

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 10:47 a.m.
Elizabeth A. Brown
Clerk of Supreme Court

No. 84640

**AMENDED
JOINT APPENDIX
VOLUME 128, PART 2**

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Attorneys for City of Las Vegas

EXHIBIT I

2016 MAJOR MODIFICATION

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

COMMENT	SINGLE FAMILY CURRENT			PROPOSED			MULTI-FAMILY CURRENT			PROPOSED			TOTAL
	APN#	ACRES	ZONING	GENERAL PLAN DESIGNATION	ZONING	GENERAL PLAN DESIGNATION	APN#	ACRES	ZONING	GENERAL PLAN DESIGNATION	ZONING	GENERAL PLAN DESIGNATION	
Previously part of APN# 138-32-301-004 (70.52 acre parcel)							138-32-301-005(2)	17.49	RPD-7	PROS	R-4	H	17.49
Previously part of APN# 138-32-301-006 (53.03 acres)							138-32-301-007 (2)	47.59	RPD-7	PROS	R-4	H	47.6
Previously part of APN# 138-32-301-006 (53.03 acres)	138-31-801-003 (2)	5.44	R-PD7	PROS	R-E	DR							5.44
	138-31-801-002 (1)	11.28	R-PD7	PROS	R-E	DR							11.28
	138-31-702-002 (1)	166.99	R-PD7	PROS	R-E	DR							166.99
SUB TOTAL		183.71						65.08					248.79
Clubhouse parking lot parcel							138-32-302-001(3)	2.13	PD	PROS	R-4	H	2.13
TOTAL		183.71						67.21					250.92

NOTES:

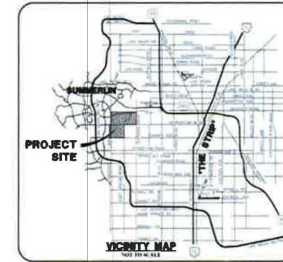
- (1) Ownership 180 Land Company LLC
 (2) Ownership Seventy Acres LLC
 (3) Ownership Fore Stars Ltd

ROR000043

 PRJ-63491
 06/29/16

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

23260



LEGEND

- R-4 - MULTI FAMILY 2400 UNITS (2800 w/ ASSIST LIVING)
- R-E - SINGLE FAMILY - R-E ZONING ALLOWS 367 LOTS (A VERY SUBSTANTIAL DOWN ZONING FROM THE CURRENT R-PD7 WHICH @ 7.49 DU/AC ALLOWS 1376 DU'S); NOTWITHSTANDING THE DEVELOPERS HAVE CHOSEN, FOR CONSERVATION PURPOSES, MINIMUM 1/2 ACRE LOT SIZES WITH A MAXIMUM OF 75 HOMESITES.
- 1990 PECCOLE RANCH MASTER PLAN'S PHASE ONE BOUNDARY
- 1990 PECCOLE RANCH MASTER PLAN'S PHASE TWO BOUNDARY

GCVI
ENGINEERS SURVEYORS
1555 S. RAINBOW BLVD.
LAS VEGAS, NV 89146
T: 702.864.2000
F: 702.864.2208
gcvengr.com

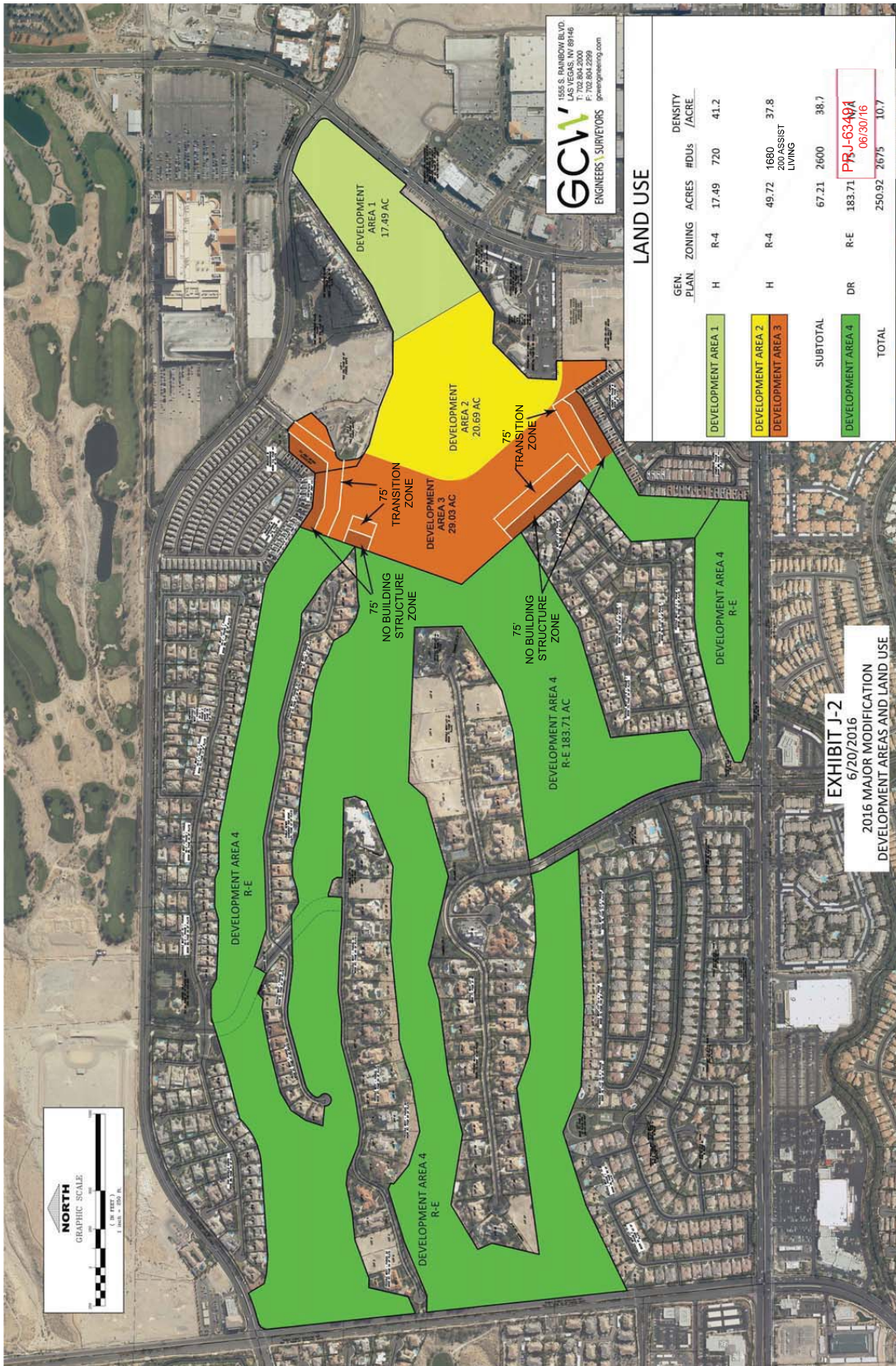
MOD-63600, GPA-63599,
ZON-63601 & DIR-63602
REVISED

