

Staff Summary Report



Hearing Officer Hearing Date: 12/07/10

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by **LIGHTSQUARED PHNX0692** located at 1505 West University Drive for one (1) use permit.

DOCUMENT NAME: 20101207cdng02 **PLANNED DEVELOPMENT (0406)**

COMMENTS: Request by **LIGHTSQUARED PHNX0692 (PL100340)** (Steve Ciolek/Coal Creek Consulting, applicant; Tower Company Assets LLC, property owner) located at 1505 West University Drive in the GID, General Industrial District for:

ZUP10136 Use permit to increase the height of an existing monopole from 50 ft to 61 ft to allow co-location of wireless antennas.

PREPARED BY: Nick Graves, Planner (480-350-8690)

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

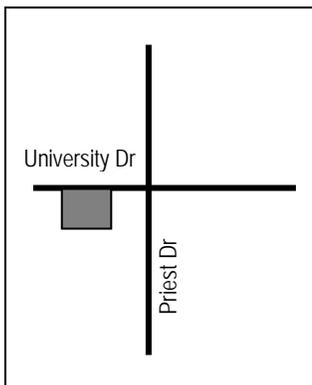
LEGAL REVIEW BY: N/A

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

FISCAL NOTE: There is no fiscal impact on City funds.

RECOMMENDATION: Staff – Approval, subject to conditions

ADDITIONAL INFO: The applicant is requesting a use permit to increase the height of an existing monopole from fifty (50) feet to sixty-one (61) feet to allow co-location of wireless antennas. The monopole is located at 1505 West University Drive in the GID, General Industrial District. The proposed antennas will be mounted at the fifty-nine (59) foot location above the existing antennas on 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
2. Aerial Photo
- 3-4. Letter of Intent
4. Title Sheet
5. Site Plan
6. Enlarged Site Plan
7. Site Elevation
8. Staff Photograph

COMMENTS:

The applicant is requesting a use permit to increase the height of an existing monopole from fifty (50) feet to sixty-one (61) feet to allow co-location of wireless antennas. The monopole is located at 1505 West University Drive in the GID, General Industrial District. The proposed antennas will be mounted at the fifty-nine (59) foot location; above the existing antennas on the monopole.

To date, staff has not received any public input on this case.

Use Permit

The Zoning and Development Code requires a use permit for a wireless telecommunications antenna in all allowable zoning districts including the GID, General Industrial 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 area.
- 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 is adequately controlled.

Conclusion

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

REASONS 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.

CONDITIONS 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 antennas.
5. The use permit is valid for the plans as approved by the Hearing Officer.
6. A weather resistant emergency contact informational sign shall be posted on the site and shall be visible to the public.

HISTORY & FACTS:

- May 20, 2003 BA030114 – The Hearing Officer approved the request by Nextel Communications Inc. located at 1505 W University Dr. for:
- a. Use Permit to increase the maximum allowable height of a freestanding wireless communication antenna from 35' to 52'.
 - b. Variance to reduce the required setback from the south property line from 52' to 14'.
- July 15, 2003 BA030159 – The Hearing Officer approved the variance request by Nextel Communications Inc. to waive the required end stall landscape island on the east side of the cellular tower mechanical yard located at 1505 W University Dr.
- July 29, 2003 DRB03117 – The Development Services Department Design review Board Staff approved the request by Nextel Communications to install a new freestanding wireless communication antenna, mechanical screening and security lighting located at 1505 W University Dr.

