

# Black Mountain Planning Commission Meeting

May 18<sup>th</sup>, 2020 3:00 PM  
Public Comments

## Support (5):

1. [498 E. Fairway Road \(2\)-Norman Russell](#) I am in support of the project as thus far presented.

I live on the corner of Fairway and Greenway. I have a deep respect for property rights and free enterprise and am pragmatic enough to realize there are often conflicting interests. I have been quietly waiting to see your plans which I did after receiving notice of the public hearing May 18.

Compared to the first plans, I am very pleased with your new conception of the site. Though I reserve judgement for when more detailed plans are submitted, you can count me generally in support. I have notified the city accordingly.

*Response: Thank you for your comments and support.*

2. [529 E. Fairway Road -Trevor & Kelley Norman](#) We would like to file our position IN SUPPORT of application CPA-2020003920 ZCA-2019003925, DEV-2020004698, TMA-2019003929 for applicant Black Mountain Golf and Country Club.

*Response: Thank you for your comments and support.*

3. [534 E. Fairway Road -Sharon Jolley](#) I am in favor of the proposed item. I approve this zone change as it will be good for the neighborhood and downtown Henderson. Also approve of ZCA 2019003925, DEV 2020004698, TMA 2019003929. I would like my comments added to the backup material for this item.

*Response: Thank you for your comments and support.*

4. [614 St. Andrews Road -Tim & Christine Haskell](#) We support the project. SUPPORT.

*Response: Thank you for your comments and support.*

5. [504 Amethyst Avenue-Hafen I, LLC](#) SUPPORT.

*Response: Thank you for your comments and support.*

## Opposition to be Addressed (22):

1. [502 E. Fairway Road -Paula Stansberry](#) I would like to have my comments read into the record for NB 1.

I am totally opposed to this meeting online. This should be postponed until a time when this can be a in person meeting. The Commissioners work for the people not for this developer. Do not pass this any further until the density numbers are reduced!!

The schools are already over capacity and then adding another 700+ students puts an additional burden on the already stretched schools.

The home density particularly on the Founders is too high! Additionally there should be ZERO 2 story homes on the Founders lot 7. It appears in the model that behind the first few homes on East Fairway a 2 story homes plan. I would NOT have bought this home in March had I know this was happening. There should be larger lots on lot 7 and fewer homes.

I am absolutely opposed to sealing Fairway Rd and adding a road opposite of my driveway for in and out access to Greenway from my home. And people from

There is not enough information and too vague of plans that can be changed later at the developer's decision. Do not approve these proposals. Thank you.

**Response:** Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

The applicant has worked with the Clark County School District and has reached an agreement regarding improvements to account for the additional students generated from this development.

The applicant, responding to the letter issued by the City of Henderson Staff on March 11, 2020, revised the application on file with the City of Henderson to reduce the overall unit count requested from 1,800 units down to 1,275 units. Further, the applicant has revised the overall homesite request from 435 units on the Founders Property down to 228 units on the Founders Property. This is consistent with the Staff Report issued by the City of Henderson with a Recommendation for Approval at the revised overall unit count of 1,275 units.

**2. [603 E. Fairway Road \(2\) -Philip Perlman](#) Opposition to CPA-2020003920, ZCA-2019003925, DEV-2020004698, TMA-2019003929.**

We know there will be homes built on the Black Mountain Golf Course. All we ask is that they match the current surroundings. None of the documents I have seen even remotely resemble the current neighborhood. We all built or bought large lots with custom homes in a rural setting. No streetlights, no sidewalks, no traffic, quiet and serene, just the way we want it. We like being able to go out in our quiet yards and look up to see stars. This is all being ignored by the Master Planner. Every picture I have seen shows streetlights and sidewalks, even adding sidewalks to E Fairway Road! Cookie cutter buildings crammed as close together as possible. So much for our peaceful, dark evenings and city views. Current residents be damned. We're just in the way.

According to their Black Mountain Development Plan dated April 2020, they have eliminated access to E Fairway Road from Greenway Road. This leaves only one way in and out of E Fairway Road on Pacific Avenue. This access point, by the way, has traffic merging from the new construction area north of E Fairway Road, which, by the way, also merges with traffic from the new construction south of E Fairway Road which, by the way, merges with Blackridge Road. This will place a massive traffic load on Pacific Avenue and create a terrific bottle neck. This also creates a safety impact as now emergency vehicles have to go around the neighborhood and backtrack a mile into residential E Fairway Road. TOTALLY UNACCEPTABLE. Of course, the Founders Neighborhood new construction has three access points. Current residents be damned. We're just in the way.

When the incentive is great enough you can always find an expert to produce a report that favors your view of an issue, even though that report flies in the face of logic and reason. Such as creating a housing subdivision of about 1800 homes and claiming there will be no impact on traffic. The subdivision Master Planner informed us they will add a traffic circle to "calm traffic". Please explain why there is a need to "calm traffic" if there is no impact on traffic. By their own projection this will add 10,000 cars on Horizon Drive every day. Horizon Drive cannot handle that increase in traffic. The Master Planner recommends adding stop signs throughout the existing neighborhood to discourage travel on these residential streets. Current residents be damned. We're just in the way!

Why is a neighborhood that had been in existence for more than fifty years being criminalized? Our homes devalued, our rural lifestyle destroyed, trapped by a single access point and our rights as Henderson citizens trampled by the "closed door" hearing with no one allowed to have their voice heard and added to the record in the matter, just a rubber stamp. Current residents be damned. We're just in the way!

Henderson City Council is supposed to be looking out for the best interest of the people of Henderson. It all boils down to the almighty dollar. The Master Planner wants to stuff as many houses into the small area as physically possible for maximum sales potential. Henderson City Council sees dollars coming in from taxes in this community. I'm certain this has already been greased through and will be readily passed because what the people want has no bearing anymore. I've been around long enough to have seen the things that have been rammed down Henderson neighborhoods throats. Current residents be damned. We're just in the way!

These are just the things I see from my living room window. There are so many things wrong with this plan, but I don't want to write a tome about it.

Opposition to CPA-2020003920, ZCA-2019003925, DEV-2020004698, TMA-2019003929

Response: Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

The current access to E. Fairway Road from Greenway is being modified to provide a more exclusive access into the existing homesites. The access is not being removed, merely enhanced for the benefit of the existing neighborhood. No other improvements are proposed on the existing E. Fairway Road. The access from E. Fairway Road to Pacific Avenue is proposed to be modified with this application to improve circulation and connectivity west to Pacific Avenue. Access into the existing Founders homesites is not being reduced.

