

City of Las Vegas

AGENDA MEMO - PLANNING

CITY COUNCIL MEETING DATE: NOVEMBER 16, 2016

DEPARTMENT: PLANNING

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

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

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
DIR-63602	Staff recommends APPROVAL.	MOD-63600

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 44

NOTICES MAILED 6903 (By City Clerk)

APPROVALS 113

PROTESTS 324

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for consideration of and possible action on a Development Agreement between the Master Developer (180 Land Company, LLC) of the 250.92-acre Badlands Golf Course property (referred to in the Agreement as “The Property,” “The Community” or “The Two Fifty”) and the City of Las Vegas. The Agreement addresses phasing, planning and restrictions of development of the Property and the obligations of the Master Developer. The Agreement also includes exhibits that contain design guidelines, development standards and permitted uses.

ISSUES

- The proposed Development Agreement provides for the orderly redevelopment of the Badlands Golf Course area (herein “Property”). At this time, a Site Development Plan Review (SDR-62393) has only been submitted for the eastern 17.49 acres (Development Area 1) of the Property. A Site Development Plan Review(s) is (are) necessary for the remaining portion of the property within Development Areas 2 and 3, with review of single-family residential development in Development Area 4 reserved to the Master Developer.

ANALYSIS

Development Agreement

The Agreement begins with a preamble containing recitals followed by division into eight sections.

Recitals

This section establishes that 180 Land Company, LLC is Master Developer of the Property, defined as the land on which the Badlands Golf Course is currently operated, and that the Master Developer intends to repurpose the Property in a manner that is complementary and compatible with adjacent uses due to the alleged infeasibility of maintaining the golf course as it presently exists. As a result of development of the Property, the City of Las Vegas will receive assurances with regard to phasing, timing and orderly development and infrastructure improvements.

Section One: Definitions

This section assigns specific meanings to the terms used throughout the Agreement for consistency and the understanding of both parties.

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Of note in this section is the meaning of certain pre-development terms such as “Grading Plan, Master Rough” which defines the terms the Master Development must accept prior to issuance of any rough grading permit, and “Master Studies,” which refer to the Master Drainage Study, Master Sanitary Sewer Study and Master Traffic Study. Each study is to be approved by the Director of Public Works prior to the issuance of any permits except grub and clear permits outside of FEMA (Federal Emergency Management Agency) designated flood areas, demolition permits, and recordation of any map except PMP-64285, which would divide a large portion of the single-family designated area of the golf course into smaller development areas. A significant portion of this area is located in a FEMA designated flood zone.

Several definitions refer to specific documents noted as separate exhibits. These include the following:

- “Design Guidelines” – Exhibit D
- “Development Area(s)” – Exhibit B
- “Master Land Use Plan” – Exhibit B
- “Property,” “Community,” or “Two Fifty” – Exhibit A
- “Unified Development Code” or “UDC” – Exhibit G

Section Two: Applicable Rules and Conflicting Laws

This section stipulates that the Agreement shall supersede any conflicting provision of Title 19 of the Las Vegas Municipal Code, provided that the City rules in force at the time of approval generally apply to development of the Property. If there are subsequent changes to federal or state law that conflict with the Agreement, the parties will endeavor to modify the Agreement to conform to the law through a City Council hearing. Exhibit G of the Agreement is offered for reference to memorialize the Unified Development Code at the time of recordation of the Agreement. This action is typical of previous development agreements between the City and developers in order to maintain the integrity of the agreements.

Section Three: Planning and Development of the Community

Section Three demonstrates compliance with the requirements of NRS 278.0201 regarding the content of development agreements. The permitted uses of land, density or intensity of land use, maximum height and size of proposed buildings, maximum number of units, phasing or timing of construction, construction operations, conditions, terms, requirements and restrictions for infrastructure and modification of the Agreement are addressed.

Specifically, the Master Developer is proposing to construct up to a maximum of 2,475 dwelling units on the Property with up to an additional 200 assisted living apartments, for a total unit count of 2,675 and a maximum overall density of 10.7 dwelling units per acre. If any or all of the assisted living units are not ultimately constructed, they cannot be built as any other residential dwelling unit type.

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The Property is to be divided into four development areas that are characterized by land use type, zoning, density and unique standards for development. The areas are numbered southwesterly from Alta Drive.

<i>Proposed Development Areas*</i>						
<i>Development Area</i>	<i>Area (acres)</i>	<i>Proposed Land Use**</i>	<i>Proposed General Plan†</i>	<i>Proposed Zoning ††</i>	<i>Max. Dwelling Units</i>	<i>Max. Density (du/ac)</i>
1	17.49	Multi-Family Residential	H	R-4	720	41.2
2	20.69	Multi-Family Residential	H	R-4	1880	37.8
3	29.03	Multi-Family Residential	H	R-4		
4	183.71	Single-Family Residential	DR	R-E	75	0.41
TOTAL	250.92				2675	10.7

*Established through this Development Agreement (DIR-63602) and provided here by reference.

