

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 25 2022 08:30 p.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

No. 84640

**JOINT APPENDIX,  
VOLUME NO. 128, Pt. 14**

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*

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2265 distinct zonings. Two of the entities have an R-PD7. One has a PD zoning, the same as the tower,  
2266 the remnants of the tower, and combining them into one single entity as a massive developer in  
2267 order to shift densities from one location to the other to build this project.  
2268 If you today abey or decide not to approve, to deny this application for Development Agreement,  
2269 you're basically telling us you do not want to shift zoning. So the only thing we have left is to use  
2270 the zoning that the property is zoned for today. The Development Agreement only allows for  
2271 zoning to shift. And with that, we got a boatload of restrictions and conditions for the next 30  
2272 years, governed and demanded by the City.  
2273 We only want to develop our property. The harm that you're causing us every time that you're  
2274 delaying this thing for the last two years for that matter, okay, is hundreds of thousands of dollars  
2275 every month. Once we almost lost the property, and we were able to refinance it. The financing  
2276 coming up again in a couple months. Okay. We have to move on with this property or else there  
2277 will be serious consequences.  
2278 Everybody is happy in the back. They want the consequences. But they don't understand they are  
2279 the biggest loser at the end of the day. In a word, there will be nothing there other than the desert  
2280 and nothing but fights. So, please, just allow this to move forward. I'm giving you my word as I  
2281 always do, and I always kept my word when I gave it to you or to anybody else here on this  
2282 Council, that when you approve this application in front of you, in the next 60 days that you, we  
2283 will agree to the advance, and in the next 60 days we'll sit again with the homeowners and  
2284 negotiate to the best of our ability. And if we can come to an agreement, this will supersede this  
2285 application.  
2286 You heard before from others here they're saying, oh you already gave them the 435. Not a week  
2287 that went by, and I get into my office, the City Attorney, which I just cannot believe how he  
2288 worked, how hard he worked to try to get the deal between us and the neighbors. He said hold,  
2289 do not build this, because I want you to reduce the heights, and I want you to reduce it for One  
2290 Queensridge. Make more concessions to Queensridge.  
2291 On top of that, I want you to give them parking. So I can't design the project. I can't move  
2292 forward with this project waiting for Development Agreement. And we'll hold this project for 60

Page 85 of 128

ROR024550

25841

25818

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2293 more days. So that could be included into Development Agreement. But we have to get zoning  
2294 on our property and move forward.  
2295 It is, has been, this today is 19. If you would delay it, it's 20 abeyances that every single one of  
2296 them, except one, that we asked for on favor of Shauna Hughes and the homeowners, were asked  
2297 by the City, by saying you have to abey it. We're asking you to abey it. And the costs, they just  
2298 keep on piling up. Just can't do it. It's simple.

2299

2300 **MAYOR GOODMAN**

2301 Thank you.

2302

2303 **YOHAN LOWIE**

2304 And by the way, for the shot across the bow that Shauna Hughes have just told you here, that,  
2305 you know, this is a shot across the bow, I will challenge you we will submit all the tapes to the  
2306 record. And I challenge you to find that statement that anybody made on our team. Not one  
2307 person in our team made a comment like that, this is a shot across the bow.  
2308 And Frank Pankratz can tell you that, and I can submit the tapes to the record. You won't find  
2309 anything. What you will find, come on, Frank, you know we can't negotiate in good faith because  
2310 really we have to wait for all the litigation to expire.  
2311 You can listen to her. You can see if we are right, or if what she's telling you is right. You'll be the  
2312 judge. I'm asking you to approve this application, to move it forward.

2313

2314 **MAYOR GOODMAN**

2315 Thank you.

2316

2317 **YOHAN LOWIE**

2318 Thank you.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2319 **MAYOR GOODMAN**

2320 You had something you wanted to submit?

2321

2322 **GEORGE GARCIA**

2323 A very simple procedural matter, just to clarify that what I understood was basically the  
2324 indication that this item had to move forward because the clock was expiring on the map. There's  
2325 a mandatory, within the statutes, there's a mandatory time frame for a map to be approved or  
2326 denied. That was what stated by the Applicant's representatives.

2327 I just wanted to indicate that there's a document that's provided and filed by the Applicant,  
2328 specifically as part of the Department of Planning's application process. And this is signed by  
2329 Vickie DeHart. It says: In so doing, the subdivider acknowledges that this election of the City's  
2330 acceptance of a tentative map application as complete shall be deemed to constitute the mutual  
2331 consent of the City and the subdivider to extend the time limit set forth in NRS.  
2332 So you don't have a binding clock on you. They've already waived that right. I'll submit that to  
2333 the record.

2334

2335 **MAYOR GOODMAN**

2336 Okay.

2337

2338 **YOHAN LOWIE**

2339 If you did finish, put that on the clock. This is what the homeowners are entitled to. This is  
2340 what's on everybody's deed. I don't have to put it on the magnifier. You can see it. It says "Future  
2341 Development." The piece of property that we are trying to develop right now shows in  
2342 everybody's document in this book, on page 1.3, future development, shows the entire golf  
2343 course's development. This is what's recorded on title, and that's what given to every single  
2344 homeowner who's buying a house in Queensridge. Thank you.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2345 **MAYOR GOODMAN**  
2346 Thank you.  
2347  
2348 **COUNCILMAN COFFIN**  
2349 Your Honor?  
2350  
2351 **MAYOR GOODMAN**  
2352 Councilman?  
2353  
2354 **COUNCILMAN COFFIN**  
2355 I had a feeling that, because I could not hear Garcia very well, the microphone could not pick  
2356 you up. Your remarks are not in the record.  
2357  
2358 **GEORGE GARCIA**  
2359 Let me, then if I can get that document back.  
2360  
2361 **COUNCILMAN COFFIN**  
2362 And I think you've got to do something.  
2363  
2364 **GEORGE GARCIA**  
2365 Thank you. The red light's on, but apparently if it wasn't, I'd be happy to repeat that. So the point  
2366 that I believe was made and I heard the Applicant's representative saying that there was some  
2367 urgency because the clock had run out or was running out because of the time. There's a statutory  
2368 time frame for them to approve maps, for tentative maps. I just want to clarify that there is no  
2369 such time frame in this particular instance. The Applicant has waived that right.  
2370 Specifically, there was a document that was signed with the application that says in so doing, the  
2371 subdivider acknowledges that this election and the city's acceptance of a tentative map

Page 88 of 128

ROR024553

25844

25821

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2372 application as complete shall be deemed to constitute mutual consent of the City and the  
2373 subdivider to extend the time limit set forth in NRS.  
2374 So that's signed by Vickie DeHart. They basically signed a waiver saying there is no time frame  
2375 running. So you have, you are free to take whatever actions as necessary or appropriate.

2376

2377 **MAYOR GOODMAN**

2378 Thank you. And I'm going to close public comment now and –

2379

2380 **STEPHANIE ALLEN**

2381 Well, I was just, Your Honor, I was just going to say I had just that we had signed that waiver. So  
2382 we weren't disputing that.

2383

2384 **MAYOR GOODMAN**

2385 Okay. Thank you very much. Okay. At this point, shall we move through the agenda one by one?

2386 Is that what is appropriate? Or is there comment from Council as we go forward?

2387

2388 **BRAD JERBIC**

2389 I think it's up to you to take individual comments from Council and then a motion, and go  
2390 through the motions one by one.

2391

2392 **MAYOR GOODMAN**

2393 Okay. Any comments that the Council would care to make at this point before I turn it over? I

2394 guess I turn, yes, Councilman Barlow?

2395

2396 **COUNCILMAN BARLOW**

2397 Yes. There was a comment that was brought forward, that I want clarification on and ask a

2398 question. And that has to do with the 61 units being proposed. Or is it 65? It's 61?

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2399 **STEPHANIE ALLEN**  
2400 Sixty-one.  
2401  
2402 **COUNCILMAN BARLOW**  
2403 Sixty-one units being proposed. The question that I have is for Tom. Under the GPA, the way I  
2404 understand it, we can hold the Applicant to the 61 under the GPA, the 61 units, by condition?  
2405  
2406 **TOM FERRIGO**  
2407 Your Honor, through you, Councilman, you have the discretion, as a Council, to approve or deny  
2408 an application, or in the case of a general plan amendment approve it for a lesser density or  
2409 approve it for a smaller area. So I think when you're saying to hold it to the 61, I think you're  
2410 talking about reducing the acreage to be consistent with the tentative map and the site plan. Is  
2411 that what you mean by holding?  
2412  
2413 **COUNCILMAN BARLOW**  
2414 Yes.  
2415  
2416 **TOM FERRIGO**  
2417 Okay. Yes, you do have that discretion.  
2418  
2419 **COUNCILMAN BARLOW**  
2420 Okay. Thank you.  
2421  
2422 **MAYOR GOODMAN**  
2423 Councilman Coffin?



**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT -- AGENDA ITEMS 82, 130-134**

2424 **COUNCILMAN COFFIN**

2425 Thank you. I just have a question about legal counsel's advice. As I understand it, we have been  
2426 advised to abey this item. That was a long time ago in this course of events here. But I can  
2427 understand why, because it's deeper than I thought. It's, to the people who live it every day, it  
2428 must be frustrating. Also, they feel they're on the threshold of something very bad, because the  
2429 election was held and seats are going to change. But I'm going to follow the councilman's, I  
2430 mean the counsel's advice and suggest we abey. But I don't know how long you would choose to  
2431 do that, Mayor. I have no idea what the appropriate amount of time is.

2432

2433 **MAYOR GOODMAN**

2434 Okay. Well, let me, I'm glad you asked that question, because --

2435

2436 **COUNCILMAN BARLOW**

2437 Well, mayor.

2438

2439 **MAYOR GOODMAN**

2440 Yes?

2441

2442 **COUNCILMAN BARLOW**

2443 I didn't hear it that way. And so, for a point of clarification, I heard that we can vote this item up  
2444 or down. It was Item 130 that the legal counsel was requesting that item to be abeyed. And so I  
2445 don't want to put words in his mouth, but that was the way I interpreted it. So Brad, if you will,  
2446 please provide that clarification, that would be helpful.

2447

2448 **BRAD JERBIC**

2449 I don't know why this is (inaudible). That's correct. I did not recommend an abeyance on 131  
2450 through 134. In fact, I think I made a pretty clear record. This is a pure planning item, and that's

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2451 between you and the Applicant. With respect to 130 and 82, I do have a recommendation that  
2452 those be held on abeyance, and I'll make the record as to the reasons why when that comes up.

2453

2454 **MAYOR GOODMAN**

2455 Okay. Councilman Coffin, you want to turn off your microphone with these new, okay.

2456 As we go ahead, first of all, I want to thank everybody that's been involved in the dialogue trying

2457 to move this forward. I know it's resolvable, and I know how close we've become. And I am

2458 absolutely convinced it can be worked through. There is a timeline. It costs money, and I just –

2459 it's beyond anything. I did say at last the meeting that we had passed that corner property.

2460 And I know you understood it, Yohan Lowie. And out of total respect, I did say that I did not

2461 want to move forward piecemeal, that I would go ahead with that corner and give full support,

2462 even though it was not particularly welcomed at that time, and you did bend so much. And I

2463 know you're a developer, and developers are not in it to donate property. And you have been

2464 donating and putting back, but it has to pencil out. And it's costing you money every single day it

2465 delays.

2466

2467 **YOHAN LOWIE**

2468 Your Honor?

2469

2470 **MAYOR GOODMAN**

2471 And so, to be honest to you, I am only talking for me. I certainly agree with the fact that we've

2472 been working for two years, because we see the value of what you can do, and we know what's

2473 destined for the property. If you had walked away from it, who would come in and develop it?

2474

2475 **YOHAN LOWIE**

2476 They don't want me as the developer, Your Honor. They want somebody else.

**CITY COUNCIL MEETING  
JUNE 21, 2017  
COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2477 **MAYOR GOODMAN**

2478 No, no, no. We're not there. I just want you to understand where I'm coming from, because I  
2479 asked for something. We have had two people so involved, working so many hours with you and  
2480 with the residents trying to get to a point where you can move the whole property. And what I  
2481 said at that meeting, which I have to stand by, I have to stand by the Master Development Plan,  
2482 knowing full well that this is exactly what I was talking about. I think your plan up there in the  
2483 northwest part of the property seems very fine, but it's exactly that.

2484 And again, on top of it all, I do agree – this is me alone – but I do agree while these two people  
2485 that are sitting here have been participatory and heard everything every time, that it is only right  
2486 that we have new Council, and they are not going to even be seated until the 19th, when they're  
2487 sworn in, because we have no meeting between now and the 19th of July. That's the next Council  
2488 meeting.

2489 And we cannot have them vote at that meeting, because they will have had no opportunity.  
2490 They're not sworn in. So they have to have opportunity, hopefully, with our Counsel and with our  
2491 Planning Director, to be brought up to speed because, at this point, they've only had the public  
2492 comment.

2493

2494 **YOHAN LOWIE**

2495 Your Honor, it's a classic case of the surgery is success, has been successful, but the patient died  
2496 because it's a little too late. So it's a little too late. If you would like me to abey, to withdraw the  
2497 application for the –

2498

2499 **MAYOR GOODMAN**

2500 No, I do not. We are so close.

2501

2502 **YOHAN LOWIE**

2503 We are not close. We are far away because we are going to –

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT -- AGENDA ITEMS 82, 130-134**

2504   **MAYOR GOODMAN**  
2505   Wait. Wait. Wait.  
2506  
2507   **YOHAN LOWIE**  
2508   We are not going to be in control of the property, Your Honor.  
2509  
2510   **MAYOR GOODMAN**  
2511   Okay.  
2512  
2513   **YOHAN LOWIE**  
2514   For the, 60 days from today, 60 days from today, okay, we may be not in control of the property.  
2515   So if you want to vote today, I'm asking you -- I'm forcing a vote today. I'm asking you to vote  
2516   today.  
2517  
2518   **MAYOR GOODMAN**  
2519   Okay. We will.  
2520  
2521   **YOHAN LOWIE**  
2522   Even if I have to withdraw the application.  
2523  
2524   **MAYOR GOODMAN**  
2525   Okay.  
2526  
2527   **YOHAN LOWIE**  
2528   Okay.

Page 94 of 128

ROR024559

**25850**

**25827**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT -- AGENDA ITEMS 82, 130-134**

2529 **MAYOR GOODMAN**

2530 We'll move forward with that. I just, I want you to understand I made a comment. I have to, I'm  
2531 sorry, I have to prerogative of the Chair, Yohan.

2532

2533 **YOHAN LOWIE**

2534 Yeah.

2535

2536 **MAYOR GOODMAN**

2537 I've admired your work always. You know that. But I made a comment that I would go for that  
2538 property on the northeast corner knowing how well you bend on it and how fabulous it was, and  
2539 I said I cannot move forward. In good conscience, I will not, I will not vote. I am one vote out of  
2540 this number, and you may have them.

2541

2542 **YOHAN LOWIE**

2543 Please take your vote. We'll appreciate anything you do right now. I just want to tell you if we  
2544 have to withdraw the application for the Development Agreement, we will. This is three  
2545 companies, separate companies that you're trying to force us to bring them together. I have no  
2546 choice, I have to sell them off in pieces. So you're never going to see development agreement as I  
2547 told you before. It just took another year, a year.

2548

2549 **MAYOR GOODMAN**

2550 I know.

2551

2552 **YOHAN LOWIE**

2553 Because they are not cooperating and not negotiating. They're only delaying.

2554

2555 **MAYOR GOODMAN**

2556 Okay.

Page 95 of 128

ROR024560

**25851**

**25828**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2557 **YOHAN LOWIE**

2558 And this delay will cause us to bifurcate the property. So the next time we'll come here, we're not  
2559 going to be controlling 250 acres or 235 acres or whatever it is.

2560

2561 **MAYOR GOODMAN**

2562 Okay. We are so close. At least that's what I am told by our Counsel.

2563

2564 **YOHAN LOWIE**

2565 I understand. I have my own problems. Every developer has problems, hundreds of thousands of  
2566 dollars a month to maintain a piece of property.

2567

2568 **MAYOR GOODMAN**

2569 Okay. Let me go ahead and move these then.

2570

2571 **YOHAN LOWIE**

2572 We don't have a problem. We're willing to bifurcate. So we will bifurcate the property.

2573

2574 **MAYOR GOODMAN**

2575 Okay. We'll go ahead and we'll move on each one. I'm going to read each item. Or do I turn  
2576 these? Now, wait one second. I did read them into the record. So, at this point, Councilman

2577 Beers, we're going to start with you on Agenda Item 131. Do you have a motion?

2578

2579 **COUNCILMAN BEERS**

2580 Yes, Your Honor, I do. Although, I have to say I think for the first time in five years, it doesn't  
2581 really matter how I move, nor does it matter how you vote. One of the guys made a comment  
2582 earlier about the worst thing that could possibly have happened, and this is it, because this is the  
2583 default existing entitlement.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2584 Our choice all along has been this, represented by the 61 units on the 30x acres, or the alternative  
2585 scenario, which is non-uniform density, creating additional – well, we all know the plan, creating  
2586 the additional density down by the existing Queensridge Tower and unprecedented, exceptional  
2587 low density on two-thirds of the land.

2588 So I think actually the fastest way for the property owner to exercise their property rights would  
2589 probably be for us to deny this, because then they can go to court and a court will immediately  
2590 reverse us, because this is so far inside the existing lines. And, you know, consistently all along  
2591 I've had two priorities. The first is protecting taxpayers, and the second is protecting land values  
2592 at Queensridge. And unfortunately, we're getting to the worst case scenario.

2593 So I would move to pass. Motion is to pass number 131.

2594

2595 **COUNCILMAN COFFIN**

2596 If I may comment?

2597

2598 **MAYOR GOODMAN**

2599 Yes, please.

2600

2601 **COUNCILMAN COFFIN**

2602 Your Honor, I suppose it's on the motion. Well, for a long time, and I still have not given up my  
2603 optimism that there could be an agreement on the entire parcel, all 250 acres, whatever it is. They  
2604 say we're a long way away. Maybe we are.

2605 I met with Mr. Lowie and his management team twice last year, late last year. I think it was  
2606 December, maybe January, and presented what I thought was a good idea to just, as a concept,  
2607 consider in order to make the neighbors feel a lot more welcoming to this new thing.  
2608 And they chose not to do that. But I feel like, yeah, I still feel like we can do something. They've  
2609 got some rights, but the neighbors have a lot of rights too. And while they've been conceding,  
2610 everybody's been conceding. So there's been some, but they're still a long way away, as  
2611 Mr. Lowie says.

Page 97 of 128

ROR024562

25853

25830

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2612 So I can't vote for this. I'm worried about the fact now we've approved one thing on one end, but  
2613 we approved something on the other end with a positive vote here and then we're stuck with  
2614 something in the middle.  
2615 It looks to me that that's kind of how it goes. It's piecemeal, even though you didn't want to do it.  
2616 If we approve this, it starts, it's piecemeal. And that then takes away – everybody gives a little  
2617 more, leverage disappears, and there's less and less chance for negotiation.  
2618 So I have to oppose this, because it's a piecemeal approach, and I still hold out hopes for a  
2619 holistic approach to this whole thing. They know my feelings on this. So, you know, we made  
2620 that public six months ago. In any event, thank you very much.  
2621  
2622 **COUNCILMAN BARLOW**  
2623 Mayor?  
2624  
2625 **MAYOR GOODMAN**  
2626 Yes.  
2627  
2628 **COUNCILMAN BARLOW**  
2629 Question on the motion.  
2630  
2631 **MAYOR GOODMAN**  
2632 I'm sorry?  
2633  
2634 **COUNCILMAN BARLOW**  
2635 I said question on the motion.  
2636  
2637 **MAYOR GOODMAN**  
2638 Okay.

Page 98 of 128

ROR024563

25854

25831



**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2639 **COUNCILMAN BARLOW**

2640 Someone brought forward a suggestion that I thought maybe quite a few of us may have missed.  
2641 You may have; you may have not. But I caught on to it. And that was by moving forward on this  
2642 item, that the Development Agreement would supersede anything that we do on this motion. I  
2643 believe Mr. Yohan, did you state that?

2644

2645 **BRAD JERBIC**

2646 I can clarify that. I think that there's been an indication by Mr. Lowie and his attorneys, and I  
2647 have said the same thing, that if this does pass, it is inconsistent with what we have negotiated  
2648 thus far. In order for it to be consistent, they would have to give this up as part of the  
2649 Development Agreement negotiation. So the Development Agreement, as currently drafted,  
2650 again not finished, but currently drafted, allows for 65 custom homes on 183 golf course.

2651

2652 **COUNCILMAN BARLOW**

2653 Sixty-five or sixty-one?

2654

2655 **BRAD JERBIC**

2656 Pardon?

2657

2658 **COUNCILMAN BARLOW**

2659 Sixty-five or sixty-one?

2660

2661 **BRAD JERBIC**

2662 Sixty-five is what's in the Development Agreement. Sixty-one is what's in this application.

2663

2664 **COUNCILMAN BARLOW**

2665 Okay.

Page 99 of 128

ROR024564

25855

25832

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2666 **BRAD JERBIC**

2667 The 61 in this application is in a very limited corner. It's much denser than what would be, in fact  
2668 it's as dense as what would be on the entire course virtually if we had a development agreement.  
2669 So it is inconsistent, absolutely inconsistent with that Development Agreement that's still not  
2670 finished. If that Development Agreement does get finished and it gets up before for the Council,  
2671 one of the things that they will have to do, and they're telling you now they will agree to, is give  
2672 up the 61 if they win today. Is that right?

2673

2674 **COUNCILMAN BARLOW**

2675 And so, to my understanding, they're on an acre now, and from what I understand further, is that  
2676 the Development Agreement could be potentially two-acre parcels instead of one?

2677

2678 **BRAD JERBIC**

2679 It is a sub potentially. It is absolutely the –

2680

2681 **COUNCILMAN BARLOW**

2682 So, in essence, the neighbors will be in a better position?

2683

2684 **BRAD JERBIC**

2685 Well, we believe, in my negotiations with the neighbors that have participated in negotiations,  
2686 they have told me they requested two-acre parcels, and that was a concession that we won during  
2687 that negotiation. So the entire golf course, the 183 acres, except for one small piece on the  
2688 southeast side, which are minimum half-acre parcels and about 15 homes there, the remaining 50  
2689 homes of the 65 would be spread out over the rest of the golf course on two-acre minimum  
2690 parcels.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2691 **COUNCILMAN BARLOW**

2692 Okay. So, to me, the win/win would be to approve what's before us now. And I believe that's a  
2693 part of the motion right now, if I heard the Councilman correctly, and for them to come back  
2694 after the Development Agreement is approved and have the Development Agreement supersede  
2695 what we have before us here today.

2696

2697 **CHRIS KAEMPFER**

2698 Your Honor?

2699

2700 **COUNCILMAN BARLOW**

2701 Mr. Kaempfer.

2702

2703 **MAYOR GOODMAN**

2704 Your button is off.

2705

2706 **CHRIS KAEMPFER**

2707 We are stating absolutely on the record that an approval today will be superseded by the  
2708 Development Agreement. It gets us – I was not making things up. It gets us something today.  
2709 Now, alternatively, if you want to go to the next item and approve the Development Agreement  
2710 subject to continuing to work on a couple of things and realizing that those things we're  
2711 continuing to work on are in an area where a site development review has to come forward  
2712 anyway, we can do that. We just need some approval today.  
2713 Our suggestion was we approved something that is so squarely in accordance with zoning  
2714 practice and zoning law, that we approved that subject to us continuing to negotiate in good faith,  
2715 and once that Development Agreement is executed, this zoning is gone.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2716 **COUNCILMAN BARLOW**

2717 Well, I don't see how we can approve the Development Agreement today when, in fact, there's  
2718 yet more work to be done. But I do like the idea of the fact that we are working towards that  
2719 Development Agreement. And from my understanding, it's almost there? So –  
2720

2721 **CHRIS KAEMPFER**

2722 Here's, is where we are. The Development Agreement, and I wish I had something I could show  
2723 you, but the, and I think this is a very important consideration.  
2724

2725 **COUNCILMAN BARLOW**

2726 Okay.

2727

2728 **CHRIS KAEMPFER**

2729 Especially for those who happen to be having a home for sale. The thing that is killing –  
2730

2731 **BRAD JERBIC**

2732 Chris, if I can stop you right there. I understand the question. But we are really wandering way  
2733 into Item 130 and the Development Agreement. I think the Council's question is -- I think there's  
2734 got to be a simpler answer than a big long presentation that wanders way off the topic that we're  
2735 agendaed for.

2736 I think that if the question is, do you think we're close or not, I think yes or no and I'll explain  
2737 later when we get to 130.

2738

2739 **CHRIS KAEMPFER**

2740 Well, can I, all right. That's a very, very fair point. If you could go to the overhead please and I'll  
2741 just show where the issues are.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2742 **COUNCILMAN BARLOW**

2743 That will be helpful. Thank you.

2744

2745 **CHRIS KAEMPFER**

2746 All right. There are no real issues all the way through here. Everybody here gets two acres, a

2747 minimum two-acre lots. Everybody, except for my neighbors and me down here, and we get half-  
2748 acre lots.

2749 Now, the areas that we're still working with are here and here, two areas. And this is what I was  
2750 trying to point out in the development area that has to be approved with a site development  
2751 review. But I won't get there. But that is what everybody has.

2752 Now, one of the issues that has been hurting our community is when you try to sell your home,  
2753 they say: What's going to be on the golf course? Can you imagine, can you imagine if you're  
2754 selling your home and you say, well, behind me is a two-acre lot, and it's part of Development  
2755 Agreement that's already approved.

2756 So all of us, in our minds, have to think that that's where we have to be. But it's here and it's here,  
2757 and you have Yohan Lowie's word and he's worked here. You'll have mind and you'll have  
2758 Stephanie's that we will continue to work in good faith and get it done. But we need something  
2759 today. We need something in order to convince our lender that this is real and it's just not another  
2760 step in losing money and putting money into this project..

2761

2762 **COUNCILMAN BARLOW**

2763 Okay. I understand. Thank you.

2764 Mayor, my comment on the motion is the fact that I'm going to, if I heard the Councilman  
2765 correctly, that the motion is for approval on 131, so I'm going to support that. However, I'm  
2766 going to step out on a limb and also take the recommendation of my City Attorney when we  
2767 come to 130. So my motion will be for approval on 131. Thank you. I mean my position on 131  
2768 for the motion of approval is to follow the Councilman's position.

Page 103 of 128

ROR024568

**25859**

**25836**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2769 **MAYOR GOODMAN**

2770 Okay. There is a motion made to approve Agenda Item 131.

2771

2772 **COUNCILWOMAN TARKANIAN**

2773 Can I say something, Mayor?

2774

2775 **MAYOR GOODMAN**

2776 Please.

2777

2778 **COUNCILWOMAN TARKANIAN**

2779 I would like to say something. And that is yesterday evening, maybe it was 6:30 or so, I spoke

2780 with the lawyer, one of your lawyers, for the developers. And at that time I said to him I'm as

2781 close as I've ever been to vote for this because I don't like the piecemeal stuff. I don't think it

2782 works.

2783 And I want to tell you I don't think Yohan is an ogre. I think he's a brilliant designer. I wish to

2784 heck I could have that design of the gate where I live. And he has done a tremendous amount in

2785 meeting the requests of people who live in that area. I don't know if I've ever seen anybody who's

2786 done as much as far as, you know, filling in gullies and giving you football field lengths behind

2787 you and stuff like that.

2788 But there were a couple questions, maybe three or four that I wanted to check out. And so I

2789 intended to have my staff do that today. I couldn't, because I was exhausted from the short-term

2790 mental preparation and I had no time for it. And so I came today, and I'm told at about 7:45 a.m.

2791 today that this item, that we were going to be abeyed. It was going to be abeyed. And so I told

2792 my staff. I didn't have them go do, look up this information that I needed, because I don't live in

2793 the northwest. They live a different style out there, and I feel I need to study it some.

2794 And so I couldn't tell my staff go out and get it, when I'm being told it's going to be abeyed. I did

2795 not know you were really on the agenda for sure until I saw after 5:00 tonight all of the lawyers

2796 started coming in and I'm wondering, what the heck? It's being abeyed.

Page 104 of 128

ROR024569

25860

25837

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2797 So this bothers me because, and I'm not blaming anybody, but I didn't get my questions  
2798 answered. I didn't get my question answered. I didn't have time to look into things as much as I  
2799 would like to look into things.

2800 I don't blame anybody. I don't think Yohan is terrible. I love all you guys. I've worked with you  
2801 before. You've always been up and honest with me.

2802 But I do want to say this. I have felt, I think the Mayor felt the same way, we should not split this  
2803 up at the time. We split it up, and I felt we're going to have some problems. I voted against that,  
2804 and we have had problems.

2805 And the other concern I wanted to check into was I was going to find out information what other  
2806 new buildings are going in there. You know, people quickly show me on a map, but I don't know  
2807 that area the way I know my ward. And so they're showing me quickly on the map, oh, they're  
2808 going to do this here and they're going to do that there. What is that going to do to the whole  
2809 thing and whole complexion?

2810 So, just to let me finish, I do think the people that live there ought to be grateful for what's been  
2811 given. I've never seen that much given before. But I can't vote for approval of this because I  
2812 haven't had time to look into it. Not your fault. I'm not blaming anybody, but doggone it, I need  
2813 to look into these things because I'm not as familiar with them.

2814 And also, I want to tell you, Doug Rankin did not use the word "collusion." Not one time did he  
2815 use the word "collusion." I've never heard him use the word "collusion." I've worked with him 10  
2816 years. And when Doug comes up here, and he's got all this information. In 10 years that I've  
2817 worked with him, I've never found him to give me incorrect information. In fact, when he left  
2818 here, I and my staff were aghast, because he has the historical knowledge that nobody else at that  
2819 time had.

2820 So I just wanted to tell you how I feel. I'm not knocking anybody with the developer. I just need  
2821 more time.

2822

2823 **CHRIS KAEMPFER**

2824 By the way, Your Honor, I think it's important to say Mr. Lowie did not suggest that –

Page 105 of 128

ROR024570

**25861**

**25838**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2825 **YOHAN LOWIE**

2826 Doug Rankin.

2827

2828 **CHRIS KAEMPFER**

2829 Doug Rankin said that.

2830

2831 **YOHAN LOWIE**

2832 To the contrary.

2833

2834 **CHRIS KAEMPFER**

2835 That's not.

2836

2837 **YOHAN LOWIE**

2838 I apologize. To the contrary, I said the opposite. I said Mr. Bice said that an ex-city employee

2839 would come here and testify there was a collusion between this developer and Staff. And in

2840 Mr. Rankin's deposition, he said no collusion, absolutely no collusion was done in good faith.

2841 Okay. Thank you very much.

2842

2843 **COUNCILWOMAN TARKANIAN**

2844 I take that back. But I don't take back the praise I gave him, because I've worked with him often.

2845 No really, I mean, but I take back that you said that. I just thought you made a mistake, because

2846 some of us do.

2847

2848 **CHRIS KAEMPFER**

2849 These guys are pretty tremendous themselves in their own right.

2850

2851 **COUNCILWOMAN TARKANIAN**

2852 Yeah, and they are tremendous.

Page 106 of 128

ROR024571

25862

25839



**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2853 **CHRIS KAEMPFER**

2854 Yes.

2855

2856 **COUNCILWOMAN TARKANIAN**

2857 And doggone it, they've worked their heads off over that, and I understand that. It's just that I just

2858 feel that responsibility that I need to know this. My goodness, look how important this issue is to

2859 everybody that lives up in the northwest. So I just wanted to tell you that.

2860

2861 **MAYOR GOODMAN**

2862 Okay. All right. There's been a motion and a call for the vote. And we're waiting for Councilman

2863 Coffin and then please post it on Agenda Item 131 (Motion passed with Tarkanian, Goodman and

2864 Anthony voting No). The motion carries.

2865

2866 **COUNCILWOMAN TARKANIAN**

2867 Which I thought it would.

2868

2869 **COUNCILMAN COFFIN**

2870 I'm sorry. I pushed the wrong button. I'm really sorry.

2871

2872 **MAYOR GOODMAN**

2873 No. No.

2874

2875 **BRAD JERBIC**

2876 There's been a mistake. If the Clerk could reset the voting machine and recast the votes.

2877

2878 **COUNCILWOMAN TARKANIAN**

2879 Or if the fact we've no board meeting.

Page 107 of 128

ROR024572

25863

25840

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2880 **MAYOR GOODMAN**  
2881 Okay. So we are polling. Just revote.  
2882  
2883 **BRAD JERBIC**  
2884 We need the Clerk to reset and revote on the motion. The motion is to approve 131, and  
2885 Councilman Coffin indicated he hit a wrong button, and so you need to revote.  
2886  
2887 **MAYOR GOODMAN**  
2888 And please post (Motion failed with Coffin, Tarkanian, Goodman and Anthony voting No).  
2889 The motion does not pass.  
2890  
2891 **BRAD JERBIC**  
2892 The motion fails.  
2893  
2894 **MAYOR GOODMAN**  
2895 The motion passes. Please, don't do this. I mean this is such a privilege.  
2896  
2897 **BRAD JERBIC**  
2898 Excuse me, there was a motion to approve that did not pass. There now needs to be a motion to  
2899 deny. So somebody who voted in the majority needs to make a motion to deny 131.  
2900  
2901 **COUNCILWOMAN TARKANIAN**  
2902 That's got to be Coffin.  
2903  
2904 **MAYOR GOODMAN**  
2905 Okay. There needs to be a motion to deny made.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2906 **COUNCILMAN COFFIN**  
2907 **Your Honor, I'll make a motion to deny Item 131.**  
2908  
2909 **MAYOR GOODMAN**  
2910 Okay. There's a motion to deny 131. Please vote on Agenda Item 131 to deny on 131 and then  
2911 please post (Motion passed with Ross and Beers voting No).  
2912  
2913 **BRAD JERBIC**  
2914 That motion passes. **The motion, the 131 is denied.** We need a motion on 132.  
2915  
2916 **MAYOR GOODMAN**  
2917 And on 132?  
2918  
2919 **COUNCILMAN BEERS**  
2920 Why don't we let Councilman Coffin make the motions?  
2921  
2922 **MAYOR GOODMAN**  
2923 Okay, Councilman Coffin on 132.  
2924  
2925 **COUNCILMAN COFFIN**  
2926 **Your Honor, I move to deny 132.**  
2927  
2928 **MAYOR GOODMAN**  
2929 There's a motion on Agenda Item 132 to deny. Please vote and please post (Motion passed with  
2930 Barlow, Ross and Beers voting No).  
2931  
2932 **COUNCILWOMAN TARKANIAN**  
2933 We take that back. Thanks.

Page 109 of 128

ROR024574

25865

25842

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2934 **MAYOR GOODMAN**  
2935 This is a motion to deny on Agenda Item 132, and that carries. On Agenda Item Number 133.  
2936  
2937 **COUNCILMAN COFFIN**  
2938 **Your Honor, I move to deny Item 133.**  
2939  
2940 **MAYOR GOODMAN**  
2941 There's a motion on Agenda Item 133 to deny. Please vote and please post (**Motion passed with**  
2942 **Barlow, Ross and Beers voting No**). The motion carries. And Agenda Item 134?  
2943  
2944 **COUNCILMAN COFFIN**  
2945 **Your Honor, I move to deny Item 134.**  
2946  
2947 **MAYOR GOODMAN**  
2948 And there's a motion on Agenda Item 134 to deny. Please vote. Please post (**Motion passed with**  
2949 **Barlow, Ross and Beers voting No**). The motion carries.  
2950  
2951 **ITEM 130**  
2952 **MAYOR GOODMAN**  
2953 Agenda Item 130, not to be heard, oh that's that, DIR-70539, director's business, public hearing,  
2954 Applicant/Owner 180 LAND CO, LLC, ET AL, for possible action on a request for a  
2955 Development Agreement between 180 Land Company, LLC, et al. and the City of Las Vegas on  
2956 250.92 acres at the southwest corner of Alta and Rampart Boulevard. This is a public hearing, I  
2957 declare it open. Do we, now, Counsel?

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2958 **BRAD JERBIC**

2959 What I'd like to do, and I know there's gonna be some active discussion on this, but if I could  
2960 begin. As the record has already been made, there has been an awful lot of discussion, and it's  
2961 really funny every time I talk to the developer, people think that he's pulling my strings; every  
2962 time I talk to the neighborhood, they think they are pulling my strings. I can tell you right now,  
2963 the only one pulling my strings, Mayor, is you and your request to bring back a development  
2964 agreement. And so, I've been working very, very hard to work with neighbors and work with  
2965 anybody who will talk and what they would like to see in their neighborhood.

2966 I can tell you that Elaine and Dale Weisner have been incredible. Elaine is head of the board,  
2967 and they've had a very, very difficult decision and a very, very difficult time having to try and  
2968 gather information only to find out they don't have the authority to negotiate.

2969 Ann Smith and her neighbors on Ravel Court are just wonderful people, who I have tried very,  
2970 very hard to try and find a solution to what I think is a uniquely burdensome situation into their  
2971 area.

2972 I'm looking out and I see Eddie and Alise on Tudor, and all of you, there's a special situation out  
2973 there, that I think we're very, very close to having that resolved.

2974 There's a fourth situation, a fourth situation, that came to my attention through a neighbor that  
2975 lives in an area that's gonna receive the two-acre lots; and that request was to have some kind of  
2976 agreement to keep critical, and I'm using that word deliberately, critical parts of the golf course  
2977 green until development. And the reason was pretty simple: The reason is that if you have a  
2978 house for sale in Queenside, you're going to enter through the north gate or the south gate. And  
2979 for any of you who have been out there, you will drive past open parts of the golf course that are  
2980 normally very green. And the fear that this neighbor expressed to me is if those critical areas, not  
2981 the whole golf course, but those critical areas, if they were to turn brown and full of weeds, the  
2982 person who drives in to go look at a home for sale is going to turn right around and leave,  
2983 because that sets a statement for what the community is and would lower property values.

Page 111 of 128

ROR024576

**25867**

**25844**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

2984 I thought those were valuable issues. I thought they were righteous issues. I don't think that they  
2985 were issues that people made up. And I still think to this moment they are solvable issues. I don't  
2986 think we -- there probably are more that people will open up. And I will address everyone  
2987 individually. So if anybody has a list of things they think should be in this agreement that are not,  
2988 I say these words, speak now or forever hold your peace, because I will listen to you and we'll  
2989 talk about it. And if it needs to be in that agreement, we'll do our best to get it in it.  
2990 But I do not like the tactics that look like we're working, we're working, we're working and, by  
2991 the way, here's something you didn't think of I could have been told about six months ago. So I  
2992 understand Mr. Lowie's frustration. There's some of that going on. There really is. And that's  
2993 unfortunate. I don't consider that good faith, and I don't consider it productive.  
2994 So I say now to the neighbors that are out here, and this is not, that comment was not aimed at  
2995 you. You've been wonderful in meeting with me and talking with me, and you've been very  
2996 wonderful in giving the ground that you can give and not giving the ground that you can't give to  
2997 protect your homes and your property values.  
2998 Having said that, we have constantly been accused of changing this Development Agreement.  
2999 And I hear it every single Development Agreement meeting. Once again, it's changed again. It's  
3000 changed again. But, you know, it's really funny. This Development Agreement has changed  
3001 because people have requested changes. And so when you request to get a change request and  
3002 you incorporate it, you can't get a rock thrown at your head for doing that. And that's not fair.  
3003 And I can also say one more thing, because I just want to say it publicly. I have enormous respect  
3004 for both parties. I also have respect for people in the litigation. And it's a fact that when Mr.  
3005 Schreck was attacked in the litigation, I defended him. It was a fact that when Shauna was given  
3006 a subpoena for a deposition, I got her out of it. I'm not trying to hurt anybody in this negotiation.  
3007 For anybody in this room that thinks otherwise, you're just plain wrong. Okay?  
3008 So let me go on to the Development Agreement. We deliberately left it on the website in the form  
3009 that it was last submitted, without changes. And I did that to avoid one more time having  
3010 neighbors come here and say it's changed again. The goal was this. Leave that agreement on the  
3011 website, and then when we had changes from the Planning Commission, changes from the

Page 112 of 128

ROR024577

**25868**

**25845**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3012 Recommending Committee, which there was one, and changes that I hoped to negotiate last  
3013 night and over the weekend; if we got all those, we'd roll them all into just one last change.  
3014 That's why the agreement that's on the website right now doesn't reflect all those changes that  
3015 have occurred to date and clearly don't reflect the changes for Ravel, for Tudor Park, for the  
3016 greening of the golf course, and the other issue I mentioned.  
3017 I think that because we are this close, I think that it would be wrong to have the Council consider  
3018 an agreement that you haven't even seen. We haven't presented you with a final version of it. I  
3019 don't think it would be right to go forward with open issues that I think could be resolved.  
3020 Now, I can be, I'll be proven right or wrong pretty darn quick. There's no doubt about it. If  
3021 everybody thinks that this can't be resolved, I'm going to look like an idiot in a month, and I  
3022 deserve it. Okay?  
3023 But the fact of the matter is I don't believe that. I do believe that it can be resolved. I do believe  
3024 there's an awful lot of good faith that's been shown, and I think we are very close. But for that  
3025 reason, I don't think it's appropriate right now, well I won't say appropriate, I don't think it's  
3026 ready to be heard by the Council right now. I'm certainly not ready to have an agreement  
3027 approved with those areas still not completely nailed down.  
3028  
3029 **MAYOR GOODMAN**  
3030 Well, and we have not, if I might, Mr. Jerbic, we have not been privy to the information  
3031 regarding those three items and then the fourth one you just brought up, which was brought up  
3032 tonight. And my biggest concern is going forward with this and having these two wonderful  
3033 Council persons, who have been through the beginning, two years or a year and a half of this,  
3034 this is their last Council meeting.  
3035 And so to have new members brought on and expect them to be brought up to speed in 24 hours  
3036 from their swearing in is an impossibility. So that's beyond our control to have any reasonable  
3037 way of bringing two new people on this board up to speed. And they need to have the  
3038 information. And the next, unless we call, which I'm going to ask you, instead of, let's say they're

Page 113 of 128

ROR024578

25869

25846

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3039 sworn in, the date is the 19th of July, the following, next scheduled Council meeting is the 21st,  
3040 correct?

3041

3042 **BRAD JERBIC**

3043 The 2nd of August.

3044

3045 **MAYOR GOODMAN**

3046 I mean 2nd of August. Sorry. What if? This may be an open-ended question that you can't even  
3047 possibly answer. But with everything working as best as it can for two new Council members to  
3048 be brought up to speed on a development agreement, what is reasonable to assume, and can we  
3049 hold a special meeting so we don't have to wait that long, because every day we wait, Mr. Lowie  
3050 is having financial pursuit, to put it that way? What is reasonable, and when can we have a  
3051 special session?

3052

3053 **BRAD JERBIC**

3054 That's a good question. I can't read anybody's mind. I know Mr. Seroka is here today, and we  
3055 have not had an opportunity to meet yet. I met Ms. Fiore very briefly, just to shake hands a  
3056 couple of days ago. And so I haven't had the opportunity to ask them that question – how long  
3057 will it take you to really get up to speed?  
3058 I can say that I am prepared now to get everything to whoever is going to be sitting here on the  
3059 19th of July as soon as it's drafted. And, but the real problem is I am not able to have an  
3060 attorney/client conversation with either of the new members of Council until they are technically  
3061 sworn in.

3062

3063 **MAYOR GOODMAN**

3064 I was just going to say they're not sworn in.



**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3065 **BRAD JERBIC**

3066 So I can talk with them. I can provide them with the documents. I can answer questions. But if it  
3067 gets into an attorney/client conversation about litigation or something, I won't be able to do that  
3068 until the swearing in occurs.

3069 So I'm more than happy to finish this deal. I'm more than happy to accelerate it and get it to the  
3070 new members as soon as possible so they can ask all the questions that they need to. But I don't  
3071 know if that right number is two weeks, or four weeks, or one day. I don't know.

3072

3073 **MAYOR GOODMAN**

3074 Councilwoman?

3075

3076 **COUNCILWOMAN TARKANIAN**

3077 Mr. Jerbic, we have in the past sworn in new members at a special meeting, not at the Council  
3078 meeting, not the regular Council meeting. We didn't even do it in Council chambers. In fact, I  
3079 think I was one of them. We did it in a smaller room someplace in the City. So I think you could  
3080 call a special meeting. I mean you might want to check that out. But I know that I was, when I  
3081 was, well maybe it was – I don't know. I could be wrong.

3082

3083 **BRAD JERBIC**

3084 You may be different. I need to look at this.

3085

3086 **COUNCILWOMAN TARKANIAN**

3087 I'm very tired. It's been over 12 hours now.

3088

3089 **BRAD JERBIC**

3090 You won in a recall election, and I think the recall election was a little bit different. But I'll look  
3091 into it and find out if that's a possibility. Then, of course, we'd want to consult with the new  
3092 members of Council to see if that's what they would want to do. I don't know.

