

COMMUNICATION TOWER
(TITLE 30)

FLAMINGO RD/FORT APACHE RD

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

UC-22-0221-9295 BROOKS LLC:

USE PERMIT for an 80 foot high communication tower.

WAIVERS OF DEVELOPMENT STANDARDS for the following: 1) reduced parking; and 2) reduced parking lot landscaping.

DESIGN REVIEW for an 80 foot high communication tower in conjunction with an existing recreational (skating) facility on 4.2 acres in the C-1 (Local Business) Zone and C-2 (General Commercial) Zone in the CMA Design Overlay District.

Generally located on the south side of Flamingo Road, approximately 800 feet east of Fort Apache Road within Spring Valley. JJ/nr/syp (For possible action)

RELATED INFORMATION:

APN:

163-20-101-036

WAIVERS OF DEVELOPMENT STANDARDS:

1. Reduce parking to 248 spaces where 272 spaces were previously approved with WS-0688-04.
2. Reduce parking lot landscaping where landscaping per Figure 30.64-14 is required.

LAND USE PLAN:

SPRING VALLEY - NEIGHBORHOOD COMMERCIAL

BACKGROUND:

Project Description

General Summary

- Site Address: 9295 W. Flamingo Road
- Site Acreage: 4.2
- Project Type: Communication tower
- Height (feet): 80
- Parking Required/Provided: 272/248

Site Plans

The plans show a skating rink facility on the west side of the site with parking on the north and west sides of the facility. The tower will be located within a current landscape island on the northwestern side of the site where a trash enclosure is currently located. The trash enclosure will

be relocated to the eastern side of the site. The installation of the communication tower and relocation of the trash enclosure will further reduce the parking by 2 spaces and remove a terminus landscape island. Access to the site is from Flamingo Road to the north and Nevso Drive to the south.

Landscaping

Street landscaping and terminus landscape islands are located along Flamingo Road. Interior to the site are 8 landscape islands within the parking area. One of the terminus landscape islands will be removed to accommodate the proposed communication tower.

Elevations

The plans show an 80 foot high mono-pine with equipment enclosure. The equipment area will be surrounded by an 8 foot high CMU wall with access gate facing to the west.

Signage

Signage is not a part of this request.

Applicant's Justification

The applicant indicates that the proposed communication tower meets Title 30 requirements and the tower will not have a negative effect on the area.

Prior Land Use Requests

Application Number	Request	Action	Date
WS-0688-04	Reduced parking for a skating facility	Approved by PC	May 2004
UC-1700-03	Check cashing	Approved by	December 2003
WS-1267-02	Reduced parking for an in-line commercial building (no longer part of the parcel)	Approved by PC	October 2002
ZC-0305-97	Reclassified the site to C-1 zoning and a portion of C-2 zoning	Approved by BCC	March 1999
UC-2117-96	Skating rink, tavern, and reduced parking	Approved by PC	January 1997
ZC-1137-96	Reclassified the site to C-1 zoning for a retail and office complex	Approved by BCC	September 1998

Surrounding Land Use

	Planned Land Use Category	Zoning District	Existing Land Use
North	Corridor Mixed Use	C-1 & C-2	Shopping center
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1 & R-2	Single family residential
East	Neighborhood Commercial	C-1	Commercial center & mini-warehouse
West	Corridor Mixed Use	C-2	Mini-warehouse

STANDARDS FOR APPROVAL:

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

Analysis

Current Planning

Use Permit, Waivers of Development Standards & Design Review

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.

According to Title 30, the applicant shall have the burden of proof to establish that the proposed request is appropriate for its existing location by showing that the uses of the area adjacent to the property included in the waiver of development standards request will not be affected in a substantially adverse manner. The intent and purpose of a waiver of development standards is to modify a development standard where the provision of an alternative standard, or other factors which mitigate the impact of the relaxed standard, may justify an alternative.

The proposed communication tower meets Title 30 requirements. The placement on the site would reduce parking on the site and remove parking lot landscaping. Staff generally does not support waivers to reduce parking lot landscaping and reduce parking. Without landscaping to break-up the parking area, this parking lot will consist of a large, paved area that will contribute to the heat island effect. Lack of landscaping could also increase stormwater runoff during storm events; however, the parking on this site has been reduced three previous times with no apparent negative effect. Overall staff finds this request is in keeping with the commercial, established auto related land use character of the area. The proposed communication tower conforms to Title 30 standards and although reduced parking and landscaping are not generally supported by staff, the overall design works with existing site conditions. Therefore, staff can support the request.

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 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; 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; 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 communication tower within a radius of 600 feet otherwise additional land use applications may be required; 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.

Fire Prevention Bureau

- No comment.

Clark County Water Reclamation District (CCWRD)

- No comment.

TAB/CAC:

APPROVALS:

PROTESTS:

APPLICANT: AMY TOLLEFSON

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