



**PLANNING COMMISSION AGENDA
REGULAR MEETING**

**COUNCIL CHAMBER, 401 CALIFORNIA AVENUE,
BOULDER CITY NV 89005**

**Wednesday
November 16, 2016 – 7:00 PM**

ITEMS LISTED ON THE AGENDA MAY BE TAKEN OUT OF ORDER; TWO OR MORE AGENDA ITEMS FOR CONSIDERATION MAY BE COMBINED; AND ANY ITEM ON THE AGENDA MAY BE REMOVED OR RELATED DISCUSSION MAY BE DELAYED AT ANY TIME.

CALL TO ORDER

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

PUBLIC COMMENT DURING THIS PORTION OF THE AGENDA MUST BE LIMITED TO MATTERS ON THE AGENDA FOR ACTION. EACH PERSON HAS UP TO FIVE MINUTES TO SPEAK. IF AN AGENDA ITEM IS ALSO LISTED AS A PUBLIC HEARING, PERSONS MAY WAIT TO SPEAK UNTIL THAT PARTICULAR ITEM.

AGENDA

For possible action: APPROVAL OF AGENDA

1. For possible action: Approval of Minutes:
 - A. Minutes of the October 19, 2016 regular Planning Commission meeting
 - B. Minutes of the October 19, 2016 Planning Commission and Historic Preservation Committee Special Joint Workshop
2. For possible action: V-16-617 – Tim Guffey – 621 Kendrick Place: A **public hearing** on an application for a variance in the R1-7, Single-Family Residential Zone to permit a new addition to the house with a rear setback of 10' and to legalize existing rear setbacks of 7', 10' and 12' for the house (per the applicant's site plan), whereas Section 11-21-2.A.1.b of the City Code requires a minimum rear setback of 15' for this house
3. For possible action: MISC-16-004 – Resolution No. 1145 – Boulder Rifle & Pistol Club, Inc. – 2700 Utah Street: An application for new aboveground electrical distribution lines, including conversion of an existing temporary aboveground electrical distribution line to a permanent aboveground line, whereas Section 9-6-2.B of the City Code requires all new permanent electrical distribution line extensions to be made underground

4. For possible action: 2017 Land Management Plan – Resolution No. 1146 – City of Boulder City: A **public hearing** and recommendation to the City Council on three of the proposals for the Land Management Plan for 2017:
 - A. Zelaya proposal (~91 acres north of US 93 & Veterans Memorial Drive, for recreational use)
 - B. City proposal #1 (~586 acres SE of the US 93/US 95 interchange, for highway commercial / light industrial / manufacturing / related uses)
 - C. City proposal #2 (~1,171 acres south of the landfill and the BC Rifle & Pistol Club, for light industrial / manufacturing / related uses)

(Additional proposals forwarded by the City Council will be considered by the Planning Commission at a future workshop in early 2017)

5. Monthly Progress Report on Development Allotments
6. For possible action: Committee/Commission Absences
7. Public Comment

Each person has up to five minutes to speak. Comments made during the Public Comment period of the agenda may be on any subject. There shall be no personal attacks against the Chair, members of the Planning Commission, the City staff, or any other individual. No person, other than members of the Planning Commission and the person who has the floor, shall be permitted to enter into any discussion, either directly or through a member of the Commission without the permission of the Chair or Presiding Officer. No action may be taken on a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action will be taken.

All decisions for action items on this agenda are final by the Planning Commission, unless they are recommendations to the City Council, or appealed to the City Council. As per Section 11-34-4 of the Boulder City Code, appeals must be filed within seven (7) calendar days of the decision.

Supporting material is on file and is available for public inspection at the City Clerk's Office, 401 California Avenue, Boulder City, Nevada 89005 and the Boulder City website at www.bcnv.org, as per NRS 241. To request supporting material, please contact the City Clerk at (702) 293-9208 or lkrumm@bcnv.org.

Notice to persons with disabilities: Members of the public who are disabled and require special assistance or accommodations at the meeting are requested to notify the City Clerk by telephoning (702) 293-9208 at least seventy-two hours in advance of the meeting.

This notice and agenda has been posted on or before 9 a.m. on the third working day before the meeting at the following locations:

Boulder City Hall, 401 California Avenue
United States Post Office, 1101 Colorado Street
Boulder City Senior Center, 813 Arizona Street
Boulder City Parks & Recreation, 900 Arizona Street
www.bcnv.org

Item 1 - Minutes

SUBJECT:

1. For possible action: Approval of Minutes:
 - A. Minutes of the October 19, 2016 regular Planning Commission meeting
 - B. Minutes of the October 19, 2016 Planning Commission and Historic Preservation Committee Special Joint Workshop

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
☐ Minutes, item 1A	Backup Material
☐ Minutes, item 1B	Backup Material
☐ blank page	Backup Material

DRAFT

PLANNING COMMISSION REGULAR MEETING

October 19, 2016

(Agenda previously posted in accordance with NRS 241.020.3(a))

CALL TO ORDER

The regular meeting of the Boulder City Planning Commission was called to order by Chairman Giannosa at 7:00 p.m. Wednesday, October 19, 2016, in the Council Chamber, City Hall, 401 California Avenue, Boulder City, Nevada, in accordance with the Commission's Rules of Procedure, with the following members present:

Present: Chairman Jim Giannosa
 Commissioner Cokie Booth
 Commissioner Glen Leavitt
 Commissioner Paul Matuska
 Commissioner Fritz McDonald
 Commissioner John Redlinger
 Commissioner Steve Walton

Absent: None

Also present: Community Development Director Brok Armantrout
 Deputy City Clerk Tami McKay

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Chairman Giannosa noted this was the public comment period for matters pertaining to items on the agenda.

Nathaniel Montague said his home was located across the street from the proposed development on Park Place. He said reducing the zoning would offer no advantages to the City, and it wouldn't be fair to the surrounding homeowners. He said changing the zoning only benefitted the developer. He said he wasn't opposed to development, but preferred smaller lots be built in an area that's undeveloped.

George Rhee said there was no lot plan and the lot sizes weren't specific, and the applicant's justification for the rezoning was inadequate. He said the median income in Boulder City is \$60,000 and the lot prices were not in line with that price. He said Mr. Schams had previously met with the neighbors and what he told them was different (only 6 to 8 homes) than the proposal before the Planning Commission. He said the proposed development would increase the water and energy consumption for Boulder City residents.

Don Jacobson said the plans the developer proposed to neighbors had fewer homes than what was being requested of the City. He said he questioned where the ingress

and egress would be located on the property. He said he preferred the number of homes and site plan be reviewed before making a decision.

Claudia Bridges said she had attended the neighborhood meeting offered by Mr. Schams and said she was fine with the proposal he had presented then. She said she was surprised to learn the number of homes had increased since that time. She said she now had a lack of trust with the developer. She said this was concerning to her because she had a vested interest in the neighborhood.

Camille Ariotti said referenced a sign in City Hall that said "Preserving Our Past...Managing Our Future." She said the proposed development was not in line with preservation. She said there should not be a historic district if it's not going to be preserved.

Ray Fredericksen of Per4mance Engineering and Consulting said the applicant was officially withdrawing his application to rezone 701 Park Place.

Fred Bachhuber said he, along with 25 other concerned residents, had attended the October 13th neighborhood meeting with Mr. Schams. He said they were told there would be no more than 8 single-story homes. He said they had been lied to and he felt violated.

Candy Nix said rezoning to 5,000 square foot lots would allow 16 homes to be built. She said she was opposed to this request because of increased traffic and water usage. She said the development would be disrespectful to the surrounding historic homes and she was not happy about it.

Mike Morton referred to City Code, Title 5, Chapter 1 requirements for a demolition permit. He said one of the requirements was that a site plan for the proposed development be submitted before the old hospital was demolished, and it had not been. He suggested the Planning Commission and Historic Preservation Committee work together to make the process for demolition permits harder to obtain. He said he believed there could be potential safety concerns with R1-5 zoning because the homes are close together. He said fires could spread quickly from roof to roof.

Bill Rackey said he would have liked to see a site plan for development of homes built on 5,000 square foot lots and for homes on 7,000 square foot lots because there is a considerable difference. He said the zoning amendment should not be discussed without a plan. He said he was disappointed the applicant withdrew the request because he would have liked to see the developer's ideas. He said this meeting was a waste of everyone's time.

Mary Shope Wiles disclosed she was speaking tonight as a private citizen and not on behalf of her husband or her employer. Said she was hear tonight regarding Item No. 3 and believed the application was inaccurate. She said the application allowed for up to 12 homes but Mr. Schams had informed the neighbors the development would include no more than 8 homes. She said she checked the Secretary of State's website and learned the engineering firm for the project did not have a valid business license as a

professional engineer which was concerning to her. She said she had read an article provided by the City that stated bigger homes generate more noise. She said her home was located on Hillside Drive and there was a lot of noise that came from the gazebo near City Hall and said more homes would mean more noise. She said the existing neighborhood was already zoned R1-7. She said Mr. Schams had indicated a portion of Avenue I would have to be expanded which was concerning to her because of the granite bedrock in the area. She said her home was older and situated on a line of bedrock. She thanked the Planning Commission for their dedication. She also said she personally liked Randy and Jackie Schams, but would like more information.

Kiernan McManus said the R1-5 designation for the city had been approved based upon the square footage of a lot. He said the designation does not just reduce the lot size, it also allows more house coverage on a lot. He said the existing zoning in the area is R1-7 which was most common in Boulder City. He said R1-5 zoning would not be in character with the historic district.

AGENDA

For possible action: APPROVAL OF AGENDA

Motion: Remove Item No. 3 and Approve the Agenda.

Moved by: Member Booth. **Seconded by:** Member McDonald.

Vote:

AYE: Chairman Jim Giannosa, Member Cokie Booth, Member Glen Leavitt, Member Paul Matuska, Member Fritz McDonald, Member John Redlinger, Member Steve Walton (7)

NAY: None (0)

Absent: None (0)

The motion was approved.

1. For possible action: Approval of the Minutes of the September 21, 2016 regular meeting

Motion: Approve the Minutes.

Moved by: Member Booth. **Seconded by:** Member Giannosa.

Vote:

AYE: Chairman Jim Giannosa, Member Cokie Booth, Member Glen Leavitt, Member Paul Matuska, Member Fritz McDonald, Member John Redlinger, Member Steve Walton (7)

NAY: None (0)

Absent: None (0)

The motion was approved.

2. For possible action: City of Boulder City – 17441 S US Highway 95 – Additional Energy Resource Zone area, Eldorado Valley: Matters pertaining to modifying the Master Plan and Zoning Map boundaries to increase area for solar development:

A. Neighborhood meeting to explain a proposed Master Plan Amendment as per NRS 278.210.2, and a summary of a proposed rezoning

B. **Public hearing** on a proposed Master Plan Amendment and a proposed rezoning

C. MPA-16-034 – Resolution No. 1142: Adoption and recommendation to the City Council on a proposed amendment to the Master Plan Future Land Use Map to change the land use designation for approximately 441 acres in the Eldorado Valley Transfer Area from Open Lands to Manufacturing-Energy

D. AM-16-330 – Resolution No. 1143: A recommendation to the City Council on a proposed amendment to the Zoning Map to rezone approximately 441 acres in the Eldorado Valley Transfer Area from GP, Government Park to ER, Energy Resource

A staff report had been submitted by City Planner Danielewicz and included in the Agenda packet.

Community Development Director Armantrout said the City of Boulder City was the applicant for this request. He said the City Council had recently approved an amendment to the SunPower lease and their counsel had requested the correct zoning be in place for the option areas. He said the City had no objection to their request. He said to be consistent with State law, the City was required to hold a neighborhood meeting to provide an explanation of the proposed amendment. He noted tonight's meeting would satisfy both the neighborhood meeting and public hearing requirements for the Planning Commission.

In response to Chairman Giannosa, Community Development Director Armantrout said the area being realigned would not affect the portion of the dry lake bed used for recreational purposes.

In response to Member Matuska, Community Development Director Armantrout said the agreement with SunPower was approved for solar use and it would not have an impact on US 95.

Member Redlinger noted the plants located in Primm, Nevada, used a solar tower system that required water and questioned if water was available in the Eldorado Valley.

Community Development Director Armantrout noted the City-leased land was too small for the same type of technology used in Primm, Nevada.

Member Leavitt said he remembered the City Council stating their intent was to keep the dry lake bed available for recreational use.

Chairman Giannosa stated this was the time and placed scheduled to conduct a neighborhood meeting and public hearing. He asked for public input and no comments were offered. Chairman Giannosa declared the neighborhood meeting and public hearing closed.

Motion: Approve Resolution No. 1142 for MPA-16-034 and Resolution No. 1143 for AM-16-330.

Moved by: Member Booth. **Seconded by:** Member Walton .

Vote:

AYE: Chairman Jim Giannosa, Member Cokie Booth, Member Glen Leavitt, Member Paul Matuska, Member Fritz McDonald, Member John Redlinger, Member Steve Walton (7)

NAY: None (0)

Absent: None (0)

The motion was approved.

3. For possible action: AM-16-331 – Resolution No. 1144 – RPS Properties, LLC- 701 Park Place: A **public hearing** and recommendation to the City Council on a proposed amendment to the Zoning Map to rezone approximately 2 acres from R1-7, Single-Family Residential to R1-5, Single-Family Residential

This item was removed from the agenda based upon the applicant withdrawing his request.

4. Monthly Progress Report on Allotments

A staff report had been submitted by City Planner Danielewicz and included in the Agenda packet.

No comments offered.

5. For possible action: Committee/Commission Absences

None.

6. Public Comment

Brok Armantrout said he understood the public's concern about not seeing a site plan for proposed development, but the rezoning application process did not require it. He a site plan is not required until the subdivision phase which required an analysis and proposed subdivision map.

Member McDonald encouraged the applicant to include a development plan with future requests.

There being no further business to come before the Planning Commission, Chairman Giannosa adjourned the meeting at 7:51 p.m.

Jim Giannosa, Chairman

ATTEST:

Tami McKay, Deputy City Clerk

Minutes Approved: _____

DRAFT
PLANNING COMMISSION
and
HISTORIC PRESERVATION COMMITTEE
SPECIAL JOINT WORKSHOP

October 19, 2016

(Agenda previously posted in accordance with NRS 241.020.3(a))

CALL TO ORDER

The Special Joint Workshop of the Boulder City Planning Commission and Historic Preservation Committee was called to order by Chairman Giannosa at 7:58 p.m. Wednesday, October 19, 2016, in the Council Chamber, City Hall, 401 California Avenue, Boulder City, Nevada, in accordance with the Commission's Rules of Procedure, with the following members present:

Present: Planning Commission Chairman Jim Giannosa
Planning Commissioner Cokie Booth
Planning Commissioner Glen Leavitt
Planning Commissioner Paul Matuska
Planning Commissioner Fritz McDonald
Planning Commissioner John Redlinger
Planning Commissioner Steve Walton

Historic Preservation Committee Chairman Steve Daron
Historic Preservation Committee Member Alan Goya
Historic Preservation Committee Member Linda Graham
Historic Preservation Committee Member Kiernan McManus

Absent: None

Also present: Community Development Director Brok Armantrout
Deputy City Clerk Tami McKay

PLEDGE OF ALLEGIANCE

PUBLIC COMMENT

Chairman Giannosa noted this was the public comment period for matters pertaining to items on the agenda. No comments were offered.

AGENDA

For possible action: APPROVAL OF AGENDA

Motion: Approve the Agenda.

Moved by: Member McDonald. **Seconded by:** Member Booth.

Vote:

AYE: Chairman Jim Giannosa, Member Cokie Booth, Member Glen Leavitt, Member Paul Matuska, Member Fritz McDonald, Member John Redlinger, Member Steve Walton (7)

NAY: None (0)

Absent: None (0)

The motion was approved.

1. Discussion of proposed amendment to Chapter 11-27 of the City Code, Historic Resources, Purpose statement (AM-16-327)

Chairman Giannosa asked why the letter from the City Attorney had been dated October 11th, but had not been emailed to the Planning Commission (PC) until October 18th? He also asked if the letter had been sent to the Historic Preservation Committee (HPC).

Deputy City Clerk McKay explained City Attorney Olsen had begun drafting the letter on October 11th, but had not finalized it until the 18th. She confirmed the letter had also been emailed to the Historic Preservation Committee.

Member Leavitt said he was in agreement with the City Attorney's opinion because it was the same position he voiced at the previous meeting. He said he didn't have any issues with the current language in the city code. He suggested there may be a gap in collaboration between the HPC, PC and City Council, but revising the language wasn't necessary for that to happen.

Member Booth said she was familiar with the private sector, but not the government sector so her initial opinion was different than the opinion of the City Attorney. She said her opinion has changed and she believes the current code is working and should be left as is. She said residents had expressed concern to her about not being able to demolish their privately owned homes if they wanted to. She thanked the HPC for their hard work.

Member Redlinger said some friends of his moved to Boston and learned that history there is much older and played a much more significant role there. He said he wasn't sure following the guidelines of a much older state such as Connecticut was right for Boulder City.

Member McDonald said the demolition of the old hospital had sparked a lot of interest. He said the PC was procedurally bound to follow the rules established by the city code, and 45 days may not be enough time for review, but at the time, extending the time

period could have opened the City to litigation. He believes maybe the code should be changed to require a 90 day period as the time before a demolition could occur in a historic area. He said we don't want to lose the identity of historic area, but losing an individual building doesn't destroy the district. He said we want to preserve history, but was concerned about protecting buildings because of potential litigation with that language. He said he doesn't want the code to mandate protection. He said the entire community will need to get behind the idea of protection if that's what they want, which will be an overhaul of the entire chapter and not just the purpose statement. He asked again if the HPC's goal was to become an authoritarian body more than an advisory committee.

Member Goya said there is always a lot of misunderstanding, so he got involved with the HPC to learn the facts. He said alternatives to demolition are supposed to be provided and he believes 45 days is not enough time to find alternative uses and buyers. He said 90 days is a good suggestion.

Member Matuska said the language could be fine-tuned to relieve the city of any burdens. He said he agrees with the proposed subsections 7, 8 and 9 of section 11-27-2.B. He said he is in favor of historic preservation and that it's sad we don't place the same value on history as the east coast. We are the city that built the Hoover Dam; why wouldn't we protect the history of this unique community? He thinks residents and the community should be made aware that preservation is a goal of the City without making mandates.

Member McManus reminded the PC that the proposed code language only applies to the historic district, not the entire city. He said it was defined as a historic district in the early 80's so this is nothing new. He said people understand when we lose historic buildings they are lost from our history. He gathered signatures of approximately 1500 residents who did not want the old hospital demolished. He said residents don't want developers to come in and do whatever they want in the historic district. He said not only was the Connecticut code reviewed, they reviewed the language in Carson City and other places and this type of language is common throughout. The language has been challenged in courts. He said Boulder City's code is unusual because it is very lax; he didn't see other codes like ours.