Page 115 of 128

ROR024580

**25871**

**25848**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3093 I do know that right now, if it went on its ordinary trajectory, the swearing in would be July 19th,  
3094 and the next meeting after that would be August 2nd.  
3095 And so I can tell you I personally believe I will know very quickly, in less than a week, I hope,  
3096 whether or not these issues will be resolved or not. And if they are resolved, that written  
3097 agreement will be distributed to everybody, including the new members of Council, so that they  
3098 can look at it and meet with neighbors and see what the support is, if it's there or not.  
3099

3100 **CHRIS KAEMPFER**

3101 Well, Your Honor, if I might chime in here just for a minute. I will not deny the efforts that Brad  
3102 has put into this. I mean, it's incredible. And he's not helped us. I mean, if he was here to help us,  
3103 we wouldn't have taken it from 3,000 units down to 2,100 units. Thanks, Brad, very much for  
3104 knocking 900 units off the project. All right. We wouldn't have two-acre lots everywhere. All of  
3105 those things are driven by him and agreed to by us.  
3106 But as hard as he worked and as good a man as he is, I'm telling you right now and you – if I'm  
3107 wrong, you can say Chris, you're wrong – I don't care what agreement we reach. I don't care.  
3108 There will be the same people who come up here and tell you that the Development Agreement  
3109 is defective, that it doesn't have this. I've never seen any kind of development agreement that is  
3110 this sloppily done. You can't even approve it because this.  
3111 We don't want to go through that. We don't want any of that anymore. We're tired. All of us are  
3112 tired. All right. Those of us who live in this community are tired.  
3113 And what I was hoping the Development Agreement could do was put to rest the uncertainty that  
3114 has made living there unbearable for a lot of people, especially like I said, when you're selling  
3115 your home and they say, what's happening with the golf course, and you go, I don't know. It may  
3116 be developed. It may not be.  
3117 There is a mentality on the other side, not the neighbors necessarily, but there's a mentality that  
3118 they still want to see, if they can, no development. I was told early on by someone I respect very  
3119 much that he would rather see it a desert than a single home built.

Page 116 of 128

ROR024581

25872

25849

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3120 Now, that position may have changed, but that's what I'm dealing with. That's what all of us are  
3121 dealing with. And I am just so much, I am so afraid that if we don't approve something tonight,  
3122 that we'll get nothing. And that's what I think is gonna happen.  
3123 I think what's gonna happen on August 2nd, and maybe rightfully so, our new people are going  
3124 to look at you and they're going to say: Mayor, Council people, we've only been here two weeks.  
3125 We need to hold it another 30 days. And I'm not blaming them. I would probably, you know,  
3126 think about saying the same thing. So now another \$80,000 goes out. We're dying. And maybe  
3127 that's what they want. Maybe they want this guy to die, so what, you know, I don't know. But I'm  
3128 just telling you that's what I've been told to say.  
3129 I believe it for Mr. Lowie, and I'm very concerned about the fact if we were to say those three  
3130 issues, Tudor, keep it green, Ravel Court, we resolve those three issues, that's not, I mean, I just  
3131 don't believe that's going to be it. I think there is going to have the same people come up and say:  
3132 Don't you realize the Master Plan and the General Plan and the zoning and all. Forget what these  
3133 people think. We're experts. You guys here, you're just the guys that work for the City of Las  
3134 Vegas.  
3135 To me, I've never seen a situation where you say I disregard completely what these gentlemen,  
3136 who are as smart as you'll ever find, as thorough as you'll ever find, and would believe somebody  
3137 else who says they're wrong. So whatever you do, God love you and bless you and keep you, but  
3138 I'm just saying I can't guarantee what happens with a hold.  
3139 I think you ought to approve it, and I think you ought to say I trust you'll work those other issues  
3140 out, and that will provide those people, most of us who live on that golf course, with two-acre  
3141 lots guaranteed under a development agreement. Thank you.

3142

3143 **YOHAN LOWIE**

3144 Mr. Jerbic, I just want to say, add one more thing. Condition number four is unacceptable. The  
3145 golf course is dead. As of today, we cannot, no longer support irrigating and maintaining green  
3146 on the golf course. So if you want to continue negotiation, item number four cannot be a part of  
3147 this, a part of the negotiation.

Page 117 of 128

ROR024582

25873

25850

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT -- AGENDA ITEMS 82, 130-134**

3148 Mayor, as I told you, you know, elections have consequences and so does continual denial of our  
3149 application, and the ability of us financing this piece of property has consequences. And we  
3150 cannot irrigate no longer.

3151

3152 **MAYOR GOODMAN**

3153 All I can tell you is I said what I said very clearly, and I've said it to Mr. Jerbic. Every time he's  
3154 gone in to try again with something, and last week he came to me and I said, How are we? And  
3155 he said we are so close to this.

3156 And I said it at the time that we voted on the corner of Rampart and Alta. I said it clearly. I  
3157 cannot vote for any other project until we've got this resolved. And I believe this man; I've  
3158 known him for 35 or 40 years. That puts you older than probably you are. But the reality is he  
3159 delivers. He tells the truth to me. I'm not saying you have ever, but we don't have that length of  
3160 the relationship. And because he's an attorney and because he's worked with you and your team  
3161 and with the residents, and because I made a commitment that I didn't want it piecemeal -- I'm  
3162 not denying that anything that you touch you haven't -- everything that I've seen, contrary to  
3163 comments that aren't true, everything I know you will deliver the finest. You will deliver it.  
3164 I want to obey this. I want you to hang in to August 2nd. You can do that.

3165

3166 **YOHAN LOWIE**

3167 No, I can't and I will not. And I just want to tell you something. I want to ask you a question.  
3168 Under which legal theory are you forcing me to bring three different companies under one  
3169 agreement and to give you one holistic project? I've tried it for two years. It doesn't work.

3170

3171 **MAYOR GOODMAN**

3172 No, no, no. I know --

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3173 **YOHAN LOWIE**

3174 You don't have – under which, on what are you relying? Which law are you relying to, to force  
3175 me to do it?

3176

3177 **MAYOR GOODMAN**

3178 No, no, no. I'm not. All I'm relying on the fact is I know the numbers have to pencil out for you.

3179 So when you reduce an area, in order to make it work for you as the developer, you've got to put  
3180 more people in another area. It needs to be compatible with people that are homeowners, with the  
3181 feeling of beauty – you can do it. You can do it.

3182

3183 **YOHAN LOWIE**

3184 The 61 lot is compatible. The 61 lot you just denied is compatible.

3185

3186 **MAYOR GOODMAN**

3187 I'm not saying it isn't.

3188

3189 **YOHAN LOWIE**

3190 And every application from now on –

3191

3192 **MAYOR GOODMAN**

3193 I'm not saying it isn't.

3194

3195 **YOHAN LOWIE**

3196 Let me finish. Any other application we're going to bring from now on will be compatible. We  
3197 are only going to bring R-PD7. You don't have to worry about development agreement. There is  
3198 no development agreement, because we're going to bifurcate this property. I can no longer trust  
3199 this Council to ever give us to develop the property.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3200 **MAYOR GOODMAN**  
3201 Okay. Oh, wait a minute.  
3202  
3203 **YOHAN LOWIE**  
3204 Wait a minute. To ever allow us to develop the property.  
3205  
3206 **MAYOR GOODMAN**  
3207 No, no, no.  
3208  
3209 **YOHAN LOWIE**  
3210 It's a continuous denial.  
3211  
3212 **MAYOR GOODMAN**  
3213 If you want to divide the property, then we have something.  
3214  
3215 **YOHAN LOWIE**  
3216 What do you have?  
3217  
3218 **MAYOR GOODMAN**  
3219 Well, you just said you could bifurcate the property. You're not going to develop –  
3220  
3221 **YOHAN LOWIE**  
3222 Bifurcate it and sell it off in pieces. But do you think that the next applicant is going to come in  
3223 and is going to come in here –  
3224  
3225 **MAYOR GOODMAN**  
3226 No –

Page 120 of 128

ROR024585

**25876**

**25853**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3227 **YOHAN LOWIE**

3228 – and you're going to tell him about development agreement and the dream?

3229

3230 **MAYOR GOODMAN**

3231 We're saying we are so close to this.

3232

3233 **YOHAN LOWIE**

3234 Your Honor, we're not so close to it. Now you got further, further than any, because I cannot no  
3235 longer hold the property. That's all. You made a decision, and I just want you to know that item  
3236 number four cannot be negotiated, because we don't have the funding to do it.

3237

3238 **MAYOR GOODMAN**

3239 Okay. All right. So where are we on this, Mr. Jerbic? What do we vote on this? I don't want to go  
3240 into more public comment. I was hoping that we could just go ahead, abey everything, because  
3241 we want to get the new Council person seated, have you and Tom Perrigo bring everybody up to  
3242 speed, and then move this on the 2nd of August or earlier. But I did look at my calendar, and  
3243 literally from the 19th to the 2<sup>nd</sup>, it is the proper two weeks.

3244

3245 **BRAD JERBIC**

3246 Let me say my recommendation is still for abeyance. I will say that a lot of things Mr. Kaempfer  
3247 said are correct. I think that I really do believe and it's true that there are going to be people that  
3248 are going to oppose this. No matter what it is, no matter how many people like it, there's going to  
3249 be a group that will never like it, and that's a given.

3250 There's also this fear that issues will continue to open up, and there will be more and more  
3251 demands. And that's where I have to use my skills to say enough is enough. And that's why I said  
3252 tonight, speak now or forever hold your peace.

3253 I think that they have these issues. If somebody comes to me now with an issue they should have  
3254 come to me with months ago, I'm going to ignore them, because that's just not fair either. You

Page 121 of 128

ROR024586

25877

25854

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3255 can't continue to whittle away at this agreement by throwing new things at it all the time. There's  
3256 been two years for people to make their comments. I think that we are that close.  
3257 I know Yohan disagrees with me, but I do believe that – and if at the end of the day, and I'll make  
3258 you this promise, Yohan, if at the end of the day, we're down to that one issue and that is the  
3259 greening of the golf course and there's no agreement on that, I'll present it to the Council for their  
3260 decision.

3261

3262 **MAYOR GOODMAN**

3263 So is my comment –

3264

3265 **BRAD JERBIC**

3266 I will not stop it from going to this Council, because we can't get an agreement on the greening  
3267 of the golf course. I'll let them make the decision.

3268

3269 **MAYOR GOODMAN**

3270 Okay.

3271

3272 **BRAD JERBIC**

3273 And if the Council says greening is so important to us, we don't like it, they'll vote you down.

3274 And if they say the greening is something that, in the scheme of the entire agreement, isn't a hill

3275 to die for, then they'll vote you up. But that's how I plan to handle those issues that we can't

3276 negotiate through.

3277

3278 **COUNCILMAN COFFIN**

3279 Your Honor?



**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3280 **BRAD JERBIC**

3281 I don't plan to use that as an excuse in the future to stop this Council from looking at an  
3282 agreement. You've got my word on that.

3283

3284 **COUNCILMAN COFFIN**

3285 Your Honor?

3286

3287 **MAYOR GOODMAN**

3288 Please.

3289

3290 **COUNCILMAN COFFIN**

3291 I'm afraid we've put our Council in a bad position using him as a negotiator. I think the fact is  
3292 that he's done all he can, and I think that he should now be our counsel, and that if any  
3293 negotiating happens, it should be between the members of the Council and the interested parties.  
3294 He's at a point now where I don't want him to be compromised. Not only is he tired, but he also  
3295 feels, you know, I'm sure he feels that it's futile.

3296 But I remarked, I earlier remarked that I will still continue to work. And, you know, I may be  
3297 heard to be just flapping my gums, but I'm still where I was in December that there could be  
3298 something easy on the eyes, something very nice for these people and that land out there. So now  
3299 that's my position. I'm still open minded, but I must continue --

3300

3301 **MAYOR GOODMAN**

3302 Okay. What I'd like to do is move a question, with your permission down there, I am going to  
3303 move to abey Agenda Item 130 to August 2nd, and then we're going to read into -- I'm going to  
3304 ~~make that motion to abey this Item 130 to August 2nd.~~ So that's my motion. Please vote.

3305 Where is Mr. Beers?

Page 123 of 128

ROR024588

25879

25856

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3306 **JAMES JIMMERSON**  
3307 May we be heard? May the applicant be heard on this motion?  
3308  
3309 **MAYOR GOODMAN**  
3310 Mr. Beers. There's a motion to abey to August 2nd on Agenda Item 130.  
3311  
3312 **JAMES JIMMERSON**  
3313 Can we not be heard on that? Can both sides be heard on that matter, just for three minutes?  
3314  
3315 **MAYOR GOODMAN**  
3316 No, no. No. No. No.  
3317  
3318 **JAMES JIMMERSON**  
3319 We've not been heard on this matter at all.  
3320  
3321 **YOHAN LOWIE**  
3322 Your Honor, we're objecting to the abeyance under the law. Under 278A 0233, we're objecting to  
3323 it. 278, I'm sorry, 0233. We're objecting to it. We're asking you, we're asking for a vote.  
3324  
3325 **MAYOR GOODMAN**  
3326 Okay. So you've made your record, and that's what's the most important thing. Could we please  
3327 post the vote on the abeyance?  
3328  
3329 **JAMES JIMMERSON**  
3330 With our statement of law and rights in our final decision.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3331 **MAYOR GOODMAN**

3332 Okay. And so that motion carries (**Motion carried with Ross and Beers voting No**). We are  
3333 abeyed.

3334

3335

**ITEM 82**

3336 **MAYOR GOODMAN**

3337 I'm going to go to Agenda Item 82, Bill number 2017-27, for possible action, adopts that certain  
3338 development agreement entitled "Development Agreement For The Two Fifty", entered into  
3339 between the City and 180 Land Co, LLC, et al., pertaining to property generally located at the  
3340 southwest corner of Alta and Rampart. Sponsored by: Councilman Bob Beers.

3341 I am going to make the motion. Oh, do we have to read that in? Yes, we'll read that in, please.

3342

3343 **BRAD JERBIC**

3344 Your Honor, bill number 2017-27, an ordinance to adopt that certain development agreement,  
3345 entitled "Development Agreement For The Two Fifty", entered into between the City and 180  
3346 Land Co, LLC, et al., and to provide for other related matters.

3347

3348 **MAYOR GOODMAN**

3349 I'm going to move this be abeyed to August 2<sup>nd</sup>, with the new Council seated, please. That's  
3350 my motion. Please vote, and please post. And that motion carries (**Motion carried with Ross**  
3351 **voting No**).

3352 So, at this point –

3353

3354 **CHRIS KAEMPFER**

3355 Your Honor?

3356

3357 **MAYOR GOODMAN**

3358 – I'm gonna ask you, Mr. Jerbic –

Page 125 of 128

ROR024590

**25881**

**25858**

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT -- AGENDA ITEMS 82, 130-134**

3359 **BRAD JERBIC**

3360 Yes.

3361

3362 **MAYOR GOODMAN**

3363 -- as you speak with the developer team that you continue to do your best, depending upon where

3364 they come with this, and that you will meet, if, in fact, everything can move forward with the

3365 new seated Council, Ms. Fiore and Mr. Siroka, and make appointments for them to get up to

3366 speed with all these items so that they are ready to move forward on August 2<sup>nd</sup>, pending how

3367 you work forward and where needed with Mr. Perrigo joining in.

3368

3369 **CHRIS KAEMPFER**

3370 Your Honor --

3371

3372 **BRAD JERBIC**

3373 Thank you. We will.

3374

3375 **MAYOR GOODMAN**

3376 Please. Could you speak --

3377

3378 **CHRIS KAEMPFER**

3379 May I say a couple of words --

3380

3381 **MAYOR GOODMAN**

3382 It's up to Councilman --

3383

3384 **CHRIS KAEMPFER**

3385 -- to the Councilman?

Page 126 of 128

ROR024591

25882

25859

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3386 **MAYOR GOODMAN**

3387 – my Council over here. Is that alright, more?

3388

3389 **BRAD JERBIC**

3390 Oh, yes.

3391

3392 **CHRIS KAEMPFER**

3393 I just want to say a couple of words to the departing Councilmen, if I might.

3394

3395 **MAYOR GOODMAN**

3396 Yes, but please get closer 'cause you're so far up.

3397

3398 **CHRIS KAEMPFER**

3399 Okay. I just wanted to say, Councilman Ross, Councilman Beers, thank you very much for all of

3400 the years of working together. The hard work, the compromise, whatever, you are both class

3401 gentlemen, and I know wherever, whatever you do, whatever you decide is better than this,

3402 you're gonna have a great time.

3403 And I just want to say seriously, thank you for all of your hard work and for being such good

3404 people. And although it's not really cool any more to say it, I want to say God bless you and

3405 keep you well. Okay. Thank you.

3406

3407 **COUNCILMAN ROSS**

3408 With your permission, Mayor? Thank you, Mr. Kaempfer.

3409

3410 **MAYOR GOODMAN**

3411 Yes. Please, wait Mr. Kaempfer, he's responding.

**CITY COUNCIL MEETING**  
**JUNE 21, 2017**  
**COMBINED VERBATIM TRANSCRIPT – AGENDA ITEMS 82, 130-134**

3412 **COUNCILMAN ROSS**

3413 Thank you, Mr. Kaempfer.

3414

3415 **STEPHANIE ALLEN**

3416 I just wanted to echo that. We'll miss you, and we appreciate all of your hard work and time and  
3417 dedication. So thank you so much for everything you've done for the City of Las Vegas to make  
3418 it so great.

3419

3420 **COUNCILMAN ROSS**

3421 Thank you.

3422

3423 **STEPHANIE ALLEN**

3424 We appreciate it.

3425

3426 **MAYOR GOODMAN**

3427 Thank you.

3428

3429 **COUNCILMAN ROSS**

3430 Thank you.

3431

3432 **MAYOR GOODMAN**

3433 And I can assure you the Council feels the same way. We're very proud of these gentlemen and  
3434 everything that they have done as public servants, both with the legislature and City Council.

3435 Mayor Pro Tem Ross, for his 12 years here and devotion to the citizens and people and  
3436 development, just kudos.

3437 **(END OF DISCUSSION)**

3438 /ac

Page 128 of 128

ROR024593

25884

25861

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

PLANNING COMMISSION MEETING DATE: JANUARY 12, 2016

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT/OWNER: SEVENTY ACRES, LLC

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>GPA-62387</b>	Staff recommends NO RECOMMENDATION.	
<b>ZON-62392</b>	Staff recommends NO RECOMMENDATION.	GPA-62387
<b>SDR-62393</b>	Staff recommends NO RECOMMENDATION, subject to conditions:	GPA-62387 ZON-62392

**\*\* CONDITIONS \*\*****SDR-62393 CONDITIONS****Planning**

1. Approval of a General Plan Amendment (GPA-62387) and Rezoning (ZON-62392) shall be required, if approved.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and landscape plan, date stamped 12/21/15 and building elevations and floor plans, date stamped 11/30/15, except as amended by conditions herein.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
6. The minimum distance between buildings shall be at least 30 feet.

SS

ROR025529

**25885****25862**

7. A technical landscape plan, signed and sealed by a Registered Architect, Landscape Architect, Residential Designer or Civil Engineer, must be submitted prior to or at the same time application is made for a building permit. A permanent underground sprinkler system is required, and shall be permanently maintained in a satisfactory manner; the landscape plan shall include irrigation specifications. Installed landscaping shall not impede visibility of any traffic control device. The technical landscape plan shall include the following changes from the conceptual landscape plan:
  - A. Provide at least three additional 36-inch box shade trees (*Pinus pinea*) within the provided landscape buffer area along the south perimeter of the site, for a total of 29 trees.
  - B. Provide at least four, five-gallon shrubs per required tree in perimeter landscape buffers.
8. A fully operational fire protection system, including fire apparatus roads, fire hydrants and water supply, shall be installed and shall be functioning prior to construction of any combustible structures.
9. Prior to the submittal of a building permit application, the applicant shall meet with Department of Planning staff to develop a comprehensive address plan for the subject site. A copy of the approved address plan shall be submitted with any future building permit applications related to the site.
10. All City Code requirements and design standards of all City Departments must be satisfied, except as modified herein.

**Public Works**

11. Correct all Americans with Disabilities Act (ADA) deficiencies on the sidewalk ramps accessing this site on Alta Drive and Rampart Boulevard in accordance with code requirements of Title 13.56.040 to the satisfaction of the City Engineer concurrent with development of this site. All existing paving damaged or removed by this development shall be restored at its original location and to its original width concurrent with development of this site.
12. Unless otherwise allowed by the City Engineer, construct sidewalk on at least one side of all access drives connecting this site to the adjacent public streets concurrent with development of this site. The connecting sidewalk shall extend from the sidewalk on the public street to the first intersection of the on-site roadway network and shall be terminated on-site with a handicap ramp.
13. Landscape and maintain all unimproved rights-of-way on Alta Drive and Rampart Boulevard adjacent to this site. All landscaping and private improvements installed with this project shall be situated and maintained so as to not create sight visibility obstructions for vehicular traffic at all development access drives and abutting street intersections.

SS
----

ROR025530

25886

25863



14. Submit an Encroachment Agreement for landscaping and private improvements in the Alta Drive and Rampart Boulevard public rights of way prior to this issuance of permits for these improvements. The applicant must carry an insurance policy for the term of the Encroachment Agreement and add the City of Las Vegas as an additionally insured entity on this insurance policy. If requested by the City, the applicant shall remove property encroaching in the public right-of-way at the applicant's expense pursuant to the terms of the City's Encroachment Agreement. The installation and maintenance of all private improvements in the public right of way shall be the responsibility of the applicant and any successors in interest to the property and assigns pursuant to the terms of the Encroachment Agreement. Coordinate all requirements for the Encroachment Agreement with the Land Development Section of the Department of Building and Safety (702-229-4836).
15. A Traffic Impact Analysis must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits, submittal of any construction drawings or the recordation of a Map subdividing this site, whichever may occur first. Comply with the recommendations of the approved Traffic Impact Analysis prior to occupancy of the site. The Traffic Impact Analysis shall also include a section addressing Standard Drawings #234.1 #234.2 and #234.3 to determine additional right-of-way requirements for bus turnouts adjacent to this site, if any; dedicate all areas recommended by the approved Traffic Impact Analysis. All additional rights of way required by Standard Drawing #201.1 for exclusive right turn lanes and dual left turn lanes shall be dedicated prior to or concurrent with the commencement of on site development activities unless specifically noted as not required in the approved Traffic Impact Analysis. Phased compliance will be allowed if recommended by the approved Traffic Impact Analysis. No recommendation of the approved Traffic Impact Analysis, nor compliance therewith, shall be deemed to modify or eliminate any condition of approval imposed by the Planning Commission or the City Council on the development of this site.
16. Prior to issuance of grading permits, replace the existing \$75,000 flood maintenance bond with a \$250,000 flood maintenance bond for the existing public drainage channel that is privately maintained for the Badlands Golf Course area.
17. A Drainage Plan and Technical Drainage Study must be submitted to and approved by the Department of Public Works prior to the issuance of any building or grading permits or submittal of any construction drawings, whichever may occur first. Provide and improve all drainageways recommended in the approved drainage plan/study. The developer of this site shall be responsible to construct such neighborhood or local drainage facility improvements as are recommended by the City of Las Vegas Neighborhood Drainage Studies and approved Drainage Plan/Study concurrent with development of this site. We note that this site is within a Federal Emergency Management Agency (FEMA) designated flood zone and that no permits of any kind will be issued until after the Conditional Letter of Map Revision (CLOMR) is approved by FEMA.

SS

ROR025531

25887

25864

## \*\* STAFF REPORT \*\*

**PROJECT DESCRIPTION**

The site, which is located at the corner of two major thoroughfares, contains the northeastern portion of an existing 27-hole golf course. The applicant is proposing to redevelop a 17.49-acre portion of the golf course into a multi-family condominium community containing four, four-story buildings. The current land use designation of PR-OS (Parks/Recreation/Open Space) does not allow for multi-family residential uses; therefore, the applicant is also requesting a General Plan Amendment. Accompanying the General Plan Amendment is a request to rezone the property to increase the allowable residential density, as it is currently zoned for a maximum of 7.49 dwelling units per acre.

A maximum of 720 residential units are proposed, composed of a mix of studio, one, two and three-bedroom units. The buildings are configured so that the residential units are wrapped around multilevel parking structures that will not be visible from public rights-of-way. Access to the site is provided from Rampart Boulevard, with emergency access to Alta Drive. The site features a 5,000 square-foot common recreation building and outdoor pool area, along with secondary open recreation areas located near Buildings 2 and 3. The property slopes down from the north and east, so that the proposed buildings would have little impact on views. The architectural design of the buildings is comparable to and compatible with the Parisian style of the adjacent Queensridge Towers condominium development.

The site is part of the Peccole Ranch Master Plan. The appropriate avenue for considering any amendment to the Peccole Ranch Master Plan is through the Major Modification process as outlined in Title 19.10.040. As this request has not been submitted, staff recommends that the General Plan Amendment, Rezoning and Site Development Plan Review requests be held in abeyance has no recommendation on these items at this time.

**ISSUES**

- The proposed development requires a Major Modification of the Peccole Ranch Master Plan, specifically the Phase Two area as established by Z-0017-90. As such, staff is recommending that these items be held in abeyance.
- A General Plan Amendment is proposed from PR-OS (Parks/Recreation/Open Space) to H (High Density Residential) on the site, which allows for residential densities of greater than or equal to 25.5 dwelling units per acre.
- A Rezoning is proposed from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-4 (High Density Residential) on the site, which allows for multi-family dwellings without density limitations. However, density will be limited by the 55-foot height limitation and other development standards imposed by this zoning district.

SS

ROR025532

**25888****25865**

## Staff Report Page Two

January 12, 2016 - Planning Commission Meeting

- The site is at a significantly lower grade than the existing adjacent One Queensridge Place condominium development to the north. The lower elevation of the proposed buildings will lessen the impact to that development and would meet the 3:1 proximity slope from existing single-family residences to the west.

## BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
12/17/80	The Board of City Commissioners approved the Annexation (A-0018-80) of 2,243 acres bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east. The annexation became effective on 12/26/80.
05/20/81	The Board of City Commissioners approved a Rezoning (Z-0034-81) from N-U (Non-Urban) to R-1 (Single Family Residence), R-2 (Two Family Residence), R-3 (Limited Multiple Residence), R-MHP (Residential Mobile Home Park), R-PD7 (Residential Planned Development), R-PD8 (Residential Planned Development), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) generally located north of Sahara Avenue, south of Westcliff Drive and extending two miles west of Durango Drive. The Planning Commission and staff recommended approval. This application included a "generalized land use plan."
05/07/86	The City Council approved the Master Development Plan for Venetian Foothills on 1,923 acres generally located north of Sahara Avenue between Durango Drive and Hualapai Way. The Planning Commission and staff recommended approval. This plan included two 18-hole golf courses and a 106-acre regional shopping center. [Venetian Foothills Master Development Plan]
	The City Council approved a Rezoning (Z-0030-86) to reclassify property from N-U (Non-Urban) (under Resolution of Intent) to R-PD4 (Residential Planned Development), P-R (Professional Offices and Parking), C-1 (Limited Commercial), and C-V (Civic) on 585.00 acres generally located north of Sahara Avenue between Durango Drive and Hualapai Way. The Planning Commission and staff recommended approval. [Venetian Foothills Phase One]
02/15/89	The City Council considered and approved a revised master development plan for the subject site and renamed it Peccole Ranch to encumber 1,716.30 acres. Phase I of the Plan is generally located south of Charleston Boulevard, west of Fort Apache Road. Phase II of the Plan is generally located north of Charleston Boulevard, west of Durango Drive, and south of Charleston Boulevard, east of Hualapai Way. The Planning Commission and staff recommended approval. A condition of approval limited the maximum number of dwelling units in Phase One to 3,150. The Phase One portion of the plan on 448.80 acres was subsequently rezoned (Z-0139-88). [Peccole Ranch Master Development Plan]

SS

ROR025533

25889

25866

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
04/04/90	The City Council approved an amendment to the Peccole Ranch Master Development Plan to make changes related to Phase Two of the Plan and to reduce the overall acreage to 1,569.60 acres. Approximately 212 acres of land in Phase Two was planned for a golf course. The Planning Commission and staff recommended approval. [Peccole Ranch Master Development Plan]
	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) (under Resolution of Intent to multiple zoning districts) to R-3 (Limited Multiple Residence), R-PD7 (Residential Planned Development – 7 Units per Acre) and C-1 (Limited Commercial) on 996.40 acres on the east side of Hualapai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue. A condition of approval limited the maximum number of dwelling units for Phase Two of the Peccole Ranch Master Development Plan to 4,247 units. The Planning Commission and staff recommended approval. [Peccole Ranch Phase Two]
12/05/96	A (Parent) Final Map (FM-0008-96) for a 16-lot subdivision (Peccole West) on 570.47 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 77 Page 23 of Plats]. The golf course was located on Lot 5 of this map.
03/30/98	A Final Map [FM-0190-96] for a four-lot subdivision (Peccole West Lot 10) on 184.01 acres at the southeast corner of Alta Drive and Hualapai Way was recorded [Book 83 Page 61 of Plats].
03/30/98	A Final Map [FM-0008-96(1)] to amend portions of Lots 5 and 10 of the Peccole West Subdivision Map on 368.81 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 83 Page 57 of Plats].
07/07/04	The City Council approved a Rezoning (ZON-4205) from R-PD7 (Residential Planned Development – 7 Units per Acre) and U (Undeveloped) [M (Medium Density Residential) General Plan Designation] to PD (Planned Development) on 20.10 acres on the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard. The request included the Queensridge Towers Master Development Plan and Design Standards. The Planning Commission and staff recommended approval.
07/07/04	The City Council approved a Variance (VAR-4207) to allow a side yard setback of 239 feet where residential adjacency standards require 570 feet on 20.10 acres on the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard.
	The City Council approved a Site Development Plan Review (SDR-4206) for a 385-unit condominium complex, consisting of two 16-story and two 18-story towers with ancillary uses, clubhouse, and a 17,400 square foot, single-story office building on 20.10 acres on the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard.

SS

ROR025534

25890

25867

<b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</b>	
01/12/06	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice its application for a General Plan Amendment (GPA-9069) from PR-OS (Parks/Recreation/Open Space) to MLA (Medium Low Attached Density Residential) on 6.10 acres at the southwest corner of Alta Drive and Rampart Boulevard.
	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice its application for a Rezoning (ZON-9006) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-PD7 (Residential Planned Development – 7 Units per Acre) on 5.40 acres at the southwest corner of Alta Drive and Rampart Boulevard.
	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice its application for a Site Development Plan Review (SDR-8632) for a proposed 24-unit townhome development on 6.10 acres at the southwest corner of Alta Drive and Rampart Boulevard.
08/06/14	The City Council approved a Major Modification (MOD-53701) of the Queensridge Towers Development Standards dated May 20, 2004 to amend development standards regarding land use, building setbacks and stepbacks, building height and parking on 20.10 acres on the south side of Alta Drive, approximately 410 feet west of Rampart Boulevard.
	The City Council approved a Variance (VAR-53502) to allow a 582-foot building setback where residential adjacency standards require an 810-foot setback for a proposed 22-story residential tower on a 7.87-acre portion of a 10.53-acre parcel at 9119 Alta Drive.
	The City Council approved a Major Amendment (SDR-53503) of an approved Site Development Plan Review (SDR-4206) for a proposed 22-story, 310-foot tall, 166-unit multi-family building and a single-story, 33-foot tall, 17,400 square-foot office building on a 7.87-acre portion of a 10.53-acre parcel at 9119 Alta Drive.
06/18/15	A four-lot Parcel Map (PMP-59572) on 250.92 acres at the southwest corner of Rampart Boulevard and Alta Drive was recorded [Book 120 Page 49 of Parcel Maps].
11/30/15	A two-lot Parcel Map (PMP-62257) on 70.52 acres at the southwest corner of Rampart Boulevard and Alta Drive was recorded [Book 120 Page 91 of Parcel Maps].

<b>Most Recent Change of Ownership</b>	
11/16/15	A deed was recorded for a change in ownership.

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

SS

ROR025535

25891

25868

**Pre-Application Meeting**

Multiple meetings were held with the applicant to discuss the proposed development and its impacts, and the timelines and requirements for application submittal.

**Neighborhood Meeting**

12/15/15

A neighborhood meeting was held at the Badlands Club House, 9119 Alta Drive, Las Vegas at 6:00 p.m. There were approximately 170 members of the public, six members of the development team, one Department of Planning staff member and one City Councilperson in attendance.

A set of display boards were set up for area neighbors to learn about the project. The boards contained the current views of the neighborhood and the proposed plans for redevelopment of the golf course. The developer gave a brief introduction and described the project, inviting neighbors to visit each display station. Members of the development team stood next to the displays to answer any questions.

Questions and concerns from the neighbors and answers by the Development Team included the following:

- Will rezoning this parcel cause the other golf course parcels to also be rezoned? No, this is just for the 17 acres.
- Will these be apartments or condominiums? These would be mapped condominiums that will be rented out for at least six years.
- Much higher density than the surrounding area
- Traffic on already congested perimeter streets
- Devaluing neighboring property
- Taking property out of master plan and rezoning for higher density is not legal
- Possibility of developer not being able to finance the project and then selling to another developer, who could develop to an even higher density
- Master plan designates this property as R-PD7. How could it now be rezoned for unlimited density?

An informal vote to gauge support was taken by one neighbor. Nearly all in attendance were opposed to the proposal.

**Field Check**

12/03/15

The site contains an existing golf course in operating condition. The land slopes downward from Rampart Boulevard and Alta Drive and has ample landscaping around the perimeter.

SS

ROR025536

25892

25869

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres	17.49

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

<b>Master Plan Areas</b>	<b>Compliance</b>
Peccole Ranch	N
<b>Special Purpose and Overlay Districts</b>	<b>Compliance</b>
No Applicable Special Purpose or Overlay Districts	N/A
<b>Other Plans or Special Requirements</b>	<b>Compliance</b>
Trails (Rampart Pedestrian Path)	Y
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

SS

ROR025537

25893

25870

**DEVELOPMENT STANDARDS***Pursuant to Title 19.06, the following standards apply:*

<b>Standard</b>	<b>Required/Allowed</b>	<b>Provided</b>	<b>Compliance</b>
Min. Lot Size	7,000 SF	761,864 SF	Y
Min. Lot Width	N/A	405 Feet	N/A
Min. Setbacks			
• Front	10 Feet	15 Feet	Y
• Side	5 Feet	33 Feet	Y
• Corner	5 Feet	15 Feet	Y
• Rear	20 Feet	35 Feet	Y
Min. Distance Between Buildings	Unlimited	38 Feet	Y
Max. Building Height	55 Feet	4 stories/47 Feet	Y
Max. Density	Limited by height	41.2 du/ac	N/A
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis	Y
Mech. Equipment	Screened	Screened	Y

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-PD7 (Residential Planned Development – 7 Units per Acre)	7 du/ac	131
<b>Proposed Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-4 (High Density Residential)	Unlimited, except by height	Unlimited

<b>General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
PR-OS (Park/Recreation/Open Space)	N/A	N/A
<b>Proposed General Plan</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
H (High Density Residential)	Unlimited	Unlimited

SS

ROR025538

**25894****25871**



Pursuant to Title 19.06 and 19.08, the following standards apply:

(NOTE: NORTH refers to the buffer abutting Alta Drive; EAST refers to the buffer abutting Rampart Drive)

<b>Landscaping and Open Space Standards</b>				
<b>Standards</b>	<b>Required</b>		<b>Provided</b>	<b>Compliance</b>
	<b>Ratio</b>	<b>Trees</b>		
Buffer Trees:				
• North	1 Tree / 20 Linear Feet	16 Trees	19 Trees	Y
• South	1 Tree / 20 Linear Feet	29 Trees	26 Trees	N
• East	1 Tree / 20 Linear Feet	65 Trees	71 Trees	Y
• West	1 Tree / 20 Linear Feet	61 Trees	76 Trees	Y
<b>TOTAL PERIMETER TREES</b>		<b>171 Trees</b>	<b>192 Trees</b>	<b>Y</b>
Parking Area Trees	1 Tree / 6 Uncovered Spaces, plus 1 tree at the end of each row of spaces	10 Trees	41 Trees	Y
<b>LANDSCAPE BUFFER WIDTHS</b>				
Min. Zone Width				
• North	10 Feet		15 Feet	Y
• South	6 Feet		6 Feet	Y
• East	10 Feet		15 Feet	Y
• West	6 Feet		6 Feet	Y
Wall Height	6 to 8 Feet Adjacent to Residential		Existing wall along west PL	Y

<b>Street Name</b>	<b>Functional Classification of Street(s)</b>	<b>Governing Document</b>	<b>Actual Street Width (Feet)</b>	<b>Compliance with Street Section</b>
Rampart Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Alta Drive	Major Collector	Master Plan of Streets and Highways Map	84	Y

SS

ROR025539

25895

25872

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

<b>Parking Requirement</b>						
<b>Use</b>	<b>Gross Floor Area or Number of Units</b>	<b>Parking Ratio</b>	<b>Required Parking</b>		<b>Provided Parking</b>	
			Regular	Handi-capped	Regular	Handi-capped
Multi-Family Residential (Studio/1 BR)	424	1.25 spaces per unit	530			
Multi-Family Residential (2 BR)	262	1.75 spaces per unit	459			
Multi-Family Residential (3BR)	34	2 spaces per unit	68			
Guest Spaces	720	1 space per 6 units	120			
<b>TOTAL SPACES REQUIRED</b>			<b>1177</b>		<b>1323</b>	<b>Y</b>
<b>Regular and Handicap Spaces Required</b>			<b>1153</b>	<b>24</b>	<b>1296</b>	<b>Y</b>

#### ANALYSIS

The site is located within Phase II of the Peccole Ranch Master Plan area. Alta Drive and Rampart Boulevard form the perimeter by which the property can be accessed by vehicle. Rampart Boulevard is also designated as a Pedestrian Path in accordance with the Las Vegas 2020 Master Plan. The trail path was implemented by construction of the existing sidewalk along the west side of Rampart Boulevard.

Since the original approval of the reclassification of property (Z-0017-90) that created the Peccole Ranch Master Plan Phase Two area, there has been numerous land use entitlements processed within the Master Plan area. Entitlements have ranged from Site Development Plan Reviews to establish Residential Planned Development (R-PD) zoning district development standards, to the amending of the City of Las Vegas 2020 Master Plan and City of Las Vegas Zoning Atlas. Past land use entitlement practices have varied in respect to proposed developments within the Peccole Ranch Master Plan Phase Two area, specifically in regards to the means in which a developer has been able to propose development with or without an associated modification of the Peccole Ranch Master Plan. It is the determination of the Department of Planning that any proposed development not in conformance with the approved Peccole Ranch Master Plan would be required to pursue a Major Modification of the Plan prior to or concurrently with any new entitlements.

SS

ROR025540

25896

25873

The development is generally in conformance to Title 19 requirements for the R-4 (High Density Residential) zoning district and with general development standards for residential uses. If the proposed General Plan Amendment and Rezoning are approved, all setback, height and density requirements would be met by the proposal. Although the site does not qualify for residential adjacency standards, the low grade of the site relative to the adjacent lands ensures that the height of the buildings will not block views or create constant shadows throughout the daytime hours.

Ample landscaping is provided along the entire perimeter of the site, with 36-inch box Italian Stone Pine and Swan Hill Olive trees specified. These species are considered "bulletproof" by the Southern Nevada Regional Planning Coalition Regional Plant List are appropriate for this area. Several pine trees were omitted from the south buffer area near the termination of the emergency vehicle access. According to staff analysis, three additional trees are needed to meet the minimum planting requirement along the south perimeter. As a condition of approval, the additional trees will be required to be added to the technical landscape plan reviewed for building permit.

The building elevations indicate four-story buildings in the Parisian style that is similar to the existing One Queensridge Place condominiums adjacent to the west of this site. The ground levels contain a stone veneer, with successive floors utilizing plaster exteriors. Colors vary within an earth tone palette. Portions of each building are inset to provide façade relief and variation. Rooflines are varied between flat roofs and mansards with dormer windows. Individual units feature balconies and floor to ceiling windows. The number of studio, one, two and three-bedroom units varies on each building level. Units range in size from approximately 2,700 square feet to 6,200 square feet.

The Clark County School District projects that approximately 182 primary and secondary school students would be introduced into the area by the proposed development on this site. Of the three schools serving the area (Bonner Elementary School, Rogich Middle School and Palo Verde High School), the District notes that each school was over capacity for the 2015-2016 school year, with Bonner Elementary the most critical at 151 percent of capacity.

#### **FINDINGS (GPA-62387)**

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

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

The proposed General Plan Amendment would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

SS
----

ROR025541

25897

25874

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

The zoning districts allowed by the proposed General Plan Amendment would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

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

Alta Drive and Rampart Boulevard are designated on the Master Plan of Streets and Highways map as Major Collector and Primary Arterial roadways, respectively. Both roadways are adequate to address the anticipated traffic counts that this amendment would allow on the site.

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

The proposed General Plan Amendment would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

#### **FINDINGS (ZON-62392)**

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

1. **The proposal conforms to the General Plan.**

The proposed reclassification of property to an R-4 (High Density Residential) zoning district would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

2. **The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The proposed uses allowed within an R-4 (High Density Residential) zoning district would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

3. **Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

SS
----

ROR025542

25898

25875

The repurposing of a portion of an established master planned development would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

4. **Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

Alta Drive and Rampart Boulevard are designated on the Master Plan of Streets and Highways map as a Major Collector and Primary Arterial roadways, respectively. Both roadways are adequate in size to address the anticipated requirements of the proposed R-4 zoning district.

#### **FINDINGS (SDR-62393)**

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

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

The proposed development would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

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

The proposed development would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

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

Primary access to and from the site would be from Rampart Boulevard. This project will add approximately 4,788 trips per day on Alta Drive and Rampart Boulevard. Alta Drive is currently at about 39 percent of capacity and Rampart is at about 88 percent of capacity. After this project, Alta Drive is expected to be at about 53 percent of capacity and Rampart to be at about 97 percent of capacity. Based on Peak Hour use, this development will add into the area roughly 446 additional cars, or about fifteen every two minutes. Further analysis is needed pending the results of the required traffic impact analysis to determine what additional traffic controls, if any, need to be implemented.

SS
----

ROR025543

25899

25876

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

Building materials are similar to those used for nearby existing multi-family residential and commercial developments and are appropriate for this area. Landscape materials meet drought-resistant criteria and provide adequate screening from adjacent uses.

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

Building elevations are compatible with the Parisian architectural style employed on the One Queensridge Place buildings to the west of this site. The buildings will be situated at a lower grade than the surrounding area, thereby preserving the existing views from the adjacent residential areas.

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

The proposed development would result in the modification of the Peccole Ranch Master Plan. Without the approval of a Major Modification to said plan no finding can be reached at this time.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**

27

**NOTICES MAILED**

243

**APPROVALS**

1

**PROTESTS**

1

SS

ROR025544

**25900**

**25877**



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **GPA-62387** APN: 138-32-301-004

Name of Property Owner: Seventy Acres LLC

Name of Applicant: Seventy Acres LLC

Name of Representative: GCW Engineering, Inc./Cindie Gee

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_

Signature of Property Owner: V. DeHart

Print Name: V. DeHart

Subscribed and sworn before me

This 23 day of November, 2015  
Leeann Stewart-Schenck  
Notary Public in and for said County and State



Revised 11-14-05

file:///C:/Users/John/Desktop/Application%20Packet/Statement%20of%20Financial%20Interest.pdf

PRJ-62226

ROR025545

25901

25878



# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

Application/Petition For: GENERAL PLAN AMENDMENT (GPA)  
Project Address (Location): S. Rampart/W. Charleston/Hualapai/Alta  
Project Name: ORCHESTRA VILLAGE Proposed Use: \_\_\_\_\_  
Assessor's Parcel #(s): Portion of 138-32-301-004 Ward #: 2  
General Plan: existing PROS proposed H Zoning: existing R-PD7 proposed R-4  
Commercial Square Footage: \_\_\_\_\_ Floor Area Ratio: \_\_\_\_\_  
Gross Acres: 17.49 Lots/Units: 1 Density: \_\_\_\_\_  
Additional Information: \_\_\_\_\_

PROPERTY OWNER: Seventy Acres LLC Contact: Frank Pankratz  
Address: 1215 South Fort Apache Road, Suite 120 Phone: (702) 940-6930 Fax: (702) 940-6931  
City: Las Vegas State: Nevada Zip: 89117  
E-mail Address: Frank@ehbcompanies.com

APPLICANT: Seventy Acres LLC Contact: Frank Pankratz  
Address: 1215 South Fort Apache Road, Suite 120 Phone: (702) 940-6930 Fax: (702) 940-6931  
City: Las Vegas State: Nevada Zip: 89117  
E-mail Address: Frank@ehbcompanies.com

REPRESENTATIVE: GCW Engineering, Inc. Contact: Cindie Gee  
Address: 1555 South Rainbow Phone: (702) 804-2107 Fax: (702) 804-2299  
City: Las Vegas State: Nevada Zip: 89146  
E-mail Address: cgee@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchase (or option holder) of the property involved in this application, or the owner or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature\* [Signature]

\* An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.

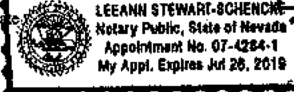
Print Name: Vickie DeHart

Subscribed and sworn before me

This 23 day of November, 20 15

[Signature]

Notary Public in and for said County and State



Revised 10/27/08

### FOR DEPARTMENT USE ONLY

Case #	<b>GPA-62387</b>
Meeting Date:	
Total Fee:	
Date Received:*	
Received By:	

\*The application will not be deemed complete until the submitted materials are approved by the Department of Planning for consistency with applicable portions of the Zoning Ordinance.

