

10/19/21 PC AGENDA SHEET

COMMUNICATION TOWER  
(TITLE 29)

TOWN CENTER DR/MARKETWALK PL

PUBLIC HEARING

APP. NUMBER/OWNER/DESCRIPTION OF REQUEST

**UC-21-0467-SUMMERLIN COUNCIL:**

**USE PERMITS** for the following: **1)** communication tower; and **2)** increase the height of a communication tower.

**DESIGN REVIEW** for a proposed communication tower and associated equipment on a portion of 20.3 acres in a P-F (Public Facility) Zone in the Summerlin South Master Planned Community.

Generally located on the north side of Marketwalk Place and the east side of Town Center Drive within Summerlin South. JJ/bb/jo (For possible action)

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RELATED INFORMATION:

**APN:**

164-01-710-001 ptn

**USE PERMITS:**

1. Communication tower.
2. Increased height of a communication tower to 95 feet where 55 feet is the maximum per Title 29 Section 29.24.030 (a 73% increase).

**LAND USE PLAN:**

SUMMERLIN SOUTH - PUBLIC FACILITIES

**BACKGROUND:**

**Project Description**

General Summary

- Site Address: 10588 Marketwalk Place
- Site Acreage: 20.3 (portion)
- Project Type: Communication monopole tower
- Building Height (feet): 95

**Site Plan**

The plan depicts a proposed 95 foot high monopole communications tower located on the southern end of Summerlin Center Community Park, a 20.3 acre park property in the Summerlin South Master Planned Community. The 3,600 square foot lease area is located approximately 291 feet north of an existing single family residential neighborhood, 106 feet from Town Center Drive, 1,259 feet from the north property line, and over 400 feet to the residential homes located

to the east of the tower. Access to the proposed communication tower will be through an existing access driveway located on the north side of Marketwalk Place. The monopole and new lease area will be located near existing utility meters and parking on the south side of the property.

#### Landscaping

Summerlin Center Community Park is surrounding the proposed communication tower site.

#### Elevations

The proposed monopole tower lease site will have 9 foot proposed walls adjacent to the lease area. The monopole tower will have dedicated space for up to 4 antennas at 45 feet, 55 feet, 65 feet, and 75 feet. The portion of the tower between 80 feet and 95 feet is proposed to be a faux vertical axis windmill design.

#### Signage

Signage is not a part of this request.

#### Applicant's Justification

The applicant is proposing an 80 foot portion of a 95 foot monopole tower for use as a communication tower. The site is located on the northeast corner of Town Center Drive and Marketwalk Place. There are several park light poles located north of the lease area that are of similar height. The proposed tower is a single, slender pole, that will not block sunlight or stand out among the other tall poles in the area when viewed from adjacent residential areas. The pole will provide space for 4 telecommunication providers and include a faux windmill design on the top 15 feet.

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

<b>Application Number</b>	<b>Request</b>	<b>Action</b>	<b>Date</b>
ZC-1893-98	Reclassified from R-U (P-C) to mixed use development, commercial, R-2, R-3, P-F, and a park	Approved by BCC	February 1999

#### **Surrounding Land Use**

	<b>Planned Land Use Category</b>	<b>Zoning District</b>	<b>Existing Land Use</b>
North & South	Summerlin South - Single Family (up to 18 du/ac)	R-3	Single family residential
East	Summerlin South - Single Family (up to 8 du/ac)	R-2	Single family residential
West	Summerlin South – Apartment Residential	R-5	Undeveloped, Parking Lot

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

The applicant shall demonstrate that the proposed request meets the goals and purposes of Title 29.

## **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 Comprehensive 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.

A single, higher tower will have a negative visual impact to the surrounding neighborhoods and the users of the park. There is ample adequate property to the west and planned high rise construction that would provide a better colocation for cellular service provider facilities that would not be detrimental to surrounding single family residential neighborhoods. There are no similar structures of height and bulk in the immediate area to decrease the negative visual impact of the monopole tower and 4 proposed antennae. The proposed location of the communication tower was not chosen to maximize the distance from residential uses. This location is almost as close as possible to the south property line, with a significant amount of available space for potential placement to the north, on the same property, and under the same ownership, for a maximized distance to residential uses. There are no physical barriers to, or limitations on cellular services related to the topography of the area that would require a tower of this height in this location. The mass and height of existing buildings in the surrounding area is generally limited to single story structures and do not create a physical barrier that needs to be overcome by additional height. There are no physical barriers in the surrounding area, such as mountains, overpasses, buildings, hills, or other man made barriers that would justify the proposed increased height for a communication tower.

#### Design Review

The applicant added a faux windmill at the top of the proposed tower, which adds 15 feet of non-functioning, superfluous structure, and does not attempt to create a stealth condition for the other 80 feet of functioning tower and antennae. The proposed attempt to create a stealth tower does not sufficiently screen or enhance the tower to fit into the surrounding physical landscape, in an attempt to limit negative views from residential property in the surrounding area.

### **Staff Recommendation**

Denial.

If this request is approved, the Board and/or Commission finds that the application is consistent with the standards and purpose enumerated in the Comprehensive Master Plan, Title 29, and/or the Nevada Revised Statutes.

### **PRELIMINARY STAFF CONDITIONS:**

#### **Current Planning**

If approved:

- Applicant is advised that a bond (or other guarantee) 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; 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.

**Building Department - Fire Prevention**

- No comment.

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

- No comment.

**TAB/CAC:**

**APPROVALS:**

**PROTESTS:**

**APPLICANT:** GSS, INC.

**CONTACT:** GSS, INC., 1054 TEXAN TR, STE 300, GRAPEVINE, TX 76051