**Proposed through the associated Major Modification of the Peccole Ranch Master Plan (MOD-63600)

†Proposed through the associated General Plan Amendment (GPA-63599)

††Proposed through the associated Rezoning (ZON-63601)

Development Areas 1-3 are proposed to contain multi-family dwellings to be mapped as condominiums after an unspecified period of time. Development Area 1 is to contain a complex of four buildings of four stories each, for which a Site Development Plan Review (SDR-62393) has been submitted to the City of Las Vegas. Development Area 2 is to contain two multi-family residential towers of up to 15 stories and 150 feet in height, sited so as to minimize impact on view corridors. Development Area 3 is nearest to existing single-family dwellings, and therefore includes a 75-foot “No Building Structure” zone on the perimeter containing only an access road and landscaping and an additional 75-foot “Transition Zone” within which buildings cannot exceed the height of the tallest existing adjacent residence. All buildings are intended to conform to the residential adjacency requirements of the Unified Development Code. Development Areas 2 and 3 may contain the proposed assisted living apartments and up to 7,500 square feet of ancillary commercial uses for the benefit of residents. Development Area 4 takes up approximately 73 percent of the Property, but would be restricted to low density residential and associated uses and only contain up to 75 single-family residential dwellings (on “estate lots”) and a large landscaped area to be maintained by a Homeowner’s Association or similar entity. A Major Modification of the Peccole Ranch Master Plan, General Plan Amendment and Rezoning must be approved in order to allow the types of development proposed.

Phasing of development is indicated by Exhibit F. The actual sequence of construction, including infrastructure installation, is market-driven and not intended to follow any numeric or alphabetical sequence as shown on the exhibit. Portions of the construction are tied to milestones based on approval for construction of a certain number of units (typically measured by permits); however, no development in FEMA designated flood areas may commence unless the Master Developer first receives a Conditional Letter of Map Revision from FEMA. The

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Agreement stipulates that any or all of the golf course may be closed at any time by the Master Developer. Once closed, the Master Developer would continue to maintain the Property by mowing, watering and/or clear and grub. For purposes of clarification, per the submitted Addendum to the Development Agreement, only the green space or turf space on the existing golf course may be subject to clear and grub, not the existing desert portions of the golf course.

Development of the Property contains an open space component whereby 50 percent of the land is to be landscaped and/or amenitized for residents. Most of this space is to be located within Development Area 4, reserved through easements or deed restrictions and maintained by individual property owners, a homeowner's association, sub-HOA or possibly a combination of these. Similar to phasing of construction of the main north-south interior drive, public open space improvements within Development Areas 1-3 shall be completed prior to approval for construction of the 1,500th residential unit. A stated goal of the Parks Element of the City of Las Vegas 2020 Master Plan is to ensure new subdivisions are developed into walkable communities, where reliance on auto trips for convenience shopping and access to education and recreation is minimized and where densities support transit. Per the 2012 Southern Nevada Regional Planning Coalition Regional Policy Plan, between 2.5 and 10 acres of open space per 1,000 residents is recommended. A minimum of 124.7 acres of open space is proposed on the whole of the Property through the Agreement; 2.5 acres is to be made available for the benefit of the public.

The Design Guidelines document is presented as Exhibit D and contains the specific standards for development in each of Development Areas 1-4. The Design Guidelines can be modified through City Council action on a Major Modification or Major Deviation application to the City, but only at the request of the Master Developer. All modifications are considered major.

Section Four: Maintenance of the Community

Sidewalks, common landscaped areas, landscaping within street rights-of-way and private drainage facilities are to be managed and maintained by a master homeowner's association, sub-HOA or a combination of these as established by the Master Developer. This section defines the responsibilities of these entities and provides for a plan for maintenance of private amenities. The City would continue to maintain any public facilities dedicated within the Property.

Section Five: Project Infrastructure Improvements

Major traffic improvements include the provision of an additional right turn lane on northbound Rampart Boulevard at Summerlin Parkway, an additional lane on the Property's Rampart Boulevard frontage and any traffic signals required by the Master Traffic Study. Drainage improvements are the sole responsibility of the Master Developer and stipulations are made to ensure timely provision of drainage facilities.

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Section Six: Default

As is required by NRS 278, the Agreement specifies the events that constitute breach of the agreement and the periods during which any breach of the Agreement may be cured. The City may elect to amend or terminate the Agreement pursuant to state law if a finding of default is made by the City Council. The Master Developer has the right to scrutinize the finding of default and take legal action if necessary.

