#### 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 05:18 p.m. Elizabeth A. Brown Clerk of Supreme Court

No. 84640

AMENDED JOINT APPENDIX VOLUME 58, PART 3

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# **EXHIBIT "J"**



Cruil Engineering
Construction
Management
Land Surveying
Planning

0171 0030

September 4, 1996

Mr Robert Genzer City of Las Vegas Planning Division 400 E Stewart Avenue Las Vegas, NV 89101

RE Badlands Golf Course, Phase 2

Dear Bob

As you know the Badlands Golf Course in Peccole Ranch is proposing to develop an additional 9 hole course between the existing golf course and Alta Drive  $\,$  The existing Master Plan zoning of this area is RPD-7, and the golf course would be developed within this zoned parcel  $\,$  I would like a letter from the City stating that a golf course would be compatible within this zoning  $\,$  I need the letter for the bank

Thank you for your consideration in this matter

Sincerely

Clyde O Spitze Vice President

COS kmv

11.00

6763 West Charleston Boulevard • Las Vegas, Nevada 89102 • (702) 258-0115 • Fax (702) 258-4956

4 58 PH





Mr Clyde O Spitze, Vice President Pentacore 6763 West Charleston Boulevard Las Vegas, Nevada 89102

Re BADLANDS GOLF COURSE, PHASE 2

Dear Mr Spitze

City records indicate that an 18 hole golf course with associated facilities was approved as part of the Peccole Ranch Master Plan in 1990. The property was subsequently zoned R-PD7 (Residential Planned Development - 7 Units Per Acre). Any expansion of the golf course within the R-PD7 area would be allowed subject to the approval of a plot plan by the Planning Commission.

If any additional information is needed regarding this property please do not hesitate to contact me

Very truly yours,

Robert S Genzer, Planning Supervisor Current Planning Division

RSG erh

CLV 7009 3810 015 6/95 400 E STEWART AVENUE • LAS VEGAS, NEVADA 89101-2986 (702) 229-6011 (VOICE) • (702) 386-9108 (TDD)





CLV65-000251

(	City of Las Vegas AGENDA	& MINUTES	Page 5
	COUNCIL CHAMBERS .	400 EAST STEWART AVENUE ACTION	1997
item Number	CONSENT AGENDA	ACTION	
Diminion.	PLANNING AND DEVELOPMENT		
A-1.	TM-82-96 - PECCOLE WEST LOT 10 - PECCOLE 1982 TRUST	APPROVED	
	If such has not already been completed by the Master Developer, construct half-street		
7	improvements including appropriate overpaving on Hualapai Way adjacent to this site concurrent with development anywhere on this site as		
	required by the Department of Public Works. All existing overpaving damaged or removed by this		
	development shall be restored at its original location and to its original width concurrent with development of this site as required by the Department of Public Works.	1	
	Construct full-width street improvements along Alta Drive between Rampart Boulevard and		
	Hualapai Way concurrent with the first phase of development anywhere on this site as required by the Department of Public Works. Construction		
	of Alta Drive may be phased with development of individual sites, however, the limits of		
	construction shall be determined by the City Engineer to provide continuous comidors to the individual sites, and as is necessary to handle		
	Increases in traffic demand. The City of Las Vegas reserves the right to demand the timely construction of any and all incomplete full-width	1	
	street improvements on Alta Drive between Hualapai Way and Rampart Boulevard when area traffic concerns may prompt such a request.		
	Contribute \$187,020.00 per the Peccole Ranch Signal Participation Proposal prior to the		
	issuance of building or off-site permits as required by the Department of Public Works. The developer may provide to the City Engineer a		
	cost breakdown based on the individual pod sites created by this map. The golf course sites must provide payment prior to the issuance of any		
	permits for the golf course sites or prior to the recordation of a Final Map for those sites.		

