

Staff Summary Report



Hearing Officer Hearing Date: September 16, 2008

Agenda Item Number: 7

SUBJECT: This is a public hearing for a request by **T-MOBILE (PL080310)** located at 1290 South Mill Avenue for one (1) use permit.

DOCUMENT NAME: 20080916dssd02

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request **TEMPE WOMANS CLUB - T-MOBILE (PL080310)** (Rulon Anderson/T-Mobile, applicant; Tempe Woman's Club, property owner) located at 1290 South Mill Avenue in the R-2, Multi-Family Residential District for:

ZUP08134 Use permit to allow a fifty (50) foot wireless communications tower (monopalm).

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

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

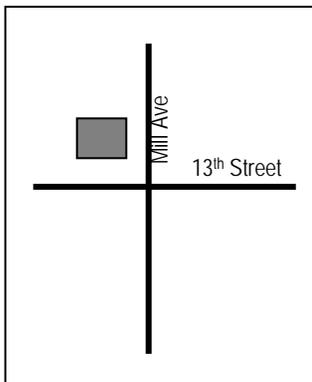
A handwritten signature in black ink, appearing to read 'SEA'.

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions

ADDITIONAL INFO: The applicant, T-Mobile, is seeking approval for a use permit to allow a fifty (50) foot tall wireless communication tower (mono-palm / faux-palm tree structure). The project is located at 1290 South Mill Avenue in the R-2, Multi Family Residential District. The site currently has a social hall and is populated with many mature trees. The property is listed in the Tempe Historic Property Register, due to the Tempe Woman's Club history that dates back to 1936. Prior to the use permit hearing, the applicant will go before the Historic Preservation Commission for review and recommendation. To date, staff has received one (1) phone call and two (2) e-mails of opposition to 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(s)
2. Aerial Photo(s)
- 3-4. Letter of Intent
- 5-8. Collocation Study
- 9-11. Historic Preservation Commission Staff Report
12. Site plan
13. Enlarged Site Plan
14. Elevation(s)
- 15-17. Photo Simulations
- 18-21. E-mails of Opposition
22. Staff Photograph

COMMENTS:

The applicant, T-Mobile, is seeking approval for a use permit to allow a fifty (50) foot tall wireless communication tower (mono-palm / faux-palm tree structure). The project is located at 1290 South Mill Avenue in the R-2, Multi Family Residential District. The site currently has a social hall and is populated with many mature trees. The site borders single family uses with (R-2) zoning to the north and to the west. Across Mill Avenue is Birchett Park, adjacent to Arizona State University. The property is listed in the Tempe Historic Property Register, due to the Tempe Woman's Club history that dates back to 1936. Prior to the use permit hearing the applicant will go before the Historic Preservation Commission for review and recommendation. The Historic Preservation Commission meeting will be held on Thursday September 11, 2008 and the Historic Preservation staff is recommending approval of the mono-palm telecommunication tower.

To date, staff has received one (1) phone call and two (2) e-mails of opposition to this request

Use Permit

The Zoning and Development Code requires a use permit for the addition of wireless telecommunications antennas in all allowable zoning districts including the R-2 Multi Family Residential 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 uses. The Historic Preservation Commission has approved the mono-palm telecommunication tower

Conclusion

Staff recommends approval of the use permit, subject to the 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 at fifty (50) foot 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.
6. Historic Preservation Commission has approved the mono-palm telecommunication tower.

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

**CONDITION(S)
OF APPROVAL:**

1. Use Permit can only proceed if Historic Preservation Commission approves the mono-palm telecommunication tower. If Historic Preservation Commission Denies the mono-palm, the use permit will not proceed to the Hearing Officer, application will be withdrawn by Development Services staff.
2. If Historic Preservation Commission approves mono-palm, the Commission's conditions of approval shall be adhered too.
3. The monopalm shall be no greater than 50'-0" in height.
4. Obtain all necessary clearances from the Building Safety Division.
5. No further antenna additions will be allowed. The monopalm was designed for nine (9) antennas. If approved this monopalm will have nine (9) antennas.
6. The wireless device shall be removed within 30 days of discontinuance of use.

HISTORY & FACTS:

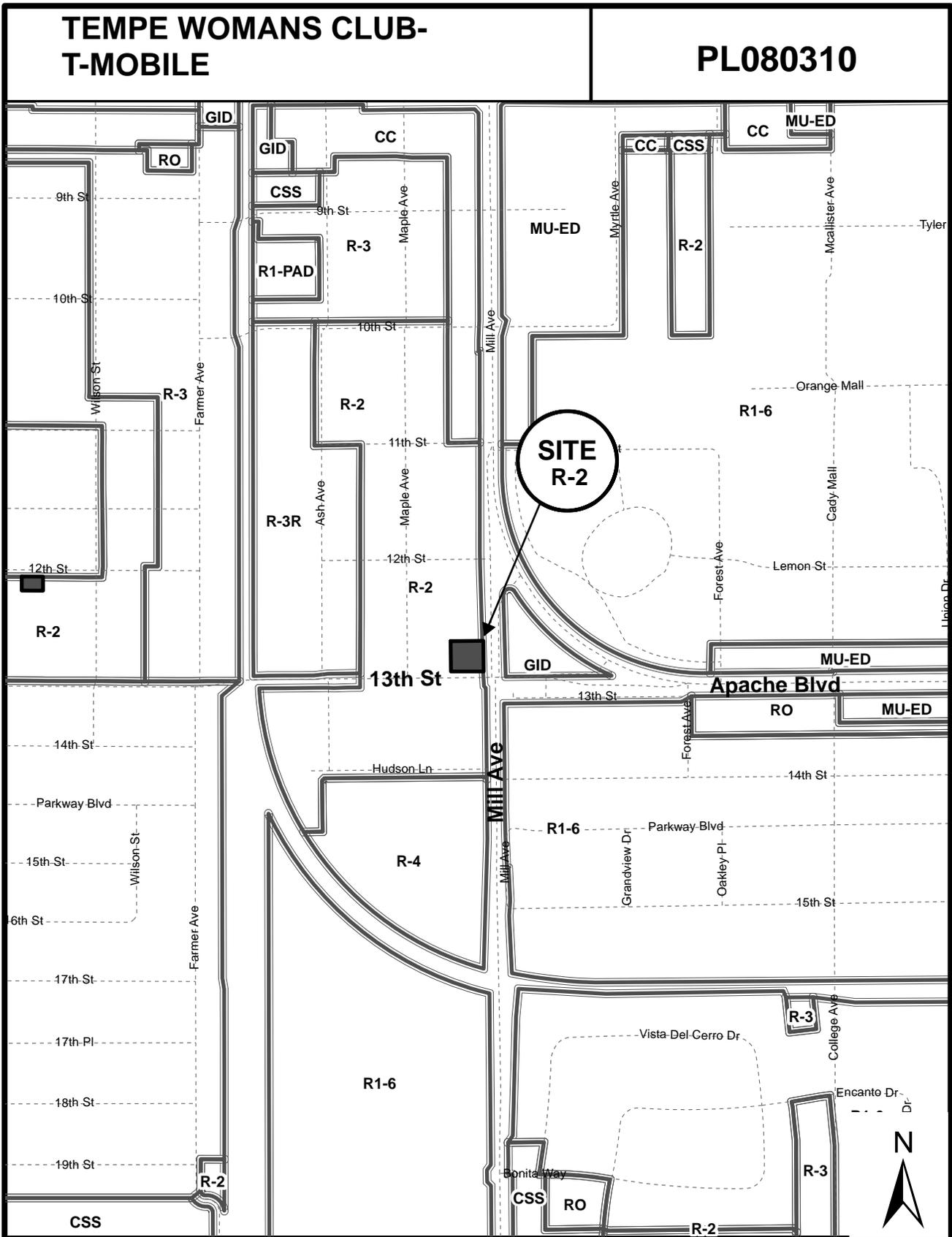
November 11, 1999 CC990083: City Council approved a Historic Designation for TEMPE WOMAN'S CLUB.
September 11, 2008 Historic Preservation Commission Meeting

