



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: OCTOBER 9, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: ABEYANCE - SUP-29206 - APPLICANT/OWNER: LAS VEGAS VALLEY WATER DISTRICT

**** CONDITIONS ****

STAFF RECOMMENDATION: APPROVAL, subject to:

Planning and Development

1. Conformance to the conditions for Site Development Plan Review (SDR-27508), if approved.
2. This approval shall be void two years from the date of final approval, unless vertical construction has commenced for the radio communication tower on the site. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a proposed 100-foot tall Radio Communication Tower located at the northwest corner of Centennial Parkway and Fort Apache Road. The Radio Communication Tower is proposed in conjunction with an approved 10,719 square-foot Utility Installation consisting of a Las Vegas Valley Water District reservoir and pumping station. The applicant has requested this Special Use Permit for a Radio Communication Tower to allow for remote operation of the approved facility. The 100-foot tall antenna will be constructed of galvanized steel, measure two feet wide at the base and ten inches wide at the tip and will be entirely freestanding, not utilizing any guide-wires. There are residential land uses adjacent to the subject property; therefore, the residential adjacency standards of Title 19.08.060 and a 3:1 building setback are required. As the applicant meets the residential adjacency standards and will only utilize the proposed tower for remote operations of an approved Utility Installation, staff recommends approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
02/06/02	The City Council approved a request for Annexation (A-0023-01) to annex property located generally on the northwest corner of Centennial Parkway and Fort Apache Road containing approximately 20 acres of land. The transfer into the City was effective as of 02/15/02. The Planning Commission and staff recommended approval of this request.
11/21/07	The City Council approved a request for a General Plan Amendment (GPA-24534) to Amend a portion of the Centennial Hills Sector Plan of the Master Plan from L (Low Density Residential) to PF (Public Facilities) and a request for a Rezoning (ZON-24536) from U (Undeveloped) [L (Low Density Residential) General Plan designation] to C-V (Civic) on 8.8 acres on the northwest corner of Centennial Parkway and Fort Apache Road. The Planning Commission and staff recommended approval of this request.
02/06/08	The City Council approved a request for Annexation (ANX-24899) to Annex property located approximately 340 feet north of Centennial Parkway and west of Fort Apache Road, containing approximately five acres. The transfer into the City was effective as of 02/15/08. The Planning Commission and staff recommended approval of this request.
05/21/08	The City Council approved a request for a General Plan Amendment (GPA-27383) to Amend a portion of the Centennial Hills Sector Plan of the Master Plan from L (Low Density Residential) to PF (Public Facilities) on five acres at the northwest corner of Centennial Parkway and Fort Apache Road. The Planning Commission and staff recommended approval of this request.

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06/04/08	The City Council approved a request for a Rezoning (ZON-27507) from U (Undeveloped) [L (Low Density Residential) General Plan designation] to C-V (Civic) on five acres at the northwest corner of Centennial Parkway and Fort Apache Road and a Site Development Plan Review (SDR-27508) for a proposed 10,719 square-foot Utility Installation on 14.0 acres at the northwest corner of Centennial Parkway and Fort Apache Road. The Planning Commission and staff recommended approval of these requests.
06/26/08	The Planning and Development Department administratively denied a request for a Site Development Plan Review (SDR-27775) for a 100-foot tall Radio Communication Tower on 14.0 acres at the northwest corner of Centennial Parkway and Fort Apache Road.
09/11/08	The Planning Commission held the subject request in abeyance to the 10/09/08 Planning Commission Meeting in order for the applicant to relocate the proposed antenna tower.
<i>Related Building Permits/Business Licenses</i>	
07/08/08	Civil improvement plans (#28823) for a reservoir and pumping station were submitted to the City of Las Vegas for review.
<i>Pre-Application Meeting</i>	
03/13/08	A pre-application meeting was held with the applicant where elements of a Special Use Permit submittal were discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not held, nor was one required.	
<i>Field Check</i>	
08/05/08	A field check was performed by staff at the subject property. The site was noted as being currently undeveloped. Minimal trash and debris was noted on the undeveloped desert terrain.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	14.0

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	PF (Public Facilities)	C-V (Civic)
North	Right-of-Way (C.C. 215)	PF (Public Facilities)	C-V (Civic)
South	Undeveloped	R (Rural Density Residential Clark County)	R-E (Rural Estates Residential Clark County)
East	Single-Family Residential	ML (Medium Low Density Residential Clark County)	R-2 (Medium Density Residential Clark County)
West	Single-Family Residential	ML (Medium Low Density Residential)	R-1 (Single-Family Residential Clark)

		Clark County)	County)
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<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts		X	N/A
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance	X		Y*

* The subject property is located adjacent to unincorporated Clark County. This meets the criteria of a Project of Significant Impact which must be submitted if a Special Use Permit application is made concerning property within 500 feet of the City boundary with Clark County of North Las Vegas. A Project of Significant Impact has been filed and submitted to the appropriate agencies. One comment was received from Collection Systems Planning which stated that this project will not have a significant impact on the sanitary sewer collection system.

