



AGENDA MEMO

CITY COUNCIL MEETING DATE: JULY 15, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: RQR-34327 REQUIRED REVIEW REVIEW OF CONDITION

**APPLICANT: NEVADA POWER COMPANY DBA NEVADA ENERGY - OWNER: US
DEPARTMENT OF INTERIOR (BLM)**

**** 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 site related actions required.
2. All landscaping and irrigation per Site Development Plan Review [Z-0095-91(1)] Condition #7, landscaping and a permanent underground sprinkler system shall be provided as required by the Planning Commission and shall be permanently maintained in a satisfactory manner on the east and south side to be completed by December 15, 2009.
3. The Review of Condition (ROC-2137) shall be placed on an agenda closest to July 2, 2011 at which time the City Council may require the applicant to comply with the site requirements of Site Development Plan Review [Z-0095-91(1)]. 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.
4. The applicant shall remove all trash and debris along the north and west property lines within 30 days of City Council approval.

**** STAFF REPORT ****

PROJECT DESCRIPTION

The subject site currently has a Nevada Power Electrical Switching Substation on a portion of the property located at the corner of Decatur Boulevard and Iron Mountain Road: the remaining land is undeveloped. This application is in response to a Required Review of a previously approved Review of Condition (ROC-2137) that allowed the deferment of the required landscaping along the east, north and west sides of the property adjacent to the northwest corner of Iron Mountain Road and Decatur Boulevard.

Since the approval of the Site Development Plan Review [Z-0095-91(1)], the applicant had received three separate approvals for the deferments of required landscaping. On May 21, 2003, the City Council approved a request for a Review of Condition (ROC-2137) to delete Condition Number 1 of a previously approved Site Development Plan Review [Z-0095-91(4)] that required, three inch decomposed granite mulch and 36-inch minimum diameter boulders to be installed along the Iron Mountain Road Frontage (south property line), while deferring the required landscaping requirements along the east, west, and north property lines of the site. Since that time, three subsequent requests for deferments along the east, west, and north property lines of the site have been approved, with no mention to the southern property line.

Construction of off-site improvements and the installation of required landscaping along the east property line (Decatur Boulevard) began on 6/29/09 with an estimated completion date of 8/21/09, along the south property line (Iron Mountain Road) on 6/29/09 with an estimated completion date of 09/27/09. The applicant is requesting to continue the deferment of the required landscaping along the west and north sides of the site for an additional four years until plans for the undeveloped land can be determined. Staff recommends approval with conditions with a two-year time limit.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
06/26/97	The Planning Commission approved a request for a Site Development Plan Review [Z-0095-91(1)] for a proposed Electrical Switching Station on property located on the northwest corner of Decatur Boulevard and Iron Mountain Road.

06/11/98	The Planning Commission approved a request for a Review of Condition [Z-0095-91(2)] to delay installation of required landscaping on property located on the northwest corner of Decatur Boulevard and Iron Mountain Road.
12/11/01	The Planning and Development Department approved a request for a Site Development Plan Review (SD-0067-01) for proposed Electrical Overhead Transmission Lines located adjacent to the south side of the Moccasin Road Alignment between US-95 and Jones Boulevard, bearing east-southeast from Moccasin Road and Jones Boulevard to Decatur Boulevard.
02/07/01	The City Council approved a request for a Required Review [Z-0095-91(3)] of a previously approved Review of Condition for 20 acres on the northwest corner of the intersection of Decatur Boulevard and Iron Mountain Road, which allowed the delay of the installation of the required landscaping. The Planning Commission recommended approval on 12/21/00.
03/20/02	The City Council approved a request for a Required Review [Z-0095-91(4)] of a previously approved Review of Condition, which allowed the deferment of the installation of the required landscaping in conjunction with an Electrical Substation. Condition Number 1 states, In the interim, 3-inch decomposed granite mulch and 36-inch minimum diameter boulders shall be installed along the southern frontage no later than July 1, 2003. Required landscaping along the east, west, and north property lines of the site were deferred until April 1, 2004. The Planning Commission recommended approval on 02/14/02.
05/21/03	The City Council approved a request for a Review of Condition Number 1 (ROC-2137) of a previously approved Review [Z-0095-91(4)] to delete the requirements to install 3-inch decomposed granite mulch and 36-inch minimum diameter boulders along the southern frontage no later than July 1, 2003, and to defer the installation of required landscaping along the east, west, and north property lines of the site for an additional three years.
08/02/06	The City Council approved a request for a Required Review (RQR-14779) of a previously 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.
10/03/07	The City Council approved a Required Review (RQR-23823) of a previously 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.

07/02/08	The City Council approved a Required Review (RQR-28272) of a previously 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.
<i>Related Building Permits/Business Licenses</i>	
No business licenses or building permits have been issued for the subject property.	
<i>Pre-Application Meeting</i>	
A pre-application meeting is not required for this type of application, nor was one held.	
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of application, nor was one held.	

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	161.27

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject	Nevada Power Substation	PF (Public Facilities)	C-V (Civic)
North	Undeveloped Land	PF (Public Facilities)	C-V (Civic)
South	Single-Family Residential)	ML (Medium-Low Density Residential)	R-PD7 (Residential Planned Development-7 Units per Acre)
	School	PF (Public Facilities)	C-V (Civic)
East	Undeveloped Land	North Las Vegas	North Las Vegas
West	Undeveloped Land	DR (Desert Rural)	R-E (Residence Estates)
	Single-Family Residences	L (Low Density Residential)	R-PD4 (Residential Planned Development-4 Units per Acre)

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

ANALYSIS

The subject site has a Nevada Power Electric Switching Substation on a portion of the land, with the remaining land undeveloped. Since the original approval of the Review of Condition (ROC-2137) in February 2001, the applicant has received six (6) approved deferments of the required landscaping. The Utility Substation is fully operational. The applicant anticipates beginning construction of off-site improvements and the installation of required landscaping along the east (Decatur Boulevard) and south (Iron Mountain Road) sides of the property starting 6/29/09 with estimated completion dates of 8/21/09 and 09/27/09 respectively. Staff conducted a field check of the subject property on 06/29/09 and confirmed the absence of landscaping along all perimeter property lines, but construction crews were present to begin on-site and off-site improvements. Additionally, there was an abundance of trash and debris scattered along the perimeter of the north and west property line of the substation.

This request is to continue the deferment of required landscaping and off-site improvements along the west and north sides of the site for an additional four years due to the lack of plans for the undeveloped portion of the parcel.

FINDINGS

Off-site improvements and the installation of the required landscaping on the east and south sides of the property are estimated to be completed by September 2009. The south side landscaping was to have been completed with an interim requirement to install 3-inch decomposed granite mulch and 36-inch minimum diameter boulders by July 1, 2003, but the condition was later deleted by City Council on May 21, 2003, with no further mention regarding the southern frontage landscaping in subsequent reviews. Staff recommends approval of this Required Review with conditions with a two-year time limit. Conformance to all conditions of approval of Site Development Plan Review [Z-0095-91(1)], Review of Condition (ROC-2137) and all other site related actions shall be required.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

N/A

ASSEMBLY DISTRICT N/A

SENATE DISTRICT N/A

NOTICES MAILED 304

APPROVALS 0

PROTESTS 0