Member Graham said our history is significant and we need to take the historic district seriously. She said the City Attorney only objected to the language in Section 11-27-1 so she thought that language could be removed. She said it was not her intent that the HPC be anything other than advisory.

Member McDonald said he's not in favor of government overreach, such as for mandates or permits on interior remodels. He asked the reasoning for the change of language, and was concerned it would go beyond education and encouragement.

Member McManus said preservation codes focus on exterior preservation, not generally interior remodels and encouraged PC members to look up various codes online.

Chairman Daron reminded the PC that the code allows the HPC to create guidelines which have to be approved by the City Council, but that the code doesn't give the HPC the teeth to go beyond this.

Member Leavitt said he had the same question as Member McDonald, as to what the reasoning is for the proposed change.

Member Graham said she thought the concern is the HPC has not been active enough in the community.

Member Goya said the HPC should be the primary advocate for historic preservation. He said City Council members told them to look at revising the code. He said their responsibility is to seek public feedback and should include the entire community.

Member Booth said she agreed with Member McDonald's comment about possibly changing some aspects of the code such as the delay period before a demolition. She suggested leaving the purpose statement as is and proposing some other amendments instead.

Member Redlinger said he opposed the demolition of the old hospital because he didn't see any evidence that anyone tried to preserve the building.

Member Leavitt said the building sat vacant for years and no one tried to preserve it over that time.

Chairman Giannosa said no one ever stepped up to preserve the hospital. He understands the historic value, but said a private property owner can do what is allowed by the city code and the city should not have mandates for preservation of private property.

Member McDonald said procedures in the code could be improved without resorting to mandates.

Chairman Giannosa encouraged the City to deal with preserving the publicly-owned buildings.

Member Booth said the existing code language could be improved without forcing mandates on private property owners.

Mike Morton said the public was upset about the hospital because the perception was the building seemed to have been purchased as a back door deal. He said the historic nature of the neighborhood should be considered and he would like guidelines in place for new construction in the historic district. He said if a home is torn down in the historic area anyone can build whatever they want, regardless of whether it's appropriate for the area. He said Boulder City is a great place and should be marketed appropriately to emphasize the historic district and all of the other assets here.

Chairman Giannosa said he believes the City should start the practice and protect the city-owned buildings within the historic district and also improve the streetscape along the avenues. He said the focus of the comments on preservation was for the tree street area.

Member McManus said he heard from residents that more needed to be done to protect the district. He explained that the district was established based on a detailed survey of *all* of the buildings now in the district, not just the tree street area. He said that people have finally realized that being in the official historic district does not offer any protection, and that there is no real effort on the part of city government to protect the district either.

Member Graham said she appreciated the discussion with the PC members. She appreciates that the historic area is very important and the residents there want to protect their property values. She commended the city for its recent improvements downtown and to City Planner Danielewicz for her efforts in helping the HPC. She said the City Attorney only objected to some of the language, so the remaining language could be considered. She said she was in favor of private property rights and suggested more could be done to educate the residents in the historic area about what should be done.

Member McDonald said he didn't believe the public would be in favor of mandates. He suggested finding alternatives such as incentives like tax credits. He said the focus should be education and encouraging historic preservation.

Member Leavitt said there seemed to be a misperception that the city was anti-preservation. He said he had lived in Boulder City for 32 years and believed most residents were supportive of historic preservation.

Member McManus suggested everyone take a look at the language of City of Las Vegas' Historic Preservation code, as well as other cities throughout the southwest. He said he was happy about the joint workshop because it was a good process to discuss historic preservation.

Member Leavitt said any enforcement of historic preservation would be determined by the City Council.

Member McManus suggested a process be established so the HPC could issue a Certificate of Appropriateness if they agreed with changes proposed by homeowners in the historic district. If the Committee did not issue the Certificate, an appeal to the Planning Commission would follow.

Member Leavitt said he did not believe the language of the HPC's purpose needed to be changed. He said the HPC should be educating and informing the public and can do so without further code changes.

Mike Morton said most people who purchase homes in the historic district do so with the intent to keep it historic. He said stronger regulations are needed to prevent the rare

example of someone doing something inappropriate that would hurt the property values and character of the area.

Member Goya said elected officials should be accountable to help preserve the historic district.

In response to a question by Member Walton, Community Development Director Armantrout noted any proposed changes to the Historic Preservation code require a recommendation by the Planning Commission. He said the purpose of this workshop was to see if the HPC and PC could agree on changes before the HPC brings a revised code back for consideration.

Member Walton said he had a few observations such as the language could be debated further, but it seemed to be pointless unless the building codes were amended too. He said he believed the city code could include architectural requirements for the historic area. He said since the members of the HPC felt they had not been made aware of the old hospital demolition early enough, perhaps going forward they should be more aware of the important historic buildings and their owners.

Member McDonald said issuing a Certificate of Appropriateness would be acceptable to him, because it didn't infringe upon an owner's rights. He said the City should encourage but not mandate historic preservation. He said he would be comfortable with the Certificate process and would support it.

Chairman Giannosa said he would prefer to read codes for communities where their historic preservation regulations were in their infancy stage, rather than reading codes for communities that have been dealing with this much longer.

Member Leavitt said he was not comfortable with making owners jump through a bunch of hoops to do anything in the historic district.

Member Redlinger suggested the City start the process by preserving its public buildings and Chairman Giannosa agreed.

Member Leavitt said adding new language would not be necessary if the HPC were not seeking permission to become an enforcing body. He said he would probably not be willing to support the changes the HPC would request if they wanted to go that direction.

Member McManus reminded the PC that the City Council will have the final decision on this matter, not the HPC or PC. He said the HPC wanted to get input from the PC and City Council and appreciated the opportunity for this discussion.

Member McDonald said he believed the process to obtain a demolition permit for a building in the historic district should take longer than 45 days. He said this would allow more opportunity to educate, and said sales of properties in the historic district should be reviewed by the HPC. He said he would not support a mandate but would support having the code make it more difficult to tear down buildings.

Chairman Giannosa said the City cannot get involved in the sale of private property.

Member McManus said the goal is to preserve the buildings, not to create problems for the owners. He said if the owner changes their mind because the process makes it difficult, then that would be a win.

Member Leavitt disagreed and did not want to see any infringement on private property rights.

Mike Morton said most preservation codes make it more difficult to tear down buildings, with multiple approval layers and a longer review period.

Member Booth said she had a problem with adding regulations like CC&Rs to existing private properties because it could have legal ramifications.

Member McManus said many preservation codes have withstood legal challenges.

Member Graham said she heard three suggestions discussed tonight, being a Certificate of Appropriateness, extending the time for demolition of a building, and more education about the code. She said the HPC could discuss these further and bring back something for the PC to review.

Member Leavitt said he read the minutes from the previous HPC and other meetings and the comments alluded that the Committee wanted more authority. He said he believed there could be a compromise. He said his decision would be based on what he thinks the residents would want rather than his personal opinion. He reiterated that he supports preservation.

Member Graham said she made notes of the Planning Commission's comments and plans to discuss them at the next HPC meeting.

Member Matuska said he's hearing from the community that historic preservation is important, but the challenge was understanding the will of the community. He wondered if there could be a larger workshop that also included the City Council.

Community Development Director Armantrout said the intent of the workshop was for the HPC to discuss the comments offered by the PC and City Council, so they could propose a revised amendment.

Chairman Giannosa said he believed preservation should be a discussion topic for the entire community not just those who reside in the historic district. He said the HPC represents the interests of the historic district but the PC has to consider the good of the entire community.

Member Leavitt apologized for appearing upset about attacks that were made against the PC regarding the hospital matter, but said he's passionate about the community and is open to further discussion about the historic district.

Member Goya suggested another joint meeting take place at the regular day and time when the HPC meets to get input from the public that attends their meetings.

Member Booth said it was her opinion the HPC should provide the specific proposed regulations they would like to see changed instead of just changing the purpose language.

Member McManus said they chose this approach because they were concerned about proposing amendments without feedback offered by the Planning Commission.

Member Redlinger said he believed enforcement of historic preservation could be problematic.

Members of the PC and HPC agreed that there should be more joint discussion like this.

2. Public Comment

None.

There being no further business to come before the Planning Commission and Historic Preservation Committee, Chairman Giannosa adjourned the meeting at 9:54 p.m.

Jim Giannosa, Chairman
Planning Commission

Steve Daron, Chairman
Historic Preservation Committee

ATTEST: _____
Tami McKay, Deputy City Clerk

Minutes Approved: _____

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Item 2 - V-16-617

SUBJECT:

For possible action: V-16-617 – Tim Guffey – 621 Kendrick Place: A **public hearing** on an application for a variance in the R1-7, Single-Family Residential Zone to permit a new addition to the house with a rear setback of 10' and to legalize existing rear setbacks of 7', 10' and 12' for the house (per the applicant's site plan), whereas Section 11-21-2.A.1.b of the City Code requires a minimum rear setback of 15' for this house

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
☐ Item 2 report	Cover Memo
☐ Item 2 backup	Backup Material
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Agenda Item No. 2 Planning Commission Meeting November 16, 2016

Staff Report

**BOULDER CITY
PLANNING COMMISSION**

TO: Planning Commission

**CHAIRMAN
JIM GIANNOSA**

FROM: Susan Danielewicz, City Planner
Community Development Department

**MEMBERS:
COKIE BOOTH
GLEN LEAVITT
PAUL MATUSKA
FRITZ McDONALD
JOHN REDLINGER
STEVE WALTON**

DATE: November 10, 2016

SUBJECT: V-16-617 – Tim Guffey – 621 Kendrick Place: A **public hearing** on an application for a variance in the R1-7, Single-Family Residential Zone to permit a new addition to the house with a rear setback of 10' and to legalize existing rear setbacks of 7', 10' and 12' for the house (per the applicant's site plan), whereas Section 11-21-2.A.1.b of the City Code requires a minimum rear setback of 15' for this house

**MEETING LOCATION:
COUNCIL CHAMBERS
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005**

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Action Requested: That the Planning Commission conduct the required public hearing and consider the request for a variance (V-16-617) as noted above.

**WEBPAGE:
WWW.BCNV.ORG**

Applicant: Tim Guffey

**CITY MANAGER:
DAVID FRASER**

Property Owner: Tim and Crystal Guffey

**DEPUTY CITY CLERK:
TAMI MCKAY**

Location: 621 Kendrick Place **APN#:** 186-09-711-049

**COMMUNITY DEVELOPMENT
DIRECTOR:
BROK ARMANTROUT**

Zoning: R1-7, Single-Family Residential

**CITY PLANNER:
SUSAN DANIELEWICZ**

Information: The applicant would like to add a bedroom and bath addition to his home, matching an existing nonconforming rear setback of 10'. He would also like the variance to legalize the other existing nonconforming rear setbacks of the house, at 7', 10' and 12'. As per the information submitted by the applicant, the existing setbacks were in place when he and his wife purchased the home (in 2002 per the County Assessor). Most of the permits/site plans in the file for this property contain no setback information; refer to the attached memo from staff regarding the setback history for this property relative to the various additions to the house.

The subject property is in Boulder City Subdivision No. 2, recorded in 1961; the building permit for the house was issued in 1962. Although a rear setback of 20' was required in 1962, the requirement was changed back and forth from 15' to 20' for the R1-7 zone until a 1993 amendment allowed a 15' rear setback for lots created prior to 03/23/1988 (the effective date of the last overhaul of the entire zoning code). The subject property is considered nonconforming in size, however (in 1961 the minimum R-1 lot size was 6,000 s.f., but now the property is zoned R1-7 which requires a minimum 7,000 s.f. lot area). This allows the property to have the reduced setbacks allowed as per Chapter 11-21 (side setbacks of 5' each, in addition to a rear setback of 15').

Ordinance Standards: Section 11-32-4 sets forth the criteria that must be met in order for a variance to be granted. It is necessary that findings be provided for all five criteria for the variance to be approved; failure to meet any one criterion is sufficient reason for denial of a variance. The criteria are:

A. There are exceptional and extraordinary circumstances or conditions applicable to the property or to its intended use that do not apply generally to the other property or classes of uses in the same vicinity and zone.

The applicant states that all of the existing rear setbacks were present when he purchased the property, and he would now like to match one of the existing nonconforming setbacks. Also, as noted above the setback requirements for the R-1 zone in 1961 were different than they are today; back then the minimum required front setback was actually 25' (it reduced to 20' in 1964 for the R1-7 zone), and the minimum rear setback was 20'. Typically a home has to be placed further back on a cul-de-sac lot in order to meet the various minimum setback requirements, but for some reason this home was placed even further back on the lot than necessary, with a least a 36' front setback per the site plan, and also wider side setbacks than needed. Because of its location on the edge of the cul-de-sac, the lot is also shallower than most of the adjacent lots (82' at the shallowest point, vs. 100' depth for the standard lots). The various additions to the rear of the home would probably comply with the current 15' rear setback requirement for a substandard lot had the house simply been placed closer to the front property line.

B. The variance is necessary for the preservation and enjoyment of a substantial property right, possessed by other property in the same vicinity or zone, but which is denied to the property in question.

Variance requests for rear yard setback reductions have been both approved and denied throughout the City over the years. In reviewing variance requests back to 1980, there was only one other request in this general area for a reduced rear yard setback (for less than 15' for an enclosed addition):

V-92-291, 1401 Sierra Vista Place: an 8' – 12' rear setback for an addition; reason for approval: based on following the line of the existing house.

In addition, it appears that there is at least one other nonconforming rear setback in the immediate vicinity; refer to the attached aerial photo which shows a very close rear setback for the adjacent home to the south. For the house to the south (620 Kings Place), the applicant indicated that their home is also very close to the joint rear property line; for that home there is a 1974 permit to “enclose porch, slab existing;” there is no site plan for this permit. (For the home to the west at 625 Kendrick, the home and patio cover also appear to come very close to the south property line, but for this lot the south line was probably considered a side [not rear] property line, given that there are 5 lot lines to this cul-de-sac lot.)

- C. The granting of such variance will not be materially detrimental to the public welfare or injurious to the property or improvements in such vicinity and zone in which the property is located.**

Staff comments received to date offer no objection to the variance request.

- D. The granting of such variance will not adversely affect, or be contrary to, the Comprehensive Plan.**

The Comprehensive Plan (2003 Master Plan) is a general policy guide for the future development of the City and it is not site (property) specific. Approval of the requested variance would not be detrimental to the Plan or its implementation.

- E. The conditions or situations of the specific piece of property, or the intended use of said property for which the variance is sought, is not of so general or recurrent a nature as to make reasonably practicable the formation of a general regulation of such conditions or situations.**

Approval of the requested variance would not necessarily set a precedent for a general or recurrent pattern so as to formulate a general regulation.

Options: Based on the foregoing analysis and findings, staff offers the following options for the Commission's consideration.

- a. Conditionally approve the requested variance, based on the following findings:
1. There are exceptional conditions with regard to the property that justify the request, being that the proposed construction will match existing nonconforming setbacks, the lot is shallower than most surrounding lots, and the original home was placed closer to the rear property line than necessary (Criterion A); and
 2. The requested variance is necessary in order to preserve and enjoy a substantial property right enjoyed by other properties in the City that have rear setbacks less than required by the current code (Criterion B); and

3. The granting of such variance should not be detrimental to the public welfare and/or injurious to other properties in the vicinity (Criterion C); and
4. Approval of the variance request will not adversely affect the Comprehensive Plan (Criterion D); and
5. Approval of the variance should not create a condition whereas a general or recurrent regulation is formed (Criterion E).

Condition:

1. No part of the existing home or proposed addition shall be used as or converted to a separate dwelling unit.

b. Denial:

1. The requested variance is not necessary in order to preserve and enjoy a substantial property right, as most other properties in the vicinity do not appear to have reduced rear yard setbacks (Criterion B).

Any decision by the Planning Commission can be appealed to the City Council.

Attachments:

Application and justification
Site plan, floor plan, elevations
Memo regarding rear setback history for this property
Aerial photo
Vicinity Map

FOR CITY USE ONLY

File No.: V-16-617

(Application, Page 2)

Date Fees Paid: 10/27/2016

PLANNING COMMISSION

Date Notices Mailed: 11/03/2016	Date Property Posted: Not Applicable	Date of Newspaper Notice: Not Applicable
Distance Requirement: 500'	Properties within distance: 102	No. of notices sent: 98
No. of mobile home parks (rental) included in mailing:		0
DATE / PLANNING COMMISSION ACTION (if applicable): 11/16/2016:		

ALLOTMENT COMMITTEE

DATE / ALLOTMENT COMMITTEE ACTION (if applicable):
--

CITY COUNCIL

Date Notices Mailed:	Date Property Posted:	Date of Newspaper Notice:
Distance Requirement:	Properties within distance:	No. of notices sent:
No. of mobile home parks (rental) included in mailing:		
DATE / CITY COUNCIL ACTION (if applicable):		

Additional comments:

GUFFEY ADDITION
VARIANCE FOR REAR YARD SETBACK

Justification for Variance for rear yard setbacks from required 15 ft to 10 ft on a portion of home and to 7 ft on a portion of home.

This applications to bring the existing home into compliance with existing codes.

When applicant purchased home in 2000 it was already built to the 10 ft and 7 ft setbacks. Applicant was told at the time of purchase in 2000 that the additions were legal and had been permitted. When applicant went to apply for building permit for an addition it was discovered by the City that the original owner had been less than honest with both the city and applicant.

Applicant has lived in the home for 16 years without any detriment to the public welfare or injurious to property in the area.

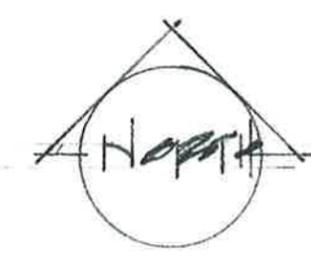
Additionally the applicants just became the legal guardians of two children under the age of 3 and they need the extra bedroom for their extended family.

