



**AGENDA MEMO**

**CITY COUNCIL MEETING DATE: JULY 2, 2008**  
**DEPARTMENT: PLANNING AND DEVELOPMENT**  
**ITEM DESCRIPTION: RQR-28272 - REQUIRED SIX MONTH REVIEW - PUBLIC HEARING - APPLICANT: NEVADA POWER COMPANY - OWNER: US DEPARTMENT OF THE INTERIOR, BUREAU OF LAND MANAGEMENT**

---

**\*\* CONDITIONS \*\***

**STAFF RECOMMENDATION: APPROVAL**, subject to:

**Planning and Development**

1. Conformance to the conditions of approval for Site Development Plan Review [Z-0095-91(1)], and all subsequent siterelated actions shall be required.
2. The Review of Condition (ROC-2137) shall be reviewed in one year at which time the City Council may require cessation of the use. The applicant shall be responsible for the notification costs of the review. Failure to pay the City for these costs may result in cessation of the use.

**\*\* STAFF REPORT \*\***

This is a required Six-Month Review of an approved Review of Condition (ROC-2137) that allowed the deferment of the required landscaping along the east, north and west sides of the site on property located adjacent to the northwest corner of Iron Mountain Road and Decatur Boulevard.

**BACKGROUND INFORMATION**

| <i>Related Relevant City Actions by P&amp;D, Fire, Bldg., etc.</i> |  |
|--|--|
| 12/04/91   | The City Council approved a Rezoning (Z-0095-91) from R-E (Residence Estates) to C-V (Civic) on property located on the south side of Moccasin Road, west of Decatur Boulevard. The Planning Commission and staff recommended approval on 11/14/91.  |
| 06/27/97   | The Planning Commission approved a Site Development Plan Review [Z-0095-91(1)] for an Electrical Switching Station on property located on 20.00 adjacent to the northwest corner of Decatur Boulevard and Iron Mountain Road. Staff recommended approval of the subject request.   |
| 06/11/98   | The Planning Commission approved a Review of Condition [Z-0095-91(2)] to delay installation of required landscaping. Staff recommended approval of the subject request.  |
| 12/21/00   | The Planning Commission approved a Review of Condition [Z-0095-91(3)] to extend the delay of installation of required landscaping. Staff recommended approval of the subject request.  |
| 02/14/02   | The Planning Commission approved a Review of Condition [Z-0095-91(4)] which allowed an additional deferment of the installation of the required landscaping. Staff recommended approval of the subject request.  |
| 05/21/03   | The City Council approved a Review of Condition (ROC-2137), Condition Number 1 of an approved One-Year Review [Z-0095-91(4)] which stated That the deferment of landscaping shall be allowed until April 1, 2004, In the interim, 3-inch decomposed granite mulch and 36-inch minimum diameter boulders shall be installed along Iron Mountain Road frontage no later than July 1, 2003. Staff recommended approval of the subject case. |
| 08/02/06   | The City Council approved required Three-Year Review (RQR-14779) of an approved Review of Condition (ROC-2137) that allowed the deferment of required landscaping along the east, north and west sides of the site on property located adjacent to the northwest corner of Iron Mountain Road and Decatur Boulevard. This approval was subject to a one-year review.   |
| 10/03/07   | The City Council approved required One-Year Review (RQR-23823) of an approved Review of Condition (ROC-2137) that allowed the deferment of the required landscaping along the east, north and west sides of the site on property   |

|  |  |
|--|--|
|  | located adjacent to the northwest corner of Iron Mountain Road and Decatur Boulevard. This approval was subject to a six-month review. |
|--|--|

|   |
|---|
| <b><i>Related Building Permits/Business Licenses</i></b>      |
| There are no permits or licenses related to this development. |
| <b><i>Pre-Application Meeting</i></b>                         |
| A pre-application meeting is not required, nor was one held.  |
| <b><i>Neighborhood Meeting</i></b>                            |
| A neighborhood meeting is not required, nor was one held.     |

|  |             |
|--|-------------|
| <b><i>Details of Application Request</i></b> |             |
| <b><i>Site Area</i></b>                      |             |
| Net Acres                                    | 13.78 acres |

| <b>Surrounding Property</b> | <b>Existing Land Use</b> | <b>Planned Land Use</b> | <b>Existing Zoning</b>  |
|-----------------------------|--------------------------|-------------------------|-------------------------|
| Subject Property            | Substation               | PF (Public Facilities)  | C-V (Civic)             |
| North                       | Undeveloped              | PF (Public Facilities)  | C-V (Civic)             |
| South                       | School                   | PF (Public Facilities)  | C-V (Civic)             |
| East                        | Undeveloped              | City of North Las Vegas | City of North Las Vegas |
| West                        | Undeveloped              | PF (Public Facilities)  | C-V (Civic)             |

| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
|---|-------------------|------------------|--------------------------|
| <b>Special Area Plan</b>                          |                   | X                | N/A                      |
| <b><i>Special Districts/Zones</i></b>             | <b><i>Yes</i></b> | <b><i>No</i></b> | <b><i>Compliance</i></b> |
| <b>Special Purpose and Overlay Districts</b>      |                   | X                | N/A                      |
| <b>Trails</b>                                     |                   | X                | N/A                      |
| <b>Rural Preservation Overlay District</b>        |                   | X                | N/A                      |
| <b>Development Impact Notification Assessment</b> |                   | X                | N/A                      |
| <b>Project of Regional Significance</b>           |                   | X                | N/A                      |

## ANALYSIS

This request is for the continued deferment of an additional review. The Review of Condition (ROC-2137) from which this review emanates allowed the deferment of the installation of landscaping along the north and west side of the existing Utility Substation until 10/03/2007. Although the applicant has not fully complied with the required landscaping conditions to date, the approved substation is fully operational on the subject site. Since the initial approval of the Site Development Plan Review [Z-0095-91(1)], the applicant moved the transmission structures in the Decatur right-of-way in order to allow for the improvement of the Decatur Boulevard alignment north of Iron Mountain Road which began this May. There has also been considerable coordination with the Bureau of Land Management (BLM) and the Las Vegas Valley Water District (LVVWD) in getting the final authorization to install a water line.

Per Title 19.18.050(J), a Site Development Plan Review is exercised upon the issuance of a building permit for the principal structure on the site. However, per Title 16.12.030, no building permits are required by the City of Las Vegas for the substation as, Electric and telephone utilities operating under franchises granted by the city shall not be subject to the terms of this Chapter in performance of their State imposed duties with respect to electrical facilities owned and operated by the respective utility companies. This reference is specific to Title 16.04.040, which requires conformance by means of approved building permits.

## **FINDINGS**

The continued deferment of the landscaping requirements on this site is considered appropriate as there are multiple improvements underway, including the installation of waterlines, which would affect the successful outcome of the required landscaping installation. The applicant has stated that the landscaping will be ready for installation upon the completion of additional agreements amongst the Bureau of Land Management, the Cities of Las Vegas and North Las Vegas.

The anticipated timeframe for start of construction for the onsite and offsite improvements is estimated around the end of September, 2008. Staff recommends approval of this review, subject to a one-year review. The applicant shall conform to all conditions of approval for Site Development Plan Review [Z-0095-91(1)] and all other site related actions.

**NEIGHBORHOOD ASSOCIATIONS NOTIFIED**                      N/A

**ASSEMBLY DISTRICT**                      N/A

**SENATE DISTRICT**                      N/A

**NOTICES MAILED**                      304

**APPROVALS**                      0

**PROTESTS**                      0