

Staff Summary Report



Hearing Officer Hearing Date: May 19, 2010

Agenda Item Number: 2

SUBJECT: This is a public hearing for a request by CLEARWIRE located at 401 West Orion Street for one (1) use permit.

DOCUMENT NAME: 20100519dssd01 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by CITYWIDE PLUMBING – CLEARWIRE AZ-PHX0613A (PL100048) (Rulon Anderson/Realand Consulting, applicant; Citywide Plumbing, property owner) located at 401 West Orion Street in the GID, General Industrial District for:

ZUP10036 Use permit to increase the height of an existing monopole from 60 ft to 70 ft to allow co-location of new antennas.

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

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

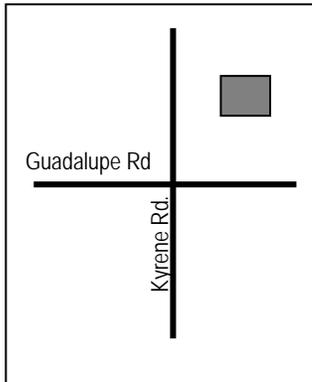
LEGAL REVIEW BY: N/A

DEPARTMENT REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO:



The applicant is requesting a use permit to allow an increase and expansion of an existing monopole from sixty (60) feet to seventy (70) feet in height. The monopole is located at 401 West Orion Street in the GID, General Industrial District. The proposed antennas will be mounted at the fifty (50) foot location while the existing antennas will be relocated above towards the top of the monopole. To date, staff has not received any public input on this case.

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. Site plan
6. Enlarged Site Plan
7. Elevation
8. Photo simulation(s)
9. Staff Photograph(s)

COMMENTS:

The applicant is requesting a use permit to allow an increase and expansion of an existing monopole from sixty (60) feet to seventy (70) feet in height. The monopole is located at 401 West Orion Street in the GID, General Industrial District. Proposed antennas and microwave dishes will be mounted at the fifty foot (50') level while the existing T-Mobile array will be relocated to the seventy (70) foot level and AT & T array relocated to the sixty (60) foot level to allow for co-location. Clearwire ground equipment will be housed inside the existing storage yard, which is secured and surrounded by a perimeter six (6) foot CMU wall.

To date, no public input has been received. Staff recommends approval of the proposal as submitted, with conditions.

Use Permit

The Zoning and Development Code requires a use permit for a wireless telecommunications antenna in all allowable 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. Contribution to the deterioration of the neighborhood or the downgrading of property values which, is in conflict with goals, objectives or policies for rehabilitation, redevelopment, or conservation as set forth in the city's adopted plans or General Plan.
 - There is no evidence that supports a downgrading of surrounding property values. The monopole is existing and has not been proven a detriment to the surrounding neighborhood.
- d. Compatibility with existing surrounding structures and uses;
 - The proposed co-location will be compatible with existing monopole and surrounding uses.
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public.
 - A wireless communication tower should not attract disruptive behaviors; the facility exists and adequately controlled.

Conclusion

Staff recommends approval of the use permit, subject to the conditions of approval.

REASON(S) FOR APPROVAL:

1. No apparent nuisance resulting from noise, smoke, odor, dust, vibration, or glare.
2. No apparent hazards to persons or property from possible explosion, contamination, fire or flood.
3. Traffic generated by this use should not be excessive.
4. The use appears to be compatible with the building, site and adjacent property.
5. 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 permits and clearances from the Building Safety Division.
2. Any intensification or expansion of use, including co-location of additional antennae, will require a new use permit.
3. The wireless devices shall be removed within 30 days of discontinuance of use.
4. The antennas and dishes shall be painted to match the existing monopole.

HISTORY & FACTS:

