Staff Summary Report

Tempe

Hearing Officer Hearing Date: July 20, 2010 Agenda Item Number: 3

SUBJECT: This is a public hearing for a request by CLEARWIRE – AZ PHX0915 located at 4640 South Ash Avenue for one (1) use permit.

DOCUMENT NAME: 20100720dsng02 PLANNED DEVELOPMENT (0406)

COMMENTS: Request by CLEARWIRE – AZ PHX0915 (PL100155) (Rulon Anderson/Realand Consulting, applicant; Priest Properties LLC, property owner) located at 7450 South Priest Drive in the PCC-1, Planned Commercial Center Neighborhood District and SWOD, Southwest Overlay District for:

ZUP10070 Use permit to allow co-location of wireless antennas on an existing 65 ft monopole.

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

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

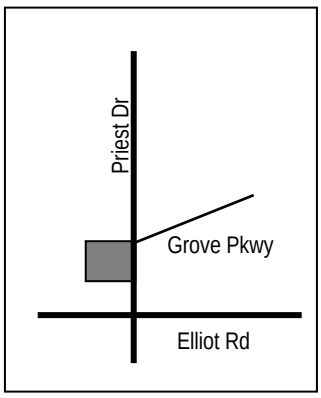
LEGAL REVIEW BY: N/A

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 co-location of wireless antennas on an existing sixty-five (65) foot monopole. The property is located at 7450 South Priest Drive in the PCC-1, Planned Commercial Center Neighborhood District and SWOD, Southwest Overlay District. Staff is in support of the request. To date, no public input has been received regarding this request.



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
5. Project Information
6. Site Plan
7. Enlarged Plan
8. Site Elevation
9. Typical Equipment Details
10. Photo Simulation
11. Staff Photograph

COMMENTS:

The applicant, Clearwire, is requesting a use permit to allow co-location of wireless antennas on an existing sixty-five (65) foot monopole. The property is located at 7450 South Priest Drive in the PCC-1, Planned Commercial Center Neighborhood District and SWOD, Southwest Overlay District. The site currently has an existing office/retail building for Roper Mobile Technology. The existing monopole is located at the southwest corner of the lot. The additional equipment associated with the expansion will be placed in a new equipment cabinet near the base of the existing monopole. The existing monopole currently has one (1) carrier with two sets of antennas at different heights, 47'-3" and 63'-3"; Clearwire would be the second carrier adding a new antenna array at 55'-0". Staff is supportive of the proposed co-location of new antennas.

The applicant's proposal is to co-locate on an existing site, therefore minimizing the impact on nearby neighborhoods. To date, no public input has been received regarding this request.

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 and SWOD, Southwest Overlay 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 exists today and has not been proven a detriment to the surrounding neighborhood.

d. Compatibility with existing surrounding structures and uses;
   - The proposed use appears to be compatible with surrounding the 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 will be adequately controlled.

Conclusion

Staff recommends approval of the use permit subject to conditions.

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 clearances from the Building Safety Division.

2. Any intensification or expansion of use will require a new use permit.

3. The wireless device shall be removed within thirty (30) days of discontinuance of use.

HISTORY & FACTS:

August 19, 1997 — BA970203 – The Hearing Officer approved a request for US West located at 1620 W Elliot Rd for the following:

a. Use permit to allow a 68' high cellular phone monopole assembly ,
b. Variance to reduce the monopole setback from the south property line from 68'-0" to 4'-9",
c. Variance to reduce the monopole setback from the west property line from 68'-0" to 3'-9",
d. Variance to waive the required masonry screening wall around the cellular monopole mechanical equipment.

December 3, 1997 — DRB97387 – The Design Review Board approved the installation of a communication antenna on a monopole with equipment for Grove Parkway Plaza – US West located at 1620 W Elliot Rd.

June 2, 2010 — SPR10039 – The Development Plan Review staff along with interdepartmental staff processed a preliminary site plan review for additional antennas and ground equipment to an existing monopole located at 7450 S Priest Dr.

DESCRIPTION:

Owner – Priest Properties LLC
Applicant – Rulon Anderson/Realand Consulting
Existing Zoning – PCC-1, Planned Commercial Center Neighborhood District & SWOD, Southwest Overlay District
Lot Area – 113,684 s.f. / 2.61 acres
Existing Tower Height – 65'-0"
Proposed Antenna Height – 55'-0"