DESCRIPTION:

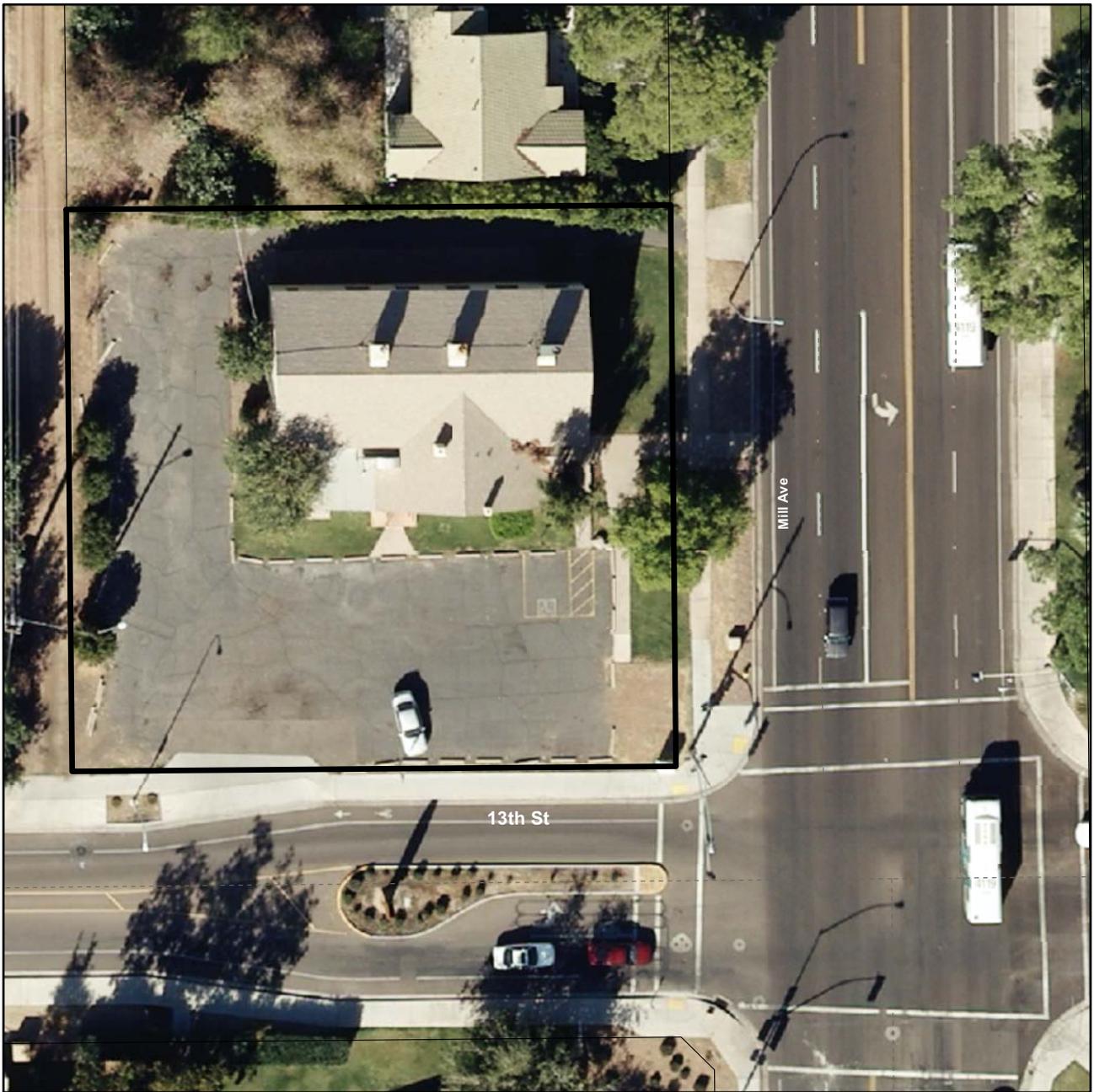
Owner – Tempe Woman's Club
Applicant – Rulon Anderson/T-Mobile
Existing Zoning – R-2, Multi-Family Residential District
Total site area – 19,872 s.f. / .45 acres
Height of Monopalm – 50 feet

**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Zoning Development Code
Part 1, Section 1-304 – Historic Preservation Commission
Part 3, Section 3-101 – Permitted Uses in Residential Districts
Part 3, Section 3-421 – Wireless Telecommunications Facilities
Part 6, Section 6-308 – Use Permit.



