

Staff Summary Report



Hearing Officer Hearing Date: September 2, 2008

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by **AMERICAN TOWER CORPORATION (PL080300)** located at 1414 West Broadway Road for one (1) use permit.

DOCUMENT NAME: 20080902dssd03

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by **AMERICAN TOWER CORPORATION – RELIANCE X185-A (PL080300)** (Ronnie Hyde/American Tower Corporation, applicant; Presson Advisory LLC, property owner) located at 1414 West Broadway Road in the CSS, Commercial Shopping and Services District for:

ZUP08130 Use permit to allow a cellular tower (monopalm).

PREPARED BY: Shawn Daffara, Planner II (480-858-2284)

REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

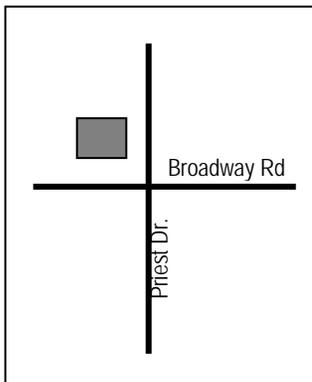
SEA

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions

ADDITIONAL INFO: The applicant, American Tower, is seeking approval for a use permit to allow a fifty-five (55) foot tall wireless communication tower (mono-palm / faux-palm tree structure). The project is located at 1414 W. Broadway Road in the PCC-1, Planned Commercial Center District. The proposed mono-palm will be located on the northeast portion of the parking lot in the Concordia Office Park. The property is situated just north of Broadway Road and to the west of Priest Drive. The site has a two-story professional office building. Staff recommends approval of the proposal as submitted, with conditions.



PAGES:

1. List of Attachments
2. Comments; Reasons for Approval
3. Conditions of Approval; History & Facts/Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
- 3-4. Letter of Intent
5. Cover Sheet
6. Site plan
7. Enlarged Site Plan
8. Elevations
- 9-12. Co-Location Information
- 13-14. Photo Simulations
15. Staff Photograph(s)

COMMENTS:

The applicant is before the Hearing Officer to request a use permit to allow a fifty-five (55) foot tall wireless communication tower (palm tree structure). The project is located at 1414 W. Broadway Road at the Concordia Office Park. The proposed mono-palm structure would be located on the northeast portion of the property in a landscape island adjacent to a covered carport. The subject property is bounded by CSS, Commercial Shopping and Services District zoning to the east (Convenient store), similar PCC-1 office use to the west, Broadway Road to the South and the Jenkins Ditch (which is controlled by Salt River Project) to the north.

The applicant's co-location survey indicates no feasible sites within one-half (½) mile. The closest existing wireless antenna (flagpole) is located approximately 240 feet to the south at Tempe Graphics property located at 1910 S. Priest Drive. The flagpole antenna was not designed to support multiple carriers without adding exterior conduit and antenna on the exterior of the pole and addition of exterior equipment would deter the stealth design of the flagpole antenna. Additionally, there is insufficient ground space to house American Tower equipment on that site.

Staff requested that the applicant contact the owner of the flagpole antenna (Sprint PCS) regarding feasibility to remove the monopole flagpole structure, and have the carrier co-locate on the (American Tower) proposed mono-palm. Unfortunately, this carrier (Sprint PCS) is unable to break the lease. The lease does not allow them the ability to terminate the agreement with the property owner and relocate their facility to a neighboring property.

To date, there has been no public input.

Use Permit

The Zoning and Development Code requires a use permit for a wireless telecommunications antenna in all allowable commercial and Mixed-use zoning districts including the PCC-1, Planned Commercial Center Neighborhood District. This use permit request meets all applicable tests in the following manner:

- a. Any significant increase in vehicular or pedestrian traffic in adjacent areas;
 - There will be no significant increase in vehicular or pedestrian traffic in adjacent areas.
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions;
 - As the proposal is for a wireless antenna; there should be no nuisances.
- c. Compatibility with existing surrounding structures and uses;
 - The proposed use appears to be compatible with surrounding the uses.