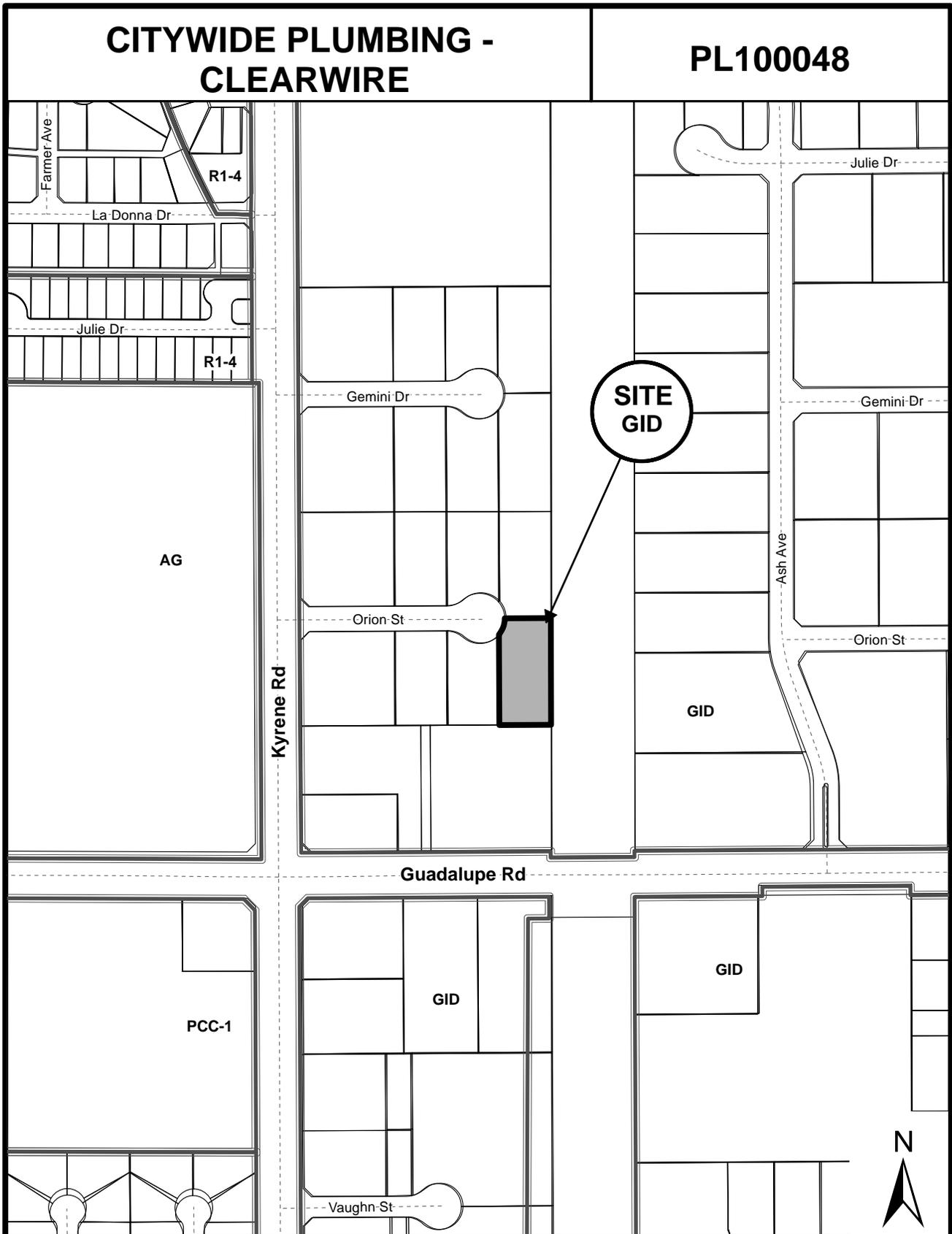
- June 6, 2000 BA000123: Hearing Officer approved a use permit for VOICESTREAM to allow a new wireless communications monopole.
- November 16, 2004 BA040197: Hearing Officer approved a use permit for AT&T to allow collocation of wireless antennas on an existing monopole.

DESCRIPTION:

Owner – Citywide Plumbing
Applicant – Rulon Anderson/Realand Consulting
Existing Zoning – GID, General Industrial District
Existing Monopole Height – 60’
Proposed Monopole Height – 70’
Clearwire Antenna Height – 50’
AT&T Antenna Height – 60’
T-Mobile Antenna Height – 70’

**ZONING AND
DEVELOPMENT**

CODE REFERENCE: Part 3, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 3, Section 3-421 – Wireless Telecommunication Facilities
Part 6, Section 6-308 – Use Permit



Location Map



CITYWIDE PLUMBING - CLEARWIRE (PL100048)

Letter of Explanation

AZ-PHX0613A T-Mobile Citywide Plumbing

Here is an overview of Clearwires technology:

Clearwire is a broadband wireless internet provider that specializes in deploying WiMAX technology. Clearwire's radio's are 5 Watts compared to 20 Watts on Sprint's CMDA radios or 36 Watts on Nextel's radios. Compared to conventional wireless carriers, our radio output is a fraction of what they transmit. As the power is being transmitted out of the radio, it will incur loss through the connectors and coax as it makes its way to the antenna. The dissipated signal is then compensated by a "gain" associated with the antenna where the power is radiated through an array element that shapes the RF. The shaping of the RF is directional and narrows the scope of the field to prevent "spray". This can be equated to a sprinkler head that dispenses the water uniformly across the lawn.