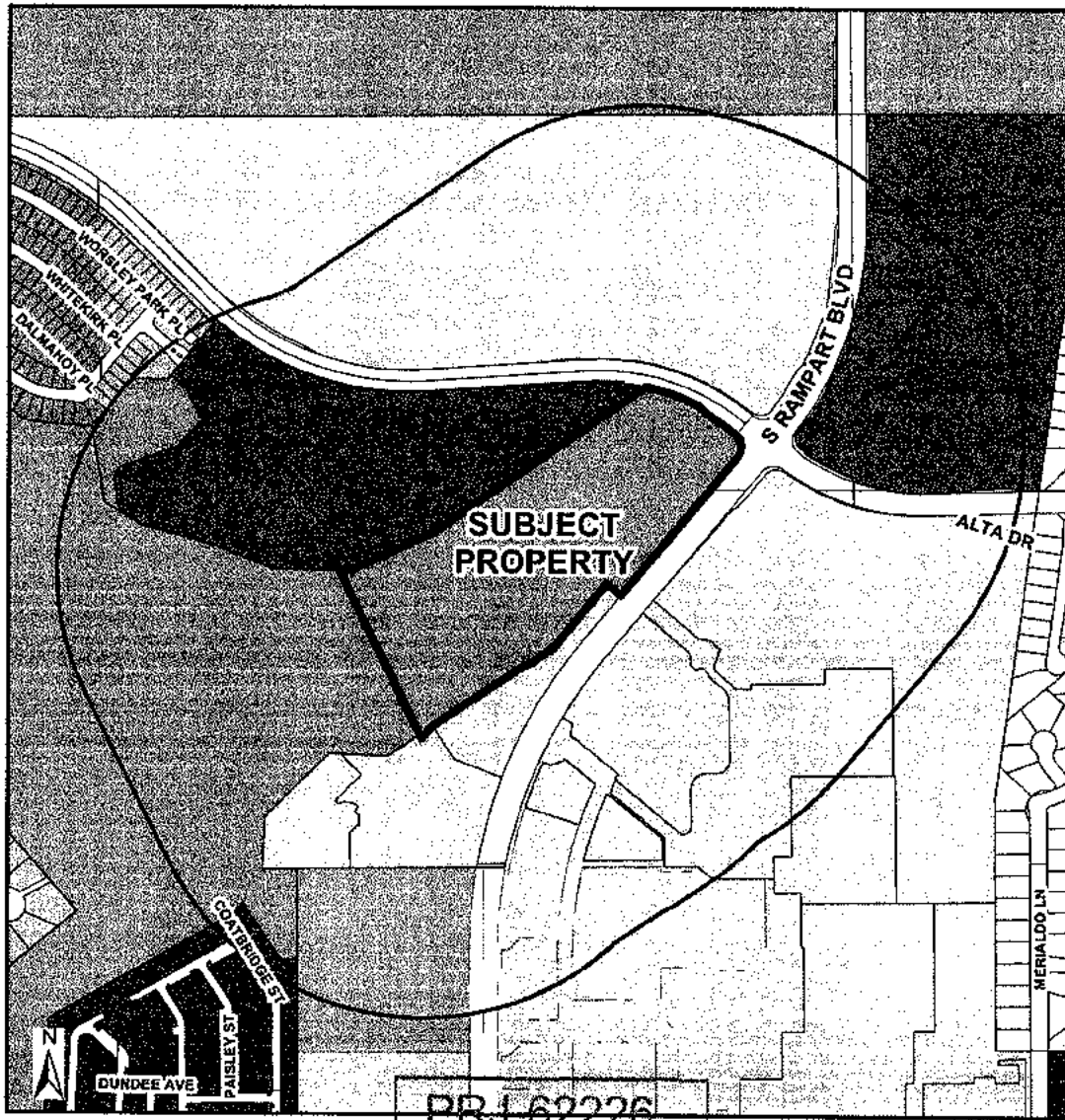
ROR025546

25902

25879



GPA-62387



PRJ 62226

12/10/15

**General Plan Amendment**

RNP - Rural Neighborhood Preservation	MLA - Medium - Low Attached	GTC - Tourist Commercial District	PF-CC Public Facility Clark County
RE - Rural Estates	M - Medium	LVMD - Las Vegas Medical District	TC - Town Center
DR - Desert Rural	H - High	LIR - Light Industrial / Research Development	RC - Resource Conservation
R - Rural	O - Office	PCD - Planned Community Development	C - Downtown - Commercial
L - Low	SC - Service Commercial	PR-OS - Park/Recreation/Open Space	MXU - Downtown - Mixed Use
ML - Medium - Low	GC - General Commercial	PF - Public Facility	TND - Traditional Neighborhood Development

**FROM PR-OS TO H  
GPA-62387**

- Subject Property
- 100ft Buffer
- City Limits

GPA-62387 has been submitted to the City Council for review and approval. This map is for informational purposes only. It is not a legal document. For more information, please contact the Planning & Development Dept. Tel: 702-259-4501

ROR025547

25903

25880

Seventy Acres LLC  
1215 S. Fort Apache Rd., Suite # 120  
Las Vegas, NV 89117

RECEIVED  
DEC 24 2015  
City of Las Vegas  
Dept. of Planning

December 24, 2015

Mr. Tom Perrigo, Planning Director  
Mr. Peter Lowenstein, Planning Section Manager  
City of Las Vegas  
Department of Planning  
333 North Rancho Drive  
Las Vegas, NV 89106

Re: Alta/Rampart Abeyance Letter for PRJ-62226  
(GPA-62387, ZON-62392 and SDR-62393)

Dear Mr. Perrigo and Mr. Lowenstein,

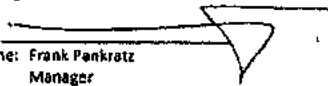
We hereby submit a request for an abeyance of the above-referenced agenda items to the March 8, 2016 Planning Commission Meeting.

This request is being made to provide additional time in furtherance of a working dialogue with the adjacent neighbors.

Thank you in advance for the City's consideration. We look forward to working with the City and our neighbors in bringing this project to the community.

Seventy Acres LLC

By: EMB Companies LLC  
a Nevada limited liability company  
Its: Manager

By:   
Name: Frank Penkrotz  
Its: Manager

**GPA-62387, ZON-62392 and SDR-62393**

1 | Page

ROR025569

25904

25881



# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

Application/Petition For: CHANGE ZONE  
 Project Address (Location): S. Rampart/W. Charleston/Hualapai/Alta  
 Project Name: ORCHESTRA VILLAGE Proposed Use: \_\_\_\_\_  
 Assessor's Parcel #(s): Portion of 138-32-301-004 Ward #: 2  
 General Plan: existing PROS proposed H Zoning: existing R-PD7 proposed R-4  
 Commercial Square Footage: \_\_\_\_\_ Floor Area Ratio: \_\_\_\_\_  
 Gross Acres: 17.59 Lots/Units: 1 Density: \_\_\_\_\_  
 Additional Information: \_\_\_\_\_

PROPERTY OWNER Seventy Acres LLC Contact: Frank Pankratz  
 Address: 1215 South Fort Apache Road, Suite 120 Phone: (702) 940-8930 Fax: (702) 940-8931  
 City: Las Vegas State: Nevada Zip: 89117  
 E-mail Address: Frank@ehbcompanies.com

APPLICANT Seventy Acres LLC Contact: Frank Pankratz  
 Address: 1215 South Fort Apache Road, Suite 120 Phone: (702) 940-8930 Fax: (702) 940-8931  
 City: Las Vegas State: Nevada Zip: 89117  
 E-mail Address: Frank@ehbcompanies.com

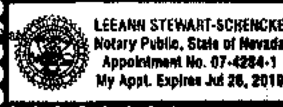
REPRESENTATIVE GCW Engineering, Inc. Contact: Cindie Gee  
 Address: 1555 South Rainbow Phone: (702) 804-2107 Fax: (702) 804-2299  
 City: Las Vegas State: Nevada Zip: 89146  
 E-mail Address: cgee@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information submitted, and that inaccuracies, false information or incomplete applications may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the owner or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature\* [Signature]  
 \*An authorized agent may sign in lieu of the property owner for Final Maps, Tentative Maps, and Parcel Maps.  
 Print Name: VICKIE DEHART

Subscribed and sworn before me  
 This 23 day of November, 20 15.  
[Signature]

Notary Public in and for said County and State



Revised 10/27/08

### FOR DEPARTMENT USE ONLY

Case # **ZON-62392**  
 Meeting Date: \_\_\_\_\_  
 Total Fee: \_\_\_\_\_  
 Date Received: \* \_\_\_\_\_  
 Received By: \_\_\_\_\_

The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning and approved with applicable sections of the Zoning Ordinance.  
 11/30/15  
 \depof\Application Pack of Application Form.pdf

ROR025602

25905

25882



# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

Application/Petition For: SITE DEVELOPMENT REVIEW (SDR)  
 Project Address (Location): S. Rampart/W. Charleston/Hualapai/Alta  
 Project Name: ORCHESTRA VILLAGE Proposed Use: \_\_\_\_\_  
 Assessor's Parcel #(s): Portion of 138-32-301-004 Ward #: 2  
 General Plan: existing PBOS proposed H Zoning: existing R-PD7 proposed R-4  
 Commercial Square Footage: \_\_\_\_\_ Floor Area Ratio: \_\_\_\_\_  
 Gross Acres: 17.49 Lots/Units: 1 Density: \_\_\_\_\_  
 Additional Information: \_\_\_\_\_

PROPERTY OWNER Seventy Acres LLC Contact: Frank Pankratz  
 Address: 1215 South Fort Apache Road, Suite 120 Phone: (702) 940-6930 Fax: (702) 940-6931  
 City: Las Vegas State: Nevada Zip: 89117  
 E-mail Address: Frank@ehbcompanies.com

APPLICANT Seventy Acres LLC Contact: Frank Pankratz  
 Address: 1215 South Fort Apache Road, Suite 120 Phone: (702) 940-6930 Fax: (702) 940-6931  
 City: Las Vegas State: Nevada Zip: 89117  
 E-mail Address: Frank@ehbcompanies.com

REPRESENTATIVE GCW Engineering, Inc. Contact: Cindie Gee  
 Address: 1555 South Rainbow Phone: (702) 804-2107 Fax: (702) 804-2299  
 City: Las Vegas State: Nevada Zip: 89146  
 E-mail Address: cgee@gcwengineering.com

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccurate information presented, and that inaccurate, false information or incomplete application may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the owner or agent authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature\* [Signature]

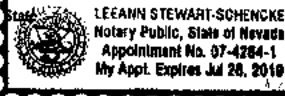
Print Name: Vickie DeHart

Subscribed and sworn before me

This 23 day of November, 2015.

[Signature]

Notary Public in and for said County and State of Nevada



Revised 10/27/08

### FOR DEPARTMENT USE ONLY

Case # **SDR-62393**  
 Meeting Date: \_\_\_\_\_  
 Total Fee: \_\_\_\_\_  
 Date Received: \* \_\_\_\_\_  
 Received By: \_\_\_\_\_

\*The application will not be deemed complete until the submitted request has been reviewed by the Department of Planning and approved with applicable sections of the zoning Ordinance.  
 11/30/15  
 E:\depot\Application-Packet\Application-Form.pdf

ROR025607

25906

25883

Seventy Acres LLC  
1215 S. Fort Apache Rd., Suite #120  
Las Vegas, NV 89117

February 19, 2016

Mr. Tom Perrigo, Planning Director  
Mr. Peter Lowenstein, Planning Section Manager  
City of Las Vegas  
Department of Planning  
333 North Rancho Drive  
Las Vegas, NV 89106

Re: Aita/Rampart Abeyance Letter for PRI-62226  
(GPA-62387, ZON-62392 and SDR-62393)

Dear Mr. Perrigo and Mr. Lowenstein,

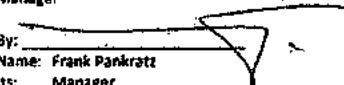
We hereby submit a request for an abeyance of the above-referenced agenda items to the April 12, 2016 Planning Commission Meeting. (We had previously requested an abeyance to the March 8, 2016 Planning Commission Meeting from the scheduled January 12, 2016 meeting.)

This request is being made to coincide these items with the date that the Peccole Ranch Master Plan Major Modification, together with the GPA and Re-Zoning on the 250.92 acres currently operated as golf course will appear on the Planning Commission Meeting Agenda.

Thank you in advance for the City's consideration. We look forward to working with the City and our neighbors in bringing this and related projects to the community.

Seventy Acres LLC

By: EHB Companies LLC  
a Nevada limited liability company  
Its: Manager

By:   
Name: Frank Pankratz  
Its: Manager

RECEIVED

**GPA-62387, ZON-62392 and SDR-62393** FEB 22 2016

City of Las Vegas **18-20**  
Department of Planning

ROR025613

25907

25884



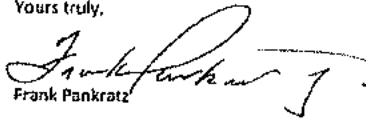
March 29, 2016

Mr. Tom Perrigo  
Planning Director  
City of Las Vegas  
Re: GPA-62387/ZON-62392/SDR-62393

Dear Mr. Perrigo:

Pursuant to our discussions over the last two weeks, please accept this as request to abey GPA-62387/ZON-62392/SDR-62393 from the 4/12/16 Planning Commission meeting until the 5/10/16 meeting. Inasmuch as this is the third abeyance request, we recognize that specific justification is required for this request. We believe that abeyance is necessary because the subject applications are inherently related to MOD-63600/GPA-63599/ZON-63601/DIR-63602, which have separately been requested to be abeyed to the 5/10/16 meeting. Furthermore this abeyance provides the time for additional discussions with neighbors thru April and early May. Accordingly, abeyance of the subject applications affords the best opportunity to have an informed hearing on all related issues at the Planning Commission on 5/10/16.

Yours truly,



Frank Pankratz

As Manager of EHB Companies LLC,  
the Manager of 180 Land Co. LLC,  
Seventy Acres LLC and Fore Stars Ltd.

1215 South Fort Apache Road, Suite 120  
Las Vegas, NV 89117  
702.940.6930 / 702.940.6931 Fax

RECEIVED

MAR 29 2016

City of Las Vegas  
Department of Planning

**AGENDA ITEMS 22-24  
04/12/16 PC MEETING**

ROR025716

**25908**

**25885**

land use entitlement practices have varied in respect to proposed developments within the Peccole Ranch Master Plan Phase II area, specifically in regards to the means in which developers have been able to propose development with or without an associated modification of the Peccole Ranch Master Plan. It is the determination of the Department of Planning that any proposed development not in conformance with the approved Peccole Ranch Master Plan would be required to pursue a Major Modification of the Plan prior to or concurrently with any new entitlements. Such an application (MOD-63600) was filed with the City of Las Vegas on 02/25/16 along with a Development Agreement (DIR-63602) for redevelopment of the golf course parcels.

An additional set of applications were submitted concurrently with the Major Modification that apply to the whole of the 250.92-acre golf course property. These include a General Plan Amendment (GPA-62599) and Rezoning (GPA-63601) that include the same amendments to the land use designations and zoning categories as requested through the current requests. That is, the General Plan Amendment and Rezoning proposed on the 17.49 acres would be subsumed in the proposal on the 250.92 acres. Therefore, if final action is taken to approve GPA-62599 and GPA-63601, GPA-62387 and ZON-62392 would no longer be needed.

The proposed development is generally in conformance with Title 19 requirements for the R-4 (High Density Residential) zoning district and with general development standards for residential uses. If the proposed General Plan Amendment and Rezoning are approved, all setback, height and density requirements would be met by the proposal. Although the residential adjacency standards do not apply to development on this site, the lower grade of the site relative to adjacent lands ensures that the height of the buildings will not block views or create constant shadows throughout the daytime hours.

Ample landscaping is provided along the entire perimeter of the site, with 36-inch box Italian Stone Pine and Swan Hill Olive trees specified. These species are considered "bulletproof" by the Southern Nevada Regional Planning Coalition Regional Plant List and are appropriate for this area. Several pine trees were omitted from the south buffer area near the termination of the emergency vehicle access. According to staff analysis, three additional trees are needed to meet the minimum planting requirement along the south perimeter. As a condition of approval, the additional trees will be required to be added to the technical landscape plan reviewed for building permit.

The building elevations indicate four-story buildings in the Parisian style that is similar to the existing One Queensridge Place condominiums adjacent to the west of this site. The ground levels contain a stone veneer, with successive floors utilizing plaster exteriors. Colors vary within an earth tone palette. Portions of each building are inset to provide façade relief and variation. Rooflines are varied between flat roofs and mansards with dormer windows. Individual units feature balconies and floor to ceiling windows. The number of studio, one, two and three-bedroom units varies on each building level. Units range in size from approximately 600 square feet to 1,250 square feet.

SS

ROR025729

25909

25886

Nora Lares

---

**From:** Chrystal L. Jacobs  
**Sent:** Tuesday, January 12, 2016 6:45 AM  
**To:** Nora Lares  
**Subject:** FW: Internet Submission - badland golf

RECEIVED

JAN 12 2016

City of Las Vegas  
Dept. of Planning

-----Original Message-----

**From:** [vasmina@cox.net](mailto:vasmina@cox.net) [mailto:[vasmina@cox.net](mailto:vasmina@cox.net)]  
**Sent:** Tuesday, January 12, 2016 12:09 AM  
**To:** Planning Internet Email  
**Subject:** Internet Submission - badland golf

Citizen Name: Marwan Takieddine, M.D.

Email: [vasmina@cox.net](mailto:vasmina@cox.net)

IP Address: 68.227.23.98

Comments: Dear Mr. Perrigo:

I have been living in Queensridge on the Golf Course since 1997.

Are there any regulations or guidelines for zoning? Who protects the interests of individual citizens who were lured initially to buy in a community for living in serene surroundings? We were led to believe that we are living in an area zoned for a golf course. Or may be individual citizen's interests and rights do not matter any more. I was under the impression that Planning and Zoning regulations are implemented and enforced to protect the beautiful communities of the Las Vegas valley to ensure that Las Vegas stays a better place to live and work. Imagine if all the current golf courses are converted to high rises and condensed living apartments. Please, do not take part in converting Las Vegas to slums!

Date: 1/12/2016 12:09:15 AM

Submitted after final agenda

Date 1/12/16 Item 39.41

39-41 P

ROR025768

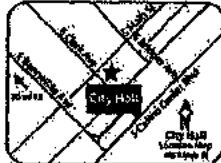
25910

25887



City of Las Vegas  
Department of Planning  
Development Services Center  
333 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106

**Return Service Requested  
Official Notice of Public Hearing**



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegascvda.gov](http://www.lasvegascvda.gov). If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT  
this Request

☒ I OPPOSE  
this Request

Please use available blank space on card for your comments.

GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]

Planning Commission Meeting of 1/12/2016



**RECEIVED**

JAN 4 2015

City of Las Vegas  
Dept. of Planning

13832013216 Case: GPA-62387  
ENGELSTAD BETTY TRUST  
ENGELSTAD BETTY TRS  
9103 ALTA DR #1702  
LAS VEGAS NV 89145-8682

115 LROCNPI 89145



34-41P

ROR025769

25911

25888

January 4, 2015

RECEIVED

JAN 6 2016

City of Las Vegas  
Dept. of Planning

Gentlemen,

I strongly oppose the proposed development as shown on the attached notice.

First of all, I believe it is totally wrong to change the use from a golf course to residential housing. People surrounding the golf bought into their developments with the belief that they had golf course views and lived in a golf course planned community. But an even bigger issue is the large increase in density. Going from 7 units per acre to 41 plus units per acre is totally insane.

I also believe the lawsuit, as shown in the attached article from the Review Journal, has complete merit and a number of issues are presented in the article. Until this lawsuit is settled in the proper legal channels, the City of Las Vegas should NOT be involved in any hearing related to the subject property.

Thank you for your consideration of our comments.

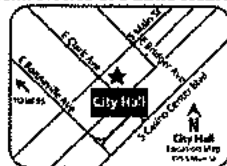


Terry and Cheryl Holden  
9101 Alta Dr. #1602  
Las Vegas, NV 89145

City of Las Vegas  
Department of Planning  
Development Services Center  
333 North Rancho Drive, 3rd Floor  
Las Vegas, Nevada 89106

POSTAGE  
U.S. Postage  
PAID  
Las Vegas, NV  
Permit No. 1630

Return Service Requested  
Official Notice of Public Hearing



See Attached

RECEIVED

JAN 6 2016

City of Las Vegas  
Dept. of Planning

If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6403.



I SUPPORT  
this Request



I OPPOSE  
this Request

Please use available blank space on card for your comments.  
GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]  
Planning Commission Meeting of 1/12/2016

13832213170  
T L H TRUST  
C L H TRUST  
9101 ALTA DR #1602  
LAS VEGAS NV 89145

Case: GPA-02087

Submitted after final agenda

Date 1/6/16 Item 39-41  
39-41 P  
Pg. 1 of 2

115 LACNPI 89145

ROR025770

25912

25889

## o that includes rich and famous files su condo plans



golfers at Boulders Golf Course, 2119 Alta Drive, on Thursday, Sept. 10, 2015. EHR's lawsuit  
encompassing high-end golf resort Tivoli Village, combined it had bought the catclawed with  
Valley course from Par 4 Golf Management Inc. JEFF SCHWARTZ/VEGAS REVIEW  
Follow him @JASCHW10



By Carr Gear Thersent  
Las Vegas Review-Journal

A group of Queensridge homeowners with some well-known names has to  
lawsuit over plans to build thousands of condominiums and apartments in  
the neighboring Boulders Golf Club now sits.

The group, which includes businessman Jack Heron and gaming lawyer P.  
Schryock, filed the complaint Tuesday in District Court in Clark County against  
Las Vegas and several companies associated with the golf course.

According to the lawsuit, the defendants "have openly sought to circumvent  
requirements of state law as well as the city code" to deprive interested parties  
of notice and an opportunity to be heard.

"The conduct is just part of an overarching campaign to interfere with the  
rights of the homeowners — adjusting property owners in the master-plan  
development, commonly known as Queensridge," the document alleges.

### Related links

Vegas golf course  
purchases nearby neighbors  
Boulders Golf Club sold:  
housing development  
possible

Las Vegas City Attorney Brad Jentle could not be reached for comment  
Thursday.

EHR Co., which developed Highland retail center Thru Village, announced in  
September that it had purchased the Boulders Golf Course in the west Las  
Vegas Valley. The course is managed by Par 4 Golf Management Inc., the  
company that closed the controversial sale of Silverstone Golf Club around that  
time.

Yoram Lowe, CEO of EHR, wants to put up 3,000 multifamily housing units  
along Rampart Boulevard, near Boulders' eastern edge.

Named as defendants in the Queensridge homeowners' lawsuit are three limited liability companies that are  
"ultimately owned and controlled" by Lowe through EHR: Fore Stars Ltd., 180 Land Co. and Seventy Acres.

Lowe could not be reached Thursday. Todd Davis, general counsel of EHR, said through a spokesman that they  
do not comment on pending litigation.

According to the lawsuit, the William People family developed Queensridge, and the master plan "specifically  
defined the Boulders 18-hole golf course as flood drainage in addition to satisfying the required open space  
necessitated by the city for master-planned development."

"The William People family knew that residential development would not be livable in the flood zone, but as a  
golf course could be used to enhance the value of the surrounding residential lots."

A nine-hole golf course was added in the flood zone in 1990.

Around March, according to the lawsuit, the then-president of Fore Stars sold their ownership interest in  
Boulders to Lowe and his affiliates.

"Upon information and belief, the purpose of this acquisition was to acquire the golf course property for the  
purpose of converting it to residential development, including high-density uses," the document states.

The lawsuit claims Lowe and his companies "have sought to camouflage their plans so as to circumvent the legal  
rights of abutting homeowners."

Part of their scheme involved having the Las Vegas Planning Department propose an amendment to the city's  
master plan, according to the lawsuit. The proposal, which sought to eliminate the density cap on master-planned  
communities throughout the city, was placed on the Sept. 8 Planning Commission agenda.

"The involvement of Lowe's companies and agents for them was intended to be kept secret and never disclosed  
as part of that proposed amendment," the lawsuit alleges.

In late August, according to the complaint, Fore Stars filed an application with the city seeking to alter the golf  
course's designation from park recreation open space to planned community development.

"The defendants' scheme unraveled at the September 8, 2015 Planning Commission hearing when members of  
the Queensridge Homeowners Association became aware of Fore Stars' activities and staff's complicity in it," the  
lawsuit alleges.

The proposed amendment was not approved, and Fore Stars withdrew its August application.

"But, as the plaintiffs would learn, that was not the final or the last time that the city would cooperate with these  
developers to circumvent public disclosure requirements," the lawsuit alleges.

On June 18, according to the document, Fore Stars recorded a parcel map with only the certification of Thomas  
Parsons, the city's planning director, and without the public notification and process mandated by state law or the  
city's code.

After the parcel map was recorded, the lawsuit alleges, Fore Stars used the property division outlined in  
the map to transfer property interests to 180 Land Co. and from 180 Land Co. to Seventy Acres.

On Nov. 30, according to the lawsuit, Seventy Acres filed an application with the city Planning Department for a  
project named Chryseis Village. Its first phase consists of 17.5 acres on the corner of Alta Drive and Rampart  
and will include up to 720 condominiums that will be rented as apartments for at least six years.

Attorney Todd Blat, who represents the plaintiffs, said the city "seems to be looking for pathways to get around  
the homeowners," and he hopes the litigation will uncover its reasons for doing so.

"This is the first lawsuit to bring an end to these practices," he said. "I don't know whether it will be the last one."

Blaton, one of the plaintiffs, is the son of the late casino magnate Benny Blaton. Plaintiffs also include Robert  
and Nancy Macias.

Silverstone Ranch homeowners also have been involved in litigation over plans for the golf course in that  
community, near Pahrump Lake Park at Tule Springs in the northwest valley.

Homeowners filed a lawsuit after the course's new owner, Desert Lifestyle, shut down the golf club and turned  
off the water in early September. On Wednesday, the company notified the plaintiffs that it had sold the golf  
course the previous day to Silverstone Parkway LLC.

Contact reporter Carr Gear Thersent at cgeart@reviewjournal.com or 702-384-8710. Find her on Twitter:  
@CarrGear

3xTV police seek help to ID

Las Vegas Muslims have

Pg. 2 of 2

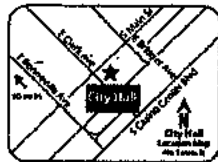
ROR025771

25913

25890

City of Las Vegas  
Department of Planning  
Development Services Center  
333 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106

**Return Service Requested  
Official Notice of Public Hearing**



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT  
this Request

☒ I OPPOSE  
this Request

Please use available blank space on card for your comments.

GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]

Planning Commission Meeting of 1/12/2016

115 LRDGNI 89145



RECEIVED

JAN 6 2016

City of Las Vegas  
Dept. of Planning

Case: GPA-62387  
13032213166  
THOMAS STEVEN & KAREN TRUST  
THOMAS STEVEN C & KAREN P TRS  
9820 WINTER PALACE DR  
LAS VEGAS NV 89145-8638



Submitted after final agenda.

Date 1/6/16 Item 39.41 39-41 P

ROR025772

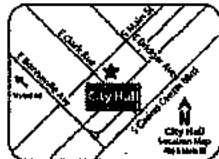
25914

25891

City of Las Vegas  
Department of Planning  
Development Services Center  
333 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106



**Return Service Requested  
Official Notice of Public Hearing**



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasevada.gov](http://www.lasvegasevada.gov). If you would like to contact your Council Representative, please call (702) 229-6405.



I SUPPORT  
this Request



I OPPOSE  
this Request

Please use available blank space on card for your comments.  
GPA-62387 & ZON-62392 & SDR-62393 [PRI-62226]  
Planning Commission Meeting of 1/12/2016

RECEIVED

JAN 6 2016

City of Las Vegas  
Dept. of Planning

Case: GPA-62387

13832213122  
SANDOZ JAMES P JR  
9103 ALTA DR #205  
LAS VEGAS NV 89145

115 LRQCNPI 89145



39-41P

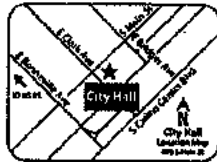
ROR025773

25915

25892

City of Las Vegas  
Department of Planning  
Development Services Center  
133 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106

Return Service Requested  
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT  
this Request

☒ I OPPOSE  
this Request

Please use available blank space on card for your comments.  
GPA-62387 & ZON-62392 & SDR-62393 [PR]-62226]  
Planning Commission Meeting of 1/12/2016

115 LRDGNPI 89145

This project is a clear loss  
of open space for the  
community. Please do  
not approve.

Thank you,

POSTED  
U.S. Postage  
PAID  
Las Vegas, NV  
Permit No. 1820

RECEIVED

JAN 6 2016

City of Las Vegas  
Dept. of Planning

Case: OPA-62387  
13832210084  
KOVACS PETER & MARILEE S LIV TR  
KOVACS PETER & MARILEE S TRS  
9101 ALTA DR #1105  
LAS VEGAS NV 89145



39-41 P

ROR025774

25916

25893

RECEIVED

City of Las Vegas  
Department of Planning  
Development Services Center  
313 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106

JAN 6 2016

City of Las Vegas  
Dept. of Planning

Return Service Requested  
Official Notice of Public Hearing



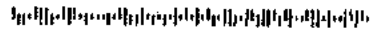
If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT  
this Request

☒ I OPPOSE  
this Request

Please use available blank space on card for your comments.  
GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]  
Planning Commission Meeting of 1/12/2016

115 LRQGNFI 89125



Owners In Quantity  
Town Anticipated A  
golf course not new  
development, change of  
zoning is unacceptable

PERMIT AND  
U.S. POSTAGE  
PAID  
Las Vegas, NV  
Permit No. 1800

13832213038  
J D S NEVADA TRUST  
% J & R BLAU  
2813 RED ARROW DR  
LAS VEGAS NV 89136

Case: GPA-62067

3441 P

ROR025775

25917

25894

Jan. 6. 2016 10:50AM

One Queensridge Place, HOA Planning Comm No. 1474 P. 1/1

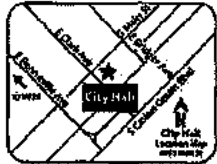
City of Las Vegas  
Department of Planning  
Development Services Center  
333 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106

RECEIVED

JAN 6 2016

City of Las Vegas  
Dept. of Planning

Return Service Requested  
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT  
this Request

☒ I OPPOSE  
this Request

Please use available blank space on card for your comments.

GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]

Planning Commission Meeting of 1/12/2016

115 LRQNP1 89145

can assure themselves that the  
process has been followed (which is  
subject of the ongoing lawsuit),  
do not understand how the Commission  
can make any ruling. They have a responsibility  
legally & morally to insure the process has  
not been circumvented.

2. When a ruling is made I do not  
see how a sixfold increase in density  
is beneficial other than to the developer  
who will have an increased density to  
be available to his retail holdings!

3. Development, if allowed, should be within  
the boundaries of current zoning.

PERMIT TO  
U.S. POSTAGE  
PAID  
Las Vegas, NV  
Permit No. 1400

13832213078 Case: GPA-62387  
SADOFF LAURENCE R & PATRICIA L  
9101 ALTA DR #1004  
LAS VEGAS NV 89145

39-41 P

ROR025776

25918

25895



Jan 07 16:02:15p

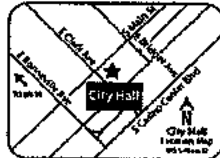
Steve Shaw

7024896822

p.1

City of Las Vegas  
Department of Planning  
Development Services Center  
333 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106

Return Service Requested  
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT  
this Request

☒ I OPPOSE  
this Request

Please use available blank space on card for your comments.  
GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]  
Planning Commission Meeting of 1/12/2016

115 LRDCNPI 89145

JAN 7 2016

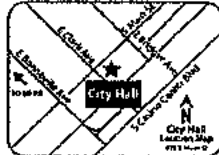
City of Las Vegas  
Dept. of Planning

13832213100 Case: GPA-62387  
SHAW STEVEN L & JAN N FAMILY TR  
SHAW STEVEN L & JAN N CO-TRS  
9101 W ALTA DR #1408  
LAS VEGAS NV 89145-8642

39-41P

City of Las Vegas  
Department of Planning  
Development Services Center  
333 North Rancho Drive, 3<sup>rd</sup> Floor  
Las Vegas, Nevada 89106

Return Service Requested  
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6405.

☐ I SUPPORT  
this Request

☒ I OPPOSE  
this Request

Please use available blank space on card for your comments.  
GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]  
Planning Commission Meeting of 1/12/2016

115 LRDCNPI 89145

DEVELOPER SAYS HE WILL  
BUILD A SPORTS STADIUM  
COMPLEX ON THIS PROPERTY  
IF YOU DON'T APPROVE THIS  
HIGH DENSITY PROPOSAL. IS  
THAT TRUE?

JAN 7 2016

City of Las Vegas  
Dept. of Planning

858-735-4856

13832213100 Case: GPA-62387  
SHAW STEVEN L & JAN N FAMILY TR  
SHAW STEVEN L & JAN N CO-TRS  
9101 W ALTA DR #1408  
LAS VEGAS NV 89145

Submitted after final agency

Date 1/11/16 Item 39-41P

39-41P

ROR025777

25919

25896

City of Las Vegas  
Department of Planning  
Development Services Center  
113 North Rancho Drive, 3rd Floor  
Las Vegas, Nevada 89106

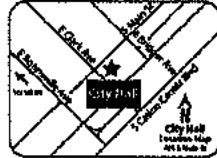
RECEIVED

JAN 11 2016

City of Las Vegas  
Dept. of Planning

PERMIT STD  
U.S. Postage  
PAID  
Las Vegas, NV  
Permit No. 1830

Return Service Requested  
Official Notice of Public Hearing



If you wish to file your protest or support on this request, check the appropriate box below and return this card in an envelope with postage to the Department of Planning at the address listed above, fax this side of this card to (702) 464-7499 or make your comments at [www.lasvegasnevada.gov](http://www.lasvegasnevada.gov). If you would like to contact your Council Representative, please call (702) 229-6403.



I SUPPORT  
this Request



I OPPOSE  
this Request

Please use available blank space on card for your comments.

GPA-62387 & ZON-62392 & SDR-62393 [PRJ-62226]

Planning Commission Meeting of 1/12/2016

13832213081 Case GPA-62387  
HORWITZ DAVID L & G REV LIV TR  
HORWITZ DAVID L & GLORIA TRS  
9101 ALTA DR #702  
LAS VEGAS NV 89148

Oppose GPA-62387, Changing open  
space to high density housing violates the  
trust of Las Vegas residents, who buy  
expecting the city to maintain its  
commitments to the voters.

116 LRDQNP1 89145

Submitted after final agenda

Date 1/11/16 Item 9-A 39-41 P

ROR025778

25920

25897



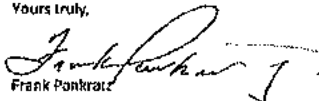
March 29, 2016

Mr. Tom Perrigo  
Planning Director  
City of Las Vegas  
Re: GPA-62387/ZON-62392/SDR-62393

Dear Mr. Perrigo:

Pursuant to our discussions over the last two weeks, please accept this as request to abey GPA-62387/ZON-62392/SDR-62393 from the 4/12/16 Planning Commission meeting until the 5/10/16 meeting. Inasmuch as this is the third abeyance request, we recognize that specific justification is required for this request. We believe that abeyance is necessary because the subject applications are inherently related to MOD-63600/GPA-63599/ZON-63601/DIR-63602, which have separately been requested to be abeyed to the 5/10/16 meeting. Furthermore this abeyance provides the time for additional discussions with neighbors thru April and early May. Accordingly, abeyance of the subject applications affords the best opportunity to have an informed hearing on all related issues at the Planning Commission on 5/10/16.

Yours truly,



Frank Ponkrat

As Manager of EHB Companies LLC,  
the Manager of 380 Land Co. LLC,  
Seventy Acres LLC and Fore Stars Ltd.

RECEIVED

1215 South Fort Apache Road, Suite 120  
Las Vegas, NV 89117  
702.940.6930 / 702.940.6931 Fax

MAR 29 2016

City of Las Vegas  
Department of Planning

Submitted after final agenda

AGENDA ITEMS 22-24

Date 04/12/2016 22-24 04/12/16 PC MEETING

ROR025795

25921

25898

Scott B Widney

**AGENDA SUMMARY PAGE - PLANNING**  
**PLANNING COMMISSION MEETING OF: APRIL 12, 2016****DEPARTMENT: PLANNING****DIRECTOR: TOM PERRIGO**☐ Consent ☒ Discussion**SUBJECT:**

MOD-63600 - MAJOR MODIFICATION - PUBLIC HEARING - APPLICANT: 180 LAND CO, LLC - OWNER: SEVENTY ACRES, LLC, ET AL - For possible action on a request for a Major Modification of the 1990 Peccole Ranch Master Plan TO AMEND THE NUMBER OF ALLOWABLE UNITS, TO CHANGE THE LAND USE DESIGNATION OF PARCELS COMPRISING THE CURRENT BADLANDS GOLF COURSE, TO PROVIDE STANDARDS FOR REDEVELOPMENT OF SUCH PARCELS AND TO REFLECT THE AS-BUILT CONDITION OF THE REMAINING PROPERTIES on 1,569.60 acres generally located east of Hualapai Way, between Alta Drive and Sahara Avenue (APNs Multiple), Ward 2 (Beers) [PRJ-63491]. Staff has NO RECOMMENDATION.

C.C.: 5/18/2016

**PROTESTS RECEIVED BEFORE:**

Planning Commission Mtg.

50

City Council Meeting

0

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.

12

City Council Meeting

0

**RECOMMENDATION:**

Staff has NO RECOMMENDATION

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Abeyance Request Submitted by - EHB Companies - MOD-63600, GPA-63599, ZON-63601 and DIR-63602 [PRJ-63491]
3. Staff Report- MOD-63600, GPA-63599 and ZON-63601 [PRJ-63491]
4. Supporting Documentation- MOD-63600, DIR-63602, GPA-63599 and ZON-63601 [PRJ-63491]
5. Photo(s) - MOD-63600, DIR-63602, GPA-63599 and ZON-63601 [PRJ-63491]
6. Justification Letter
7. Peccole Ranch Master Plan
8. Protest/Support Postcards - MOD-63600 and DIR-63602 [PRJ-63491]
9. Submitted after Final Agenda - Abeyance Request and Telephone Protest/Support Log for MOD-63600, GPA-63599, ZON-63601 and DIR-63602 [PRJ-63491], Protest Email for MOD-63600 and GPA-63599 [PRJ-63491] and Protest/Support Postcards for MOD-63600 and DIR-63602 [PRJ-63491]

Motion made by TRINITY HAVEN SCHLOTTMAN to Hold in abeyance Items 17 and 18, 22-24, 52-55, 72-74 and 80 to 5/10/2016 and Withdraw without prejudice Items 26 and 27

ROR025813

25922

25899



Agenda Item No.: **52.**

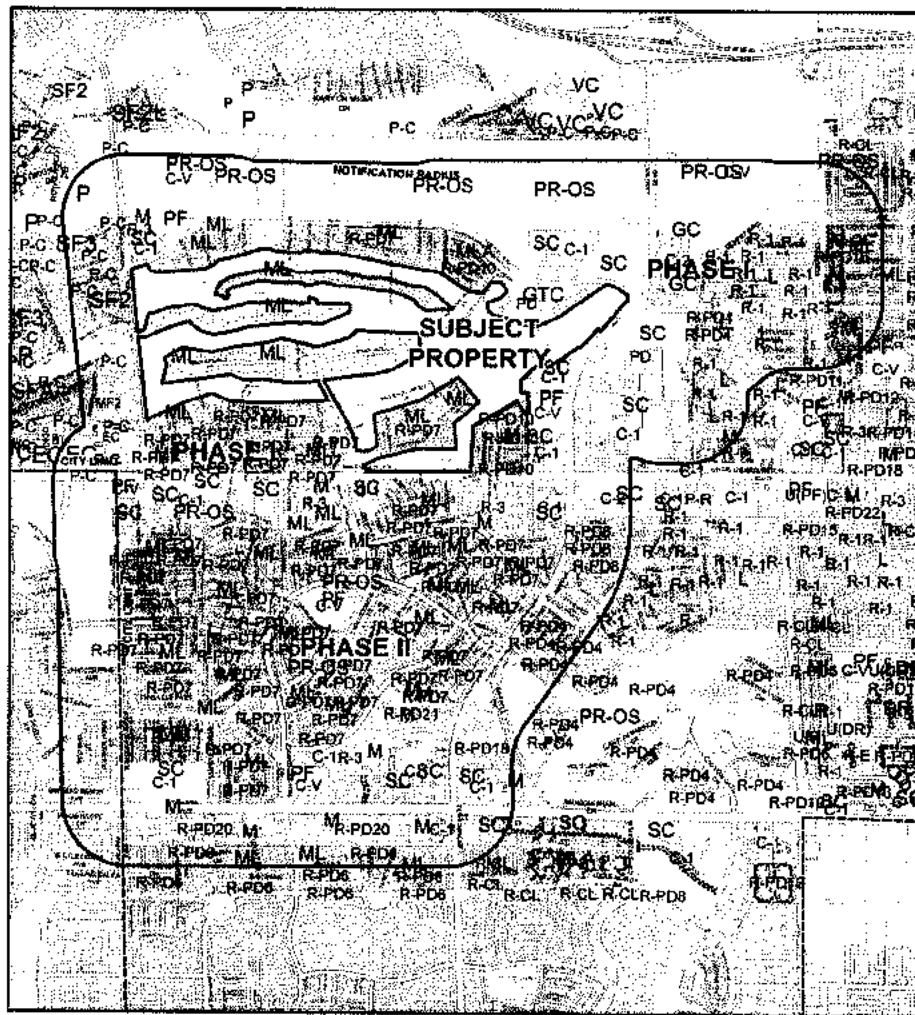
**PLANNING COMMISSION MEETING OF: APRIL 12, 2016**

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0  
CEDRIC CREAR, GLENN TROWBRIDGE, VICKI QUINN, TODD L. MOODY, TRINITY  
HAVEN SCHLOTTMAN, GUS FLANGAS, SAM CHERRY; (Against-None); (Abstain-None);  
(Did Not Vote-None); (Excused-None)

ROR025814

**25923**

**25900**



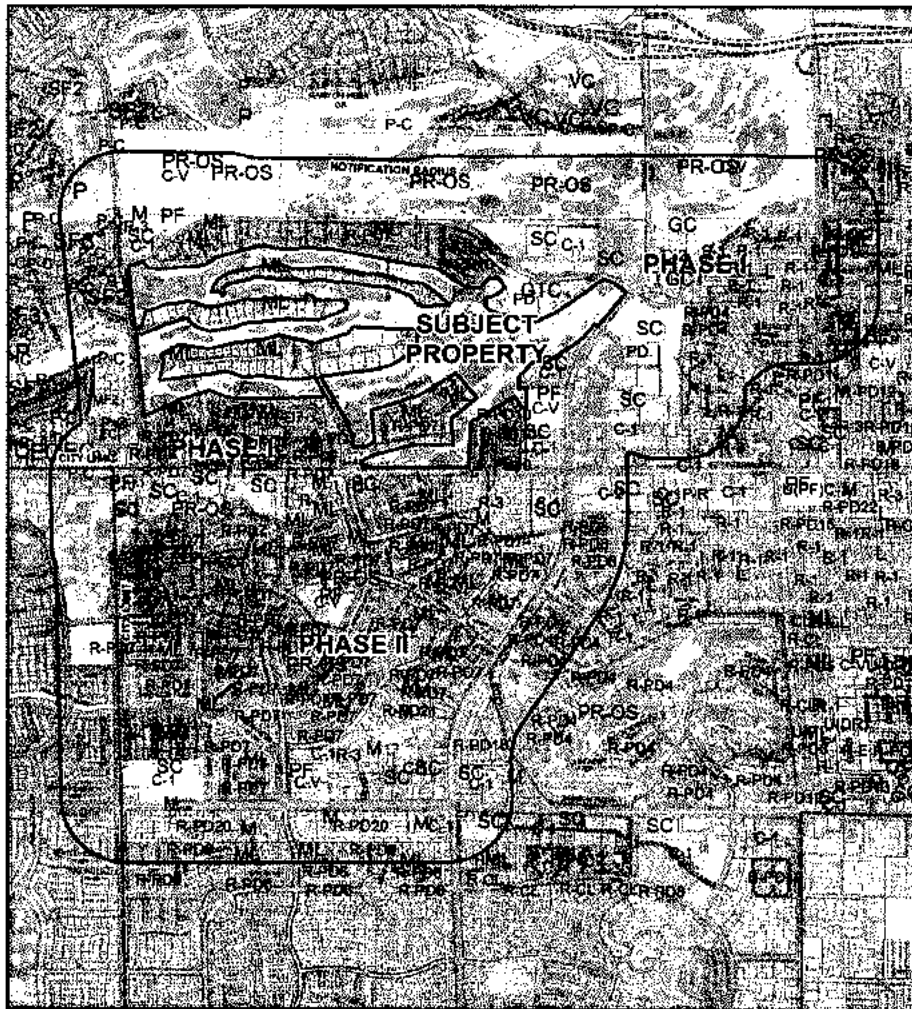
0 1,000 2,000 Feet



ROR025815

25924

25901



**CASE: MOD-63600 (PRJ-63491)**

**RADIUS: 1000 FEET FROM PHASE I AND II**

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

**PROPOSED GENERAL PLAN OF SUBJECT PROPERTY: DR (DESERT RURAL DENSITY RESIDENTIAL;  
AND H (HIGH DENSITY RESIDENTIAL))**

0 1,000 2,000  
Feet



ROR025816

25925

25902



March 25, 2016

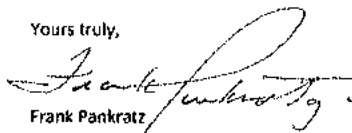
Mr. Tom Perrigo  
Planning Director  
City of Las Vegas  
333 N. Rancho Dr.  
Las Vegas, NV 89106

RE: Abeyance request for MOD-63600, GPA-63599, ZON-63601 and DIR-63602

Dear Mr. Perrigo,

Pursuant to our discussions over the past two weeks this is an Abeyance request for referenced from the April 12<sup>th</sup> to the May 10<sup>th</sup> Planning Commission Meeting. This request is for the purpose of providing more time for continued communications with our neighbors. In this regard, we have two publicly noticed meetings already scheduled with the neighborhood, one on March 28 2016 and the other on April 4, 2016, with individually scheduled meetings with neighbors being offered through the month of April. It is in everyone's best interest that all neighbors are given ample opportunity to understand the project in its entirety before any public hearings are held before either the Planning Commission or the City Council. Thank you in advance.

