael A. Schneider, Esq.

Nevada Bar No. 8887

[michael@kermittwaters.com](mailto:michael@kermittwaters.com)

Autumn L. Waters, Esq.

Nevada Bar No. 8917

[autumn@kermittwaters.com](mailto:autumn@kermittwaters.com)

704 South Ninth Street

Las Vegas, Nevada 89101

Telephone: (702) 733-8877

*Attorneys for 180 Land Co., LLC and  
Fore Stars, Ltd.*

LAS VEGAS CITY ATTORNEY'S OFFICE

Bryan K. Scott, Esq.

Nevada Bar No. 4381

[bscott@lasvegasnevada.gov](mailto:bscott@lasvegasnevada.gov)

Philip R. Byrnes, Esq.

[pbyrnes@lasvegasnevada.gov](mailto:pbyrnes@lasvegasnevada.gov)

Nevada Bar No. 166

Rebecca Wolfson, Esq.

[rwolfson@lasvegasnevada.gov](mailto:rwolfson@lasvegasnevada.gov)

Nevada Bar No. 14132

495 S. Main Street, 6th Floor

Las Vegas, Nevada 89101

Telephone: (702) 229-6629

*Attorneys for City of Las Vegas*

CLAGGETT & SYKES LAW FIRM

Micah S. Echols, Esq.

Nevada Bar No. 8437

[micah@claggettlaw.com](mailto:micah@claggettlaw.com)

4101 Meadows Lane, Suite 100

Las Vegas, Nevada 89107

(702) 655-2346 – Telephone

*Attorneys for 180 Land Co., LLC and  
Fore Stars, Ltd.*

McDONALD CARANO LLP

George F. Ogilvie III, Esq.

Nevada Bar No. 3552

[gogilvie@mcdonaldcarano.com](mailto:gogilvie@mcdonaldcarano.com)

Amanda C. Yen, Esq.

[ayen@mcdonaldcarano.com](mailto:ayen@mcdonaldcarano.com)

Nevada Bar No. 9726

Christopher Molina, Esq.

[cmolina@mcdonaldcarano.com](mailto:cmolina@mcdonaldcarano.com)

Nevada Bar No. 14092

2300 W. Sahara Ave., Ste. 1200

Las Vegas, Nevada 89102

Telephone: (702) 873-4100

LEONARD LAW, PC

Debbie Leonard, Esq.

[debbie@leonardlawpc.com](mailto:debbie@leonardlawpc.com)

Nevada Bar No. 8260

955 S. Virginia Street Ste. 220

Reno, Nevada 89502

Telephone: (775) 964.4656

SHUTE, MIHALY & WEINBERGER, LLP

Andrew W. Schwartz, Esq.

[schwartz@smwlaw.com](mailto:schwartz@smwlaw.com)

California Bar No. 87699

(admitted pro hac vice)

Lauren M. Tarpey, Esq.

[ltarpey@smwlaw.com](mailto:ltarpey@smwlaw.com)

California Bar No. 321775

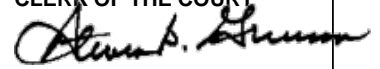
(admitted pro hac vice)

396 Hayes Street

San Francisco, California 94102

Telephone: (415) 552-7272

*Attorneys for City of Las Vegas*



1 **APEN**

2 Bryan K. Scott (NV Bar No. 4381)  
3 Philip R. Byrnes (NV Bar No. 166)  
4 Seth T. Floyd (NV Bar No. 11959)  
5 LAS VEGAS CITY ATTORNEY'S OFFICE  
6 495 South Main Street, 6th Floor  
7 Las Vegas, Nevada 89101  
8 Telephone: (702) 229-6629  
9 Facsimile: (702) 386-1749  
10 bscott@lasvegasnevada.gov  
11 pbyrnes@lasvegasnevada.gov  
12 sfloyd@lasvegasnevada.gov

13 (Additional Counsel Identified on Signature  
14 Page)

15 *Attorneys for Defendant City of Las Vegas*

16 **DISTRICT COURT**

17 **CLARK COUNTY, NEVADA**

18 180 LAND CO LLC, a Nevada limited liability company,  
19 FORE STARS, LTD, a Nevada limited liability company  
20 and SEVENTY ACRES, LLC, a Nevada limited liability  
21 company, DOE INDIVIDUALS I-X, DOE  
22 CORPORATIONS I-X, and DOE LIMITED LIABILITY  
23 COMPANIES I-X,

24 Plaintiffs,

25 v.

26 CITY OF LAS VEGAS, a political subdivision of the State  
27 of Nevada; ROE GOVERNMENT ENTITIES I-X; ROE  
28 CORPORATIONS I-X; ROE INDIVIDUALS I-X; ROE  
LIMITED-LIABILITY COMPANIES I-X; ROE QUASI-  
GOVERNMENTAL ENTITIES I-X,

Defendants.

Case No. A-17-758528-J

DEPT. NO.: XVI

**APPENDIX OF EXHIBITS  
TO CITY'S OPPOSITION TO  
"MOTION TO DETERMINE  
PROPERTY INTEREST"**

**VOLUME 1**

Defendant CITY OF LAS VEGAS ("City") hereby submits its Appendix of Exhibits to  
Opposition to "Motion to Determine Property Interest."

...

...

...

...

Appendix to City's Opposition to "Motion to Determine Property Interest"  
Case No. A-17-758528-J

Case Number: A-17-758528-J

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Exhibit	Exhibit Description	Vol.	Bates No.
A	Judge Williams' Findings of Fact and Conclusions of Law, Case No. A-17-758528-J (Nov. 21, 2018)	1	00001-00025
B	City records regarding Ordinance No. 2136 (Annexing 2,246 acres to the City of Las Vegas)	1	00026-00036
C	City records regarding Peccole Land Use Plan and Z-34-81 rezoning application	1	00037-00055
D	City records regarding Venetian Foothills Master Plan and Z-30-86 rezoning application	1	00056-00075
E	2015 Aerial Identifying Phase I and Phase II boundaries	1	00076
F	City records regarding Peccole Ranch Master Plan and Z-139-88 Phase I rezoning application	1	00077-00121
G	Ordinance No. 3472 and related records	1	00122-00145
H	City records regarding Amendment to Peccole Ranch Master Plan and Z-17-90 phase II rezoning application	1	00146-00202
I	Excerpts of 1992 City of Las Vegas General Plan	2	00203-00256
J	1996 aerial identifying Phase I and Phase II boundaries	2	00257
K	City records related to Badlands Golf Course expansion	2	00258-00263
L	1998 aerial identifying Phase I and Phase II boundaries	2	00264
M	Excerpt of land use case files for GPA-24-98 and GPA-6199	2	00265-00267
N	Excerpts of Las Vegas 2020 Master Plan	2	00268-00283
O	Excerpts of 2005 Land Use Element	2	00284-00297
P	Excerpts of 2009 Land Use Element	2	00298-00307
Q	Excerpts of 2012 Land Use Element	2	00308-00323
R	Excerpts of 2018 Land Use Element	2	00324-00338
S	Ordinance No. 1582	2	00339-00345
T	Excerpt of the 1997 City of Las Vegas Zoning Code	2	00346-00347
U	Ordinance No. 5353	2	00348-00373
V	Excerpts of City of Las Vegas Unified Development Code adopted March 16, 2011	2	00374-00376
W	Deeds transferring ownership of the Badlands Golf Course	2	00377-00389
X	2015 aerial identifying Phase I and Phase II boundaries, retail development, hotel/casino, and Developer projects	2	00390



Exhibit	Exhibit Description	Vol.	Bates No.
Y	Third Revised Justification Letter regarding the Major Modification to the 1990 Conceptual Peccole Ranch Master Plan	2	00391-00394
Z	Parcel maps recorded by the Developer subdividing the Badlands Golf Course	2	00395-00423
AA	2019 aerial identifying Phase I and Phase II boundaries, and current assessor parcel numbers for the Badlands property	2	00424
BB	Second Amendment and First Supplement to Complaint for Severed Alternative Verified Claims in Inverse Condemnation; Case No. A-17-758528-J (May 15,19)	3	00425-00462
CC	General Plan Amendment (GPA-62387), Rezoning (ZON-62392) and Site Development Plan Review (SDR-62393) applications	3	00463-00483
DD	Transcript of February 15, 2017 City Council meeting	3	00484-00497
EE	Judge Crockett's March 5, 2018 order granting Queensridge homeowners' petition for judicial review, Case No. A-17-752344-J	3	00498-00511
FF	<i>Seventy Acre, LLC v. Jack Binion, et al.</i> , Nev. Sup. Ct. Case No. 75481 (Nev. 2020) (unpublished table decision)	3	00512-00518
GG	Letter from City of Las Vegas Office of the City Attorney to Chris Kaempfer, Re: Entitlements on 17 Acres (March 26, 2020)	3	00519
HH	2019 aerial identifying Phase I and Phase II boundaries, and areas subject to inverse condemnation litigation	3	00520
II	Miscellaneous Southwest Sector Land Use Maps	3	00521-00524
JJ	General Plan Amendment (GPA-68385), Site Development Plan Review (SDR-68481), Tentative Map (TMP-68482), and Waiver (68480) applications	3	00525-00552
KK	Development Agreement (DIR-70539) application	3	00553-00638
LL	June 21, 2017 City Council meeting minutes and transcript excerpt regarding GPA-68385, SDR-68481, TMP-68482, and 68480.	3	00639-00646
MM	Docket for Case No. A-17-758528-J	4	00647-00735
NN	The City of Las Vegas' Petition for Removal of Civil Action, Docket No. 1 in United States District Court for the District of Nevada Case No. 2:19-cv-01467 (8/22/19)	4	00736-00742

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Exhibit	Exhibit Description	Vol.	Bates No.
OO	Order, Docket No. 30 in United States District Court for the District of Nevada Case No. 2:19-cv-01467-KJD-DJA, Order (2/12/20)	4	00743-00751
PP	Excerpt of the 1983 Edition of the Las Vegas Municipal Code	4	00752-00761
QQ	Ordinance No. 2185	4	00762-00766
RR	Staff Report for June 21, 2017 City Council Meeting – GPA-68385, WVR-68480, SDR-68481, and TMS-68482	4	00767-00793
SS	Notice of Entry of Order Nunc Pro Tunc Regarding Findings of Fact and Conclusion of Law Entered November 21, 2019; Case No. A-17-758528-J (2/6/19)	4	00794-00799
TT	Notice of Entry of Findings of Fact and Conclusions of Law, Case No. A-17-758528-J (5/8/19)	4	00800-00815
UU	Order Granting the Landowners’ Countermotion to Amend/Supplement the Pleadings; Denying the City’s Motion for Judgment on the Pleadings on Developer’s Inverse Condemnation Claims, and Denying the Landowners’ Countermotion for Judicial Determination of Liability on the Landowners’ Inverse Condemnation Claims; Case No. A-17-758528-J (5/15/19)	4	00816-00839

1 DATED this 18<sup>th</sup> day of August, 2020.

2 By: /s/ Philip R. Byrnes

3 LAS VEGAS CITY ATTORNEY'S OFFICE  
4 Bryan K. Scott (NV Bar No. 4381)  
5 Philip R. Byrnes (NV Bar No. 166)  
6 Seth T. Floyd (NV Bar No. 11959)  
7 495 South Main Street, 6th Floor  
8 Las Vegas, Nevada 89101

9 SHUTE, MIHALY & WEINBERGER, LLP  
10 Andrew W. Schwartz (*pro hac vice*)  
11 Lauren M. Tarpey (*pro hac vice*)  
12 396 Hayes Street  
13 San Francisco, California 94102

14 McDONALD CARANO LLP  
15 George F. Ogilvie III (NV Bar No. 3552)  
16 Amanda C. Yen (NV Bar No. 9726)  
17 Christopher Molina (NV Bar No. 14092)  
18 2300 W. Sahara Avenue, Suite 1200  
19 Las Vegas, Nevada 89102  
20 Telephone: (702) 873-4100  
21 Facsimile: (702) 873-9966  
22 gogilvie@mcdonaldcarano.com  
23 ayen@mcdonaldcarano.com  
24 cmolina@mcdonaldcarano.com

25 *Attorneys for Defendant City of Las Vegas*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of McDonald Carano LLP, and that on the 18<sup>th</sup> day of August, 2020, a true and correct copy of the foregoing **APPENDIX TO CITY'S OPPOSITION TO "MOTION TO DETERMINE PROPERTY INTEREST" – VOLUME 1** was electronically served with the Clerk of the Court via the Clark County District Court Electronic Filing Program which will provide copies to all counsel of record registered to receive such electronic notification.

/s/ Jelena Jovanovic  
An employee of McDonald Carano LLP

# **EXHIBIT A**

# **EXHIBIT A**



**FFCO**

George F. Ogilvie III (NV Bar #3552)  
Debbie Leonard (NV Bar #8260)  
Amanda C. Yen (NV Bar #9726)  
Christopher Molina (NV Bar #14092)  
McDONALD CARANO LLP  
2300 W. Sahara Ave, Suite 1200  
Las Vegas, NV 89102  
Telephone: 702.873.4100  
Facsimile: 702.873.9966  
gogilvie@mcdonaldcarano.com  
dleonard@mcdonaldcarano.com  
ayen@mcdonaldcarano.com  
cmolina@mcdonaldcarano.com

Bradford R. Jerbic (NV Bar #1056)  
Philip R. Byrnes (NV Bar #166)  
Seth T. Floyd (NV Bar #11959)  
LAS VEGAS CITY ATTORNEY'S OFFICE  
495 S. Main Street, 6<sup>th</sup> Floor  
Las Vegas, NV 89101  
Telephone: 702.229.6629  
Facsimile: 702.386.1749  
bjerbic@lasvegasnevada.gov  
pbyrnes@lasvegasnevada.gov  
sfloyd@lasvegasnevada.gov

*Attorneys for Defendants City of Las Vegas*

**DISTRICT COURT**

**CLARK COUNTY, NEVADA**

180 LAND CO LLC, a Nevada limited-liability  
company; DOE INDIVIDUALS I through X;  
DOE CORPORATIONS I through X; and  
DOE LIMITED-LIABILITY COMPANIES I  
through X,

Plaintiffs,

v.

CITY OF LAS VEGAS, a political  
subdivision of the State of Nevada; ROE  
GOVERNMENT ENTITIES I through X;  
ROE CORPORATIONS I through X; ROE  
INDIVIDUALS I through X; ROE LIMITED-  
LIABILITY COMPANIES I through X; ROE  
QUASI-GOVERNMENTAL ENTITIES I  
through X,

Defendants.

CASE NO.: A-17-758528-J

DEPT. NO.: XVI

**FINDINGS OF FACT AND  
CONCLUSIONS OF LAW ON  
PETITION FOR JUDICIAL REVIEW**

OCT 30 2018

JACK B. BINION, an individual; DUNCAN R. and IRENE LEE, individuals and Trustees of the LEE FAMILY TRUST; FRANK A. SCHRECK, an individual; TURNER INVESTMENTS, LTD., a Nevada Limited Liability Company; ROGER P. and CAROLYN G. WAGNER, individuals and Trustees of the WAGNER FAMILY TRUST; BETTY ENGLESTAD AS TRUSTEE OF THE BETTY ENGLESTAD TRUST; PYRAMID LAKE HOLDINGS, I.L.C.; JASON AND SHIREEN AWAD AS TRUSTEES OF THE AWAD ASSET PROTECTION TRUST; THOMAS LOVE AS TRUSTEE OF THE ZENA TRUST; STEVE AND KAREN THOMAS AS TRUSTEES OF THE STEVE AND KAREN THOMAS TRUST; SUSAN SULLIVAN AS TRUSTEE OF THE KENNETH J. SULLIVAN FAMILY TRUST, AND DR. GREGORY BIGLER AND SALLY BIGLER,

Intervenors.

Petitioner 180 Land Company, LLC filed a petition for judicial review ("Petition") of the Las Vegas City Council's June 21, 2017 decision to deny four land use applications ("Applications") filed by Petitioner to develop a 34.07-acre portion of the Badlands Golf Course ("the 35-Acre Property"). The Court granted a motion to intervene filed by surrounding homeowners ("Intervenors") whose real property is adjacent to and affected by the proposed development of the 35-Acre Property. The Court having reviewed the briefs submitted in support of and in opposition to the Petition, having conducted a hearing on the Petition on June 29, 2018, having considered the written and oral arguments presented, and being fully informed in the premises, makes the following findings of facts and conclusions of law:

**I. FINDINGS OF FACT**

**A. The Badlands Golf Course and Peccole Ranch Master Development Plan**

1. The 35-Acre Property is a portion of 250.92 acres of land commonly referred to as the Badlands Golf Course ("the Badlands Property"). (ROR 22140-201; 25819).

...

2. The Badlands Property is located between Alta Drive (to the north), Charleston Boulevard (to the south), Rampart Boulevard (to the east), and Hualapai Way (to the west), and is spread out within existing residential development, primarily the Queensridge Common Interest Community. (ROR 18831; 24093).

3. The Badlands Property is part of what was originally the Venetian Foothills Master Development Plan on 1,923 acres of land, which was approved by the Las Vegas City Council (the "Council") on May 7, 1986. (ROR 25820).

4. The plan included two 18-hole golf courses, one of which would later become known as "Badlands." (ROR 2635-36; 2646).

5. Both golf courses were designed to be in a major flood zone and were designated as flood drainage and open space. (ROR 2595-2604; 2635-36; 4587).

6. The Council required these designations when approving the plan to address flooding, and to provide open space in the master planned area. (*Id.*).

7. The City's General Plan identifies the Badlands Property as Parks, Recreation and Open Space ("PR-OS"). (ROR 25546).

8. The City holds a drainage easement within the Badlands Property. (ROR 4597; 5171; 5785).

9. The original master plan applicant, William Peccole/Western Devcor, Inc., conveyed its interest to an entity called Peccole Ranch Partnership. (ROR 2622; 20046-47; 25968).

10. On February 15, 1989, the Council approved a revised master development plan for 1,716.30 acres, known as "the Peccole Ranch Master Development Plan" ("the Master Development Plan"). (ROR 25821).

11. On April 4, 1990, the Council approved an amendment to the Master Development Plan to make changes related to Phase Two, and to reduce the overall acreage to 1,569.60 acres. (*Id.*).

12. Approximately 212 acres of land in Phase Two was set aside for a golf course, with the overall Peccole Ranch Master Plan having 253.07 net acres for golf course, open space and



1 drainage. (ROR 2666; 25821).

2 13. Like its predecessor, the Master Development Plan identified the golf course area  
3 as being for flood drainage and golf course purposes, which satisfied the City's open space  
4 requirement. (ROR 2658-2660).

5 14. Phase Two of the Master Plan was completed such that the golf course is now  
6 surrounded by residential development. (ROR 32-33).

7 15. The 35-Acre Property that is the subject of the Applications at issue here lies within  
8 the Phase Two area of the Master Plan. (ROR 10).

9 16. Through a number of successive conveyances, Peccole Ranch Partnership's  
10 interest in the Badlands Property, amounting to 250.92 acres, was transferred to an entity called  
11 Fore Stars, Ltd., an affiliate of Petitioner. (ROR 24073-75; 25968).

12 17. On June 18, 2015, Fore Stars transferred 178.27 acres to Petitioner and 70.52 acres  
13 to Seventy Acres, LLC, another affiliate, and retained the remaining 2.13 acres. (*Id.*).

14 18. The three affiliated entities – Petitioner (i.e., 180 Land Co., LLC), Seventy Acres  
15 LLC and Fore Stars, Ltd. (collectively, "the Developer") – are all managed by EHB Companies,  
16 LLC, which, in turn, is managed by Paul Dehart, Vicki Dehart, Yohan Lowie and Frank Pankratz.  
17 (ROR 1070; 1147; 1154; 3607-3611; 4027; 5256-57; 5726-29). The Court takes judicial notice of  
18 the complaint filed by 180 Land Co., LLC, Fore Stars, Ltd., Seventy Acres, LLC, and Yohan  
19 Lowie in the United States District Court, Case No. 2:18-cv-00547-JCM-CWH ("the Federal  
20 Complaint"), which alleges these facts.

21 19. Mr. Lowie and various attorneys represented the Developer with regard to its  
22 development applications before the Council. (ROR 24466-24593).

23 **B. The Developer's Prior Applications to Develop the Badlands Property**

24 20. On November 15, 2015, the Developer filed applications for a General Plan  
25 Amendment, Re-zoning and Site Development Plan Review to change the classification of 17.49  
26 acres within the 250.92-acre Badlands Property from Parks Recreation/Open Space to High  
27 Density ("the 17-Acre Applications"). (ROR 25546; ROR 25602; ROR 25607).

28 21. The 17-Acre Property is located in the northeast corner of the Badlands Property,

1 distant from and not adjacent to existing residential development. (ROR 33).

2 22. In reviewing the 17-Acres Applications, the City's planning staff recognized that  
3 the 17-Acre Property was part of the Master Development Plan and stated that any amendment of  
4 the Master Development Plan must occur through a major modification pursuant to Title  
5 19.10.040 of the City's Unified Development Code. (ROR 25532).

6 23. Members of the public opposed the 17-Acre Applications on numerous grounds.  
7 (ROR 25768-78).

8 24. On February 25, 2016, the Developer submitted an application for a major  
9 modification to the Master Development Plan (the "Major Modification Application") and a  
10 proposed development agreement (which it named the "2016 Peccole Ranch Master Plan") for the  
11 entire 250.92-acre Badlands Property ("the proposed 2016 Development Agreement"). (ROR  
12 25729; 25831-34).

13 25. In support of the Major Modification Application, the Developer asserted that the  
14 proposed 2016 Development Agreement was in conformance with the Las Vegas General Plan  
15 Planning Guidelines to "[e]ncourage the master planning of large parcels under single ownership  
16 in the growth areas of the City to ensure a desirable living environment and maximum efficiency  
17 and savings in the provision of new public facilities and services." (ROR 25986).

18 26. The Developer also asserted that it would "guarantee that the development of the  
19 golf course property would be accomplished in a way that ensures that Queensridge will retain the  
20 uniqueness that makes living in Queensridge so special." (ROR 25966).

21 27. Thereafter, the Developer sought abeyances from the Planning Commission on the  
22 17-Acres Applications to engage in dialogue with the surrounding neighbors, and to allow the  
23 hearings on the Major Modification Application and the 17-Acre Applications to proceed  
24 simultaneously. (ROR 25569; 25613; 25716; 25795; 26014; 26195; 26667; 27989).

25 28. The Council heard considerable opposition to the Major Modification Application  
26 and the proposed 2016 Development Agreement regarding, among other things, traffic,  
27 conservation, quality of life and schools. (ROR 25988-26010; 26017-45; 26072-89; 26091-107).

28 ...

1           29.     At a March 28, 2016 neighborhood meeting, 183 members of the public attended  
2 who were “overwhelmingly opposed” to the proposed development. (ROR 25823-24).

3           30.     The City received approximately 586 written protests regarding the proposed 2016  
4 Development Agreement plus multiple e-mails to individual Council members in opposition.  
5 (ROR 31053; ROR 989-1069).

6           31.     In approximately April 2016, City Attorney Brad Jerbic became involved in the  
7 negotiation of the proposed 2016 Development Agreement to facilitate discussions between the  
8 Developer and the nearby residents. Over the course of the next year, Mr. Jerbic and Planning  
9 Director Tom Perrigo met with the Developer’s representatives and various members of the  
10 public, including representatives of the Queensridge HOA and individual homeowners, in an  
11 effort to reach consensus regarding a comprehensive development plan for the Badlands Property.  
12 (ROR 27990).

13           32.     The Mayor continued to inquire about the status of the negotiations, and Council  
14 members expressed their desire that the parties negotiate a comprehensive master plan that meets  
15 the City’s requirements for orderly and compatible development. (ROR 17335).

16           33.     Prior to the Council voting on the Major Modification Application, the Developer  
17 requested to withdraw it without prejudice. (ROR 1; 5; 6262).

18           34.     Several members of the public opposed the “without prejudice” request, arguing  
19 that the withdrawal should be with prejudice to ensure that the Developer would create a  
20 development plan for the entire Badlands Property with input from neighbors. (ROR 1077-79,  
21 1083).

22           35.     In response, the Mayor received assurances from the Developer’s lawyer that the  
23 Developer would engage in good-faith negotiations with neighboring homeowners. (ROR 1115).

24           36.     The Developer also represented that it did not seek to develop the Badlands  
25 Property in a piecemeal fashion: “[I]t’s not our desire to just build 17.49 acres of property that we  
26 wanted to build the rest of it, and that’s why we agreed to the withdrawal without prejudice to  
27 meet [with neighboring property owners] to try to do everything we can.” (ROR 1325). Based on  
28 these assurances, the Council approved the Developer’s request to withdraw the Major

1 Modification Application and proposed 2016 Development Agreement without prejudice. (ROR  
2 2; 1129-1135).

3 37. The Mayor reiterated that the Council sought a comprehensive plan for the entire  
4 Badlands Property to ensure that any development would be compatible with surrounding  
5 properties and provide adequate flood control. (ROR 17321-22).

6 38. The Developer's counsel acknowledged the necessity for a master development  
7 plan for the entire Badlands Property. (ROR 17335).

8 39. City Planning Staff recommended approval of the 17-Acres Applications with  
9 several conditions, including the approval of both (1) the Major Modification Application and (2)  
10 the proposed 2016 Development Agreement. (ROR 27625-26, 27629).

11 40. On October 18, 2016, the City's Planning Commission recommended granting the  
12 17-Acres Applications but denying the Major Modification Application. (ROR 1; 31691-92).

13 41. The Council heard the 17-Acres Applications at its November 16, 2016 meeting.  
14 (ROR 1075-76).

15 42. The Council members expressed that a comprehensive plan for the entire Badlands  
16 Property was necessary to avoid piecemeal development and ensure compatible land densities and  
17 uses. (ROR 1310-14).

18 43. Nevertheless, the Council and the Planning Director recognized the 17-Acre  
19 Property as distinct from the rest of the Badlands Property due to its configuration, lot size,  
20 isolation and distance from existing development. (ROR 1311-12).

21 44. To allow time for negotiations between the Developer and the project opponents  
22 on a comprehensive development agreement, the Council held the 17-Acres Applications in  
23 abeyance until February 15, 2017. (ROR 1342; 6465-6470, 11231).

24 45. On February 15, 2017, the Council again considered the 17-Acres Applications.  
25 (ROR 17235).

26 46. The Developer stated that it had reduced the requested number of units from 720  
27 to 435 to match the compatibility of adjacent Queensridge Towers. (ROR 17237-38).

28 ...

47. Based on the reduction and compatibility effort made by the Developer, the Council approved the 17-Acre Applications with certain modifications and conditions. (ROR 11233; 17352-57).

48. Certain nearby homeowners petitioned for judicial review of the Council's approval of the 17-Acre Applications. *See Jack B. Binion, et al v. The City of Las Vegas, et al.*, A-17-752344-J.

49. On March 5, 2018, the Honorable James Crockett granted the homeowners' petition for judicial review, concluding that a major modification of the Master Development Plan to change the open space designation of the Badlands Golf Course was legally required before the Council could approve the 17-Acre Applications ("the Crockett Order"). The Court takes judicial notice of the Crockett Order.

**C. The 35-Acre Applications at Issue in this Petition for Judicial Review**

50. The instant case seeks judicial review of the Council's denial of the Applications filed by Petitioner to develop the 35-Acre Property.

51. The Applications consisted of: an application for a General Plan Amendment for 166.99 acres to change the existing City's General Plan designation from Parks Recreation/Open Space to Low Density Residential (ROR 32657); a Waiver on the size of the private streets (ROR 34009); a Site Development Review for 61 lots (ROR 34050); and a Tentative Map Plan application for the 35-Acre Property. (ROR 34059).

52. The development proposed in the Applications was inconsistent with the proposed 2016 Development Agreement that was being negotiated. (ROR 1217-1221; 17250-52; 32657; 34050; 34059).

53. The Council members expressed concern that the Developer was not being forthcoming and was stringing along neighboring homeowners who were attempting to negotiate a comprehensive development plan that the Council could approve. (ROR 1305; 1319).

54. The Applications came up for consideration during the February 14, 2017 Planning Commission meeting. (ROR 33924).

...

1           55. Numerous members of the public expressed opposition, specifically identifying the  
2 following areas of concern: (1) existing land use designations did not allow the proposed  
3 development; (2) the proposed development was inconsistent with the Master Development Plan  
4 and the City's General Plan; (3) the Planning Commission's decision would set a precedent that  
5 would enable development of open space and turn the expectations of neighboring homeowners  
6 upside down; (4) the Applications required a major modification of the Master Development Plan;  
7 (5) neighboring residents have a right to enjoyment of their property according to state statutes;  
8 (6) the proposed development would negatively affect property values and the characteristics of  
9 the neighborhood; and (7) the development would result in over-crowded schools. (ROR 33934-  
10 69).

11           56. Project opponents also expressed uncertainty and anxiety regarding the  
12 Developer's lack of a comprehensive development plan for the entire Badlands Property. (*Id.*).

13           57. The Planning Commission did not approve Petitioner's application for the General  
14 Plan Amendment, which required a super-majority vote, but did approve the Waiver, Site  
15 Development Review and the Tentative Map applications, subject to conditions as stated by City  
16 Staff and during the meeting. (ROR 33998-99; 34003).

17           58. After several abeyances (requested once by City Planning Staff and twice by  
18 Petitioner), the four Applications for the 35-Acre Property came before the Council on June 21,  
19 2017. (ROR 17360; 18825-27; 20304-05; 24466).

20           59. The objections that had been presented in advance of and at the Planning  
21 Commission meeting were included in the Council's meeting materials. (ROR 22294-24196).

22           60. As had occurred throughout the two-year history of the Developer's various  
23 applications, the Council heard extensive public opposition, which included research, factual  
24 arguments, legal arguments and expert opinions. (ROR 22205-78; 22294-24196). The objections  
25 included, among others, the following:

26           a. The Council was allowing the Developer to submit competing applications  
27 for piecemeal development, which the City had never previously allowed for any  
28 other developer. (ROR 24205).

1 b. The Applications did not follow the process required by planning  
2 principles. (Report submitted by Ngai Pindell, Boyd School of Law professor of  
3 property law, ROR 24222-23).

4 c. The General Plan Amendment application exceeds the allowable unit cap.  
5 (ROR 24225-229).

6 d. The Developer failed to conduct a development impact notice and  
7 assessment. (ROR 24231-36).

8 e. The Applications are not consistent with the Master Development Plan or  
9 the City's General Plan. (ROR 24231-36).

10 f. The design guidelines for Queensridge, which were approved by the City  
11 and recorded in 1996, reference the golf course, and residents purchased property  
12 and built homes in reliance on that document. (ROR 24237-38).

13 g. The Applications were a strategic effort by the Developer to gain leverage  
14 in the comprehensive development agreement negotiations that were ongoing.  
15 (Queensridge HOA attorney Shauna Hughes, ROR 24242-44).

16 h. Security would be a problem. (ROR 24246-47).

17 i. Approval of the Applications in the absence of a comprehensive plan for  
18 Badlands Property would be irresponsible. (ROR 24254-55).

19 j. The proposed General Plan Amendment would approve approximately 911  
20 homes with no flood control or any other necessary requirements. (ROR 24262).

21 61. After considering the public's opposition, the Mayor inquired as to the status of  
22 negotiations related to a comprehensive development agreement for the entire Badlands Property.  
23 The City Attorney responded that no agreement had been reached. (ROR 24208-09).

24 62. The Developer and its counsel represented that only if the Council approved the  
25 four Applications would it then be willing to negotiate a comprehensive development agreement  
26 and plan for the entire Badlands Property. (ROR 24215, 24217, 24278-80).

27 63. The Council voted to deny the Applications. (ROR 24397).

28 64. On June 28, 2017, the City issued its final notices, which indicated that the

Council's denial of the Applications was "due to significant public opposition to the proposed development, concerns over the impact of the proposed development on surrounding residents, and concerns on piecemeal development of the Master Development Plan area rather than a cohesive plan for the entire area." (ROR 35183-86).

65. The Petitioner filed this petition for judicial review to challenge the Council's denial of the Applications.

66. Petitioner has not presented any evidence to the Court that it has a pending application for a major modification for the 35-Acre Property at issue in this Petition for Judicial Review.

## II. CONCLUSIONS OF LAW

### A. Standard of Review

1. In a petition for judicial review under NRS 278.3195, the district court reviews the record below to determine whether the decision was supported by substantial evidence. *City of Reno v. Citizens for Cold Springs*, 126 Nev. 263, 271, 236 P.3d 10, 15-16 (2010) (citing *Kay v. Nunez*, 122 Nev. 1100, 1105, 146 P.3d 801, 805 (2006)).

2. "Substantial evidence is that which a reasonable mind could accept as sufficient to support a conclusion." *Id.*

3. The scope of the Court's review is limited to the record made before the administrative tribunal. *Bd. of Cty. Comm'rs of Clark Cty. v. C.A.G., Inc.*, 98 Nev. 497, 500, 654 P.2d 531, 533 (1982).

4. The Court may "not substitute its judgment for that of a municipal entity if substantial evidence supports the entity's action." *Id.*

5. "[I]t is not the business of courts to decide zoning issues... Because of the [governing body's] particular expertise in zoning, courts must defer to and not interfere with the [governing body's] discretion if this discretion is not abused." *Nevada Contractors v. Washoe Cty.*, 106 Nev. 310, 314, 792 P.2d 31, 33 (1990).

6. The decision of the City Council to grant or deny applications for a general plan amendment, rezoning, and site development plan review is a discretionary act. *See Enterprise*



1 *Citizens Action Committee v. Clark County Bd. of Comm'rs*, 112 Nev. 649, 653, 918 P.2d 305,  
2 308 (1996); *Stratosphere Gaming Corp. v. City of Las Vegas*, 120 Nev. 523, 528, 96 P.3d 756,  
3 760 (2004).

4 7. "If a discretionary act is supported by substantial evidence, there is no abuse of  
5 discretion." *Cty. of Clark v. Doumani*, 114 Nev. 46, 53, 952 P.2d 13, 17 (1998), *superseded by*  
6 *statute on other grounds*.

7 8. Zoning actions are presumed valid. *Nova Horizon, Inc. v. City Council of the City*  
8 *of Reno*, 105 Nev. 92, 94, 769 P.2d 721, 722 (1989).

9 9. A "presumption of propriety" attaches to governmental action on land use  
10 decisions. *City Council of City of Reno v. Irvine*, 102 Nev. 277, 280, 721 P.2d 371, 373 (1986). A  
11 disappointed applicant bears a "heavy burden" to overcome this presumption. *Id.*

12 10. On a petition for judicial review, the Court may not step into the shoes of the  
13 Council, reweigh the evidence, consider evidence not presented to the Council or make its own  
14 judgment calls as to how a land use application should have been decided. *See Bd. of Cty. Comm'rs*  
15 *of Clark Cty. v. C.A.G., Inc.*, 98 Nev. 497, 500, 654 P.2d 531, 533 (1982).

16 **B. Substantial Evidence Supported the City Council's Decision**

17 11. The record before the Court amply shows that the Council's June 21, 2017 decision  
18 to deny the Applications for the 35-Acre Property ("the Decision") was supported by substantial  
19 evidence.

20 12. "Substantial evidence can come in many forms" and "need not be voluminous."  
21 *Comstock Residents Ass'n v. Lyon County Bd. of Comm'rs*, 385 P.3d 607 (Nev. 2016)  
22 (unpublished disposition), *citing McKenzie v. Shelly*, 77 Nev. 237, 240, 362 P.2d. 268, 269 (1961);  
23 *City of Reno v. Estate of Wells*, 110 Nev. 1218, 1222, 885 P.2d 545, 548 (1994).

24 13. Public opposition to a proposed project is an adequate basis to deny a land use  
25 application. *Stratosphere Gaming*, 120 Nev. at 529, 96 P.3d at 760; *C.A.G.*, 98 Nev. at 501, 654  
26 P.2d at 533.

27 14. "[A] local government may weigh public opinion in making a land-use decision."  
28 *Stratosphere Gaming*, 120 Nev. at 529, 96 P.3d at 760; *accord Eldorado Hills, LLC v. Clark*

1 *County Bd. of Commissioners*, 386 P.3d 999, 2016 WL 7439360, \*2 (Nev. Dec. 22, 2016)  
2 (unpublished disposition).

3 15. “[L]ay objections [that are] substantial and specific” meet the substantial evidence  
4 standard. *Clark Cty. Liquor & Gaming Licensing Bd. v. Simon & Tucker, Inc.*, 106 Nev. 96, 98,  
5 787 P.2d 782, 783 (1990) (distinguishing *City Council, Reno v. Travelers Hotel, Ltd.*, 100 Nev.  
6 436, 683 P.2d 960 (1984)); *Stratosphere Gaming*, 120 Nev. at 529-30, 96 P.3d at 761.

7 16. “Section 19.18.050(F)(5) [of the Las Vegas Municipal Code] provides that the site  
8 development plan review process is intended to ensure that the proposed development is  
9 ‘harmonious and compatible with development in the area’ and that it is not ‘unsightly,  
10 undesirable, or obnoxious in appearance.’ The language of this ordinance clearly invites public  
11 opinion.” *Stratosphere Gaming*, 120 Nev. at 528–29, 96 P.3d at 760.

12 17. The considerable public opposition to the Applications that was in the record  
13 before the Council meets the substantial evidence standard. That record included written and  
14 stated objections, research, legal arguments and expert opinions regarding the project’s  
15 incompatibility with existing uses and with the vision for the area specified in the City’s General  
16 Plan and the Peccole Ranch Master Development Plan. (ROR 2658-2666, 22294-24196, 24492-  
17 24504, 25821). The opponents argued that a development must be consistent with the General  
18 Plan, and what the Developer proposed was inconsistent with the Parks, Recreation and Open  
19 Space designation for the Badlands Golf Course in the City’s General Plan. (ROR 24492-24504,  
20 32820-21; 32842-55; 33935-36). If the applications were granted, they argued, it would set a  
21 precedent that would enable development of open space in other areas, thereby defeating the  
22 financial and other expectations of people who purchased homes in proximity to open space. (ROR  
23 24492-24504, 33936). Because of the open space designation in the Peccole Ranch Master  
24 Development Plan, the opponents contended, the Applications required a major modification,  
25 which had not been approved. (ROR 24494-95; 33938). The opponents also expressed concerns  
26 regarding compatibility with the neighborhood, school overcrowding and lack of a development  
27 plan for the entire Badlands Property. (ROR 24492-24504, 24526, 33934-69).

28 18. The record before the Council constitutes substantial evidence to support the

Decision. *See Stratosphere Gaming*, 120 Nev. at 529, 96 P.3d at 760.

19. The Court rejects the evidence that the Developer contends conflicts with the Council's Decision because the Court may not substitute its judgment for that of the Council. "[J]ust because there was conflicting evidence does not compel interference with the Board's decision so long as the decision was supported by substantial evidence." *Liquor & Gaming Licensing Bd.*, 106 Nev. at 98, 787 P.2d at 783. The Court's job is to evaluate whether substantial evidence supports the Council's decision, not whether there is substantial evidence to support a contrary decision. *Nevada Power Co. v. Pub. Utilities Comm'n of Nevada*, 122 Nev. 821, 836 n.36, 138 P.3d 486, 497 (2006). This is because the administrative body alone, not a reviewing court, is entitled to weigh the evidence for and against a project. *Liquor & Gaming Licensing Bd.*, 106 Nev. at 99, 787 P.2d at 784.

**C. The Council's Decision Was Within the Bounds of the Council's Discretion Over Land Use Matters**

20. "For the purpose of promoting health, safety, morals, or the general welfare of the community, the governing bodies of cities and counties are authorized and empowered to regulate and restrict the improvement of land and to control the location and soundness of structures." NRS 278.020(1).

21. The City's discretion is broad:

A city board acts arbitrarily and capriciously when it denies a [land use application] without any reason for doing so.... [T]he essence of the abuse of discretion, of the arbitrariness or capriciousness of governmental action in denying a[n] ... application, is most often found in an apparent absence of any grounds or reason for the decision. We did it just because we did it. *Jrvine*, 102 Nev. at 279-80, 721 P.2d at 372-73 (quotations omitted).

22. The Council's Decision was free from any arbitrary or capricious decision making because it provided multiple reasons for denial of the Applications, all of which are well supported in the record.

23. The Council properly exercised its discretion to conclude that the development proposed in the Applications was not compatible with surrounding areas and failed to set forth an orderly development plan to alter the open space designation found in both the City's General Plan and the Peccole Ranch Master Development Plan.

24. The concept of “compatibility” is inherently discretionary, and the Council was well within its discretion to decide that the development presented in the Applications was not compatible with neighboring properties, including the open space designation on the remainder of the Badlands Golf Course. *See Stratosphere*, 120 Nev. at 529, 96 P.3d at 761.

25. Residential zoning alone does not determine compatibility. The City’s General Plan, the Peccole Ranch Master Development Plan, density, design and other factors do as well. The property adjacent to the 35-Acre Property remains used for open space and drainage, as contemplated by the City’s planning documents, so the Developer’s comparison to adjacent residential development is an incomplete “compatibility” assessment.

26. The City’s Unified Development Code seeks to, among other things, promote “orderly growth and development” in order to “maintain ... the character and stability of present and future land use and development.” Title 19.00.030(G). One stated purpose is:

To coordinate and ensure the execution of the City’s General Plan through effective implementation of development review requirements, adequate facility and services review and other goals, policies or programs contained in the General Plan. Title 19.00.030(I).

27. The City’s Unified Development Code broadly lays out the various matters the Council should consider when exercising its discretion. Those considerations, which include broad goals as well as specific factors for each type of land use application, circumscribe the limits of the Council’s discretion. UDC 19.00.030, 19.16.030, 19.16.100, 19.16.130.

28. The Council was within the bounds of its discretion to request a development agreement for the Badlands Property before allowing a General Plan Amendment to change a portion of the property from Parks, Recreation and Open Space to residential uses. *See* Title 19.00.030(I). A comprehensive plan already exists for the Badlands Property; it is found in the city’s General Plan, which designates the property as Parks, Recreation and Open Space. The Developer sought to change that designation. Under these circumstances, it was reasonable for the Council to expect assurances that the Developer would create an orderly and comprehensive plan for the entire open space property moving forward.

...

29. The Court rejects the Developer's argument that a comprehensive development plan was somehow inappropriate because the parcels that make up the Badlands Property have different owners. (PPA 17:12-18:13, 23:9-14). In presenting the Developer's arguments in favor of these Applications and other land use applications relating to the development of the Badlands Property, Yohan Lowie has leveraged the fact that the three owner entities of the Badlands Property are affiliates managed by one entity – EHB Companies, LLC – which in turn is managed by Mr. Lowie and just three others. (ROR 1325; 4027; 5256-57; 17336; 24544; 25968). The Developer promoted the EHB brand and other projects it has built in Las Vegas to advance the Applications. (ROR 3607-3611; 5726-29; 5870-76; 17336; 24549-50). Additionally, by proposing the 2016 Development Agreement for the entire Badlands Property, the Developer acknowledged that the affiliated entities are one and the same. (ROR 25729).

30. The cases cited by the Developer did not involve properties owned by closely affiliated entities and are therefore inapplicable. (PPA 35:3-37:7, *citing Tinseltown Cinema, LLC v. City of Olive Branch*, 158 So.3d 367, 371 (Miss. App. Ct. 2015); *Hwy. Oil, Inc. v. City of Lenexa*, 547 P.2d 330, 331 (Kan. 1976)). They also did not involve areas that are within a master development plan area.

31. There is no evidence in the record to support the Developer's contention that it is somehow being singled out for "special treatment" because the Council sought orderly planned development within a Master Development Plan area (PPA 37:11-23).