Section Seven: General Provisions

This section includes NRS-mandated provisions such as the duration of the Agreement (30 years with an optional five-year extension), the assignment or transfer of the rights in this Agreement to another party, indemnity of the City in cases of damages incurred by the Master Developer and recordation of the Agreement. There is no third party to this Agreement in the cases of land sales to other entities.

Section Eight: Review of Development

The Agreement is subject to review every two years to assess the progress of the parties in fulfilling their obligations. The Master Developer will provide a report to the City of term compliance within each two-year period. Such review is typically brought forward to the City Council in a public hearing, although not specifically stated in the Agreement.

Addendum

An addendum to the Development Agreement was submitted after the July 12, 2016 Planning Commission hearing that endeavors to clarify certain topics in the original unapproved Agreement through five additional agreements between the parties, which generally include the following:

- Only the single family residential area in Section A as shown on Exhibit B of the Agreement will have minimum half-acre lots; all other sections on Exhibit B will have lots that exceed one-half acre.
- The minimum number of trees in Development Area 4 upon completion will be 7,500.
- No blasting will occur on the Property during the term of the Agreement.
- “Access ways” as stated in Exhibit F are defined as “rough roads within Development Area 4 without paving.”
- In Exhibit F, the clear and grub option only applies to the green/turf space on the existing golf course, not to the existing desert portions of the golf course.

All other terms of the Agreement remain unchanged.

Development Agreement Exhibits

Exhibit A: Property Legal Description

As required by NRS 278.0201, a signed and stamped legal description of the Property referenced by the Agreement is included. The area includes 250.92 acres and encompasses the entire Badlands Golf Course.

Exhibit B: Master Land Use Plan with Development Areas

This exhibit divides the Property into four distinct Development Areas as described in Section 3. The proposed City of Las Vegas General Plan designation and zoning classification of each area are stated, as well as the number of acres in each area and section. Development Area 4 is further subdivided into seven sections (A-G) that are not intended to be subdivided or built out in any particular order. If the associated Major Modification, General Plan Amendment and Rezoning are approved, the uses, zoning designations and Master Land Use Plan would be in conformance with the City of Las Vegas General Plan.

Exhibit C: 2016 Major Modification

This exhibit memorializes the proposed modification of the 1990 Peccole Ranch Master Plan to redesignate the areas corresponding to Development Areas 1-3 in Exhibit B as Multi-Family Residential and Development Area 4 as Single-Family Residential, as well as the removal of a portion of APN 138-32-723-001 from the Plan area. This exhibit would include all documents related to the Major Modification (MOD-63600).

Exhibit D: The Two Fifty Design Guidelines, Development Standards and Uses

In order to ensure orderly and consistent development and fulfill the Master Developer's vision for redevelopment of the Property, The Master Developer has proposed a unique set of standards, procedures and permitted uses as part of the Development Agreement. The document allows the Master Developer to deviate from R-4 (High Density Residential) and R-E (Residence Estates) standards established by LVMC Title 19 where it deems necessary to effect imaginative and flexible design of buildings and open spaces. The tables below indicate where the proposed standards meet, exceed or are less restrictive than Title 19.

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R-4 Lot Standards (Multifamily)			
Standard	Required per UDC	Proposed per DA	Compliance per UDC
Min. Lot Size	7,000 sf	7,000 sf	meets
Min. Lot Width	N/A	N/A	meets
Max. Lot Coverage	N/A	N/A	meets
Dwelling Units per Acre	Unlimited, but determined by underlying GP designation	Max. 41.2 du/ac (DA 1) Max. 37.8 du/ac (DA 2, 3)	exceeds
Min. Setbacks:			
Front	10 feet	10 feet	meets
Side	5 feet	5 feet	meets
Corner Side	5 feet	5 feet	meets
Rear	20 feet	10 feet	less restrictive
Min. Distance Between Buildings	Unlimited	Unlimited	meets
Accessory Structures:			
Separation from Main Building	6 feet	6 feet	meets
Min. Corner Side Yard Setback	5 feet	5 feet	meets
Min. Side Yard Setback	3 feet	3 feet	meets
Min. Rear Yard Setback	3 feet	3 feet	meets
Size and Coverage	Not to exceed 50% of the floor area of the principal dwelling unit	No limitations	less restrictive
Stories	N/A	4 (DA 1) 4-6 – midrise (DA 2) 15 – towers (DA 2) 4 (DA 3)	exceeds
Floors	N/A	See “Stories”	N/A
Flat Roof	55 feet to the top of the roof coping	55 feet to the top of the roof coping (DA 1, 3)	meets
		55 feet to the top of the roof coping (DA 2, 4-story buildings)	meets
		75 feet to the top of the roof coping (DA 2, 6-story buildings)	less restrictive
		150 feet to the top of the roof coping (DA 2, towers)	less restrictive

