

**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 30 2022 09:10 a.m.  
Elizabeth A. Brown  
Clerk of Supreme Court

No. 84640

**AMENDED  
JOINT APPENDIX  
VOLUME 93, PART 1**

**LAW OFFICES OF KERMITT L. WATERS**

Kermitt L. Waters, Esq.  
Nevada Bar No. 2571  
[kermitt@kermittwaters.com](mailto:kermitt@kermittwaters.com)  
James J. Leavitt, Esq.  
Nevada Bar No. 6032  
[jim@kermittwaters.com](mailto:jim@kermittwaters.com)  
Michael A. Schneider, Esq.  
Nevada Bar No. 8887  
[michael@kermittwaters.com](mailto:michael@kermittwaters.com)  
Autumn L. Waters, Esq.  
Nevada Bar No. 8917  
[autumn@kermittwaters.com](mailto:autumn@kermittwaters.com)  
704 South Ninth Street  
Las Vegas, Nevada 89101  
Telephone: (702) 733-8877

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

**LAS VEGAS CITY ATTORNEY'S OFFICE**

Bryan K. Scott, Esq.  
Nevada Bar No. 4381  
[bscott@lasvegasnevada.gov](mailto:bscott@lasvegasnevada.gov)  
Philip R. Byrnes, Esq.  
[pbyrnes@lasvegasnevada.gov](mailto:pbyrnes@lasvegasnevada.gov)  
Nevada Bar No. 166  
Rebecca Wolfson, Esq.  
[rwolfson@lasvegasnevada.gov](mailto:rwolfson@lasvegasnevada.gov)  
Nevada Bar No. 14132  
495 S. Main Street, 6th Floor  
Las Vegas, Nevada 89101  
Telephone: (702) 229-6629

*Attorneys for City of Las Vegas*

CLAGGETT & SYKES LAW FIRM

Micah S. Echols, Esq.

Nevada Bar No. 8437

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

4101 Meadows Lane, Suite 100

Las Vegas, Nevada 89107

(702) 655-2346 – Telephone

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

McDONALD CARANO LLP

George F. Ogilvie III, Esq.

Nevada Bar No. 3552

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

Amanda C. Yen, Esq.

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

Nevada Bar No. 9726

Christopher Molina, Esq.

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

Nevada Bar No. 14092

2300 W. Sahara Ave., Ste. 1200

Las Vegas, Nevada 89102

Telephone: (702) 873-4100

LEONARD LAW, PC

Debbie Leonard, Esq.

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

Nevada Bar No. 8260

955 S. Virginia Street Ste. 220

Reno, Nevada 89502

Telephone: (775) 964.4656

SHUTE, MIHALY & WEINBERGER, LLP

Andrew W. Schwartz, Esq.

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

California Bar No. 87699

(admitted pro hac vice)

Lauren M. Tarpey, Esq.

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

California Bar No. 321775

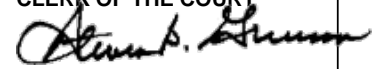
(admitted pro hac vice)

396 Hayes Street

San Francisco, California 94102

Telephone: (415) 552-7272

*Attorneys for City of Las Vegas*



1 **APEN**

2 Bryan K. Scott (NV Bar No. 4381)  
3 Philip R. Byrnes (NV Bar No. 166)  
4 Rebecca Wolfson (NV Bar No. 14132)  
5 LAS VEGAS CITY ATTORNEY'S OFFICE  
6 495 South Main Street, 6th Floor  
7 Las Vegas, Nevada 89101  
8 Telephone: (702) 229-6629  
9 Facsimile: (702) 386-1749  
10 bscott@lasvegasnevada.gov  
11 pbyrnes@lasvegasnevada.gov  
12 rwolfson@lasvegasnevada.gov

13 (Additional Counsel Identified on Signature Page)

14 *Attorneys for City of Las Vegas*

15 **DISTRICT COURT**

16 **CLARK COUNTY, NEVADA**

17 180 LAND CO LLC, a Nevada limited liability  
18 company, FORE STARS, LTD., a Nevada  
19 limited liability company and SEVENTY  
20 ACRES, LLC, a Nevada limited liability  
21 company, DOE INDIVIDUALS I-X, DOE  
22 CORPORATIONS I-X, and DOE LIMITED  
23 LIABILITY COMPANIES I-X,

24 Plaintiffs,

25 v.

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

32 Defendants.

CASE NO.: A-17-758528-J

DEPT. NO.: XVI

**SUPPLEMENT TO APPENDIX OF  
EXHIBITS IN SUPPORT OF CITY'S  
OPPOSITION TO PLAINTIFF'S  
MOTION TO DETERMINE TAKE  
AND FOR SUMMARY JUDGMENT  
ON THE FIRST, THIRD, AND  
FOURTH CLAIMS FOR RELIEF AND  
COUNTERMOTION FOR SUMMARY  
JUDGMENT**

**VOLUME 19**

33 The City of Las Vegas ("City") submits this Appendix of Exhibits in Support of the City's  
34 Opposition to Plaintiff's Motion to Determine Take and For Summary Judgement on the First, Third,  
35 and Fourth Claims for Relief and its Countermotion for Summary Judgment.

Exhibit	Exhibit Description	Vol.	Bates No.
A	City records regarding Ordinance No. 2136 (Annexing 2,246 acres to the City of Las Vegas)	1	0001-0011
B	City records regarding Peccole Land Use Plan and Z-34-81 rezoning application	1	0012-0030

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

Exhibit	Exhibit Description	Vol.	Bates No.
C	City records regarding Venetian Foothills Master Plan and Z-30-86 rezoning application	1	0031-0050
D	Excerpts of the 1985 City of Las Vegas General Plan	1	0051-0061
E	City records regarding Peccole Ranch Master Plan and Z-139-88 phase I rezoning application	1	0062-0106
F	City records regarding Z-40-89 rezoning application	1	0107-0113
G	Ordinance No. 3472 and related records	1	0114-0137
H	City records regarding Amendment to Peccole Ranch Master Plan and Z-17-90 phase II rezoning application	1	0138-0194
I	Excerpts of 1992 City of Las Vegas General Plan	2	0195-0248
J	City records related to Badlands Golf Course expansion	2	0249-0254
K	Excerpt of land use case files for GPA-24-98 and GPA-6199	2	0255-0257
L	Ordinance No. 5250 and Excerpts of Las Vegas 2020 Master Plan	2	0258-0273
M	Miscellaneous Southwest Sector Land Use Maps from 2002-2005	2	0274-0277
N	Ordinance No. 5787 and Excerpts of 2005 Land Use Element	2	0278-0291
O	Ordinance No. 6056 and Excerpts of 2009 Land Use & Rural Neighborhoods Preservation Element	2	0292-0301
P	Ordinance No. 6152 and Excerpts of 2012 Land Use & Rural Neighborhoods Preservation Element	2	0302-0317
Q	Ordinance No. 6622 and Excerpts of 2018 Land Use & Rural Neighborhoods Preservation Element	2	0318-0332
R	Ordinance No. 1582	2	0333-0339
S	Ordinance No. 4073 and Excerpt of the 1997 City of Las Vegas Zoning Code	2	0340-0341
T	Ordinance No. 5353	2	0342-0361
U	Ordinance No. 6135 and Excerpts of City of Las Vegas Unified Development Code adopted March 16, 2011	2	0362-0364
V	Deeds transferring ownership of the Badlands Golf Course	2	0365-0377
W	Third Revised Justification Letter regarding the Major Modification to the 1990 Conceptual Peccole Ranch Master Plan	2	0378-0381
X	Parcel maps recorded by the Developer subdividing the Badlands Golf Course	3	0382-0410
Y	EHB Companies promotional materials	3	0411-0445
Z	General Plan Amendment (GPA-62387), Rezoning (ZON-62392) and Site Development Plan Review (SDR-62393) applications	3	0446-0466
AA	Staff Report regarding 17-Acre Applications	3	0467-0482

Exhibit	Exhibit Description	Vol.	Bates No.
BB	Major Modification (MOD-63600), Rezoning (ZON-63601), General Plan Amendment (GPA-63599), and Development Agreement (DIR-63602) applications	3	0483-0582
CC	Letter requesting withdrawal of MOD-63600, GPA-63599, ZON-63601, DIR-63602 applications	4	0583
DD	Transcript of February 15, 2017 City Council meeting	4	0584-0597
EE	Judge Crockett's March 5, 2018 order granting Queensridge homeowners' petition for judicial review, Case No. A-17-752344-J	4	0598-0611
FF	Docket for NSC Case No. 75481	4	0612-0623
GG	Complaint filed by Fore Stars Ltd. and Seventy Acres LLC, Case No. A-18-773268-C	4	0624-0643
HH	General Plan Amendment (GPA-68385), Site Development Plan Review (SDR-68481), Tentative Map (TMP-68482), and Waiver (68480) applications	4	0644-0671
II	June 21, 2017 City Council meeting minutes and transcript excerpt regarding GPA-68385, SDR-68481, TMP-68482, and 68480.	4	0672-0679
JJ	Docket for Case No. A-17-758528-J	4	0680-0768
KK	Judge Williams' Findings of Fact and Conclusions of Law, Case No. A-17-758528-J	5	0769-0793
LL	Development Agreement (DIR-70539) application	5	0794-0879
MM	August 2, 2017 City Council minutes regarding DIR-70539	5	0880-0882
NN	Judge Sturman's February 15, 2019 minute order granting City's motion to dismiss, Case No. A-18-775804-J	5	0883
OO	Excerpts of August 2, 2017 City Council meeting transcript	5	0884-0932
PP	Final maps for Amended Peccole West and Peccole West Lot 10	5	0933-0941
QQ	Excerpt of the 1983 Edition of the Las Vegas Municipal Code	5	0942-0951
RR	Ordinance No. 2185	5	0952-0956
SS	1990 aerial photograph identifying Phase I and Phase II boundaries, produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0957
TT	1996 aerial photograph identifying Phase I and Phase II boundaries, produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0958
UU	1998 aerial photograph identifying Phase I and Phase II boundaries, produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0959

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

Exhibit	Exhibit Description	Vol.	Bates No.
VV	2015 aerial photograph identifying Phase I and Phase II boundaries, retail development, hotel/casino, and Developer projects, produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0960
WW	2015 aerial photograph identifying Phase I and Phase II boundaries, produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0961
XX	2019 aerial photograph identifying Phase I and Phase II boundaries, and current assessor parcel numbers for the Badlands property, produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0962
YY	2019 aerial photograph identifying Phase I and Phase II boundaries, and areas subject to inverse condemnation litigation, produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0963
ZZ	2019 aerial photograph identifying areas subject to proposed development agreement (DIR-70539), produced by the City's Planning & Development Department, Office of Geographic Information Systems (GIS)	5	0964
AAA	Membership Interest Purchase and Sale Agreement	6	0965-0981
BBB	Transcript of May 16, 2018 City Council meeting	6	0982-0998
CCC	City of Las Vegas' Amicus Curiae Brief, <i>Seventy Acres, LLC v. Binion</i> , Nevada Supreme Court Case No. 75481	6	0999-1009
DDD	Nevada Supreme Court March 5, 2020 Order of Reversal, <i>Seventy Acres, LLC v. Binion</i> , Nevada Supreme Court Case No. 75481	6	1010-1016
EEE	Nevada Supreme Court August 24, 2020 Remittitur, <i>Seventy Acres, LLC v. Binion</i> , Nevada Supreme Court Case No. 75481	6	1017-1018
FFF	March 26, 2020 Letter from City of Las Vegas Office of the City Attorney to Counsel for the Developer Re: Entitlements on 17 Acres	6	1019-1020
GGG	September 1, 2020 Letter from City of Las Vegas Office of the City Attorney to Counsel for the Developer Re: Final Entitlements for 435-Unit Housing Development Project in Badlands	6	1021-1026
HHH	Complaint Pursuant to 42 U.S.C. § 1983, <i>180 Land Co. LLC et al. v. City of Las Vegas, et al.</i> , 18-cv-00547 (2018)	6	1027-1122
III	9th Circuit Order in <i>180 Land Co. LLC; et al v. City of Las Vegas, et al.</i> , 18-cv-0547 (Oct. 19, 2020)	6	1123-1127
JJJ	Plaintiff Landowners' Second Supplement to Initial Disclosures Pursuant to NRCP 16.1 in 65-Acre case	6	1128-1137
LLL	Bill No. 2019-48: Ordinance No. 6720	7	1138-1142

Exhibit	Exhibit Description	Vol.	Bates No.
MMM	Bill No. 2019-51: Ordinance No. 6722	7	1143-1150
NNN	March 26, 2020 Letter from City of Las Vegas Office of the City Attorney to Counsel for the Developer Re: Entitlement Requests for 65 Acres	7	1151-1152
OOO	March 26, 2020 Letter from City of Las Vegas Office of the City Attorney to Counsel for the Developer Re: Entitlement Requests for 133 Acres	7	1153-1155
PPP	April 15, 2020 Letter from City of Las Vegas Office of the City Attorney to Counsel for the Developer Re: Entitlement Requests for 35 Acres	7	1156-1157
QQQ	Valbridge Property Advisors, Lubawy & Associates Inc., Appraisal Report (Aug. 26, 2015)	7	1158-1247
RRR	Notice of Entry of Order Adopting the Order of the Nevada Supreme Court and Denying Petition for Judicial Review	7	1248-1281
SSS	Letters from City of Las Vegas Approval Letters for 17-Acre Property (Feb. 16, 2017)	8	1282-1287
TTT	Reply Brief of Appellants 180 Land Co. LLC, Fore Stars, LTD, Seventy Acres LLC, and Yohan Lowie in <i>180 Land Co LLC et al v. City of Las Vegas</i> , Court of Appeals for the Ninth Circuit Case No. 19-16114 (June 23, 2020)	8	1288-1294
UUU	Excerpt of Reporter's Transcript of Hearing on City of Las Vegas' Motion to Compel Discovery Responses, Documents and Damages Calculation and Related Documents on Order Shortening Time in <i>180 Land Co. LLC v. City of Las Vegas</i> , Eighth Judicial District Court Case No. A-17-758528-J (Nov. 17, 2020)	8	1295-1306
VVV	Plaintiff Landowners' Sixteenth Supplement to Initial Disclosures in <i>180 Land Co., LLC v. City of Las Vegas</i> , Eighth Judicial District Court Case No. A-17-758528-J (Nov. 10, 2020)	8	1307-1321
WWW	Excerpt of Transcript of Las Vegas City Council Meeting (Aug. 2, 2017)	8	1322-1371
XXX	Notice of Entry of Findings of Facts and Conclusions of Law on Petition for Judicial Review in <i>180 Land Co. LLC v. City of Las Vegas</i> , Eighth Judicial District Court Case No. A-17-758528-J (Nov. 26, 2018)	8	1372-1399
YYY	Notice of Entry of Order <i>Nunc Pro Tunc</i> Regarding Findings of Fact and Conclusion of Law Entered November 21, 2019 in <i>180 Land Co. LLC v. City of Las Vegas</i> , Eighth Judicial District Court Case No. A-17-758528 (Feb. 6, 2019)	8	1400-1405
ZZZ	City of Las Vegas Agenda Memo – Planning, for City Council Meeting June 21, 2017, Re: GPA-68385, WVR-68480, SDR-68481, and TMP-68482 [PRJ-67184]	8	1406-1432

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

Exhibit	Exhibit Description	Vol.	Bates No.
AAAA	Excerpts from the Land Use and Rural Neighborhoods Preservation Element of the City's 2020 Master Plan adopted by the City Council of the City on September 2, 2009	8	1433-1439
BBBB	Summons and Complaint for Declaratory Relief and Injunctive Relief, and Verified Claims in Inverse Condemnation in <i>180 Land Co. LLC v. City of Las Vegas</i> , Eighth Judicial District Court Case No.A-18-780184-C	8	1440-1477
CCCC	Notice of Entry of Findings of Fact and Conclusions of Law Granting City of Las Vegas' Motion for Summary Judgment in <i>180 Land Co. LLC v. City of Las Vegas</i> , Eighth Judicial District Court Case No.A-18-780184-C (Dec. 30, 2020)	8	1478-1515
DDDD	Peter Lowenstein Declaration	9	1516-1522
DDDD-1	Exhibit 1 to Peter Lowenstein Declaration: Diagram of Existing Access Points	9	1523-1526
DDDD-2	Exhibit 2 to Peter Lowenstein Declaration: July 5, 2017 Email from Mark Colloton	9	1527-1531
DDDD-3	Exhibit 3 to Peter Lowenstein Declaration: June 28, 2017 Permit application	9	1532-1533
DDDD-4	Exhibit 4 to Peter Lowenstein Declaration: June 29, 2017 Email from Mark Colloton re Rampart and Hualapai	9	1534-1536
DDDD-5	Exhibit 5 to Peter Lowenstein Declaration: August 24, 2017 Letter from City Department of Planning	9	1537
DDDD-6	Exhibit 6 to Peter Lowenstein Declaration: July 26, 2017 Email from Peter Lowenstein re Wall Fence	9	1538
DDDD-7	Exhibit 7 to Peter Lowenstein Declaration: August 10, 2017 Application for Walls, Fences, or Retaining Walls; related materials	9	1539-1546
DDDD-8	Exhibit 8 to Peter Lowenstein Declaration: August 24, 2017 Email from Steve Gebeke	9	1547-1553
DDDD-9	Exhibit 9 to Peter Lowenstein Declaration: Bill No. 2018-24	9	1554-1569
DDDD-10	Exhibit 10 to Peter Lowenstein Declaration: Las Vegas City Council Ordinance No. 6056 and excerpts from Land Use & Rural Neighborhoods Preservation Element	9	1570-1577
DDDD-11	Exhibit 11 to Peter Lowenstein Declaration: documents submitted to Las Vegas Planning Commission by Jim Jimmerson at February 14, 2017 Planning Commission meeting	9	1578-1587
EEEE	GPA-72220 application form	9	1588-1590
FFFF	Chris Molina Declaration	9	1591-1605
FFFF-1	Fully Executed Copy of Membership Interest Purchase and Sale Agreement for Fore Stars Ltd.	9	1606-1622



