

**AGENDA MEMO - PLANNING**

CITY COUNCIL MEETING DATE: JULY 20, 2011

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: LIGHTSQUARED, INC. - OWNER: BAR
ACQUISITIONS, LLC

**** STAFF RECOMMENDATION(S) ****

<i>CASE NUMBER</i>	<i>RECOMMENDATION</i>	<i>REQUIRED FOR APPROVAL</i>
SUP-41587	Staff recommends APPROVAL, subject to conditions:	N/A

**** CONDITIONS ****

SUP-41587 CONDITIONS

Planning

- 1.Conformance to all minimum requirements under LVMC Title 19.04.010 for a Wireless Communication Facility, Stealth Design use.
- 2.This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.18. An Extension of Time may be filed for consideration by the City of Las Vegas.
- 3.These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit.
- 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.

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**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for the collocation of six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine). The cellular facility is located on the site of an existing two-story Office complex on the southeast corner of Charleston Boulevard and Valley View. Staff recommends approval of this request, as the additional antennas avoid oversaturation of this type of use by maximizing the existing stealth-designed tower. If denied, the additional antennas will not be permitted on the subject facility.

ISSUES

- The existing Wireless Communication Facility, Stealth Design (Monopine) is approximately 715 feet from the closest Communication Facility, Non-Stealth facility.
- The proposed collocation will have a negligible visual impact on the nearby residential development, which is 150 feet to the east.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc</i>	
03/30/05	A request for a Minor Site Development Plan Review (SDR-19726) to allow a proposed 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively approved.
04/09/09	A request for a Minor Site Development Plan Review (SDR-33553) was approved for the co-location of three (3) antennas and three (3) microwave dish antennas on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively denied.
02/10/11	A request for a Minor Site Development Plan Review (SDR-39259) to remove three (3) existing antennas; install six (6) new Argus panel antennas and nine (9) new DAP heads all at approximately the 58-foot centerline of an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively denied.
04/12/11	A request for a Minor Site Development Plan Review (SDR-40805) to install six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline of an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) at 3811 West Charleston Boulevard was administratively denied.

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06/14//11	The Planning Commission voted (6-1/rt) to recommend APPROVAL (PC Agenda Item 52/mh).
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<i>Most Recent Change of Ownership</i>	
07/06/07	A deed was recorded for a change in ownership.

<i>Related Building Permits/Business Licenses</i>	
08/03/05	A Building Permit (#05005306) was issued for construction of a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Boulevard. This permit was not finalized.
03/18/2009	A Building Permit (#135834) was issued for the collocation and modification of antennas on existing on a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Boulevard.
11/17/10	A Building Permit (#05005306) was renewed to complete the final inspection of a 65-foot tall Wireless Communication Facility, Stealth Design at 3811 West Charleston Boulevard. This facility received its final inspection on 12/01/10.

<i>Pre-Application Meeting</i>	
02/24/11	A pre-application meeting was held on the indicated date. The following items were noted: • The reason for Special Use Permit being based upon the appeal of the Minor Site Development Plan Review (SDR-40805). • Proximity to existing cellular facilities on the subject site.

<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required for this type of request, nor was one held.	

<i>Field Check</i>	
05/05/11	A Field Check was performed by staff where it was found that the subject site and Wireless Communication Facility, Stealth Design were free of graffiti and properly maintained.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Net Acres	4.6

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<i>Surrounding Property</i>	<i>Existing Land Use Per Title 19.04</i>	<i>Planned or Special Land Use Designation</i>	<i>Existing Zoning District</i>
Subject Property	Office, Other Than Listed	SC (Service Commercial)	C-1 (Limited Commercial)
North	Utility Installation, Other Than Listed	PF (Public Facilities)	C-V (Civic)
South	Medical Office	SC (Service Commercial)	C-1 (Limited Commercial)
East	Medical Office	O (Office)	C-D (Designed Commercial)
	Single Family, Detached	L (Low Density Residential)	R-1 (Single Family Residential)
West	General Retail, Greater than 3,500 SF	SC (Service Commercial)	C-1 (Limited Commercial)
	Mini Storage Facility		

<i>Master Plan Areas</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Master Plan Area		X	N/A
<i>Special Purpose and Overlay Districts</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
Las Vegas Redevelopment Plan Area		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The proposed collocation of six (6) new antennas, three (3) radio remote modules, two (2) 26-inch microwave dish antennas, and one (1) COVP at the 50-foot centerline on an existing 65-foot tall Wireless Communication Facility, Stealth Design (Monopine) cellular facility is presented in a manner that is consistent with the existing design of the facility. The antennas are visually screened with faux branches that are no more discernable than the overall structure itself. Staff supports the requested collocation of antennas, as it avoids the oversaturation of the use and reduces the negative impact on surrounding residential development by placing additional equipment in a sensitive manner on an existing facility.

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FINDINGS (SUP-41587)

In order to approve a Special Use Permit application, per Title 19.18.060 the Planning Commission and City Council must affirm the following:

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 use is harmonious and compatible with existing surrounding residential land uses. The proposed collocation of additional antennas is presented in a manner that is consistent with the design of the existing Monopine. The land use remains the same as what is currently in use as it is not visually obnoxious and intrusive to the adjacent residential developments.

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

The subject site is physically suitable for the proposed collocation of antennas on an existing Wireless Communication Facility, Stealth (Monopine) facility. The additional antennas will have little impact to the overall quality of life for the existing residences and multi-family developments.

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 Charleston Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. There is no anticipated change in traffic flow created by the addition of antennas to an existing Wireless Communication Facility, Stealth facility.

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.

Approval of the Special Use Permit is consistent with the General Plan, and will not compromise the public health, safety, or welfare.

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

The proposed collocation of antennas meets the minimum requirements for a Wireless Communication Facility, Stealth Design (Monopine) as the site has been determined to be compatible with surrounding uses.

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NEIGHBORHOOD ASSOCIATIONS NOTIFIED 21

NOTICES MAILED 144 (By City Clerk)

APPROVALS 0

PROTESTS 1