



AGENDA MEMO

CITY COUNCIL MEETING DATE: OCTOBER 15, 2008

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-29182 - APPLICANT: INSITE TOWERS, LLC - OWNER: LAACO, LTD

**** CONDITIONS ****

The Planning Commission (7-0 vote) and staff recommend APPROVAL, subject to:

Planning and Development

1. Conformance to all minimum requirements under LVMC Title 19.04.050 and Town Center Development Standards Manual for a Wireless Communication Facility, Stealth Design use.
2. Conformance to the conditions for Special Use Permit (SUP-18316), if approved.
3. 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.
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.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This request is for a Special Use Permit to extend an existing 80-foot Wireless Communication Facility, Stealth Design (monopine) 20 feet, totaling 100 feet in height in order to accommodate two additional carriers. One of the carriers will co-locate twelve antennas (three sectors at four antennas per sector) at the 85-foot level, and the other carrier at the 93-foot level. The existing communication facility is located on the northeast corner of a Mini-Storage Facility at 8855 West Centennial Parkway.

The proposed extension and collocation on the existing Wireless Communication Facility, Stealth Design (monopine) meets the minimum Town Center and Title 19 standards for this use, except that a Special Use Permit is required because the location of the facility is within 330 feet of existing single-family dwellings. Staff recommends approval, as the proposed extension and collocation will not negatively impact these neighboring uses.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
03/02/05	The City Council approved the Annexation of property (ANX-5674) on the northeast corner of Centennial Parkway and Kevin Way from Clark County to the City of Las Vegas. The Planning Commission recommended approval on 01/13/05.
04/20/05	The City Council approved a request for a Site Development Plan Review (SDR-6097) for a proposed Mini-Storage Facility and Waivers for a three foot side yard setback where 10 feet is the minimum required, a three-foot rear yard setback where 20 feet is the minimum required, and to allow 61 percent lot coverage where 50 percent is the maximum allowed on 1.94 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way. The Planning Commission recommended approval on 03/24/05.
04/20/05	The City Council approved a request for a Special Use Permit (SUP-6099) for a proposed Mini-Storage Facility adjacent to the northeast corner of Centennial Parkway and Kevin Way. The Planning Commission recommended approval on 03/24/05.
04/20/05	The City Council approved a request for Rezoning (ZON-6100) from U (Undeveloped) [TC (Town Center) General Plan designation] to T-C (Town Center) [SC-TC (Service Commercial-Town Center) Special Land Use designation] on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way. The Planning Commission recommended approval on 03/24/05.

04/20/05	The City Council approved the Petition to Vacate (VAC-6101) U.S. Government Patent Easements generally located north of Centennial Parkway, east of Kevin Way. The Planning Commission recommended approval on 03/24/05.
04/20/05	The City Council approved a request for a Variance (VAR-6230) to allow 13 percent of the gross property area proposed to be added to the T-C (Town Center) zone to be open space where a minimum of 20 percent is required on 1.99 acres adjacent to the northeast corner of Centennial Parkway and Kevin Way. The Planning Commission recommended approval on 03/24/05.
05/26/05	A request for a one-lot Parcel Map (PMP-6410) was approved on property located on 2.82 acres on the northeast corner of Centennial Parkway and Kevin Way. The Parcel Map was recorded on 06/08/05.
01/11/07	The Planning Commission pulled a request to allow a proposed cellular communication tower within an approved storage facility to be 320 feet from a single-family detached dwelling where Town Center Standards require a distance separation of 330 feet on 1.98 acres at the northeast corner of Centennial Parkway and Kevin Way. It was decided the application was not needed.
02/07/07	The City Council approved a request for a Special Use Permit (SUP-18316) for an 80-foot high Wireless Communication Facility, Stealth Design to be 320 feet from a single-family detached dwelling where Town Center Standards require a distance separation of 330 feet on 1.98 acres at the northeast corner of Centennial Parkway and Kevin Way. The Planning Commission recommended approval on 01/11/07.
05/06/08	The Town Center Architectural Review Committee (ARC-27415) approved a request for a Master Sign Plan and Waiver to allow a wall sign to be above the second floor windowsill and to allow a 10-foot high monument sign at 8856 West Centennial Parkway.
09/11/08	The Planning Commission voted 7-0 to recommend APPROVAL (PC Agenda Item #8/ds).
<i>Related Building Permits/Business Licenses</i>	
11/20/07	A building permit (#100376) was issued for the installation of an 80-foot Wireless Communication Facility, Stealth Design (monopalm) - no equipment. The project was completed 03/05/08.
03/03/08	A business license (#W07-98588) was denied for a Mini-Storage Facility, awaiting final inspections.
04/28/08	A building permit (#113640) was issued for underground conduit only: the work is still in progress.
05/06/08	A building permit (#107771) was issued for new cell tower installation on an existing monopine including generator room, equipment space, cable tray, and antenna sectors: the work is still in progress.
07/23/08	A building permit (#120486) was issued for illuminated wall and monument signs. The project was completed 07/25/08.
<i>Pre-Application Meeting</i>	

07/10/08	A pre-application meeting was held with the applicant to discuss Title 19 requirements regarding a Special Use Permit application.
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<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required nor was one held.	