Exhibit	Exhibit Description	Vol.	Bates No.
FFFF-2	Summary of Communications between Developer and Peccole family regarding acquisition of Badlands Property	9	1623-1629
FFFF-3	Reference map of properties involved in transactions between Developer and Peccole family	9	1630
FFFF-4	Excerpt of appraisal for One Queensridge place dated October 13, 2005	9	1631-1632
FFFF-5	Site Plan Approval for One Queensridge Place (SDR-4206)	9	1633-1636
FFFF-6	Securities Redemption Agreement dated September 14, 2005	9	1637-1654
FFFF-7	Securities Purchase Agreement dated September 14, 2005	9	1655-1692
FFFF-8	Badlands Golf Course Clubhouse Improvement Agreement dated September 6, 2005	9	1693-1730
FFFF-9	Settlement Agreement and Mutual Release dated June 28, 2013	10	1731-1782
FFFF-10	June 12, 2014 emails and Letter of Intent regarding the Badlands Golf Course	10	1783-1786
FFFF-11	July 25, 2014 email and initial draft of Golf Course Purchase Agreement	10	1787-1813
FFFF-12	August 26, 2014 email from Todd Davis and revised purchase agreement	10	1814-1843
FFFF-13	August 27, 2014 email from Billy Bayne regarding purchase agreement	10	1844-1846
FFFF-14	September 15, 2014 email and draft letter to BGC Holdings LLC regarding right of first refusal	10	1847-1848
FFFF-15	November 3, 2014 email regarding BGC Holdings LLC	10	1849-1851
FFFF-16	November 26, 2014 email and initial draft of stock purchase and sale agreement	10	1852-1870
FFFF-17	December 1, 2015 emails regarding stock purchase agreement	10	1871-1872
FFFF-18	December 1, 2015 email and fully executed signature page for stock purchase agreement	10	1873-1874
FFFF-19	December 23, 2014 emails regarding separation of Fore Stars Ltd. and WRL LLC acquisitions into separate agreements	10	1875-1876
FFFF-20	February 19, 2015 emails regarding notes and clarifications to purchase agreement	10	1877-1879
FFFF-21	February 26, 2015 email regarding revised purchase agreements for Fore Stars Ltd. and WRL LLC	10	1880
FFFF-22	February 27, 2015 emails regarding revised purchase agreements for Fore Stars Ltd. and WRL LLC	10	1881-1882
FFFF-23	Fully executed Membership Interest Purchase Agreement for WRL LLC	10	1883-1890

Exhibit	Exhibit Description	Vol.	Bates No.
FFFF-24	June 12, 2015 email regarding clubhouse parcel and recorded parcel map	10	1891-1895
FFFF-25	Quitclaim deed for Clubhouse Parcel from Queensridge Towers LLC to Fore Stars Ltd.	10	1896-1900
FFFF-26	Record of Survey for Hualapai Commons Ltd.	10	1901
FFFF-27	Deed from Hualapai Commons Ltd. to EHC Hualapai LLC	10	1902-1914
FFFF-28	Purchase Agreement between Hualapai Commons Ltd. and EHC Hualapai LLC	10	1915-1931
FFFF-29	City of Las Vegas' First Set of Interrogatories to Plaintiff	10	1932-1945
FFFF-30	Plaintiff 180 Land Company LLC's Responses to City of Las Vegas' First Set of Interrogatories to Plaintiff, 3 <sup>rd</sup> Supplement	10	1946-1973
FFFF-31	City of Las Vegas' Second Set of Requests for Production of Documents to Plaintiff	11	1974-1981
FFFF-32	Plaintiff 180 Land Company LLC's Response to Defendant City of Las Vegas' Second Set of Requests for Production of Documents to Plaintiff	11	1982-1989
FFFF-33	September 14, 2020 Letter to Plaintiff regarding Response to Second Set of Requests for Production of Documents	11	1990-1994
FFFF-34	First Supplement to Plaintiff Landowners Response to Defendant City of Las Vegas' Second Set of Requests for Production of Documents to Plaintiff	11	1995-2002
FFFF-35	Motion to Compel Discovery Responses, Documents and Damages Calculation, and Related Documents on Order Shortening Time	11	2003-2032
FFFF-36	Transcript of November 17, 2020 hearing regarding City's Motion to Compel Discovery Responses, Documents and Damages Calculation, and Related Documents on Order Shortening Time	11	2033-2109
FFFF-37	February 24, 2021 Order Granting in Part and denying in part City's Motion to Compel Discovery Responses, Documents and Damages Calculation, and Related Documents on Order Shortening Time	11	2110-2118
FFFF-38	April 1, 2021 Letter to Plaintiff regarding February 24, 2021 Order	11	2119-2120
FFFF-39	April 6, 2021 email from Elizabeth Ghanem Ham regarding letter dated April 1, 2021	11	2121-2123
FFFF-40	Hydrologic Criteria and Drainage Design Manual, Section 200	11	2124-2142
FFFF-41	Hydrologic Criteria and Drainage Design Manual, Standard Form 1	11	2143
FFFF-42	Hydrologic Criteria and Drainage Design Manual, Standard Form 2	11	2144-2148
FFFF-43	Email correspondence regarding minutes of August 13, 2018 meeting with GCW regarding Technical Drainage Study	11	2149-2152

Exhibit	Exhibit Description	Vol.	Bates No.
FFFF-44	Excerpts from Peccole Ranch Master Plan Phase II regarding drainage and open space	11	2153-2159
FFFF-45	Aerial photos and demonstrative aids showing Badlands open space and drainage system	11	2160-2163
FFFF-46	August 16, 2016 letter from City Streets & Sanitation Manager regarding Badlands Golf Course Drainage Maintenance	11	2164-2166
FFFF-47	Excerpt from EHB Companies promotional materials regarding security concerns and drainage culverts	11	2167
GGGG	Landowners' Reply in Support of Countermotion for Judicial Determination of Liability on the Landowners' Inverse Condemnation Claims Etc. in <i>180 Land Co., LLC v. City of Las Vegas</i> , Eighth Judicial District Court Case No. A-17-758528-J (March 21, 2019)	11	2168-2178
HHHH	State of Nevada State Board of Equalization Notice of Decision, <i>In the Matter of Fore Star Ltd., et al.</i> (Nov. 30, 2017)	11	2179-2183
IIII	Clark County Real Property Tax Values	11	2184-2199
JJJJ	Clark County Tax Assessor's Property Account Inquiry - Summary Screen	11	2200-2201
KKKK	February 22, 2017 Clark County Assessor Letter to 180 Land Co. LLC, re Assessor's Golf Course Assessment	11	2202
LLLL	Petitioner's Opening Brief, <i>In the matter of 180 Land Co. LLC</i> (Aug. 29, 2017), State Board of Equalization	12	2203-2240
MMMM	September 21, 2017 Clark County Assessor Stipulation for the State Board of Equalization	12	2241
NNNN	Excerpt of Reporter's Transcript of Hearing in <i>180 Land Co. v. City of Las Vegas</i> , Eighth Judicial District Court Case No. A-17-758528-J (Feb. 16, 2021)	12	2242-2293
OOOO	June 28, 2016 Letter from Mark Colloton re: Reasons for Access Points Off Hualapai Way and Rampart Blvd.	12	2294-2299
PPPP	Transcript of City Council Meeting (May 16, 2018)	12	2300-2375
QQQQ	Supplemental Declaration of Seth T. Floyd	13	2376-2379
QQQQ-1	1981 Peccole Property Land Use Plan	13	2380
QQQQ-2	1985 Las Vegas General Plan	13	2381-2462
QQQQ-3	1975 General Plan	13	2463-2558
QQQQ-4	Planning Commission meeting records regarding 1985 General Plan	14	2559-2786
QQQQ-5	1986 Venetian Foothills Master Plan	14	2787
QQQQ-6	1989 Peccole Ranch Master Plan	14	2788
QQQQ-7	1990 Master Development Plan Amendment	14	2789
QQQQ-8	Citizen's Advisory Committee records regarding 1992 General Plan	14	2790-2807

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

Exhibit	Exhibit Description	Vol.	Bates No.
QQQQ-9	1992 Las Vegas General Plan	15-16	2808-3257
QQQQ-10	1992 Southwest Sector Map	17	3258
QQQQ-11	Ordinance No. 5250 (Adopting 2020 Master Plan)	17	3259-3266
QQQQ-12	Las Vegas 2020 Master Plan	17	3267-3349
QQQQ-13	Ordinance No. 5787 (Adopting 2005 Land Use Element)	17	3350-3416
QQQQ-14	2005 Land Use Element	17	3417-3474
QQQQ-15	Ordinance No. 6056 (Adopting 2009 Land Use and Rural Neighborhoods Preservation Element)	17	3475-3479
QQQQ-16	2009 Land Use and Rural Neighborhoods Preservation Element	18	3480-3579
QQQQ-17	Ordinance No. 6152 (Adopting revisions to 2009 Land Use and Rural Neighborhoods Preservation Element)	18	3580-3589
QQQQ-18	Ordinance No. 6622 (Adopting 2018 Land Use and Rural Neighborhoods Preservation Element)	18	3590-3600
QQQQ-19	2018 Land Use & Rural Neighborhoods Preservation Element	18	3601-3700
<b>RRRR</b>	<b>Supplemental declaration of Seth Floyd</b>	<b>19</b>	<b>3701-3703</b>
<b>RRRR-1</b>	<b>Southwest Sector Land Use Map (1992)</b>	<b>19</b>	<b>3704</b>
<b>RRRR-2</b>	<b>10/10/1991 Planning Commission Minutes</b>	<b>19</b>	<b>3705-3707</b>
<b>RRRR-3</b>	<b>10/22/1991 Planning Commission Minutes</b>	<b>19</b>	<b>3708-3712</b>
<b>RRRR-4</b>	<b>11/14/1991 Planning Commission Minutes</b>	<b>19</b>	<b>3713-3715</b>
<b>RRRR-5</b>	<b>11/26/1991 Planning Commission Minutes</b>	<b>19</b>	<b>3716-3718</b>
<b>RRRR-6</b>	<b>12/12/1991 Planning Commission Minutes</b>	<b>19</b>	<b>3719-3726</b>
<b>RRRR-7</b>	<b>12/12/1991 Planning Commission Resolution adopting 1992 General Plan</b>	<b>19</b>	<b>3727-3728</b>
<b>RRRR-8</b>	<b>2/5/1992 City Council Meeting Minutes</b>	<b>19</b>	<b>3729</b>
<b>RRRR-9</b>	<b>2/18/1992 Recommending Committee Meeting Minutes</b>	<b>19</b>	<b>3730-3750</b>
<b>RRRR-10</b>	<b>2/19/1992 City Council Meeting Minutes</b>	<b>19</b>	<b>3751-3752</b>
<b>RRRR-11</b>	<b>3/12/1992 Planning Commission Meeting Minutes</b>	<b>19</b>	<b>3753-3754</b>
<b>RRRR-12</b>	<b>3/16/1992 Recommending Committee Meeting Minute</b>	<b>19</b>	<b>3755</b>
<b>RRRR-13</b>	<b>4/1/1992 City Council Meeting Minutes</b>	<b>19</b>	<b>3756-3758</b>
<b>RRRR-14</b>	<b>Ordinance No. 3636 (adopting new general plan)</b>	<b>19</b>	<b>3759-3761</b>
<b>RRRR-15</b>	<b>2/13/1992 Citizens Advisory Committee Meeting Minutes</b>	<b>19</b>	<b>3762-3765</b>
<b>RRRR-16</b>	<b>3/27/1991 Citizens Advisory Committee Mailout</b>	<b>19</b>	<b>3766-3775</b>
<b>SSSS</b>	<b>Excerpts of NRCP 30(b)(6) Designee of Peccole Nevada Corporation – William Bayne</b>	<b>19</b>	<b>3776-3789</b>

Exhibit	Exhibit Description	Vol.	Bates No.
TTTT	Findings of Facts, Conclusions of Law and Order Regarding Motion to Dismiss and Countermotion to Allow More Definite Statement if Necessary and Countermotion to Stay Litigation of Inverse Condemnation Claims Until Resolution of the Petition for Judicial Review and Countermotion for NRCP Rule 56(F) Continuance	19	3790-3801
UUUU	Declaration of Christopher Molina in Support of the City's Countermotion for Summary Judgment and Opposition to Motion to Determine Property Interest	19	3802-3803
VVVV	Declaration of Seth Floyd	19	3804-3805
VVVV-1	Master planned communities with R-PD Zoning	19	3806-3810
VVVV-2	General Plan Maps for Master Planned Communities with R-PD zoning	19	3811-3815

DATED this 22<sup>nd</sup> day of September 2021.

MCDONALD CARANO LLP

By: /s/ George F. Ogilvie III

George F. Ogilvie III (NV Bar No. 3552)  
 Christopher Molina (NV Bar No. 14092)  
 2300 W. Sahara Avenue, Suite 1200  
 Las Vegas, Nevada 89102

LAS VEGAS CITY ATTORNEY'S OFFICE  
 Bryan K. Scott (NV Bar No. 4381)  
 Philip R. Byrnes (NV Bar No. 166)  
 Rebecca Wolfson (NV Bar No. 14132)  
 495 South Main Street, 6th Floor  
 Las Vegas, Nevada 89101

SHUTE, MIHALY & WEINBERGER, LLP  
 Andrew W. Schwartz (CA Bar No. 87699)  
 (Admitted *pro hac vice*)  
 Lauren M. Tarpey (CA Bar No. 321775)  
 (Admitted *pro hac vice*)  
 396 Hayes Street  
 San Francisco, California 94102

*Attorneys for City of Las Vegas*

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that I am an employee of McDonald Carano LLP, and that on the 22<sup>nd</sup> day of September, 2021, I caused a true and correct copy of the foregoing **SUPPLEMENT TO APPENDIX OF EXHIBITS IN SUPPORT OF CITY’S OPPOSITION TO PLAINTIFF’S MOTION TO DETERMINE TAKE AND FOR SUMMARY JUDGMENT ON THE FIRST, THIRD, AND FOURTH CLAIMS FOR RELIEF AND COUNTERMOTION FOR SUMMARY JUDGMENT – VOLUME 1** to be electronically served with the Clerk of the Court via the Clark County District Court Electronic Filing Program which will provide copies to all counsel of record registered to receive such electronic notification.

/s/ Jelena Jovanovic  
An employee of McDonald Carano LLP

# **EXHIBIT “RRRR”**

**SUPPLEMENTAL DECLARATION OF SETH T. FLOYD**

I, Seth T. Floyd, declare as follows:

1. I am the Director of Community Development for the City of Las Vegas. I have held this position since April 2021 and have been an employee of the City since August 1, 2017. I am one of the custodians of records for the City of Las Vegas Planning Department. I have personal knowledge of the facts set forth herein, except as to those stated on information and belief and, as to those, I am informed and believe them to be true. If called as a witness, I could and would competently testify to the matters stated herein.

2. I make this declaration in support of the City's Countermotion for Summary Judgment and Opposition to Motion to Determine Property Interest.

