



# Development Agreement

## Application Form

Project Name Black Mountain

Project Location Black Mountain Golf Course - north of Horizon Drive, south of the Union Pacific Railroad Henderson Spur, and between Mona Lane and Blackridge Road

Assessor's Parcel Number(s) 179-20-301-001, 179-20-210-001, 179-19-611-001, 179-19-512-002, 179-19-512-001, 179-19-611-003, 179-20-210-006, and a portion of 179-20-401-001 SAM # \_\_\_\_\_

Existing Zoning PS (current) PC (pending) Comprehensive Plan Land Use PS (current) PC (pending)

Gross Acres 204.00 Current Zone PS (current) PC (pending)

Gross Acres \_\_\_\_\_ Current Zone \_\_\_\_\_

Concept Plan Review Application Number CPR-2019003748

Intent of this Request Submittal of a development agreement for Black Mountain development.

Related Applications Comprehensive Plan Amendment, Zone Change, and Tentative Map

|                      |  |                              |                       |
|----------------------|--|------------------------------|-----------------------|
| Property Owner       | Name <u>Black Mountain Golf &amp; Country Club, Inc.</u>   |                              |                       |
|                      | Address <u>P.O. Box 60277</u> City <u>Boulder City</u><br>State <u>NV</u> ZIP Code <u>89006</u> Phone ( <u>702</u> ) <u>293-7343</u> Email _____   |                              |                       |
| Applicant            | Name <u>Black Mountain Golf &amp; Country Club, Inc.</u>   |                              |                       |
|                      | Address <u>P.O. Box 60277</u> City <u>Boulder City</u><br>State <u>NV</u> ZIP Code <u>89006</u> Phone ( <u>702</u> ) <u>293-7343</u> Email _____   |                              |                       |
| Contact Person       | Name <u>Andy Baron / Thomas Amick, AndersonBaron/ Kaempfer Crowell</u>   |                              |                       |
|                      | Address <u>50 N. McClintock Drive / 1980 Festival Plaza Drive</u> City <u>Chandler / Las Vegas</u><br>State <u>AZ / NV</u> ZIP Code <u>85226 / 89135</u> Phone ( <u>480</u> ) <u>699.7956 / 702.792.7000</u> Email <u>andy.baron@andersonbaron.com / tamick@kcnvlaw.com</u>  |                              |                       |
|                      | Fax ( <u>480</u> ) <u>699.7986</u> Alternate Phone ( ) _____<br><small>The person listed as contact will be contacted to attend staff reviews, answer questions regarding this application, provide additional information when necessary, and will receive a copy of the staff report prior to the Planning Commission meeting.</small> |                              |                       |
| Ownership Disclosure | Please list all individuals and entities with an interest in the Applicant and the Owners. Said list should include, without limitation, any and all general partners, corporate officers and managers of limited liability companies with an interest in the Applicant and the Owner.   |                              |                       |
|                      | <b>Name</b>  | <b>Relationship/Position</b> | <b>% of Ownership</b> |
|                      | <u>Black Mountain Golf &amp; Country Club, Inc.</u>  |                              | <u>100%</u>           |
|                      |  |                              |                       |
|                      |  |                              |                       |

By signing this document I acknowledge that to the best of my knowledge the above list includes the names of all owners, officers, general partners, managers of limited liability companies, and all other ownership interests in either the applicant or owner. Only original notary accepted.

Property Owner [Signature]

Print Name RANDOLPH P. SCHAMS PRES

NOTARY

State of Nevada County of Clark  
 This instrument was acknowledged before me by Randolph P Schams  
 on 11/13/2019  
[Signature]  
 Notary Public

|                     |                   |  |  |
|---------------------|-------------------|--|--|
| For Office Use Only |                   |  |  |
| CDEV#               | <u>2020004699</u> |  |  |
| Accepted by         | <u>1/16/20</u>    |  |  |
| Date                | <u>50M</u>        |  |  |



December 12, 2019

**The City of Henderson**  
**Community Development**  
240 Water Street  
Henderson, Nevada 89009-5050

**Re: Black Mountain Justification Narrative**  
○ **Development Agreement**

**APN #: 179-20-301-001, 179-20-210-005, 179-20-210-001, 179-19-611-001, 179-19-512-002, 179-19-512-001, 179-19-611-003, 179-20-210-006, 179-20-211-001, and 179-20-211-020**

On behalf of the Client, Black Mountain Golf Club, LLC, we respectfully submit this justification letter in support of a Development Agreement for the subject development located in the City of Henderson, specifically the now retired Black Mountain Golf Course, north of Horizon Drive, south of the Union Pacific Railroad Henderson Spur, and between Mona Lane and Blackridge Road.