Conclusion

Staff recommends approval subject to the conditions of approval.

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. Traffic generated by this use should not be excessive.
3. The use appears to be compatible with the building, site and adjacent property.
4. Approval of the use permit will not be materially detrimental to persons residing or working in the vicinity, to adjacent property, to the neighborhood or the public welfare in general.

SHOULD THE HEARING OFFICER ELECT TO TAKE AFFIRMATIVE ACTION ON THE REQUEST, THE FOLLOWING CONDITIONS OF APPROVAL SHOULD APPLY.

CONDITION(S)
OF APPROVAL:

1. Obtain all necessary clearances from the Building Safety Division.
2. The mono-palm shall be no greater than 55'-0" (fifty-five feet) in height (to the top of the mono-palm's fronds) as per plans submitted with this request.
3. Any intensification or expansion of use, including co-location of additional antennas, will require a new use permit.
4. A minimum of two (2) twenty foot (20') brown trunk Mexican Faux Palm trees shall be planted to complement the proposed mono-palm on site. Details to be resolved through the Building Permit Plan Review process.
5. The applicant shall install a new seven foot (7') wide, 120 s.f. landscape island, adjacent to the equipment enclosure to bring existing parking row into compliance with Zoning and Development Code. Details to be resolved through the Building Permit Plan Review process.
6. The wireless device shall be removed within 30 days of discontinuance of use.
7. The enclosure gates shall require lighting to meet five (5) foot candles at the gate and two (2) foot candles within a 15' radius.

HISTORY & FACTS:

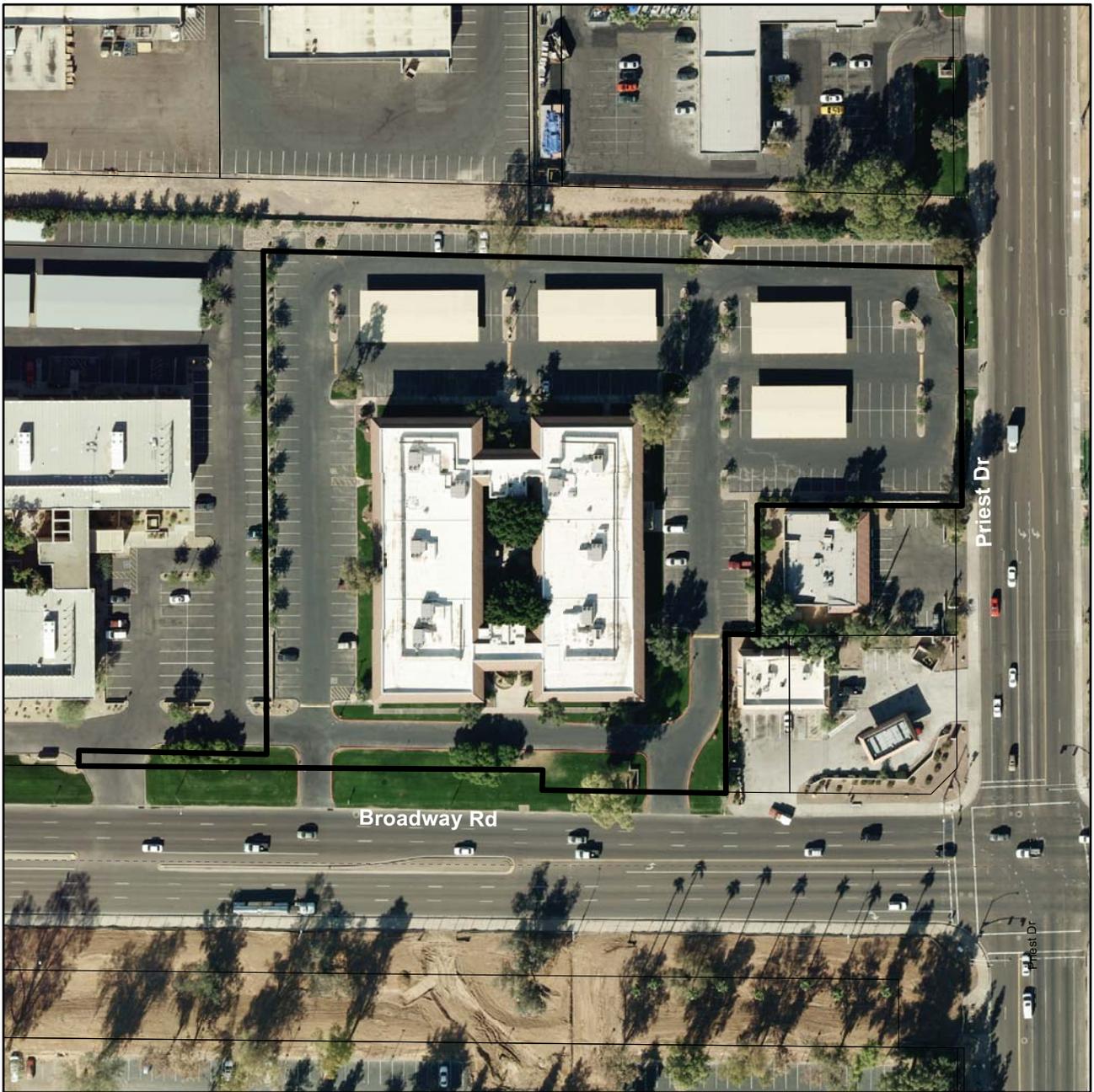
- November 21, 2006 ZUP06063: Hearing Officer approved a use permit for CINGULAR WIRELESS to allow a 55' cellular tower (mono-palm)
- November 21, 2007 ZUP06063 approval expired one year after approval.