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<i>Standard</i>	<i>Required per UDC</i>	<i>Proposed per DA</i>	<i>Compliance per UDC</i>
Max. Building Height:			
Pitched Roof	55 feet to the midpoint between eaves and ridgeline	55 feet to the midpoint between eaves and ridgeline (DA 1, 3)	meets
		55 feet to the midpoint between eaves and ridgeline (DA 2, 4-story buildings)	meets
		75 feet to the midpoint between eaves and ridgeline (DA 2, 6-story buildings)	less restrictive
		150 feet to the midpoint between eaves and ridgeline (DA 2, towers)	less restrictive
Accessory Buildings	2 stories, 35 feet or the height of the principal dwelling unit, whichever is less	No taller than the height of the principal dwelling unit	less restrictive
Transition Zone – Building Height (Development Area 3 only)	N/A	Buildings within the area 75 feet inward from the No Building Structure Zone shall not exceed the height of the tallest existing adjacent residence located outside the Property	N/A
Patio Covers:			
Setback to Post	5 feet – rear 5 feet – side 5 feet – corner side	N/A	per UDC
Overhang	May encroach up to 3 feet from side and rear PLs		
Other Restrictions	May not extend into front yard setback		
Building Height/Setback per Proximity Slope	3 feet of setback for each 1 foot of building height above 15 feet	3 feet of setback for each 1 foot of building height above 15 feet	meets
Building Setback	Must at a minimum match the established setback of the protected property	60 feet from existing SFD (R-PD7 or less density)	exceeds
		50 feet from existing SFD (greater than 7.49 du/ac)	exceeds
		10 feet from existing commercial property	meets except rear setback

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<i>Standard</i>	<i>Required per UDC</i>	<i>Proposed per DA</i>	<i>Compliance per UDC</i>
Residential Adjacency:			
No Building Structure Zone (Development Area 3 only)	N/A	75 feet from the PL of any existing single family lot located outside the Property; no buildings permitted in this area	N/A
Landscape Buffers:			
Min. Buffer Depth			
Adjacent to public ROW	10 feet	10 feet within and/or adjacent to ROW	less restrictive
Interior Lot Lines	6 feet	Not addressed	Per UDC
Turf Coverage	30% of landscapable area	No limitations	less restrictive
Parking:			
1 BR or Studio Units	1.25 spaces per unit	1.25 spaces per unit	meets
2 BR Units	1.75 spaces per unit	1.75 spaces per unit	meets
3+ BR Units	2.00 spaces per unit	2.00 spaces per unit	meets
Guest Parking	1 space per 6 units	1 space per 6 units	meets
Fences and Walls:			
Front Yard:			
Max. Primary Wall Height	5 feet	12 feet	less restrictive
Max. Solid Wall Base Height	2 feet	N/A	less restrictive
Max. On-Center Distance Between Pilasters	24 feet	N/A	less restrictive
Max. Secondary Wall Height	2 feet	N/A	less restrictive
Min. Spacing Between Walls	5 feet	N/A	less restrictive
Perimeter/Retaining Walls:			
Max. Wall Height	10 feet for slopes $\leq 2\%$ 12 feet for slopes $> 2\%$	12 feet	meets
Max. Perimeter Wall Height	6-8 feet for slopes $\leq 2\%$ 6-8 feet for slopes $> 2\%$	12 feet	less restrictive
Max. Retaining Wall Height	4 feet for slopes $\leq 2\%$ 6 feet for slopes $> 2\%$	8 feet	less restrictive
Stepped Perimeter Walls:			
Max. Primary Wall Height	6-8 feet	No restrictions	less restrictive
Max. Secondary Wall Height	4 feet	No restrictions	less restrictive
Min. Spacing Between Walls	5 feet	No restrictions	less restrictive

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<i>Standard</i>	<i>Required per UDC</i>	<i>Proposed per DA</i>	<i>Compliance per UDC</i>
Residential Adjacency:			
Signage:			
Development Entry Statement Signs	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	meets
Other Residential Sign Types	See UDC Title 19.06	Per UDC Title 19.06	meets

R-E Lot Standards (Single Family)			
<i>Standard</i>	<i>Required per UDC</i>	<i>Proposed per DA</i>	<i>Compliance per UDC</i>
Min. Lot Size	20,000 sf	20,000 sf	meets
Min. Lot Width	100 feet	Not addressed	per UDC
Max. Lot Coverage	N/A	N/A	N/A
Max. Buildable Area	N/A	50% - 1 acre lot	N/A
(Lots ≥ 1 acre in size)		33% - 3 acre lot	N/A
		25% - 5 acre lot	N/A
		25% - > 5 acre lot	N/A
		Proportional – other lot sizes	N/A
Dwelling Units per Acre	2.18 du/ac	Max. 0.41 du/ac	exceeds
Min. Setbacks:			
Front (public street)	50 feet	50 feet	meets
Front (private street or access easement)	30 feet	30 feet	meets
Side	10 feet	10 feet	meets
Corner Side	15 feet	15 feet	meets
Rear	35 feet	35 feet	meets
Lots ≥ 1 acre in size	Same as above	Must meet buildable area restrictions	less restrictive
Accessory Structures:			
Separation from Main Building	6 feet	No separation required. Attached or detached permitted	less restrictive
Min. Corner Side Yard Setback	15 feet	N/A	less restrictive
Min. Side Yard Setback	10 feet	N/A	less restrictive
Min. Rear Yard Setback	10 feet	N/A	less restrictive
Size and Coverage	Not to exceed 50% of the rear and side yard areas	No limitations	less restrictive