32. Planning staff's recommendation is immaterial to whether substantial evidence supported the Council's decision because a governing body has discretion to make land use decisions separate and apart from what staff may recommend. *See Redrock Valley Ranch, LLC v. Washoe Cty.*, 127 Nev. 451, 455, 254 P.3d 641, 644 (2011) (affirming County Commission's denial of special use permit even where planning staff recommended it be granted); *Stratosphere Gaming*, 120 Nev. at 529, 96 P.3d at 760 (affirming City Council's denial of site development plan application even where planning staff recommended approval). The Court notes that the Planning Commission denied the Developer's General Plan Amendment application.

...

33. The statements of individual council members are not indicative of any arbitrary or capricious decision making. The action that the Court is tasked with reviewing is the decision of the governing body, not statements made by individual council members leading up to that decision. *See* NRS 278.3195(4); *Nevada Contractors*, 106 Nev. at 313, 792 P.2d at 33; *see also Comm'n on Ethics of the State of Nevada v. Hansen*, 134 Nev. Adv. Op. 40, 419 P.3d 140, 142 (2018) (discussing when action by board is required); *City of Corpus Christi v. Bayfront Assocs., Ltd.*, 814 S.W.2d 98, 105 (Tex. Ct. App. 1991) (“A city can act by and through its governing body; statements of individual council members are not binding on the city.”). “The test is not what was said before or after, but what was done at the time of the voting.” *Lopez v. Imperial Cty. Sheriff's Office*, 80 Cal. Rptr. 3d 557, 560 (Cal. Ct. App. 2008). The Council’s action to deny the Applications occurred with its vote, not with the prior statements made by individual council members. NRS 241.03555(1). The Court finds nothing improper in the statements by individual Council members and rejects the Developer’s contention that the statements of individual Council members require the Court to overturn the Council’s Decision.

**D. The City’s Denial of the Applications Was Fully Compliant With the Law**

34. The Court rejects the Developer’s argument that the RPD-7 zoning designation on the Badlands Property somehow required the Council to approve its Applications.

35. A zoning designation does not give the developer a vested right to have its development applications approved. “In order for rights in a proposed development project to vest, zoning or use approvals *must not be subject to further governmental discretionary action affecting project commencement*, and the developer must prove considerable reliance on the approvals granted.” *Am. W. Dev., Inc. v. City of Henderson*, 111 Nev. 804, 807, 898 P.2d 110, 112 (1995) (emphasis added); *see also Stratosphere Gaming*, 120 Nev. at 527–28, 96 P.3d at 759–60 (holding that because City’s site development review process under Title 19.18.050 involved discretionary action by Council, the project proponent had no vested right to construct).

36. “[C]ompatible zoning does not, *ipso facto*, divest a municipal government of the right to deny certain uses based upon considerations of public interest.” *Tighe v. Von Goerken*, 108 Nev. 440, 443, 833 P.2d 1135, 1137 (1992); *see also Nevada Contractors*, 106 Nev. at 311,

1 792 P.2d at 31-32 (affirming county commission's denial of a special use permit even though  
2 property was zoned for the use).

3 37. The four Applications submitted to the Council for a general plan amendment,  
4 tentative map, site development review and waiver were all subject to the Council's discretionary  
5 decision making, no matter the zoning designation. *See Am. W. Dev.*, 111 Nev. at 807, 898 P.2d  
6 at 112; *Doumani*, 114 Nev. at 53, 952 P.2d at 17; *Bd. of Cty. Comm'rs of Clark Cty. v. CMC of*  
7 *Nevada, Inc.*, 99 Nev. 739, 747, 670 P.2d 102, 107 (1983).

8 38. The Court rejects the Developer's attempt to distinguish the *Stratosphere* case,  
9 which concluded that the very same decision-making process at issue here was squarely within  
10 the Council's discretion, no matter that the property was zoned for the proposed use. *Id.* at 527;  
11 96 P.3d at 759.

12 39. Statements from planning staff or the City Attorney that the Badlands Property has  
13 an RPD-7 zoning designation do not alter this conclusion. *See id.*

14 40. The Developer purchased its interest in the Badlands Golf Course knowing that the  
15 City's General Plan showed the property as designated for Parks Recreation and Open Space (PR-  
16 OS) and that the Peccole Ranch Master Development Plan identified the property as being for  
17 open space and drainage, as sought and obtained by the Developer's predecessor. (ROR 24073-  
18 75; 25968).

19 41. The General Plan sets forth the City's policy to maintain the golf course property  
20 for parks, open space and recreation. *See Nova Horizon*, 105 Nev. at 96, 769 P.2d at 723.

21 42. The City has an obligation to plan for these types of things, and when engaging in  
22 its General Plan process, chose to maintain the historical use for this area that dates back to the  
23 1989 Peccole Ranch Master Development Plan presented by the Developer's predecessor. (ROR  
24 24492-24504).

25 43. The golf course was part of a comprehensive development scheme, and the entire  
26 Peccole Ranch master planned area was built out around the golf course. (ROR 2595-2604; 2635-  
27 36; 4587; 25820).

28 ...

1           44. It is up to the Council – through its discretionary decision making – to decide  
2 whether a change in the area or conditions justify the development sought by the Developer and  
3 how any such development might look. *See Nova Horizon*, 105 Nev. at 96, 769 P.2d at 723.

4           45. The Clark County Assessor's assessment determinations regarding the Badlands  
5 Property did not usurp the Council's exclusive authority over land use decisions. The information  
6 cited by the Developer in support of this argument is not part of the record on review and therefore  
7 must be disregarded.<sup>1</sup> *See C.A.G.*, 98 Nev. at 500, 654 P.2d at 533. The Council alone and not the  
8 County Assessor, has the sole discretion to amend the open space designation for the Badlands  
9 Property. *See* NRS 278.020(1); *Doumani*, 114 Nev. at 53, 952 P.2d at 17.

10           46. The Applications included requests for a General Plan Amendment and Waiver. In  
11 that the Developer asked for exceptions to the rules, its assertion that approval was somehow  
12 mandated simply because there is RPD-7 zoning on the property is plainly wrong. It was well  
13 within the Council's discretion to determine that the Developer did not meet the criteria for a  
14 General Plan Amendment or Waiver found in the Unified Development Code and to reject the  
15 Site Development Plan and Tentative Map application, accordingly, no matter the zoning  
16 designation. UDC 19.00.030, 19.16.030, 19.16.050, 19.16.100, 19.16.130.

17           47. The City's General Plan provides the benchmarks to ensure orderly development.  
18 A city's master plan is the "standard that commands deference and presumption of applicability."  
19 *Nova Horizon*, 105 Nev. at 96, 769 P.2d at 723; *see also City of Reno v. Citizens for Cold Springs*,  
20 126 Nev. 263, 266, 236 P.3d 10, 12 (2010) ("Master plans contain long-term comprehensive  
21 guides for the orderly development and growth for an area."). Substantial compliance with the  
22 master plan is required. *Nova*, 105 Nev. at 96-97, 769 P.2d at 723-24.

23           48. By submitting a General Plan Amendment application, the Developer  
24 acknowledged that one was needed to reconcile the differences between the General Plan  
25

26  
27 <sup>1</sup> The documents attached as Exhibits 2-5 to Petitioner's points and authorities are not part  
28 of the Record on Review and are not considered by the Court. *See C.A.G.*, 98 Nev. at 500, 654  
P.2d at 533. The documents attached as Exhibit 1, however, were inadvertently omitted from the  
Record on Review but were subsequently added by the City. *See Errata to Transmittal of Record  
on Review* filed June 20, 2018; ROR 35183-86.



1 designation and the zoning. (ROR 32657). Even if the Developer now contends it only submitted  
2 the General Plan Amendment application at the insistence of the City, once the Developer  
3 submitted the application, nothing required the Council to approve it. Denial of the GPA  
4 application was wholly within the Council's discretion. *See Nevada Contractors*, 106 Nev. at 314,  
5 792 P.2d at 33.

6 49. The Court rejects the Developer's contention that NRS 278.349(3)(c) abolishes the  
7 Council's discretion to deny land use applications.

8 50. First, NRS 278.349(3) merely provides that the governing body "shall consider" a  
9 list of factors when deciding whether to approve a tentative map. Subsection (e) upon which the  
10 Developer relies, however, is only one factor.

11 51. In addition, NRS 278.349(3)(c) relates only to tentative map applications, and the  
12 Applications at issue here also sought a waiver of the City's development standards, a General  
13 Plan Amendment to change the PR-OS designation and a Site Development Plan review. A  
14 tentative map is a mechanism by which a landowner may divide a parcel of land into five or more  
15 parcels for transfer or development; approval of a map alone does not grant development rights.  
16 NRS 278.019; NRS 278.320.

17 52. Finally, NRS 278.349(e) does not confer any vested rights.

18 53. "[M]unicipal entities must adopt zoning regulations that are in substantial  
19 agreement with the master plan." *See Am. W. Dev.*, 111 Nev. at 807, 898 P.2d at 112, *quoting*  
20 *Nova Horizon*, 105 Nev. at 96, 769 P.2d at 723; NRS 278.250(2).

21 54. The City's Unified Development Code states as follows:

22 **Compliance with General Plan**

23 Except as otherwise authorized by this Title, approval of all Maps, Vacations,  
24 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. UDC 19.16.010(A).

25 It is the intent of the City Council that all regulatory decisions made pursuant to  
26 this Title be consistent with the General Plan. For purposes of this Section,  
27 "consistency with the General Plan" means not only consistency with the Plan's  
28 land use and density designations, but also consistency with all policies and  
programs of the General Plan, including those that promote compatibility of uses  
and densities, and orderly development consistent with available resources. UDC  
19.00.040.

55. Consistent with this law, the City properly required that the Developer obtain approval of a General Plan Amendment in order to proceed with any development.

**E. The Doctrine of Issue Preclusion Bars Petitioner from Relitigating Issues Decided by Judge Crockett**

56. The Court further concludes that the doctrine of issue preclusion requires denial of the Petition for Judicial Review.

57. Issue preclusion applies when the following elements are satisfied: (1) the issue decided in the prior litigation must be identical to the issue presented in the current action; (2) the initial ruling must have been on the merits and have become final; (3) the party against whom the judgment is asserted must have been a party or in privity with a party to the prior litigation; and (4) the issue was actually and necessarily litigated. *Five Star Capital Corp. v. Ruby*, 124 Nev. 1048, 1055, 194 P.3d 709, 713 (2008).

58. Having taken judicial notice of Judge Crockett's Order, the Court concludes that the issue raised by Intervenor's, which once again challenges the Developer's attempts to develop the Badlands Property without a major modification of the Master Plan, is identical to the issue Judge Crockett decided issue in *Jack B. Binion, et al v. The City of Las Vegas, et al*, A-17-752344-J. The impact the Crockett Order, which the City did not appeal, requires both Seventy Acres and Petitioner to seek a major modification of the Master Plan before developing the Badlands Property. The Court rejects Petitioner's argument that the issue here is not the same because it involves a different set of applications from those before Judge Crockett; that is a distinction without a difference. "Issue preclusion cannot be avoided by attempting to raise a new legal or factual argument that involves the same ultimate issue previously decided in the prior case." *Alcantara ex rel. Alcantara v. Wal-Mart Stores, Inc.*, 130 Nev. Adv. Op. 28, 321 P.3d 912, 916-17 (2014).

59. Judge Crockett's decision in *Jack B. Binion, et al v. The City of Las Vegas, et al*, A-17-752344-J was on the merits and has become final for purposes of issue preclusion. A judgment is final for purposes of issue preclusion if it is "sufficiently firm" and "procedurally

definite” in resolving an issue. *See Kirsch v. Traber*, 134 Nev., Adv. Op. 22, 414 P.3d 818, 822–23 (Nev. 2018) (citing Restatement (Second) of Judgments § 13 & cmt. g). “Factors indicating finality include (a) that the parties were fully heard, (b) that the court supported its decision with a reasoned opinion, and (c) that the decision was subject to appeal.” *Id.* at 822-823 (citations and punctuation omitted). Petitioner’s appeal of the Crockett Order confirms that it was a final decision on the merits.

60. The Court reviewed recent Nevada case law and the expanded concept of privity, which is to be broadly construed beyond its literal and historic meaning to encompass relationships where there is “substantial identity between parties, that is, when there is sufficient commonality of interest.” *Mendenhall v. Tassinari*, 133 Nev. Adv. Op. 78, 403 P.3d 364, 369 (2017) (quoting *Tahoe Sierra Pres. Council, Inc. v. Tahoe Reg’l Planning Agency*, 322 F.3d 1064, 1081–82 (9th Cir. 2003) (internal quotation marks omitted). Applying the expanded concept of privity, the Court considered the history of the land-use applications pertaining to the Badlands Property and having taken judicial notice of the Federal Complaint, the Court concludes there is a substantial identity of interest between Seventy Acres and Petitioner, which satisfies the privity requirement. Petitioner’s argument that it is not in privity with Seventy Acres is contradicted by the Federal Complaint, which reveals that Seventy Acres and Petitioner are under common ownership and control and acquired their respective interests in the Badlands Property through an affiliate, Fore Stars, Ltd.

61. The issue of whether a major modification is required for development of the Badlands Property was actually and necessarily litigated. “When an issue is properly raised and is submitted for determination, the issue is actually litigated.” *Alcantara ex rel. Alcantara v. Wal-Mart Stores, Inc.*, 130 Nev. at 262, 321 P.3d at 918 (internal punctuation and quotations omitted) (citing *Frei v. Goodsell*, 129 Nev. 403, 407, 305 P.3d 70, 72 (2013)). “Whether an issue was necessarily litigated turns on ‘whether the common issue was necessary to the judgment in the earlier suit.’” *Id.* (citing *Tarkanian v. State Indus. Ins. Sys.*, 110 Nev. 581, 599, 879 P.2d 1180, 1191 (1994)). Since Judge Crockett’s decision was entirely dependent on this issue, the issue was necessarily litigated.

62. Given the substantial identity of interest among Seventy Acres, LLC and Petitioner, it would be improper to permit Petitioner to circumvent the Crockett Order with respect to the issues that were fully adjudicated.

63. Where Petitioner has no vested rights to have its development applications approved, and the Council properly exercised its discretion to deny the applications, there can be no taking as a matter of law such that Petitioner's alternative claims for inverse condemnation must be dismissed. *See Landgraf v. USI Film Prod.*, 511 U.S. 244, 266 (1994) ("The Fifth Amendment's Takings Clause prevents the Legislature (and other government actors) from depriving private persons of vested property rights except for a 'public use' and upon payment of 'just compensation.'"); *Application of Filippini*, 66 Nev. 17, 22, 202 P.2d 535, 537 (1949).

64. Further, Petitioner's alternative claims for inverse condemnation must be dismissed for lack of ripeness. *See Herbst Gaming, Inc. v. Heller*, 141 P.3d 1224, 1230-31, 122 Nev. 877, 887 (2006).

65. "Nevada has a long history of requiring an actual justiciable controversy as a predicate to judicial relief." *Resnick v. Nev. Gaming Comm'n*, 104 Nev. 60, 65-66, 752 P.2d 229, 233 (1988), *quoting Doe v. Bryan*, 102 Nev. 523, 525, 728 P.2d 443, 444 (1986).

66. Here, Petitioner failed to apply for a major modification, a prerequisite to any development of the Badlands Property. *See Crockett Order*. Having failed to comply with this necessary prerequisite, Petitioner's alternative claims for inverse condemnation are not ripe and must be dismissed.

...  
...  
...  
...  
...  
...  
...  
...

McDONALD CARANO

2300 WEST SAHARA AVENUE, SUITE 1200 • LAS VEGAS, NEVADA 89102  
PHONE 702.873.4107 • FAX 702.873.9966

**ORDER**

Accordingly, IT IS HEREBY ORDERED, ADJUDGED and DECREED that the Petition for Judicial Review is DENIED.


IT IS FURTHER ORDERED, ADJUDGED and DECREED that Petitioner's alternative claims in inverse condemnation are hereby DISMISSED.

DATED: 11/18, 2018.

  
TIMOTHY C. WILLIAMS  
District Court Judge

Submitted By:

McDONALD CARANO LLP

By:   
George F. Ogilvie III, Esq. (NV Bar #3552)  
Debbie Leonard (NV Bar #8260)  
Amanda C. Yen (NV Bar #9726)  
2300 West Sahara Avenue, Suite 1200  
Las Vegas, NV 89102

LAS VEGAS CITY ATTORNEY'S OFFICE  
Bradford R. Jerbic (NV Bar #1056)  
Philip R. Byrnes (NV Bar #166)  
Seth T. Floyd (NV Bar #11959)  
495 S. Main Street, 6th Floor  
Las Vegas, NV 89101

*Attorneys for City of Las Vegas*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of McDonald Carano LLP, and that on the 21st day of November, 2018, a true and correct copy of the foregoing **FINDINGS OF FACT AND CONCLUSIONS OF LAW ON PETITION FOR JUDICIAL REVIEW** was electronically served with the Clerk of the Court via the Clark County District Court Electronic Filing Program which will provide copies to all counsel of record registered to receive such electronic notification.

/s/ Jelena Jovanovic

An employee of McDonald Carano LLP

# **EXHIBIT B**

# **EXHIBIT B**

RECEIVED  
NOV 13 1960  
Maurice Pardo  
ERK

November 12, 1960

William Briare, Mayor  
Las Vegas City Commission

Mayor Briare:

It is our desire to annex our 2300 acres into the City of Las Vegas. And with the cooperation of the City of Las Vegas we would like to go forward with the master plan of the entire parcel of land.

It is our intention to proceed with the development of this land over a period of fifteen to twenty years. We presently have developers interested in building single-family houses, residential planned units, and mobile homes.

We will proceed with apartments and commercial developments when needed.

We hope to make this one of the finest master planned developments ever undertaken in the City of Las Vegas. We are proud to be part of the growth of the City of Las Vegas.

Thankyou for your cooperation.

Sincerely,

*William Pardo*

RECEIVED  
NOV 13 1960  
PLANNING AND  
CONSTRUCTION

CLV304442  
00026

2202



MAYOR: LEO R. AUL

CITY CLERK:  
WILLIAM L. AUL  
PHIL J. CHRISTENSEN  
ROY WOOTEN  
ALLEN

CITY ATTORNEY:  
GEORGE L. QUINN

CITY MANAGER:  
BETHEL BORN



# CITY of LAS VEGAS

COMMUNICATIONS SECTION

Mr. William L. Aul, Mayor, et al  
City of Las Vegas, Nevada  
Las Vegas, Nevada 89101

Re: AUL, Leo R.

From: Mr. Aul, Mayor

I have to advise that the parcel is annexed parcel of land  
containing approximately 1/2 acre of land, generally bounded  
by Adams Avenue on the north, Baker Street on the west, Garbasse  
Street on the east and the City of Las Vegas on the south, has been annexed  
to the City of Las Vegas.

A resolution of the City Council is attached for your reference.

Very truly,  
George L. Quinn, City Attorney  
App. 10/10/1961

W. L. Aul, Mayor  
City of Las Vegas, Nevada  
City of Las Vegas, Nevada

W. L. Aul  
City of Las Vegas



CLV-4248

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101 • (702) 386-4911

CLV304384  
00027

2203

MAYOR PRO-TEM LURIE: Item No. C is Bill No. 80-85, Annexation No. A-18-80(A). The Committee met and is recommending that this ordinance be adopted.

CITY ATTORNEY OGILVIE: Bill No. 80-85, Ordinance number blank, an ordinance extending the corporate limits of the City of Las Vegas, Nevada, to include within, annex to and make a part of said City certain specifically described territory adjoining and contiguous to the corporate limits of said City; declaring said territory and the inhabitants thereof to be annexed to said City and subject to all debts, laws, ordinances and regulations in force in said City; ordering a map or plat of said described territory to be recorded in the office of the County Recorder of the County of Clark, State of Nevada; amending the Major Street Plan Map adopted by Ordinance 1537 on October 6, 1971, insofar as it relates to Sahara Avenue, Oakey Boulevard, Charleston Boulevard, Alta Drive, Haulpai Way, Grand Canyon Drive, Fort Apache Road, El Capitan Way and Durango Drive; and to provide for other matters properly relating thereto, and to repeal all ordinances and parts of ordinances in conflict herewith.

MAYOR PRO-TEM LURIE: Mr. Peccole, good morning.

WILLIAM PECCOLE: I'm William Peccole, 1348 Cashman Drive, Las Vegas, Nevada. We're here to ask Your Honorable Board to annex our land in the West Charleston area to the great City of Las Vegas. We'd like to continue playing a part in the growth and prosperity of Las Vegas by annexing to the City of Las Vegas and developing our properties in conformance with your regulations and ordinances and laws. We are very proud of Las Vegas and we'd like to continue to be a part in that development of Las Vegas.

MAYOR PRO-TEM LURIE: Thank you.

WILLIAM PECCOLE: If you have any questions, I'll be glad to answer them.

MAYOR PRO-TEM LURIE: I think maybe we'll have some comments, but let us take a vote on the --

COMMISSIONER LEVY: Pardon?

MAYOR PRO-TEM LURIE: Take a vote. Do we have a motion, Commissioner Christensen?

COMMISSIONER CHRISTENSEN: I'll move we adopt the ordinance by all means.

MAYOR PRO-TEM LURIE: Okay. You heard the motion. Cast your votes on the motion. Post. The motion's approved. (VOTE: Unanimous with exception that Mayor Briare was excused.)

CLV304342  
00028

2204

MAYOR PRO-TEM LURIE: Now, we can say that we're proud to have you in and part of the plan to develop the western part of the City of Las Vegas, and we'll do everything we can to cooperate and make the necessary services available. It's quite an honor to have that size of property be annexed into the City of Las Vegas. I believe it's the largest annexation ever to take place in the history of the City. We're proud that you have chosen to become part of the City. Do the Commissioners have any other questions? Commissioner Christensen.

COMMISSIONER CHRISTENSEN: Yes, I've got a comment. I really appreciate this, because I appreciate the support that Mr. Peccole has shown for this community for the many years that I've known him. He's always been a strong leader for the City of Las Vegas, a believer in the growth of the City of Las Vegas and a believer in the potential of the City and I think that we've got a joint effort here for development that's going to be great for this community -- absolutely great -- and I appreciate it very much.

WILLIAM PECCOLE: Thank you, Commissioner.

COMMISSIONER LEVY: We're looking forward to working with you, Bill, and we'll be seeing you down here, I'm sure, as you progress in your future development. It's super.

COMMISSIONER WOOFER: All I can say too is knowing Bill's background, I know we'll have a lot of nice baseball and softball parks. (Laughter by the Board)

COMMISSIONER LEVY: I get the feeling that Peccole was here before Cahlen, or it was pretty close.

WILLIAM PECCOLE: Commissioner Woofter, I know you're an old baseball fan and you follow baseball very closely as I do. I've already told your Planning Department that we are going to contribute in the baseball development of your Angel Park area. We're going to contribute financing for the development of the four baseball fields, and I know how badly needed they are in the community, and the sooner we can get with it, the better off the baseball players and the fans will be and will like it. So we'll do everything we can to cooperate, and I want to thank this Board for annexing us and for allowing me to be a continuing part of the growth of our City. We have a beautiful City here and you people do a fine job to keep it that way. So anything I can do to contribute, I'd be very happy to. Thank you again.

MAYOR PRO-TEM LURIE: Thank you. I just want the Commission to know that my area just grew by 2500 acres. I appreciate the support.

CLV304343  
00029

2205

COMMISSIONER CHRISTENSEN: Just so long as you don't count it on population.

MAYOR PRO-TEM LURIE: Population one. We're going to get it developed because we need that recreation out there also.

WILLIAM PECCOLE: Alright. Thank you.

MAYOR PRO-TEM LURIE: Thank you again, Bill.

(END OF DISCUSSION ON THIS ITEM.)

CLV304344  
00030

2206



Bill No. 80-85.

ORDINANCE NO. 2136

AN ORDINANCE EXTENDING THE CORPORATE LIMITS OF THE CITY OF LAS VEGAS, NEVADA, TO INCLUDE WITHIN, ANNEX TO AND MAKE A PART OF SAID CITY CERTAIN SPECIFICALLY DESCRIBED TERRITORY ADJOINING AND CONTIGUOUS TO THE CORPORATE LIMITS OF SAID CITY; DECLARING SAID TERRITORY AND THE INHABITANTS THEREOF TO BE ANNEXED TO SAID CITY AND SUBJECT TO ALL DEBTS, LAWS, ORDINANCES AND REGULATIONS IN FORCE IN SAID CITY; ORDERING A MAP OR PLAT OF SAID DESCRIBED TERRITORY TO BE RECORDED IN THE OFFICE OF THE COUNTY RECORDER OF THE COUNTY OF CLARK, STATE OF NEVADA; AMENDING THE MAJOR STREET PLAN MAP ADOPTED BY ORDINANCE NO. 1537 ON OCTOBER 6, 1971 INsofar AS IT RELATES TO SAHARA AVENUE, OAKLEY BOULEVARD, CHARLESTON BOULEVARD, ALTA DRIVE, HUALPAI WAY, GRAND CANYON DRIVE, PORT APACHE ROAD, EL CAPITAN WAY, AND DURANGO DRIVE; AND TO PROVIDE FOR OTHER MATTERS PROPERLY RELATING THERETO; AND TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH. (Annexation A-18-80(A))

Sponsored by  
COMMISSIONER RON LURIE

Summary: Annexes property described generally as bounded by Sahara Avenue on the south, Hualpai Way on the west, Ducharme Avenue on the north and Durango Drive on the east.

THE BOARD OF CITY COMMISSIONERS OF THE CITY OF LAS VEGAS, NEVADA, DOES HEREBY ORDAIN AS FOLLOWS:

SECTION 1: The corporate limits of the City of Las Vegas, Nevada, are hereby extended to include, annex to, and make a part of the City of Las Vegas, Nevada, the following described real property, to-wit:

All of Section 5, except the North 2265.00 feet of the East 1320.00 feet and Section 6, T. 21 S., R. 60 E., and the South Half (S 1/2) of the North Half (N 1/2) and the South Half (S 1/2) of Section 31, T. 20 S., R. 60 E., and the South Half (S 1/2) of the North Half (N 1/2) and the South Half (S 1/2) of Section 32, T. 20 S., R. 60 E., M.D.M., in Clark County, Nevada, further described as follows:

Beginning at the Southeast corner of said Section 32; thence N. 00°12'00" W., along the East line of said Section 32, 2652.51 feet; thence N. 00°18'42" W., along the said East line, 1336.70 feet to the Northeast corner of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of said Section 32; thence S. 89°46'07" W., along the North line of the said South Half (S 1/2) of the Northeast Quarter (NE 1/4), 2677.87 feet; thence S. 89°31'58" W., along the North line of the South Half (S 1/2) of the Northwest Quarter (NW 1/4) of said Section 32, a distance of 2673.05 feet; thence N. 89°10'39" W., along the North line of the South Half (S 1/2) of the Northeast Quarter (NE 1/4) of said Section 31 a distance of 2846.00 feet;

CLV208103

00031

1       thence N. 89°10'53" W., along the North line of  
2       the South Half (S 1/2) of the Northwest Quarter  
3       (NW 1/4) of said Section 31, a distance of 2886.78  
4       feet to the Northwest corner of the said South  
5       Half (S 1/2) of the Northwest Quarter (NW 1/4)  
6       of Section 31; thence S. 06°05'57" E., along the  
7       West line of said Section 31 a distance of 4133.48  
8       feet to the Southwest corner of said Section 31,  
9       also being a point on the North line of said  
10      Section 6; thence S. 89°41'47" W. along the afore-  
11      mentioned North line, 529.69 feet to the Northwest  
12      corner of said Section 6; thence S. 01°21'03" E.,  
13      along the West line of said Section 6, a distance  
14      of 2644.97 feet; thence S. 01°20'45" E., along  
15      the said West line, 2653.54 feet to the Southwest  
16      corner of said Section 6; thence N. 89°46'34" E.,  
17      along the South line of said Section 6 a distance  
18      of 2585.18 feet; thence N. 89°47'47" E., along  
19      said South line, 2669.22 feet; thence S. 87°54'38" E.,  
20      along the South line of said Section 5 a distance of  
21      2883.81 feet; thence N. 89°50'13" E., along said  
22      South line, 2642.54 feet to the Southeast corner of  
23      said Section 5; thence N. 04°13'34" W. along the  
24      East line of said Section 5 a distance of 2707.30  
25      feet; thence N. 04°14'20" W., along said East line,  
26      482.62 feet; thence S. 89°40'03" W., 1323.07 feet;  
27      thence N. 04°14'20" W., 2270.27 feet to a point on  
28      the North line of the said Section 5; thence  
29      N. 89°40'03" E. along the said North line and the  
30      South line of the said Section 32 a distance of  
31      2012.64 feet to the point of beginning.

17       This parcel contains 2243.383 acres, more or less

18       SECTION 2: That said Board of Commissioners has  
19       determined and does hereby determine, that said described terri-  
20       tory meets the requirements provided by law for annexation to the  
21       City of Las Vegas for the following reasons:

- 22       A. The area to be annexed was contiguous to the  
23       City's boundaries at the time the annexation  
24       proceedings were instituted;  
25       B. More than one-eighth (1/8) of the aggregate  
26       external boundaries of the area are contiguous to  
27       the City of Las Vegas;  
28       C. The territory proposed to be annexed is not  
29       included within the boundaries of another incor-  
30       porated city;  
31       D. The City of Las Vegas is eligible to annex the  
32       area described in this report since the landowners

A-18-80 (A)



1 have signed a petition requesting annexation to the  
2 City, said petition constituting one hundred percent  
3 (100%) of the owners of record of individual lots  
4 or parcels of land within the annexation area, and  
5 have submitted a letter of intent to develop the  
6 land.

7 SECTION 3: The City of Las Vegas will provide police  
8 protection through the Las Vegas Metropolitan Police Department,  
9 fire protection, street maintenance, and library services  
10 immediately upon annexation. Garbage collection by the company  
11 franchised by the City will also be provided immediately. The  
12 City sanitary sewer system will serve the proposed annexation  
13 area. Any connection to or extension of this sewer line to  
14 serve the annexation area shall be at the expense of the land-  
15 owners. Other services, such as participation in the City's  
16 recreational programs, special educational classes and programs,  
17 public works planning, building inspections, and other City Hall  
18 services will also be available immediately. Utilities such as  
19 gas, electricity, telephone, and water are provided by private  
20 utility companies and other services to the area will not be  
21 affected by annexation. Street paving, curbs and gutters,  
22 sidewalks and street lights which are not in place at the time of  
23 annexation will be installed in the presently developed areas  
24 upon the request of the property owners and at their expense  
25 by means of special assessment districts. Such improvements  
26 will be extended into the undeveloped areas as development takes  
27 place and the need therefor arises, and will be located according  
28 to the needs of the area at that time. Such installations will  
29 also be made at the expense of the property owners, either by  
30 means of special assessment districts or as prerequisites to the  
31 approval of subdivision plats or the issuance of building  
32 permits, re-zonings, zone variances or special use permits.

A-18-80(A)

1           SECTION 4: The annexation of said described territory  
2 shall become effective on the 26th day of December, 1980, and on  
3 such date the City of Las Vegas will have the funds appropriated  
4 in sufficient amount to finance the extension into said described  
5 territory of police protection, fire protection, street mainte-  
6 nance, street sweeping, and street lighting maintenance.

7           SECTION 5: Said described territory, together with the  
8 inhabitants and property thereof, shall, from and after the 26th  
9 day of December, 1980, be subject to all debts, laws, ordinances  
10 and regulations in force in the City of Las Vegas and shall be  
11 entitled to the same privileges and benefits as other parts of  
12 said City, and shall be subject to municipal taxes levied by the  
13 City of Las Vegas, Nevada.

14           SECTION 6: The City Engineer of the City of Las Vegas,  
15 Nevada, is hereby instructed to cause to be prepared an accurate  
16 map or plat of said described territory and to record the same,  
17 together with a certified copy of this ordinance in the office  
18 of the County Recorder of Clark County, Nevada, which said  
19 recording shall be done prior to the 26th day of December, 1980.

20           SECTION 7: The Major Street Plan of the City of Las  
21 Vegas, adopted by Ordinance No. 1537 on October 6, 1971, is  
22 hereby amended as follows:

23           Alta Drive, 80' Secondary Street: Commencing at  
24 the East Quarter Corner of Section 32, Township  
25 20 South, Range 60 East, M.D.B.&M.; thence west  
26 along the center section line to the West Quarter  
27 Corner of Section 31, Township 20 South, Range 60  
28 East, M.D.B.&M.

29           Charleston Boulevard, 100' Primary Street: Com-  
30 mencing at the Southeast Corner of Section 32,  
31 Township 20 South, Range 60 East, M.D.B.&M.; thence  
32 west along the south section line to the Southwest  
Corner of Section 31, Township 20 South, Range 60  
East, M.D.B.&M., said corner also being a point  
in the north section line of Section 6, Township  
21 South, Range 60 East, M.D.B.&M.; thence continuing  
west along the north section line of said Section 6,  
to the Northwest Corner thereof.

32 . . . .

A-18-80(A)



1      Oakey Boulevard, 80' Secondary Street: Commencing  
2      at the East Quarter Corner of Section 5, Township  
3      21 South, Range 60 East, M.D.B.&M.; thence west  
4      along the center section line to the West Quarter  
5      Corner of Section 6, Township 21 South, Range 60  
6      East, M.D.B.&M.

7      Sahara Avenue, 150' Primary Street: Commencing  
8      at the Southeast Corner of Section 5, Township 21  
9      South, Range 60 East, M.D.B.&M.; thence west along  
10     the south section line to the Southwest Corner of  
11     Section 6, Township 21 South, Range 60 East, M.D.B.&M.

12     Hualpai Way, 100' Primary Street: Commencing at  
13     the Southwest Corner of Section 6, Township 21  
14     South, Range 60 East, M.D.B.&M.; thence north along  
15     the west section line to the Northwest Corner of  
16     said Section 6.

17     Hualpai Way, 100' Primary Street: Commencing at  
18     the Southwest Corner of Section 31, Township 20  
19     South, Range 60 East, M.D.B.&M.; thence north along  
20     the west section line to a point 1,377 feet south  
21     of the Northwest Corner of said Section 31.

22     Grand Canyon Drive, 80' Secondary Street: Commencing  
23     at the South Quarter Corner of Section 6, Township  
24     21 South, Range 60 East, M.D.B.&M.; thence north  
25     along the center section line to the North Quarter  
26     Corner of said Section 6.

27     Grand Canyon Drive, 80' Secondary Street: Commencing  
28     at the South Quarter Corner of Section 31, Township  
29     20 South, Range 60 East, M.D.B.&M.; thence north  
30     along the center section line to a point 1,355 feet  
31     south of the North Quarter Corner of said Section 31.

32     Fort Apache Road, 100' Primary Street: Commencing  
33     at the Southeast Corner of Section 6, Township 21  
34     South, Range 60 East, M.D.B.&M.; thence north along  
35     the east section line to the Northeast Corner of  
36     said Section 6.

37     Fort Apache Road, 100' Primary Street: Commencing  
38     at the Southeast Corner of Section 31, Township 20  
39     South, Range 60 East, M.D.B.&M.; thence north along  
40     the east section line to a point 1,332 feet south  
41     of the Northeast Corner of said Section 31.

42     El Capitan Way, 80' Secondary Street: Commencing  
43     at the South Quarter Corner of Section 5, Township  
44     21 South, Range 60 East, M.D.B.&M.; thence north  
45     along the center section line to the North Quarter  
46     Corner of said Section 5.

47     El Capitan Way, 80' Secondary Street: Commencing  
48     at the South Quarter Corner of Section 32, Township  
49     20 South, Range 60 East, M.D.B.&M.; thence north  
50     along the center section line to a point 1,340 feet  
51     south of the North Quarter Corner of said Section 32.

A-18-80(A)

1 Durango Drive, 100' Primary Street: Commencing  
2 at the Southeast Corner of Section 5, Township  
3 21 South, Range 60 East, M.D.B.&M.; thence north  
4 along the east section line of said Section 5 to  
5 a point 2,270 feet south of the Northeast Corner  
6 of said Section 5.

7 Durango Drive, 100' Primary Street: Commencing  
8 at the Southeast Corner of Section 32, Township  
9 20 South, Range 60 East, M.D.B.&M.; thence north  
10 along the east section line of said Section 32 to  
11 a point 1,336 feet south of the Northeast Corner  
12 thereof.

13 SECTION 8: If any section, subsection, subdivision,  
14 paragraph, sentence, clause or phrase in this Chapter or any part  
15 thereof, is for any reason held to be unconstitutional, or invalid  
16 or ineffective by any court of competent jurisdiction, such  
17 decision shall not affect the validity or effectiveness of the  
18 remaining portions of this Chapter or any part thereof. The  
19 Board of Commissioners of the City of Las Vegas hereby declares  
20 that it would have passed each section, subsection, subdivision,  
21 paragraph, sentence, clause or phrase thereof irrespective of  
22 the fact that any one or more sections, subsections, subdivisions,  
23 paragraphs, sentences, clauses or phrases be declared unconstitu-  
24 tional, invalid or ineffective.

25 SECTION 9: All ordinances or parts of ordinances,  
26 sections, subsections, phrases, sentences, clauses or paragraphs  
27 contained in the Municipal Code of the City of Las Vegas, Nevada,  
28 1960 Edition, in conflict herewith are hereby repealed.

29 PASSED, ADOPTED and APPROVED this 17th day of  
30 December, 1980.

31 APPROVED:

32 By Ron Lurie  
RON LURIE, MAYOR PRO-TEM

ATTEST:

31 Carol Ann Hawley  
32 Carol Ann Hawley, City Clerk

A-18-80 (A)

-6-

CLV208108

00036

2212

# EXHIBIT C

# EXHIBIT C

12. 1-46-64(29)

**PLOT PLAN REVIEW**

**APPROVED**

Request of ATLAS STEEL BUILDING, INC. for a Plot Plan Review on property located at 3000 Contract Avenue, C-1 Zone (under Resolution of Intent to R).

MR. FOSTER said there are two lots involved. One lot has already been approved for industrial use, and this lot is being requested to expand an automobile repair shop. Staff recommends approval, subject to a maximum of a 22 foot wide driveway and provision of landscaping as required by the Department of Community Planning and Development.

HERMAN GINSKY appeared for the application.

MR. JONES made a Motion for APPROVAL of 1-46-64(29), subject to the following conditions:

1. A maximum of 22 foot wide driveway.
2. Provision of landscaping as required by the Department of Community Planning and Development.
3. Conformance to the plot plan.
4. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a Business License.
5. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
6. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
7. Satisfaction of City Code requirements and design standards of all City departments.

Meeting was as follows:

"YES" Acting Chairman Swenson, Mr. Miller, Mr. Jones,

Mr. Kennedy, Mr. Cahill

"NOES" None

Motion for APPROVAL carried unanimously.

ACTING CHAIRMAN SWENSON announced no further action would be taken on this item.

**13. GENERAL PLAN AMENDMENT**

**APPROVED**

Consideration of an Amendment to the Land Use Map in the southwest portion of the City.

MR. FOSTER said Items 13 and 14 are somewhat related. These items are due to the large Peculiar annexation that took place at the end of 1960. In fact, the annexation was so large that it was not included in the Land Use Map. So staff wants to amend the Land Use Map and General Plan to extend the suburban development unit to include the new annexation area.

MR. JONES made a Motion for APPROVAL of the Amendment to the General Plan.

13. GENERAL PLAN  
AMENDMENT  
(CONTINUED)

Voting was as follows:

"AYES" Acting Chairman Swartzel, Mr. Miller, Mr. Jones,  
Mr. Kennedy, Mr. Canal  
"NOES" None

Motion for APPROVAL carried unanimously.

14. GENERALIZED  
LAND USE PLAN  
APPROVED

Consideration of adopting a Generalized Land Use Plan for  
Sections 10 and 11, Township 10 South, Range 40 East,  
N.B.S. & W., and Sections 5 and 6, Township 21 South, Range  
40 East, N.B.S. & W.

MR. FOSTER said this involves the south portion of Angel  
Park, as well as an area to the south. Staff has worked  
this plan out with the developer. There will be residential,  
commercial, community services such as a fire department,  
library, schools, golf course, mobile home park, senior  
citizens area, etc. Staff would recommend adoption of this  
plan. It is the intent of the developer to come in immediately  
for a rezoning application on part of the R-1 area. As soon  
as the Master Plan Amendment is approved, they would like to  
join the land in accordance with this plan so anyone buying  
homes would know what the plan is for the area.

E. C. WALLACE, 1100 East Schurz Avenue, appeared to represent  
Mr. Piccolo, et al. There has been a lot of time spent on  
this plan by various people. There are still details that  
have to be worked out, such as drainage.

WILLIAM PICCOLE appeared saying they want to join the entire  
property in accordance with this plan. The property will take  
several years to completely develop and the need will determine  
how fast this moves along. The overall theme of the area will  
be Italian and called "The Venetian Potholes."

MR. MILLER said a Motion for ADOPTION of the Generalized Land  
Use Plan.

Voting was as follows:

"YES" Acting Chairman Swartzel, Mr. Miller, Mr. Jones,  
Mr. Kennedy, Mr. Canal  
"NOES" None

Motion for ADOPTION carried unanimously.

SUPPLEMENTAL AGENDA:

(Item No. 1, 2-25-79, was heard after Item 12, 2-26-84(210).)

1. 2-25-79  
EXTENSION  
OF TIME  
APPROVED

Request of LOUGHBOROUGH INDUSTRIES for an Extension of Time  
on property generally located on the northeast corner of  
Swan Ranch Road and Jones Boulevard, N-1 Zone (under  
Resolution of Intent to C-1).

MR. FOSTER said this is the second request for an Extension



**AGENDA***City of Las Vegas*

April 15, 1981

Page 31

BOARD OF CITY COMMISSIONERS

COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6011

ITEM	Commission Action	Department Action
<b>IX. 2:00 P.M. - PUBLIC HEARINGS</b>		
A. VAC-5-81 - Petition of Vacation submitted by NORBERTO M. GUASPARI, ET AL, to vacate a portion of Irene Avenue, a 60' wide right-of-way, commencing at the west right-of-way line of Marco Street and extending westerly approximately 122' to the west line of Sunland Village Subdivision.	<u>Item A.</u> LURIE - APPROVED as recommended by Planning Commission. Unanimous	City Clerk to notify and Plannin to proceed.  No onespoke in opposition. Applicant did not appear.
B. GENERAL PLAN AMENDMENT - Consideration of an Amendment to the Land Use Map in the southwest portion of the City.	<u>Item B.</u> Christensen - ADOPTED as recommended by Planning Commission. Unanimous with Levy abstaining.	Staff to proceed  G. C. Wallace, 1100 East Sahara Avenue and Oran Gragson appeared to represent Wm. Peccole on Items B and C.No protest.
C. GENERALIZED LAND USE PLAN - Consideration of adopting a Generalized Land Use Plan for Sections 31 and 32, Township 20 South, Range 60 East, M.D.B. & M. and Sections 5 and 6, Township 21 South, Range 60 East, M.D.B. & M.	<u>Item C.</u> Lurie - ADOPTED as recommended by Planning Commission with all parcels to be identified before people move into the area. Unanimous with Levy abstaining.	Staff to proceed
D. VAC-4-81 - Petition of Vacation submitted by LAWRENCE TOURVILLE, ET AL, to vacate a portion of an alley located east of Fairfield Avenue and south of Philadelphia Street.	<u>Item D.</u> Christensen - DENIED as recommended by Planning Commission. Unanimous with Lurie voting "no."	City Clerk to notify.  Lawrence Tourville 135 W.Philadelphia appeared for the application.  No one appeared in favor or oppositio
APPROVED AGENDA ITEM <i>Ashley Hall</i>		

CLV304998  
00039

2216

0177

*City of Las Vegas*


## AGENDA DOCUMENTATION

Date: April 15, 1981

TO: The Board of City Commissioners

FROM: DON J. SAYLOR, AICP  
DEPUTY CITY MANAGERSUBJECT: PUBLIC HEARING AGENDA ITEMS  
APRIL 15, 1981 CITY COMMISSION AGENDAPURPOSE/BACKGROUND

- Item A - Vacation - VAC-5-81 - Norberto M. Guaspari, Et Al (see backup material)
- Item B - General Plan Amendment (see backup material)
- Item C - Generalized Land Use Plan (see backup material)
- Item D - Vacation - VAC-4-81 - Lawrence Tourville, Et Al (see backup material)
- Item E - Use Permit - U-13-81 - Decatur Properties, Ltd. (see backup material)

FISCAL IMPACT No Funding RequiredRECOMMENDATIONS See Attached
  
 Harold P. Foster, Director
DISPOSITION
 Approved ☐  
 Disapproved ☐  
 Held ☐

Status Date: \_\_\_\_\_

Agenda Item

IX.