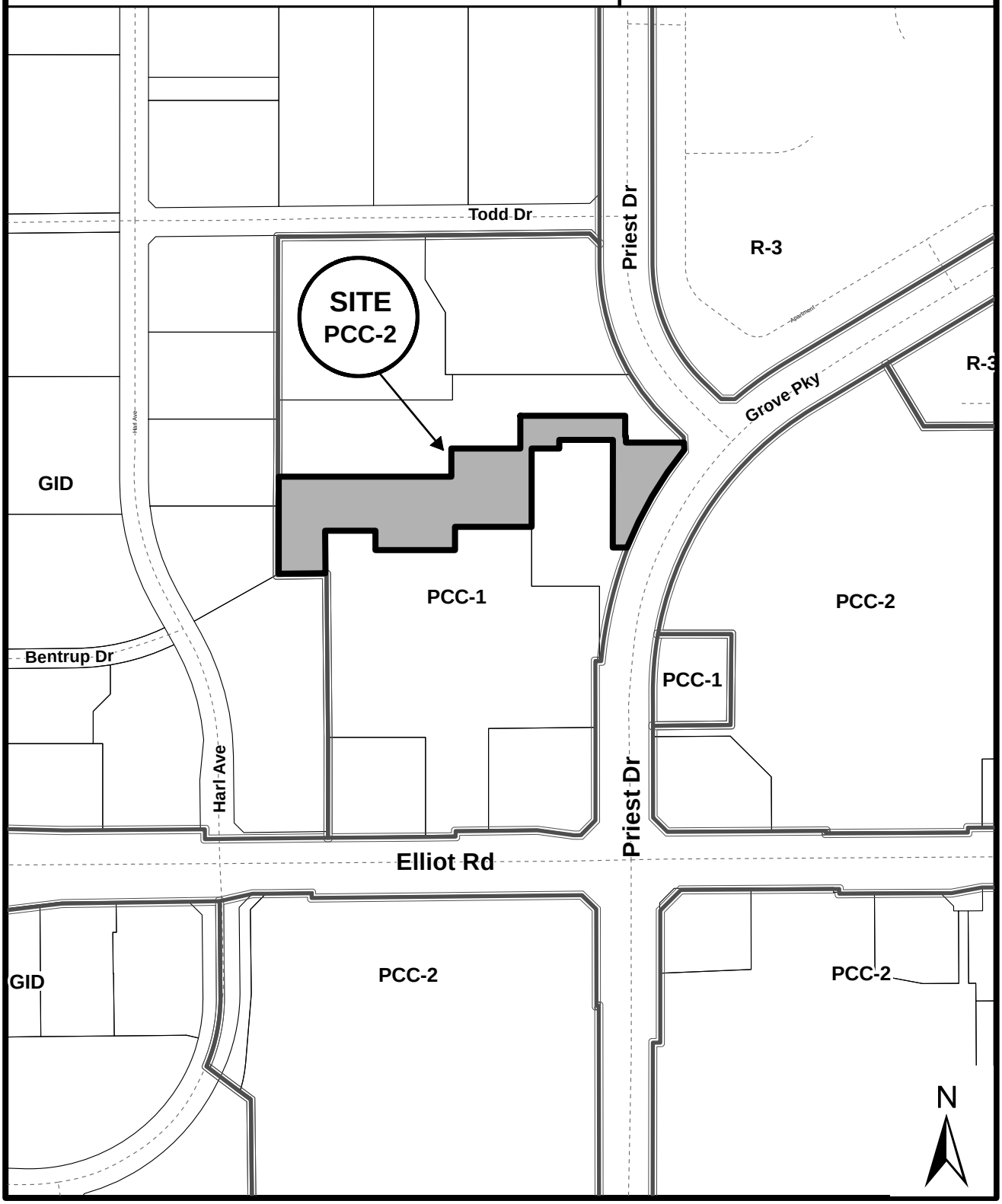
ZONING AND DEVELOPMENT CODE REFERENCE:

Part 3, Chapter 3, Section 3-302 – Permitted Uses in Office/Industrial Districts
Part 3, Chapter 4, Section 3-421 – Wireless Telecommunication Facilities
Part 6, Chapter 3, Section 6-308 – Use Permit