3. The Southwest Sector Map designating the Badlands PR-OS, which is attached hereto as **Exhibit RRRR-1**, was adopted as part of a comprehensive update to the City's general plan in 1992 (the "1992 General Plan"). In adopting the Southwest Sector Map and the 1992 General Plan, the City complied with all applicable statutory requirements under NRS 278.210 and NRS 278.220, as summarized in the table below:

<b>Requirements</b>	<b>Actions Taken to Comply</b>
NRS 278.210(1): The planning commission must hold at least one public hearing before adopting a master plan or any substantial amendment thereof.	The Planning Commission held five (5) public hearings before adopting the 1992 General Plan. <b>Exhibit RRRR-2</b> (10/10/1991 minutes); <b>Exhibit RRRR-3</b> (10/22/1991 minutes); <b>Exhibit RRRR-4</b> (11/14/1991 minutes); <b>Exhibit RRRR-5</b> (11/26/1991 minutes); and <b>Exhibit RRRR-6</b> (12/12/1991 minutes).
NRS 278.210(3): The master plan and any amendment must be approved by resolution by at least two-thirds of the planning commission.	The Planning Commission unanimously approved the 1992 General Plan by resolution dated December 12, 1991. <b>Exhibit RRRR-6</b> (12/12/1991 minutes); <b>Exhibit RRRR-7</b> (Resolution).
NRS 278.210(3): The resolution must refer to the maps, descriptive matter and other matter intended to constitute the plan, and the action taken must be recorded on the map by the identifying signatures of the secretary and chair of the commission.	The resolution approved by the Planning Commission expressly included all text and land use maps considered and amended by the planning commission in the 1992 General Plan. <b>Exhibit RRRR-7</b> (Resolution). The action taken to adopt the Southwest Sector Map designating the Badlands PR-OS is recorded on the map and signed by the chairman and secretary of the planning commission. <b>Exhibit RRRR-1</b> (Southwest Sector Map)



1 2 3	NRS 278.210(6): An attested copy of the plan adopted by the planning commission must be certified to the city council.	The resolution adopting the 1992 General Plan was certified by the City Clerk and forwarded to the City Council. <b>Exhibit RRRR-7</b> (Resolution).
4 5 6 7	NRS 278.220(1): Upon receipt of the master plan, the city council may adopt such parts thereof as may be applied to the development of the city for a reasonable period of time ensuing.	The City Council proposed Bill No. 92-2 to adopt the 1992 General Plan, which was referred to a recommending committee comprised of the full City Council. <b>Exhibit RRRR-8</b> (2/5/1992 minutes). The City Council, sitting as a recommending committee, identified several proposed changes. <b>Exhibit RRRR-9</b> (2/18/1992 minutes).
8 9 10 11 12	NRS 278.220(4): If the city council desires to make changes or additions to the master plan adopted by the planning commission, it must refer the changes back to the planning commission for a report.	The City Council held a second hearing on Bill No. 92-2 and referred the proposed changes back to the Planning Commission. <b>Exhibit RRRR-10</b> (2/19/1992 minutes). The Planning Commission approved all of the proposed changes. <b>Exhibit RRRR-11</b> (3/12/1992 minutes).
13 14 15 16 17	NRS 278.220(3): The city council must hold at least one public hearing before adopting the master plan, with notice published in a newspaper of general circulation at least 10 days before the date of the hearing.	On March 16, 1992, the City Council held a third hearing as a recommending committee on Bill No. 92-2 and recommended approval. <b>Exhibit RRRR-12</b> (3/16/1992 Recommending Committee minutes).  On April 1, 1992, the City Council approved Bill No. 92-2, which became Ordinance 3636. <b>Exhibit RRRR-13</b> (4/1/1992 minutes; <b>Exhibit RRRR-14</b> (Ord. 3636)

18           4.       It is my understanding that Plaintiffs 180 Land Co LLC, Seventy Acres LLC, and Fore  
19 Stars Ltd. (collectively, the “Developer”) contend the Southwest Sector Map designating the Badlands  
20 PR-OS was not properly adopted because the actions taken to approve the 1992 General Plan do not  
21 specifically refer to any changes to the land use designation for the Badlands. This contention has no  
22 merit for several reasons.

23           5.       Nothing in NRS Chapter 278 requires cities to specifically identify every parcel affected  
24 by the adoption of a master plan. The Developer’s reliance on a memorandum in the meeting records  
25 for Ordinance 3636 (Ex. RRRR-14) is misplaced. The memorandum lists the changes requested by the  
26 City Council and referred back to the Planning Commission pursuant to NRS 278.220(4). It does not  
27 purport to identify all parcels that had a land use designation changed by the 1992 General Plan. The  
28 Badlands is not mentioned because the City Council did not make any changes to the designation shown

1 on the first map approved by the Planning Commission and under NRS 278.220(4), the City Council  
2 was only required to send the changes back to Planning Commission.

3 6. The Developer conflates the requirements for master plan amendments initiated by the  
4 City and amendments requested by property owners. NRS 278.210(2) requires persons requesting an  
5 amendment to hold a neighborhood meeting to explain the proposed amendment. The City's Unified  
6 Development Code conforms to NRS 278.210(2) by imposing greater notice requirements on  
7 "parcel-specific general plan amendments," which are defined as amendments "sought by or on behalf  
8 of one or more property owners in order to develop those parcels in a particular way." See LVMC  
9 19.16.030(F)(2). In any event, neither rule existed in 1992. NRS 278.210(2) was not enacted until 2005  
10 when the Nevada Legislature amended NRS 278.210. See 2005 Statutes of Nevada, Page 1591 (A.B.  
11 425).

12 7. The Developer's argument also fails because the City had already approved the golf  
13 course in 1990 when it approved an amendment to the Peccole Ranch Master Plan. This is reflected in  
14 the community profile maps adopted under the 1985 General Plan, which were used as the basis for  
15 preparing the sector maps included in the 1992 General Plan. A citizen's advisory committee was  
16 appointed to review and update the community profile maps and the maps distributed to the committee  
17 reflected the land uses approved between 1985 and 1991. See **Exhibit RRRR-15** (2/13/1991 minutes).  
18 Community Profile Map 13, which included the Badlands Property, reflected the "Parks, Recreation,  
19 Open Space" designation approved by the City with the amendment to the Peccole Ranch Master Plan  
20 in 1990. See **Exhibit RRRR-16** (3/27/1991 mailout).

21 I declare under the penalty of perjury of the laws of the State of Nevada that the foregoing is  
22 true and correct this 31<sup>st</sup> day of August 2021.

23 /s/ Seth T. Floyd  
24 SETH T. FLOYD  
25  
26  
27  
28

# **EXHIBIT “RRRR-1”**

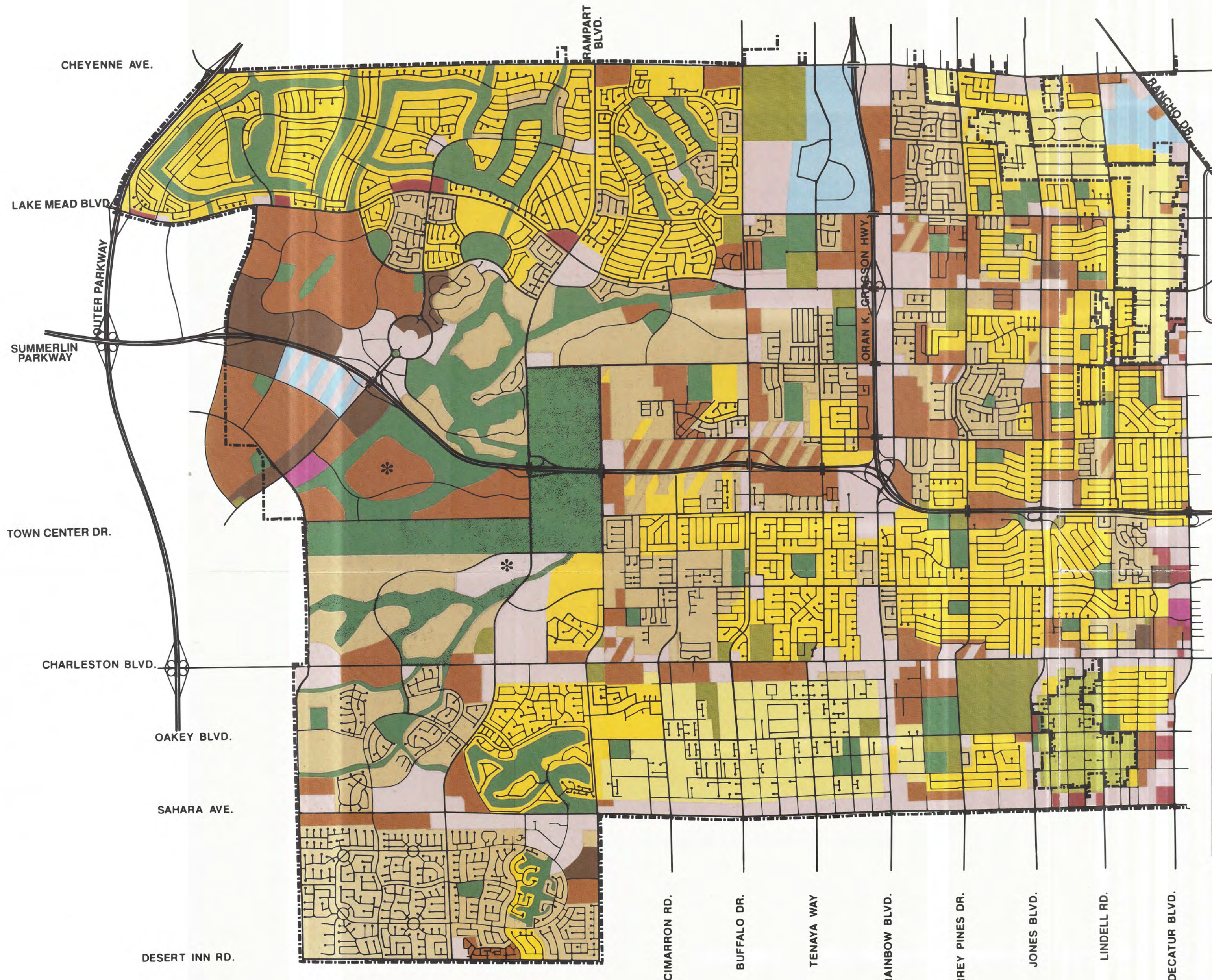


# Las Vegas General Plan Land Use Element

Map 6

## Southwest Sector

Proposed Future Land Use



- Desert Rural Residential (< 2.18 SFUE\*/net ac.)
- Rural Residential (< 3.96 SFUE\*/net ac.)
- Low Density Residential (< 6.70 SFUE\*/net ac.)
- Medium-Low Residential (< 9.0 SFUE\*/net ac.)
- Medium Density Residential (< 13.27\*/net ac.)
- High Density Residential (<16.58\*/net ac.)
- Service Commercial
- General Commercial
- Tourist Commercial
- Light Industry/Research
- Parks/Schools/Recreation/Open Space
- Public Facilities
- \* Gaming Facilities (See Map 11. Gaming Enterprise District)

\*Single Family Unit Equivalent: See Land Use Element 2.1.5 and Table 3  
Source: City of Las Vegas, Dept. of Community Planning & Development

VEGAS DR.  
WASHINGTON AVE.  
ORAN K. GRAGSON HWY.  
ALTA DR.

### RESIDENTIAL LAND USE CLASSIFICATION SCHEDULE

DWELLING TYPE	DR	R	L	ML	M	H
SFUE*	2.18	3.96	6.70	9.00	13.27	16.58
Single Family Detached	2.18	3.96	6.70	9.00	13.27	16.58
Low Rise Apartment				13.57	20.00	25.00
Single Family Attached			12.09	16.23	23.93	29.91
High Rise Apartment					37.23	46.52
Mobile Home					7.14	7.14
Hotel per Room					20.67	25.77
Motel per Room					29.78	37.22
Congregate Care/Bed				43.08	43.08	43.06

\*Single Family Unit Equivalent



0 1600 3200 4800 6400 8000

Scale in Feet

----- CITY BOUNDARIES

Adopted by the Planning Commission,  
March 12, 1992

*Sandra Hudgens*  
Chairman  
Sandra Hudgens

*Norman R. Standerfer*  
Secretary  
Norman R. Standerfer,  
Director, Dept. of Community Planning &  
Development



# **EXHIBIT “RRRR-2”**

# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

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

October 10, 1991

Page 1

ITEM

COMMISSION ACTION

CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Frank Dixon	-	Present
Acting Chairman	-	Present
Sandra Hudgens	-	Present
Eric Jordan	-	Present
Brian Moffitt	-	Present
Marsha Pippin	-	Excused
Richard Segerblom	-	Present
Mark Solomon	-	Present

ANNOUNCEMENT

Satisfaction of Open Meeting Law Requirements.

NOTICE:

This meeting has been properly noticed and posted at the following location:

Bradley Bldg., State of Nevada  
2501 E. Sahara Avenue  
Senior Citizen Center, 450 E. Bonanza Rd.  
Clark County Courthouse,  
200 E. Carson Avenue  
Court Clerk's Office Bulletin Board,  
City Hall Plaza  
City Hall Plaza, Special Outside Posting Bulletin Board

1. REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN

ACTING CHAIRMAN DIXON called the meeting to order at 6:01 P.M.

STAFF PRESENT:

Norman Standerfer, Director,  
Community Planning & Development  
Frank Reynolds, Deputy Director,  
Community Planning & Development  
Eugene Robichaud, Planning Aide,  
Community Planning & Development  
John McNellis, Public Works  
Val Steed, Chief Deputy City Attorney  
Linda Owens, Deputy City Clerk

GENERAL PLAN CITIZENS ADVISORY COMMITTEE MEMBERS PRESENT:

Andras Babero, Co-Chairman  
Abe Mayhan, Co-Chairman

ACTING CHAIRMAN DIXON announced this meeting is in compliance with the Open Meeting Law.

Dixon -  
APPROVED PUBLIC HEARING AT 10-22-91, 6:00 P.M., NORTHWEST SECTOR OF CITY.  
Motion carried with Solomon and Segerblom voting "No."  
(Pippin excused)

ACTING CHAIRMAN DIXON complimented everyone involved in the updated General Plan. The format of the plan is easy to follow. He stated the meeting format would be to first address all elements except land; then address the Land Use text; and finally address the proposed Land Use Plans.

ANDRAS BABERO, Co-Chairman of the Citizens Advisory Committee, said he enjoyed working on the General Plan with developers, homeowners

**PLANNING COMMISSION**

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

COMMISSION ACTION

ITEM

1. REVIEW AND RECOMMENDATION OF THE UPDATED  
CITY OF LAS VEGAS GENERAL PLAN (CONTINUED)

associations, interested parties and staff. Experts in certain areas were consulted.

ABE MAYHAN, Co-Chairman of the Citizens Advisory Committee, said there were 41 members on the Committee. The Committee met for approximately a year and a half to put the document together.

IRENE PORTER, Executive Director of the Southern Nevada Home Builders Association, said some of their members served on the Citizens Advisory Committee to prepare the updated General Plan. The presentation of the Plan is excellent. It is readable for persons in the profession and the general public.

ACTING CHAIRMAN DIXON brought up the concern property owners have in regard to crime.

FRANK REYNOLDS, Deputy Director, said under Section 3, Community Facilities, it refers to crime prevention. He pointed out department heads and outside experts in various fields that gave input in the Plan.

COMMISSIONER SEGERBLOM brought up the issue of water availability in the Plan.

MR. STANDERFER, Director, explained the data that is in the Plan is preliminary and based on the water that the new Southern Nevada Water Authority is seeking to secure presently as new sources of water. That process will take several months and is beyond the scope of the City of Las Vegas. The Land Uses Section of the Plan does not deal with specific parcels of land.

COMMISSIONER SEGERBLOM felt there should be a provision in the Plan addressing "preservation of existing neighborhoods."

FRANK REYNOLDS commented that at times neighborhoods can be preserved and other times circumstances have changed in the neighborhood.

COMMISSIONER MOFFITT asked if

# AGENDA

*City of Las Vegas*

October 10, 1991

## PLANNING COMMISSION

Page 3

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

COMMISSION ACTION

ITEM

1. REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN (CONTINUED)

there are any major changes in the Land Use Section.

MR. STANDERFER pointed out that in Section 2.1.4 and 2.1.5, Land Use Classifications, a new approach is being taken to categorize land by a Development Intensity Level (DID) classification based on traffic generation.

ANN GELFIE AND SANDRA YOUNG appeared in opposition. They own ten acres at the corner of Oakey and Durango. They were fearful the General Plan would have an affect of depreciating their property.

SYBILL LEAVITT, owner of property at the northeast corner of Oakey and Durango, said she has a purchaser for her property and the price of the sale was based on the current General Plan of 12 units per acre. Persons that have homes in the area should know the surrounding zoning.

The Public Hearing adjourned at 7:00 P.M.

The Public Hearing on the Updated General Plan will be continued on 10-22-91 at 6:00 p.m. for the Northwest Sector of the city.



# **EXHIBIT “RRRR-3”**

# AGENDA

*City of Las Vegas*

October 22, 1991

## PLANNING COMMISSION

Page 1

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

PHONE 386-6301

COMMISSION ACTION

ITEM

### CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

### ROLL CALL:

Frank Dixon	- Present
Acting Chairman	- Present
Sandra Hudgens	- Present
Eric Jordan	- Present
Brian Moffitt	- Present
Marsha Pippin	- Present
Richard Segerblom	- Present
Mark Solomon	- Excused

### ANNOUNCEMENT

Satisfaction of Open Meeting Law Requirements.

### NOTICE:

This meeting has been properly noticed and posted at the following location:

Bradley Bldg., State of Nevada  
2501 E. Sahara Avenue  
Senior Citizen Center, 450 E. Bonanza Rd.  
Clark County Courthouse,  
200 E. Carson Avenue  
Court Clerk's Office Bulletin Board,  
City Hall Plaza  
City Hall Plaza, Special Outside Posting  
Bulletin Board

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN

NORTHWEST SECTOR PROPOSED FUTURE LAND USE PLAN

ACTING CHAIRMAN DIXON called the meeting to order at 6:02 P.M.

### STAFF PRESENT:

Norman Standerfer, Director,  
Community Planning & Development  
Frank Reynolds, Deputy Director  
Community Planning & Development  
Howard Null  
Community Planning & Development  
Eugene Robichaud, Planning Aide,  
Community Planning & Development  
Val Steed, Chief Deputy City Attorney  
Linda Owens, Deputy City Clerk

ACTING CHAIRMAN DIXON announced this meeting is in compliance with the Open Meeting Law.