DESCRIPTION:

Owner – Presson Advisory LLC
Applicant – Ronnie Hyde/American Tower Corporation
Existing Zoning – CSS, Commercial Shopping and Services District
Total site area – 4.155 acre's
American Tower Lease Area – 400 s.f.
Tower Height – 55'

ZONING AND
DEVELOPMENT
CODE REFERENCE:

Part 3, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 3, Section 3-421 - Wireless Telecommunications Facilities
Part 6, Section 6-308 Use Permit.



AMERICAN TOWER CORPORATION- RELIANCE X185-A (PL080300)

August 5, 2008

City of Tempe
Attn: Planning & Development
31 East Fifth Street
Tempe, AZ 85281

RE: X185-01 ATC "Reliance"

To Whom It May Concern:

The Flagship Group, representing American Tower Corporation, is proposing a new Wireless Communication Facility (WCF) near Broadway Road and Priest Drive. American Tower Corporation is currently experiencing network problems in the area and needs the new facility to improve its network coverage. The proposed WCF will help solve the problem for ATC and its customers.

In order to locate a WCF in the area, ATC and its representatives drove the area to look for possible location/co-location opportunities. The only existing facility in the area is a WCF flagpole on the northwest corner of Broadway and Priest. The site does not have the ground space to house ATC equipment. Since no co-location possibilities are available, ATC is proposing a new verticality to cover the area.

In order to fill the coverage gap, ATC is proposing a new fifty-five (55) foot fake palm tree (monopalm) to be located in a commercial complex on the northeast corner of Broadway and Priest. The monopalm will be located in an existing landscape island in the center's parking lot. This location was selected because it meets ATC's coverage objective, doesn't interfere with the property owner's use of the property, and is located in an area away from single family residential.

The site has been designed as a monopalm to help blend the facility into the area. There are palm trees located to the east of the site on Priest and south of the site on Broadway. There are also a number of different trees on the property the monopalm is to be located, which will help blend the site into the area. ATC is proposing an additional palm tree to be planted near the site on another landscape island. The existing palm trees, other foliage, along with the monopalm design will minimize the visual impact of a new WCF in the area.

The equipment will be located next to the monopalm. The cabinets and base of the monopalm will be concealed behind a solid masonry wall. The wall will be designed to match the buildings on the property.

USE PERMIT:

The granting of this Use Permit will not have any effect on existing vehicular or pedestrian traffic. Once constructed, the site is unmanned and requires monthly visits by a technician for maintenance.