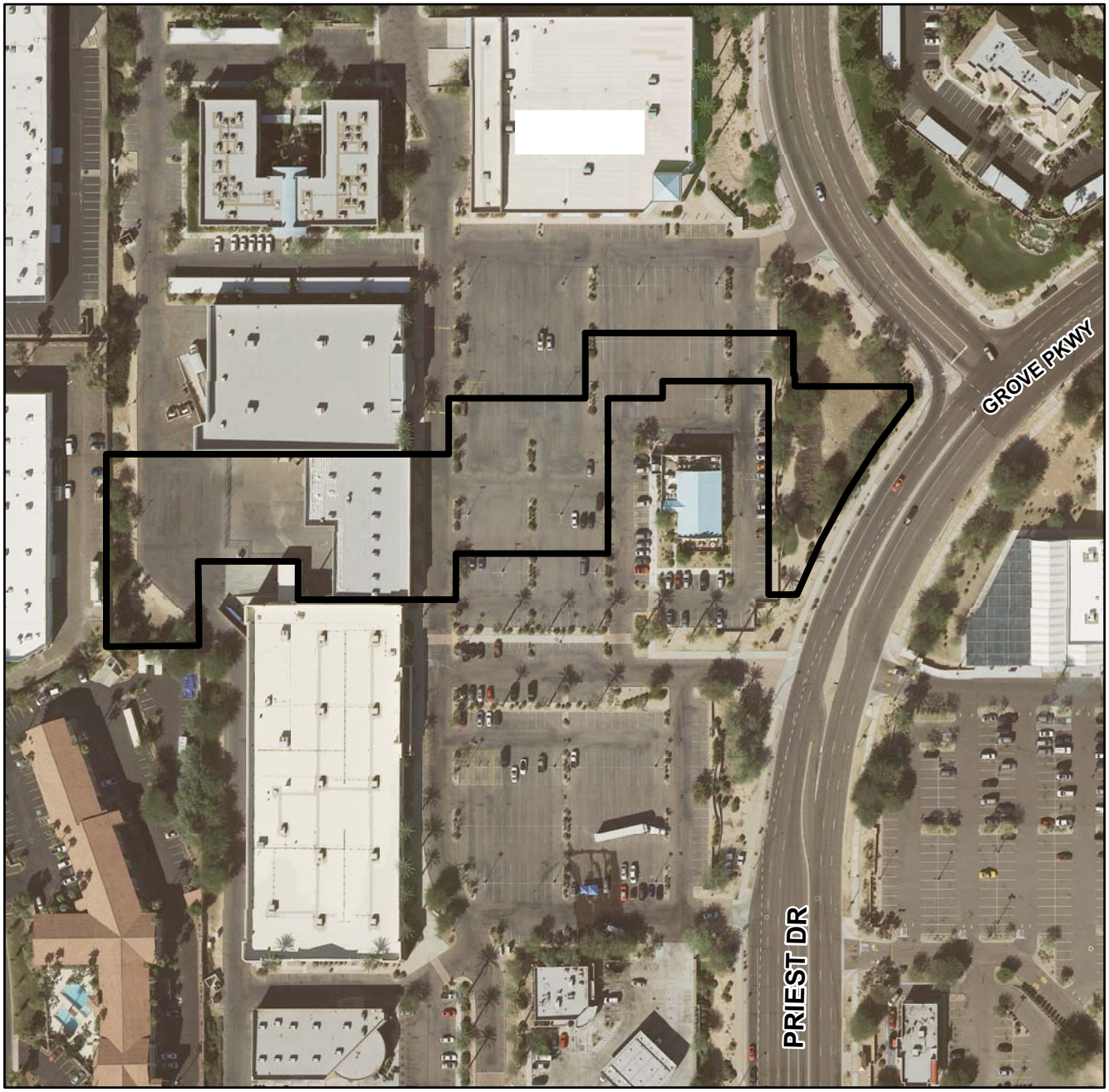
Tempe

CLEARWIRE - AZ PHX0915
7450 S. PRIEST DR.

PL100155



Location Map



CLEARWIRE -- AZ PHX0915 (PL100155)

Letter of Explanation

AZ-PHX0915 Eink Monopole

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 co-location on an existing Monopole. The proposed site is intended to minimize the visual impact to the neighboring residential. The reason the site is not on other properties is because of the existing verticality and the opportunity to locate on the existing verticality. Please see Feasibility Study Worksheet for more information. The proposed site is surrounded by the following zonings.

Current zoning:	**PCC-1**
Zoning to North:	PCC-1
Zoning to East:	PCC-1
Zoning to South:	PCC-1
Zoning to West:	GID

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

Sincerely,

Rulon Anderson

ATTACHMENT 5

clearwire
wireless broadband

SITE NAME: EINCK MONOPOLE
SITE #: AZ-PHX0915A
CITY: TEMPE
STATE: ARIZONA
COUNTY: MARICOPA
DESIGN TYPE: COLOCATION ON EXISTING MONOPOLE

PROJECT INFORMATION

ADDRESS
7450 S. PRIEST DRIVE
TEMPE, AZ 85283

COORDINATES
LATITUDE: 33.350881°
LONGITUDE: -111.964821°

LANDLORD
PRIEST PROPERTIES LLC
7450 S. PRIEST DRIVE, SUITE 101
TEMPE, AZ 85283

JURSIDICTION
CITY OF TEMPE

LAND DESCRIPTION OF SUBJECT PARCEL
ZONING: PCC-1
APN: 301-41-775

PROJECT OWNER
CLEARWIRE
4013 E. BROADWAY ROAD, SUITE A-1
PHOENIX, AZ. 85040

APPLICANT / CONTACT
REA LAND CONSULTING
3523 E. PRESIDIO CIRCLE
MESA, AZ. 85213
PHONE: (602) 321-4903

PROJECT INFORMATION
CONSTRUCTION TYPE: II-B
OCCUPANCY: U

PROJECT DESCRIPTION
PROPOSED NEW CLEARWIRE EQUIPMENT CABINET MOUNTED TO NEW EQUIPMENT PLATFORM. ADDITION OF PROPOSED NEW ANTENNAS MOUNTED TO EXISTING MONOPOLE

