



City of Las Vegas

Agenda Item No.: **91.**

AGENDA SUMMARY PAGE - PLANNING & DEVELOPMENT
CITY COUNCIL MEETING OF: AUGUST 19, 2009

DEPARTMENT: PLANNING & DEVELOPMENT
DIRECTOR: M. MARGO WHEELER

☐ Consent ☒ Discussion

SUBJECT: VAR-3478 - VARIANCE - PUBLIC HEARING - APPLICANT: CLEAR WIRELESS, LLC - OWNER: SUN CITY SUMMERLIN COMMUNITY - Request for a Variance TO ALLOW A 177-FOOT SETBACK WHERE RESIDENTIAL ADJACENCY STANDARDS REQUIRE 210 FEET FOR A PROPOSED 177-FOOT TALL WIRELESS COMMUNICATION FACILITY, STEALTH DESIGN (MONOPALM) on 0.45 acres on the north side of the Sun City Boulevard and Lake Mead Boulevard intersection (APN 137-17-897-002), P-C (Planned Community) Zone, Ward 4 Anthony. Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL.

PROTESTS RECEIVED BEFORE:

Planning Commission Mtg.

14

City Council Meeting

17

APPROVALS RECEIVED BEFORE:

Planning Commission Mtg.

10

City Council Meeting

8

RECOMMENDATION:

Staff recommends DENIAL. The Planning Commission (5-1 vote) recommends APPROVAL, subject to conditions.

BACKUP DOCUMENTATION:

1. Location and Aerial Maps
2. Conditions and Staff Report
3. Supporting Documentation
4. Photos
5. Justification Letter
6. Protest/Support Postcards
7. Submitted after Final Agenda - Protest/Support Postcards for Items 91 and 92
8. Submitted after Meeting - Protest Postcard and Recordation Notice of Council Action and Conditions of Approval for Items 91 and 92
9. Backup referenced from the July 23, 2009 Planning Commission Meeting Item 21

Motion made by STAVROS S. ANTHONY to Approve subject to conditions

Passed For: 7; Against: 0; Abstain: 0; Did Not Vote: 0; Excused: 0

RICKI Y. BARLOW, LOIS TARKANIAN, STEVE WOLFSON, OSCAR B. GOODMAN, GARY REESE, STEVEN D. ROSS, STAVROS S. ANTHONY; (Against-None); (Abstain-None); (Did Not Vote-None); (Excused-None)

Minutes:

MAYOR GOODMAN declared the Public Hearing open for Items 91 and 92.

CITY COUNCIL MEETING OF: AUGUST 19, 2009

SHANE HENNESSY-YORK, 7030 Smoke Ranch Road, represented the applicant and explained that the application is for a monopalm facility to be located at the entrance of Sun City Summerlin. MR. HENNESSY-YORK stated that in working with the design committee of Sun City, they imposed a height restriction of 60 feet with five additional feet of fronds above the tower.

HOPE LATIERRE, a resident of Sun City Summerlin, felt the applications should be held for two weeks in order to further research the impact these cell tower frequencies will have on the people who reside in the area.

ASSISTANT CITY ATTORNEY BRYAN SCOTT clarified that the Telecommunications Act of 1996 prohibits members of the Council from denying a cellular site as a result of any perceived frequency damage.

DAVID TEINMAN, former Planning Commissioner and City Council member, appeared in his capacity as resident, Board Vice President and Architectural Review Board Chairman of Sun City Summerlin. Having reviewed the monopalm tower proposal, he requested a condition that would prohibit the bowl-like feature located below the palm.

COUNCILMAN ANTONY expressed that the item have been reviewed and approved by the various committees.

MARGO WHEELER, Director of Planning and Development, read an amendment to Condition 1 of Item 92 and MR. HENNESSY-YORK concurred.

MAYOR GOODMAN declared the Public Hearing closed for Items 91 and 92.