CLV304999  
00040

2217

CITY COMMISSION MINUTES - APRIL 15, 1981

0179

To: The Board of City Commissioners  
RE: Public Hearing Agenda Items  
April 15, 1981 City Commission Agenda

B. GENERAL PLAN AMENDMENT

This amendment is being initiated as a result of the Peccole annexation on the southeast portion of the City. The City's generalized land use plan needs to be extended to the west to include this property, Angel Park and other parcels of land which have been annexed to the City since the General Plan was adopted in 1975. The amendment proposes the expansion of the suburban residential land use in this area with rural use bordering it to the west. This is the required public hearing for the amendment to the General Plan.

PLANNING COMMISSION RECOMMENDATION: APPROVAL - In accordance with the expansion pattern of the City to the west.

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0

C. GENERALIZED LAND USE PLAN

This item involves adoption of a generalized land use plan for the Peccole property and the south portion of Angel Park that is in the City. It is felt there is a need for this plan since Mr. Peccole intends to start development on this property as soon as possible and wishes to have it rezoned from R-U to various residential densities and for commercial use in the immediate future. A separate generalized land use plan would provide a guide for the zone change that will be requested on the entire parcel as soon as the General Plan is amended. A plan has been developed with Mr. Peccole and his land planners which is for the area to be developed predominately residential at various densities ranging from 4 units per acre to approximately 24 (24 units per acre are the maximum units allowed in the R-3 zone), which is in accordance with the recommendations of the City's General Plan. Three sites are proposed for mobile home parks at densities of approximately 8 units per acre. Mr. Peccole has agreed to donate a 10-acre site to the City for such community services as a branch library, metropolitan police substation, fire station, etc. Most of the proposed commercial is along Charleston and there is a 78 acre site proposed for a district commercial shopping center. The major streets have been designed to handle the drainage in the area. (See attached land use plan)

PLANNING COMMISSION RECOMMENDATION: APPROVAL

STAFF RECOMMENDATION: APPROVAL

PROTESTS: 0

Item IX,

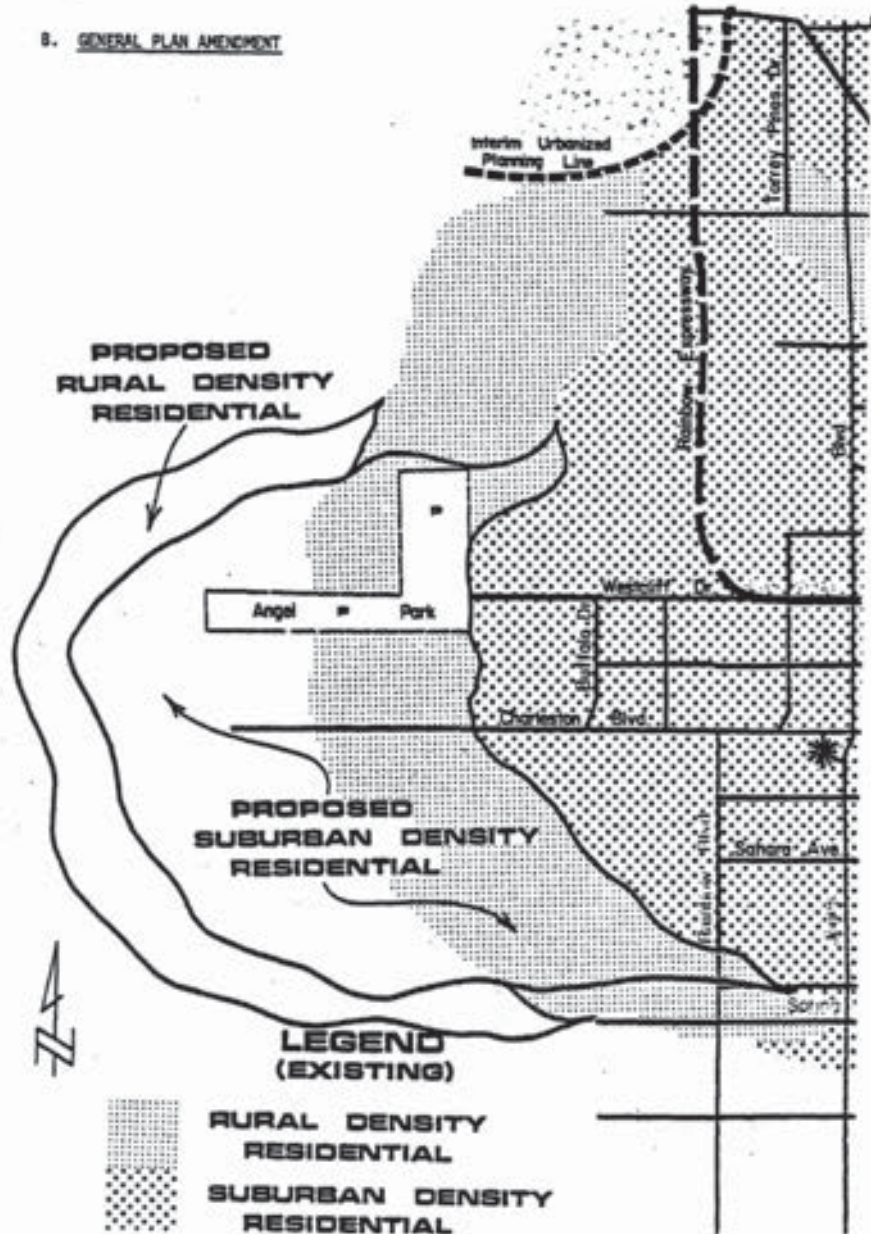
CLV305000  
00041

2218

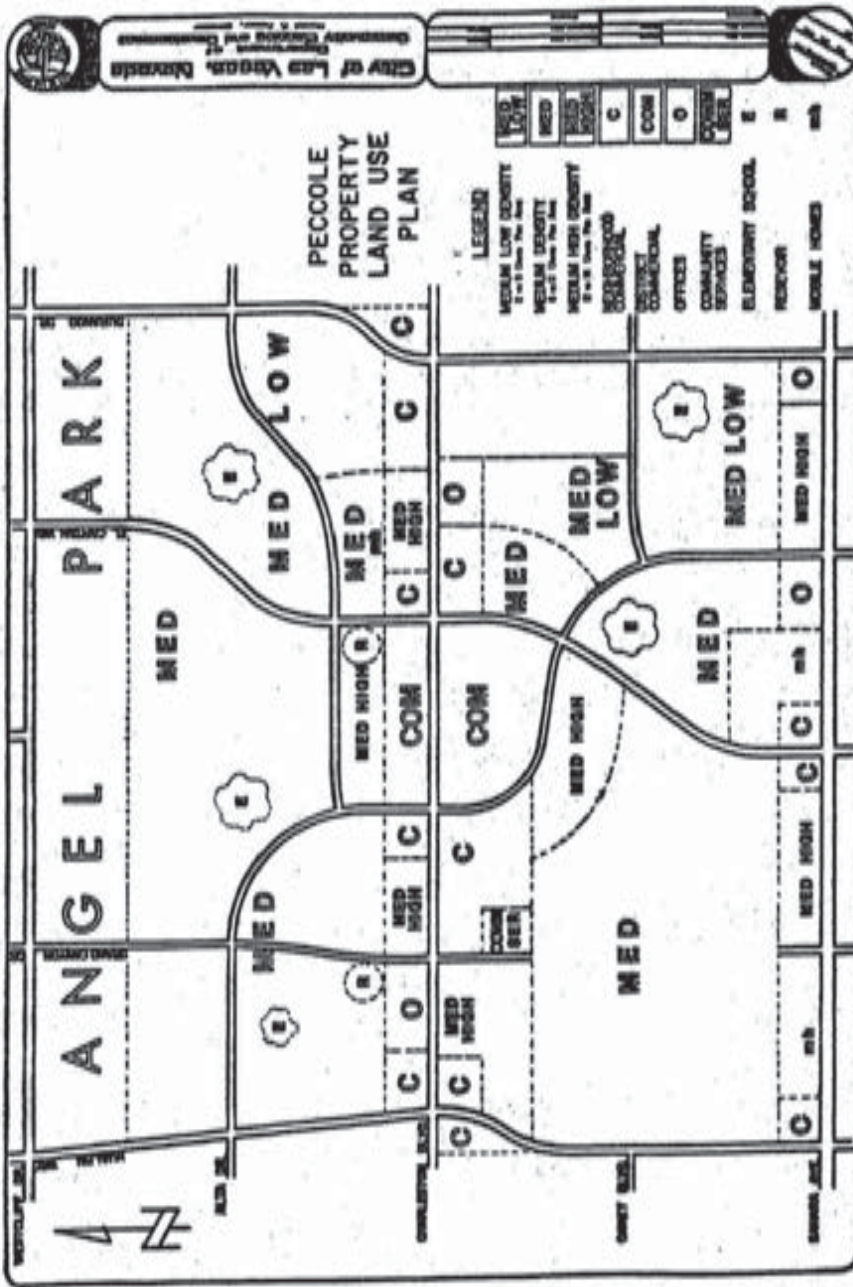


0180

B. GENERAL PLAN AMENDMENT



CLV305001  
00042

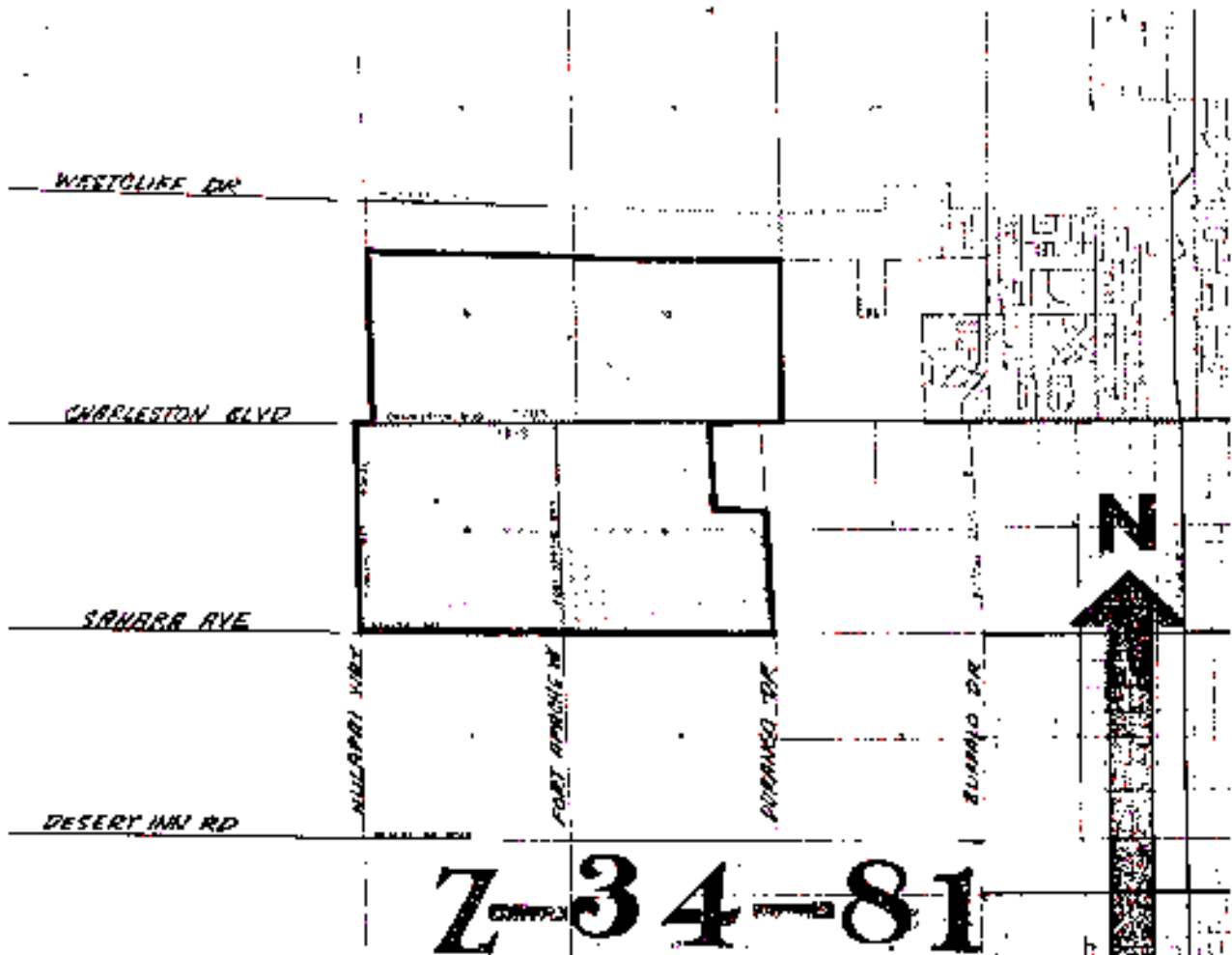


C. GENERALIZED LAND USE PLAN

CITY COMMISSION MINUTES - APRIL 15, 1981

0181

CLV305002  
00043



CLV305004  
00044

2221



12. Z-33-81

(CONTINUED)

3. Install sidewalks and driveways on Charleston Boulevard and full half-street improvements on Sacramento Drive.
4. Install fire hydrants and provide water flow as required by the Department of Fire Services.
5. Construct a 6 foot block wall on the north and west property lines.
6. Shift buildings to the west to provide parking on the east side of the building as required by the Department of Community Planning and Development.
7. Provide three entrances on Charleston Boulevard.
8. Conformance to the plot plan amended to reflect the above conditions.
9. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
10. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
11. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets.
12. Satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Coleman, Mr. Miller, Mr. Swessel, Mr. Jones,  
Mr. Guthrie, Mr. Kennedy, Mr. Canul  
"NOES" None

Motion for APPROVAL carried unanimously.

CHAIRMAN COLEMAN announced this item would be heard by the Board of City Commissioners on June 3, 1981 at 2:00 P.M.

13. Z-34-81

APPROVED

Application of WILLIAM PECCOLE, ET AL, for reclassification of property generally located north of Sahara Avenue, south of Westcliff Drive and extending west of Durango Drive two miles, 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-PDP (Residential Planned Development), R-PDB (Residential Planned Development), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic). The above property is legally described as a portion of Section 5 and all of Section 6, Township 21 South, Range 60 East, M.D.B. & M. and portions of Sections 31 and 32, Township 20 South, Range 60 East, M.D.B. & M.

MR. FOSTER said this parcel was annexed into the City the latter part of 1980 and Staff has adopted a Generalized Land Use Plan for the site, which is about 2200 acres. This is one zoning application to obtain zoning on the entire parcel, so anyone buying property in the area would know how the entire parcel will be zoned and the applicants

13. Z-34-81

(CONTINUED)

will not have to come in and apply for the various types of zonings on a parcel-by-parcel basis. He explained the proposed layout to the Commission. The development plans will be subject to Planning Commission approval as each parcel comes up for consideration, but it will take between ten and twenty years for the entire site to be developed. There should be signs indicating where the various types of zoning will be and also in the sales offices. Street names have to be worked out with staff and subject to an amendment to the Major Street Plan. Staff would also require conformance to the Flood Hazard Reduction Ordinance. Staff does not have any protests on record and recommends approval.

CHAIRMAN COLEMAN declared the public hearing open and asked to hear from the applicant.

G. C. WALLACE and GEORGE CHAROALLIS, Wallace Engineering, appeared to represent William Peccole. They have met with the City staff, the utility companies, and builders interested in developing on this property.

GEORGE CHAROALLIS, Wallace Engineering, urban planner, appeared saying they feel this will accommodate a wide range of lifestyles. He explained various aspects of the plan. This will be a fine quality project and with the proper use of CCM's and other development standards provide adequate architectural and site planning criteria. Finally, it will give an opportunity to develop a degree of homogeneity not possible in piecemeal planning. The developer will develop a theme for the entire parcel. They feel this project is in concert with the master plan, is good zoning, and in the best interests of the public.

BARBARA STEM, 2010 Stem Drive, appeared in protest. They have an expensive ranch-estate home near this project and purposely built their home there because of the spaciousness of the area.

CONNIE DOWNEY, 2001 South Cimarron Road, appeared in protest. She feels one section should be zoned at a time.

JAMES FARES, 509 North San Vicente Boulevard, West Hollywood, California, appeared in favor. He and his family think this plan is a great idea.

JOHN BIRCHER, 8100 Eginton Avenue, appeared in protest. He objects to the mobile home parks; however, he is in favor of the residential housing.

LARRY MILLER, 1717 Rambla Court, appeared in favor on behalf of the property owners. The zoning is at its maximum density, but there is a possibility it will be lowered as the project is being built. This will be called "Venetian Foothills."

G. C. WALLACE appeared in rebuttal. As Las Vegas grows, housing has to be provided for the additional population. They feel this is proper to master plan the zoning so people will know what to expect before they move into the area.

CHAIRMAN COLEMAN asked if anyone else wished to be heard; there being no one, she declared the public hearing closed.

MR. SMESSEL made a Motion for APPROVAL of Z-34-81, subject to the following conditions:

1. Resolution of Intent with no time limit.
2. Approval of the plans, elevations and the covenants, conditions and restrictions of all R-PD developments by the Planning Commission and City Commission.

13. Z-34-81

(CONTINUED)

3. Approval of the development plan for all other zones by the Planning Commission.
4. Posting the zoning of the entire development in sales offices and installing signs showing the zoning on the respective sites.
5. Street names in accordance with requirements of the Department of Community Planning and Development.
6. Amendment to the Major Street Plan.
7. Conformance to the Flood Hazard Reduction Ordinance and Master Drainage Plan.
8. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler systems shall be cause for revocation of a business license.
9. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets (excluding single-family development).
11. Satisfaction of City Code requirements and design standards of all City departments.

Voting was as follows:

"AYES" Chairman Coleman, Mr. Miller, Mr. Swessel, Mr. Guthrie,  
Mr. Kennedy, Mr. Canol  
"NOES" Mr. Jones

Motion for APPROVAL carried by a 6/1 vote.

CHAIRMAN COLEMAN announced this item would be heard by the Board of City Commissioners on May 20, 1981 at 2:00 P.M.

14. Z-35-81

APPROVED

Application of CHISM HOMES, INC. for reclassification of property generally located at the southwest corner of Lorenzi Boulevard and Alexander Road, from N-U (Non-Urban) to R-PD6 (Residential Planned Development), and C-1 (Limited Commercial). The above property is legally described as a portion of the East Half (E 1/2) of the Northeast Quarter (NE 1/4) of Section 10, Township 20 South, Range 60 East, N.D.M.

Proposed Use: Medium Low Density Residential and Commercial

MR. FOSTER said this property was annexed into the City recently. This is laid out like a single-family development with commercial at one corner of the parcel. There isn't any commercial in the immediate area. Staff recommends approval with conformance to the elevations; dedication of 10 feet of right-of-way for Alexander Road and radius corner of Alexander Road and Lorenzi Boulevard and dedicate variable width portion of right-of-way along Alexander Road to provide a smooth transition from the Rainbow Expressway as it goes east; conformance to the Master Drainage Plan; installing half-street



**AGENDA***City of Las Vegas*

0252

May 20, 1981

BOARD OF CITY COMMISSIONERS  
COMMISSION CHAMBERS • 400 EAST STEWART AVENUE

Page 48

PHONE 386-8011

ITEM Commission Action Department Action

**X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT  
(CONTINUED)****T. ZONE CHANGE - Z-34-81 - WILLIAM PECCOLE, ET AL**

Reclassification of property generally located north of Sahara Avenue, south of Westcliff Drive and extending west of Durango Drive two miles.

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-PDB (Residential Planned Development),

P-R (Professional Offices & Parking)

C-1 (Limited Commercial),

C-2 (General Commercial) and

C-V (Civic)

Proposed Use: Residential & Commercial

Planning Commission recommended APPROVAL (6-1 vote), subject to the following conditions:

1. Resolution of Intent with no time limit.
2. Approval of the plans, elevations and the covenants, conditions and restrictions of all R-PD developments by the Planning Commission and City Commission.
3. Approval of the development plan for all other zones by the Planning Commission.
4. Posting the zoning of the entire development in sales offices and installing signs showing the zoning on the respective sites
5. Street names in accordance with requirements of the Department of Community Planning and Development.
6. Amendment to the Major Street Plan.
7. Conformance to Flood Hazard Reduction Ordinance and Master Drainage Plan.

Staff Recommendation: APPROVAL

PROTESTS: 8

Christensen -  
APPROVED as recommended by Planning Commission.  
Unanimous  
(Levy and Lurie excused)

Clerk to notify and Planning to proceed.

G. C. Wallace and George Charchallis, G. C. Wallace Engineering, 1100 E. Sahara Ave. appeared for the application.

William Peccole appeared for the application.

No one spoke in opposition.

APPROVED AGENDA ITEM

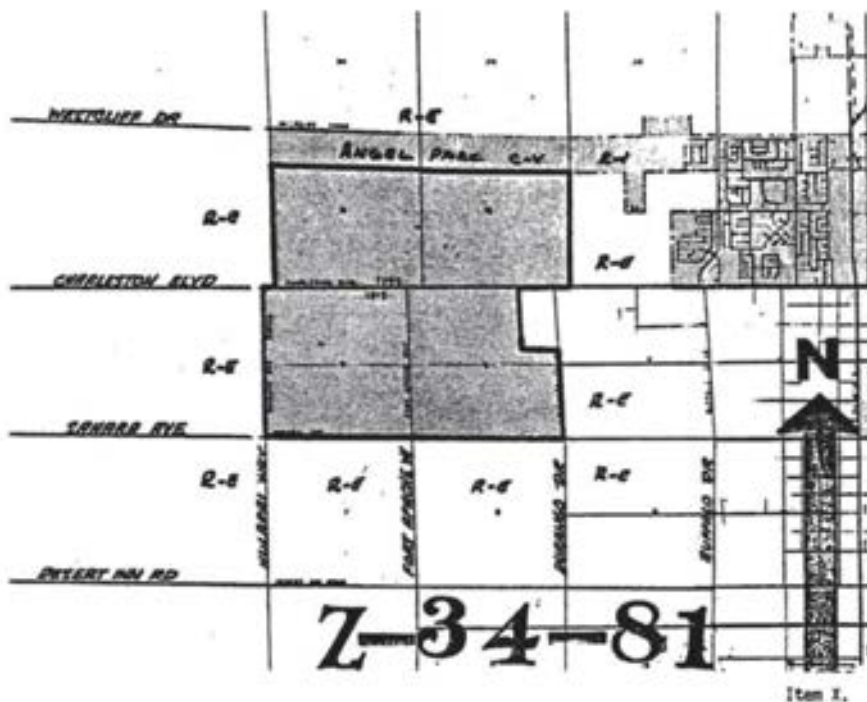
CLV305011  
00048

2225

## 0253

T. ZONE CHANGE - Z-34-81 - WILLIAM PICCOLE, ET AL

PROTESTS: 8



2226

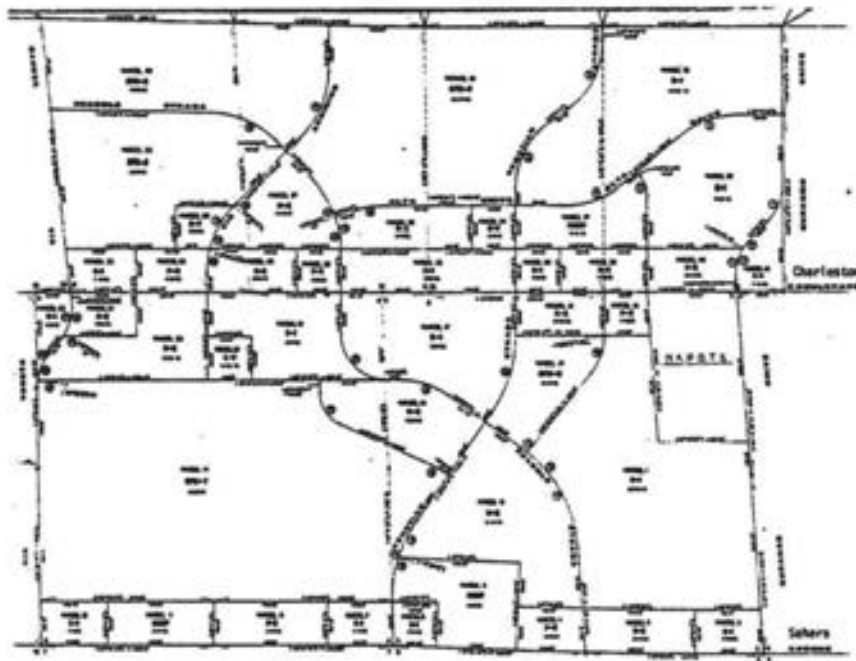


T. ZONE CHANGE - Z-34-81 - WILLIAM PECCOLE, ET AL

0254

**ZONING MAP  
OF  
VENETIAN FOOTHILLS**

SECTIONS 9 AND 10, T. 21 S., R. 60 E., AND THE S.W. 1/4 OF THE S.W. 1/4 OF SECTION 10,  
T. 21 S., R. 60 E., AND THE S.W. 1/4 OF THE S.W. 1/4 OF SECTION 10, T. 21 S., R. 60 E.,  
CLARK COUNTY, NEVADA.



Item X.

CLV305013  
00050

2227

CITY COMMISSION MINUTES - MAY 20, 1981

EXCERPT - CITY COMMISSION MEETING MINUTES - MAY 20, 1981  
X-T - ZONE CHANGES - Z-34-81 - WILLIAM PECCOLE, ET AL

Page 1

MAYOR BRIARE: The next item is Zone Change Z-34-81 for William Peccole.

G. C. WALLACE: G. C. Wallace, Consulting Engineer, 1100 East Sahara Avenue. With me is Mr. George Charchallis. We're here representing the applicant. As you well know the history of this project, it's a large project. A considerable amount of time has gone into the planning, a lot of work and coordination with your planning staff, etc. It would be very time consuming, I'm sure, to go in and discuss all of the elements that have gone into this plan. In the interest of time, we're certainly here and can answer any questions that maybe you might have. It has met the approval -- I know you have revised your generalized land use plan to accommodate a project of this type. It's had the recommendation of your staff, the Planning Commission. We can go on or rest.

MAYOR BRIARE: Did you wish to make any comment, George?

GEORGE CHARCHALLIS: I'd just simply like to indicate that I'm a member of the firm of G. C. Wallace, Consulting Engineers.

MAYOR BRIARE: I thought I saw Mayor Gragson here. Did he --

GEORGE CHARCHALLIS: He had to leave.

MAYOR BRIARE: That's too bad because I was hoping he'd be around to see how things are done now. As both Commissioner Christensen and Commissioner Levy indicated, that whatever you citizens work out amongst yourselves, we're happy to accommodate you. So let's find out if we're happy to accommodate you here. What's the pleasure of the Commission?

COMMISSIONER CHRISTENSEN: I move we approve the zoning request with the conditions that are listed here.

MAYOR BRIARE: Is there anyone in the audience that's here today to speak on this matter in opposition or in favor, other than the applicants in favor? (No response.) I wanted to make that comment because there were some protests, but they chose not to be present.

COMMISSIONER CHRISTENSEN: I think it's a rare opportunity, Mayor, that we have to approve a complete package of zoning that's all put together so that we don't have to piecemeal it and it gives us great planning and gives also the developers great planning so that they can determine what it's going to be and I think it's good for the citizens that will be moving out there because they can look at this and see what it is and it's right on the labels.

CLV305014  
00051

2228

MAYOR BRIARE: Bill, you weren't here at the meeting when we talked about what an advantage it is to own a parcel of land this size where you can come in and master plan it in a manner that some areas, and it doesn't seem to be Las Vegas area, in some areas where you can design a beautiful project and you go ahead and you approve it once, except maybe for a minor variation as time progresses -- I'm sure you might have some. And I often refer to the projects like the Irvine Ranch down in Newport, California where people -- they know going in. They know exactly the way it's zoned and if they like it the way it's zoned, they do business. If they don't like the way it's zoned, the Irvine Ranch people just say, "Well, would you just please step aside and we'll let the next applicant come in." Well, I'm trusting that you're going to do the same thing. You've gone to a lot of effort to design a large parcel of land and I would hope that in the years to come that we'll be able to see it built in the manner in which it's designed right here. I don't see any Wanda Streets though.

WILLIAM PECCOLE: Well --

MAYOR BRIARE: That comes later.

WILLIAM PECCOLE: They come yet. There are a lot of other streets to be named and we will probably get around to her.

MAYOR BRIARE: Laurie and Lesa and LeAnn.

WILLIAM PECCOLE: I'd like to say that having been a part of the Las Vegas growth, I'm very fortunate that the Good Lord has seen it possible that I was able to acquire this parcel of land and having been a City Commissioner at one time, it gives me greater pleasure than most people would have to become a part of the City of Las Vegas rather than go into the County or elsewhere. We still love our County. We love our State, but having served on this Board, my preference would be to be part of the City of Las Vegas. We hope that we can go forward and develop a project here that will become well known, well appreciated and be developed in a manner that would make you people proud and the people of Las Vegas proud of it. We are endeavoring to work it out so that we can meet all of the high quality requirements. We want to see the streets developed properly. We want to participate in the proper zoning and drainage of the area -- streets that will go into your drainage plan -- and we'd like to see the City developed in time -- a fire department out there, maybe a Metro Station, Library, and we're going to donate ten acres of land for that purpose to you people. We certainly want to do a good job, and we're open to suggestions at any time, and once again, I'd like to thank you for your cooperation.

CLV305015  
00052

2229

MAYOR BRIARE: Did you make a motion, Commissioner?

COMMISSIONER CHRISTENSEN: I sure did. My motion was to approve.

MAYOR BRIARE: Any comments on the motion? (No response.) Cast your votes. Post. The motion's approved.

WILLIAM PECCOLE: Thank you.

(VOTE ON MOTION TO APPROVE, SUBJECT TO CONDITIONS AS  
APPROVED BY PLANNING COMMISSION:

YES: Commissioners Christensen, Woofter and Mayor Briare

NO: None

EXCUSED: Commissioners Lurie and Levy)

CLV305016  
00053

2230

MAYOR STELLER

COMMISSE  
FOR LEVIN  
PAUL J. CHRISTENSEN  
BOY MOORE  
A. LEVY

CITY ATTORNEY  
GEORGE F. DILLIE

CITY MANAGER  
MURRAY BORN



# CITY of LAS VEGAS

May 26, 1981

Mr. William Peccole  
1238 Cashman Drive  
Las Vegas, Nevada 89102

Re: 2-34-81  
RECLASSIFICATION OF PROPERTY

Dear Mr. Peccole:

The Board of City Commissioners at a regular meeting held May 20, 1981, APPROVED your request for reclassification of property generally located north of Sahara Avenue, south of Westcliff Drive and extending west of Durango Drive two miles, from N-U to R-1, R-2, R-3, R-MED, R-PD7, R-PD8, P-R, C-1, C-2, C-7, subject to the following conditions:

1. Resolution of Intent with no time limit.
2. Approval of the plans, elevations and the covenants, conditions and restrictions of all R-PD developments by the Planning Commission and City Commission.
3. Approval of the development plan for all other zones by the Planning Commission.
4. Posting the zoning of the entire development in sales offices and installing signs showing the zoning of the respective sites.
5. Street names in accordance with requirements of the Department of Community Planning & Development.



CLV-0311

400 E. STEWART AVENUE - LAS VEGAS, NEVADA 89101 - (702) 386-4011

CLV033783  
00054

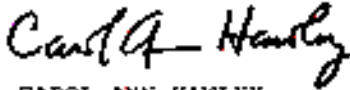
2231



Mt. Willis, Pasco  
2-34-81  
page 2

6. Amendment to the Major Street Plan.
7. Conformance to the Flood Hazard Reduction Ordinance and Master Drainage Plan.
8. Landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner. Failure to properly maintain required landscaping and underground sprinkler system shall be cause for revocation of a business license.
9. Submittal of a landscaping plan prior to or at the same time application is made for a building permit, license, or prior to occupancy.
10. All mechanical equipment, air conditioners and trash areas shall be screened from view from the abutting streets. (Excluding single family development)
11. Satisfaction of City Code requirements and design standards of all City departments.

Sincerely,



CAROL ANN HAWLEY  
CITY CLERK

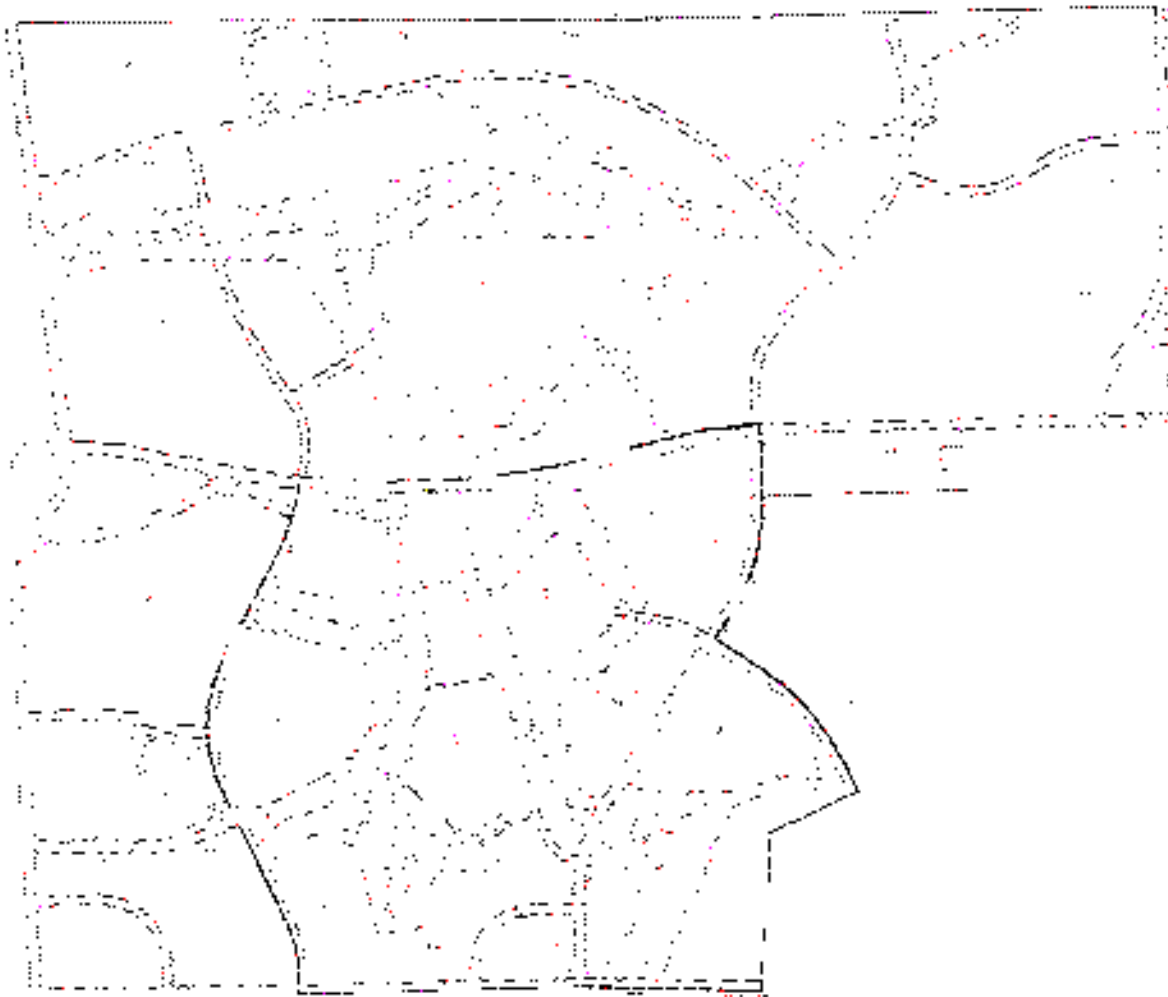
CAH:mpk

cc: Dept. of Community Planning & Development  
Dept. of Public Services  
Dept. of Building & Safety  
Dept. of Fire Services

CLV033784  
00055

# **EXHIBIT D**

# **EXHIBIT D**



**Venetian Foothills**



CLV035199  
00056



Dear Commissioners:

The enclosed concept master plan and zoning application are submitted on behalf of The Peccole Family and Western Devco, owners and developers, of the 1,123 acre Vineyard Footfalls Development.

Conceptual Master Plan approval is requested for the entire property. Zoning approval is requested for Phase One, which includes 585.2 acres south of Charleston Boulevard.

The Master Plan approval requested includes circulation, land use, and overall density. The zoning approvals requested for area R-PD for residential uses with densities ranging from 2.2 to 32 dwelling units per acre; C-1 for the commercial sites; P-R for the office sites, and C-2 for a 3 acre community center parcel. The zoning for a resort, tennis club, casinos, and golf course are also desired under a R-PD designation. The R-PD category is requested, at the direction of the planning staff, as it allows the developer flexibility and the City design control.

Copies of the plans are attached as well as the synopsis of the guidelines.

Your review and approval is respectfully requested. Please do not hesitate to contact me if you have any questions or need additional information.

Sincerely,

*Jackie L. Gutrie*

Jackie L. Gutrie, ACP  
Planner

March 26, 1996

City of Las Vegas  
Planning and Zoning Commission  
Attn: Harold Foster, Planning Director  
400 East Stewart  
Las Vegas, Nevada 89101

LC761

Enclosures

**A. Wayne Smith & Associates** **Planner - Landscape Architects**  
2120 South Rural Road, Tempe, Arizona 85281 602 966-8501

CLV035123 - 00057 - 2235

CLV035123  
00057

2235

## VENETIAN FOOTHILLS PRELIMINARY DEVELOPMENT PLAN

### MASTER PLAN

Venetian Foothills is a Master Planned Community comprising 1923.2 acres. The Development Plan is conceptual in nature and may be revised through the course of development to accommodate market changes as they occur. Each Phase, as it occurs, will be planned in detail, to meet the varying needs and life styles of the population at the time of development. Each Phase will be processed through the City for review and approval.

Venetian Foothills is planned as a cohesive environment that incorporates a varied, mixed-use community around a strong residential base. Land use patterns are designed with special attention given to compatibility of neighboring uses, traffic flow, convenience and aesthetics. Since the development will be based on future population, industrial and commercial needs; the regional and local growth patterns, availability of services and City of Las Vegas land use goals will be analyzed. As the population expansion of the area is realized, the need for quality residential communities will continue. The development plan for Venetian Foothills is designed to meet the current and long-range needs of the metropolitan area with flexibility to assure that future market changes will be met.

Allowing for a variety of mixed land uses with open space, the development plan has created a living/working environment suitable for a diverse population. Included in this variety of land uses are two 18-hole golf courses which are the focal point of the development, along with a 108 acre site reserved for a regional shopping area that will enhance the character and identity of Venetian Foothills. Park sites totaling approximately 11 acres are reserved, with 4 acres of park being located at each of the two proposed school sites.

### PHASE ONE

Phase One, located south of Charleston Boulevard comprises 583.2 acres of mixed land uses as shown in the following breakdown:

#### Residential

The variety of residential uses provided within the development will, presumably, be suitable to meet the varying needs and life styles of the future metropolitan Las Vegas population. The land area reserved for residential uses totals 280 acres with land use categories ranging from custom single family homes to multi-family developments classified into varying densities and housing styles.

#### Employment/Office

Employment/Office areas will provide locations for light industrial firms, and office complexes. The establishment of an attractive business community will promote a compatible relationship between residential and industrial land areas. Integration of these land uses will provide for employment opportunities within a short travel distance and will subsequently reduce dependency on auto travel.

Design and exterior appearance of the businesses located in these areas will be compatible with the residential areas surrounding them.

#### Commercial

Basic support facilities required by the residential community are designed to be easily accessible from all locations in the development.

#### Golf Course/Open Space

A focal point of Venetian Foothills Phase One is the 18-hole golf course and clubhouse which is centrally located and can be easily viewed throughout the development.

This golf course/open space system provides open space buffers between differing land uses and will create a pleasant and attractive environment. On-site retention is maintained by the golf course/open space system. Utilizing the existing washes throughout, the golf course directs the flow of water that historically flows from the foothills to Angel Park.

#### School Sites

Two school sites have been reserved and will be developed to meet the requirements of the school systems. Each school is located adjacent to park areas to accommodate joint use of school/park sites. School population projections are attached.

#### Other Land Uses

Along with the above mentioned land uses is a tennis resort and casitas which will provide housing for resort guests. An area reserved for community services such as a police station, library and other city uses is provided in Phase One.

A fire station site is reserved as requested by the City for development in 1987.

#### 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 Venetian Foothills.

Codes, Covenants and Restrictions will be established to guarantee the continued quality of development.

## LAND USE SUMMARY

## PHASE ONE

## VENETIAN FOOTHILLS

<u>Parcel</u>	<u>Land Use</u>	<u>Acres</u>	<u>Zoning</u>	<u>DU/AC</u>	<u>Units</u>
1	Custom Single Family	21.8	RPD 2.5	2.5	55
2	Custom Single Family	27.3	RPD 2.5	2.5	68
3	Single Family	32.7	RPD 8.0	8.0	262
4	Patio Home	24.9	KPD 5.0	5.0	125
5	Single Family	45.4	RPD 5.0	5.0	227
6	Single Family	36.4	RPD 5.5	5.5	200
7	Single Family	24.8	RPD 7.0	7.0	174
8	Single Family	19.1	RPD 7.0	7.0	134
9	Single Family	35.4	RPD 8.0	8.0	283
10	Multi-Family	13.0	RPD 22.0	22.0	286
11	Commercial	7.7	C-1		
12	Commercial	12.5	C-1		
13	Office	10.1	RPD		
14	Resort	17.3	RPD		
15	Club House	11.0	RPD		
16	Casitas/Tennis	9.4	RPD		
17	Community Services	5.3	C-V		
	Open Space/Golf Course	198.9			
	Right of Way	32.2			
Phase One Total		585.2		6.4	1796
Density with Open Space & Golf Course				3.7	

CLV035126

LAND USE SUMMARY  
FUTURE PHASES

VENETIAN FOOTHILLS

<u>Land Use</u>	<u>Acres</u>	<u>Density Ranges</u>
Custom Single Family	61.5	1 to 2.5 DU/AC
Single Family	377.5	4.5 to 8.0 DU/AC
Townhouse	63.6	8.0 to 10.0 DU/AC
Multi-Family	72.3	18.0 to 22.0 DU/AC
Regional Shopping Center	106.1	
Commercial	53.6	
Office	95.2	
Employment	131.0	
Special Use	16.5	
Resort	23.3	
Utilities	26.9	
Schools/Parks	27.9	
Open Space/Golf Course	200.4	
Right of Way	82.2	
Future Phases Total	1338.0	

CLV035127

LAND USE SUMMARY  
MASTER PLAN

VENTIAN FOOTHILLS

<u>Land Use</u>	<u>Acres</u>	<u>Density Ranges</u>
Custom Single Family	110.6	1 to 2.5 DU/AC
Single Family	571.3	4.5 to 8.0 DU/AC
Patio Home	24.9	4.5 to 8.0 DU/AC
Townhouse	63.6	8.0 to 10.0 DU/AC
Multi-Family	85.3	18.0 to 22.0 DU/AC
Regional Shopping Center	106.1	
Commercial	73.8	
Office	105.3	
Employment	131.0	
Special Use	16.5	
Resort	40.6	
Open Space/Golf Course	399.3	
Club House	15.0	
Casitas/Tennis	9.4	
Community Services	5.3	
Schools/Parks	27.9	
Utilities	28.9	
Right of Way	114.4	

CLV035128

STUDENT POPULATION PROJECTIONS  
VENETIAN FOOTHILLS

<u>Grade</u>	<u>Phase One</u>	<u>Future Phases</u>	<u>Master Plan</u>
K thru 6	341	858	1199
7 thru 9	160	401	561
10 thru 12	144	363	507
Special Education	44	111	155
<b>Totals</b>	<b>689</b>	<b>1733</b>	<b>2422</b>

CLV035129



**AGENDA**

*City of Las Vegas*

April 22, 1986

**PLANNING COMMISSION**

Page 15

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

COMMISSION ACTION

ITEM

**12. MASTER DEVELOPMENT PLAN - VENETIAN  
FOOTHILLS - WILLIAM PECCOLE, ET AL**

Request for a Master Development Plan on property generally located north of Sahara Avenue between Durango Drive and Hualpai Way.