EXHIBIT J-1
PRJ2374816

2016 MAJOR MODIFICATION REFLECTING
RE-PURPOSED USES OF THE 250.92 ACRE
PROPERTY

ROR000044

23261



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

ROR000045

EXHIBIT K-1
02/22/2016
183.7 ACRE ESTATES:
LAND BETWEEN ORIENT EXPRESS AND
WINTER PALACE – EXISTING

EXISTING: THE LAND BETWEEN ORIENT EXPRESS AND WINTER PALACE

Color visual of the estates concept presented to the Queensridge homeowners at the neighborhood meetings. This depiction shows the '5 acre' estates concept with each having a buildable area of approximately 1 acre and the remaining 4 +/- acres landscaped and dedicated as a permanent easement. (Note: (i) the acreage on the estates will vary, and (ii) ingress/egress to/from the estates in this depiction is from Hualapai Way NOT through the Queensridge North or South neighborhoods.)



The property upon which the Badlands Golf Course is operated is: (i) NOT A PART of the Queensridge North and South common interest community; (ii) NOT subject to the Queensridge HOA CC&Rs, and (iii) nor is it in any way under the control of the Queensridge HOA Board of Directors. No party receiving this information should act in reliance on its contents. It is not intended to be, and should not be construed as, any form of commitment or limitation upon the use or development of the subject property. The property owner's plans for the scope and nature of any future development and/or use of the property is subject to change, at any time, in its sole discretion.

ROR000046

PRJ-63491
02/25/16

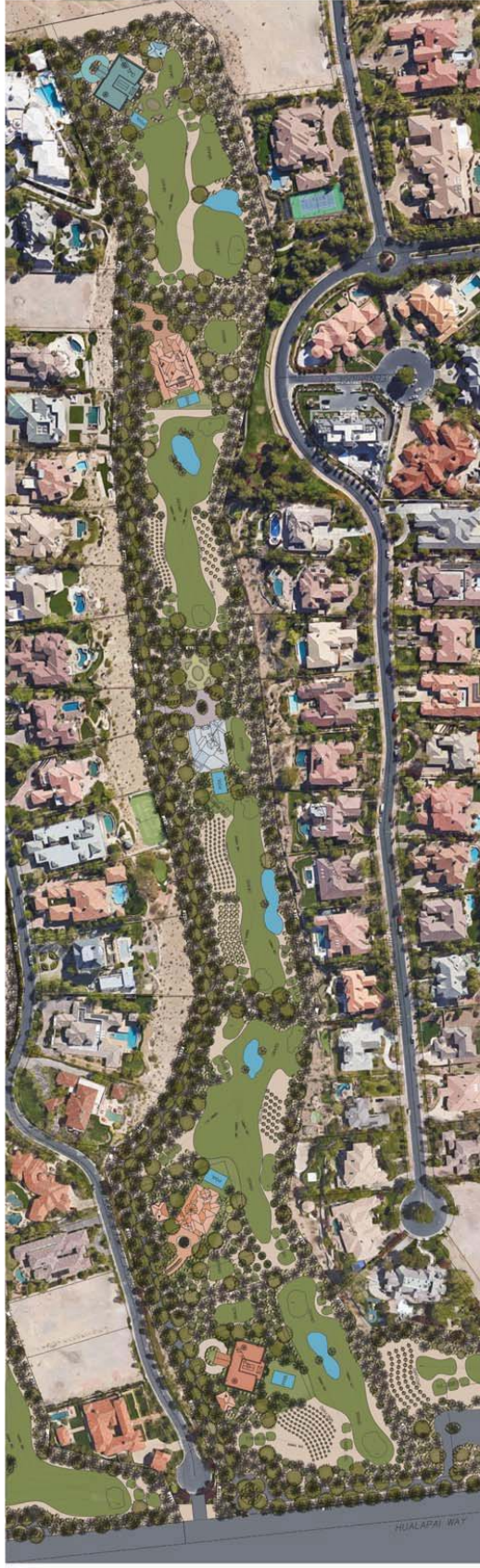
MOD-63600, GPA-63599, ZON-63601 and DIR-63602

23263

EXHIBIT K-2
02/22/2016
183.7 ACRE ESTATES:
LAND BETWEEN ORIENT EXPRESS AND
WINTER PALACE - CONCEPTUAL
PURSUANT TO 2016 MAJOR MODIFICATION

CONCEPT: THE LAND BETWEEN ORIENT EXPRESS AND WINTER PALACE

Color visual of the estates concept presented to the Queensridge homeowners at the neighborhood meetings. This depiction shows the '5 acre' estates concept with each having a buildable area of approximately 1 acre and the remaining 4 +/- acres landscaped and dedicated as a permanent easement. (Note: (i) the acreage on the estates will vary, and (ii) ingress/egress to/from the estates is from Hualapai Way NOT through the Queensridge North or South neighborhoods.)



The property upon which the Badlands Golf Course is operated is: (i) NOT A PART of the Queensridge North and South common interest community, (ii) NOT subject to the Queensridge HOA CCRs, and (iii) nor is it in any way under the control of the Queensridge HOA Board of Directors. No party receiving this information should act in reliance on its contents. It is not intended to be, and should not be construed as, any form of commitment or limitation upon the use or development of the subject property. The property owner's plans for the scope and nature of any future development and/or use of the property is subject to change, at any time, in its sole discretion.