The microwave aspect of our technology is the backbone of our network. These radios transmit less than 0.5 Watt. It will also incur connector and line losses before the antenna dish compensates that and radiates it in a very narrow beam. This is different than the RF antenna shaping in that this is very direct and is Point to Point to the other microwave dish. This can best be simulated as a flashlight where it is a very narrow beam that can only be seen by the end user (i.e. the MW dish at the other end).

All RF being transmitted out of our cell locations is classified as non-ionizing radiation. This falls into the same category as visible and infrared light. We follow all guidelines issued by the FCC and are in compliant with the OET65 safety requirements.

The proposed site is necessary to distribute wireless internet service to the homes and businesses in the area.

The site will require one technician on a once per month visit after construction for maintenance. The proposed project will not utilize connection to any water system, refuse collection, or sewer system.

This development will not affect any vehicular or pedestrian patterns. The communication site does not emit any odor, dust, gas, noise, vibration, smoke, heat or glare. The RF emissions from this site are well within FCC guidelines for a wireless communication site.

The proposed site will not cause any deterioration to the surrounding areas. The proposed site will not be in conflict with the goals, objectives and policies of the City. This site will also be compatible existing surrounding structures.

The proposed site is a faux palm tree. The proposed site is intended to minimize the visual impact to the neighboring residential. This site is in the presence of real palm trees. The proposed site is surrounded by the following zonings.

Current zoning: GID

 Zoning to North: GID

 Zoning to East: GID

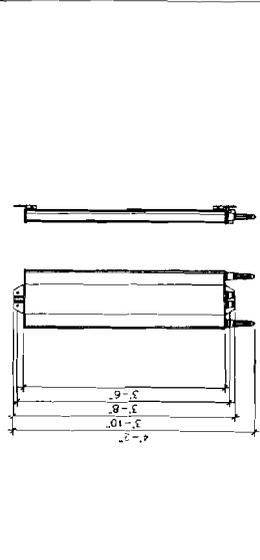
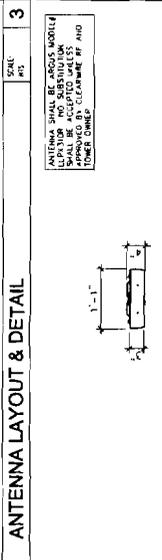
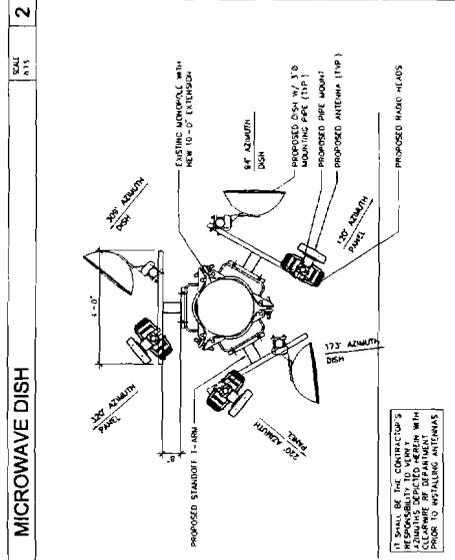
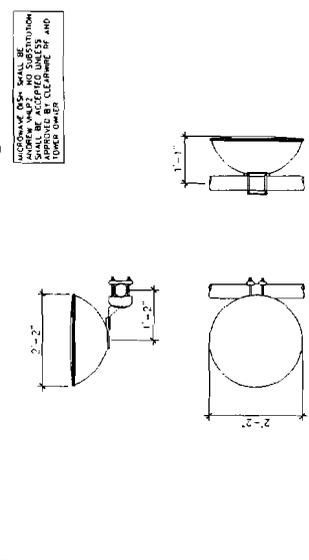
 Zoning to South: GID

