

Staff Summary Report



Hearing Officer Hearing Date: July 17, 2007

Agenda Item Number: 4

SUBJECT: This is a public hearing for a request by T-MOBILE (PL070077) located at 5125 South Rural Road for one (1) use permit.

DOCUMENT NAME: 20070717dssd01

PLANNED DEVELOPMENT (0406)

SUPPORTING DOCS: Yes

COMMENTS: Hold a public hearing for a request by T-MOBILE (PL070077) (Rulon Anderson/T-Mobile, applicant; BSSC Enterprises LTD Partnership, property owner) located at 5125 South Rural Road in the PCC-2, Planned Commercial Center District for:

ZUP07078 Use permit to allow a wireless antenna fifty (50) foot monopine.

PREPARED BY: Shawn Daffara, Planner II

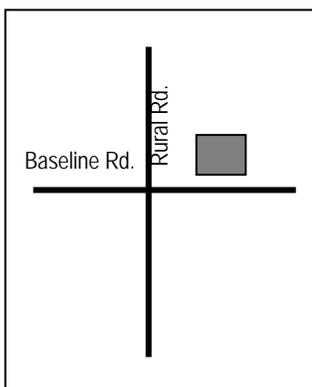
REVIEWED BY: Steve Abrahamson, Planning & Zoning Coordinator (480-350-8359)

LEGAL REVIEW BY: N/A

FISCAL NOTE: N/A

RECOMMENDATION: Staff – Approval subject to Conditions 1-8

ADDITIONAL INFO: The applicant, T-Mobile is seeking approval for a use permit to allow a fifty-three and a half (53'-6") feet tall wireless communication tower (mono-pine / tree structure). The project is located at 5125 South Rural Road in the PCC-2, Planned Commercial Center General District. The proposed mono-pine will be located on the east side of the Accident Chiropractic building and to the north of the previous approved Cingular Mono-Pine. The property is situated just north of Baseline Road and on the east of Rural Road. The site has a single story medical-office building. Staff recommends approval of the proposal as submitted, with conditions.



PAGES:

1. List of Attachments
2. Comments;
3. Reason(s) for Approval; Conditions of Approval; History & Facts
4. Description; Zoning & Development Code Reference

ATTACHMENTS:

1. Location Map(s)
2. Aerial Photo(s)
3. Letter of Intent
4. Site plan
5. Enlarged Site plan.
6. Elevation(s)
7. Photo Simulation
- 8-9. Staff Photographs

COMMENTS:

The applicant is before the Hearing Officer to request a use permit to allow a fifty three and half foot (53'- 5") foot tall wireless communication tower (pine tree structure). The project is located at 5125 South Rural Road. The proposed "mono-pine" structure will be located on the east side of the Accident Chiropractic property in an adjacent landscape area. The subject property is bounded by PCC-2, Planned Commercial Center General District to the east (Doc & Eddy's Sports Bar), similar PCC-2 (Bank of America) to the south, Rural Road to the west and to the north are two properties, (Lingerie Superstore) which is zoned PCC-2, and (City Scape Apartments) which is zoned R-3, Multi-Family Zoning District.

A co-location survey was not required in that the applicant is proposing a second mono-pine to the site complementing the previously approved Cingular mono-pine. The planning division is inclined to recommend approval of the stealth antennas to encourage applicants to co-locate sites through matching or complementary installations. Initially, T-Mobile proposed a co-location on the previous approved Cingular mono-pine. After review of plans indicating a three (3) carrier, seventy foot (70) pole with a sixty-two inch (62") diameter base; staff determined the concept would appear out of context with the surroundings and suggested Cingular (the applicant) to request a sixty foot (60') mono-pine accommodating only two (2) wireless antennas. T-Mobile was removed from the Cingular request and was informed by staff to apply for a second mono-pine to compliment the Cingular installation at this property.

To date, there has been no public input.

Use Permit

The Zoning and Development Code requires a use permit for a wireless telecommunications antenna in all allowable commercial and Mixed-use zoning districts including the PCC-2, Planned Commercial Center General 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 the uses.

Conclusion

Staff is recommending approval of the request with conditions owing that no apparent nuisances, excessive traffic or hazards will result.

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 clearances from the Building Safety Division of the Development Services Department.
2. The mono-palm shall be no greater than 53'-6" (fifty three and half feet) in height (to the top of the mono-pine) as per plans submitted with this request.
3. Any intensification or expansion of use, including co-location of additional antennas, will require a new use permit.
4. The proposed mono-pine shall match the previously approved (Cingular) mono-pine in color, material and form.
5. The wireless device shall be removed within 30 days of discontinuance of use.
6. The landscape area to the north and east of the T-Mobile Enclosure shall have two (2) 24" box pine trees installed. Details to be resolved through building permit plan review.
7. The enclosure gate shall require lighting that meets five (5) foot candles at the gate and two (2) foot candles with 15' radius.
8. All light fixtures shall be full cut off design and comply with Zoning and Development Code, Part 4, Chapter 8.