Staff Recommendation: APPROVAL, subject to:

1. Realign Alta Drive as one continuous street and to intersect El Capitan Way with a standard four-way intersection.
2. The design and construction of the treatment plant shall be subject to the requirements of the Department of Public Works.
3. The design and construction of all drainage and flood control channels shall be subject to the requirements of the Department of Public Works.
4. The 40 foot half-street for Venetian Strada, as shown on the Master Plan of Streets and Highways, shall be dedicated and improved unless the proposed extension of the east-west expressway (Husite Parkway) is constructed prior to development of the property adjacent to Venetian Strada.
5. The school sites shall not be located on major streets.
6. The Master Plan of Streets and Highways be amended on Alta Drive, Grand Canyon Drive, Oakley Boulevard, Fort Apache Road and El Capitan Way.
7. Provision of a bike path along the north side of Charleston Boulevard.

PROTESTS: 0

Mack -  
APPROVED, subject to the conditions.  
Unanimous  
(Kennedy excused)

MR. FOSTER stated this Master Development Plan is for Venetian Foothills. This is for 1,923 acres. Each parcel will be sold to individual developers. The CCAR's will be created to guide the individual developer on the design and establish an overall theme. The Plan incorporates a variety of land uses. There will be two 18-hole golf courses, a 106 acre shopping center, 131 acres of commercial, 27 acres of park and school sites, library, etc. The employment area will be designed to attract high-tech and office uses. The golf course will be public until it is turned over to the homeowners association. There is a sewage treatment plant proposed on the northeast portion across from Angel Park. There will be rural recreation sites. The applicant is donating land to the City for a fire station and a community facilities parcel. Staff would recommend approval, subject to the conditions.

WILLIAM PECCOLE, 1348 Cashman Drive, appeared and represented the application. This will be a versatile project for Las Vegas.

BOB MAYFIELD, Vice President, Western Devcor, appeared and represented the application. In this Master Plan they are requesting approval of the street circulation throughout the development, concept of land uses, and an overall density of planned residential development. Phase I will be located south of Charleston and contain 585 acres. This will consist of residential, offices, hotel/casino, resort uses and a golf course. They want to create a high quality lifestyle and working environment.

To be heard by the City Council on 5/7/86.

(R:30-R:57)

CLV034651

00064

2242

**AGENDA**

*City of Las Vegas*  
**PLANNING COMMISSION**  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6301

April 22, 1985

Page 16

ITEM

COMMISSION ACTION

13. Z-30-R6 - WILLIAM PECCOLE, ET AL

Request for reclassification of property generally located north of Sahara Avenue between Durango Drive and Hualpai Way from N-II (under Resolution of Intent to R-MHP, R-2, R-3, R-PD7) to R-PD4, P-R, C-1 and C-V.

Proposed Use: Patio Homes, Single Family, Multi-Family, Offices, Commercial, Golf Course and Public Uses.

Staff Recommendation: APPROVAL, subject to:

1. Resolution of Intent.
2. Expunge all existing Resolutions of Intent on this property.
3. Dedicate 100 feet of right-of-way for Charleston Boulevard, 100 feet of right-of-way for Fort Apache Road, 40 feet of right-of-way for Peccole Strada, 80 feet of right-of-way for Grand Canyon Drive and 75 foot half street right-of-way for Sahara Avenue together with the necessary radius corners at the intersections of the aforementioned streets at time of development as required by the Department of Public Works.
4. Installation of street improvements on Charleston Boulevard, Fort Apache Road, Peccole Strada, Grand Canyon Drive and Sahara Avenue as required by the Division of Land Development of the Department of Community Planning and Development.
5. Plot plans and elevations on each phase shall be submitted to the Planning Commission for approval prior to development.
6. CCAR's shall be recorded which provide for the continued maintenance by the homeowners association of all landscaping in the common areas.
7. Any landscaping installed in the public streets shall be at the expense of the developer and shall be maintained in perpetuity by the homeowners association.

Bugbee -  
APPROVED, subject to the conditions.  
Unanimous  
(Kennedy excused)

MR. FOSTER stated this application was covered in the previous item. This application is the First Phase of the Master Development Plan. Staff would recommend approval, subject to the conditions.

BOR MAYFIELD, Vice President, Western Devcor, appeared and represented the application. They are in agreement with staff's conditions.

No one appeared in opposition.

To be heard by the City Council on 5/7/85.

(8:57-9:01)

CLV034652

00065

2243

# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*  
**PLANNING COMMISSION**  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6301

April 22, 1986

Page 17

ITEM

COMMISSION ACTION

13. Z-30-86 - WILLIAM PECCOLE, ET AL

8. Landscaping shall be installed within the common area floodway channels which are not a part of the golf course and shall be at the expense of the developer and shall be maintained in perpetuity by the homeowners association.
9. Approval of a Variance for the resort related commercial uses in the R-PD Zone.
10. Conformance to the conditions of approval of the Master Development Plan for Venetian Foothills.

PROTESTS: 0

CLV034653

00066

2244

# AGENDA

LAS VEGAS CITY  
COUNCIL MINUTES MAY 7 1986

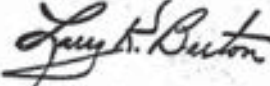
00371

*City of Las Vegas*

May 7, 1986

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 64

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
J. ZONE CHANGE		
4:30		
3. MASTER DEVELOPMENT PLAN - VENETIAN FOOTHILLS - WILLIAM PECCOLE ET AL	Nolen - APPROVED as recom- mended. Motion carried with Levy excused.	Clerk to notify and Planning to proceed.
Request for a Master Development Plan on property generally located north of Sahara Avenue between Durango Drive and Hualpai Way.		
Planning Commission unanimously recommended APPROVAL, subject to:		Oran K. Gragson and Bob Mayfield appeared and represented the application.
1. Realign Alta Drive as one continuous street and to intersect with El Capitan Way with a standard four-way inter- section.		No one appeared in opposition.
2. The design and construction of the treatment plant shall be subject to the requirements of the Department of Public Works.		
3. The design and construction of all drainage and flood control channels shall be subject to the requirements of the Department of Public Works.		
4. The 40 foot half-street for Venetian Strada, as shown on the Master Plan of Streets and Highways, shall be dedicated and improved unless the proposed extension of the east-west expressway (Husite Parkway) is constructed prior to development of the property adjacent to Venetian Strada.		
5. The school sites shall not abut major streets.		
(continued)		
APPROVED AGENDA ITEM		
		

CLV035037  
00067

2245



# AGENDA

LAS VEGAS CITY  
COUNCIL MINUTES MAY 7 1986

00372

*City of Las Vegas*

May 7, 1986

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 65

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
J. <u>ZONE CHANGE</u>		
3. <u>MASTER DEVELOPMENT PLAN (continued)</u>	APPROVED See Page 64	See Page 64
6. The Master Plan of Streets and Highways be amended on Alta Drive, Grand Canyon Drive, Oakey Boulevard, Fort Apache Road and El Capitan Way.		
7. Provision of a bike path along the north side of Charleston Boulevard.		
Staff Recommendation: APPROVAL - the Plan be adopted in concept.		
PROTESTS: 0		
APPROVED AGENDA ITEM <i>Lucy L. Burton</i>		

CLV035038  
00068

2246

LAS VEGAS CITY  
COUNCIL MINUTES MAY 7 1986

To: The City Council  
Re: Community Planning and Development Agenda Item  
May 7, 1986 City Council Agenda

A.

00373

J. ZONE CHANGE

3. MASTER DEVELOPMENT PLAN - VENETIAN HILLS

This item is to consider the Master Plan for Venetian Foothills which is the property owned by Bill Peccole that is approximately 1,923 acres in size and is generally located north of Sahara between Durango and Hualpai. The property extends north to Angel Park. The Plan is conceptual at this point and may be revised in the future depending on minor changes and needs of the developing community. A rezoning application has been submitted on a 585 acre portion of this property on the north side of Sahara that extends to the realigned portion of West Charleston Boulevard. That application is the next item on your agenda. Each phase will ultimately be planned in detail and submitted to the City through the rezoning process. The parcels will be improved and sold to individual developers who will submit project designs to the City for approval. There will be CC&Rs established to guide the individual developer in their design and to provide continuity for the overall theme to maintain consistency throughout the entire project.

The Master Plan provides for a variety of land uses, both commercial and residential. Two 18-hole golf courses are proposed along with a 106 acre regional shopping center. There will be 130 acres of employment based commercial to accommodate uses similar to the Citicorp facility and possibly high-tech and office uses. Two elementary school sites are reserved with four additional acres of park area at each of the sites. Two parcels are identified for resort use totalling 40 acres and they would be developed with hotel, restaurants and related commercial uses. A tennis complex is proposed on a 9 acre site which will have apartment units available to be rented on a short-term basis while the occupants participate in the golf and/or tennis activities. A special use site comprising 16.5 acres is proposed for some type of recreation oriented facility that would tie into the overall theme of the project. The use is not known at this time, but it could be similar to the Wet and Wild water park. Two sites are proposed to be donated to the City, one a 5.3 acre community service area for a branch library and other public type uses, and the second is a fire station site on Durango Drive, north of Charleston.

There will be one overall master association to maintain the golf course, open space and common area and landscaping on the major streets. There will also be subsidiary associations created within each of the separate developments to maintain the common areas within those sites. The golf course has been designed to handle flood and drainage water through this project and direct it to the Angel Park Detention Basin. A treatment plan is being proposed on the northeast portion of this property adjacent to Angel Park and west of Durango to treat the water from the sewage system to irrigate the golf course and open space sites. At this point, the use is conceptual only and that facility would have to be designed to meet all the requirements of the Department of Public Works.

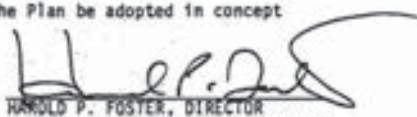
Staff has met with the developer on this project a number of times to work out the details. Staff recommended that Alta Drive be one continuous street and intersect El Capitan Way with a standard four-way intersection and that all school sites be relocated so they are not adjacent to any major streets as well as providing for a bike path along the north side of Charleston Boulevard. The applicant was in agreement to these conditions at the Planning Commission meeting.

Planning Commission Recommendation: APPROVAL - the Plan be adopted in concept

Staff Recommendation: APPROVAL - the Plan be adopted in concept

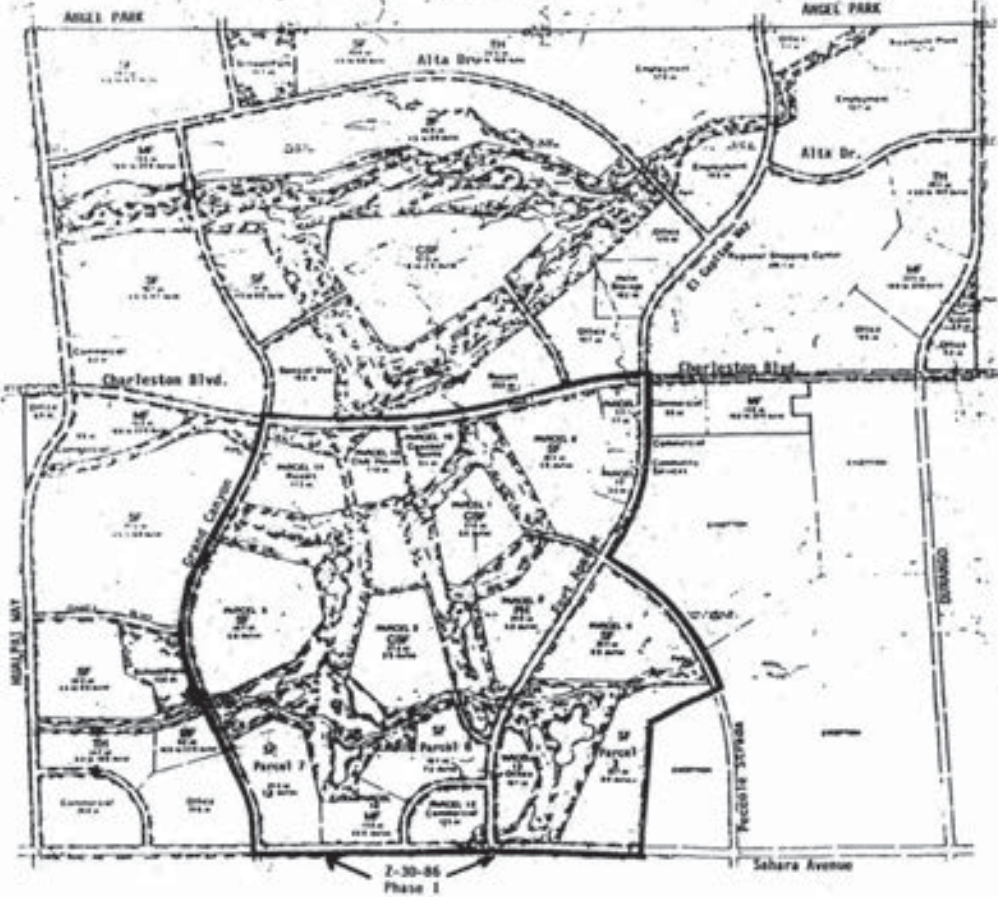
PROTESTS: 0

SEE ATTACHED LOCATION MAP

  
HAROLD P. FOSTER, DIRECTOR  
DEPARTMENT OF COMMUNITY PLANNING  
AND DEVELOPMENT

CLV035039  
00069

2247



**PHASE 1**

SYMBOL	PARCEL	LAND USE	ACRES	DENSITY	UNITS
CSF	1	Custom Single Family	21.8	A-PDS 1	50
CSF	2	Custom Single Family	27.3	A-PDS 1	60
SF	3	Single Family	32.7	A-PDS 1	262
PM	4	Planned Medium Density	34.8	A-PDS 1	125
SF	5	Single Family	45.4	A-PDS 1	337
SF	6	Single Family	36.4	A-PDS 1	290
SF	7	Single Family	24.4	A-PDS 1	170
SF	8	Single Family	18.4	A-PDS 1	136
SF	9	Single Family	25.4	A-PDS 1	202
SF	10	Single Family	12.0	A-PDS 1	90
CM	11	Commercial	7.7	C-1	
CM	12	Commercial	12.8	C-1	
CM	13	Office	10.1	P-R	
CM	14	Office	17.2	A-PD	
CM	15	Office	11.0	A-PD	
CM	16	Community Service	8.4	A-PD	
CM	17	Community Service	5.3	C-V	
CM	18	Open Space/Golf Course	188.9	A-PD	
Phase I Total			522.2		1,078
Phase I Density				2.1 Units/Acre	

**FUTURE PHASES**

SYMBOL	LAND USE	ACRES	DENSITY
CSF	Custom Single Family	51.5	10 to 20 Units/Acre
SF	Single Family	277.5	10 to 20 Units/Acre
PM	Planned Medium Density	52.8	10 to 20 Units/Acre
SF	Single Family	72.2	10 to 20 Units/Acre
CM	Commercial	106.1	
CM	Office	52.8	
CM	Office	88.2	
CM	Office	100.0	
CM	Office	10.0	
CM	Office	22.2	
CM	Office	26.6	
CM	Office	27.8	
CM	Office	200.1	
CM	Office	57.2	
Future Phases Total		1,260.0	
Future Phases Density			2.1 Units/Acre

Used to estimate density of future phases.

\* Unless otherwise noted, all future phases are subject to future development.

# **MASTER PLAN** **Venetian Foothills**

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

Approved by  
City Council  
March 1986  
City Council Minutes  
Page 10 of 10

LAS VEGAS CITY  
COUNCIL MINUTES  
MAY 7 1986

00374

CLV035040

2248

00070



# AGENDA

LAS VEGAS CITY  
COUNCIL MINUTES MAY 7 1986

00375

*City of Las Vegas*

May 7, 1986

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 66

ITEM	Council Action	Department Action
<p>X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</p> <p>4:32 J. <u>ZONE CHANGE</u></p> <p>4. Z-30-86 - WILLIAM PECCOLE ET AL</p> <p>Request for reclassification of property generally located north of Sahara Avenue between Durango Drive and Hualpai Way.</p> <p>From: N-U (Non-Urban) (Under Resolution of Intent to R-MHP, R-2, R-3, R-PD7)</p> <p>To: R-PD4 (Residential Planned Development) P-R (Professional Offices &amp; Parking) C-1 (Limited Commercial) C-V (Civic)</p> <p>Proposed Use: PATIO HOMES, SINGLE FAMILY, MULTIFAMILY, OFFICES, COMMERCIAL, GOLF COURSE AND PUBLIC USES</p> <p>Planning Commission unanimously recommended APPROVAL, subject to:</p> <ol style="list-style-type: none"> <li>1. Resolution of Intent.</li> <li>2. Expunge all existing Resolutions of Intent on this property.</li> <li>3. Dedicate 100 feet of right-of-way for Charleston Boulevard, 100 feet of right-of-way for Fort Apache Road, 40 foot half-street for Peccole Strada, 80 feet of right-of-way for Grand Canyon Drive and 75 feet of right-of-way for Sahara Avenue together with the necessary radius corners at the intersections of the aforementioned streets at time of development as required by the Department of Public Works.</li> </ol> <p>APPROVED AGENDA ITEM (continued)</p> <p><i>Lucy L. Burton</i></p>	<p>Nolen - APPROVED as recommended. Motion carried with Levy excused.</p>	<p>Clerk to notify and Planning to proceed.</p> <p>No one appeared in opposition.</p>

CLV035041  
00071

2249

# AGENDA

LAS VEGAS CITY  
COUNCIL MINUTES MAY 7 1986

00376

*City of Las Vegas*

May 7, 1986

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-608

Page 67

ITEM	Council Action	Department Action
X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)</u>		
J. <u>ZONE CHANGE</u>	APPROVED See Page 66	See Page 66
4. <u>Z-30-86 - WILLIAM PECCOLE ET AL (continued)</u>		
4. Installation of street improvements on Charleston Boulevard, Fort Apache Road, Peccole Strada, Grand Canyon Drive, and Sahara Avenue as required by the Land Development Division of the Department of Community Planning and Development.		
5. Plot plans and building elevations on each phase shall be submitted to the Planning Commission for approval prior to development.		
6. CC&Rs shall be recorded which provide for the continued maintenance by the homeowners association of all landscaping in the common areas.		
7. Any landscaping installed in the public streets shall be at the expense of the developer and shall be maintained in perpetuity by the homeowners association.		
8. Landscaping shall be installed within the common area floodway channels which are not a part of the golf course and shall be at the expense of the developer and shall be maintained in perpetuity by the homeowners association.		
9. Approval of a Variance for the resort related commercial uses in the R-PD Zone.		
(continued)		
APPROVED AGENDA ITEM <i>Larry H. Burton</i>		

CLV035042  
00072

2250

# AGENDA


LAS VEGAS CITY  
COUNCIL MINUTES MAY 7 1986

*City of Las Vegas*

00377  
May 7, 1986

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 68

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
J. <u>ZONE CHANGE</u>		
4. <u>Z-30-86 - WILLIAM PECCOLE ET AL</u> <u>(continued)</u>	APPROVED See Page 66	See Page 66
10. Conformance to the conditions of approval of the Master Development Plan for Venetian Foothills.  Staff Recommendation: APPROVAL  PROTESTS: 0		
APPROVED AGENDA ITEM 		

CLV035043  
00073

2251



LAS VEGAS CITY  
COUNCIL MINUTES

MAY 7 1986

00378

To: The City Council  
Re: Community Planning and Development Agenda Item  
May 7, 1986 City Council Agenda

J. ZONE CHANGE

4. Z-30-86 - WILLIAM PECCOLE ET AL

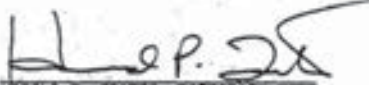
The application is for the first phase of development on the Master Plan that is described on the previous item on this agenda. The site contains 585 acres and includes one 18 hole golf course, a tennis complex, a resort site along with several other commercial and office sites with the remainder for various residential densities. The overall density on this first phase is at 3.7 units per gross acre which is lower than the present zoning on this property. The applicant intends to construct all of the major streets in this first phase except for West Charleston Boulevard because it is on the priority list as a Regional Transportation Commission project. Temporary paving will be installed from the present alignment to the golf course clubhouse site. The permanent improvements on the realigned portion of Charleston Boulevard will be constructed by either the Regional Transportation Commission or the developer depending on whether the abutting parcels of land are developed prior to RTC constructing this street. There will be landscaping along these major streets and in the drainage channels that will be maintained by the homeowners association. The clubhouse, golf course and the tennis complex are commercial in nature and a variance will be needed for these uses in the R-PD zone. The development plan for each site will be submitted to the Planning Commission for review and approval.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

PROTESTS: 0

SEE ATTACHED LOCATION MAP

  
HAROLD P. FOSTER, DIRECTOR  
DEPARTMENT OF COMMUNITY PLANNING  
AND DEVELOPMENT

CLV035044  
00074

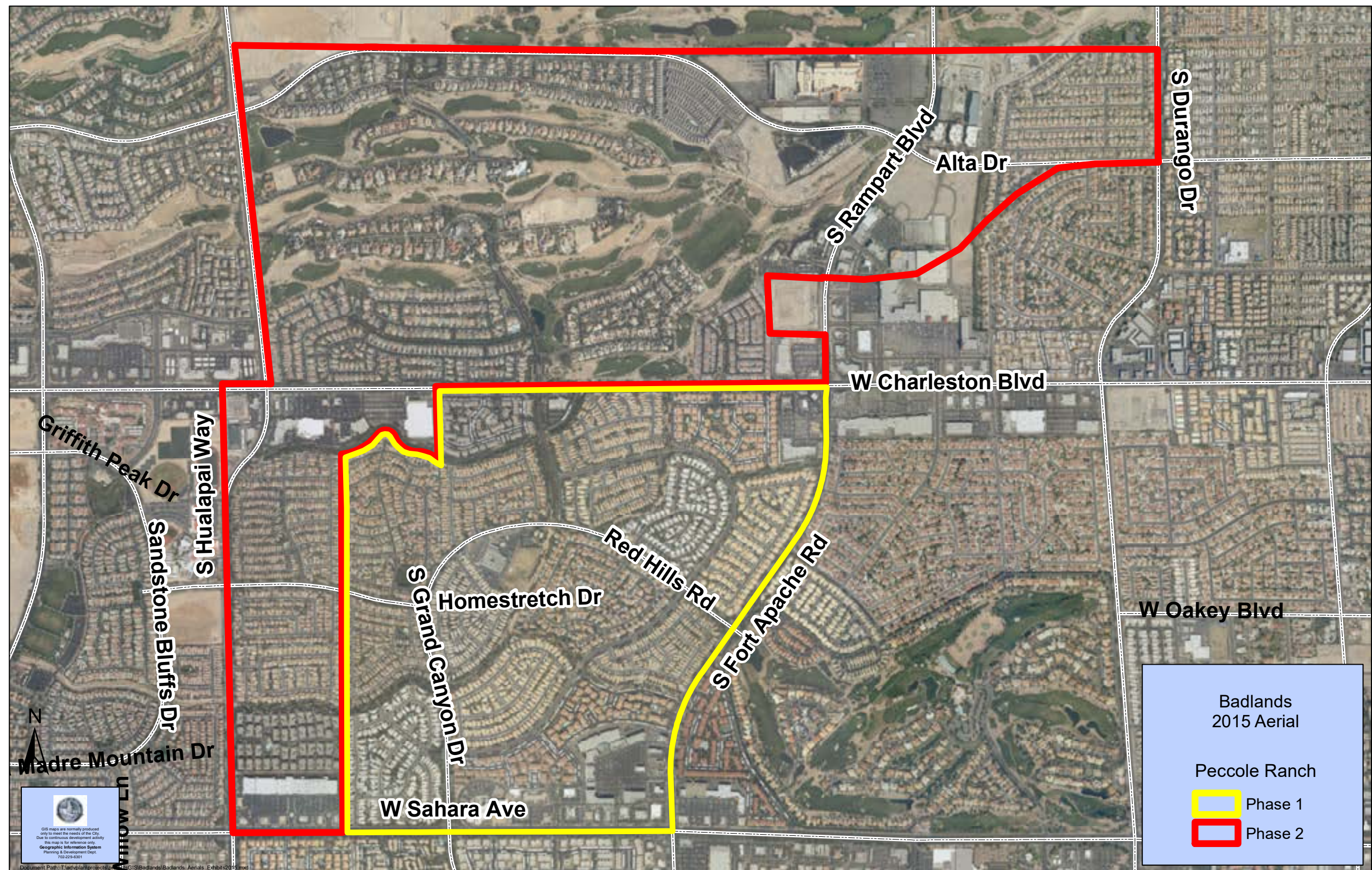
2252



# **EXHIBIT E**

# **EXHIBIT E**





00076



# **EXHIBIT F**

# **EXHIBIT F**

# PECCOLE RANCH MASTER PLAN

*A Master Plan Amendment and Phase One Rezoning Application*

## PREPARED FOR:

### **The Peccole Ranch Partnerships:**

Triple Five Corporation  
Suite 900, Capital Place  
9707 - 110 Street  
Edmonton, Alberta  
Canada T5K 2L9  
(403) 482-7800

Peccole Trust  
1348 Cashman Drive  
Las Vegas, Nevada 89102  
(916) 583-5870

## PREPARED BY:

A. Wayne Smith & Associates  
2120 South Rural Road  
Tempe, Arizona 85282  
(602) 968-8501

December 13, 1988

CLV113838  
00077

**PECCOLE RANCH  
MASTER PLAN**

*A Master Plan Amendment and Phase One Rezoning Application*

December 13, 1988

CLV113839  
00078

## TABLE OF CONTENTS

	<u>Page</u>
Introduction - Peccole Ranch Overall Master Plan	1
Master Plan Comparison: Peccole Ranch Vs. Venetian Foothills	4
Phase One - Peccole Ranch	6
Development Plan - Phase One	15
Quality of Development	18
Phasing	18
General Plan Conformance	18

CLV113840  
00079

## EXHIBITS

	<u>Page</u>
Exhibit A Area Plan	2
Exhibit B Venetian Foothills Master Plan	5
Exhibit C Peccole Ranch Partnership Master Plan	3
Exhibit D Phase One Land Use Plan	7
Exhibit E Phase One Mixed Use Village Center Concept	13
Exhibit F Village Center Multiple Family Floor Plans	10
Exhibit G Village Center Multiple Family Floor Plans	11
Exhibit H Typical Single Family Subdivision Layout	8
Exhibit I Roadway Plan and Cross Sections	16
Exhibit J Roadway Plan and Cross Sections	17

## APPENDIX

Aerial View	22
Executive Profiles	23
Completed Application	24
School District Correspondence	25

CLV113841  
00080

## PECCOLE RANCH

*The proposed overall 1,716.38 acre Peccole Ranch Master Plan is being submitted to the City of Las Vegas for Conceptual Master Plan approval, along with the rezoning of the 448.8 acre Phase One to R-PD7, R-3, and C-1 designations. The following narrative describes the intent of the Master Plan, compares the proposed plan with the previously approved Venetian Foothills Master Plan, and discusses in detail those land uses proposed in Phase One of Peccole Ranch.*

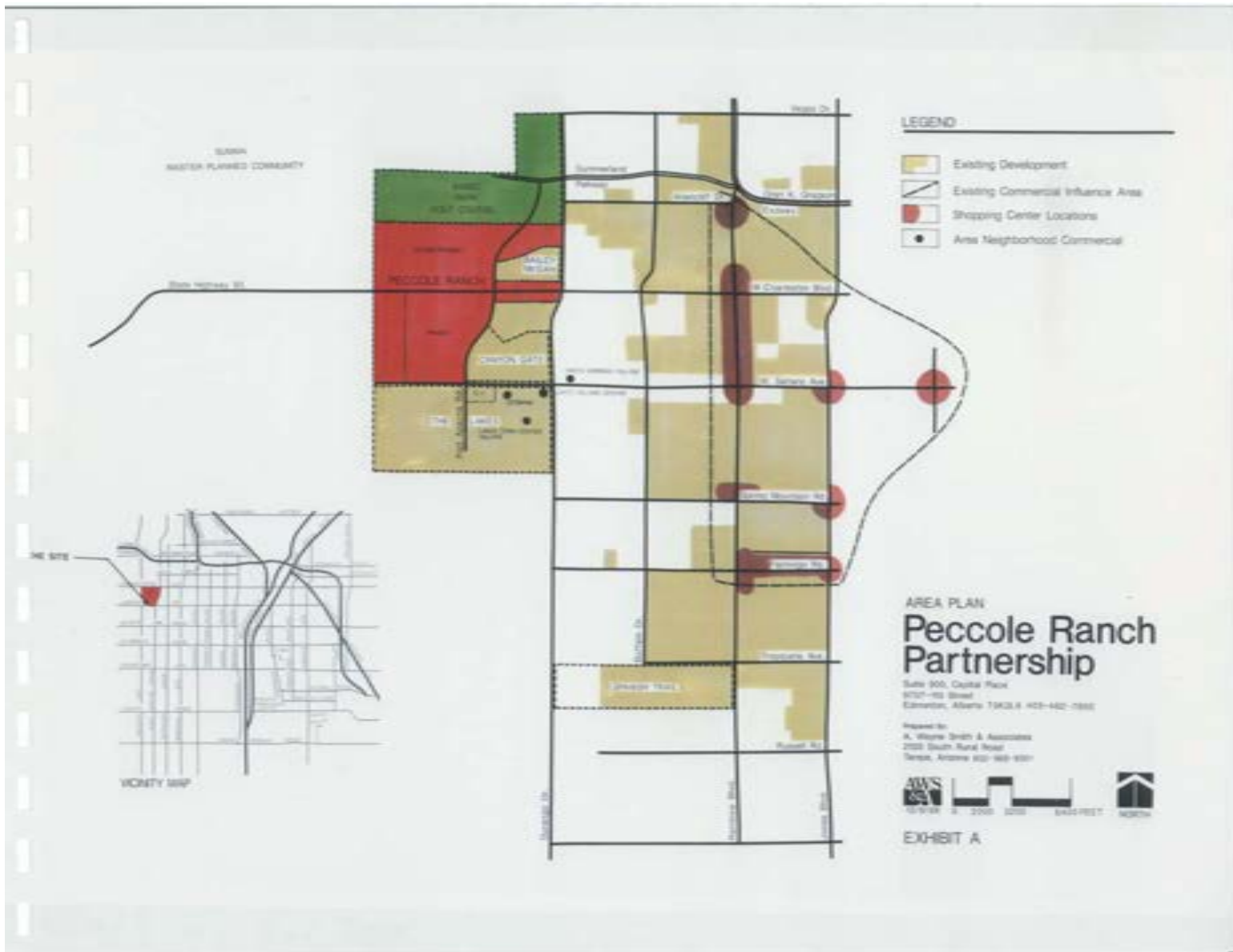
### INTRODUCTION - PECCOLE RANCH OVERALL MASTER PLAN

Peccole Ranch is a Master Planned community comprising 1,716.3 acres located within the northwest and southwest growth areas of the Las Vegas Metropolitan Area (Exhibit A, page 2), and has an excellent time-distance relationship to surrounding support services, employment centers, and transportation network including McCarran International Airport. This particular area of the Valley has been experiencing a rapid growth rate as demonstrated by those developments occurring in the Peccole Ranch vicinity such as Canyon Gate and The Lakes. It is this trend that became the basis of a Plan that would maintain flexibility to accommodate future market changes. The proposed Plan is conceptual in nature to allow detailed planning at the time of development. In this way the lifestyles of the anticipated population can be met.

The proposed Peccole Ranch Master Plan (Exhibit C, page 3) incorporates office, neighborhood commercial, a nursing home, and a mixed use village center around a strong residential base in a cohesive manner. Special attention has been given to the compatibility of neighboring uses for smooth transitioning, circulation patterns, convenience and aesthetics. A 132.5 acre linear open space system winding throughout the community provides a positive focal point while creating a mechanism to handle drainage flows.

Also of importance to Peccole Ranch is the alignment of the Summerland Parkway under construction north of the Project. The Summerland Parkway is an east/west expressway which will be approximately three to three and one-half miles long

CLV113842  
00081



CLV113843  
 00082





#### SITE DATA - PHASE 1

LAND USE	NET ACRES	NET DENSITY (D.U./AC)	UNITS
Residing Home	4.2		
Single Family	226.2	21.0	4747
Multi-Family	49.9	21.0	1037
Mixed Use Village Center			
Grocery/Office	42.0		
Multi-Family	22.4	24.2	598
Community Center	0.9		
Charnage/Charnage	30.9		
R.O.M.	40.0		
Elementary School	10.1		
PHASE 1 TOTAL	448.6	8.4	5877

#### SITE DATA - FUTURE PHASES

LAND USE	ACRES
Single Family	135.7
Multi-Family	14.0
Neighborhood Commercial Office	10.0
Office	10.1
Hotel/Resort	10.0
Water Storage	10.0
Charnage/Charnage	10.7
R.O.M.	10.2
School	10.7
FUTURE PHASES TOTAL	307.3
GRAND TOTAL	755.9

### MASTER PLAN Peccole Ranch Partnership

Subs. M/L Capital Phase  
4757-10 Street  
Glenview, Illinois 60025-17 402-452-7800

Prepared by:  
A. Wayne Smith & Associates  
2101 South Rural Road  
Tempe, Arizona 85281-9901

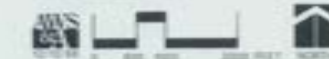


EXHIBIT C

Map 2

1988 PECCOLE RANCH MASTER PLAN

CLV113844  
00083

originating at the curve of the Oran A. Gragson Expressway (Westcliff Drive and Rainbow Boulevard) with a terminus at the corner of the initial two Summerland Villages.

The development plan for Peccole Ranch is designed to meet the current and long range needs of the Las Vegas Metropolitan Area as the population expansion is realized. Overall project character and identity will reflect the high standards of quality envisioned by the developer and a consistency with the pattern of regional community development.

**MASTER PLAN COMPARISON:  
PECCOLE RANCH VS. VENETIAN FOOTHILLS**

The proposed 1,716.3 acre Peccole Ranch Master Plan is an amendment to the 1,923 acre Venetian Foothills Master Plan which was approved by the City of Las Vegas in the spring of 1986 (Exhibit B, page 5). The major difference between the plans is the reduction in commercial acreage and elimination of the golf course. The Peccole Ranch Plan designates approximately forty-eight (48) percent less high intensity uses such as commercial, office or resort, as opposed to the Venetian Foothills plan.

The Phase One (Exhibit D, page 7) circulation system has been refined 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 as compared to the Venetian Foothills Phase One. The integration of the major wash areas also differs between the approved and proposed plans. Whereas the previous plan utilized golf course area, the present plan incorporates a lineal open space system which retains the opportunity for lot premiums since the open space is located adjacent to numerous single family parcels. The open space also allows a greater number of residents to enjoy the amenity versus the golf course originally proposed which limits the amount of use by development residents.

Lastly, the Venetian Foothills plan called for a Regional Shopping Center comprising approximately 106 acres prior to the sale of a majority of that parcel to Bailey & McGah for residential development. Due to the exclusion of this property, and the need to address community and regional commercial consumer market





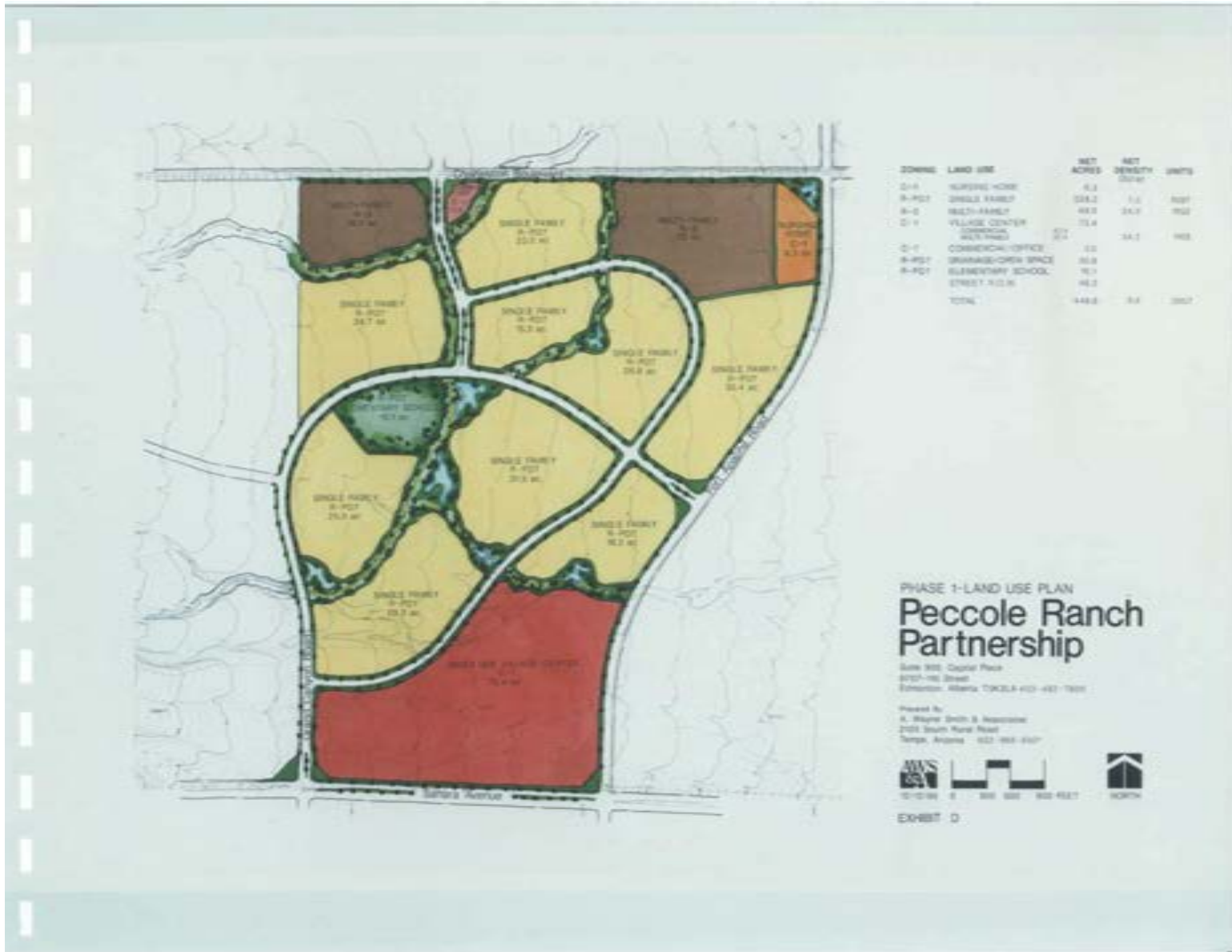
demand in the area, a Mixed Use Village Center (Exhibit E, page 13) is proposed at the intersection of Fort Apache and Sahara Avenue. The Village Center will incorporate a variety of uses including multiple-family and comparison commercial. The Mixed Use Village Center provides not only a commercial and employment element to Peccole Ranch but serves as a transition parcel from the greater intensity of multiple family, commercial and office developments adjacent to the south of Sahara Avenue. Specific uses and the character envisioned in this area and throughout the Phase One 448.8 acres are described in detail in the following narrative.

#### **PHASE ONE - PECCOLE RANCH**

*Phase One of Peccole Ranch comprises approximately 448.8 acres bounded on the north by Charleston Boulevard, Sahara Avenue on the south, the Fort Apache alignment on the east, and the Grand Canyon Road alignment on the west. The zoning designations proposed in Phase One are R-PD7, R-3, and C-1, as described in the following land use descriptions.*

##### **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 proposed in the 448.8 acres of Peccole Ranch Phase One is based upon market study documentation of historical and projected single family housing subdivision and multiple family absorption patterns and approximately 228.2 acres or 51 percent of Phase One is devoted to single-family development. The anticipated price range of the single family products, \$85,000 to \$150,000, supports the theory that quality lower priced housing in the strong northwest/southwest markets remains in demand, 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 Summerland Parkway. Recent data obtained concludes that the preference is for detached single family homes since over 88 to 97 percent of the consumers purchased detached units during the past four quarters. The significance of this growth is the expanding opportunity to provide housing to an increasingly diverse population.



CLV113848  
00087



CLV113849  
00088

Also, gated entries into Phase One residential parcels will not only provide residents with a sense of security, but will promote the construction of quality housing products by builders and developers.

**Multiple-Family Residential:**

The present strong consumer demand for apartments has created a large base of established residents looking for alternative home ownership options and the Mixed Use Village Center incorporates a 32.4 acre multi-family element in Phase One (Exhibits F and G, pages 10 and 11) which will be geared toward those future residents who prefer a more urban oriented lifestyle. Sensitive site design techniques will be utilized to integrate the residential element with those of a business nature. A portion of the Phase One multiple-family will be designed as two-story structures, with salient elements including:

- Spanish-Mediterranean architecture
- Private garages provided for all units
- One, two, and three bedroom units
- Unit square footage ranging from 850 to 1,170 square feet
- Some units will provide the popular double "master suites"
- A wide range of amenities and landscaping

Also integrated into the Mixed Use Village Center is a cluster of several mid-rise (eight-story) apartments designed to target the strong demand for middle and upper income luxury apartment opportunities as an alternative to standard apartment living. The cluster is located to obtain primary visibility from Sahara Avenue, a principle high flow arterial. Emphasis has been placed on buffering and transitioning of the midrise complex, to two-story garden apartments, then ultimately single family developments on the north and west. Also, negotiations are presently underway with a developer/owner for the multiple family development within the Mixed Use Village Center.

Two multi-family parcels are also located along Charleston Boulevard to maximize exposure and to provide buffering to the internal single family neighborhoods from external arterial traffic. Multi-family opportunities in addition to single family parcels are provided in the future phases of Peccole Ranch, however, these parcels are designed such that they remain flexible to respond to current market trends and demands at the actual time of development.





