

STAFF REPORT**Case # CUP23-02**

To: Planning and Zoning Commission

Through: Rick Williams, Planning and Zoning Manager

From: Alexander Bosworth, Planner

Meeting Date: January 22, 2024

REQUESTS

PUBLIC HEARING: CUP23-02 Verizon Wireless at the Duke at Rancho El Dorado – A request by Pinnacle Engineering on behalf of Sun State Towers and Verizon Wireless for a new 64-foot tall stealth wireless facility. The site is generally located northeast of the intersection of Rancho El Dorado Pkwy. and N. Santa Rosa Dr., within the Rancho El Dorado subdivision. **Discussion and Action.**

APPLICANT/PROPERTY OWNER

Applicant: Pinnacle Engineering
Contact: Christopher Curiel
Chris.Curiel@pinnacleco.net

Owner: Hiro Investment, LLC ETAL
221 E. Walnut St. STE 268
Pasadena, CA 91101

COUNCIL PRIORITIES CONSIDERED

- Quality of Life
- Economic Sustainability
- Managing the Future
- Public Safety

PROJECT DATA

Site Gross Acres	110.44 acres
Existing Tower Height	64 feet (top of steel); 69 feet (top of branches)
Parcel #	512-03-0140
Site Address	N/A
Existing Site Use	Golf Course
Existing General Plan Land Use	Medium Density Residential (MDR)
Existing Zoning	CR-3 Single Family Residential; Planned Area Development
Existing Overlays	N/A

SURROUNDING ZONING/LAND USE

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Medium Density Residential (MDR)	CR-3 Single Family	Golf Course
East	Medium Density Residential (MDR)	CR-3 Single Family	Golf Course
South	Medium Density Residential (MDR)	CR-3 Single Family	Residential
West	Medium Density Residential (MDR)	CR-3 Single Family	Golf Course

ANALYSIS

The applicant is proposing a new 64' cell tower, which features a stealth monoelm design and will be painted to blend in with the surrounding environment, as required by the City of Maricopa. The proposed location is an unused landscape area near the Duke golf-course entrance road and paths. Access to the site will be directly off the existing paved road heading west into the compound. The project will cause no discernible impacts to pedestrian or vehicular transit around the proposed location. Ground equipment will be located within an 8' CMU enclosure, featuring a faux rock aesthetic to blend in further with the surrounding context. The facility compound will be locked for general safety.

Verizon Wireless will be the initial carrier to locate on the wireless facility, with the capability of two other carriers to collocate in the future. Once construction is complete, the unmanned facility will require infrequent site visits for service upgrades or monthly maintenance. The facility will not emit any light, odor, noise, or pollutants, and should have no major impact on the environment or to neighboring residents of Rancho El Dorado.

The objective of this proposed telecommunications facility is to increase Verizon Wireless's coverage and bandwidth for customers in the area surrounding the proposed site, and improve coverage for emergency response purposes. This will allow for indoor cell service coverage on the northeast side of Maricopa, and along W. Smith Enke Rd. and surrounding residential subdivisions. This facility will also offload other cell tower sites within the City. The applicant has demonstrated that there are other limiting factors that render existing towers, antennas and structures unsuitable, and thus the applicant is proposing a new tower location.

Pinnacle Engineering, as the applicant on behalf of Sun State Towers and Verizon Wireless, is proposing the following scope of work as part of this Conditional Use Permit:

1. Tower Scope of Work:
 - a. Install proposed 64'-0" Sun State Towers Monoelm (Stealth Design)
 - b. Install 12 proposed antennas
 - c. Install 12 proposed remote radio heads
 - d. Install one (1) proposed OVP-12
 - e. Install two (2) proposed hybrid cables
2. Ground Scope of Work:
 - a. Install proposed 8' tall CMU wall
 - b. Install proposed 1,349 square-foot ground enclosure
 - c. Install proposed 4'x8' concrete pad
 - d. Install proposed 4'x12' concrete pad
 - e. Install proposed 50KW diesel generator
 - f. Install one (1) outdoor power cabinet
 - g. Install one (1) outdoor RF cabinet
 - h. Install one (1) telco service

CITIZEN PARTICIPATION:

Prior to recommending approval of the rezoning and general plan amendment, the applicant submitted a public participation plan to demonstrate the materials used to inform surrounding property owners of the proposed Conditional Use Permit as required per the city's Zoning Code. The Public Participation Plan included a neighborhood meeting, notification letters to all property owners within **600 feet** of the subject area, public notice signs within the subject area, and legal notices in the local newspaper circulator. A copy of the Citizen Participation Report is available to be reviewed upon request.