The site will not cause any additional odor, dust, gas, noise, vibration, smoke, heat or glare to the surrounding properties.

The site will not contribute to the deterioration of the neighborhood or be in conflict with the surrounding properties. In fact, the monopalm design is an upgrade to a normal monopole which is normally placed in commercial/industrial zones that are not in close proximity to single family residential.

The site is compatible with existing surrounding structures. The existing palm trees to the east and south along with the proposed palm tree next to the site will help blend the monopalm into the area.

The site will not be disruptive or create a nuisance to the surrounding area or general public.

The subject property is zoned C-2. The approval of this Use Permit will make no changes to the use, densities or zoning classification.

For your review I have enclosed the following:

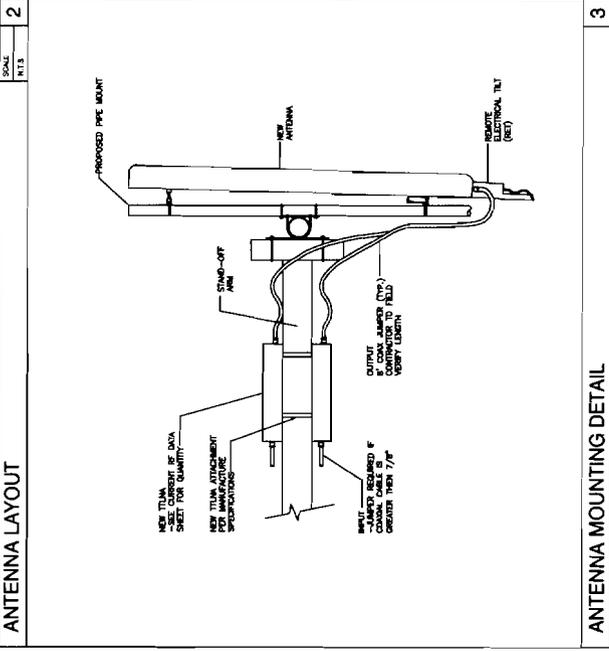
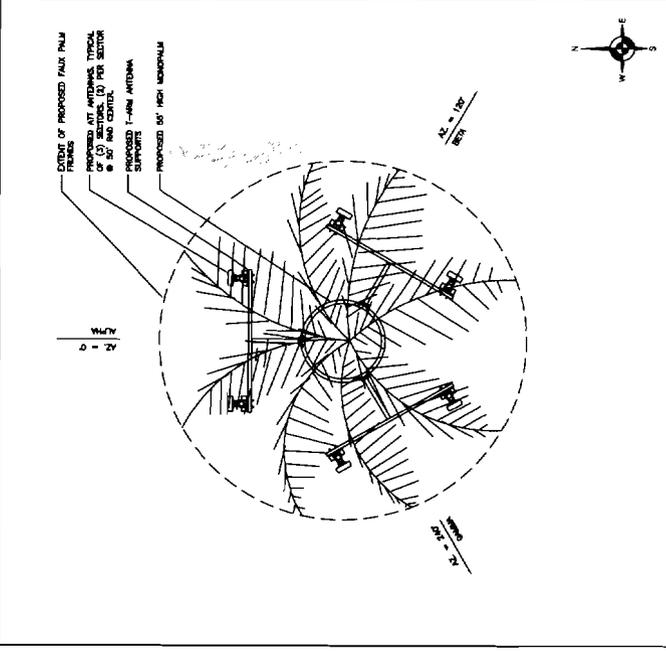
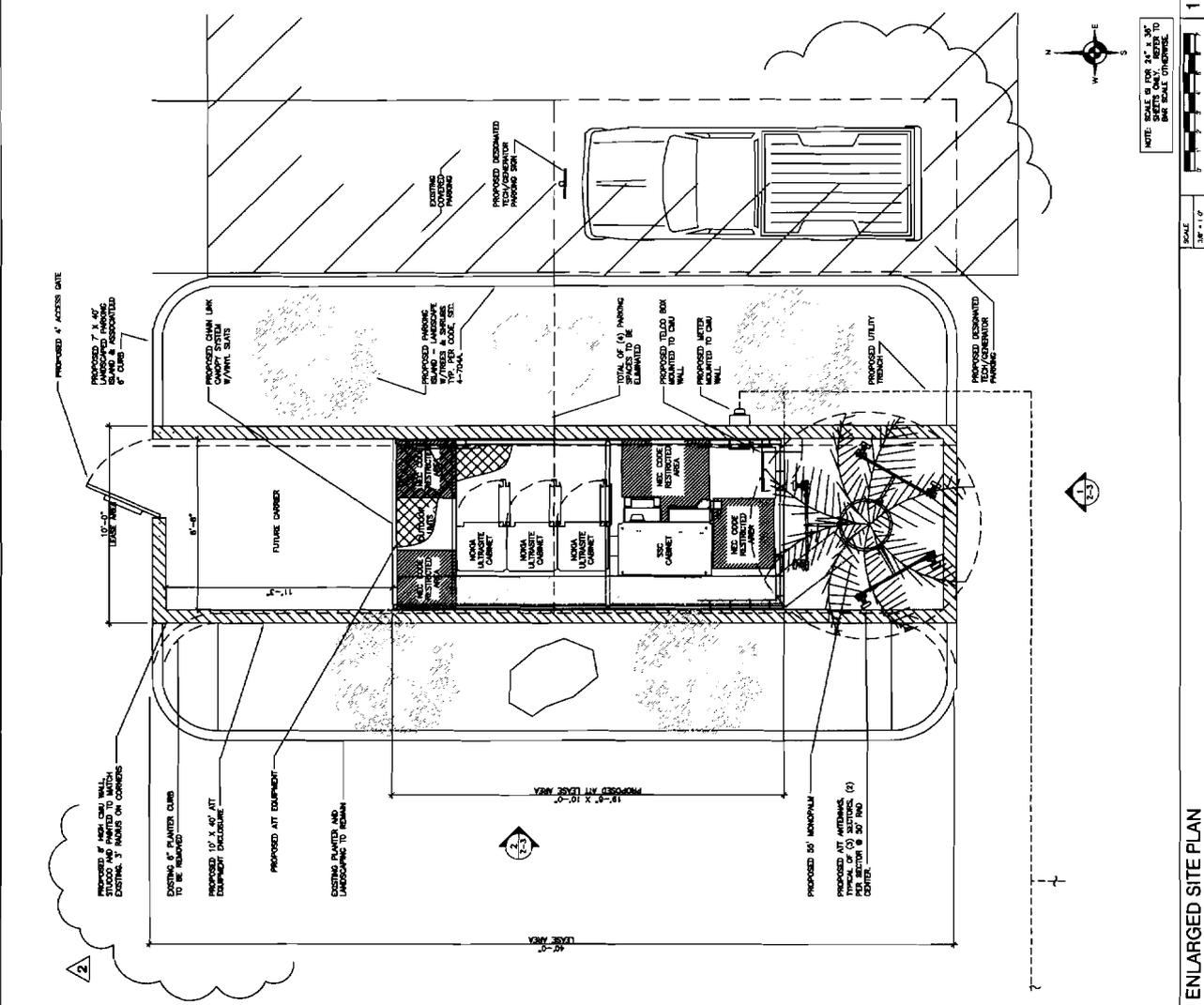
- Project submittal
- Redacted copy of the lease with ATC's authorization to file for zoning
- Site Plan & Elevation
- Photo simulation of what the site will look like when complete
- A propagation map showing the current coverage and coverage after the site is "on air"
- Zoning map showing the parcel and surrounding properties

If you have any comments or require any additional information, please do not hesitate to contact me.