 Zoning to West: GID

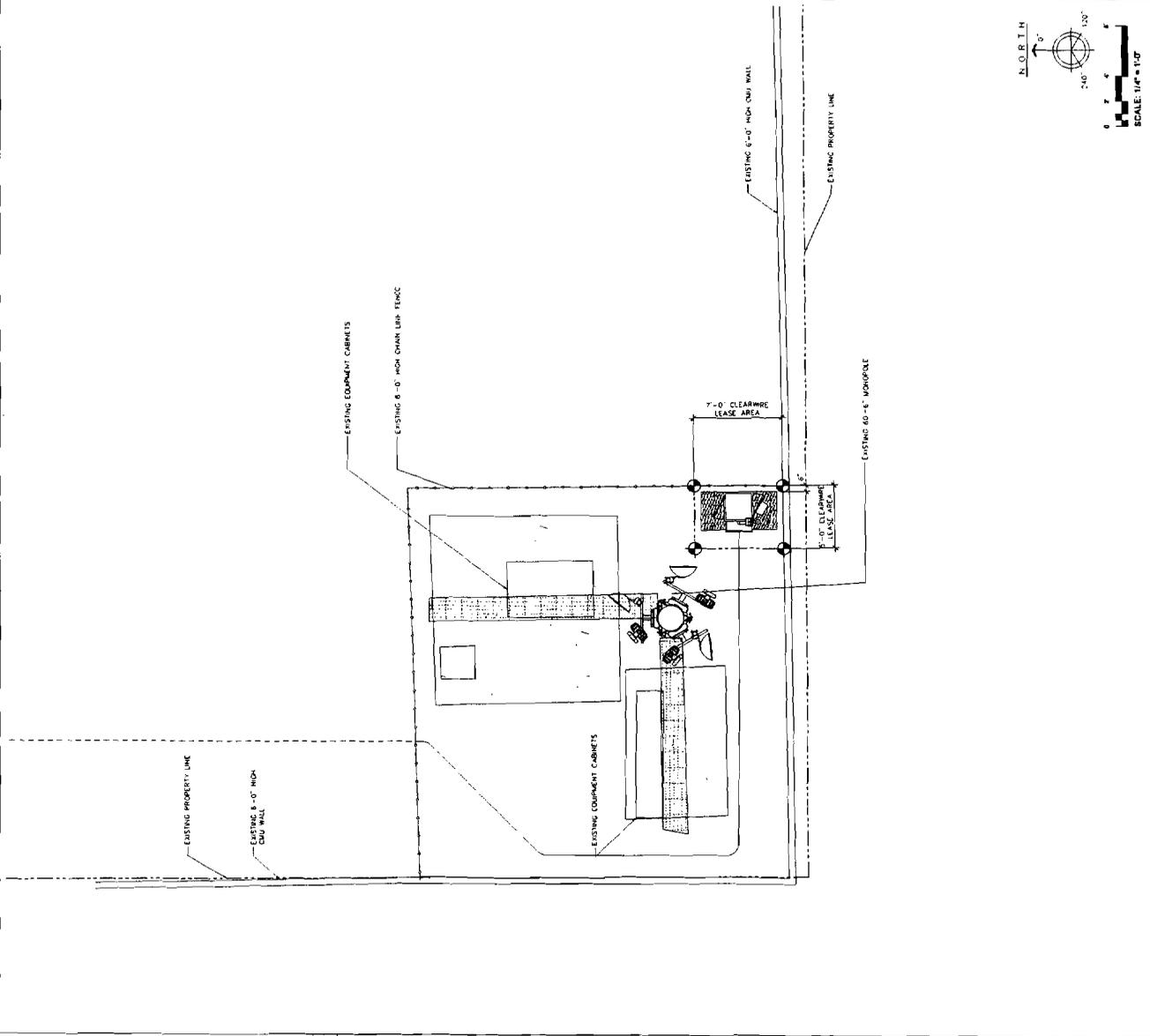
If you have any comments or concerns, please contact Rulon at 602-321-4903.