Yours truly,

  
Frank Pankratz  
As Manager of EHB Companies LLC,  
the Manager of 180 Land Co. LLC,  
Seventy Acres LLC and Fore Stars Ltd.

1215 South Fort Apache Road, Suite 120  
Las Vegas, NV 89117  
702.940.6930 / 702.940.6931 Fax

RECEIVED

MAR 29 2016

AGENDA ITEMS 52-55  
04/12/16 PC MEETING

ROR025817

25926

25903



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

PLANNING COMMISSION MEETING DATE: APRIL 12, 2016

DEPARTMENT: PLANNING

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

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

<b>CASE NUMBER</b>	<b>RECOMMENDATION</b>	<b>REQUIRED FOR APPROVAL</b>
<b>MOD-63600</b>	Staff recommends NO RECOMMENDATION.	
<b>GPA-63599</b>	Staff recommends NO RECOMMENDATION.	MOD-63600
<b>ZON-63601</b>	Staff recommends NO RECOMMENDATION.	MOD-63600 GPA-63599

SS

ROR025818

**25927****25904**

## \*\* STAFF REPORT \*\*

**PROJECT DESCRIPTION**

The applicant is proposing to redevelop the 250.92 acres (referred to in the applicant's documents as "the Property") that make up the Badlands Golf Course at the southwest corner of Alta Drive and Rampart Boulevard. This area is subject to the Peccole Ranch Master Plan (hereafter, "the Plan"), which was adopted in 1989 and amended in 1990. Since that time, numerous developmental changes have occurred in the Plan area without a corresponding update to the Plan. With an aim to rectify the inconsistencies of the Plan and to add residential units to the Property, the applicant is requesting a Major Modification to the Peccole Ranch Master Plan to memorialize the as-built condition of the existing properties on the overall 1,569-acre site and to change the land use designation in the Plan from Golf Course/Open Space/Drainage to Single-Family Residential and Multi-Family Residential.

Specifically, the number of allowable residential units is proposed to increase. An associated development agreement proposes standards for development of the golf course property in two categories: R-E (Residence Estates) for single-family residential uses and R-4 (High Density Residential) for multi-family uses. In addition, the Plan would be updated through a Major Modification to provide additional drainage infrastructure, which would remove some existing properties from federal flood plain designation. No new commercial is proposed within the Plan area.

**ISSUES**

- The Badlands golf course was enlarged from the 1990 Peccole Ranch Master Plan (184 acres to 250 acres) without modification of the Plan and built in a different location than was shown on the 1990 plan.
- If approved, the prior General Plan Amendment (GPA-62387) and Rezoning (ZON-62392) requests would be subsumed into this General Plan Amendment and Rezoning proposal.
- A Major Modification of the Peccole Ranch Master Plan is requested.
- A General Plan Amendment is requested to change the General Plan land use designation of the Property from PR-OS (Parks/Recreation/Open Space) to H (High Density Residential) on the east 67.22 acres of the Property and to DR (Desert Rural Density Residential) on the remaining 183.70 acres of the Property.
- A Rezoning is requested to change the zoning designation of the Property from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-4 (High Density Residential) on the east 67.22 acres of the Property and to R-E (Residence Estates) on the remaining 183.70 acres of the Property.

SS

ROR025819

**25928****25905**

- A related development agreement is to contain a unique set of development standards for the development of property in the proposed R-4 and R-E Districts. The analysis and report for the development agreement will be under a separate Director's Business Item (DIR-63602).
- The proposed amendment would allow for up to 3,020 multi-family residential units to be built on the east 67.22 acres of the Property.
- The proposed amendment would allow for up to 60 single family residential estates to be constructed on the west 183.70 acres of the Property.
- No new commercial is proposed.

**BACKGROUND INFORMATION**

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
12/17/80	The Board of City Commissioners approved the Annexation (A-0018-80) of 2,243 acres bounded by Sahara Avenue on the south, Hualapai Way on the west, Ducharme Avenue on the north and Durango Drive on the east. The annexation became effective on 12/26/80.
05/20/81	The Board of City Commissioners approved a Rezoning (Z-0034-81) from N-U (Non-Urban) to R-1 (Single Family Residence), R-2 (Two Family Residence), R-3 (Limited Multiple Residence), R-MHP (Residential Mobile Home Park), R-PD7 (Residential Planned Development), R-PD8 (Residential Planned Development), P-R (Professional Offices and Parking), C-1 (Limited Commercial), C-2 (General Commercial) and C-V (Civic) generally located north of Sahara Avenue, south of Westcliff Drive and extending two miles west of Durango Drive. The Planning Commission and staff recommended approval. This application included a "generalized land use plan."
05/07/86	The City Council approved the Master Development Plan for Venetian Foothills on 1,923 acres generally located north of Sahara Avenue between Durango Drive and Hualapai Way. The Planning Commission and staff recommended approval. This plan included two 18-hole golf courses and a 106-acre regional shopping center. [Venetian Foothills Master Development Plan]
	The City Council approved a Rezoning (Z-0030-86) to reclassify property from N-U (Non-Urban) (under Resolution of Intent) to R-PD4 (Residential Planned Development), P-R (Professional Offices and Parking), C-1 (Limited Commercial), and C-V (Civic) on 585.00 acres generally located north of Sahara Avenue between Durango Drive and Hualapai Way. The Planning Commission and staff recommended approval. [Venetian Foothills Phase One]

SS

ROR025820

**25929****25906**

<b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</b>	
02/15/89	The City Council considered and approved a revised master development plan for the subject site and renamed it Peccole Ranch to encumber 1,716.30 acres. Phase One of the Plan is generally located south of Charleston Boulevard, west of Fort Apache Road. Phase Two of the Plan is generally located north of Charleston Boulevard, west of Durango Drive, and south of Charleston Boulevard, east of Hualapai Way. The Planning Commission and staff recommended approval. A condition of approval limited the maximum number of dwelling units in Phase One to 3,150. The Phase One portion of the plan on 448.80 acres was subsequently rezoned (Z-0139-88). [Peccole Ranch Master Development Plan]
04/04/90	The City Council approved an amendment to the Peccole Ranch Master Development Plan to make changes related to Phase Two of the Plan and to reduce the overall acreage to 1,569.60 acres. Approximately 212 acres of land in Phase Two was planned for a golf course. The Planning Commission and staff recommended approval. [Peccole Ranch Master Development Plan]
	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) (under Resolution of Intent to multiple zoning districts) to R-3 (Limited Multiple Residence), R-PD7 (Residential Planned Development – 7 Units per Acre) and C-1 (Limited Commercial) on 996.40 acres on the east side of Hualapai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue. A condition of approval limited the maximum number of dwelling units for Phase Two of the Peccole Ranch Master Development Plan to 4,247 units. The Planning Commission and staff recommended approval. [Peccole Ranch Phase Two]
12/05/96	A (Parent) Final Map (FM-0008-96) for a 16-lot subdivision (Peccole West) on 570.47 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 77 Page 23 of Plats]. The golf course was located on Lot 5 of this map.
03/30/98	A Final Map [FM-0190-96] for a four-lot subdivision (Peccole West Lot 10) on 184.01 acres at the southeast corner of Alta Drive and Hualapai Way was recorded [Book 83 Page 61 of Plats].
03/30/98	A Final Map [FM-0008-96(1)] to amend portions of Lots 5 and 10 of the Peccole West Subdivision Map on 368.81 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 83 Page 57 of Plats].
07/07/04	The City Council approved a Rezoning (ZON-4205) from R-PD7 (Residential Planned Development – 7 Units per Acre) and U (Undeveloped) [M (Medium Density Residential) General Plan Designation] to PD (Planned Development) on 20.10 acres on the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard. The request included the Queensridge Towers Master Development Plan and Design Standards. The Planning Commission and staff recommended approval.

SS

ROR025821

25930

25907

<i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i>	
07/07/04	The City Council approved a Variance (VAR-4207) to allow a side yard setback of 239 feet where residential adjacency standards require 570 feet on 20.10 acres on the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard.
07/07/04	The City Council approved a Site Development Plan Review (SDR-4206) for a 385-unit condominium complex, consisting of two 16-story and two 18-story towers with ancillary uses, clubhouse, and a 17,400 square foot, single-story office building on 20.10 acres on the south side of Alta Drive, approximately 450 feet west of Rampart Boulevard.
01/12/06	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice its application for a General Plan Amendment (GPA-9069) from PR-OS (Parks/Recreation/Open Space) to MLA (Medium Low Attached Density Residential) on 6.10 acres at the southwest corner of Alta Drive and Rampart Boulevard.
01/12/06	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice its application for a Rezoning (ZON-9006) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-PD7 (Residential Planned Development – 7 Units per Acre) on 5.40 acres at the southwest corner of Alta Drive and Rampart Boulevard.
01/12/06	The Planning Commission accepted the applicant's request to Withdraw Without Prejudice its application for a Site Development Plan Review (SDR-8632) for a proposed 24-unit townhome development on 6.10 acres at the southwest corner of Alta Drive and Rampart Boulevard.
08/06/14	The City Council approved a Major Modification (MOD-53701) of the Queensridge Towers Development Standards dated May 20, 2004 to amend development standards regarding land use, building setbacks and stepbacks, building height and parking on 20.10 acres on the south side of Alta Drive, approximately 410 feet west of Rampart Boulevard.
08/06/14	The City Council approved a Variance (VAR-53502) to allow a 582-foot building setback where residential adjacency standards require an 810-foot setback for a proposed 22-story residential tower on a 7.87-acre portion of a 10.53-acre parcel at 9119 Alta Drive.
08/06/14	The City Council approved a Major Amendment (SDR-53503) of an approved Site Development Plan Review (SDR-4206) for a proposed 22-story, 310-foot tall, 166-unit multi-family building and a single-story, 33-foot tall, 17,400 square-foot office building on a 7.87-acre portion of a 10.53-acre parcel at 9119 Alta Drive.
06/18/15	A four-lot Parcel Map (PMP-59572) on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 120 Page 49 of Parcel Maps].

SS

ROR025822

25931

25908

<b>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</b>	
11/30/15	A two-lot Parcel Map (PMP-62257) on 70.52 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 120 Page 91 of Parcel Maps].
01/12/16	The City Council voted to abey requests for a General Plan Amendment (GPA-62387) from PR-OS (Parks/Recreation/Open Space) to H (High Density Residential), a Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-4 (High Density Residential) and a Site Development Plan Review (SDR-62393) for a proposed 720-unit multi-family residential development to the 03/08/16 Planning Commission meeting at the request of the applicant.
03/08/16	The City Council voted to abey GPA-62387, ZON-62392 and SDR-62393 to the 04/12/16 Planning Commission meeting at the request of the applicant.
03/15/16	A two-lot Parcel Map (PMP-63468) on 53.03 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 121 Page 12 of Parcel Maps].

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

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

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

<b>Neighborhood Meeting</b>	
03/28/16	A neighborhood meeting was held at the Suncoast Hotel and Casino, 9090 Alta Drive, Las Vegas. There were 11 members of the development team, 183 members of the public, one Department of Planning staff member and one City Councilperson in attendance. After attendees signed in, they were offered a welcome letter and a hard copy of the video presentation. The developer's representative prefaced the presentation of the development proposal by explaining that the golf course will eventually be removed due to

SS

ROR025823

25932

25909

<b>Neighborhood Meeting</b>	
	<p>high maintenance costs and that changing the zoning is a way to preserve the low density of the neighborhood but also to increase demand for housing and commercial services in the area. The representative answered residents' questions for 40 minutes, and then invited those in attendance to visit any of four stations where large informational boards were set up and additional questions could be asked of the development team. Comment cards addressed to the Department of Planning were placed on tables for attendees to pick up.</p> <p>Concerns included the following:</p> <ul style="list-style-type: none"> <li>• Residents purchased homes with the understanding that the golf course would remain.</li> <li>• Excavation: Grading cuts and fills would use existing earthwork material, and therefore there would not be trucks moving dirt in and out of the development.</li> <li>• The development agreement calls for 24-hour construction, which raised concerns over noise. A provision would be added that no noise would be generated during regular nighttime hours.</li> <li>• Adding over 3,000 units would strain water resources and raise fire and flood insurance premiums.</li> </ul> <p>Those in attendance were overwhelmingly opposed to the project, including amending the city's General Plan and rezoning of the golf course.</p>
04/04/16	A second neighborhood meeting was held with nearby residents at the Badlands Golf Club House, 9119 Alta Drive, Las Vegas.

<b>Field Check</b>	
03/03/16	The overall site includes a mix of various uses, including single family residential of varying density, multi-family residential, schools, parks and other civic uses, neighborhood commercial and a 27-hole public golf course. A majority of the single family residential areas situated around the golf course are gated.

<b>Details of Application Request</b>	
<b>Site Area</b>	
Net Acres (MOD)	1569.60
Net Acres (GPA/ZON/DIR)	250.92

SS

ROR025824

25933

25910

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

SS

ROR025825

25934

25911



<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
West	Single Family, Detached	SF2 (Single Family Detached – 6 Units per Acre)	P-C (Planned Community)
	Golf Course	P (Parks/Open Space)	
	Multi-Family Residential	MF2 (Medium Density Multi-family – 21 Units per Acre)	

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

**DEVELOPMENT STANDARDS**

*Pursuant to the related Development Agreement (DIR-63602) for redevelopment of the 250.92-acre golf course ("the Property"), the following standards would apply if approved:*

Proposed R-4 lots:

<i>Standard</i>	<i>Title 19 Standards</i>	<i>Proposed</i>
Min. Lot Size	7,000 SF	7,000 SF
Min. Lot Width	N/A	N/A
Dwelling Units per Acre	Limited by height and underlying General Plan designation	45 du/ac (Development Area 1) 60 du/ac (Development Area 2) 36 du/ac (Development Area 3)
Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	10 Feet 5 Feet 5 Feet 20 Feet	All buildings shall be set back at least 60 feet from any existing residence

SS

ROR025826

**25935****25912**

<b>Standard</b>	<b>Title 19 Standards</b>	<b>Proposed</b>
Min. Distance Between Buildings	Unlimited	N/A, except as restricted by conditions of approval of SDR
Max. Lot Coverage	N/A	N/A
Max. Building Height— <ul style="list-style-type: none"> <li>• Up to 4 stories</li> <li>• 5-6 stories</li> <li>• Towers (7+ stories)</li> </ul>	55 Feet	55 Feet 75 Feet 250 Feet
Max. Accessory Structure Height	2 Stories/55 Feet or the height of the principal dwelling unit, whichever is less	Height of the principal dwelling unit
Trash Enclosure	Screened, Gated, w/ a Roof or Trellis	Screened, Gated, w/ a Roof or Trellis
Mech. Equipment	Screened	Screened

## Proposed R-E lots:

<b>Standard</b>	<b>Title 19 Standards</b>	<b>Proposed</b>
Min. Lot Size	20,000 SF	43,560 SF
Min. Lot Width	100 Feet	N/A
Max. Dwelling Units per Acre	2.18 du/ac	0.33 du/ac
Dwelling Units per Lot	1	1
Min. Setbacks <ul style="list-style-type: none"> <li>• Front</li> <li>• Side</li> <li>• Corner</li> <li>• Rear</li> </ul>	50 Feet 10 Feet 15 Feet 35 Feet	All buildings shall be set back at least 60 feet from any existing residence
Max. Lot Coverage	N/A	N/A
Max. Building Height	2 Stories/35 Feet	3 Stories over Basement/50 Feet
Max. Accessory Structure Height	2 Stories/35 Feet, whichever is less	Lesser of 3 Stories/50 Feet
Patio Covers	15-foot setback to side, rear and corner side PL from posts	5-foot setback from all property lines

<b>Existing Zoning</b>	<b>Permitted Density</b>	<b>Units Allowed</b>
R-PD7 (Residential Planned Development – 7 Units per Acre)	7.49 du/ac	1,879

SS

ROR025827

25936

25913

<i>Proposed Zoning</i>	<i>Permitted Density (proposed)</i>	<i>Units Allowed</i>
R-4 (High Density Residential)*	Unlimited, except by height	Limited by height
R-E (Residence Estates)*	1 du/ac	183
<i>Existing General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
PR-OS (Parks/Recreation/Open Space)	N/A	None
<i>Proposed General Plan</i>	<i>Permitted Density</i>	<i>Units Allowed</i>
H (High Density Residential)	Unlimited	Unlimited
DR (Desert Rural Density Residential)	2.49 du/ac	457

\*The R-4 and R-E Districts are as proposed by the Major Modification.

<i>Street Name</i>	<i>Functional Classification of Street(s)</i>	<i>Governing Document</i>	<i>Actual Street Width (Feet)</i>	<i>Compliance with Street Section</i>
Rampart Boulevard	Primary Arterial	Master Plan of Streets and Highways Map	100	Y
Alta Drive	Major Collector	Master Plan of Streets and Highways Map	84	Y

## ANALYSIS

Since the original approval of the reclassification of property (Z-0017-90) that created the Peccole Ranch Master Plan Phase Two area, there have been numerous land use entitlements processed within the overall Master Plan area. Entitlements have ranged from Site Development Plan Reviews to establish Residential Planned Development (R-PD) zoning district development standards to the amending of the City of Las Vegas 2020 Master Plan and City of Las Vegas Zoning Atlas. Past land use entitlement practices have varied in respect to proposed developments within the Peccole Ranch Master Plan Phase Two area, specifically in regards to the means by which previous developers have been able to propose development with or without an associated modification of the Peccole Ranch Master Plan. Since adoption of the 1990 Peccole Ranch Master Plan the property was developed with deference to the Plan.

## FINDINGS (MOD-63600)

Additional time is needed to review and evaluate the Major Modification and associated Development Agreement (DIR-63602). Therefore, no finding can be reached at this time.

SS
----

ROR025828

25937

25914

Staff Report Page Eleven  
April 12, 2016 - Planning Commission Meeting

**FINDINGS (GPA-63599)**

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

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

The proposed General Plan Amendment is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

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

The proposed General Plan Amendment is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

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

The proposed General Plan Amendment is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

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

The proposed General Plan Amendment is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

**FINDINGS (ZON-63601)**

In order to approve a Rezoning application, pursuant to Title 19.16.090(L), the Planning Commission or City Council must affirm the following:

SS

ROR025829

**25938**

**25915**

**1. The proposal conforms to the General Plan.**

The proposed Rezoning is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

**2. The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.**

The proposed Rezoning is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

**3. Growth and development factors in the community indicate the need for or appropriateness of the rezoning.**

The proposed Rezoning is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

**4. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.**

The proposed Rezoning is dependent upon actions taken on the associated Major Modification to the Peccole Ranch Master Plan and Development Agreement. As additional time is needed for review of these submitted documents, no findings can be reached at this time.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED** 44

**NOTICES MAILED** 6903 - MOD-63600 and DIR-63602  
 1495 - GPA-63599 and ZON-63601

**APPROVALS** 3 - MOD-63600 and DIR-63602  
 1 - GPA-63599 and ZON-63601

**PROTESTS** 23 - MOD-63600 and DIR-63602  
 18 - GPA-63599 and ZON-63601

SS

ROR025830

**25939**

**25916**



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-63600** APN: 138-31-702-002; 138-31-801-002

Name of Property Owner: 180 Land Co LLC

Name of Applicant: 180 Land Co LLC

Name of Representative: Frank Pankratz

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_ EHB COMPANIES LLC, LS MANAGER

Signature of Property Owner: \_\_\_\_\_

Print Name: FRANK PANKRATZ, LS MANAGER

Subscribed and sworn before me

This 15th day of FEBRUARY 2016

Kathleen K Momot  
Notary Public in and for said County and State



Revised 11-14-06

File/Application Packet/Statement of Financial Interest.pdf  
PRJ-63491  
02/29/16

ROR025831

25940

25917



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-63600** APN: 138-32-301-005; 138-32-301-006

Name of Property Owner: Seventy Acres LLC

Name of Applicant: Seventy Acres LLC

Name of Representative: Frank Pankratz

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_  
*ETHB COMPANIES LLC, its MANAGER*

Signature of Property Owner: \_\_\_\_\_

Print Name: *FRANK PANKRATZ, its MANAGER*

Subscribed and sworn before me

This 15th day of February, 2016

*Kathleen K. Momot*  
Notary Public in and for said County and State



Revised 11-14-06

\\depot\Application Packet\Statement of Financial Interest.pdf  
PR 163491  
02/29/16

ROR025832

25941

25918



DEPARTMENT OF PLANNING

STATEMENT OF FINANCIAL INTEREST

Case Number: **MOD-63600** APN: 138-32-202-001;

Name of Property Owner: Fore Stars, Ltd

Name of Applicant: Fore Stars, Ltd.

Name of Representative: Frank Pankratz

To the best of your knowledge, does the Mayor or any member of the City Council or Planning Commission have any financial interest in this or any other property with the property owner, applicant, the property owner or applicant's general or limited partners, or an officer of their corporation or limited liability company?

☐ Yes

☒ No

If yes, please indicate the member of the City Council or Planning Commission who is involved and list the name(s) of the person or persons with whom the City Official holds an interest. Also list the Assessor's Parcel Number if the property in which the interest is held is different from the case parcel.

City Official: \_\_\_\_\_

Partner(s): \_\_\_\_\_

APN: \_\_\_\_\_ EHB COMPANIES, LLC, its MANAGER

Signature of Property Owner: \_\_\_\_\_

Print Name: FRANK PANKRATZ, its MANAGER

Subscribed and sworn before me

This 15th day of FEBRUARY 20 16  
Kathleen K Momot  
Notary Public in and for said County and State



Revised 11-14-06

E:\dopof\Application Packet\Statement of Financial Interest.pdf

DR-63401  
02/29/16

ROR025833

25942

25919





# DEPARTMENT OF PLANNING

## APPLICATION / PETITION FORM

Application/Petition For: MAJOR MODIFICATION  
Project Address (Location): Multiple  
Project Name: 2016 Peccole Ranch Master Plan Proposed Use: \_\_\_\_\_  
Assessor's Parcel #(s): Multiple Ward #: 2  
General Plan: existing NA proposed NA Zoning: existing NA proposed NA  
Commercial Square Footage: \_\_\_\_\_ Floor Area Ratio: \_\_\_\_\_  
Gross Acres: 1,588.6 Lots/Units: \_\_\_\_\_ Density: \_\_\_\_\_  
Additional Information: \_\_\_\_\_

PROPERTY OWNER <u>Multiple</u>		Contact: _____
Address: _____		Phone: _____ Fax: _____
City: _____		State: _____ Zip: _____
E-mail Address: _____		
APPLICANT <u>180 Land Co LLC</u>		Contact: <u>Frank Pankratz</u>
Address: <u>1215 South Fort Apache, Suite 120</u>		Phone: <u>(702) 840-6930</u> Fax: <u>(702) 840-6931</u>
City: <u>Las Vegas</u>		State: <u>Nevada</u> Zip: <u>89117</u>
E-mail Address: <u>Frank@ehbcompanies.com</u>		
REPRESENTATIVE <u>GCW, Inc.</u>		Contact: <u>Cindie Gee</u>
Address: <u>1555 South Rainbow</u>		Phone: <u>(702) 804-2107</u> Fax: <u>(702) 804-2299</u>
City: <u>Las Vegas</u>		State: <u>Nevada</u> Zip: <u>89146</u>
E-mail Address: <u>cgee@gcwengineering.com</u>		

I certify that I am the applicant and that the information submitted with this application is true and accurate to the best of my knowledge and belief. I understand that the City is not responsible for inaccuracies in information presented, and that inaccuracies, false information or incomplete applications may cause the application to be rejected. I further certify that I am the owner or purchaser (or option holder) of the property involved in this application, or the lease or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature\*

\*An authorized agent may sign in lieu of the property owner for the City, Nevada State, and Federal Lands.

Print Name: Frank Pankratz

Subscribed and sworn before me

This 25 day of February, 20 16.

LeeAnn Stewart-Schencke

Notary Public in and for said County and State

Revised 10/27/08



FOR DEPARTMENT USE ONLY

Case # MOD-63600

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

Total Fee: \_\_\_\_\_

Date Received:\*

Received By: \_\_\_\_\_

\*The application will not be deemed complete until the submitted materials have been reviewed by the Department of Planning. For applications with applicable sections of the Zoning Ordinance.

C:\dcp\Application Packet\MyApplication Form.pdf

ROR025834

25943

25920

ROR025835

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

25921



**LAS VEGAS  
CITY COUNCIL**

CAROLYN G. GOODMAN  
MAYOR

STAVROS S. ANTHONY  
MAYOR PRO TEM

LOIS TARKANIAN  
STEVEN D. ROSS  
RICKI Y. BARLOW  
BOB COFFIN  
BOB BEERS

ELIZABETH N. FRETWELL  
CITY MANAGER

CITY OF LAS VEGAS  
DEPARTMENT OF PLANNING  
DEVELOPMENT SERVICES CENTER  
333 NORTH RANCHO DRIVE  
3RD FLOOR  
LAS VEGAS, NEVADA 89106

VOICE 702.229.8301

FAX 702.474.0352

TTY 702.388.9108

www.lasvegasnevada.gov

December 30, 2014

Frank Pankratz  
ENB Companies  
9755 W. Charleston Blvd.  
Las Vegas, NV 89117

RE: 138-31-713-002  
138-31-712-004  
138-31-610-002  
138-31-212-002 (ZVL-57350)

Mr. Pankratz,

This letter is in response to a request for zoning verification on properties located within Las Vegas, Nevada with Assessor's Parcel Numbers of 138-31-713-002; 138-31-712-004; 138-31-610-002; and 138-31-212-002. The subject properties are zoned R-PD7 (Residential Planned Development District - 7 Units per Acre).

The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per gross acre.) A detailed listing of the permissible uses and all applicable requirements for the R-PD Zone are located in Title 19 ("Las Vegas Zoning Code") of the Las Vegas Municipal Code. The Las Vegas Zoning Code may be found on the City of Las Vegas website:

[http://www.lasvegasnevada.gov/LawsCodes/zoning\\_laws.htm](http://www.lasvegasnevada.gov/LawsCodes/zoning_laws.htm)

The department is unable to provide you with a statement as to whether or not this property conforms to current City codes. If a use or building is nonconforming, then Title 19.14 grants certain rights to the owner, which are addressed in Sections 19.14.040 and 19.14.050 located in Title 19 ("Unified Development Code") of the Las Vegas Municipal Code. The Unified Development Code may be found on the City of Las Vegas website:

[http://www.lasvegasnevada.gov/files/CLV\\_Unified\\_Development\\_Code.pdf](http://www.lasvegasnevada.gov/files/CLV_Unified_Development_Code.pdf)

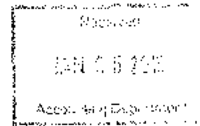
Should you wish to obtain copies of a Certificate of Occupancy or other public records related to the subject property, please contact the Las Vegas Building and Safety Department at (702) 229-6251. Information regarding City code violations on the subject property can be obtained from the Code Enforcement Division of the Building and Safety Department at (702) 229-2330.

If you have any questions concerning this matter, please contact me at (702) 229-6745.

Sincerely,

Nicole Eddowes  
Planner I  
Planning & Development Department

EXHIBIT 2



PRJ-63491  
02/25/16

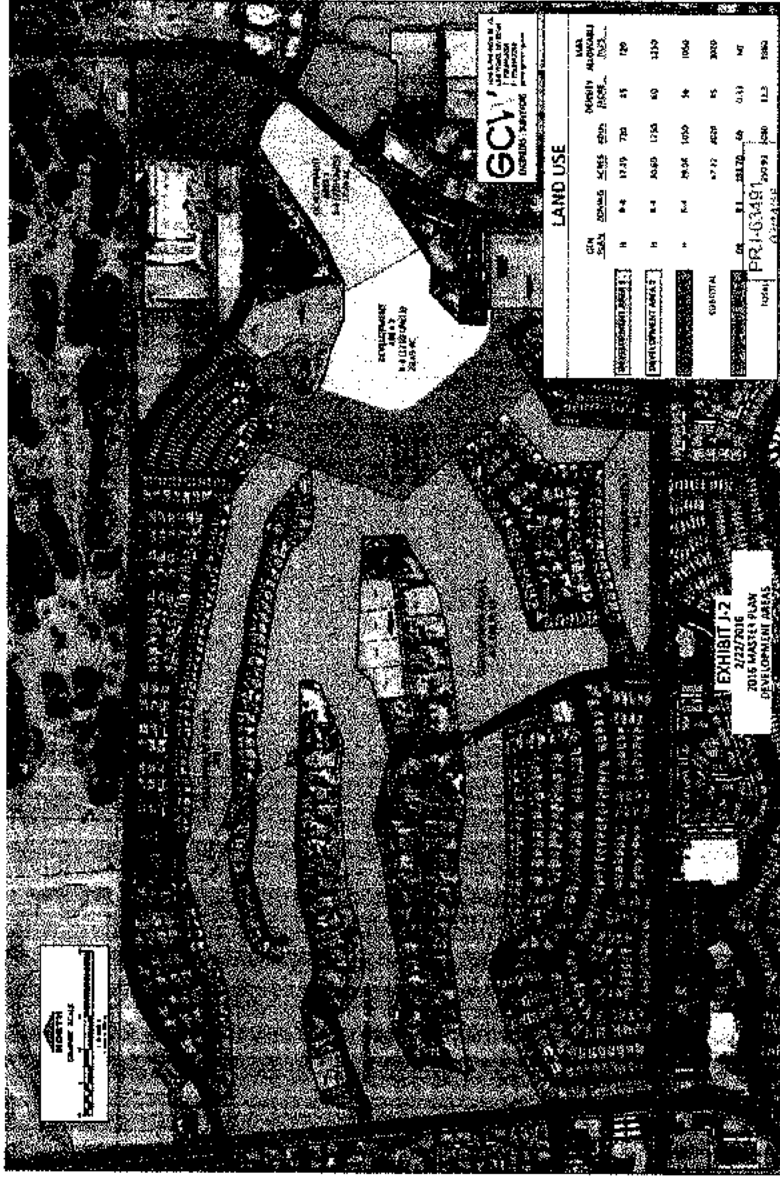
FM-0070a 04-12

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025836

25945

25922



**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025837

25946

25923



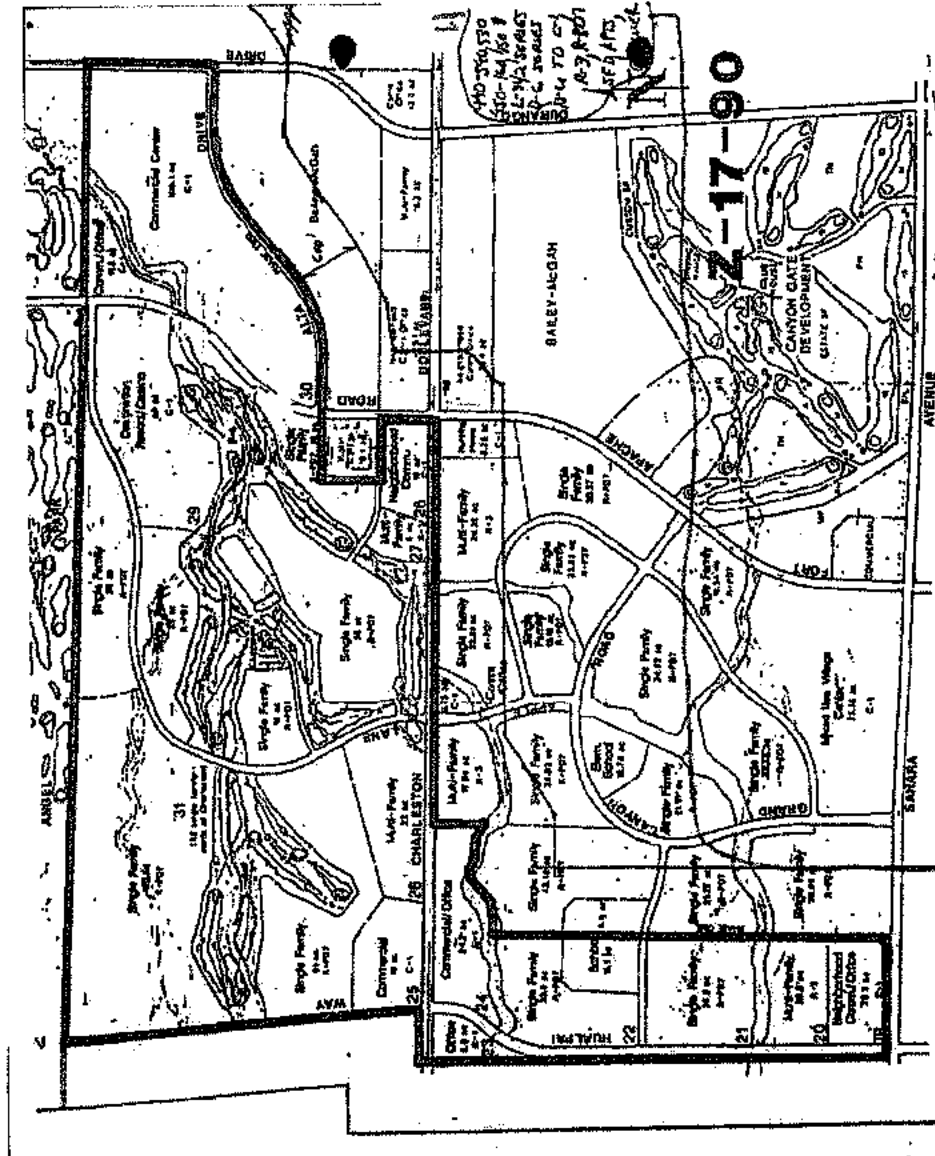


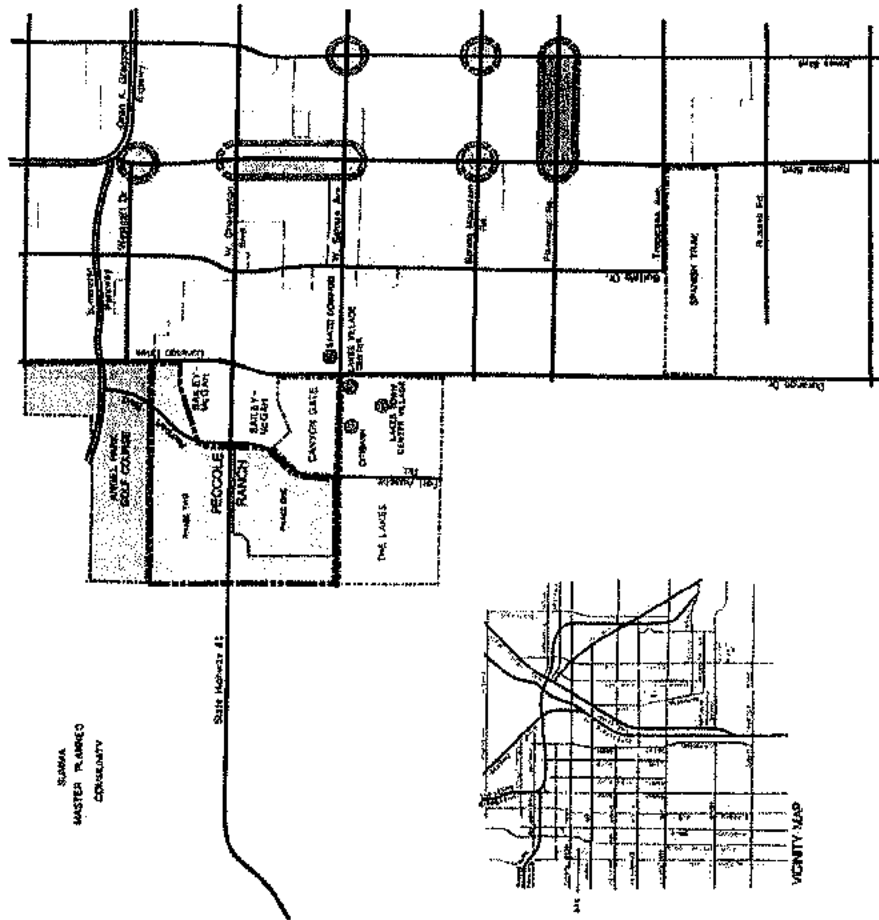
EXHIBIT B  
2/22/2016  
1990 APPROVED  
PECCOLE RANCH  
MASTER PLAN

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025839

25948

25925



- Existing Development
- Shopping Center Locations
- Area Neighborhood Commercial

# AREA PLAN Peccole Ranch Partnership

Prepared by:  
A. Wayne Smith & Associates  
1915 East Main Street, Suite 100  
Phoenix, Arizona 85016 (602) 234-3474



EXHIBIT C  
2/27/2016

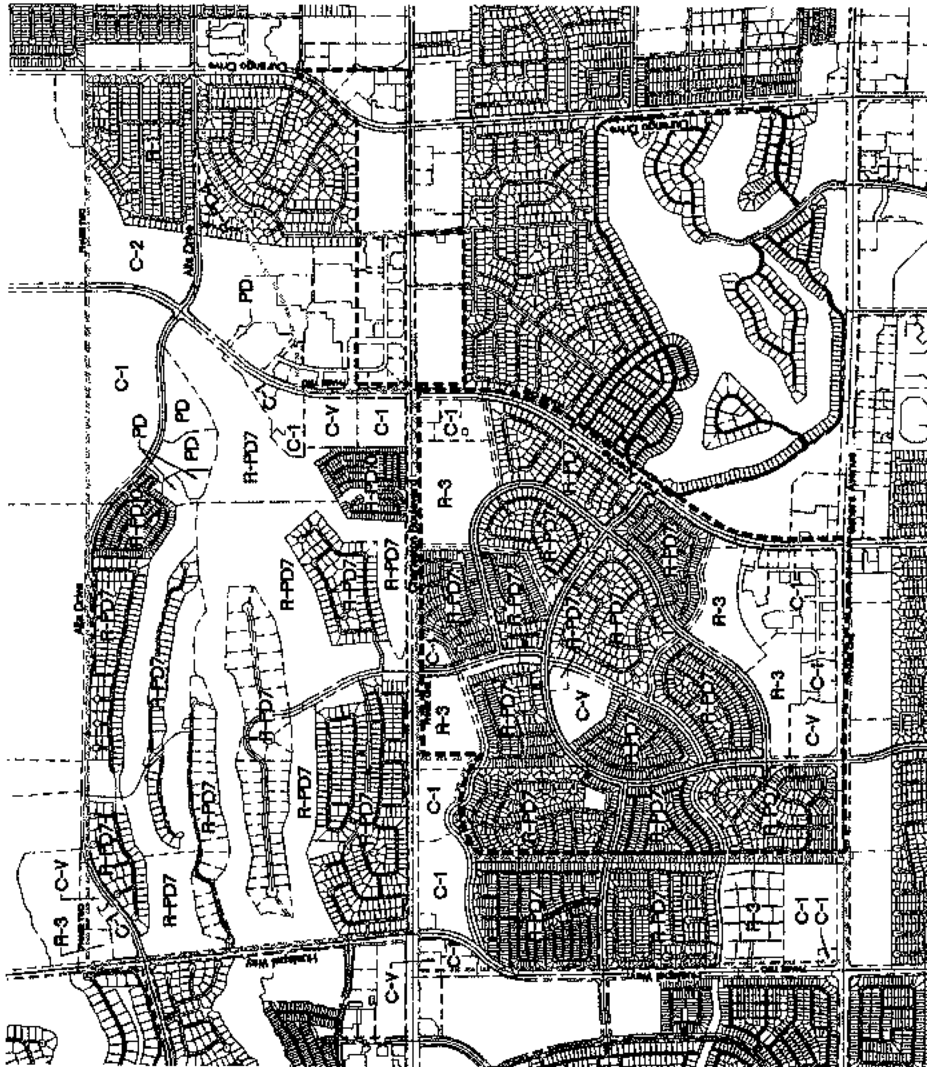
AREA PLAN AS SUBMITTED WITH THE  
PROPOSED AND SUBSEQUENTLY APPROVED  
1990 PECCOLE RANCH MASTER PLAN

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025840

25949

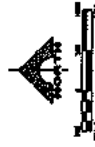
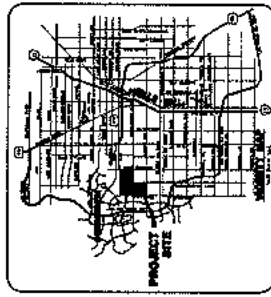
25926



ROR025841

25950

25927



# LEGEND

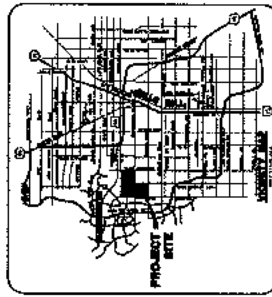
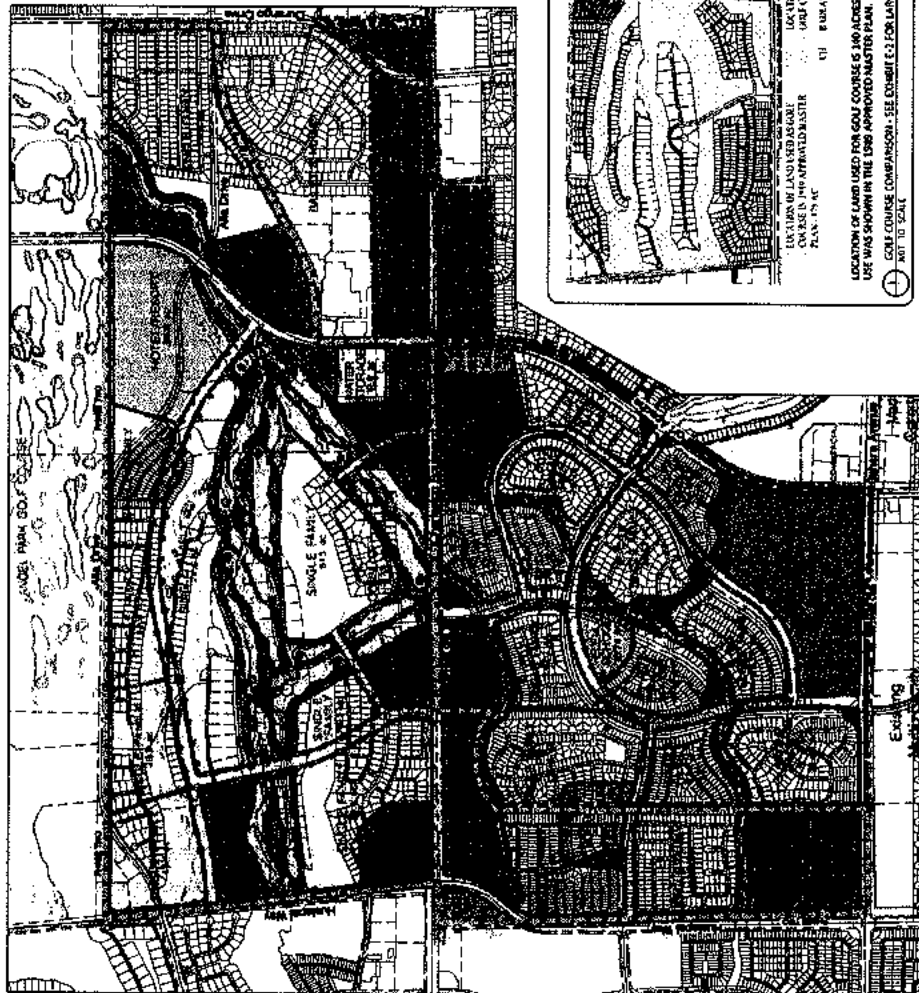
- PHASE ONE BOUNDARY
- PHASE TWO BOUNDARY
- DELETED FROM MASTER PLAN WITH 1990 AMENDMENT