CONSULTING TEAM

ARCHITECT
YOUNG DESIGN CORP.
10245 E. VIA LINDA #211
SCOTTSDALE, AZ. 85258
CONTACT: JOHN SULTZBACH
PHONE: (480) 451-9609

PROJECT MANAGER
CHRISTINE TUCKER
4013 E. BROADWAY ROAD, SUITE A-1
PHOENIX, AZ. 85040
PHONE: (480) 533-0921

CONSTRUCTION MANAGER
BIFF SLAVIN
4013 E. BROADWAY ROAD, SUITE A-1
PHOENIX, AZ. 85040
PHONE: (602) 451-2433

SITE ACQUISITION
CHAD HUBER
REA LAND CONSULTING
PHONE: (480) 516-5679

ZONING
RULON ANDERSON
REA LAND CONSULTING
PHONE: (602) 321-4903

RF ENGINEER
BALAJI NAGARAJAN
4013 E. BROADWAY ROAD, SUITE A-1
PHOENIX, AZ. 85040
PHONE: (303) 522-0100

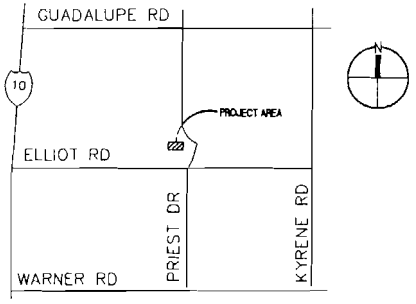
SURVEYOR
RLF CONSULTING, LLC
6197 S. RURAL ROAD, SUITE 101
TEMPE, AZ. 85283
CONTACT: RYAN L. FIDLER
PHONE: (480) 510-3668

SPECIAL INSPECTIONS
T.B.D.

BUILDING CODES
2006 IBC
2006 IMC
2005 NEC

INDEX OF DRAWINGS

NUMBER	NAME OF SHEET	REV
T-1	TITLE PAGE	0
LS-1	SURVEY	0
C-1	SITE PLAN	0
C-2	COMPOUND DRAWING	0
C-3	ELEVATIONS	0
C-4	DETAILS	0



DIRECTIONS TO SITE
TAKE I-10 EAST TO ELLIOT ROAD EXIT. TURN LEFT ONTO ELLIOT ROAD. PROCEED EAST. TURN LEFT INTO REAR OF SHOPPING CENTER IMMEDIATELY AFTER HARL AVE

clearwire
wireless broadband

PLANS PREPARED BY
young design corp
architecture / project management
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e mail: corp@ydcoffice.com