The Black Mountain golf course opened in 1958 with nine holes. The course was expanded to 18 holes in 1963 when the original owner purchased 131 acres of property from the United States Bureau of Land Management (BLM). In 2002 the course further expanded to include 27 holes. In 2013, Black Mountain decided to shut down the Desert Course and return to an 18-hole facility. In March of 2017 Black Mountain Golf Course went into bankruptcy, at which point Randy Schams (Black Mountain LLC) was engaged to purchase the entire Black Mountain golf facility (final release of the BLM Patent and Sale of BLM Property per Bankruptcy Case #17-11540-btb). On November 25<sup>th</sup>, 2018 the Black Mountain Golf Course officially closed. Subsequent neighborhood meetings were held in February of 2019 to discuss a Closure Plan for the course and in May of 2019 the Closure Plan was approved by the City of Henderson City Council. Since that time, significant planning and neighborhood coordination has occurred resulting in this application (Development Agreement).

This development includes ten (10) parcels (as shown on the Clark County Assessors GIS site), which combined are approximately two-hundred and four (204.00) gross acres. Black Mountain is envisioned as an infill development within the City of Henderson, converting a former golf course into a vibrant and sustainable neighborhood that provides a variety of housing types, within a walkable, bikeable, green, and dynamically planned environment. The northern portion of the proposed Black Mountain development is surrounded by existing homes built along the existing golf course fairways, known as the "Founders Course". The proposed development would replace these fairways with single-family detached residential homes with compatible lot sizes and density to the existing residences. The southern portion of the Black Mountain development, known as the "BLM Property", will include a variety of single-family products (including attached and detached products), with varying densities, open spaces and amenities.

#### **Project Information**

- *Project Name:* Black Mountain (a name change may be requested at a future date)
- *Property Size:* 204.00 Gross Acres
- *Existing Comprehensive Plan Land Use:* Public and Semi-Public (PS)

- *Proposed Comprehensive Land Use:* Planned Community (PC)
- *Existing Zoning:* Public and Semi-Public (PS)
- *Proposed Zoning:* Planned Community (PC)
- No portion of project will be age-restricted

**Necessity of a Development Agreement**

Pursuant to Chapter 19.3.18 of the City of Henderson Code, a development agreement shall be developed, for all Planned Communities, that:

- (a) Ensures adequate provision of public facilities and services;
- (b) Provides for a creative arrangement of land uses with respect to each other to the entire planned community and to all adjacent land;
- (c) Provides for a variety of housing types to achieve a balanced community for families of a wide variety of ages, sizes, and levels of income;
- (d) Provides for a planned and integrated transportation system for pedestrian and vehicular traffic, which includes provisions for transportation and roadways, bicycle and/or equestrian paths, pedestrian walkways, and other similar transportation facilities;
- (e) Provide sensitive site planning and design with enhanced landscaping and other site amenities; and
- (f) Provides high-quality structures in terms of community design standards, materials, and layout.

One of the primary objectives of the City and Master Developer is that development of the Property be undertaken in an organized fashion so as to ensure a well-integrated, unique quality residential community with a mix of residential uses, Open Space, Parks, Trails and related uses. The included Development Agreement seeks to accomplish the provisions stated above by outlining the development obligations.

The Master Developer desires to enter into the included Development Agreement to obtain assurance that the Master Developer may develop the Planned Community in accordance with the provisions established in the Development Agreement, including the Development Standards created specifically for the Black Mountain project. The Master Developer acknowledges that there are insufficient public services, facilities and infrastructure existing or planned at this time, and in order to develop the Property, the Master Developer is willing to enter into the included Development Agreement in order to provide certain public services, facilities and infrastructure for the area of the Planned Community.

