



AGENDA MEMO - PLANNING

PLANNING COMMISSION MEETING DATE: DECEMBER 11, 2018

DEPARTMENT: PLANNING

ITEM DESCRIPTION: APPLICANT: APC TOWERS - OWNER: DURANGO 95 MINI STORAGE PARTNERS, LLC

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

CASE NUMBER	RECOMMENDATION	REQUIRED FOR APPROVAL
SUP-74832	Staff recommends APPROVAL, subject to conditions:	

**** NOTIFICATION ****

NEIGHBORHOOD ASSOCIATIONS NOTIFIED 59

NOTICES MAILED 357

PROTESTS 0

APPROVALS 0

**** CONDITIONS ****

SUP-74832 CONDITIONS

Planning

1. Conformance to all Minimum Requirements under the Town Center Development Standards Manual for a Wireless Communication Facility, Stealth Design (Clock Tower) use.
2. This approval shall be void two years from the date of final approval, unless exercised pursuant to the provisions of LVMC Title 19.16. An Extension of Time may be filed for consideration by the City of Las Vegas.
3. The communications clock tower 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 clock tower and its associated equipment and facility.
4. All necessary building permits shall be obtained and final inspections shall be completed in compliance with Title 19 and all codes as required by the Department of Building and Safety.
5. These Conditions of Approval shall be affixed to the cover sheet of any plan set submitted for building permit, as well as submitted as part of any business license application.
6. 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 to establish a proposed 80-foot tall Wireless Communication Facility, Stealth Design (Clock Tower) at 7580 Oso Blanca Road.

ISSUES

- The proposed Wireless Communication Facility, Stealth Design (Clock Tower) use is not designed to be made part of another structure and is visually discernable, which requires the approval of a Special Use Permit.

ANALYSIS

The applicant is proposing to construct a new 80-foot tall Wireless Communication Facility, Stealth Design (Clock Tower) on property located at 7580 Oso Blanca Road. The subject site is located within the Town Center [GC-TC (General Commercial – Town Center)] Special Land Use designation, which refers to the Town Center Development Standards Manual for permissible uses. According to the Town Center Development Standards Manual, a new Wireless Communication Facility requires a Special Use Permit in the GC-TC (General Commercial – Town Center land use district, if it is not made part of another structure.

According to the applicant's justification letter, the new 80-foot tall Wireless Communication Facility, Stealth Design (Clock Tower) is necessary to enhance the cellular and internet coverage in the community.

A Wireless Communication Facility, Stealth Design is described in Title 19.12 as "A wireless communication facility that is designed to blend into the surrounding environment. Examples include without limitation: antenna tower alternative structures; roof mounted antennas (with architectural screening when appropriate); building mounted antennas painted to match the existing structure; antennas integrated into architectural elements (such as steeples or cupolas); antennas and antenna structures designed to look like light poles, flagpoles, or any other camouflaging techniques available on the market; and a cable microcell network which utilizes multiple low powered transmitters/receivers or repeaters attached to existing wireline systems, such as conventional cable or telephone wires, or similar technology that does not require the use of towers."

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Minimum Special Use Permit Requirements:

- A. A wireless communication facility is permitted if it utilizes stealth technology, (made part of another structure and isn't visually discernible) and is not within 330 feet of any single-family detached dwelling. Otherwise, a Special Use Permit is required.

The proposed Wireless Communication Facility incorporates a stealth design (Clock Tower) antenna, which is located approximately 465 Feet from a single-family detached dwelling. However, the proposed structure is not designed to be made part of another structure and is visually discernible from other structures located on the subject site, which requires the approval of a Special Use Permit for the proposed use.

- B. Towers and mono-poles are subject to LVMC 19.08.040(H) and shall be in conformance with Chapter B, Section 5, subsection E (Mechanical and Electrical Equipment) of this Manual.

According to the submitted site plan the proposed Wireless Communication Facility will screen all associated mechanical equipment within an existing storage unit, which conforms to all LVMC 19.08.040(H) requirements.