REVISED

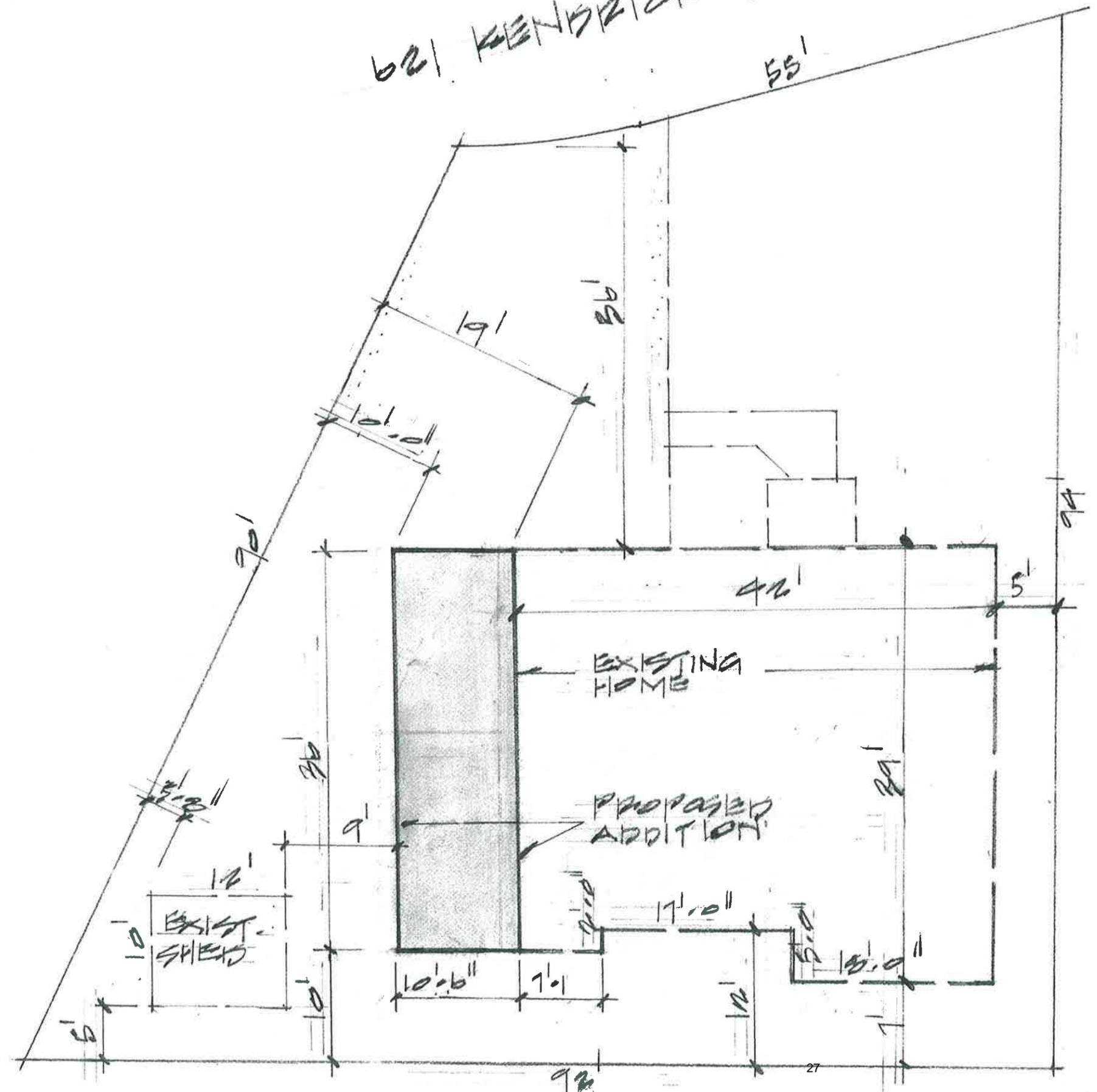
NOV -7 2016

621 KENDRICK PLACE

55'

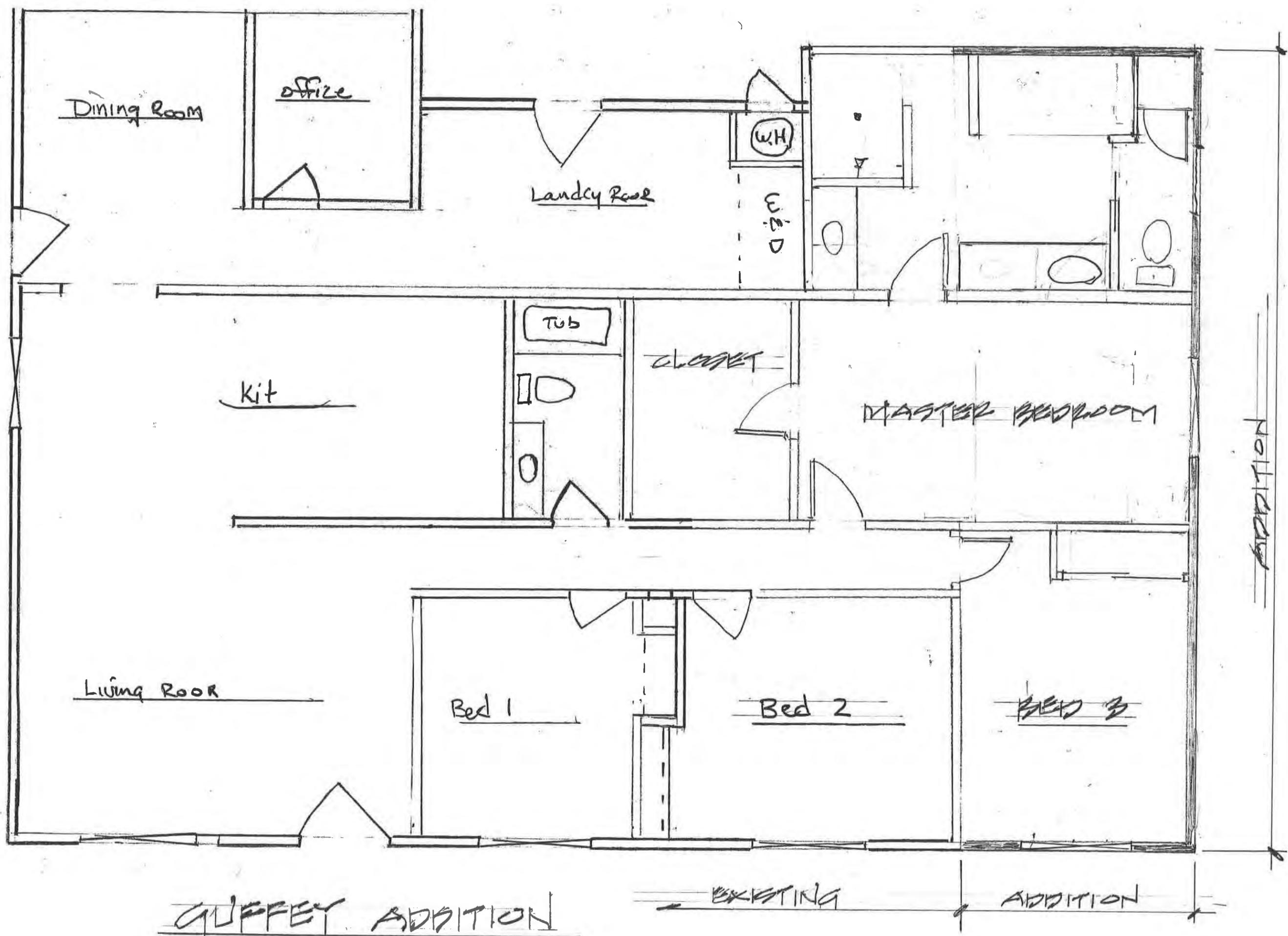


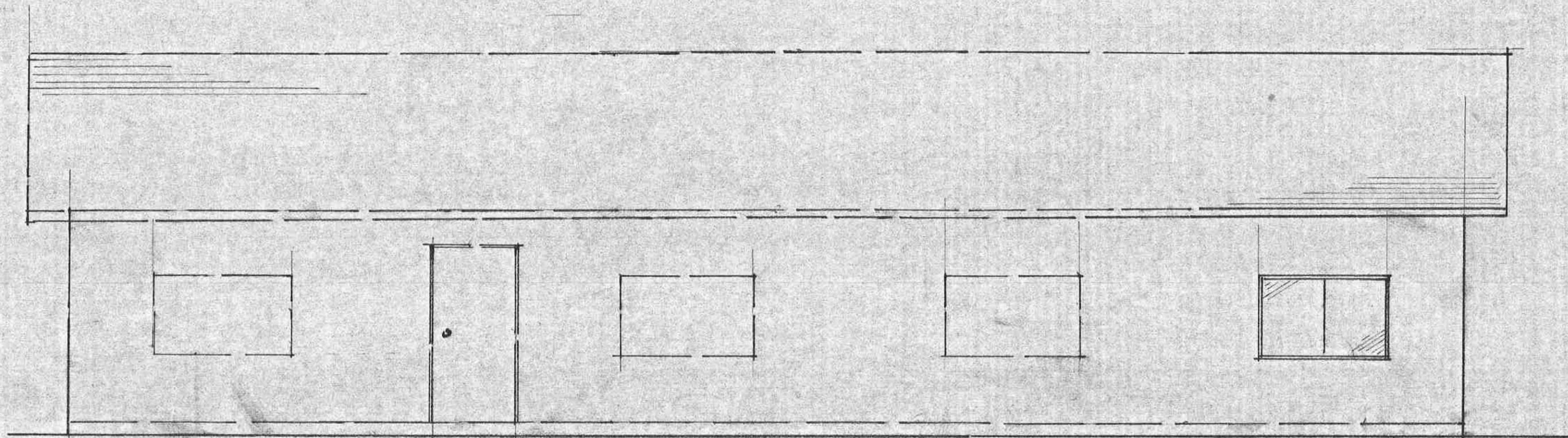
SITE PLAN
1" = 10'



REVISED
NOV - 7 2016.

GUFFEY ADDITION
11-6-16
SHEET 1



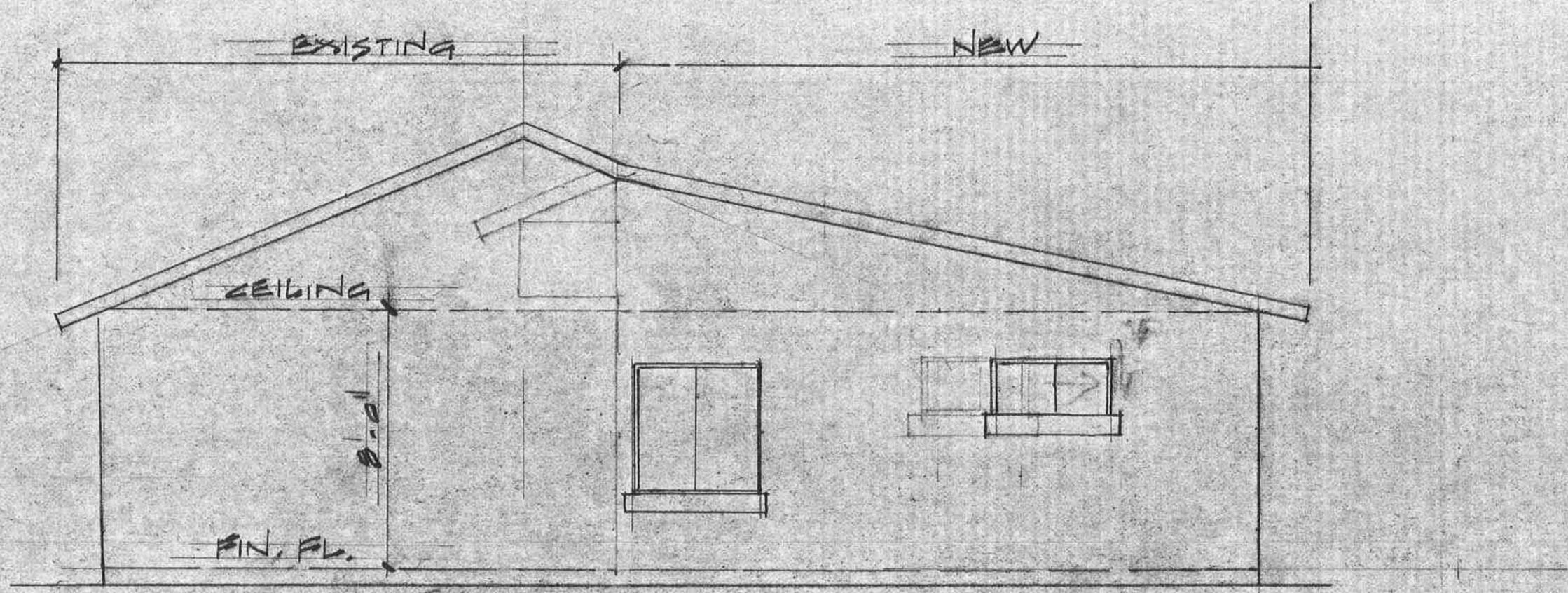


10'-6"
ADDITION

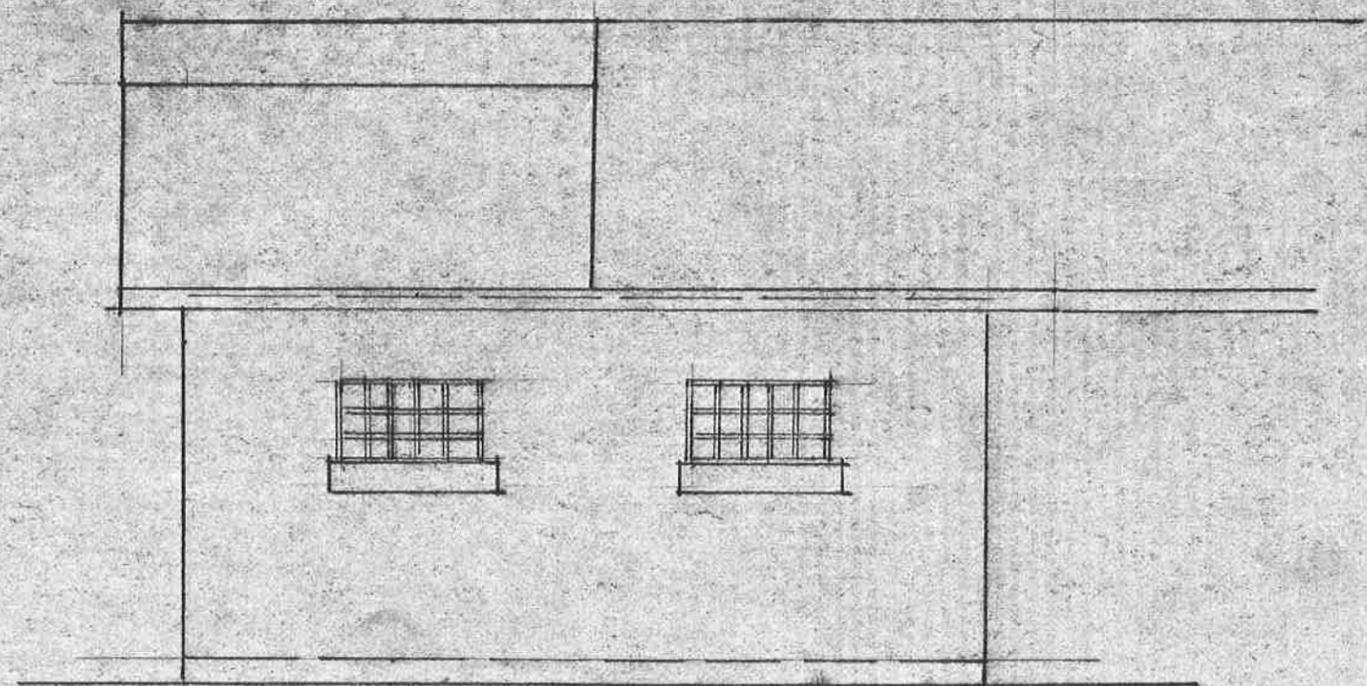
FRONT ELEVATION
1/4" = 1'-0"

~~CLIPPER~~ ADDITION

SHEET 1



SIDE
~~FRONT~~ ELEVATION
 1/4" = 1'-0"



~~FRONT~~ ELEVATION
 1/4" = 1'-0"

GUPPEY ADDITION
 10.12.16

SHEET 6



MEMORANDUM

TO: File DATE: November 7, 2016
FROM: Susan Danielewicz, City Planner, Community Development Department
SUBJECT: Existing rear setbacks at 621 Kendrick Place

The Guffeys would like to add onto the west side of the house, matching an existing nonconforming rear setback of 10'. This will require approval of a variance (V-16-617). Although the lot is not substandard in width (average 72' wide), it is substandard in size for the R1-7 zone (I calculate approx. 6,030 s.f.). Under Ord. 26 (the first zoning ordinance) lots in the R-1 zone only needed to be a minimum of 6,000 s.f. in size at the time. As per current Ch. 11-21 for substandard lots, the required setbacks for a house would be:

Front 20' Sides 5' each side Rear 15'

The Guffeys have owned 621 Kendrick Place since 2002 (there were several prior owners of the property). Per the Guffey's site plan, the existing house has one portion with a 10' rear setback (west side) and another with a 7' rear setback (east side), with the center portion at a rear setback of 12'. The existing portion with the 10' rear setback is the bathroom addition approved in 1974. The site plan for this permit doesn't show *any* setbacks, but it does show the new bathroom addition with a *greater* rear setback than an apparent addition on the east side (presumably the part that has a 7' rear setback). One can assume that a staff person thought that if the setback for the new addition was greater than an existing part of the house that it must comply with code. City staff should have verified setbacks before issuing the permit or during inspections, but apparently they didn't.