Location Map



TEMPE WOMANS CLUB (PL080310)

Project Submittal Narrative
For a Use Permit

Tempe Womans Club
1290 South Mill Avenue
Tempe, AZ 85281

Wireless Communication Facility
New 50' Monopalm
PH30254E

Submitted To:
City Of Tempe
Planning and Development Services
31 East Fifth Street
Tempe, AZ. 85280

Submitted By:
Rulon Anderson
T-Mobile

21 August 2008

Project Information:

Tempe Womans Club
1290 South Mill Avenue
Tempe, AZ 85281

APN: 132-45-043

Proposed Use:

This application is for a new 50' stealth Monopalm cellular communication facility intended to provide cellular service to the people in this area, with minimal visual impact. The related ground equipment will be located south of the new Monopalm inside a 15'x16' compound with an 8' block wall surrounding. The block wall will be painted and textured to match the existing building on the property.

Current zoning:	R-2
Zoning to North:	R-2
Zoning to East:	GID
Zoning to South:	R-2
Zoning to West:	R-2

Narrative:

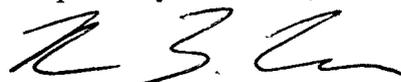
The proposed site is necessary to handle the capacity of wireless phone calls in the area. In addition, this site will incorporate the new E-911 call tracking antennas as mandated by the FCC.

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, refuse collection, or sewer system.

The property is located on the west side of Mill Avenue just north of Apache Blvd/13th Street. The new Monopalm and lease compound will be located in an existing landscape area. The new Monopalm will be located between an existing 20' tall tree and an existing 25' tall tree. The equipment will be surrounded by an 8' block wall to screen the view of the equipment from 13th Street.

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 digital PCS communication site.

Respectfully submitted,



Rulon Anderson
T-Mobile
PH30254E

Collocation Study

**Tempe Womans Club
1290 South Mill Ave
Tempe, AZ 85281**

**Wireless Communication Facility
New 50' Monopalm
PH30254E**

**Submitted To:
City Of Tempe
Planning and Development Services
31 East Fifth Street
Tempe, AZ. 85280**

**Submitted By:
Rulon Anderson
T-Mobile**

21 August 2008

Project Information:

Tempe Womans Club
1290 South Mill Ave
Tempe, AZ 85281

APN: 132-45-043

Collocation Survey Area:

The collocation survey included the area within a one mile radius from the proposed site. However, the objective of this site is to provide better indoor coverage for Gammage auditorium and the businesses and ASU facilities along East Apache Boulevard and Mill Avenue. This smaller coverage objective is shown on the attached map by a light gray circle.

Survey Results:

The survey results include only those buildings and structures over 30 feet tall, as anything lower than 30 feet would not provide adequate coverage in this area. Several existing collocatable structures were found within the one mile radius of the proposed site; however none of these structures would provide coverage to meet the objective for this site. The structures found are listed below with an explanation of why they would not meet T-Mobile's coverage objective for this site. They are also noted on the attached map.

1. 110' US Airways Building
This building is too far from the objective to provide the necessary coverage in this area.
2. 125' Grain Storage Facility
This building is too far from the objective to provide the necessary coverage in this area.
3. 65' Ball Field Light Poles at Jaycee Park
These poles are too far from the objective to provide the necessary coverage in this area. Also, these poles are too close to T-Mobile's existing site at Hardy and University.
4. 50' Monopalm at Hardy and University Drive
This is an existing T-Mobile site which provides coverage to the businesses and residents near this intersection.
5. 60' Chase Building at University and Ash Ave
This building is too far from the objective to provide the necessary coverage in this area. Also, this building is too close to T-Mobile's existing site at Hardy and University.
6. 70' Office Building on the NWC of Mill and University
This building is too far from the objective to provide the necessary coverage in this area. Also, this building is too close to T-Mobile's existing site at Hardy and University.
7. 90' Utility poles along S. Farmer Ave.
Though these poles are 90' tall, the available antenna height would be less than 60' since the upper half of these poles is filled with utility lines. This antenna height might provide coverage to Gammage Auditorium but it would not be sufficient to cover the eastern half of the coverage objective.

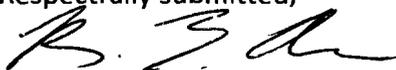
8. 85' Twin Palms Hotel at Apache and College
T-Mobile initially tried to collocate on this building rooftop. However T-Mobile has been unable to reach an agreement on the lease with the hotel owners. The building permit issued for this site has recently expired and no further work will be done on this site as T-Mobile and the hotel owners have reached a stalemate in lease negotiations.
9. 60' Holiday Inn at Rural and Apache
This building is too far from the objective to provide the necessary coverage in this area.
10. 65' Ball Field Light Poles at Daley Park
These poles are too far from the objective to provide the necessary coverage in this area. These poles are just a bit too far south to cover Gammage Auditorium and the majority of the buildings along Apache Blvd.
11. 65' Ball Field Light Poles at McKemy Middle School
These poles are too far from the objective to provide the necessary coverage in this area.
12. 65' Ball Field Light Poles at Tempe High School
T-Mobile is already collocating on an existing light pole here which provides coverage to the school and businesses around the intersection of Mill and Broadway.
13. 65' Ball Field Light Poles at Clark Park
These poles are too far from the objective to provide the necessary coverage in this area. Also, they are too close to the existing T-Mobile site at Tempe High School.

In addition to the structures listed above there were numerous utility poles found within the one mile radius. Most of these poles were wooden poles and therefore unable to support T-Mobile's equipment. Some larger, metal power poles were found at intersections of major roadways however, because of their location, it would not be possible to get the ground space needed for the cell site equipment.

Also, there were several multistory buildings omitted from the survey results because they are owned by the Arizona State University. T-Mobile has attempted to work with ASU to collocate cell sites on ASU owned structures but ASU has been unwilling to lease space to T-Mobile for that purpose. The ASU campus is outlined on the attached map.