CLV65-000252

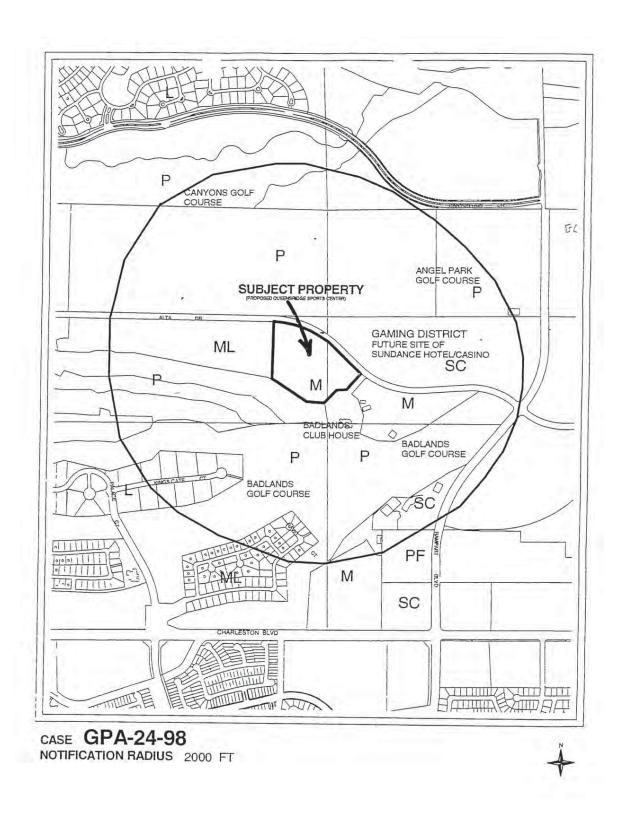


CLV65-000253



CLV65-000254

# **EXHIBIT "K"**



### City of Las Vegas

## CITY COUNCIL MINU1 3 MEETING OF SEPTEMBER 14, 1998

#### AGENDA DOCUMENTATION

TO THE CITY COUNCIL		THERESA O'DONNELL, DIRECTOR PLANNING AND DEVELOPMENT DEPARTMENT	
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SUBJECT GEN

GENERAL PLAN AMENDMENT - PUBLIC HEARING - GPA-24-98 - NEVADA LEGACY 14, LIMITED LIABILITY COMPANY AND PECCOLE NEVADA CORPORATION

#### PURPOSE/BACKGROUND

#### **DETAILS OF APPLICATION REQUEST**

Site Area

16 87

Acres

#### **EXISTING LAND USE**

Subject Property Unimproved
North Golf Course
South Golf Course
East Unimproved
West Unimproved

#### PLANNED LAND USE

Subject Property ML (Medium-Low Density Residential)

North P (Park) South P (Park)

East SC (Service Commercial)

West ML (Medium-Low Density Residential)

#### **EXISTING ZONING OF ADJACENT PROPERTIES**

Subject Property ROI to R-3 (Limited Multiple Family)

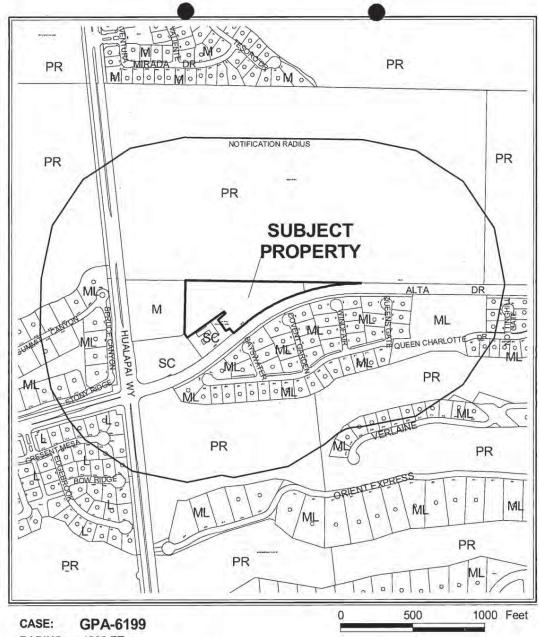
North C-V (Civic)

