

COMMUNICATION TOWER  
(TITLE 30)

BONANZA RD/SLOAN LN

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-22-0624-PLEASANT HILLS UNIT 2:**

**USE PERMITS** for the following: **1)** a communication tower; **2)** reduce the setback from a communication tower to a residential development; **3)** reduce the setback from Sloan Lane; and **4)** reduce the separation between communication towers.

**WAIVER OF DEVELOPMENT STANDARDS** to waive the setback for an architectural intrusion.

**DESIGN REVIEW** for a communication tower (palm tree monopole) and associated equipment in conjunction with an existing multiple family residential development on a portion of 6.8 acres in an R-3 (Multiple Family Residential) Zone.

Generally located on the east side of Sloan Lane, 775 feet north of Bonanza Road within Sunrise Manor. TS/bb/syp (For possible action)

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RELATED INFORMATION:

**APN:**

140-27-410-000; 140-27-413-065 ptn

**USE PERMITS:**

1. Permit a communication tower.
2. Reduce the setback from a communication tower to a residential development (to the west) to 180 feet where 210 feet is required per Table 30.44-1 (a 14% reduction).
3. Reduce the setback from a communication tower to Sloan Lane to 30 feet where 40 feet is required per Table 30.44-1 (a 25% reduction).
4. Reduce the separation between communication towers to 175 feet where a minimum of 600 feet is required per Table 30.44-1 (a 17% reduction).

**WAIVER OF DEVELOPMENT STANDARDS:**

Eliminate the setback for an architectural intrusion (communication tower palm fronds) where 3 feet is required per Section 30.56.040 (a 100% reduction).

**LAND USE PLAN:**

SUNRISE MANOR - MID-INTENSITY SUBURBAN NEIGHBORHOOD (UP TO 8 DU/AC)

## **BACKGROUND:**

### **Project Description**

#### General Summary

- Site Address: 900 Sloan Lane
- Site Acreage: 6.8 (portion)
- Project Type: Communication tower
- Height (feet): 70

#### Site Plan

The site currently has 2 communication towers in place; 1 is a stealth flagpole built in 2003 located within the median of the Sloan Lane entrance to the development, and the other is a monopole designed as a palm tree located 175 feet east of the proposed monopole and built in 2014. The existing monopalm will remain in place and the stealth flagpole will be removed and replaced with the proposed new monopole. The site plan depicts a new monopole with a palm tree design (monopalm) located at the Sloan Lane entrance to the Pleasant Hills condominium neighborhood. The proposed new monopalm structure will be located 30 feet east of Sloan Lane and approximately 20 feet north of the entrance drive to the Pleasant Hills neighborhood. More specifically, the tower and the equipment lease area are located east of an existing subdivision perimeter wall and south of an existing garage wall, within a landscaped common area. Although under common ownership and 1 homeowner's association, the development is divided in half from north to south. The monopalm is set back 5 feet to the north of the dividing property line. The monopalm fronds will overlap the north/south property line that divides the Pleasant Hills neighborhood in half, which necessitates the waiver to eliminate the setback for the fronds to the property line.

#### Landscaping

There is existing landscaping located at the northeast corner of the entry drive and Sloan Lane. An existing tree will be removed to accommodate the proposed monopalm. Four medium and small trees and 3 shrubs will be planted south and west of the proposed monopalm, outside the sight visibility areas. The perimeter wall adjacent to the lease area will be increased to a maximum of 8 feet high and will be painted to match the existing wall.