Sincerely,

Rulon Anderson



ANTENNA



ENLARGED SITE PLAN

clearwire
wireless broadband

PLANS PREPARED BY
young design corp
ARCHITECTS / ENGINEERS
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E-MAIL: corp@ydesigncorp.com

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PROJECT NO. 1879

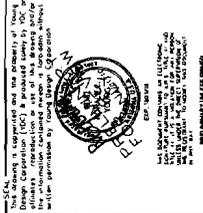
NO.	DATE	DESCRIPTION	REVIEW
0	3/23/10		
1	04/07/10	SUBMITTAL	

AZ-PHX0613A
T-MOBILE CITYWIDE PLUMBING
401 W. ORION ST.
TEMPE, AZ 85283

SHEET TITLE
ENLARGED PLAN

JURISDICTION APPROVAL

SHEET NUMBER
C2



PNO	DATE	DESCRIPTION
0	3/23/10	REVIEW
2	6/25/10	SUBMITTAL

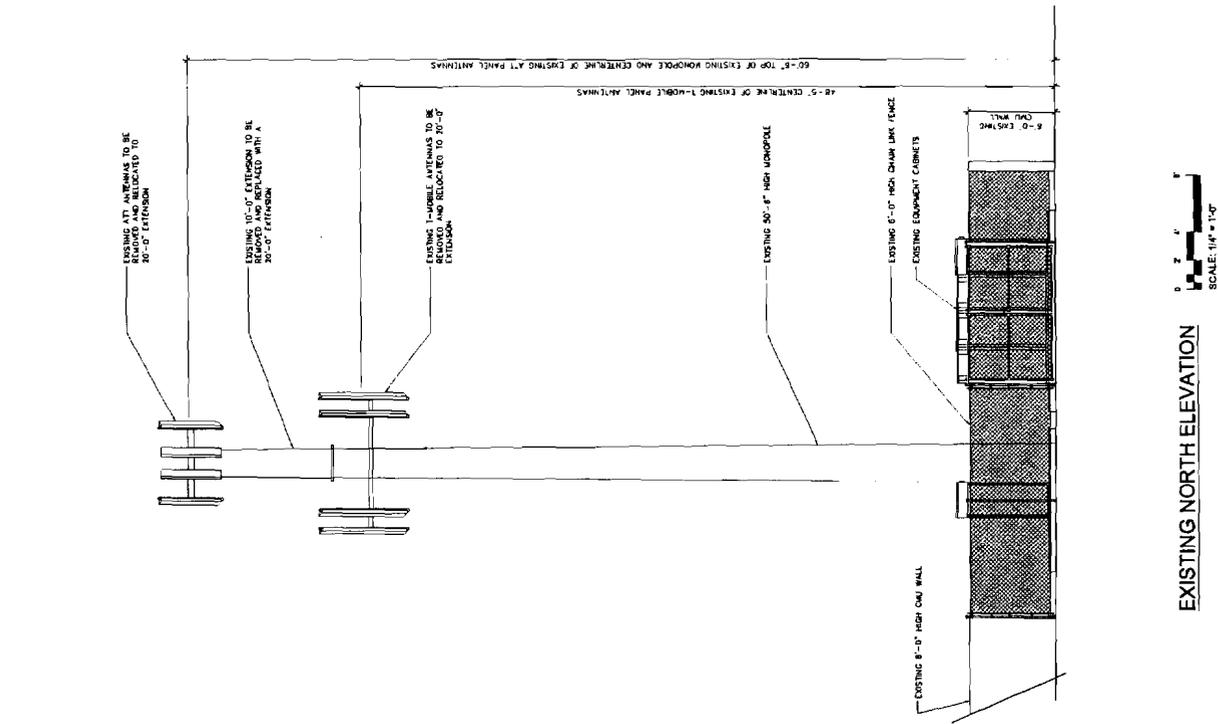
PROJECT INFORMATION
ARCHITECT: JOB NO. 1878