<i>Field Check</i>	
08/08/08	A field check of the proposed site was conducted verifying the existence of the 80-foot Wireless Communication Facility, Stealth Design (monopine).

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.98

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Mini-Storage Facility	TC (Town Center)	T-C (Town Center) [SC-TC (Service Commercial - Town Center) Special Land Use designation]
North	Vacant/Right-of-way (I-215)	TC (Town Center)	T-C (Town Center) [SC-TC (Service Commercial - Town Center) Special Land Use designation]
South	Undeveloped	PF (Public Facilities-Clark County)	R-E (Rural Estates Residential- Clark County)
East	Shopping Center	TC (Town Center)	T-C (Town Center) [SC-TC (Service Commercial - Town Center) Special Land Use designation]
West	Single-Family Dwellings	ML (Medium Low Density Residential-Clark County)	R-2 (Medium Density Residential-Clark County)

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

* This application does not comply with the Town Center Standards because it proposes to place a Wireless Communication Facility, Stealth Design 320 feet from a single-family detached dwelling where a distance separation of 330 feet is required.

INTERAGENCY ISSUES

Pursuant to Ordinance #5477, the proposed Special Use Permit request has been deemed a Project of Regional Significance, as it concerns property located within 500 feet of the city boundary with Clark County. A questionnaire describing the impacts of the project to the area was submitted to various regional agencies for review. As of 08/26/08, no comments have been received.

DEVELOPMENT STANDARDS

<i>Residential Adjacency Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
3:1 proximity slope	300 feet	320 feet	Y
Adjacent development matching setback	15 feet	320 feet	Y

<i>Town Center Standards</i>	<i>Required/Allowed</i>	<i>Provided</i>	<i>Compliance</i>
Separation from detached single-family dwellings	330 feet	320 feet	N*

* Town Center Development Standards permit Wireless Communication Facilities, Stealth Design, as long as the communication facility is not within 330 feet of any single-family detached dwelling. If the structure is within 330 feet, a Special Use Permit is required.

ANALYSIS

- **Zoning**

The subject site is zoned T-C (Town Center) with a SC-TC (Service Commercial Town Center) Special Land Use designation. A Wireless Communication Facility, Stealth Design is a permitted use in all land use districts within Town Center, provided the facility utilizes stealth technology and is not within 330 feet of any single-family detached dwellings. A Special Use Permit is required if these base conditions cannot be met, as in this case.

- **Use**

The proposed 20-foot extension and co-location of antennas are on an existing 80-foot tall Wireless Communication Facility disguised as a pine tree. It is located on a site with a previously approved mini-storage facility on the northeast corner of West Centennial Parkway and Kevin Way.

- **Site Plan and Residential Adjacency**

The 80-foot tall communication facility is located on a parcel shared by a mini-storage facility on the northeast side of West Centennial Parkway and Kevin Way. The tower is partially screened by the mini-storage buildings along the north and south property lines, and a 21-foot tall building in the central portion of the site.

The existing tower meets Title 19.08 Residential Adjacency Setback Standards, which requires a minimum of 240 feet separation from the single-family dwellings to the west of the subject property. The additional 20-foot extension to the tower will still meet Title 19.08 separation requirements of 300 feet, as the structure is 320 feet from the protected property. The 20-foot extension and additional co-location on the monopine will not negatively impact neighboring uses; therefore, staff recommends approval.

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 Wireless Communication Facility meets Title 19.08 Residential Adjacency Setback Standards, which requires 300 feet from the protected property to the west. In addition, the tower is partially screened by the mini-storage buildings along the north and south property lines, and a 21-foot tall building in the central portion of the site. The use can thus be conducted in a manner that is harmonious and compatible with the existing land uses surrounding the site.

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

Town Center Development Standards permit Wireless Communication Facilities, Stealth Design if less than 330 feet from single-family detached dwelling if a Special Use Permit is applied for and approved. The site is suitable for the type and intensity of land use proposed.

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.

Staff finds that the 20-foot extension and co-location of additional carriers to the existing communication facility will not generate additional traffic to and from the site; therefore, will not affect the surrounding roadways. Access to the site will be from West Centennial Parkway, a 100-foot Primary Arterial, as shown within the Master Plan of Streets and Highways, or by utilizing Kevin Way, a 50-foot local street.

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 use will not compromise the public health, safety, and welfare because the additional height and co-location will be constructed in compliance with applicable building codes.

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

The use meets all applicable conditions per Title 19.04. Town Center Development Standards allow a Wireless Communication Facility, Stealth Design with approval of a Special Use Permit if the facility is less than 330 feet from single-family detached dwellings. Staff recommends approval.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

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ASSEMBLY DISTRICT 13

SENATE DISTRICT 9

NOTICES MAILED 165 by City Clerk

APPROVALS 1