The proposed site is by far the best option in this area. It would provide the best coverage for Gammage Auditorium and additional coverage along Mill and Apache, therefore reducing the need for additional towers. There are also two live trees already on the lot and two live palm trees on the neighboring lot, so the proposed Monopalm would not be out of character in this location. T-Mobile prefers to collocate wherever possible, however, in this location, there simply were no viable options.

Respectfully submitted,

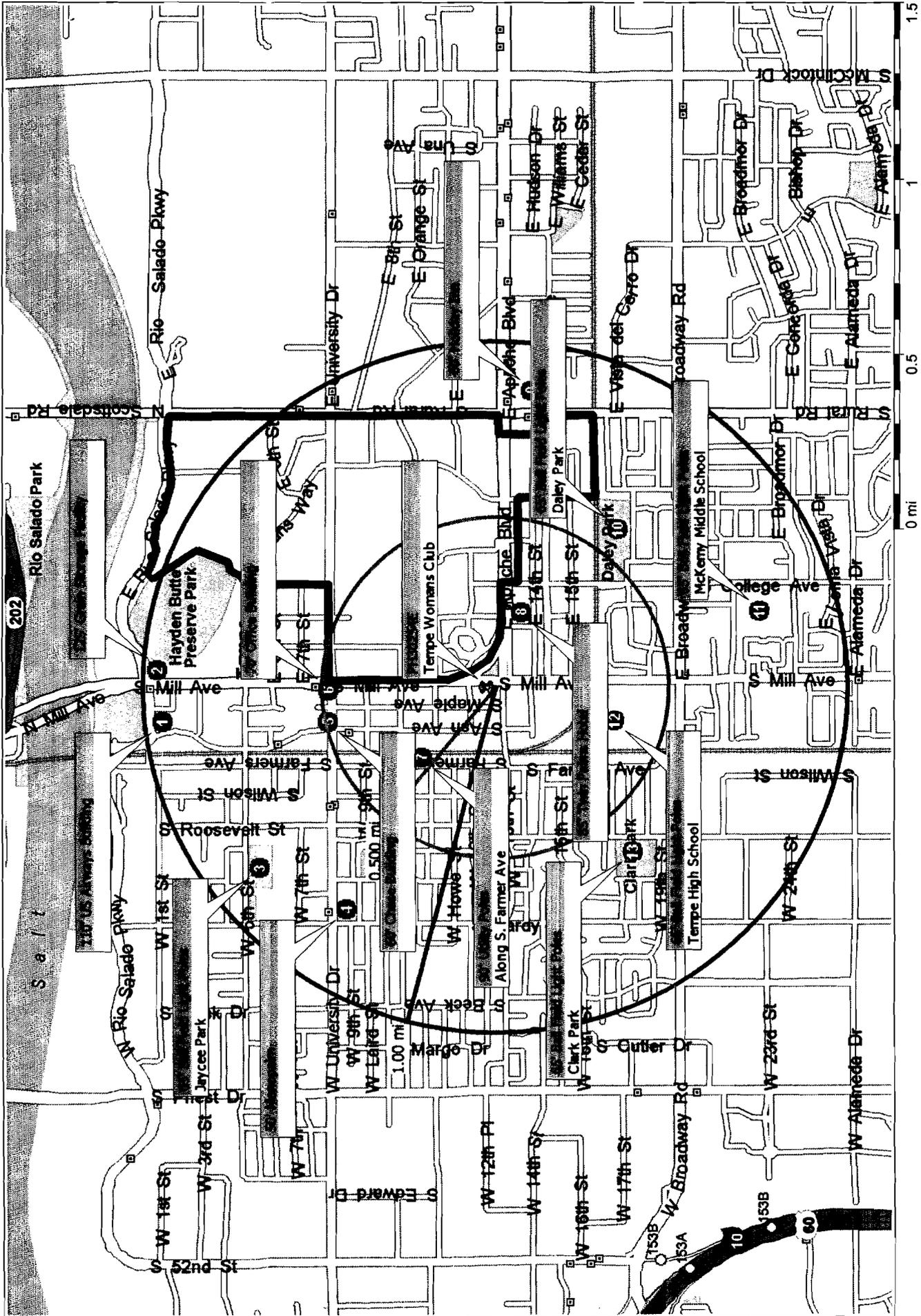


Rulon Anderson

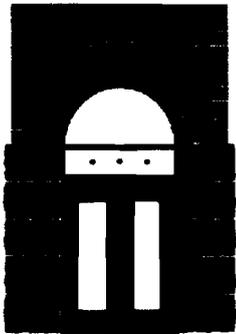
T-Mobile

PH30254E

1 Mile Colocation Study



Copyright © and (P) 1988-2006 Microsoft Corporation and/or its suppliers. All rights reserved. <http://www.microsoft.com/streets/>
 Portions © 1990-2006 InstallShield Software Corporation. All rights reserved. Certain mapping and direction data © 2005 NAVTEQ. All rights reserved. The data for areas of Canada includes information taken with permission from Canadian authorities, including: © Her Majesty the Queen in Right of Canada, © Queen's Printer for Ontario. NAVTEQ and NAVTEQ ON BOARD are trademarks of NAVTEQ. © 2005 Tele Atlas North America, Inc. All rights reserved. Tele Atlas and Tele Atlas North America are trademarks of Tele Atlas, Inc.



• T • E • M • P • E •
PRESERVATION

**HISTORIC PRESERVATION
COMMISSION**

Mike Deskin
Elias Y. Esquer
Bob Gasser, Chair
Stephen DeLacey Idle
Dan Killoren
Ann Patterson
Liz Wilson, Vice-Chair

Alternate Members:
Donna Marshak
Kriste Melcher



**HISTORIC PRESERVATION
OFFICE**

Joe Nucci, HPO
E Hunter Hansen, Planner
Mark Vinson, City Architect



The City of Tempe is a
Certified Local Government,
in association with the United
States Department of the
Interior / National Park Service



Tempe Historic
Preservation Office
Community Development
Department
21 East 6th Street, Suite 208
P.O. Box 5002
Tempe, AZ 85280



480.350.8028
8579 FAX; 8913TDD



Tempe Historic Preservation Office Staff Summary Report

Date: THURSDAY, SEPTEMBER 11, 2008

Re: Proposed Tempe Woman's Club Wireless Telecommunication Facilities.

