

# Staff Summary Report



Hearing Officer Hearing Date: July 6, 2010

Agenda Item Number: 4

**SUBJECT:** This is a public hearing for a request by CLEARWIRE – AZ PHX129E located at 1006 East Guadalupe Road for one (1) use permit.

**DOCUMENT NAME:** 20100706dsrl01 **PLANNED DEVELOPMENT (0406)**

**COMMENTS:** Request by CLEARWIRE – AZ PHX129E (PL100063) (Rulon Anderson/Realand Consulting, applicant; Dresden Family Limited Partnership, property owner) located at 1006 East Guadalupe Road in the R/O, Residential/Office District for:

**ZUP10066** Use permit to allow a new 60 foot wireless antenna (monopalm).

**PREPARED BY:** Ryan Levesque, Senior Planner (480-858-2393)

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

**LEGAL REVIEW BY:** N/A

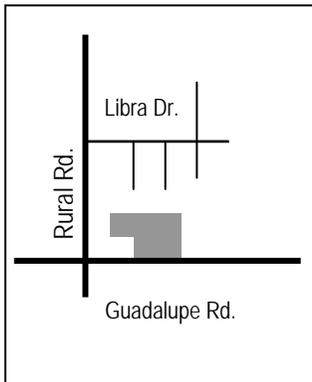
**DEPARTMENT REVIEW BY:** N/A

**FISCAL NOTE:** N/A

**RECOMMENDATION:** Staff – Approval, subject to conditions

**ADDITIONAL INFO:**

The applicant is requesting a use permit for a new monopalm sixty (60) feet in height. The property is located at 1006 East Guadalupe Road. Staff is in support of the request and its proposed modified location. To date, no public input has been received regarding this request.



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

- ATTACHMENTS:**
1. Location Map(s)
  2. Aerial Photo(s)
  - 3-4. Letter of Intent
  5. Feasibility Study by applicant
  - 6-11. Clearwire construction plans
  - 12-14. Site photos and simulation views

## COMMENTS:

The site is located northeast of Guadalupe Road and Rural Road, in the R/O, Residential/Office District. The site is currently occupied with a medical office building (Allergy Specialist) and undeveloped land to the north and west, utilized for agricultural purposes. Adjacent to the north of the site are single-family residential properties. To the east of the site are additional residential homes and a commercial office building fronting Guadalupe Road. To the west of the site are additional commercial buildings. On the south side of the property, across Guadalupe Road, are commercial shopping centers and pad commercial businesses.

Pursuant to the requirements of Section 3-421 D.5a and b, the applicant provided a feasibility study to determine existing verticality available within ½ mile of the property, this document is attached. Four properties were listed. One of the locations identified is the Marcos de Niza High School, which currently has four providers co-locating on existing light poles. Staff has confirmed that the Tempe Union High School District has a policy not to allow microwave dishes on school property for concern of potential frequency interference with the schools' microwave dishes.

The initial request had proposed the monopalm at the eastern-most parking space fronting Guadalupe Road. Staff had recommended an alternate location, away from direct street view in a more central proximity to the site. The location currently provided by the applicant is the alternate location selected. This location, far enough away from residential and not at the street front, is recommended by staff. No public input has been received prior to completion of this report.

### Use Permit

The Zoning and Development Code requires a use permit for wireless telecommunication facilities.