The traffic circle proposed on Greenway Road will improve circulation and eliminate resident access westbound from the Black Mountain community to Middleton Drive, a concern expressed repeatedly by the public.

3. **629 E. Fairway Road -Edward Arant** Proposed Lot sizes do not match existing home in the Founders community.

Response: Thank you for your comment.

The applicant, responding to the letter issued by the City of Henderson Staff on March 11, 2020, revised the application on file with the City of Henderson to reduce the overall unit count requested from 1,800 units down to 1,275 units. Further, the applicant has revised the overall homesite request from 435 units on the Founders Property down to 228 units on the Founders Property. This is consistent with the Staff Report issued by the City of Henderson with a Recommendation for Approval at the revised overall unit count of 1,275 units.

4. **631 E. Fairway Road (3) -Denell Hahn** It is unfortunate that BMGCC does not monitor the condition of the golf course property and awaits complaints to take action. Yes, we had our backyard alive with tiny bugs last night. I received a group text today and apparently a GC person texted that they occurred due to cutting the weeds and the bugs are looking for water... and the GC doesn't water... and they will die off when the weather heats up. So, do you expect us to wait for summer? You need to spray the course.

Letting the weeds get out of control is problem one. Dust and debris kicked up by the GC tractor, problem two. Then the bugs looking for a new home, problem three

Your help would be appreciated.

I am opposed to the proposed item.

Residents have not had an opportunity to review this important development in the heart of Henderson. The traffic studies have not been posted, the school overcrowding is only marginally addressed and only the elementary school. Due to COVID 19 restrictions the school situation cannot be verified and surely will be revisited with CCSD budget predictions. The residential density of the proposal incorrectly claims to be compatible with surrounding neighborhoods. Traffic projects to be at 15,000 daily additional car trips at 1 800 residences 11 560 at 1400 residences. Streets surrounding this development are already congested and the plan shovels the new traffic thru residential areas. There has not been a neighborhood meeting that was required, but only a short virtual meeting open only 10 Facebook members. The site map provided is not accurate per the City. There is no valid reason to approve this peer plan. Residents of Henderson have been treated shabbily in this proses.

I would like my comments read into the record and added to the backup material for this item.

I oppose the project.

Response: Thank you for your comments.

The applicant has maintained the golf course in conformance with the Closure Plan.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

The applicant has worked with the Clark County School District and has reached an agreement regarding improvements to account for the additional students generated from this development.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant, responding to the letter issued by the City of Henderson Staff on March 11, 2020, revised the application on file with the City of Henderson to reduce the overall unit count requested from 1,800 units down to 1,275 units. Further, the applicant has revised the overall homesite request from 435 units on the Founders Property down to 228 units on the Founders Property. This is consistent with the Staff Report issued by the City of Henderson with a Recommendation for Approval at the revised overall unit count of 1,275 units.

5. **616 St. Andrews Road (2) -Korey Sherwin** All the big trees are dying on the old Black mountain "Golf Course" (briar patch), they have not been watering them as they are obligated to, please enforce this! it is so Sad that they are dying! I water the ones adjacent to my property to keep them alive. Randy "Scams" is not holding up his end of the deal! and is not a good person! only concerned with \$\$\$\$ in his pocket! this whole thing is a HUGE FAIL for Henderson and the people elected to protect it.

I Oppose the development of the Black Mountain Golf course.

Response: Thank you for your comments. The applicant has maintained the golf course in conformance with the Closure Plan.

6. **618 St. Andrews Road -Lucia Mathis** I am writing to express my concern for the development in planning for the Black Mountain Golf Course. The proposed lot sizes are not in line with the surrounding properties. The average lot size on the Founders and in Section 19 are bigger than 10,000. The proposed sizes of the lots along the railroad are not in line with the lots that follow the tracks toward the Fiesta.

The proposed high number of units will only crowd our streets and schools more. With Cadence and the multiple high-density residences the city already has planned, this Black Mountain neighborhood would be perfect for a boutique neighborhood with 10,000 square foot lots.

This unique neighborhood will never be duplicated; however, it could be extended. With the new sports teams coming to town, Downtown Henderson has the opportunity to attract higher income residents who have disposable income to spend in neighborhood businesses. It is not your responsibility to make sure the landowner makes money; it is to project your residents and ensure a like neighborhood be developed in your constituents' backyards.

The landowner has not kept up the course since its closing. Since the closing we have had mounds of dirt in our pool following windy days, increased insects and rodents and increased wildflowers and weeds increasing pollen counts to alarming numbers. However, I would rather live with this than watch the City of Henderson miss an opportunity to preserve this neighborhood.

I strongly urge you to reject the current plan and demand better for the City's backyard.

Response: Thank you for your comments.

The applicant has maintained the golf course in conformance with the Closure Plan.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant, responding to the letter issued by the City of Henderson Staff on March 11, 2020, revised the application on file with the City of Henderson to reduce the overall unit count requested from 1,800 units down to 1,275 units. Further, the applicant has revised the overall homesite request from 435 units on the Founders Property down to 228 units on the Founders Property. This is consistent with the Staff Report issued by the City of Henderson with a Recommendation for Approval at the revised overall unit count of 1,275 units.

7. **181 E. Middleton Drive -Lloyd Beadle** Please cancel the special Planning Commission meeting scheduled for May 18, 2020. It is very unfair to your residents to have this meeting. There has been no neighborhood meeting that would have explained this version of the proposed development of the Black Mountain Property. The virtual meeting held 4/8/20 was viewed by only 62 people and that included the developer and his employees/agents/attorneys, so we don't even know how many actual residents viewed the poorly presented plan. (presented for a mere 30 minutes to Facebook only members) This new plan was only posted today, and without the ability to review it and ask questions, we are at a terrible disadvantage. The COVID 19 restrictions have been used as a shield to thwart public participation in this important decision. We are counting on your sense of fairness to cancel this meeting and require a neighborhood meeting before the proposal advances. In the spirit of Henderson's history of respect for its residents, please listen to us. Thank you.

Response: Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

8. **290 E. Middleton Drive (3) - Kenneth J & Denise Palmer** My husband and I have lived at our home on the Black Mountain Golf Course for 26+ years. We purchased a dirt lot and built our house to the city's specifications. We paid the assessment fees to have streets in our neighborhood.

One of the building stipulations when we were building was 1 unit per ½ acre lot. WE ARE STRONGLY OPPOSED TO THIS AREA BEING RE-ZONED!!

