



July 21, 2009

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City of Las Vegas  
Planning & Development Department  
731 South Fourth Street  
Las Vegas, NV 89101

Re: Wireless Communication Facility Special Use Permit and Variance Land Use Application  
Self-Storage Facility – APN 140-31-403-001 – near the crossing of E. Charleston Blvd & US-95

Dear Planning Representative:

On behalf of Clear Wireless, LLC, I respectfully request your consideration and acceptance of the attached application. This project is located on APN 140-31-403-001 on the north side of Charleston Boulevard, east of the US-95 on & off-ramps and directly adjacent to the ARCO gas station & self-storage facility. The wireless communication facility is designed as a 60-foot stealth flag pole with all equipment screened, concealing the installation of wireless communication antennas and equipment within the pole's top canister. It will accommodate 3 small antennas and 3 microwave dishes.

Clear Wireless, LLC ([www.ClearWireless.com](http://www.ClearWireless.com)) – a provider of next-generation wireless Internet services enabling fast, simple, portable, reliable and affordable communications anytime and anywhere within Clear Wireless's coverage area – is now in the process of building a network in the greater Las Vegas valley. Clear Wireless provides an easy, off-the-shelf wireless high-speed Internet solution where customers typically have the service operating within minutes of receiving the modem without any need for a technician to visit. There is no software to load and generally no configuring or changes to the customer's computer. The fast and simple service can be accessed by simply taking the modem out of the box, plugging it in and connecting the Ethernet cord to the customer's computer.

Clear Wireless currently provides a next-generation, non-line-of-site WiMAX-class solution. The portable Clear Wireless service can be moved from place-to-place inside Clear Wireless's coverage area, which upon network launch, will allow customers to use the service throughout their home, office or favorite coffee house. Customers will use Clear Wireless to connect to the Internet using licensed spectrum, thus eliminating the confines of traditional cable or phone wiring. For the consumer, the wireless communication facility tower equipment will transmit radio signals from a base site to a small, wireless modem, which easily connects a user's computer to the Internet.

Headquartered in Kirkland, Washington, Clear Wireless has launched wireless high-speed Internet service in 33 metro markets, covering more than 370 cities and towns in Alaska, California, Florida,

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Hawaii, Idaho, Minnesota, Nevada, North Carolina, Oregon, Texas, Washington and Wisconsin in the United States, as well as Ireland, Belgium, Denmark (under the Clear Wireless name with Danske Telecom) and Mexico (via its partner MVSNet). Clear Wireless is here to provide Internet service as astounding as the Internet itself.

It is our feeling that the proposed use is compatible with the adjacent uses – and will not generate any additional traffic, noise, lighting odor, dust, or any other external impacts as it will be an unmanned wireless telecommunication facility with visits by the technician as necessary – typically once a month. The proposed use will not exceed the capacity of public services and will not require the use of public transportation. The utility usage is minimal and the site will be maintained on a regular basis. There are not any significant impacts on the natural environment and if an impact occurs, it will be mitigated to the maximum practical extent.

Unfortunately though, as aesthetically pleasing as the project is currently designed, the proposed location does not meet all residential adjacency standards as required by the City of Las Vegas Development Code Title 19 – three foot setback for every foot in height for the tower (ratio 3:1). The site is located  $\pm 457'$  from R-1 residential to the North,  $\pm 308'$  from the R-3 residential to the East,  $\pm 282'$  from the residential to the South but the residential (R-2) property in concern is located to the west of the proposed facility – 60-feet where a 180-foot setback is required. Please refer to the included site plan, page Z-1, for all additional information.

Also, a Variance is required because this proposal sits  $\pm 435'$ -feet from an existing, Sprint communication facility. Clearwire attempted to collocate our equipment to the existing site, but unfortunately it did not have the structural integrity to accommodate the additional loading created by Clearwire's small installation and thus creating the need for this current application and new, stealth flag pole.

This application located on APN 140-31-403-001 is for 3 Clear Wireless antennas and 3 microwave dishes with a centerline of 55-feet to simply be installed within a new 60-foot, stealth flag-pole communication facility at the self-storage property. The small antennas inside the top canister will measure 42-inches in length and the microwave dishes will have a diameter of 24-inches. All associated radio equipment will be housed within a compound which is currently dead space between two self-storage buildings, with plenty of space – both ground and inside the pole – available for additional collocations by others. If you have any concerns regarding this application, please do not hesitate to contact me at (702) 812-3338.

Sincerely,

Shane Hennessy-York  
WFI, representing Clear Wireless

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