SEC. 14A-6. PROCESS FOR REVIEW OF ALTERATION OR NEW CONSTRUCTION.

When a building permit or other permit or approval is sought from the city to alter, remodel, build or otherwise develop or landscape property designated as a landmark, historic property, or that is located within a designated historic district, issuance of the permit or approval shall be deferred until after approval has been obtained from the historic preservation commission.

The applicant is seeking approval to construct Wireless Telecommunication Facilities at the Tempe Woman's Club located at 1290 South Mill Avenue. This property is listed in the Tempe Historic Property Register and therefore the commission shall review the application in a public meeting. Commission review shall be based on the applicable criteria in Section 14A-4 of the Tempe Historic Preservation Ordinance. The commission shall act to approve, deny, conditionally approve or continue an application at the public meeting at which it is initially reviewed. Any recommendation for approval may be subject to such conditions as the commission deems applicable in order to fully carry out the provisions and intent of the Tempe Historic Preservation Ordinance. Commission approval indicates conformance with the provisions and intent of the Tempe Historic Preservation Ordinance only and does not imply approval by other regulatory agencies. As a use permitted under special use standards prescribed in the Tempe Zoning & Development Code, this project will additionally be reviewed by city planning staff. Finally, as a federally regulated activity, this project will be reviewed by the Arizona State Historic Preservation Office. SHPO Historian Bill Collins has been contacted regarding this project and will consider city recommendations in formulating the SHPO determination.

CRITERIA FOR TEMPE WOMAN'S CLUB HISTORIC DESIGNATION

The Tempe Woman's Club property is historically significant at the local level, under Criterion A of the National Register Criteria, for its contribution to the broad patterns of American history. The property is locally significant for the role it has played in the social history of Tempe, and for its continued use by the Woman's Club of Tempe. The Tempe Woman's Club has remained in continuous use as a woman's clubhouse and community meeting house since its construction in 1936. Kemper Goodwin, a young local architect, step-son of Club secretary Charlotte Goodwin and member of the Arizona pioneer family, volunteered architectural services for the design of the new clubhouse. Mr. Goodwin went on to become one of Arizona's most prominent architects. The building has been well maintained and has changed little over time. Today the clubhouse retains a high degree of integrity. Its adobe bearing wall construction, rare for a non-residential structure built since territorial days, is indicative of the depression-era methods of its day. Additionally, the clubhouse is located within the boundaries of the proposed Park Tract Historic District which was found eligible for designation and listing in the Tempe Historic Property Register by the commission on October 12, 2006. Although eligible, no district was designated as the applicants withdrew their nomination prior to council action.

WORK PROPOSED FOR WHICH APPROVAL IS SOUGHT

The applicant is seeking approval to construct Wireless Telecommunication Facilities at the Tempe Woman's Club. The applicant has provided a site plan (Land Survey LS-1 dated 08/01/08), a series of 3 photo simulations (marked PH30254E and undated) and a brief narrative scope of work attached hereto for your review. As submitted, proposed work consists of a 15' X 16' CMU walled equipment enclosure with an adjacent 50' "Monopalm". The proposed "Monoplam" will be installed atop a drilled shaft concrete pier with underground conduit routed to the inside of the new enclosure. The new enclosure will be constructed of concrete block and finished with stucco to match the existing adjacent building. The construction will be scheduled so as to not interfere with any event(s) occurring at the club. The overall construction timeline will be approximately six weeks. Photo simulations indicate no significant construction related to the tower and no existing landscape to be removed.

HISTORY AND FACTS

Since its founding in 1912, the Tempe Woman's Club has had as its motto "*In Essentials, Unity – In Non-Essentials, Freedom – In All Things, Charity*". For almost 100 years the Tempe Woman's Club has served the City of Tempe making a host of significant contributions to the social fabric of the community and operating as an integral part of Tempe history. Since its construction in 1936, the clubhouse has remained in continuous use as a woman's clubhouse and community meeting house. The Tempe's Woman's Club was listed in the Tempe Historic Property Register on November 4, 1999. The Tempe's Woman's Club was listed in the National Register of Historic Places on May 11, 2000. The City of Tempe provides annual financial assistance to the Tempe Woman's Club through the City Manager's Office Sponsorship Grants Program.

STAFF RECOMMENDATION

Faced with declining membership and increasing costs, Tempe Woman's Club is now struggling financially. The intent of local designation is to assist owners in the preservation and restoration of their properties. The Tempe Historic Preservation Ordinance states it is the intent of the city to make ownership of a landmark, historic property or property within an historic district as beneficial as possible. Therefore, and in accordance with the criteria for designation, the scope of work proposed, and the history and facts regarding Tempe Woman's Club, staff recommends the commission act to conditionally approve the proposed wireless telecommunications facilities subject to the conditions set forth herein.

HPO CONDITIONS OF APPROVAL

- 1) The applicant shall provide additional landscape improvements at the parking areas adjacent to Mill Avenue and Thirteenth Street in keeping with the historic character of the site and in harmony with the palate of materials currently in place.
- 2) No existing landscape is to be removed as part of this construction without prior approval of the Tempe Preservation Office.
- 3) The applicant shall work with city staff to prepare a site plan detailing the new landscape installation. Site plan must be staff approved (not necessary to take the monthly Tempe HPC meeting if approved at a staff level).
- 4) The applicant shall document that no reasonable and feasible alternative exists for locating facilities proposed for pole mounting and/or related equipment inside the building concealed from public view.
- 5) Subject to Tempe Woman's Club acceptance, the applicant shall install a conventional telecommunications tower in lieu of the proposed "Monopalm" tower.
- 6) The applicant shall ensure the historic character of the property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- 7) The applicant shall ensure new additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible, yet distinct with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
- 8) The applicant shall ensure new additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
- 9) The applicant shall be responsible for ongoing maintenance of the equipment, keeping it free from peeling paint, rust, graffiti, etc.
- 10) The applicant shall at termination or expiration of lease, remove all equipment, concealing structures and the equipment structure (if TWC elects not to retain), and that any site disturbance caused in the removal process is to be remedied.
- 11) The applicant shall indemnify TWC from liability associated with the possible negative effects of the telecommunication facility and ensure that maintenance and operations of wireless telecommunications facilities will not compromise the eligibility of the Tempe Woman's Club to remain listed in the *Tempe Historic Property Register* and the *National Register of Historic Places*.