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2	6/23/10	CITY COMMENTS

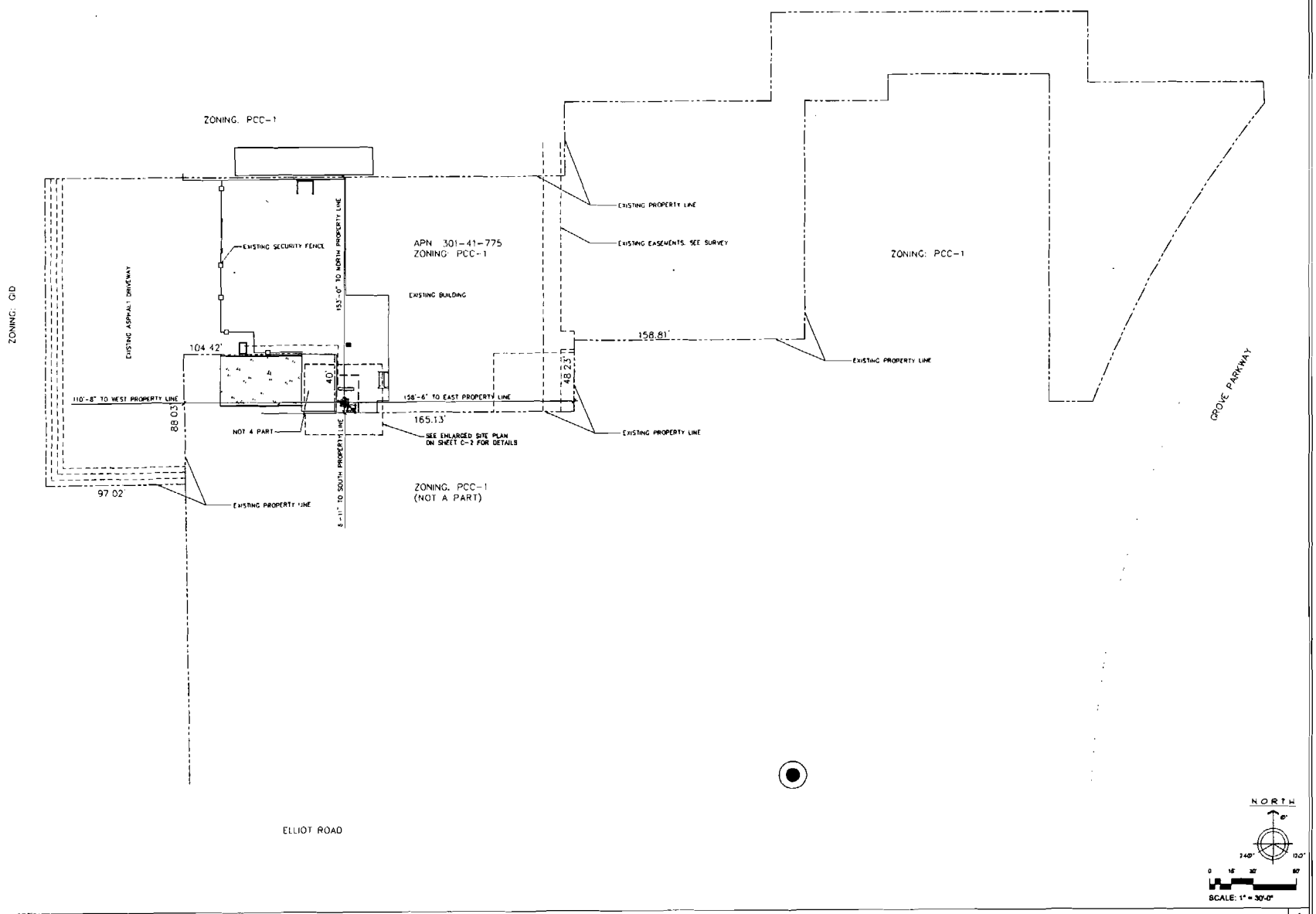
ARCHITECTS JOB NO
1984

PROJECT INFORMATION
AZ-PHX0915A
EINCK MONOPOLE
7450 S. PRIEST DRIVE
TEMPE, AZ 85283

SHEET TITLE
PROJECT INFORMATION

JURISDICTION APPROVAL

SHEET NUMBER
T1



SITE PLAN

1

ATTACHMENT 6

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PROJECT INFORMATION

AZ-PHX0915A

EINCK MONOPOLE

7450 S. PRIEST DRIVE