As for the east side of the house which apparently has a 7' rear setback, I see 3 permits which may pertain to this:

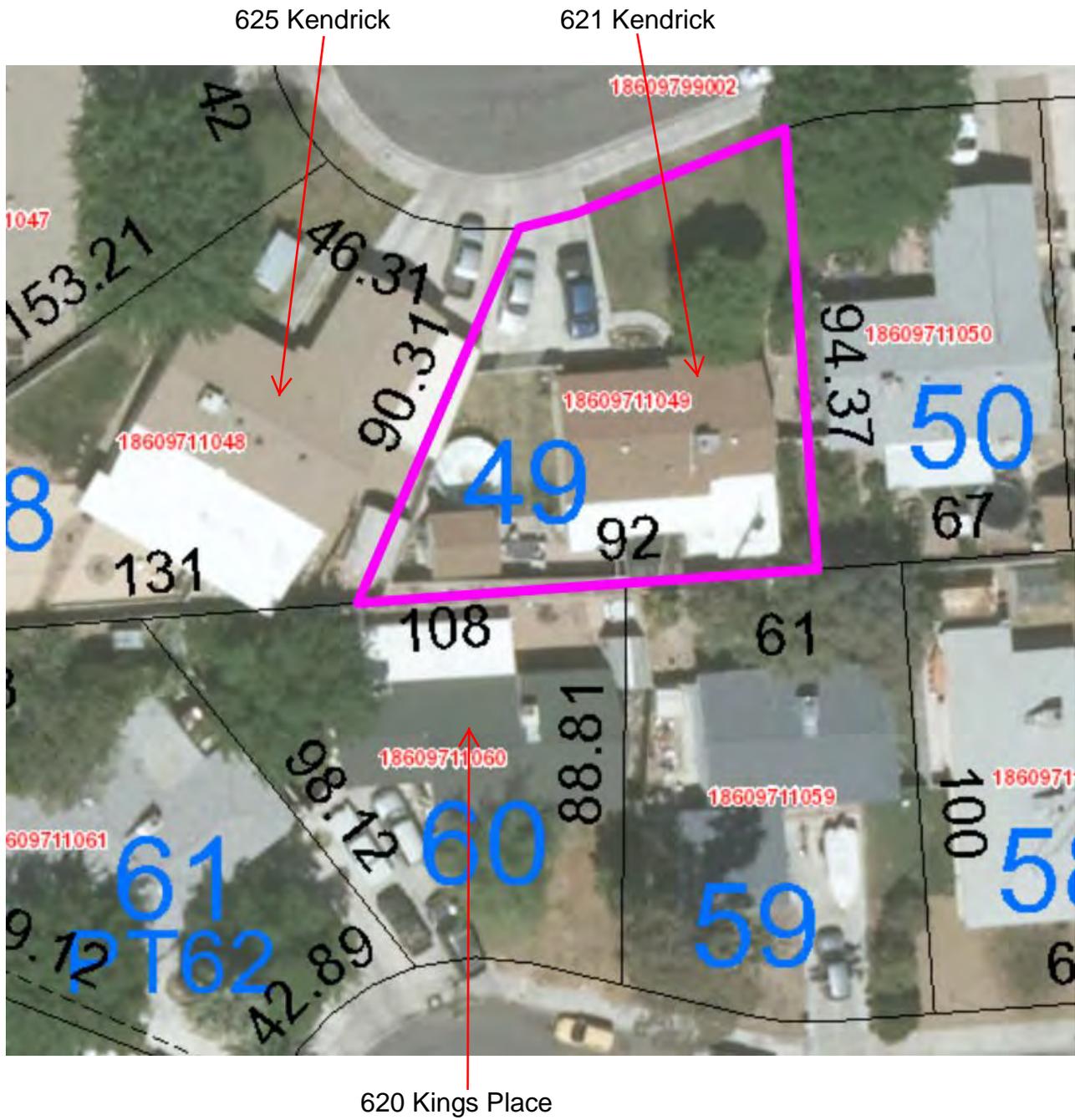
- A 1964 permit (64-1108) for a "14 x 23 patio, future covered;" the site plan shows the footprint but the rear setback is not shown. Apparently the slab portion was built under this permit.
- A 1967 permit (67-1766) for a "patio cover;" again the site plan shows no setbacks (it refers to a "cover only" over an "existing slab").
- A 1967 permit (67-1937) for an Addition; the permit notes the Exterior Walls are 5/8" Masonite and there's a note stating "See B.P. 64-1108 for plan." On the permit for 64-1108, there's an extra note that was added for a "6' sliding glass door." Apparently permit 67-1937 was for the enclosure of the patio cover.

Since apparently the City allowed the enclosure of the patio cover area even though no setback information was provided, we will consider this part of the house as legally nonconforming.

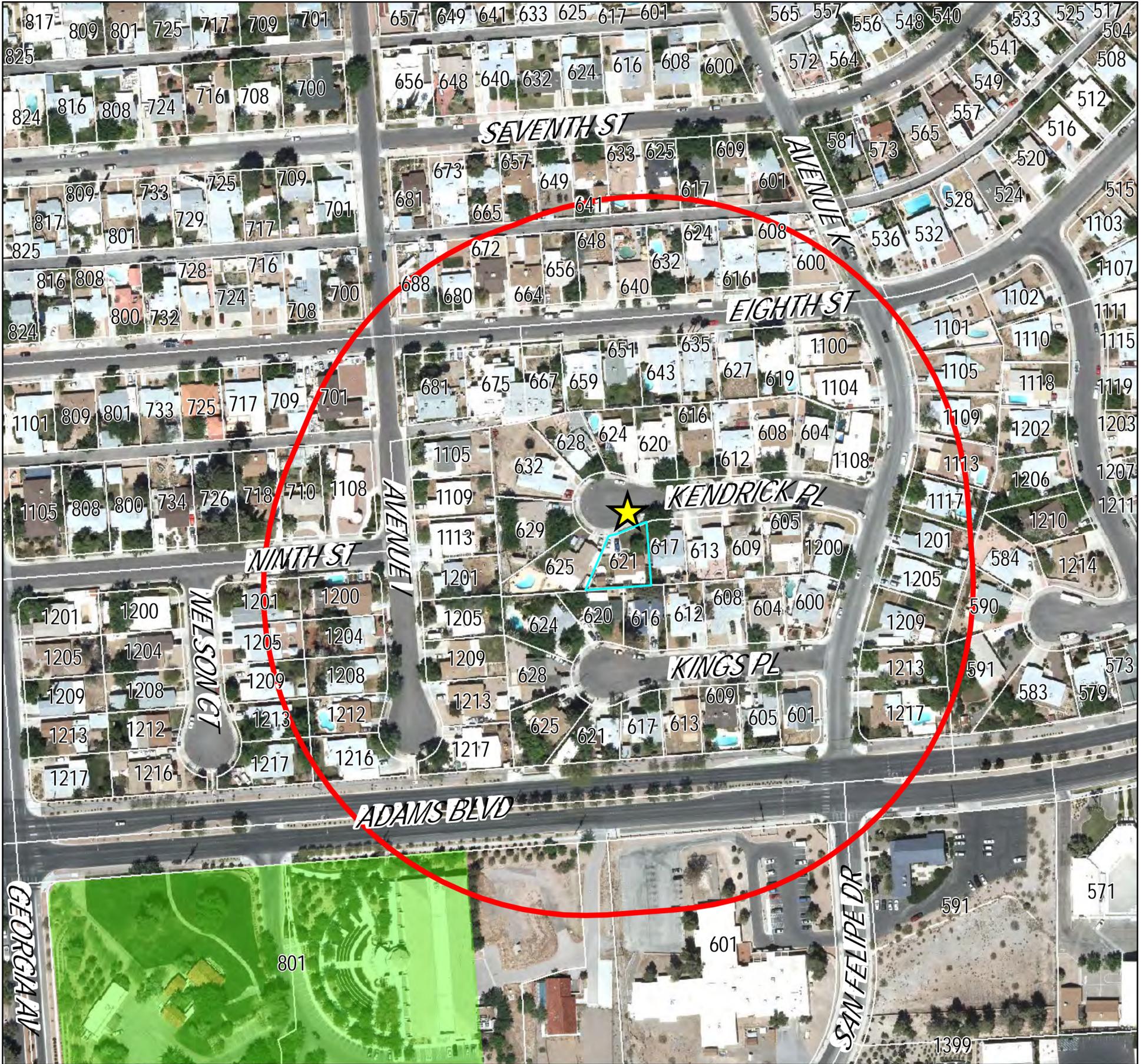
As for the center portion of the house with a rear setback of 12' (laundry room), there is no permit information relative to this. The only site plan showing a rear setback for the house was for a 1964 fence permit, and that plan shows a 20' rear setback for the house. Looking at the floor plan provided by Mr. Guffey as well as the aerial photo showing different roof colors, it appears that the original rear of the house may have been along the back wall of the kitchen and original bath, with everything to the rear added in phases (with and without permits) later. The laundry addition was probably added without permits sometime after 1974, given the site plan for the 1974 2nd bathroom addition.

Mr. Guffey would like the existing 7', 10' and 12' setbacks included with the variance request so that they will also become legally conforming (and therefore allow for reconstruction of those portions of the house should it be destroyed by fire or other means). Community Development Director Brok Armantrout agreed these setbacks could be added to the variance request, noting that the setback information was provided by the applicant.

SD02494.docx



621 Kendrick Place Hearing Notification Map



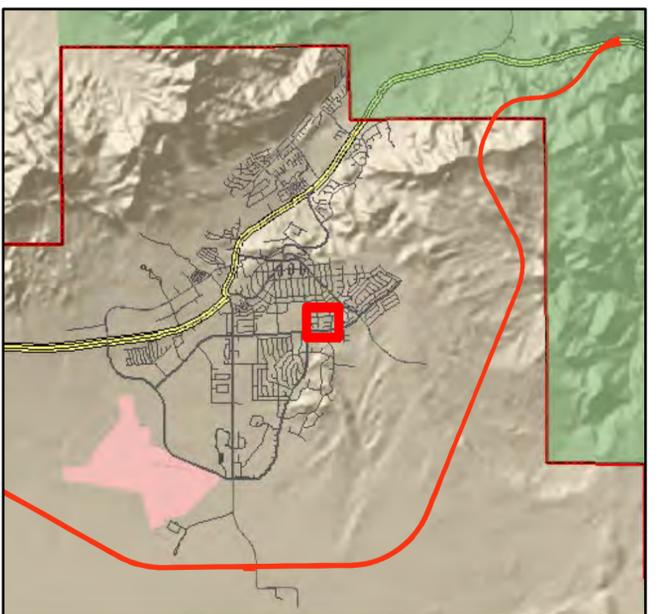
Legend

- 500 foot notification area (NRS Requirement)
- City Limits
- Municipal Airport
- Lake Mead National Recreation Area
- City Parks

N

0 75 150 Feet

Map created by:
 Brok Armantrout, Director
 Community Development Department
 City of Boulder City, Nevada
 November 3, 2016



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Item 3 - MISC-16-004

SUBJECT:

For possible action: MISC-16-004 – Resolution No. 1145 – Boulder Rifle & Pistol Club, Inc. – 2700 Utah Street: An application for new aboveground electrical distribution lines, including conversion of an existing temporary aboveground electrical distribution line to a permanent aboveground line, whereas Section 9-6-2.B of the City Code requires all new permanent electrical distribution line extensions to be made underground

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
☐ Item 3 report	Cover Memo
☐ PC Reso 1145	Resolution Letter
☐ Item 3 backup	Backup Material
☐ blank page	Backup Material



Agenda Item No. 3 Planning Commission Meeting November 16, 2016

Staff Report

**BOULDER CITY
PLANNING COMMISSION**

CHAIRMAN
JIM GIANNOSA

MEMBERS:
COKIE BOOTH
GLEN LEAVITT
PAUL MATUSKA
FRITZ MCDONALD
JOHN REDLINGER
STEVE WALTON

TO: Planning Commission
FROM: Susan Danielewicz, City Planner
Community Development Department
DATE: November 10, 2016

SUBJECT: MISC-16-004 – Resolution No. 1145 – Boulder Rifle & Pistol Club, Inc. – 2700 Utah Street: An application for new aboveground electrical distribution lines, including conversion of an existing temporary aboveground electrical distribution line to a permanent aboveground line, whereas Section 9-6-2.B of the City Code requires all new permanent electrical distribution line extensions to be made underground

MEETING LOCATION:
COUNCIL CHAMBERS
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG

.....
Action Requested: That the Planning Commission consider the request (MISC-16-004) as noted above.

Applicant/Lessee: Boulder Rifle & Pistol Club, Inc.

Property Owner: City of Boulder City

CITY MANAGER:
DAVID FRASER

DEPUTY CITY CLERK:
TAMI MCKAY

**COMMUNITY DEVELOPMENT
DIRECTOR:**
BROK ARMANTROUT

CITY PLANNER:
SUSAN DANIELEWICZ

Location:

- An existing, temporary aboveground electrical line generally between a junction box west of the Boulder City Landfill at 2399 Utah Street and a construction staging area for I-11 southeast of the Boulder City Landfill.
- A proposed aboveground and underground electrical line extending from the line noted above to the Boulder Rifle & Pistol Club lease area at 2700 Utah Street.

For file address purposes the location for this request will be the address for the applicant, being 2700 Utah Street.

Zoning: GM, Government Municipal; GP, Government Park; S, Study

City Code requirements: The Planning Commission is the designated City committee with regard to Title 11 matters, which is the Zoning and Subdivision Ordinance. Title 9 of the City Code regulates Public Ways and Property, and covers such matters ranging from utilities to sidewalks

to disposition of City land. Title 9, Chapter 6 of the City Code is titled Electrical Undergrounding Act, and requires as per Section 9-6-2.B:

“New Projects: Extensions of electric distribution lines, which are necessary to furnish permanent electric service to and within new land development projects and are applied for after the effective date of this Chapter, shall be made **underground** where required by local ordinance.”

Chapter 6 of Title 9 also provides for exceptions as follows:

“9-6-13: SPECIAL CONDITIONS IN EXCEPTIONAL CASES: In unusual circumstances, if adherence to these rules should become impractical or impossible for the applicant, the applicant, prior to commencing construction or installation, may refer the matter to the **Planning Commission** for a special ruling or for approval of special conditions. (Ord. 504, 5-14-1974, eff. 6-17-1974)”

Description of Request: The Boulder Rifle & Pistol Club leases approximately 555 acres of City land SE of the Boulder City landfill. A portion of the new I-11 now under construction crosses over the NW corner of the Club’s lease area, such that the bulk of the club’s lease area is to the SE of the new freeway where it crosses their lease area (refer to attached map).

For the construction of I-11 in this area, the City, on behalf of construction company Las Vegas Paving, Inc., obtained an exception (MISC-15-003) from the Planning Commission in order to construct a *temporary* privately-owned aboveground electrical distribution system over City land. The intent was that the temporary lines would be removed once they were no longer needed for that construction staging area.

The applicant would like the City to *keep* the temporary overhead electrical line serving the I-11 staging area (converting a temporary aboveground line to a permanent aboveground line), and they would like to eventually *further extend* this aboveground line to serve their site. Please see their attached written request. They acknowledge it may take them several years to proceed with the extension. They also acknowledge that they will need to make a portion of the line underground where it crosses under I-11, but would like the remainder to be aboveground. Their argument is that the cost would be prohibitive in order for them to make the entire line underground. They are requesting this exception now for two reasons: 1) they want permission to keep the existing temporary line in place before it is removed, and 2) they want to proceed with the construction of the underground portion that would need to go under I-11 before that project is completed.

History: The exceptions previously approved by the Planning Commission were for:

- MISC-15-002: Permission granted to allow Nevada Power Co./NV Energy to have a new aboveground electrical line (~1.25 miles) in the Eldorado Valley Transfer Area (EVTA) to serve the Copper Mountain Solar 3 project. The rationale for the approval was that this area is within NV Energy’s service area (not the City’s), only utilities are planned for the EVTA, and there were numerous aboveground lines already in the EVTA, built prior to the City’s acquisition of the EVTA in 1995. The City did not object to the request.

- MISC-15-003: Permission granted for a temporary electrical distribution system not owned by the City (~0.8 miles) for the I-11 construction staging area referenced in this staff report. As *temporary* power lines for construction purposes are allowed to be aboveground, this approval was specific to the line being privately-owned over City property. The City did not object to the request on the basis that the aboveground line would be temporary. It is this line that the applicant would like to convert to a permanent aboveground line, and also extend.

The City's position is that permanent electrical distribution lines should be underground in compliance with City Code. Should the Planning Commission approve the request, it bears noting that the existing temporary line was *not built to City standards*, on the basis that it was to be a temporary line for construction purposes only. Therefore, the attached resolution contains a condition that will require the existing line to meet City standards (which will necessitate either upgrades or removal and replacement), in addition to any new extensions being built to meet City standards. A representative of the Public Works Department and/or the City's Electric Utility Administrator will be present at the meeting to answer questions.

Recommendation: The Community Development Department Staff respectfully requests that the Planning Commission consider MISC-16-004, a request for new aboveground electrical distribution lines, including conversion of an existing temporary aboveground electrical distribution line to a permanent aboveground line, pursuant to Section 9-6-13 of the City Code.

To approve the request, this can be accomplished by approval of Resolution No. 1145. (For denial, the resolution would simply not be approved.) Any decision by the Planning Commission can be appealed to the City Council.

Attachments:

Resolution No. 1145
Application
Letter from applicant
Site map
Vicinity Map

PLANNING COMMISSION RESOLUTION NO. 1145

RESOLUTION OF THE PLANNING COMMISSION OF BOULDER CITY, NEVADA, TO APPROVE AN APPLICATION FOR NEW ABOVEGROUND ELECTRICAL DISTRIBUTION LINES, INCLUDING CONVERSION OF AN EXISTING TEMPORARY ABOVEGROUND ELECTRICAL DISTRIBUTION LINE TO A PERMANENT ABOVEGROUND LINE (MISC-16-004)

- WHEREAS, The Boulder Rifle & Pistol Club, Inc. has requested approval (file MISC-16-004) for new aboveground electrical distribution lines, including conversion of an existing temporary aboveground electrical distribution line to a permanent aboveground line, whereas Section 9-6-2.B of the City Code requires all new permanent electrical distribution line extensions to be made underground; and
- WHEREAS, There is an existing temporary privately-owned aboveground electrical distribution line previously installed by Las Vegas Paving, Inc., approved under file MISC-15-003 for a temporary time relative to the construction of I-11 (located over City land generally between a junction box west of the Boulder City Landfill at 2399 Utah Street and a construction staging area for I-11 southeast of the Boulder City Landfill); and
- WHEREAS, The Boulder Rifle & Pistol Club, Inc. requests to make the temporary aboveground system referenced above permanent; and
- WHEREAS, The Boulder Rifle & Pistol Club, Inc. requests further to construct new aboveground electrical distribution lines from the current temporary system noted above to serve their lease area addressed as 2700 Utah Street (lease area under Assessor Parcel Nos. 186-14-101-003 and 186-14-501-001 and as per Ordinance No. 1472); and
- WHEREAS, Title 9 of the City Code governs Public Ways and Property and Chapter 6 of Title 9 is titled Electrical Undergrounding Act, and Section 9-6-2.B requires electrical service to be underground for permanent electrical service; and
- WHEREAS, Section 9-6-13 of the City Code specifies that “In unusual circumstances, if adherence to these rules should become impractical or impossible for the applicant, the applicant, prior to commencing construction or installation, may refer the matter to the Planning Commission for a special ruling or for approval of special conditions,” and
- WHEREAS, The City has no objection to this request provided the existing and new aboveground system is upgraded and built to meet City standards.

NOW, THEREFORE, BE IT RESOLVED that the Boulder City Planning Commission does hereby approve said request (file MISC-16-004) based on the findings:

1. The aboveground electric lines will be located in an otherwise undeveloped area of the City and will not interfere with operations of the landfill or I-11. No other development is anticipated in this area that would also require the use of this electrical distribution line.
2. The immediate surrounding properties are zoned GM, Government Municipal, GP, Government Park and S, Study and this request is not anticipated to have a negative impact on the other uses in these zones.

BE IT FURTHER RESOLVED that the Boulder City Planning Commission does hereby approve said request (file MISC-16-004) based on the following conditions:

1. Use of the property shall be in substantial conformance with the plans and information submitted to Staff, and also as reviewed by the Planning Commission at its meeting on November 16, 2016.
2. The existing and new electrical distribution line shall comply with all necessary City and other applicable codes as well as requirements of City departments and any other applicable governing agencies.
3. The applicant shall submit plans to the Public Works Department clearly detailing the proposed connection to the City system, line extension, metering, switches, and other appurtenances in compliance with applicable codes.
4. The applicant shall establish service with the Boulder City Finance Department and follow all requirements of a standard commercial customer.