12) This approval does not cover subsequent installations which must go through separate review processes.

13) Prior to construction or drilling, subsurface conditions should be verified with geotechnical testing to prevent any potential for damage to fragile historic adobe. Submit geotechnical report to HPO for review and approval prior to issuance of building permit.

Attachments: BACKGROUND INFORMATION

- 1) HPO staff report for TWC designation dated 09/02/1999
- 2) NRN narrative statement of TWC significance excerpt circa 05/11/2000

THE APPLICANT SUBMITTALS

- 3) Land Survey LS-1 dated 08/01/08
- 4) Photo Simulation series marked PH30254E (undated)

T-Mobile

2455 S. PLAZA DR. SUITE 4000 TEMPE, ARIZONA 85281
 PHONE: (480) 948-7200
 FAX: (480) 948-7202

CDS

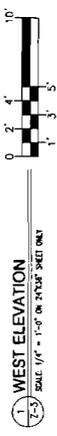
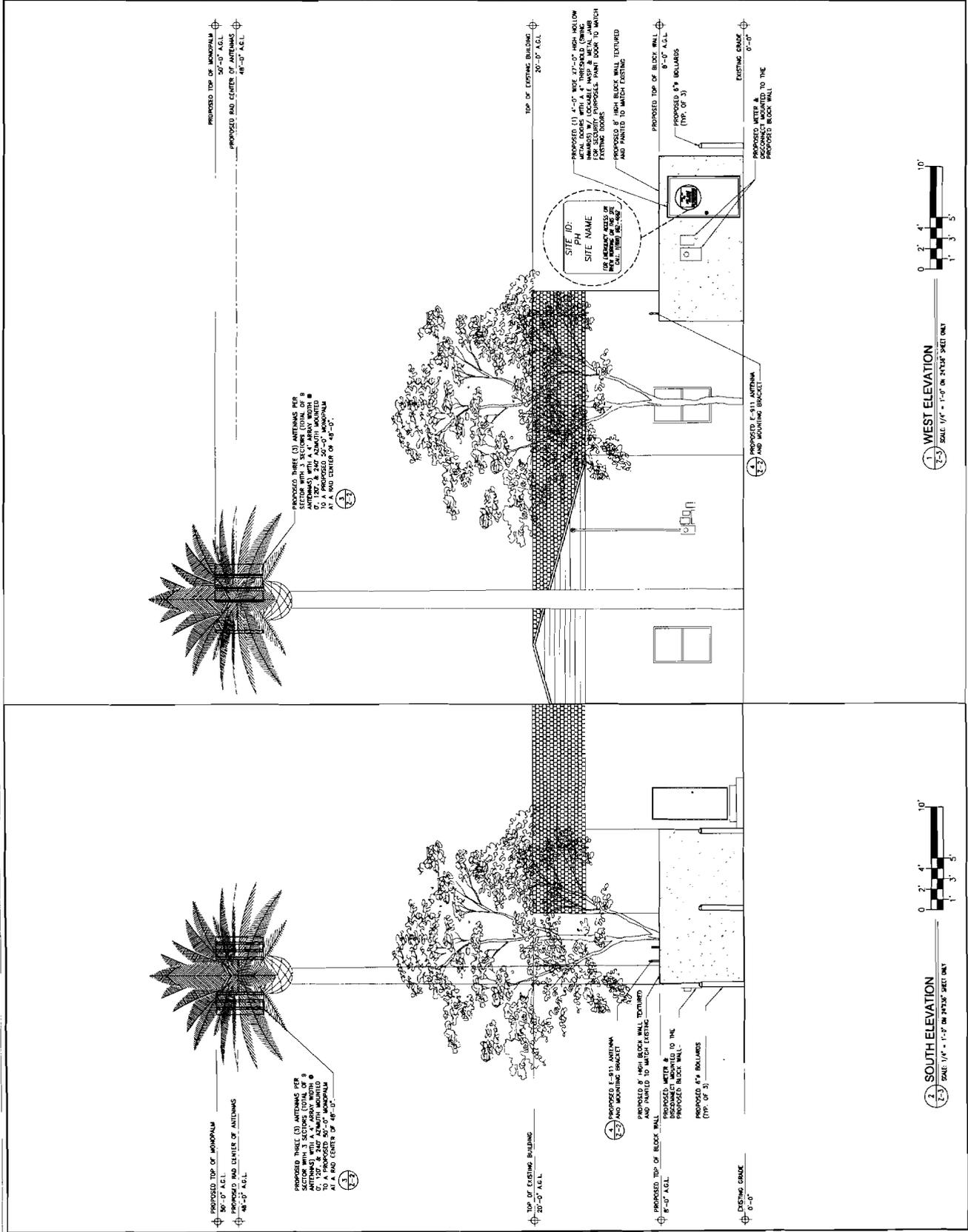
Custom Design Services
 800 E. Baseline Road, Suite B-1
 Tempe, Arizona 85283
 PH: (602) 758-5829 FX: (602) 391-2132