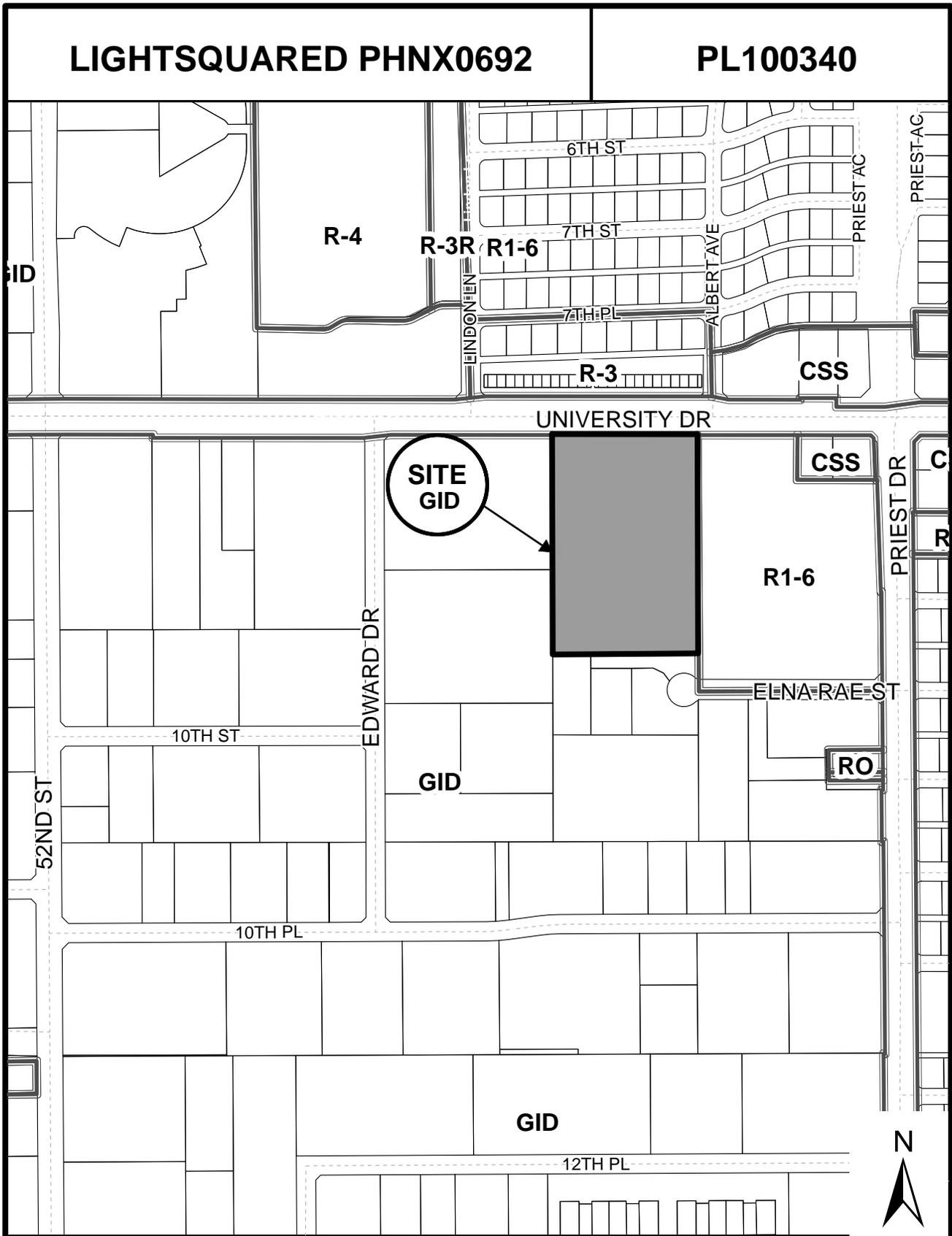
DESCRIPTION:

Owner – Tower Company Assets LLC
Applicant – Steve Ciolek/Coal Creek Consulting
Existing Zoning – GID, General Industrial District
Existing Monopole Height – 50'
Proposed Monopole Height – 61'
Lightsquared Antenna Height – 59'

