



City of Las Vegas

Agenda Item No.: 39.

**AGENDA SUMMARY PAGE PLANNING & DEVELOPMENT
PLANNING COMMISSION MEETING OF: APRIL 9, 2009**

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: **VAR-3384 - VARIANCE - PUBLISHING - APPLICANT: CLEARWIRE US, LLC -
OWNER: NELLIS WELLINGTON OF REQUESTING A Variance TO ALLOW 26 PARKING SPACES
WHERE 27 WERE REQUIRED on E. 9300 at 1511 North Nellis Boulevard (APN 140-29-510-
026), C-2 (General Commercial) Zone, Ward 3 (Reese)**

C.C. 05/06/2009

PROTESTS RECEIVED BEFORE

Planning Commission Mtg.

City Council Meeting

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

City Council Meeting

RECOMMENDATION:

DENIAL

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Condition and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest Postcards
7. Submitted after Final Agenda Protest Postcards

Motion made by STEVEN EVANS to Hold in abeyance Items 39 and 40 to 5/14/2009

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

MICHAEL E. BUCKLEY, VICKI QUINN, STEVEN EVANS, GLENN TROWBRIDGE,
RICHARD TRUESDELL, BYRON GOYNES; (Against-None); (Abstain-None); (Did Not Vote
-None); (Excused-KEEN ELLSWORTH)

Minutes:

CHAIR TROWBRIDGE declared the Public Hearing open for Items 39 and 40.

PETER LOWENSTEIN, Planning and Development, indicated that the proposal is not compatible with the surrounding land uses. In addition, the wireless facility precipitates a self-imposed hardship upon the parking impaired site by eliminating scarce required parking, which would have an impact on the adjacent residential properties.

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SHANE HENNESSY-YORK, 7030 Smoke Ranch Road, appeared on behalf of the applicant and explained that the unit is a 70-foot slim-line monopole with internal antennas, i.e. a pole without the flag. There is room available at the 60-foot centerline to allow for future co-locations with other carriers. There are 27 parking spaces currently and directly adjacent to this site is the trash enclosure for the site and the adjacent Big Dogs Bar and Grill. The unit will be located directly next to the trash enclosure and will be screened by a block wall.

TODD FARLOW, 240 North 19th Street, felt that the towers would take up more than one parking space.

MR. HENNESSY-YORK stated there is not a more appropriate area within the surrounding area for this facility. Because of the dimensions of the parking and the opening of the trash enclosure, the unit is confined to one space. This particular unit is small and consists of three antennas and three microwave dishes. Upon his explaining the configuration for COMMISSIONER BUCKLEY, MARGO WHEELER, Director of Planning and Development, clarified that this facility is non-stealth, so any other carriers would be the same. MR. LOWENSTEIN emphasized that the lighting must comply with FAA regulations; however, it was clarified for COMMISSIONER TRUESDELL that lighting is not allowed on non-stealth facilities. The Commissioner wondered if an alternate design would be more appropriate. MR. HENNESSY-YORK responded that having a shorter facility reduces the amount of coverage.

After further discussion regarding the design, COMMISSIONER EVANS agreed with COMMISSIONER TRUESDELL and questioned why not just place the antennas on the existing Big Dogs sign. MR. HENNESSY-YORK stated that this sign is at its maximum height and adding additional antennas, microwaves and cabling would increase the height. The Commissioner felt the Big Dogs sign could be utilized and would be a win-win opportunity for all. COMMISSIONER TRUESDELL noted that in looking for solutions with the industry, the City is cautious in not making horrible compromises. This carrier is well known and innovative; a better and affordable solution should not be difficult for them. MR. HENNESSY-YORK noted that the company is closer to launching so there are some problems with range and conformance, which is something they are trying to improve in complying with the Code.

The Commission was amenable to an abeyance to allow MR. HENNESSY-YORK time to work with their engineer, as well as the owners of Big Dogs. COMMISSIONER EVANS encouraged the applicant to work with Big Dogs, which could raise the bar for the industry and protect the public.

CHAIR TROWBRIDGE declared the Public Hearing closed for Items 39 and 40.