DATED and APPROVED this 16th day of November, 2016.

Jim Giannosa, Chairman

ATTEST: Tami McKay, Deputy City Clerk



Boulder City, Nevada
Community Development Department
ZONING APPLICATION FORM

Mailing Address:
401 California Avenue
Boulder City, Nevada 89005

CHECK ONE:

- MASTER PLAN AMENDMENT: MAP [] TEXT []
ZONING AMENDMENT: MAP/REZONE [] ORDINANCE TEXT []
CONDITIONAL USE PERMIT []
SPECIAL USE PERMIT []
VARIANCE []
DEVELOPMENT ALLOTMENT: Single-Family [] Multi-Family [] Hotel-Motel []
OTHER (as per STAFF ONLY): [X]

Staff Use Only
File No. MISC-16-004
Acceptor SD
Filing Date 10/13/2016
Hearing Date 11/16/2016
Fee Paid NA

Table with 4 columns: APPLICANT NAME, APPLICANT MAILING ADDRESS, APPLICANT CONTACT PHONE, APPLICANT EMAIL, PROPERTY OWNER NAME, PROPERTY OWNER MAILING ADDRESS, PROPERTY OWNER CONTACT PHONE, PROPERTY OWNER EMAIL. Handwritten entries include Boulder Rifle & Pistol Club, Inc.

STREET ADDRESS or LEGAL DESCRIPTION: 2700 UTAH ST. BOULDER CITY, NV.

APPLICATION: Application must specify the nature of the request pursuant to the provisions of City Code, Title 11. Application is to permit the following (BRIEFLY describe here):

Filing for AN EXEMPTION to City Code SECTION 9-6-2 B. AS A SPECIAL CONDITION OR EXCEPTIONAL CASE, AS PROVIDED IN SECTION 9-6-13 (SEE ATTACHED)

JUSTIFICATION: Applicant must submit a written statement along with this application describing the nature of the request (in detail) and justification using the criteria in the City Code (copy attached).

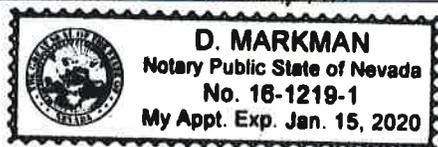
AFFIDAVIT: I do hereby solemnly swear or affirm that all statements contained in this application are true and correct to the best of my knowledge and that this statement is executed with the knowledge that misrepresentation or failure to reveal information requested may be deemed sufficient cause for refusal to approve this application.

WILLIAM L. GRANT
PRINT Applicant Name

William L. Grant
SIGNATURE of Applicant

State of Nevada, County of Clark
Subscribed and sworn to (or affirmed) before me on (date) October 4, 2016 by [name(s) of person(s) making statement] *William L. Grant*

Markman
(Signature of notarial officer) (Notary stamp)->



FOR CITY USE ONLY**File No.: MISC-16-004**

(Application, Page 2)

Date Fees Paid: **Not Applicable****PLANNING COMMISSION**

Date Notices Mailed: Not Applicable	Date Property Posted: Not Applicable	Date of Newspaper Notice: Not Applicable
Distance Requirement: NA	Properties within distance: NA	No. of notices sent: NA
No. of mobile home parks (rental) included in mailing:		
DATE / PLANNING COMMISSION ACTION (if applicable): 11/16/2016:		

ALLOTMENT COMMITTEE

DATE / ALLOTMENT COMMITTEE ACTION (if applicable):
--

CITY COUNCIL

Date Notices Mailed:	Date Property Posted:	Date of Newspaper Notice:
Distance Requirement:	Properties within distance:	No. of notices sent:
No. of mobile home parks (rental) included in mailing:		
DATE / CITY COUNCIL ACTION (if applicable):		

Additional comments:

To: Boulder City Planning Commission
401 California Avenue
Boulder City, NV 89005

From: Boulder Rifle and Pistol Club, Inc.
P. O. Box 60534
Boulder City, NV 89006-0534

Date: October 3, 2016

Subject: The proposed application for retention and addition of existing and new aboveground electrical lines to provide permanent electrical service to the Boulder Rifle and Pistol Club located at 2700 Utah St. in Boulder City, NV.

Action Requested: To provide a permanent exemption to the Boulder City, Nevada: City Code Section 9-6-2 B., which states "New projects: Extensions of electric distribution lines, which are necessary to furnish permanent electrical service to and within new land development projects and are applied for after the effective date of this Chapter, shall be made underground where required by local ordinance. (Ord. 729, 10-12-1982, eff. 11-3-1982)"

Applicant: Boulder Rifle and Pistol Club, Inc.

Property Owner: City of Boulder City

Location: From an existing temporary aboveground electrical distribution line generally between a junction box at 2399 Utah Street West of Boulder City Landfill and a construction staging area for Las Vegas Pavings I-11 project, Southeast of the Boulder City Landfill, allowed in Planning Commission Resolution No. 1125 on June 17, 2015, to and including a proposed addition of an underground and aboveground electrical distribution line under the I-11 project and aboveground to the Boulder Rifle and Pistol Clubs Range Safety Office at 2700 Utah St. in Boulder City.

Zoning: Unknown

Description of Request: The Boulder Rifle and Pistol Club (club) wishes to obtain permanent electric service to its facilities located at 2700 Utah St. in Boulder City, NV. In the past, our club has considered the costs of providing this electrical service and

always found the estimated costs to be well beyond our means. With the construction of a temporary aboveground distribution line from the Boulder City Landfill to Las Vegas Pavings construction staging area, for its I-11 construction project, we are hoping to find a way to provide this electric service to our club's offices.

If we could find a way to leave the existing aboveground distribution line in place, we might be able to afford the extension of these distribution lines to our club office. We would have to provide an extension of the underground lines under the new I-11 project, but if we could then resume the distribution line extension with aboveground poles, wiring and a transformer, we might be able to afford this by budgeting the costs over several years.

Discussions with City engineers indicated that the existing temporary aboveground extension of the City's electrical distribution lines, were not allowed to stay in place according to City Code and these lines would have to be removed on completion of the I-11 project. Installation of a totally underground electric service would definitely be impossible, with our annual income. When we asked if the City would consider an exemption to the City's Code, we were told that there was a provision in the code under Section 9-6-13, which provided for special conditions in exceptional cases. Hence, we offer the following exceptions and conditions for consideration by the Planning Commission for an exemption to the City's Code.

Special Conditions in Exceptional Cases under Code 9-6-13:

Impossibility: The current estimates to provide an all underground electric service is a fiscal impossibility for the Boulder Rifle and Pistol Club.

Impracticality: The City of Boulder City, in its foresight, has located all the activities that could possibly become an annoyance to Boulder City residents, in an area outside the residential neighborhoods, and these activities include the Boulder City Landfill, the Boulder Rifle and Pistol Club and the motorcycle and equestrian recreational riding areas. Most of this area will now be located beyond the I-11 Boulder City Bypass, and only accessible through the underpass currently being constructed between the Boulder City Landfill and the Boulder Rifle and Pistol Club range.

If the intent of making new developments all underground, were for the beautification and sight pleasing aspects of new developments, please remember that the Boulder Rifle and Pistol Club range is not a new development, but has been in existence since before the City was incorporated and currently counts over 400 of its residents as permanent members. A visit to this area will confirm that the existing temporary aboveground wood poles only begin after passing under 3 large aboveground high voltage electrical transmission lines, which will probably never be put underground due to excessive costs, and the wood poles continue further away from the residential areas. Also, the addition of new aboveground wood poles would be beyond the I-11 bypass and would be even further out of the sight of any residential areas.

Conclusion:

If the City Planning Commission would consider an exemption to its policy of all underground construction under Code Section 9-6-2 B, the Boulder Rifle and Pistol Club may be able to afford to extend electrical service to its facilities, though it may take several years for us to accumulate the funds for this project. If this proposal is considered, we have provided certified engineering documents for the clubs future plans to extend electric service into our range facilities.

If exemption is allowed it would be of primary concern for us to pay for the installation of the underground conduits and junction boxes under the I-11 project before its final stages. So time would be an important factor for us, but we have set aside funds to pay for this stage of the project immediately.

If, however, the exemption is not allowed, the Boulder Rifle and Pistol Club would need to abandon this project because of the excessive costs of any viable alternatives.

If you have any questions, or I can be of further assistance, please contact me at 702.308.6843 or use my email at wgrant807@cox.net

Thank you for your consideration of this request.

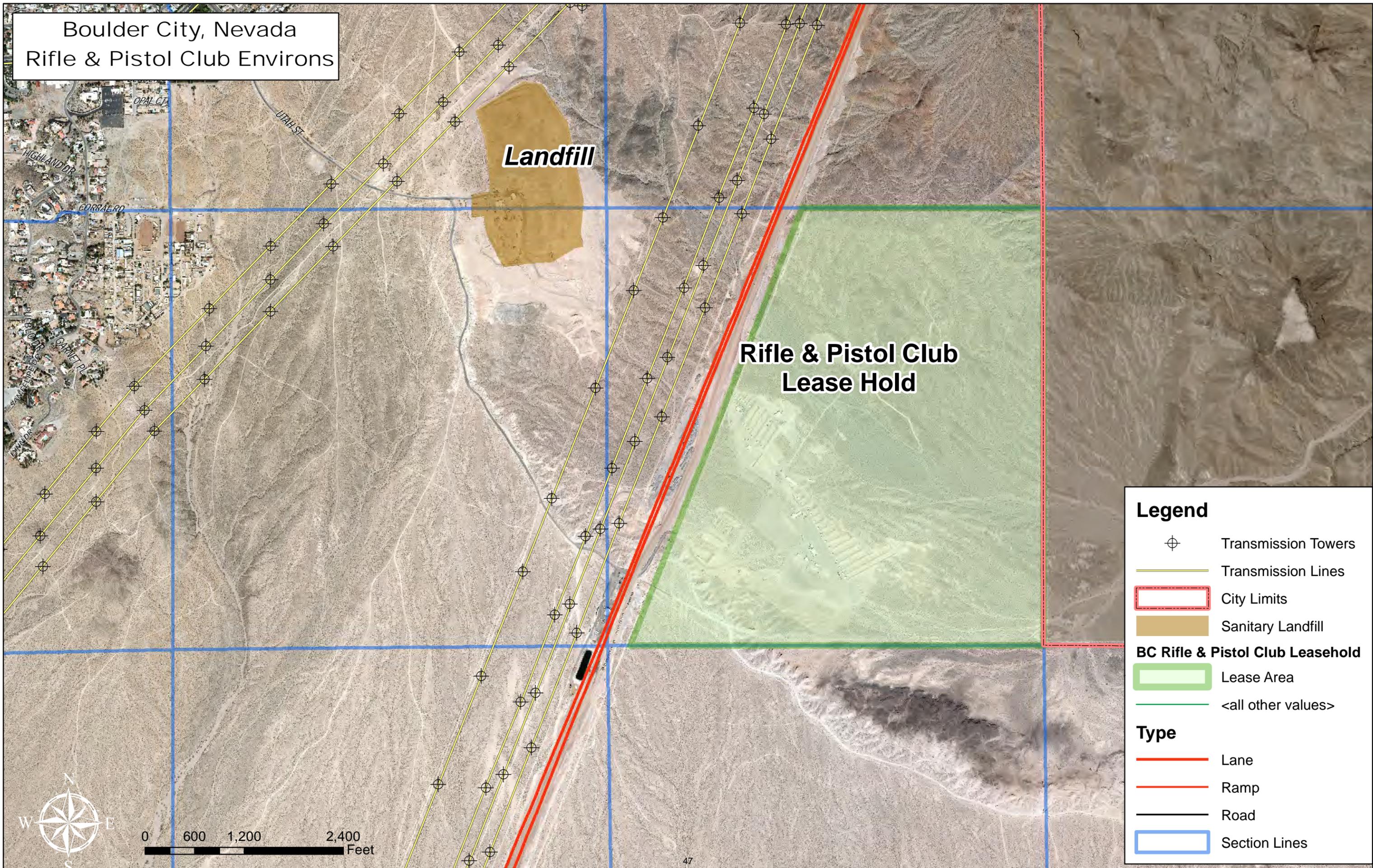


William L Grant
Boulder Rifle and Pistol Club
Secretary/Treasurer



2 LOCATION PLAN
 E0 NO SCALE

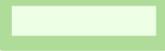
Boulder City, Nevada
Rifle & Pistol Club Environs



Legend

-  Transmission Towers
-  Transmission Lines
-  City Limits
-  Sanitary Landfill

BC Rifle & Pistol Club Leasehold

-  Lease Area
-  <all other values>

Type

-  Lane
-  Ramp
-  Road
-  Section Lines

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Item 4 - Land Management Plan

SUBJECT:

For possible action: 2017 Land Management Plan – Resolution No. 1146 – City of Boulder City: A public hearing and recommendation to the City Council on three of the proposals for the Land Management Plan for 2017:

- A. Zelaya proposal (~91 acres north of US 93 & Veterans Memorial Drive, for recreational use)
- B. City proposal #1 (~586 acres SE of the US 93/US 95 interchange, for highway commercial / light industrial / manufacturing / related uses)
- C. City proposal #2 (~1,171 acres south of the landfill and the BC Rifle & Pistol Club, for light industrial / manufacturing / related uses)

(Additional proposals forwarded by the City Council will be considered by the Planning Commission at a future workshop in early 2017)

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
☐ Item 4 report	Cover Memo
☐ PC Reso 1146	Resolution Letter
☐ Item 4 backup	Backup Material
☐ blank page	Backup Material



Agenda Item No. 4 Planning Commission Meeting November 16, 2016

Staff Report

**BOULDER CITY
PLANNING COMMISSION**

CHAIRMAN
JIM GIANNOSA

MEMBERS:
COKIE BOOTH
GLEN LEAVITT
PAUL MATUSKA
FRITZ McDONALD
JOHN REDLINGER
STEVE WALTON

TO: Planning Commission

FROM: Susan Danielewicz, City Planner
Community Development Department

DATE: November 10, 2016

SUBJECT: 2017 Land Management Plan – Resolution No. 1146 – City of Boulder City: A **public hearing** and recommendation to the City Council on three of the proposals for the Land Management Plan for 2017:

A. Zelaya proposal (~91 acres north of US 93 & Veterans Memorial Drive, for recreational use)

B. City proposal #1 (~586 acres SE of the US 93/US 95 interchange, for highway commercial / light industrial / manufacturing / related uses)

C. City proposal #2 (~1,171 acres south of the landfill and the BC Rifle & Pistol Club, for light industrial / manufacturing / related uses)

(Additional proposals forwarded by the City Council will be considered by the Planning Commission at a future workshop in early 2017)

MEETING LOCATION:
COUNCIL CHAMBERS
401 CALIFORNIA AVENUE
BOULDER CITY, NV 89005

WEBPAGE:
WWW.BCNV.ORG

CITY MANAGER:
DAVID FRASER

DEPUTY CITY CLERK:
TAMI MCKAY

**COMMUNITY DEVELOPMENT
DIRECTOR:**
BROK ARMANTROUT

CITY PLANNER:
SUSAN DANIELEWICZ

.....
Action Requested: That the Planning Commission conduct the required public hearing and consider adoption of Resolution No. 1146 as noted above, providing a recommendation to the City Council on the subject proposals.

Overview:

- The Land Management Plan program provides an organized framework for the review of requests to utilize City land.
- At its October 25, 2016 meeting, the City Council determined to forward proposals to the Planning Commission for public hearing and recommendation; the original 3 requested **nonresidential** proposals are proceeding at this time.

- The City is not obligated to move forward with any proposals that may be added into the Land Management Plan, but the plan allows for greater public review at the initial request stage.

Background Information regarding the Land Management Plan (LMP): In late 2001 the City Council adopted Ordinance No. 1158, adding a new chapter into the City Code, “Land Management for City Owned Property” (the code has had minor amendments since then). The purpose of the ordinance was to establish a more formal procedure for the *possible* disposition of City lands, and to allow property owners in the vicinity of such sales or leases to have input into the process prior to action being taken by the City Council. The process does not negate the need for voter approval where required, but provides for public input during the planning stage. The annual process is advertised in September, with the Council determining which submittals should be forwarded to the Planning Commission for a public hearing and recommendation; the Council then holds a second public hearing afterwards to determine which submittals (if any) should be included in the Plan for the following year. Surrounding property owners within 300’ of the subject properties receive notice of the public hearings.

The City Council has held the **first step** and reviewed the proposed applications at their regular meeting on October 25, 2016 (minutes attached). The items now before the Planning Commission are some of the requests that the City Council would like to consider further. This **second step** is for the Planning Commission to review each proposal, identify any zoning or master plan challenges, and report back to the City Council with its recommendation for each site.

NOTE: The 3 items forwarded to the Commission now are those that were submitted to the City Council for the October 25th packet for **nonresidential** development. (For those 3 properties, there was only 1 public hearing notice required to be sent, as all the other properties within 300’ are owned by the City.) However, for the October 25th meeting there was also a private proposal (Boulder Highlands LLC) for consideration of 7 properties for residential development, comprising over 1,000 acres of land. In addition, the Mayor introduced the possibility of considering 10 additional properties for potential future residential development. Because these 17 additional properties comprise over 1,700 acres and would require the noticing* of many residents, the City Manager has determined that just the original 3 nonresidential proposals should be considered by the Planning Commission at this time. The remaining 17 parcels will be the subject of one or more public workshops to be held early next year, followed by public hearings to consider those requests as potential amendments to the LMP. In addition, the Mayor also suggested another recreational proposal near the Old Airport Hangar that will also need to come to the Planning Commission at a later date for public hearing. (Amendments to the LMP can be considered at any time outside the normal annual process.)

*The October 25th Council meeting included discussion about various methods of notifying the public about the residential LMP proposals. While other publicity methods can be used for the purpose of workshops or other meetings, Section 9-2-2.B of the City Code requires that public hearing notices be mailed to owners within 300’ at least 10 days prior to the formal public hearings by the Planning Commission and City Council.

The Planning Commission's responsibility is to consider the applications and recommend to the City Council whether or not the proposed uses are appropriate for the proposed locations, from a land use standpoint. Non land-use issues (such as utility usage or how much revenue would be generated from the sale or lease of land) are not matters under the Planning Commission's jurisdiction, but are matters for the City Council's consideration. Placement of a proposal within the Plan does not obligate the Council to dispose of the land, but the LMP process is required in order for the Council to proceed with certain dispositions of land. Also, placement of a proposal within the Plan does not guarantee that any properties that may be ultimately disposed will be sold or leased to the submitter of the original application, as sales and leases typically go through an open bid process.