In evaluating the above request, the following factors shall be considered, but not be limited to:

- a. Any significant increase in vehicular or pedestrian traffic: *There does not appear to be any increase in traffic.*
- b. Nuisance arising from the emission of odor, dust, gas, noise, vibration, smoke, heat, or glare at a level exceeding that of ambient conditions: *There will not be any nuisances from the antennas.*
- c. Contribution to the deterioration of the neighborhood or to the downgrading of property values which, is in conflict with the goals, objectives or policies for rehabilitation, redevelopment or conservation as set forth in the city's adopted plans or General Plan: *The proposed antenna will not have a negative affect on the adjacent neighborhoods or property values.*
- d. Compatibility with existing surrounding structures and uses: *There are other existing vertical elements consisting of wireless telecommunication facilities on other sites within the vicinity. The monopalm design will be compatible with other palm trees on site and in the area.*
- e. Adequate control of disruptive behavior both inside and outside the premises, which may create a nuisance to the surrounding area or general public: *The site will adequately control any potential nuisance to the surrounding area and the public.*

### Conclusion

Based on the information provided by the applicant and no opposition to the request, staff recommends approval of this application with the stipulated conditions.

**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. This use permit is valid for Clearwire and may be transferable to successors in interest through an administrative review with the Development Services Manager, or designee.
2. Obtain all necessary clearances from the Building Safety Division.
3. The monopalm shall be no greater than sixty (60) feet in height (top of palm fronds).
4. Any intensification or expansion of use will require a new use permit.
5. The wireless device shall be removed within 30 days of discontinuance of use.
6. The enclosure gates shall require lighting to meet five (5) foot candles at the gate and two (2) foot candles within a 15' radius.
7. Place emergency information placard with a weather resistant cover visible from outside the equipment enclosure.
8. Provide one (1) additional Palm Tree of a compatible species and size on site, located within the front yard, west of the western-most driveway entrance.

**HISTORY & FACTS:**

Circa 1970 Existing building constructed for residence use.

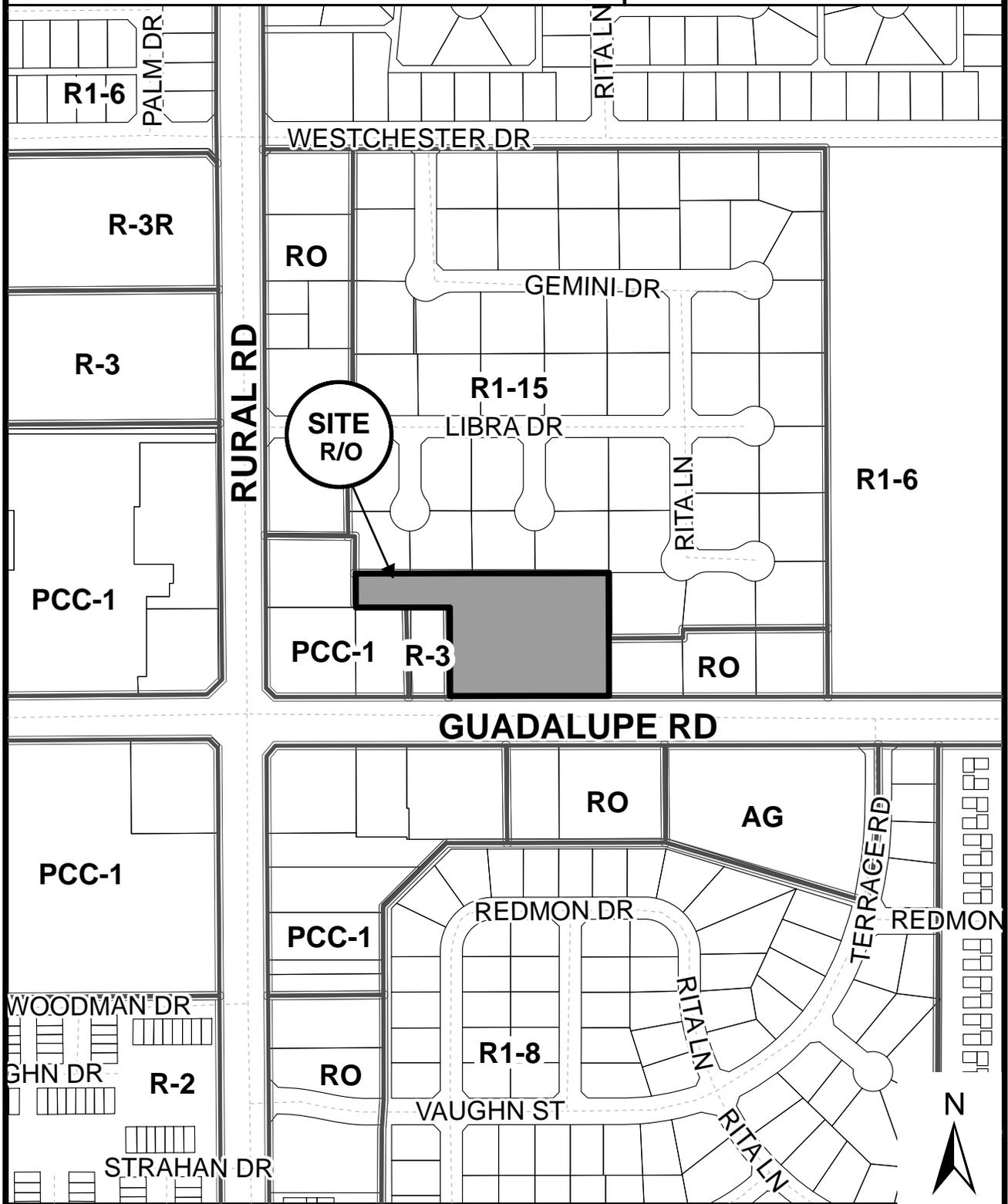
May 21, 1982 Building converted for medical office use.