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R-E Lot Standards (Single Family)			
Standard	Required per UDC	Proposed per DA	Compliance per UDC
Max. Building Height:			
Stories (above grade)	2 max.	3 max	less restrictive
Floors	N/A	See Stories	N/A
Flat Roof	35 feet to the top of the roof coping	50 feet to the top of the roof coping	less restrictive
Pitched Roof	35 feet to the midpoint between eaves and ridgeline	50 feet to the midpoint between eaves and ridgeline	less restrictive
Accessory Structures	2 stories or 35 feet, whichever is less	Lesser of 3 stories or 50 feet	less restrictive
Patio Covers:			
Setback to Supports	15 feet – rear 15 feet – side 15 feet – corner side	15 feet – rear 15 feet – side 15 feet – corner side	meets
		Lots \geq 1 acre must meet buildable area restrictions	less restrictive
Overhang	2 feet beyond supports	Not addressed	per UDC
Other Restrictions	May not extend into front yard setback	Not addressed	per UDC
Residential Adjacency:			
Building Height/Setback per Proximity Slope	N/A	N/A	N/A
Building Setback	N/A	60 feet from existing SFD (R-PD7 or less density)	exceeds
		50 feet from existing SFD (greater than 7.49 du/ac)	exceeds
		10 feet from existing commercial property	less restrictive
Landscape Buffers:			
Min. Buffer Depth			
Adjacent to public ROW	6 feet	6 feet within and/or adjacent to ROW	less restrictive
Interior Lot Lines	0 feet	0 feet	meets
Turf Coverage	0% of front yard area	No limitations	less restrictive
Parking:			
Single-Family Detached units	2 unimpeded spaces per unit	2 spaces per unit	meets
Accessory Structure (Class I)	1 additional space beyond base requirements	Not addressed	per UDC

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<i>R-E Lot Standards (Single Family)</i>			
<i>Standard</i>	<i>Required per UDC</i>	<i>Proposed per DA</i>	<i>Compliance per UDC</i>
Fences and Walls:			
Front Yard:			
Max. Primary Wall Height	5 feet	12 feet	less restrictive
Max. Solid Wall Base Height	2 feet	8 feet	less restrictive
Max. On-Center Distance Between Pilasters	24 feet	N/A	less restrictive
Max. Secondary Wall Height	2 feet	N/A	less restrictive
Min. Spacing Between Walls	5 feet	N/A	less restrictive
Perimeter/Retaining Walls:			
Max. Wall Height	10 feet for slopes $\leq 2\%$ 12 feet for slopes $> 2\%$	12 feet	meets
Max. Perimeter Wall Height	6-8 feet for slopes $\leq 2\%$ 6-8 feet for slopes $> 2\%$	12 feet	less restrictive
Max. Retaining Wall Height	4 feet for slopes $\leq 2\%$ 6 feet for slopes $> 2\%$	8 feet	less restrictive
Stepped Perimeter Walls:			
Max. Primary Wall Height	6-8 feet	No restrictions	less restrictive
Max. Secondary Wall Height	4 feet	No restrictions	less restrictive
Min. Spacing Between Walls	5 feet	No restrictions	less restrictive
Signage:			
Development Entry Statement Signs	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	2 signs at each entry No max. size 5-foot setback from PL Direct white light or internal illumination only	meets
Other Residential Sign Types	See UDC Title 19.06	Per UDC Title 19.06	meets

As the table above shows, where the proposed standards are less restrictive than Title 19 (primarily setbacks and wall heights), additional controls mitigate any negative impact they might have to adjacent properties and uses. For example, although the height of the towers is nearly three times as tall as the R-4 standard, they would be situated in such a way that no tower

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would be adjacent to any single-family residential lot and would be shielded by other mid-rise buildings. Likewise, lots would be configured along the perimeter so that property line walls will be adequately buffered by access roads and landscaping. Within Development Area 4, buildable area restrictions would ensure lots are not overbuilt and sufficient open space is provided. Within this context, the larger size of the estate lots justifies the increased building height standard.