As Henderson natives, we DO NOT want our area re-zoned for high density housing.

We are also opposed to the city holding a zoning meeting without offering to allow residents attend.

OPPOSED.

Response: Thank you for your comments.

9. **564 Mona Lane-Phyllis Lefrancois** I oppose to the notice received today for the development of this project. The City does not have enough water, police and other services to take care of this large project. This is not the time.

Response: Thank you for your comments.

The applicant has submitted master water and sewer reports for the development, and the City has agreed with the preliminary findings and overall approach to providing utilities to the project.

Additionally, the applicant has worked closely and reached agreements with Police and Fire to provide equipment that will maintain service level requirements associated with the additional residents of this proposed development.

10. **301 E. Chaparral Drive -Carolyn Tutas-Cohen** We are strongly opposed to the rezoning being pushed through during the virus crisis for the Black Mountain development. I wonder why I am wasting my time writing anything, clearly the city council and mayor of Henderson don't care about anything but extra

money to be made from this development and all of the other developments that have been rubber-stamped through in the city. The city has allowed Black Mountain itself to be blown up for a development, surely it will allow stacks of housing to be built on the defunct golf course. The development will continue unchecked, regardless of the impact to the environment, water concerns (as in how much water can the LV valley support?) density, traffic and quality of life for residents in this area. Your concern has nothing to do with residents and is only geared toward development and money. One quick question: with the economy in dire shape in the Las Vegas valley, and with a sure impact on real estate prices here and in Southern California and other Henderson-feeder areas, exactly who is going to rush in to buy all of these 1,800 units of housing?? Again, it's probably a waste of time to express an opinion against this development; but strongly against over-development, which this project demonstrates to the highest degree.

Response: Thank you for your comments.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant has submitted master water and sewer reports for the development, and the City has agreed with the preliminary findings and overall approach to providing utilities to the project.

The applicant, responding to the letter issued by the City of Henderson Staff on March 11, 2020, revised the application on file with the City of Henderson to reduce the overall unit count requested from 1,800 units down to 1,275 units. Further, the applicant has revised the overall homesite request from 435 units on the Founders Property down to 228 units on the Founders Property. This is consistent with the Staff Report issued by the City of Henderson with a Recommendation for Approval at the revised overall unit count of 1,275 units.

**11. 378 E. Country Club Drive (3) -Ann & Ysidro Barron** Please read my comment into the record.

I just logged in to observe today's meeting.

I am totally shocked with the additional documents added since the item was posted on May 7<sup>th</sup>.

There is no time to read or understand m=new information.

Back up is to be available for public review when the meeting is noticed to the public.

Please continue this item to a future date to allow for review.

I am opposed to the proposed item. The process for this application has failed to meet public participation requirements. The proposed development destroys our neighborhood as it restricts movement through the existing neighborhood by planning a walled in development in the middle of it.

It is shameful that a change of this magnitude to a neighborhood developed over 60 years ago is being rushed through during the pandemic shutdown.

The applicant submitted the first application nearly two years ago. The most recent application has been submitted in bits and pieces up until a week or so ago. There should be no rush at this time simply to accommodate the Bankruptcy process. The date can be extended as it has been previously. I would like my comments read into the record and added to the backup material for this item.

I am opposed to the proposed item. This action will be detrimental to neighborhood, property values and quality of life. I would like my comments read into the record and added to the backup material for this item.

Response: Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

**12. 390 E. Country Club Drive (2) -Janel Potucek** I oppose the proposal to rezone.

I oppose the manner in which this hearing is being held.

Hearing Notice:

The COH posted the Hearing notice on May 7, 2020 and then a corrected copy on May 11, 2020. There were originally 20 PDF Supporting Materials. On May 15, an additional 10 PDF's were added. There are in excess of 10 mbs of data and about 200 or more pages. Of interest to note, the last post from COH relative to this matter was about 6 months ago.

- It is unreasonable to expect most neighborhood residents to review and digest this much information in about 10 days.
- No legal, engineering, and or architectural services could have been secured in such a short time frame

Supporting Documentation is Inadequate for purposes of rezoning:

- PDF Final Draft Black Mountain DC is extremely difficult to navigate, some pages barely discernable as to their impact. The documents contain inconsistent data specifically referencing parcel numbers. Some of the Country Club residences elevations are in the plan but not all. There are varying elevations all the way down Country Club and Blackridge. You may not recall but in and around 1997 this area was subject to flooding. Not dealing with the various elevations could present erosion to the backyards of some of these homeowners.
- This plan simply does not address how the developer plans to "integrate and/or incorporate" the existing neighborhood homes into this new development on the Founders.
- No evidence of traffic management studies.
- An environmental study was performed on the 130 acres piece on Horizon and Greenway; however, it did not include what you refer to as the triangle, the 2.2 acres of land on Greenway, Cecil and Country Club Drive. There is a history of dumping oil and other hazardous materials from companies that used this plot for staging work elsewhere.

1957 and 1959 Deed:

Please explain how the Black Mountain Golf and Country Club, Inc or LLC (Inc. vs LLC is yet another issue that could be impactful that needs an explanation) has overcome the provisions in these two deeds.

- The Founders was to be used for purposes of constructing and operating a golf course together with clubhouse facilities
- No lot or combination of lots shall hereafter be re-subdivided into parcels of less area than the area of complete lot as originally plotted. The rezoning request appears to present 6 houses per acres when currently there is about 2.3 houses per acre.

Black Mountain Development Plan:

- Explain how this plan fits into the COH goals? What/Where are your goals?
- Explain how the Planning Commission can show that the COH goals are met by this Plan.
- Certainly, I never contemplated a road bordering my backyard or the risk of erosion to my property because of a plan that has not dealt with the integration or incorporation of existing

property features. Also, I never contemplated the increased traffic and noise, when I bought on a golf course that contained a deed restriction.

- The plan contains developer rights that are not in the best interest of the City or existing residents. In other words, what you see you may or may not be accurate. (The Disclaimer)
- The Plan contains incorrect and/or inconsistent information - see page 25 - east vs west.

Summary:

As I have previously submitted, TRUST is a key issue and I personally have very little for Mr. Schams and his project planners and unfortunately for the COH. I believe that you have not looked at all the factors bearing on this proposed development. The residents have been trying to get you to address these matters for over two years. We have been told, wait for the rezone request. Well we have had this extremely voluminous plan submission for 10 days. We certainly have given the COH far more time to look into this matter than we have been given to review the proposal. This situation looks like the COH is pandering to developers without regard for the residents; residents who purchased property with the understanding that their back yards would be protected by the aforementioned deeds. It is becoming quite clear that your concern is for the Developers and not your voting residents.