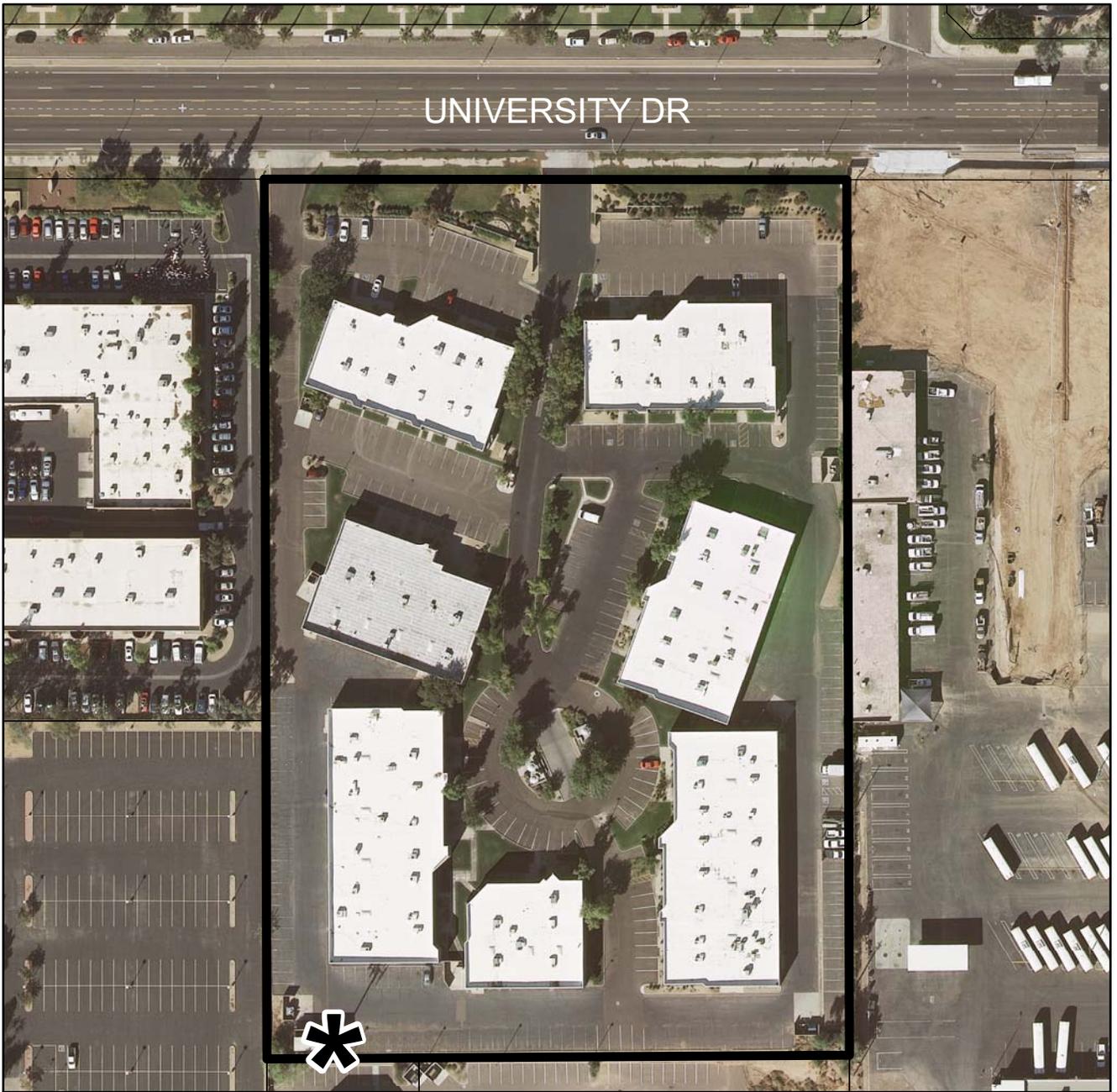
ZONING AND DEVELOPMENT

CODE REFERENCE:

Part 3, Section 3-302 – Permitted Uses in Office/Industrial Districts
Part 3, Section 3-421 – Wireless Telecommunication Facilities
Part 6, Section 6-308 – Use Permit



Location Map



LIGHTSQUARED PHNX0692 (PL100340)

