



City of Las Vegas

Agenda Item No.: 84.
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AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF AUGUST 2, 2006

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARCO VILLAR

Consent Discussion

SUBJECT:
VARIANCE

VAR-12666 ABEN - ZENITH - PUBLIC HEARING - APPLICANT: CINGULAR WIRELESS - OWNER: SOUTHWESTCO WIRELESS - Appeal filed by the applicant from a denial by the Planning Commission of a request for a Variance TO ALLOW A RESIDENTIAL ADJACENCY SETBACK OF 87.5 FEET WHERE 180 FEET IS REQUIRED FOR AN EXISTING 60-FOOT TALL WIRELESS COMMUNICATION FACILITY, NON-STEALTH on 0.50 acre at 840 North Decatur Boulevard (APN139-30-301-003), C-1 (Limited Commercial) Zone, Ward 5 (Weekly). The Planning Commission (6-0-1 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	2	Planning Commission Mtg.	0
City Council Meeting	0	City Council Meeting	0

RECOMMENDATION:

The Planning Commission (6-0-1 vote) and staff recommend DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting documentation
4. Justification Letter
5. Backup referenced from the 05-11-06 Planning Commission meeting Item 33

Motion made by LAWRENCE WEEKLY to Deny

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0
LOIS TARKANIAN, LAWRENCE WEEKLY, LARRY BROWN, OSCAR B. GOODMAN,
GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None);
(Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Item 84 [VAR-12666] and Item 85 [SUP-12667].

CITY COUNCIL MEETING OF: AUGUST 02, 2006

SHANE HENNESSEY-YORK, 3763 Howard Hughes Parkway, appeared on behalf of the applicant. He noted that the intention of the collocation application is in response to the need of coverage affecting residents, tourist and emergency 911 services. MR. HENNESSEY-YORK detailed the reasons and stated that the application is a conforming use to a non-conforming structure. He briefed the timeline of approval based on collocation of antennas and noted that had the application been presented at a later date, it would have received approval administratively. The proposal meets a non-stealth design, it is not within a historical neighborhood preservation and a previous abeyance was granted to allow time to meet with residents. One resident expressed concern with regard to height, road noise and debris of other nearby business. After thorough explanation of the application, the concerned resident no longer opposed the application.

ANTHONY HODGES pointed out that several of these applications exist and should be denied.

MR. HENNESSEY-YORK thanked COUNCILMAN WEEKLY, his staff and especially RICKI BARLOW for working with him during this last year.

COUNCILMAN WEEKLY commended MR. HENNESSEY-YORK and also MR. BARLOW for their tremendous efforts to find a viable solution. COUNCILMAN WEEKLY noted that although there was not a significant response to the notices, he stated that many residents have expressed frustration that the existing cell tower was previously administratively approved. He further informed MR. HENNESSEY-YORK that the nearby residents are currently seeking to establish a petition to remove what currently exists and because of their strong opposition, he would not support the application. COUNCILMAN WEEKLY stated that he and COUNCILMAN BROWN have discussed an alternative location for Cingular, should they choose to seek another location.

MAYOR GOODMAN declared the Public Hearing closed for Item 84 [VAR-12666] and Item 85 [SUP-12667].