Counter Proposals:

- Maintain the current zoning for the Founders course.
- The Plan should demonstrate how the new subdivision will integrate/incorporate the existing Founder's properties/homesites.
- Existing properties/homesites should be provided with sound control where ingress/egress roads border these properties.
- Construction activities should be limited to normal business hours 8:00 am to 5:00 pm
- Pest control will be necessary immediately and during construction to prevent invasions to existing property/homesites. Currently I have had to take extraordinary measure to overcome bug infestations and rabbit damage to my yard and house.

GUIDELINES (Factor /Level 3-4, 450 Points)

Guidelines consist of Federal and State laws; Federal, DOI, and Reclamation regulations and standards, and industry technical publications such as American National Standards Institute, National Fire Protection Agency, American Society of Safety Engineers, etc. The guidance is typically broad-based necessitating professional judgment in interpreting, applying and implementing provisions specifically affecting occupational safety and health standards and practices. The incumbent must recognize complex and/or unique safety and occupational health problems and hazards and make recommendations to eliminate, control, or mitigate problems and hazards where there are no precedent solutions. In addition, considerable practical adaptation of the guidance is required, in order to apply the best fit for the wide variety of C-PN facilities. Facilities have varying physical characteristics such as age, appurtenant structures, intended use, and working conditions. Working conditions require a broad use of new and different methods, means, and technology, to resolve deficiencies.

I am opposed to the BMGC re-zoning. More importantly, not being allowed as an impacted party to attend the council meeting is unacceptable. There is already the belief among many BM neighbors that the City is bought and paid for by Mr. Schram, Boulder City. BLM has not followed DOIO policy. Eventually, an Inspector General Complaint may be the only recourse we have to deal with BLM. You however are in voted positions. Very disappointed in the way this matter is developing. You are allowing this matter to proceed without adequate care for the BM neighbors. In fact, this is going to be very financially costly to most BM neighbors. On another note that is very frustrating. Most of the publish plans are unreadable. Nor do they reflect how the neighbors backing the golf course on Country Club and Blackridge will be melded into this new neighborhood. There are various elevations from house to house and each house is cordoned off very differently. How are they going to deal with this? How are they going to deal with water runoff? None of these issues have been addressed. Trying to sell a house with not knowing what the backyard is going to look like is very difficult. This situation is disgraceful.

OPPOSED

Response: Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

The applicant has been required by the City of Henderson to provide the "Black Mountain Development Standards". These Development Standards include specific criteria for the physical planning and development of each parcel within the project boundaries. A homebuilder or parcel developer will be required to file an application with the City of Henderson which specifically details all aspects of mapping, proposed grading and drainage and architecture, all of which must follow the Development Standards. The application will be reviewed by Staff and then must follow the City of Henderson public hearing processes.

13. **120 W. Rancho Drive (2) -Brian & Shanda Hall** Please postpone the meeting that is being held on Monday at 3:00pm until we can attend. These houses that are being considered to be built on golf course cannot happen. The land was donated to be used as golf course, not houses. How can you let this happen, we don't need more traffic, more kids in the school in the area and stores will be way overcrowded? Please postpone the meeting so we have a right to be there to fight this.

I am opposed to the proposed item. If people's jobs and livelihood can be put on hold because of covid-19 maybe this meeting can be also? I'm just another hard working, patriotic, US citizen, that is tired of being taken advantage of so that 1, can prosper. We will find out those of you behind this and vote you out! Hopefully, you can do what's right for Henderson and overcrowding us is not the answer. I would like my comments read into the record and added to the backup material for this item.

Response: Thank you for your comments.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant has worked with the Clark County School District and has reached an agreement regarding improvements to account for the additional students generated from this development.

14. **350 E. Rancho Drive (2) -Jennifer & Dennis Guinn** We have been trying to fax the opposition to you at 702-267-1501 but it says busy.

We are strongly opposed to the rezoning due to the high density of homes being proposed (card attached). We are 27-year residents and do not want our lifestyle destroyed. We purchased our property and built our home at this location because the golf course, the school site and later the Black Mountain Recreation Center protected us from developers building homes on smaller lot sizes. We can't subdivide our lot nor would we want to, and we ask that you keep 10,000 square foot minimums on the Black Mountain Golf Course property.

We also feel it is very unfair to hold this meeting when none of us concerned can attend. We have been at every meeting and would continue to attend so our voices could be heard. The Planning Commission should respect its long-term residents and reschedule this agenda item when all parties can participate.

OPPOSE. Strongly opposed!!

Response: Thank you for your comments.

15. **180 E. Cypress Dr. -Tim Lawler** In accord with your instruction on the SIRE website for the subject hearing, I have attached my comments and questions. As indicated in the attachment, I request that my email comments below be read on the record during the live meeting and the Commission's replies to my questions be included in the record of the live meeting.

My name is Tim Lawler. My Zip Code is 89015. I request that my email comments below be read on the record during the live meeting and the Commission's replies to my questions to be included in the record of the live meeting. These comments and questions address Agenda Item 1, Public Hearing and all of its sub items.

This Hearing is Premature, Too early and Out of Order!

This hearing process is like mailing the Residents a copy War and Peace on Saturday and asking for a review a week from Monday. The adding 50% more pages on Thursday and Friday before the review. Here are just a few procedural reasons for the prematurity of this hearing.

- A. Announced less than 10 days before hearing date; last hearing seven months ago.
- B. Commission's Supporting Material comprises hundreds of pages.
- C. Expecting typical Resident to be well informed is unreasonable. Just examining the 173-page Final Draft Development Standards in onerous by itself. It does not contain a map although one was submitter in January 2020. The map contains a disclaimer advising it does not comply with the proposed language standards.
- D. Four more Material Documents have been added as of Thursday and six more today. One is a Planning Commission correcting Site Data table areas that fails to correct that table's density calculations along with eight other items. This shows the Commission is also not ready. Adding 10 additional supporting materials in less than five days represents a 50% increase. Clearly, this confirms the Commission is not properly prepared or, this barrage of information is intended to confuse residents; possibly both.
- E. The documents are inconsistent. For example, within the Founders' Nine two parcels are referred to as Parcel 1 and Parcel 2 in other places these same parcels are referred to as Parcel 6 and Parcel 7. References are to a total of about 204 acres while the Commission's corrected site density table deals with a corrected net area of 179.19 acres, a difference of over 10%.
- F. Another Document added this week is the 51-page Development Agreement, dated 14 April 2020. While this is referred to as Item "C)" it was not available on 11 May 2020 a week before the hearing. Why couldn't this agreement be included in the original supporting material? Black Mountain Golf & Country Club, Inc. is not either of the parties to this proposed agreement.
- G. The Development Agreement Application is not even included in the Commissions Supporting Materials. One must go to the City's Community Development Special Projects Black-Mountain-Golf-and-County-Club link.
- H. It must be noted it is incomprehensible that no traffic study results are available either in the Commission's Supporting Materials or the City's Special Projects link above. Omission of this item, of utmost importance to residents, can only be interpreted as intentional.