HISTORY & FACTS:

December 7, 1999:

Use Permit approved for Sprint Wireless for a 45' monopole (flagpole)

January 2, 2007

ZUP06067: Use permit approved for Cingular Wireless for a sixty (60) foot wireless antenna (mono-pine).

DESCRIPTION:

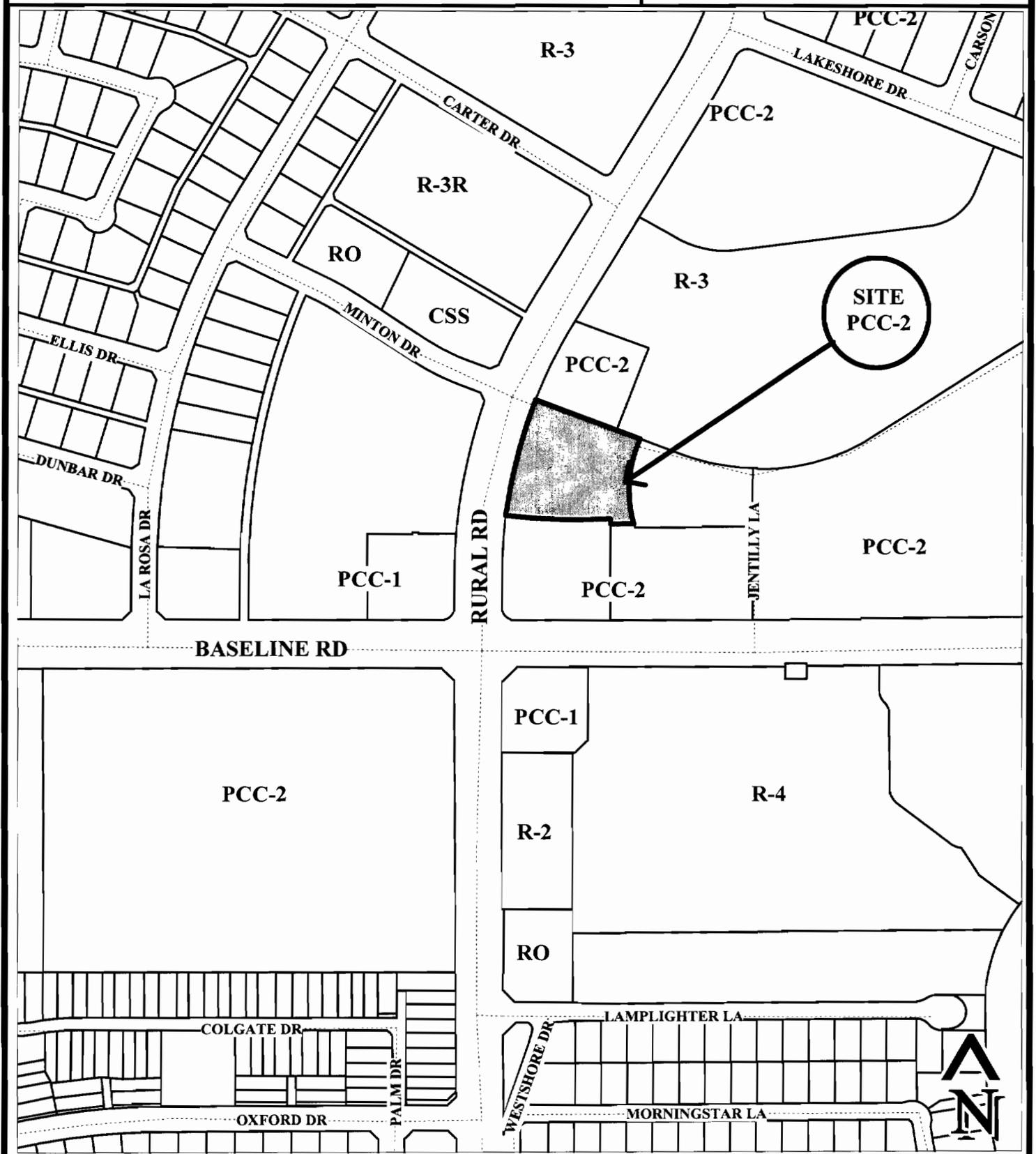
Owner – BSSC Enterprises LTD Partnership
Applicant – Rulon Anderson/T-Mobile
Existing zoning – PCC-2, Planned Commercial Center District
Total site area – 65,032 s.f. /1.49 acre
T-Mobile Lease Area– 600 s.f.