South ROI to R-PD7 (Residential Planned Development)

East ROI to C-1 (Limited Commercial)

West ROI to R-PD7 (Residential Planned Development)

Agenda Item



RADIUS: 1000 FT

GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

PF (PUBLIC FACILITIES)

PROPOSED GENERAL PLAN LAND USE DESIGNATION OF SUBJECT PROPERTY:

SC (SERVICE COMMERCIAL)



# **EXHIBIT "L"**

#### BILL NO. 2000-62 ORDINANCE NO. 5250

FIRST AMENDMENT

AN ORDINANCE TO ADOPT THE "LAS VEGAS 2020 MASTER PLAN," AND TO PROVIDE FOR OTHER RELATED MATTERS.

Proposed by: Willard Tim Chow, Director Planning and Development

Summary: Adopts the Las Vegas 2020 Master Plan.

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

SECTION 1: That certain document entitled the "Las Vegas 2020 Master Plan," including its appendices, is hereby adopted and incorporated herein by this reference. The material provisions of the Las Vegas 2020 Master Plan were approved by the Planning Commission on the 15th day of June, 2000. Copies of the Plan shall be maintained on file in the office of the City Clerk and in the Planning and Development Department.

SECTION 2: The City's General Plan, as adopted in 1992 by Ordinance No. 3636 and as amended, shall continue in effect in order to address elements and issues that are not contained or addressed in the Las Vegas 2020 Master Plan. Where the provisions of the Las Vegas 2020 Master Plan conflict or are inconsistent with provisions of the City's 1992 General Plan, as amended, the provisions of the Las Vegas 2020 Master Plan shall govern to the extent of any conflict or inconsistency.

SECTION 3: If any section, subsection, subdivision, paragraph, sentence, clause or phrase in this ordinance or any part thereof, is for any reason held to be unconstitutional, or invalid or ineffective by any court of competent jurisdiction, such decision shall not affect the validity or effectiveness of the remaining portions of this ordinance or any part thereof. The City Council of the City of Las Vegas hereby declares that it would have passed each section, subsection, subdivision, paragraph, sentence, clause or phrase thereof irrespective of the fact that any one or more sections, subsections, subdivisions, paragraphs, sentences, clauses or phrases be declared unconstitutional,

invalid or ineffective.



SECTION 4: All ordinances or parts of ordinances or sections, subsections, phrases, sentences, clauses or paragraphs contained in the Municipal Code of the City of Las Vegas, Nevada, 1983 Edition, in conflict herewith are hereby repealed. PASSED, ADOPTED and APPROVED this 6th day of Septem APPROVED: OSCAR B. GOODMAN, Mayor ATTEST: RBARA JO RONEMUS, City Clerk APPROVED AS TO FORM: -2-

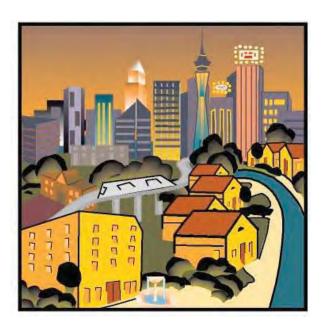
The above and foregoing ordinance was first proposed and read by title to the City Council on the 2nd day of August, 2000 and referred to the following committee composed of the Councilmen Weekly and Mack for recommendation; thereafter the said committee reported 3 favorably on said ordinance on the 6th day of September, 2000 which was a regular meeting of said Council; that at said regular meeting, the proposed ordinance was read by title to the City Council as amended and adopted by the following vote: 5 Mayor Goodman and Councilmembers M. McDonald, Reese, Brown, VOTING "AYE": L.B. McDonald, Weekly and Mack VOTING "NAY": NONE EXCUSED: NONE 10 APPROVED: 11 12 13 OSCAR B. GOODMAN, Mayor 14 ATTEST: 15 16 BARBARA JO RONEMUS, City Clerk 18 19 20 21 22 23 24 25 26