NO.	DATE	DESCRIPTION	BY
1	08/05/08	PRELIMINARY	SDN
2	08/14/08	SUBMITTAL	CWV

PROJECT INFORMATION
 02-189-03
PH30254E
TEMPE WOMANS CLUB
 1380 S. MILL AVE
 TEMPE, ARIZONA 85281

SHEET TITLE
ELEVATIONS

SHEET NUMBER
Z-3



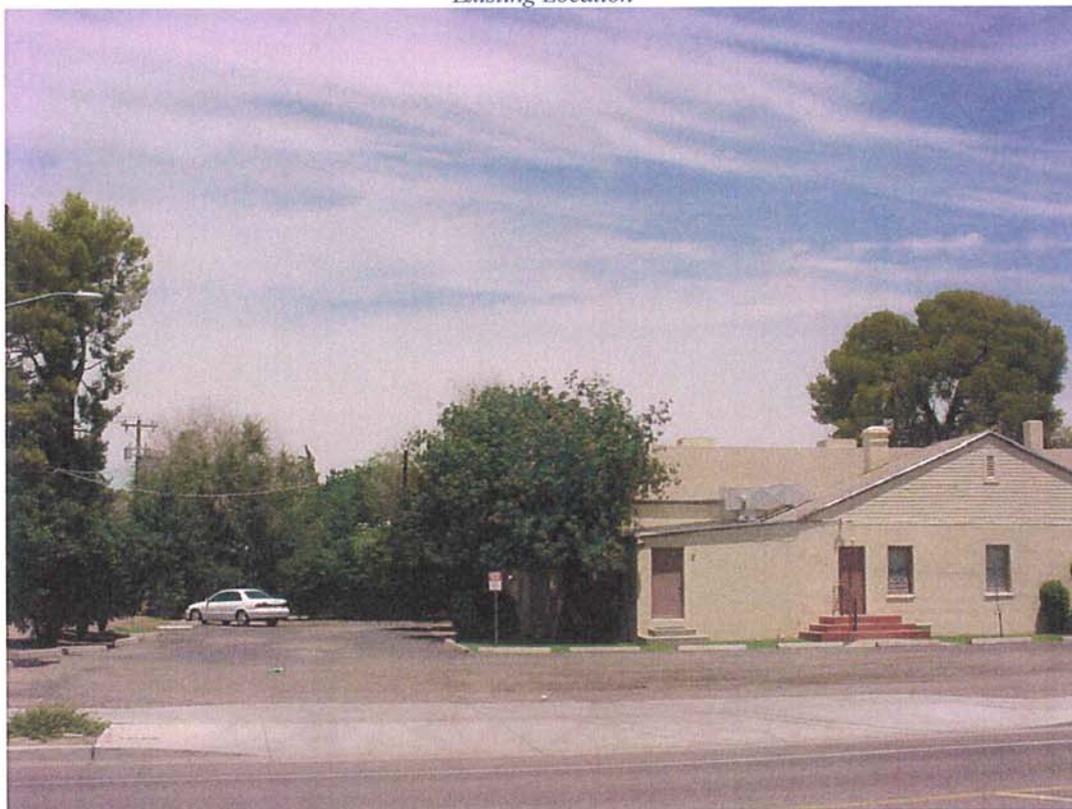
Existing Location



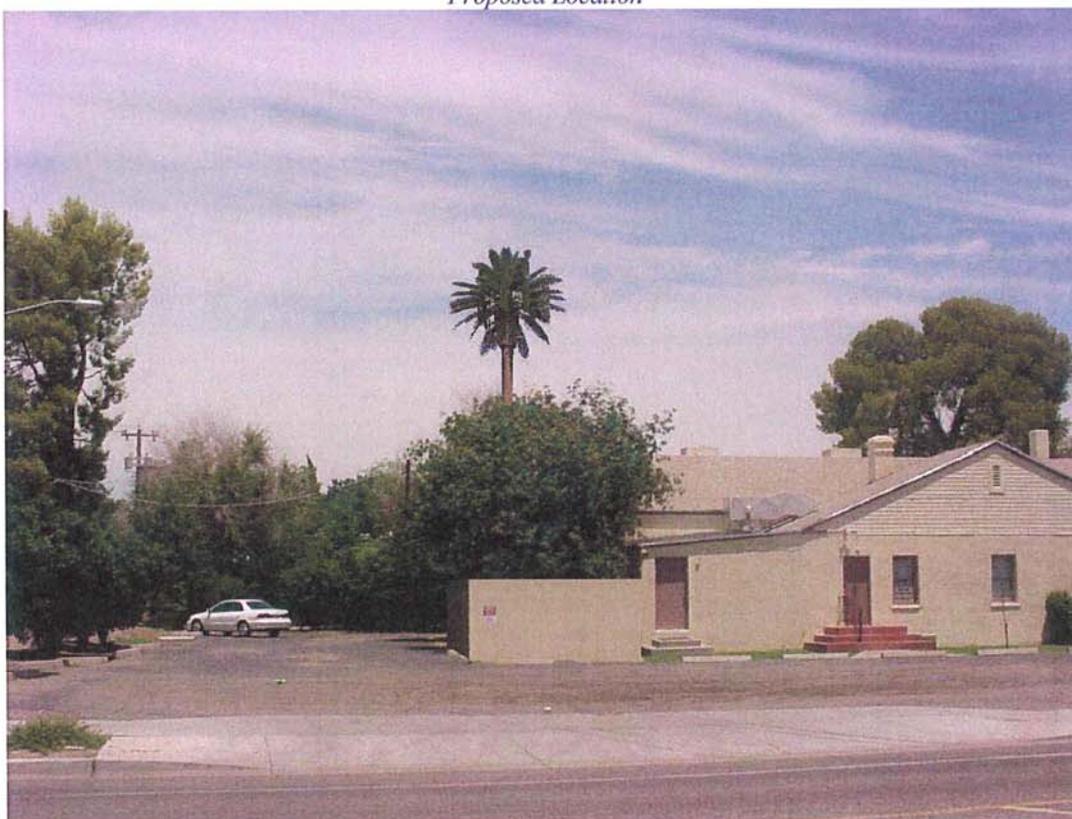
Proposed Location



Existing Location



Proposed Location



Existing Location



Proposed Location



September 8, 2008

Dear City of Tempe,

I am writing this letter to you in regard to the application for a use permit to construct a 50-foot wireless tower at the Tempe Womans Club at 1290 S. Mill Avenue in Tempe. It is my understanding that this will be heard by the Historic Preservation Commission on September 11th and a hearing will be held on September 16th. I received a notice in the mail of the September 16th hearing in the mail over Labor Day weekend. My home is at 1220 S. Mill Avenue, directly abutting the property where the proposed wireless tower would be constructed. I have to say I was shocked when I read the notice. Both because someone would try to place a wireless tower in such close proximity to residences (and particularly my own) and that neither the Womans Club, nor T-Mobile made any communication whatsoever regarding this project to myself or others nearby. Such tactics are poor by any measure and the city should not reward such tactics by approving the application at this time.