The subject site is a 2.90 acre parcel, which is currently developed with an existing Mini-Storage land use. The approved site plan date stamped 01/14/14 associated with Site Development Plan Review (SDR-52440) required the subject site to provide a minimum of 25 parking spaces, including two handicapped parking space. The existing site design exceeded the minimum parking requirement and provided 31 spaces on-site with two handicapped parking spaces.

According to the submitted site plan, the proposed Wireless Communication Facility, Stealth Design (Clock Tower) development will be located adjacent to the eastern perimeter of the existing mini-storage building and will not into any drive aisles or existing parking spaces. It has been determined that the proposed Wireless Communication Facility use can be conducted in a manner that is compatible and harmonious manner with the surrounding land uses, therefore, staff is recommending approval, as the use is considered appropriate for the surrounding area.

FINDINGS (SUP-74832)

In order to approve a Special Use Permit application, per Title 19.16.110(L) the Planning Commission and City Council must affirm the following:

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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 compatible with the surrounding land uses and can be conducted in a manner that is harmonious with surrounding land uses. The proposed Wireless Communication Facility will be located along the eastern perimeter of the subject site adjacent to the existing elevated exit to US Highway 95, and will have minimal negative impact to surrounding land uses.

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

The subject site is located within an existing commercial development that is physically suitable for the intensity of the proposed land use.

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.

Access to the site will not change. Vehicles may enter the property from Oso Blanca Road a 90-foot Frontage Road as classified by the Town Center Development Standards.

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 the public health safety and general welfare of the public. The use will be subject to regular inspections and is subject to licensing restrictions.

5. The use meets all of the applicable conditions per Town Center Development Standards Manual.

The proposed Wireless Communication Facility, Stealth Design (Clock Tower) is not designed to be made part of another structure and is visually discernable, which requires the approval of a Special Use Permit per the Town Center Development Standards Manual.

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BACKGROUND INFORMATION

<i>Related Relevant City Actions by Planning, Fire, Bldg., etc</i>	
12/07/98	The City Council approved a Rezoning (Z-0076-98) of 1,468 acres to the T-C (Town Center) zoning district. The subject site was included in this Rezoning request. The Planning Commission and staff recommended approval of this request.
11/15/00	The City Council approved a Site Development Plan Review [Z-0076-98(17)] for a 284,150 square-foot commercial center on the subject property as part of a larger request. In addition, 12 associated Special Use Permit applications were approved, allowing four Supper Clubs, four Restaurants (with drive-through) facilities, a Convenience Store with Fuel Pumps, Accessory Packaged Liquor, a Car Wash, and an Auto Lube facility (U-0099-00 through U-0110-00). The Planning Commission and staff recommended approval.
12/18/02	The City Council approved an Extension of Time (EOT-1083) for the Site Development Plan Review [Z-0076-98(17)] and the 12 associated Special Use Permit applications (EOT-1084 through EOT-1095) for the subject site. The Planning Commission and staff recommended approval.
04/07/02	The City Council approved a request for a Site Development Plan Review (SDR-3795) for a proposed 293,355 square-foot retail center with Waivers of the Town Center Development Standards requiring on-site open space features; parking spaces to be set back a minimum of 15 feet from property lines; parking lots to be located away from street front; and walkways between parking lots and rows of parking spaces on 46 acres adjacent to the northwest and northeast corners of Severence Lane and Oso Blanca Road. Planning Commission and staff recommended approval.
01/05/05	The City Council approved the request for a Special Use Permit (SUP-5424) for a Car Wash, Self-Service use; a Special Use Permit (SUP-5425) for an Alcoholic Beverage Sales/Liquor Store use; a Special Use Permit (SUP-5426) for an Auto Repair Garage (Minor) use; Special Use Permits (SUP-5427 through SUP-5430) for a Restaurants (with drive-through) use; and Special Use Permits (SUP-5431 through SUP-5435) for a Restaurant with Service Bar/Supper Club use, located on the southeast corner of Farm Road and Oso Blanca Road. The Planning Commission and staff recommended approval.