**GCV**  
GOULD CANNON & VANCE  
 ENGINEERS, ARCHITECTS  
 100 S. JEFFERSON ST.  
 SUITE 200  
 DENVER, CO 80202

**EXHIBIT D**  
 7/22/2015  
 PECCOLE RANCH MASTER PLAN  
 BOTH AS BUILT AND  
 AS PRESENTLY ZONED.

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**





# LEGEND

- PHASE ONE BOUNDARY
- - - PHASE TWO BOUNDARY
- PROJECTED FROM MASTER PLAN WITH 1996 AMENDMENT

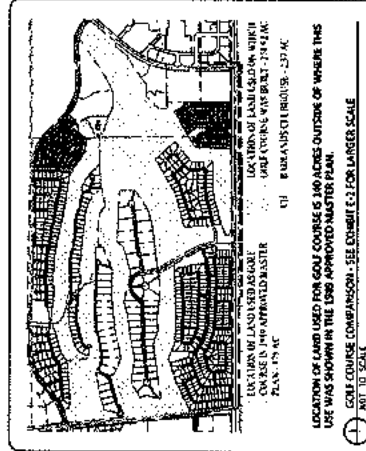


EXHIBIT E-1  
2/22/2016  
PECCOLE RANCH MASTER PLAN  
AS-BUILT (EXHIBIT D) OVERLAYED ON  
THE 1989 APPROVED PECCOLE RANCH  
MASTER PLAN (EXHIBIT A)

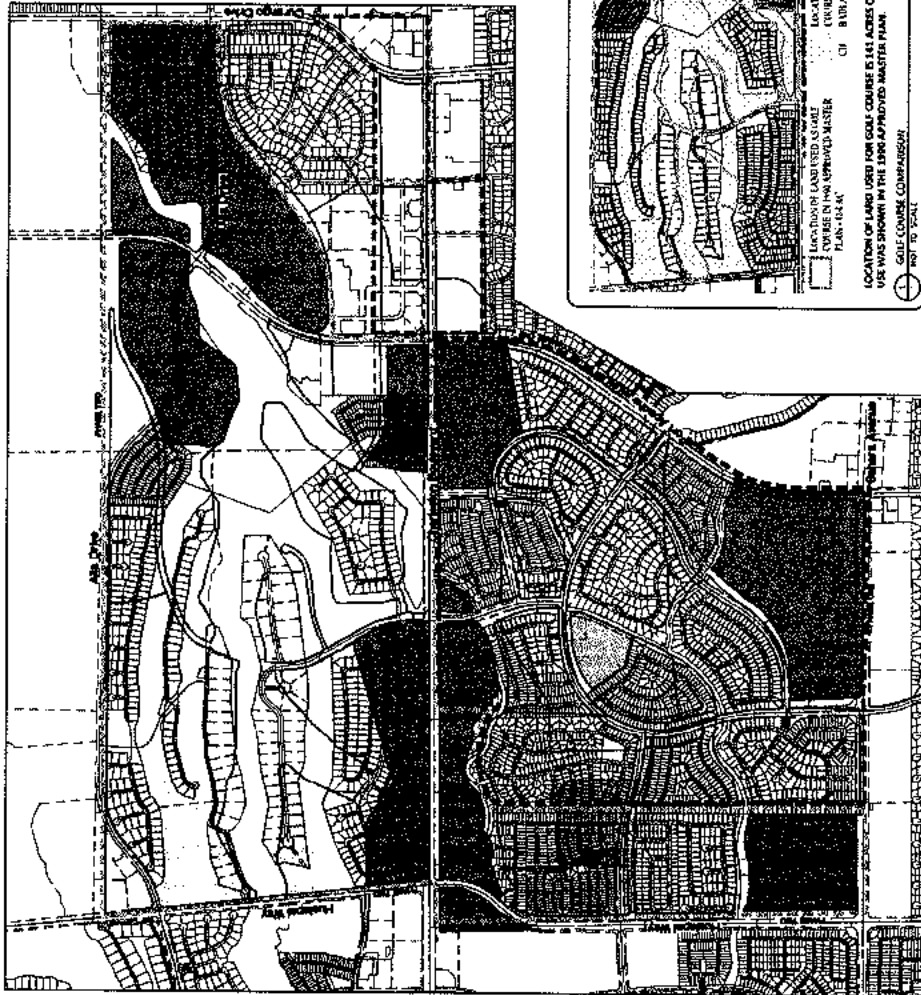
ROR025842

MOD-63600, GPA-63599, ZON-63601 and DIR-63602

25951

25928



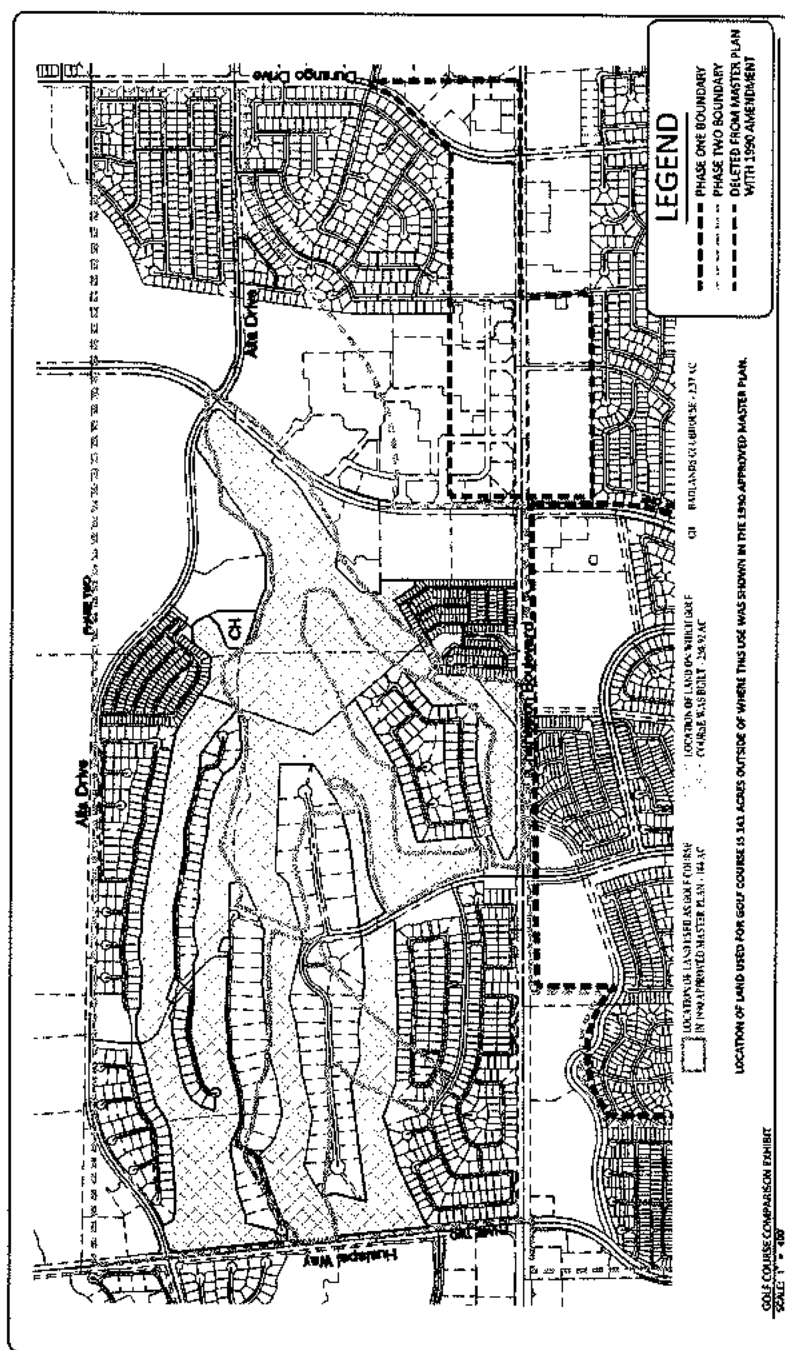


ROR025844

25953

25930

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**



**EXHIBIT F-2**  
2/22/2016  
PECCOLE RANCH MASTER PLAN  
GOLF COURSE LOCATION IN 1990  
APPROVED PECCOLE RANCH MASTER PLAN  
VS CURRENT LOCATION

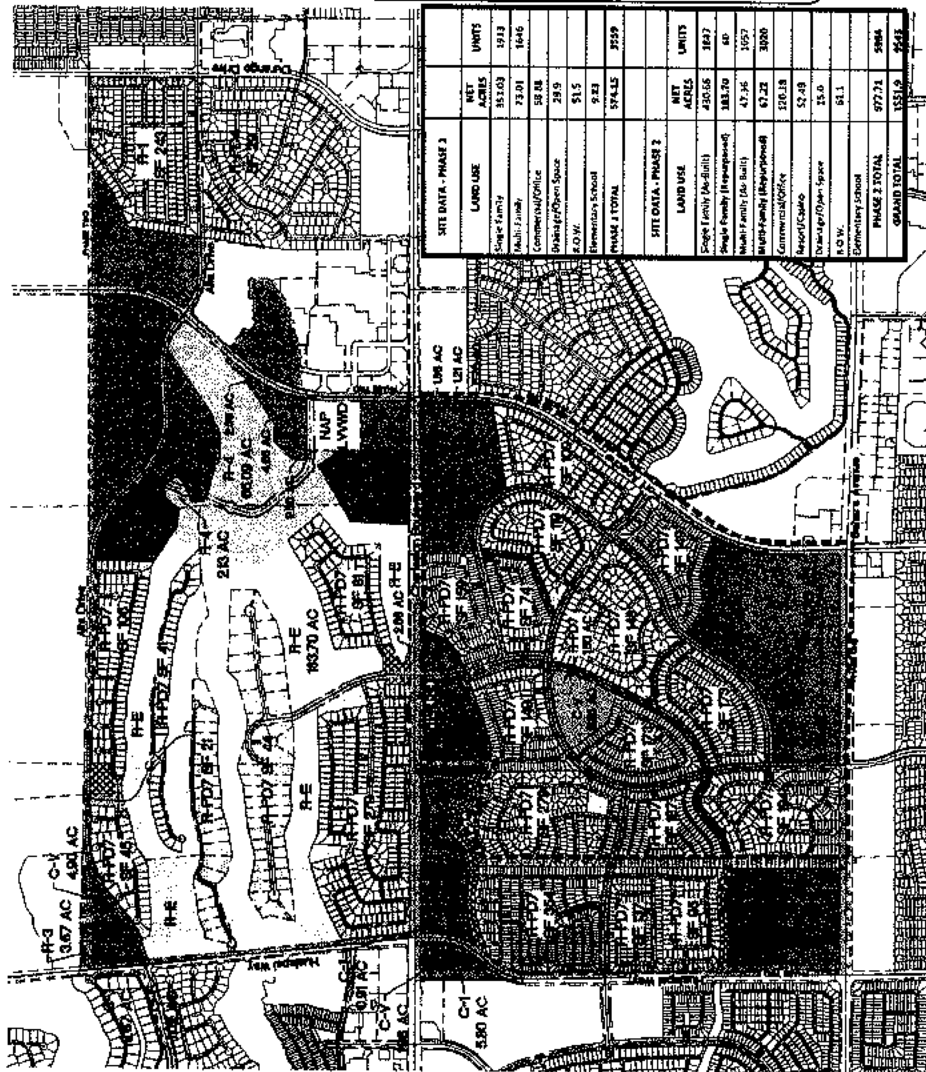
[illegible]

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025845

25954

25931



ROR025846

25955

25932

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

PRJ-63491 27/2/2016  
2016 MASTER PLAN  
(MAXOR-MODIFICATION TO 1990 MASTER PLAN)

**GCV**  
1001 S. UNIVERSITY BLVD.  
LAS VEGAS, NV 89102  
DRIVERS: 702.734.2000  
F: 702.734.2000

**EXHIBIT G**



LAS VEGAS  
CITY COUNCIL

CAROLYN G. GOODMAN  
MAYOR

STAVROS S. ANTHONY  
MAYOR PRO TEM

LOIS TARKANIAN  
STEVEN D. ROSS  
RICKI Y. BARLOW  
BOB COFFIN  
BOB BEERS

ELIZABETH N. FRETWELL  
CITY MANAGER

CITY OF LAS VEGAS  
DEPARTMENT OF PLANNING  
DEVELOPMENT SERVICES CENTER  
333 NORTH RANCHO DRIVE  
3RD FLOOR  
LAS VEGAS, NEVADA 89106

VOICE 702.220.6301

FAX 702.474.0352

TTY 702.388.9108

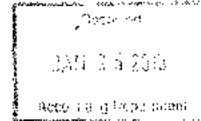
www.lasvegasnevada.gov

December 30, 2014

EXHIBIT H

Frank Pankratz  
ENB Companies  
9755 W. Charleston Blvd.  
Las Vegas, NV 89117

RE: 138-31-713-002  
138-31-712-004  
138-31-610-002  
138-31-212-002 (ZVL-57350)



Mr. Pankratz,

This letter is in response to a request for zoning verification on properties located within Las Vegas, Nevada with Assessor's Parcel Numbers of 138-31-713-002; 138-31-712-004; 138-31-610-002; and 138-31-212-002. The subject properties are zoned R-PD7 (Residential Planned Development District - 7 Units per Acre).

The R-PD District is intended to provide for flexibility and innovation in residential development, with emphasis on enhanced residential amenities, efficient utilization of open space, the separation of pedestrian and vehicular traffic, and homogeneity of land use patterns. The density allowed in the R-PD District shall be reflected by a numerical designation for that district. (Example, R-PD4 allows up to four units per gross acre.) A detailed listing of the permissible uses and all applicable requirements for the R-PD Zone are located in Title 19 ("Las Vegas Zoning Code") of the Las Vegas Municipal Code. The Las Vegas Zoning Code may be found on the City of Las Vegas website:

[http://www.lasvegasnevada.gov/LawsCodes/zoning\\_laws.htm](http://www.lasvegasnevada.gov/LawsCodes/zoning_laws.htm)

The department is unable to provide you with a statement as to whether or not this property conforms to current City codes. If a use or building is nonconforming, then Title 19.14 grants certain rights to the owner, which are addressed in Sections 19.14.040 and 19.14.050 located in Title 19 ("Unified Development Code") of the Las Vegas Municipal Code. The Unified Development Code may be found on the City of Las Vegas website:

[http://www.lasvegasnevada.gov/files/CLV\\_Unified\\_Development\\_Code.pdf](http://www.lasvegasnevada.gov/files/CLV_Unified_Development_Code.pdf)

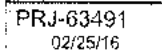
Should you wish to obtain copies of a Certificate of Occupancy or other public records related to the subject property, please contact the Las Vegas Building and Safety Department at (702) 229-6251. Information regarding City code violations on the subject property can be obtained from the Code Enforcement Division of the Building and Safety Department at (702) 229-2330.

If you have any questions concerning this matter, please contact me at (702) 229-6745.

Sincerely,

Nicole Eddowes

Planner I  
Planning & Development Department



FM-0073a 01 12

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025847

25956

25933

EXHIBIT I  
PECCOCCO MASTER PLAN

250.92 ACREAGE TABULATIONS WITH CURRENT/ PROPOSED ZONING AND GENERAL PLAN DESIGNATIONS

COMMENT	APN#	SINGLE FAMILY			PROPOSED			MULTI-FAMILY			TOTAL
		ACRES	ZONING	GENERAL PLAN DESIGNATION	ZONING	GENERAL PLAN DESIGNATION	APN#	ACRES	ZONING	GENERAL PLAN DESIGNATION	
Previously part of APN# 138-32-301-001 (70.52 acre parcel)							138-32-301-005 (2)	17.49	RPD-7	R-4	17.49
Previously part of APN# 138-32-303-006 (53.03 acres) - parcel map in process							(2)	41.59	RPD-2	R-4	47.6
Previously part of APN# 138-32-303-006 (53.03 acres) - parcel map in process (4)	(2)	5.44	R-4D	PROS	R-E	Residential					5.44
	138-31-601-003 (1)	11.28	R-1D	PROS	R-E	Residential					
	138-31-702-003 (2)	166.59	R-1D	PROS	R-E	Residential					
		183.71						65.08			248.79
SUB TOTAL											
Clubhouse parking lot parcel							138-32-102-001 (3)	2.13	PD	R-4	2.13
TOTAL		183.71						67.21			250.92

NOTES:  
(1) Ownership 180 Lind Company LLC  
(2) Ownership Seventy Acres LLC  
(3) Ownership Four Stars Ltd  
(4) Acreage within the above 53.03 acre parcel that lies between Fountainbleu and Fairway Pointe single family neighborhoods that will be part of the single family and not part of the multi-family.

PROJECT  
PAGE 1

ROR025848

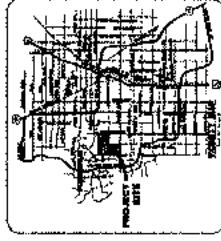
25957

MOD-63600, GPA-63599, ZON-63601 and DIR-63602

25934



EXHIBIT F-1  
2016 MASTER PLAN REFLECTING  
RE-PURPOSED USES OF THE 259.93 ACRE  
PROPERTY



**LEGEND**

□ R-4 - 30 TO 40 UNITS - 45 DU/AC  
 ■ R-4 - THE R-4 ZONING ALLOWS 367 LOTS IN EVERY  
 SUBSTANTIAL DOWN ZONING FROM THE  
 CURRENT R-303 WHICH @ 7.48 DU/AC  
 ALLOWS 1376 DU/AC; NOTWITHSTANDING THE  
 DEVELOPERS HAVE CHOSEN FOR CONSERVATION  
 PURPOSES, MAXIMUM 1-ACRE LOT SIZES WITH A  
 MAXIMUM OF 60 HOMESITES.

--- PHASE ONE BOUNDARY  
 --- PHASE TWO BOUNDARY

**GCV**  
 GEORGETOWN COMMUNITY VILLAGE  
 10000 GCV DRIVE  
 GEORGETOWN, DE 20639

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025849

25958

25935





**EXISTING: THE LAND BETWEEN ORIENT EXPRESS AND WINTER PALACE**

1579-1580

25937

Only one of the tallest concept presented in the Queensridge homesavers at the neighborhood meetings. This question shows the '5 acre' estates concept with each having a suitable area of approximately 1 acre and the remaining 4 1/2 acres landscaped and dedicated as a permanent easement. (Note: (i) the acreage on the estates was very, and (ii) engineering was taken from the estate in this depiction is from Hues4001 Hwy NOT through the Queensridge North or South neighborhood.)

[illegible]

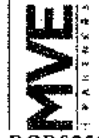
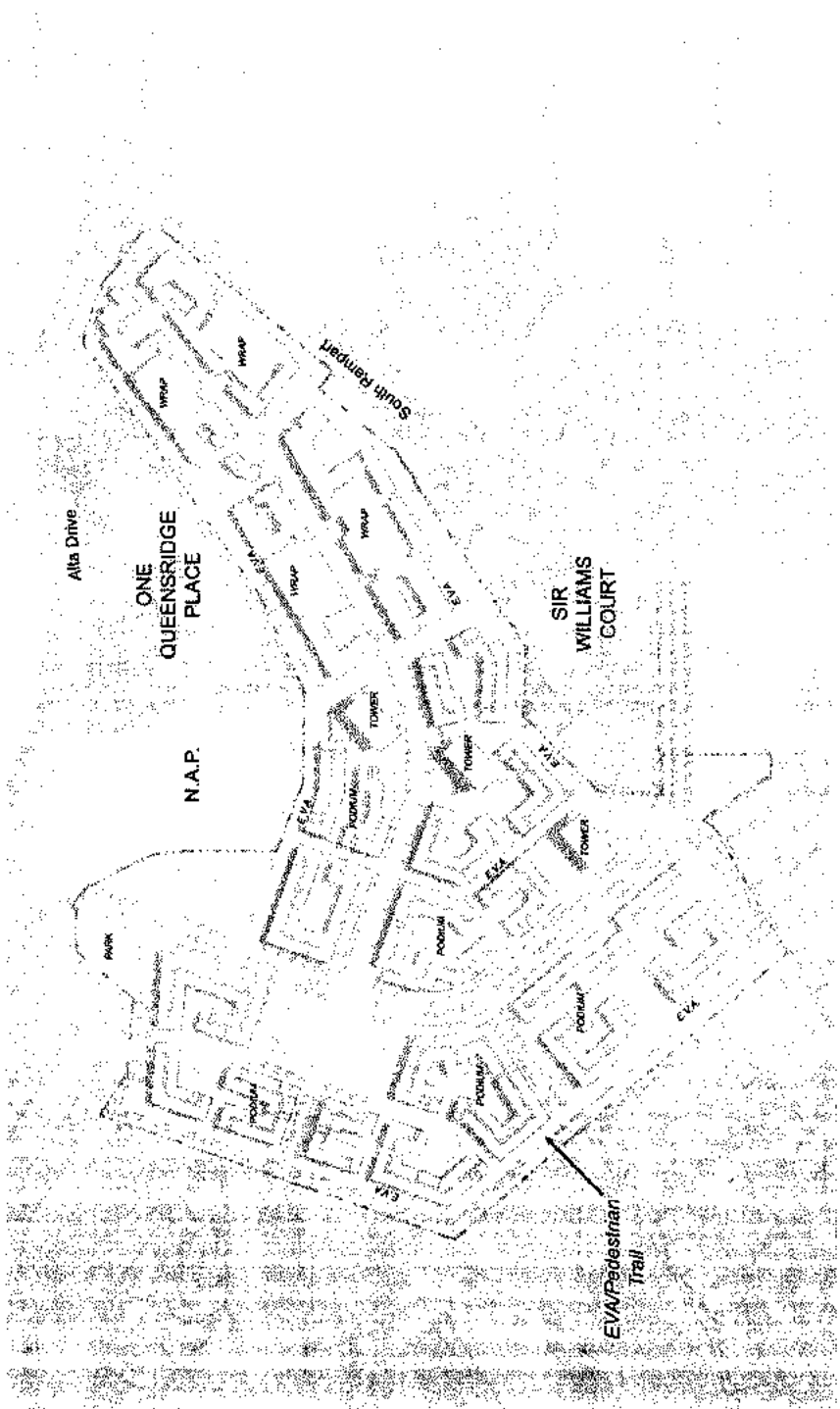
ROR025852

25961

25938

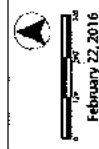
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

2000  
2001  
2002



ROR025853

CONCEPTUAL SITE PLAN  
67.21 ACRES LUXURY MULTI-FAMILY



25962

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

25939

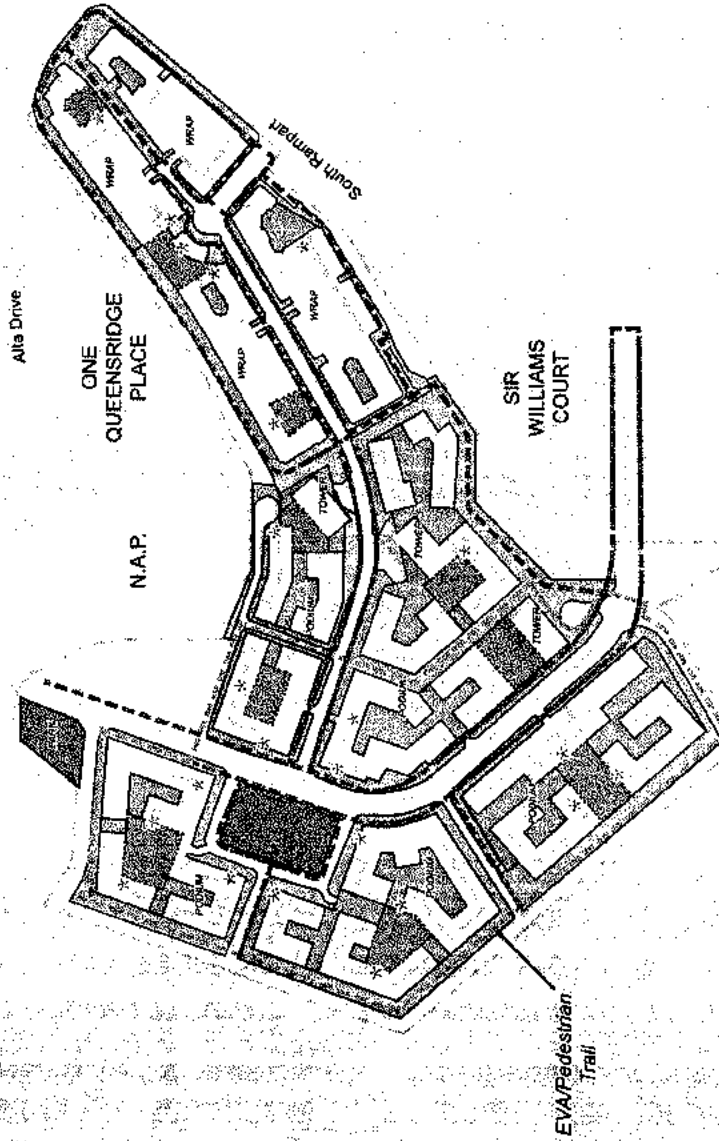
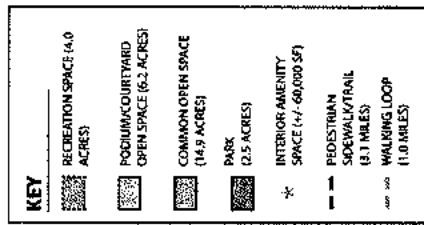
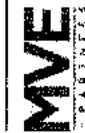


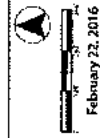
EXHIBIT L-2

# CONCEPTUAL SITE PLAN

67.21 ACRES LUXURY MULTI-FAMILY



ROR025854



**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

25963

25940

EXHIBIT M-1

# Higher-Density Development

## MYTH AND FACT



**NMHC** National Multi  
Housing Council

**SIERRA  
CLUB**  
ENVIRONMENTAL DEFENSE FUND

**ALA**



Urban Land  
Institute

MOD-63600, CPA-63599, ZON-63601 and DIR-63602

ROR025855

25964

25941

## ULI Project Staff

ULI Project Staff  
Rachelle L. Levitt  
*Senior Vice President, Policy and Practice  
Publisher*

Gayle Berens  
*Vice President, Real Estate Development  
and Practice*

Richard M. Haughey  
*Director, Multifamily Development  
Project Director  
Principal Author*

Elam Thomas Sprenkle  
Alexa Bach  
*Contributing Authors*

Nancy H. Stewart  
*Director, Book Program  
Managing Editor*

Barbara M. Fishel/Editech  
*Manuscript Editor*

Betsy Van Buskirk  
*Art Director*

Anne Morgan  
*Graphic Design*

Diann Stanley-Austin  
*Director, Publishing Operations*

### Recommended bibliographic listing:

Haughey, Richard M. *Higher-Density Development: Myth and Fact*. Washington, D.C.:  
ULI-the Urban Land Institute, 2005.

ULI Catalog Number: N27

International Standard Book Number: 0-87420-941-2

©2005 by ULI-the Urban Land Institute  
1025 Thomas Jefferson Street, N.W.  
Suite 500 West  
Washington, D.C. 20007-5201

Printed in the United States of America. All rights reserved. No part of this book  
may be reproduced in any form or in any means, electronic or mechanical,  
including photocopying and recording, or by an information storage and retrieval  
system without written permission of the publisher.

PRJ-63491  
02/25/16

Myth and Fact

3

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025856

**25965**

**25942**

## About NMHC—the National Multi Housing Council

NMHC is a national association representing the interests of the nation's larger and most prominent apartment firms. NMHC advocates on behalf of rental housing, conducts apartment-related research, encourages the exchange of strategic business information, and promotes the desirability of apartment living. One-third of Americans rent their housing, and 15 percent of all U.S. households live in an apartment home.

Doug Bibby, *President*

## About Sierra Club

The Sierra Club's members are 700,000 of your friends and neighbors. Inspired by nature, we work together to protect our communities and the planet. The Club is America's oldest, largest, and most influential grass-roots environmental organization.

Larry Fahn, *President*

## About AIA—the American Institute of Architects

Since 1857, the AIA has represented the professional interests of America's architects. As AIA members, more than 75,000 licensed architects, emerging professionals, and allied partners express their commitment to excellence in design and livability in our nation's buildings and communities. Members adhere to a code of ethics and professional conduct that assures the client, the public, and colleagues of an AIA-member architect's dedication to the highest standards in professional practice.

Douglas L. Steidl, *President*

## About ULI—the Urban Land Institute

ULI—the Urban Land Institute is a nonprofit educational and research institute supported by its members. Its mission is to provide responsible leadership in the use of land to enhance the total environment. ULI sponsors educational programs and forums to encourage an open exchange of ideas and sharing of experiences; initiates research that anticipates emerging land use trends and issues and proposes creative solutions based on that research; provides advisory services; and publishes a wide variety of materials to disseminate information on land use and development. Established in 1936, the Institute has more than 24,000 members and associates from more than 80 countries representing the entire spectrum of the land use and development disciplines.

Richard M. Rosan, *President*

PRJ-63491  
02/25/16

2 | Higher-Density Development

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025857

25966

25943



## ULI Review Committee

Elinor R. Bacon  
*President*  
*ER Bacon Development, LLC*  
*Washington, D.C.*

Edward T. McMahon  
*Senior Resident Fellow,*  
*Sustainable Development*  
*ULI—the Urban Land Institute*  
*Washington, D.C.*

Maureen McAvey  
*Senior Resident Fellow,*  
*Urban Development*  
*ULI—the Urban Land Institute*  
*Washington, D.C.*

Debra Stein  
*President*  
*GCA Strategies*  
*San Francisco, California*

### Representatives of the partners who directed this work:

NMHC  
Doug Bibby, *President*  
Kimberly D. Duty, *Vice President of Communications*  
Michael H. Tucker, *Director of Communications*

Sierra Club  
Neha Bhatt, *Associate Washington Representative*  
*Challenge to Sprawl Campaign*  
Eric Olson, *Associate Washington Representative*  
*Challenge to Sprawl Campaign*

ALA  
David T. Downey, *Managing Director*  
*ALA Center for Communities by Design*

ULI  
Richard M. Haughey, *Director, Multifamily Development*

PRJ-63491  
02/25/16

<sup>4</sup> Higher-Density Development  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025858

25967

25944

**A**s this country continues to grow and change, communities are left to figure out where all these new people will live, work, and shop. New markets are emerging for real estate that offers a more convenient lifestyle than is offered by many low-density sprawling communities. New compact developments with a mix of uses and housing types throughout the country are being embraced as a popular alternative to sprawl. At the core of the success of these developments is density, which is the key to making these communities walkable and vibrant.

Unfortunately, in too many communities higher-density mixed-use development is difficult to construct because of zoning and building codes that favor low-density development with segregated uses and because of opposition from the community. This publication looks at several myths surrounding higher-density development and attempts to dispel them with facts to help dismantle the many barriers such developments face.

ULI is proud to have partnered with NMHC—the National Multi Housing Council, Sierra Club, and AIA—the American Institute of Architects on this publication. This convergence of interests highlights the importance each organization has placed on finding a new development pattern that better fits the needs of a growing and changing country.

ULI will continue to provide forums in which all stakeholders can explore and debate issues about growth and development patterns and how properly designed and incorporated density can be used to accommodate new growth. ULI will conduct research, produce well-balanced information, and identify best practices on issues relevant to growth and density. Through these efforts, ULI and its partners hope to play a role in planning a better development pattern for the future.

Harry H. Frampton III  
*Chair*

PRJ-63491  
02/25/16

Myth and Fact

5

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025859

25968

25945

# Myth and Fact

America's changing population is creating demand for new types of homes, offices, and retail outlets. Better solutions are needed to the challenges created by changing demographics, dwindling natural areas, smog and public health issues, shrinking municipal budgets, and traffic congestion. Communities that answer these challenges will develop into great places to live.

America will add roughly 43 million new residents—that's 2.7 million new residents per year—between now and 2020.<sup>1</sup> America is not only growing but also undergoing dramatic demographic changes. The traditional two-parent household with children is now less than a quarter of the population and getting proportionally smaller. Single-parent households, single-person households, empty nesters, and couples without children make up the new majority of American households, and they have quite different real estate needs.<sup>2</sup> These groups are more likely to choose higher-density housing in mixed-density communities that offer vibrant neighborhoods over single-family houses far from the community core.

The fact is that continuing the sprawling, low-density haphazard development pattern of the past 40 years is unsustainable, financially and otherwise. It will exacerbate many of the problems sprawl has already created—dwindling natural areas and working farms, increasingly longer commutes, debilitating traffic congestion, and harmful smog and water pollution. Local officials now realize that paying for basic infrastructure—roadways and schools, libraries, fire, police, and sewer services—spread over large and sprawling distances is inefficient and expensive.

Most public leaders want to create vibrant, economically strong communities where citizens can enjoy a high quality of life in a fiscally and environmentally responsible manner, but many are not sure how to achieve it. Planning for growth is a comprehensive and complicated process that requires leaders to employ a variety of tools to balance diverse community interests. Arguably, no tool is more important than increasing the density of existing and new communities, which includes support for infill development, the rehabilitation and reuse of existing structures, and denser new development. Indeed, well-designed and well-integrated higher-density development makes successful planning for growth possible.

Density refers not only to high-rise buildings. The definition of density depends on the context in which it is used. In this publication, *higher density* simply means new residential and commercial development at a density that is higher than what is typically found in the existing community. Thus, in a sprawling area with single-family detached houses on one-acre lots, single-family houses on one-fourth or one-eighth acre are considered higher density. In more densely populated areas with single-family houses on small lots, townhouses and apartments are considered higher-density development. For many suburban communities, the popular mixed-use town centers being developed around the country are considered higher-density development.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025860

25969

25946

Most land use professionals and community leaders now agree that creating communities with a mix of densities, housing types, and uses could be the antidote to sprawl when implemented regionally. And across the country, the general public is becoming more informed and engaged in making the tough land use choices that need to be made while understanding the consequences of continuing to grow as we have in the past. Many have also come to appreciate the "place-making" benefits of density and the relationship between higher-density development and land preservation. Media coverage of the topic of growth and development has also evolved. Past media coverage of growth and development issues was often limited to the heated conflicts between developers and community residents. Many in the media are now presenting more thoughtful and balanced coverage, and several editorial boards support higher-density developments in their communities as an antidote to regional sprawl.

Yet despite the growing awareness of the complexity of the issue and growing support for higher-density development as an answer to sprawl, many still have questions and fears related to higher-density development. How will it change the neighborhood? Will it make traffic worse? What will happen to property values? And what about crime? Ample evidence—documented throughout this publication—suggests that well-designed higher-density development, properly integrated into an existing community, can become a significant community asset that adds to the quality of life and property values for existing residents while addressing the needs of a growing and changing population.

Many people's perception of higher-density development does not mesh with the reality. Studies show that when surveyed about higher-density development, those interviewed hold a negative view. But when shown images of higher-density versus lower-density development, people often change their perceptions and prefer higher density.<sup>1</sup> In a recent study by the National Association of Realtors® and Smart Growth America, six in ten prospective homebuyers, when asked to choose between two communities, chose the neighborhood that offered a shorter commute, sidewalks, and amenities like shops, restaurants, libraries, schools, and public transportation within walking distance. They preferred this option over the one with longer commutes and larger lots but limited options for walking.<sup>2</sup> The 2001 American Housing Survey further reveals that respondents cited proximity to work more often than unit type as the leading factor in housing choice.<sup>3</sup> Such contradictions point to widespread misconceptions about the nature of higher-density development and sprawl. Several of these misconceptions are so prevalent as to be considered myths.

To some degree, these myths are the result of memories people have of the very-high-density urban public housing projects of the 1960s and 1970s that have been subsequently deemed a failure. Somehow, the concept of density became associated with the negative imagery and social problems of depressed urban areas.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

Myth and Fact

ROR025861

25970

25947

is that complex interrelated factors such as the high concentration of poverty and poor educational and employment opportunities combined to doom the public housing projects. Even very-high-density housing can be practical, safe, and desirable. For example, the mixed-income apartments and condominiums or luxury high rises in New York and Chicago—some of the safest and most expensive housing in the country—prove that density does not equal an unsafe environment.

The purpose of this publication is to dispel the many myths surrounding higher-density development and to create a new understanding of density that goes beyond simplistic negative connotations that overestimate its impact and underestimate its value. Elected officials, concerned citizens, and community leaders can use this publication to support well-designed and well-planned density that creates great places and great communities that people love. With the anticipated population growth and continuing demographic and lifestyle changes, consensus is building that creating communities with a mix of densities, housing types, and uses will be both necessary and desirable.

*Higher-Density Development: Myth and Fact* is the sixth in a series of Urban Land Institute myth and fact booklets. The series is intended to clarify misconceptions surrounding growth and development. Other topics covered have included transportation, smart growth, urban infill housing, environment and development, and mixed-income housing.

*Higher-Density Development: Myth and Fact* examines widespread misconceptions related to higher-density development and seeks to dispel them with relevant facts and information. Although the benefits of higher-density development are often understated, so are the detrimental effects of low-density development. The advantages and drawbacks of higher-density development are compared throughout this publication with the alternative of low-density development. In the process, misconceptions regarding low-density development are also addressed.

PRJ-63491  
02/25/16

8 | Higher-Density Development  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025862

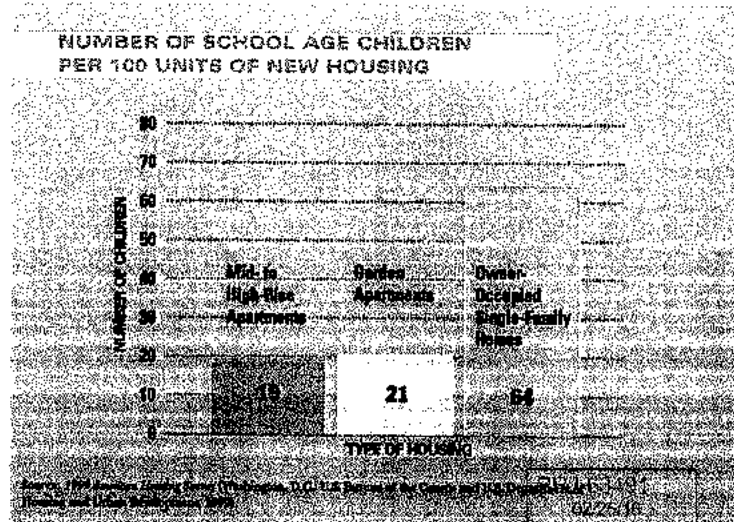
25971

25948

Higher-density development overburdens public schools and other public services and requires more infrastructure support systems.

The nature of who lives in higher-density housing—fewer families with children—puts less demand on schools and other public services than low-density housing. Moreover, the compact nature of higher-density development requires less extensive infrastructure to support it.

Public officials across the country struggle to afford the infrastructure needed to support sprawling development. A recent study analyzing the costs of sprawl estimated that more than \$100 billion in infrastructure costs could be saved over 25 years by pursuing better planned and more compact forms of development.<sup>1</sup> The issue has transcended political parties and ideologies and has become an issue of basic fiscal responsibility. California's Republican Governor Arnold Schwarzenegger has criticized "fiscally unsustainable sprawl,"<sup>2</sup> while Michigan's Democratic Governor Jennifer Granholm has noted that sprawl "is hampering the ability of this state and its local governments to finance public facilities and service improvements."<sup>3</sup>



MOD-63600, GPA-63599, ZON-63601 and DIR-63602

ROR025863

25972

25949

Progressive and conservative groups have identified sprawl as a real problem. Charter of the New Urbanism states that "placeless sprawl" is an "interrelated community building challenge." Conservative groups have concluded that "sprawl is in fact a conservative issue" with "conservative solutions" and that "sprawl was in large part created through government intervention in the economy."<sup>11</sup>

Indeed, numerous government policies over the last half century have led to and supported sprawl. Historically, federal spending for transportation has subsidized large-scale highway construction over other modes of transportation. Financing policies from the Federal Housing Administration have promoted suburban subdivisions across the nation. Large lot exclusionary zoning has forced the artificial separation of land uses, leading to large distances between employment centers, housing, and retail. But many government agencies now realize they cannot afford to continue providing the infrastructure and public services that sprawl demands.

Not only do local governments absorb much of the cost of more and more roadways, profoundly longer water and electrical lines, and much larger sewer systems to support sprawling development, they must also fund public services to the new residents who live farther and farther from the core community. These new residents need police and fire protection, schools, libraries, trash removal, and other services. Stretching all these basic services over ever-growing geographic areas places a great burden on local governments. For example, the Minneapolis/St. Paul region built 78 new schools in the suburbs between 1970 and 1990 while simultaneously closing 162 schools in good condition located within city limits.<sup>12</sup> Albuquerque, New Mexico, faces a school budget crisis as a result of the need to build expensive new schools in outlying areas while enrollment in existing close-in schools declines.

## PROFILE



### The Market Common Clarendon

Located on the site of a former parking lot and occupying roughly ten acres of land, the Market Common in Clarendon, Virginia, just outside Washington, D.C., provides 300 Class A apartments, 87 townhouses, 100,000 square feet of office space, and 240,000 square feet of prime retail space. Located within walking distance of the Orange Line of Washington's extensive subway system, residents can leave their cars parked while they take public transit to work. They can also walk to a Whole Foods grocery store adjacent to the highly successful development. Prominent national retailers occupy the ground level of the building, and structured parking is provided. The compact development form of the Market Common promotes walking, biking, and using public transit over autos. The apartments are attractive to young professionals without children, lessening the impact on the county's school system. The project is the result of a successful collaboration of McCaffery Interests, Arlington County officials, and citizens of the Clarendon neighborhood; it has spurred new retail, office, and residential construction on neighboring sites.

Located within walking distance of a Washington, D.C., Metro stop, the Market Common provides housing, offices, retail, and restaurants on a ten-acre site that was formerly a parking lot.

school system. The project is the result of a successful collaboration of McCaffery Interests, Arlington County officials, and citizens of the Clarendon neighborhood; it has spurred new retail, office, and residential construction on neighboring sites.

PRJ-63491  
02/25/16

10 Higher-Density Development

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025864

25973

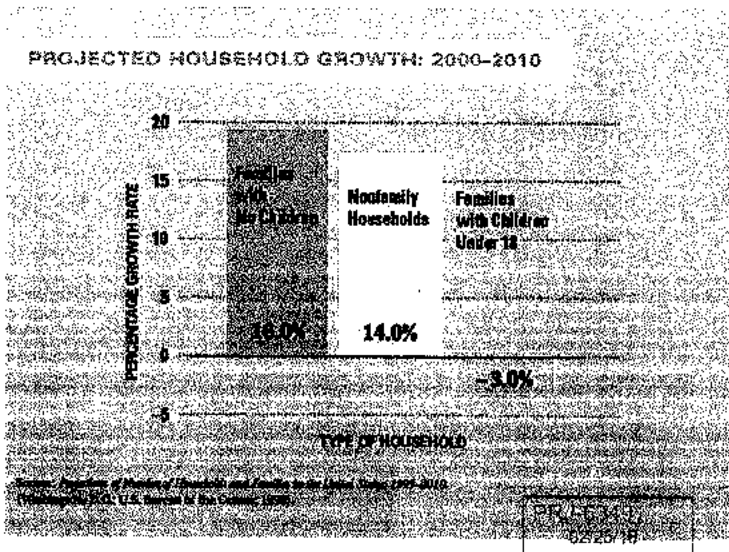
25950

Unfortunately for local governments, a growing body of evidence shows that sprawling development often does not pay enough property tax to cover the services it requires. A study conducted for a suburban community outside Milwaukee found that public services for an average-price single-family house in that community cost more than twice as much as the property taxes paid by the homeowner.<sup>12</sup>

One reason for the disparity between property tax revenue and the cost of public services is expenditures for public schools. Low-density suburbs and exurban areas generally attract families with more school-age children. In fact, single-family developments average 64 children for every 100 units, compared with only 21 children for every 100 units of garden apartments and 19 children for every 100 units of mid- to high-rise apartments.<sup>13</sup> The reason is that multifamily housing attracts predominantly childless couples, singles, and empty nesters.

And although apartment renters do not pay property tax directly, apartment owners do. Apartments are also usually taxed at a higher commercial real estate tax rate,<sup>14</sup> so a typical mixed-use development with retail, office, and apartments may subsidize the schools and other public services required by residents of low-density housing in the same community. This phenomenon is further exacerbated because many multifamily developments and retail and office establishments pay for their own trash disposal, shuttle buses, and security.

Reducing the distance between homes, shops, and offices also reduces the cost of public infrastructure. According to one of many studies, "The public capital and operating costs for close-in, compact development [are] much lower than they [are] for fringe, scattered, linear, and satellite development."<sup>15</sup> And many of these studies do not take into account the advantages created by making public transit



MOD-63600, GPA-63599, ZON-63601 and DIR-63602

ROR025865

25974

25951



more feasible as well as making delivery of basic services like mail delivery, trash collection, and police and fire protection more efficient.