# LAS VEGAS 2020

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VISION

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Reurbanization

Neighborhood Revitalization

Newly Developing Areas

**Economic Diversity** 

Cultural Enhancement

Fiscal Management

Regional Coordination



The City of Las Vegas Master Plan 2020
was adopted by
Planning Commission on June 15, 2000
and was adopted by
City Council
through
Ordinance # 2000-62 on
September 6, 2000



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### LAS VEGAS 2020 MASTER PLAN TABLE OF CONTENTS

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#### LAND USE CLASSIFICATIONS

Phase I of the Las Vegas 2020 Master Plan does not call for any basic parcel-specific land use changes and will continue the land use categories as contained in the 1992 General Plan. Phase II of the Master Plan revision process will include a reassessment of the type of land use categories applied through the Master Plan. This is discussed in detail in the next chapter of the Plan.

The 1992 General Plan, as amended, contains seventeen land use classifications, which were used to regulate the type of land use activities divided according to density or intensity of use. These classifications are as follows:

### DESERT RURAL DENSITY RESIDENTIAL (DR)

(0 - 2 du/gross acre). The Desert Rural Density Residential category allows a maximum of 2 dwelling units per gross acre. The predominant residential lifestyle is single family homes on large lots, many including equestrian facilities. This is a generally rural environment that permits greater privacy and some non-commercial raising of domestic animals. It is expected that in the Desert Rural Density Residential category there generally would be no need for common facilities such as recreation, with the exception of maintaining an existing water system. (The primary application of this category is in the Northwest Sector.)

### RURAL DENSITY RESIDENTIAL (R)

(2.1 - 3.5 du/gross acre). The Rural Density Residential category allows a maximum of 3.5 dwelling units per gross acre. This is a rural or semi-rural environment with a lifestyle much like that of the Desert Rural, but with a smaller allowable lot size. (The primary application of this category is in portions of the Northwest Sector, and in the northeast and southeast portions of the Southwest Sector.)

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#### **LOW DENSITY RESIDENTIAL (L)**

(3.5 - 5.5 du/gross acre). The Low Density Residential category allows a maximum of 5.5 dwelling units per gross acre. This category permits single family detached homes, mobile homes on individual lots, gardening, home occupations, and family child care facilities. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. (The primary application of this category is in the Southwest and Southeast Sectors.)

### MEDIUM LOW DENSITY RESIDENTIAL (ML)

(5.6 - 8 du/gross acre). The Medium Low Density Residential category permits a maximum of 8 dwelling units per gross acre. This density range permits: single family detached homes, including compact lots and zero lot lines; mobile home parks and two-family dwellings. Local supporting uses such as parks, other recreation facilities, schools and churches are allowed in this category. (The Medium Low Density category is found in all sectors, but predominates in the Southwest Sector, and in the Southeast Sector as infill.)

### MEDIUM LOW ATTACHED DENSITY RESIDENTIAL (MLA)

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(8.1 - 12 du/gross acre). The Medium Low Attached Density Residential category permits a maximum of 12 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, condominiums, and low density apartments. This category is an appropriate use for the residential portion of a Village Center or Town Center Area. It is also an appropriate transitional use.

-----▶ Land Use Classifications

LAS VEGAS 2020 ···

(12.1 - 25 du/gross acre). The Medium Density Residential category permits a maximum of 25 dwelling units per gross acre. This category includes a variety of multi-family units such as plexes, townhouses, and low density apartments. (The Medium Density category is found in all sectors, but predominates in the Southwest and Southeast Sectors, with a large concentration along the "west leg" of the Oran K. Graqson Highway [US 95].)

#### **HIGH DENSITY RESIDENTIAL (H)**

(Greater than 25 du/gross acre). The High Density Residential category permits greater than 25 dwelling units per gross acre, with the exception of high rise apartments, which has no specific limit. (The High Density category is generally found as low rise apartments in the "Downtown Area" and other areas of relatively intensive urban development in the Southeast Sector.)