Summary of Requests:

17-01 Zelaya Request, recreation use
Approx. 91 acres N of US 93 and Veterans Memorial Drive

Applicant: Jose Zelaya
Request: Lease acreage for an indoor/outdoor Obstacle Course Race Training Facility. He has requested to lease 10 acres (up to 91 acres) to construct the training facility, and have the ability to use area trails for trail running; refer to attached letter from applicant. The proposal site is identified as number **46** on the attached master LMP map (marked with green shading) and as LMP #17-01 on the spreadsheet.
Zoning: SR, Special Recreation
Master Plan: PR (Parks & Recreation), OL (Open Lands)
In area: Southern NV Veterans Home
Process: Land lease, voter approval not required. If this land is leased for recreation purposes, a Master Plan amendment and rezoning would *not* be necessary.
Add'l Info: Utilities are in the vicinity but studies will be needed for capacity.

17-02 City Request #1, commercial / light Industrial use
Approx. 586 acres SE of the US 93/US 95 interchange

Applicant: City of Boulder City
Request: Lease acreage for development of highway commercial related activities such as travel centers, distribution facilities, warehousing, data warehousing, light industrial/manufacturing and related land uses. This LMP request is for a 586 acre site identified as site number **47** on the attached master LMP map (marked with cross-hatching) and as LMP #17-02 on the spreadsheet.
Zoning: S, Study
Master Plan: OL (Open Lands)
In area: US 93 to the north, US 95 to the west, power lines to the SW and SE; a SW Gas maintenance road is included within the boundaries. The parcel extends from US 95 to almost the Veterans stoplight on US 93. (Note: this request is located within the same area as two parcels requested by

Boulder Highlands LLC for residential use, site nos. 50 and 51 on the master LMP map, to be discussed at a later date.)

Process: Land lease, voter approval not required. If this land is leased for the proposed purposes, a Master Plan amendment and rezoning *will* be necessary.

Add'l Info: NDOT will need to approve access to US 93 and/or US 95; utilities will need to be extended (to be paid for by future lessees).

**17-03 City Request #2, light Industrial use
Approx. 1,171 acres S of the landfill and rifle/pistol club**

Applicant: City of Boulder City

Request: Lease acreage for development of light industrial related activities such as warehousing, data warehousing, light industrial/manufacturing and related land uses. This LMP request is for an approx. 1,171 acre site identified as site number **48** on the attached master LMP map (marked with orange cross-hatching) and as LMP #17-03 on the spreadsheet.

Zoning: S, Study; GP, Government Park

Master Plan: OL (Open Lands)

In area: BC Landfill, BC Rifle & Pistol Club; this site will be to the east of a portion of the new I-11 freeway.

Process: Land lease, voter approval not required. If this land is leased for the proposed purposes, a Master Plan amendment and rezoning *will* be necessary.

Add'l Info: No access will be possible from the freeway; access would be from Utah Street to an access road currently used by the rifle/pistol club (currently known as either Boy Scout Canyon Road and/or Canyon Point Road). Access would need to be improved and utilities extended to serve this area (to be paid for by future lessees); additional studies would be necessary prior to development.

Note: Because placement of a proposal into the LMP does not obligate the City Council in any way (it's merely the initial step in a lengthy process for the possible disposition of land), it is not incongruent to have more than one land use proposal for the same tract of land. (For instance, the Old Airport Hangar area is in the LMP for both recreation and commercial/industrial as possible uses.) Therefore the fact that one applicant (Boulder Highlands LLC) has made an application for residential use for the same property that the City has proposed possible commercial/light industrial use on does not mean that the Planning Commission or City Council has to choose one option over the other; potentially both proposed uses could be entered into the LMP. At some later date it would be determined if one, both or neither proposal would proceed. (Especially for large tracts of land, there is the possibility that more than one use could ultimately occur within the area initially considered.)

Recommendation: It is recommended that the Planning Commission conduct the required public hearing and consider approval of Resolution No. 1146, a recommendation to the City Council regarding three proposals for the Land Management Plan for 2017.

Note: The attached resolution is written in draft form; for each item there is the choice that the item “should / should not” be included in the Land Management Plan. The Commission, after discussing the proposals and conducting the public hearing, should discuss its recommendation for each use. The draft resolution will then be modified in accordance with the Commission’s recommendation for each item.

Attachments:

Resolution No. 1146 (draft)

Master Spreadsheet of LMP entries including new applications

Master Map showing LMP site locations (Townsite area only)

Letter from Jose Zelaya

Individual maps of each application site

Council minutes except from 10/25/2016

SD09196D.docx

PLANNING COMMISSION RESOLUTION NO. 1146

RESOLUTION OF THE PLANNING COMMISSION OF BOULDER CITY,
NEVADA, TO PROVIDE A RECOMMENDATION TO THE CITY
COUNCIL ON THREE OF THE PROPOSALS FOR THE LAND
MANAGEMENT PLAN FOR 2017

WHEREAS, The City Council of Boulder City adopted Ordinance No. 1158 on September 25, 2001, creating Chapter 9-2 of the City Code, "Land Management for City Owned Property" (as amended), the purpose of which is to set a public procedure for the consideration of possible future disposals of city-owned land; and

WHEREAS, The City Council has previously adopted several resolutions which included certain parcels of City-owned land within the Land Management Plan (LMP); and

WHEREAS, Section 9-2-B.1 of the City Code establishes a procedure for providing public notice regarding applications for the Land Management Plan; and

WHEREAS, Proposals to amend the plan were submitted in response to the required public notice, and on October 25, 2016 the City Council determined that the requests, including additional proposals brought forth at that meeting, should be forwarded to the Planning Commission for a recommendation as per Section 9-2-2.C.1 of the City Code; and

WHEREAS, As several of the proposals are for residential development that will require further public input at later meetings, at this time the three original nonresidential proposals were forwarded to the Planning Commission for consideration; and

WHEREAS, A total of 1 non-City-owned properties were within 300 feet of the three City parcels in question, and public hearing notices were subsequently mailed to that property owner; and

WHEREAS, On November 16, 2015 the required public hearing was held by the Boulder City Planning Commission in accordance with the provisions of City Code Section 9-2-2.C.1;

NOW, THEREFORE, BE IT RESOLVED that the Boulder City Planning Commission does hereby make the following recommendation regarding property submitted for consideration as an amendment to the Land Management Plan for 2017:

1. That approximately 91 acres of land located north of US 93 and Veterans Memorial Drive **should / should not** be included in the Land Management Plan for purposes of recreation.

2. That approximately 586 acres of land located southeast of the US 93/US 95 interchange **should / should not** be included in the Land Management Plan for purposes of highway commercial / light industrial / manufacturing and related uses.
3. That approximately 1,171 acres of land located south of the Boulder City Landfill and Boulder City Rifle & Pistol Club **should / should not** be included in the Land Management Plan for purposes of light industrial / manufacturing and related uses.

BE IT FURTHER RESOLVED that the Boulder City Planning Commission does hereby recommend approval of the proposed amendment to the Land Management Plan based on the following findings:

1. That these proposed uses will provide will provide recreational and business opportunities and/or utilize land that is presently underutilized.

DATED and APPROVED this 16th day of November, 2016.

Jim Giannosa, Chairman

ATTEST: Tami J. McKay, Deputy City Clerk

Boulder City Land Management Plan

Calendar Year 2017 - Applications forwarded to the Planning Commission by City Council included

Updated 11/10/2016

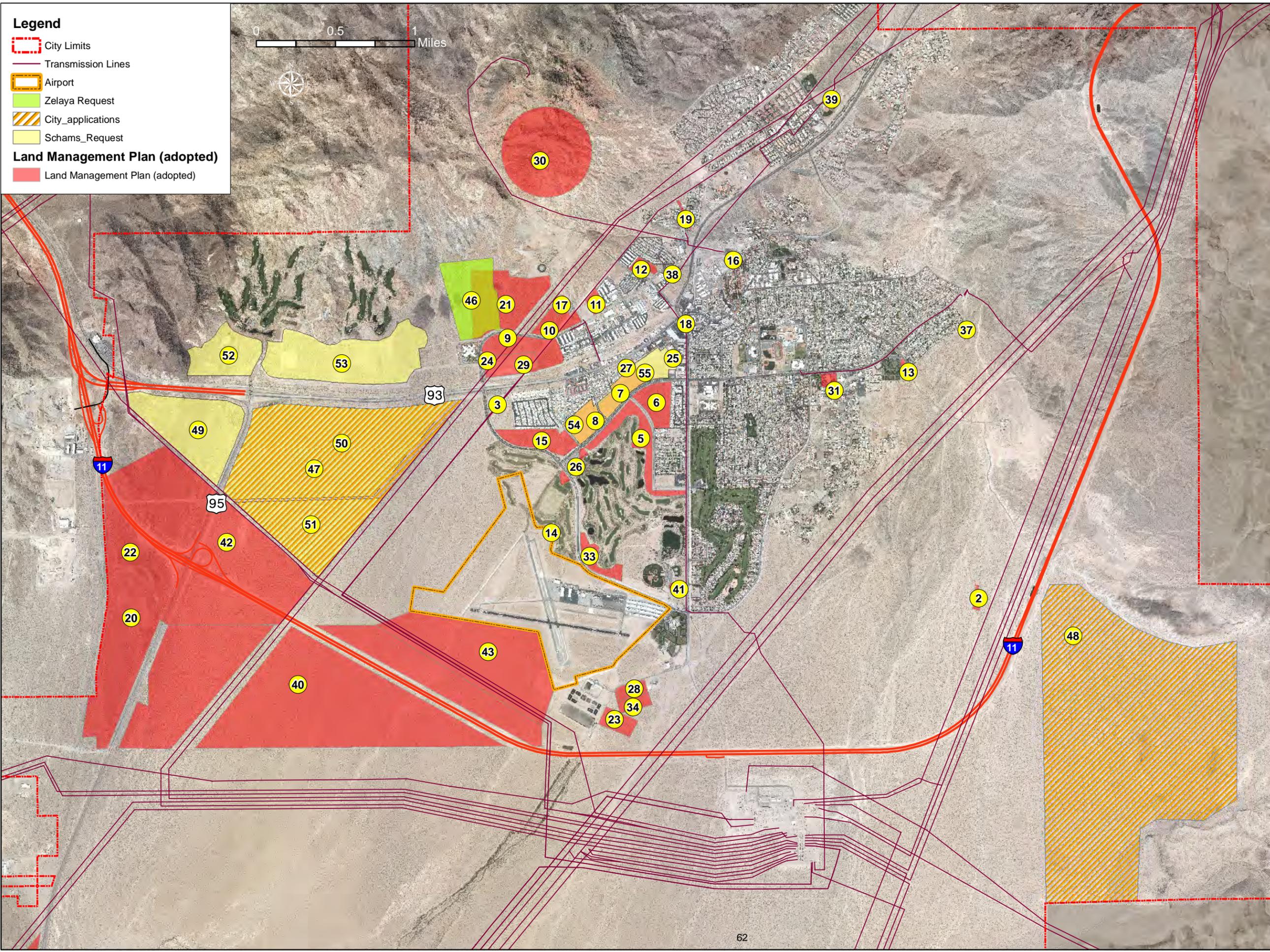
LMP Entry No.	Map No.	Parcel Description/Location	Year Added	Proposed Use	Value or other facts	Recommendation
03-01	1	Approximately 50 acres west of US 95 in Sections 27 & 27, T23S R63S (Eldorado Valley)	2003	CMX Motocross	Lease of Land	Land under lease and currently developed
03-02	2	Approximately 1.25 miles south of Utah on dirt road immediately before Sanitary Landfill Gate	2003	Model airplane airfield	Lease of land	Agreement entered for lease of land with non-profit entity. Facility has been constructed.
03-03	3	Along NV Energy powerline corridor on SE corner of US 93 & Veterans	2003	Commercial/Parking	Lease of land	Lease status unknown - adjacent to future Jack McCoy shopping center that is partially constructed
03-04	4	Solar Energy Zone	2003	Solar	Lease of Land	All land under lease
04-01	5	Land adjacent to Boulder Creek Golf Club (Tract 302 – eastern boundary of golf course, adjacent to Bristlecone drive)	2004	low density residential development	40 acres	Ballot Question authorizing land sale approved 11/2010
04-02	6	Land south of Adams and east of Bristlecone Drive	2004	low density residential development	29 acres	No action at this time
04-03	7	Land in the vicinity of the Old Airport Hangar	2004	multi-use sports complex (or other commercial use)	26 acres	No action at this time
04-04	8	Land north of Adams Boulevard between Aspen and Gingerwood	2004	multi-use sports complex	24 acres	no action at this time
04-05	9	Land north of U.S. 93 and south and east of Veterans Memorial Drive	2004	light industrial or crematory	43 acres	no action at this time
04-06	10	Land north of Veterans Memorial Drive	2004	light industrial or crematory	23 acres	no action at this time
04-07	11	Industrial Court Subdivision	2004	light industrial	Ten lots on 5.49 net acres	All land sold
04-08	12	Land north of Industrial and east of Canyon Road	2004	boat storage	8 acres	released RFP in 2005; no interest in site; no action at this time

04-09	13	South of Adams and west of Utah, adjacent to City Cemetery	2004	Church site	3 acres	Land under lease
04-10	14	2-4 acres of land along the south and west boundaries of Boulder Creek Golf Club	2004 LMP amendment	multi-family residential	2 acres	No action at this time.
04-11	15	Land on northeast corner of Adams and Veterans Drive	2004	Senior Housing Project	27.5 acre site - VOANS Development Site	Lease Option to Expire summer 2009, possible option renewal
05-01	16	Former water filtration plant at 300 Railroad Avenue	2005	single-family or community use	2 acres	no action at this time until historic preservation constraints can be defined, U.S. Dept of Health and Human Services accepts City's facility re-use plan
05-02	17	Land west of Yucca & north of Veterans Memorial Drive	2005	animal shelter or dog park or commercial/light manufacturing	5 acres	No action at this time
05-03	18	Land east of Buchanan and south of Nevada Way	2005	commercial use	less than one acre	Lot line adjustment with adjacent property owner completed (CVS Pharmacy future development)
05-04	19	Lakeview Addition Utility Corridor	2005	residential use	2.5 acres	No action at this time
05-05	20	Land west of U.S. 95, 1.5 miles south of U.S. 93	2005 (removed 2013)	motor sports park	50 acres	REMOVED FROM LMP 10/22/2013
05-06	21	Land north of Veterans Drive and west of Yucca Street extension to Bootleg Canyon	2005 LMP Amendment	multi-use sports complex and recreation center	100 acres - Hang Time Sports proposed site	No action at this time
05-07	22	Land west of US 95 approximately 1.25 miles south of US 93	2005 (removed 2013)	Outdoor recreation	20 acres	REMOVED FROM LMP 10/22/2013
05-08	23	South side of Quail Drive near Wastewater Treatment Plant - 10 acres	2005 LMP Amendment (Removed 2008)	solar generation site	10 acres, site relocated to LMP Site No. 08-03, Map #34	REMOVED FROM LMP 2008
05-09	24	Located north of railroad tracks on Veterans immediately east of Veterans Home	2005 amdmt	Cellular Communications	1 acre	Leased
06-01	25	1000 Walnut Drive	2006 LMP Amendment	light industrial storage	1 acre	No action at this time
06-02	26	Land adjacent to the Boulder Creek Golf Club clubhouse	2006	hotel use	up to 4 acres	Former Hawthorne Suites site
07-01	27	Old Airport Hangar	2007	commercial/industrial use	1.7 acres	Continue to use facility as secure police impound lot

07-02	28	North and east of Wastewater Treatment Plan, on Quail Road	2007	pet cemetery	10 acres	No action until business plan is accepted by CC
07-03	29	Railroad Storm water Detention Basis (north of railroad tracks, south of Veterans Drive near Veterans Home	2007	dog park	18 acres	No action at this time
07-04	30	Bootleg Canyon Mountain Bike Park Area	2007	Aerial Trails	Concession agreement	Under concession agreement with Greenheart
07-05	31	Old Animal Shelter – 1390 San Felipe	2007	residential use	~2 acres	Release second to sell land. If no response, follow NRS provisions to market
08-01	32	Land adjacent to and south of Dry Lake Bed	2008	Solar Energy Development	2,200 acres	Korean Midland Power Company (KOMIPO)
08-02	33	Land adjacent to Boulder Creek, south and east of golf course bordering Veterans Parkway and Veterans Park	2008	Uses consistent with Airport subarea element of City Master Plan	Approximately 20 acres	Ballot Question authorizing land sale approved 11/2010
08-03	34	Land south of Quail Drive near Waste Water Treatment Plant	2008	Solar Demonstration Site	10 acres, located formerly at LMP Site No. 05-08	No action at this time
09-01	35	Land north of Dry Lake Bed and north of powerline corridor, adjacent to Black Hills on west boundary, Southwest Gas Pipeline on SW boundary	2009	Solar Energy Development	2,000 acres	Sempra Generation, aka "Copper Mountain North"
09-02	36	Land north and adjacent to Dry Lake Bed and south of powerline corridor	2009	Solar Energy Development	2,000 acres	Techren Solar
10-01	37	Adams Boulevard Substation	2010	Cellular Communications	~ 1 acre	Under lease
10-02	38	Industrial Road Substation	2010	Cellular Communications	~ 1 acre	Under lease
10-03	39	Hemenway Substation	2010	Cellular Communications	~ 1 acre	Under lease
10-04	40	Land located at SW corner of original townsite, adjacent to WAPA corridor and US 95, split by US 93 By-Pass Route D	2010	Renewable Energy Development	850 acres	Lease under negotiation with Korean Western Power Company
10-05	41	Veterans Park, south and east of baseball fields	2010	Dog Park	10 acres	Under lease
12-01	45	Remainder of Library site on Adams approved for sale not purchased by the Library - former Boys/Girls club bldg	2012 (by voters for land sale)	public/quasi public uses	~1 acre	Have site appraised and put out to RFP for a preschool/Daycare facility

14-01	42	I-11 @ US 95 Interchange	2014	Highway Commercial	10-40 acres for each quadrant	Prepare master plan and zoning ordinance regulations in anticipation of future development upon completion of I-11
14-02	43	Adjacent and west of Airport	2014	Aeronautical and Business Park	242 +/- ac	Prepare master plan and zoning ordinance regulations in anticipation of future development upon implementation of UAS program
14-03	44	South and west of Techren/KOMIPO solar leaseholds	2014	D/C to A/C electrical power conversion Terminal/Substation	480 ac	Put out RFP to have land leased
17-01	46	Approximately 91 acres, just north and east of the Veterans home	2017 (under review)	Outdoor recreation	Seeking 10 acres within the 91 acre plot for lease	Jose Zelaya (applicant)
17-02	47	Approximately 586 acres, SE Quadrant of US 93/95 Interchange	2017 (under review)	Light Industrial	Seeking uses such as traditional light industrial activities like: Logistics Centers, Datacenters, Light Manufacturing (non-polluting)	City (applicant)
17-03	48	Approximately 1,100 acres, at end of BC Rifle & Pistol Club access road, east of I-11	2017 (under review)	Light Industrial	Seeking uses such as traditional light industrial activities like: Logistics Centers, Datacenters, Light Manufacturing (non-polluting)	City (applicant)
17-04	49	SW Quadrant of US 93/95 interchange	2017 (under review)	Residential use	~148 acres. Proponent is seeking a land exchange for this parcel (and others) for a roughly 1,600 - 2,000 unit residential development	Schams (applicant)
17-05	50	SE Quadrant of US 93/95 interchange	2017 (under review)	Residential use	~400 acres. Proponent is seeking a land exchange for this parcel (and others) for a roughly 1,600 - 2,000 unit residential development	Schams (applicant)
17-06	51	South of Gas Line Access Road off of US 95 on east side of highway	2017 (under review)	Residential use	~146 acres. Proponent is seeking a land exchange for this parcel (and others) for a roughly 1,600 - 2,000 unit residential development	Schams (applicant)
17-07	52	NW Quadrant of US 93/Cascade Entrance Road	2017 (under review)	Residential use	~68 acres. Proponent is seeking a land exchange for this parcel (and others) for a roughly 1,600 - 2,000 unit residential development. NOTE: Currently under lease to Cascada Golf (Ceasar's Entertainment)	Schams (applicant)
17-08	53	NE quadrant of US 93/Cascade Entrance Road	2017 (under review)	Residential use	~179 acres. Proponent is seeking a land exchange for this parcel (and others) for a roughly 1,600 - 2,000 unit residential development. NOTE: Currently under lease to Cascada Golf (Ceasar's Entertainment)	Schams (applicant)

17-09	54	NE Quadrant of Gingerwood/Adams Blvd	2017 (under review)	Residential use	~24 acres. Proponent is seeking a land exchange for this parcel (and others) for a roughly 1,600 - 2,000 unit residential development	Schams (applicant)
17-10	55	1402 Adams Blvd (old airport site)	2017 (under review)	Residential use	~47.8 acres. Proponent is seeking a land exchange for this parcel (and others) for a roughly 1,600 - 2,000 unit residential development	Schams (applicant)



Legend

- City Limits
- Transmission Lines
- Airport
- Zelaya Request
- City_applications
- Schams_Request

Land Management Plan (adopted)

- Land Management Plan (adopted)

2017 Land Management Plan

- 2017 applications (for initial review)

Companion Map to LMP Table



Map created by:
 Brok Armantrout, Director
 Community Development Department
 City of Boulder City, Nevada
 October 10, 2016

September 20, 2016

City of Boulder City
Attention: City Clerk's Office
401 California Avenue
Boulder City, NV 89005

To Whom It May Concern:

This letter is in reference to the requirements necessary for obtaining the lease for the 10 acres of land located on the corner of Veterans Memorial Drive and River Mountains Loop Trail.