# AGENDA

*City of Las Vegas*

October 22, 1991

## PLANNING COMMISSION

Page 2

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN.

NORTHWEST SECTOR PROPOSED FUTURE LAND USE PLAN (CONTINUED)

ACTING CHAIRMAN DIXON stated this meeting is a continuation of the public hearing on the update to the General Plan for the City of Las Vegas. The purpose of this hearing is to gather input and comments from citizens about the content of the General Plan as it is reflected in its maps and text. This session will focus on the northwest sector Future Land Use Plan. The northwest sector is bounded by Decatur Avenue on the east and Cheyenne Avenue on the south. He read the rules as to how the meeting would be conducted.

FRANK REYNOLDS pointed out Community Profile Maps 11, 12 and 15 for the northwest section that were approved in 1985, and how the Northwest Citizens Advisory Committee reviewed the Profiles. On February 20, 1991 the City Council adopted the Northwest Interim Update Plan. The Sheep Mountain Homeowners Association pointed out a change in the Updated General Plan maps between Rainbow Boulevard and Tenaya Way where there was a piece that was shown as Low Density Residential that was actually D-R. This was a transfer error. Any changes that are made in the public hearings will be forwarded to the City Council.

MR. STANDERFER said the reason for the Northwest Interim Plan was to determine the areas that were to be held for horse country, or D-R designation. That Plan was adopted on an interim basis and served as the basis for the final maps that came from the Citizens Advisory Committee for this sector.

COMMISSIONER SEGERBLOM asked about low income or lower value housing areas.

MR. STANDERFER said the General Plan does not address price ranges, just the land uses.

COMMISSIONER SEGERBLOM asked about higher densities that would probably accommodate affordable housing.

MR. STANDERFER said the M, M-L and

AGENDA

City of Las Vegas

October 22, 1991

PLANNING COMMISSION

Page 3

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN.

NORTHWEST SECTOR PROPOSED FUTURE LAND USE PLAN (CONTINUED)

H designations permit higher density areas.

FRANK REYNOLDS said affordable housing is addressed in Element 8 on a valley wide basis. The northwest only has approximately 1/5 of the multi-family housing that the other sectors have because it is a low density area.

BILL STARKEY, President, Sheep Mountain Homeowners Association, said the Citizens Advisory Committee tried to accommodate commercial development, as well as lower price/higher density housing in the northwest sector. There are several ranch facilities in that area. He wants to continue integrating trail systems with parks. He requested more information on the single family equivalent unit land use designation.

MR. STANDERFER said there is a section in the Land Use text that explains land use designations and the Development Intensity Level (DIL) System. On some parcels there is a latitude of land use designations allowing residential or service commercial. Therefore, it is difficult to determine commercial or residential zoning. Instead of having 6 to 12 and 12 to 20 unit designations in the Development Intensity Level process the housing types are set at the rate they generate traffic. Twelve units of single family housing cannot be developed. The highest would be in the 7 to 8 range because of streets, etc. It is now called 9 Single Family Equivalent under the R-CL. This updated Plan provides for anticipating different housing types without labeling with one or more designations. There will be further proposals brought back to the Planning Commission and City Council for a series of intensity relationships in the non-residential sector. A true Planned Unit District may be developed in the future.

FRANK REYNOLDS said for the first time there is an existing Land Use Map in this updated Plan. Some calculations have been done to see what the ultimate buildout

# AGENDA

*City of Las Vegas*

October 22, 1991

## PLANNING COMMISSION

Page 4

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

### ITEM

### COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN.

NORTHWEST SECTOR PROPOSED FUTURE LAND USE PLAN (CONTINUED)

capacity would be throughout the city. We would probably reach a water cap before we are ever completely built out.

COMMISSIONER SEGERBLOM asked if there will be a shortage of low income housing?

HOWARD NULL said there is affordable housing in each sector, but we don't know the amount. We are also concerned about affordable housing in relation to employment generators. We'd like to get into these types of studies in the future.

MR. STANDERFER said on page 2-16 there is a phrase left off a paragraph under the section "Development Review Requirements." It should include: ....on any street or highway, unless amended by the City Council.

ACTING CHAIRMAN DIXON observed that the southeast and southwest sections are heavily saturated with multi-family. He asked if the two and three story multi-family housing is addressed in the Plan.

MR. STANDERFER said there is a great need for those kinds of apartments.

COMMISSIONER SEGERBLOM asked if consideration has been given to what impact new hotels would have on the community.

MR. STANDERFER said it is difficult to devise and utilize that information because there are so many variables.

ACTING CHAIRMAN DIXON thought the information presented to the Commissioners may be different than now.

MR. STANDERFER said staff is working towards providing a full staff report a week ahead of each meeting.

ACTING CHAIRMAN DIXON asked if the beltway and floodways have been incorporated into this updated Plan.

MR. STANDERFER said a decision has

# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*

October 22, 1991

## PLANNING COMMISSION

Page 5

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN.

NORTHWEST SECTOR PROPOSED FUTURE LAND USE PLAN (CONTINUED)

not been made on the Beltway, so it will have to go through the process as the RTC narrows its exact alignment. There is material in the Plan regarding the floodways, and there is a regional entity for those improvements.

ABE MAYHAN said there is an extensive master plan for flood control provided by the Flood Control District. He offered to provide that information at a subsequent meeting.

ACTING CHAIRMAN DIXON said he would primarily be interested in those areas where developers are not looking at to develop but still need flood control.

NOTE: IT WAS DECIDED TO HOLD THE NEXT PUBLIC HEARING ON THE UPDATED GENERAL PLAN BETWEEN 6:00 P.M. AND 7:00 P.M. ON NOVEMBER 14, 1991 FOR THE REMAINING AREAS OF THE CITY.

The public hearing adjourned at 6:53 P.M.

# **EXHIBIT “RRRR-4”**

## PLANNING COMMISSION

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Sandra Hudgens, Chairman	- Present
Frank Dixon Vice Chairman	- Excused
Eric Jordan	- Present
Brian Moffitt	- Excused
Marsha Pippin	- Present
Richard Segerblom	- Present
Mark Solomon	- Present

ANNOUNCEMENT

Satisfaction of Open Meeting Law Requirements.

NOTICE:

This meeting has been properly noticed and posted at the following location:

Bradley Bldg., State of Nevada  
2501 E. Sahara Avenue  
Senior Citizen Center, 450 E. Bonanza Rd.  
Clark County Courthouse,  
200 E. Carson Avenue  
Court Clerk's Office Bulletin Board,  
City Hall Plaza  
City Hall Plaza, Special Outside Posting  
Bulletin Board

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN

SOUTHWEST SECTOR PROPOSED FUTURE LAND USE PLAN

CHAIRMAN HUDGENS called the meeting to order at 6:10 P.M.

STAFF PRESENT:

Norman Standerfer, Director,  
Community Planning & Development  
Frank Reynolds, Deputy Director  
Community Planning & Development  
Howard Null  
Community Planning & Development  
Robert Baggs, Chief, Comprehensive  
Planning, Community Planning  
& Development  
Hillevi Davis, Planning Aide,  
Community Planning & Development  
Val Steed, Chief Deputy City  
Attorney  
Linda Owens, Deputy City Clerk

GENERAL PLAN CITIZENS ADVISORY COMMITTEE MEMBER PRESENT:

Abe Mayhan, Co-Chairman

CHAIRMAN HUDGENS announced this meeting is in compliance with the Open Meeting Law.

MEL SHIPMAN, 1113 Halite Court, said he was concerned about the portion of the General Plan between Buffalo and Washington, Vegas Drive and Cimarron. The 1985 General Plan called for 3 to 6 dwelling units per acre. What is in the area at the present time is R-PD12, R-CL, R-1, R-PD22, R-PD14 and R-PD16, or 12 to 22 units per acre. If the undeveloped area is allowed to go to 12, the whole area could be condominiums. He suggested that a strip on the west side of Buffalo be shown as 12 units per acre, and keep the rest of the area a lower density farther away from Buffalo. That



*City of Las Vegas*  
**PLANNING COMMISSION**  
 COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN (CONTINUED)

would make it more compatible with the Summerlin area. He wants to get a density that would not allow more condominiums.

FRANK REYNOLDS said on the new General Plan low density is equivalent to 6.7 single family unit equivalents (SFUE) and medium-low density is 9 SFUE dwelling units per acre. Having a buffer of medium-low on the west side of Buffalo Drive against the medium directly east of Buffalo and keeping the area north of the existing low density, single family would be a reasonable solution.

COMMISSIONER SOLOMON said a Nevada Power Company line runs through the parcel Mr. Shipman is concerned about. He asked Mr. Shipman if he felt the power line has an effect on that property.

MEL SHIPMAN answered in the affirmative, but the persons that purchased the property were aware of the power line.

JERRY JOHNSTON, 1113 Byorick Way, felt the power line does not have a great impact on the property being discussed.

COMMISSIONER SOLOMON felt the power line is an issue.

ABE MAYHAN said the impact of the power line is that there's a 100 foot right-of-way under which no buildings can be built.

ANN GELFIE, property owner, and MARK BRANDENBURG, son, appeared together stating Ann Gelfie owns 10 acres on the southeast corner of Oakey and Durango. Oakey has been closed off west of Durango as a major thoroughfare. She was heavily assessed for road improvements and will be dealing with a wash. They objected to any changes in the General Plan that would limit her ability to develop the property. Her property goes right up next to a school.

ABE MAYHAN pointed out on a map that the recommendation for Ann Gelfie's property is to be low

*City of Las Vegas*  
**PLANNING COMMISSION**  
 COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND  
RECOMMENDATION OF THE UPDATED CITY OF  
LAS VEGAS GENERAL PLAN (CONTINUED)

density.

ANN GELFIE AND MARK BRANDENBURG said she did not want to change the zoning. There is a block wall across the street on Durango Drive. There are businesses in that area.

FRANK REYNOLDS pointed out there is a lot of low density in the area.

NORMAN STANDERFER said her property carries ML, or 12 units per acre, under the old General Plan. The new General Plan designates this property as L, or 6.7 single family units per acre and 12.9 condominiums units. She would not lose any property value.

ABE MAYHAN said there are two R developments in the area of Ann Gelfie's property. If the area surrounding the R developments would be designated as L, that would have minimal impact on the other properties.

FRANK REYNOLDS said individual properties were not looked at in updating the General Plan, just land use relationships. The land from the school to Durango Drive could be one uniform land use and L would be appropriate.

CHAIRMAN HUDGENS said after the public hearings the Commissioners will have meetings to discuss various amendments to the proposed Plan prior to the updated General Plan being forwarded to the City Council.

ADJOURNMENT:

The meeting adjourned at 6:51 p.m.

# **EXHIBIT “RRRR-5”**

**PLANNING COMMISSION**

Page 1

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

ROLL CALL:

Sandra Hudgens, Chairman	- Present
Frank Dixon Vice Chairman	- Excused
Eric Jordan	- Present
Brian Moffitt	- Present
Marsha Pippin	- Present
Richard Segerblom	- Present
Mark Solomon	- Present

ANNOUNCEMENT

Satisfaction of Open Meeting Law Requirements.

NOTICE:

This meeting has been properly noticed and posted at the following location:

Bradley Bldg., State of Nevada  
2501 E. Sahara Avenue  
Senior Citizen Center, 450 E. Bonanza Rd.  
Clark County Courthouse,  
200 E. Carson Avenue  
Court Clerk's Office Bulletin Board,  
City Hall Plaza  
City Hall Plaza, Special Outside Posting  
Bulletin Board

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN

SOUTHEAST SECTOR PROPOSED FUTURE LAND USE PLAN

CHAIRMAN HUDGENS called the meeting to order at 6:08 P.M.

STAFF PRESENT:

Norman Standerfer, Director,  
Community Planning & Development  
Frank Reynolds, Deputy Director  
Community Planning & Development  
Howard Null, Administrative  
Officer, Community Planning &  
Development  
Robert Baggs, Chief, Comprehensive  
Planning, Community Planning  
& Development  
Hillevi Davis, Planning Aide,  
Community Planning & Development  
Val Steed, Chief Deputy City  
Attorney  
Linda Owens, Deputy City Clerk

GENERAL PLAN CITIZENS ADVISORY COMMITTEE MEMBER PRESENT:

Abe Mayhan, Co-Chairman

CHAIRMAN HUDGENS announced this meeting is in compliance with the Open Meeting Law.

Segerblom -  
CONSIDER GENERAL PLAN  
RECOMMENDATIONS AND VOTE ON ENTIRE  
GENERAL PLAN ON DECEMBER 12, 1991.  
Unanimous  
(Dixon and Pippin excused)

CHAIRMAN HUDGENS stated the area being discussed tonight is from Decatur Boulevard eastward and the city limits on the north, east and south. A final hearing will be held to discuss all the recommended changes.

ERIK KING, 617 Kenny Way, was concerned about the zoning change at the northeast corner of

## PLANNING COMMISSION

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN (CONTINUED)  
  
SOUTHEAST SECTOR PROPOSED FUTURE LAND USE PLAN

Charleston and Campbell. Currently this area is residential, except for a strip along Charleston Boulevard that is commercial. The commercial goes back to the school on Palomino Lane. This is an update of the Master Plan of 1985. It appears there was a change to commercial which lapsed. It should revert back to residential.

MR. REYNOLDS said all parcels that were rezoned since the maps were adopted in August of 1985 were used as a starting point. The parcel in his neighborhood which was rezoned to service commercial which has expired and has reverted back to residential.

ERIK KING said on the southeast there is a strip of service commercial frontage. In discussing with the neighborhood group, the intent was not to make this any deeper. In 1985 this was a condition. The intent was just to keep commercial frontage and not to put commercial in neighborhoods. He wants to keep it residential. Traffic flow will increase and there is a school on Palomino Lane. He is not opposed to changing the density. He was also concerned about the property on the northwest corner of Shetland and Charleston. There is commercial property that goes back so far and then residential behind it. On the new map the lot behind the commercial, which is now residential, is going to be zoned commercial.

CAROL JARVIS, 606 Lacy Lane, said one side of Shetland is deeper than on the northeast side. We were here three months ago when there was an application to change from residential to commercial, which was on the west side of Shetland. Wasden Elementary School only has one entrance so residential will keep the traffic down.

COMMISSIONER SOLOMON asked how this area was changed to service commercial when it was defeated on a rezoning application.

MR. NULL said there was a previous

AGENDA

City of Las Vegas

NOVEMBER 26, 1991

PLANNING COMMISSION

Page 3

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND RECOMMENDATION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN (CONTINUED)

SOUTHEAST SECTOR PROPOSED FUTURE LAND USE PLAN

request to rezone this property to C-D and the north part of the parcel was amended to P-R. Now there is a new zoning case. The S-C classification includes P-R zoning as well as C-1, C-D, C-C, etc. Staff has the policy that once a rezoning is approved, it is shown on the Community Profiles. Since the City Council has not taken any action on the new zoning case, staff had nothing to go by so it was left.

MR. REYNOLDS said all persons who have identified themselves at the General Plan public hearing meetings will be notified that the final meeting will be on December 12, 1991.

ADJOURNMENT:

The meeting adjourned at 6:36 P.M.

# **EXHIBIT “RRRR-6”**

# AGENDA

*City of Las Vegas*

December 12, 1991

## PLANNING COMMISSION

Page 1

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

COMMISSION ACTION

ITEM

### CALL TO ORDER:

6:00 P.M., Council Chambers of City Hall, 400 East Stewart Avenue, Las Vegas, Nevada.

CHAIRMAN HUDGENS called the meeting to order at 6:10 P.M.

### ROLL CALL:

Sandra Hudgens,	
Chairman	- Present
Frank Dixon	
Vice Chairman	- Present
Eric Jordan	- Excused
Brian Moffitt	- Present
Marsha Pippin	- Excused
Richard Segerblom	- Present
Mark Solomon	- Present

### STAFF PRESENT:

Norman Standerfer, Director,  
Community Planning & Development  
Frank Reynolds, Deputy Director  
Community Planning & Development  
Howard Null, Administrative  
Officer, Community Planning &  
Development  
Robert Baggs, Chief, Comprehensive  
Planning, Community Planning  
& Development  
John McNellis, Public Works  
Val Steed, Chief Deputy City  
Attorney  
Linda Owens, Deputy City Clerk

### ANNOUNCEMENT

Satisfaction of Open Meeting Law Requirements.

### GENERAL PLAN CITIZENS ADVISORY COMMITTEE MEMBER PRESENT:

### NOTICE:

This meeting has been properly noticed and posted at the following location:

Abe Mayhan, Co-Chairman

Bradley Bldg., State of Nevada  
2501 E. Sahara Avenue  
Senior Citizen Center, 450 E. Bonanza Rd.  
Clark County Courthouse,  
200 E. Carson Avenue  
Court Clerk's Office Bulletin Board,  
City Hall Plaza  
City Hall Plaza, Special Outside Posting  
Bulletin Board

CHAIRMAN HUDGENS announced this meeting is in compliance with the Open Meeting Law.