**DESCRIPTION:** Owner – Dresden Family Limited Partnership  
Applicant – Rulon Anderson/Realand Consulting  
Existing Zoning – R/O, Residential/Office District

**ZONING AND DEVELOPMENT CODE REFERENCE:** Section 6-308, Use Permit

**CLEARWIRE - AZ PHX129E**

**PL100063**



**Location Map**



**CLEARWIRE - AZ PHX129E (PL100063)**

## **Letter of Explanation**

AZ-PHX129 Allergy Specialist Monopalm

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 monopalm. 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.

<b>Current zoning:</b>	<b>RO</b>
Zoning to North:	R1-15
Zoning to East:	RO
Zoning to South:	RO
Zoning to West:	R3

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

Sincerely,

Rulon Anderson



# clearwire

## wireless broadband

ATTACHMENT 6

**SITE NAME:** ALLERGY SPECIALIST MONOPALM  
**SITE #:** AZ-PHX129E  
**CITY:** TEMPE  
**STATE:** ARIZONA  
**COUNTY:** MARICOPA  
**DESIGN TYPE:** NEW MONOPALM

PROJECT INFORMATION

**ADDRESS**  
 1006 E GUADALUPE ROAD  
 TEMPE, AZ 85283

**COORDINATES**  
 LATITUDE: 32.364340° NORTH  
 LONGITUDE: 113.26537° WEST

**LANDLORD**

DRESCEN FAMILY LIMITED PARTNERSHIP  
 5802 N. 46TH PLACE  
 PHOENIX, AZ 85018

LAND DESCRIPTION OF SUBJECT PARCEL

ZONING: R0  
 APN: 301-02-005-17

**PROJECT OWNER**  
 CLEARWIRE  
 4015 E BROADWAY ROAD, SUITE 4-1  
 PHOENIX, AZ 85040

**APPLICANT / CONTACT**  
 REA LAND CONSULTING  
 3523 E PRESIDIO CIRCLE  
 \*E5A, AZ 85113  
 PHONE: (602) 321-4303

**PROJECT INFORMATION**  
 CONSTRUCTION TYPE: I-I-B  
 OCCUPANCY: U

**PROJECT DESCRIPTION**  
 PROPOSED NEW CLEARWIRE EQUIPMENT CABINET MOUNTED TO NEW  
 EQUIPMENT PLATFORM. ADDITION OF PROPOSED NEW ANTENNAS  
 \*MOUNTED TO PROPOSED 55'-0" MONOPALM