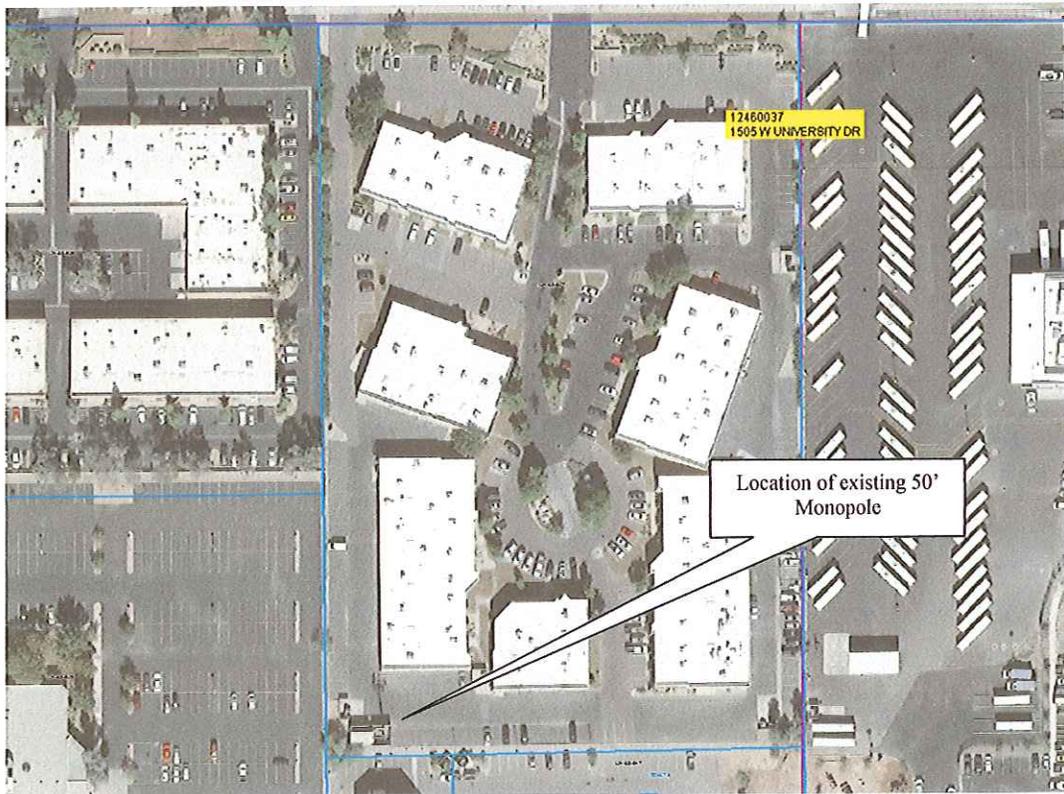


Narrative Report

Site Name: Tower Co Mitchell

Site ID#: PHNX0692

Site Type: Collocation on existing 50' Monopole



Date: 10/20/10

I. PURPOSE OF REQUEST

LightSquared is building a state-of-the-art open wireless broadband network. This open network will unleash the full power of the mobile internet, driving innovation in devices, applications, and services. LightSquared will deploy an open wireless broadband network using a technology called Long Term Evolution (LTE), the most widely adopted 4G standard in the world. Collocating on existing facilities is a priority for LightSquared and would like to place equipment on the existing 50' Monopole located at 1505 W University Dr.

II. DESCRIPTION OF PROPOSAL

As set forth above, LightSquared proposes 10' extension to install three (3) antennas & two (2) parabolic antennas at 58' AGL. As part of the overall design the associated equipment will be located within the existing equipment compound.

III. RELATIONSHIP TO SURROUNDING PROPERTIES

Subject Property Zoned GID
Property to North R-3
Property to South GID
Property to East R1-6
Property to West GID

IV. CONCLUSION

LightSquared is proposing to extend the existing 50' monopole located at 1505 W University Dr. Access to the proposed communication facility will be limited to routine maintenance, or in case of any technical breakdown. Vehicular access will utilize existing access and parking on the property. The proposed wireless communication facility will not increase the vehicular or pedestrian traffic; nor will it emit odor, dust, gas, noise, vibration, smoke, heat, glare or lower property values in the immediate area.

Steve Ciolek
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Tempe, AZ 85281
(480) 246-4131



LIGHTSQUARED PHNX0692

1505 WEST UNIVERSITY DRIVE

PL100340

EXISTING MONOPOLE – VIEW TO WEST