ROR000047

PRJ-63491
04/28/16

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

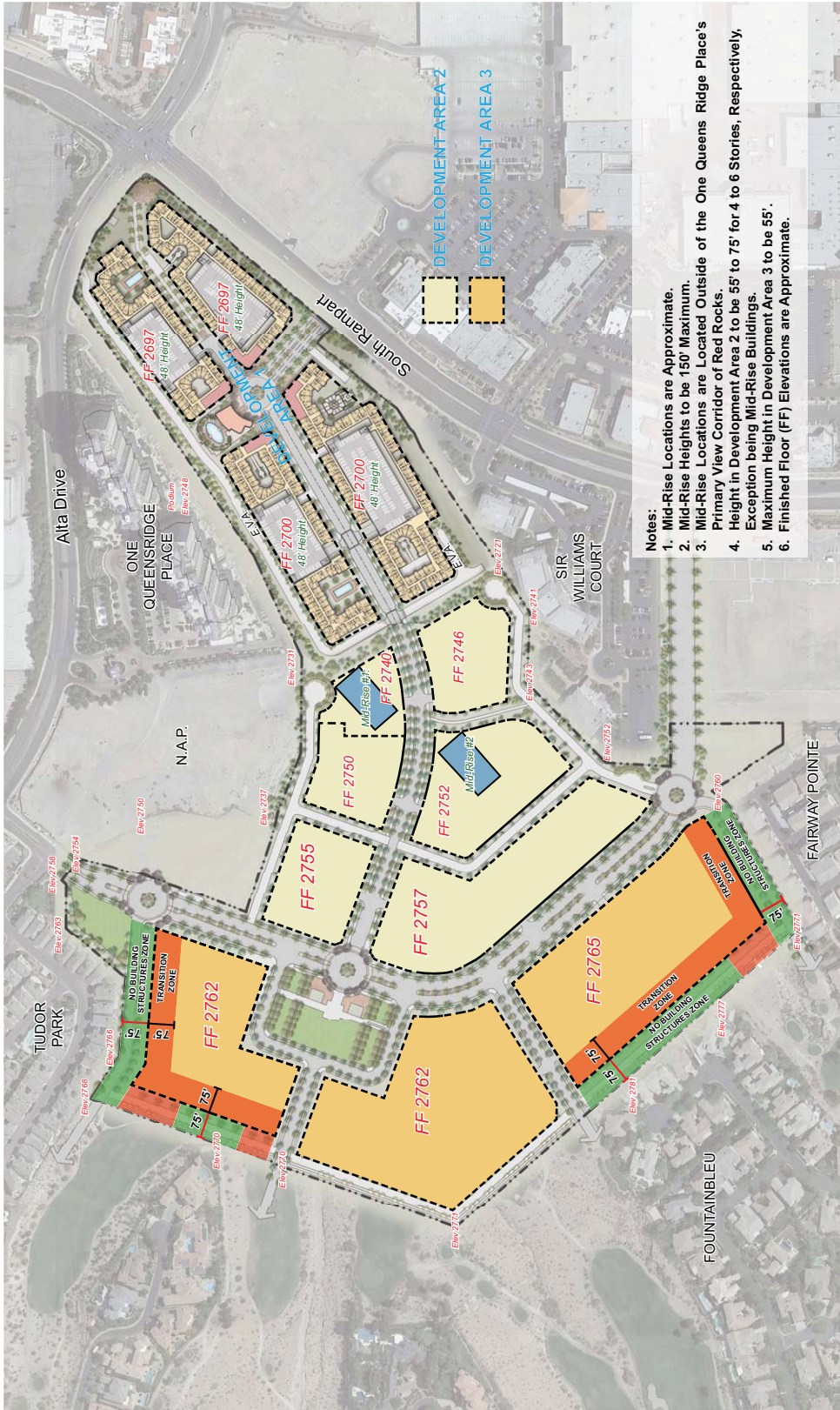
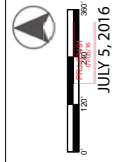


EXHIBIT L-1



ROR000048

CONCEPTUAL SITE PLAN
67.21 ACRES LUXURY MULTI- FAMILY

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



5100 WEST SAHARA AVENUE • LAS VEGAS, NEVADA 89146 • TELEPHONE (702) 799-5000

CLARK COUNTY

RECEIVED

SCHOOL DISTRICT

October 17, 2016

OCT 18 2016

City of Las Vegas
Dept. of Planning

BOARD OF SCHOOL TRUSTEES

Dr. Linda E. Young, President
Chris Garvey, Vice President
Patrice Tew, Clerk
Kevin L. Child, Member
Erin E. Cranor, Member
Carolyn Edwards, Member
Deanna L. Wright, Member

Pat Skorkowsky, Superintendent

Elizabeth N. Fretwell
City Manager
City of Las Vegas
Las Vegas City Hall
495 South Main Street
Las Vegas, Nevada 89101

Dear Ms. Fretwell,

The purpose of this letter is to provide you with the Clark County School District's ("District") position on a proposed master-planned development located at the existing Badlands Golf Club.

Based on information provided by the City of Las Vegas ("City"), the proposed Badlands Golf Club development is a 2,675 single-family and multi-family residential unit development. The site is situated on approximately 250.92 acres of land located at the Badlands Golf Club that is adjacent to One Queensridge Place. There are four areas to the development plan that has been submitted to the City of Las Vegas Planning Commission:

Area	Acres	Proposed Land Use	Dwelling Units	Density Per Acre
1	17.49	Multi-Family Residential	720	41.2
2	20.69	Multi-Family Residential	1,880*	37.8
3	29.03	Multi-Family Residential	*	
4	183.71	Single-Family Residential	75	0.4
Total	250.92		2,675	10.7

*Areas 2 and 3 combined total 1,880 units

The District has reviewed the information provided by the City of Las Vegas utilizing the District's Demographics, Zoning, and GIS Department's "student yield" formula. This analytical tool has been used by the District for decades. The student yield formula predicts that the currently approved plan will yield an additional 350 elementary school students. The elementary schools in the surrounding area are already over capacity. For example, John W. Bonner Elementary School is at 160.04 percent of its programmed planned capacity and is currently utilizing 17 portable classrooms in order to provide sufficient space for all of its 909 students.

Submitted after final agenda

OFFICE OF THE SUPERINTENDENT

(702) 799-5310 • FAX (702) 799-5125

Date 10/18/16 Item 6-12

MOD-63600, GPA-63599, ZON-63601 and DIR-63602
GPA-62387, ZON-62392 and SDR-62393

ROR000124

23266

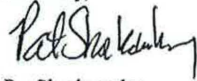
City of Las Vegas
Page 2
October 17, 2016

The District's position on this proposed development is that if developed as it is currently planned, or if modified to allow even more units, this project will result in the District either building a new elementary school (or schools) or will require hundreds of students to be rezoned to other schools, the closest of which are already overcrowded.

Planning for such a large development is a complex, multi-faceted task. To that end, the District and master developers have entered into Memoranda of Agreement (MOA) to work out mutually agreeable solutions that will become part of the development agreement. The MOA process is successfully working at the Tule Springs and Skye Canyon housing projects and presents the most efficient method to conduct and monitor the detailed planning required.

In conclusion, the District appreciates and applauds the effort the City has always shown in supporting the best interests of students and families. We hope this proposition meets with your approval and we stand ready to participate in this process.