#### Elevations

The proposed monopalm is 70 feet high. A 7 foot to 12 foot garage is located to the north and the extended perimeter wall is located to the east of the lease area. The 517 square foot lease area will include telecom equipment boxes and concrete pads screened from Sloan Lane view.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant is proposing a new communication tower that will allow 5G service and provide better coverage to the surrounding area. The existing stealth flagpole will be removed after construction and operation of the new tower (within 60 days as required by Code). The proposed tower will include a palm tree design to blend in with the surrounding landscaping and residential uses. The new tower will be a total of 70 feet in height with the attached palm fronds

and will be located behind a subdivision wall east of Sloan Lane. At the request of the Pleasant Hills association and owners, no fence will be placed on the east side of the tower. Bollards will be placed on the east side of the tower, adjacent to the interior driveway, along with additional landscaping as shown on the plan. The new tower will provide greater bandwidth and faster network service to end users. The existing stucco wall on the west side of the proposed tower will be raised to screen equipment from view. The raised portion of the wall will not exceed the allowed 8 feet as outlined in Figure 30.64-9 with 15 feet of enhanced landscaping between the sidewalk and wall.

#### **Prior Land Use Requests**

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
UC-0513-14	Communication tower (monopole) monopalm design	Approved by PC	July 2014
UC-0769-03	Reduced the separation of a stealth flagpole communication tower from a residential development	Approved by PC	June 2003

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-2	Single family residential
South	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-D	Single family residential
East	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	100 foot wide power corridor & single family residential
West	Mid-Intensity Suburban Neighborhood (up to 8 du/ac)	R-1	Sloan flood control channel

#### **STANDARDS FOR APPROVAL:**

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

#### **Analysis**

##### **Current Planning**

##### Use Permits

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.

The proposed new monopole will be designed as a palm tree to match the existing monopalm located on the east side of the property. The new communication tower will enhance service to the surrounding area and include 5G service where it was previously not possible with the stealth flagpole design. This new tower will provide a wider level of service to the surrounding public. The proposed tower will allow for collocated antennae as required by Code and be compatible with the existing monopalm tower. This new tower will eliminate the potential for having 3

towers in the area, since the stealth flagpole cannot accommodate 5G service and will be removed as a result of the construction of the new tower. The proposed new monopalm meets the context sensitive design of the Master Plan Policy 6.2.1 with regard to height and scale in relationship to the surrounding neighborhood and existing monopalm facility. Policy 2.1.2 of the Master Plan supports equitable access to higher speed broadband service and new 5G technology in underserved communities. In addition, the nearest off-site residential property is located to the west of the monopole, on the other side of Sloan Lane and the existing regional drainage channel; therefore, the location of the monopalm should not have a negative impact to the residential development. The proposed 30 foot setback from Sloan Lane includes landscaping, trees, and an 8 foot stucco wall. The wall and landscaping will be the dominate feature for vehicles traveling on Sloan Lane. Staff recommends approval.

#### Waiver of Development Standards

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 location of the palm fronds approximately zero feet from the interior property line would not create a hazard to the public when considering the fronds are located between 60 feet and 70 feet in height, and the 2 portions of the subdivision are developed as 1 development. The proposed new monopalm meets the context sensitive design of the Master Plan Policy 6.2.1 with regard to height and scale in relationship to the adjacent garage structure, walls, access drive, and street.

#### Design Review

The change in location from the stealth flagpole site to the new monopalm site will not result in a substantial or undue adverse effect on adjacent properties, character of the neighborhood, traffic conditions, parking, public improvements, public sites or rights-of-way, or other matters affecting the public health, safety, and general welfare. The proposed tower would not be appropriate as a replacement in the same location as the stealth flagpole when considering this is the primary entrance to the community and located in the middle of a moderately high traffic area that is constantly exposed to vehicle movements. The monopole designed as a palm tree within the required separation distance should not create a nuisance and will not be unsightly at 70 feet in height. The proposed new monopalm meets the context sensitive design of the Master Plan Policy 6.2.1 with regard to real trees on the property being nearly as high as the proposed monopalm towers. Staff recommends approval of the design review.

#### **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; 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; 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.

### **Fire Prevention Bureau**

- No comment.

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

- No comment.

**TAB/CAC:** Sunrise Manor - approval.

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** CYNTHIA SQUIER

**CONTACT:** CYNTHIA SQUIER, INFINITY COORDINATORS, 234 CAROLINA LAUREL STREET, HENDERSON, NV 89074