

AGENDA ITEM #: \_\_\_\_\_

DATE: August 22, 2016

COAC #: 16-5882

**CITY OF GOODYEAR  
CITY COUNCIL ACTION FORM**

**SUBJECT: Special Use Permit to allow the installation of a Wireless Communication Facility monopalm at 13657 W. McDowell Road**

**STAFF PRESENTER:** Alex Lestinsky,  
Planner II

**CASE NUMBER:** 16-350-00002

**APPLICANT:** Michael Campbell, Campbell  
A&Z, LLC on behalf of Verizon Wireless

**RECOMMENDATION:**

1. Conduct a public hearing to consider a Special Use Permit to allow a monopalm in the parking lot of the existing Palm Valley Medical Plaza.
  1. Open public hearing
  2. Staff presentation
  3. Receive public comment
  4. Close public hearing
2. Approve a Special Use Permit to allow the installation of a proposed Verizon Wireless Communication Facility (WCF) to include a 65-foot tall monopalm and support equipment on property located at 13657 W. McDowell Road, subject to the following stipulations:
  1. The development and use of the site for a Verizon WCF shall be in substantial conformance with the project narrative and preliminary development plans submitted with the Special Use Permit applications, except as modified by these stipulations;
  2. The Verizon WCF shall consist of a stealth monopalm design with a maximum height of 65-feet;
  3. Co-locations of additional antennae on the WCF would be considered for permitting, subject to the proposed antennae not compromising the appearance of the monopalm as determined by the Development Services Director or designee; and,
  4. The development and operation of the wireless communication facility shall be in conformance with all applicable health, nuisance, fire and safety codes. If upon inspection, the city determines that the facility fails to comply with such applicable codes, then the facility operator and/or owner shall have 30 days to bring the facility into compliance. Failure to bring the facility into compliance within 30 days shall constitute grounds for the removal of the facility at the operator and/or owners expense.

## **PURPOSE:**

The Special Use Permit will allow the Verizon Wireless Communications Facility (WCF) to include a 65-foot monopole, antennas, and support equipment in the parking lot of the existing Palm Valley Medical Plaza. Staff finds the proposed request will be compatible with the surrounding area, will not be a detriment to surrounding properties or persons, and will be in conformance with the General Plan.

## **BACKGROUND AND PREVIOUS ACTIONS:**

This item has not been previously presented to the City Council.

## **CURRENT POLICY:**

Special Uses are land use activities that may be allowed in the City, but because of their unique nature, potential for creating impacts on other uses, or pre-existing legal status may require particular consideration as to their proper location and/or maintenance in relation to adjacent established or intended uses, or to the planned development of the City.

Section 1-3-4 (Special Use Permits) of the Zoning Ordinance provides that Special Use Permits may be approved only upon a finding that the proposed development and/or use reflected in the application submittal for the Special Use Permit conform to the regulations in section 1-3-4. An analysis of those regulations is included in the Staff Analysis section of this staff report.

Special Use Permits related to wireless communications facilities are further reviewed for conformance to section 4-2-4. The design criteria in 4-2-4-C ensure that the design and separation requirements are being satisfied.

## **DETAILS OF THE REQUEST:**

### **Surrounding Properties:**

Existing and proposed land uses surrounding the site include the following:

- North – McDowell Road and Single Family Residential within Palm Valley PAD
- South – Abrazo West Campus, zoned PAD
- East – Palm Valley Medical Plaza, zoned PAD
- West – Palm Valley Pavilions East Shopping Center, zoned PAD

### **Phoenix-Goodyear Airport:**

Phoenix-Goodyear Airport requests that a Notice of Proposed Construction or Alteration (Form 7460-1) be filed with the FAA for any WCF, and a copy of the “No Hazard Determination” provided to the City prior to the issuance of a building permit. A recommended stipulation of approval will require the applicant and/or site operator to file the subject form with the FAA and provide the “No Hazard Determination” to the City prior to the issuance of a building permit for the WCF.

**Luke Air Force Base:**

Luke AFB requests that the applicant and/or site operator file a Notice of Proposed Construction or Alteration (Form 7460-1) with the FAA. A recommended stipulation of approval will require the applicant and/or site operator to file the subject form with the FAA and provide the “No Hazard Determination” to the City prior to the issuance of a building permit for the WCF.

**Public Safety:**

The WCF should not adversely affect public safety communication.

**PUBLIC PARTICIPATION:****Citizen Review Meeting:**

This item was subject to an alternative Citizen Review process. A written notification of the proposed project was sent to property owners within 500-feet of the site detailing the project and indicating staff contact information. Staff received one inquiry from a Palm Valley resident regarding the location of the monopalm with concerns of the impacts on the hospital and the requirements of separation between poles, but was satisfied knowing that the hospital had submitted a letter in favor of the location and that all requirements were met.

**Planning and Zoning Commission Meeting:**

The public hearing before the Commission was scheduled for August 17, 2016. Notice for this public hearing before the Planning and Zoning Commission included a postcard mailed to the owners of property within 500 feet of the subject property on July 20, 2016; a legal notice published in the Arizona Republic on July 29, 2016; and a notice of public hearings sign posted on the property on July 28, 2016. Since the City Council meeting was scheduled for the week following the Planning and Zoning Commission hearing, an update regarding the outcome of this meeting will be provided to Council with staff’s presentation.

**STAFF ANALYSIS:**

Staff finds the proposed Special Use will be compatible with the existing and proposed uses in the surrounding area, and will not be a detriment to any surrounding properties or persons, and will be in conformance with the General Plan. The application included all information required per Section 4-2-4 of the City Zoning Ordinance for staff to conduct its review.

The immediate area surrounding the proposed WCF is designated for commercial and some residential uses. The nearest residential dwellings are in Palm Valley, located approximately 300 feet to the north. The monopalm and equipment shelter will be setback from McDowell Road, the closest right-of-way, by about 200 feet. Section 4-2-4-C-4 requires a minimum setback from non-residential and residential lot lines as the height of the tower and twice the height of the tower, respectively.

The accessory equipment will not be visible to the public given the 8-foot tall screen wall proposed around the WCF. Access will be provided to the WCF site off of McDowell Road for general maintenance anticipated to take place once a month. There will be no adverse effects to roadway circulation, nor a significant increase in traffic. One parking space will be utilized for the WCF however will be replaced elsewhere in the parking lot.

The facility will require electrical utilities, accessible via the public right-of-way and will be underground to the site. In the event of a power outage, backup power will be provided by a 30kW diesel-driven backup generator within the proposed cabinet. There will be no excessive odor, dust, gas, noise, vibration, smoke, heat or glare emitted from this facility.

Section 4-2-4-C-5 requires a 1,320 foot separation from existing wireless communication facilities. The two closest facilities are roughly 3,000 feet to the east and 3,000 feet to the west, satisfying the requirement.

**FISCAL ANALYSIS:**

A fiscal impact analysis was not conducted for this item.

**ATTACHMENTS:**

1. Aerial Photo
2. Narrative
3. Photo Simulation
4. Site Plan