DEVELOPMENT STANDARDS

Pursuant to Title 19.08.060, the following standards apply:

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope			
(East)	300 Feet	424.8 Feet	Y
(South)	300 Feet	361.09 Feet	Y
(West)	300 Feet	305.05 Feet	Y
Adjacent development matching setback	40 Feet	361.09 Feet	Y

Pursuant to Title 19.10, the following parking standards apply:

<i>Parking Requirement</i>							
<i>Use</i>	<i>Gross Floor Area or Number of Units</i>	<i>Parking Ratio</i>	<i>Required</i>		<i>Provided</i>		<i>Compliance</i>
			<i>Parking</i>		<i>Parking</i>		
			Regular	Handi-capped	Regular	Handi-capped	
Radio, TV or Microwave Communication Tower	One Tower	No additional parking required beyond that which is required for the principal use on the	N/A	N/A	N/A	N/A	N/A

		site					
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Utility Installation, Other Than Listed	10,719 SF	1 Space + 1 Space / 300 SF of Office Space	1	1	8	1	
TOTAL			2		9		Y

ANALYSIS

This is a request to situate a 100-foot tall Radio Communication Tower located on the northwest corner of Centennial Parkway and Fort Apache Road. The proposed Radio Communication Tower will provide for the remote operation of an approved 10,719 square-foot Las Vegas Valley Water District reservoir and pumping station. The 100-foot tall antenna will be constructed of galvanized steel, measure two feet wide at the base and ten inches wide at the tip and will be entirely freestanding, not utilizing any guide-wires. The proposed Radio Communication Tower will be set back from the surrounding residentially zoned properties to the south, west and east 361.09 feet, 305.05 feet and 424.8 feet, respectively.

The applicant has complied with the request of the Planning Commission to relocate the proposed antenna north towards the 215 freeway. The tower has shifted 60 feet to the north, from 301.09 feet to 361.09 feet from the southern edge of the subject property. Additionally, the antenna has shifted slightly in its east-west configuration, with a 424.8-foot setback on the east perimeter where 425.58 feet was originally provided and with a 305.05 foot setback on the west perimeter where 304.51 feet was originally provided. The revised plans, date stamped 09/30/08, are in compliance with the 3:1 setback listed within the Residential Adjacency Standards of Title 19.08.060 which requires a minimum 300-foot setback from residential property. As the proposed Radio Communication Tower is in compliance with the requirements of Title 19 and will provide for the operations of an approved Las Vegas Valley Water District Utility Installation, staff recommends approval of this request.

- **Zoning**

The property is located within an existing C-V (Civic) zoning district. The C-V (Civic) district is intended to provide for existing public and quasi-public uses and for the development of new schools, libraries, public parks, public flood control facilities, police, fire, electrical transmission facilities, Water District, Nevada Power and other public utility facilities. In addition, the C-V (Civic) district may provide for any public or quasi-public use operated or controlled by any recognized religious, fraternal, veteran, civic or service organization. The C-V (Civic) district is consistent with the Public Facilities category of the General Plan. The subject property carries a General Plan land use designation of PF (Public Facilities).

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- **Use**

A Radio, TV or Microwave Communication Tower is defined by Title 19.04 as a freestanding structure which supports antennae that transmit or receive any portion of the electromagnetic spectrum.

- **Minimum Special Use Permit Requirements**

There are no Minimum Special Use Permit Requirements associated with the Radio, TV or Microwave Communication Tower.

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 Radio Communication Tower 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 Radio Communication Tower will be narrow in width and will fall under the 3:1 proximity slope established by the Residential Adjacency Standards of Title 19.08.060, which will create minimal impact on the adjacent residential properties.

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

The 14-acre subject property is physically suitable to accommodate a 100-foot tall Radio Communication Tower.

- 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.**

The site is accessed from Centennial Parkway and Fort Apache Road which are both 100-foot Primary Arterial streets according to the Master Plan of Streets and Highways. Minimal traffic is generated by this use type; therefore, negative impacts should be minimal with regard to adjacent roadways and neighborhood traffic.

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 proposed Radio Communication Tower will be consistent with the General Plan land use designation of PF (Public Facilities) and will not be inconsistent with or compromise the public health, safety, welfare or overall objectives of the General Plan.

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

There are no Minimum Special Use Requirements associated with a Radio Communication Tower use.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 6

ASSEMBLY DISTRICT 9

SENATE DISTRICT 13

NOTICES MAILED 281

APPROVALS 1

PROTESTS 7