Building #1  
1ST FLOOR PLAN



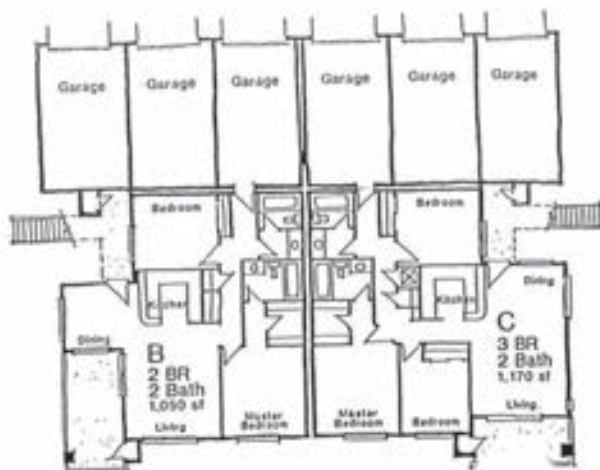
Building #1  
2ND FLOOR PLAN



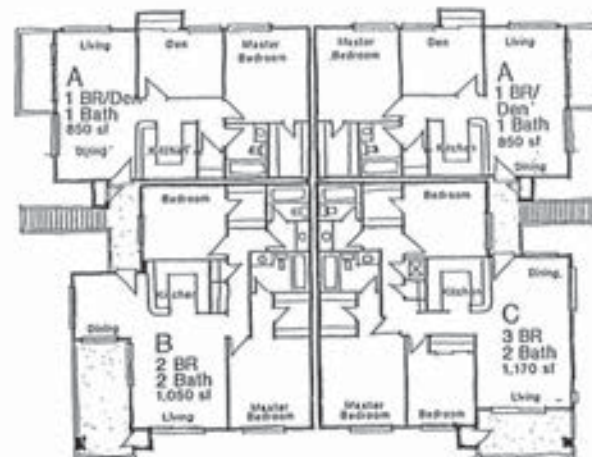
Building #1  
ROOF PLAN

EXHIBIT F  
Peccole Ranch  
Village Center  
Multiple Family Floor Plans

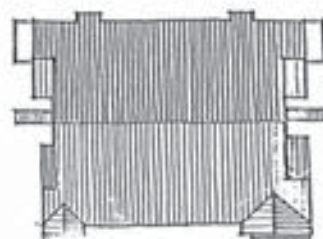
CLV113851  
00090



Building #2  
1ST FLOOR PLAN



Building #2  
2ND FLOOR PLAN



ROOF PLAN

EXHIBIT G  
Peccole Ranch  
Village Center  
Multiple Family Floor Plans

CLV113852  
00091

### Commercial

High intensity uses such as multi-family, commercial, office and employment opportunities are concentrated in the 75.4 acre Mixed Use Village Center (Exhibit E, page 13) in Phase One of Peccole Ranch. The parcel is located at the intersection of Sahara Avenue and Fort Apache to provide prime exposure and visibility. This Village Center is also physically well sited in relationship to surrounding high volume major collector streets, rapidly expanding residential consumer demand sources and the lack of competitive projects. This may be evidenced from a review of the Area Plan (Exhibit A, 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.

At this time, the 75.4 acre Mixed Use Village Center will accommodate approximately 32.4 acres of multiple-family (Exhibit E, page 13), and approximately 43.0 acres for a planned comparison shopping/fashion mall shopping center. It is anticipated that the impact of the developer's experience and reputation will attract a prime array of quality lead tenants and support businesses. A small 2.0 acre commercial/office parcel is also provided on Charleston Boulevard, and a 6.3 acre nursing home site is planned at the southwest corner of Fort Apache and Charleston Boulevard. At this time, negotiations are underway with a developer/owner for the nursing home parcel.

Future phases of Peccole Ranch will include approximately 119.6 acres of neighborhood commercial/office located at intersection nodes in order to be easily accessible, along with a 12.0 acre hotel/resort site at the main project entry off Fort Apache Road. These parcels will accommodate basic support facilities and services required by the residential community. Office parcels totalling approximately 14.1 acres are also provided in various locations along Charleston Boulevard.

### Open Space and Drainage

A focal point of Peccole Ranch Phase One is the 30.8 acre linear open space network which traverses the site in a manner which follows the wash system. All parcels within Phase One, excepting one, may be directly accessed via the open space. Passive and active recreational areas will be provided, and residents will have an opportunity to utilize alternative modes of transportation throughout the



CLV113854  
00093



bike paths and walkways. The surrounding community as well as project residents may use the open space 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 scattered throughout the open space.

The close proximity to Angel Park along with the extensive open space network were the 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.

Drainage flows through the washes initially enter the site at a peak rate of 800 cubic feet per second, 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 cubic feet per second.

On-site retention generated in the Project will be maintained throughout the open space system.

#### Schools

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 (See Appendix). The location is central to Phase One, and the site will be developed to meet the requirements of the Clark County School District. An additional 19.7 acre school site is designated in the future phase of Peccole Ranch, however, the level of education such as elementary or middle school status will not be determined until development occurs and the student population becomes more clearly defined. A typical elementary school requires a student body of approximately 600 to support the facility according to Clark County School District standards, whereas a junior high school requires 1,250 students. Student population projections for Phase One are attached, along with documentation of the District's approval of the proposed site.

#### Other Land Uses

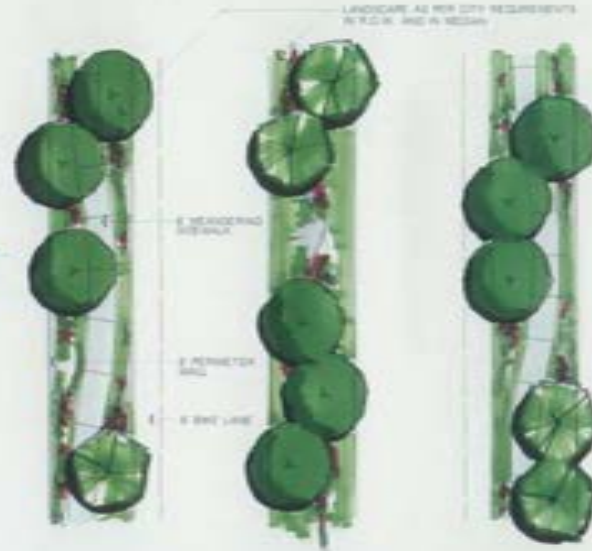
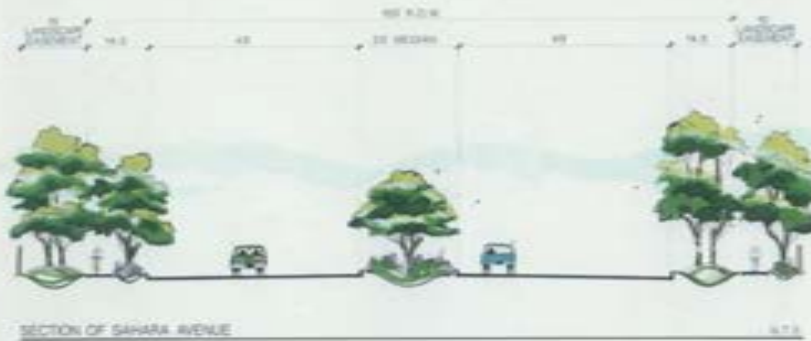
A 10.9 acre water storage facility is located in the northeast portion of Peccole Ranch to appropriately accommodate the topography and historic flow direction. This facility will be designed and constructed to meet the requirements of the Public Works Department and Director.

#### **DEVELOPMENT PLAN - PHASE ONE**

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 I and J 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) and within internal boulevards.
- \* An information center.

The street and utility construction will begin in the southern portion of the project.



#### ROADWAY PLAN AND CROSS SECTIONS

### Peccole Ranch Partnership

Suite 600 Capital Place  
4001 W. 2nd  
Edmonton, Alberta, T6A 2L3 403-482-7800

Prepared by:  
A. Wayne Smith & Associates  
2100 South River Road  
Tempe, Arizona 85282 602-969-4501

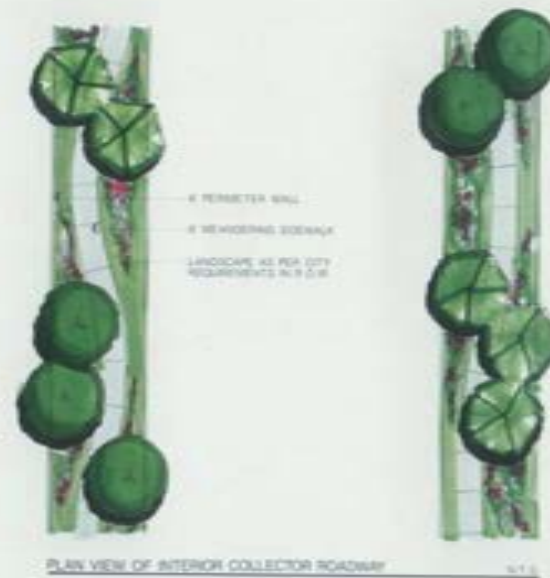
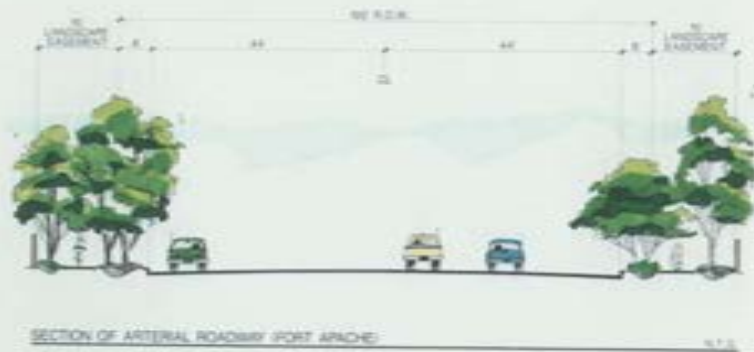


EXHIBIT 1

CLV113857  
00096

2276





ROADWAY PLAN AND CROSS SECTIONS

## Peccole Ranch Partnership

Suite 305, Capital Place  
3701 19th Street  
Edmonton, Alberta T6K 2L8 • 403-442-1888

Prepared by:  
R. Wayne Smith & Associates  
2103 South Rural Road  
Surrey, British Columbia V3T 2G1 • 604-585-9201



EXHIBIT J

CLV113858  
00097

#### **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.

#### **PHASING**

Initiation of infrastructure will occur in the third quarter of 1989 or sooner. Individual parcel development is anticipated to commence in the second quarter of 1990.

#### **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 ONE

<u>LAND USE</u>	<u>NET ACRES</u>	<u>ZONING</u>	<u>NET DENSITY</u>	<u>UNITS</u>
Single Family	228.2	R-PD7	7.0 du/ac	1,597
Multi-Family	48.0	R-3	24.0 du/ac	1,152
Mixed Use Village Center		C-1	-	-
Multi-Family	32.4	-	34.2 du/ac	1,108
Commercial/Office	43.0	-	-	-
Commercial/Office	2.0	C-1	-	-
Nursing Home	6.3	C-1	-	-
Open Space/Drainage	30.8	R-PD7	-	-
Right-of-Way	48.0	R-PD7	-	-
Elementary School	10.1	R-PD7	-	-
 TOTAL	 448.8		 8.6 du/ac	 3,857

PECCOLE RANCH  
LAND USE DATA  
OVERALL MASTER PLAN

<u>LAND USE</u>	<u>NET ACRES</u>	<u>DENSITY RANGES</u>
Single Family	966.9	4.0 - 8.0 du/ac
Multi-Family	192.6	8.0 - 24.0 du/ac
Mixed Use Village Center (Commercial, Office, Multi-Family)	75.4	20.0 - 35.0 du/ac
Neighborhood Commercial/Office	121.6	
Office	14.1	
Hotel/Resort	12.0	
Nursing Home	6.3	
Water Storage	10.9	
Open Space/Drainage	132.5	
Right-of-Way	154.2	
Schools	29.8	
 TOTAL	 1,716.3	

PECCOLE RANCH  
STUDENT POPULATION PROJECTIONS

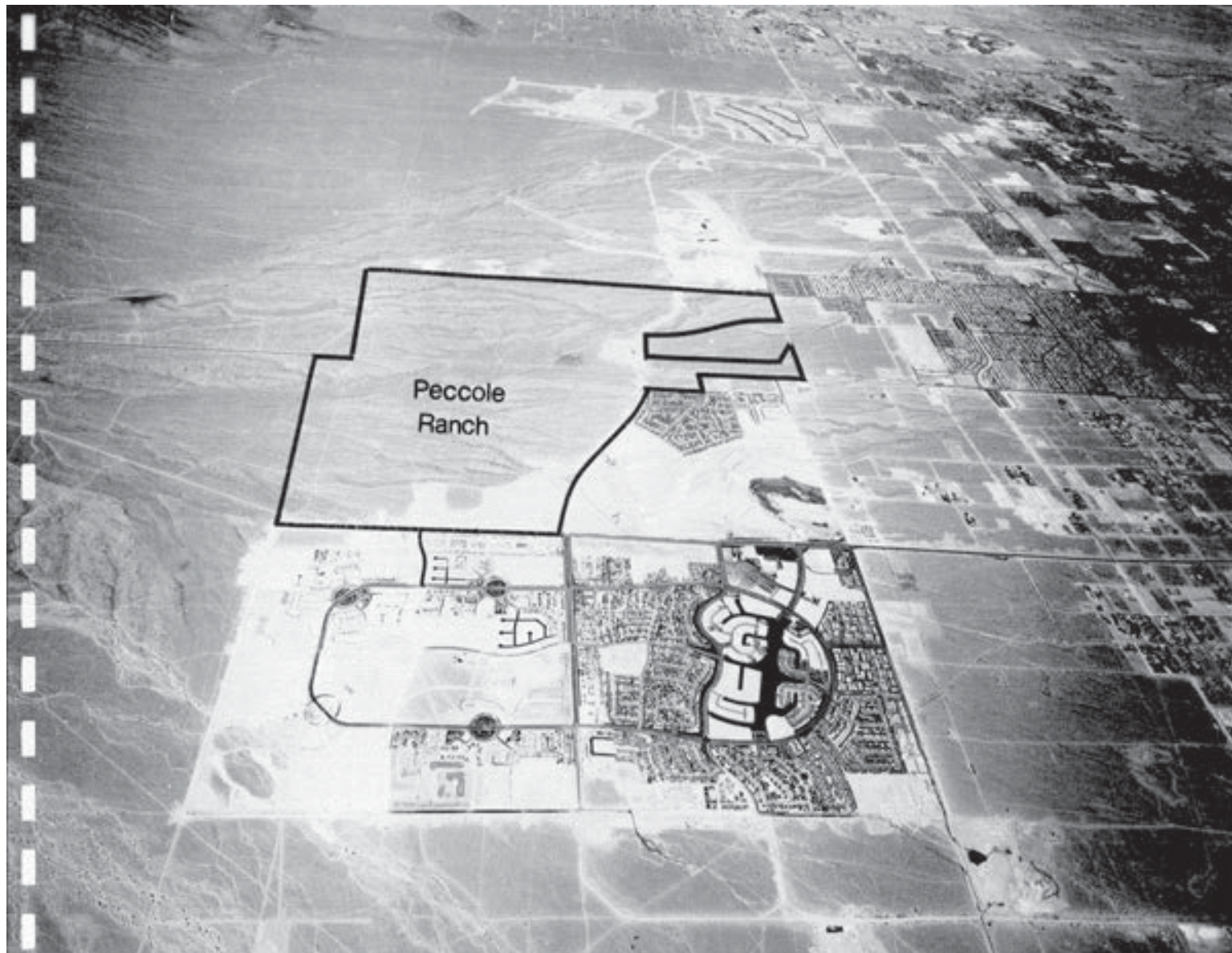
<u>GRADE</u>	<u>PHASE ONE</u>	<u>FUTURE PHASES*</u>	<u>MASTER PLAN</u>
K thru 6	902	2,021	2,923
7 thru 9	347	777	1,124
10 thru 12	343	768	1,111
TOTAL	1,592	3,566	5,158

\* Assuming an average single family density of 7.0 du/ac, and a multi-family density of 24.0 du/ac.

## APPENDIX

CLV113863  
00102





CLV113864  
00103



## THE PECCOLE RANCH PARTNERSHIP

### EXECUTIVE PROFILES

*The Peccole Ranch Partnership was formed based upon a mutual interest by both the Peccole Trust and the Triple Five Corporation to develop a quality mixed use planned community within the City of Las Vegas. The following executive profiles provide background information related to the key players in the Peccole Ranch Master Plan.*

#### **Peccole Trust**

William Peccole has been involved in insurance and real estate since his release from the United States Air Force, where he held the rank of Captain. He served as a Commissioner on the Las Vegas City Council in the 1940's. Peccole has made numerous contributions, both physical and financial, to sports programs, charitable organizations, and scholarship programs. He was also named Distinguished Nevadan by the University of Nevada Board of Regents.

Larry A. Miller graduated in 1977 with a Bachelor of Arts degree. He also has approximately 25 hours toward his Masters degree. Miller is currently assistant to William Peccole in directing and facilitating all aspects of real estate development.

Greg Georgian graduated in 1985 with a Bachelor of Science degree in Real Estate Finance from the University of Nevada. Greg is currently employed as a real estate consultant and investor for William Peccole Enterprises. His responsibilities include bookkeeping, contract evaluation, and research.

#### **Triple Five Corporation**

The Triple Five Corporation is an Edmonton, Alberta, Canada, based real estate development and investment company. Originally formed in 1967 as Ghermez Developments Limited, the company was renamed the Triple Five Corporation Limited in 1973. The Corporation has developed numerous multi-million dollar developments such as the West Edmonton Mall, Fantasyland Hotel, and Eaton Centre Edmonton. Key people in the Triple Five Corporation who are also involved in the Peccole Ranch Master Plan include: Eskander Ghermezian, Wayne Kryger, and David Stoddart.

DEPARTMENT OF COMMUNITY PLANNING & DEVELOPMENT  
APPLICATION FOR ZONING RECLASSIFICATION OF PROPERTY

Pursuant to Chapter 19.92, Title 19, of the Las Vegas City Code, as amended, the undersigned owner(s) of record of the property hereinafter described, hereby present(s) this application requesting that certain property be reclassified from the N-U Use District to a P-DR7, R-3, & C-1 Use District, as established by Chapter 19.06, Title 19, of the Las Vegas City Code, as amended. Also accompanying this application is the prescribed fee of \$ 200.00.

The property hereinbefore referred to, and in relation to which said changes are hereby applied for, is legally described as follows, to wit:

See the attached legal descriptions.

Assessor's Parcel Number: 450-150-006, 450-150-007, 450-150-008, 450-160-003, 450-160-004,  
450-160-005, 450-170-002,  
450-170-003, 450-180-002,  
450-180-003, 440-550-023,  
440-550-048, 440-540-001,  
440-560-008, 440-530-001  
OWNER'S AFFIDAVIT  
(owner shall mean owner(s) of record only)

STATE OF NEVADA)

ss:

COUNTY OF CLARK)

(I, We), William Peccole 1982 Trust

(please print or type)

the undersigned, being duly sworn, depose and say that (I am, we are) the (owner, owners) of record of the property involved in this application and that the foregoing statements and answers herein contained and the information herewith submitted are in all respects true and correct to the best of (my, our) knowledge and belief. (SIGN IN INK)

(1) William Peccole Trust 2760 Toga Pines  
SIGNATURE OF OWNER OF RECORD MAILING ADDRESS  
(702) 364-5002 Las Vegas, Nevada 89102  
PHONE NUMBER CITY STATE ZIP

(2) \_\_\_\_\_  
SIGNATURE OF OWNER OF RECORD MAILING ADDRESS  
PHONE NUMBER CITY STATE ZIP

Subscribed and sworn to before me this 7<sup>th</sup> day of December, 1988.

Taney S. Wilder  
Notary Public in and for said County and State

My Commission Expires

(seal)

\*\*\*FOR DEPARTMENT USE ONLY\*\*\*

This is to certify that the foregoing has been inspected by me and was filed with the office of the Las Vegas City Planning Commission in accordance with the provisions of Chapter 19.92, Title 19, of the Las Vegas City Code.

Filing Fee: \$ \_\_\_\_\_ Received by: \_\_\_\_\_  
Receipt No.: \_\_\_\_\_ Date: \_\_\_\_\_  
Case No.: \_\_\_\_\_  
Meeting Date: \_\_\_\_\_

CLV113866  
00105

# AGENDA

January 12, 1989

*City of Las Vegas*  
**PLANNING COMMISSION**  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6301

Page 43

ITEM

COMMISSION ACTION

35. MASTER DEVELOPMENT PLAN-PECCOLE RANCH

Applicant: WILLIAM PECCOLE, TRUSTEE  
Application: Request for approval of Master Development Plan.  
Location: North of Sahara Avenue and south of Angel Park, between Durango Drive and Hualpai Way  
Size: 1,716 Acres

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. The 11.4 acre multi-family site on the south side of Charleston Boulevard be relocated to the north side, immediately east of the commercial site.
2. The 30 acre multi-family site northeast of the commercial site at Hualpai Way and Sahara Avenue be reduced to 20 acres.
3. A maximum of 3,150 dwelling units be allowed for Phase I.

PROTESTS: 8 on record with staff  
2 speakers at meeting  
32 persons in audience  
97 letters (same petition used for Item 36)

Bugbee -  
APPROVED, subject to staff's conditions.  
Unanimous

MR. FOSTER stated this application involves a large parcel that has had several Master Plans approved on it in the past. There are some major drainage channels going through the area. The exterior treatment will be similar to the Canyon Gate development to the southeast. On the northerly portion is a proposed golf course and north of that is a hotel resort type facility. There will be about 75 acres for a shopping center with garden apartments adjacent to that center. Staff recommended a reduction in the number of units and relocation of the multi-family. Staff recommended approval, subject to the conditions.

WILLIAM PECCOLE, 2760 Tioga Pine Circle, appeared and represented the application. This will be a class development. It will be a project comprising the Peccole family and Triple Five Corporation. He concurred with staff's conditions.

WAYNE SMITH, Land Planner, 2120 South Rural Road, Tempe, Arizona, appeared and represented the applicant. He explained the plot plan. They have worked with City staff on this project.

CHARLEY JOHNSON, VTN Nevada, 2300 Paseo Del Prado, appeared and represented the applicant. The main street will be Charleston Boulevard. There will be bike paths. Fort Apache will lead into the freeway interchange. Charleston Boulevard will be widened from Antelope to this project.

BETH DiFIORE, 8816 Silvaní, appeared in protest. She presented 97 names on petitions. She wants to preserve the scenic beauty of this area and the bike paths to remain. She objected to the density. If they have this high density, they would like it more spread out. She was concerned about drainage. They need additional

CLV051801

00106

2286

# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*

January 12, 1989

## PLANNING COMMISSION

Page 44

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

COMMISSION ACTION

ITEM

35. MASTER DEVELOPMENT PLAN -  
PECCOLE RANCH (CONTINUED)

police and fire protection.  
The surrounding property owners  
want a voice in the Master  
Plan.

GERARD BLATZ, 8632 Cremona  
Drive, appeared in protest.  
The Fire Department is approximately  
ten minutes away.

CHARLEY JOHNSON appeared in  
rebuttal. The Peccole family  
donated a two acre site at  
Durango and Charleston for  
a Fire Station.

WAYNE SMITH appeared in rebuttal.  
The School District is in accordance  
with the plan.

MR. FOSTER stated a new fire  
station will soon be constructed  
on Durango, north of Charleston  
Boulevard.

To be heard by the City Council  
on 2/1/89.

(10:02-10:42)

CLV051802

00107

2287



January 12, 1989

# AGENDA

## City of Las Vegas PLANNING COMMISSION

Page 45

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 366-6301

COMMISSION ACTION

ITEM

35. Z-139-88

Applicant: WILLIAM PECCOLE, TRUSTEE  
Application: Zoning Reclassification  
From: N-U (under Resolution of Intent to R-PD4, P-R, C-1 and C-V)  
To: R-PD7, R-3 and C-1  
Location: West side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard  
Proposed Use: Single Family Residential, Multi-Family Residential, Commercial and Mixed Use Commercial which consists of Retail/Service Commercial, Office and Multi-Family (Multi-Story) Residential.  
Size: 448.8 Acres

STAFF RECOMMENDATION: APPROVAL, subject to the following:

1. Resolution of Intent with a twelve month time limit.
2. A maximum of 3,150 dwelling units be allowed.
3. Approval of plot plans and elevations by the Planning Commission for each parcel prior to development.
4. Dedicate 50 feet and/or 100 feet of right-of-way for Grand Canyon Road and Fort Apache Road, 75 feet of right-of-way for Sahara Avenue, a 54 foot radius at the northeast corner of Grand Canyon Road and Sahara Avenue, a 54 foot radius at the northwest corner of Fort Apache Road and Sahara Avenue, 54 foot radii at the north/south street intersecting Charleston Boulevard west of Fort Apache Road and any additional rights-of-way required for future parcels as required by the Department of Public Works.
5. Construct street improvements on all streets as required by the Department of Public Works.
6. A Master Drainage Plan and Technical Drainage Study and a schedule for completion of all required drainage improvements be submitted for review and approval prior to approval of any Final Maps or building plans as required by the Department of Public Works.

Black -  
APPROVED, subject to staff's conditions.  
Unanimous

MR. FOSTER stated the remarks he made on Item No. 35 also pertain to this application. Some of the multi-family structures will be to a height of eight stories on the mixed use parcel at Sahara and Fort Apache. Staff recommended approval, subject to the conditions.

WAYNE SMITH, Land Planner, 2120 South Rural Road, Tempe, Arizona, and CHARLEY JOHNSON, Engineer, VTN Nevada, 2300 Paseo Del Prado, appeared and represented the applicant. They objected to Condition No. 6. The applicant will complete all the requirements and will not downgrade this development. Charleston Boulevard will be improved for access to this project.

WILLIAM PECCOLE, 2760 Tioga Pine Circle, appeared and represented the application. He is willing to contribute the required monies for the traffic signals as requested in Condition No. 8.

BETH DiFIORE, 8816 Silvani, said the remarks she made on Item No. 35 pertain to this item also. The signatures in protest that she presented when she appeared under Item No. 35 are to be used for this item as well.

HOWARD SUTZ, 8929 Borla Drive, appeared in protest. He objected to the eight or nine story apartment buildings. He agreed with what Beth DiFiore said.

ANDIE CLEMENTE, 9018 Dolphin Cove Avenue, appeared in protest. There are vacant apartments in the area already, as well as shopping centers.

CLV051803

00108

2288



January 12, 1989

# AGENDA

## City of Las Vegas PLANNING COMMISSION

Page 46

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

COMMISSION ACTION

ITEM

### 36. Z-139-88 (CONTINUED)

7. Extend an oversized public sanitary sewer from the Canyon Gate Country Club Unit No. 4 subdivision to a point on Charleston Boulevard approximately 1,300 lineal feet west of Fort Apache Road as required by the Department of Public Works.
8. Contribute \$25,000 for a traffic signal system at Sahara Avenue and Fort Apache Road, \$25,000 for Grand Canyon Road and Sahara Avenue, \$25,000 for Fort Apache Road and Charleston Boulevard and \$50,000 for the north/south street west of Fort Apache Road and Charleston Boulevard at the time of development of the adjoining parcels as required by the Department of Public Works.
9. The building plans shall be submitted to the Las Vegas Metropolitan Police Department for a Defensible Space Review prior to the issuance of a building permit.
10. The existing Resolution of Intent is expunged upon approval of this application.

PROTESTS: 4 speakers at meeting  
32 persons in audience (same persons as Item No. 35)  
97 letters (same petition used on Item No. 35)

ANTHONY RUSSO, 3148 Crystal Bay, appeared in protest. The fire and police protection is not adequate.

COMMISSIONER BABERO said the fire and police protection will follow this project.

MR. FOSTER said construction of a fire station will commence this year.

FRANK DENNY, 9104 Dolphin Cove Court, appeared in protest. He was concerned about flooding. There are too many apartments in Las Vegas.

To be heard by the City Council on 2/1/89.

(10:42-11:15)

CLV051804

00109

2289

CITY COUNCIL MINUTES  
MEETING OF  
FEBRUARY 15, 1989

# AGENDA

*City of Las Vegas*

000591

CITY COUNCIL  
COUNCIL CHAMBERS - 400 EAST STEWART AVENUE  
PHONE 366-6001

Page 49

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
1739 to 1832	<p>H. MASTER DEVELOPMENT PLAN - RELATED TO <u>ZONE CHANGE Z-139-88 - PUBLIC HEARING</u></p> <p>1. ABEYANCE ITEM - Peccole Ranch</p> <p>Request for approval of the Master Development Plan for property located north of Sahara Avenue and south of Angel Park, between Durango Drive and Hualpai Way.</p> <p>Planning Commission unanimously recommended APPROVAL, subject to:</p> <ol style="list-style-type: none"> <li>1. The 11.4 acre multi-family site on the south side of Charleston Boulevard be relocated to the north side, immediately east of the commercial site.</li> <li>2. The 30 acre multi-family site northeast of the commercial site at Hualpai Way and Sahara Avenue be reduced to 20 acres.</li> <li>3. A maximum of 3,150 dwelling units be allowed for Phase I.</li> </ol> <p>Staff Recommendation: APPROVAL</p> <p>PROTESTS: 137 (103 letters, 34 at meeting)</p>	<p>MILLER - APPROVED as recommended subject to the conditions and an additional condition that the single family and multifamily be constructed concurrently. Unanimous</p> <p>Clerk to Notify and Planning to proceed.</p> <p>Bill Peccole, Larry Miller, David Stoddard, Wayne Smith, and Charley Johnson appeared representing the request.</p> <p>PROTESTS Seth DiFiore, 8816 Silvagni, appeared and presented 10 additional letters of protest.</p> <p>NOTE: EXCERPT OF MOTION MADE PART OF FINAL MINUTES.</p>

CLV036238  
00110

2290

X.

H. MASTER DEVELOPMENT PLAN - PECCOLE RANCH - RELATED TO ZONE CHANGE Z-139-88  
- PUBLIC HEARING

1. Peccole Ranch

This item was held in abeyance at the request of the applicant and is a revised Master Development Plan for the Peccole property that is to be a planned community and named Peccole Ranch. There is a related zoning application, Z-139-88, Item X.H.1., on 448.8 gross acres of the 1,716 acres involved in this Development Plan. Prior master development plans were approved on this property in 1981 and 1986.

The Development Plan is for property located between Angel Park and Sahara Avenue east of Hualpai Way with portions extending easterly to Durango Drive. The Bailey and McGah and the Canyon Gate Country Club developments exist to the east. To the northeast, north of Charleston Boulevard, is a proposed Bailey and McGah single family development. To the west is the Summerlin property and to the south is the Lakes At West Sahara development.

The Phase I portion of the property is located west of Fort Apache Road between Charleston Boulevard and Sahara Avenue, that is predominantly for single family use with some parcels along Charleston for multi-family and a nursing home on a commercial site. There is a mixed use village center on the southerly portion at Sahara for shopping and an 8-story multi-family complex that is bordered by two-story garden apartments along the northwest part of the parcel. West of Phase I is similar type of development as well as on most of the property to the north of Charleston Boulevard with the exception of a hotel/resort site adjacent to Angel Park at Rampart Boulevard (formerly Fort Apache Road north of Charleston). Also, there is a golf course on the north portion.

The entire development will be a walled-in community with landscaping along the street frontages and there will be landscaped open space on the interior with most of it being in the major drainageways. A school site is proposed on the southerly part of the development. The overall density is 6.7 units per gross acre that is compatible with the General Plan, which recommends an average density of 7 units per acre. The uses and amount of acreage is as follows:

<u>LAND USE</u>	<u>ACRES:</u>	
	<u>PHASE I</u>	<u>OTHER PHASES</u>
Nursing Home	6.3	---
Single Family	258.2	587.4
Multi-Family	18.0	143.9
Mixed Use Village Center:		
Commercial/Office	43.0	---
Multi-Family	32.4	---
Commercial/office	2.0	---
Drainage/Open Space	30.8	---
Right-of-Way	48.0	---
Elementary School	<u>10.1</u>	---
Phase I Total	448.8	
Neighborhood Commercial/Office		137.7
Office		5.4
Hotel/Resort		56.6
Water Reservoir Site		10.9
Golf Course/Drainage		207.1
Right-of-way		98.8
School		<u>19.7</u>
Later Phases Total		1,267.5
Grand Total		1,716.3

- continued -

CLV036239  
00111

CITY COUNCIL MINUTES  
MEETING OF  
FEBRUARY 15, 1989

000593

X.

H. MASTER DEVELOPMENT PLAN - PECCOLE RANCH - RELATED TO ZONE CHANGE  
Z-139-88 - PUBLIC HEARING (continued)

1. Peccole Ranch

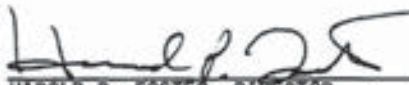
The southerly portion has more acreage for multi-family and an overall higher density than recommended in the General Plan. Staff worked out certain adjustments with the applicant to restrict Phase I to a maximum of 3,150 dwelling units and reduce the 30 acre multi-family parcel next to the commercial at Hualpai and Sahara to 20 acres and that the 11.4 acre multi-family parcel on Charleston east of the commercial site that is east of Hualpai be located to the north side of Charleston. This provides a balance on the amount of the multi-family on the north and south portions.

There was a protest factor from the residents in the Bailey & McGah development who indicated their subdivision consists of mostly oversized R-1 lots and they were concerned about the size of the lots in the R-PD7 single family areas and the amount of multi-family development. It was pointed out that all developments would primarily front on the interior of this walled-in community except some of the multi-family parcels would front on the perimeter streets but none of them across from the Bailey and McGah development.

Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

PROTESTS: 137 (103 letters, 34 at meeting)

  
HAROLD P. FOSTER, DIRECTOR  
DEPARTMENT OF COMMUNITY PLANNING  
AND DEVELOPMENT

CLV036240  
00112

2292



LOCATION MAP - ITEM X.H.1. - Peccole Ranch





EXCERPT OF MOTION - X.H.1 - MASTER DEVELOPMENT PLAN - PECCOLE RANCH.

COUNCILMAN MILLER: Your Honor, I want to MAKE A MOTION and that would be that we follow Planning and Staff recommendation for APPROVAL.

COUNCILMAN BUNKER: I just have one concern. I share somewhat the concerns mentioned, probably not to the extent, but I just feel with architectural review that we will be able to resolve mid-size or mid-rise apartment. I have a concern that you would not plan to build all of your R-3 and the mid-size up front and not build any of the single family. Now I know that you are going to tell me that that doesn't work, but you know, people do that. It's been done and so I would want some commitment on the record that you are going to build concurrently in Phase I some of these R-7 sites.

WAYNE SMITH: This is not a commitment, but the direction we are headed right at the moment, we have dealt with 15 builders in the last couple of days, although we're not at a marketing stage by the fact that we are here before you today with a zoning, and the single family portion is the most saleable portion, and I would have no problem with a commitment like that that it will go ahead concurrently, completely, the single family aspect of it.

MAYOR LURIE: Concurrently, the R-1 and multifamily are concurrently going to be built?

COUNCILMAN BUNKER: I understand that is what he is saying. That the R-3 will not be built first.

WAYNE SMITH: It will be built concurrently with the other. There is that interest in the marketplace as well, so it is feasible, it's very feasible.

MAYOR LURIE: Any other comments. Councilman Adamsen? We have a Motion. I was seeing if there were any other comments before we cast the votes.

COUNCILMAN ADAMSEN: Your Honor, I previously had some concerns regarding the actual approval at this point. Given the assurances as far as aesthetic review that has nullified some of my concerns. I would be happy to work with these developers in the future on these mid-rises and with that I WOULD MOVE THAT WE FOLLOW THE RECOMMENDATION OF STAFF.

MAYOR LURIE: Well, we have a Motion already, but the next application, this first application deals with the overall Master Plan. The next item deals with the Phase I. Is that correct?

WAYNE SMITH: That's correct.

MAYOR LURIE: That's when we have to talk about the multistory buildings.

COUNCILMAN MILLER: I have a question related to this for a moment. I know that there is some sort of a hotel or resort included in this. Were you thinking of putting a casino in there?

WAYNE SMITH: Not at this stage we're not. It's adjacent to the Angel Park Golf Course treatment. We...

MAYOR LURIE: You must approved it with your Motion.

COUNCILMAN BUNKER: In concept. He didn't approve a casino because they would have to get a Use Permit.

CLV036242  
00114

2294

000596

EXCERPT OF MOTION - X.H.1 - MASTER DEVELOPMENT PLAN - PECCOLE RANCH.

MAYOR LURIE: In concept you approved it with your Motion.

COUNCILMAN MILLER: I approved a casino with my Motion.

MAYOR LURIE: In concept. They still have to come back for a Use Permit. If you want to talk about it you can talk about it now under this application. The next one, we are just talking about Phase I, which I believe cuts off at Charleston and it goes over to Sahara.

COUNCILMAN MILLER: Well, my only concern is I am not favoring any kind of casinos off of interstate highways. I've always felt that way.

WAYNE SMITH: The type of thing most directly related to another use is probably, the closest one would be a destination resort such as the Hyatt Regency in Scottsdale. It is truly integrated with the community. It's an urban scale destination resort.

COUNCILMAN MILLER: Thank you for clarifying that.

MAYOR LURIE: So, we understand now, the MOTION IS TO APPROVE WITH THE CONDITION THAT THE SINGLE FAMILY AND MULTIFAMILY ARE BUILT CONCURRENTLY. Cast your votes on the Motion. Post. Motion's APPROVED. (APPROVED UNANIMOUSLY). The next item is Z-139-88 for Phase I.

CLV036243  
00115

2295

# AGENDA

*City of Las Vegas*

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6081

Page 50

ITEM	Council Action	Department Action
X. COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT (CONTINUED)		
1832 to 1834 H. <u>ZONE CHANGE - RELATED TO MASTER DEVELOPMENT PLAN - PUBLIC HEARING</u>  2. <u>ABEYANCE ITEM - Z-139-88 - William Peccole, Trustee</u>  Request for reclassification of property located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard.  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) R-3 (Limited Multiple Residence) C-1 (Limited Commercial)  Proposed Use: SINGLE FAMILY RESIDENTIAL, MULTI-FAMILY RESIDENTIAL, COMMERCIAL AND MIXED USE COMMERCIAL WHICH CONSISTS OF RETAIL/SERVICE COMMERCIAL, OFFICE AND MULTI-FAMILY (MULTI-STORY) RESIDENTIAL  Planning Commission unanimously recommended APPROVAL, subject to:  1. Resolution of Intent with a twelve month time limit.  2. A maximum of 3,150 dwelling units be allowed.  3. Approval of plot plans and elevations by the Planning Commission for each parcel prior to development.  4. Dedicate 50 feet and/or 100 feet of right-of-way for Grand Canyon Road and Fort Apache Road, 75 feet of right-of-way for Sahara Avenue, a 54 foot radius at the northeast corner of Grand Canyon Road and Sahara Avenue, a 54 foot radius at the northwest corner of Fort Apache Road and Sahara Avenue, a 54 foot radii at the north/south street intersecting Charleston Boulevard west of Fort Apache Road and any additional rights-of-way required for future parcels as required by the Department of Public Works.  - continued -	ADAMSEN - APPROVED as recommended sub- ject to condition #3 being amended to include approval; of plot plans & building elevations (architectural renderings) by the City Council for all buildings except the single family; all other conditions to apply. Unanimous	Clerk to Notify and Planning to proceed.

CLV036244  
00116

2296



**AGENDA***City of Las Vegas*CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 51

ITEM	Council Action	Department Action
X. <u>COMMUNITY PLANNING AND DEVELOPMENT DEPARTMENT</u> <u>(CONTINUED)</u>		
H. <u>ZONE CHANGE - RELATED TO MASTER DEVELOPMENT</u> <u>PLAN - PUBLIC HEARING</u>	APPROVED SEE PAGE 50	See Page 50
2. <u>ABEYANCE ITEM - Z-139-BB - William</u> <u>Peccole, Trustee (continued)</u>		
5. Construct street improvements on all streets as required by the Department of Public Works.		
6. A Master Drainage Plan and Technical Drainage Study and a schedule for completion of all required drainage improvements be submitted for review and approval prior to approval of any Final Maps or building plans as required by the Department of Public Works.		
7. Extend an oversized public sanitary sewer from the Canyon Gate Country Club Unit No. 4 subdivision to a point on Charleston Boulevard approximately 1,300 lineal feet west of Fort Apache Road as required by the Department of Public Works.		
8. Contribute \$25,000 for traffic signal systems at Sahara Avenue and Fort Apache Road, \$25,000 for Grand Canyon and Sahara Avenue, \$25,000 for Fort Apache Road and Charleston Boulevard and \$50,000 for the north/south street west of Fort Apache Road and Charleston Boulevard development of the adjoining parcels as required by the Department of Public Works.		
9. The building plans shall be submitted to the Las Vegas Metropolitan Police Department for a Defensible Space Review prior to the issuance of a building permit.		
10. The existing Resolution of Intent on the property is expunged upon approval of this application.		
Staff Recommendation: APPROVAL - in accordance with the General Plan		
PROTESTS: 133 (36 at meeting, 97 letters)		

CLV036245

00117

2297

X.

H. ZONE CHANGE - PUBLIC HEARING

2. Z-139-88 - William Peccole, Trustee

This item was held in abeyance at the request of the applicant. The application is to rezone 448.8 acres that is under Resolution of Intent to R-PD4, P-R, C-1 and C-V to R-PD7, R-3 and C-1. The related Master Development Plan for this property is Item X.H.1. on this agenda.

This application is Phase I of the Master Development Plan that is on the west side of Fort Apache Road between Sahara Avenue and Charleston Boulevard. There is R-3, C-1 and C-2 zoning along Charleston Boulevard. To the east is developed R-PD8 and R-1 in the Bailey and McGah subdivisions and to the southeast is Canyon Gate Country Club that is zoned R-PD4. Also to the southeast is R-PD18 and C-1. There is C-1 and R-PD20 zoning to the south of Sahara and to the west is predominantly R-PD7 zoning.

Initially, this Phase had an overall density of 8.6 dwelling units per gross acre which exceeds the 7 units per gross acre density recommended in the General Plan. The applicant has agreed to limit the maximum number of dwelling units to 3,150 that will reduce the density in accordance with the General Plan. There are no development plans submitted at this time due to it being a large scale development and these will be required to be approved by the Planning Commission prior to development.

The same protestants as appeared on the related item were also in opposition to this application because the single family will be on smaller lot sizes than the Bailey and McGah development and there was concern about the multi-family parcels that would result in apartment projects in their neighborhood. Also, they felt the proposed 8-story multi-family project in the mixed-use village center at Fort Apache and Sahara Avenue may not be compatible.