I respectfully request the Commission to answer these questions. What's the rush? If there's no good reason to rush, why not do this correctly? Is this an attempt to accommodate a developer in deference to Henderson's residents?

Next consider why the hearing is out of order or, at the very least, appears to be out of order. These reasons are chiefly concerned with the "Founder's Nine."

1. The Development Agreement Application has been filed by Black Mountain Golf & Country Club, Inc. a not for profit Nevada Corporation that has filed for Chapter 11 Bankruptcy: Case No. 17-11540-btb. The bankruptcy is currently in process. Proceedings are ongoing. It has not been resolved or adjudicated. The most recent item in this proceeding is dated 8 May 2020. In motions within the last month, Black Mountain Golf & Country Club, Inc.'s principal creditor, Liberty Village, LLC has moved for enforcement of Black Mountain Golf & Country Club, Inc.'s court approved sale of property reorganization. Black Mountain Golf & Country Club, Inc. is delinquent the requirements of its Court approved plan. Liberty has moved that if the Black Mountain's sale plans are not enforced, its bankruptcy case be converted to Chapter 7. If that were to happen there is no reorganization. Black Mountain Golf & Country Club, Inc. 's bankruptcy attorneys have opposed this motion. If Liberty's motion is accepted the Founders' Nine golf property would be auctioned and not developed as planned.
2. It is noteworthy the party entering into the Development with the City is not Black Mountain Golf & Country Club, Inc. the Applicant for development. The proposed Development Agreement is between the City and Black Mountain Golf & Country Club, a Nevada limited liability company. Can the City enter into a development agreement with a party who has not even applied? If so, why does the City require and application?
3. The Founders' Nine portion of the property was granted to Black Mountain Golf and Country Club by means of a 1957 deed from Basic Management, Inc. The provisions of that deed include the following among others:
  - 3.1 The property shall only be used for constructing and operating a golf course with clubhouse facilities.
  - 3.2 The grantee, Black Mountain Golf and Country Club, is permitted to develop and sell single residence lots each of which is subject to the restrictions of the deed.
  - 3.3 A breach of any of the conditions in the deed "shall cause said property to revert to the Grantor ... " If there is no golf course operation Black Mountain Golf & Country Club, Inc. has interpreted this to mean only the current golf course reverts to Basic Management.
  - 3.4 Note, this clause does not provide for portions of the property to revert it speaks to the "property" in whole. We can conclude that those homeowner's within the Founder's Nine boundaries who or, along with their previous owners, have owned and continuously occupied homes on their property for at least as long as NRS 1.120 or 11.140 require for Adverse Possession (5 Years) are not affected by the reversion. That is, their property will not revert to Basic Management, Inc. due adverse Possession. A literal interpretation of the reversion clause means the golf course and owners of more recently developed homes and vacant lots (i.e., within less than 5 years) and the golf course revert to Basic Management. Why does the plan omit portions of property that revert in addition to the golf course?
4. In November of 1959, Black Mountain Golf and Country Club submitted its CC&Rs for the development of the property bounded by Blackridge Road on the west, Country Club Drive on the south, Greenway Road on the east and the now referred to as Harry Reid Union Pacific Railroad Trail on the north.
  - 4.1 This document identifies residential lots and lots in four "Blocks" that "shall not be residential lots and are specifically excluded from" the CC&Rs.
  - 4.2 The development of all property was at the approval of a committee of Black Mountain Golf and Country Club members. The powers and duties of this committee ceased on 1 January 1981. After that date, approval "shall be executed by the then recorded owners of the majority of lots in this subdivision and dually recorded ... who shall thereafter exercise the same powers as previously exercised by said committee." That is, after 1981

the approval of the residential lot development is left to the majority of the owners of the lots.

- 4.3 Over the past 60 years residential lots have been developed, bought and sold based on the CC&Rs and this development plan based on the fact that the "Blocks" shall not be residential lots. Their deeds and those restrictions have not been removed.
- 4.4 While this 1059 development plan does not contemplate reversion to Basic Management, it does limit what can be done with the "Blocks". It doesn't say what can be done but it does say what can't be done - It cannot be residential.

None of the items in Section 3 and 4 have been addressed in any disclosure to the residents! Until they are addressed and resolved there is no reason any action on this matter to be referred to City Council, let alone be heard by the Council.

Finally let's address the Final Draft Black Mountain Development Plan (The Plan).

- I. A stated purpose of The Plan is to implement The City of Henderson Comprehensive Plan goals for the area. Where are the City's Comprehensive Plan Goals stated and published prior to the closing of Black Mountain Golf & Country Club, Inc.?
- II. Where is the Planning Commission's report explaining how The Plan meets those City's goals?
- III. How can the Planning Commission demonstrate those City goals have been met by recommending The Plan?
- IV. The proposed lot sizes for individual residences range from 2,499 SF to 5,500 or from about 1/17 of an acre to about 1/8 of an acre.
- V. A semi-detailed review of The Plan reveals the portion dealing with the Founders' Nine portion of the golf course is nothing more than an attempt to densely populate that area with a lot density more than twice that of the adjacent homes and physically separating those homes from the proposed new lots by means of Retaining walls ranging from about 9 feet above to about 12 feet below the back yard elevations of the adjacent existing homes. See pages 12, 23, 25, 27 and 29.
- VI. This is applying mountainside design to gently sloping terrain. Having Mountain in the name of the plan does not justify mountainside design. Nothing justifies trying to fit 228 new homes and miles of additional roads into the space between 153 existing homes.
- VII. A check of Section 5, on page 25, says it's looking west. However, the proposed home is shown to the right or to the north of the existing home located at 517 Pebble Place. There is an existing home to the north of 517 Pebble Place. Clearly Section 5 is looking east. It shows the proposed property is to be about 9 feet above.
- VIII. Every page of The Plan containing a plan, a section or a rendering contains the following disclaimer. "The developer has reserved the right, without notice to any purchaser (as defined by NRS 116.079), to make changes to this plan and other aspects of the development at any time, including but without limitation to comply with governmental requirements and to fulfill its marketing objectives. All of the items on this plan need not be built pursuant to Nevada Revised Statutes. This disclaimer is not intended to reduce or limit the requirements imposed by the city of Henderson. The City of Henderson at time of final design may elect to modify the programming and uses depicted on this site plan." Disregard the fact this applies to sections and rendering. How much confidence can residents, the City or potential new home buyers have in this marketing?