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Related Relevant City Actions by Planning, Fire, Bldg., etc	
09/07/05	The City Council approved a Site Development Plan Review (SDR-7594) for a proposed 101,320 square-foot commercial and 777-unit residential development with Waivers of the parking lot, foundation and perimeter landscape requirements and Town Center Development Standards for two-story maximum height, single story office, and 20-foot landscape berm requirements on 40 acres at the intersection of Oso Blanca Road and Severence Lane. The Planning Commission recommended approval while staff recommended denial.
	The City Council approved a request for a Major Modification (MOD-7588) of the Town Center Development Standards Manual from SC-TC (Service Commercial- Town Center) to SX-TC (Suburban Mixed Use- Town Center) and GC-TC (General Commercial) Special Land use Designations on 40 acres at the intersection of Oso Blanca Road and Severence Lane. The Planning Commission and staff recommended approval.
	The City Council approved a Special Use Permit (SUP-7589) for a proposed High Density Residential (Single Use) development, a Special Use Permit (SUP-7590) for a proposed Supper Club, a Special Use Permit (SUP-7591) for a proposed Liquor Establishment (Off-Sale) and a Special Use Permit (SUP-7592) for a proposed Tavern, located at the intersection of Oso Blanca Road and Severence Lane. The Planning Commission recommended approval while staff recommended denial.
10/17/07	The City Council approved the Extensions of Time (EOT-24401, EOT-24402, and EOT-24403) for the approved Special Use Permits for a proposed Supper Club (SUP-7590) and Tavern (SUP-7591) and the related Site Development Plan Review (SDR-7594) for a proposed 110,773 square foot commercial center on 11.21 acres at the intersection of Oso Blanca Road and Severence Lane. The Planning Commission and staff recommended approval.
	The City Council approved a request for a Site Development Plan Review (SDR-23483) for a proposed 110,773 square-foot commercial center on 11.21 acres at the intersection of Oso Blanca Road and Severence Lane. The Planning Commission and staff recommended approval.
09/25/08	Staff administratively approved a Minor Site Development Plan Review (SDR-29378) for a Minor Amendment to an approved Site Development Plan Review (SDR-23483) for a 111,398 square-foot Shopping Center on 11.3 acres at the southeast corner of US-95 and Farm Road.

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Related Relevant City Actions by Planning, Fire, Bldg., etc	
01/21/14	A Parcel Map (PMP-52656) was submitted for technical review of a three-lot parcel map on 9.40 acres at the northwest corner of Oso Blanca Road and Durango Drive (portion of APN 125-17-301-006).
02/11/14	The Planning Commission approved Special Use Permit (SUP-52437) for a proposed Mini-Storage Facility with a waiver of the requirement to provide a retail or office facade on all exterior walls at the southeast corner of Farm Road and Oso Blanca Road. Staff recommended approval of the request.
	The Planning Commission approved Special Use Permit (SUP-52438) for a proposed Truck Rental use with a waiver to allow a 130-foot distance separation from a single-family detached dwelling where 330 feet is required at the southeast corner of Farm Road and Oso Blanca Road. Staff recommended approval of the request.
	The Planning Commission approved Site Development Plan Review (SDR-52440) for a proposed three-story, 122,325 square-foot mini-storage facility with a waiver of the town center development standards to allow 10% open space where 20% open space is required at the southeast corner of Farm Road and Oso Blanca Road. Staff recommended approval of the request.
07/14/15	The Planning Commission approved a Petition to Vacate (VAC-59471) a 20-foot wide public drainage easement generally located east and south of the intersection of Farm Road and Oso Blanca Road. Staff recommended approval of the request.

Most Recent Change of Ownership	
10/22/14	A deed was recorded for a change in ownership.