Planning Commission Recommendation: APPROVAL - in accordance with the General Plan

Staff Recommendation: APPROVAL - in accordance with the General Plan

PROTESTS: 133 (36 at meeting, 97 letters)

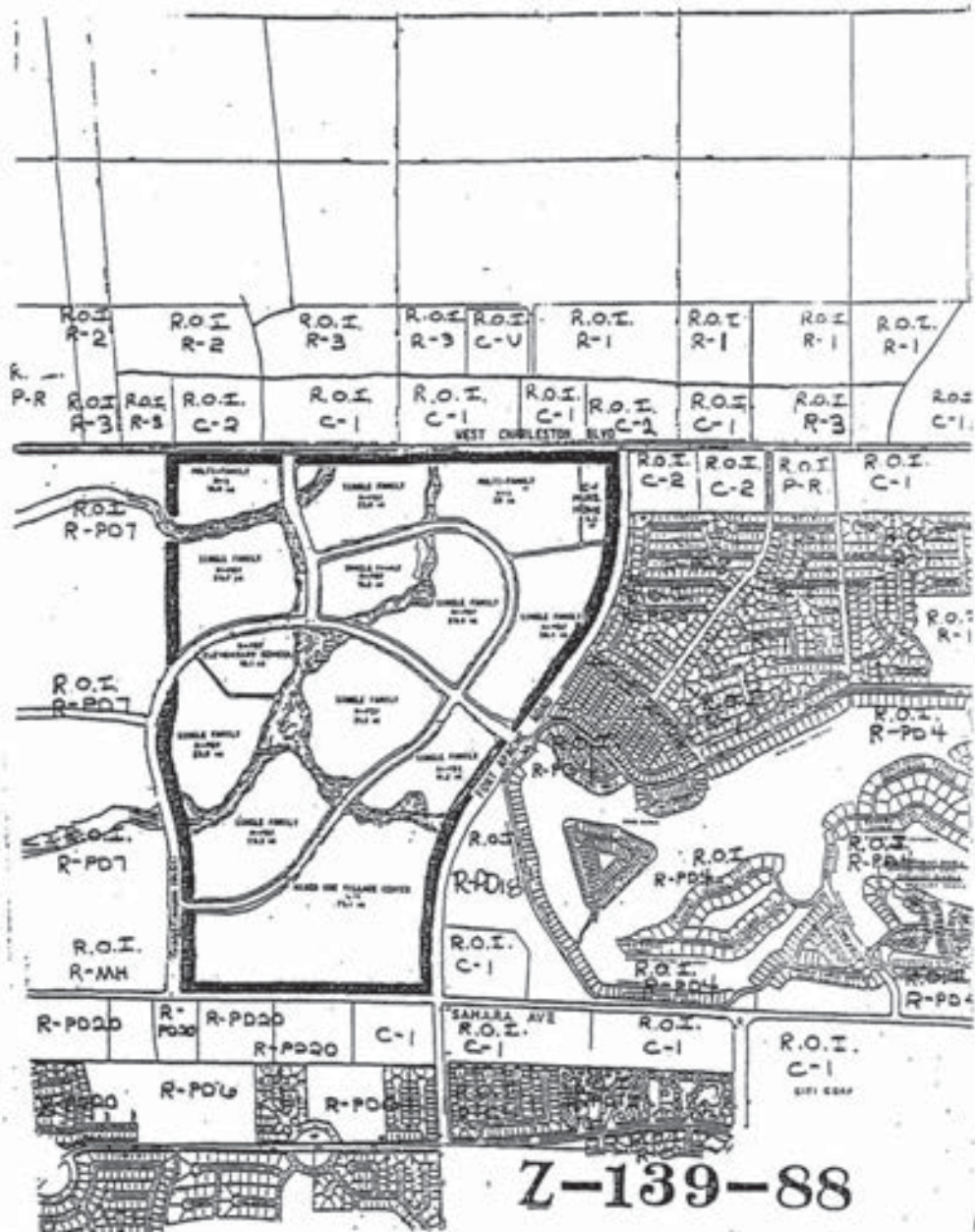
SEE ATTACHED LOCATION MAP

  
HAROLD P. FOSTER, DIRECTOR  
DEPARTMENT OF COMMUNITY PLANNING  
AND DEVELOPMENT



000600

LOCATION MAP - ITEM X.H.2. - Z-139-88 - William Peccole Trustee



CLV036247  
00119

MAYOR RON LURIE  
COUNCILMEN  
BOB NOLEN  
W. WAYNE BUNKER  
STEVE MILLER  
ARNIE ADAMSEN  
CITY MANAGER  
ASHLEY HALL



# CITY of LAS VEGAS

February 24, 1989

Mr. William Peccole  
2760 Tioga Pines Circle  
Las Vegas, Nevada 89102

RE: Z-139-88 - ZONE CHANGE - RELATED TO MASTER DEVELOPMENT  
PLAN - PUBLIC HEARING

Dear Mr. Peccole:

The City Council at a regular meeting held February 15, 1989 APPROVED the request for reclassification of property located on the west side of Fort Apache Road, between Sahara Avenue and Charleston Boulevard, 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), R-3 (Limited Multiple Residence), C-1 (Limited Commercial), Proposed Use: Single Family Residential, Multi-Family Residential, Commercial and Mixed Use Commercial which consists of Retail/Service Commercial, Office and Multi-Family (Multi-Story) Residential, subject to:

1. Resolution of Intent with a twelve month time limit.
2. A maximum of 3,150 dwelling units be allowed.
3. Approval of plot plans and building elevations (architectural renderings) by the Planning Commission and the City Council for each parcel prior to development, except the parcels involving single family development be exempted from City Council review.
4. Dedicate 50 feet and/or 100 feet of right-of-way for Grand Canyon Road and Fort Apache Road, 75 feet of right-of-way for Sahara Avenue, a 54 foot radius at the northeast corner of Grand Canyon Road and Sahara Avenue, a 54 foot radius at the northwest corner of Fort Apache Road and Sahara Avenue, a 54 foot radii at the north/south street intersecting Charleston Boulevard west of Fort Apache Road and any additional rights-of-way required for future parcels as required by the Department of Public Works.



CLV7009

400 E. STEWART AVENUE • LAS VEGAS, NEVADA 89101 • (702) 386-6011

CLV275172  
00120

2300

Mr. William Pecco

Re: Z-139-88 - ZONE CHANGE - RELATED TO MASTER DEVELOPMENT  
PLAN - PUBLIC HEARING

February 24, 1989

Page 2.

5. Construct street improvements on all streets as required by the Department of Public Works.
6. A Master Drainage Plan and Technical Drainage Study and a schedule for completion of all required drainage improvements be submitted for review and approval prior to approval of any Final Maps or building plans as required by the Department of Public Works.
7. Extend an oversized public sanitary sewer from the Canyon Gate Country Club Unit No. 4 subdivision to a point on Charleston Boulevard approximately 1,300 lineal feet west of Fort Apache Road as required by the Department of Public Works.
8. Contribute \$25,000 for traffic signal systems at Sahara Avenue and Fort Apache Road, \$25,000 for Grand Canyon and Sahara Avenue, \$25,000 for Fort Apache Road and Charleston Boulevard and \$50,000 for the north/south street west of Fort Apache Road and Charleston Boulevard development of the adjoining parcels as required by the Department of Public Works.
9. The building plans shall be submitted to the Las Vegas Metropolitan Police Department for a Defensible Space Review prior to the issuance of a building permit.
10. The existing Resolution of Intent on the property is expunged upon approval of this application.

Sincerely,



KATHLEEN M. TIGHE  
City Clerk

KMT:cmp

cc: Dept. of Community Planning and Development  
Dept. of Public Works  
Dept. of Building and Safety  
Dept. of Fire Services  
Land Development Services

CLV275173  
00121

2301

# **EXHIBIT G**

# **EXHIBIT G**



1 SECOND AMENDMENT

2 BILL NO. 89-52

3 ORDINANCE NO. 3472

4 AN ORDINANCE RELATING TO GAMING; AMENDING TITLE 6, CHAPTER 40, OF  
5 THE MUNICIPAL CODE OF THE CITY OF LAS VEGAS, NEVADA, 1983  
6 EDITION, BY ADDING THERETO A NEW SECTION, DESIGNATED AS SECTION  
7 160, TO ESTABLISH A GAMING ENTERPRISE DISTRICT AND TO PROVIDE THE  
8 MEANS BY WHICH THE CITY COUNCIL MAY AMEND SAID DISTRICT OR ADD  
9 PROPERTY THERETO; AMENDING SECTION 150 OF SAID TITLE AND CHAPTER  
10 TO PROVIDE THAT, EFFECTIVE JANUARY 1, 1990, NO NONRESTRICTED  
11 GAMING MAY BE CONDUCTED, MAINTAINED OR OPERATED ON ANY PARCEL OF  
12 LAND WITHIN THE CITY UNLESS, ON THAT DATE, SUCH GAMING IS BEING  
13 CONDUCTED ON THAT PARCEL OR THE ZONING TO CONDUCT SUCH GAMING ON  
14 THAT PARCEL HAS BEEN APPROVED, OR, IN THE ALTERNATIVE, THE PARCEL  
15 IS LOCATED WITHIN AN AREA THAT HAS BEEN DESIGNATED AS A GAMING  
16 ENTERPRISE DISTRICT; PROVIDING FOR OTHER MATTERS PROPERLY  
17 RELATING THERETO; PROVIDING PENALTIES FOR THE VIOLATION HEREOF;  
18 AND REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT  
19 HERewith.

20 Sponsored By: Summary: Establishes a gaming  
21 Mayor Ron Lurie enterprise district, limits  
22 nonrestricted gaming to said  
23 district as of January 1, 1990, and  
24 provides the means of amending said  
25 district and adding property  
26 thereto.

27 THE CITY COUNCIL OF THE CITY OF LAS VEGAS DOES HEREBY  
28 ORDAIN AS FOLLOWS:

29 SECTION 1: Title 6, Chapter 40, of the Municipal  
30 Code of the City of Las Vegas, Nevada, 1983 Edition, is hereby  
31 amended by adding thereto a new section, designated as Section  
32 160, reading as follows:

33 6.40.160: (A) There is hereby established a gaming enter-  
34 prise district which consists of those certain areas that are  
35 delineated on the map thereof that is entitled "Gaming Enterprise  
36 District Map," copies of which are maintained in the Office of  
37 the City Clerk and in the Department of Community Planning and  
38 Development, as said map may be from time to time amended by the  
39 City Council to change the boundaries of, or other means of deli-  
40 neating, the district by an ordinance that is duly passed,  
41 adopted and approved.

42 (B) Individual parcels of land may be added to the



1 gaming enterprise district through the approval by the City Coun-  
2 cil, following a public hearing thereon that has been duly adver-  
3 tised by the publication of a notice thereof in a newspaper of  
4 general circulation within the City not less than five days nor  
5 more than ten days in advance of such hearing, of a petition to  
6 include such property within the district. The petition must  
7 not be granted unless the petitioner establishes that:

8 (1) The roads, water, sanitation, utilities and  
9 related services to the location are adequate;

10 (2) The establishment that is proposed to be  
11 operated on the parcel will not unduly impact the public ser-  
12 vices, increase the consumption of natural resources or adversely  
13 affect the quality of life that is enjoyed by the residents of  
14 the surrounding neighborhoods;

15 (3) The establishment that is proposed to be  
16 operated on the parcel will enhance, expand and stabilize  
17 employment and the local economy;

18 (4) The establishment that is proposed to be  
19 operated on the parcel will be located in an area that has been  
20 zoned for that purpose or for which such zoning has been approved  
21 by the adoption by the City Council of a resolution of intent  
22 pursuant to LVMC 19.92.120; and

23 (5) The establishment that is proposed to be  
24 operated on the parcel will not be detrimental to the health,  
25 safety or general welfare of the community or be incompatible  
26 with the surrounding area.

27 (C) Any interested person is entitled to be heard at  
28 the public hearing that is held pursuant to subsection (B) of  
29 this Section.

30 (D) If a petition that is submitted pursuant to subsec-  
31 tion (B) of this Section is denied, the City Council may not con-  
32 sider another petition concerning the same parcel, or any portion

1 thereof, until at least one year has elapsed since the date of  
2 such denial.

3 (E) In the case of a petition and hearing that is held  
4 pursuant to subsection (B) of this Section, the special use per-  
5 mit provisions that are contained in Title 19 of this Code shall  
6 not apply.

7 SECTION 2: Title 6, Chapter 40, Section 150, of the  
8 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is  
9 hereby amended to read as follows:

10 6.40.150: (A) No nonrestricted gaming shall be conducted,  
11 maintained or operated in the City except:

12 [(A)][1] At a location which:

13 [(1)][a] On November 1, 1988, was licensed  
14 for nonrestricted gaming,

15 [(2)][b] Consists, or when the same is  
16 constructed will consist, of a restaurant which has full  
17 kitchen facilities and is located within a freestanding  
18 building that contains in excess of three thousand square  
19 feet of usable floor space under one roof and is separated  
20 along its entire exterior perimeter from any other commercial  
21 establishment either by a property line or by an unobstructed  
22 open area at least ten feet in width and with respect to  
23 which, on April 1, 1989, a tavern license had been issued  
24 pursuant to LVMC 6.50.050 or preliminary approval for a  
25 tavern license had been granted pursuant to LVMC 6.06.050, as  
26 the case may be, and an application for nonrestricted gaming  
27 had been filed with the State; or

28 [(3)][c] Consists of a licensed business  
29 premises that contains in excess of nine thousand square feet  
30 of usable floor space under one roof within which the gaming  
31 is, at all times, under the supervision of an attendant whose  
32 duties shall be limited solely to the making of change and

1 supervising such gaming and with respect to which, on  
2 April 1, 1989, an application for nonrestricted gaming had  
3 been filed with the State;

4 provided, however, that such gaming shall be limited to the  
5 operation of not more than thirty-five slot machines at any such  
6 location that, on April 1, 1989 was licensed for slot machines  
7 only;

8 [(B)][2] At a location which:

9 [(1)][a] Is situate within the area that is  
10 bounded by the east side of Main Street, the south side of  
11 Stewart Avenue, the west side of Third Street and the north  
12 side of Carson Avenue; or

13 [(2)][b] Fronts on either side of Jackson  
14 Avenue between "D" Street and "G" Street or on either side of  
15 Owens Avenue between "H" Street and Martin Luther King Boule-  
16 vard

17 and with respect to which, on April 1, 1989, an application for  
18 nonrestricted gaming had been filed with the State;

19 [(C)][3] In a hotel which:

20 [(1)][a] Has at least two hundred guestrooms  
21 that are available to the public; or

22 [(2)][b] On February 1, 1989, had at least  
23 eighty guestrooms that continue to be available to the  
24 public, and the requirement for the other one hundred twenty  
25 guestrooms had been waived;

26 [(D)][4] At a location with respect to which a  
27 tavern license is issued pursuant to LVMC 6.50.050; provided,  
28 however, that such gaming shall be limited to the operation of  
29 not more than twenty slot machines; or

30 [(E)][5] In a retail outlet that contains at  
31 least five thousand square feet of usable floor space and with  
32 respect to which a special use permit for a general business



1 related gaming establishment, as that term is defined in LVMC  
2 19.04.417, is obtained in accordance with LVMC Title 19; pro-  
3 vided, however, that such gaming shall be limited to the opera-  
4 tion of not more than twenty slot machines.

5 (B) Notwithstanding anything to the contrary that is  
6 provided in, or may be implied from, subsection (A) of this Sec-  
7 tion or Title 19 of this Code, effective January 1, 1990, no  
8 nonrestricted gaming shall be conducted, maintained or operated  
9 on any parcel of land within the City unless:

10 (1) As of that date a gaming establishment is  
11 operating on that parcel pursuant to a nonrestricted license;

12 (2) The parcel is zoned for resort and gaming pur-  
13 poses or the zoning of the parcel for such purposes has been  
14 approved by the adoption by the City Council of a resolution of  
15 intent pursuant to LVMC 19.92.120;

16 (3) The parcel is zoned for resort and gaming pur-  
17 poses and an application for aesthetic review with respect to the  
18 establishment that is proposed to be operated thereon had been  
19 filed prior to October 5, 1988; provided, however, that the  
20 exception that is provided for in this paragraph (3) applies to  
21 the parcel only if it is developed by the person on whose behalf  
22 such application was filed; or

23 (4) The parcel is located within an area that has  
24 been designated as a gaming enterprise district pursuant to LVMC  
25 6.40.160.

26 (C) Except as otherwise provided in LVMC 6.40.160(E),  
27 the inclusion of a parcel within a gaming enterprise district  
28 established pursuant to LVMC 6.40.160 does not diminish the  
29 applicability of the provisions of Title 19 of this Code to that  
30 parcel.

31 SECTION 3: Title 6, Chapter 40, Section 165, of the  
32 Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, is

1 hereby amended to read as follows:

2 6.40.165: If gaming operations at any location at which  
3 restricted gaming may be conducted by virtue of LVMC 6.40.140(A)  
4 or at any location at which nonrestricted gaming may be conducted  
5 by virtue of LVMC [6.40.150(A) or 6.40.150(B)] 6.40.150(A)(1),  
6 6.40.150(A)(2), 6.40.150(B)(1) or 6.40.150(B)(2) are discontinued  
7 for twenty-four consecutive months, the right to conduct gaming  
8 at such establishment by virtue of LVMC 6.40.140(A), [6.40.150(A)  
9 or 6.40.150(B),] 6.40.150(A)(1), 6.40.150(A)(2), 6.40.150(B)(1)  
10 or 6.40.150(B)(2), as the case may be, shall, upon the expiration  
11 of such twenty-four-month period, automatically terminate, and no  
12 gaming may be conducted at such location unless or until such  
13 location is licensed for restricted gaming pursuant to some other  
14 provision of LVMC 6.40.140 or for nonrestricted gaming pursuant  
15 to some other provision of LVMC 6.40.150.

16 SECTION 4: Whenever in this ordinance any act is  
17 prohibited or is made or declared to be unlawful or an offense or  
18 a misdemeanor, or whenever in this ordinance the doing of any act  
19 is required or the failure to do any act is made or declared to  
20 be unlawful or an offense or a misdemeanor, the doing of any such  
21 prohibited act or the failure to do any such required act shall  
22 constitute a misdemeanor and upon conviction thereof, shall be  
23 punished by a fine of not more than \$1,000.00 or by imprisonment  
24 for a term of not more than six (6) months, or by any combination  
25 of such fine and imprisonment. Any day of any violation of this  
26 ordinance shall constitute a separate offense.

27 SECTION 5: If any section, subsection, subdivision,  
28 paragraph, sentence, clause or phrase in this ordinance or any  
29 part thereof, is for any reason held to be unconstitutional or  
30 invalid or ineffective by any court of competent jurisdiction,  
31 such decision shall not affect the validity or effectiveness of  
32 the remaining portions of this ordinance or any part thereof.



1 The City Council of the City of Las Vegas, Nevada, hereby  
2 declares that it would have passed each section, subsection, sub-  
3 division, paragraph, sentence, clause or phrase thereof irrespec-  
4 tive of the fact that any one or more sections, subsections, sub-  
5 divisions, paragraphs, sentences, clauses or phrases be declared  
6 unconstitutional, invalid or ineffective.

7 SECTION 6: All ordinances or parts of ordinances,  
8 sections, subsections, phrases, sentences, clauses or paragraphs  
9 contained in the Municipal Code of the City of Las Vegas, Nevada,  
10 1983 Edition, in conflict herewith are hereby repealed.

11 PASSED, ADOPTED AND APPROVED this 20th day of December  
12 1989.

13 APPROVED:

14 By

15   
ROW LURIE, MAYOR 92-189283

16 ATTEST:

17   
18 KATHLEEN M. FYFFE, CITY CLERK  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

1 The above and foregoing ordinance was first proposed and  
2 read by title to the City Council on the 16th day of August,  
3 1989, and referred to a committee composed of the entire City  
4 Council for recommendation; thereafter the said committee  
5 reported favorably on said ordinance on the 20th day of  
6 December, 1989, which was a regular meeting of said  
7 Council; that at said regular meeting, the proposed  
8 ordinance was read by title to the City Council as amended and  
9 adopted by the following vote:

10 VOTING "AYE": Councilmen Adamsen, Higginson, Miller, Nolen and Mayor Lurie

11 VOTING "NAY": NONE

12 ABSENT: NONE

13 APPROVED:

14 By   
15 RON LURIE, MAYOR *OK 1-5-90*

16 ATTEST:

17   
18 KATHLEEN M. TIGHE, CITY CLERK  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32

CITY OF LAS VEGAS

INTER-OFFICE MEMORANDUM

Date

January 10, 1990

TO:

KATHLEEN M. TIGHE  
CITY CLERK

FROM:

HAROLD P. FOSTER, DIRECTOR  
DEPARTMENT OF COMMUNITY PLANNING  
AND DEVELOPMENT

SUBJECT:

GAMING ENTERPRISE DISTRICT MAP  
BILL NO. 89-52

COPIES TO:

Attached is a copy of the Gaming Enterprise District map and Attachment A which should be part of the Ordinance and included with any copy made of this ordinance. A larger map (24"x36") is available from this office to the general public upon request and at a cost of \$1.00 per copy.

HPF:lm

Attachment

CLV 7007

CLV305828  
00130

2311

ATTACHMENT A

GAMING ENTERPRISE DISTRICT

A "Destination Resort" is defined as a hotel with a minimum of 200 guest rooms within the boundaries of a master planned community of at least 500 acres in size and includes amenities such as:

1. An 18-hole golf course.
2. Four regulation size tennis courts.
3. A swimming pool of not less than 20 feet in width, 35 feet in length and at least 6 feet in depth at its deepest point.
4. A restaurant which is open for the service of complete meals at least 18 hours per day, which seats at least 100 people.
5. A gourmet or specialty restaurant which seats at least 50 people.
6. Room service to all guest rooms.
7. Conference or meeting rooms of at least 5,000 square feet.

CLV305829

00131





CLV305830

00132

2313



## CITY COUNCIL MINUTES

SPECIAL MEETING OF  
DECEMBER 8, 1989

000004

## AGENDA

City of Las Vegas

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 1

ITEM	ACTION
IX. 9:00 A.M. - PUBLIC HEARINGS	FULL COUNCIL PRESENT.
A. BILL NO. 89-52 - ESTABLISHES A GAMING ENTERPRISE DISTRICT, LIMITS NONRESTRICTED GAMING TO SAID DISTRICT AS OF JANUARY 1, 1990, AND PROVIDES THE MEANS OF AMENDING SAID DISTRICT AND ADDING PROPERTY THERETO. Committee: Full Council	ANNOUNCEMENT MADE - RE: COMPLIANCE WITH OPEN MEETING LAW.
First Reading - 8/16/89 Recommending Committee - 8/28/89 10/2/89 Citizens Committee - 10/13/89 10/25/89 11/6/89 11/14/89 First Publication: NONE	MAYOR LURIE declared public hearing open and asked for comments.
Committee Recommendation:	BILL BRIARE, Chairman of the Citizens Committee on Bill 89-52, appeared. He stated the Committee held several meetings and two public hearings on the Bill. He read the recommendation of the Committee into the record which is attached and made part of the final Minutes.
A Citizens Committee comprised of: Chairman Bill Briare, Christopher L. Kaempfer, Scott Nielson, Erven T. Nelson, Tommy Deaver, Assemblyman Matthew Callister, Steve Greathouse, Abe Mayhan, Albert D. Massi, Ann Meyers, Toby Lamuraglia, Clyde Turner and Wayne Bunker was appointed. Bill to be brought back for adoption in December.	ATTORNEY BOB FAISS and PHIL CONWAY appeared representing Howard Hughes and the Summerlin project. They objected to the criteria submitted by Scott Nielson and recommended by the Committee for Destination Resorts. He pointed out one of the criteria was an 18-hole golf course, and while they did plan for such a golf course, emphasized there should be flexibility. Conditions at the time of construction such as availability of resources for a golf course, may dictate some other type of recreational facility be developed. He asked that they not be singled out to meet higher standards.
NOTE: Public Hearing to be held 12/8/89 Special City Council meeting at 9:00 A.M.	ATTORNEY DENNIS LEAVITT, representing Drs. Sculley and Carmena, appeared. He requested inclusion of 16 acres of property on Sahara across the street from the Palace Station. He believed this was consistent with other zoning in the surrounding area and pointed out the property was fully buffered on all four sides. He stated the gas station would be removed and they would dedicate land so the road could be widened to alleviate the traffic problem.
	COUNCILMAN MILLER stated this was an intrusion into his neighborhood, was not consistent with other zoning, and would make a bad traffic situation worse.
	MAYOR LURIE pointed out at the conclusion of the public hearing, they would vote separately on each location.
	ERNEST HAWKINS appeared indicating for 30 years he has owned 7 acres at Jones and Rancho, fronting on Rancho, with 12 acres of R-3 to the rear. He asked that the frontage property be included. He proposed a one-story supper club with a small casino.

00133

2314

CITY COUNCIL MINUTES  
SPECIAL MEETING OF

DECEMBER 9, 1989

000005

**AGENDA**

*City of Las Vegas*

CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 386-6011

Page 2

ITEM

ACTION

IX. 9:00 A.M. - PUBLIC HEARING

A. BILL NO. 89-52 (continued).

JOANNA WESTLEY LEE, 1320 "D" Street, appeared expressing concern about the proposed Rhet Butler Hotel. She asked that this matter be tabled for three to six months to allow those concerned to meet with representatives of the Rhet Butler. (EXCERPT MADE PART OF FINAL MINUTES.)

TOM WIESNER, Draft House Bar and Grill, appeared. He requested that this property, 4543 N. Rancho, and the adjacent property be included and read his request letter into the record which is attached and made part of the final Minutes.

ASSEMBLYMAN MATT CALLISTER, Committee member, appeared. He stated the committee took into consideration existing facilities which did not mean that they could go sideways or obtain adjacent property. The districts should lay out a blueprint of where gaming will go in the next 20 years. Grandfathering is covered by the statute and properties already approved or pending required no additional language.

GENE COLLINS appeared and expressed concerns about the Rhet Butler. He requested the Council delay action because one of his concerns was that racism had crept into this project. (EXCERPT MADE PART OF FINAL MINUTES.)

(ATTORNEY SCOTT NIELSON, Committee member, appeared at the Recommending Committee following the public hearing discussion.)

(ABE MAYHAN, Committee member, appeared at the Recommending Committee following the public hearing discussion.)

There being no one else wishing to be heard, Mayor Lurie declared the public hearing closed at 9:45 A.M. noting that discussion would be held by the Recommending Committee consisting of the full Council on each enterprise district location and a recommendation made so the Bill could be adopted at the 12-20-89 Council meeting.

00134

2315

City of Las Vegas

CITY COUNCIL MINUTES  
SPECIAL MEETING OF  
DECEMBER 8, 1989

## AGENDA DOCUMENTATION

August 2, 1989

Date:

000006

TO: The City Council

FROM: Val Steed *Val Steed*  
Chief Civil Deputy Attorney

SUBJECT: Bill No. 89-52 : Establishes a gaming enterprise district, limits nonrestricted gaming to said district and provides the means of amending said district and adding property thereto

### PURPOSE/BACKGROUND

During its recently-concluded session, the Nevada Legislature enacted Chapter 616, Statutes of Nevada 1989 (Assembly Bill 845) to authorize local governments in counties whose population is 400,000 or more to create gaming establishment districts. The legislation provides that, beginning January 1, 1990, no State license for nonrestricted gaming may be issued in such a county unless the property to be licensed is located in an area that has been designated as a gaming enterprise district. The legislation provides exceptions for parcels upon which nonrestricted gaming is already being conducted on January 1, 1990, and parcels concerning which the zoning for such use has already been approved by that date.

Bill No. 89-52, if it is adopted, will establish a gaming enterprise district, to consist of areas that will be delineated on a "Gaming Enterprise District Map" to be adopted by the City Council. Under this bill, the Map may be amended from time to time by ordinance. Additionally, the City Council may add individual parcels of land to the gaming enterprise district by the approval of a petition therefor, following a public hearing. Such a petition can be approved only if the statutory requirements are met, which, summarized, are that:

- 1) Roads, utilities and other related services are adequate;
- 2) The proposed gaming establishment will not adversely affect public services, the quality of life in the area, etc.;
- 3) The proposed establishment will enhance employment and the local economy;
- 4) The location is properly zoned; and
- 5) The proposed establishment will not be detrimental to or incompatible with the surrounding area.

Bill No. 89-52 also includes the statutory restriction that precludes the consideration of a petition to add a parcel of land

-Continued-

### FISCAL IMPACT

NONE

### RECOMMENDATIONS

This Bill should be submitted to a Recommending Committee for review, hearing and recommendation to the City Council for final action.

Agenda Item

VI-D

00135

*City of Las Vegas*

CITY COUNCIL MINUTES  
SPECIAL MEETING OF  
DECEMBER 8, 1989

000007

August 2, 1989

Date: \_\_\_\_\_

AGENDA DOCUMENTATION

Page -2-

to the gaming enterprise district for one year after a petition concerning the same parcel has been denied.

Finally, consistent with the statute, this bill provides that, effective January 1, 1990, nonrestricted gaming will be permitted only in establishments that are operating on that date pursuant to a nonrestricted license or at locations that, as of that date, either have been approved by the City Council for nonrestricted gaming or are located in the gaming enterprise district.

00136

2317

CITY COUNCIL MINUTES  
LAS VEGAS GAMING ENTERPRISE DISTRICT MEETING OF  
DISTRICT COMMITTEE

000017

DEC 08 1989

AREAS RECOMMENDED FOR INCLUSION IN THE  
GAMING ENTERPRISE DISTRICT

(Meetings of November 14 and 20, 1989)

1. The area outlined on a map of downtown Las Vegas presented to the Committee, as specifically modified to include:

A) The Blue Angel Motel property in its entirety, on the south side of Fremont Street near Eastern Avenue.

B) Property (in the City) along the southwest side of Fremont Street (Boulder Highway), from Charleston Boulevard to Oakey Boulevard, including all of the Showboat Hotel property.

C) Property north of Charleston Boulevard between Interstate 15 and Third Street.

2. Property fronting on both sides of Bonanza Road, from the easterly boundary of Rancho Drive to Main Street \*

\* with the acknowledgement that only some properties would be suitable for gaming and that some of that area has historic significance that should be considered.

3. Property fronting on the west side of Martin Luther King Boulevard between Owens Avenue (Vegas Drive) and Lake Mead Boulevard.

4. Peccole Ranch and Summerlin Village 3, as outlined on their respective maps \*\*

\*\* with the qualification that each of those two developments be limited to one "destination resort" as defined in the attachment.

(Minutes of these meetings are attached. Discussions on motions are highlighted and votes taken are indicated with a "V".)

00137

2318



DEC 08 1989

000018

## MEMORANDUM

TO: *City of Las Vegas Gaming Enterprise District Committee*  
FROM: *Scott M. Nielson, Esq. SMN*  
DATE: *November 15, 1989*  
RE: *Nonrestricted Gaming at a "Destination Resort"*

---

Certain parties that are developing large master-planned communities in the City of Las Vegas have requested that the City of Las Vegas Gaming Enterprise District Committee (the "Committee") recommend that a portion of their master-planned community be designated a gaming enterprise district. Rather than simply designating a portion of such master-planned communities as a gaming enterprise district, it has been suggested that nonrestricted gaming be permitted only in conjunction with a "Destination Resort." A Destination Resort would be defined as a hotel within the boundaries of a master-planned community of at least 500 acres that includes at least the following amenities:

1. 200 guest rooms for sleeping accommodations.
2. An 18-hole golf course.
3. Four regulation size tennis courts.
4. A swimming pool of not less than 20 feet in width, 35 feet in length and at least 6 feet in depth at its deepest point.
5. A restaurant which is open for the service of complete meals at least 18 hours per day, which seats at least 100 people.
6. A gourmet or specialty restaurant which seats at least 50 people.

1189MIN/WILLIAJ4.MEM (mah)

00138

2319

CITY COUNCIL MINUTES  
SPECIAL MEETING OF

000019

DEC 08 1989

7. Room service to all guest rooms.
8. Conference or meeting rooms of at least 5,000 square feet.

CITY COUNCIL MINUTES  
MINUTES SPECIAL MEETING OF

000024

RECESSED MEETING DEC 08 1989

LAS VEGAS GAMING ENTERPRISE  
DISTRICT COMMITTEE

November 20, 1989

The meeting was called to order by Chairman Bill Briare at 7:30 a.m. in the City Manager's Conference Room, 10th Floor, Las Vegas City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

COMMITTEE MEMBERS PRESENT: Bill Briare, Chairman  
Abe Mayhan  
Christopher L. Kaempfer  
Scott M. Nielson  
Erven T. Nelson  
Toby Lamuraglia  
Tom Deaver  
Assemblyman Matthew Callister

COMMITTEE MEMBERS ABSENT: W. Wayne Bunker  
Anne Meyers  
Steve Greathouse  
Clyde Turner  
Albert D. Massi

Chairman Briare said the meeting of November 14, 1989 is being continued to primarily discuss further the Rancho Road properties, the ones that are there, and look at whether or not there are properties located further northwest. He also thanked Chris Kaempfer for taking over the meeting on November 14th and setting the time for this recessed meeting. He asked Chris Kaempfer to give a sketch of where the meeting left off.

Chris Kaempfer said that when the meeting recessed there was the vote on Rancho Road and the concern he had along with others was the fact that we don't think sufficient time had been given some of the properties or the consideration of possibly further out there may be some additional property that might be appropriate. The committee had not addressed some of the issues, like Bonanza and what is characterized as the Westside, it was suggested that perhaps Councilman Miller attend the meeting today, or other people from the Westside who are more familiar with the area, and based on that the committee could come up with a solid recommendation and designate some areas. Make sure the whole city was given consideration by the committee. We have on the table several areas -- we need to take Rancho Road all the way out northwest and finish that discussion. Need to discuss Bonanza Road between Rancho down toward Main. Need to discuss the various pieces of property that people have asked the committee to consider, not in connection with their particular parcel but whether or not their parcel would fall within a Gaming Enterprise District.

Chairman Briare suggested discussing the Westside first and welcomed Councilman Miller and stated that a blanket motion was made to include Jackson Avenue in the Gaming Enterprise District so at the moment this is resting.

00140

Las Vegas Gaming Enterprise District Committee  
Recessed Meeting - November 20, 1989  
Page 2.

DEC 08 1989

Councilman Miller said he was visiting on Friday with the management team that handles Bill Cosby, Quincy Jones, Lou Rawls, Eddie Murphy and Sidney Portier -- namely, Marty Frooshman and Bernie Molinsky, CPA firm in Beverly Hills, to see how serious they are and they are serious. They have a large deposit on the corner of Bonanza and Rancho. The total project is in the neighborhood of 100 million dollars. They are looking at 12 to 14 acres. Basically, Councilman Miller's basic concern in trying to effectuate change in West Las Vegas will center on that particular site. The Jackson Avenue idea was something that was formed back in the 40's and it was based on segregation when integration took place. Jackson Avenue has fallen into its current state of demise. The proper method for that section of Ward 1 would be to cornerstone Ward 1 with the highest and best use types of utilization of properties. The Big Horn is going up on the extension of Carey and Rancho along with the development of the North Las Vegas Airport as a commuter terminal if runway 725 were lengthened another 2,000 feet which is on the drawing boards. This would relieve some of the problems at McCarran. This site could be the cornerstone of the West Las Vegas 89106 zip code area. The corner of Martin Luther King and Cheyenne in North Las Vegas is being considered for possible hotel/casino development.

The Rancho and Bonanza cornerstone is in the works at this time. The "F" Street and Bonanza intersection (the northernmost ingress/egress to the redevelopment of the Union Pacific site) would be another ideal cornerstone location. Also, Main and Bonanza -- there are also plans for a major hotel/casino type project. Councilman Miller stated that his theory as Councilman for Ward 1 that we welcome as much casino development or redevelopment into that Ward. Along with Councilman Nolen, they are probably the only two Councilman welcoming casinos into their areas. His major concern is not Jackson Avenue, but it is Bonanza from Rancho to Main Street with exceptions because there are some fine residences in there. Look mainly at the intersections of Bonanza and Rancho; Bonanza and Main Street; Bonanza and "F" Street and Martin Luther King and Bonanza.

Assemblyman Callister explained that the bill asked every municipality to establish its core area -- the area which everyone can agree is to be where to expect to find new casino development. He said he felt anything on Rancho Road can be dealt with adequately under the state legislation as it establishes the procedure for seeking a Variance, but he stated he is concerned about the Bonanza area and setting a precedent that one property is in the zone and another property is not. If that stretch of road is addressed we must say it is a gaming enterprise zone but that doesn't mean every parcel of property in that stretch of road is going to be a casino. It means from a master plan point of view it's an area we anticipated looking forward down the road to find a casino there. The notion of the legislation was to not spot zone, but establish the core area doctrine. Councilman Miller restated that he recommends Bonanza from Main Street to Rancho on both sides, but then there still is the dilemma about Rancho going north. Abe Mayhan stated he agreed with Assemblyman Callister because as discussed several times being within a zone does not automatically convey the privilege of building casinos; still must have use permits and zoning, etc. Chris Kaempfer stated he has always been in support of making the zones a little broader as opposed to more narrow. He made a motion that the area  
→ from Main to Rancho be included as a Gaming Enterprise District with the

CITY COUNCIL MINUTES  
SPECIAL MEETING OF

000026

Las Vegas Gaming Enterprise District Committee  
Recessed Meeting - November 20, 1989  
Page 3.

DEC 08 1989

understanding that it is not a guarantee of anything but our acknowledgement that there are areas along there that are suitable for gaming. Scott Nielson suggested that the line be drawn from the eastern boundary of Rancho. The motion was so amended. The district will be laid out now and every time someone wants to build a casino outside of the district, they must apply and satisfy the Variance procedure on an individualized basis. Each project will stand or fall on its own merits. The language in the recommendation should include that we recognize some of that area being historic. The Chairman called for the vote. Motion carried unanimously. ✓

Discussion followed on Jackson Street and the Chairman suggested leaving that as it is. Councilman Miller said that historically Jackson Street has been a gaming enterprise zone and there is no reason to remove it even though it has not inspired any development since the late 50's or early 60's. It was suggested that Jackson Street from "H" Street almost to the Freeway be included in the map. The big, vacant parcels are what are being looked at this time in West Las Vegas as being the future.

Chris Kaempfer asked if the Councilman knew of any other properties in the area which would be appropriate for gaming enterprise district. Councilman Miller said he heard that a parcel on the corner of Martin Luther King and Owens, the northwest portion thereof, which is a part of the Downtown Redevelopment Area, could be included within this. The frontage on Martin Luther King from Owens to Lake Mead Boulevard. If the southern portion of Martin Luther King is included some nice residential neighborhoods will be impacted. Councilman Miller said that development should be encouraged within the redline districts and he just specified one area that he thinks could use casino/hotel development. Chris Kaempfer made a motion that the area designated by Councilman Steve Miller be designated as a Gaming Enterprise District -- the area between Lake Mead and Owens on Martin Luther King on the west side which is vacant land be designated as Gaming Enterprise District. Vote was called on the motion. 6 voted yes; 2 voted no. Motion passed. ✓

Chairman Briare stated that the ones that people have asked on an individual basis whether the property is located in the County or not would be Jack Sommer - non-city; Nevada Properties - non-city; Draft House Bar and Grill - city; and Sahara Rancho Medical Center - city. Starting the Nevada Properties and Jack Sommer, the Chairman asked Scott Nielson if he had any additional comments. Mr. Nielson said they were pretty well discussed the last time. The concept is that they are quite a ways out on Rancho Road and as Harold Foster demonstrated they are quite a distance past the approved properties and not really impacting anything at the present time. The question, though, is that the two properties are not in the City, but they would have to be annexed if they are to be developed.

Abe Mayhan requested permission for Pastor Bob Linder to address the committee. Pastor Bob Linder stated he represented the vast majority of homeowners and residents of the northwest corner of the Valley. Since the fall of 1987 the Northwest community has gone on record opposing casinos in the northwest community. Pastor Linder stated he heard from the media the committee was strongly considering Rancho Road to become a Gaming Enterprise Zone and in speaking for the vast majority living in that community strongly oppose that effort and remind the committee that those living in the northwest area ask the committee to not recommend a Gaming Enterprise Zone along Rancho Road or anywhere further in the northwest area of the Valley.

00142

2323



## CITY COUNCIL MINUTES

Las Vegas Gaming Enterprise District Committee SPECIAL MEETING OF  
Recessed Meeting - November 20, 1989  
Page 4.

DEC 08 1989

000027

Regarding the Nevada Properties and Jack Sommers requests, a motion was made by Erv Nelson not to consider anything outside of the city. Seconded by Tom Deaver. Yes - 4 votes; No - 4 votes. The motion dies and the Chairman stated the matter still will have to be discussed. ✓

Since the committee was appointed to look at areas of the city and try to determine where gaming districts ought to be. However, the committee has looked at all requests presented to it. It was suggested to start working with the map. A motion was made Scott Nielson to establish a Gaming Enterprise District starting at the south of Ann Road going north to Kyle Canyon Road on both sides of the Freeway a depth of 660 feet -- move that that be included in the Gaming Enterprise District. Chris Kaempfer seconded the motion subject that it is not an automatic. Toby Lamuraglia asked to amend the motion to include down to Cheyenne and then withdrew his amendment. The Chairman called for a vote. 3 voted "yes" and 5 voted "no." The motion failed. ✓

Scott Nielson suggested the committee look at the area of the city where the Weisner property is located to determine if it is an appropriate area to have a Gaming Enterprise District. Chairman Briare made a motion that the property generally known as the Weisner property be designated on the map as a Gaming Enterprise District. Result of vote was: Yes - 2; No - 6. The motion failed. ✓ Toby Lamuraglia asked to allow Ernie Hawkins, his partner, address the committee. Mr. Hawkins stated that he was having a bit of a problem because this committee is discussing city business and there are people on the committee voting on these issues who do not live in the city. To stop gaming up and down Rancho it will be shoved right over to North Las Vegas and they will have everything going on Craig Road.

A motion was made by Tom Deaver to exclude all of Rancho Road south of Ann Road down to Bonanza. Chris Kaempfer said he will not support a motion that excludes an area unless there are special circumstances like the Mormon Fort. Discussion was held on the motion and it was decided that only properties to be included in the Gaming District would be voted on. Chairman Briare said that Tom Deaver's motion was out of order. The Chairman asked if there was anyone to make a motion on Toby Lamuraglia's property. Since there was none, the next order of business was the Sahara Rancho Medical Center. Chris Kaempfer stated he was contacted by someone representing the Medical Center and he told them to write the letter. There was no motion placed on the floor. The property will not be included in the map.

The Summerlin and Peccole properties were next discussed. Scott Nielson pointed out that people were upset at the public hearings with casinos being superimposed on an area that is already developed. The two properties being discussed are open space that has been master planned and there were previous designations of what would be a resort/hotel. Abe Mayhan then made a motion to recommend approval of the aforementioned properties in Peccole Ranch and in Summerlin Village 3 as indicated on the two maps available to the committee for review

CITY COUNCIL MINUTES  
SPECIAL MEETING OF

DEC 08 1989

000028

Las Vegas Gaming Enterprise District Committee  
Recessed Meeting - November 20, 1989  
Page 5.

for inclusion in the District with the recommendations to build a destination resort. Mr. Mayhan amended the motion to include property requested by Mr. Peccole and Village 3 in Summerlin with the recommendations that there be one destination resort in each of those properties as described by the developers. Seconded by Chris Kaempfer. The motion carried with 7 voting "yes" and one voting "no." ✓

Assemblyman Callister made a motion that the language prepared by Scott Nielson be defining "destination resort" incorporated into the recommendations submitted to the City Council. Erv Nelson seconded the motion. The motion carried unanimously. ✓

Chairman Briare asked for the consensus of opinion of the committee with respect to Jackson Street since they already have gaming? Assemblyman Callister suggested not doing anything. Val Steed said that while there may be approvals there now it is not a redline district and they will have to get a use permit and go through the normal process.

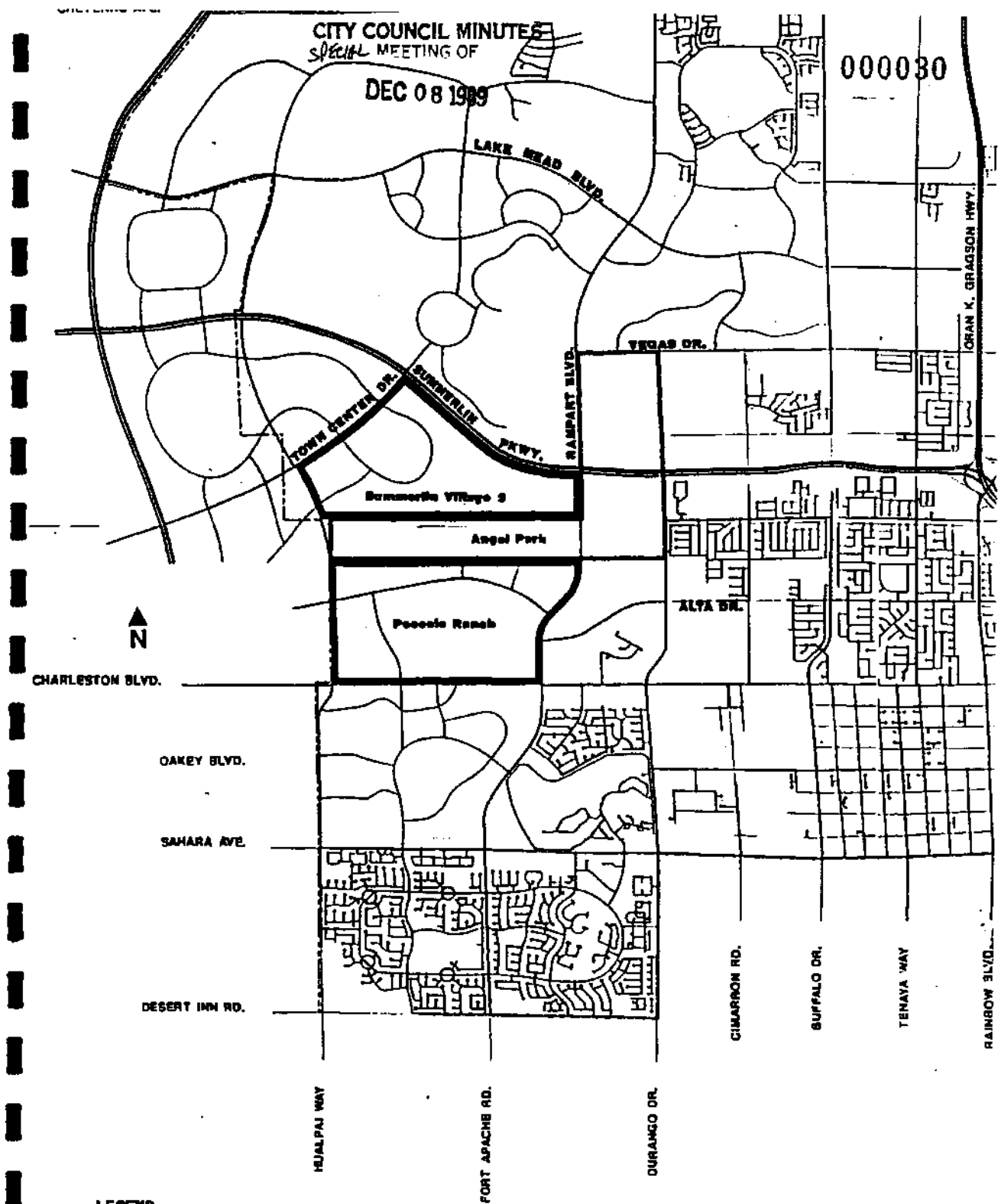
Chairman Briare said he was making a change in the committee who will receive the proposed document prepared by Val Steed which will be presented to the City Council. The committee will be composed of Chris Kaempfer, Scott Nielson and Abe Mayhan (replacing Albert Massi who was not able to attend today's meeting).

