



City of Las Vegas

Agenda Item No.: 94.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF DECEMBER 5, 2007**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

Consent Discussion

SUBJECT:
SPECIAL USE PERMIT

SUP-24800 - PUBLIC HEARING APPLICANT: CRICKET COMMUNICATIONS - OWNER:
NEVADA POWER COMPANY - Appeal filed from the denial by the Planning Commission of a
request for a Special Use Permit TO ADD THREE ANTENNAS ON AN EXISTING 60-FOOT
HIGH NON-STEALTH COMMUNICATIONS TOWER on 1.34 acres at 1301 North Michael Way
(APN 153-25-105-002), R-E (Residential Estates) Zone, Ward 5 (Barlow). The Planning
Commission (6-0 vote) and staff recommend DENIAL

PROTESTS RECEIVED BEFORE:

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.	9	Planning Commission Mtg.	1
City Council Meeting	9	City Council Meeting	3

RECOMMENDATION:

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

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Appeal letter filed by Cortel-LLC
7. Protest postcards
8. Submitted after final agenda Protest/support postcards
9. Submitted at meeting Written comments by Tom McGowan
10. Submitted after meeting Protest postcards
11. Backup referenced from the 11-08-07 Planning Commission Meeting Item 27

Motion made by RICKI Y. BARLOW to Deny

Passed For: 6; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 1
RICKI Y. BARLOW, LOIS TARKANIAN, OSCAR B. GOODMAN, GARY REESE, STEVE
WOLFSON, STEVEN D. ROSS; (Against-None); (Abstain-None); (Did Not Vote-None);
(Excused-LARRY BROWN)

NOTE: COUNCILMAN REESE disclosed that his daughter works for Nevada Power but has
not discussed this issue with her; therefore, he will vote.

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Minutes:

MAYOR GOODMAN declared the Public Hearing open.

CODY COLWELL, Cricket Communications, 1181 Grier Drive, stated the request is to add three antennas to an existing 60-foot tower. The other alternative would be to put up a new tower in order to serve the network. The basic theme of Cricket Communications over the past nine months is to have co-location on existing structures and prevent building new towers, as most people find them unappealing. One tower was found for co-location within a substation. He showed photos depicting coverage area with them coexisting and not, as without it creates a gaping hole and there will be many dropped calls in the area. More individuals are using their cell phones as their primary line and it is important that they have access for emergency use.

MAYOR GOODMAN asked if anyone has had a contest to design a tower that is aesthetically pleasing as they are ugly and do not get prettier when adding palm trees. He would like to see a piece of artwork that would accomplish both the aesthetics and utilitarian goals.

COUNCILWOMAN MALKANIAN agreed, as the same is true in the country where this type of artwork is happening, such as oil crosses or church sites.

MR. COLWELL replied that for this location there are no existing structures that have the height to project the network. He agreed that any measures taken to come up with a new design is appropriate. However, there are some technological restraints, such as in this case, as there is a 60-foot tower currently being used by T-Mobile. In response to the Mayor's query, MR. COLWELL indicated that Cricket has been around for eight years. They are a competitor to T-Mobile and Sprint; they are a low-cost provider and they are nationwide.

MAYOR GOODMAN asked which department is in charge of cell towers. MARGO WHEELER, Director of Planning and Development, replied that they go through the Planning Department. The Mayor asked that a letter be sent to cell tower providers for proposals for artistic designs. DEPUTY CITY ATTORNEY JIM LEWIS stated he will assist in drafting the letter.

TEDDY RUSSELL, Las Vegas resident, opined that the tower looks like an oil derrick.

TOM McGOWAN, Las Vegas resident, asked if there are implications with regards to a possibility of a communications satellite downlink. MR. COLWELL replied there are not dishes associated with this design that would allow that. MR. McGOWAN opined this is about money not its location. He asked if there is the possibility for undergrounding Nevada Power facilities. He asked that the Council deny all requests associated with Nevada Power until the company becomes a good corporate neighbor and finds a way to be less expensive to local residents and commercial businesses; then think about whether or not it is unsightly.

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RASHAN JOSHUA COLLINS stated does not support cell phones because they cause brain cancer. MR. COLWELL replied there is no definite study verifying this but there are materials from both the American Medical Association and the American Cancer Society on the web site pertaining to cell phones.

COUNCILMAN BARLOW thanked MR. COLWELL for meeting with his staff. The residents have asked how the number of antennas can be diminished. Currently, there are approximately ten attached to this site. Many of our cell phone companies have increased their coverage to avoid dropped calls but their fees have not decreased. Therefore, due to aesthetics, over-saturation and the residents not supporting this particular request, he moved for denial.

MAYOR GOODMAN declared the Public Hearing closed.