Sincerely,



Pat Skorkowsky
Superintendent of Schools

"Every student in every classroom, without exception, without excuses"

**MOD-63600, GPA-63599, ZON-63601 and DIR-63602
GPA-62387, ZON-62392 and SDR-62393**

ROR000125

23267

From: [Tom Perrigo](#)
To: [Carman Burney](#)
Subject: FW: Redevelopment of Badlands Golf Course
Date: Wednesday, November 16, 2016 11:33:11 AM

From: Sims, David [mailto:david.sims@nsgen.com]
Sent: Wednesday, November 16, 2016 8:13 AM
To: Carolyn G. Goodman; Steven Ross; Stavros Anthony; Ricki Y. Barlow; Bob Beers; Bob Coffin; Lois Tarkanian; Tom Perrigo
Cc: elise.queensridge (elise.queensridge@gmail.com); lynn@queensridgehoa.com
Subject: Redevelopment of Badlands Golf Course

Ladies and Gentlemen,

It is my understanding that you will be reviewing the recommendations of the City Planning Commission's approval of three of seven applications proposed by Seventy Acres LLC for the redevelopment of Badlands Golf Course. We appreciate the time spent to review these applications and thank you for your service to the community.

My wife and I are owners of 9221 Tudor Park Place, located in Tudor Park, and adjacent to the golf course. We purchased our home in 2007 while I was employed in Las Vegas, and retained ownership when we relocated in 2012. All of the homeowners located along the Badlands golf course paid a lot premium of \$100,000 to benefit from the views of the golf course and open space. We took comfort in the fact that the land in which the golf course was located was Master Planned as Parks/Open Space. Despite our move, we retained ownership of our home, as we recognized the value of the open space and the planned community that surrounds us.

We recognize that Master Plans and Zoning can be changed. We also recognize that golf courses around the country have been redeveloped when golf proved not to be economic. The proponent and current owner has indicated that Badlands is uneconomic to operate, and will be forced to close if his applications are not approved.

Specific to the applications before you today, we have the following comments:

Item 1 - The City of Las Vegas (CLV) General Plan for the 17.49 acres currently identifies the land as PARKS/OPEN SPACE. The Developer proposes to change the designation to H (HIGH DENSITY RESIDENTIAL). That amendment received a City Planning staff recommendation for approval followed by the Planning Commission vote recommending approval. The General Plan Amendment request for "H" allows a density of 25 dwelling units per acre or more. There is no upper end maximum to that density.

The Developer requested density is 41 units per acre. If the H designation is granted, it should be accompanied with a stipulation that the Developer enter into a Development Agreement with the City, wherein the remaining Badlands acreage will remain open space, that sufficient water rights be allocated to the open space to ensure a park-like setting, and an appropriate entity selected to be

Submitted after final agenda

Date 11/16/16 Item 101-107

ROR000989

23268

responsible for maintaining the land. There are numerous ways in which the developer can benefit from this, such as the granting of a conservation easement on the remaining open space, which would provide the Developer with a significant tax benefit, and create deed restrictions that govern the future use of the land. All of this can easily be dealt with in a Development Agreement.

Item 2 - Currently, the land is zoned RPD-7 (Residential Planned Development 7 units per acre). It was originally envisioned in the Queensridge Master Plan that the entire area would be zoned RPD-7. This included certain higher density areas off-set by open space recreational (PROS: Park Recreation Open Space) for an overall average density of 7.49 units per acre. The developer is asking that the site be rezoned to R-4 (High Density Residential). The R-4 zoning would set the development standards for the site at a maximum height of 55 feet. The Developer has requested a 48 foot height approval but that could be changed through the subsequent Site Review process, and affect future phases. The execution of a Development Agreement could limit the height design in Phase Two and Three of the project that is compatible with the surrounding neighborhood.

Item 3 – The Developer’s Site Development Plan proposes 720 units of Multifamily Residential. The Developer’s plan consists of four, four-story buildings on 17.49 acres. However, the Site Review process allows for changes to be made without a public hearing nor input from neighboring residents. Again, a Development Agreement can deal with such issues.

As homeowners along the Golf Course, the greatest concern to us is that the Developer has asked the City that the four items not approved by the Planning Commission on October 18th be withdrawn without prejudice. If that request is granted by the City Council, it would mean that the Developer could resubmit related applications without waiting for the one (1) year resubmission period that would otherwise be required. We as affected homeowners are then faced with continued uncertainty as to the future of the adjoining property. Conceivably, the Developer could return to Council and request similar higher density along the areas that serve as golf course fairways, clearly in conflict with the current Open Space plan.

The process of rezoning is a negotiation process under which the landowner, the affected neighbors and the City come together and make a decision as to what is best for the property. It should not be handled in a piecemeal fashion. The current applications before you should provide sufficient value to the Developer that he can agree to permanently withdraw the balance of his applications and set aside the balance of the land for Open Space, as was originally planned, and upon which we all as homeowners made our investment decisions. The City clearly has the right to enter into a Development Agreement that establishes these criteria, and that would provide certainty to all of the homeowners in Queensridge and Tudor Park.

Yours truly,

David and Libby Sims
9221 Tudor Park Place
Las Vegas, NV 89145

Work: (713) 580-6335

Cell: (713) 301-5871

Email: david.sims@nsgen.com

ROR000990

23269

From: Tom Perrigo
To: Carman Burney
Subject: FW: EBH Project Proposal
Date: Wednesday, November 16, 2016 11:35:36 AM

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

From: Matt Smith [mailto:cyclewine@cox.net]
Sent: Tuesday, November 15, 2016 4:19 PM
To: Carolyn G. Goodman; Steven Ross; Stavros Anthony; Ricki Y. Barlow; Bob Beers; Bob Coffin; Lois Tarkanian; Tom Perrigo
Subject: EBH Project Proposal

Dear Honorable Mayor and City Council:

By way of background I am a resident in the North Queens Ridge development. I have lived in Las Vegas since 1984 and I have been involved in healthcare delivering physical therapy services to the Las Vegas community. As the Mayor knows I have been involved in a Pay It Forward campaign with at risk grade schools as well as serving on numerous nonprofit boards and giving generously to various charitable organizations throughout the year including our county school district. I currently sit on the Board of the Latin Chamber of Commerce Foundation and started their college scholarship program for at risk kids to seek out a health related degree and bring that degree back to Las Vegas be it a doctor, nurse or physical therapist.

I am sure you have received a lot communication from residents of Queensridge so I won't be redundant but to say I very much oppose the plans by EBH. My past experience in attempting to lease retail space indicates to me that Mr Lowie is not a man of honor in keeping his word. This concerns me given the scope of this project or any project frankly.

In spite of what EHB says they have been completely ignoring our calls to meet and find a mutual solution to their development plans and satisfy the needs of the residents. They have had no interest in any productive discussions, negotiations or compromise. I have talked to many home owners who would support his right to develop but would like something more collaborative.