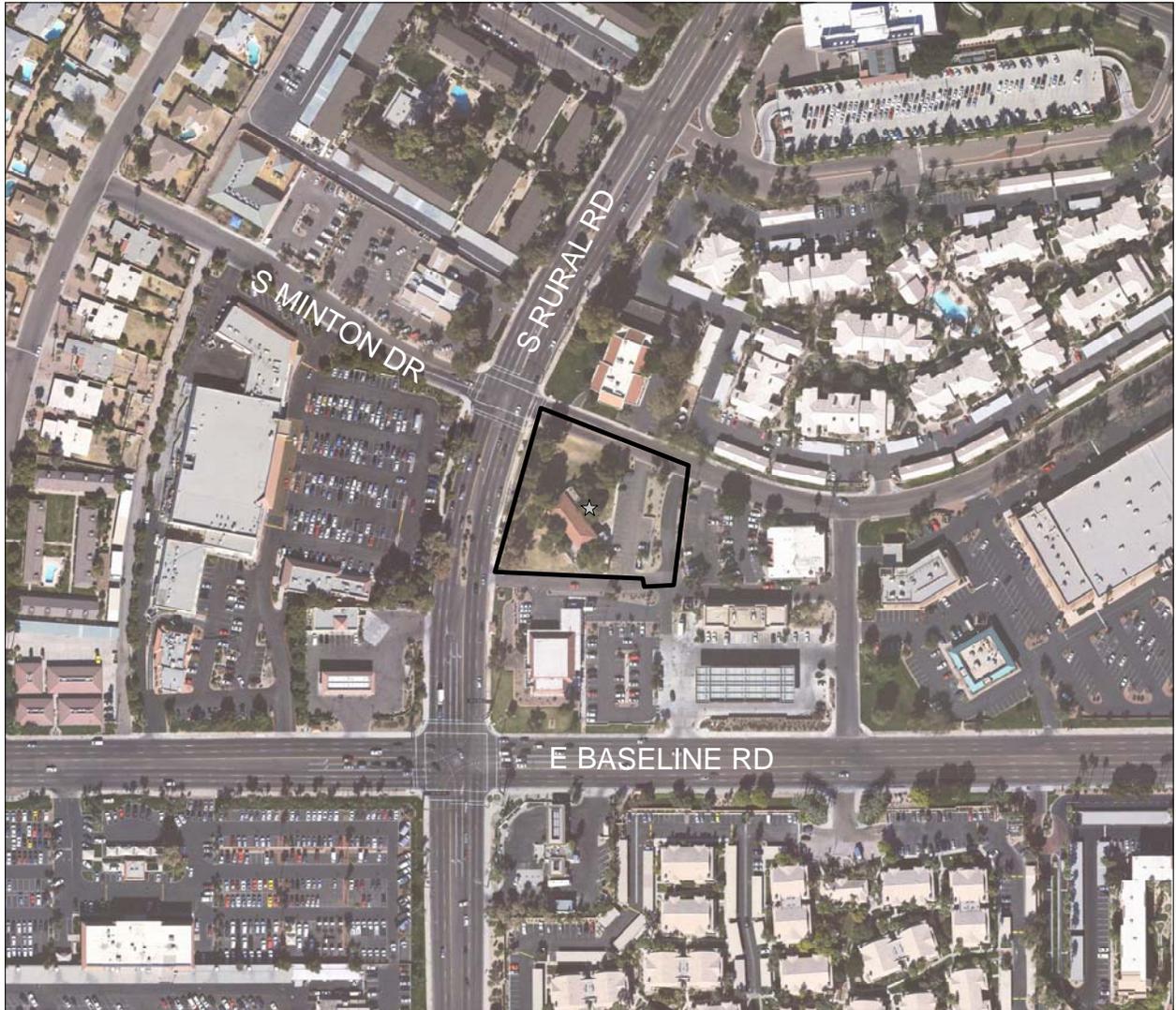
**ZONING AND
DEVELOPMENT
CODE REFERENCE:**

Part 3, Section 3-202 – Permitted Uses in Commercial and Mixed-Use Districts
Part 3, Section 3-421 - Wireless Telecommunications Facilities
Part 6, Section 6-308 Use Permit.

T-MOBILE

PL070077





CHIROPRACTIC MONOPINE T-MOBILE (PL070077)

Project Information:

Chiropractic Monopine
5125 S Rural Rd.
Tempe, AZ 85282

APN: 131-41-641A

Proposed Use:

This application is for a new 50' stealth monopine cellular communication facility intended to provide cellular service to the people in this area, with minimum visual impact. The related ground equipment will be located adjacent to the new monopine inside a 20' by 30' foot compound with an 8' block wall surrounding. The block wall will be painted and textured to match the existing buildings on the property.

Current Zoning:	PCC-2
Zoning to North:	PCC-2
Zoning to East:	PCC-2
Zoning to South:	PCC-2
Zoning to West:	PCC-1

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 system, refuse collection, or sewer system.