### PLANNED COMMUNITY DEVELOPMENT (PCD)

(2 - 8 du/gross acre) The Planned Community Development category allows for a mix of residential uses that maintain an average overall density ranging from two to eight dwelling units per gross acre, depending upon compatibility with adjacent uses (e.g. a density of two units per acre will be required when adjacent to DR designated property). In addition, commercial, public facilities and office projects may be used as buffers (depending upon compatibility issues) within the PCD.

Projects in undeveloped areas that are greater than eighty acres in size require a master plan (PD zoning). Projects less than eighty acres in size are not allowed within the PCD; however, infill projects may receive a waiver from this requirement.

Residential streets shall be designed to discourage through traffic, provide maximum privacy, and avoid the appearance of lot conformity. In order to protect existing lifestyles, adjacency standards and conditions may be required for new development.

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#### **TOWN CENTER (TC)**

The Town Center category is intended to be the principal employment center for the Northwest and is a mixed-use development category. As compatibility allows, a mix of uses can include: mall facilities, shopping centers and other retail facilities; high density residential uses; planned business, office and industrial parks; and recreational uses.

The complex nature of the Town Center Area requires the development of a special plan. (Some of the same land use designations will be used, but will utilize the TC suffix to denote that different criteria will be used for project approval.)

#### OFFICE (O)

The Office category provides for small lot office conversions as a transition, along primary and secondary streets, from residential and commercial uses, and for large planned office areas. Permitted uses include business, professional and financial offices as well as offices for individuals, civic, social, fraternal and other non-profit organizations.

#### **SERVICE COMMERCIAL (SC)**

The Service Commercial category allows low to medium intensity retail, office or other commercial uses that serve primarily local area patrons, and that do not include more intense general commercial characteristics. Examples include neighborhood shopping centers and areas, theaters, bowling alleys and other places of public assembly and public and semi-public uses. This category also includes offices either singly or grouped as office centers with professional and business services.

...... Land Use Classifications

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#### **GENERAL COMMERCIAL (GC)**

General Commercial allows retail, service, wholesale office and other general business uses of a more intense commercial character. These uses commonly include outdoor storage or display of products or parts, noise, lighting or other characteristics not generally considered compatible with adjoining residential areas without significant transition. Examples include new and used car sales, recreational vehicle and boat sales, car body and engine repair shops, mortuaries, and other highway uses such as hotels, motels, apartment hotels and similar uses. The General Commercial category allows Service Commercial uses.

#### **TOURIST COMMERCIAL (TC)**

Tourist Commercial allows entertainment and visitororiented uses such as hotels, motels and casinos in addition to offices, light commercial resort complexes, recreation facilities, restaurants and recreational vehicle parks.

### LIGHT INDUSTRY/RESEARCH (LI/R)

This Light Industry/Research category allows areas appropriate for clean, low-intensity (non-polluting and non-nuisance) industrial uses, including light manufacturing, assembling and processing, warehousing and distribution, and research, development and testing laboratories. Typical supporting and ancillary general uses are also allowed.

### PARKS/RECREATION/OPEN SPACE (P)

This category allows large public parks and recreation areas such as public and private golf courses, trails and easements, drainage ways and detention basins, and any other large areas of permanent open land.

other

Land Use Classifications

----- LAS VEGAS 2020 MASTER PLAN

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#### SCHOOLS (S)

This category allows public and private elementary, junior and senior high schools, but not commercial or business schools.

#### **PUBLIC FACILITIES (PF)**

This category allows large governmental building sites and complexes, police and fire facilities, non-commercial hospitals and rehabilitation sites, sewage treatment and storm water control facilities, and other uses considered public or semi-public such as libraries and public utility facilities.