1. CONTINUATION OF THE REVIEW AND ADOPTION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN.

Dixon -  
ADOPTED UPDATED CITY OF LAS VEGAS  
GENERAL PLAN  
Unanimous  
(Jordan and Pippin excused)



# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*  
**PLANNING COMMISSION**  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

December 12, 1991

Page 2

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND ADOPTION  
OF THE UPDATED CITY OF LAS VEGAS GENERAL  
PLAN. (CONTINUED)

NOTE: There was a unanimous vote in the affirmative from the four Commissioners present to hold the public hearing but not vote on the adoption of the General Plan. Commissioner Segerblom arrived after the vote and it was decided to continue the public hearing and vote on whether to adopt the updated General Plan. The required majority to adopt the General Plan is five members of the Planning Commission.

CHAIRMAN HUDGENS called the meeting to order at 6:10 P.M.

MR. REYNOLDS pointed out there is one revision to the proposed General Plan under Land Use Element, Page II-16, Subsection B., Development Review Requirements, last sentence of paragraph 1 to: "Unless otherwise adopted by the City Council, no level of service shall be established on a designated street or highway which results in a peak hour travel capacity Level of Service D."

GUY SAWDERS, 1809 South Valley View, appeared to represent homeowners along Valley View in the area south of Oakey to Sahara. The traffic count shows this is a thoroughfare for emergency vehicles, large trucks, private cars, etc. There is a school zone in front of his house and the children have a problem crossing the street. This is not a residential area. Between Meadows Lane south to Tropicana Boulevard there are only 12 houses on Valley View; between Oakey to Sahara only four houses. He submitted pictures of the area and a petition with seven signatures and one letter requesting a zone change from residential to professional office or commercial. He contacted all the houses involved.

MR. REYNOLDS stated traffic on

3720

CLV305870

16586

## PLANNING COMMISSION

Page 3

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND ADOPTION  
OF THE UPDATED CITY OF LAS VEGAS GENERAL  
PLAN. (CONTINUED)

major thoroughfares has increased. Staff recognizes certain areas need more study. In some cases zoning might have to be applied for on a case-by-case basis at a later date.

GUY SAWDERS said he has his house for sale, but is unable to sell it because of all the traffic on Valley View.

COMMISSIONER SEGERBLOM felt there would be the same amount of traffic if this area was developed professional office.

GUY SAWDERS said there would be enough parking on his property for an office use as well as on the other properties along Valley View.

CHAIRMAN HUDGENS suggested he appear before the Planning Commission for a zone change and not a change on the General Plan.

MR. STANDERFER said this is a subdivision that was permitted 20 years ago but now lots on major street frontages back up to those streets. All 12 lots should get together and apply for a zone change.

COMMISSIONER SOLOMON felt this property should be considered in a zone change.

MR. STANDERFER said that once this General Plan is adopted, when requests come in for rezoning, there is a section in the Land Use Element that says if this request for rezoning is not consistent with the Plan, then it be published as a request to amend the Plan.

RILEY CANNON, 1908 Valley View, said due to the heavy traffic none of the property owners can sell their houses so some have rented them out and moved into another area. This is no longer a residential area.

COMMISSIONER SOLOMON felt the houses facing Valley View have a concern, but not those on side

# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*

December 12, 1991

## PLANNING COMMISSION

Page 4

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND ADOPTION OF THE UPDATED CITY OF LAS VEGAS GENERAL PLAN. (CONTINUED)

streets.

MR. REYNOLDS reviewed the matrix presented at the meeting which described the public and Citizens Advisory Committee/staff comments on land use changes in each of the three City sectors. He indicated that the updated Master Plan of Streets and Highways should also be considered for adoption at this time as part of the General Plan. The matrix shows no citizen comments or changes in the northwest sector. The comments for the southwest and southeast sectors are as shown on the attached matrix. Also, a new map was presented at the meeting.

JOHN McNELLIS, Department of Public Works, said in the northwest portion of the city there are numerous County islands. When an annexation comes into the City it has to be determined as to the street classification. There has to be continuity going through County islands. There has been a deletion of Peak Drive between Rainbow and Buffalo. There was an overpass designation for Peak Drive to cross the Oran K. Gragson Highway. When it is taken off the Master Plan, that means it will not be an 80 or 100 foot wide street. Is that giving direction to staff that we may not even want it as a street?

MR. STANDERFER thought the maps were approved by all the departments that were concerned.

MR. REYNOLDS expressed his opinion that this Plan should be adopted because it includes updates of annexations. Small, fine tunings could be made. He agreed with Mr. McNellis that there should be continuity between County and City lands. Whatever is adopted at this meeting will be a recommendation to the City Council, but it can be revised by the City Council for a final version.

COMMISSIONER SEGERBLOM asked what a Special Design Road is.

3722

CLV305872

16588



# AGENDA

ANNOTATED AGENDA AND FINAL MINUTES

*City of Las Vegas*

December 12, 1991

## PLANNING COMMISSION

Page 5

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

COMMISSION ACTION

1. CONTINUATION OF THE REVIEW AND ADOPTION  
OF THE UPDATED CITY OF LAS VEGAS GENERAL  
PLAN. (CONTINUED)

JOHN McNELLIS said it is a road that has some type of drainage channel within its center or along side. One of these roads is Buffalo where there is a channel that goes down the center.

MR. STANDERFER explained that it's the responsibility of the Planning Commission to adopt the Plan. That adopted Plan goes before the City Council for review. If they want to change the Plan, those changes must be referred back to the Planning Commission for review.

CHAIRMAN HUGGENS read the General Plan Resolution.

CHIEF DEPUTY CITY ATTORNEY STEED amended the Resolution by changing the third WHEREAS to read: "WHEREAS, the General Plan includes the mandatory and optional subjects described in the 1989 Nevada Revised Statutes (N.R.S.), Chapter 278;" and changed the last paragraph after the words General (Master) Plan to include: "as considered - and amended by the Commission on the date set below."

To be reviewed by the City Council on 1/22/92.

The public hearing adjourned at 7:05 P.M.

3723

CLV305873

16589

**NORTHWEST SECTOR**  
 LAND USE PLAN PORTION  
 GENERAL PLAN PUBLIC HEARING  
 October 22, 1991

1985 PLAN	1991 CAC/STAFF LAND USE PLAN RECOMMENDATION	PUBLIC COMMENT	CAC/STAFF RESPONSE	PLANNING COMMISSION RECOMMENDATION
No public comments on NW sector.				

**SOUTHWEST SECTOR**  
**LAND USE PLAN PORTION**  
**GENERAL PLAN PUBLIC HEARING**  
**November 14, 1991**

1985 PLAN	1991 CAC/STAFF LAND USE PLAN RECOMMENDATION	PUBLIC COMMENT	CAC/STAFF RESPONSE	PLANNING COMMISSION RECOMMENDATION
CP7 SE corner Durango and Oakley - ML/L entire area	L - 10 ac along Durango R - Balance of property	ML - 10 ac along Durango L - Balance of Property	L - entire parcel	
CP9 SW corner Vegas and Buffalo - L entire area	L/ML	ML - west side of Buffalo L - Balance of property	Agree with public comment	

CP = Community Profile Map

# SOUTHEAST SECTOR

LAND USE PLAN PORTION  
GENERAL PLAN PUBLIC HEARING  
November 26, 1991

1985 COMMUNITY PROFILE MAP	1991 CAC/STAFF LAND USE PLAN RECOMMENDATION	PUBLIC COMMENT	CAC/STAFF RECOMMENDATION	PLANNING COMMISSION RECOMMENDATION
CP5 R - NE corner Charleston and Campbell Drive.	SC - P-R ROI expired 1989 (Z-72-89)	L or ML - entire area that is north of C-D zoned lots.	Agree	
CP5 R - second lot north of Charleston on westside of Shetland	Same as 1985 Plan	R - Same as 1985 Plan.	Agree	

CP = Community Profile Map

# **EXHIBIT “RRRR-7”**



RESOLUTION OF THE PLANNING COMMISSION OF THE CITY  
OF LAS VEGAS, NEVADA, ADOPTING THE GENERAL (MASTER)  
PLAN FOR THE CITY OF LAS VEGAS

WHEREAS, the City of Las Vegas has adopted a General Plan to guide the growth and development of the City; and

WHEREAS, the General Plan has been reviewed and amended periodically since its adoption, most recently in 1985; and

WHEREAS, the General Plan includes the mandatory and optional subjects described in the 1989 Nevada Revised Statutes (N.R.S.), Chapter 278; and

WHEREAS, the City desires to maintain its proper role in shaping future development within its existing and potential boundaries; and

WHEREAS, the City of Las Vegas has determined that a comprehensive review and assessment of the General Plan is desirable in light of changing fiscal, social and technical and development conditions; and

WHEREAS, a Citizens General Plan Advisory Committee developed and reviewed the future land use plan maps, the Downtown Development Plan Map, and the revised Master Plan of Streets and Highways; and

WHEREAS, a series of public hearings was held before the Planning Commission during the period of October 10 through December 12, 1991, and at the conclusion of said public hearings the Planning Commission adopted the General Plan with the following elements:

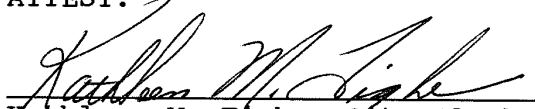
Land Use	Economic Development
Community Facilities	Housing
Infrastructure	Urban Design
Circulation	Environmental Quality
Public Finance	Historic Preservation

NOW, THEREFORE, BE IT RESOLVED that the Planning Commission of the City of Las Vegas hereby adopts the General (Master) Plan as considered and amended by the Commission in the date set forth below which includes: all text, including the goals, objectives, policies and programs and the evaluation and implementation matrix; future land use maps; the Downtown Development Plan and the Master Plan of Streets and Highways.

PASSED and ADOPTED this 12th day of December, 1991.

  
SANDRA HUDGENS, CHAIRMAN

ATTEST:

  
Kathleen M. Tighe, City Clerk

# **EXHIBIT “RRRR-8”**

## AGENDA &amp; MINUTES

Page 32

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

VIII. NEW BILLS TO BE REFERRED  
TO A STUDY COMMITTEE OR  
RECOMMENDING COMMITTEEA. Bill No. 92-2 -- Adopts a  
New General Plan for the  
City of Las Vegas, Nevada

Sponsored by:

Councilman Scott Higginson

First Reading and Referred - FULL COUNCIL

2/18/92 Recommending Committee  
2/19/92 AgendaB. Bill No. 92-3 -- Adopts the  
City of Las Vegas Water  
Distribution Authorization  
Program

Sponsored by:

Councilman Scott Higginson

First Reading and Referred - COUNCILMAN  
HIGGINSON AND MAYOR JONES2/18/92 Recommending Committee  
2/19/92 Agenda

(11:35-11:42)

# **EXHIBIT “RRRR-9”**

**ANNOTATED AGENDA  
RECOMMENDING COMMITTEE MEETING  
4:00 P.M., COUNCIL CHAMBERS  
CITY HALL, 400 EAST STEWART AVENUE**

**FEBRUARY 18, 1992**

**ATTENDANCE:** Mayor Jones  
Councilman Nolen  
Councilman Adamsen  
Councilman Higginson  
Councilman Hawkins  
Bill Noonan, City Manager  
Tom McPherson, Deputy City Manager  
Larry Barton, Deputy City Manager  
Jan Bruner, Assistant City Manager  
Val Steed, Chief Deputy City Attorney  
Emmett Lally, Deputy City Attorney  
Frank Reynolds, Deputy Director, Community Planning and Development  
Howard Null, Administrative Officer of Special Projects, Community Planning and Development  
Richard Welch, Director, Economic & Urban Development  
John Schlegel, Deputy Director, Community Planning and Development  
Marge Hether, Acting Director, Business Activity  
Robert Baggs, Chief of Comprehensive Planning, Community Planning and Development  
Eric King, Development Officer, Economic & Urban Development

**CALL TO ORDER:** Called to order by Councilman Nolen at 4:15 p.m.

**ANNOUNCEMENT MADE:** Meeting noticed and posted at the following locations:

Downtown Transportation Center, City Clerk's Board  
Senior Citizen Center, 450 E. Bonanza Road  
Election Department, 333 S. Sixth Street  
Court Clerk's Office Bulletin Board, City Hall Plaza  
City Hall Plaza, Special Outside Posting Bulletin Board

1. **BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS, NEVADA**  
**Committee: Full Council**

JOHN SCHLEGEL advised the Council what the General Plan contained.

COUNCILMAN HIGGINSON made several recommended changes to the General Plan.

COUNCILMAN ADAMSEN also recommended some changes to the General Plan.

COUNCILMAN NOLEN said he does not have any concerns with the General Plan.

COUNCILMAN HAWKINS said his concerns have already been incorporated into the General Plan.

114 ✓

COUNCILMAN HIGGINSON pointed out that the changes can be incorporated into the General Plan, but State Law requires that the changes be reviewed by the Planning Commission.

VAL STEED said after the General Plan is reviewed by the Planning Commission the City Council will have another opportunity to review it.

JAMES McCALL appeared stating he has a concern about a 20 acre parcel that runs 660 feet north by 1320 feet east at the northeast corner of Washington and Buffalo which is designated to be medium to low density. He did not feel it is suitable for medium to low density because of the surrounding area. The Buffalo drainage ditch went through this parcel when the ditch was realigned. He would like this parcel rezoned to commercial.

COUNCILMAN HIGGINSON recommended that parcel be designated as general commercial and medium to low density.

COUNCILMAN NOLEN felt the Gaming Enterprise Zones should be indicated in the General Plan.

COUNCILMAN NOLEN made a motion to refer the General Plan back to the Planning Commission for their review and comments on the changes. Motion carried unanimously.

NOTE: A Verbatim Transcript made a part of these minutes.

2. BILL NO. 92-3 - ADOPTS THE CITY OF LAS VEGAS WATER DISTRIBUTION AUTHORIZATION PROGRAM

Committee: Councilman Higginson and Mayor Jones

COUNCILMAN HIGGINSON said there will be 7,444 acre feet of water available for the City. He felt a process other than a first come first serve basis must be used to allocate that water. The system outlined in this bill insures the least amount of public funds be expended to meet public services by establishing a point system which encourages growth in those areas which will have the least impact on public needs and public services. It does not interfere with the zoning process. This provides legal protection and can respond to changes in the marketplace.

JAMES McCALL brought up the fact that there are a lot of water wells in Las Vegas.

BOB WEIDEN, Commercial Marketing Group, appeared stating he was concerned about the project reservation categories.

RON REISS, Realtor, 3625 South Mojave, appeared stating he was concerned

RECOMMENDING COMMITTEE MEETING  
TUESDAY, FEBRUARY 18, 1992

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS, NEVADA

MAYOR JONES: Okay, we'll go back to Bill No. 92-2 which adopts a new General Plan for the City of Las Vegas. Committee is Full Council. This is in regards to the proposed updated Master Plan.

DEPUTY CITY MANAGER BARTON: Yes, Your Honor, Mr. Schlegel would like to point out a few of the salient points and some for your review because they are changes or additions to our current procedures, so I'll ask Mr. Schlegel at this time.

JOHN SCHLEGEL, DEPUTY DIRECTOR, COMMUNITY PLANNING AND DEVELOPMENT: Mr. Standerfer has asked me to make several points regarding the General Plan, just to highlight these for you.

COUNCILMAN HIGGINSON: John, before you go any further, could we state clearly for the record that the Council wishes Norm the best and wish he were here and hope you'll pass that on to him and make that an official part of the record that we're sorry he's not here. I know, I talked to him this morning and he's turning over and over in that bed trying to get out of it to get over here because these are two very important issues to him and he's not able to be here. I think we should reflect that as far as our concerns and interests in his welfare.

COUNCILMAN ADAMSEN: In fact, I kind of expected a speaker phone hook up similar to the one that I had when I was at home incapacitated.

CITY MANAGER BILL NOONAN: He wants a copy of the tape.

JOHN SCHLEGEL: All right, let me begin. First of all, the General Plan is a package. Many times in reviewing a General Plan we focus on the land use maps and look at the General Plan solely in this term. However, it's important to keep in mind that the General Plan includes statements of policy, a section which goes into detail on evaluation and implementation processes. It also includes the Downtown Development Plan and the Master Plan of Streets and Highways, so you're reviewing that whole package. Second, I'd like to read a couple statements from the Plan regarding relationship of zoning to land use planning which I think underscore the importance of this document. Based upon Nevada State -- Case Law, the Courts upheld that the Master Plan is a standard that commands deference and a presumption of applicability and Nevada Supreme Court has held that Master Plans in Nevada must be accorded substantial compliance while Nevada Statutes require that the zoning authority must adopt zoning regulations that are in substantial agreement with the Master Plan. Third, there's, there are a number of statements contained within the evaluation and implementation section of the General Plan that need to be brought to your attention, so that you understand them. These could lead to the certain changes in our procedures for handling changes in land use



TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

classification. First of all, it is the intent of the City -- these are statements from the General Plan that I'm going to read. "It is the intent of the City Council that no development permit subdivision of land for application for zoning change may be recommended, authorized, approved or issued by any administrative official, board or commission or by the City Council unless such development activity is determined to be in compliance and consistent with the adopted future land use plan, land use classification system and development review policies which are contained within the General Plan. Also, no application for subdivision of land or change in zoning district classification which would have the effect of permitting use of land or structures in a manner inconsistent with the land use plan and/or the land use classification system may be approved without a plot, without filing a simultaneous request to the City Council to consider a formal planned amendment, nor for such zoning change to be approved the City Council must hold a Public Hearing to consider Planning Commission recommendations and formally amend, and formally amend the land use map and/or land use classification; and, finally, no land use variance which would have the effect of permitting use density or intensity of land or structures in a manner inconsistent with the land use and/or land use classification system shall be approved." I wanted to read the statements to you so that you were aware, in case you hadn't been, that those types of changes would be, would come about as a result of adopting this Plan. Basically, we're following those types of procedures now in the way we process rezonings, but this would formalize the process and instill that discipline of considering the General Plan into your land use decisions. And that's all I have to present.