Chairman Briare thanked Claudette of the City Clerk's Office, Val Steed of the City Attorney's Office and Harold Foster, Director of Community Planning and Development for their work with this committee.

Also Chairman Briare thanked the committee members and stated the committee recommendations will be formally presented to the City Council at a Public Hearing on December 8 which will be immediately followed by a Special Recommending Committee Meeting. The Bill will then be adopted at the December 20, 1989 City Council Meeting.

A special commendation was made to Assemblyman Callister for the fine job he has done on this bill.

/cmp



November 1989

00145

2326

# EXHIBIT H

# EXHIBIT H





**A. WAYNE SMITH  
& ASSOCIATES**  
A Subsidiary of Cowi Inc. United States

T R A N S M I T T A L

To City of Las Vegas Date February 8, 1990  
400 East Stewart Project Pecole Ranch - Phase II  
Las Vegas, Nevada 89101 Job No. 189314-11

Attn Mr. Harold Foster, Director of Community Planning & Development

Mr. Richard Williams, Chief of Current Planning

We transmit By Regular Mail Under separate cover via \_\_\_\_\_

For your Approval Review / comment Distribution Record X Information

The following

Drawings prints reproducibles X Documents Samples

Shop drawings prints reproducibles Specifications Other

Submittal No. Change order

copy	date	rev. to	description
2			Original Pecole Ranch Master Plan Amendment and Phase II Rezoning Application Booklets

Remarks Enclosed are two original Pecole Ranch Master Plan Amendment and  
Phase Two Rezoning Application booklets for your review and use.

Copies to \_\_\_\_\_ and \_\_\_\_\_

1515 East Mission  
Suite 100  
Boulder, Colorado  
80504  
303/440-4424  
303/292-9143 FAX

Reginald W. Owens, AICP  
Signed \_\_\_\_\_

CLV038852  
00147

2329

PECCOLE RANCH

MASTER PLAN

*A Master Plan Amendment and Phase Two Rezoning Application*

PREPARED FOR:

The Peccole Ranch Partnership:

Peccole Trust  
2300 West Sahara Avenue  
Box 17, Suite 870  
Las Vegas, Nevada 89102  
(702) 871-2700

Triple Five Development Group Central, Ltd.  
Suite 900, Capital Place  
9707 - 110 Street  
Edmonton, Alberta  
Canada T5K 2L9  
(403) 482-7800

PREPARED BY:

A. Wayne Smith & Associates  
1515 East Missouri Avenue  
Suite 100  
Phoenix, Arizona 85014  
(602) 234-3474

February 6, 1990

CLV038856

00148

2330

## TABLE OF CONTENTS

	<u>Page</u>
Introduction - Peccole Ranch Overall Master Plan .....	1
Master Plan Comparison: Proposed Peccole Ranch Vs. .... Approved Peccole Ranch	3
Phase Two - Peccole Ranch .....	8
Development Plan - Phase Two .....	16
Quality of Development .....	16
General Plan Conformance .....	17

CLV038857

00149

2331

## EXHIBITS

	<u>Page</u>
Exhibit A	Proposed Peccole Ranch Partnership Master Plan .... 4
Exhibit B	Approved Peccole Ranch Partnership Master Plan 2/89. 5
Exhibit C	Area Plan ..... 2
Exhibit D	Destination Resort Casino Site Plan ..... 11
Exhibit E	Roadway Plan and Cross Sections ..... 13
Exhibit F	Roadway Plan and Cross Sections ..... 14
Exhibit G	Phase One - Home Builders ..... 7
	Land Use Data - Phase Two ..... 18
	Land Use Data - Overall Master Plan ..... 19
	Student Population Projections ..... 20

## PECCOLE RANCH

*The proposed 1,569.6 acre Peccole Ranch Master Plan is being submitted to the City of Las Vegas for the approval of an Amendment to the overall Conceptual Master Plan, along with the rezoning of the 996.4 acres in Phase Two to R-PD7, R-3, and C-1 designations. The following narrative describes the intent of the proposed overall Master Plan, compares the Plan with the previously approved overall Peccole Ranch Master Plan, and discusses in detail those land uses proposed in the Phase Two development of Peccole Ranch.*

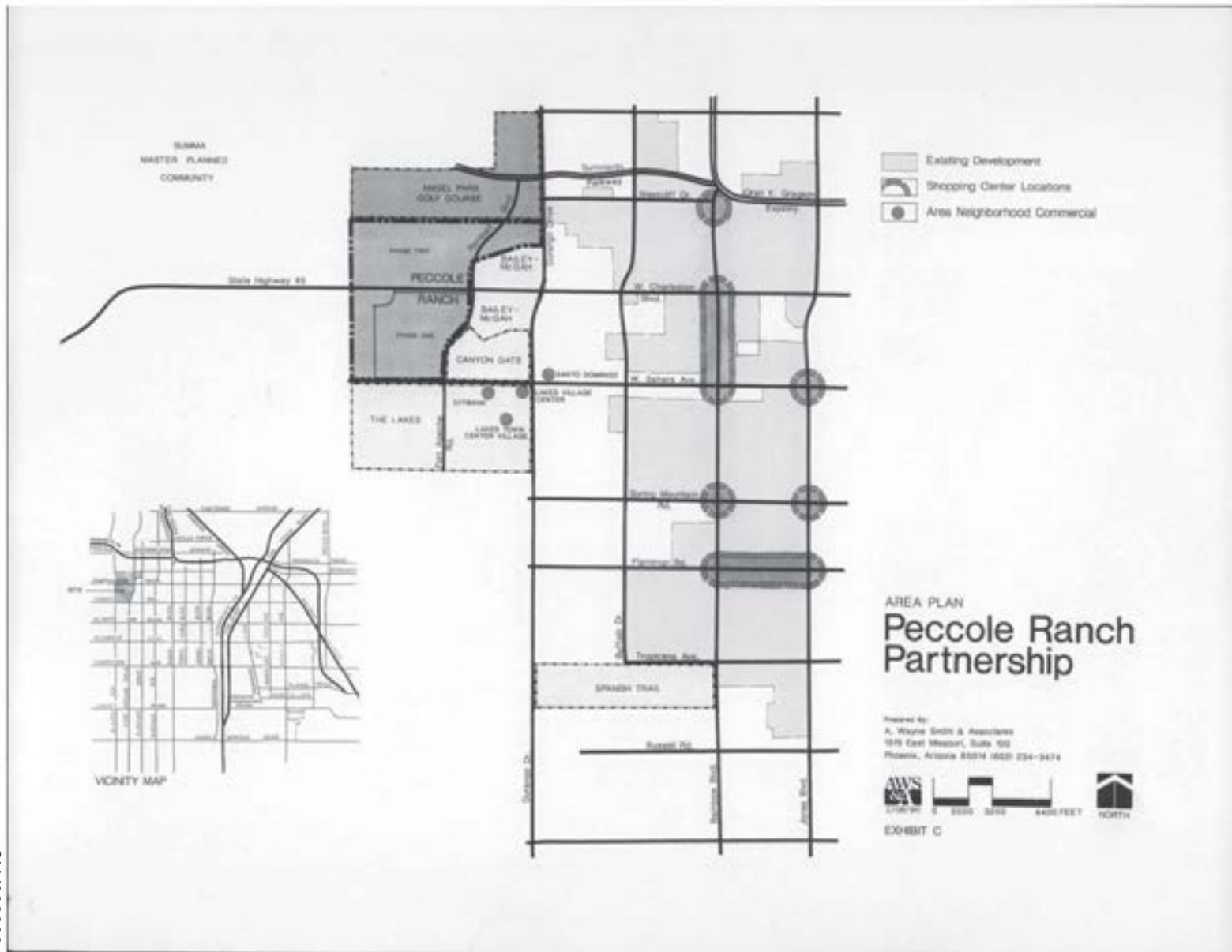
### INTRODUCTION - PECCOLE RANCH OVERALL MASTER PLAN

The Peccole Ranch overall Conceptual Master Plan which was approved on February 15, 1989 consisted of 1,716.3 acres. The present overall Plan illustrates a reduction in the 1,716.3 acreage due to the elimination of a previously zoned multi-family parcel and several neighborhood commercial/office parcels totalling 83.9 acres. The existing 10.9 acre water storage parcel owned and managed by the Las Vegas Valley Water District was also removed. The proposed overall Master Plan now consists of 1,569.6 acres

Peccole Ranch is located within the northwest and southwest growth areas of the Las Vegas Metropolitan Area (Exhibit C, page 2), and has an excellent time-distance relationship to surrounding support services, employment centers, and transportation network including McCarran International Airport. This particular area of the Valley has been experiencing a rapid growth rate as demonstrated by those developments occurring in the Peccole Ranch vicinity such as Canyon Gate, Summerlin, and The Lakes. Planning efforts for these planned communities promote viable growth, compatibility with adjacent uses, and a commitment to quality. It is this trend that became the basis of a Plan that would maintain flexibility to accommodate future market changes. The proposed Plan is conceptual in nature to allow detailed planning at the time of development. In this way the lifestyles of the anticipated population can be met. The physical character of Peccole Ranch is enhanced by its higher elevation than the rest of the City. Views of the surrounding mountains provide a visually pleasant backdrop and the evening lights of downtown Las Vegas are in the distant view.



CLV038860



00152

2334

The proposed Peccole Ranch overall Master Plan (Exhibit A, page 4) incorporates office, neighborhood commercial, a nursing home, and a mixed use village center around a strong residential base in a cohesive manner. A destination resort-casino, commercial/office and commercial center have been proposed in the most northern portion of the project area. Special attention has been given to the compatibility of

neighboring uses for smooth transitioning, circulation patterns, convenience and aesthetics. An extensive 253 acre golf course and linear open space system winding throughout the community provides a positive focal point while creating a mechanism to handle drainage flows.

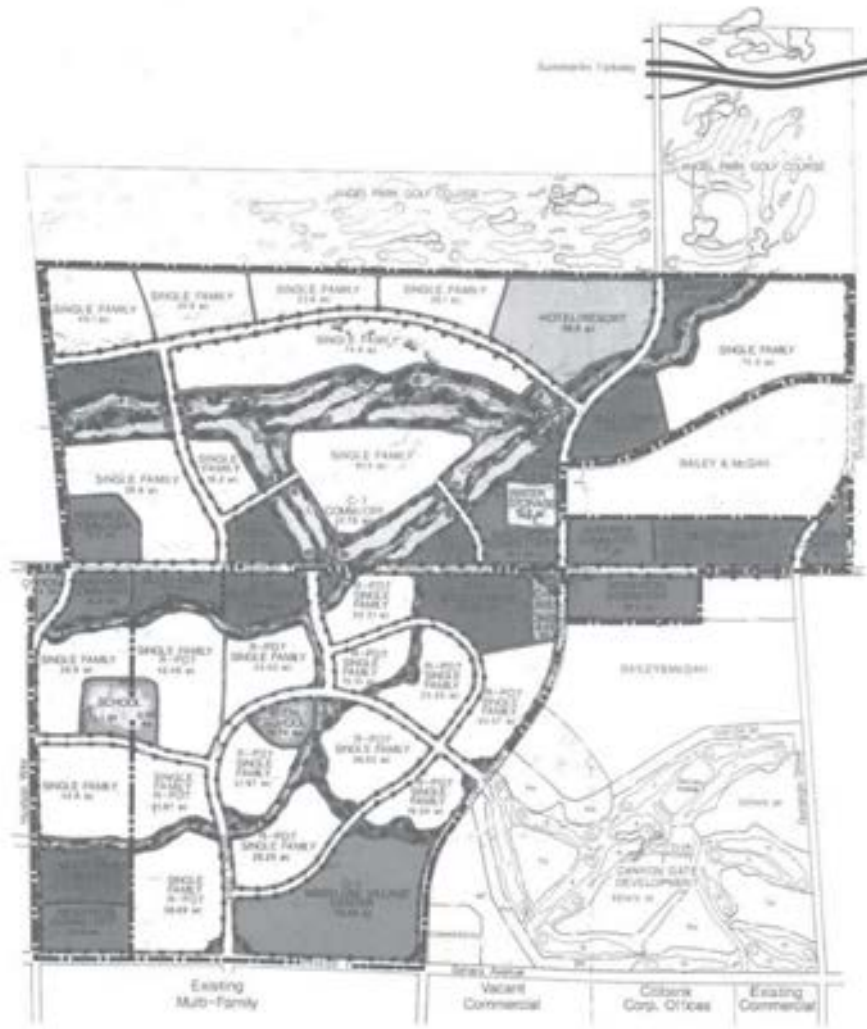
Also of importance to Peccole Ranch is the alignment of the Summerlin Parkway under construction north of the Project. The Summerlin Parkway is an east/west expressway which will be approximately three to three and one-half miles long originating at the curve of the Oran A. Gragson Expressway (Westcliff Drive and Rainbow Boulevard) with a terminus at the corner of the two initial Summerlin Villages. Adjacent to the northern boundary of the Peccole Ranch property is the 640 acre Angel Park. When complete, this regional park will include two world class golf courses designed by Arnold Palmer.

The development plan for Peccole Ranch is designed to benefit the current and long range needs of the Las Vegas Metropolitan Area as the population expansion is realized. Overall project character and identity will reflect the high standards of quality envisioned by the developer and a consistency with the pattern of regional community development.

**OVERALL MASTER PLAN COMPARISON:  
PROPOSED PECCOLE RANCH MASTER PLAN VS.  
APPROVED PECCOLE RANCH MASTER PLAN**

The proposed Peccole Ranch Master Plan is an amendment to the Peccole Ranch Master Plan which was approved by the City of Las Vegas on February 15, 1989 (Exhibit B, page 5). The main difference between the Plans is the redesignation of 100.1 acres located at the northeast corner of the property to a commercial land use more properly reflecting its location near the Summerlin Parkway and the destination

CLV038862



SITE DATA - PHASE 1			
LAND USE	NET ACRES	NET DENSITY (D.U./AC)	UNITS
Nursing Home	8.20		
Single Family	508.49	7.2	2298
Multi-Family	45.39	24.0	1089
Model Oak Village Center			
Commercial Office	15.00		
Rest. / Hotel	35.00	34.0	1156
Commercial Office	2.75		
Storage / Gen. Space	41.47		
R.O.C.	58.87		
Elementary School	17.24		
PHASE 1 TOTAL	575.94	9.8	4536

SITE DATA - FUTURE PHASES	
LAND USE	ACRES
Single Family	487.6
Multi-Family	155.0
Neighborhood Commercial Office	101.7
Club	3.4
Hotel/Resort	58.8
Major Storage	10.0
Gen. Comm. Overhead	207.1
R.O.C.	80.0
School	10.1
FUTURE PHASES TOTAL	795.1
GRAND TOTAL	1076.2

MASTER PLAN  
**Peccole Ranch Partnership**  
Suite 300, Capital Place  
8707-76 Street  
Edmonton, Alberta T6G 2E 403-462-1800

Prepared By  
G. Wayne Smith & Associates  
1115 East Main Street, Suite 101  
Phoenix, Arizona 85014 (602) 334-3474

EXHIBIT B

00154

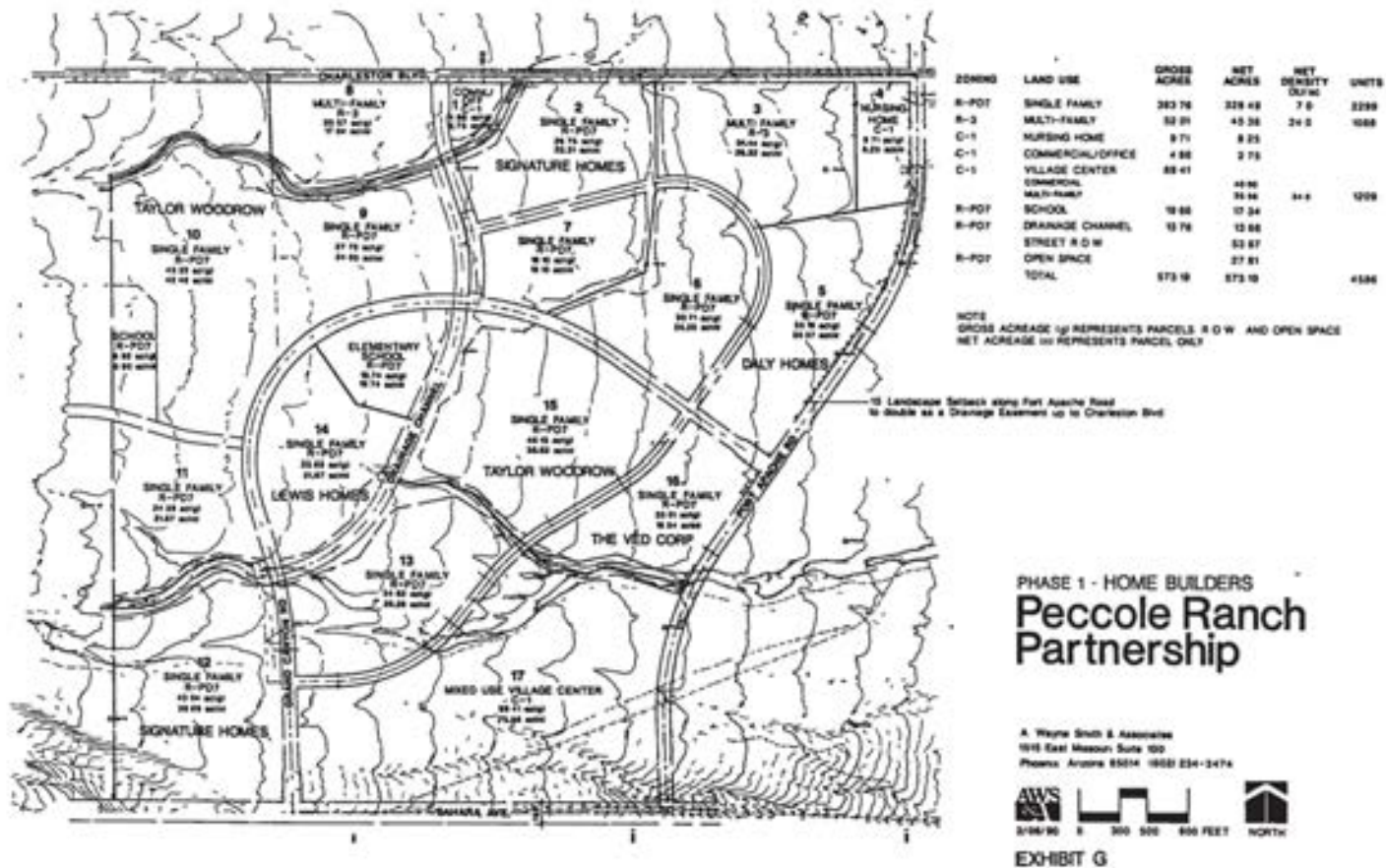
resort-casino. The golf course and drainageways have been refined and roadways were realigned to provide primary visibility and access to all parcels. In addition, the internal collector system will ultimately promote a reduction of traffic along the principle arterials.

The proposed Peccole 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 Peccole Ranch Master Plan and the proposed Peccole 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 Peccole Ranch Master Plan.

CLV038864



00156

2338



## 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 Hualpai 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 Hualpai 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 drainageway 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.

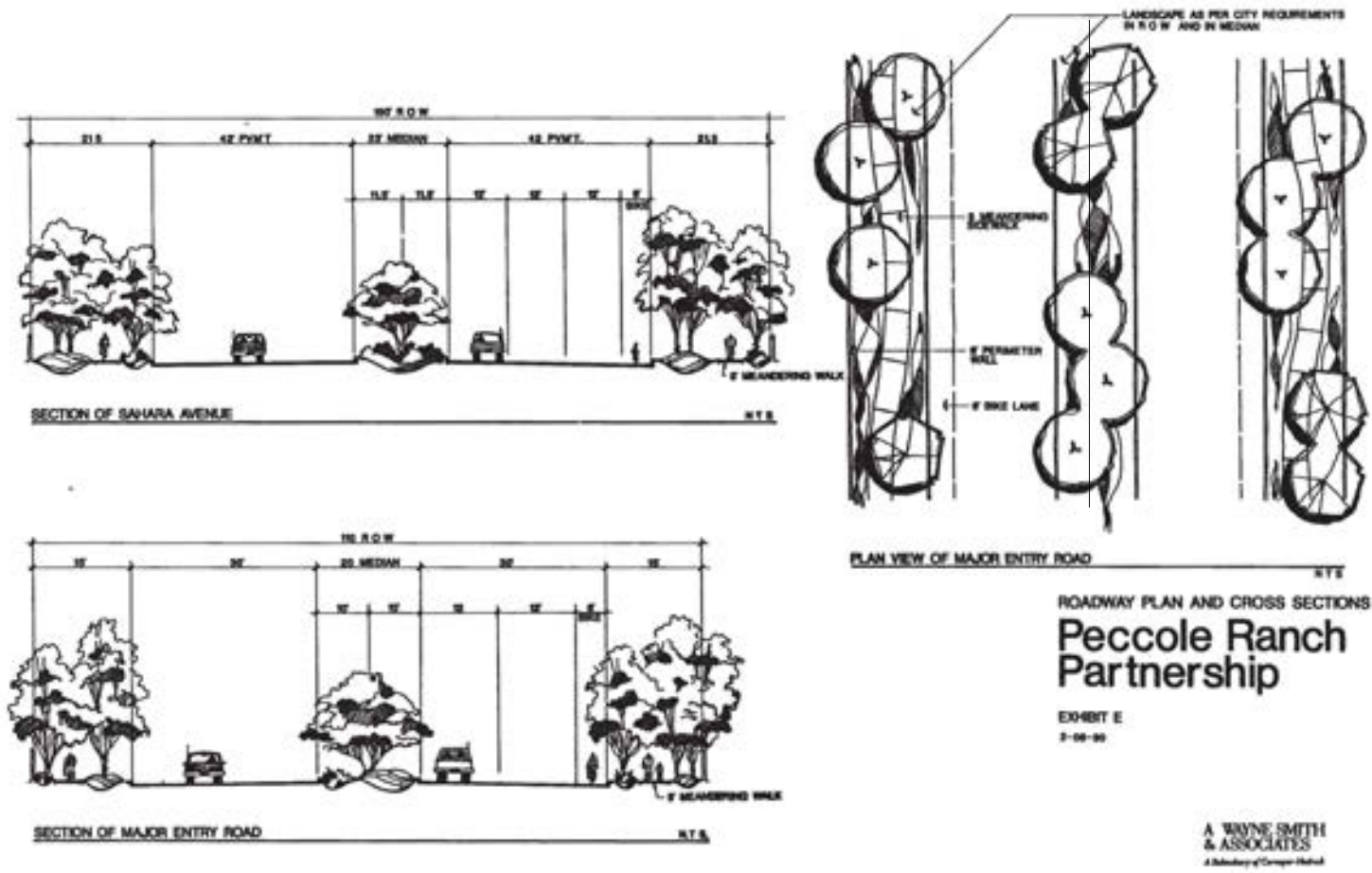
The close proximity to Angel Park along with the extensive golf course and open space network were determining factors in the decision not to integrate a public park in the proposed Plan. According to the Parks, Recreation and Senior Citizen Activities Division a need for a dedicated public facility 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.

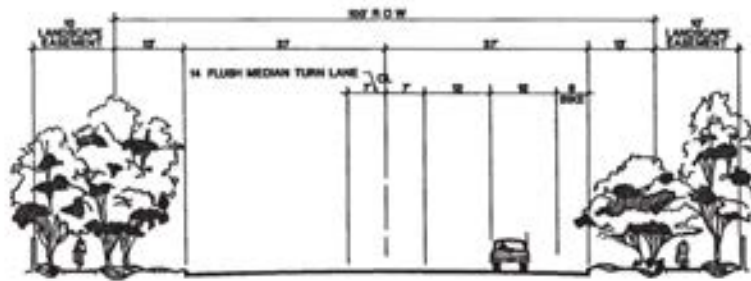
Phase Two of the proposed Peccole Ranch Master Plan has approximately 33.1 additional acres allotted for golf course and drainageways. The additional acreage accommodates a clubhouse and driving range centrally located within the golf course and surrounding residential community. These features are also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



CLV038870

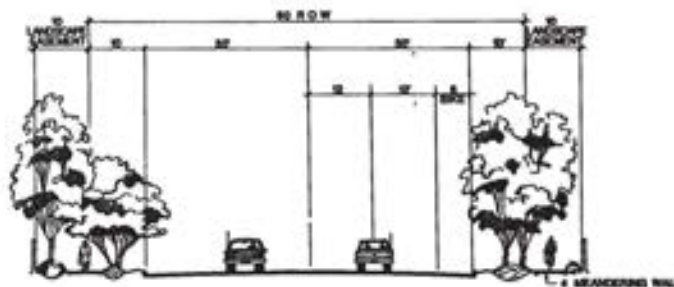


00162



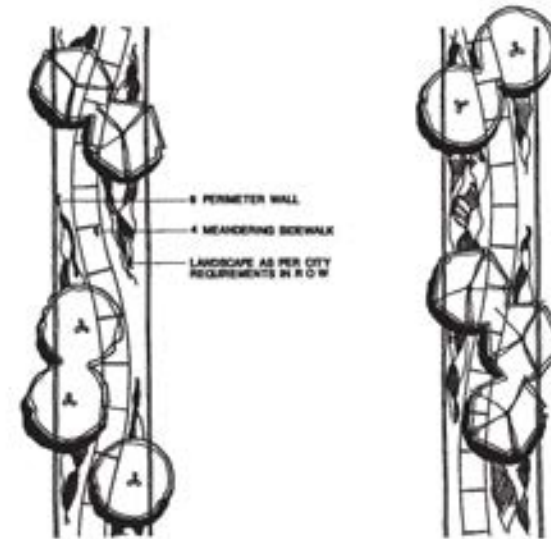
SECTION OF ARTERIAL ROADWAY - RAMPART ROAD

N.T.S.



SECTION OF INTERIOR COLLECTOR ROADWAY

N.T.S.



PLAN VIEW OF INTERIOR COLLECTOR ROADWAY

N.T.S.

ROADWAY PLAN AND CROSS SECTIONS

## Peccole Ranch Partnership

EXHIBIT F  
2-08-90

A. WAYNE SMITH  
& ASSOCIATES  
A Subsidiary of Cramer-Roth

CLV038871

00163

2345

### Schools

A 19.7 acre school site is designated in Phase Two of Peccole 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	-	-
<b>TOTAL</b>	<b>996.4</b>	<b>4.5 du/ac</b>	<b>4,247</b>

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

CLV038875

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	75.56	20.0 - 35.0 du/ac
(Commercial, Office, Multi-Family)		
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

CLV038877



CONSULTING ENGINEERS  
PLANNERS SURVEYORS

**PRINCIPALS**

K.D. WEIR  
C.R. JOHNSON, P.E.  
J.L. MacFARLANE, P.F., R.I.S.

**LETTER OF TRANSMITTAL**

TO CITY OF LAS VEGAS DATE FEBRUARY 9, 1990  
PROJECT PECCOLE RANCH PHASE 2  
ATTN BEN NOCURE W/O NO 1974  
BY MAIL BY MESSENGER xx PICK-UP EXPRESS MAIL  
FAX FEDERAL EXPRESS

No Copies	Description
1	PACKAGE LEGAL DESCRIPTION

**COMMENTS**

PLEASE FIND ATTACHED THE LEGAL DESCRIPTIONS WHICH SHOULD ACCOMPANY THE ZONE CHANGE FOR WILLIAM PECCOLE PREPARED BY A. WAYNE SMITH & ASSOCIATES. IF YOU HAVE ANY QUESTIONS, PLEASE DO NOT HESITATE TO CALL. THANK YOU.

**MATERIAL SENT FOR THE FOLLOWING REASONS**

CHECKING	FILING	APPROVAL	YOUR FILES
OTHER	CC		

PLEASE SIGN COPIES/ORIGINAL(S) AND RETURN TO OUR OFFICE

SENDER SALLY PELHAM

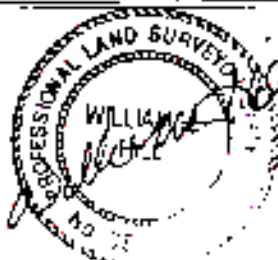
ABOVE MATERIAL RECEIVED BY

2300 PASEO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038830  
00170



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



PRINCIPALS

K.D. WEIR  
C.R. JOHNSON P.E.  
J.L. McFARLANE, P.E., R.L.S.

W.O. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

EXPLANATION:

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 2 generally located on the Northwest Corner (NW Cor.) of Charleston Boulevard and Rampart Boulevard.

Legal Description  
Lot 31 - R-PD7

That portion of Section 31 and 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Northwest Corner (NW Cor.) of the South Half (S1/2) of the Northwest Quarter (NW1/4) of Section 31; thence S.89°10'53"E., along the North line thereof, 2886.78 feet; thence S.89°10'39"E., continuing along said North line, 2846.00 feet to the Northeast Corner (NE Cor.) of the aforementioned South Half (S1/2) of the Northwest Quarter (NW1/4); thence N.89°31'58"E., 1278.67 feet; thence S.00°28'02"E., 140.00 feet to a point on a curve concave Southeasterly and having a radius of 1250.00 feet, a radial line to said point bears N.20°24'57"W.; thence Southwesterly along said curve, through a central angle of 07°40'15", an arc distance of 167.17 feet to a point of tangency; thence S.61°54'45"W., 415.38 feet to a point of tangency with a curve concave Northwesterly and having a radius of 2000.00 feet; thence Southwesterly along said curve, through a central angle of 18°58'02", an arc distance of 662.08 feet to a point, a radial line to said point bears S.09°07'13"E.; thence S.04°47'06"W., along a radial line, 957.50 feet to a point on a curve concave Southwesterly and having a radius of 985.00 feet; thence Southeasterly along said curve, through a central angle of 42°07'20", an arc distance of 724.14 feet to a point of reverse curvature with a curve concave Northeasterly and having a radius of 325.00 feet, a radial line to said point bears N.46°54'26"E.; thence Southeasterly along said curve, through a central angle of 67°27'19", an arc distance of 382.63 feet to a point of compound curvature with a curve concave Northwesterly and having a radius of 625.00 feet, a radial line to said point bears S.20°32'52"E.; thence Northeasterly along said curve, through a central angle of 20°08'35", an arc distance of 219.73 feet to a point of reverse curvature concave Southeasterly and having a radius of 4400.00 feet, a radial line to said point bears S.40°41'28"E.; thence Northeasterly along said curve, through a central angle of 14°58'58", an arc distance of 1150.60 feet to a point of compound

2300 PASEO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038831  
00171



Legal Description  
W.C. 3974  
February 2, 1990  
Page 2

curvature with a curve concave Southerly and having a radius of 375.00 feet, a radial line to said point bears N.25°42'29"W.; thence Easterly along said curve, through a central angle of 38°30'11", an arc distance of 252.00 feet to a point, a radial line to said point bears N.12°47'42"E.; thence S.63°03'01"E., along a radial line, 50.00 feet to a point on a curve concave Northwesterly and having a radius of 1700.00 feet; thence Southwesterly along said curve, through a central angle of 24°54'26", an arc distance of 739.01 feet to a point of reverse curvature with a curve concave Southeasterly and having a radius of 1700.00 feet, a radial line to said point bears S.38°08'15"E.; thence Southeasterly along said curve, through a central angle of 40°11'32", an arc distance of 1192.52 feet to a point, a radial line to said point bears N.78°20'06"W.; thence S.89°26'21"W., 698.56 feet; thence S.00°33'39"E., 685.00 feet; thence S.89°26'21"W., 267.74 feet to a point of tangency with a curve concave Northeasterly and having a radius of 550.00 feet; thence Northwesterly along said curve, through a central angle of 30°21'23", an arc distance of 291.40 feet to a point of tangency; thence N.60°12'17"W., 316.30 feet; thence S.29°55'31"W., 494.03 feet to a point of tangency with a curve concave Southeasterly and having a radius of 750.00 feet; thence Southwesterly along said curve, through a central angle of 30°15'27", an arc distance of 396.07 feet to a point of tangency; thence S.00°19'56"E. 65.00 feet to a point on the South line of the aforementioned Section 31; thence S.89°40'04"W., along said South line, 1603.27 feet; thence N.00°19'56"W., 260.10 feet to a point of tangency with a curve concave Southwesterly and having a radius of 1200.00 feet; thence Northwesterly along said curve, through a central angle of 29°45'02", an arc distance of 623.09 feet to a point of tangency; thence N.30°04'58"W., 201.28 feet; thence S.72°05'07"W., 1836.70 feet; thence N.52°05'16"W., 527.49 feet; thence S.89°41'18"W., 900.05 feet to a point on the West line of the aforementioned Section 31; thence N.06°05'57"W., along said West line, 1328.05 feet to the POINT OF BEGINNING.



CLV038832  
00172

2354

Legal Description  
W.O. 3974  
February 2, 1990  
Page 3

Containing 519.878 acres, more or less.

BASIC OF BEARINGS

N.89°26'21"E., being the South line of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 40 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-2  
1900-1999



CLV038833  
00173



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



**PRINCIPALS**

K.D. WILF  
C.R. JOHNSON, P.E.  
J.L. MacFARLANE, P.E., R.L.S.

W.O. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

**EXPLANATION:**

2-590

This legal describes a parcel of land to be rezoned located within the proposed Peccola Ranch - Phase 3 generally located East of Hualpai Way approximately 735.00 feet North of Sahara Avenue.

**Legal Description**  
**Lot 20 - R-3**

That portion of the West Half (W1/2) of Section 6, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

COMMENCING at the Southwest Corner (SW Cor.) of said Section 6; thence N.01°20'45"W., along the West line thereof, 734.62 feet to the TRUE POINT OF BEGINNING; thence N.01°20'45"W., continuing along said West line and a radial line, 791.10 feet to a point on a curve concave Southerly and having a radius of 1200.00 feet; thence Easterly along said curve, through a central angle of 10°09'04", an arc distance of 212.60 feet to a point of reverse curvature with a curve concave Northerly and having a radius of 1650.00 feet, a radial line to said point bears N.08°48'19"E.; thence Easterly along said curve, through a central angle of 17°06'58", an arc distance of 492.91 feet to a point of tangency; thence N.81°41'21"E., 126.10 feet to a point of tangency with a curve concave Southerly and having a radius of 800.00 feet; thence Easterly along said curve, through a central angle of 26°50'24", an arc distance of 374.76 feet to a point of reverse curvature with a curve concave Northeasterly and having a radius of 660.00 feet, a radial line to said point bears N.18°31'45"E.; thence Southeasterly along said curve, through a central angle of 12°55'49", an arc distance of 148.95 feet to a point, a radial line to said point bears S.06°35'56"W.; thence S.00°12'52"E., 723.86 feet; thence S.89°46'34"W., 1327.07 feet to the TRUE POINT OF BEGINNING.

Containing 23.654 acres, more or less.

**BASE OF BEARINGS**

N.89°46'34"E., being the South line of the Southwest Quarter (SW1/4) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 16 of Records of Surveys, Page 89.

reference 1974-8, 1990-1999  
2300 PASEO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX (702) 873-2597

CLV038834  
00174



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



**PRINCIPALS**

K.D. HEIR  
C.R. JOHNSON, P.E.  
J.L. MacFARLANE, P.E. R.L.S.

W.O. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.N.

**EXPLANATION:**

2-5-90

This legal describes a parcel of land to be rezoned generally located within the proposed Pecole Ranch - Phase 3 generally located approximately 2200.00 feet North of Sahara Avenue and West of the existing Pecole Ranch Subdivision.

**Legal Description**  
**Lot 21 - R-PD7**

That portion of the West Half (W1/2) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Southwest Corner (SW Cor.) of the Northwest Quarter (NW1/4) of said Section 6; thence N.01°21'03"W., along the West line thereof, 100.61 feet; thence N.88°38'57"E., 611.22 feet to a point of tangency with a curve concave Southwesterly and having a radius of 3125.00 feet; thence Southeasterly along said curve, through a central angle of 14°02'24", an arc distance of 765.77 feet to a point, a radial line to said point bears N.12°41'21"E.; thence S.00°12'52"E., 1428.83 feet to a point on a curve concave Northeasterly and having a radius of 660.00 feet, a radial line to said point bears S.05°35'56"W.; thence Northwesterly along said curve, through a central angle of 12°55'49", arc distance of 148.95 feet to a point of reverse curvature with a curve concave Southerly and having a radius of 800.00 feet, a radial line to said point bears S.18°31'45"W.; thence Westerly along said curve, through a central angle of 26°50'24", an arc distance of 374.76 feet to a point of tangency; thence S.81°41'21"W., 126.10 feet to a point of tangency with a curve concave Northerly and having a radius of 1650.00 feet; thence Westerly along said curve, through a central angle of 17°06'58", an arc distance of 492.91 feet to a point of reverse curvature with a curve concave Southerly and having a radius of 1200.00 feet, a radial line to said point bears S.08°48'19"W.; thence Westerly along said curve, through a central angle of 10°09'04", an arc distance of 212.60 feet to a point; thence N.01°20'45"W., along a radial line, 1127.82 feet to the POINT OF BEGINNING.

2322 PASEO DEL PRADO BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 352-2597

CLV038835  
00175

2357

Legal Description  
W.O. 3974-9  
February 1, 1989  
Page 2

Containing 44.953 acres, more or less.

BASIS OF BEARINGS

N. 89°46'34"E., being the South line of the Southwest Quarter (SW1/4) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-9  
3900-3999



CLV038836  
00176





CONSULTING ENGINEERS  
PLANNERS SURVEYORS



PRINCIPALS

K.D. WEIR  
C.R. JOHNSON P.E.  
J.L. MacFARLANE, P.E., R.L.S.

W.O. 3974  
February 3, 1990  
By: R.M.  
P.R. By: R.M.

EXPLANATION:

2.5.90

This legal describes a parcel of land located within the proposed Peccole Ranch - Phase 3 project to be rezoned generally located on the Southeast Corner (SE Cor.) of Hualapai Way and Charleston Boulevard.

Legal Description  
Lot 24 - C-1

That portion of the Northwest Quarter (NW1/4) of Section 6, T. 21 S., R. 60 E., N.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

COMMENCING at the Northwest Corner (NW Cor.) of said Northwest Quarter (NW1/4); thence N.89°41'47"E., along the North line thereof, 529.69 feet to the TRUE POINT OF BEGINNING; thence N.89°41'18"E. continuing along said North line, 2020.58 feet; thence S.01°43'29"E., 789.60 feet to a point on a curve concave Southwesterly and having a radius of 345.00 feet, a radial line to said point bears N.41°18'26"E.; thence Northwestwardly along said curve, through a central angle of 43°12'49", an arc distance of 260.21 feet to a point of reverse curvature with a curve concave Northeastwardly and having a radius of 230.00 feet, a radial line to said point bears N.01°54'24"W.; thence Northwestwardly along said curve, through a central angle of 70°18'05", an arc distance of 282.21 feet to a point of reverse curvature with a curve concave Southerly and having a radius of 175.00 feet, a radial line to said point bears S.68°23'41"W.; thence Westerly along said curve, through a central angle of 120°10'17", an arc distance of 367.04 feet to a point of reverse curvature with a curve concave Northwestwardly and having a radius of 595.00 feet, a radial line to said point bears N.51°46'35"W.; thence Southwestwardly along said curve, through a central angle of 65°57'59", an arc distance of 685.04 feet to a point of reverse curvature with a curve concave Southerly and having a radius of 850.00 feet, a radial line to said point bears S.14°11'23"W.; thence Westerly along said curve, through a central angle of 24°10'09", an arc distance of 358.56 feet to a point of compound curvature with a curve concave Southeastwardly and having a radius of 2000.00 feet, a radial line to said point bears N.09°58'45"W.; thence Southwestwardly along said curve, through a central angle of 12°19'35", an arc distance of 430.27 feet to a point of reverse

2303 PASO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362 2597

CLV038837  
00177

2359

Legal Description  
W.O. 3974  
February 3, 1990  
Page 2

curvature with a curve concave Northerly and having a radius of 230.00 feet, a radial line to said point bears N.22°18'20"W.; thence Westerly along said curve, through a central angle of 12°28'22", an arc distance of 130.35 feet to a point on a curve concave Northwesterly and having a radius of 800.00 feet, a radial line to said point bears S.10°10'03"W.; thence Northeasterly along said curve, from a radial line which bears S.45°13'48"E., through a central angle of 46°07'15", an arc distance of 643.97 feet to a point of tangency; thence N.01°21'03"W., 250.00 feet to the TRUE POINT OF BEGINNING.

Containing 31.761 acres, more or less.

BASIS OF BEARING

N.89°46'34"E., being the South line of the Southwest Quarter (SW1/4) of Section 6, T. 21 S., R. 60 E., M.D.N., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-13  
3900-3999



CLV038838  
00178



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



PRINCIPALS

W.D. WEIR  
C.R. JOHNSON P.E.  
J.L. MacFARLANE, P.E. RLS

W.O. 3974  
February 3, 1990  
By: R.M.  
P.R. By: R.M.

EXPLANATION:

2-590

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 3 project generally located West of the existing Peccole Ranch Subdivision and approximately 800.00 feet South Charleston Boulevard.

Legal Description  
Lot 22 - R-PD7

That portion of the West Half (W1/2) of Section 6, T. 21 S., R. 40 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

COMMENCING at the Southwest Corner (SW Cor.) of the Northwest Quarter (NW1/4) of said Section 6; thence N.01°21'03"W., along the West line thereof, 300.61 feet to the TRUE POINT OF BEGINNING; thence continuing N.01°21'03"W., along said West line, 895.46 feet to a point of tangency with a curve concave Southeasterly and having a radius of 800.00 feet; thence Northeasterly along said curve, through a central angle of 48°00'37", an arc distance of 670.35 feet to a point of reverse curvature with a curve concave Northwesterly and having a radius of 800.00 feet, a radial line to said point bears N.43°20'26"W.; thence Northeasterly along said curve, through a central angle of 01°53'22", an arc distance of 26.18 feet to a point on a curve concave Northwesterly and having a radius of 230.00 feet, a radial line to said point bears S.45°13'48"E.; thence Northeasterly along said curve, from a radial line which bears S.10°10'03"W., through a central angle of 32°28'22", an arc distance of 130.35 feet to a point of reverse curvature with a curve concave Southeasterly and having a radius of 2000.00 feet, a radial line to said point bears S.22°18'20"E.; thence Northeasterly along said curve, through a central angle of 12°19'35", an arc distance of 430.27 feet to a point of compound curvature with a curve concave Southerly and having a radius of 850.00 feet, line to said point bears N.09°58'45"W.; thence Easterly along said curve, through a central angle of 24°10'09", an arc distance of 358.56 feet to a point of reverse curvature with a curve concave Northeasterly and having a radius of 595.00 feet, a radial line to said point bears N.14°11'23"E.; thence

2300 PASO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2507

CLV038839  
00179

Legal Description  
W.O. 3974  
February 3, 1990  
Page 2

Southeasterly along said curve, through a central angle of 21'22'45", an arc distance of 222.02 feet to a point, a radial line to said point bears S.07'11'22"E.; thence S.00'12'52"E., 1681.82 feet to a point on a curve concave Southwesterly and having a radius of 3125.00 feet, a radial line to said point bears N.12'41'21"E.; thence Northwesterly along said curve, through a central angle of 14'02'24", an arc distance of 765.77 feet to a point of tangency; thence S.88'38'57"W., 611.22 feet to the TRUE POINT OF BEGINNING.