Response: Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the

applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

The Bankruptcy Court has approved the Bankruptcy Plan. The company plans to exit Bankruptcy upon completion of a sale and payment in full of creditors.

The applicant has entered into a Development Agreement with the City of Henderson.

The applicant has been required by the City of Henderson to provide the “Black Mountain Development Standards”. These Development Standards include specific criteria for the physical planning and development of each parcel within the project boundaries. A homebuilder or parcel developer will be required to file an application with the City of Henderson which specifically details all aspects of mapping, proposed grading and drainage and architecture, all of which must follow the Development Standards. The application will be reviewed by Staff and then must follow the City of Henderson public hearing processes.

16. [45 Precipice Ct. 89002 -Yvonne Bretz](#) I am opposed to the proposed item. Too much traffic, high density, school overcrowding. I would like my comments read into the record and added to the backup material for this item.

Response: Thank you for your comments.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant, responding to the letter issued by the City of Henderson Staff on March 11, 2020, revised the application on file with the City of Henderson to reduce the overall unit count requested from 1,800 units down to 1,275 units. Further, the applicant has revised the overall homesite request from 435 units on the Founders Property down to 228 units on the Founders Property. This is consistent with the Staff Report issued by the City of Henderson with a Recommendation for Approval at the revised overall unit count of 1,275 units.

The applicant has worked with the Clark County School District and has reached an agreement regarding improvements to account for the additional students generated from this development.

17. [442 Scenic Drive 89002 -Riley Oxford](#) Hi Community Development and Services. My name is Riley Oxford, I live at 442 Scenic Dr Henderson NV 89002:

I oppose the plan (CPA-2019003920 and APN: 17929112012) to redevelop Black Mtn golf. If it changes, there will be construction for years in that area and takes away sporting and health opportunities to Henderson residents. It also takes away high school sporting activities from Basic and Foothill high school. Would they then need to go to Boulder City to practice and play?

While I know it brings in a lot of tax revenue, I believe it would harm our image of a Great Place to call home.

Response: Thank you for your comments.

18. [89002 -Jennifer Campbell](#) I am opposed to the proposed item. I am opposed to the project and the overcrowding it will cause. I would like my comments added to the backup material for this item.

Response: Thank you for your comments.

19. **89002 -Kari Lomprey** I am opposed to the proposed item. This area is already over built for the roads and schools. You are allowing contractors to cut up Black Mountain too. What is wrong with you. I am sure you can come up with a better solution for Black Mountain Golf Course. I feel awful for the residents who back up to the golf course. I would like my comments added to the backup material for this item.

Response: Thank you for your comments.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant has worked with the Clark County School District and has reached an agreement regarding improvements to account for the additional students generated from this development.

20. **1111 Hutch Ct. 89015 -Traci Button** I am opposed to the proposed item. I am greatly opposed to the terrible development plan the Henderson City Council and Mayor are wanting to build. Not one resident living near or in the area want this built. The developer and the council just care about income and tax dollars and cares nothing about the residents already invested in their community. NOT ONE RESIDENT WANTS THIS BUILT! Don't destroy our neighborhood, it belongs to the people to enjoy our open spaces. I would like my comment added to the backup material for this item.

Response: Thank you for your comments.

21. **Steven Priscu** I oppose, match existing lot and home size.

Response: Thank you for your comments.

22. **Mary Wynn** The fact that you refuse to hold this meeting when residents of the area are able to voice their concerns is unacceptable. It should be illegal. It immoral, and unethical. When I moved and bought a home in Henderson, I thought we had moral and ethics. We obviously do not. There is no need to rush. Who is going to buy overpriced housing after a pandemic in which most people lost their jobs? School in the area are already overcrowded. Traffic in the area is horrific as it is. But your fake traffic study won't show that as you were trying to do one when everyone was home.

Push this through, and you'll see the end of your political careers.

Response: Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant has worked with the Clark County School District and has reached an agreement regarding improvements to account for the additional students generated from this development.

### Opposition Regarding in Person Meeting (15):

1. **508 E. Fairway Road – Gwen Gibson** BMGCC housing project. The date for the Planning commission meeting, May 18.

I request that this does NOT go forward without people being able to attend in person. My Mother and others cannot use the online methods of attendance. It is not appropriate for you to move forward with this without personal input. You are not getting the full impact of residents opposed because they cannot all access equally the online format.

In addition, with the financial impact the covid shutdown will have on the businesses in the valley, we may have people leaving because the gaming is not employing as it did before. Then we will have a defunct project that gets abandoned in the middle and creates even more of a detriment to the community. You HAVE TO PROTECT the residents that live here not the developer that does not live here!!!! We are the ones that voted for you to look out for OUR interest not a developer's. Please step up and put this on hold until you have full input from YOUR residents.

Response: Thank you for your comments.

2. **540 E. Fairway Road (2) – Theodore & Robin Vincent** I am opposed to the virtual public hearing regarding the Black Mountain Golf and CC on May 18, 2020. These hearings should be postponed due to the COVID-19 threat until public meetings can be safely held and the public's voice can be heard. Many in opposition, and those who will be greatly impacted by this development, do not have the capability to participate in virtual hearings. There is no reason to expedite this hearing and it puts the public's interest at a complete disadvantage.

We oppose this project. Thank you.

Response: Thank you for your comments.

3. **542 E. Fairway Road – Kevin Baker** We live on the Founders 9 at the now closed Black Mountain golf course. Please table the meeting on May 18th till we can all attend. Many of our residents will not be able to attend, Corona 19 has everyone locked in. Thank You.

Response: Thank you for your comments.