The highlighted area is where I would like to build, as well as use some of the outer land strictly for trail running.



I am a local business entrepreneur looking to further my passion for obstacle course racing by developing a permanent obstacle course training facility on the above proposed land. As a resident of the Las Vegas community since 2003, and since that time, I have opened 3 businesses in three separate fields; telecommunications, manufacturing, and cabinetry. For the past 10 years, I have been in the sales and marketing fields which has led me to understand the needs and demands of what the community is striving for. There is a saying that states "fit is the new skinny". My goal and focus is to provide a training facility for all people to get fit, no matter their age, weight, gender, etc.

The source of financing is a group of entrepreneurs under the umbrella of Alpha and Omega Financial Services. This company has been in business for over 35 years in financial services and are custom fitted to business owners, professionals and entrepreneurs. This Company's core value statement is: "We Care about changing lives. It's why we get up every morning. It's an opportunity to affect change in people through altering their life, legacy, and financial future through the infinite banking concept. By putting money back into your pockets and not the pockets of the lenders, we empower people every day to live from a fearless financial future." Based on my prior meeting with this company where I pitched the idea for this project, they have given me a verbal agreement, and will move forward once I provide them with the final business plan.

I have over 5 years of hands-on Obstacle Course Race training and competing, as well as a team of certified trainers. I have over 5 years of business development and over 100 hours of business operation training. One of my team members has overseen a fitness training facility grow from one gym to five gyms. Another member has been in the stage and rigging business for over 10 years. Another member is a licensed contractor in welding (AWS certified), metal machining & fabrication, 3D printing, rigging design, solid works, AutoCad services, and CSWE certified. SA Fabrication LTD is the builder who I will be using.

The ultimate goal is to build a full obstacle course training facility for anyone from beginner to the elite level to be able to train, whether it's simply to just get through the course, or to learn the proper techniques to improve their race times. The main focus will be on those participants who commit to a 5-day training program where they will learn the proper techniques to get over the obstacles by a certified trainer, receive a proper nutrition plan to prepare them for race day, and finally prepare them for training-specific exercises to continue their workouts at home. There will also be an indoor facility with more complex obstacles. For the local community, a membership program will be available for individuals to train as needed.

I will also add that our main priority is the local community and ways in which we can give back. A plan has been put in place to give St. Jude Children's Hospital anywhere from 2-5% of our gross profit. Also, proceeds will go toward research and finding a cure for Chiari Malformation Disease. One of the head trainers involved in this project and that will work on site, has a 7-year-old daughter with this disease. She is the inspiration for bringing this project together. At the age of 4, she had her first brain surgery and now she is not only involved with obstacle course racing, but also trail racing and local races, most often winning for her age group. She has been an inspiration to so many of all ages and is the driving force in many members of the local community pushing out of their comfort zone and achieving goals that once seemed impossible.

It would be an honor and a privilege to be a part of the Boulder City community. I know that by achieving the goals that I have for this project, the city will be greatly impacted as will many lives.

I understand that by the submission and approval of this proposal I am responsible for an appraisal and the administrative costs associated with the sale or lease of the property.

Please don't hesitate to reach out to me with any questions or concerns at (702) 813-9200 or jl052813@gmail.com.

Thank You,



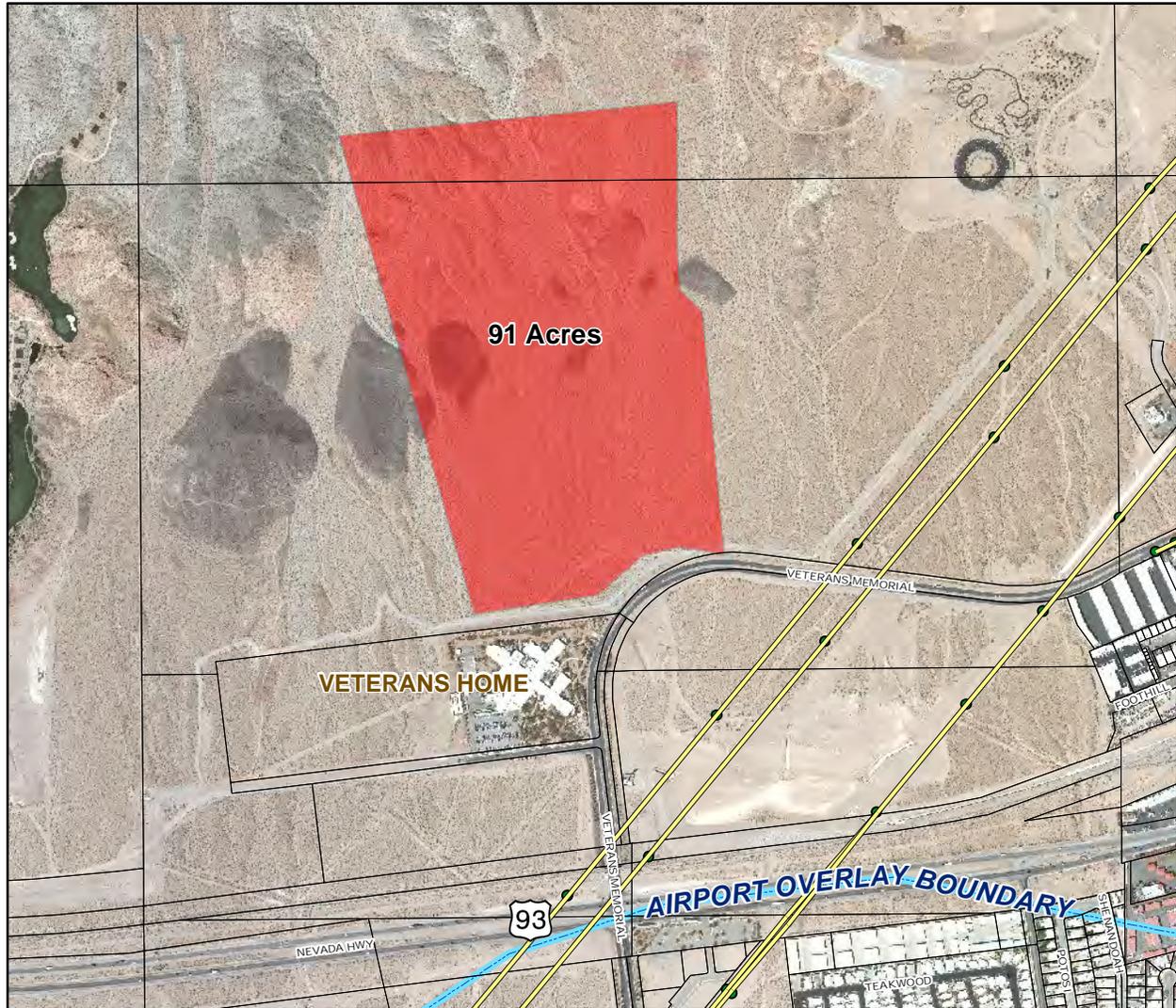
Jose Zelaya

11175 Gallery Echo Street

Las Vegas, NV 89141

Zelaya Request

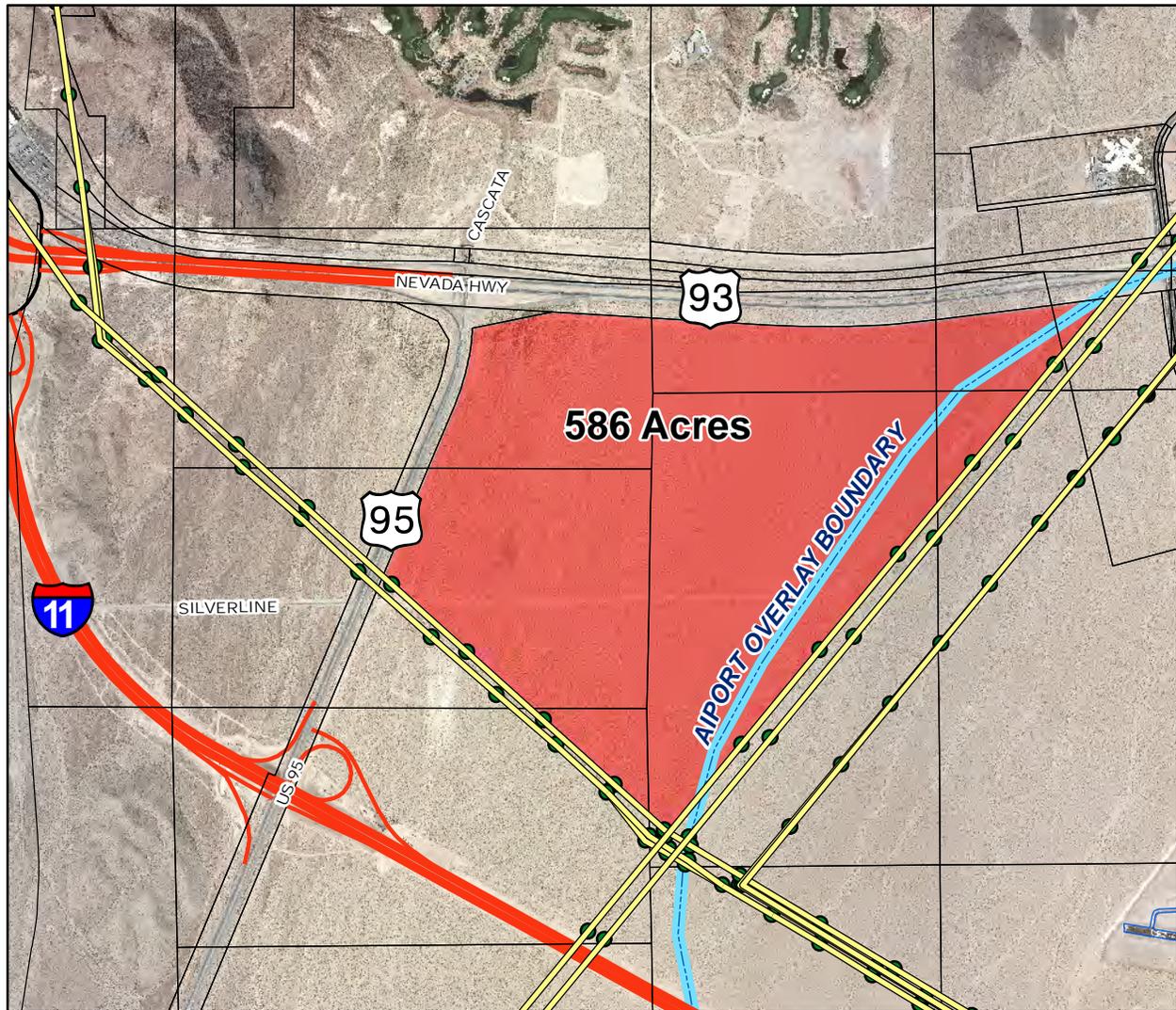
LMP# 17-01



Site Name:	Zelaya Request		
Address:	Just north and east of the Veterans Home on Veterans Pkwy		
APN:	18606000006, 18607101003		
Zoning:	SR (Special Recreation)		
Airport Overlay:	No - Not within airport influence environs		
Master Plan:	PR (Public Recreation), OL (Open Lands)		
Utilities:			
Water:	Yes/No. Will need to conduct study for capacity		
Sewer:	Yes/No. Will need to conduct study for capacity		
Electric:	Yes/No. Will need to conduct study for capacity		
Unique Issues:	Virgin land - has never been developed. Will need additional studies performed prior to development		
		Map prepared by: Brok Armantrout Director, Community Development City of Boulder City, Nevada October 10, 2016	

City Request #1

LMP# 17-02

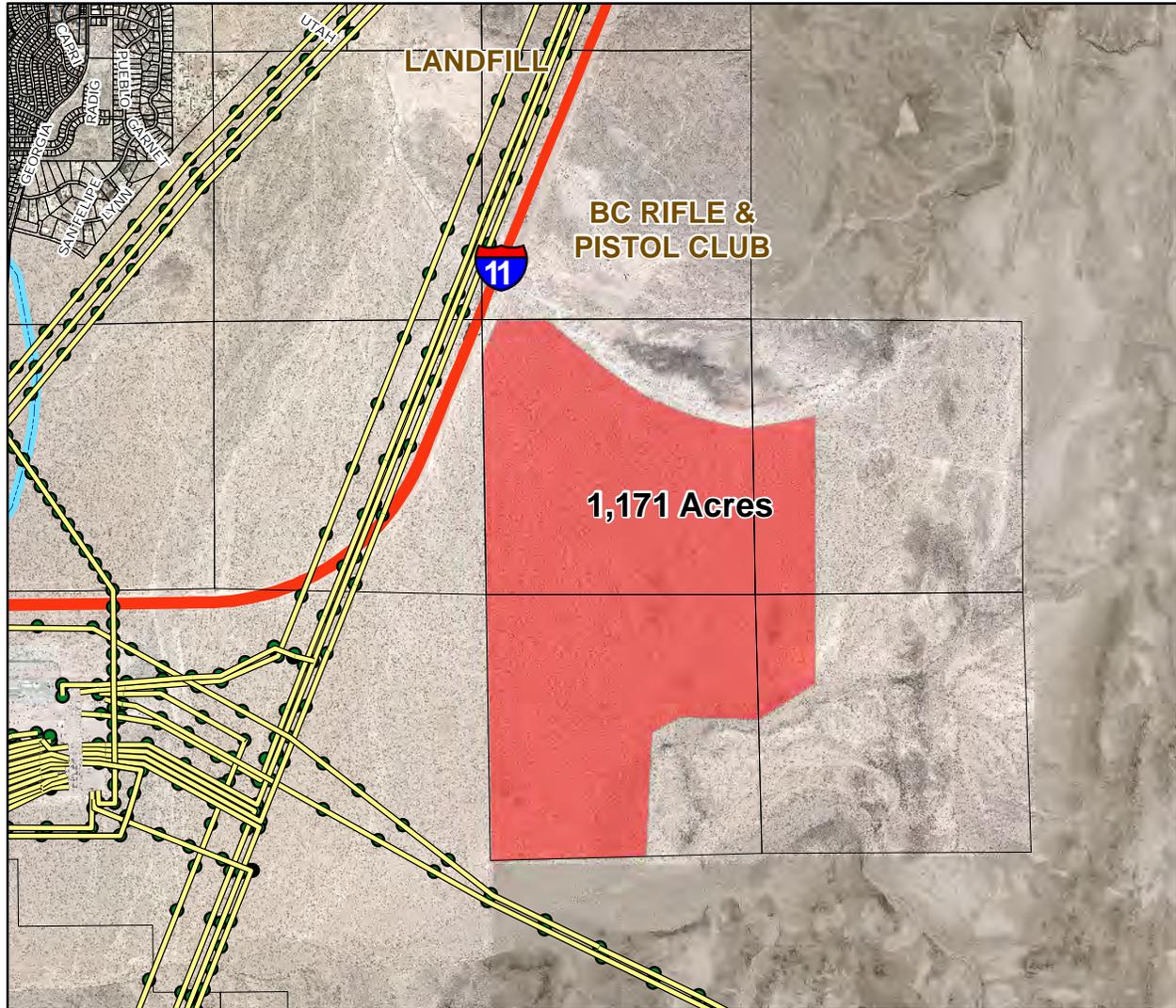


Site Name:	City Request #1		
Address:	SE Quadrant of US 93/US95		
APN:	18912001003, 18912002002, 18813000001, 18812000002, 18607401002, 18618000002, 18607401004, 18912002001, 18913000002		
Zoning:	S (Study)		
Airport Overlay:	Yes - within airport influence environs eastern edge		
Master Plan:	OL (Open Lands)		
Utilities:			
Water:	No. will need to extend utilities		
Sewer:	No. will need to extend utilities		
Electric:	No. will need to extend utilities		
Unique Issues:	Will need NDOT approval to access US 93 or US 95		

Map prepared by:
 Brok Armantrout
 Director, Community Development
 City of Boulder City, Nevada
 October 10, 2016

City Request #2

LMP# 17-03



Site Name: City Request #2
Address: At end of BC Rifle & Pistol Club Road/Boy Scout Canyon Rd
APN: 18623000001, 18624000001, 18625000001, 18626000001
Zoning: S (Study), GP (Government Park)
Airport Overlay: No - No within airport influence environs
Master Plan: OL (Open Lands)
Utilities:
 Water: No. will need to extend utilities
 Sewer: No. will need to extend utilities
 Electric: No. will need to extend utilities
Unique Issues: Virgin land - has never been developed. Will need additional studies performed prior to development



Map prepared by:
 Brok Armantrout
 Director, Community Development
 City of Boulder City, Nevada
 October 10, 2016



EXCERPT OF MINUTES

**CITY COUNCIL
REGULAR MEETING MINUTES**

Tuesday, October 25, 2016 – 7:00 PM

Council members present: Mayor Rod Woodbury, Council member Peggy Leavitt, Council member Duncan McCoy, Council member Rich Shuman, Council member Cam Walker (5)

Absent: None (0)

Also present: City Manager David Fraser, City Attorney Dave Olsen, City Clerk Lorene Krumm, Administrative Officer Bryce Boldt, Community Development Director Brok Armantrout, Finance Director Hyun Kim, Fire Chief Kevin Nicholson, Parks and Recreation Director Roger Hall, Police Chief Tim Shea, and Public Works Director Scott Hansen

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- 9. For Possible Action: Consideration of proposals submitted in response to the Land Management Plan for 2017 and possible referral of proposals to the Planning Commission for review and recommendation

A staff report had been submitted by Community Development Director Brok Armantrout and included in the October 25, 2016 City Council Agenda Packet.