Outside of all the technical aspects and rule of law I would like to point out a couple of other issues that I find bothersome.

It is incredulous that Councilman Beers created a website to openly campaign for this project. It is my opinion that he should recuse himself from any vote on this as he clearly appears to be conflicted. He should represent the voice of his community and wait until all facts are on the table before he makes a public vote.

It is also incredulous that the city would use publicly owned assets for the developer to market his project and give the appearance that the city is already behind his private project.

I know you have been inundated with a lot of other related information including limited environmental impact studies on this development which give me great concern as it relates to upstream excavation to satisfy the needs of his downstream development. I hope the popular vote and influence of your constituents matters. I think our recent election has shown that the public is tired of institutional politics and backdoor deals. We would like transparency but also have you all do what is right for the people this impacts.

I know from years in the community that whenever a zoning change, development or a marijuana license is needed people go to Jay Brown and generally get what they are politically and financially looking for. This past election was a referendum on the influence of lobbyists and the insider influence they bring. I hope this is not the case as you ponder your decision.

Submitted after final agenda

Date 11/16/16 Item 101-107

ROR000991

23270

Thank you for taking the time to read this brief email and I hope you consider the many letters and information that has been presented to you.

Sincerely,

Matt Smith

ROR000992

23271

Queensridge Homeowners -

The City of Las Vegas Planning Commission voted on October 18, 2016 to recommend approval of three (of seven) applications that had been filed by the developer Seventy Acres LLC. Those three items regarding the 17.49 acres located to the southwest of the intersection of Alta Drive and S. Rampart Boulevard will now be forwarded to the City Council for a final vote on November 16, 2016. Here is an explanation of what you will see on the agenda with respective concerns.

APPROVED PHASE ONE ITEMS ON THE AGENDA:

Item 1 - The General Plan Amendment. The City of Las Vegas (CLV) General Plan for the 17.49 acres currently identifies the land as PARKS/OPEN SPACE. The Developer needs an amendment to that designation to develop the 720 apartments he is proposing. The amendment would change the designation to H (HIGH DENSITY RESIDENTIAL). That amendment received a City Planning staff recommendation for approval followed by the Planning Commission vote recommending approval. (See Concern Below)

Item 2 - Zone Change. Currently, the land is zoned RPD-7 (Residential Planned Development 7 units per acre). It was originally envisioned in your community's Master Plan that the entire area would be zoned RPD-7. This included certain higher density areas off-set by open space recreational (PROS: Park Recreation Open Space) for an overall average density of 7.49 units per acre. The developer is asking that the site be rezoned to R-4 (High Density Residential). The zone change request received a recommendation of approval by City Planning staff followed by a Planning Commission vote recommending approval. (See Concern Below)

Item 3 - Site Development Plan Review for the proposed 720 unit Multifamily Residential. The Developer's plan consists of four, four-story buildings on 17.49 acres. Planning Commission voted to

Submitted after final agenda.

Date 11/16/16 Item 101-107

ROR000993

23272

recommend approval. (See Concern Below)

Note: Additionally, the Developer has sent a letter to the City of Las Vegas asking that the four items that were not approved by the Planning Commission on October 18th be withdrawn without prejudice. This request will also have to be voted upon by the City Council at the November 16th meeting. If that request is granted by the City Council, it would mean that the Developer could resubmit related applications without waiting for the one (1) year resubmission period that would otherwise be required.

APPLICATION CONCERNS:

1. The General Plan Amendment request is for "H" which allows for a density of 25 dwelling units per acre or more. There is no upper end maximum to that density. The Developer requested density on this project is 41 units per acre. By way of comparison, the Queensridge Towers are at 19 units per acre. There is not a project of this requested density closer than 4 miles away at Lake Mead and Jones. Therefore, the requested density is not "harmonious and compatible" with your neighborhood.
 2. The R-4 zoning would set the development standards for the site at a maximum height of 55 feet. The Developer has requested a 48 foot height approval but that could be changed through the subsequent Site Review process. If approved, the allowance of R-4 zoning on this Phase One application/project could set a precedent allowing the Developer to request the same R-4 and 55 foot maximum height for Phase Two and Three of the project. And there is no Development Agreement in place that would limit the height design in Phase Two and Three of the project.
 3. The Site Review process allows for changes to be made without a public hearing, i.e. Queensridge resident input.
 4. The technical drainage study is not yet complete. Therefore, there is no way to know at this voting time what drainage improvements will be required upstream, if any, to allow for the development of this 17.49 acre project.
-

ROR000994

23273

The City Council Agenda shows that this item will NOT be heard before 3:00 p.m. I would strongly encourage residents to attend the meeting and express their views about the items that will be considered. If residents are not able to attend because of the time, they should email the Mayor and all Council representatives to express their views. All written correspondence will be entered into the record.

Further, I encourage all Queensridge homeowners to remain project vigilant as the above action represents only the first application in the Developer's total project. I anticipate in the very near future a separate application regarding the development of land bordered by Alta Drive and S. Hualapai Way will be submitted for Planning Commission and City Council vote.

Shauna Hughes

shughes@gcmaslaw.com

Gentile Cristalli Miller Armeni Savarese

410 S. Rampart Blvd.

Suite 420

Las Vegas, NV 89145

Phone: (702) 880-0000

Fax: (702) 778-9709

Gentile Cristalli Miller Armeni Savarese

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ROR000995

23274

Tax Opinion Disclaimer To comply with IRS regulations, we advise that any discussion of Federal tax issues in this E-mail was not intended or written to be used, and cannot be used by you, i) to avoid any penalties imposed under the Internal Revenue Code or, ii) to promote, market or recommend to another party any transaction or matter addressed herein.

ROR000996

23275

From: [Tom Perrigo](#)
To: [Carman Burney](#)
Subject: FW: badland golf
Date: Wednesday, November 16, 2016 11:54:42 AM

From: sandya@gettingmail [mailto:sandya@gettingmail.com]
Sent: Friday, November 11, 2016 11:31 AM
To: Carolyn G. Goodman; Steven Ross; Stavros Anthony; Bob Beers; Bob Coffin; ltarkanian@lasvegasnevada.goc; Tom Perrigo; Ricki Y. Barlow
Subject: badland golf

My name is Sanford Allison and have been a resident of Queensridge for aver 15 years. I am writing this email to voice my objections to the proposed changes to the general plan and zoning changes for the golf course.