....-► Land Use Classifications

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### IMPLEMENTATION METHODOLOGY

The implementation of the Las Vegas 2020 Master Plan should occur through the development and completion of a number of subsequent initiatives. This capstone document is to act as a broad set of overarching policies and is intended to have direct linkages with, and provide direction to, these subsequent initiatives. These other initiatives are listed below.

#### REVISIONS TO LAND USE CLASSIFICATIONS AND LONG-TERM DESIGNATIONS

Preparation and approval of this "capstone" policy document represents the completion of Phase I of the Las Vegas 2020 Master Plan process. Phase II contains a number of initiatives, one of which is an examination of the current land use classification system and the land use map. The current approach is too highly detailed in some cases but not detailed enough in other cases. A different approach may be to replace some of these classifications. Amendments to parcel-specific land use designations will be proposed in accordance with these changes and pursuant to the adoption of the goals, objectives and policies in this Plan.

### ADJUSTMENTS TO ZONING AND SUBDIVISION ORDINANCES

The City's Zoning and Subdivision Ordinances act as the tools which implement the broad policy sets contained in the Master Plan. It is logical to assume that the need may arise to amend these tools to adequately and accurately reflect the policy direction of the Master Plan. This may include the creation or modification of one or more zones or the alteration of minimum standard regulations within the Zoning Ordinance. In addition, it may be necessary over the life of the Master Plan to modify provisions within the Subdivision Ordinance.

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---- Implementation Methodology

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### COMPLETION OF MASTER PLAN ELEMENTS

There are a number of specific elements which will be prepared in order to fully address issues which are listed in the state statutes, and which are the subject of policy references in the capstone portion of the Master Plan. A number of these elements were under preparation simultaneously with the Master Plan capstone document, including a Parks Element, a Trails Element, a Public Safety Element and a Housing Element.

A number of other areas should be addressed within separate elements, in order to implement the broad policy direction within the Master Plan. These future elements could include a Conservation Element (including a Regional Flood Control Plan), a Historic Properties Preservation Element, and a Transit and Transportation Element. An update should also be considered for the Master Plan of Streets and Highways.

### COMPLETION OF SPECIAL AREA LAND USE PLANS

There are precincts within the city which may require the development of special land use plans in order to address issues that are unique to a limited geographical area. In these cases, the general policy framework of the Master Plan is insufficient to provide the detailed policy set necessary to respond to such issues.

Currently, there is a special area plan in place for the Downtown, in the form of the Downtown Las Vegas Centennial Plan. A Downtown Neighborhood Plan is also under preparation as a neighborhood-driven initiative by the Downtown Central Development Committee (DCDC). There is also work underway on revisions to the West Las Vegas Plan. Already in place is a special area plan for the Medical District.

Implementation Methodology

LAS VEGAS 2020 MASTER PLAN

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Additionally, a number of newly developing areas of the city, such as Summerlin, Peccole Ranch, the Lone Mountain area, and other areas are subject to special master plans or development agreements as planned communities. Special area plans may be needed to provide special policy direction for both redeveloping areas within the central portion of the city or in newly developing areas on the urban fringe.

In particular, special area plans may be required for the Kyle Canyon area of the Northwest Sector, and a plan may be prepared to address land use and design issues in the Rancho Drive corridor. Other planning initiatives which may require reexamination include the Las Vegas Redevelopment Plan and a future land use map for the Downtown area.

# APPOINTMENT OF CAPITAL IMPROVEMENT PLANNING COORDINATOR

One of the principal findings of the Master Plan is the need to link capital improvement programming and operating and maintenance budgets with long range planning as contained in the Master Plan. This is required to efficiently coordinate the planning and construction of infrastructure and the development of services in anticipation of new development, or in the future, of urban redevelopment.

To this end, the Master Plan suggests the need to have staff in place to provide a dedicated link between the Master Plan and the City departments and relevant agencies vested with developing this infrastructure and with providing these services.

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·····▶ Implementation Methodology —

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# **EXHIBIT "M"**