4. **624 St. Andrews Road – David Biddinger** I am a homeowner on the Black Mountain Golf Course and I strongly oppose these meetings that have been held during the pandemic and the meeting scheduled for May 18th without the public voices being heard once again. WE have a right to speak about the zoning and you have denied us this. Mayor and Council, you promised us you would have our best interests at the heart of this. You would work for us, represent us, and have our backs. You will not even listen to us. You were elected by the citizens and are supposed to represent us not the lobbyists and developers.

Response: Thank you for your comments.

5. **634 St. Andrews Road – Leah Vega** Local residents are asking that the Planning Commission meeting be cancelled and not rescheduled until we have a neighborhood meeting with the facts of the proposed development provided. Public attendance and participation are a must. With restrictions due to COVID 19- it is imperative we are able to attend and voice our concern of the projects in question.

Response: Thank you for your comments.

6. [415 Emerald Circle \(2\) – Barbara Christiansen](#) I object to the plan submitted for the proposed development at the Black Mountain golf course, and to the lack of a public hearing where residents can be present. Please postpone this project until such a time that proposals and objections can be heard in person.

OPPOSED

Response: Thank you for your comments.

7. [280 E. Delamar Drive – Rebecca Grismanauskas](#) I am shocked & saddened that our Henderson leaders are trying to ram-rod the Black Mountain golf course issue for a vote without your constituents being able to be present! Hold this item & at least give our community a chance to respond.

Response: Thank you for your comments.

8. [419 Blackridge Road – Rebecca Farrell](#) I was told a meeting concerning my neighborhood is scheduled for May 18th. We are not allowed to go because of the virus. This is very important to me and I should be able to be a part of this meeting. Please wait until it's safe for us to attend.

Response: Thank you for your comments.

9. [547 Old Highlands Street – Nicole McDonald](#) I don't feel now is the right time to discuss Black Mountain Golf course. Not everyone in opposition is tech savvy. Not everyone during this time even has internet due to lack of income. Many of us are in opposition in what is happening to the golf course. We deserve to be heard.

Response: Thank you for your comments.

10. [555 Old Highlands Street – Nicole Langill](#) I am opposed to the BMGCC planning meeting being held without the public being able to attend. This is our community, and we should be allowed to have a say in why is happening to it. By allowing the developers to proceed with the meeting would only show you do not care what the residences of Henderson think about the development.

Response: Thank you for your comments.

11. [584 Mona Lane – Jeffrey Maynard](#) We the people of Henderson do not appreciate the undermining of this venture to hold meeting that cannot be attended to, in order to push the Black Mountain Golf project through! The developer and the City council members that are holding this meeting without opposition is a disgrace to City of Henderson and the people who live here!

Please do not allow the Developer to disregard the rights of the citizens that are your constituents, The Developer has no concern for Henderson only how much money they can pocket!!

Thank you for your time in this matter.

Response: Thank you for your comments.

12. [140 E. Mulberry Drive – Robert Vadasy](#) I am opposed to the housing development proposed for land formerly known as Black Mountain Golf Course.

I am also opposed to council and/or planning commission meeting being held on this topic while citizens aren't allowed to attend and voice opinions on this matter.

I want to address elected officials in person to express my concerns.

Response: Thank you for your comments.

13. **510 Canyon Road – Mike & Jacquie Alford** Hello City Council Members, Regarding the "PUBLIC HEARING A) CPA-2019003920 -COMPREHENSIVE PLAN AMENDMENT B) ZCA-2019003925 - ZONE CHANGE C) DEV-2020004698 - DEVELOPMENT AGREEMENT D) TMA-2019003929 - TENTATIVE MAP BLACK MOUNTAIN GOLF AND COUNTRY CLUB APPLICANT: BLACK MOUNTAIN GOLF & COUNTRY CLUB, LLC"

We are Mike and Jacquie Alford. We reside at 510 Canyon Road, Henderson Nevada. 89015. We have been residents of this property since 1995 when we built our home. Our cross streets are Middleton and Canyon.

We are opposing the planned rezoning of the Black Mountain Golf course (PS to RS) due to the density of the project. The existing zoning areas are between RS-2 and RS-6. The majority of these lots in the golf course area are greater than 10000sqft or RS-4, the RS-6 zoning was to allow homes to be built on the irregular shaped lots created by the golf course. We believe that the rezoning follows the RS-4 zoning guidelines and only allowing the RS-6 were a 10000sqft. cannot be utilized due to an irregular shape. We believe that the proposed rezoning PS to RS should strictly adhere to this zoning by not allowing ANY high-density projects. The 89015 zip code is one of the lowest areas affected by the COVID-19 pandemic I believe this is largely due to the existing zoning in this area.

Additionally, the "Rumored/Proposed" roundabout at Greenway and Middleton will funnel large amounts of traffic thru our residential streets specifically Middleton Drive. This street is one of the streets with ONLY 1 stop sign located at Black ridge and Middleton. The design of this street causes many of the vehicles already using this street to lose control due to the many dips at the various intersections as vehicles that use this street rarely follow the speed limits. As stated before, this is a "RESIDENTIAL" street. If a roundabout is deemed necessary, we believe it should be located at the intersection of Van Wagenen and Greenway. This will encourage the increased traffic to be split between Horizon and Van Wagenen in accessing the freeway routes.

We also believe that this proposed rezoning should be postponed until a proper "Public meeting" is held not an online substitute.

We ask that you consider our comments as well as others in the area that are directly affected by this rezoning request.

Please use this email comment to be read during the live meeting.

Response: Thank you for your comments.

The applicant has held three neighborhood meetings (August 13, 2019 & October 8, 2019 and April 8, 2020) to inform the public, receive feedback and answer questions regarding this application. Additionally, the City of Henderson has maintained a page on their website containing all materials submitted from the applicant since October of 2019. The applicant has also setup an active website at [www.blackmountainnv.com](http://www.blackmountainnv.com) and a Facebook account, active since January of 2020 to further inform the public and answer any questions. In total, there has been 29 neighborhood engagement meetings since 2018 regarding this application.

The applicant, responding to the letter issued by the City of Henderson Staff on March 11, 2020, revised the application on file with the City of Henderson to reduce the overall unit count requested from 1,800 units down to 1,275 units. Further, the applicant has revised the overall homesite request from 435 units on the Founders Property down to 228 units on the Founders Property. This is consistent with the Staff Report issued by the City of Henderson with a Recommendation for Approval at the revised overall unit count of 1,275 units.

The traffic circle proposed on Greenway Road will improve circulation and eliminate resident access westbound from the Black Mountain community to Middleton Drive, a concern expressed repeatedly by the public.