Permitted uses are named according to the terms used by the Unified Development Code, except those called out in the Permitted Uses table in Exhibit B of the Design Guidelines, Development Standards and Uses. Definitions of these uses are assumed to correspond to those used in LVMC 19.18.020. All permitted uses in the R-E and R-4 zoning districts not listed in Exhibit B are permitted according to the UDC. Additional uses listed not in LVMC 19.12.010 include the following:

- Guard Gate Entry Structure (not considered a use of land in UDC)
- Landscape Maintenance Facility
- Temporary Rock Crushing Operation
- Temporary Stockpiling
- Water Feature (not considered a use of land in UDC)

<i>Permitted uses: Deviations from LVMC Title 19.12</i>				
<i>Use</i>	<i>UDC</i>		<i>Proposed per DA</i>	
	<i>R-E</i>	<i>R-4</i>	<i>R-E</i>	<i>R-4</i>
Accessory Structure (Class I)	SUP required	Not allowed	Permitted	Not allowed
Accessory Structure (Class II)	Conditional	Conditional	Permitted	Permitted
Mixed Use	Not allowed	SUP required	Not allowed	Permitted
Two Family Dwelling	Not allowed	Not allowed	Permitted	Not allowed

Alcohol Related Uses permitted in the proposed R-4 zoning district include Beer/Wine/Cooler On-Sale Establishment and Restaurant with Service Bar as defined by UDC. All such uses will require approval of a Special Use Permit. Within the UDC, these uses are allowed as part of the Mixed Use use rather than as separate categories within the R-4 zoning district. The same applies to the ancillary commercial uses that are planned to serve residents of the multi-family development.

The document also includes cross sections of various private road types and their locations within the Property. The primary north-south street is planned to be 84 feet wide with two lanes in each direction and a median. The primary east-west street would have a maximum width of 69 feet with parallel parking stalls, attached sidewalks and landscaping on both sides. Private, gated streets within Development Area 4 will be determined as Sections A-G are subdivided. Access to the development would be from Hualapai Way, Rampart Boulevard and the southwestern boundary of Development Area 3. The access and circulation provided are

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adequate to meet the needs of the proposed residential development and would not create traffic conflicts within the Property. The proposed public street improvements as required by the approved Traffic Study will be necessary to handle the projected increase in traffic in the vicinity.

All site or lot development plans will first be reviewed by the Master Developer before review by the City of Las Vegas. Staff finds that the standards, procedures and permitted uses are compatible with the type of development proposed and would not have a negative effect on adjacent properties outside the 250.92 acres.

Exhibit F: Development Phasing

NOTE: Exhibit E contained a conceptual site plan for Development Areas 1-3 and was intentionally deleted by the Master Developer. A similar plan is shown in Exhibit L-1 of the Major Modification (MOD-63600).

Phasing of construction is to be determined by market conditions and is not intended to be tied to any specific duration of time; however, milestones linked to a set number of residential construction permits have been established to ensure completion of certain components of each Development Area:

- The extension of Clubhouse Drive is to be completed prior to the approval for construction of the 1,500th residential unit (or group of units that includes such permit).
- A new traffic signal at the Rampart Boulevard entrance to Development Area 1 is to be completed prior to issuance of the last Certificate of Occupancy in Development Area 1.
- Open space/amenities within Development Areas 1-3 are to be constructed incrementally as the multi-family residential units are constructed. Prior to the approval for construction of the 1,500th residential unit, the 2.5 acres of private park areas to be open for public consumption must be completed.
- Drainage infrastructure, including box culverts and/or drainage channels, access points and landscaping within Development Area 4, is to be completed prior to the approval for construction of the 1,700th residential unit.
- Development of areas currently designated as FEMA flood zones cannot commence until the Master Developer receives a Conditional Letter of Map Revision from FEMA.

Exhibit G: Unified Development Code as of the Effective Date

The Master Developer intends to “freeze” the standards and processes contained within LVMC Title 19 (Unified Development Code) in order to maintain consistency of development throughout the life of the Agreement. The version of the UDC in effect at the time of recordation of the Agreement would become the basis for all plan review and procedural activity not explicitly contained within the Agreement itself.