Another emerging body of research suggests that higher-density development is an important component of economic development initiatives and helps attract new employers. "Information economy" is a term used to define the growing industries based on the economics of the Internet, information goods, and intellectual property. Workers in this field are known as "knowledge workers," and many believe they are the future of the American economy. These workers are comfortable with the latest technology and, because their skills are transferable, choose their jobs based on the attributes of the town or city where they are located. They seek out vibrant, diverse urban centers that offer access to technology, other knowledge workers, and lifestyle.<sup>13</sup>

The economic development game has changed. Employers now follow the workers rather than the other way around. Therefore, communities that focus on providing a high quality of life with the energy and vitality created by urban centers will be much more likely to attract these highly prized, talented, and productive workers than communities of faceless sprawl. Companies that understand the appeal of these communities are making relocation decisions with these workers in mind. Studies have shown that increasing employment density increases labor productivity, generally by reducing commuting times.<sup>17</sup>

Thus, introducing higher-density projects into a community will actually increase that community's revenue without significantly increasing the infrastructure and public service burdens. Blending apartments into low-density communities can help pay for schools without drastic increases in the number of students. Diversifying housing options and adding amenities like shops and offices close by will improve the quality of life and attract businesses and people that will strengthen the community's economic stability. Increasing density provides a real economic boost to the community and helps pay for the infrastructure and public services that everybody needs.

## PROFILE

### Highlands' Garden Village

Built on the site of the Elitch Gardens amusement park in Denver, Highlands' Garden Village is a walkable, transit-linked community and a financially viable model for environmentally responsible infill development. New York-based developer Jonathan Rose & Companies developed single-family homes, townhouses, seniors' and multifamily apartments, cohousing, offices, and retail space on the site. At the center, a historic theater and carousel from the original amusement park are being transformed



Highlands' Garden Village reuses some structures from the amusement park previously located on the site. The compact development, combined with a variety of uses and housing types, uses public infrastructure more efficiently than low-density sprawling development.

into a community performing arts center and a walking labyrinth. Berkeley, California-based Calthorpe Associates designed a plan that put new homes on three sides of a square-shaped village and a commercial "main street" on the fourth. Restaurants, studios, and shops line the street with live/work townhouses and offices above, giving residents the opportunity to live, work, and shop in the same community. The proximity of amenities, location near downtown, and convenience of public bus lines encourage people to walk and reduce travel costs.

PRJ-63491  
Q2/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025866

25975

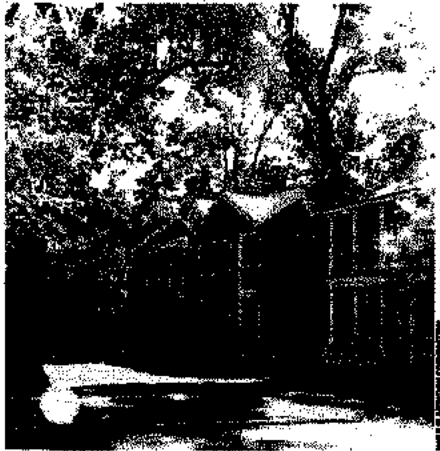
25952

Higher-density developments lower property values in surrounding areas.

No discernible difference exists in the appreciation rate of properties located near higher-density development and those that are not. Some research even shows that higher-density development can increase property values.

The precise value of real estate is determined by many factors, and isolating the impact of one factor can be difficult. Although location and school district are the two most obvious determining factors of value, location within a community and size and condition of the house also affect value. Several studies have examined whether multifamily housing has any impact on the value of nearby single-family detached houses. These studies have shown either no impact or even a slightly positive impact on appreciation rates.

#### PROFILE



#### Haile Plantation

Haile Plantation is a Gainesville, Florida, icon. Although it is denser than surrounding communities, the values of homes in Haile Plantation are often higher than the values of houses in neighboring lower-density communities, because the traditional neighborhood design employed there makes Haile Plantation more desirable and valuable. Beginning with the master plan in 1975, Haile Plantation has been called one of the first new urbanist communities in the country. Developers Bob Rowe and Bob Kramer in conjunction with the Haile Plantation Corporation developed the 1,700-acre site to include more than 2,700 units, ranging from single-family homes to townhouses and garden apartments. The sense of community has only grown with the expansion of the development to include a town center, a village green, trails, civic uses, and offices. Indeed, it is density and diversity that together add value to this popular Florida community.

Homes in Haile Plantation sell for more than neighboring homes because prospective buyers view the traditional neighborhood design as a valuable and desirable amenity.

PRJ-63491  
02/25/16

MOD-63600, GPA-63599, ZON-63601 and DIR-63602

ROR025867

25976

25953

For instance, one study by the National Association of Home Builders looked at data from the American Housing Survey, which is conducted every two years by the U.S. Census Bureau and the Department of Housing and Urban Development. It found that between 1997 and 1999, the value of single-family houses within 300 feet of an apartment or condominium building went up 2.9 percent a year, slightly higher than the 2.7 percent rate for single-family homes without multifamily properties nearby.<sup>14</sup>

Another study, commissioned by the Family Housing Fund in Minnesota, studied affordable apartments in 12 Twin Cities neighborhoods and found "little or no evidence to support the claim that tax-credit family rental developments in [the] study eroded surrounding home values."<sup>15</sup> And a long-term study by Harvard University's Joint Center for Housing Studies published in 2003 also confirms that apartments pose no threat to nearby single-family house values, based on U.S. Census data from 1970 to 2000.<sup>16</sup>

Not only is there compelling evidence that increased density does not hurt property values of nearby neighbors: researchers at Virginia Tech University have concluded that over the long run, well-placed market-rate apartments with attractive design and landscaping actually increases the overall value of detached houses nearby.<sup>17</sup> They cite three possible reasons. First, the new apartments could themselves be an indicator that an area's economy is vibrant and growing. Second, multifamily housing may increase the pool of potential future homebuyers, creating more possible buyers for existing owners when they decide to sell their houses. Third, new multifamily housing, particularly as part of mixed-use development, often makes an area more attractive than nearby communities that have fewer housing and retail choices.<sup>18</sup>

## PROFILE

### Echelon at Lakeside

Echelon at Lakeside is the only multifamily development in an upscale, master-planned single-family suburban neighborhood of Lakeside on Preston in Plano, Texas a suburb of Dallas. Florida-based developers Echelon Communities, LLC, overcame initial community opposition from area residents through high-quality innovative design. The award-winning architecture blends seamlessly with the surrounding neighborhood's traditional style. Larger-than-normal floor plans, individual entries, and attached garages combine to mirror the grand



The award-winning apartments at Echelon at Lakeside were designed to blend with the neighboring luxury homes.

estates in the surrounding communities. Although street elevations make the buildings appear to be one single-family home, they actually house several multifamily units. Memphis-based architects Looney Ricks Kiss used five building types and three building styles. All units include high-quality interior finishes; community amenities include a resort-style pool, fitness facility, clubhouse, business and conference center, and full-time concierge.

PRJ-63491  
02/25/16

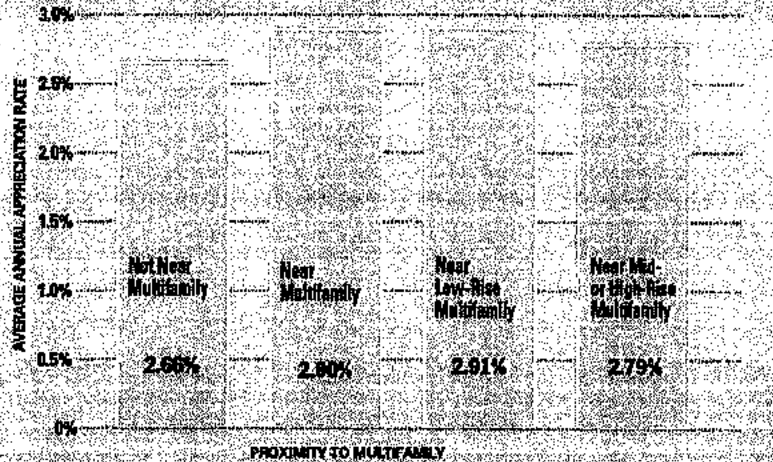
**MED-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025868

25977

25954

**AVERAGE ANNUAL APPRECIATION FOR SINGLE-FAMILY  
DETACHED HOMES BY NEARNESS TO MULTIFAMILY BUILDINGS**



Source: NAHB compilation based on data in the *American Housing Survey 1997 and 1999* (Washington, D.C.: U.S. Bureau of the Census and U.S. Department of Housing and Urban Development, 1997 and 1999).

Concerned citizens should use the entitlement process to demand high-quality development in their communities while understanding that density and adjacent property values are not inversely related. Higher-density real estate developers and investors in higher-density real estate need to appreciate the fact that most Americans' wealth is held in their home equity. Therefore, changes in property values can have very real consequences to existing property owners. Likewise, homeowners would benefit from knowing that developers make a substantial financial commitment when investing in new higher-density projects. This investment is an incentive to make the project successful, which can give the community leverage in working with the developer. Such interrelated and overlapping economic interests among these stakeholders make it all the more likely that a mutually beneficial agreement can be reached. Such an agreement can result in a project that enhances the existing community, ensures the appreciation of residents', developers', and the local government's financial interests, and addresses the needs of current and future residents of the community and region.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025869

25978

25955

Higher-density development creates more regional traffic congestion and parking problems than low-density development.

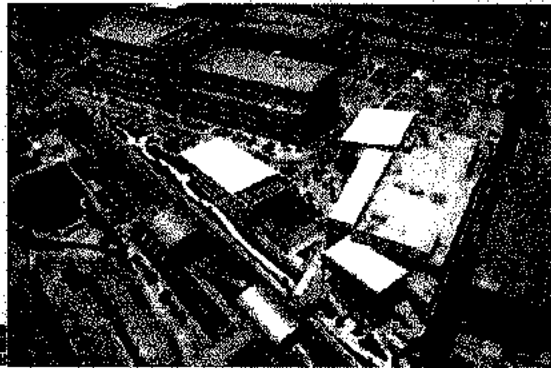
Higher-density development generates less traffic than low-density development per unit; it makes walking and public transit more feasible and creates opportunities for shared parking.

**M**ost people assume that higher-density development generates more traffic than low-density development and that regional traffic will get worse with more compact development. In fact, the opposite is true. Although residents of low-density single-family communities tend to have two or more cars per household, residents of high-density apartments and condominiums tend to have only one car per household." And according to one study using data from the National Personal Transportation Survey, doubling density decreases the vehicle miles traveled by 38 percent."

## PROFILE

### Mockingbird Station

The residents of Mockingbird Station in Dallas, Texas, are far less dependent on their cars, because they have a whole host of amenities at their doorstep. Dallas developer Ken Hughes partnered with Denver-based Simpson Housing Group to create the ten-acre pedestrian-oriented urban village, which includes 216 loft apartments, an eight-screen film center and café, more than 90 shops and restaurants, offices, an enclosed public plaza, and parking, all directly linked to the Dallas Area Rapid Transit (DART) light-rail system. Mockingbird Station provides direct platform access to DART trains, which offer residents an eight-minute commute to Dallas's central business district and a single train connection to the Dallas Convention Center, Reunion Arena, and other downtown entertainment. The new village is also immediately adjacent to the campus of Southern Methodist University and within walking distance of the university's new stadium and sports center RIKI, created architecture reminiscent of historic train stations but with a modern twist to the materials and detailing. Although only limited driving is necessary, a parking garage is provided but placed out of sight and underground. The myriad materials, architectural styles, and amenities create a vibrant transit-oriented community.



Residents of Mockingbird Station can leave their cars in the garage and take an eight-minute train ride to downtown Dallas; they can also walk to shops, offices, and a movie theater.

PRJ-63491  
02/25/16

**MCD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025870

25979

25956

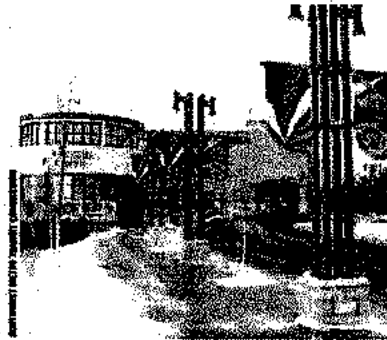
The reason is that higher-density developments make for more walkable neighborhoods and bring together the concentration of population required to support public transportation. The result is that residents in higher-density housing make fewer and shorter auto trips than those living in low-density housing.<sup>37</sup> Condominium and townhouse residents average 5.6 trips per day and apartment dwellers 6.3 car trips per day, compared with the ten trips a day averaged by residents of low-density communities. (A trip is defined as any time a car leaves or returns to a home.)

Increasing density can significantly reduce dependency on cars, but those benefits are even greater when jobs and retail are incorporated with the housing. Such mixed-use neighborhoods make it easier for people to park their car in one place and accomplish several tasks, which not only reduces the number of car trips required but also reduces overall parking needs for the community. But if retail uses are to survive, they must be near households with disposable income. Having those households within walking distance of the shops builds in a market for the stores. One study indicates that in some markets, 25 to 35 percent of retail sales must come from housing close to shops for the shops to be successful.<sup>38</sup>

## PROFILE

### Southwest Station

The Southwest Metro Transit Commission is a small suburban bus system near Minneapolis that serves downtown Minneapolis and numerous other employment and recreation centers, including Minnesota Twins baseball games. The American Public Transportation Association calls it the "best small system in the country." In an effort to capitalize and expand on the success of the system, the commission has encouraged transit-oriented development at its bus stops. In Eden Prairie, Minnesota, the commission completed a bus depot and five-story parking garage on 22 acres of excess right-of-way. In 2001, it started selling land around the transit complex for retail and residential development. Restaurants, shops, and more than 250 apartments, condominiums, and townhouses soon followed. The new development generated revenue for the commission, new public transit riders, affordable convenient housing, and a suburban lifestyle with the amenities usually afforded only to city dwellers.



The Southwest Metro Transit Commission in suburban Minneapolis runs an award-winning bus system and has encouraged higher-density development around transit stops, like this one at Southwest Station in Eden Prairie, Minnesota.

PRJ-63491  
02/25/16

MOD-63600, GPA-63599, ZON-63601 and DIR-63602

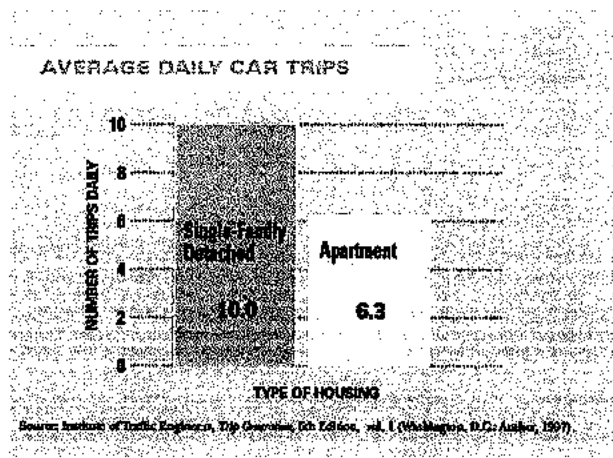
ROR025871

25980

25957

# MYTH THREE | FACT THREE

With a typical family now making more car trips for family, personal, social, and recreational reasons than for commuting to work,<sup>11</sup> reducing the number of noncommuting trips takes on greater importance in the battle to reduce traffic congestion and parking problems. A case study in Washington, D.C., found that workers in dense downtown Washington made 80 percent of their mid-day trips by foot while suburban workers made 67 percent of their mid-day trips by car.<sup>12</sup> Although a suburban office park would never reach the density levels of a downtown area, planners can still reduce the auto dependency of suburban office workers by using some of the same design techniques. Concentrating density around



suburban offices, allowing and encouraging retail and restaurants in and near the offices, and planning for pedestrian and bike access can all reduce the number of lunchtime car trips required by office workers.

Higher-density mixed-used developments also create efficiencies through shared parking. For example, office and residential uses require parking at almost exact opposite times. As residents leave for work, office workers return, and vice versa. In addition, structured parking becomes feasible only with higher-density developments.

Higher-density development also makes public transit more feasible. When a community that includes residences, shops, and offices reaches a certain threshold of density, public transit-shuttles, bus service, trams, or light rail becomes an option for residents. It is estimated that a minimum density of seven dwelling units per acre is needed to make local bus service feasible with an intermediate level of service.<sup>13</sup> Light rail needs a minimum density of nine dwelling units per acre to be feasible.<sup>14</sup> When a community can take advantage of these options and increase the transportation choices for residents, relief is greater as total car dependency is further broken. Such choices are impossible for low-density developments.

PRJ-63491  
02/25/16

**MCD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025872

25981

25958

Higher-density development leads to higher crime rates.

The crime rates at higher-density developments are not significantly different from those at lower-density developments.

People sometimes associate density with crime, even though numerous studies show that no relationship exists between the two. A study in Irving, Texas, using geographic information systems and crime statistics, found no link between crime and density. In fact, it found that single-family neighborhoods are "not all associated with lower crime rates."<sup>11</sup> Another study conducted by the University of Alaska found no relationship between housing density and crime in Anchorage.<sup>12</sup>

## PROFILE

### Westminster Place

Although today Westminster Place is a thriving, safe community in midtown St. Louis, it was not always the case. The area, approximately 90 acres, was well known by the St. Louis police department for its high rate of violent crime, which led to the area's becoming blighted. McCormack Baron Salazar, a St. Louis-based developer, brought the community back through the addition of higher-density mixed-income housing comprising affordable and market-rate units. The master plan included for-sale and rental housing, garden apartments, townhouses, single-family homes, and even an assisted living facility for seniors. A new community pool, a bustling retail center, and a magnet school are included as well. The new plan slowed traffic through the community, added landscaping and street and parking lot lighting, and new "eyes on the street," making it more difficult for criminals to go unnoticed. The area blossomed into a place where people once again feel safe walking. The success of the community spurred the revitalization of surrounding areas.



Increasing the housing density, adding some market-rate housing, and developing a design that slowed traffic and added additional lighting changed Westminster Place from a crime-ridden neighborhood to a thriving, safe community.

PRJ-63491  
02/25/16

MOD-63600, GPA-63599, ZON-63601 and DIR-63602

ROR025873

25982

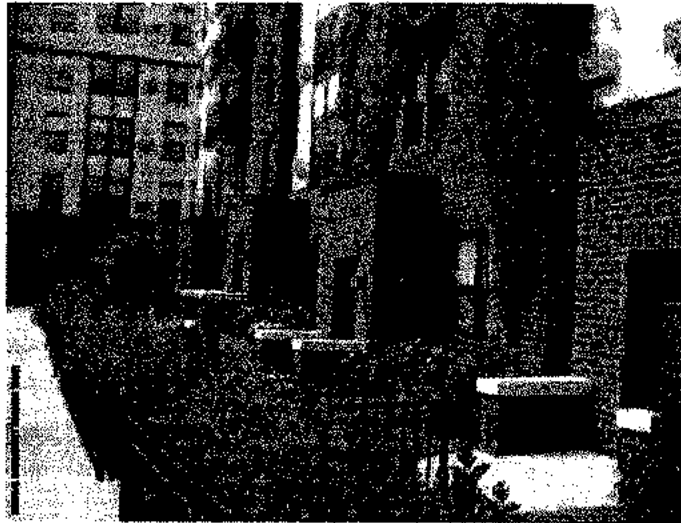
25959



## PROFILE

### East Village

East Village is a small urban revitalization project on the edge of downtown Minneapolis. Before the project was built, the neglected 2.8-acre site contained several deteriorating rental homes, old commercial buildings, and abandoned surface parking lots. The neighborhood wanted to improve the area and the image of one of the city's oldest neighborhoods, Elliot Park. The developers of the project, Central Community Housing Trust and East Village Housing Corporation, developed the new mixed-income housing and commercial community to encourage a sense of community and ownership. East Village now features community green space, pedestrian paths, and neighborhood businesses. Buildings surround the greenway that feeds to Elliot Park, a city park with year-round activities and a community center. Brick, bay windows, and French balconies complement historic buildings in the area. In addition, all buildings have multiple entrances to encourage interaction among neighbors. An underground 350-space parking garage frees up space for landscaped areas. This once neglected area has won two awards for innovation and design and become an exceedingly successful vibrant and safe community.



The additional "eyes on the street" created by the development of East Village in Minneapolis has led to a safer vibrant community.

PRJ-63491  
02/25/16

**MOB-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025874

25983

25960

# MYTH FOUR | FACT FOUR

Arizona researchers found that when police data are analyzed per unit, apartments actually create less demand for police services than a comparable number of single-family houses. In Tempe, Arizona, a random sample of 1,000 calls for service showed that 35 percent originated from single-family houses and just 21 percent came from apartments. Similarly, a random sample of 600 calls for service in Phoenix, Arizona, found that an apartment unit's demand for police services was less than half of the demand created by a single-family house.<sup>22</sup>

One reason for the misperception that crime and density are related could be that crime reports tend to characterize multifamily properties as a single "house" and may record every visit to an apartment community as happening at a single house. But a multifamily property with 250 units is more accurately defined as 250 houses. To truly compare crime rates between multifamily properties and single-family houses, the officer would have to count each household in the multifamily community as the equivalent of a separate single-family household. When they do so, many find what the previous studies prove: that crime rates between different housing types are comparable.

Higher-density developments can actually help reduce crime by increasing pedestrian activity and fostering a 24-hour community that puts more "eyes on the street"™ at all times. Many residents say they chose higher-density housing specifically because they felt more secure there; they feel safer because there are more people coming and going, making it more difficult for criminals to act without being discovered. This factor could explain why a ULI study of different housing types in Greenwich, Connecticut, shows that higher-density housing is significantly less likely to be burglarized than single-family houses.<sup>23</sup> The relationships among design, management, and security became better understood in the past few decades with the publication of several seminal works, including *Defensible Space: Crime Prevention through Urban Design* by Oscar Newman<sup>24</sup> and *Fixing Broken Windows: Restoring Order and Reducing Crime in our Communities* by George Kelling and Catherine Coles.<sup>25</sup> Many new higher-density developments include better lighting plans and careful placement of buildings and landscaping to reduce opportunities for crime, contributing to a safer community.

With the emergence of better-quality designs, higher-density mixed-use development is an attractive and safe addition to a community, one that is increasingly attracting a professional constituency seeking safety features. In fact, the luxury segment is one of the fastest-growing components of the multifamily industry.<sup>26</sup>

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025875

25984

25961

**Higher-density development is environmentally more destructive than lower-density development.**

**Low-density development increases air and water pollution and destroys natural areas by paving and urbanizing greater swaths of land.**

**L**ow-density sprawl takes an enormous toll on our air, water, and land. The United States is now losing a staggering 2 million acres of land a year to haphazard, sprawling development.<sup>39</sup> More than 50 percent of Americans live in places where the air is unhealthy to breathe,<sup>40</sup> and childhood asthma and other respiratory diseases are on the rise.<sup>41</sup> Almost half the damage to our streams, lakes, and rivers is the result of polluted runoff from paved surfaces.<sup>42</sup>

It is inefficient land use, not economic growth, that accounts for the rapid loss of open space and farms. Since 1994, housing lots larger than ten acres have accounted for 55 percent of the land developed.<sup>43</sup> This loss of land often causes unexpected economic challenges for rural communities, where farmland, forests, ranchland, and open space tend to be the economic drivers that attract businesses, residents, and tourists. Low-density sprawl compromises the resources that are the core of the community's economy and character. The majority of American homeowners think it is important to stop these trends. In fact, 76 percent of local ballot initiatives related to land conservation passed in November 2004, making \$2.4 billion in funding available for protection of parks and open space.<sup>44</sup> But purchasing land is only part of the solution and not always an option for financially strapped governments.

Higher-density development offers the best solution to managing growth and protecting clean air and clean water. Placing new development into already urbanized areas that are equipped with all the basic infrastructure like utility lines, police and fire protection, schools, and shops eliminates the financial and environmental costs of stretching those services farther and farther out from the core community. Compact urban design reduces driving and smog and preserves the natural areas that are assets of the community: watersheds, wetlands, working farms, open space, and wildlife corridors. It further minimizes impervious surface area, which causes erosion and polluted stormwater runoff. Two studies completed for the state of New Jersey confirm that compact development can achieve a 30 percent reduction in runoff and an 85 percent reduction in water consumption compared with conventional suburban development.<sup>45</sup>

PRJ-63491  
02/25/16

**M&D-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025876

25985

25962

# PROFILE

## Prairie Crossing

The developers of Prairie Crossing, George and Vicky Ranney, saved \$1 million in infrastructure costs through environmentally sensitive design. The 677-acre conservation community is located in Grayslake, Illinois, 40 miles northwest of Chicago and one hour south of Milwaukee. The community features 350 acres of open space, including 180 acres of restored prairie, 150 acres of active farmland, 13 acres of wetlands, a 22-acre lake, a village green, and several neighborhood parks. Houses are sited to protect natural features such as hedgerows, native habitat, and wetlands. Designed with colors and architecture inspired by the landscape, every home has a view of open space and direct access to ten miles of on-site walking and biking trails. Wide sidewalks, deep front porches, and rear garages encourage neighbors to meet. The homes were built with U.S. Department of Energy-approved green building techniques. As a result, they are 50 percent more energy efficient than other homes in the Chicago area, and they sell for a 33 percent sales premium. Station Village is the last phase of Prairie Crossing. When complete, it will include residential, retail, and office space, all within walking distance of two commuter train stations. Residents can ride Metra's North Line to Chicago's Union Station or the Central Line to downtown Chicago and O'Hare Airport.

More than half the land at Prairie Crossing was preserved as open space, and homes were built with approved green building techniques.



MOD-63600, GPA-63599, ZON-63601 and DIR-63602

ROR025877

25986

25963

PROFILE

**The Preserve**

USS Real Estate originally held a 550-acre tract of land in Hoover, Alabama, but sold 250 acres to the city, intending to create the Moss Rock Nature Preserve. The 580 single-family homes, 50,000 square feet of retail, and 50,000 square feet of office space are concentrated on the remaining 311-acre site. Before development of the Preserve, Hoover was characterized by sprawling conventional development and lacked a town center. The Preserve's future town center is planned to include 34 live/work units, 14 retail units, and two restaurants; at the heart of the community is the village green, an impressive eight-acre park with a town hall, a fitness center, a junior olympic swimming pool, and a kiddie pool. Residents have access to 15 acres of parks and seven miles of trails that connect to award-winning Hoover schools and the newly created Moss Rock preserve.

Clustering development at the Preserve in Hoover, Alabama, enabled the creation of the 250-acre Moss Rock Nature Preserve.



02/25/16

**MCD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025878

25987

25964

Many communities employ techniques such as infill and brownfield development to transform unused, abandoned lots into vibrant, revenue-generating components of the community. Some create direct incentives for higher-density development. The city of Austin, Texas, for example, created a program that rewards developers for locating projects in the city's existing neighborhoods and downtown. Others award points for a variety of attributes, such as transit access, the redevelopment of empty lots, and an increase in pedestrian facilities. By employing standards for factors like open space, dense development, and impact on water quality, communities can facilitate good urban design that preserves natural resources.

Although a well-designed higher-density community offers residents a higher-quality environment, poorly planned sprawl does the opposite. Because low-density sprawl gobbles up so much land through large-lot zoning, it ends up destroying the very thing most people moved there for in the first place—the natural areas and farmland. It forces people to drive longer distances, increasing regional air quality problems. The average American man spends 81 minutes behind the wheel every day, while women average 68 minutes. And surveys show that the time spent driving has been consistently increasing every year.<sup>4</sup> The national road network, currently at 4 million miles according to the U.S. Department of Transportation, is still growing at an alarming rate, mainly for the purpose of connecting new low-density suburbs back to core communities. Along with the water and air pollution, construction of these highways perpetuates the cycle of sprawl, fragments wildlife habitats, and dries up a community's financial coffers.

Increasing density not only improves air and water quality and protects open space but also redirects investments to our existing towns and cities. It can revitalize existing communities and create more walkable neighborhoods with access to public transit and hiking and biking trails. Pedestrian-friendly higher-density developments offer general health benefits as well. Mixed land uses give people the option to walk and bike to work, shops, restaurants, and entertainment. The convenience of compact communities may help fight diseases related to obesity.<sup>5</sup> Higher-density communities are vital to preserving a healthy environment and fostering healthy lifestyles.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025879

**25988**

**25965**

Higher-density development is unattractive and does not fit in a low-density community.

Attractive, well-designed, and well-maintained higher-density development attracts good residents and tenants and fits into existing communities.

**H**igher-density development comes in many forms. Some of the most attractive well-planned modern development is built at a high density. Across America, appealing higher-density mixed-use town centers have been wildly popular with the public. Lushly landscaped boulevards, fountains, and showcase architecture have created a sense of place in areas previously known only for faceless, uninteresting low-density development. The enduring appeal

## PROFILE

### Post Riverside

Atlanta is often called the poster child for suburban sprawl. However, it is also the home of Post Riverside, a revolutionary new mixed-use pedestrian-oriented community developed by Atlanta-based Post Properties, Inc., and located on the banks of the Chattahoochee River between Atlanta's bustling Buckhead and Vinings communities. As is the trend nationally, 65 percent of all vehicle trips in Atlanta are to run errands, not to commute to work. With offices, shops, and restaurants within walking distance of the apartments, Post Riverside residents depend on autos much less than their neighbors in lower-density areas. In addition, the community is connected to Atlanta's MARTA subway system and the Cobb County transit system. This award-winning 85-acre mixed-use development includes 25,000 square feet of retail space, 225,000 square feet of office space, and 535 apartments, all designed around a gracious town square. For many people, this amenity-rich, low-maintenance lifestyle better suits their needs than a traditional single-family home in a low-density neighborhood.



Post Riverside in Atlanta demonstrates that higher-density development can be attractive and successful in a community known for lower-density development.

02/25/16

**MOD-63800, GPA-63599, ZON-63601 and DIR-63602**

ROR025880

25989

25966

and desirability of older and more gracious higher-density neighborhoods—Georgetown in Washington, D.C., Beacon Hill and Back Bay in Boston, and Lincoln Park in Chicago—attest to the fact that some of the more desirable neighborhoods in America historically have been of higher density than that found in typical outer suburbs.

This return to the design principles of the past is at the core of the new urbanist movement that took hold in the 1990s. The movement grew as many people came to miss the sense of community that was created by the mixed-density and mixed-use communities of the past. They realized that low-density subdivisions isolated their owners not only from pedestrian access to shops and offices but also from their neighbors. The growing sense of social alienation, highlighted in books like Robert Putnam's *Bowling Alone*,<sup>10</sup> has led many back to the comfort of communities that are a reminder of the places where many of us grew up. These new communities combine the best design ideas of the past with the modern conveniences of today to provide residents with what has been missing from many sprawling areas—a sense of community.

Today's developers, architects, and planners know that to attract customers and to secure zoning approvals and community acceptance, they must produce attractive and innovative properties that complement their surroundings. Design professionals are driven to produce projects that meet users' demands, understand and respond to the context of a site, enhance its neighborhood, and are built to last.<sup>11</sup> In fact, attendance at a recent American Institute of Architects-sponsored conference on density far surpassed expectations, speaking to the interest among land use professionals in addressing the design issues associated with density.<sup>12</sup>

It is plausible that the high level of citizens' opposition to density may be based on an outdated notion of what higher-density development looks like. A University of North Carolina study revealed that when given a choice between two attractively designed communities, one higher density and the other low density, the majority preferred the higher-density option.<sup>13</sup> Other visual preference surveys confirm that there is an almost universal negative reaction to the visual appearance of commercial strip sprawl and an almost universal positive reaction to traditional town-like communities of the past, communities that almost invariably included a mix of densities and uses.<sup>14</sup>

## PROFILE

### The Plaza at the Arboretum

This award-winning mixed-use project in Santa Monica, California, developed by California-based Legacy Partners, achieves a density of 67.5 dwelling units per acre. The attractive seven-story building includes 10,000 square feet of retail space and 350 apartment units ranging from 612 to 1,555 square feet. The architecture firm Meeks and Partners used strong geometric forms to create a playful architectural character that fits nicely in the avant-garde Hollywood studio section of Santa Monica. The development includes a swimming pool, spa, fitness center, and clubhouse.



Higher-density developments like The Plaza at the Arboretum present opportunities to create outstanding award-winning architecture.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025881

25990

25967

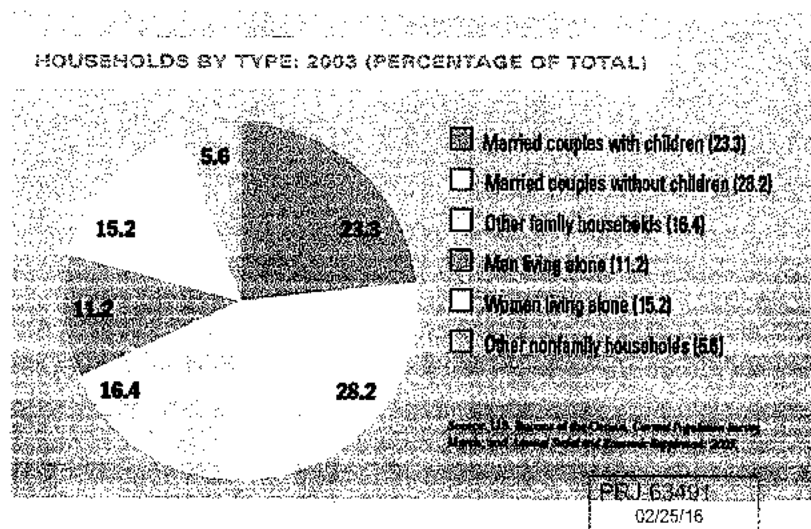


No one in suburban areas wants higher-density development.

Our population is changing and becoming increasingly diverse. Many of these households now prefer higher-density housing, even in suburban locations.

When many of us think of the American Dream, we envision married couples with children living in single-family detached houses in the suburbs. The notion is that the only people who want to live in higher-density areas are those who cannot afford a traditional house with a back yard or who want to live in the middle of the city. Both perceptions are flawed.

This country's population is changing, and so are its real estate preferences. These lifestyle changes have significant implications for suburban development. For the first time, there are more single-person households (26.4 percent) than married-



MED-63600, GPA-63599, ZON-63601 and DIR-63602

ROR025882

25991

25968

couple-with-children households (23.3 percent).<sup>11</sup> The groups growing the fastest, people in their mid-20s and empty nesters in their 50s, are the groups most likely to look for an alternative to low-density, single-family housing.<sup>12</sup>

A growing number of Americans are redefining their American Dream. They are seeking a more convenient and vibrant lifestyle. And while some seek this lifestyle in cities, many others seek the same lifestyle in the suburbs. According to a 2002 study by the National Association of Home Builders, more than half the renters questioned said they wanted to live in the suburbs.<sup>13</sup> Moreover, a national survey of homebuyers' community preferences found that nearly three-quarters of all

## PROFILE

### King Farm

This 430-acre community is characterized by the historic architecture of the region but offers an assortment of modern conveniences as well. Developed by King Farm Associates, LLC, King Farm is located in Rockville, Maryland, five miles from the Washington, D.C., beltway, 15 miles from downtown D.C., and walking distance from the Shady Grove Metro station. The neighborhood was designed for pedestrians, but the King Farm shuttle makes getting around even easier. The shuttle runs a complimentary route between the King Farm Village Center, the Metro station, and the Irvington Center, a 80-acre commercial complex next to the Metro. In addition, two types of public bus service are available at King Farm. At the Village Center, 120,000 square feet of retail space is within walking distance from both residential and commercial development. The center also includes 47 loft apartments and a one-acre village green. Watkins Pond and Baileys Common are King Farm's two residential villages. They offer single-family homes, townhouses, condominiums, and luxury apartments intertwined with natural areas. The center of Watkins Pond is a 12-acre city park with tennis and basketball courts, a soccer and softball field, two playgrounds, several picnic areas, benches, and paths.



King Farm is a successful higher-density suburban community that integrates housing, retail shops, offices, and public transit.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025883

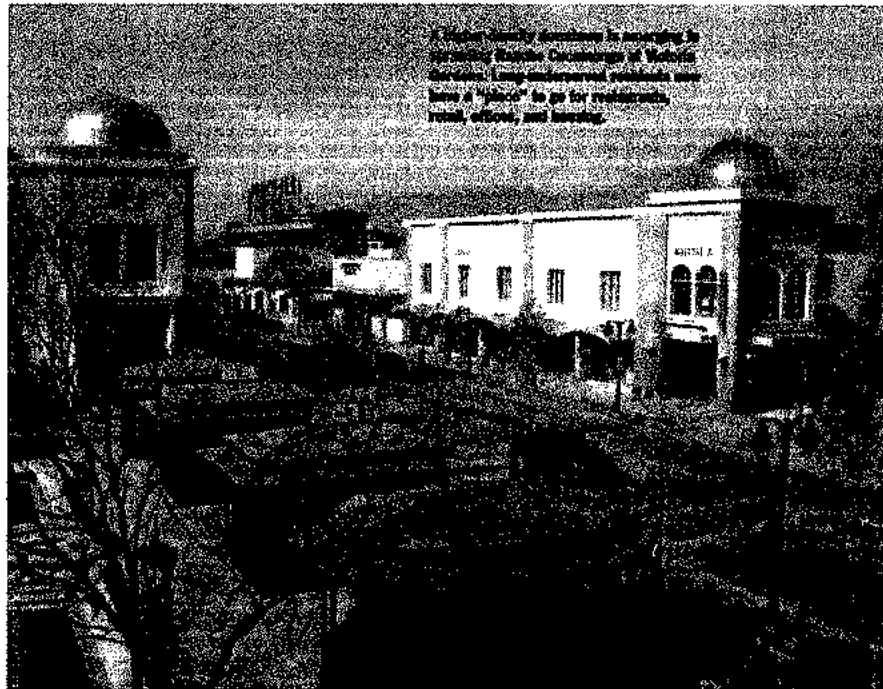
25992

25969

PROFILE

Victoria Gardens

The city of Rancho Cucamonga, located roughly 60 miles east of Los Angeles in California's Inland Empire, has a rich agricultural history and, more recently, a history of low-density sprawl with no real city center. This situation is changing, however, with the opening of the first phases of a huge new mixed-use development known as Victoria Gardens. The development, designed by L.A.-based architects, Alton + Porter, and being developed jointly by California-based developers Forest City California and the Lewis Investment Company, will create a vibrant higher-density downtown where none previously existed. Rapidly growing Rancho Cucamonga has been traditionally underserved by restaurants and entertainment options. The long-awaited addition of a "plaza" in the city has been well received by residents. The 147-acre development will eventually contain 1.3 million square feet of commercial and community space, including retail, entertainment, office, and civic uses with a cultural center and a library. Twenty acres of housing on site will allow people to live within walking distance of all the amenities of Rancho Cucamonga's new downtown.



PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025884

25993

25970

## MYTH SEVEN | FACT SEVEN

buyers prefer to live in a community where they can walk or bike to some destinations.<sup>29</sup> The 2001 American Housing Survey further reveals that respondents cited proximity to work more often than unit type as the leading factor in housing choice.<sup>30</sup> These surveys confirm that many people prefer the suburbs but want the amenities traditionally associated with cities, including living close to work.

With the continuing decentralization of cities and the rise of suburban communities with urban-like amenities, many people find that they can live and work in the suburbs with all the attributes of suburbia they desire without giving up walkability and convenience. A recent study confirms that in many regions, more office space is located in suburban locations than downtowns,<sup>31</sup> providing an opportunity for people to live near their jobs. Communities and developers that have recognized and responded to the dual trends of decentralized offices and a growing desire for a more convenient lifestyle have been rewarded. Well-placed mixed-use, higher-density developments in the suburbs are increasingly popular, creating a new sense of place.

Communities are being developed using the best concepts of traditional communities—smaller lots, a variety of housing types, front porches and sidewalks, shops and offices within walking distance, and public transit nearby. Communities like Celebration in Florida and King Farm in Maryland have been so popular with the homebuying public that past worries over whether the demand exists for them have been replaced by concerns about their rapid price appreciation, putting them out of the reach of all but the highest-income households. Today's real demographic and lifestyle changes are inspiring a return to traditional development styles that offer walkable, bikeable, and more dynamic communities that put residents closer to shops, offices, and parks.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025885

**25994**

**25971**

Higher-density housing is only for lower-income households.

People of all income groups choose higher-density housing.

**M**ultifamily housing is not the housing of last resort for households unable to afford a single-family house. Condominiums, for instance, are often the most sought after and highly appreciating real estate in many urban markets. The luxury segment of the apartment market is also rapidly expanding. Most people are surprised to learn that 41 percent of renters say they rent by choice and not out of necessity, and households making more than \$50,000 a year have been the fastest-growing segment of the rental market for the past three years.<sup>19</sup> Multifamily housing throughout the world has historically been the housing of choice by the wealthiest individuals because of the access and convenience it provides. From Manhattan to Miami to San Francisco, higher-density housing has been prized for the amenity-rich lifestyle it can provide.

Higher-density development can be a viable housing choice for all income groups and people in all phases of their lives. Many financially secure baby boomers, who have seen their children leave the nest, have chosen to leave behind the yard maintenance and repairs required of a single-family house for the more carefree and convenient lifestyle multifamily housing provides. Interestingly, their children, the echo boomers, are entering the age where many will likely live in multifamily housing. Just starting careers, many are looking for the flexibility of apartment living to follow job opportunities. Their grandparents, likely on a fixed income, may also prefer or need to live in multifamily housing as physical limitations may have made living in a single-family house too challenging.

Providing balanced housing options to people of all income groups is important to a region's economic vitality. The availability of affordable multifamily housing helps attract and retain the workers needed to keep any economy thriving. In many American towns and cities, rapidly rising house prices are forcing working families to live farther away from their jobs. In fact, the lack of affordable housing is mentioned as the number one problem facing working families today.<sup>20</sup>

PRJ-63491  
02/25/16

**MUD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025886

25995

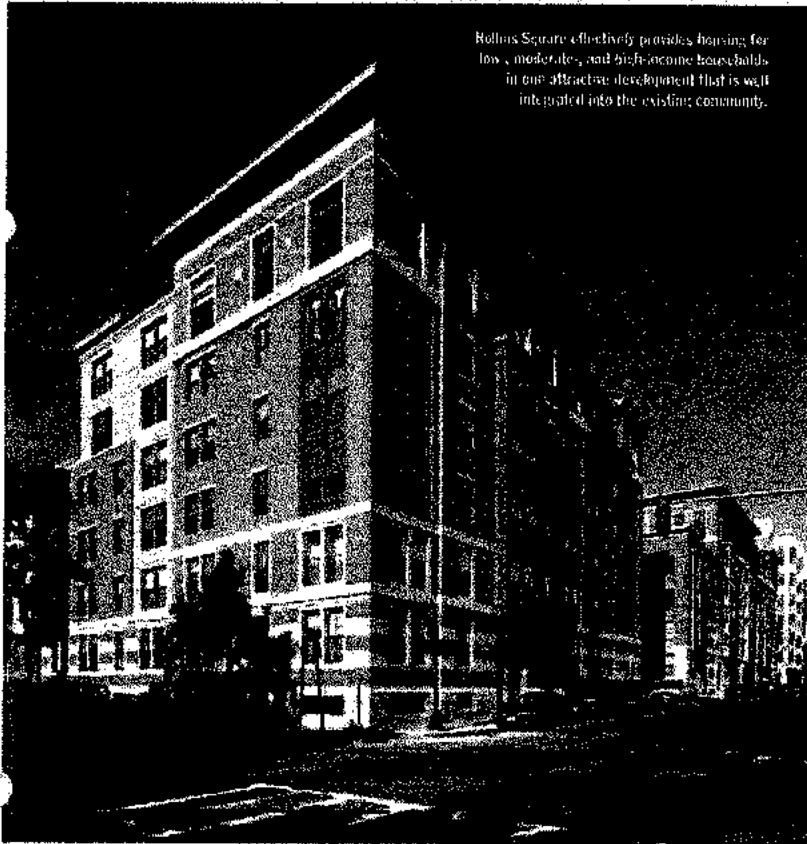
25972

PROFILE

**Rollins Square**

Rollins Square, a mixed-use development in Boston's South End, is a truly mixed-income community that provides housing for a wide spectrum of people in all income brackets. Twenty percent of the overall units are reserved for people whose income is 30 to 60 percent of the Boston area median income (AMI). 40 percent are for-sale condominiums reserved for working households with incomes 80 to 120 percent of the AMI, and the remaining 40 percent are market-rate units sell-

ing for up to \$750,000. The residences occupy two city blocks and integrate seamlessly into the existing neighborhood. The varying heights and diverse exterior materials give the appearance that the development was constructed over time. Rollins Square was developed by the Planning Office for Urban Affairs, Inc., a nonprofit developer associated with the Archdiocese of Boston.



Rollins Square effectively provides housing for low-, moderate-, and high-income households in our attractive development that is well integrated into the existing community.

91  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025887

25996

25973

PROFILE

I'On

I'On is a 244-acre master-planned community along the deep-water marshes of Hobcaw Creek in Mount Pleasant, South Carolina. Just six miles east of Charleston, the community features 700 single-family homes, community facilities, and a small-scale commercial area. Vince Graham, principal with the I'On Company, is developing six residential neighborhoods connected by narrow streets, pedestrian corridors, and community spaces. An I'On Guild member, one of 18 builders selected for experience, talent, and financial strength, builds each individual home. The architecture is inspired by classic Lowcountry style with large balconies, deep front porches, and tall windows on even taller homes. Homes now sell for \$635,000 to \$1.7 million. Community facilities include I'On Square, I'On Club, the Creek Club, and the Mount Pleasant Amphitheater. Residents also enjoy easy access to the Cooper and Wando rivers, the Charleston harbor, and the Atlantic Ocean. One neighborhood boat ramp and four community docks are available for crabbing and fishing. Two miles of walking trails are available for residents; a five-acre pond, the Rockery, is a protected nesting site for wading birds. In addition, the public and private schools in Mount Pleasant are some of the best in the area.