14. **89002 – Valerie Hahn** City Officials - you work for us ... residents of Henderson. Have you forgotten that? We hope not. We hope you will honor your oaths to do what's right & in the best interest of our (your) communities. Place this item on hold! Let the residents have a voice.

Response: Thank you for your comments.

15. **Anonymous** I protest not being able to attend a zoning meeting that so greatly affects our long-standing neighbor so drastically. I think this has been railroaded through and should be postponed until after the virus situation and we can express our opinions in person.

Response: Thank you for your comments.

#### Opposition – No Response (16):

1. **524 E. Fairway Road -Karen & Howard Giles** OPPOSE

Response: Thank you for your comments.

2. **531 E. Fairway Road - Lauricella Family Trust** OPPOSE Strongly

Response: Thank you for your comments.

3. **611 E. Fairway Road -Paul Pladera** OPPOSE

Response: Thank you for your comments.

4. **639 Fairway Road -Larry Waddell** OPPOSE

Response: Thank you for your comments.

5. **360 E. Middleton Drive -Brent Honey** OPPOSE

Response: Thank you for your comments.

6. **412 Emerald Circle -Frank Novack** | Frank Novack of 412 Emerald Cir, Henderson, NV 89002 OPPOSE  
CPA-2020003920, ZCA-2019003925, DEV-2020004698, TMA-2019003929.

Response: Thank you for your comments.

7. **416 Emerald Circle-MK5160 Family Trust** OPPOSE

Response: Thank you for your comments.

8. **341 E. Delamar Drive-John & Marcella Campanale** OPPOSE

Response: Thank you for your comments.

9. **271 E. Country Club Drive -James Okazaki & Midori Rev Liv Tr** OPPOSE

Response: Thank you for your comments.

10. [391 E. Country Club Drive -Greg & Nancy Gines](#) OPPOSE

Response: Thank you for your comments.

11. [629 Robin Lane -Allen Family Trust](#) OPPOSE Toooo dense!!!

Response: Thank you for your comments.

12. [140 E. Rochell Drive -Caprice Hayden](#) | OPPOSE all the application requests to:

- A) Amend the Comprehensive Plan Land Use category from PS to PC - OPPOSE
- B) Rezone from RS-6 and from PS to PC on ~3 acres & ~201 acres, respectively - OPPOSE
- C) A development agreement and development standards - OPPOSE
- D) A 6-lot parent tentative map, on 204 acres, located north of Horizon Drive, south of the Union Pacific Railroad, between Mona Lane and Blackridge Road, in the Black Mountain planning area - OPPOSE

Response: Thank you for your comments.

13. [602 Overland Drive - Reba & Jolynne Cole](#) OPPOSE

Response: Thank you for your comments.

14. [507 Amethyst Avenue -Shirley Hofstar](#) OPPOSE

Response: Thank you for your comments.

15. [825 Coastal Beach Road 89002 -Georgie Jones](#) We oppose.

Response: Thank you for your comments.

16. [513 Oakwood Ct. 89002 -Karen & George Keller](#) OPPOSE

Response: Thank you for your comments.

## Q&A Session for Special Planning Commission Meeting May 18th

1. [Ryan Andersen \(ryan@vegaslawfirm.legal\)](#)

Q: I am Ryan Andersen, and I am representing Liberty Village, LLC as a creditor in Black Mountain Golf & Country Club's bankruptcy case and have since May of 2017. I would like to submit a brief comment on behalf of my client in support of approval.

A: Ryan, did you want to speak during the public hearing session or for me to read into the record your support of approval? If you would like to speak, we can unmute your mic to allow you to speak during public hearing.

[Ryan Andersen \(ryan@vegaslawfirm.legal\)](#)

Q: I would like to speak, please. Many thanks.

A: This question has been answered verbally.

Response: Thank you for your comments.

2. **[Valerie Maassberg \(valeriemaassberg@hotmail.com\)](mailto:valeriemaassberg@hotmail.com)**

Q: Where do you plan on having our kids go to school when we are already in a massive deficit for our schooling?

A: This question has been answered verbally.

**[Valerie Maassberg \(valeriemaassberg@hotmail.com\)](mailto:valeriemaassberg@hotmail.com)**

Q: What are your plans for traffic flow on Horizon with an additional 1275 minimum cars being added to a system that cannot support what it has now?

A: Did you want to speak during the public hearing session? If so, once public hearing is open, we will call your name and unmute your mic. Or I can read comments into the record.

**[Valerie Maassberg \(valeriemaassberg@hotmail.com\)](mailto:valeriemaassberg@hotmail.com)**

Q: With the wildlife that realized on that property, how are you handling the impact that has had by shutting down the golf course and potentially building on top of it?

A: This question has been answered verbally.

**[Valerie Maassberg \(valeriemaassberg@hotmail.com\)](mailto:valeriemaassberg@hotmail.com)**

Q: I thought we were in a drought? Why so much green landscaping? Didn't we just get rid of a golf course?

A: This question has been answered verbally.

**[Valerie Maassberg \(valeriemaassberg@hotmail.com\)](mailto:valeriemaassberg@hotmail.com)**

Q: Sheri, you can ask all 3 of my questions.

A: This question has been answered verbally.

Response: Thank you for your comments.

The applicant has worked with the Clark County School District and has reached an agreement regarding improvements to account for the additional students generated from this development.

As noted within the Staff Report from the City of Henderson, the applicant has submitted a Traffic Study to the City Public Works and Traffic Engineering Department. The Department has reviewed the Traffic Study and has accepted the findings in the study for the proposed 1,275 unit development.

The applicant has submitted master water and sewer reports for the development, and the City has agreed with the preliminary findings and overall approach to providing utilities to the project.

3. **[Tommy Burns \(tjburns641@me.com\)](mailto:tjburns641@me.com)**

Q: I would like to speak.

**[Tommy Burns \(tjburns641@me.com\)](mailto:tjburns641@me.com)**

Q: I would like to speak--not sure which person in control of this.

A: This question has been answered verbally.

Response: Thank you for your comments.

4. **[James Anderson \(jimbo441@embarqmail.com\)](mailto:jimbo441@embarqmail.com)**

Q: I am Denell Hahn, 89005. The Planning Commission has had private briefings with the Developer and his lobbyists in February and March. The neighbors have had a few days to look at this huge plan and a virtual meeting open only to Facebook. Oppose this.

A: This question has been answered verbally.

Response: Thank you for your comments.