MAYOR JONES:

Any comments from the Board?

COUNCILMAN HIGGINSON:

Well, which end do you want to start at?

MAYOR JONES:

Let's start out down here.

COUNCILMAN HIGGINSON:

Well, all right, I met with staff earlier today and went over several concerns with the General Plan in the northwest sector and I appreciate them responding to those concerns quickly. Let me find the maps so we can take care of some of them, because they indicated there were some that they were unaware of and agreed with some changes that need to be made. Staff, in reference to my map that in the numbers we attached to those. Item No. 5 which is the Elkhorn Ranch property, for the Council's, we're on Map No. 5, Northwest Sector. This is that large area located north of Elkhorn and east of U.S. 95 which is currently indicated to be a medium low density. The current zoning on Elkhorn Ranch is less than,

RECOMMENDING COMMITTEE MEETING  
TUESDAY, FEBRUARY 18, 1992

Page 3.

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

right around six units per acre and, therefore, it's my recommendation that that be changed to reflect a low density residential which would then make it concurrent with the existing zoning and staff has indicated they concur with that, so I would like to have that recommendation changed by the time this comes back before us in March, on our March 4th meeting. Is that the meeting?

JOHN SCHLEGEL: That would be the first meeting this would be eligible for adoption.

COUNCILMAN HIGGINSON: Okay. Bill, do you see where I'm at?

BILL STARKEY: Yes, sir.

COUNCILMAN HIGGINSON: Okay. That should be a low density. You don't need the medium running up next to the D-R and the R. That should be a buffer zone ( ) and that's what zoned that. That's why it was zoned at six units to an acre. Also, even though it is located in the County, if you'll notice in the center of the D-R zoning there just north of Tropical Parkway some hash marks indicating a commercial area, I believe, Bill, aren't those the old orchards that are no longer in effect in the County and staff has indicated that should be rolled over to a Desert Rural designation and eliminate the commercial because the commercial activity no longer exists there.

BILL STARKEY: No, sir, that's the place where Bob Taylor's Original Ranch House is currently located. There's a small -- it's my understanding and can't verify it that there's a small commercial segment on both sides of --

COUNCILMAN HIGGINSON: Right.

BILL STARKEY: Right there in that location.

COUNCILMAN HIGGINSON: Yeah, it was on both sides and staff put it on just one side and my recommendation to staff is that we determine what area Bob Taylor's Ranch House is operating and leave the commercial there, but take the rest of the Desert Rural. Even though it's in the County, our Master Plan needs to reflect that.

BILL STARKEY: Yes, sir.

COUNCILMAN HIGGINSON: Over along Decatur at Elkhorn you'll see a little nub of service commercial in there and, staff, have you had a chance to research that. Was that included in the Interim Northwest Plan? That reflects somewhat what North Las Vegas is doing on our eastern border there. They've put in a fairly high intensity commercial nub there and I just want to make sure that was part of the Interim Plan that was worked on with that community.

FRANK REYNOLDS, DEPUTY Yes, it does along Elkhorn where they have a higher

RECOMMENDING COMMITTEE MEETING  
TUESDAY, FEBRUARY 18, 1992

Page 4.

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

DIRECTOR, COMMUNITY PLANNING AND DEVELOPMENT : density gaming, commercial and high density residential use, that's like a buffer between the R-D, R --

COUNCILMAN HIGGINSON: And that was a part of the Interim Plan that was met with all these --

FRANK REYNOLDS: Yes, sir.

COUNCILMAN HIGGINSON: Thank you. That can remain that way then. Item No. 9 on my map, staff, for the rest of Council's indication, this is on Lone Mountain Road just west of Torrey Pines where we have the medium low turning at an angle and coming down Lone Mountain. My recommendation is that we keep that as low. Would you find out if that was part of the Interim Plan to have that foot, if you will, on the tail end of it?

FRANK REYNOLDS: The Interim Plan was substantially different. We did not have as much detail. The whole area on north and east of Lone Mountain and Rancho were shown as, at that time, R, so what you're suggesting is non-conformance. The actual little strip of medium low along there which is the new part so you're suggesting keeping that going parallel to Rancho and not making it turn to the east would be appropriate.

COUNCILMAN HIGGINSON: Okay, and then that also kicks over to the area bounded by Lone Mountain and Torrey Pines, the southwest, or southeast sector there, of taking that to the same low zoning, giving the low buffer through there that we've planned all along away from the commercial that runs along Rancho.

FRANK REYNOLDS: Yes, sir, the only thing beyond our discussion earlier was that the western edge of that, there is some commercial just to the west of, would be Torrey Pines, and it was, maybe add a little buffer on each side of Torrey Pines to the existing commercial.

COUNCILMAN HIGGINSON: I can tell you, you don't need it. There's already five homes along there.

FRANK REYNOLDS: Okay.

COUNCILMAN HIGGINSON: There's already five homes there of half acre estate, or half acre homes, R-E, and therefore, the low zoning you'd be buffering the sidewalks--

FRANK REYNOLDS: Yes, sir.

COUNCILMAN HIGGINSON: -- because those homes are already in existence, so I would recommend in my area as indicated on your Maps 9 and 10, that that be amended to a low density there. And, then, No. 11 on my map, Craig Road on the east side of the Oran K. Gragson Expressway, this City Council has twice denied commercial zoning on those two parcels of land because of the gravel haul route and until such time as the gravel haul route goes away, I

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

would recommend that that maintain itself as an M-L density. If at such time the gravel haul route goes away, the property owners could certainly come and request commercial zoning there. That would give us sufficient reason for deviation from the General Plan, to say the gravel route's no longer there and I think the Council has indicated fairly strongly in association with the people who live in the area that we don't want commercial there at this time and I think that it would not be wise for us to include it in our General Plan which could then be used against us in a court of law. So, I would make recommendation that the area bounded on the north and south side of Craig Road just east of the Oran K. Gragson remain at medium low which is appropriate there.

FRANK REYNOLDS:

West of Gragson, you mean.

COUNCILMAN HIGGINSON:

West, yes, thank you. Also, on the Residential Land Use Clarification Schedule and I've had this conversation with Mr. Standerfer, as I mentioned this morning. My recommendation for another amendment would be under the Mobile Home category that the densities under low and medium low be eliminated and that Mobile Home classification of 7.14 be allowed in the medium and high density areas and that congregate care be eliminated from the low area. And I know Councilman Adamsen had a concern about one of the others, but this way for the Council's edification I don't think it's appropriate in a large area of R-1 to have it be a part of our General Plan that Mobile Homes can be located in the center of an R-1 neighborhood and that would eliminate it if you take it out of the low and medium low densities or designations, if you remove the mobile home category from there and also the congregate care centers are inappropriate in my opinion in the low density area and should be eliminated from there as well.

COUNCILMAN ADAMSEN:

And I would concur with that, Councilman Higginson, and take it one step further. We have in the medium density category the low-rise apartments classified as 20 units per acre, but then single-family attached 23.93. What would staff's response be to the question that on the medium density that we take that back to 18 to keep that in the previous category that we've looked at. Take 18 on the low-rise apartment, then allow single-family attached which is "For Sale Condominiums" up to 23.93, then the high density would be from 18 to 25 units under the high density residential from the medium.

JOHN SCHLEGEL:

Run that by me one more time.

COUNCILMAN ADAMSEN:

Medium density - low-rise apartments.

JOHN SCHLEGEL:

Right.

COUNCILMAN ADAMSEN:

Instead of having only the difference of 3.93

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

between the low-rise apartment and the single-family attached, what's your response to taking the low-rise apartment back down to 18 and having that spread instead of being approximately 4 units per acre be more realistic for medium density and that would be 6 units per acre and then allow 18 to 25 going from medium to high.

JOHN SCHLEGEL:

That seems reasonable.

COUNCILMAN ADAMSEN:

And one more question I have as it relates to something that we did in the Master Plan Amendment back in late '87-'88, Abe, were you going to speak on this as it relates to Westcliff from Cimarron west because I had a question from staff. You have it striped which is low to medium low which if you take in the current development trends of the neighborhood you would see single-family or you'd see a beltway of low along Westcliff and then more of a medium low to the north, so rather than having diagonal stripes have a horizontal stripe along Westcliff from Cimarron almost to Durango and then have the stripe designation north of the low density buffer that we'd have on the north side of Westcliff west of Cimarron.

ABE MAYHAN:

You're talking about splitting it at the 600 foot marker halfway between Parkway and Westcliff.

COUNCILMAN ADAMSEN:

Exactly and we have existing development of that nature currently. I would like to see that reflected in this Plan update. Do you -- would you concur with that as the representative of the Westcliff Homeowners' Association, Abe?

ABE MAYHAN:

Yes, since you're bringing that front section 600 feet down.

COUNCILMAN ADAMSEN:

Down below and then put the diagonal stripe above it 600 feet back which would be in conformance with what is currently being developed there. I would just like to see some continuity. There was also the question of West Charleston at Fort Apache/Rampart where they intersect. We currently have an ongoing application there. With that application forthcoming would we want to be proactive and take a look at that corner as it relates to commercial and eliminating the residential, low residential, just immediately north of the commercial on the northeast corner of West Charleston?

JOHN SCHLEGEL:

I don't believe they've come forward totally with that proposal yet. I think we're aware of what they're proposing to do in there but --

COUNCILMAN ADAMSEN:

We've taken the first step inasmuch as we've reverted to acreage, the zoning for that classification immediately north of the commercial.

JOHN SCHLEGEL:

Perhaps the land owner ought to step forward and

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

make -- let us know exactly what the proposal would be for that, that corner.

COUNCILMAN ADAMSEN: Okay. So you don't think it would be appropriate at this time to make that reflection in this Master Plan?

JOHN SCHLEGEL: Well, that's, that's up to you. I just don't know what we can put on the map since we really don't have anything on a drawing yet to show us what they had in mind.

COUNCILMAN ADAMSEN: Well, what I have seen from the developer is commercial and with the first step we've taken of reverting it to acreage it's my understanding that the application is forthcoming. While we're in the process of doing this Master Plan Update, I thought that should be incorporated so that again people that look at the Master Plan as a guide know what is intended for that particular area at the times they may be purchasing or developing homes in that area.

JOHN SCHLEGEL: Well, we can do that but we're going to need to get a map from the land owner.

COUNCILMAN ADAMSEN: Okay.

JOHN SCHLEGEL: To incorporate that change into this map.

COUNCILMAN ADAMSEN: Let's see if we can do that and do it expeditiously between now and the March 4th meeting.

JAMES McCALL: When may I interject some comment here?

COUNCILMAN ADAMSEN: When we're, I imagine --

JAMES McCALL: At the end when all these --

COUNCILMAN HIGGINSON: I would imagine after all the Council has their comments.

COUNCILMAN ADAMSEN: The vast majority now of Ward 2 lies in master planned communities and we're getting to the point where we don't have a lot of infill. We have that County island, John, on West Sahara north up to about Oakey. There's a question in there as whether we wanted to make that Desert Rural or Rural inasmuch as it's almost completely developed. I would prefer to see that in the Desert Rural/Rural category and not have any low density in terms of that County island even though it's not under control in the event that we, at some point in the future, annex that County island that is north of Sahara right around Lindell, Lindell Road.

JOHN SCHLEGEL: Councilman, I'm sorry we were distracted on something else.

COUNCILMAN ADAMSEN: All right. John, it's pretty much taken care of but it's something I'd like you to get with me

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

between now and March 4th. Because it's a County island I would just like to see it actually reflect the Desert Rural in that County island north of Sahara, west of Lindell Road, to approximately Jones. And that would conclude my remarks at this time.

COUNCILMAN NOLEN:

I don't have anything. I, you know, I've basically looked over the plans for Ward 3 and there's not a lot of planning required there. It's pretty well laid out what's always been there so I don't see a lot of changes. As far as the other changes that yourself and Councilman Higginson have been referring to, these are your areas and I feel that I have to concur with the representative of those areas. So, I feel comfortable with it so far.

COUNCILMAN HIGGINSON:

We appreciate that. Mr. Hawkins.

COUNCILMAN HAWKINS:

Of course, I don't agree with anything that's been said here today -- No, I'm only kidding -- only kidding. I only have two concerns and I can have these addressed by staff at a later date; the one piece being now at Bonanza and Rancho and Dove Ministries, and the other piece being the largest piece in my ward which, if anybody's interested in developing, it's the piece between Vegas Drive and Lake Mead on Martin Luther King, if anybody's interested in developing; and that would be the only areas but I'll save those for our next meeting.

JOHN SCHLEGEL:

Do you need to see a land use designation change on the map?

COUNCILMAN HAWKINS:

I'm not sure yet. We've gone over this in redevelopment and I believe it's been covered and I've talked to some people that's on our Planning Commission, especially about the parcels on Alta and Charleston, Martin Luther King and Rancho dealing with the hospital. They told me that those changes had been made so those, those would be my only areas but right now today I have no comments on those. So, right now I'm fine with the way it sets.

COUNCILMAN HIGGINSON:

Your Honor, in talking to Mr. Steed, he indicates to me that these changes can be incorporated but that the State Law requires that it then go back to the Planning Commission for their comment because of the changes we've made, is that correct?

CHIEF DEPUTY CITY ATTORNEY  
VAL STEED:

That's correct, Councilman. The Council will then have, you know, the opportunity to ignore whatever comment the Planning Commission makes, if that's the choice, but they have to have the opportunity to review these comments.

COUNCILMAN HIGGINSON:

I'm sure there's public comment. I see Jim coming forward and there may be others, Your Honor, but I think what we ought to do is ask

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

staff to make these changes and adjustments that have been raised by Councilman Adamsen and myself and the ones Councilman Hawkins is concerned about and get it before the Planning Commission immediately for their comment and they can, staff can certainly represent us as to our current, concerns and reasons for making some of these changes and at which time then it can then come back to the Council with the Planning Commission's comments to our changes.

MAYOR JONES:

Good. And, what?

COUNCILMAN ADAMSEN:

I was going to ask Abe if he had anything to comment.

MAYOR JONES:

This is a Public Hearing. Might as well open it up at this point. Jim.

JAMES McCALL:

James McCall and I have a concern in an area of Councilman Higginson's which would be the northeast corner of Washington and Buffalo. There's a 20 acre parcel there that runs 660 feet north by 1320 feet east at the northeast corner of Washington and Buffalo which is designated to be medium to low density.

COUNCILMAN HIGGINSON:

Our favorite corner, Jim.

JAMES McCALL:

Beg your pardon.

COUNCILMAN HIGGINSON:

Our favorite corner.

JAMES McCALL:

Sure. That particular parcel is 450 feet off of the proposed Buffalo/Summerlin Interchange, full interchange there, 450 feet to this parcel. It's on a hundred foot front street and 80 foot wide side street. There's commercial abutting it immediately to the west. There's R-PD14 to the north, new proposed R-PD13.26 to the south and I really don't feel that this is suitable for medium to low density. I feel neither it's suitable for commercial. It's almost impossible to get a major anchor tenant of a market of any size to come to a site less than 20 acres. This parcel was devastated when the new alignment of the Buffalo ditch went through. It went from the middle of Buffalo to the 16th line to the east which cut this parcel. It was a nice 40 acre parcel, cut it in half into two 20's. Therefore I'm -- and with the new construction that is about to commence on the Buffalo Interchange I now come forward and ask that this be rezoned to commercial. I've not done it previously because there was no need to come in and get a zoning until you have a preferred use for it. However, now I'm up against a new Master Plan and the new Master Plan calls for the same zoning that is there. Why? Probably because they said, "Well, it's there; let's go on to the next item." But I think in all due honesty and with justification to good planning and good zoning which we're all here to try and accomplish today that this should



TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

be upgraded to a commercial site. If you're 450 feet off of a full interchange on 100 foot street and 80 foot side street, if that doesn't command commercial I don't know what does. I certainly wouldn't build a children's playground there.

COUNCILMAN HIGGINSON: I would hope not. Where are you in the zoning process, Jim. You gone before Planning?

JAMES McCALL: I'm in front of this Council on March the 4th, the same day that you're about to adopt this Plan or have scheduled to adopt this Plan. I was recommended de --

COUNCILMAN HIGGINSON: You're the one caught -- you're caught in the crease then.

JAMES McCALL: Yeah, I was recommended denial by the Planning Department. Why, I don't know, because they said, "Geez, it's a great looking project and it's a good site but doesn't conform to the Master Plan." I said, "Yeah, the Master Plan's out of date. That's why we're changing it."

