



*City of Las Vegas*

Agenda Item No.: 48.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT  
PLANNING COMMISSION MEETING OF: AUGUST 14, 2008**

DEPARTMENT: PLANNING & DEVELOPMENT  
DIRECTOR: M. MARGO WHEELER

Consent  Discussion

**SUBJECT:**  
UP-2879 - SPECIAL USE PERMIT - PUBLIC HEARING - APPLICANT: CLEAR WIRE CORPORATION, OWNER: BLUE MOUNTAIN DEVELOPERS, LLC - Request for a Special Use Permit FOR A PROPOSED 70-FOOT WIRELESS COMMUNICATION FACILITY, SITE PLAN DESIGN at 4950 North Jones Boulevard (APN 125-36-403-007), C-1 (Limited Commercial Zone, Ward 6 (Ross))

IF APPROVED, C.C.: 09/17/2008  
IF DENIED, P.C. FINAL ACTION (Unless Appealed Within 10 Days)

**PROTESTS RECEIVED BEFORE:**

**APPROVALS RECEIVED BEFORE:**

Planning Commission Mtg.	0	Planning Commission Mtg.	5
City Council Meeting	0	City Council Meeting	0

**RECOMMENDATION:**  
**DENIAL**

**BACKUP DOCUMENTATION:**

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Support Postcard
7. Submitted after Final Agenda Special Map by staff and Protest Postcards

Motion made by DAVID STEINMAN to Hold in abeyance to 9/11/2008

Passed For: 4; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 3  
SAM DUNNAM, DAVID STEINMAN, BYRON GOYNES, STEVEN EVANS; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-RICHARD TRUESDELL, GLENN TROWBRIDGE, VICKI QUINN)

Minutes:  
CHAIR GOYNES declared the Public Hearing open.

PETER LOWENSTEIN, Planning and Development, reported that the proposed facility would constitute the second wireless facility on the site; therefore he recommended denial as it would cause oversaturation of the use on the subject property and a visual intrusion to the residential

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properties to the north, south and east.

MARGO WHEELER, Director of Planning and Development, explained that a slim-line pole is a non-stealth facility.

MARK SAWYER, 411 Blush Creek Place, representing the applicant, stated that all the stipulations were met for administrative approval and compatibility with the neighborhood was the only remaining issue. He requested approval.

TODD FARLOW, 240 North 19th Street, confirmed that there is an existing wireless facility on the site and wondered why this facility could not be accommodated on the existing pole. MR. SAWYER explained that the existing Nextel pole has no more space and is closer to the residential neighborhood.

COMMISSIONER STEINMAN asked if the applicant has given any consideration to a flag pole, and MR. SAWYER answered that the pole has antennae inside, adding that the height was recommended by the engineers.

In answer to COMMISSIONER DUNNAMI'S question as to whether contact was made with the neighbors to the north of the property, MR. SAWYER replied that he did not receive any feedback from any residents to the north. CHAIR GOYNES pointed out that four protests were received from that area. COMMISSIONER DUNNAMI stressed that he would prefer a serious attempt be made to contact the neighbors to the north, which is the only way he could consider supporting this matter, and requested an invitation to any scheduled meeting.

CHAIR GOYNES said he could not support the application without a letter of support from the neighbor to the east that was very concerned about the wall.

CHAIR GOYNES declared the Public Hearing closed.

