



AGENDA MEMO

PLANNING COMMISSION MEETING DATE: NOVEMBER 19, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

ITEM DESCRIPTION: SUP-36297 - APPLICANT: CLEAR WIRELESS, LLC - OWNER: TEMPLE SINAI LAS VEGAS, INC.

**** CONDITIONS ****

STAFF RECOMMENDATION: **APPROVAL**, subject to:

Planning and Development

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 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.
3. The Wireless Communication Facility 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.
4. All City Code requirements and design standards of all City departments must be satisfied, except as modified herein.

SUP-36297 - Staff Report Page One
November 19, 2009 - Planning Commission Meeting

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for a Special Use Permit for a 50-foot tall Wireless Communication Facility, Stealth Design (Building Mounted) at 9001 Hillpointe Road. The proposed Wireless Communication Facility will be located within a four-sided structure attached to an existing building at the subject site. The proposed use can be conducted in a manner that is harmonious and with the existing and future surrounding land uses; therefore, staff recommends approval of this request. If the application is denied, the proposed Wireless Communications facility will have to be redesigned or relocated to comply with Title 19.

ISSUES

- As the nearest residentially zoned property is 152 feet to the south, the proposed facility is not subject to Residential Adjacency Standards, and will not have a negative visual impact on the surrounding residential development.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc and Property Sales</i>	
06/16/94	The City Referral Group approved a request for a Site Development Plan Review (SV-10-94) of five (5) proposed temporary portable trailer units on property located at the south side of Hillpointe Road, east of Pinewood Hills Drive.
02/09/00	The City Referral Group approved a request for a Summerlin Site Development Plan Review (SV-0004-00) to allow a 171,738 square foot religious facility on property located at 9001 Hillpointe Road.
<i>Related Building Permits/Business Licenses</i>	
10/28/94	A Building Permit (#94354448) was issued for a Trash Enclosure at 9001 Hillpointe Road. The permit was expired on 03/02/96.
	A Building Permit (#94354336) was issued for On-site Water and Sewer at 9001 Hillpointe Road. The permit was expired on 03/02/96.
11/21/94	A Building Permit (#94357622) was issued for a Sign at 9001 Hillpointe Road. The permit was expired on 03/02/96.
06/19/95	A Building Permit (#95380006) was issued for a Tenant Improvement at 9001 Hillpointe Road. The permit was finalized on 09/01/95.

SUP-36297 - Staff Report Page Two
November 19, 2009 - Planning Commission Meeting

07/06/95	A Building Permit (#95381229) was issued for a Interior Remodel at 9001 Hillpointe Road. The permit was expired on 03/02/96.
11/22/00	A Building Permit (#21335) was issued for On-site Improvements at 9001 Hillpointe Road. The permit was expired on 07/29/00.
	A Building Permit (#21333) was issued for a Synagogue and Daycare Building #1 at 9001 Hillpointe Road. The permit was expired on 12/14/01.
	A Building Permit (#21333) was issued for Building #2 Certificate of Occupancy at 9001 Hillpointe Road. The permit was finalized on 11/08/01.
01/04/01	A Building Permit (#1000196) was issued for a Synagogue and Daycare Building #2 at 9001 Hillpointe Road. The permit was expired on 04/20/02.
	A Building Permit (#1000197) was issued for a Synagogue and Daycare Certificate of Occupancy at 9001 Hillpointe Road. The permit was expired on 06/01/02.
03/02/01	A Building Permit (#1003343) was issued for Building #2 Certificate of Occupancy at 9001 Hillpointe Road. The permit was expired on 03/02/02.
04/27/01	A Building Permit (#1007446) was issued for a Retaining Wall at 9001 Hillpointe Road. The permit was expired on 03/30/02.
05/22/01	A Building Permit (#1009135) was issued for a Trash Enclosure at 9001 Hillpointe Road. The permit was finalized on 08/24/01.
08/21/01	A Building Permit (#1015136) was issued for a Water Feature (Fountain #1) at 9001 Hillpointe Road. The permit was finalized on 12/04/01.
	A Building Permit (#1015137) was issued for a Water Feature (Pond/Fountain) at 9001 Hillpointe Road. The permit was finalized on 11/30/01.
08/23/01	A Building Permit (#1015274) was issued for Building #1 Certificate of Occupancy at 9001 Hillpointe Road. The permit was expired on 06/01/02.
10/17/01	A Building Permit (#1018438) was issued for a Block Wall at 9001 Hillpointe Road. The permit was expired on 04/20/02.
09/30/02	A Building Permit (#2017643) was issued for a Sign at 9001 Hillpointe Road. The permit was expired on 03/29/03.
07/28/06	A Building Permit (#6004940) was issued for a Tenant Improvement at 9001 Hillpointe Road. The permit was finalized on 08/29/06.
<i>Pre-Application Meeting</i>	
08/14/09	A pre-application meeting was held where the submittal requirements for a Special Use Permit for a Wireless Communication Facility, Stealth Design (Building Mounted) were discussed. In addition, submittal requirements for a City Referral Group review were also discussed.
<i>Neighborhood Meeting</i>	
A neighborhood meeting is not required nor was one held.	

SUP-36297 - Staff Report Page Three
November 19, 2009 - Planning Commission Meeting

Field Check	
10/15/09	A field check was conducted by staff. A well maintained religious facility was observed.

Details of Application Request	
Site Area	
Gross Acres	3.94 Acres

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Temple / Bathe	SC (Service Commercial)	P-C (Planned Community)
North	Park	PF (Public Facilities)	P-C (Planned Community)
South	Single-Family Residences	L (Low Density Residential)	P-C (Planned Community)
East	Child Care Center	SC (Service Commercial)	P-C (Planned Community)
West	Church	SC (Service Commercial)	P-C (Planned Community)

Special Districts/Zones	Yes	No	Compliance
Special Area Plan			
Summerlin	X		Y
Special Districts/Zones	Yes	No	Compliance
Special Purpose and Overlay Districts			
P-C (Planned Community) District	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The applicant is proposing a 50-foot, Wireless Communication Facility, Stealth Design (Building Mounted) within a four sided structure attached to an existing building at the subject site. The applicant has indicated that the proposed new structure will match the existing structure in style, materials and color. The Summerlin Non-Residential Design Review Committee (SNRDRC) reviewed and denied this request to allow the Committee more time to develop a master plan for

SUP-36297 - Staff Report Page Four
November 19, 2009 - Planning Commission Meeting

Wireless Facilities in the Summerlin plan area. However, current development standards allow the proposed use at the subject location with the approval of a Special Use Permit. The proposed use can be conducted in a manner that is harmonious and compatible with the existing and future surrounding land uses; therefore, staff recommends approval of this request.

FINDINGS

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 land use can be conducted in a manner that is harmonious and compatible with existing and future surrounding land uses, as projected by the General Plan.

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

The subject site is physically suitable for the type and intensity of the 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.**

Site access is provided from Hillpointe Road, a 90-foot right-of way. This street provides adequate access to and from the subject property.

- 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 this Special Use Permit will not compromise public health, safety, or welfare as the proposed Wireless Communication Facility, Stealth Design use will be subject to regular inspections.

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

The proposed Wireless Communication Facility, Stealth Design use complies with the conditions per Title 19.04.

SUP-36297 - Staff Report Page Five
November 19, 2009 - Planning Commission Meeting

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 11

NOTICES MAILED 197

APPROVALS 0

PROTESTS 6