TEMPE, AZ 85283

SHEET TITLE

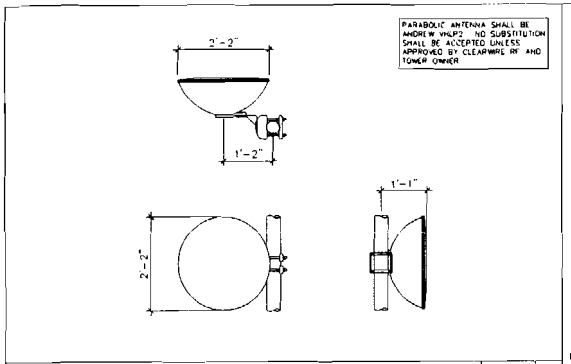
SITE PLAN

JURISDICTION APPROVAL

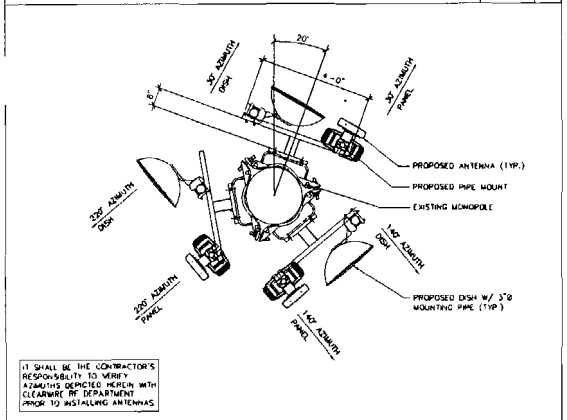
SHEET NUMBER

C1

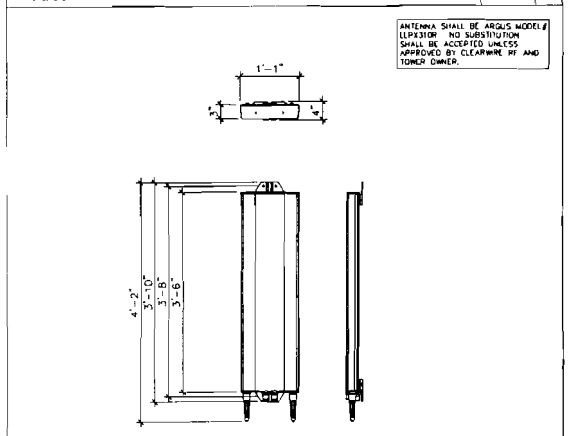
ATTACHMENT 7



PARABOLIC ANTENNA — SCALE: NTS — 2



ANTENNA LAYOUT & DETAIL — SCALE: NTS — 3



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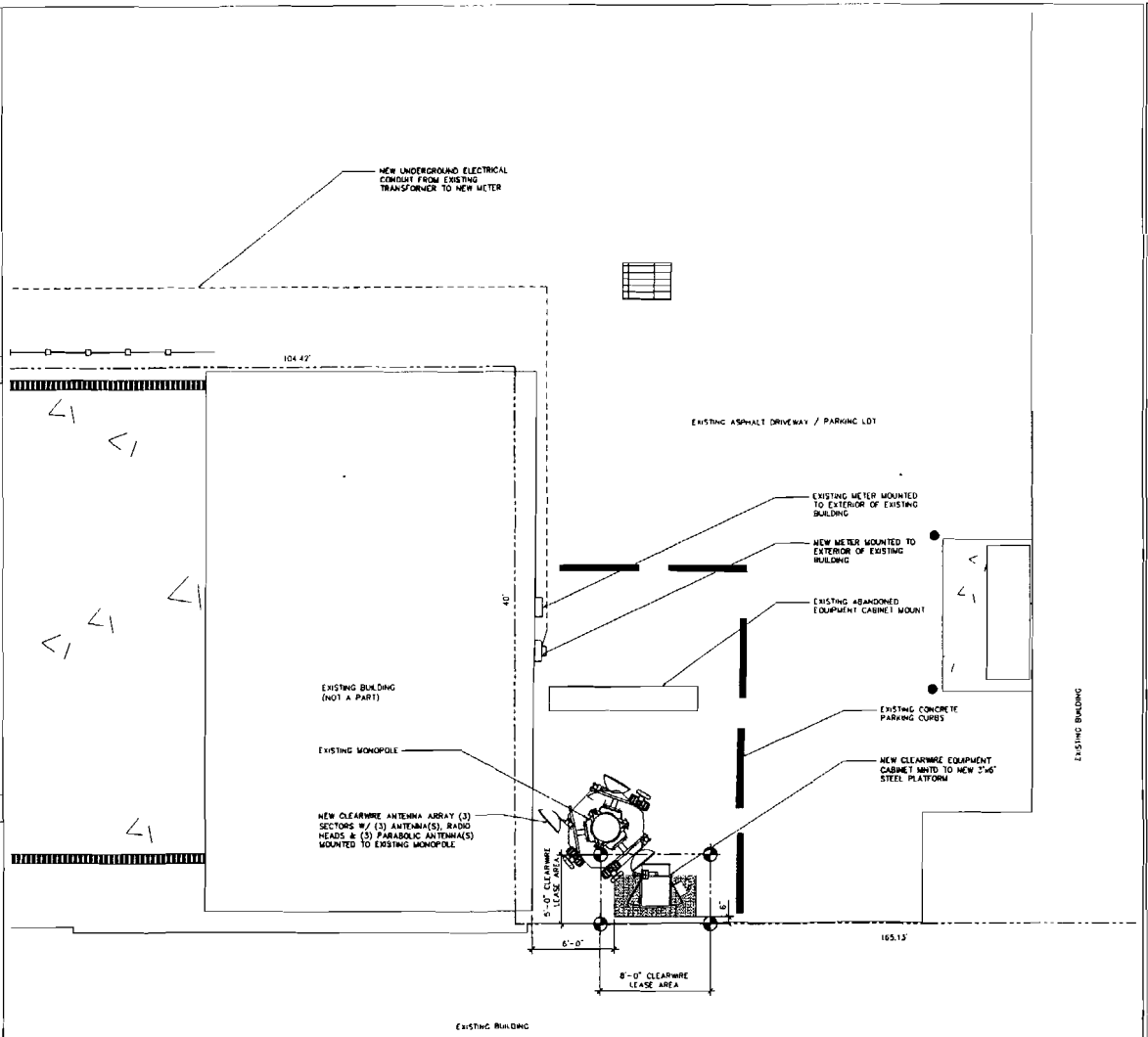
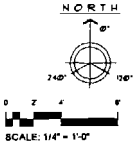