- Legal Notices mailed out on 12/14/2023

- Sign Posting on 12/18/2023
- Newspaper Notice in the Casa Grande Dispatch on 12/28/2023
- 2nd Round of Legal Notices mailed out on 12/29/2023
- Neighborhood Meeting was held on 01/04/2024
- Public Hearing scheduled for 01/22/2024

PUBLIC COMMENT:

No comment has been received as of the time of this writing.

CRITERIA FOR APPROVAL

As required by Sec. 18.150.060 of the Zoning Code, the Planning & Zoning Commission shall make the following findings:

1. The proposed use is allowed within the applicable zoning district and complies with all other applicable provisions of this code and the Maricopa City Code.

***Staff Analysis:** The proposed use is allowed within this zoning district and complies with all other applicable provisions of the Code.*

2. Approval of the proposed project will advance the goals and objectives of and is consistent with the policies of the general plan and any other applicable plan and/or policies that the city has adopted.

***Staff Analysis:** The approval of this proposed project will advance the goals and objectives of and is consistent with the policies of the general plan and any other applicable plan and/or policies that the city has adopted.*

3. The location, size, design, and operating characteristics of the proposed project are consistent with the purposes of the zoning district where it is located and conform in all significant respects with the general plan and with any other applicable plan or policies adopted by the city council.

***Staff Analysis:** All of the above criteria of the proposed project are consistent with the purposes of this zoning district and with the policies of the general plan and all other applicable plans and policies adopted by the city council. The applicant has demonstrated great effort in providing an exterior design that is compatible with the surrounding residential subdivision.*

4. The proposed project will not be injurious or detrimental to the property or improvements in the neighborhood or to the general welfare of the city.

***Staff Analysis:** The proposed project will not be injurious or detrimental to the property or improvements in the neighborhood or to the general welfare of the city.*

CONCLUSION:

Staff recommends **approval** of **case CUP23-02**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

1. Construction of the project shall be in conformance to the exhibits submitted with this Conditional Use Permit (CUP23-02) and as amended by the Planning and Zoning Commission.
2. The Conditional Use Permit shall be issued for a term of ten (10) years. At the end of this specified term, the permit shall automatically expire unless a written request for renewal is submitted by the applicant, prior to expiration, to the zoning administrator. The city shall notify the applicant in writing at least 90 days prior to the expiration date of the permit for the facility.
3. If a request for renewal of the Conditional Use Permit is received, the permit shall remain in effect until a decision on the renewal is made. The renewal request shall be reviewed in a similar manner as the original approval.
4. The tower shall provide the option for future co-locations of other wireless communication providers on a reasonable and non-discriminatory basis.
5. The tower shall be set back a distance equal to at least one hundred percent (100%) of the height of the tower from any lot with a residential use, or be constructed such that it collapse unto itself. The tower shall not exceed a maximum allowable height of 75 feet.
6. Pole-mounted equipment shall be painted to match the monoelm branches, or modified as to reduce their visual impact on the facility's stealth design.
7. The cellular tower and all currently proposed antennas must meet or exceed current standards and regulation of the FM, the FCC, and any other agency of the state of federal government with the authority to regulate towers and antennas.
8. The cellular tower shall not be artificially lighted, unless required by the FM or other applicable authority. If lighting is required, the lighting alternatives and design chosen must cause the least disturbance to the surrounding neighbors.
9. If outdoor lighting is proposed in the future, applicant is to submit a photometric plan, cut-sheet, and specs for all outdoor lighting fixtures for review and approval by Staff. All outdoor illumination shall be directed downward and away from public street and residential uses.
10. The equipment storage enclosure shall comply with all applicable building codes.
11. Before issuance of the final Certificate of Occupancy, the applicant shall submit and secure all required application, plans supporting documents submittals, approvals and permits from the applicable federal, state, county and any other agencies as applicable.
12. The development and operation of the proposed Facility shall be in accordance with all applicable Arizona Department of Environmental Quality (ADEQ), if applicable and other regulatory agencies rules and regulations.
13. Per International Fire Code, emergency signage must be posted and fire apparatus gate must always be kept clear. This includes any knock lock(s) that is required by the City of Maricopa Fire Department. Applicant shall install all necessary knock lock(s) per the Fire Department.
14. The applicant shall have met and complied with all applicable fire codes under the 2018 IFC.

15. Prior to the building permit being issued the applicant shall provide a brief drainage statement for the cell towers that discusses the drainage patterns for the site, the floodplain, any offsite flows affecting the site, volume of retention required and volume of retention provided for the site.
16. No signs shall be allowed on the property without a formal sign permit application with the City of Maricopa.
17. Future changes/ amendment of uses to the Conditional Use Permit not approved with this case, and or, addressed during this review shall require separate review and approval from staff and, if required the Planning and Zoning Commission.

ATTACHMENTS:

Exhibit A: Narrative

Exhibit B: Construction Drawings

Exhibit C: Elevations and Photo Simulations

-- End of staff report --