

**AGENDA MEMO**

PLANNING COMMISSION MEETING DATE: AUGUST 23, 2007
DEPARTMENT: PLANNING AND DEVELOPMENT
ITEM DESCRIPTION: SUP-22852 - APPLICANT: CROWN CASTLE USA, INC. -
OWNER: COUNTY OF CLARK

**** CONDITIONS ****

STAFF RECOMMENDATION: DENIAL. If Approved, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.010 for a Wireless Communication Facility, Non-Stealth Design.
2. This approval shall be void one year from the date of final approval, unless a business license has been issued to conduct the activity, if required, or upon approval of a final inspection. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All development shall be in conformance with the site plan and elevation, date stamped 06/26/07, except as amended by conditions herein.
4. The communications monopole and its associated equipment and facility shall be properly maintained and kept free of graffiti at all times. Failure to perform the required maintenance may result in fines and/or removal of the communications monopole and its associated equipment and facility.
5. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for the extension of an existing 60-foot wireless communication facility (non-stealth design) to 80 feet on the west side of Oso Blanca Road, approximately 1,175 feet south of Deer Springs Way.

Equipping the existing slim-line communications monopole with full antenna arrays would create a negative visual impact on the surrounding area; therefore, staff recommends denial.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/08/07	An Administrative Review (SDR-19750) was approved to allow a proposed co-location of antennas on an existing 65-foot wireless communication facility, non-stealth adjacent to the west side of Oso Blanca Road approximately 1,150 feet south of Deer Springs Way.
06/28/07	An Administrative Review (SDR-22044) was denied to allow a proposed 20-foot extension and co-location of antennas on an existing 65-foot wireless communication facility, non-stealth adjacent to the west side of Oso Blanca Road approximately 1,150 feet south of Deer Springs Way. The applicant was informed that a Special Use Permit was required.
<i>Related Building Permits/Business Licenses</i>	
07/09/07	Permit issued under building Plan Check #L1804-07: Antenna collocation on existing monopole.
<i>Pre-Application Meeting</i>	
06/19/07	A pre-application meeting was held with the applicant regarding the requirement for a Special Use Permit stemming from the 20-foot extension to an existing 60-foot tall monopole antenna. Submittal requirements were discussed.

<i>Field Check</i>	
07/23/07	A field check was made on site. The monopole is located directly in the center of the lot and is clearly visible from the residents to the west.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	5.92

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Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	MS-TC (Main Street Mixed Use Town Center)	C-1 (Limited Commercial) and U (Undeveloped) [TC (Town Center) Land Use Designation] Zone
North	Undeveloped	MS-TC (Main Street Mixed Use Town Center)	C-1 (Limited Commercial)
South	Undeveloped	MS-TC (Main Street Mixed Use Town Center)	T-C (Town Center District)
East	US-95	US-95	US-95
West	Single Family Residential	L-TC (Low Density Residential Town Center)	T-C (Town Center District)

Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
T-C (Town Center) District	X		Y
Trails		X	Y
Rural Preservation Overlay District		X	Y
Development Impact Notification Assessment		X	Y
Project of Regional Significance		X	Y

ANALYSIS

• **Use**

The proposed 20-foot addition to the existing 60-foot Wireless Communication Facility, Non-Stealth Design does not qualify for Conditional Use Approval as the subject site is neither zoned C-V (Civic) nor C-M (Light Industrial) or M (Industrial). In addition to the zoning, the proposal also does not meet the minimum Conditional Use requirement of a 600-foot separation from residential property. As such, a Special Use Permit for a Wireless Communication Facility, Non-Stealth Design is required.

• **Minimum Special Use Permit Requirements**

Wireless Communication Facility Non-Stealth Design:

*1. No residential use may exist on the property.

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- *2. Any antenna tower that forms part of the facility shall conform with both the setback requirements of the zoning district and the separation requirements of Section 19.08.060.
- *3. Except in the C-V (Civic) Zoning District, no antenna tower that forms part of a facility may be located within 600 feet of:
 - a. Any other antenna tower that forms part of a wireless communication facility; or
 - b. Any pole or tower structure of any other type that has a height of at least 60 feet.
- *4. Antenna towers and associated components shall be initially painted and thereafter repainted with a flat paint, using a color that is approved by the City Council. Except as otherwise required by the Federal Communications Commission or the Federal Aviation Administration, the color of any antenna tower must generally match the surroundings or background so as to minimize its visibility.

- **Site Plan & Residential Adjacency**

The existing monopole and facility is located in the center of the parcel. From the provided site plans, there is a 380-foot separation between the proposed 80-foot monopole and the nearest residential property. Staff recognizes that while the Title 19.08.060 Residential Adjacency Setback Standards may not be applicable to the single-family residences on the west side of the property, the view corridors from the back yards of these homes will be further degraded by the additional height and antenna arrays obstructing their views. Staff recommends denial of this request.

FINDINGS

The following findings must be made for a Special Use Permit:

- 1. The proposed land use can be conducted in a manner that is harmonious and compatible with existing surrounding land uses, and with future surrounding land uses as projected by the General Plan.**

The proposed 20-foot addition to the existing 60-foot tall monopole cellular tower will be too great an increase in the visual intrusion to the single-family dwellings located to the west of the subject property. In addition to the height, the applicant is also proposing to add an additional antenna arrays furthering the visual intrusion to the residential community to the west.

- 2. The subject site is physically suitable for the type and intensity of land use proposed.**

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The site is not physically suitable for accommodating an 80-foot tall monopole with an additional antenna array as the increased intensity of land use is too great on the residential properties to the west.

3. Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed use.

Oso Blanco Road will provide adequate access to the subject property as there is little expected traffic related with a Wireless Communication Facility.

4. Approval of the Special Use Permit at the site in question will not be inconsistent with or compromise the public health, safety, and welfare or the overall objectives of the General Plan.

The welfare of the general public will be compromised by the approval of this 80 foot tall monopole, as the resulting visual clutter and obstructed views will degrade the quality of life currently enjoyed by residents in the area.

5. The use meets all of the applicable conditions per Title 19.04.

The proposed 20-foot addition in height along with the addition of an additional array meets the minimum requirements for a Wireless Communication Facility, Non-Stealth Design.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 13

SENATE DISTRICT 6

NOTICES MAILED 306

APPROVALS 2

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