

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
Sep 29 2022 03:33 p.m.
Elizabeth A. Brown
Clerk of Supreme Court

No. 84640

**AMENDED
JOINT APPENDIX
VOLUME 1, PART 2**

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Attorneys for City of Las Vegas

Staff Report Page Ten

April 12, 2016 - Planning Commission Meeting

<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

FINDINGS (GPA-63599)

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 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

Staff Report Page Twelve

April 12, 2016 - Planning Commission Meeting

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



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, its MANAGER

Signature of Property Owner: _____

Print Name: FRANK PANKRATZ, its MANAGER

Subscribed and sworn before me

This 25th day of FEBRUARY, 2016
Kathleen K Momot
 Notary Public in and for said County and State



Revised 11-14-06

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PRJ-63491
02/29/16

ROR025831



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: _____

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

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PRJ-63491
02/29/16

ROR025832



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 25th day of February, 2016
Kathleen K Momot
Notary Public in and for said County and State





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 1,569.6 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) 940-6930</u> Fax: <u>(702) 940-6931</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 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 lessee or agent fully authorized by the owner to make this submission, as indicated by the owner's signature below.

Property Owner Signature* EHSCOMPANIES LLC, F+SMGR

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

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



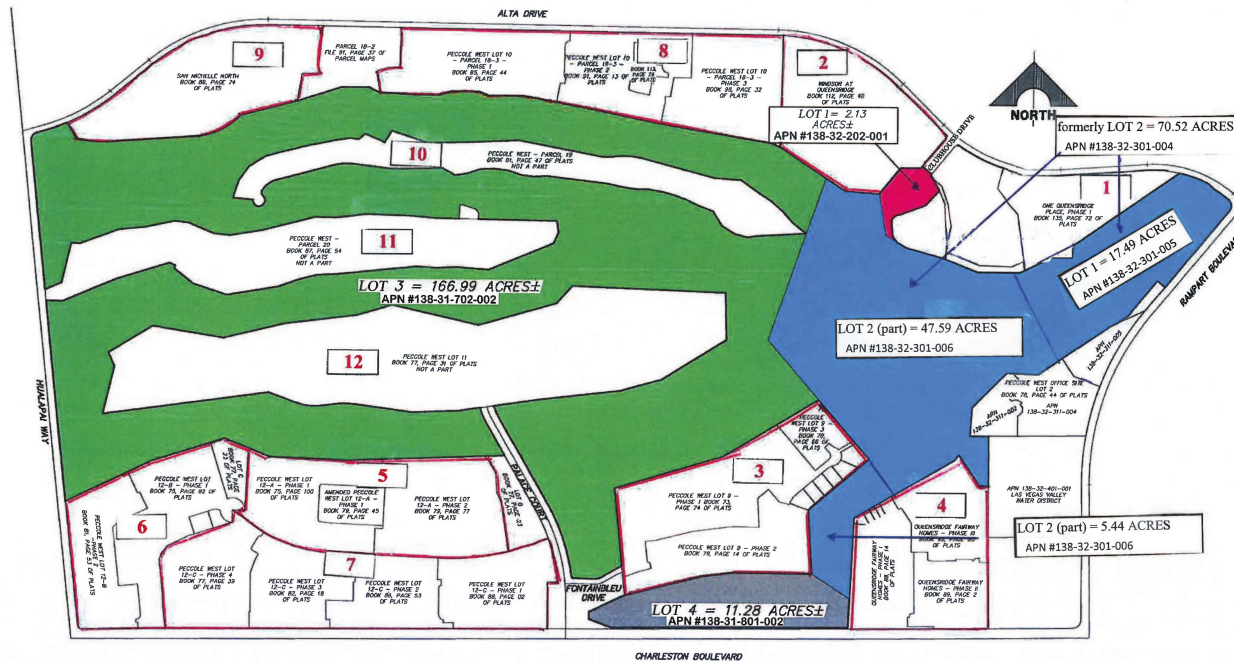
Revised 10/27/08

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 consistency with applicable sections of the Zoning Ordinance.
 PRJ-63491
 02/25/16
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ROR025834