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FINDINGS (DIR-63602)

The proposed Development Agreement conforms to the requirements of NRS 278 regarding the content of development agreements. Its land use plan will be consistent with the City of Las Vegas General Plan if the associated General Plan Amendment (GPA-63599) is approved. Through additional development and design controls, the proposed development would be sensitive to and compatible with the existing single-family uses on the adjacent parcels. Furthermore, the development as proposed would be consistent with goals, objectives and policies of the Las Vegas 2020 Master Plan that call for walkable communities, access to transit options, access to recreational opportunities and dense urban hubs at the intersection of primary roads. Staff therefore recommends approval of the proposed Development Agreement.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
04/04/90	The City Council approved an amendment to the Peccole Ranch Master Development Plan to make changes related to Phase Two of the Plan and to reduce the overall acreage to 1,569.60 acres. Approximately 212 acres of land in Phase Two was planned for a golf course. The Planning Commission and staff recommended approval. [Peccole Ranch Master Development Plan]
	The City Council approved a Rezoning (Z-0017-90) from N-U (Non-Urban) (under Resolution of Intent to multiple zoning districts) to R-3 (Limited Multiple Residence), R-PD7 (Residential Planned Development – 7 Units per Acre) and C-1 (Limited Commercial) on 996.40 acres on the east side of Hualapai Way, west of Durango Drive, between the south boundary of Angel Park and Sahara Avenue. A condition of approval limited the maximum number of dwelling units for Phase Two of the Peccole Ranch Master Development Plan to 4,247 units. The Planning Commission and staff recommended approval. [Peccole Ranch Phase Two]
12/05/96	A (Parent) Final Map (FM-0008-96) for a 16-lot subdivision (Peccole West) on 570.47 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 77 Page 23 of Plats]. The golf course was located on Lot 5 of this map.
03/30/98	A Final Map [FM-0008-96(1)] to amend portions of Lots 5 and 10 of the Peccole West Subdivision Map on 368.81 acres at the northeast corner of Charleston Boulevard and Hualapai Way was recorded [Book 83 Page 57 of Plats].
06/08/15	A two-lot Parcel Map (PMP-58527) on 10.54 acres on the south side of Alta Drive, approximately 1,590 feet west of Rampart Boulevard was recorded [Book 120 Page 44 of Parcel Maps].

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/18/15	A four-lot Parcel Map (PMP-59572) on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 120 Page 49 of Parcel Maps].
11/30/15	A two-lot Parcel Map (PMP-62257) on 70.52 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 120 Page 91 of Parcel Maps].
01/12/16	The Planning Commission voted [6-0] to hold General Plan Amendment (GPA-62387) from PR-OS (Parks/Recreation/Open Space) to H (High Density Residential), a Rezoning (ZON-62392) from R-PD7 (Residential Planned Development – 7 Units per Acre) to R-4 (High Density Residential) and a Site Development Plan Review (SDR-62393) for a proposed 720-unit multi-family residential development at the southwest corner of Alta Drive and Rampart Boulevard in abeyance to the March 8, 2016 Planning Commission meeting at the request of the applicant.
03/08/16	The Planning Commission voted [7-0] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the April 12, 2016 Planning Commission meeting at the request of the applicant.
03/15/16	A two-lot Parcel Map (PMP-63468) on 53.03 acres at the southwest corner of Alta Drive and Rampart Boulevard was recorded [Book 121 Page 12 of Parcel Maps].
04/12/16	The Planning Commission voted [7-0] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the May 10, 2016 Planning Commission meeting at the request of the applicant.
	The Planning Commission voted [7-0] to hold MOD-63600, GPA-63599, ZON-63601 and DIR-63602 in abeyance to the May 10, 2016 Planning Commission meeting at the request of the applicant.
04/18/16	A four-lot Parcel Map (PMP-64285) on 166.99 acres generally located at the southeast corner of Alta Drive and Hualapai Way was submitted for staff review. This map has not been recorded.
05/10/16	The Planning Commission voted [7-0] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the July 12, 2016 Planning Commission meeting at the request of City staff.
	The Planning Commission voted [7-0] to hold MOD-63600, GPA-63599, ZON-63601 and DIR-63602 in abeyance to the July 12, 2016 Planning Commission meeting at the request of City staff.
07/12/16	The Planning Commission voted [5-2] to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the October 11, 2016 Planning Commission meeting.
	The Planning Commission voted [5-2] to hold MOD-63600, GPA-63599, ZON-63601 and DIR-63602 in abeyance to the October 11, 2016 Planning Commission meeting.