SPECIAL INSPECTIONS

T-0

BUILDING CODES

2006 IBC  
 2006 IMC  
 2005 NEC

CONSULTING TEAM

ARCHITECT

YOUNG DESIGN CORP.  
 8745 E VIA LINDA #11  
 SCOTTSDALE, AZ 85258  
 CONTACT: JOHN SULTZBACH  
 PHONE: (480) 451-3603

PROJECT MANAGER

CHRISTINE TUCKER  
 4015 E BROADWAY ROAD, SUITE 4-1  
 PHOENIX, AZ 85040  
 PHONE: (480) 393-0231

CONSTRUCTION MANAGER

BRIFF SLAVIN  
 4015 E BROADWAY ROAD, SUITE 4-1  
 PHOENIX, AZ 85040  
 PHONE: (602) 451-3453

SITE ACQUISITION

LANCE HUSSEY  
 REA LAND CONSULTING  
 PHONE: (480) 510-0900

ZONING

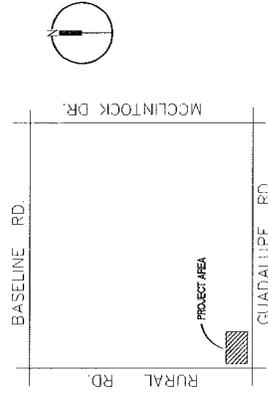
RILAN ANDERSON  
 REA LAND CONSULTING  
 PHONE: (602) 321-4303

RF ENGINEER

BALAJI NAGARAJAN  
 4015 E BROADWAY ROAD, SUITE 4-1  
 PHOENIX, AZ 85040  
 PHONE: (602) 521-0200

SURVEYOR

RLF CONSULTING, LLC  
 6181 S. RUSSELL ROAD, SUITE 101  
 TEMPE, AZ 85283  
 CONTACT: RYAN L. FIDLER  
 PHONE: (480) 510-3666



DIRECTIONS TO SITE

TAKE I-10 EAST TO US 60 EAST. PROCEED EAST ON US 60 TO RURAL ROAD. TURN LEFT ON RURAL ROAD AND TURN RIGHT ON GUADALUPE ROAD. THE PROJECT SITE IS LOCATED ON THE NORTH SIDE OF THE ROAD.

**clearwire**  
 wireless broadband

PLANS PREPARED BY  
**young design corp**  
 architecture / project management  
 19245 E VIA LINDA, SCOTTSDALE, AZ 85258  
 PH: 480 451 3609 FAX: 480 451 3608  
 E-MAIL: corp@youngdesign.com

THIS DRAWING IS VALID ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED ON THE DRAWING. ANY CHANGES TO THE DRAWING WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT ARE PROHIBITED.



THE BOARD OF PROFESSIONAL ENGINEERS OF THE STATE OF ARIZONA HAS REVIEWED THIS DRAWING AND HAS DETERMINED THAT IT CONFORMS WITH THE REQUIREMENTS OF THE ARIZONA ENGINEERING ACT AND THE RULES AND REGULATIONS OF THE BOARD.

NO.	DATE	DESCRIPTION
0	3/2/19	ISSUE FOR PERMIT
1	3/2/19	SUBMITTAL
2	6/17/19	CITY COMMENTS

PROJECT NO. 17793

PROJECT INFORMATION

**AZ-PHX129E**  
 ALLERGY SPECIALIST MONOPALM  
 1006 E GUADALUPE ROAD  
 TEMPE, AZ 85283

SHEET TITLE

PROJECT INFORMATION

APPROBATION APPROVAL

SHEET NUMBER

T1









**clearwire**  
wireless broadband

**young design corp**  
ARCHITECTURE / PROJECT MANAGEMENT  
10245 E. Via Linda, Scottsdale, AZ 85258  
PH: 480 451 9603 FAX: 480 451 9608  
E-MAIL: cdc@youngdesign.com

THIS PLAN IS A PRELIMINARY DESIGN AND SHOULD NOT BE USED FOR CONSTRUCTION WITHOUT THE WRITTEN APPROVAL OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR ANY ERRORS OR OMISSIONS IN THIS PLAN. THE CONTRACTOR SHALL BE RESPONSIBLE FOR VERIFYING ALL DIMENSIONS AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION.