Related Building Permits/Business Licenses	
08/24/15	A building permit (#280531) was issued for a storage building and manager residence (Storage One) at 7580 Oso Blanca Road. The permit was finalized on 09/22/16
	A building permit (#280533) was issued for onsite improvements with a trash enclosure (Storage One) at 7580 Oso Blanca Road. The permit has not been finalized.
04/21/16	A building permit (#315758) was issued for a wall/fence (Storage One) at 7580 Oso Blanca Road. The permit has not been finalized.

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Related Building Permits/Business Licenses	
05/23/16	A building permit (#315735) was issued for (20) RV canopies (Storage One) at 7580 Oso Blanca Road. The permit has not been finalized.
11/07/16	A business license (#G64-07730) was issued for a Mini-Warehouse (Storage One) at 7580 Oso Blanca Road. The license is still active.
	A business license (#G64-07732) was issued for a Truck Rental Agency (Storage One) at 7580 Oso Blanca Road. The license is still active.
	A business license (#G64-07779) was issued for a General Retail Sales (Storage One) at 7580 Oso Blanca Road. The license is still active.

Pre-Application Meeting	
07/19/18	A pre-application meeting was conducted with the applicant to go over the application materials and submittal requirements for a Special Use Permit for a proposed Wireless Communication Facility use.

Neighborhood Meeting	
A Neighborhood meeting was not required, nor was one held.	

Field Check	
11/01/18	A routine field check was conducted by staff and found a well maintained commercial development.

Details of Application Request	
Site Area	
Net Acres	2.90

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Surrounding Property	Existing Land Use Per Title 19.12	Planned or Special Land Use Designation	Existing Zoning District
Subject Property	Mini-Storage Facility	GC-TC (General Commercial – Town Center Land Use)	T-C (Town Center)
North	Undeveloped	GC-TC (General Commercial – Town Center Land Use)	T-C (Town Center)
South	Shopping Center	GC-TC (General Commercial – Town Center Land Use)	T-C (Town Center)
East	Right of Way US-95	Right of Way US-95	Right of Way US-95
West	Multi-Family Residential	SX-TC (Suburban Mixed-Use – Town Center Land Use)	T-C (Town Center)

Master and Neighborhood Plan Areas	Compliance
No Applicable Master Plan Area	N/A
Special Area and Overlay Districts	Compliance
T-C (Town Center) District	Y
Other Plans or Special Requirements	Compliance
Trails	N/A
Las Vegas Redevelopment Plan Area	N/A
Interlocal Agreement	N/A
Project of Significant Impact (Development Impact Notification Assessment)	N/A
Project of Regional Significance	N/A

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DEVELOPMENT STANDARDS

Pursuant to Town Center Development Standards Manual, the following standards apply:

Standard	Required/Allowed	Provided	Compliance
Min. Setbacks			
• Front (west)	15 Feet	201 Feet	Y
• Side (north)	10 Feet	346 Feet	Y
• Side (south)	10 Feet	235 Feet	Y
• Rear (east)	20 Feet	33 Feet	Y
Mech. Equipment	Screened	Screened	Y

Residential Adjacency Standards	Required/Allowed	Provided	Compliance
3:1 proximity slope	240 Feet	465 Feet	Y

Street Name	Functional Classification of Street(s)	Governing Document	Actual Street Width (Feet)	Compliance with Street Section
Oso Blanca Road	Frontage Street	Town Center Development Standards Manual	90 Feet	Y

Pursuant to approved Site Development Plan Review (SDR-52440), the following parking standards apply:

Parking Requirement							
Use	Gross Floor Area or Number of Units	Parking Ratio	Required		Provided		Compliance
			Parking		Parking		
			Regular	Handi-capped	Regular	Handi-capped	
Mini-Storage Facility	750 Units	1:50 Units	15				
Mini-Storage Facility	-	5 Spaces outside of security gate	5				
Truck Rental	5 trucks	1 space per truck	5				
TOTAL SPACES REQUIRED			25		31		Y
Regular and Handicap Spaces Required			23	2	29	2	Y