COUNCILMAN NOLEN: I think that's a standard recommendation, Jim, that they do if it doesn't comply. It has nothing -- that's pretty much standard. It certainly doesn't mean that staff had any, yeah, any negative feeling.

JAMES McCALL: Our personal conversation reflected a difference than that but they have to go by the rules and regulations they have to play by. The Planning Commission, about five of the seven, possibly four of the seven, agreed that it was the proper location for commercial but then they looked at each other for about three minutes before anybody could figure out what kind of a motion to make. Finally, somebody said, "Oh, you're waiting for a motion? I'll make a motion to deny." And everybody said, "Whew, boy, let's -- all green lights to deny, so I figured my relief would be the intellect of this Council when I got in front of you and that you would recognize good zoning when it came in front of you and therefore I think it should be an amendment at this time on your Master Plan that it should be amended to a commercial rather than a medium to low density.

COUNCILMAN HIGGINSON: I tell you, I had a conversation with staff earlier today on this piece, in my lengthy conversation, knowing of your pending application and I, too, concur that it has commercial potential and would recommend that rather than in the new Master Plan putting it strictly commercial that we have a commercial and medium/low as combination with the hash mar--, the slash marks, because I, I don't know what else to do with it. I don't feel comfortable taking it completely commercial at this point until I have a chance to hear from my

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

constituents, as I've told you before, but I, but I concur that it has commercial potential and therefore using that magic hash mark, or diagonal lines, we can certainly amend the General Plan to reflect commercial or medium low because, frankly, they're, they're somewhat equal in my mind as to impact on communities.

JAMES McCALL:

Well, had I come in and, and acquired this or gone through the zoning process a year ago, or two years ago, or three years ago, I probably would have had no problem because there was nobody in the area. My problem is I waited a little long and Mr. Richard Plaster is building a housing project to the north that abuts me on the east portion of this property and consequently there was one young lady who went out and decided that she needed to get all kinds of signatures and protests against a shopping center which they will all use, if and when it's ever instituted, because it's a convenience for them, so you do have 180 protestors against this on a list. None of them showed up, one woman with a list was all.

COUNCILMAN HIGGINSON:

I, I concur. If you had -- if you'd been here three years ago before those homes were built and made the same arguments that it's on the corner of 100 foot wide and 80 foot wide street, with an interchange, the Master Plan at that time would have been five and a half years old and said, you know, here's the reasons to deviate. This Council would have had reason to deviate from the Master Plan.

JAMES McCALL:

Only, only problem was that at that time the City had made their agreement with Summa and there could be no interchange on that Summerlin Freeway for ten years and you people do not like people to come in and zone their property without a use for it, just to zone it and hold it. That has been a long standing policy of the Council.

COUNCILMAN NOLEN:

I think one of the comments that you said, and, you know, the concern I had, it is a hundred foot right-of-way and it is an 80 foot right-of-way; and I think to, to do it and/or is basically a cop out. It's got to be commercial. We've got places all over this community where because we didn't realize things were going to grow that fast, we've got people's homes fronting on major right-of-way, or major roads, coming out and it's just a hazard getting out of your, out of your own driveway and I think that we need to bite the bullet and say, "Look, because of those situations and because of the interchange there, this is justifiably commercial and that's what it should be and then it's clear to anybody that buys or purchases in that area they know. It's not an and/or or -- and a confusing thing.

COUNCILMAN HIGGINSON:

We also have under medium low density, we have a lot of apartment complexes that support, that sit on the same situations with 100 foot wide and 80

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

foot wides and that's why --

COUNCILMAN NOLEN: 450 feet from a full interchange?

COUNCILMAN HIGGINSON: Yeah, and that's why having it, having it as a hash, to me, is more appropriate and then this Council, to use Councilman Nolen's statement, can bite the bullet at the time the zoning comes forward and pick which one they feel is appropriate based on the requests of the applicant, but the General Plan to serve as a guide, I think, should be in this situation a guide in that area.

JAMES McCALL: Well, the problem is, which General Plan, the one you're about to adopt or the other one which is outdated?

COUNCILMAN HIGGINSON: As I say, you're in the crease, so I would make my recommendation to staff, along with the other items that I indicated, that that parcel of land be striped to reflect commercial and/or medium low.

COUNCILMAN ADAMSEN: General commercial or service commercial?

COUNCILMAN HIGGINSON: General commercial.

JAMES McCALL: Thank you -- and I hope on the fourth you've had time to reflect as to the decision and the direction that this Council should go. Thank you.

COUNCILMAN NOLEN: You'll tell us then whether we have wisdom or not?

MAYOR JONES: Are there others that wish to be heard on this agenda item before we close the Public Hearing?

COUNCILMAN ADAMSEN: Just one quick question for staff. In the Gaming Enterprise Zone we had calls for gaming district in master planned communities. I want to make sure that they're accurately reflected and designated, particularly as it relates to Ward 2.

MAYOR JONES: In particular? Good.

COUNCILMAN ADAMSEN: Specifically.

MAYOR JONES: Specifically, and in particular, good.

JOHN SCHLEGEL: The Gaming Enterprise District package is done under licensing provisions Code and we haven't incorporated those into the General Plan simply because we don't treat those as zoning matters. The Codes that would implement this General Plan are other than the provision, other than the part of the Code that deals with the Gaming Enterprise Zone.

COUNCILMAN ADAMSEN: John, I understand that, but someone relying on the Master Plan or the General Plan, and not

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS, NEVADA

knowing about the Gaming Enterprise District, could be confused as it relates to the Gaming Enterprise Districts allowed in master planned communities and I would like to delineate that somehow so that someone relying on the General Plan would know that those are already master planned and have been since 1982 and so...

JOHN SCHLEGEL:

Perhaps what we could do then is include it as an informational item. Are you talking about putting it right on the land use plan or have it as a separate informational item within the report?

COUNCILMAN NOLEN:

I think, I think basically what you're getting at, and I agree with you, is there somewhere in the Master Plan, because I don't think that the average citizen would, would, if he's concerned about the General Plan, would know to, not only do I have to check the General Plan, I better run over here and check Licensing and see about getting Enterprise Zones, so I believe somewhere in that, this whole document, it ought to reflect, though, so that people can know whether it's done as an informational item, or whatever, something that will trigger in somebody's mind that there is gaming, casino type-operations, or authorized at this location and that's what you're looking to do, isn't it?

COUNCILMAN HIGGINSON:

Yeah, I concur. I think the solution is, as you know, we have the zoning designation T-C, or not zoning, the General Plan designation of Tourist Commercial which is basically what we're saying - Casino.

COUNCILMAN NOLEN:

Yeah, that might solve it, yeah.

COUNCILMAN HIGGINSON:

And just make sure the T-C is in the appropriate areas. I look at the Northwest sector and the Gaming Enterprise Zones indicated by the Santa Fe which, of course, is built and the property owned by, I believe, Mr. Schwartz north of Ann Road which is included, is designated as Tourist Commercial. Now, you may want to change that designation to Tourist Commercial/Casino--

COUNCILMAN ADAMSEN:

Exactly.

COUNCILMAN HIGGINSON:

-- or Casino Tourist or something like that and then indicate within those master planned communities where that's going to be. I know, for example, with Jack Sommers' property we're not certain yet where that is, but it wouldn't hurt to have an island out there in the middle somewhere with that hash mark 'cause someone's going to come pick up this map determining whether to buy a home or to move or to buy property in an area and they need to have that accurately reflected to them, that there is, there is already approved Tourist Commercial/Casino, or whatever you want to call it, on a particular piece of land. So, in my

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS, NEVADA

district, particularly up to the Jack Sommers' property I also note the commercial's missing on the Jack Sommers' piece. There's some commercial down in that one corner that ought to be designated even though it's within a master planned community that's R-PD3 or whatever it is, we ought to indicate where the commercial uses are, to the best of our knowledge at this time.

COUNCILMAN ADAMSEN: And either in front of or behind Tourist Commercial, put in parentheses "Casino" or "Possible Casino," something to send up the flag for those people looking for that objection so that they are able to see it, understand it, are not confused, and then come back and say, "You didn't divulge it" at a later date.

JOHN SCHLEGEL: I understand the intent of what you want to accomplish and we'll find a way to do that.

ABE MAYHAN: Could I offer a comment on that? I don't believe that designating an area "possible use" within that community is reasonable. I think that we should stick by the precise boundaries already designated by this Enterprise District and apply them with an overlay on one of these maps is appropriate, but I don't think an estimated position is the valid way to do that.

COUNCILMAN ADAMSEN: No, I was not in favor of an estimated position because we have the Gaming Enterprise Zones laid out. Granted it's in another division under Licensing, and the average person who goes to look at a General Plan to buy a house is not going to be aware that they need to do that and I think this could solve a future problem for us by designating it and highlighting it at this time.

COUNCILMAN NOLEN: So what, what action is required today, Val? Do we need to take any action to refer it back?

FRANK REYNOLDS: Councilman, I would like to ask our Attorney a question that may answer your question. Can we refer in the General Plan -- can we just show and then reference the Gaming Enterprise District so everyone understands exactly what the boundaries are and then we put in, we show the commercial planned uses that are required but I agree that to show a new designation that also shows gaming on it, I don't think that would be legal. My basic question is, Counselor, can we just reference and even copy a map of the Gaming Enterprise Zone, so everyone is aware of that. Would that be a problem?

CHIEF DEPUTY CITY ATTORNEY VAL STEED: Yeah, I think either refer to the map or have some kind of overlay that indicates that it's informational only. I think the problem then, the problem that we have with the Gaming Enterprise District is the Statute in the Ordinance talk about how those things, or how that district has changed and I don't think the Council would want to go back through a full, or

TRANSCRIPT - Item No. 2 - BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY  
OF LAS VEGAS, NEVADA

Master Planned Amendment just because the district was going to be changed, so I think if it's made clear that it's informational or refer to the map itself on some zoning map, I think that would suffice. As far as Councilman Nolen's question, I think it would be appropriate to refer this -- take a vote to refer it back to the Planning Commission for their comments.

COUNCILMAN HIGGINSON:

With the changes.

COUNCILMAN NOLEN:

That will be my motion. With the changes that I move that we refer it back to the Planning Commission for their review and comments on our changes. Then it will come back before us at our, the appropriate meeting which will be what, I believe the fifth of March.

MAYOR JONES:

Fourth of March.

COUNCILMAN NOLEN:

Fourth of March.

COUNCILMAN HIGGINSON:

Can you get it to the Planning by the fourth of March?

COUNCILMAN ADAMSEN:

That was my question.

COUNCILMAN NOLEN:

If not, whatever the appropriate Council meeting after their action. Okay. That will be my motion. Okay, that will be the motion.

COUNCILMAN HIGGINSON:

Could I ask one question of the maker of the motion? I want to make sure that, that what goes to the Planning Commission is for their comment, but what comes back to us reflects the decisions and options that we've put down now with maybe their comments delineated out with for each of those changes.

COUNCILMAN NOLEN:

I think that's the intent of the motion. Certainly the Planning Commission cannot override anything that has been brought forward today. They can only make comments and recommendations based on those comments and those items that we've discussed and on the overall plan; and that's the intent of the motion.

COUNCILMAN HIGGINSON:

Thank you.

JOHN SCHLEGEL:

As I understand it then, what you're taking back to the Planning Commission then are your suggested amendments to what was presented to you and then they will come back to you with a recommendation on your comments.

COUNCILMAN NOLEN:

Yes.

MAYOR JONES:

Further comments? All in favor? (Unanimous vote) Post.


(END OF DISCUSSION)

/cmp

## INTER - OFFICE MEMORANDUM

Date

13 February 1992

<b>TO:</b> Mayor Jan Lavery Jones Councilman Bob Nolen Councilman Arnie Adamsen Councilman Scott Higginson Councilman Frank Hawkins, Jr.	<b>FROM:</b>  Norman Standerfer, Director Community Planning and Development										
<b>SUBJECT:</b>  BACK-UP FOR RECOMMENDING COMMITTEE MEETING OF FEBRUARY 18, 1992, ITEM NO.1: BILL NO. 92-2: ADOPT A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS	<b>COPIES TO:</b>  <table border="0"> <tr> <td>William Noonan, City Manager</td> <td>Kathy Tighe, City Clerk</td> </tr> <tr> <td>Larry Barton, Deputy City Mgr.</td> <td>Val Steed, Chief Dep. City Atty.</td> </tr> <tr> <td>Tom Mc Pherson, Dep. City Mgr.</td> <td>Bob Sylvain, Deputy City Atty.</td> </tr> <tr> <td>Jan Bruner, Assistant City Mgr.</td> <td>Frank Reynolds, Dep. Dir., CP&amp;D</td> </tr> <tr> <td>Richard Welch, Director, DEUD</td> <td>Larry Bender, Chief, Redevelop.</td> </tr> </table>	William Noonan, City Manager	Kathy Tighe, City Clerk	Larry Barton, Deputy City Mgr.	Val Steed, Chief Dep. City Atty.	Tom Mc Pherson, Dep. City Mgr.	Bob Sylvain, Deputy City Atty.	Jan Bruner, Assistant City Mgr.	Frank Reynolds, Dep. Dir., CP&D	Richard Welch, Director, DEUD	Larry Bender, Chief, Redevelop.
William Noonan, City Manager	Kathy Tighe, City Clerk										
Larry Barton, Deputy City Mgr.	Val Steed, Chief Dep. City Atty.										
Tom Mc Pherson, Dep. City Mgr.	Bob Sylvain, Deputy City Atty.										
Jan Bruner, Assistant City Mgr.	Frank Reynolds, Dep. Dir., CP&D										
Richard Welch, Director, DEUD	Larry Bender, Chief, Redevelop.										

The proposed, updated General Plan for the City of Las Vegas is a revision of the existing General Plan which is comprised of two volumes:

- The General Plan Policy Document, adopted on January 16, 1985
- The General Plan Community Profiles Map Document, adopted on August 7, 1985

**A. Outline of Procedure Followed to Update the General Plan:**

- Completion of the "Las Vegas 2000 and Beyond" strategic planning program with input of over 300 citizens.
- Appointment by City Council of 18 member Northwest Citizens Advisory Committee to develop Interim Northwest Area General Plan to deal with immediate growth concerns. Interim Plan adopted by City Council on February 20, 1991.
- Appointment by City Council of 35 member General Plan Citizens Advisory Committee (CAC), and formation of General Plan Technical Advisory Committee (TAC) comprised of City department heads.
- Review and update of 1985 General Plan in numerous meetings of the Citizens Advisory Committee, with assistance by staff of Planning and other City departments:
  - ° Policy Document update (City-wide Goals, Objectives, Policies and Programs)
  - ° Community Profile Map update (future land use designations), including review of all City land parcels
- Staff preparation, and review and recommendation by CAC and TAC, of expanded format General Plan to include specific elements on Land Use, Community Facilities, Infrastructure, Circulation, Public Finance, Economic Development, Housing, Urban Design, Environmental Quality and Natural Resource Conservation, and Historic Preservation. These elements are in conformance with NRS Section 278.160.
- Completion of five public hearings by the Planning Commission, including one for each of the three sectors of the City (Northwest, Southwest and Southeast) to review proposed text and future land use designations. Only four public comments\* were received.

**B. Highlights of Major New Concepts Proposed in Updated General Plan:**

- Aggregation of 16 individual Community Profile Area maps into three "sector" scale proposed future land use maps (Northwest, Southwest and Southeast) to provide a broader scope of reference for land use and circulation relationships.
- Concurrent review and adoption of the Downtown/West Las Vegas Development Plan in conjunction with the Department of Economic and Urban Development\*\*.
- Preparation, with input of Henderson, North Las Vegas, and Clark County, of generalized Valley-wide scale Future Land Use Plan Map.