AZ-PHX0613A
T-MOBILE CITYWIDE PLUMBING
401 W. ORION ST.
TEMPE, AZ 85283

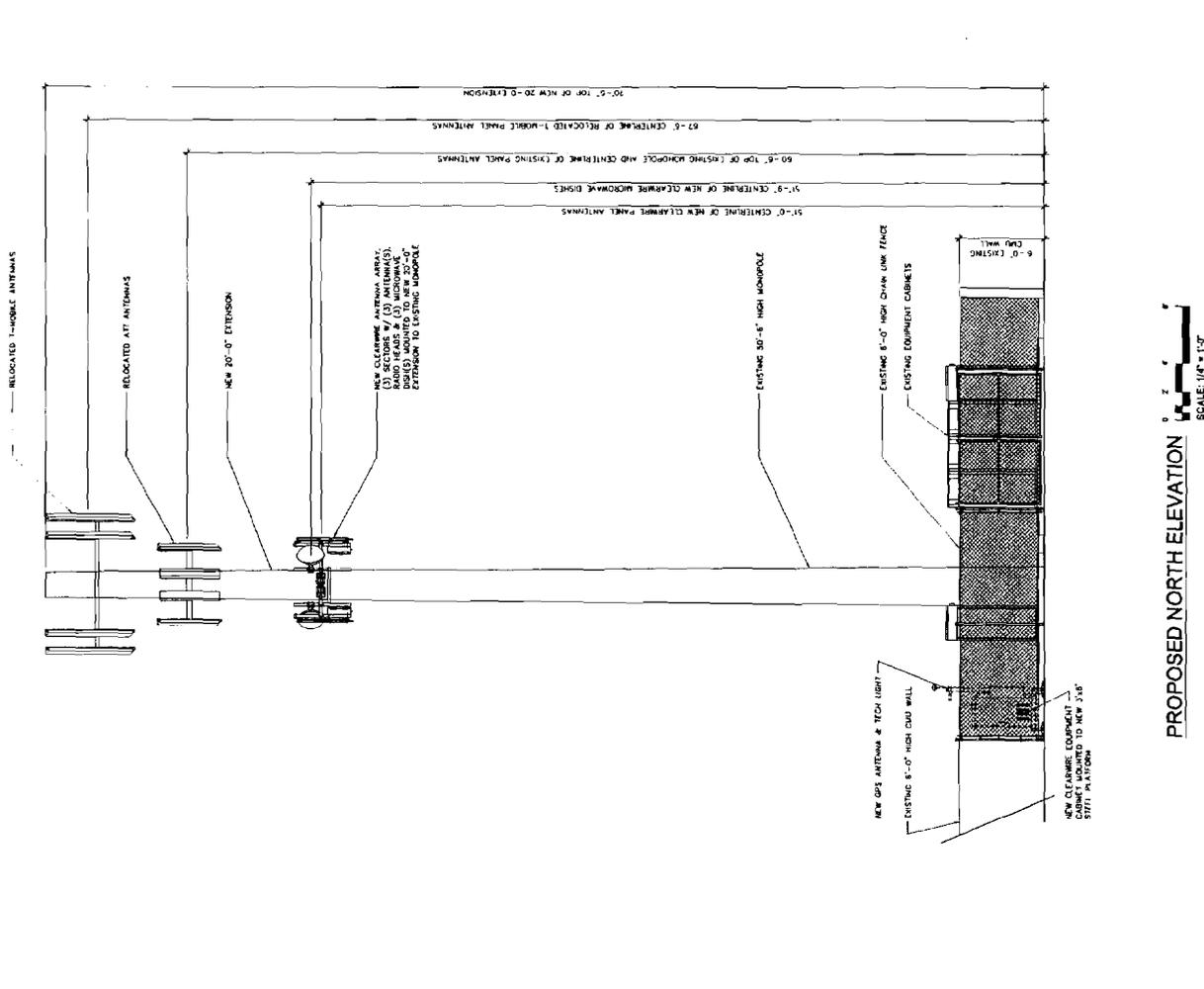
SHEET TITLE
SITE ELEVATION

JURISDICTION: ARIZONA

SHEET NUMBER
C3

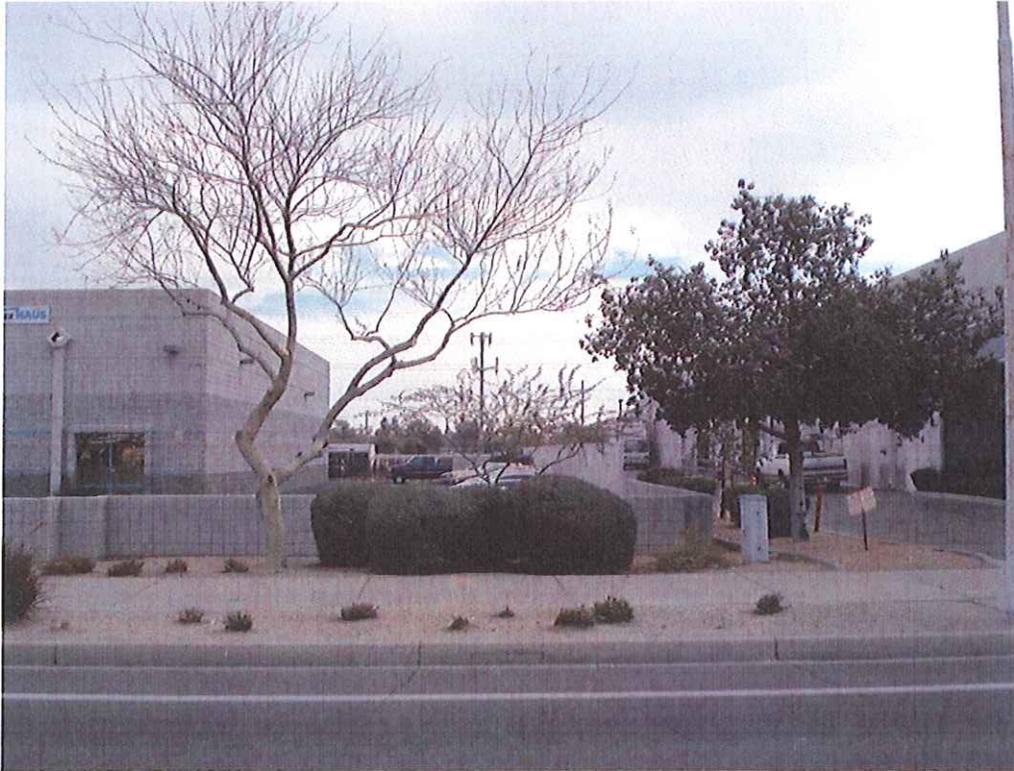


EXISTING NORTH ELEVATION