- 1 general plan amendment to 41 units per acre is not compatible with the neighborhood which has a density of 19 units per acre the closest density of 41 units per acre is 4 miles away
- 2 Zone change RPD -7 which is 7 units per acre to high density residential @ 41 units per acre is not harmonious or compatible with the area
- 3 drainage study has not been done
- 4 additional students for the area has not been addressed
- 5 in and out of the property has not been addressed
- 6 this property was originally developed as parks, open space, recreation open space AND NOT 2500 APARTMENTS

THANK YOU

Submitted after final agenda

Date 11/16/16 Item 101-107

P

ROR000997

23276

From: [Tom Perrigo](#)
To: [Carman Burney](#)
Subject: FW: Badlands Redevelopment Project (November 16)
Date: Wednesday, November 16, 2016 12:03:42 PM

From: Carolyn G. Goodman
Sent: Wednesday, November 9, 2016 4:10 PM
To: Tom Perrigo; Brad Jerbic
Subject: FW: Badlands Redevelopment Project (November 16)

fyi



CAROLYN G. GOODMAN, MAYOR

Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

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From: Trevor Atkin [<mailto:tatkin@awslawyers.com>]
Sent: Wednesday, November 09, 2016 11:31 AM
To: Carolyn G. Goodman
Cc: Steven Ross; Stavros Anthony; Ricki Y. Barlow; Bob Beers; Bob Coffin; Lois Tarkanian; Tom Perrigo
Subject: Badlands Redevelopment Project (November 16)

Dear Mayor and Council Members,

I am writing relative to the upcoming vote on the Badlands Redevelopment Project slated for November 16. I reside at 9717 Gavin Stone Avenue, within the Queensridge master PLANNED community – emphasis on the term PLANNED. Needless to say, the purchase of one's home is perhaps the largest single investment a family makes. I trust you have all been reminded of this countless times when voting on amendments to a master plan. I also trust most, if not all of you, have purchased homes based in large part on your understanding of the master plan in place. I made this informed decision almost 20 years ago when deciding to purchase my home. Before that I resided for 8 years in Peccole Ranch, another master planned community.

The communities around Peccole Ranch and Queensridge are wonderful and have thrived in large part because they are master PLANNED. You and your predecessors have done an excellent job over the years of making the correct decisions on what is, and is not, compatible within and around these communities. The correct mixture of residential, multi-family, and commercial zoning has worked quite well, and hopefully will continue to work – provided the City Council votes on what is best for our master PLANNED communities. The General Plan Amendment for high density being proposed is NOT what is in the best interests of the community, but rather, a single land owner.

The proposal of changing the MASTER PLAN from 7 units per acre to "H" which allows for a density of

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25 dwelling units, with the developer requesting density of 41 units per acre is ludicrous. To say that such a radical departure from the current plan - one which has proven to work quite well for 20 years, is "harmonious and compatible" with the current master PLANNED neighborhood, is nonsensical at best. It's not even a close call.

I understand that the Badlands Golf Course is not profitable, and respect the owner's desire to alter its use. However, the amendments being sought are beyond reasonable and certainly nowhere near being "harmonious and compatible" with the existing master PLANNED neighborhood. It would be another thing if the course was being closed and the MASTER PLAN of 7 acres per unit maintained with the building of more homes conducive to the existing plan, but this is not what is being openly proposed. It is so far out of line with the existing plan that I can only presume the developer has publicly applied for an amendment knowing full well that he will eventually "settle" or "compromise" on density much closer to the existing 7 acres per unit.

I trust that you, our Mayor, and the City Councilpersons, will soundly reject the General Plan Amendment being proposed.

Thank you for your time and consideration of this email and also the public comments next Wednesday.

Respectfully yours,



Trevor L. Atkin

1117 South Rancho Drive

Las Vegas, NV 89102

PHONE (702) 243-7000 | FAX (702) 243-7059

tatkin@awslawyers.com

www.awslawyers.com

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ROR000999

23278

From: [Tom Perrigo](#)
To: [Carman Burney](#)
Subject: FW: Badlands Golf Course Development
Date: Wednesday, November 16, 2016 11:49:33 AM

From: Robert Baker [mailto:robertb@ovationdev.com]
Sent: Sunday, November 13, 2016 6:45 PM
To: Bob Beers
Cc: Carolyn G. Goodman; Steven Ross; Stavros Anthony; Ricki Y. Barlow; Bob Coffin; Lois Tarkanian; Tom Perrigo
Subject: Badlands Golf Course Development

Dear Councilman Beers,

I live at 9628 Gavin Stone Ave. within Queensridge South. I will try to be as brief as I can, I to hate long emails. I've lived within the community for almost 6 years and enjoy what this community has to offer very much. I understand Mr. Lowie is a businessman and bought the golf course so he could develop it, no problem, but I'm sure you can appreciate that allowing him to develop the land to the detriment of Queensridge residents shouldn't be allowed to happen.

Here's what I ask:

1. Please don't allow Mr. Lowie to increase the zoning density as this certainly doesn't seem harmonious with what is in place.
2. The drainage study should be complete prior to a vote.
3. Landscape design should be complete in plans and not renderings.
4. Close any loopholes within the development contract. Nothing should be left to market conditions. I believe that essentially means he can do whatever he wants at a later date.

Thank you for your time, and yes as you can see below, I work for a developer.

Respectfully,

Robert Baker

Project Manager



Ovation Development

6037 S. Ft. Apache Road Suite 110

Las Vegas, NV 89148

702-990-2390

Please consider the environment before printing this email

Submitted after final agenda

Date *4/16/16* Item *101-107*

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ROR001000

23279

From: [Tom Perrigo](#)
To: [Carman Burney](#)
Subject: FW: Queenridge Owner
Date: Wednesday, November 16, 2016 11:54:00 AM

From: Sandy Bedich [mailto:sbedich@earthlink.net]
Sent: Saturday, November 12, 2016 11:08 AM
To: ltarkan@lasvegasnevada.gov
Cc: Tom Perrigo
Subject: Fwd: Queenridge Owner

Sent from my iPad

Begin forwarded message:

From: Sandy Bedich <sbedich@earthlink.net>
Date: November 12, 2016 at 10:57:33 AM PST
To: cgoodman@lasvegasnevada.gov
Subject: Queenridge Owner

Please stop this development project from happening. My husband and I have lived here for almost 20 years. We paid extra for the prime lot on the golf course. We went through some bad times when the economy went bad and almost lost our house! We took all our saving to make it through and now that is all we have. Please do not let these greedy developers do this to hard working people! We love this quiet community and this would cause high traffic and lower home values. Even now homes are not even selling because of the unknown! Please stop this from happening it is just not right!