Sincerely,

Ronnie Hyde
The Flagship Group
On behalf of American Tower Corporation
562-900-3698 Mobile
Ronnie.hyde@gmail.com

DESIGNED BY: DM	REVISIONS
DRAWN BY: JMC	NO. DATE DESCRIPTION BY
CHECKED BY: MDD	
APPROVED BY: MDD	
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CLIENT:	
 AMERICAN TOWER CORPORATION 1414 W BROADWAY RD. TEMPE, AZ 85281 PHONE: (602) 437-2020 FAX: (602) 437-2075	
 MACTEC ENGINEERING AND CONSULTANTS, INC. 1414 W BROADWAY RD. TEMPE, AZ 85281 PHONE: (602) 437-2020 FAX: (602) 437-2075	
SCALE:	
SITE NUMBER: X185-A	
SITE TYPE: RAWLAND	
SITE ADDRESS: 1414 W BROADWAY RD. TEMPE, AZ 85281	
APPL. TYPE: ZONING	
SHEET NAME: ENLARGED SITE PLAN AND ANTENNA LAYOUT	
PROJECT NUMBER: 4973-05-0001	
SHEET NUMBER: Z-2	



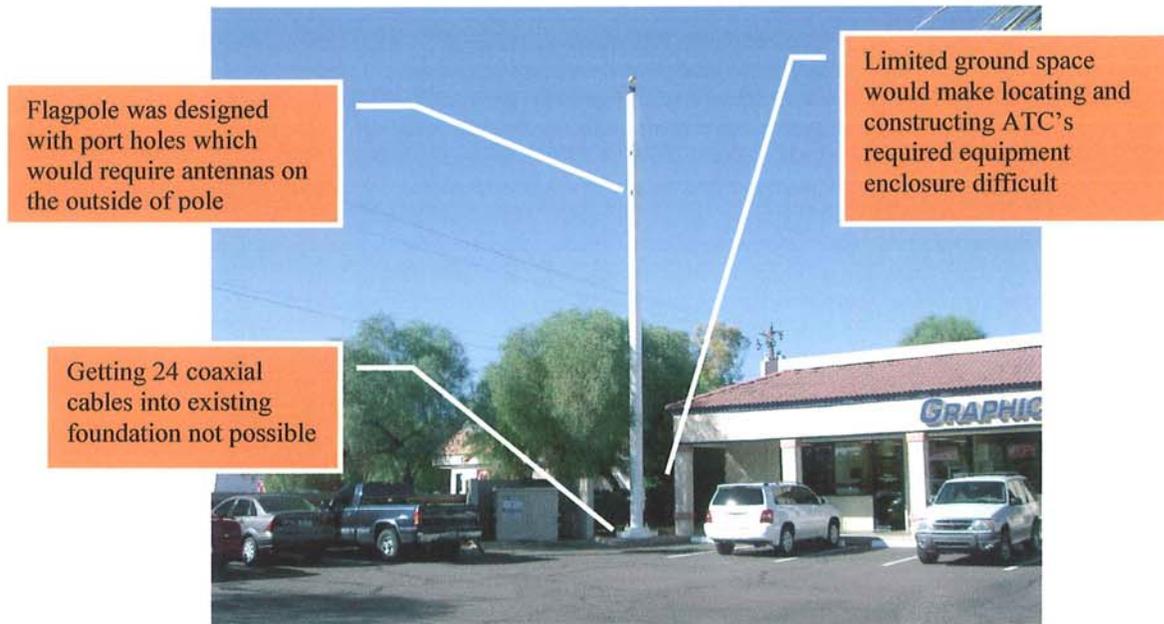
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X185 ATC "Reliance" Co-Location Feasibility Report