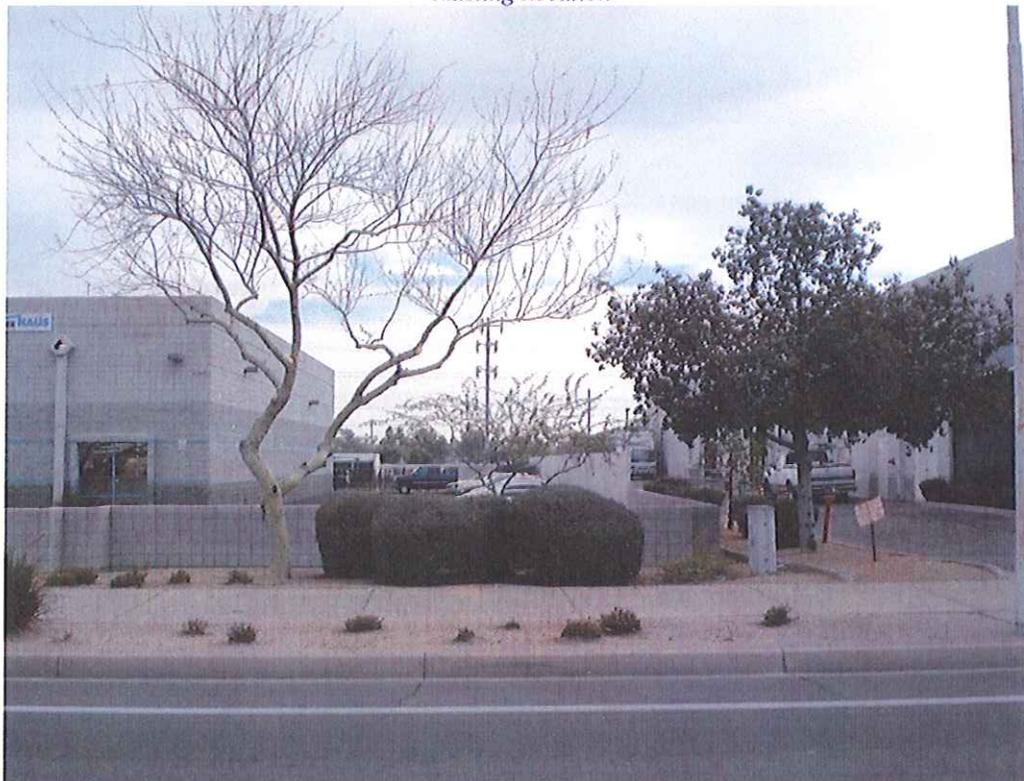


PROPOSED NORTH ELEVATION

SITE ELEVATION



Existing Location



Proposed Location



**CITYWIDE PLUMBING – CLEARWIRE AZ-
PHX0613A**

401 WEST ORION STREET

PL100048

EXISTING MONOPOLE