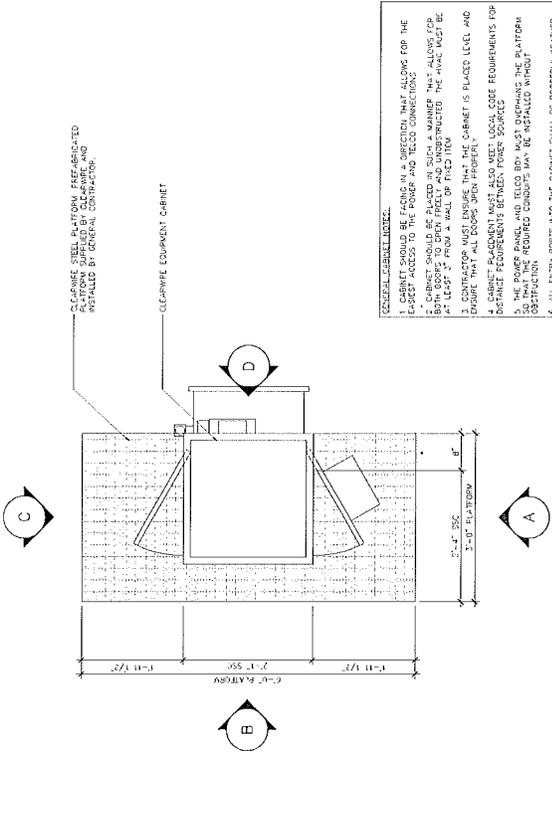
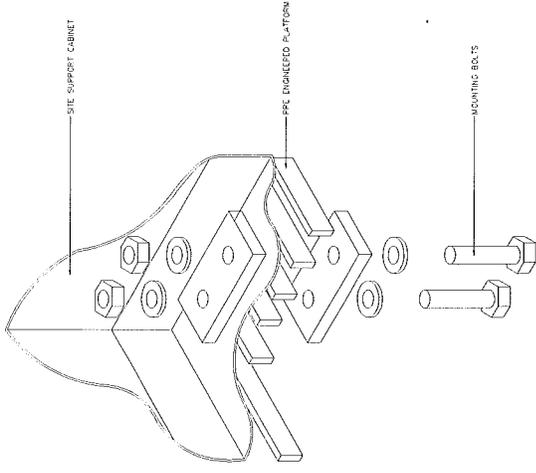