Some home prices in the well-planned higher-density community of I'On are approaching \$2 million. The traditional neighborhood design combined with the community amenities made possible by higher densities have made the community one of the most desirable in the Charleston area.

As the problem of affordability worsens, workers on the lower end of the salary scale may move to more affordable cities, leaving a labor shortage in their wake. Such shortages make a region less desirable as an employment center. According to PricewaterhouseCoopers, access to a large and diverse labor pool is the most important factor in making corporate decisions on locations.<sup>24</sup> Communities that do not provide housing for all income groups become less desirable corporate locations.

PRJ-63491  
02/25/16

**MCD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025888

25997

25974

## NOTES

1. <http://www.census.gov/ipeds/www/usinterimproj/tables.pdf>.
2. [http://factfinder.census.gov/servlet/DTTable?\\_lang=en&\\_geo=US&-ds\\_name=DEC\\_2000\\_SF1\\_U\\_DP1&-ds\\_name=DEC\\_2000\\_SF1\\_U\\_DP1](http://factfinder.census.gov/servlet/DTTable?_lang=en&_geo=US&-ds_name=DEC_2000_SF1_U_DP1&-ds_name=DEC_2000_SF1_U_DP1).
3. Erni Malizia and Jack Goodman, *Mixed Picture: Are Higher-Density Developments Being Shortchanged by Opinion Surveys?* (Washington, D.C.: Urban Land Institute, July 2000), p. 12.
4. Smart Growth America and National Association of Realtors, *2004 American Community Survey: National Survey on Communities* (Washington, D.C.: Author, October 2004).
5. Robert W. Burchell et al., *The Costs of Sprawl, 2000* (Washington, D.C.: National Academy Press, 2002).
6. Sam Newberg and Tom O'Neil, "Making the Case," *Multifamily Trends*, vol. 6, no. 3, Summer 2003, p. 47.
7. "Schwarzenegger Embraces 'Smart Growth' Ideas to Curb Sprawl," *CNN.com, Inside Politics*, November 21, 2003.
8. Mark Muro and Rob Puentes, *Investing in a Better Future: A Review of the Fiscal and Competitive Advantages of Smarter Growth Development Patterns* (Washington, D.C.: Brookings Institution Center on Urban and Metropolitan Policy, 2004).
9. Kathleen McCormick and Michael Lacerda, eds., *Charter of the New Urbanism* (New York: McGraw-Hill, 1999), p. v.
10. Michael E. Lowry, "Why Sprawl Is a Conservative Issue: Part 1," *The Green Elephant*, Summer 2002, p. 1.
11. Brett Hulse, *Sprawl Costs Us All* (Madison, Wisconsin: Sierra Club Midwest Office, 1996).
12. *Ibid.*, p. 6.
13. U.S. Bureau of the Census and U.S. Department of Housing and Urban Development, *1999 American Housing Survey* (Washington, D.C.: U.S. Department of Commerce and U.S. Department of Housing and Urban Development, 2000).
14. <http://www.nmhp.org/content/servecontent.cfm?PrintFriendly=1&IssueID=215&ContentID=827>.
15. Muro and Puentes, *Investing in a Better Future*, p. 15.
16. Richard Florida, *The Rise of the Creative Class* (New York: Basic Books, 2002).
17. Timothy F. Harris and Yannis M. Ioannides, *Productivity and Metropolitan Density* (Boston: Tufts University Department of Economics, 2000), p. 6.
18. National Association of Home Builders, "Market Outlook: Confronting the Myths about Apartments with Facts" (Washington, D.C.: Author, 2001), p. 4.
19. Maxfield Research, *A Study in the Relationship between Affordable Family Rental Housing and Home Values in the Twin Cities* (Minneapolis: Author, November 2000).
20. Alexander Hoffmann, *The Vastness of America's Working Communities* (Cambridge, Massachusetts: Harvard University Joint Center for Housing Studies, 2003).
21. Arthur C. Nelson and Mitch Moody, "Price Effects of Apartments on Nearby Single-Family Detached Residential Homes," *Working Draft* (Blacksburg, Virginia: Virginia Tech University, 2003).
22. Arthur C. Nelson, "Top Ten State and Local Strategies to Increase Affordable Housing Supply," *Housing Facts & Findings*, vol. 6, no. 1.
23. National Multi-Housing Council, "Tabulations of 1999 American Housing Survey" (Washington, D.C.: U.S. Census Bureau and U.S. Department of Housing and Urban Development, 1999).
24. Robert Dunphy and Kimberly Fisher, "Transportation, Congestion, and Density: New Insights," *Transportation Research Record*, 1996.
25. Institute of Traffic Engineers, *Trip Generation*, 6th ed., vol. 1 (Washington, D.C.: Author, 1997).
26. "How to Calculate Demand for Retail," *New Urban News*, March 2004, pp. 10-11.
27. U.S. Department of Transportation, *Our Nation's Travel: 1995 NPTS Early Results Report* (Washington, D.C.: Federal Highway Administration, 1997), p. 11.
28. G. Bruce Douglas III, et al., *Urban Design, Urban Form, and Employee Travel Behavior*, TRB Transportation Planning Applications Conference Papers (Washington, D.C.: Transportation Research Board, 1997).
29. Robert Dunphy, Deborah Myerson, and Michael Pawlukiewicz, *Ten Principles for Successful Development Around Transit* (Washington, D.C.: ULI-the Urban Land Institute, 2003).
30. *Ibid.*
31. Jianfeng Li and Jack Rainwater, "The Real Picture of Land-Use Density and Crime: A GIS Application," <http://gis.asu.com/library/usercon/proceeds/professional/papers/PAP508/p508.htm>.
32. University of Alaska Justice Center, "The Strength of Association: Housing Density and Delinquency," *Anchorage Community Indicators*, series 3A, no. 1, <http://justice.uak.edu/indicators/series03/aci03a1.housing.pdf>.
33. Elliott D. Pollack and Company, *Economic and Fiscal Impact of Multi-Family Housing* (Phoenix, Arizona: Multihousing Association, 1996).

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025889

25998

25975



## NOTES

34. 1000 Friends of Oregon, *Do Farm-Plexus Cause Cannibalism?* (Winter 1999), pp. 2-3.
35. Marcus Felson and Richard S. Peiser, *Reducing Crime through Real Estate Development and Management* (Washington, D.C.: Urban Land Institute, 1997).
36. Oscar Newman, *Defensible Space: Crime Prevention through Urban Design* (New York: Macmillan, 1972).
37. George Kelling and Catherine Coles, *Fiving Broken Windows: Restoring Order and Reducing Crime in our Communities* (New York: Touchstone, 1997).
38. Gary Kachadurian, *Debunking the Homeownership Myth* (Washington, D.C.: National Multi Housing Council, 1998).
39. American Farmland Trust, Farmland Information Center, National Statistics Sheet, <http://www.farmlandinfo.org/agriculture/statistics/>
40. U.S. Environmental Protection Agency, "EPA Issues Designations on Ozone Health Standards," *News Release*, April 15, 2004.
41. American Lung Association, "State of the Air, 2004," Apr 29, 2004, [http://airquality.org/reports/soa04\\_full.html](http://airquality.org/reports/soa04_full.html).
42. U.S. Environmental Protection Agency, "National Water Quality Inventory: 1996 Report to Congress," <http://www.epa.gov/305b/>
43. Smart Growth America, <http://smartgrowthamerica.org/openspace.html> and
44. National Association of Realtors®, "On Common Ground: Realtors and Smart Growth," Winter 2006; and *Just for Public Land*, "Voters Approve \$2.4 Billion in Open Space Funding," press release (Washington, D.C.: Author, 2004).
45. Robert W. Burchell et al., *Impact Assessment of the New Jersey Interim State Development and Redevelopment Plan, Report II: Research Findings* (New Brunswick, New Jersey: Rutgers University Center for Urban Policy Research, 1992); and Center for Urban Policy Research, *The Costs and Benefits of Alternative Growth Patterns: The Impact Assessment of the New Jersey State Plan* (New Brunswick, New Jersey: Author, 2000).
46. U.S. Department of Transportation, *Our Nation's Travel* (Washington, D.C.: Author, 1996), pp.13, 22.
47. H. Frumkin, "Urban Sprawl and Public Health," *Public Health Reports*, vol. 117, May/June 2002, pp. 201-217.
48. Robert Putnam, *Bowling Alone: The Collapse and Revival of American Community* (New York: Simon & Schuster, 2000).
49. [www.designobserver.org](http://www.designobserver.org).
50. David Dixon, personal interview, American Institute of Architects, December 9, 2004.
51. <http://www.nmhc.org/Content/ServeFile.cfm?FileID=182>.
52. [http://www.nelissen.org/NAR\\_web\\_files/frame.htm](http://www.nelissen.org/NAR_web_files/frame.htm).
53. <http://www.census.gov/prod/2004pubs/p20-553.pdf>.
54. <http://www.rmhc.org/content/servecontent.cfm?issueID=215&contentItemID=1828>.
55. National Association of Home Builders, "What Realtors Want" (Washington, D.C.: Author, 2002).
56. [http://www.nelissen.org/NAR\\_web\\_files/frame.htm#side1263.htm](http://www.nelissen.org/NAR_web_files/frame.htm#side1263.htm).
57. Newberg and O'Neil, "Making the Case," p. 47.
58. Robert E. Lang and Jennifer LaFurgy, "Edgeless Cities: Examining the Noncentered Metropolis," *Housing Policy Debate*, vol. 14, no. 3.
59. <http://www.nmhc.org/content/servecontent.cfm?issueID=10&contentItemID=1007>
60. Fannie Mae Foundation, *Results of the Fannie Mae Foundation Affordable Housing Survey* (Washington, D.C.: Author, 2002), p. 2.
61. *PriceWaterhouseCoopers, Trendsetter Barometer* (New York: Author, 2002).

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025890

**25999**

**25976**

## High-Density Development Myth and Fact

Richard Feagles

...like sprawl and the traffic congestion it creates, yet proposals for increasing density in new and existing neighborhoods often are squashed by community fears of public housing, crime, and ugly high rises. *Higher-Density Development: Myth and Fact* dispels these negative connotations, by comparing the advantages and drawbacks of higher- and low-density development. The definition of higher-density development is relative to the community the development is in—it could be single-family homes on smaller lots, or townhouses and apartments in more populated areas. Eight widespread misconceptions about higher-density development are examined and dispelled with well-researched facts and examples of high-quality, compact developments.

Debunk these common myths about density:

- Higher-density development overburdens public schools and other public services and requires more infrastructure support systems.
- Higher-density developments lower property values in surrounding areas.
- Higher-density development creates more regional traffic congestion and parking problems than low-density development.
- Higher-density development leads to higher crime rates.

Higher-density development is environmentally more destructive than lower-density development.

Higher-density development is unattractive and does not fit in a low-density community.

No one in suburban areas wants higher-density development.

Higher-density housing is only for lower-income households.

## FREE POWERPOINT PRESENTATION!

Ideal to present to planning officials and civic and neighborhood groups, this presentation will provide a better understanding of density and the value it provides.

Download free from [www.uli.org/policy/papers](http://www.uli.org/policy/papers), [www.nnhc.org](http://www.nnhc.org), or [www.steracolib.org](http://www.steracolib.org), or request a CD-ROM.

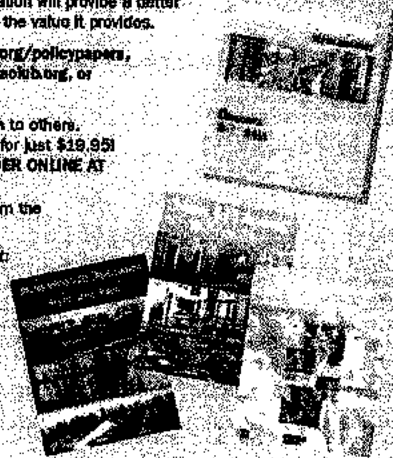
Give a copy of this publication to others. Buy a packet of ten booklets for just \$19.95! CALL 800-321-5011 OR ORDER ONLINE AT [WWW.BOOKSTORE.ULI.ORG](http://WWW.BOOKSTORE.ULI.ORG).

More Myth and Fact Titles from the Urban Land Institute

*Environment and Development: Myth and Fact*  
2002/Order #E14

*Mixed-Income Housing: Myth and Fact*  
2003/Order #M50

*Urban Infill Housing: Myth and Fact*  
2001/Order #U22



Order #U27 (Packet of 10 Booklets)  
Order #U28 (Single Copy)

ISBN 0-87420-941-2



Urban Land Institute  
1001 Massachusetts Avenue, N.W.  
Suite 500  
Washington, D.C. 20007-4229  
[www.uli.org](http://www.uli.org)

PRJ-63491  
02/25/16

MOD-63600, CPA-63599, ZON-63601 and DIR-63602

ROR025891

26000

25977

## BROOKINGS

EXHIBIT M -2

SERIES: Walkable Urbanism | Number 13 of 16  
Washington Monthly

Article | November 2010

## The Next Real Estate Boom

By: Patrick C. Doherty and Christopher B. Leinberger

**What if there were a new economic engine for the United States that would put our people back to work without putting the government deeper in debt? What if that economic engine also improved our international competitiveness, reduced greenhouse gases, and made the American people healthier?**

At a minimum, it would sound a lot better than any of the current offers on the table: stimulus from the liberals, austerity from the conservatives, and the president's less-than-convincing plan for a little stimulus, a little austerity, and a little bit of a clean-energy economy.

The potential for just such an economic renaissance is a lot more plausible than many would imagine. At the heart of this opportunity are the underappreciated implications of a massive demographic convergence. In short, the two largest demographic groups in the country, the baby boomers and their children—together comprising half the population—want homes and commercial space in neighborhoods that do not exist in anywhere near sufficient quantity. Fixing this market failure, unleashing this latent demand, and using it to put America back to work could be accomplished without resorting to debt-building stimulus or layoff-inducing austerity. At least for the moment, Washington has an opportunity to speed up private investment for public good and launch what could be a period of long-lasting prosperity. It is a market-driven way to make the economic recovery sustainable while addressing many of the most serious problems of our time: the health care crisis, climate change, over-reliance on oil from countries with terrorist ties, and an overextended military.

Real estate has caused two of the last three recessions, including the Great Recession we've just gone through. That is because real estate (housing, commercial, and industrial) and the infrastructure that supports real estate (transportation, sewer, electricity, and so on) represent 35 percent of the economy's asset base. When real estate crashes, the economy goes into a tailspin. To speed up the economic recovery now slowly underway, the real estate sector must

PRJ-63491  
02/25/16

<http://www.brookings.edu/research/papers/2010/11/01-next-real-estate-boom.aspx>

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025892

26001

25978

get back into the game, just as it played a central role in the economic recoveries of past recessions. (Real estate also kept the high-tech recession in the early 2000s from being as serious as it might have been.) The United States will be condemned to high unemployment and sluggish growth if 35 percent of our asset base is not engaged. And hundreds of billions of dollars in potential investment capital is on the sidelines, waiting for the right market signals to be deployed.

We're unlikely, however, to see a real estate recovery based on a continuation of the type of development that has driven the industry for the past few generations: low-density, car-dependent suburbs growing out of cornfields at the edge of metropolitan areas. That's because there is now a massive oversupply of such suburban fringe development, brought on by decades of policy favoring it—including heavy government subsidies for extending roads, sewers, and utilities into undeveloped land. Houses on the exurban fringe of several large metro areas have typically lost more than twice as much value as metro areas as a whole since the mid-decade peak. Many of those homes are now priced below the cost of the materials that went into building them, which means that their owners have no financial incentive to invest in their upkeep. Under such conditions, whole neighborhoods swiftly decline and turn into slums. This happened in many inner-city neighborhoods in the 1960s, and we're seeing evidence of it in many exurban neighborhoods today. The Los Angeles Times reports that in one gated community in Hemet, east of L.A., McMansions with granite countertops and vaulted ceilings are being rented to poor families on Section 8 vouchers; according to the Washington Examiner, similar homes in Germantown, Maryland, outside Washington, D.C., are being converted to boarding houses.

Many hope that when the economy recovers, demand will pick up, inventories of empty homes will be whittled down, and the traditional suburban development machine will lumber back to life. But don't bet on it. Demand for standard-issue suburban housing is going down, not up, a trend that was apparent even before the crash. In 2006, Arthur C. Nelson, now at the University of Utah, estimated in the *Journal of the American Planning Association* that there will be 22 million unwanted large-lot suburban homes by 2025.

Meanwhile, the Great Recession has highlighted a fundamental change in what consumers do want: homes in central cities and closer-in suburbs where one can walk to stores and mass transit. Such "walkable urban" real estate has experienced less than half the average decline in price from the housing peak. Ten years ago, the highest property values per square foot in the Washington, D.C., metro area were in car-dependent suburbs like Great Falls, Virginia. Today, walkable city neighborhoods like Dupont Circle command the highest per-square-foot

PRJ-63491  
02/25/16

<http://www.brookings.edu/wp-content/uploads/2016/01/Next-Real-Estate-Bloom.pdf>

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025893

26002

25979

prices, followed by dense suburban neighborhoods near subway stops in places like Bethesda, Maryland, and Arlington, Virginia. Similarly, in Denver, property values in the high-end car-dependent suburb of Highland Ranch are now lower than those in the redeveloped LoDo neighborhood near downtown. These trend lines have been evident in many cities for a number of years; at some point during the last decade, the lines crossed. The last time the lines crossed was in the 1960s—and they were heading the opposite direction.

There are some obvious reasons for the growing demand for walkable neighborhoods: ever-worsening traffic congestion, memories of the 2008 spike in gasoline prices, and the fact that many cities have become more attractive places to live thanks to falling crime rates and the replacement of heavy industries with cleaner, higher-end service and professional economies.

But the biggest factor, one that will quickly pick up speed in the next few years, is demographic. The baby boomers and their children, the millennial generation, are looking for places to live and work that reflect their current desires and life needs. Boomers are downsizing as their children leave home while the millennials, or generation Y, are setting out on their careers with far different housing needs and preferences. Both of these huge demographic groups want something that the U.S. housing market is not currently providing: small one- to three-bedroom homes in walkable, transit-oriented, economically dynamic, and job-rich neighborhoods.

The baby boom generation, defined as those born between 1946 and 1964, remains the largest demographic bloc in the United States. At approximately 77 million Americans, they are fully one-quarter of the population. With the leading edge of the boomers now approaching sixty-five years old, the group is finding that their suburban houses are too big. Their child-rearing days are ending, and all those empty rooms have to be heated, cooled, and cleaned, and the unused backyard maintained. Suburban houses can be socially isolating, especially as aging eyes and slower reflexes make driving everywhere less comfortable. Freedom for many in this generation means living in walkable, accessible communities with convenient transit linkages and good public services like libraries, cultural activities, and health care. Some boomers are drawn to cities. Others prefer to stay in the suburbs but want to trade in their large-lot single-family detached homes on cul-de-sacs for smaller-lot single-family homes, townhouses, and condos in or near burgeoning suburban town centers.

Generation Y has a different story. The second-largest generation in the country, born between 1977 and 1994 and numbering 76 million, millennials are leaving the nest. They may sometimes fall back into the nest, but eventually they find a place of their own for the first time. Following the lead of their older cousins, the much smaller generation X (those born between

PRJ-63491  
02/25/16

<https://www.brookings.edu/articles/2016/04/14/next-real-estate-boom/>  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025894

26003

25980

1965 and 1976), a high proportion of millennials have a taste for vibrant, compact, and walkable communities full of economic, social, and recreational opportunities. Their aspirations have been informed by *Friends* and *Sex in the City*, shows set in walkable urban places, as opposed to their parents' mid-century imagery of *Leave It to Beaver* and *Brady Bunch*, set in the drivable suburbs. Not surprisingly, fully 77 percent of millennials plan to live in America's urban cores. The largest group of millennials began graduating from college in 2009, and if this group rents for the typical three years, from 2013 to 2018 there will be more aspiring first-time homebuyers in the American marketplace than ever before—and only half say they will be looking for drivable suburban homes. Reinforcing that trend, housing industry experts, like Todd Zimmerman of Zimmerman/Volk Associates, believe that this generation is more likely to plant roots in walkable urban areas and force local government to fix urban school districts rather than flee to the burbs for their schools.

The convergence of these two trends is the biggest demographic event since the baby boom itself. The first wave of boomers will be sixty-five in 2011. The largest number of millennials reaches age twenty-two in 2012. With the last of the boomers hitting sixty-five in 2029, this convergence is set to last decades. In addition to the generational convergence, the Census Bureau estimates that America is going to grow from 310 million people today to 440 million by 2050.

An epic amount of money will pour into the real estate market as a result of population growth and demographic confluence. To be sure, unemployment and stagnant wages have eroded people's buying power. Boomers have suffered steep declines in the value of their current homes and 401(k)s, and young people are leaving college with ever-larger student loan debts.

But Americans of all ages have saved and paid off debts since the recession began, and average household balance sheets should be significantly healthier five years from now. In addition, 85 percent of the new households formed between now and 2025 will be single individuals or couples with no children at home; unburdened by child-rearing expenses, they will have more income available for housing (and less desire to spend it tending big backyards).

Most importantly, the very act of moving to more walkable neighborhoods will free families from the expense of buying, fueling, and maintaining the two or more cars they typically need to get around in auto-dependent suburbs. Households in drivable suburban neighborhoods devote on average 24 percent of their income to transportation; those in walkable neighborhoods spend about 12 percent. The difference is equal to half of what a typical household spends on health care—nationally, that amounts to \$700 billion a year in total.

PRJ-63491  
02/25/16

<https://www.brookings.edu/wp-content/uploads/2016/01/next-real-estate-boom.pdf>  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025895

26004

25981

according to Scott Bernstein of the Center for Neighborhood Technology. Put another way, dropping one car out of the typical household budget can allow that family to afford a \$100,000 larger mortgage.

The burgeoning demand for homes in walkable communities has the potential to reshape the American landscape and rejuvenate its economy as profoundly as the wave of suburbanization after World War II did. If anything, today's opportunity is larger. The returning veterans and their spouses represented approximately 20 percent of the American population at that time; the current demographic convergence—77 million boomers plus 76 million millennials—comprises nearly 50 percent.

In the postwar years, America pushed its built environment outward, beyond the central cities, creating millions of new construction jobs and new markets for cars and appliances—a virtuous cycle of commerce that helped power American prosperity for decades (until, of course, it went too far, leading to the oversupply of exurban development that is acting as deadweight on the current recovery). The coming demographic convergence will push construction inward, accelerating the rehabilitation of cities and forcing existing car-dependent suburbs to develop more compact, walkable, and transit-friendly neighborhoods if they want to keep property values up and attract tomorrow's homebuyers. All this rebuilding could spur millions of new construction jobs. But more importantly, if done right, with "smart growth" zoning codes that reward energy efficiency, it would create new markets for power-conserving materials and appliances, providing American designers and manufacturers with experience producing the kinds of green products world markets will increasingly want.

In addition to fueling long-term economic growth, the new demand for walkable neighborhoods could provide other benefits. One of the biggest drivers of rising health care costs is the expansion of chronic diseases like obesity, diabetes, and heart disease—conditions exacerbated by the sedentary lifestyles of our car-dependent age. All would be substantially reduced if Americans move into higher-density, transit-friendly neighborhoods in which more walking is built into their daily routine.

The potential environmental benefits are equally profound. A study conducted by the National Resources Defense Council concluded that simply conforming new construction to smart growth standards would reduce carbon emissions 10 percent within ten years, more than half the target set by the president and the stalled climate legislation. Similarly, the U.S. Green Building Council estimates that new sustainable developments could reduce water consumption by 40 percent, energy use by up to 50 percent, and solid waste by 70 percent.

PRJ-63491  
02/26/16

<http://www.brookings.edu/research/articles/2016/01/next-real-estate-boom/>

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025896

**26005**

**25982**

We can reap these economic, health, and environmental benefits if the real estate market is allowed to follow the demand preferences of consumers. But that's easier said than done. Markets don't exist in a vacuum. They operate within rules and incentives set by governments. The rules and incentives that guide today's real estate market were designed, for the most part, more than a half century ago to fit the demands of the postwar-era Americans who were looking for new homes with yards outside overcrowded cities in which to raise their families. For many years the government-insured mortgages provided to millions of GIs were regulated in such a way that they could only be used to buy newly constructed homes, not to purchase or rehab existing homes—an incentive that strongly biased growth away from cities and toward the suburbs. Cheap rural land outside cities became accessible and valuable to developers thanks to the building of the interstate highway system, 90 percent funded by the federal government. Using federal matching grants, suburban municipalities extended water, sewer, and electric lines to new subdivisions, charging developers and homeowners a fraction of the real costs of those extensions. Municipalities also crafted zoning codes, often in response to federal regulations that essentially mandated low-density development.

Today, even though consumer preferences have changed, most of the old rules and subsidies remain in place. For instance, federal transportation funding formulas, combined with the old-school thinking of many state departments of transportation, continue to favor the building of new roads and widening of highways—infrastructure that supports low-density, car-dependent development—over public transit systems that are the foundation for most compact, walkable neighborhoods. When developers do propose to build denser projects, with narrower streets and apartments above retail space, they often run up against zoning codes that make such building illegal. Consequently, few compact, walkable neighborhoods have been built relative to demand, and real estate prices in them have often been bid up to astronomical heights. This gives the impression that such neighborhoods are only popular with the affluent, when in fact millions of middle-class Americans would likely jump at the opportunity to live in them.

To meet this broad new demand, however, requires that entire metropolitan regions work together to chart a common vision for their communities. When that happens, all kinds of Americans, and not just coastal elites, choose walkable, transit-based growth.

Consider the recent experience of Utah, a state that voted 63 percent for John McCain and Sarah Palin. In 1997, in anticipation of the 2002 Winter Olympics in Salt Lake City, a coalition of local CEOs, elected leaders, developers, farmers' associations, conservation advocates, and urban planners put together a process of public meetings to get citizens involved in developing a strategy to accommodate greater Salt Lake City's fast-paced growth in a fiscally

PRJ-63491  
02/25/16

<https://www.brookings.edu/research/articles/2016/01/real-estate-leadership/>  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025897

26006

25983



and environmentally sustainable way. That process, dubbed "Envision Utah," led to a blueprint for development in the four-county region. The plan largely rejects further suburban sprawl in favor of a "quality growth strategy" of dense walkable neighborhoods built around transit stops.

The first step was the building of a seventeen-mile, twenty-three-station light rail line in Salt Lake City called TRAX. The line was highly controversial; many predicted it would be an underutilized boondoggle. But when the first phase opened in 1999, TRAX proved an immediate hit with the public—eventually some trains became so crowded with riders that their doors couldn't close. In 2000 and 2006, voters approved tax increases to expand the system, including increased reach to several outlying suburbs, twenty-six miles of new light rail track, forty additional station stops, and eighty-eight miles of heavier commuter rail, reaching as far as Provo. Meanwhile, mixed residential-commercial developments have been constructed around existing stations in places like the formerly industrial suburb of Murray City.

Locally financed transit expansions are also underway in such wide-ranging places as St. Louis, Denver, Los Angeles, Montgomery, Alabama, and Broward County, Florida. From 2004 to 2009, 67 percent of light rail ballot measures passed. In 2008, the election year defined by the financial crisis, 87 percent of transit measures passed. In Seattle, a 2008 measure saw sponsors actually eliminate road funding so that the thirty-four-mile extension of the light rail system would pass.

The public, then, has made its desire for transit-oriented growth quite clear, and governments at the local and metropolitan levels have begun to respond. At the federal level, however, the policy machinery remains on autopilot, supporting a sprawl-based growth model that is beyond broken. What we need to do should be obvious: replace old federal rules and incentives that hamper the market's ability to meet changing needs and preferences for housing with new ones that don't, thus helping to rejuvenate the American economy. But these new policies will have to be produced in a political environment that, unlike in the postwar years, is hostile to government actions that add considerably to the federal deficit. And they need to be written quickly: the peak of the convergence is only three years away, and the economy needs a sustainable base from which to grow more quickly now.

Throughout human history, transportation has determined the pattern of real estate development, and so the place to begin is federal transportation policy. Fortunately, next year Congress will probably reauthorize the giant transportation law that determines most federal infrastructure spending—which, tellingly enough, is still commonly referred to in Washington as "the highway bill." This will provide a golden opportunity to change federal policy in several fundamental ways. First, the biases in federal matching grants that favor roads and highways

PRJ-63491  
02/25/16

<http://www.brookings.edu/research/papers/2010/01/real-estate-highways>  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025898

26007

25984

over every other type of infrastructure (sidewalks, bike paths, mass transit, and so on) must end. Second, the grants should be “scored” based on their economic, environmental, and social equity impacts—in particular, on the degree to which proposed transportation projects minimize travel times and distances for residents and enable compact, walkable, energy-efficient, and affordable development. Third, metro areas should be required, and given funding, to do what greater Salt Lake City did: create a blueprint for future growth. Those blueprints should then help guide which specific infrastructure projects get federal funding. In effect, this will shift the power to shape growth patterns away from congressional appropriators and state departments of transportation and to local citizens and local elected officials. And it will help ensure that actual consumer demand drives the process, rather than the current combination of antiquated federal funding formulas, congressional earmarks, and offstage machinations of conventional developers.

Many liberals might want Washington to cover most of the costs of this new infrastructure. That’s unlikely to happen in the current political and fiscal environment. Nor, frankly, is it necessary, or even healthy. Instead, scarce federal dollars should be used to attract private dollars, of which there are plenty. The Investment Company Institute reports that institutional investors are keeping a relatively stable \$1.8 trillion in money market funds because money managers see no good long-term investment vehicles. A similar amount is sitting in the coffers of non-financial corporations.

The Obama administration has proposed one way to tap some of these private dollars: create an “infrastructure bank” that would leverage several private dollars for every federal dollar invested to build a project. In return, the bank and private investors would receive, say, a dedicated locally raised future tax revenue source.

Another approach would be to revive a practice from the past. A hundred years ago, virtually every city of 5,000 or more had an extensive network of streetcars. These systems were typically not publicly owned. Instead, real estate developers, often in partnership with electric utilities, built and ran them, even paying municipal governments to rent the right-of-way. The developers made their money not from fares, which barely covered operations, but from the increased land values that the trolley extensions made possible. There’s no reason why similar deals can’t be negotiated today to fund various kinds of mass transit. In fact, the process has already begun in a few places. Developers are helping to pay for the extension of the Washington, D.C., metro rail to Dulles airport, while Microsoft cofounder Paul Allen’s real estate company and other property owners participated in the funding of the streetcar to his

PRJ-63491  
02/25/16

<http://www.brookings.edu/press/articles/2016/01/14-real-estate-boom>

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025899

26008

25985

substantial property holdings just north of downtown Seattle. The federal government can help make such arrangements much more common by offering partial guarantees of the debt floated to build transit infrastructure.

Another way Washington can encourage walkable neighborhoods is through reforms of Fannie Mae and Freddie Mac. These two government-sponsored mortgage guarantors and underwriters went bankrupt and were taken over by the U.S. government—in large part because they overinvested in homes on the suburban fringe. But in recent years Fannie Mae has been experimenting with an interesting new product: “location efficient mortgages.” Instead of relying solely on credit score and income to determine whether a borrower qualifies for a mortgage, these loans use electronic map systems to take into account how much homeowners will have to pay for transportation. Research by Scott Bernstein of the Center for Neighborhood Technology suggests that location efficient mortgages may have lower default rates than conventional Fannie Mae loans. If that finding proves true, then it makes sense to expand the program, and to apply the same concept to household energy savings: Fannie, Freddie, and HUD’s Federal Housing Administration should factor in the savings from more energy-efficient homes and retrofits. And all these products should be available for more types of construction than just the single-family detached house.

In the past, big shifts in real estate patterns, from suburbanization to gentrification, have often made the lives of the poor considerably worse. To make sure that doesn’t happen as we move toward more walkable communities, federal action will also be needed. The Obama administration took a first step earlier this year by announcing that location efficiency will be a criterion for \$3.25 billion in competitive HUD housing grants. That means that at least some walkable developments will be built to include housing for lower-income families, and more can be done along these lines using existing federal housing programs such as the Low-Income Housing Tax Credit.

But the truth is that federal housing policy can make only a modest dent in the affordability problem. As we’ve seen, what really drives development is transportation policy, and so the real lever of change is, again, the upcoming transportation bill. The bill should offer state and local governments a clear choice: if they want federal dollars for light rail and other transit systems, they must ensure that citizens at all income levels reap the benefits. That means changing local zoning codes to mandate that a portion of the housing in transit-oriented developments—say, 15 percent—be reserved for lower-income families. It also means that local jurisdictions need to remove ordinances that act as barriers to affordable housing—an

PRJ-63491  
02/25/16

<http://www.brookings.edu/~/media/Files/2016/04/real-estate-boom.pdf>  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025900

26009

25986

idea long championed by many conservatives, including the late Jack Kemp. For instance, empty nesters ought to have the right to rent out unused bedrooms or turn part of their homes into separate rental units. Doing so is illegal in most municipalities today.

Ultimately, the biggest barrier to affordability is insufficient supply: homes in walkable, transit-oriented neighborhoods cost too much because there are not enough of them to satisfy the growing market demand. What's needed, then, is a supply-side solution: build more such neighborhoods.

Can a set of policies like these ever get through Congress? After all, Republicans have long been ideologically hostile to mass transit. With their base now predominantly in exurban and rural America, most GOP lawmakers will look with skepticism, even disdain, at proposals to use government in ways that benefit cities and closer-in suburbs that tend to elect Democrats. And many Americans who live in rural or exurban areas feel the scorn that too many educated urbanites express for their lifestyle, and reflect that scorn right back.

Yet, as Utah shows, conservative Americans can rally behind mass transit when all the advantages are pointed out and the hidden costs of sprawl made clear. The threats to family life posed by long commutes and auto dependency are a building issue among evangelical Christians. Conservatives are often among the most acute critics of federal highway subsidies and the way they insulate consumers from the real cost of driving. The late Paul Weyrich, cofounder of the Heritage Foundation, served on Amtrak's board and was an outspoken champion of passenger rail. As William Lind recently argued in the *American Conservative* magazine, it was hardly a triumph of free enterprise that America's convenient and affordable streetcar and passenger rail systems, most of them privately owned, were put out of business by government-subsidized and -owned highways.

In the wake of the Great Recession there is also another huge pocketbook force at work: however they might lean ideologically, the best hope suburbanites have for reversing their depressed home values is for mass transit lines to be extended in their communities. Though not every suburb can be saved in this way, for many it represents the most practical long-term solution to their dilemma.

Ultimately, the strongest argument for these policies—one conservatives and liberals ought to be able to agree on—is that they would allow the moribund real estate market to function again, and in so doing would give the economy a dose of healthy growth. Indeed, assuming that a decisive package like the one above is passed, the private sector, awash in capital, may

PRJ-63491
02/25/16

<https://www.brookings.edu/press/articles/2016/11/next-real-estate-boom/>

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025901

26010

25987

anticipate the demand about to be unleashed in our markets and start investing in real estate again. That is what happened in downtown Portland, Oregon, when a proposed \$50 million streetcar led to \$3.5 billion of private-sector development, much of it before the streetcar was built. America will be back in business. And good business is good politics.

But leading the transition to sustainability is also a strategic imperative for the United States. China and India need to figure out how to accommodate 700 million of their countrymen who will leave the villages and enter the cities over the next forty years. That's more than twice the total American population. China is already building at a pace that will allow it to have 221 cities with more than 1 million residents—the U.S. has nine. The competition for energy and raw materials like copper, lumber, and steel under a business-as-usual scenario is extraordinary and will result only in increased levels of strategic conflict in the decades ahead, as recent congressional hearings on "strategic minerals" attests. By making a decisive shift and embracing sustainable communities, innovative American firms will have the domestic markets they need to develop and deliver the super-efficient products and services that will keep America secure and, through increased exports, help build our economy while reducing our trade imbalance.

Admittedly, the road to sustainability only begins with how we build and rebuild our communities. In addition to the ideas discussed here, there is much more we need to do to address the energy and material intensity of our economy in ways that will lead to better jobs, higher wages, reduced deficits, and greater national security. But at a time when the American people need a plan for long-term prosperity, and because real estate absorbs so much of our wealth, it is essential that we focus on pushing on the door unlocked by our demographic inheritance: the two largest population groups, half of our population, want communities that the market is not delivering due to out-of-date subsidies and policies.

The bottom line is this: despite the protests of orthodox adherents to liberal and conservative fiscal policy, it is now possible to unleash latent private-sector demand by implementing reforms that will end our subsidies to sprawl and focus our nation on sustainability. Neither stimulus nor austerity, this approach would provide a new economic engine for America that can set us on a secure and prosperous path for years to come.

#### AUTHORS

Patrick C. Doherty

Director, Smart Strategy Initiative, New America Foundation

PRJ-63491  
02/25/16

<https://www.brookings.edu/press/articles/2016/11/real-estate-boom-again>  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025902

26011

25988

2/5/2016

The Next Real Estate Boom | Brookings Institution

Christopher B. Leinberger  
Nonresident Senior Fellow, Metropolitan Policy Program

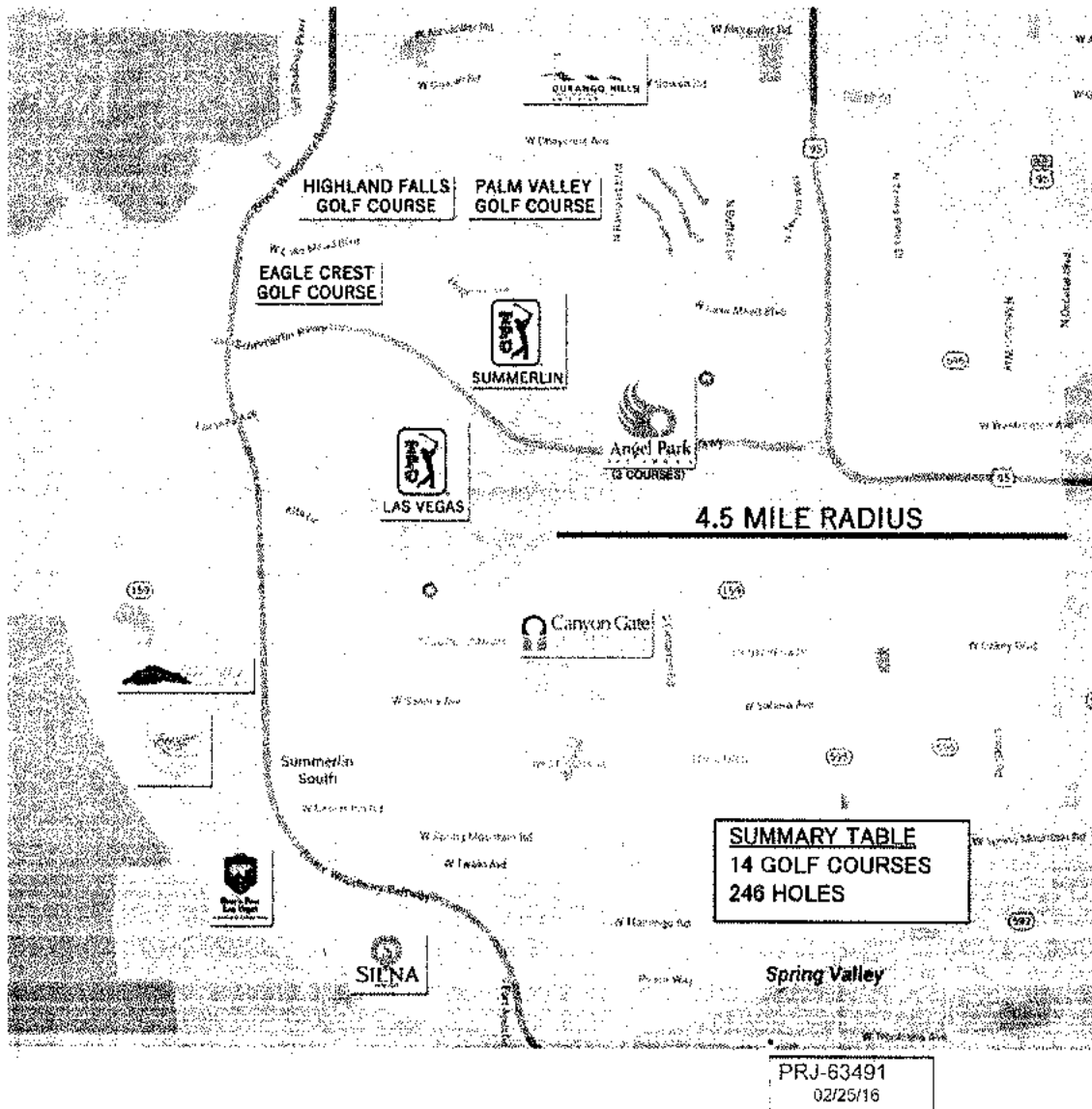
PRJ-63491  
02/25/16

<https://www.brookings.edu/wp-content/uploads/2016/01/Leinberger-Leinberger.pdf>  
**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025903

26012

25989

**EXHIBIT "N"**  
**PECCOLE RANCH MASTER PLAN**  
**GOLF COURSES WITHIN 4.5 MILE RADIUS**



**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025904

**26013**

**25990**

**ECONOMIC & FISCAL  
BENEFITS STUDY  
2016 PECCOLE RANCH MASTER PLAN**

**FEBRUARY 2016**

**Prepared by:**

**R&G  
ECONOMICS**

ROR025905

**26014**

**25991**



**RCG  
ECONOMICS**

Financial Advisory  
Gaming & Hospitality  
Public Policy Research  
Real Estate Advisory  
Regional & Urban Economics

February 25, 2016

Mr. Frank Pankratz  
ForeStars Ltd., LLC  
9755 West Charleston  
Las Vegas, NV. 89117

Re: *Economic & Fiscal Benefits Study ("the Study"): 2016 Peccole Ranch  
Master Plan*

Dear Mr. Pankratz:

RCG Economics LLC ("RCG") is pleased to submit this Economic & Fiscal Benefits Study ("the Study") to Fore Stars Ltd., LLC ("the Client") relative to assessing the benefits of a set of proposed attached and detached residential developments ("the Project") planned by the Client.

The Study represents an analysis of the estimated and hypothetical economic, and a portion of the public fiscal, benefits of the Project. These benefits include, but are not limited to, increases in output (gross sales/spending), employment and wages/labor income, as well as retail sales and use taxes resulting from the construction of the Projects. The specific projects included in our analysis were provided to RCG by the Client.

Our analysis of the Project's direct benefits on the economy is also based upon information provided by the Client, as well as data provided by various state and local government agencies pertaining to the potential benefits noted above. Estimates of indirect and induced benefits were prepared by RCG employing the widely used and widely accepted IMPLAN (Impact Analysis for PLANing) economic benefits model. Our general fiscal analysis is based on Nevada Revised Statutes, data from the U.S. Bureau of Labor Statistics and municipal tax information and formulas.

The Study is intended for the sole use of the Client in its negotiations with the City of Las Vegas. Publication of the Study or any information contained therein, in any manner, must explicitly indicate that it was prepared by RCG.

This Study is comprised of the following sections:

A. Economic Benefits Analysis ("EBA")

1. Direct Project Benefits

- Overview
- Construction Benefits

2. Indirect & Induced Project Benefits

- Introduction
- Output/Total Expenditure Benefits
- Employment Benefits
- Income Benefits
- Total Benefits

3090 Paradise Road, Suite 209  
Las Vegas, NV 89169-6013  
Main 7202-967-3188  
Fax 702-967-3195  
www.rcg1.com

PRJ-63491  
02/25/16

**, GPA-63599, ZON-63601 and DIR-63602**

ROR025906

**26015**

**25992**

**B. Fiscal Benefits Analysis ("FBA")**

**1. Retail Sales and Use Tax Estimation Methodology & Estimates**

***Standard Assumptions***

This work scope was performed according to the "*Standard Assumptions & Limiting Conditions*" detailed in Attachment 1 to this letter. Attachment 2 addresses the key modeling assumptions of the EBA.

***Use & Nature of Report & Methodologies***

The distribution of the Study is limited to the Client. If the Client intends to reproduce and distribute the Study, it must be reproduced in its entirety. If it intends to include the Study in a document used for the offering of securities, the Client agrees: (1) to provide RCG with a representation letter; (2) that legal counsel will have advised it before the offering is made; (3) that the offering document complies with all applicable local jurisdictions and regional agencies, State of Nevada and federal legal requirements; and (4) that no reference will be made to our name in any promotional or offering materials without first furnishing us a draft of the materials and then obtaining our written consent.

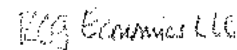
The results of RCG's services under this engagement are the property of the Client. Copies of all documents including writings and computer or machine-readable data, which describe or relate to the services performed pursuant to this consulting assignment, or the results thereof, are the property of the Client and will be provided upon request. However, the Client will not provide RCG's Inventions and Works to any third party or use the same for the benefit of any third party, except with the prior written consent of RCG.

The Study is in the form of a "letter-report", along with any appropriate tables, graphs and maps. RCG is not responsible for statements or interpretations made by the Client relating to the Study.

All ideas, developments, computer models, methodologies, innovations, inventions and copyrightable work (hereinafter "Inventions and Works"), which RCG conceived and were used during the period of the Study, and which either (a) are within the scope of RCG's businesses or investigations, or (b) are supported by the use of materials, facilities or information paid for or provided by RCG are the exclusive property of RCG. In this regard, the Client agrees to credit RCG for its work.