The property is located on the east side of Rural just North of Baseline Road. The pole will be located in an existing landscape area and the equipment compound will be located in an adjacent landscape area. The equipment will be surrounded by an 8' block wall to screen the view of the equipment from Rural Rd.

This development will not affect any vehicular or pedestrian patterns. The communications site does not emit any odor, dust, gas, noise, vibrations, 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
PH10245H

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TEMPLE DEVELOPMENT SERVICES DEPARTMENT

T-Mobile
Verizon Wireless

PLANS PREPARED BY
Communication Services, Inc.
1811 East Broadway Blvd, Suite 111, Tempe, AZ 85282



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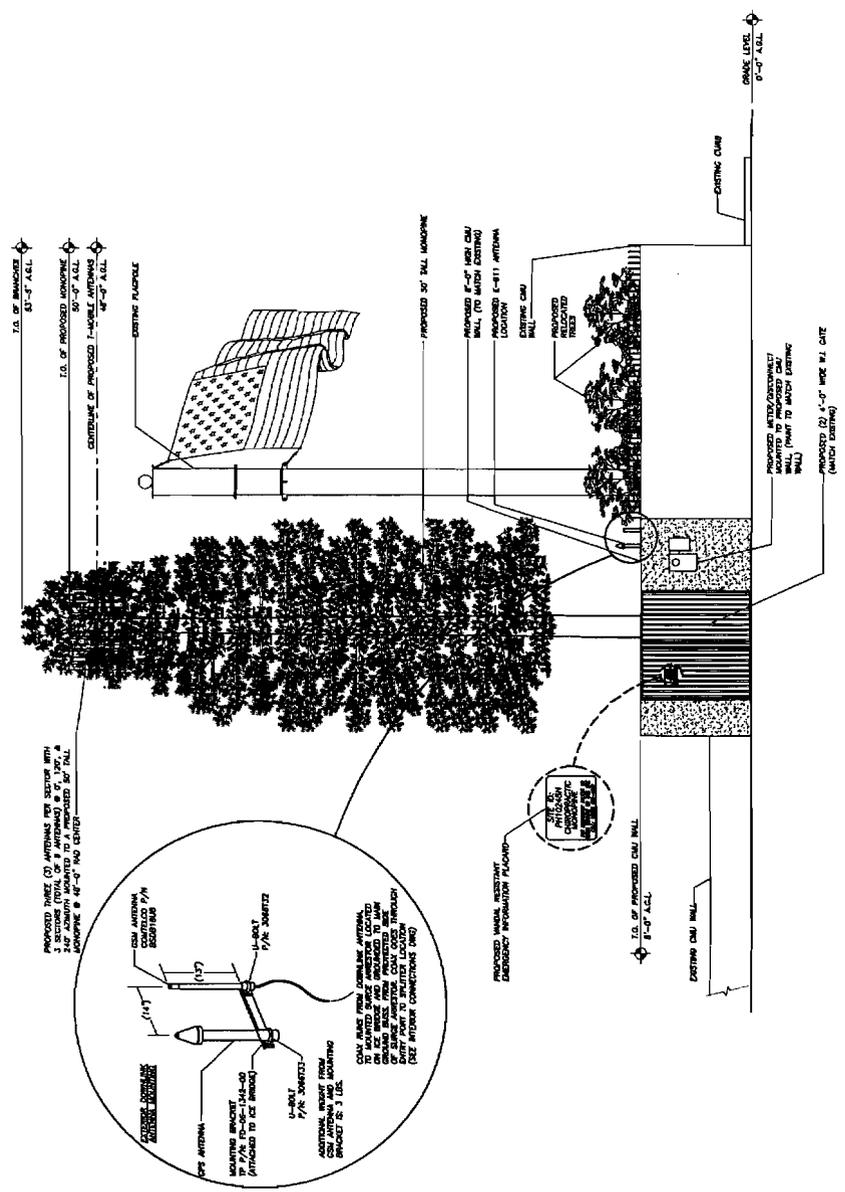
NO.	DATE	DESCRIPTION	BY
1	02/12/07	PRELIMINARY ZONING E.A.	
2	02/15/07	SUBMITTAL ZONING E.A.	

PROJECT INFORMATION
16-0004
PH10245H
CHIROPRACTIC
MONOPRAC
6335 S RURAL RD
TEMPE AZ 85283

ELEVATION

Z-3

APPROVAL BLOCK



WEST ELEVATION



Existing Location



Proposed Location

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TEMPER-DEVELOPMENT
SERVICES DEPARTMENT



T-MOBILE

5125 S. RURAL RD.

PL070077

PROPOSED LOCATION OF NEW MONO-PINE



T-MOBILE

5125 S. RURAL RD.

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PROPOSED LOCATION OF NEW MONO-PINE