



City of Las Vegas

Agenda Item No.: 89.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF OCTOBER 3, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
SPECIAL USE PERMIT

SUP-21620 - BEYANCE ITEM - PUBLIC HEARING - APPLICANT/OWNER: TIMOTHY & AMY SANDRA - Appeal of the denial by the Planning Commission of a request for a Special Use Permit to ALLOW A PROPOSED 55-FOOT HIGH RETRACTABLE AMATEUR RADIO ANTENNA TOWER at 325 Santa Fe Street (APN 138-34-613-028), R-1 (Single Family Residential) Zone, Ward 1 (Tarkanian). The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	9	Planning Commission Mtg.	10
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RECOMMENDATION:

The Planning Commission (4-3 vote) recommends DENIAL. Staff recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Justification Letters and addendum
5. Appeal Letter filed by Timothy Volz
6. Protest/support postcards
7. Information packet by Timothy W. Volz and protest/support postcards
8. Submitted at meeting Additional conditions of approval
9. Backup referenced from the 07-12-07 Planning Commission Meeting Item 34

Motion made by LOIS TARKANIAN to Approve subject to conditions and adding the following condition as read for the record:

A. Unless the applicant is participating in a federal, state or local emergency requiring the use of the applicant's amateur radio antenna or a drill officially sponsored by the state or local government, the approved amateur radio antenna shall be in a retracted position a minimum of 72 hours each and every week, 52 weeks per year. For the purpose of this condition, a week is defined as Sunday at 6 am until the following Sunday at 6 am. For purpose of this condition, a retractable position is defined as a point at which the approved amateur radio antenna is at a height no higher than 38 feet from the ground.

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B. The approved amateur radio antenna is subject to a one-year review at City Council.

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1

LOIS TARKANIAN, LARRY BROWN, OSCAR B. GOODMAN, GARY REESE, STEVE WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICKI Y. BARLOW)

Minutes:

MAYOR GOODMAN declared the Public Hearing open.

TIMOTHY VOLZ, 325 Santa Fe Street, stated he is licensed by the Federal Communication (FCC) to operate an amateur radio station, KK7HJ, which requires an adequate antenna system and height above ground, without it, interference may result. Proper design and construction is important for proper performance and the requested 55-foot antenna height would not have interference. This height would place the antenna above most structures that may reflect radio waves. Amateur radio has served this country since the 1930s and continues to do so through emergency preparedness. He is presently going through the application process of becoming a member of the Army Military Affiliate System sponsored by the Department of Defense. With proper antenna system, Nevada amateur radio operators can be prepared for emergency situations. MR. VOLZ added he obtained support from two adjacent residents and referred to support he previously faxed to staff. He also has support from the Charleston Neighborhood Preservation, two Nevada state senators, along with supportive federal and Nevada state laws. His neighbors want to support him and help with the installation of the antenna. To address the Council's concerns, MR. VOLZ agreed to leave the tower retracted 72 hours per week.

TOM McGOWAN, Las Vegas resident, remarked that it was the amateur radio operators that first alerted this country that the Japanese attacked Pearl Harbor. He asked that the Council approve the item.

COUNCILWOMAN TARKANIAN indicated that a significant amount of time was spent on this item to ensure reasonable accommodations for the applicant. She recognized the invaluable service that amateur radio operators contribute to the community.

MARGO WHEELER, Director of Planning and Development Department, read the additional conditions. She clarified with the Councilwoman that the review would be by Council. MR. VOLZ agreed to the additional conditions.

COUNCILWOMAN TARKANIAN thanked MR. VOLZ for his patience while staff worked with experts of amateur radio. MR. VOLZ thanked staff for their time and efforts taken to learn about it.

MAYOR GOODMAN declared the Public Hearing closed.