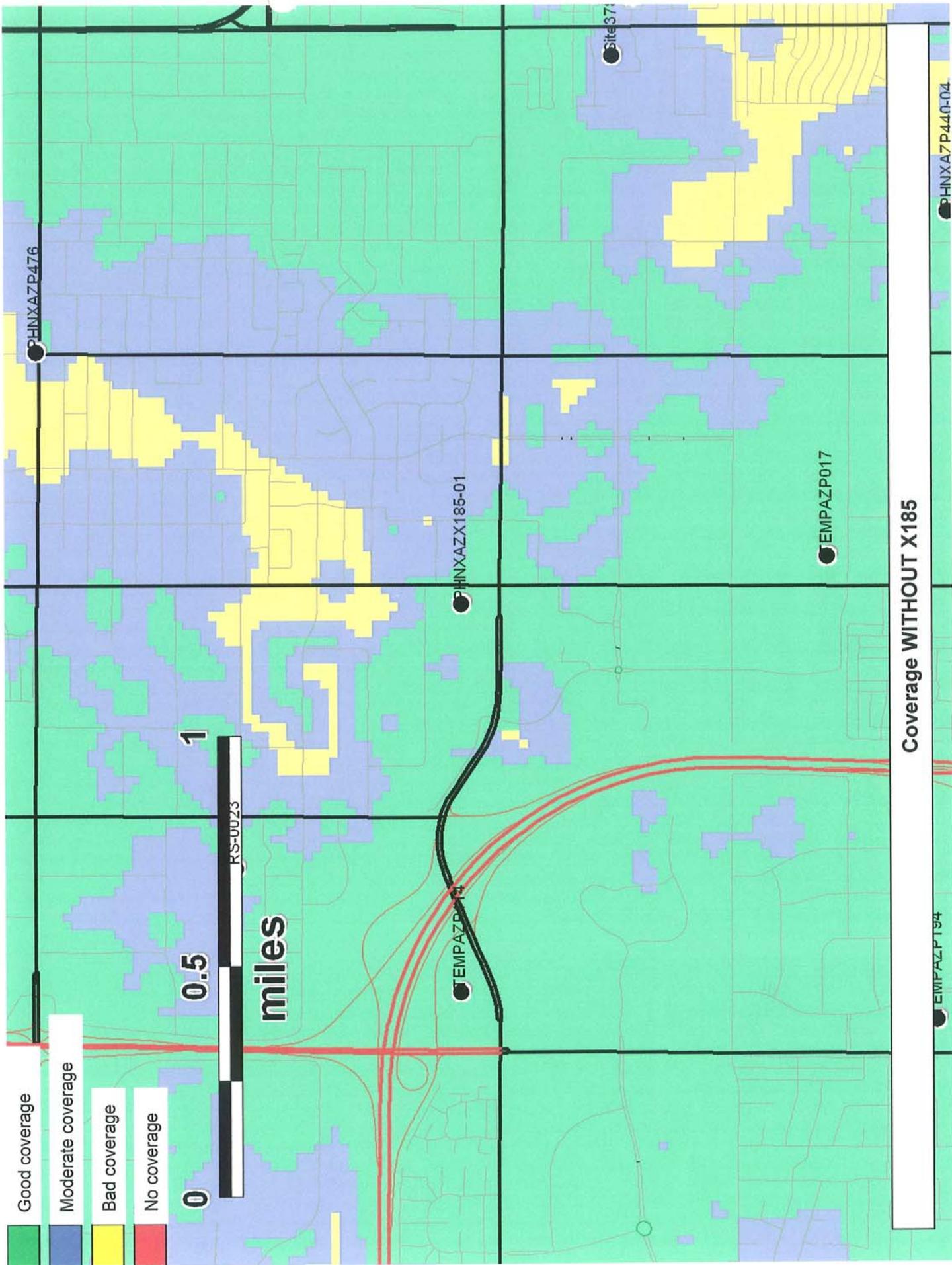
American Tower Corporation Site X185 is being proposed to improve coverage in the area of Broadway Road and Priest Drive. A coverage map was generated by the ATC Engineering Department and included with this report. The coverage gaps that ATC is looking to improve are northwest, northeast, and southeast of the Broadway and Priest intersection. In order to cover the area as best as possible, a site is needed at that intersection.