Thank you,
Sandra and George Bedich
9300 Provence Garden Ln
LV,NV 89145
Sent from my iPad

Submitted after final agenda

Date 11/16/16 Item 101-107

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ROR001001

23280

From: [Tom Perrigo](#)
To: [Carman Burney](#)
Subject: FW: Badlands Golf Course Redevelopment
Date: Wednesday, November 16, 2016 11:46:13 AM

From: Carolyn G. Goodman
Sent: Monday, November 14, 2016 12:27 PM
To: Brad Jerbic; Tom Perrigo
Subject: FW: Badlands Golf Course Redevelopment



CAROLYN G. GOODMAN, MAYOR

Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

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From: bigler1905@aol.com [<mailto:bigler1905@aol.com>]
Sent: Sunday, November 13, 2016 6:48 PM
To: Carolyn G. Goodman; Steven Ross; Stavros Anthony; Ricki Y. Barlow; Bob Beers; Bob Coffin; Lois Tarkanian
Subject: Badlands Golf Course Redevelopment

Dear Mayor and City Council Members,

We live in a very troubled world. Hate and violence are prevalent in our daily lives as we watch the news and see our the lack of brotherly love on this planet.

Our wonderful country is experiencing the worse division and hatred since the civil war. We are a house divided.

The last place we need contention is in our own beloved neighborhood and homes. This is where we should come for PEACE.

Unfortunately, the last year as we have watched our country engulfed in a hateful and bitter political battle, our homes too have also become a battle ground.

Neighbor against neighbor, council members against constituents, developers against those that bought homes and land from them.

Where does it end. When our humanity is more important than the mighty dollar?

When our lives are over, the most important thing anyone will remember about us is how we treated others. Our integrity and honest and fair dealings with our fellow man is paramount. It's not about how much money we made, or how many big fancy things we have our name on.

It's about how we treated our fellowman !

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As our city fathers, you are intelligent and thoughtful people who uphold the values of our community.
You most likely cherish your own family, home and neighborhoods.

This Badlands Golf Course is where our families live. It is our HOME. How would you feel if this monstrous over-development was happening to you or your loved ones?

I implore you to leave the legacy of the Peccole Family as it is now; a "Jewel in the Desert". I am sure Mrs. Peccole is rolling in her grave as she sees how greed is destroying this beautiful neighborhood.

I implore you all to ponder your hearts and think of the Golden Rule: Do Unto Others.

Sincerely,
Sally M. Bigler
9101 Alta Drive Unit 901
Las Vegas, NV 89145

ROR001003

23282

From: [Tom Perrigo](#)
To: [Carman Burney](#)
Subject: FW: Badland's Development
Date: Wednesday, November 16, 2016 11:46:24 AM

From: Carolyn G. Goodman
Sent: Monday, November 14, 2016 12:26 PM
To: Brad Jerbic; Tom Perrigo
Subject: FW: Badland's Development



CAROLYN G. GOODMAN, MAYOR

Las Vegas City Hall
495 S. Main Street
Las Vegas, NV 89101

(702)229-6241

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From: Gregory Bigler [mailto:drbigler@yahoo.com]
Sent: Sunday, November 13, 2016 7:45 PM
To: Steve Caria
Cc: Bob Beers; Carolyn G. Goodman; Steven Ross; Bob Coffin; Lois Tarkanian; Ricki Y. Barlow; Stavros Anthony
Subject: Re: Badland's Development

Councilman Beers,
There you go again.
Could you explain the difference between calling the complex a "done deal" and "its development seems a certainty."
Another point.....
When was the last time the city allowed an apartment complex to be built in the bottom of a wash?
The developer brags that the roof of the proposed four story complex will not go above our "ground floor."
This means he must sink the apartments deep into the wash. A routine mountain rain spreads water a good 150 feet outside the middle of the wash.
Have we looked at the potential wash damage in the proverbial 100 year flood?
I am sure you are aware of the \$100 million law suit that is pending against the builders of the Queensridge Tower, some of which is because of failure to foresee water damage here.
A miscalculation this time, in the wash, will mean that people will die.
TURN AROUND.....
DON'T DROWN
You wouldn't drive into the water in a wash, why would you allow people to live there?
Dr. Greg Bigler

Sent from my iPhone

ROR001004

23283

From: Tom Perrigo
To: Carman Burney
Subject: FW: Queensridge
Date: Wednesday, November 16, 2016 11:41:38 AM
Attachments: [Scanned from a Xerox multifunction device001.pdf](#)

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

From: Bowling, Chuck [<mailto:cbowling@mandalaybay.com>]
Sent: Tuesday, November 15, 2016 9:05 AM
To: Bob Beers
Cc: Carolyn G. Goodman; Steven Ross; Stavros Anthony; Ricki Y. Barlow; Bob Coffin; Lois Tarkanian; Tom Perrigo
Subject: FW: Queensridge

Councilman Beers, per your request I have attached a response to your letter. I look forward to your timely response.

CHUCK BOWLING
President and Chief Operating Officer
Mandalay Bay Resort & Casino | p.702/632-9705 | f.702/632-7722
email: cbowling@mandalaybay.com

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

From: Bob Beers [<mailto:bbeers@LasVegasNevada.GOV>]
Sent: Monday, November 14, 2016 9:36 AM
To: Bowling, Chuck
Cc: John Bear; Vicky Skilbred
Subject: RE: Queensridge

Hi Mr. Bowling -

Unfortunately, the land has been zoned residential from before you moved next to it. The only legal way to prevent development under the existing entitlement would be for the city to purchase the land, at current market value, in a process called inverse condemnation, and that would not be fair to all the other taxpayers in the city.

Every one of the purchase agreements I have seen have disclosure statements, initialed by the purchaser, stating that the community has no interest in the golf course land, and that it can go away. Have you checked yours?

The existing zoning is roughly quarter- to half-acre lots up and down the existing 250 acres. Existing homeowners should expect a lot the same size as theirs and a house the same size as theirs will abut their property. The owner is suggesting that developing under the existing zoning would not result in the highest property values for existing owners, over the long run, compared with the alternative plan that was first put forth more than a year ago. They are ready to do develop the existing zoning if the city insists, and have already met with staff on it. The map from that meeting was requested by your HOA's representatives. Did they share it with you?

I am sorry for the loss of your view. Development of Badlands seems a certainty, though your HOA or an individual homeowner may yet develop a legal argument to intercede. I would note that such a contractual right at Silverstone Ranch elsewhere in city limits has resulted in that golf course being dry and abandoned for over a year now.

Feel free to write with further thoughts.