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<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
08/09/16	<p>The Planning Commission voted [7-0] to rescind the action taken on 07/12/16 to hold GPA-62387, ZON-62392 and SDR-62393 in abeyance to the October 11, 2016 Planning Commission meeting. Action was then taken to reschedule the hearing of these items at a special Planning Commission meeting on 10/18/16.</p> <p>The Planning Commission voted [7-0] to rescind the action taken on 07/12/16 to hold MOD-63600, GPA-63599, ZON-63601 and DIR-63602 in abeyance to the October 11, 2016 Planning Commission meeting. Action was then taken to reschedule the hearing of these items at a special Planning Commission meeting on 10/18/16.</p>
10/18/16	<p>The Planning Commission (4-3 vote/tm, gt, ts) to recommend DENIAL on the following requests:</p> <ul style="list-style-type: none"> • Major Modification (MOD-63600) Major Modification of the 1990 Peccole Ranch Master Plan TO AMEND THE NUMBER OF ALLOWABLE UNITS, TO CHANGE THE LAND USE DESIGNATION OF PARCELS COMPRISING THE CURRENT BADLANDS GOLF COURSE, TO PROVIDE STANDARDS FOR REDEVELOPMENT OF SUCH PARCELS AND TO REFLECT THE AS-BUILT CONDITION OF THE REMAINING PROPERTIES • General Plan Amendment (GPA-63599) FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO: DR (DESERT RURAL DENSITY RESIDENTIAL) AND H (HIGH DENSITY RESIDENTIAL) • Rezoning (ZON-63601) FROM: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) TO: R-E (RESIDENCE ESTATES) AND R-4 (HIGH DENSITY RESIDENTIAL) ON 248.79 ACRES AND FROM: PD (PLANNED DEVELOPMENT) TO: R-4 (HIGH DENSITY RESIDENTIAL) <p>The Planning Commission (5-2 vote/cc,vq) recommends APPROVAL on the following requests:</p> <ul style="list-style-type: none"> • General Plan Amendment (GPA-62387) FROM: PR-OS (PARKS/RECREATION/OPEN SPACE) TO: H (HIGH DENSITY RESIDENTIAL) • Rezoning (ZON-62392) FROM: R-PD7 (RESIDENTIAL PLANNED DEVELOPMENT - 7 UNITS PER ACRE) TO: R-4 (HIGH DENSITY RESIDENTIAL) • Site Development Plan Review (SDR-62393) FOR A PROPOSED 720-UNIT MULTI-FAMILY RESIDENTIAL (CONDOMINIUM) DEVELOPMENT CONSISTING OF FOUR, FOUR-STORY BUILDINGS on 17.49 acres at the southwest corner of Alta Drive and Rampart Boulevard (APN 138-32-301-005), R-PD7 (Residential Planned Development - 7 Units per Acre) Zone [PROPOSED: R-4 (High Density Residential)], Ward 2 (Beers) [PRJ-62226]

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Related Relevant City Actions by P&D, Fire, Bldg., etc.	
10/18/16	The Planning Commission (4-3 vote/tm, gt, ts) to recommend DENIAL on a Development Agreement between 180 Land Co. LLC, et al. and the City of Las Vegas on 250.92 acres at the southwest corner of Alta Drive and Rampart Boulevard (APNs 138-31-702-002; 138-31-801-002 and 003; 138-32-202-001; and 138-32-301-005 and 007), Ward 2 (Beers) [PRJ-63491].

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

Related Building Permits/Business Licenses
There are no building permits or business licenses relevant to this request.

Pre-Application Meeting
Multiple meetings were held with the applicant to discuss the proposed development agreement and the timelines and requirements for application submittal.

Details of Application Request	
Site Area	
Net Acres	250.92

Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Commercial Recreation/Amusement (Outdoor) – Golf Course	PR-OS (Parks/Recreation/Open Space)	R-PD7 (Residential Planned Development – 7 Units per Acre)
North	Multi-Family Residential (Condominiums) / Club House	GTC (General Tourist Commercial)	PD (Planned Development)
	Hotel/Casino Office, Medical or Dental	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.12</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
North	Single Family, Detached	MLA (Medium Low Attached Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
South	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
	Single Family, Detached	ML (Medium Low Density Residential)	R-PD7 (Residential Planned Development – 7 Units per Acre)
	Single Family, Attached	M (Medium Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
	Multi-Family Residential		R-3 (Medium Density Residential)
East	Shopping Center	SC (Service Commercial)	PD (Planned Development)
	Office, Other Than Listed		C-1 (Limited Commercial)
	Mixed Use	GC (General Commercial)	C-2 (General Commercial)
	Utility Installation	PF (Public Facilities)	C-V (Civic)
	Single Family, Attached	M (Medium Density Residential)	R-PD10 (Residential Planned Development – 10 Units per Acre)
West	Single Family, Detached	SF2 (Single Family Detached – 6 Units per Acre)	P-C (Planned Community)
	Golf Course	P (Parks/Open Space)	
	Multi-Family Residential	MF2 (Medium Density Multi-family – 21 Units per Acre)	

<i>Master Plan Areas</i>	<i>Compliance</i>
Peccole Ranch	Proposed to be modified
<i>Special Purpose and Overlay Districts</i>	<i>Compliance</i>
R-PD (Residential Planned Development) District	Proposed to be rezoned to R-4 and R-E
PD (Planned Development) District	Proposed to be rezoned to R-4

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<i>Other Plans or Special Requirements</i>	<i>Compliance</i>
Trails (Pedestrian Path – Rampart)	Y
Las Vegas Redevelopment Plan Area	N/A
Project of Significant Impact (Development Impact Notification Assessment)	Y
Project of Regional Significance	Y