Community Development Director Armantrout provided an overview of the staff report and reviewed the Land Management Plan process. He stated 44 proposals had been entered into the plan, 22 of which have had no action taken. He said staff was recommending three prior entries be removed for either no longer being necessary, or no longer desired. He reviewed the three recommendations for removal. He stated this year the City received two proposals, and there were two (2) city-sponsored proposals. He reviewed each of the proposals and stated at this stage, the Council should decide if the proposals were appropriate to forward to the Planning Commission for public hearing and recommendation.

In response to a question by Mayor Woodbury, Community Development Director Armantrout stated there were instances where a property had been entered for a specific use and an additional use was subsequently added.

Applicant Jose Zelaya stated he had been working on his proposal for eight months. He said he would like to lease 10 acres for an obstacle racing facility and training center. He said he had lived in Las Vegas since 2003 and had been the owner of three businesses. He discussed his financial plan for the project stating Alpha Omega Financial would be an investor. He said he has also been working on seeking sponsorship from Under Armour. He discussed his goals for the project and his plan for designating a portion of the gross profits to various non-profit organizations. He noted

many prominent magazines had named obstacle racing as the fastest growing sport in American history.

In response to a question by Council member Shuman, Mr. Zelaya stated he chose Boulder City because he wanted to target people who were serious about training and Boulder City offered an environment away from the Las Vegas activity. He stated he would eventually like to move to the community.

In response to questions by Council member Walker, Mr. Zelaya stated he was seeking 10 acres and would possibly want to expand to 20 acres. He said he would offer membership for use of the facility; it would not be open to the public. He said he did not plan on constructing a fence but would use overnight security.

Council member Leavitt stated she was intrigued by the project. She said one aspect of marketing Boulder City was adventure travel. She said she liked the fact there would be marketing to international tourists. She said the project would enhance what Boulder City already offered which was important with the opening of the I-11.

Mayor Woodbury opened the public comment period on the proposal regarding the obstacle course race training facility.

No comments were offered and the public comment period was closed.

Motion: Combine Item No. 21 and Item No. 46 of the Land Management Plan and send to the Planning Commission for recommendation

Moved by: Council member Walker. **Seconded by:** Council member McCoy.

AYE: Mayor Rod Woodbury, Council member Peggy Leavitt, Council member Duncan McCoy, Council member Rich Shuman, Council member Cam Walker (5)

NAY: None (0)

Absent: None (0)

The motion was approved.

Mayor Woodbury opened the discussion regarding the Boulder Highlands proposal. Applicant Randy Schams stated he was a resident of Boulder City and was concerned about the City and the business community once the bypass was complete. He stated visits to Hoover Dam had decreased since the bridge opening. He said enrollment in the local schools was declining. He said whether he developed the land at the entrance of the City or somebody else, the complete entrance coming into Boulder City should be analyzed. He said forwarding the proposal to the Planning Commission provided the opportunity to research the idea. He said he was trying to meet with businesses within the next couple months and discuss concerns about the bridge opening. He said it was not his intent to have massive growth; development would take approximately 10 years. He said he had held meetings with Target and the retailer said if there was some growth

in Boulder City, it would consider putting a store here, but currently businesses would not consider Boulder City an option because it has not grown. He urged people to consider the proposal in a positive way and did not want the matter blown out of proportion. He said he wanted Boulder City to remain a rural community with a population which remained under 25K. He said Boulder City would be approximately 25K people if the number of allowed allotments had been fulfilled every year since the Growth Ordinance was enacted. He said residential development would provide many positive opportunities for the community and he encouraged the Council and residents to keep an open mind.

In response to a question by Council member Walker, Mr. Schams stated he was looking at exchanging 640 acres outside of Boulder City for 640 within Boulder City. He provided his reasoning for nominating several parcels of land including the land to the east and below the mobile home park. He said the area was not where he wanted to build, but it was important to talk about how the property should be utilized. He said he had nominated approximately 900 acres total for consideration of residential development.

Council member Walker stated land was one of the City's most valuable resources. He said the 640 acres in unincorporated Clark County was not the same value as 640 acres within Boulder City. He said there were many challenges on the 640 acres. He said it was important to open dialogue, but he was not in favor of development at the entrance into town and he provided his reasoning. He said he had received many phone calls and emails regarding the Boulder Highlands project. He said the City had a Controlled Growth Ordinance, but he was not opposed to putting a question to the voters regarding growth. He said he would like to see a commitment to the 640 acres outside of Boulder City.

Mr. Schams stated he had listened to many people within the community who had expressed concern regarding the opening of the I-11 and what would happen to the community when the traffic was reduced by half.

A discussion followed regarding the proper process to have the discussion regarding what to do with various parcels of City-owned land.

Council member McCoy stated many items have come and gone in the Land Management Plan. He said there had been many discussions within the community and it was time to bring the discussions into the public. He said the Land Management Plan did not involve consideration if the land is equivalent in value. He said there were regulations on growth and disposition of City-owned land. He said it was important to have a public discussion and the appropriate method was the Land Management Plan. He said the details could be worked out as the process moved forward.

Council member Shuman stated the City had the ability to discuss any parcel without entering it into the Land Management Plan. He said entering the parcel in the Land Management Plan was usually the first step of the process in developing a project. He said the project was too big, too soon. He said the Council could always amend the Land Management Plan.

Council member Leavitt stated a great percentage of the population does not understand the Land Management Plan. She said entering the proposals into the Plan would be interpreted as approval of the project which was not accurate. She said it was important to have a vehicle to have a public discussion, but expressed concern regarding adding so much acreage to the Plan.

Mayor Woodbury stated the process had been explained twice and the Land Management Plan was the vehicle established for discussing the types of proposals Mr. Schams has brought forward. He said the City may not overcome the fact people do not understand the process, but it was a chance to educate the public. He said he had been talking to developers, including Mr. Schams for over one year regarding potential growth in Boulder City. He said Mr. Schams had made a proposal to develop County land. He stated development on the County land which has been proposed previously would be higher density than development in Boulder City. He said the concerns for development of the County land on the border of Boulder City were the same now as it was in 2008 with the Cannerelli proposal; the City would be the first responders even though the area was not within City's jurisdiction. He said if the area was developed, it would have a negative impact on local services without providing a tax base. He said he had invited Mr. Schams to consider development closer to Boulder City to at least provide some revenue to the City. He said he had talked to many citizens who were interested in some form of growth. He said at this time, there was no proposal to consider; the area had been chosen as a site for potential residential development. He said he had asked Community Development Director Armantrout to identify other areas within the City for potential residential development. He said City Request No. 3 of 470 acres was close to current residential development. He said if the City was going to have a discussion regarding growth, it made sense to discuss where it should occur. He pointed out other areas for potential residential development. He said part of the growth idea was the impending completion of I-11 and the discussions on the impact of the City once the I-11 opened. He said Boulder City did not have the residential base to support businesses; it relied increasingly on tourist traffic which may not be sustainable. He said Boulder City also did not have the hotel rooms to support tourists. He said there needed to be a serious discussion regarding what the citizens wanted Boulder City to become. He said another dynamic to consider was an increasingly aging population of the community and he questioned if residents wanted Boulder City to become a retirement community. He urged citizens not to be scared about uncertainty; the Land Management Plan was a formalized process. He said if the City did not move forward with the process, development would occur in a scattered, inconsistent way and issues would not be discussed. He said whoever created the Land Management Plan had a great deal of foresight; it was a great way to have a discussion. Mayor Woodbury clarified there had been zero proposals about changing the Controlled Growth Ordinance and zero proposals for development to the City. He said the first discussion should be about growth and how the community wants to define itself. He said he proposed to move forward in order to continue open, transparent discussions and discuss the pros and cons of the proposal.

Council member Walker stated the amount of land being considered was not appropriate for a Land Management Plan; it was more suited for a Master Plan. He

questioned the relevance of the Land Management Plan without a proposal for a specific purpose.

Mayor Woodbury stated it was important to have a dialogue and the Land Management Plan was not the wrong process to have the discussion. He said the Land Management Plan process provided the public an opportunity to weigh in.

Council member Walker reiterated his concern with entering 2,000 acres into the Plan. He said normally there was a specific parcel entered for a specific purpose.

Mayor Woodbury stated the Boulder Highlands proposal and the recent City additional requests were all identified for potential residential growth.

Council member Shuman stated he interpreted the Land Management Plan differently with an applicant name attached to the proposal. He said the Land Management Plan was not the process to discuss growth.

City Clerk Krumm read the portion of the City Code regarding the Land Management Plan noting the plan was established to make a determination of specific uses for City-owned property.

A discussion followed regarding the Land Management Plan and what was appropriate to consider during the process.

In response to a question by Council member Leavitt, Community Development Director Armantrout stated the decision to move a proposal forward to the Planning Commission did not enter the parcel into the plan. The Planning Commission would make a recommendation on the proposals forwarded, and send its recommendation back to the City Council. He said parcels would be entered into the Land Management Plan at a later date if the Council approved the recommendation. He said public hearing notices were not sent out at this stage, but were sent out to property owners within 300 feet when the matter was heard by the Planning Commission. He said at a subsequent Council meeting, public hearing notices were sent out again.

In response to a question by Mayor Woodbury, Community Development Director Armantrout stated placement of a parcel into the Land Management Plan did not stop the dialogue; discussions could continue as needed.

In response to a question by Council member Shuman, Community Development Director Armantrout stated it was possible to amend the Land Management Plan throughout the year.

A discussion followed regarding a Master Plan process and the Land Management Plan process.

Mayor Woodbury opened the public comment period regarding the proposals for several parcels of land to be designated for residential development.

Eric Lundgaard stated the bypass would be completed in less than two years. He said the Controlled Growth Ordinance allowed only 120 allotments per year. He suggested the Council put a question on the ballot to increase the allotments per year.

Joan Paolini stated she was not in favor of the City trading land; land should be bought or sold, not traded.

Katherine Hartman expressed her disagreement with comments relating to the Controlled Growth Ordinance having a negative effect on the community and school enrollment. She stated Carpinteria and Santa Barbara, California had controlled growth. She said most people who drive through Boulder City did not stop. She said the City still had the attractions which will entice visitors. She said the decrease in enrollment was related to a change in how the district operated such as the addition of magnet schools.

Fred Bachhuber stated the citizens of Boulder City have been dealt a disservice during the past six weeks due to a lack of transparency. He said citizens have to vote for any disposition of city owned land over one acre.

Kiernan McManus stated he was a native of Boulder City. He said Boulder City High School was one of highest rated schools in the entire state. He said when over 2,000 acres of land are entered into the Land Management Plan, it becomes a Master Plan. He said the City should be very careful about how it grows. He said there should be a mechanism to take parcels out of the Land Management Plan.

Terry Stevens stated there should be significant signage along the new interstate to entice people to visit downtown Boulder City. He said he supported the Controlled Growth Ordinance.

Tracy Folda stated when she studied Hoover Dam, she was not aware of Boulder City's role in creating the dam. She said visitors to the dam do not visit Boulder City. She said the Master Plan was created to be used long term.

Robert Leavitt stated the idea of swapping land makes citizens nervous. He said there was only a certain amount land which could be sold and if it was all sold or developed, future generations would not have this asset. He said there needed to be a discussion regarding growth and what direction Boulder City should go.

No further comments were offered and the public comment period was closed.

Council member Walker stated he appreciated Mayor Woodbury bringing in other areas of land to discuss for residential development. He said the issue of controlled growth is a separate discussion but should be addressed in a transparent manner.

City Manager Fraser stated the Master Plan issue has been raised because of the larger number of parcels whereas the Land Management Plan process looks at specific parcels.

Council member Walker requested the City Attorney provide a presentation regarding the Controlled Growth Ordinance.

Community Development Director Armantrout stated a Master Plan is usually adopted on a 20-year cycle and updated approximately every 10 years. He said the City was currently in its 12th year of the current Master Plan. He stated the City had contracted out the updates of the Master Plan in the past. He noted the process involved substantial public input. He discussed the Planning Commission's role in the Land Management Plan.

Mayor Woodbury stated he was opposed to spending \$100K on a planning consultant who was not familiar with the community. He said it was important to get notice to the public regarding the Land Management process and solicit public input.

Lettie Zimmerman stated although the number of items on the Land Management Plan proposed for residential was excessive, she recommended the Council forward the property proposed for recreation purposes to the Planning Commission. She said the other properties proposed for residential should be put on a future agenda for further discussion which focuses on where to start residential development. She said the matter could be discussed without discussing the number of allotments.

A brief discussion followed how to proceed with the residential proposals.

City Clerk Krumm clarified the agenda item pertained to what proposals the Council deemed suitable to forward to the Planning Commission for further discussion; it did not enter the parcels into the Land Management Plan.

Council member Shuman stated Site Nos. 49, 52, and 53 were too big and he was not in favor of forwarding the proposals.

Council member Walker expressed his agreement with Council member Shuman.

A brief discussion followed regarding dividing up LMP #07-03 into five separate parcels.

Motion: Move all residential proposals forward to the Planning Commission and break LMP #07-03 (Site 29) into five different parcels.

Moved by: Mayor Woodbury. **Seconded by:** Council member McCoy.

Vote:

AYE: Mayor Rod Woodbury, Council member Peggy Leavitt, Council member Duncan McCoy (3)

NAY: Council member Shuman, Council member Walker (2)

Absent: None (0)

The motion was approved.

Mayor Woodbury stated there was a portion of the old airport property close to the fire station he would like to propose for recreation purposes.

Community Development Director Armantrout stated the land was not in the Land Management Plan at this time but was zoned for either recreation or commercial use, depending upon location.

Motion: Propose to include approximately 25 acres of the old airport property for discussion for recreation purposes.

Moved by: Mayor Woodbury; **seconded by** Council member Walker; **unanimously approved.**

Community Development Director Armantrout stated staff had proposed to remove Site Nos. 14, 28, and 29 as they were no longer necessary or desired. He said the action to remove the sites would take place upon adoption of the 2017 Land Management Plan.

Mayor Woodbury discussed notifying the public as the Land Management Plan moved forward.

Motion: Provide notice to all residents regarding the proposed residential properties moving forward for discussion.

Moved by: Council member Walker. **Seconded by:** Mayor Woodbury.

Council member Leavitt stated it may be helpful to solicit assistance in managing public comment and discussion. She said sending notices to every resident was very overwhelming and there should be some structure with respect to the discussion. She said hiring a facilitator may be a possible option. She said the process should be done very purposefully.

City Manager Fraser stated the City could advertise by using methods such as Facebook, the local newspaper, and the utility mailer rather than mailing out a notice to every household.

Council member Walker suggested a possible workshop as well.

A discussion followed regarding the importance of community outreach.

City Manager Fraser stated the City could hire a meeting facilitator which could be handled administratively. He said the City would make every effort to get the word out in a cost effective manner.

Council member Walker amended his motion to notify citizens using methods other than a public hearing notice such as the City's website, utility mailer, and Facebook; seconded by Mayor Woodbury; unanimously approved.

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Item 5 - Monthly Allotment Report

SUBJECT:

Monthly Progress Report on Development Allotments

ADDITIONAL INFORMATION:

ATTACHMENTS:

Description	Type
📎 Item 5 report	Cover Memo



Agenda Item No. 5 Planning Commission Meeting November 16, 2016

Staff Report

TO: Planning Commission

FROM: Susan Danielewicz, City Planner, Community Development Department

DATE: November 10, 2016

SUBJECT: Monthly Progress Report on Development Allotments

As per the current Controlled Growth Management Plan, Section 11-41-13: "The Planning Commission shall review, on a monthly basis, a report...on each proposed development having an allotment award... Allotments awarded will be automatically rescinded if the building permit for the proposed development expires, or if no building permit is applied for and issued within one (1) year of the award of the allotments. All allotments awarded prior to the effective date of this Chapter shall likewise be rescinded if no building permit has been issued within one year of the effective date hereof." (11-5-1996 election)

As per a determination by previous City Attorney Andrews, projects for which no building permit for a property has been obtained within one year of the award are subject to expiration. If there are multiple buildings on the same property, and at least one permit has been obtained, then the remaining allotments will not automatically expire. (Condominiums are multiple units on a single property; townhomes are individual units on individual properties.)

CY = Construction Year (July 1 through June 30) CO = Certificate of Occupancy

ALLOTMENTS FOR DEVELOPERS (for residential units unless noted *otherwise*):

AFDA-90-63, BOULDER LANDING - BC NO. 65, LAKE MOUNTAIN DRIVE

(30 allotments: CY 90-91; 29 CO's previously issued)

No progress to report on remaining 1 allotment.

Expiration date for issuance of permits: None (condominiums).

ALLOTMENTS FOR OWNER-BUILDERS: The effective date for the most recent adoption of Chapter 11-41, Controlled Growth Management Plan, is 11/05/1996. As per the new Sections 11-41-14 and 11-41-15 of the City Code, building permits for owner-builders who are building on lots created after the effective date of this code (11/05/1996) are counted towards the total number of available allotments that Construction Year. Such owner-builders are exempt from the allotment process, so

long as each owner-builder does not request more than one owner-builder permit on applicable lots during a three-year period.

To date there have been only three residential subdivisions recorded after 11/05/1996 where there could be permits obtained by owner-builders: BC No. 86 - Lake Mead View Estates No. 3, BC No. 88 - Arctic Desert View Estates (built out), and BC No. 96 - Alpine Estates. Otherwise, the only other applicable sites are parcels created after 11/05/1996 which are not within subdivisions.

New Owner-Builder Allotments, permits issued during CY 2016-17:

None this past month.

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