ENLARGED SITE PLAN — 1



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ARCHITECTS JOB NO

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PROJECT INFORMATION

AZ-PHX0915A

EINCK MONOPOLE

7450 S. PRIEST DRIVE
TEMPE, AZ 85283

SHEET TITLE

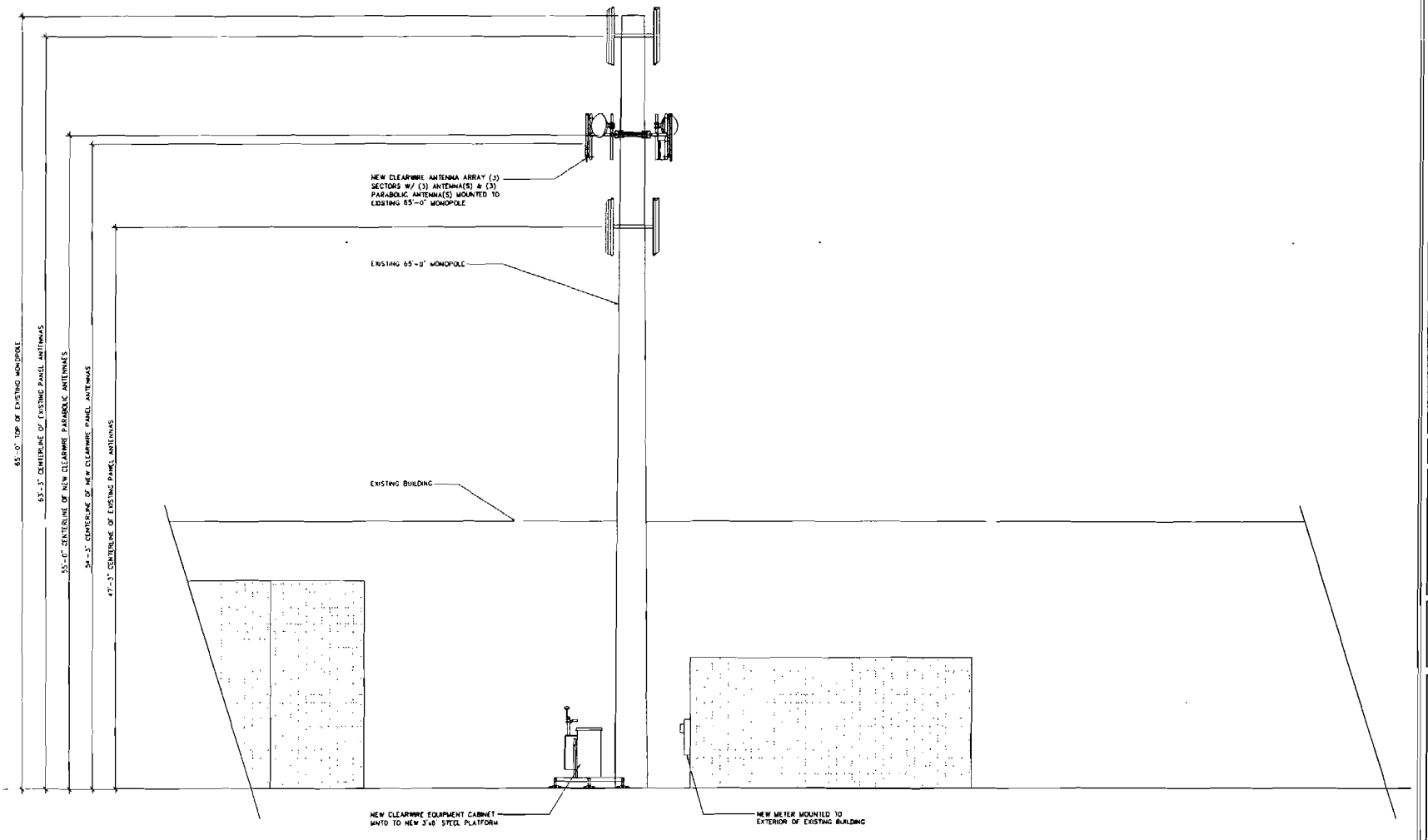
ENLARGED PLAN

JURISDICTION APPROVAL

SHEET NUMBER

C2

ATTACHMENT 8



NORTH ELEVATION

SCALE: 1/4" = 1'-0"