Containing 49.411 acres, more or less.

BASIS OF BEARINGS

N.89'46'34"E., being the South line of the Southwest Quarter (SW1/4) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-12  
3900-3999



CLV038840  
00180



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



**PRINCIPALS**

K.D. WEIR

C.R. JOHNSON P.E.

J.I. MacFARLANE, P.E., R.L.S.

W.O. 3974

February 2, 1990

By: R.M.

P.R. By: R.M.

**EXPLANATION:**

2.590

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 3 project generally located on the Northeast Corner (NE Cor.) of Sahara Avenue and Huolpa Way to be rezoned.

**Legal Description**  
**Lot 13 - C-1**

That portion of the West Half (W1/2) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

**BEGINNING** at the Southwest Corner (SW Cor.) of said Section 6; thence N.01°20'45"W., along the West line thereof, 734.62 feet; thence N.89°46'34"E., 1327.07 feet; thence S.00°12'52"E., 734.48 feet to a point on the South line of Section 6; thence S.89°46'34"W., along said South line, 1312.57 feet to the **POINT OF BEGINNING**.

Containing 22.254 acres, more or less.

**BASIS OF BEARINGS**

N.89°46'34"E., being the South line of the Southwest Quarter (SW1/4) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-7  
3900-3999

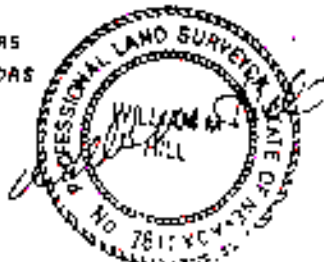
2100 PASEO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038841  
00181





CONSULTING ENGINEERS  
PLANNERS SURVEYORS



**PRINCIPALS**

K.D. HEIN  
C.R. JOHNSON P.E.  
J.E. MACFARLANE, P.F. A.L.S.

N.O. 1974  
February 3, 1990  
By: R.M.  
P.R. By: R.M.

**EXPLANATION:**

2.5-90

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 3 generally located on the Southeast Corner (SE Cor.) of Hualpai Way and Charleston Boulevard.

**Legal Description**  
**Lot 23 - C-1**

That portion of the Northwest Quarter (NW1/4) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Northwest Corner (NW Cor.) of said Northwest Quarter (NW1/4); thence N.89°41'47"E., along the North line thereof, 529.69 feet; thence S.01°21'03"E., 250.00 feet to a point of tangency with a curve concave Northwesterly and having a radius of 800.00 feet; thence Southwesterly along said curve, through a central angle of 48°00'37", an arc distance of 670.35 feet to a point of reverse curvature with a curve concave Southeasterly and having a radius of 800.00 feet, a radial line to said point bears S.43°20'26"E.; thence Southwesterly along said curve, through a central angle of 48°00'37", an arc distance of 670.35 feet to a point of tangency with the West line of the aforementioned Northwest Quarter (NW1/4); thence N.01°21'03"W., along said West line, 1448.90 feet to the POINT OF BEGINNING.

Containing 10.328 acres, more or less.

**BASE OF BEARINGS**

N.89°46'34"E., being the South line of the Southwest Quarter (SW1/4) of Section 6, T. 21 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 1974-10  
3900-3999

2300 PASEO DEL PRADO BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038842  
00182

2364



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



# PRINCIPALS

K.D. WEIR  
C.R. JOHNSON P.E.  
J.L. MacFARLANE, P.E., R.I.S.

N.O. 1974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

## EXPLANATION:

2-5-90

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 2 generally located on the Southwest Corner (SW Cor.) of Rampart Boulevard and Alta Drive.

## Legal Description Lot 30 - C-1

That portion of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Northwest Corner (NW Cor.) of the Southwest Quarter (SW1/4) of the Northeast Quarter (NE1/4) of said Section 32; thence N.89°46'07"E., along the North line thereof, 2677.87 feet to the Northeast Corner (NE Cor.) of the Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4) of said Section; thence S.00°18'42"E., along the East line thereof, 1336.70 feet to the Southeast Corner (SE Cor.) of the aforementioned Southeast Quarter (SE1/4) of the Northeast Quarter (NE1/4); thence S.89°41'45"W., 604.05 feet to a point of tangency with a curve concave Southeasterly and having a radius of 1500.00 feet; thence Southwesterly along said curve, through a central angle of 39°37'19", an arc distance of 1037.30 feet to a point of tangency; thence S.50°04'26"W., 1015.26 feet to a point of tangency with a curve concave Northwesterly and having a radius of 1500.00 feet; thence Southwesterly along said curve, through a central angle of 39°21'55", an arc distance of 1030.58 feet to a point of tangency; thence S.89°26'21"W., 661.44 feet to a point on a curve concave Southeasterly and having a radius of 1700.00 feet, a radial line to said point bears N.78°20'06"W.; thence Northeasterly along said curve, through a central angle of 40°11'32", an arc distance of 1192.52 feet to a point of reverse curvature with a curve concave Northwesterly and having a radius of 1700.00 feet, a radial line to said point bears N.38°08'35"W.; thence Northeasterly along said curve, through a central angle of 52°24'05", an arc distance of 1554.78 feet to a point of tangency; thence N.00°32'39"W., 340.02 feet to the POINT OF BEGINNING.

2309 PASEO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038843  
00183

2365

Legal Description  
W.O. 1974  
February 2, 1990  
Page 2

Containing 134.394 acres, more or less.

BASIS OF BEARINGS

N.89°26'21"E., being the South line of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in file 36 of Records of Surveys, Page 89.

reference 1974  
3900-3999



CLV038844  
00184



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



**PRINCIPALS**

K.O. WEIR  
C.R. JOHNSON, P.E.  
J.L. McFARLANE, P.E. R.L.S.

W.D. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

**EXPLANATION:**

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 2 project generally located on the Northeast Corner (NE Cor.) of Charleston Boulevard and Hualpai Way.

**Legal Description  
Lot 25 - C-1**

That portion of the Southwest Quarter (SW1/4) of Section 31, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Southwest Corner (SW Cor.) of said Southwest Quarter (SW1/4); thence N.06°05'57"W., along the West line thereof, 805.43 feet; thence N.89°41'18"E., 900.05 feet; thence S.52°05'16"E., 527.49 feet; thence S.04°52'26"W., 411.63 feet; thence S.00°18'42"E., 65.00 feet to the point on the South line of the aforementioned Southwest Quarter (SW1/4); thence S.89°41'18"W., 1196.03 feet to the POINT OF BEGINNING.

Containing 21.650 acres, more or less.

**BASIS OF BEARING**

N.89°26'21"E., being the South line of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-6  
1900-1999

2302 PASEO DE LA PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 673-7550 FAX 362-2597

CLV038845  
00185



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



**PRINCIPALS**

K D WEIR  
C A JOHNSON PE  
J L MacFARLANE PE PLS

N.D. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

**EXPLANATION:**

*2-5-90*

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 2 generally located on the Northwest Corner (NW Cor.) of Apple Drive and Charleston Boulevard.

**Legal Description  
Lot 26 - R-3**

That portion of the South Half (S1/2) of Section 31, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Southeast Corner (SE Cor.) of the Southwest Quarter (SW1/4) of said Section 31; thence S.89°41'18"W., along the South line thereof, 1546.32 feet; thence N.00°19'42"W., 65.00 feet; thence N.04°52'26"E., 411.63 feet; thence N.72°05'07"E., 1836.70 feet; thence S.30°04'53"E., 201.28 feet to a point of tangency with a curve concave Southwesterly and having a radius of 1200.00 feet; thence Southeasterly along said curve, through a central angle of 29°45'02", an arc distance of 623.09 feet to a point of tangency; thence S.00°19'56"E., 260.10 feet to a point on the South line of the Southeast Quarter (SE1/4) of said Section 31; thence S.89°40'04"W., along said South line, 500.00 feet to the POINT OF BEGINNING.

Containing 35.054 acres, more or less.

**BASIS OF BEARINGS**

N.89°26'21"E., being the South line of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-5  
1900-3999

2300 PASO DEL PAJO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038846  
00186





CONSULTING ENGINEERS  
PLANNERS SURVEYORS



**PRINCIPALS**

K.D. WEIR  
C.R. JOHNSON P.E.  
J.J. MACFARLANE, P.F., R.L.S.

M.D. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

**EXPLANATION:**

2 E. 90

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 2 generally located North of Charleston Boulevard approximately 1050.00 feet West of Rampart Boulevard.

**Legal Description  
Lot 27 - R-3**

That portion of the Southeast Quarter (SE1/4) of Section 31 and the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Southeast Corner (SE Cor.) of the Southeast Quarter (SE1/4) of said Section 31; thence S.89°40'04"W., along the South line thereof, 507.92 feet; thence N.00°19'56"W., 65.00 feet to a point of tangency with a curve concave Southeasterly and having a radius of 750.00 feet; thence Northeasterly along said curve, through a central angle of 30°16'27", an arc distance of 396.07 feet to a point of tangency; thence N.29°55'31"E., 494.03 feet; thence S.60°12'17"E., 316.30 feet to a point of tangency with a curve concave Northeasterly and having a radius of 550.00 feet; thence Southeasterly along said curve, through a central angle of 24°12'26", an arc distance of 232.37 feet to a point; thence S.05°35'17"W., along a radial line, 576.40 feet; thence S.00°33'19"E., 65.00 feet to a point on the South line of the aforementioned Southwest Quarter (SW1/4) of Section 32; thence S.89°26'21"W., along said South line, 276.89 feet to the POINT OF BEGINNING.

Containing 12.337 acres, more or less.

**BASIS OF BEARINGS**

N.89°26'21"E., being the South line of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 87.

reference 3974-4  
3900-3999

2300 PASEO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7553 FAX 362-2597

CLV038847  
00187



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



# PRINCIPALS

K.D. WEIR  
C.A. JOHNSON, P.E.  
J.L. MCFARLANE, P.E., R.L.S.

W.O. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

## EXPLANATION:

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 2 generally located on the Northwest Corner (NW Cor.) of Rampart Boulevard and Charleston Boulevard.

## Legal Description Lot 28 - C-1

That portion of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

COMMENCING at the Southwest Corner (SW Cor.) of said Southwest Quarter (SW1/4); thence N.89°26'21"E., along the South line thereof, 276.89 feet to the TRUE POINT OF BEGINNING; thence N.00°33'39"W., 65.00 feet; thence N.05°35'17"E., along a radial line, 576.48 feet to a point on a curve concave Northerly and having a radius of 550.00 feet; thence Easterly along said curve, through a central angle of 06°08'57", an arc distance of 59.03 feet to a point of tangency; thence N.89°26'21"E., 267.74 feet; thence N.00°33'39"W., 25.00 feet; thence N.89°26'21"E., 660.00 feet; thence S.00°33'39"E., 660.00 feet to a point on the South line of the aforementioned Southwest Quarter (SW1/4); thence S.89°26'21"W., along said South line, 1040.41 feet to the TRUE POINT OF BEGINNING.

Containing 15.262 acres, more or less.

## BASIS OF BEARINGS

N.89°26'21"E., being the South line of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-3  
3900-3999

2300 PASEO DEL PRADO, BUILDING A SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038848  
00188



CONSULTING ENGINEERS  
PLANNERS SURVEYORS



#### PRINCIPALS

K.D. WEIR  
C.R. JOHNSON P.E.  
J.L. MacFARLANE, P.E., R.L.S.

W.O. 3974  
February 2, 1990  
By: R.M.  
P.R. By: R.M.

#### EXPLANATION:

2-5-90

This legal describes a parcel of land to be rezoned located within the proposed Peccole Ranch - Phase 2 generally located West of Rampart Boulevard and South of Angle Park.

#### Legal Description Lot 29 - C-1

That portion of the West Half (W1/2) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, described as follows:

BEGINNING at the Northeast Corner (NE Cor.) of the Southeast Quarter (SE1/4) of the Northwest Quarter (NW1/4) of said Section 32; thence S.00°32'39"E., along the East line thereof, 140.02 feet to a point of tangency with a curve concave Northwesterly and having a radius of 1700.00 feet; thence Southwesterly along said curve, through a central of 27°29'19", an arc distance of 815.77 feet to a point; thence N.63°03'01"W., along a radial line, 50.00 feet to a point on a curve concave Southerly and having a radius of 375.00 feet, a radial line to said point bears N.12°47'42"E.; thence Westerly along said curve, through a central angle of 38°30'11", an arc distance of 252.00 feet to a point of compound curvature with a curve concave Southeasterly and having a radius of 4400.00 feet, a radial line to said point bears N.26°42'29"W.; thence Southwesterly along said curve, through a central angle of 14°58'58", an arc distance of 1150.60 feet to a point of reverse curvature with a curve concave Northwesterly and having a radius of 625.00 feet, a radial line to said point bears N.40°41'28"W.; thence Southwesterly along said curve, through a central angle of 20°08'35", an arc distance of 219.73 feet to a point of compound curvature with a curve concave Northeasterly and having a radius of 325.00 feet, a radial line to said point bears S.20°32'52"E.; thence Northwesterly along said curve, through a central angle of 67°27'19", an arc distance of 382.63 feet to a point of reverse curvature with a curve concave Southwesterly and having a radius of 985.00 feet, a radial line to said point bears S.46°54'26"W.; thence Northwesterly along said curve, through a central angle of 42°07'20", an arc distance of 724.14 feet to a point; thence N.04°47'06"E., along a radial line, 857.50 feet to a point on a

2300 PASCO DEL PRADO, BUILDING A, SUITE 100 LAS VEGAS, NEVADA 89102  
TEL (702) 873-7550 FAX 362-2597

CLV038849  
00189

Legal Description  
W.O. 3974  
February 2, 1990  
Page 2

curve concave Northwesterly and having a radius of 2000.00 feet, a radial line to said point bears  $5.09^{\circ}07'13''E.$ ; thence Northeasterly along said curve, through a central angle of  $18^{\circ}58'02''$ , an arc distance of 662.08 feet to a point of tangency; thence  $N.61^{\circ}54'45''E.$ , 415.38 feet to a point of tangency with a curve concave Southeasterly and having a radius of 1250.00 feet; thence Northeasterly along said curve, through a central angle of  $57^{\circ}40'18''$ , an arc distance of 167.37 feet to a point, a radial line to said point bears  $N.20^{\circ}24'57''W.$ ; thence  $N.00^{\circ}28'02''W.$ , 140.00 feet to a point on the North line of the South Half (S1/2) of the Northwest Quarter (NW1/4) of said Section; thence  $N.89^{\circ}31'58''E.$ , along said North line, 1394.37 feet to the POINT OF BEGINNING.

Containing 75.439 acres, more or less.

BASIS OF BEARINGS

$N.89^{\circ}26'21''E.$ , being the South line of the Southwest Quarter (SW1/4) of Section 32, T. 20 S., R. 60 E., M.D.M., City of Las Vegas, Clark County, Nevada, as shown by a map on file in the Office of the County Recorder in File 36 of Records of Surveys, Page 89.

reference 3974-1  
3900-3999



CLV038850  
00190

# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*

March 8, 1990

## PLANNING COMMISSION

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

Page 29

ITEM

PHONE 386-6301

COMMISSION ACTION

### 24. MASTER DEVELOPMENT PLAN AMENDMENT

Applicant: WILLIAM PECCOLE 1982 TRUST  
Application: Request for approval to  
amend the Master Development  
Plan  
Location: East side of Hualpai Way,  
west of Durango Drive,  
between the south  
boundary of Angel Park and  
Sahara Avenue  
Size: 996.4 Acres

STAFF RECOMMENDATION: APPROVAL, subject  
to the following:

1. A maximum of 4,247 dwelling units  
be allowed for Phase II.
2. Hualpai Way be extended as a public  
street north of Charleston Boulevard  
to the north property line as required  
by the Department of Public Works.
3. Extend Apple Lane along the north  
side of this site and adjacent to  
Angel Park, east of Rampart Boulevard  
to Durango Drive, as required by  
the Department of Public Works.

PROTESTS: 5 Speakers at Meeting

Babero -  
APPROVED, subject to staff's  
conditions and Condition No. 4  
requiring public notice when  
there will be an architectural  
review on the resort/casino  
and commercial center sites,  
and Condition No. 5 stating  
the applicant is to post signs  
on the property indicating  
the proposed uses.  
Unanimous  
(Bugbee and Dixon excused)

MR. WILLIAMS stated this request  
is to amend the approved Master  
Development Plan that was approved  
in 1989. Phase II contains  
996.4 acres. It is predominantly  
single family dwellings. However,  
there will be multifamily,  
resort/casino, golf course,  
commercial office, school and  
rights-of-way. The significant  
change is the addition of the  
golf course and a larger resort/casino  
site and 100 acre shopping  
center site. The commercial  
site was in the 1981 plan and  
taken out in the 1989 plan.  
Each parcel will be subject  
to a review by the Planning  
Commission. The overall density  
is 4.3 units per acre. Staff  
feels Apple Lane should be  
extended over from Rampart  
Boulevard to Durango Drive  
to give better vehicular access  
to the commercial parcel.  
Hualpai Way also has to be  
extended. The Gaming Enterprise  
District indicates this area  
could contain one destination  
resort/casino, but the applicant  
would have to have a major  
recreational facility and a  
minimum of 200 rooms. Staff  
recommended approval, subject  
to the conditions.

WILLIAM PECCOLE appeared and  
represented the application.  
Phase I is 75% complete. This  
request is for Phase II.

A. WAYNE SMITH, Land Planner,  
1515 East Missouri Avenue,  
Phoenix, Arizona, appeared  
and represented the applicant.  
The main street will be 80  
feet wide from Charleston Boulevard  
south and then curving to the  
northeast.

CLV045847  
00191

2373



# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*

March 8, 1990

## PLANNING COMMISSION

Page 30

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 396-6301

COMMISSION ACTION

ITEM

### 24. MASTER DEVELOPMENT PLAN AMENDMENT (CONT'D)

GREGORY BARLOW, 704 Minto Court, appeared in protest. He was concerned about the 100 acres for a shopping center because of its large size bringing too much traffic into the area and the aesthetics of the center. However, he would like to have some shopping in that area. He would like to have a public hearing held when this project comes back for a design review. The various types of zoning should be posted on the property.

KATHERINE SAUER, 8917 Condotti Court, appeared in protest. She objected to the casino because of the traffic it will generate. There are a lot of children in that area and she does not want the children to live near a casino.

PAM EASTBERG, 7913 Fanciful, appeared in protest. She objected to the casino being in a residential area.

ULRICH SMITH, 8813 Brescia Drive, appeared in protest. He objected to the casino.

RAY BINGHAM, 8345 Cove Landing Avenue, appeared in protest. He objected to locating the shopping center next to a park because of all the traffic the center will generate.

WILLIAM PECCOLE appeared in rebuttal. They are working with the City on the interchange at the Summerlin Parkway so that traffic can move north and south. They will participate in a Special Improvement District for their area. Two schools are being constructed in Phase 1. This will be a quality project. He would be agreeable to an architectural review by the City. All their property shows the zoning. The shopping center will be approximately a million square feet containing stores that are not presently in Las Vegas.

To be heard by the City Council on 4/4/90.

(7:37-8:09)

CLV045848  
00192

2374



# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

City of Las Vegas

March 8, 1990

## PLANNING COMMISSION

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

Page 31

ITEM	PHONE 386-6301	COMMISSION ACTION
25. <u>Z-17-90</u>	<p>Applicant: WILLIAM PECCOLE 1982 TRUST Application: Zoning Reclassification From: N-U (under Resolution of Intent to R-1, R-2, R-3, R-PD7, R-PDS, R-MBP, C-1, C-2, P-R and C-V) To: R-PD7, R-3 and C-1 Location: East side of Hualpai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue Proposed Use: Single Family Dwellings, Multi-Family Dwellings, Commercial, Office and Resort/Casino Size: 996.4 Acres</p> <p><u>STAFF RECOMMENDATION:</u> APPROVAL, subject to the following:</p> <ol style="list-style-type: none"><li>1. A maximum of 4,247 dwelling units be allowed for Phase II.</li><li>2. Conformance to the Conditions of Approval for the Peccole Ranch Master Development Plan, Phase II.</li><li>3. Approval of plot plans and building elevations by the Planning Commission for each parcel prior to development.</li><li>4. At the time development is proposed on each parcel appropriate right-of-way dedication, street improvements, drainage plan/study submittal, drainageway improvements, sanitary sewer collection system extensions and traffic signal system participation shall be provided as required by the Department of Public Works.</li><li>5. The existing Resolution of Intent on this property is expunged upon approval of this application.</li><li>6. Resolution of Intent with a five year time limit.</li><li>7. Standard Conditions 6 - 8 and 11.</li></ol> <p><u>PROTESTS:</u> 2 on record with staff 1 speaker at meeting</p> <p><u>FAVOR:</u> 1 speaker at meeting</p>	<p>Babero - APPROVED, subject to staff's conditions and additional conditions requiring the applicant to post signs on property indicating the zoning and that a public hearing be held on the development plan on the commercial and casino sites. Unanimous (Sugbee and Dixon excused)</p> <p>MR. WILLIAMS stated this request is to approve the zoning that was indicated on the Master Development Plan. The development plans will be submitted to the Planning Commission for review prior to development. Staff recommended approval, subject to the conditions.</p> <p>WILLIAM PECCOLE appeared and represented the application. He concurred with staff's conditions.</p> <p>GREGORY BARLOW, 704 Minto Court, appeared in favor if certain conditions are met. He wants a review of each parcel before the Planning Commission with a notice posted announcing that a public hearing will be held. Before any building is completed Rampart Boulevard must be finished. He would like the feeder routes also improved.</p> <p>ULRICH SMITH, 8813 Brescia Drive, appeared in protest. He objected to the casino.</p> <p>WILLIAM PECCOLE appeared in rebuttal. The casino will be buffered on the north by the Angel Park Golf Course and on the south by his golf course. On the east side will be commercial and on the west side a tennis court.</p> <p>A. WAYNE SMITH, Land Planner, 1515 East Missouri Avenue, Phoenix, Arizona, appeared and represented the applicant. The applicant has reduced the density by about 2,200 units to help balance the traffic flow.</p> <p>To be heard by the City Council on 4/4/90.</p> <p>(8:09-8:23)</p>

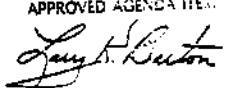
CLV045849  
00193

2375

CITY COUNCIL MINUTES  
MEETING OF  
APRIL 4, 1990  
**AGENDA** *City of Las Vegas*  
CITY COUNCIL  
COUNCIL CHAMBERS - 400 EAST STEWART AVENUE  
PHONE 386-6011

000648

Page 48

ITEM		ACTION
	X. COMMUNITY PLANNING AND DEVELOPMENT DEPT. (CONTINUED)	
1433 to 1437	<p>G. <u>ZONE CHANGE - PUBLIC HEARING</u></p> <p>3. <u>Master Development Plan Amendment related to Z-17-90</u></p> <p>Request for approval to amend the Master Development Plan for property located on the east side of Hualpai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue.</p> <p>Planning Commission unanimously recommended APPROVAL, subject to:</p> <ol style="list-style-type: none"><li>1. A maximum of 4,247 dwelling units be allowed for Phase II.</li><li>2. Hualpai Way be extended as a public street north of Charleston Boulevard to the north property line as required by the Department of Public Works.</li><li>3. Extend Apple Lane along the north side of this site and adjacent to Angel Park, east of Rampart Boulevard to Durango Drive, as required by the Department of Public Works.</li><li>4. Signs shall be posted on the resort/casino and commercial center sites to indicate the proposed uses.</li><li>5. The surrounding property owners shall be notified when the development plans for the resort/casino and commercial center sites are submitted for review.</li></ol> <p>Staff Recommendation: APPROVAL</p> <p>PROTESTS: 5 (at meeting)</p> <p>APPROVED AGENDA ITEM: </p>	<p>NOLEN - APPROVED as recommended subject to the conditions. Motion carried with Higginson "abstaining" because his employer had done business with Mr. Peccole.</p> <p>Clerk to Notify and Planning to Proceed.</p> <p>*****</p> <p>ROBERT PECCOLE, 2760 Tifoga Pine Circle, appeared. He stipulated to the conditions indicating that the hotel and casino along with the commercial center plans would be approved by the Council.</p> <p>COUNCILMAN ADAMSEN said he previously wrote a letter to both the Peccole and Summerlin people asking them to post signs on the property indicating the hotel and casino sites. He also asked that when people buy property they be given a plot plan and a map which would show the future casino site in relation to their property and they are asked to sign an acknowledgment when they receive this information to resolve any problems of notification.</p> <p>No one appeared in opposition.</p>

00024214944

2376

X.

G. ZONE CHANGE - PUBLIC HEARING

3. Master Development Plan Amendment related to Z-17-90

This is a request to amend a portion of a previously approved Master Plan for the Peccole Ranch Property, Phase II. Phase II contains 996.4 acres and comprises property located south of Angel Park between Durango Drive and Hualpai Way extending south to Sahara Avenue. There are 4,247 units proposed and the gross density for Phase II is 4.3 dwelling units per acre. A related item, Z-17-90, is Item X.G.4. on this agenda.

Master Development Plans have been approved for this property in 1981, 1986 and 1989. The portion identified as Phase I was approved as part of the 1989 Plan and is currently under development. The significant changes to this plan from the 1989 plan is the addition of a golf course, a larger resort/casino site and the 100 acre commercial center site north of Alta Drive, between Durango Drive and Rampart Boulevard. The proposed multi-family uses have been reduced from 105 acres to 60 acres. A 19.7 acre school site is designated on a site south of Charleston Boulevard. The following table indicates the proposed land uses and acreage for Phase II:

<u>LAND USE</u>	<u>PHASE II ACREAGE</u>	<u>PERCENT OF SITE</u>
Single Family	401	40.30%
Multi-family	60	6.02%
Neighborhood Commercial/Office	194.3	19.50%
Resort/Casino	56.0	5.62%
Golf Course/Drainage	211.6	21.24%
School	13.1	1.31%
Rights-of-Way	60.4	6.07%

At the Planning Commission meeting, staff indicated that the density of this Master Plan was within the average density of 7 units per acre recommended in the General Plan. Staff recommended, however, that Apple Lane should be extended to Durango Drive in conjunction with the shopping center site. The Planning Commission recommended approval of the Plan subject to the resort site and shopping center uses being posted with signs to indicate the proposed uses. The Planning Commission also required that the surrounding property owners be notified when development plans for the resort and commercial center sites are submitted for review.


There were several protestants at the meeting who voiced their objection to the size of the shopping center site and the proposed destination resort site.

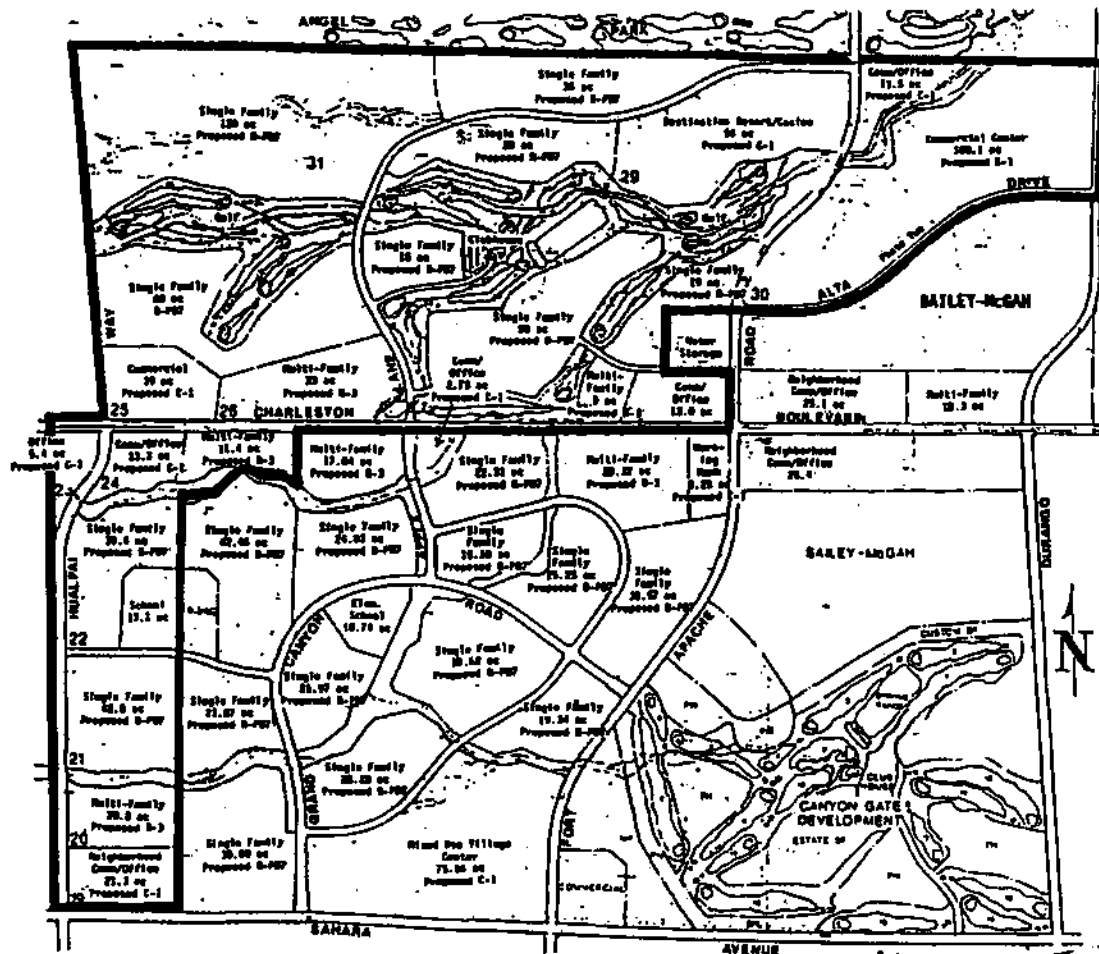
Planning Commission Recommendation: APPROVAL

Staff Recommendation: APPROVAL

PROTESTS: 5 (at meeting)

SEE ATTACHED LOCATION MAP

  
HAROLD P. FOSTER, DIRECTOR  
DEPARTMENT OF COMMUNITY PLANNING  
AND DEVELOPMENT



## MASTER DEVELOPMENT PLAN AMENDMENT

LOCATION MAP - ITEM X.B.3. - Master Development Plan Amendment

CITY COUNCIL MINUTES  
MEETING OF  
APR 04 1990

000650

00012764946

CITY COUNCIL MINUTES  
MEETING OF  
APRIL 4, 1990  
**AGENDA** *City of Las Vegas*  
CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 388-6011

000651

Page 49

ITEM	ACTION
<p>X. COMMUNITY PLANNING AND DEVELOPMENT DEPT. (CONTINUED)</p> <p>G. ZONE CHANGE - PUBLIC HEARING</p> <p>4. Z-17-90 - William Peccole 1982 Trust</p> <p>Request for reclassification of property located on the east side of Hualpai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue.</p> <p>From: N-U (Non-Urban)(under Resolution of Intent to R-1, R-2, R-3, R-PD7, R-PD8, R-MHP, P-R, C-1, C-2 and C-V)</p> <p>To: R-PD3 (Residential Planned Development) R-PD7 (Residential Planned Development) and C-1 (Limited Commercial)</p> <p>Proposed Use: SINGLE FAMILY DWELLINGS, MULTI-FAMILY DWELLINGS, COMMERCIAL, OFFICE AND RESORT/CASINO</p> <p>Planning Commission unanimously recommended APPROVAL, subject to:</p> <ol style="list-style-type: none"> <li>1. A maximum of 4,247 dwelling units be allowed for Phase II.</li> <li>2. Conformance to the conditions of approval for the Peccole Ranch Master Development Plan, Phase II.</li> <li>3. Approval of plot plans and building elevations by the Planning Commission for each parcel prior to development.</li> <li>4. At the time development is proposed on each parcel appropriate right-of-way dedication, street improvements, drainage plan/study submittal, drainageway improvements, sanitary sewer collection system extensions and traffic signal system participation shall be provided as required by the Department of Public Works.</li> </ol> <p style="text-align: center;">- continued - APPROVED AGENDA ITEM <i>L. H. R. L.</i></p>	<p>NOLEN - APPROVED as recommended subject to the conditions. Motion carried with Higginson "abstaining" because his employer had done business with Mr. Peccole.</p> <p>Clerk to Notify and Planning to Proceed.</p> <p style="text-align: center;">*****</p> <p>WILLIAM PECCOLE, 2760 Tioga Pine Circle, was present.</p> <p>COUNCILMAN ADAMSEN said this was in conformance with the General Plan. The multi-family acreage was reduced from 100 to 60 and it will all be located on the major streets.</p> <p>No one appeared in opposition.</p> <p>There was no discussion.</p> <p>NOTE: The portion of this agenda which indicates this reclassification includes a request for R-PD3 zoning, in addition to R-PD7 and C-1, is a typographical error. The application and all other documentation correctly identifies the request as R-3 (<u>Limited Multiple Residence</u>), R-PD7 and C-1.</p>

1437  
to  
1438

0002V214947

CITY COUNCIL MINUTES  
MEETING OF  
APRIL 4, 1990  
**AGENDA** *City of Las Vegas*  
CITY COUNCIL  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE  
PHONE 388-8011

000652

Page 50

ITEM

ACTION

X. COMMUNITY PLANNING AND DEVELOPMENT DEPT.  
(CONTINUED)

G. ZONE CHANGE - PUBLIC HEARING

APPROVED - See page 49

4. Z-17-90 - William Peccole 1982  
Trust (continued)

5. Signs shall be posted on the resort/casino and commercial center sites to indicate the proposed uses.
6. The surrounding property owners shall be notified when the development plans for the resort/casino and commercial center sites are submitted for review.
7. The existing Resolution of Intent on this property is expunged upon approval of this application.
8. Resolution of Intent with a five year time limit.
9. Standard conditions 6-8 and 11.

Staff Recommendation: APPROVAL

PROTESTS: 3 (2 letters, 1 at meeting)

APPROVED AGENDA ITEM

*Lucy L. Burton*

00028214948

2380



CITY COUNCIL MINUTES  
MEETING OF  
APRIL 4, 1990

000653

X.

G. ZONE CHANGE - PUBLIC HEARING

4. Z-17-90 - William Peccole 1982 Trust

This is a request to rezone 996.4 acres from N-U (under Resolution of Intent to R-1, R-2, R-3, R-PD7, R-PD8, R-MHP, C-1, C-2, P-R and C-V) to R-PD7, R-3 and C-1 for Phase II of Peccole Ranch. The proposal includes 401 acres for single family development at a density of 7 units per acre, 60 acres of multi-family at a density of 24 units per acre, 194.3 acres for commercial/office uses, 56 acres for a resort/casino, approximately 212 acres for a golf course and drainage, 13.1 acres for a school and approximately 61 acres for rights-of-way. The Master Development Plan Amendment for this property is item X.G.3. on this agenda.

To the north is Angel Park in a C-V zone. To the west is vacant land in the County. There is N-U, R-PD7, R-PD20, R-3 and C-1 zoning to the east and south.

Last year, Phase I on the south side of Charleston Boulevard was approved to develop 3,150 dwelling units on 448.8 acres at a density of seven units per acre. Another zoning request expanded Phase I and allowed 931 additional dwelling units also at a density of seven units per acre.

Phase II of the proposed development will contain 4,247 dwelling units at an overall gross density of 4.3 units per acre for the entire 746.1 acres of residential zoning. This is below the 7 units per acre allowed in the General Plan.

Staff recommended approval of the application and the Planning Commission concurred, subject to the resort and commercial center uses being posted with signs that indicate the proposed uses. The Planning Commission also required that the surrounding property owners be notified when development plans for the resort/casino and the commercial center sites are submitted for review.

General Plan Conformance: Yes. Conforms to the density recommendations of the General Plan.

Planning Commission Recommendation: APPROVAL

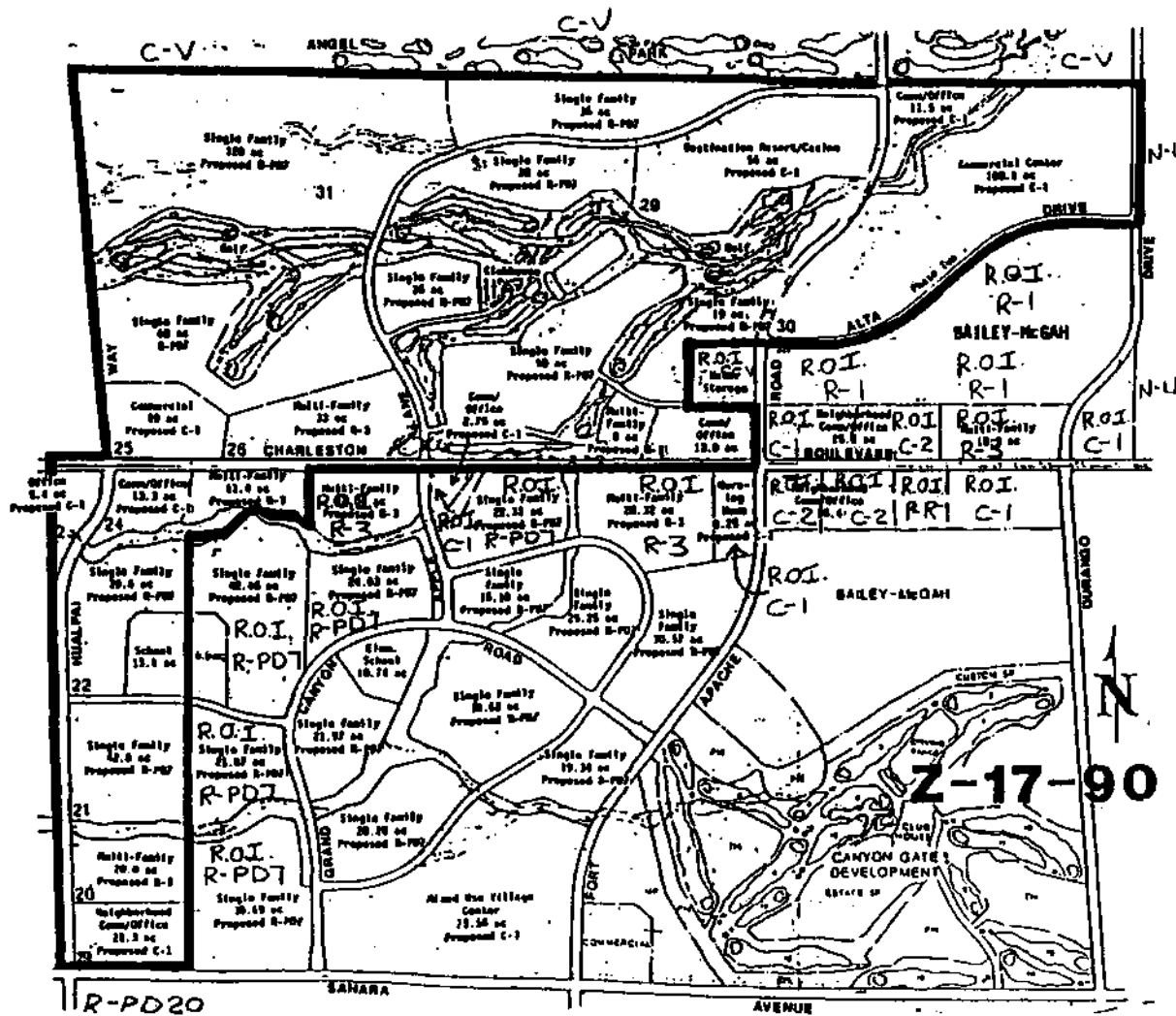
Staff Recommendation: APPROVAL

PROTESTS: 3 (2 letters, 1 at meeting)

SEE ATTACHED LOCATION MAP

  
HAROLD P. FOSTER, DIRECTOR  
DEPARTMENT OF COMMUNITY PLANNING  
AND DEVELOPMENT

00029214949



LOCATION MAP - ITEM 1.6.4. - Z-17-90 - WILLIAM PECCOLE 1992 TRUST

CITY COUNCIL MINUTES  
MEETING OF

APR 04 1990

000654

002004950

MAYOR RON LURIE

COUNCILMEN  
BOB MOLEN  
STEVE MILLER  
ARNIE ADAMSSEN  
SCOTT EDGEMAN

# CITY of LAS VEGAS



## C O R R E C T E D   L E T T E R

January 29, 1991

William Peccole 1982 Trust  
2760 Tioga Pines Circle  
Las Vegas, Nevada 89117

RE: 2-17-90 - ZONE CHANGE

Gentlemen:

The City Council at a regular meeting held April 4, 1990 APPROVED the request for reclassification of property located on the east side of Hualpai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue, from: K-U (Non-Urban)(under Resolution of Intent to R-1, R-2, R-3, R-PD7, R-PDS, R-MHP, P-R, C-1, C-7 and C-V), to: R-3 (Limited Multiple Residence), R-PD7 (Residential Planned Development) and C-1 (Limited Commercial), Proposed Use Single Family Dwellings, Multi-Family Dwellings, Commercial, Office and Resort/Casino, subject to:

1. A maximum of 4,247 dwelling units be allowed for Phase II.
2. Conformance to the conditions of approval for the Peccole Ranch Master Development Plan, Phase II.
3. Approval of plot plans and building elevations by the Planning Commission for each parcel prior to development.
4. At the time development is proposed on each parcel appropriate right-of-way dedication, street improvements, drainage plan/study submittal, drainageway improvements, sanitary sewer collection system extensions and traffic signal system participation shall be provided as required by the Department of Public Works.



400 E STEWART AVENUE • LAS VEGAS, NEVADA 89101 • (702) 386-6811

CLV038807  
00201

2383

William Peccole 1982 Trust  
January 29, 1991  
RE. Z-17-90 - ZONE CHANGE  
Page 2.

- 5 Signs shall be posted on the resort/casino and commercial center sites to indicate the proposed uses.
- 6 The surrounding property owners shall be notified when the development plans for the resort/casino and commercial center sites are submitted for review.
7. The existing Resolution of Intent on this property is expunged upon approval of this application.
8. Resolution of Intent with a five year time limit.
- 9 Satisfaction of City Code requirements and design standards of all City departments.
10. Approval of the parking and driveway plans by the Traffic Engineer.
11. Repair of any damage to the existing street improvements resulting from this development as required by the Department of Public Works
12. Provision of fire hydrants and water flow as required by the Department of Fire Services.

Sincerely,

  
KATHLEEN M. TIGHE  
City Clerk

KMT:cmp

cc: Dept. of Community Planning & Development  
Dept. of Public Works  
Dept. of Fire Services  
Dept. of Building & Safety  
Land Development Services

Mr. A. Wayne Smith  
A. Wayne Smith & Associates  
1515 ~~1444~~ E. Missouri, Suite 100  
Phoenix, Arizona 85014

VIN Nevada  
2300 Paseo Del Prado, A-100  
Las Vegas, Nevada 89102

Sean McGowan  
2300 W. Sahara, Box 10  
Las Vegas, Nevada 89102

CLV038808  
00202

2384