NO DATE: 3/2/16  
REVISION: 1 3/2/16 SUBMITTAL  
2 6/1/16 CITY COMMENTS

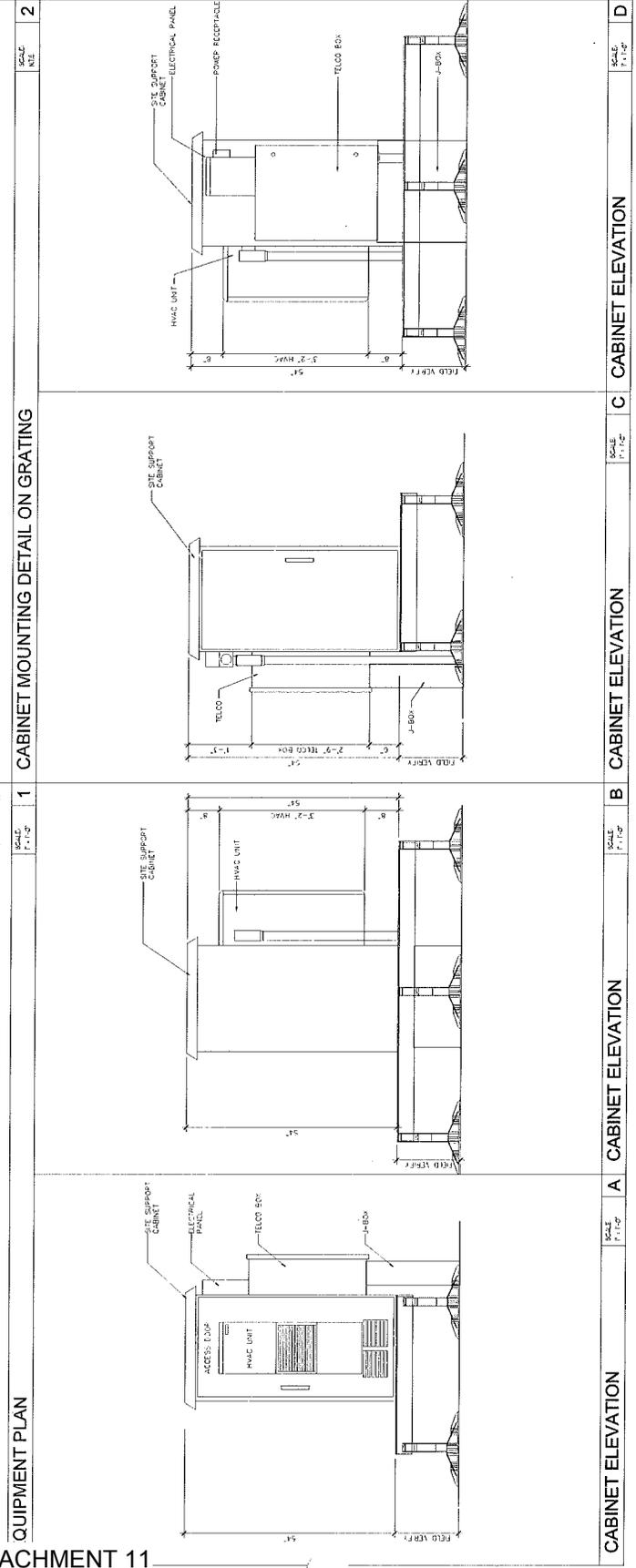
PROJECT INFORMATION  
PROJECT NUMBER: 17793  
PROJECT NAME: ALLERGY SPECIALIST MONOPALM  
1008 E. GUADALUPE ROAD  
TEMPE, AZ 85283

TYPICAL EQUIPMENT DETAILS  
APPROPRIATION APPROVAL

SHEET NUMBER: C4



- GENERAL CABINET NOTES:**
1. CABINET SHOULD BE PLACED IN A POSITION THAT ALLOWS FOR THE EASIEST ACCESS TO THE POWER AND TELCO CONNECTIONS.
  2. CABINET SHOULD BE PLACED IN SUCH A MANNER THAT ALLOWS FOR EASY ACCESS TO THE POWER AND TELCO CONNECTIONS FROM THE SIDE OF THE CABINET.
  3. CONTRACTOR MUST ENSURE THAT THE CABINET IS PLACED LEVEL AND FLAT ON THE PRE-ENGINEERED PLATFORM.
  4. CABINET PLACEMENT MUST ALSO MEET LOCAL CODE REQUIREMENTS FOR CLEARANCE FROM THE PLATFORM.
  5. ALL ENVP- PORTS INTO THE CABINET SHALL BE PROPERLY WEATHER SEALED.





**CLEARWIRE – AZ PHX129E**

**1006 EAST GUADALUPE ROAD**

**PL100063**

**PROPOSED LOCATION FOR A  
MONOPALM – VIEW TO NORTH**





*Existing Location*





*Existing Location*



ATTACHMENT 14

Proposed View South