SITE ELEVATION

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PROJECT INFORMATION

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EINCK MONOPOLE

7450 S. PRIEST DRIVE
TEMPE, AZ 85283

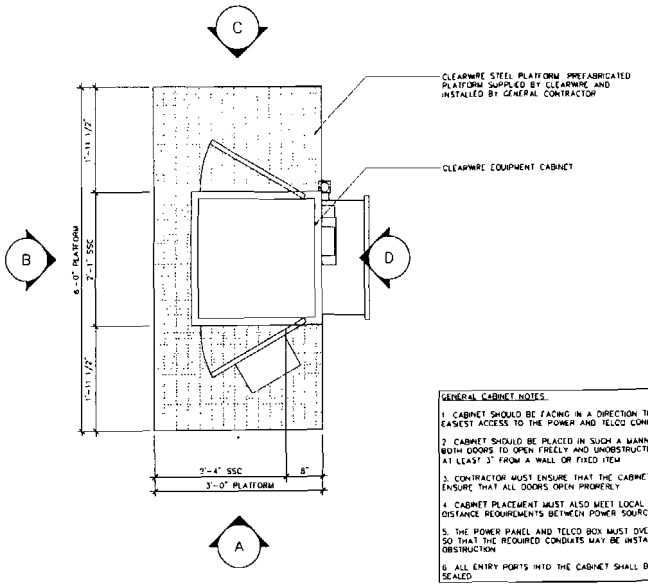
SHEET TITLE

SITE ELEVATION

JURISDICTION APPROVAL

SHEET NUMBER

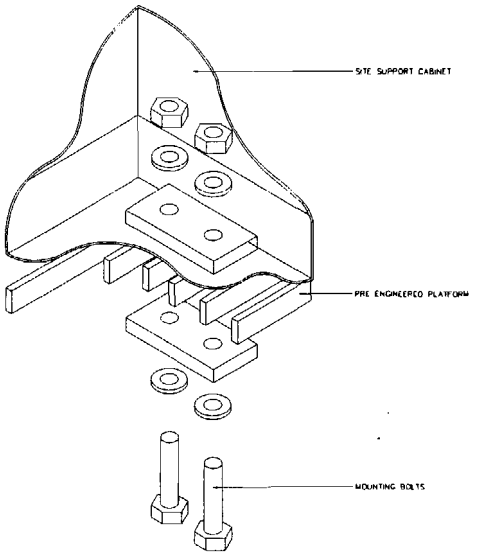
C3



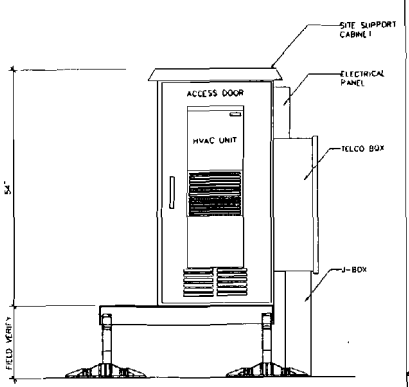
GENERAL CABINET NOTES:

1. CABINET SHOULD BE FACING IN A DIRECTION THAT ALLOWS FOR THE EASIEST ACCESS TO THE POWER AND TELCO CONNECTIONS.
2. CABINET SHOULD BE PLACED IN SUCH A MANNER THAT ALLOWS FOR BOTH DOORS TO OPEN FREELY AND UNOBSTRUCTED. THE HVAC MUST BE AT LEAST 3" FROM A WALL OR FIXED ITEM.
3. CONTRACTOR MUST ENSURE THAT THE CABINET IS PLACED LEVEL AND ENSURE THAT ALL DOORS OPEN PROPERLY.
4. CABINET PLACEMENT MUST ALSO MEET LOCAL CODE REQUIREMENTS FOR DISTANCE REQUIREMENTS BETWEEN POWER SOURCES.
5. THE POWER PANEL AND TELCO BOX MUST OVERHANG THE PLATFORM SO THAT THE REQUIRED CONDUITS MAY BE INSTALLED WITHOUT OBSTRUCTION.
6. ALL ENTRY PORTS INTO THE CABINET SHALL BE PROPERLY WEATHER SEALED.

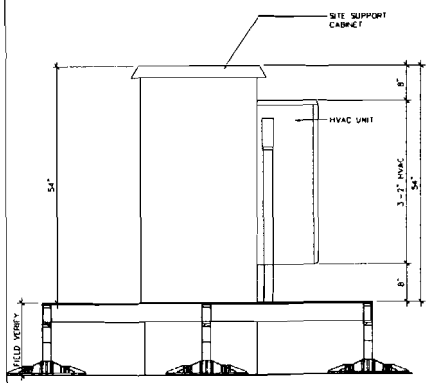
EQUIPMENT PLAN — SCALE: 1" = 1'-0" — 1



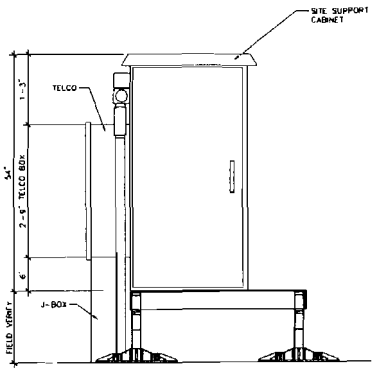
CABINET MOUNTING DETAIL ON GRATING — SCALE: NTS — 2



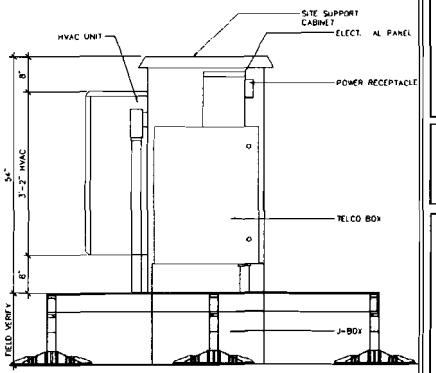
CABINET ELEVATION — SCALE: 1" = 1'-0" — A



CABINET ELEVATION — SCALE: 1" = 1'-0" — B



CABINET ELEVATION — SCALE: 1" = 1'-0" — C



CABINET ELEVATION — SCALE: 1" = 1'-0" — D

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wireless broadband

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ELP 120-116

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EINCK MONOPOLE
7450 S. PRIEST DRIVE
TEMPE, AZ 85283

SHEET TITLE
TYPICAL EQUIPMENT DETAILS

JURISDICTION APPROVAL

SHEET NUMBER
C4

ATTACHMENT 9

clearwire

AZ-PHX0915 EINCK MONOPOLE

Existing Location

Proposed Location

CLEARWIRE – AZ PHX0915

7450 SOUTH PRIEST DRIVE

PL100155

EXISTING MONOPOLE – VIEW TO SOUTHEAST