At the intersection of Broadway and Priest, there is one existing cellular facility. The facility is located on the northwest corner of Broadway and Priest. The facility is an existing flagpole. This site will not work for ATC for the following reasons:

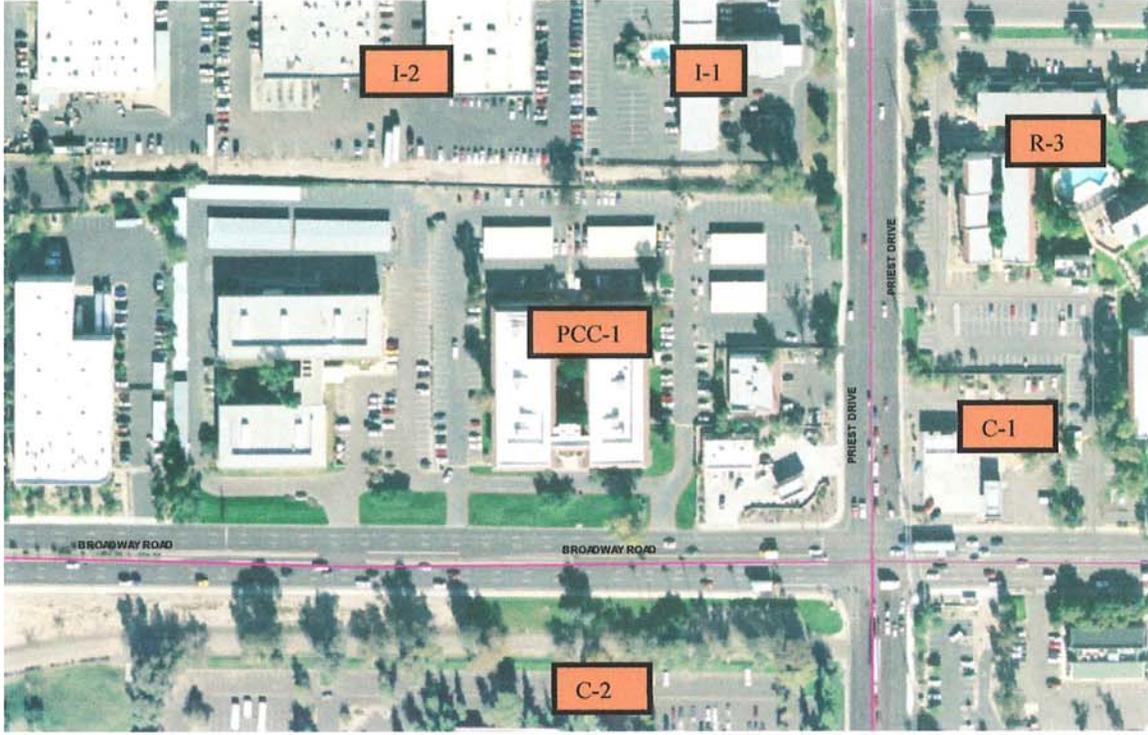
- Flagpole will not give ATC its needed amount of antennas to cover the area at maximum capacity.
- Flagpole's diameter is not wide enough for the existing carrier's coaxial cables and ATC's.
- It does not appear that the foundation would allow ATC to run its coaxial cables inside the pole.
- Flagpole was designed with port holes underneath the existing antennas. Locating ATC's antennas would require mounting the antennas to the outside of the pole.
- The area around the pole does not seem to have the needed ground space to allow ATC to locate its equipment.
- It does not appear that the foundation would allow ATC to run its coaxial cables inside the pole.



This existing candidate is not a viable solution for ATC. After driving the area, it was determined that a new verticality would be required at the intersection of Broadway and Priest in order to "fix" the coverage gap. ATC's proposed location gives them the available space and location they need to meet their coverage needs.



X185 Zoning Map





South Culler Drive/South Culler Drive

South Culler Drive

West 18th Street

West 21st Street

X185 Reliance Site Location

1414 W Broadway Rd., Tempe, AZ 85282

West Fiesta Drive

Scottin 55th Street

Chicago Road

© 2008 Tele Atlas
Streaming | 100%

111°57'43.94" W elev 1143 ft

080320

X185

Photo Simulation - Before



SOUTH

55' MonoPalm and enclosure



at&t

080300

X185

Photo Simulation – After



WEST

55' MonoPalm and enclosure



at&t

080 300



AMERICAN TOWER CORPORATION – RELIANCE X185-A

1414 WEST BROADWAY ROAD

PL080300

**LOCATION OF PROPOSED MONOPALM
– VIEW TO SOUTHWEST**