

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-25-0410-K & J PARTNERSHIP:

HOLDOVER USE PERMIT for a communication tower.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) eliminate street landscaping; and 2) waive full off-site improvements.

DESIGN REVIEW for a communication tower on a portion of 0.28 acres in an RS5.2 (Residential Single-Family 5.2) Zone.

Generally located north of Twain Avenue and east of Eastern Avenue within Paradise. TS/jud/cv (For possible action)

RELATED INFORMATION:

APN:

162-13-203-002 ptn

WAIVERS OF DEVELOPMENT STANDARDS:

1. Eliminate street landscaping along Twain Avenue where required per Section 30.04.01D.
2. Waive full off-site improvements (curb, gutter, sidewalk, streetlights, and partial paving) along Twain Avenue where required per Section 30.04.08.

LAND USE PLAN:

WINCHESTER/PARADISE - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 2456 E. Twain Avenue
- Site Acreage: 0.28 (portion)
- Project Type: Communication tower
- Building Height (feet): 85

Site Plan

The site is an undeveloped triangular shaped parcel located between Twain Avenue and the Flamingo Wash flood control channel, approximately 285 feet east of Eastern Avenue. Access to the site will be from Twain Avenue by a 15 foot wide driveway. The communication tower and facility is located along the west side of the parcel. An 8 foot high chain-link fence around the compound is set back 35 feet from the west property line, a minimum of 8 feet from the north property line, and approximately 41 feet from Twain Avenue. The tower is set back approximately 300 feet from the closest residential development to the southeast of the site and 140 feet from the closest residential zoning district to the south, which is developed with a

rehabilitation center. Gates to access the compound are located on the southside of the compound.

The parcel to the west of this site has an existing communication tower, which is approximately 200 feet west of the newly proposed communication tower. No off-site improvements are proposed with this application.

Landscaping

No street landscaping is proposed, requiring a waiver of development standards.

Elevations

The tower is 85 feet in height and designed to look like a palm tree. The plan depicts antennas at the top of the tower within the artificial palm fronds and areas along the tower for future co-location of up to 2 additional antennas. A 450 square foot equipment shelter with a cabinet and emergency generator is located to the south of the tower within the enclosed compound.

Applicant’s Justification

The applicant is proposing this project because antennas cannot be collocated on the adjacent tower as there is not enough room in the compound for additional equipment. The subject parcel has a street frontage of approximately 273 feet and the adjacent flood control parcel to the east/northeast currently has no sidewalk, landscaping, or off-site improvements. The site is a small remnant parcel in a triangle shape left over from when the channel was completed and installing the required street landscaping would reduce the developable space by approximately 20%, leaving the parcel restricted for any future development. The landscaping for such a small length and the water demand to maintain the landscaping do not justify the requirement.

Prior Land Use Requests

| Application Number | Request | Action | Date |
|---------------------------|---|----------------|---------------|
| WS-0843-14 | Eliminated street landscaping and allowed attached sidewalks along Twain Avenue - expired | Approved by PC | December 2014 |
| UC-0085-14 | Allowed a communication tower - expired | Approved by PC | April 2014 |

Surrounding Land Use

| | Planned Land Use Category | Zoning District (Overlay) | Existing Land Use |
|-------|---|----------------------------------|-----------------------------|
| North | Public Use | CP | Flamingo Wash flood channel |
| South | Ranch Estate Neighborhood (up to 2 du/ac) | RS5.2 | Rehabilitation center |
| East | Mid-Intensity Suburban Neighborhood (up to 8 du/ac) | RS5.2 | Flamingo Wash flood channel |
| West | Neighborhood Commercial | CP | Office building |

STANDARDS FOR APPROVAL:

The applicant shall demonstrate that the proposed request is consistent with the Master Plan and is in compliance with Title 30.

Analysis

Comprehensive Planning

Use Permit

A special use permit is considered on a case by case basis in consideration of the standards for approval. Additionally, the use shall not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or right-of-way, or other matters affecting the public health, safety, and general welfare; and will be adequately served by public improvements, facilities, and services, and will not impose an undue burden.

Design Review

Development of the subject property is reviewed to determine if 1) it is compatible with adjacent development and is harmonious and compatible with development in the area; 2) the elevations, design characteristics and others architectural and aesthetic features are not unsightly or undesirable in appearance; and 3) site access and circulation do not negatively impact adjacent roadways or neighborhood traffic.

Use Permit & Design Review

There is an increased demand for telecommunications service in this area and the existing facility not available for the colocation of additional equipment. Therefore, a new facility is required in this area to meet the increased demand for service. This site is adjacent to non-residential developments and located over 300 feet from the closest residence and approximately 140 feet from a residential zoning district, which is developed with commercial uses. The tower is a stealth design that will look like a palm tree. The existing facility to the west is a similar design and the landscape areas for the development to the northwest and south include palm trees. The design of this facility will blend in with the area, which will mitigate the impacts of this facility on the surrounding community. Therefore, staff supports these requests.

Waivers of Development Standards

The applicant shall have the burden of proof to establish that the proposed request is appropriate for its proposed location by showing the following: 1) the use(s) of the area adjacent to the subject property will not be affected in a substantially adverse manner; 2) the proposal will not materially affect the health and safety of persons residing in, working in, or visiting the immediate vicinity, and will not be materially detrimental to the public welfare; and 3) the proposal will be adequately served by, and will not create an undue burden on, any public improvements, facilities, or services.

Waiver of Development Standards #1

Staff finds that street landscaping is needed to combat the heat island effect. The development of the site requires street landscaping to match the surrounding areas. Therefore, staff cannot support this request.

Public Works - Development Review

Waiver of Development Standards #2

Staff cannot support this request to not install full off-site improvements on Twain Avenue when there are existing full improvements to the north, south, east and west. Additionally, full width paving, curb, and gutter allows for better traffic flow and drainage control, and sidewalks on public streets provide safer pathways for pedestrians.

Staff Recommendation

Approval the use permit and design review; denial of the waivers of development standards.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Master Plan, Title 30, and/or the Nevada Revised Statutes.

PRELIMINARY STAFF CONDITIONS:

Comprehensive Planning

If approved:

- Certificate of Occupancy and/or business license shall not be issued without approval of a Certificate of Compliance, and payment of the tree fee-in-lieu is required for any required trees waived.
- Applicant is advised within 2 years from the approval date the application must commence or the application will expire unless extended with approval of an extension of time; a substantial change in circumstances or regulations may warrant denial or added conditions to an extension of time; the extension of time may be denied if the project has not commenced or there has been no substantial work towards completion within the time specified; a bond (or other guarantee per Section 30.03.08) is required prior to the construction of the tower; that this approval also includes all future antennas proposed in conjunction with this tower, provided all future antennas are determined to not be visually obtrusive to this area; and that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other new communication tower within a radius of 600 feet, otherwise additional land use applications may be required; changes to the approved project will require a new land use application; and the applicant is solely responsible for ensuring compliance with all conditions and deadlines.

Public Works - Development Review

- Execute a Restrictive Covenant Agreement (deed restrictions).

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC: Paradise - approval (remove the tree in lieu fee; install a block wall instead of a chain-link fence).

APPROVALS: 2 cards, 1 letter

PROTESTS: 6 cards

COUNTY COMMISSION ACTION: July 16, 2025 – HELD – To 08/06/25 – per the applicant.

COUNTY COMMISSION ACTION: August 6, 2025 – HELD – To 08/20/25 – per the applicant.

APPLICANT: CENTERLINE

CONTACT: CENTERLINE, 510 MANDALAY COURT, HENDERSON, NV 89012