EXHIBIT 1
PARCEL MAP



PRJ-63491
03/03/16

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

ROR025835



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 702.229.6301

FAX 702.474.0352

TTY 702.386.9108

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

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

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

Received

JAN 05 2015

Accounting Department

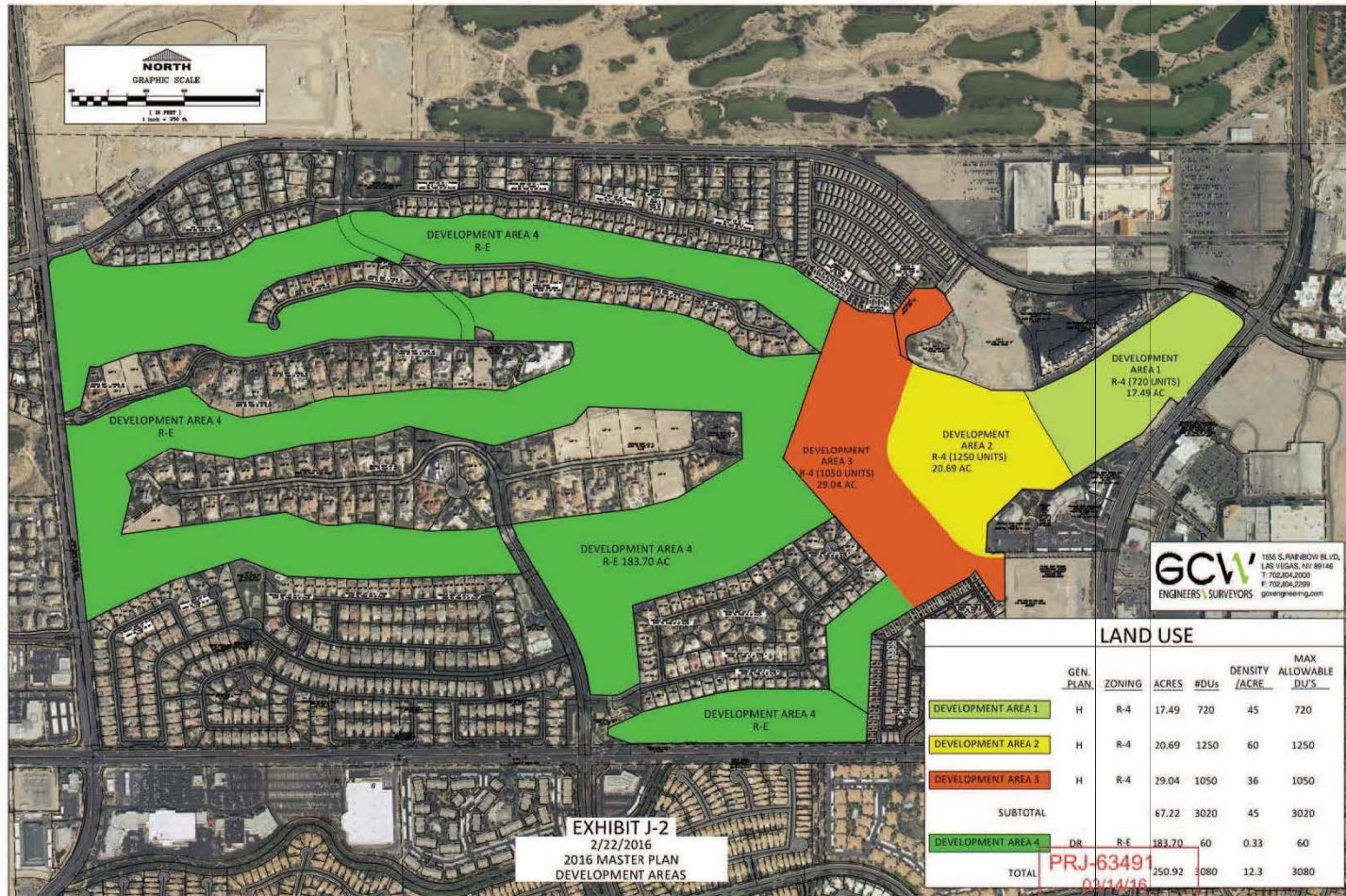
PRJ-63491

02/25/16

FM-0073a-04-12

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

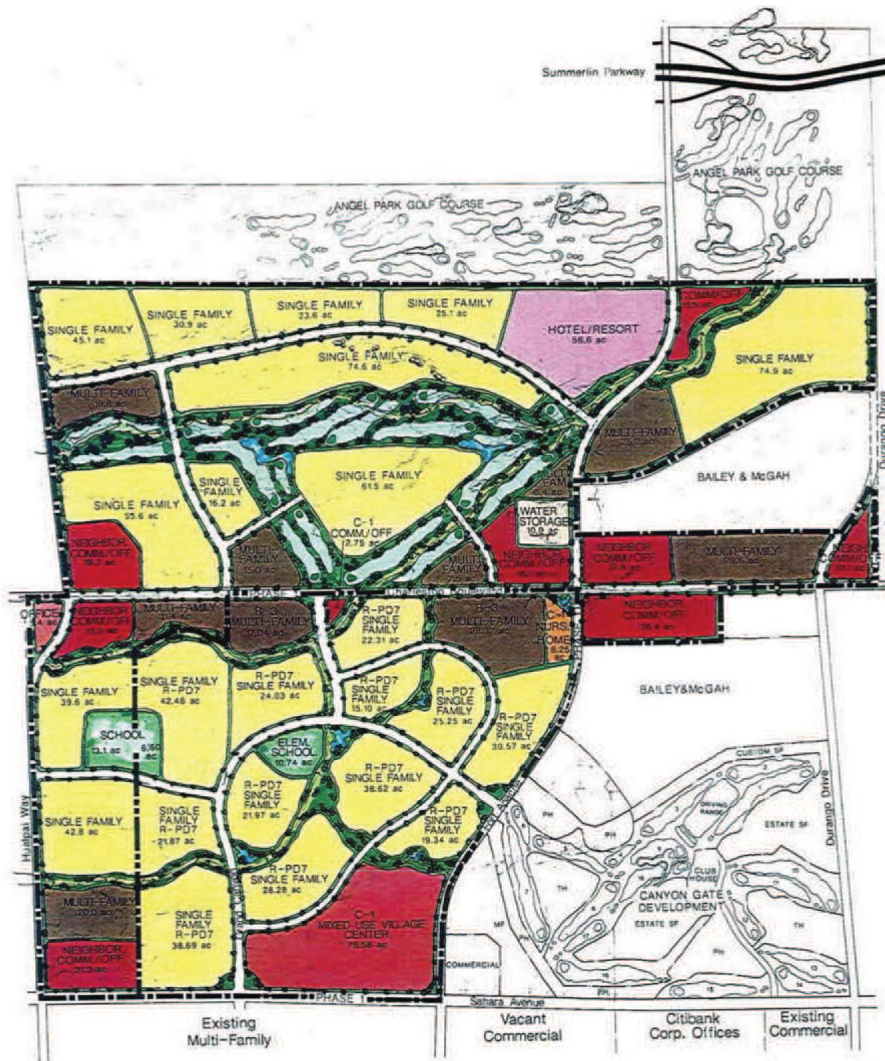
ROR025836



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

ROR025837

ROR025838



SITE DATA- PHASE 1			
LAND USE	NET ACRES	NET DENSITY Du/ac	UNITS
Nursing Home	8.25		
Single Family	328.49	7.0	2299
Multi-Family	45.39	24.0	1088
Mixed Use Village Center			
Commercial/Office	40.00		
Multi-Family	35.56	34.0	1209
Commercial/Office	2.75		
Drainage/Open Space	41.47		
R.O.W.	53.97		
Elementary School	17.34		
PHASE 1 TOTAL	573.19	8.8	4596

SITE DATA - FUTURE PHASES	
LAND USE	ACRES
Single Family	487.9
Multi-Family	133.9
Neighborhood Commercial/Office	137.7
Office	5.4
Hotel/Resort	56.6
Water Storage	10.9
Golf Course/Drainage	207.1
R.O.W.	90.5
School	13.1
FUTURE PHASES TOTAL	1143.1
GRAND TOTAL	1716.3