To provide some context, the tower is 50 feet tall, while it is only 42 feet away from my property line and maybe 50 feet from my bedroom where I sleep each night. Yet neither party involved in this proposed project felt it necessary to speak to their next door neighbor whose backyard this facility would tower over. Given the total lack of communication, I had no idea that a hearing would be happening until I saw the notice, and I have an out-of-town commitment that will not allow me to attend the city meetings on September 11th and 16th when the city will consider this project. If the city does not outright reject this project, as it should, I request that the meetings at which this project is considered be delayed until neighbors such as myself have fair warning and are able to attend the meetings when the city considers the application. I know for a fact that I am not the only neighbor who is upset about this and will be unable to attend the meetings.

The reasons why this project should be rejected by the city are many and compelling. The stated purpose of the project according to the application is to provide better wireless coverage for ASU and businesses along Apache Boulevard and Mill Avenue. The application notes unsuccessful negotiations with both ASU and the Twin Palms Hotel to locate this tower in those areas. It is poor public policy to allow the applicant to therefore foist its facility into a residential area when it has options to locate the facility elsewhere and has merely been unable to achieve suitable terms for an agreement. This is particularly true when the reason the facility is needed is to serve ASU and the business areas, not the residential area T-Mobile seems to view as an avenue of least resistance.

I will literally have to stare at this fake palm tree every time I walk out into my backyard which it will tower over. Tellingly, the application includes a number of perspectives of the fake palm tree, but none from the northern direction showing how the 50-foot fake palm tree would appear from nearby residences to the north. Construction of this facility in this location is inappropriate in every sense of the word. Tempe and its City Council often talk about improving and protecting Tempe's neighborhoods. Well, here is an easy opportunity for Tempe to demonstrate that it is serious about taking care of its neighborhoods.

Both my residence and the Tempe Womans Club are historic properties which are currently listed on national and/or local historic property registers. Between the fake palm tree and the 15' by 16', 8' tall block enclosure that will be built on the ground to house various equipment, it will certainly undermine the historic character of the Tempe Womans Club directly, and my home indirectly. Placement of such a facility on and adjacent to two of Tempe's designated historic properties shows a serious disregard for Tempe historic preservation efforts and would help undermine the long term viability of these historic properties. This in and of itself is reason enough to reject this application. One of the reasons I sought historic designation for my home was to try to avoid encroachment of this type of commercial activity as I hope to continue to reside in my historic home in the future. This application will certainly be a test of Tempe's willingness to protect its historic properties or whether development interests will carry the day to the detriment of Tempe's residents. And I shouldn't need to mention that the neighborhood this tower would be placed in is Tempe's oldest remaining neighborhood, the Maple-Ash neighborhood, which has a unique place in Tempe's history and deserves special consideration when projects such as this are being forced on the neighborhood.

A further major obstacle which Tempe must overcome if it wishes to approve this application is Proposition 207, which is an initiative passed by Arizona voters in 2006. Among the provisions of this proposition is the ability of property owners who believe their property values have been reduced by actions taken by the government to seek compensation from the government. Even a quick google of wireless towers and property values reveals a wide variety of information indicating that property values near a wireless tower are impacted negatively. It should be self-evident that placement of a 50 foot wireless tower only 42 feet from my property does has the potential to noticeably reduce the value of my property. The Maple-Ash neighborhood is well acquainted with Proposition 207, as it was used against us by development interests to help kill our efforts to have our neighborhood designated as a historic district. And the city attorney in that case advised the city that it would have exposure to such claims, even though evidence presented through that process overwhelmingly demonstrated that historic district designation increases, not decreases property values. So, in that case, the mere threat of claims under Proposition 207, even with little or no basis, was enough for the city attorney to advise the city against historic designation. By comparison, a much more persuasive case can be made that placement of a 50-foot wireless tower in close proximity to residential properties will reduce the value of adjoining properties and make them more difficult to sell in the future. I will expect the City of Tempe to show the same level of rigor in assessing its exposure to Proposition 207 claims in this case, where the situation is much more compelling, as it did in considering our historic district designation. I will certainly follow this issue very closely and pursue it further if need be.

While an issue that would require more study and analysis, I cannot help but wonder whether there are any health implications to having a wireless tower such a short distance from where I sleep each night. My review to date of the health implications of being near a wireless tower show mixed findings, but this is certainly an open question that is being debated in many communities around the country. But even the potential for any health risks is yet another reason why Tempe should reject this application at the first opportunity. It is an application that should never have been filed and Tempe should send a strong message that its neighborhoods and

residents are more important than providing a cell phone company with a convenient location for a facility that could easily be placed in a less obtrusive location.

In summary, this application was poorly conceived, this project was created with no input from or interaction with the surrounding neighborhood, with no communication even with adjacent neighbors, and it should be rejected at the first opportunity for a variety of reasons discussed above. If the project is not rejected outright, I appeal to the city of Tempe to postpone its consideration by the Historic Preservation Commission and the subsequent city hearing until a later date when myself and other neighbors are consulted and are able to attend. Due process and sound public policy demand no less. If this project is not rejected, I will appeal it to the Development Review Commission and the City Council if necessary. Thank you for your consideration of my comments.

Sincerely,

Bob Gray
1220 S. Mill Avenue
Tempe, AZ 85281

Daffara, Shawn

From: Jay Braun [JAY.BRAUN@asu.edu]
Sent: Saturday, September 06, 2008 8:28 AM
To: Daffara, Shawn

Dear Mr. Daffara,

This is to register my opposition to the proposed relay tower that is proposed for the corner of 13th and Mill, on the property of the Women's Club. I have to be out of town when the hearings for this are scheduled, but wanted to have my view of the matter considered. I live half a block West, which is part of the Maple-Ash neighborhood. These towers, even disguised as palm trees, degrade the neighborhood and increase our concerns about the health hazards of radiation. For all of the same reasons that the historical neighborhood South of the University protested a tower in their neighborhood a short time ago, I protest such a thing in ours. This increase in the carrying capacity of the phone system is, I believe, designed to handle the increase in business from the increased numbers of ASU students in the new dorms. If that is the case, then the proper place for this tower is somewhere on the ASU campus.

Thank you for the opportunity to register this concern.

Jay Braun
1290 S. Maple Ave
Tempe, AZ 85281



TEMPE WOMANS CLUB – T-MOBILE

1290 SOUTH MILL AVENUE

PL080310

PROPOSED SITE FOR MONOPALM