Continued

\* See attached matrix of public comments

\*\* See Item No. 5, Bill No. 92-6, on Recommending Committee Agenda for February 18



Recommending Committee, 13 February 1992  
Item No. 1: Las Vegas General Plan, continued

- Introduction of a new approach to categorization of proposed future land uses based on establishing Development Intensity Levels (D.I.L.) by traffic generation, rather than typical land use designations, for all land parcels. In place of the former range of residential densities (example: 3-6 du/ac\* for Low Density Residential districts), a new Single Family Unit Equivalent (SFUE) designation (example: 6.70 du/ac for Low Density Residential) is proposed. This approach also allows other types of dwelling units (such as single family attached units, high rise apartments and others\*\*) in the same land use district, based on traffic generation of each type of dwelling unit. Traffic generation data were developed from national traffic engineering standards.
- Development of Goals, Objectives, Policies and Programs by CAC for each of the ten Elements identified in Section A above. Highlights include programs for Development Intensity Level (D.I.L.) Studies, Water Allocation, Neighborhood and Housing Planning, Downtown Development Plan Implementation, Valley-wide Intergovernmental Planning Coordination, and Circulation Planning including update and adoption of the Master Plan of Streets and Highways.
- Preparation of an Evaluation and Implementation Matrix (EIM) for each of the General Plan Elements to provide:
  - a method of measuring the implementation progress of the General Plan
  - a budgeting and work task document for the programs of each General Plan element

\* du/ac = dwelling units per acre

\*\* See attached comparison chart of existing and proposed (D.I.L.) Future Land Use Categories

## GENERAL PLAN PUBLIC HEARING COMMENTS

1985 PLAN	1991 CAC/STAFF LAND USE PLAN RECOMMENDATION	PUBLIC COMMENT	CAC/STAFF RESPONSE	PLANNING COMMISSION RECOMMENDATION
<b>NORTHWEST SECTOR - LAND USE PLAN PORTION GENERAL PLAN PUBLIC HEARING - October 22, 1991</b>				
No public comments on NW sector.				Adopt NW Land Use sector, as proposed.
<b>SOUTHWEST SECTOR - LAND USE PLAN PORTION GENERAL PLAN PUBLIC HEARING - November 14, 1991</b>				
CP* 7 SE corner Durango and Oakey - ML/L entire area	L - 10 ac along Durango R - Balance of property	ML - 10 ac along Durango L - Balance of property	L - entire parcel	Adopt L - entire parcel
CP 9 SW corner Vegas and Buffalo - L entire area	L/ML	ML - west side of Buffalo L - Balance of property	Agree with public comment	Adopt ML - west side of Buffalo L - Balance of property
<b>SOUTHEAST SECTOR - LAND USE PLAN PORTION GENERAL PLAN PUBLIC HEARING - November 26, 1991</b>				
CP 5 R - NE corner Charleston and Campbell	SC - P-R ROI expired 1989 (Z-72-89)	L or ML - entire area that is north of C-D zoned lots	Agree	Adopt L for entire area north of C-D zoned lots
CP 5 R - second lot north of Charleston on westside of Shetland	Same as 1985 Plan	R - Same as 1985 Plan	Agree	Adopt with same R designation as shown on 1985 General Plan Community Profile map

\* CP = Community Profile Map

## General Plan Future Land Use Categories

Existing	Categories	Proposed Development Intensity Level (DIL): SFUE*								
		SFUE	SFD	LRA	SFA	HRA	MH	HR	MR	CC
(0-2 du/ac)	DR Desert Rural Residential	2.18	2.18							
(0-3 du/ac)	R Rural Residential	3.96	3.96							
(3-6 du/ac)	L Low Density Residential	6.70	6.70		12.09		7.14			32.08
(6-12 du/ac)	ML Medium-Low Density Res.	9.00	9.00	13.57	16.23		7.14			43.08
(12-20 du/ac)	M Medium Density Res.	13.27	9.00	20.00	23.93	37.23	7.14	20.67	29.78	43.08
(20+ du/ac)	H High Density Residential	16.58	9.00	25.00	29.91	46.52	7.14	25.77	37.22	43.06
	SC Service Commercial									
	GC General Commercial									
	TC Tourist Commercial									
	LI/R Light Industry/Research									
	P Parks/Recreation/Open Space									
	S School									
	PF Public Facilities									

Source: Dept. of Community Planning & Development

\*SFUE = Single Family Unit Equivalent

SFD = Single Family Detached

LRA = Low Rise Apartment

SFA = Single Family Attached

HRA = High Rise Apartment

MH = Mobile Home

HR = Hotel per Room

MR = Motel per Room

CC = Congregate Care/Bed

# **EXHIBIT “RRRR-10”**

## AGENDA &amp; MINUTES

COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

ITEM

ACTION

## VI. REPORTS FROM COMMITTEES

A. RECOMMENDING COMMITTEESBILL ELIGIBLE FOR ADOPTION AT THIS MEETING

1. BILL NO. 92-1 - CREATES SPECIAL IMPROVEMENT DISTRICT NO.1431 (CRESCENT DRIVE).

Committee: Councilmen Higginson and Adamsen

First Reading - 1/22/92

First Publication: 2/5/92

Recommending Committee - 2/3/92

ADOPTION at the 2/19/92 City Council meeting.

City Council - 2/5/92

No Action Taken

BILLS ELIGIBLE FOR ADOPTION AT A LATER MEETING (SEE "RECOMMENDATION" FOR SPECIFIC BILL)

2. BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS, NEVADA

Committee: Full Council

First Reading - 2/5/92

First Publication: NONE

Recommending Committee - 2/18/92

REFERRED BACK TO PLANNING COMMISSION

HIGGINSON - Second Reading and BILL ADOPTED - UNANIMOUS

Clerk to proceed with second publication

\*\*\*\*

No discussion was held.

(10:47)

BILL REFERRED back to Planning Commission

FEB 19 1992

Date:

0355

February 5, 1992

## AGENDA DOCUMENTATION

TO:  
The City Council

FROM:

val Steed *Val Steed*  
Chief Civil Deputy Attorney

## SUBJECT:

Bill No. 92-2: Adopts a new General Plan for the City of Las Vegas, Nevada

PURPOSE/BACKGROUND

This bill will adopt a new General Plan for the City. The new Plan was adopted by the Planning Commission on December 12, 1991. The Plan will become effective upon the adoption and publication of this bill, although many of the regulatory-related aspects of the Land Use Element of the Plan will be implemented by future ordinances.

Details concerning the Plan and how it differs from the current Plan will be provided in memorandum form by the Department of Community Planning and Development.

FISCAL IMPACT

NONE

RECOMMENDATIONS

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

Agenda Item

VI.A.2

3752

CLV305899

16622

# **EXHIBIT “RRRR-11”**



# AGENDA

MARCH 12, 1992

*City of Las Vegas*  
**PLANNING COMMISSION**  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

Page 42

ITEM

COMMISSION ACTION

DIRECTOR'S BUSINESS:

1. CONSIDERATION OF CHANGES TO GENERAL PLAN  
PROPOSED BY CITY COUNCIL

Solomon -  
APPROVED CHANGES TO GENERAL PLAN  
AS PRESENTED.  
Unanimous  
(Segeberblom and Pippin excused)

FRANK REYNOLDS stated the City Council Recommending Committee, on 2/18/92, reviewed the comments and recommendations from the Planning Commission's public hearings. There were several items they would like to revise:

Map 5 - Northwest Sector Future Land Use:

1. A portion of the parcel at Rainbow and Centennial was revised back from General Commercial to D-R. This area was non-conforming commercial and excessive.

2. Parcel at northeast corner of U.S. 95 and Elkhorn, which is Elkhorn Ranch, was R-PD6. That density needs to be reduced from ML to L.

3. Lone Mountain east of U.S. 95 has been reduced from L-ML to L. It was not felt the buffer of ML needed to be brought around the corner.

4. Parcel at southeast corner of Lone Mountain and Torrey Pines has been reduced from L-ML to L.

5. Parcels north and south of Craig, west of Gragson, reduce from Service Commercial to ML to more properly reflect that area.

6. Parcel at northwest corner of Ann and Buffalo was shown as ML/L. The eastern two-thirds of the development is L and the western one-third is R.

On all three maps on the Residential Land Use classification under the Development Intensity Level the single family use equivalents, they decided to remove the Optional Mobile Home designation from both the Low and Medium Low categories and to delete the Congregate Care Bed Facility as an option under the Single Family Equivalency. Gaming Enterprise Districts have been shown on Map

# AGENDA

MARCH 12, 1992

*City of Las Vegas*  
**PLANNING COMMISSION**  
COUNCIL CHAMBERS • 400 EAST STEWART AVENUE

Page 43

ITEM

COMMISSION ACTION

DIRECTOR'S BUSINESS:

1. CONSIDERATION OF CHANGES TO GENERAL PLAN  
PROPOSED BY CITY COUNCIL (CONTINUED)

11.

Map 6 - Southwest Sector Future  
Land Use Map:

1. The parcel at the northeast  
corner of Buffalo and Washington,  
was revised from Medium Low to  
Medium Low/Service Commercial.

2. Parcel at the northwest corner  
of Cimarron and Westcliff was  
revised from Low/Medium Low to  
Low.

3. Parcel in vicinity of  
Rampart/Durango and  
Charleston/Alta; revise to conform  
to revised Peccole Ranch Master  
Plan (SC and L).

4. The County island between  
Jones and Lindell, between Sahara  
and Charleston, the actual land  
uses in there were field checked  
and instead of the Low they are  
D-R. The General Plan also shows  
the gaming activities approved for  
Summerlin and one for Peccole  
Ranch. This will go back to the  
Recommending Committee and be  
approved by the City Council on  
4/1/92.

There was no one present to speak  
in opposition.

To be heard by the Recommending  
Committee on 3/16/92 and City  
Council on 4/1/92.

(8:58-9:11)

# **EXHIBIT “RRRR-12”**

COMMITTEE recommended Bill No. 91-61 be held in abeyance until the May 18, 1992 Recommending Committee meeting.

5. BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS, NEVADA

Committee: Full Council

MAYOR JONES said the only issue that has been voiced to her is from developers that any change to this Plan requires an Amendment to the Plan, rather than a deviation.

NORMAN STANDERFER said if someone applies for a zoning that's not consistent with the Plan, it's automatically taken in as a Plan Amendment and a hearing will be held on a Plan Amendment at the same time.

COUNCILMAN ADAMSEN said with an Amendment to the Plan it will assist the Council. If the development trends are following the marketplace, then that eliminates the reason for justification for the deviation from the General Plan. This will enable the Plan to be continuously updated.

NORMAN STANDERFER said in processing a Plan Amendment the Council will get staff background and analysis of what is going on so it would not be a spot Plan Amendment. Staff would recommend changing whatever is logical in the area, not just one piece at a time if it's time to do that. That way the Plan will not get out of date.

COUNCILMAN HIGGINSON said after it's in operation for a period of time those on the Development Committee will be more appreciative of it. If we do decide that a certain area is okay and we should let R-1 in that area, or whatever it might be, then we will do it for the whole area, not just that one parcel. It insures the other landowners can get the same zoning. He asked what the reaction was from the Planning Commission members as to the Council's recommended changes.

NORMAN STANDERFER said the Planning Commission adopted the Council's recommendations across the board.

DEPUTY CITY MANAGER BARTON said two years ago the City Council gave staff the authority to prepare this Plan in-house and three additional persons were hired. The previous plan that had been done by a consultant was cumbersome and unsatisfactory.

COMMITTEE recommended adoption of Bill No. 92-2 at the 4/1/92 City Council meeting.

6. BILL NO. 92-9 - DEFINES "RESORT HOTEL" AND INCLUDES PROVISIONS FOR A BAR, RESTAURANT, LOBBY, AND GUESTROOMS EXCEEDING 200; PERMITS FOOD COOKING FACILITIES IN GUESTROOMS OF HOTELS LICENSED FOR NONRESTRICTED GAMING.

Committee: Full Council

COUNCILMAN HIGGINSON said a public hearing was held just prior to this Recommending Committee meeting. This Bill was amended at the public hearing.

COMMITTEE recommended adoption of Bill No. 92-9 at the 4/1/92 City Council meeting as per First Amendment.

7. BILL NO. 92-12 - ANNEXATION NO. A-9-91(A), PROPERTY LOCATED: ON THE NORTHWEST CORNER OF ANN ROAD AND BRADLEY ROAD; PETITIONED BY: DOUGLAS BORLASE, ET AL; ACREAGE: APPROXIMATELY 20 ACRES OF LAND; ZONED: R-E (COUNTY ZONING) R-E (CITY EQUIVALENT).

Committee: Councilmen Higginson and Adamsen

# **EXHIBIT “RRRR-13”**



APRIL 1, 1992

## AGENDA &amp; MINUTES

Page 30

ITEM COUNCIL CHAMBERS • 400 EAST STEWART AVENUE ACTION

## VI. REPORTS FROM COMMITTEES

A. RECOMMENDING COMMITTEESBILLS ELIGIBLE FOR ADOPTION AT THIS MEETING

1. BILL NO. 92-2 - ADOPTS A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS, NEVADA

Committee: Full Council

First Reading - 2/5/92

First Publication: R-J - 3/19/92

Recommending Committee - 2/18/92  
REFERRED BACK TO PLANNING COMMISSIONCity Council - 2/19/92  
NO ACTION TAKENRecommending Committee - 3/16/92  
ADOPTION at the 4/1/92 City Council meeting.

HIGGINSON - Second Reading and BILL ADOPTED - UNANIMOUS (Jones excused)

Clerk to proceed with second publication

\*\*\*\*

No discussion was held.

(9:52 to 9:54)

2. BILL NO. 92-6 - AMENDS THE REDEVELOPMENT PLAN IN EFFECT FOR THE REDEVELOPMENT AREA BY DELETING THEREFROM AND ADDING THERETO VARIOUS DEFINITIONS OF DESIGNATED LAND USE PERMITTED IN THE REDEVELOPMENT AREA AND CHANGING SOME OF THE DESIGNATED LAND USES.

Committee: Councilmen Nolen and Hawkins

First Reading: 2/5/92

First Publication: R-J - 3/19/92

Recommending Committee - 2/18/92  
To be adopted at the same time as Bill No. 92-2 which has been referred back to the Planning Commission.City Council - 2/19/92  
NO ACTION TAKEN

NOLEN - Second Reading and BILL ADOPTED - UNANIMOUS

Clerk to proceed with second publication

\*\*\*\*

NOTE: Previous motion by Nolen to amend BILL FAILED with Higginson, Adamsen and Jones voting "NO".

NOTE: VERBATIM TRANSCRIPT MADE PART OF FINAL MINUTES.

(9:54 to 9:58)

NOTE: BILL TO BE ADOPTED AT THE SAME TIME AS BILL NO. 92-2.

  
APPROVED AGENDA ITEM

3756

CLV218630

16629

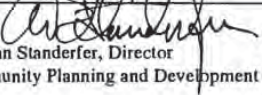
APR 01 1992

CITY OF LAS VEGAS

Date

## INTER-OFFICE MEMORANDUM

March 13, 1992

<b>TO:</b> Mayor Jan Lavery Jones Councilman Bob Nolen Councilman Arnie Adamsen Councilman Scott Higginson Councilman Frank Hawkins, Jr.	<b>FROM:</b>  Norman Standerfer, Director Community Planning and Development
<b>SUBJECT:</b> BACK-UP FOR RECOMMENDING COMMITTEE MEETING OF MARCH 16, 1992 ITEM NO.4: BILL NO. 92-2: ADOPT A NEW GENERAL PLAN FOR THE CITY OF LAS VEGAS	<b>COPIES TO:</b> William Noonan, City Manager Kathy Tighe, City Clerk Larry Barton, Deputy City Mgr. Val Steed, Chief Dep. City Atty Tom Mc Pherson, Dep. City Mgr. Bob Sylvain, Deputy City Atty. Jan Bruner, Assistant City Mgr. Frank Reynolds, Deputy Dir. Richard Welch, Director, DEUD Larry Bender, Chf. Urban. Dev.

The Planning Commission, at their meeting of March 12, 1992, reviewed the revisions to the General Plan proposed by the City Council Recommending Committee at their February 18, 1992 meeting. They concurred with all revisions and unanimously adopted the General Plan with these revisions:

- \* Revise Land Use Element Table 3, and Residential Land Use Classification Schedule on legend of all Sector Future Land Use Maps, to:
  - ° Delete Mobile Home (7.14) notation from L and ML categories
  - ° Delete Congregate Care/Bed notation from L category
- \* Map 5: NW Sector Future Land Use
  - ° Parcel at Rainbow/Centennial: revise from GC to DR
  - ° Parcel at NE corner US95/Elkhorn (Elkhorn Ranch): revise from ML to L (=R-PD 6)
  - ° Parcel at NE corner US95/Lone Mountain: delete segment of ML along Lone Mtn. (to L)
  - ° Parcel at SE corner Lone Mountain/Torrey Pines: revise from L/ML to L
  - ° Parcels at Gragson/W. Craig: revise from SC to ML
  - ° Parcel at NW corner Ann/Buffalo: revise from ML/L to L (east 2/3); R west (1/3)
  - ° Show "Gaming Facility" reference
- \* Map 6: SW Sector Future Land Use
  - ° Parcel at NE corner Buffalo/Washington: revise from ML to ML/SC
  - ° Parcel at NW corner Cimmaron/Westcliff: revise from L/ML to L
  - ° Parcel in vicinity of Rampart/Durango and Charleston/Alta: revise to conform to revised Peccole Ranch Master Plan (SC and L)
  - ° Parcel in vicinity of Jones/Lindell and Sahara/Charleston (County island): revise to DR
  - ° Show "Gaming Facility" reference
- \* Map 7: SE Sector Future Land Use
  - ° No revisions
- \* Make new (11" x 17") Gaming Enterprise Zone Map to include in Land Use Element as an informational item only (new Map No. 11)



## AGENDA DOCUMENTATION

Date:

February 5, 1992

TO:  
The City Council

## CITY COUNCIL MINUTES

APR 01 1992

FROM:

Val Steed *Val Steed*  
Chief Civil Deputy Attorney

## SUBJECT:

Bill No. 92-2: Adopts a new General Plan for the City of Las Vegas, Nevada

PURPOSE/BACKGROUND

This bill will adopt a new General Plan for the City. The new Plan was adopted by the Planning Commission on December 12, 1991. The Plan will become effective upon the adoption and publication of this bill, although many of the regulatory-related aspects of the Land Use Element of the Plan will be implemented by future ordinances.

Details concerning the Plan and how it differs from the current Plan will be provided in memorandum form by the Department of Community Planning and Development.

FISCAL IMPACT

NONE

RECOMMENDATIONS

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

Agenda Item

VI.A.1.

3758

CLV218632

16631