**Waivers & Code Sections**

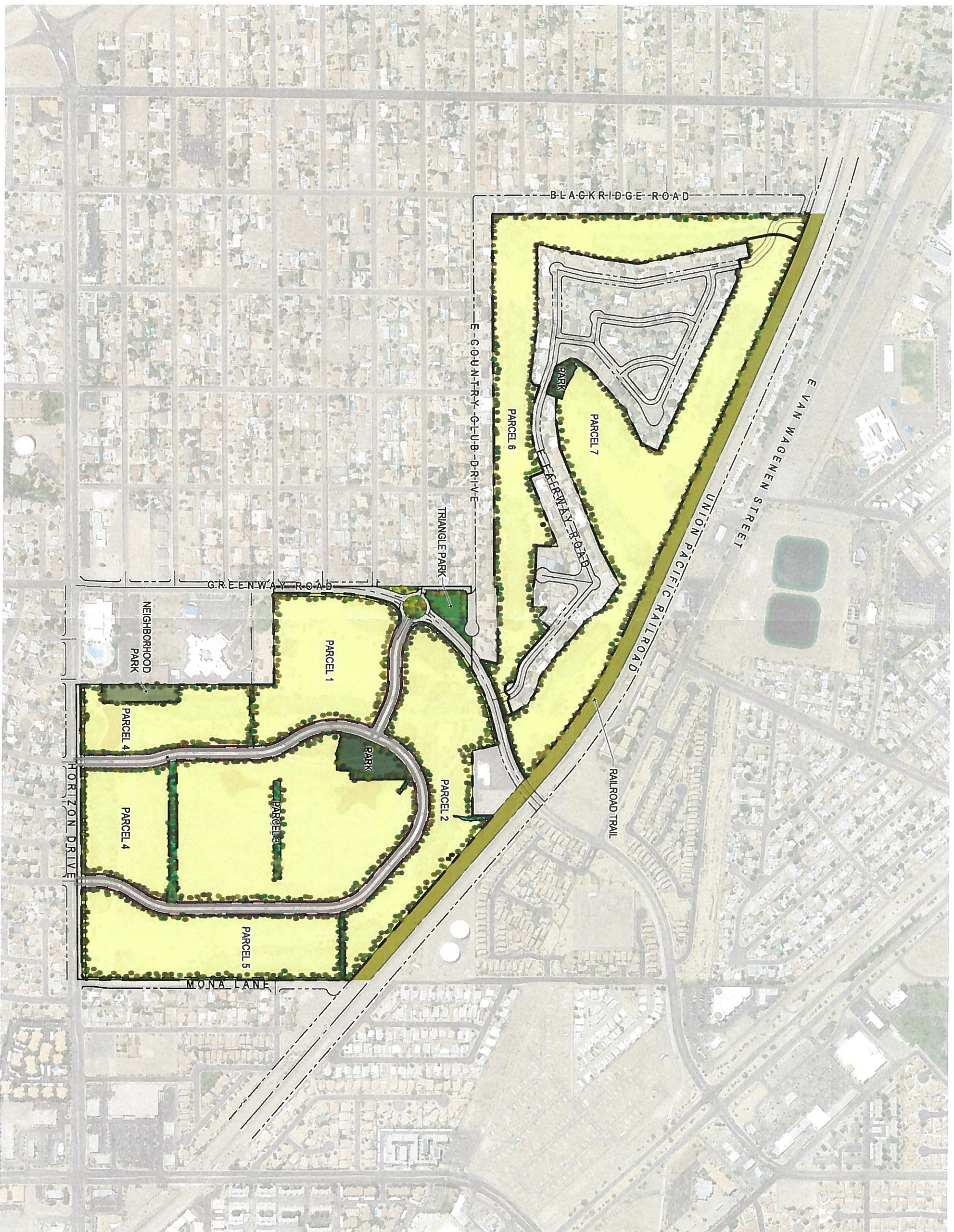
It is the intention of the included Agreement, including the Development Standards, to provide a "development code" for the Planned Community accepted by the City and upon which Master Developer is may rely in developing the Property. The project's Development Standards have been specifically crafted for this site and respond to the existing built environment. These standards will guide the development of a high-quality, compatible, residential community.

Overall, this application is consistent with the goals of the City in that it is a high-quality residential development, that sets a high standard for future development.

Sincerely,



Andrew D. Baron, ASLA, LEED AP  
Principal



Development Agreement Area

**Black Mountain**

150' 300' plan scale 1:300  
date: 01.07.20