If you have any questions, please do not hesitate to contact us at your convenience by phone at 702-967-3188 ext. 401 or by email at [jrestrepo@rcg1.com](mailto:jrestrepo@rcg1.com).

Regards,



RCG Economics LLC

Attachments (2)

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025907

**26016**

**25993**

**Attachment 1**  
**Standard Assumptions & Limiting Conditions**

1. RCG Economics, LLC ("RCG") has prepared, from third-party information collected by RCG, as well as our internal econometric models and databases, the Study, as it relates on the potential economic and fiscal benefits associated with the Project.
2. The Client is responsible for representations about its plans and expectations, and for disclosure of significant information that might affect the ultimate realization of the analyses results.
3. The results of RCG's analyses apply only to the effective date of the Study. The success of the Client's plans will be affected by many related and unrelated economic conditions within a local, regional, national and/or world context. We assume no liability for an unforeseen change in the economy. Accordingly, we have no responsibility to update the Study for events and circumstances occurring after the date of the Study.
4. The Study is based on historical and projected economic benchmark information. Thus, variations in the future could be material and have an impact on the Study conclusions. Even if the Study's hypothetical assumptions were to occur, there will usually be differences between the estimated and actual results, because events and circumstances frequently do not occur as expected, and those differences may be material. These could include major changes in economic and market conditions; performing arts center benchmarks; significant increases or decreases in mortgage interest rates and/or terms or availability of financing altogether; property assessment and/or major revisions in current state and/or federal tax or regulatory laws.
5. If the Study is reproduced by the Client, it must be reproduced in its entirety.
6. RCG makes no representation or warranty as to the accuracy or completeness of the third party information contained in the Study, and shall have no liability for any representations (expressed or implied) contained in, or for any omissions from, our materials.
7. The working papers for this consulting assignment will be retained in RCG's files and will be made available for your reference. We will be available to support the analyses, as required.
8. If needed, all maps, plats, site plans or photographs that are incorporated into the Study are for illustrative purposes only, but are not guaranteed to be exact. Dimensions and descriptions are based on public records and/or information furnished by others and are not meant to be used as a reference in legal matters of survey.
9. The Project's construction was assumed to be implemented by competent management, and that site ownership will be in responsible hands. The Study assumes both responsible ownership and competent management unless noted otherwise. Any variance from this assumption could have a significant effect on the construction of the Projects.
10. Unless otherwise stated in the Study, no efforts were made to determine the possible effect, if any, on the Project's development of future Federal, State or local legislation, including any environmental or ecological matters or interpretations thereof.
11. We did not perform an audit, review or examination, or any other attest function (as defined by the AICPA) regarding any of the third-party historical market, industry and economic benchmarks or any other information used or included in the Study; therefore, RCG does not

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025908

**26017**

**25994**

express any opinion or any other form of assurance with regard to the same, in the context of the Study.

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025909

**26018**

**25995**

**ATTACHMENT 2**  
**KEY ASSUMPTIONS OF IMPLAN & INPUT-OUTPUT ANALYSIS**

Input-output analysis is a means of examining relationships within an economy, both between businesses and between businesses and final consumers. It captures all monetary market transactions for consumption in a given time period. The resulting mathematical formula allows for examinations of the effects of a change in one or several economic activities on an entire economy (impact analysis).

IMPLAN expands upon the traditional I-O approach to also include inter-institutional<sup>1</sup> transfers and thus can more accurately be described as a SAM model, though the terms I-O and SAM are often used interchangeably. Although IMPLAN V3 provides a framework to conduct an analysis of economic impacts, each stage of an analysis should be carefully scrutinized to make sure it is logical. Procedures and assumptions need to be validated. Please review IMPLAN and Input-Output analysis' assumptions.

**Constant Return Scale**

This means that the same quantity of inputs is needed per unit of output, regardless of the level of production. In other words, if output increases by 10%, input requirements will also increase by 10%.

**No Supply Constraints**

I-O assumes there are no restrictions to raw materials and assumes there is enough to produce an unlimited product. IMPLAN cannot tell if values are unreasonable. The user will need to decide whether this is a reasonable assumption for their study area and analysis, especially when dealing with large-scale impacts.

**Fixed Commodity Input Structure**

This structure assumes that changes in the economy will affect the industry's output but not the mix of commodities and services it requires to make its products. In other words, there is no input substitution in response to a change in output.

**Industry Technology Assumption**

An industry will always produce the same mix of commodities regardless of the level of production. In other words, an industry will not increase the output of one product without proportionately increasing the output of all its other products.

---

<sup>1</sup> In IMPLAN, institutions include Households (broken down into nine income categories), Government Institutions, Enterprises (basically corporate profits), Capital, and Inventory.

PRJ-63491 02/25/16
-----------------------

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025910

**26019**

**25996**

#### **Commodity Technology Assumption**

The industry technology assumption comes into play when data is collected on an industry-by-commodity basis and then converted to industry-by-industry matrices. It assumes that an industry uses the same technology to produce each of its products. In other words, an industry has a primary or main product and all other products are byproducts of the primary product. The production function is a weighted average of the inputs required for the production of the primary product and each of the by-products.

#### **Model is Static**

No price changes are built in. The underlying data and relationships are not affected by impact runs. The relationships for a given year do not change unless another data year is purchased."

PRJ-63491 02/25/16
-----------------------

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025911

**26020**

**25997**

# TABLE OF CONTENTS

I. EXECUTIVE SUMMARY .....	I-1
ECONOMIC BENEFITS SUMMARY .....	I-1
FISCAL BENEFITS SUMMARY .....	I-2
II. ECONOMIC BENEFITS ANALYSIS .....	II-7
A. OVERVIEW .....	II-7
B. STATEMENT OF METHODOLOGY .....	II-8
EBA MAJOR LIMITATIONS .....	II-9
C. ECONOMIC BENEFITS ANALYSIS: CONSTRUCTION PHASE, TOTAL PROJECT .....	II-10
SUMMARY OF DIRECT PROJECT BENEFITS .....	II-10
SUMMARY OF INDIRECT AND INDUCED PROJECT BENEFITS .....	II-10
SUMMARY OF TOTAL PROJECT BENEFITS .....	II-11
MULTIPLIERS .....	II-12
III. FISCAL BENEFITS ANALYSIS .....	III-18
A. STATEMENT OF METHODOLOGY .....	III-18
B. SUMMARY OF FISCAL BENEFITS.....	III-19
C. RETAIL SALES AND USE TAX ESTIMATION .....	III-19
RETAIL SALES AND USE TAX REVENUE FROM CONSTRUCTION MATERIALS PURCHASED .....	III-21
RETAIL SALES AND USE TAX REVENUE FROM CONSTRUCTION EMPLOYEES' PERSONAL SPENDING .....	III-23
D. REAL PROPERTY TAX ESTIMATION.....	III-26

## LIST OF FIGURES

FIGURE I-1: RCG SUBJECT PROPERTY LOCATION MAP .....	I-5
FIGURE I-2: 2016 PECCOLE RANCH MASTERPLAN SITE PLAN.....	I-6
FIGURE II-1: 2016 PECCOLE RANCH MASTERPLAN SITE PLAN .....	II-17

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**  
ROR025912

26021

25998

**BADLANDS GOLF COURSE: ECONOMIC & FISCAL BENEFITS STUDY**

**LIST OF TABLES**

TABLE I-1: PROJECT CONSTRUCTION TIMELINE .....	I-1
TABLE I-2: TOTAL ECONOMIC IMPACT BENEFITS: PROJECT CONSTRUCTION .....	I-2
TABLE I-3: TOTAL FISCAL IMPACT BENEFITS TO CITY OF LAS VEGAS .....	I-3
TABLE I-4: TOTAL FISCAL IMPACT BENEFITS TO CLARK COUNTY SCHOOL DISTRICT .....	I-4
TABLE II-1: PROJECT DESCRIPTION & ESTIMATED CONSTRUCTION COSTS .....	II-13
TABLE II-2: CONSTRUCTION & ABSORPTION SCHEDULE .....	II-14
TABLE II-3: TOTAL ECONOMIC IMPACT BENEFITS .....	II-15
TABLE II-4: INFRASTRUCTURE (ROADS, POWER, WATER, ETC.) ECONOMIC IMPACT BENEFITS .....	II-15
TABLE II-5: PRODUCT 1 (720MF* UNITS) ECONOMIC IMPACT BENEFITS .....	II-15
TABLE II-6: PRODUCT 2 (1,500 MF* UNITS) ECONOMIC IMPACT BENEFITS.....	II-15
TABLE II-7: PRODUCT 3 (800 MF* UNITS) ECONOMIC IMPACT BENEFITS .....	II-16
TABLE II-8: PRODUCT 4 (60 SF* UNITS) ECONOMIC IMPACT BENEFITS.....	II-16
TABLE III-1: TOTAL CONSOLIDATED TAX REVENUE DISTRIBUTION: 10-YEAR AVERAGE .....	III-20
TABLE III-2: SALES AND USE TAX RATES – CLARK COUNTY .....	III-21
TABLE III-3: SALES AND USE TAX REVENUES FROM CONSTRUCTION PURCHASES .....	III-23
TABLE III-4: SALES AND USE TAX REVENUE FROM CONSTRUCTION EMPLOYEES’ PERSONAL SPENDING .....	III-25
TABLE III-5: ESTIMATED ONE-TIME CITY OF LAS VEGAS SALES & USE TAX REVENUES .....	III-25
TABLE III-6: ESTIMATED ONE-TIME CLARK COUNTY SCHOOL DISTRICT SALES & USE TAX REVENUES.....	III-26
TABLE III-7: CLARK COUNTY DISTRICT 200 PROPERTY TAX RATES .....	III-28
TABLE III-8: REAL PROPERTY TAX REVENUES (20-YEAR PERIOD) ANNUALLY RECURRING .....	III-29

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025913

**26022**

**25999**



## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

### I. EXECUTIVE SUMMARY

RCG Economics ("RCG") was retained by ForeStars Ltd. ("FSL") to conduct an Economic and Fiscal Impacts Study ("the Study") on the proposed 250.92-acre Peccole Ranch mixed-unit residential project ("the Project"). The Project calls for the redevelopment of the existing golf course. The Project subject property is located in the Northwest portion of the Las Vegas Valley ("the Valley") adjacent to the Queensridge community between Charleston Boulevard and Summerlin Parkway west of North Rampart Boulevard.

The Project will be comprised of four residential products ("the Products" and is planned for 3,080 residential units (see Figure I-1). The Products and units include:

- ✱ Product 1: 720 condo units (Avg. size – 900 SF)
- ✱ Product 2: 1,500 condo units (Avg. size – 2,200 SF)
- ✱ Product 3: 800 condo units (Avg. size – 900 SF)
- ✱ Product 4: 60 single family homes (Avg. lot size – 1 acre)

The construction timeline for the Project is shown in Table I-1.

**Table I-1: Project Construction Timeline**

Product	Start of Construction	End of Construction	Months
Infrastructure	July-17	June-18	12
Product 1	July-18	February-22	43
Product 2	April-21	April-31	120
Product 3	April-31	July-36	63
Product 4	July-18	June-24	72
<b>Total</b>	<b>July-17</b>	<b>July-36</b>	<b>228</b>

Source: FSL

For a detailed map of the Project's vicinity, see Figure I-1. Figure I-2 offers a map of the of the Project's site plan.

### **ECONOMIC BENEFITS SUMMARY**

FSL provided RCG with cost estimates for each product in the Project plan. RCG found that the proposed construction cost of \$1.74 billion would have sizable effects on the Southern Nevada economy:

PRJ-63491  
02/25/16

I-1

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025914

26023

26000

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

- ✱ A total of approximately \$2,741,242,000 in one-time construction benefits.
- ✱ A total of approximately 16,100 supported (direct, indirect and induced) full-time equivalent ("FTE") jobs over the Project's construction period.
- ✱ A total of \$888,852,000 in additional labor income for employees.

Table I-2 shows the cumulative economic benefits of the Project from the associated direct, indirect and induced construction spending. All dollars amounts are in 2016 dollars.

**Table I-2: Total Economic Impact Benefits: Project Construction**

Impact Type	Spending/Output	Employment*	Labor Income
Direct Benefit	\$1,517,868,816	7,678	\$482,692,776
Indirect Benefit	\$687,834,399	5,042	\$237,284,238
Induced Benefit	\$535,539,155	3,380	\$168,875,254
<b>Total Benefits</b>	<b>\$2,741,242,370</b>	<b>16,100</b>	<b>\$888,852,267</b>
<b>Multipliers</b>	<b>1.81</b>	<b>2.10</b>	<b>1.84</b>

\*Note: Employment in full-time equivalent. Sources: IMPLAN, FSL.

For example, "spending" would potentially result in a multiplier 1.81. This means that for every dollar spent on the Project's construction, an additional 81 cents would ripple through the economy. The multipliers measure the total increase in output/economic activity, total employment and labor income in the wider economy per dollar in output/spending, per new jobs created directly and the per dollar increase in earnings.

### FISCAL BENEFITS SUMMARY

The total spending (direct, indirect and induced) resulting from the Project's construction would also produce fiscal benefits. RCG focused on the benefits unique to the City of Las Vegas ("the CLV") and the Clark County School District ("CCSD"). These benefits will come about from three direct sources from two taxes as discussed below: Sales & Use tax and the Real Property tax (see Tables I-3 & I-4).

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

### City of Las Vegas

1. Retail Sales & Use tax revenue for the CLV from construction materials (non-recurring) purchased to build the Project is projected to total \$23,150,000.
2. Retail Sales & Use tax revenue for the CLV from construction (non-recurring) employees' personal spending is projected at \$3,441,000 over the course of construction.
3. Annually recurring Real Property taxes accruing for the CLV associated with the Project's development is estimated at an average annual amount of \$3,411,000 over 20 years for a total of \$68,219,000 over the period.

Table I-3: Total Fiscal Impact Benefits to City of Las Vegas

One-Time, Non-Recurring Revenue	
Type of Tax	Estimated Revenue
Sales & Use Tax on Construction Material Purchases	\$23,150,000
Sales & Use Tax from Personal Spending	\$3,441,000
<b>Total Estimated One-Time Revenue</b>	<b>\$26,591,000</b>
Annually Recurring Tax Revenue	
Type of Tax	Estimated Revenue
Real Property Tax (20-Year Annual Average)	\$3,411,000
<b>Total Estimated Average Annual Revenue</b>	<b>\$3,411,000</b>

Source: RCG Economics

### Clark County School District

4. Retail Sales & Use tax revenue for the CCSD from construction materials (non-recurring) purchased to build the Project is projected to total \$26,915,000.
5. Retail Sales & Use tax revenue for the CCSD from construction (non-recurring) employees' personal spending is projected at \$4,000,000 over the course of construction.
6. Annually recurring Real Property taxes accruing for the CCSD associated with the Project's development is estimated at an average annual amount of \$4,208,000 over 20 years for a total of \$84,162,000 over the period.

PRJ-63491  
02/25/16

I-3

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025916

26025

26002

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

**Table I-4: Total Fiscal Impact Benefits to Clark County School District**

Type of Tax	Estimated Revenue
Sales & Use Tax on Construction Material Purchases	\$26,915,000
Sales & Use Tax from Personal Spending	\$4,000,000
<b>Total Estimated One-Time Revenue</b>	<b>\$30,915,000</b>

Type of Tax	Estimated Revenue
Real Property Tax (20-Year Annual Average)	\$4,208,000
<b>Total Estimated Average Annual Revenue</b>	<b>\$4,208,000</b>

Source: RCG Economics

The methods used to calculate the results, as well as more in-depth results are shown within the contents of this report.

**Important Note:** The results of RCG's economic and fiscal analyses should be understood as a "maximum estimate". IMPLAN uses inter-industry historical spending data to determine what spending would remain in Clark County. If FSL deviates from normal spending patterns and chooses to purchase construction materials from suppliers outside of the City of Las Vegas, or Clark County, during the course of completing the Project, then the estimated fiscal and economic benefits to local Nevada governments, businesses and workers will be reduced. For example, if FSL found a specific type of lighting fixture, marble/stone product, steel or other construction material not offered by local suppliers, then the spending for these products would reduce the estimates of the local economic and fiscal benefits herein.

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

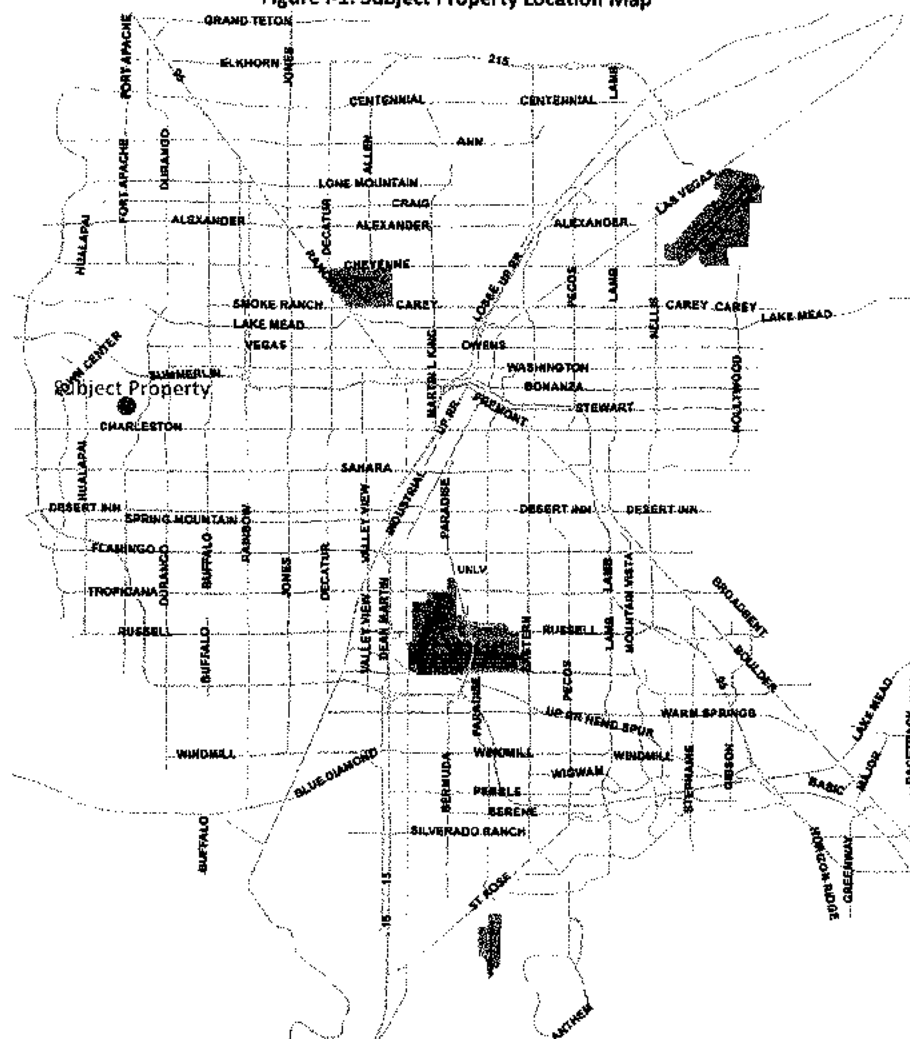
ROR025917

26026

26003

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC &amp; FISCAL BENEFITS STUDY

**Figure I-1: Subject Property Location Map**



Source: RCG Economics

PRJ-63491  
02/25/16

I-5

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

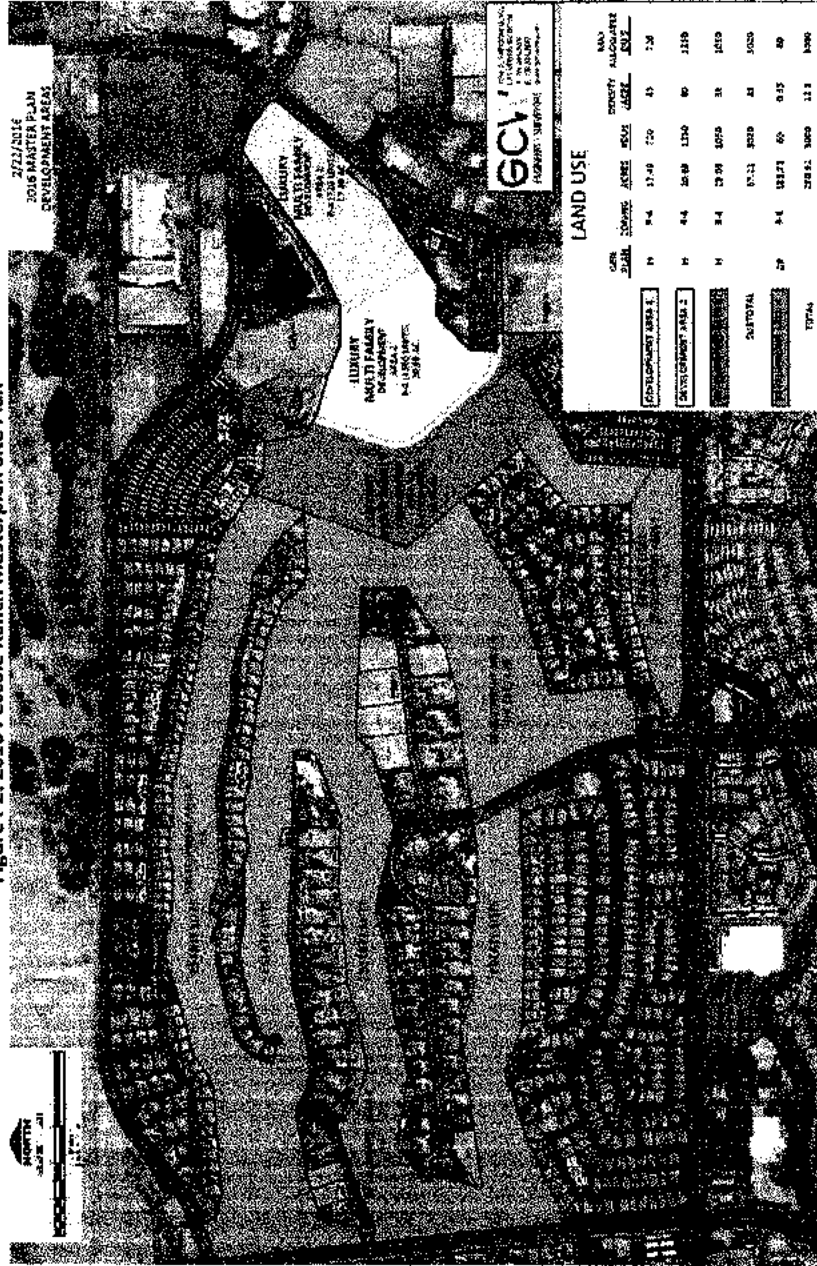
ROR025918

26027

26004

# 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

Figure I-2: 2016 Peccole Ranch Masterplan Site Plan



Source: FSL

I-6

PRJ-63491

MOD-63600, GPA-63599, ZON-63601 and DIR-63602

ROR025919

26028

26005

## II. ECONOMIC BENEFITS ANALYSIS

### A. OVERVIEW

The following pages summarize the findings and conclusions regarding the anticipated and hypothetical economic benefits to Southern Nevada (a.k.a. "Clark County") resulting from the construction of mixed-unit residential project "(the Projects)" at what is now a golf course in the northwestern part of the Las Vegas Valley ("the Valley"). The Project will contain four residential housing products ("the Products"), which were individually analyzed in this Study. The Study is largely based on information provided by FSL, other third parties and the IMPLAN (Impact Analysis for PLANning) economic model. See Statement of Methodology.

RCG performed its economic benefits analysis ("EBA") to identify the potential positive net impacts of the Products on the Clark County economy. RCG did not quantify and subtract out the current economic benefits of the existing golf course.

It is important to note, that golf courses all over the country are struggling to stay open<sup>1</sup> because the popularity of golf has dramatically ebbed over the last decade<sup>2</sup>. Course utilization has gone down and the number of golfers has declined across nearly all demographics.<sup>3</sup> The plight of golf courses in Las Vegas mirrors that of courses throughout the nation<sup>4</sup>. Therefore, FSL has developed plans to replace the golf course with the 2016 Peccole Ranch Masterplan, which would provide an economic stimulus to the Las Vegas area.

The Study quantifies the positive benefits of the Products, including the creation of jobs, as well as the generation of wage and economic activity (output/spending) benefits to the region. Table II-1 shows the Products' descriptions and estimated costs. Figure I-1 shows the current site plan for the Project by product type. For information on the construction periods and estimates for the absorption period from FSL, see Table II-2.

<sup>1</sup> <http://www.bloomberg.com/news/articles/2014-01-16/golf-course-closings-outpace-openings-for-eighth-straight-year>

<sup>2</sup> <http://www.washingtonpost.com/news/wonkblog/wp/2015/03/05/why-america-fell-out-of-love-with-golf/>

<sup>3</sup> "2015 State of the Golfing Industry: Activate the Core, Close the Back Door." Pellucid Corp & Edgehill Consulting. 2016.

<sup>4</sup> <http://www.reviewjournal.com/business/silverstone-golf-club-closed-future-uncertain>

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

### B. STATEMENT OF METHODOLOGY

FSL provided RCG with general specifications for the Project, including location, construction costs, project types and unit counts.

RCG has estimated three types of economic benefits to Clark County from the Products' construction: direct, indirect and induced. The concept of a direct benefit is relatively straightforward. However, the concepts of indirect and induced benefits, while critically important in assessing the totality of benefits associated with the Project, are often misunderstood in regional economic analysis.

Fundamentally, they are based on an extension of the direct expenditures/spending associated with the Products' construction. Each type of benefit is briefly described below.

- ✦ **Direct benefits** include the construction benefit (benefits from the local purchase of construction materials, construction jobs created and construction payroll) – essentially the benefits during the Products' construction periods.
- ✦ **Indirect benefits** are the wholesale purchases (local) of goods and services resulting from the initial direct spending attracted by the Project. For example, the selected general contractor's and its subcontractors' spending on construction materials and on other products will cause suppliers to replenish inventories, etc. The portion of these purchases made within the Clark County economy is counted as an indirect economic benefit of the Project's construction. Those inter-industry purchases associated with the construction phase are considered one-time (construction-phase) indirect benefits.
- ✦ **Induced benefits** are the output, employment and labor income growth generated by companies' employees as they consume goods and services within the local economy. For example, if a worker is employed as a heavy equipment operator at the Project; his or her personal income spent locally will cycle through the local economy and will be exchanged among local area merchants, thus inducing additional new spending (retail, food, gas, etc.) and employment in the region.

Estimates of indirect and induced benefits, as well as direct employment, were prepared by RCG using the widely accepted IMPLAN model. The IMPLAN model has been in use since 1979. The

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025921

26030

26007



## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

model accounts closely follow the accounting conventions used in the "Input-Output Study of the U.S. Economy" by the U.S. Bureau of Economic Analysis. The IMPLAN model also calculates the impact on overall employee compensation and the average salary by occupation, based upon the estimated employment benefit.

In this Study, all estimates are in 2016 dollars to facilitate comparison of benefits over time (except employment, which is measured in full-time equivalent jobs).

The three categories estimated for Project-related benefits include:

- ✱ Changes in output/spending (equivalent to Gross Product)
- ✱ Changes to employment (measured in terms of annual full-time equivalents, or "FTEs")
- ✱ Changes to annual labor income, or total compensation (equivalent to payroll)

Finally, since all benefits are driven by "new" events, construction benefits are a "one-time" benefit during the Products' construction periods.

### EBA MAJOR LIMITATIONS

The EBA was prepared under various limiting assumptions acknowledged and presented herein:

- ✱ **Substitution Effects:** It is assumed herein that the Project's-related spending is all new money added to the local economy, without factoring in any decrease in other goods and services on which this money might alternatively have been spent.
- ✱ **Supply/Demand Pooling:** We have assumed that Project-related construction demands will be accommodated locally to the greatest extent possible. Thus, all local needs that can possibly be met by local producers/suppliers will be. If demand is greater than supply, local producers/suppliers will meet 100 percent of that demand and the remaining demand will be exported. Since this minimizes imports, it will maximize local economic activity and the resulting multipliers.

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025922

26031

26008

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

- ✦ **Economic Leakage:** RCG's analysis also recognizes as important, "leakage" from the study region (Clark County) due to spending on purchases outside of the region. Economic leakage refers to revenues that flow out of a local or regional economy to finance the purchase of goods and services from outside sources (imports) instead of being purchased locally. In a highly developed and urbanized local economy, a large share of the goods and services consumed are purchased from local producers and suppliers.

### C. ECONOMIC BENEFITS ANALYSIS: CONSTRUCTION PHASE, TOTAL PROJECT

#### SUMMARY OF DIRECT PROJECT BENEFITS

- ✦ An estimated \$1,517.9 million (\$1.5 billion-rounded) of direct output (construction spending) activity is expected to be generated in the Clark County economy during the combined Products' construction periods. All monetary amounts are in 2016 dollars.
- ✦ RCG estimates that the Products' combined construction will support nearly 7,700 direct FTE construction jobs in Clark County. This estimate does not factor in indirect and induced jobs.
- ✦ The Project is estimated to generate approximately \$482.7 million in direct labor earnings (payroll) during the Products' construction periods.

#### SUMMARY OF INDIRECT AND INDUCED PROJECT BENEFITS

- ✦ An estimated \$1,223.4 million (\$1.2 billion-rounded) of indirect and induced output (all types of spending) activity is expected to be generated for the Clark County economy during the combined Products' construction periods.
- ✦ The Project's construction is projected to support 8,400 indirect and induced FTE construction and non-construction jobs in Clark County.
- ✦ The Project's construction is forecasted to generate approximately \$406.2 million in indirect and induced wages/labor income (payroll) during the Products' lifetime.

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

### SUMMARY OF TOTAL PROJECT BENEFITS

"Total economic benefits" are the sum of **direct, indirect and induced benefits**, specifically:

- ✱ An estimated \$2,741.2 million (\$2.7 billion-rounded) of total output (construction and non-construction spending) activity is expected to be generated for the Clark County economy during the Project's construction period.
- ✱ The Project's construction is projected to support about 16,100 FTE construction and non-construction industry jobs in Clark County.
- ✱ The Project is forecasted to generate approximately \$888.9 million in direct, indirect and induced wages/labor income (payroll) during the Project's life.

The results of RCG's analysis are illustrated below in Table II-3. Table II-4 through Table II-8 summarize the estimated economic benefits (direct, indirect, induced and total) of each phase of the Project.

There is a caveat in the employment results, and it is the reason RCG did not report income per worker. IMPLAN calculates total jobs: full- and part-time. Due to the method and tools that IMPLAN provides for the FTE job conversion, you cannot simply divide labor income by the job estimates. Doing a straight calculation for average income yields a result of approximately \$55,200 per worker per year in 2016 dollars. However, every FTE is counted as one job by definition rather than the total jobs as originally calculated, which is approximately 1.1 jobs per FTE. Therefore, using the FTE employment figure results in an overestimate of the average annual income per job.

For example, imagine if a construction project were to create two jobs – one 30-hour per week job and one 10-hour per week job. If the 30-hour per week worker is paid \$40,000 annually, while the 10-hour per week worker is paid \$10,000 annually, that would equate to an average of \$25,000 per year for the two combined jobs. However, as an FTE, it would equate to one job at \$50,000 per year. This would incorrectly double the combined average annual wage for these two employees from \$25,000 to \$50,000 per year.

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

### MULTIPLIERS

The following table illustrates the output, labor and labor wage multipliers associated with the construction of the Project. Multipliers are based on the "domino theory" of economic change. They translate the impacts of change in one variable on other variables. In other words, multipliers generally estimate the "ripple effect" of economic activity's direct output/spending, labor and wages.

Impact Type	Spending/Output	Employment	Labor Income
<i>Multipliers</i>	<i>1.81</i>	<i>2.10</i>	<i>1.84</i>

The multipliers in this table show the ratio of total benefits to direct benefits, based on the results of the IMPLAN model. For example, this table shows that for every dollar spent on the construction of the Project (direct benefit), an additional \$0.81 of output/spending is generated in the Clark County economy (sum of indirect and induced benefits to the economy).

Typically, these multipliers are under 2.0, but in this case, the employment multiplier is 2.10. This suggests that for every direct construction job created onsite, 1.10 more jobs are potentially supported elsewhere in Clark County. This likely reflects the current weakness in the Las Vegas job market (relatively high unemployment rate with forced part-time and discouraged workers being added to unemployed workers currently searching for job. For example, the current "headline" unemployment rate in Clark County is 6.2%, as of December 2015. However, the latest U-6 rate for Nevada, which includes the forced part-timers and the discouraged, is above 13% - 13.9% as of Q4/15). Southern Nevada, which is the state's primary economic driver, is responsible for this relatively high U-6 rate. Accordingly, each new job directly created at the Products has a larger than normal effect on new jobs.

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

Table II-1: Project Description & Estimated Construction Costs

Project Description	Units	Estimated Cost
<b>Backbone Infrastructure</b>		\$24,600,000
<b>Product 1</b>		
Condominium - 2 phases (for lease)	720	\$167,000,000
4-story mid-rise (720 units)		
Average unit size = 900 sf		
<b>Product 2</b>		
High-rise product - 5 towers (for sale)	1,500	\$1,056,000,000
Up to 25 stories (1,500 units)		
Average unit size = 2,500 sf		
<b>Product 3</b>		
Condominium - 4 phases (for sale)	800	\$230,000,000
4-story mid-rise (800 units)		
Average unit size = 900 sf		
<b>Product 4</b>		
SF Homes - 1 acre lots	60	\$259,750,000
(12 phases - 60 lots)		
<b>Total Units/Lots</b>	<b>3,080</b>	<b>\$1,737,350,000</b>

Source: FSL

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025926

26035

26012

# 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

Table II-2: Construction & Absorption Schedule

Product	Start Construction	End Construction	Absorption Date
<b>Infrastructure</b>			
Mass Grading & Infrastructure Backbone	Jul-17	Dec-17	N/A
Initial Site Work	Dec-17	Jun-18	N/A
<b>4-Story Mid-rise Condominium (720 un.)</b>			
Phase 1 - 360 units	Jul-18	Apr-20	Apr-22
Phase 2 - 360 units	Apr-20	Feb-22	Feb-24
<b>5-Tower High-rise Condominium (1,500 un.)</b>			
Building 1 - 300 units	Apr-21	Apr-23	Apr-26
Building 2 - 300 units	Apr-23	Apr-25	Apr-28
Building 3 - 300 units	Apr-25	Apr-27	Apr-30
Building 4 - 300 units	Apr-27	Apr-29	Apr-32
Building 5 - 300 units	Apr-29	Apr-31	Apr-34
<b>4-Story Mid-rise Condominium (800 un.)</b>			
Phase 1 - 200 units	Apr-31	Aug-32	Aug-36
Phase 2 - 200 units	Aug-32	Nov-33	Dec-37
Phase 3 - 200 units	Nov-33	Mar-35	Apr-39
Phase 4 - 200 units	Mar-35	Jul-36	Jul-40
<b>Single Family Homes (60 un.)</b>			
Phase 1 - 5 units	Jul-18	Dec-18	Mar-19
Phase 2 - 5 units	Dec-18	Jun-19	Sep-19
Phase 3 - 5 units	Jun-19	Dec-19	Mar-20
Phase 4 - 5 units	Dec-19	Jun-20	Sep-20
Phase 5 - 5 units	Jun-20	Dec-20	Mar-21
Phase 6 - 5 units	Dec-20	Jun-21	Sep-21
Phase 7 - 5 units	Jun-21	Dec-21	Mar-22
Phase 8 - 5 units	Dec-21	Jun-22	Sep-22
Phase 9 - 5 units	Jun-22	Dec-22	Mar-23
Phase 10 - 5 units	Dec-22	Jun-23	Sep-23
Phase 11 - 5 units	Jun-23	Dec-23	Mar-24
Phase 12 - 5 units	Dec-23	Jun-24	Sep-24

Source: FSL

II-14

PRJ-63491  
02/25/16

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602**

ROR025927

26036

26013

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

**Table II-3: Total Economic Impact Benefits**

Impact Type	Spending/Output	Employment**	Labor Income
Direct Benefit	\$1,517,868,816	7,678	\$482,692,776
Indirect Benefit	\$687,834,399	5,042	\$237,284,238
Induced Benefit	\$535,539,155	3,380	\$168,875,254
<b>Total Benefits</b>	<b>\$2,741,242,370</b>	<b>16,100</b>	<b>\$888,852,267</b>
<b>Multipliers</b>	<b>1.81</b>	<b>2.10</b>	<b>1.84</b>

\*Note: Employment in full-time equivalent. Sources: IMPLAN, FSL.

**Table II-4: Infrastructure (Roads, Power, Water, etc.) Economic Impact Benefits**

Impact Type	Spending/Output	Employment**	Labor Income
Direct Benefit	\$24,011,601	123	\$7,652,086
Indirect Benefit	\$10,703,904	78	\$3,700,410
Induced Benefit	\$8,444,858	53	\$2,662,970
<b>Total Benefits</b>	<b>\$43,160,363</b>	<b>255</b>	<b>\$14,015,465</b>
<b>Multipliers</b>	<b>1.80</b>	<b>2.07</b>	<b>1.83</b>

\*Note: Employment in full-time equivalent. Sources: IMPLAN, FSL.

**Table II-5: Product 1 (720 MF\* Units) Economic Impact Benefits**

Impact Type	Spending/Output	Employment**	Labor Income
Direct Benefit	\$151,586,521	745	\$48,009,790
Indirect Benefit	\$70,829,360	520	\$24,339,491
Induced Benefit	\$53,808,764	340	\$16,967,957
<b>Total Benefits</b>	<b>\$276,224,644</b>	<b>1,605</b>	<b>\$89,317,238</b>
<b>Multipliers</b>	<b>1.82</b>	<b>2.15</b>	<b>1.86</b>

\*Note: MF stands for multi-family. \*\*Employment in full-time equivalent. Sources: IMPLAN, FSL.

**Table II-6: Product 2 (1,500 MF\* Units) Economic Impact Benefits**

Impact Type	Spending/Output	Employment**	Labor Income
Direct Benefit	\$913,229,850	4,490	\$289,233,982
Indirect Benefit	\$426,710,007	3,132	\$146,632,759
Induced Benefit	\$324,169,782	2,046	\$102,223,108
<b>Total Benefits</b>	<b>\$1,664,109,639</b>	<b>9,668</b>	<b>\$538,089,849</b>
<b>Multipliers</b>	<b>1.82</b>	<b>2.15</b>	<b>1.86</b>

\*Note: MF stands for multi-family. \*\*Employment in full-time equivalent. Sources: IMPLAN, FSL.

## 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

**Table II-7: Product 3 (800 MF\* Units) Economic Impact Benefits**

Impact Type	Spending/Output	Employment**	Labor Income
Direct Benefit	\$198,904,229	978	\$62,996,036
Indirect Benefit	\$92,938,733	682	\$31,937,059
Induced Benefit	\$70,605,159	446	\$22,264,502
<b>Total Benefits</b>	<b>\$362,448,121</b>	<b>2,106</b>	<b>\$117,197,597</b>
<b>Multipliers</b>	<b>1.82</b>	<b>2.15</b>	<b>1.86</b>

\*Note: MF stands for multi-family. \*\*Employment in full-time equivalent. Sources: IMPLAN, FSL.

**Table II-8: Product 4 (60 SF\* Units) Economic Impact Benefits**

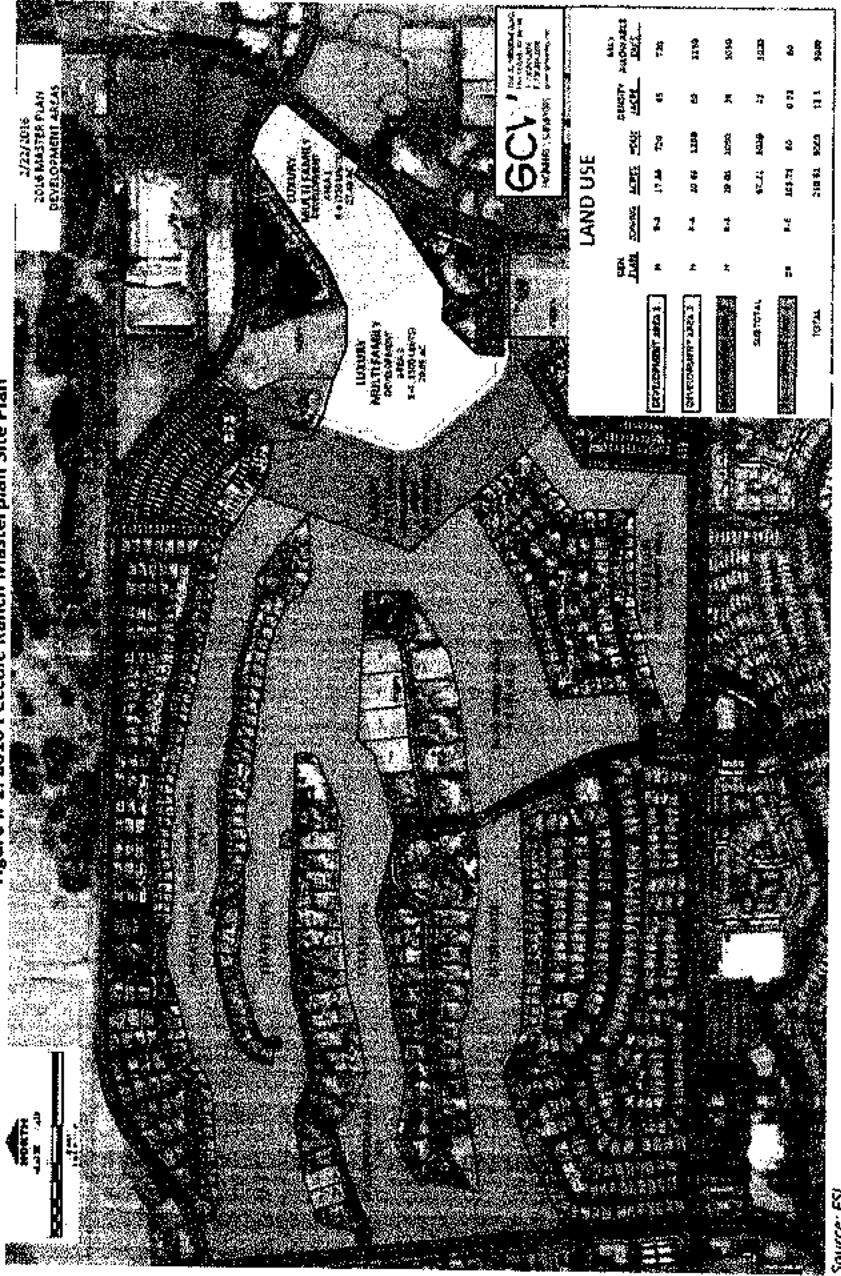
Impact Type	Spending/Output	Employment**	Labor Income
Direct Benefit	\$230,136,615	1,342	\$74,800,883
Indirect Benefit	\$86,652,396	629	\$30,674,519
Induced Benefit	\$78,510,592	495	\$24,756,717
<b>Total Benefits</b>	<b>\$395,299,603</b>	<b>2,467</b>	<b>\$130,232,119</b>
<b>Multipliers</b>	<b>1.72</b>	<b>1.84</b>	<b>1.74</b>

\*Note: MF stands for multifamily. SF stands for single-family. \*\*Employment in full-time equivalent. Sources: IMPLAN, FSL.



# 2016 PECCOLE RANCH MASTER PLAN: ECONOMIC & FISCAL BENEFITS STUDY

Figure II-1: 2016 Peccole Ranch Masterplan Site Plan



Source: FSL

ROR025930

26039

II-17

PRJ-63491

MOD-63600, GPA-63599, ZON-63601 and DIR-63602

26016

**III. FISCAL BENEFITS ANALYSIS**

**A. STATEMENT OF METHODOLOGY**

The Project's construction will produce additional economic activity in the region that will fiscally benefit local and state governments. The following section summarizes the findings and conclusions regarding the anticipated and hypothetical fiscal benefits to the CLV and the CCSD resulting from the Project.

Because of the nature of the assignment and the complexity of the Nevada tax system, RCG limited the fiscal benefits analysis to developing a hypothetical estimate of the potential retail Sales & Use taxes, as well as real property taxes generated from the Project's construction. For example, this study does not account for any potential abatements or exemptions to the retail Sales & Use tax that may be available related to the Project's construction and some assumptions may not hold true and therefore under- or overestimate the total fiscal benefits from the project.

Nevada statutes and local ordinances were reviewed to identify the general retail Sales & Use taxes associated with the construction of the Project, as well as the property tax rates for the parcels involved in the project.

In this section of the Study, RCG estimated the share of revenues apportioned to both the CLV and the CCSD from two main sources of Sales & Use tax, as well as the Real Property Tax. The estimated tax sources are:

- \* Retail Sales & Use tax revenue from construction materials purchased
- \* Retail Sales & Use tax revenue from construction employees' personal spending
- \* Real Property Taxes on the converted 2016 Peccole Ranch Masterplan site

Tax revenue estimates and their apportionment to Nevada's various entities depend on the particular source and how it is distributed. The present methodology used to estimate tax revenues for the Project's operations is based on current and existing tax rates. Any changes to tax rates in the future will alter these results. RCG used information provided by third party resources, such as the Bureau of Economic Analysis ("BEA"), results from the EBA above and local tax laws to derive