

01/18/22 PC AGENDA SHEET

COMMUNICATION TOWER  
(TITLE 30)

HACIENDA AVE/POLARIS AVE

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0692-SKYBELL, LLC:**

**USE PERMIT** for a communication tower and associated equipment.

**DESIGN REVIEW** for a communication tower and associated equipment on 2.5 acres in an R-E (Rural Estates Residential) Zone and an M-1 (Light Manufacturing) Zone in the Adult Use Overlay District.

Generally located on the south side of Hacienda Avenue, 286 feet west of Polaris Avenue within Paradise. MN/jvm/jo (For possible action)

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RELATED INFORMATION:

**APN:**

162-29-301-005; 162-29-301-010

**LAND USE PLAN:**

WINCHESTER/PARADISE - COMMERCIAL TOURIST

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 3525 Hacienda Avenue
- Site Acreage: 2.5
- Project Type: Communication tower
- Building Height (feet): 80

Site Plan

The plan depicts a long narrow property with 2 buildings on the northern half of the parcel and outside storage being conducted on the southern portion of the property. Access to the site is provided by 2 driveways from Hacienda Avenue. The communication tower and related equipment is proposed to be located in the far southeast corner of the overall property.

Landscaping

No new landscaping is proposed or required with this application.

Elevations

The proposed monopole communication tower is 80 feet tall with possible arrays at 50 feet, 65 feet, and 76 feet. The associated equipment is screened by a 6 foot tall CMU wall.

### Signage

Signage is not a part of this request.

### Applicant's Justification

The applicant states that the proposed tower meets all the requirements of Title 30. In addition, the area around Allegiant Stadium will continue to see additional coverage draws and this tower will help to improve technology and coverage in the area.

### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North, South, East, & West	Commercial Tourist	M-1	Industrial buildings

### **STANDARDS FOR APPROVAL:**

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 30.

### **Analysis**

#### **Current Planning**

##### Use Permit

A use permit is a discretionary land use application that is considered on a case by case basis in consideration of Title 30 and the Master Plan. One of several criteria the applicant must establish is that the use is appropriate at the proposed location and demonstrate the use shall not result in a substantial or undue adverse effect on adjacent properties.

Staff finds that the proposed communication tower can be conducted in a manner that is harmonious and compatible with the uses on the subject site and the other uses in the surrounding area. In addition, staff agrees that the area around Allegiant Stadium will continue to see additional coverage draws and this tower will help to improve technology and coverage in the area. Therefore, staff recommends approval of this request.

##### Design Review

The proposed tower is located in an area that is the least impactful to the site and surrounding area; therefore, staff can support the design review.

### **Department of Aviation**

The development will penetrate the 100:1 notification airspace surface for LAS International Airport. Therefore, as required by 14 CFR Part 77, and Section 30.48.120 of the Clark County Unified Development Code, the Federal Aviation Administration (FAA) must be notified of the proposed construction or alteration.

## **Staff Recommendation**

Approval.

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:**

### **Current Planning**

- Applicant is advised that a bond (or other guarantee per Table 30.44) 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; that in order to construct this tower, building permits must be obtained for this tower prior to building permits being issued for any other communication tower within a radius of 600 feet otherwise additional land use applications may be required; the County is currently rewriting Title 30 and future land use applications, including applications for extensions of time, will be reviewed for conformance with the regulations in place at the time of application; 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; and that this application must commence within 2 years of approval date or it will expire.

### **Public Works - Development Review**

- No comment.

### **Department of Aviation**

- Applicant is required to file a valid FAA Form 7460-1, "Notice of Proposed Construction or Alteration" with the FAA, in accordance with 14 CFR Part 77, or submit to the Director of Aviation a "Property Owner's Shielding Determination Statement" and request written concurrence from the Department of Aviation;
- If applicant does not obtain written concurrence to a "Property Owner's Shielding Determination Statement," then applicant must also receive either a Permit from the Director of Aviation or a Variance from the Airport Hazard Areas Board of Adjustment (AHABA) prior to construction as required by Section 30.48 Part B of the Clark County Unified Development Code;
- No building permits should be issued until applicant provides evidence that a "Determination of No Hazard to Air Navigation" has been issued by the FAA or a "Property Owner's Shielding Determination Statement" has been issued by the Department of Aviation.
- Applicant is advised that the FAA's determination is advisory in nature and does not guarantee that a Director's Permit or an AHABA Variance will be approved; that FAA's airspace determinations (the outcome of filing the FAA Form 7460-1) are dependent on petitions by any interested party and the height that will not present a hazard as determined by the FAA may change based on these comments; that the FAA's airspace

determinations include expiration dates; and that separate airspace determinations will be needed for construction cranes or other temporary equipment.

**Clark County Water Reclamation District (CCWRD)**

- Applicant is advised that the property is already connected to the CCWRD sewer system; and that if any existing plumbing fixtures are modified in the future, then additional capacity and connection fees will need to be addressed.

**TAB/CAC:** Paradise - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** AT&T, C/O BLACK & VEATCH

**CONTACT:** AT&T, C/O BLACK & VEATCH, 900 OAKMONT LANE, STE 100, WESTMONT, IL 60559