MASTER PLAN Peccole Ranch Partnership

Suite 900, Capital Place
9707-110 Street
Edmonton, Alberta T5K2L9 403-482-7800

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

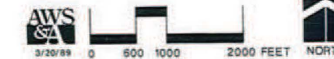


EXHIBIT B

EXHIBIT A
2/22/2016
1989 APPROVED
PECCOLE RANCH
MASTER PLAN

RU-63491
02016

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

ROR025839

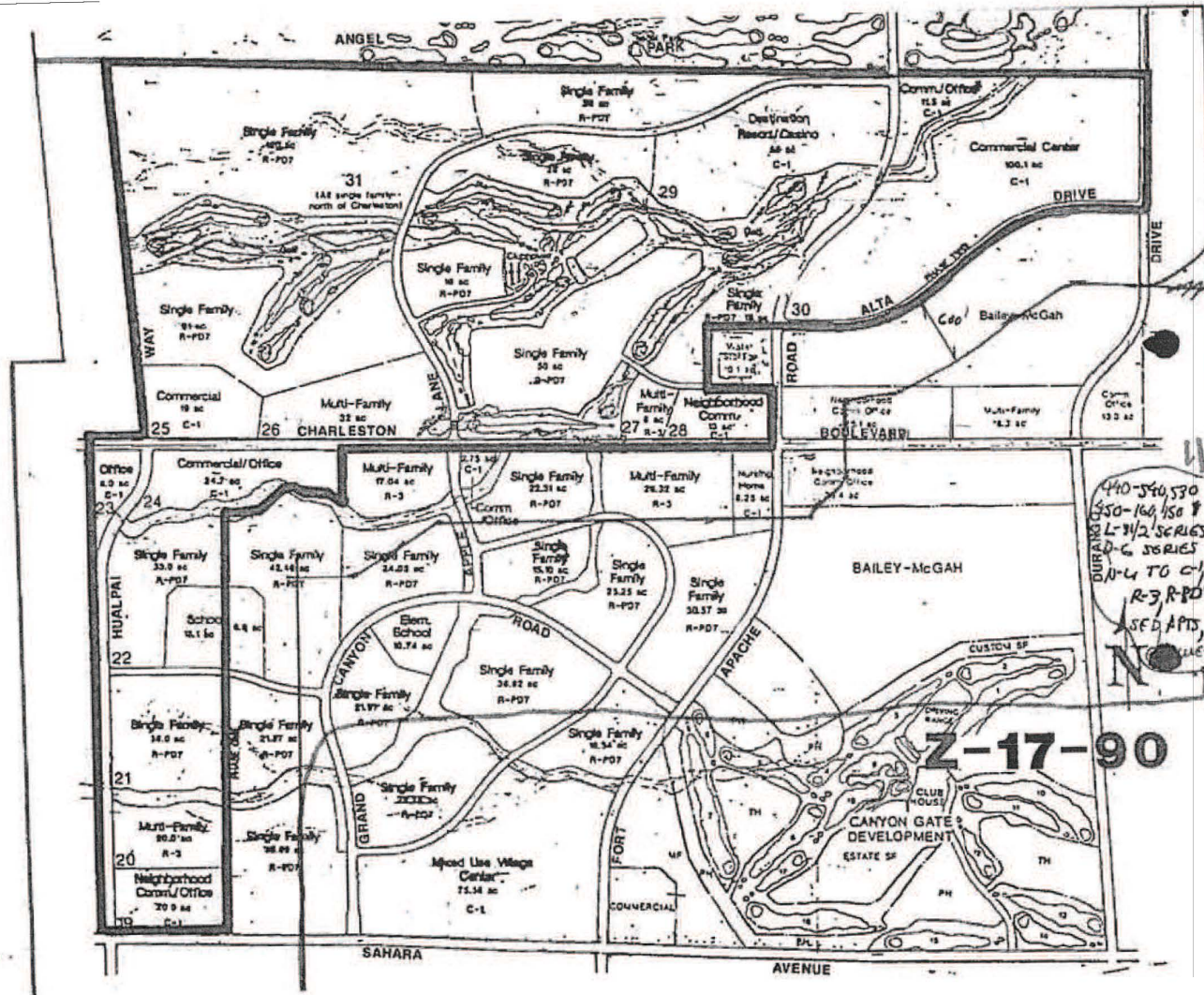
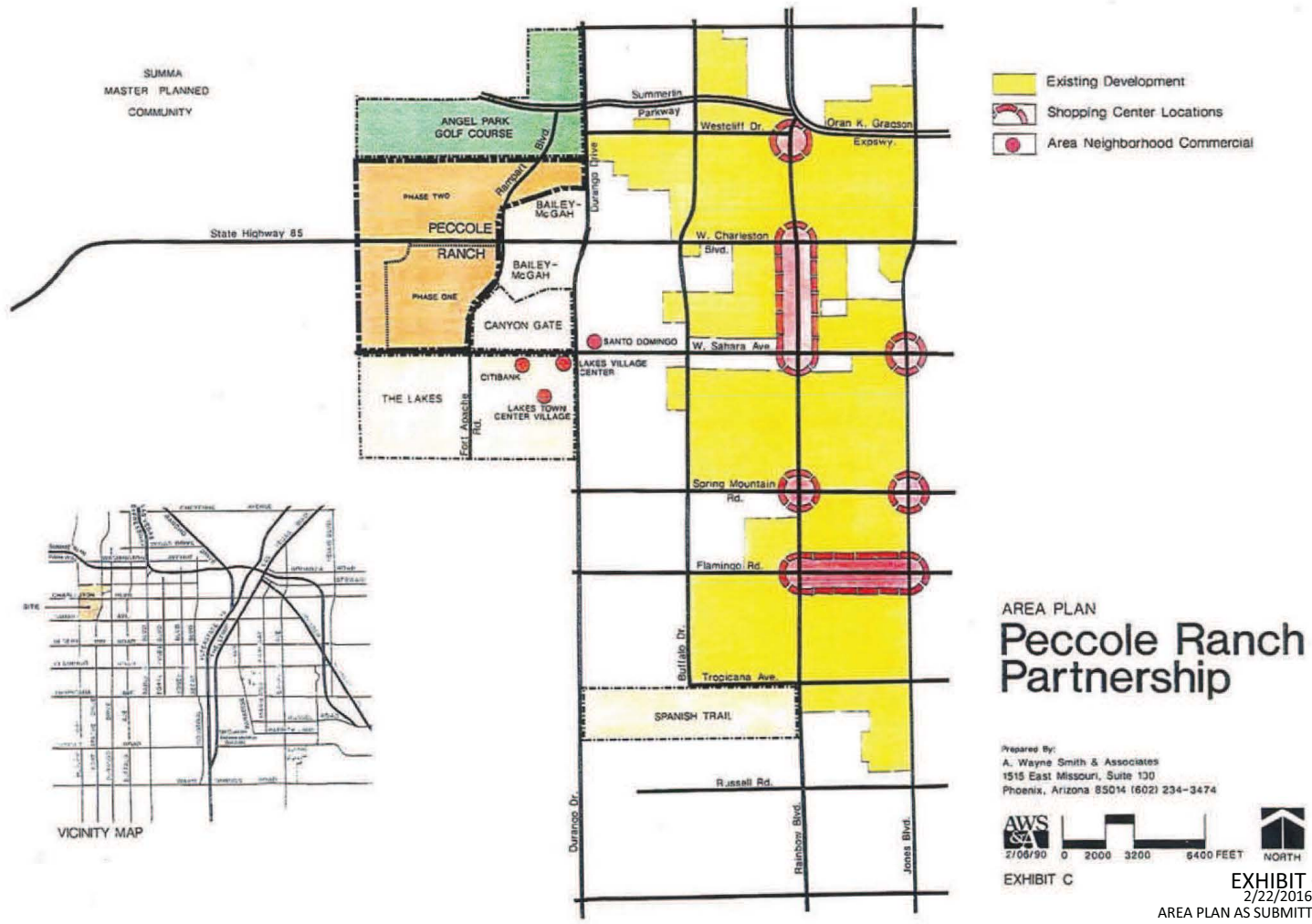


EXHIBIT B
2/22/2016
1990 APPROVED
PECCOLE RANCH
MASTER PLAN

PRJ-63491
000014

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



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

ROR025840