Bob Beers
Las Vegas City Council, Ward 2

Submitted after final agenda

Date 11/16/16 Item 101-707

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ROR001005

23284

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

From: Bowling, Chuck [mailto:cbowling@mandalaybay.com]

Sent: Saturday, November 12, 2016 5:56 PM

To: Carolyn G. Goodman; Steven Ross; Stavros Anthony; Ricki Y. Barlow; Bob Beers; Bob Coffin; Lois Tarkanian

Cc: Tom Perrigo

Subject: Queensridge

CHUCK BOWLING

President and Chief Operating Officer

Mandalay Bay Resort & Casino | p.702/632-9705 | f.702/632-7722

email: cbowling@mandalaybay.com

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ROR001006

23285

November 15, 2016

Councilman Bob Beers

Dear Councilman Beers:

I'm in receipt of your response to my letter, and I beg to disagree. There are official city maps which show very clearly that while I may not be entitled to a golf course, I and every person in Queensridge is in fact entitled to the open space and more importantly the flood control protection afforded by the open space. The Queensridge master plan states this very clearly.

The area currently proposed for development, behind my home is proposed to be zoned at 41 units per acre, (which is actually six times what the developer believes he's entitled to, not eight as my previous letter stated, nevertheless, it's egregious). If you had any interest in protecting your constituents you would require the developer to have meaningful conversations with the neighbors, that encompass give and take, rather than just presentations by their attorneys, city staff and the city attorney. Not only were questions left unanswered; there was absolutely no room for compromise.

Your lack of understanding regarding the concept of inverse condemnation is very clear. If you deny a developer many times what he believes he is entitled to while he is at the same time threatening that "all options" are on the table for the remainder of his land, there is no inverse condemnation. If that were the case, then there would be no need for a Planning Commission, a Zoning Commission or a Planning Department. Everyone could simply develop the maximum they felt they were allowed, or in this case, six times that maximum they believe they are entitled to. In fact, your own city attorney, along with many other attorneys have stated that there is no inverse condemnation here, so your story has not only been arbitrary and capricious, it has been incorrect and to the detriment of your constituents.

On one of the various websites you're using to promote this project, (www.beers4nevada.org) you state that this land use request and your case for "inverse condemnation" compares to the "Pappas" case. That case did not involve inverse condemnation, but the use of eminent domain whereby the City took possession of private property and turned it over to another developer. The case went to court for many years, and the city lost or ultimately settled.

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If your rationale in promoting this project is because the developer "might" sue you, I'm sure you realize that a group of neighbors is already suing the city. Why not take their side and require the developer to negotiate? What would lead you, when even your city attorney disagrees with you, to believe that the developer will sue you AND win? Have they threatened such a lawsuit? Do you always bow to threats? Can every developer now claim inverse condemnation if they don't get what they want, and every resident in this city be on constant guard about what might be proposed around them?

It is my understanding that council people have a duty to not make a decision regarding a land use application until it has had a proper public hearing before them. It's very clear to me that you made your decision on this proposal, in any of its various iterations, many months ago, well in advance of public presentation of all evidence.

You do not appear to be open to anything that the taxpayers in this community have to say, and neither does the developer. At every meeting, the only discussions centered around telling us what the developer WILL be doing – not what might make it more palatable for neighbors. And now, all of the hype about a forest with 7,500 trees, a conservation easement, etc... is clearly shown to have been just that, a bait and switch. The developer has pulled that portion off and is asking for a poorly designed 41 apartments per acre behind us.

I have had my home on the market for months during this absolute façade of a development application. Not one potential buyer even contacted us and we ultimately took it off the market.

You state that development of the Badlands is a certainty. It's only a certainty if the City allows it. The underlying land use is Parks, Recreation and Open Space for a reason. It's because that's what it was always intended to be under the master plan.

Respectfully,



Chuck Bowling

cc: Mayor Carolyn Goodman
Planning Commission
Steve Ross, Mayor Pro-Tem
Councilman Stavros Anthony
Councilman Ricki Barlow
Councilman Bob Coffin
Councilwoman Lois Tarkanian
Tom Perrigo, Planning Director

ROR001008

23287

November 11, 2016

Mayor Carolyn Goodman
City of Las Vegas
495 South Main Street
Las Vegas, Nevada 89101

Dear Mayor Goodman:

As an 18 year taxpaying homeowner in Queensridge, I have been in limbo since September 2015. Since that time our community, residents you have promised to protect and represent, have lost incredible value in their real estate investment and endured ongoing stress because this developer has not done his homework, not involved the community and attempted to use his relationships in the city to steamroll a development project for his personal gain. I, and as you have heard from many others, find this unacceptable.

The applications have been on the agenda since January and then April and have been held repeatedly without good cause. There has never been, to my recollection, a meeting to discuss the final three applications before you on November 16th which carry many unknowns. The meetings that have been held have been conducted either by the developer's attorneys, basically to tell the residents that the developer holds all the rights, or by your own city staff which many neighbors find not only unusual and intimidating, but as having the appearance that the city has moved from the role of arbiter to advocate.

Without any consultation with Queensridge homeowners, the developer has consistently changed his plans to keep us guessing and in the dark. The plan you will have before you requests an amendment that would give him density on this project of 41 units per acre. That's far different than what he claims the land is currently zoned for at 7.49 per acre and certainly not harmonious and compatible with the current neighborhood. There are height issues and again, no technical drainage plan. The recommended site review process allows for changes that would not include a public hearing or input from the Queensridge community. Further, I understand that the developer has already held a pre-application meeting with the city for yet an additional plan. What kind of community partner is that? And more importantly, why would the Council condone such behavior?

The developer has stated in the Review Journal that he is looking at "all options" for the property. Why not ask him, as you have asked others before, to look at those options in consultation with those of us who will be most impacted by his development. And given the forthcoming application, why in the world would the city even consider approving this, the highest density project within miles of our neighborhood, knowing full well that there is more to come. We need and deserve the protection of afforded by a complete plan accompanied by a real development agreement, with real protection for the neighbors.

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23288

We know you are to hear three items this week that are clearly not well thought and which equal EIGHT TIMES the purported zoning for this land. You also have before you his request for withdrawal without prejudice on the other amendments he originally submitted. Based on the incredible negative impact this project has caused to your city and specifically the Queensridge development and its homeowners, it is important you only accept these withdrawals with prejudice. Since the developer has made it clear that the 41 units per acre before you this week is only the beginning, it only makes sense to have him come back with a complete plan so that we as residents, after of a year of uncertainty, can take comfort in the fact that our elected representatives will be a voice for us and truly represent those who have placed our trust in you.

Respectfully,

Chuck Bowling

cc: Steve Ross, Mayor Pro-Tem
Councilman Stavros Anthony
Councilman Ricki Barlow
Councilman Bob Beers
Councilman Bob Coffin
Councilwoman Lois Tarkanian
Tom Perrigo, Planning Director

ROR001010

23289