**STAFF REPORT****Case # CUP22-02**

To: Planning and Zoning Commission

Through: Rick Williams, Planning and Zoning Manager

From: Alexander Bosworth, Assistant Planner

Meeting Date: June 27, 2022

REQUESTS

PUBLIC MEETING: CUP22-02 DISH Co-Location on W. Bowlin Rd. – A request by Tower Engineering Professionals (TEP) on behalf of DISH Wireless to co-locate equipment onto an existing cell tower. The proposed modification will not increase the height of the existing monopole and will not expand the existing fenced compound area. The site is located on City-owned property just southeast of the Copper Sky Recreation Complex. **Discussion and Action.**

APPLICANT/PROPERTY OWNER

Applicant: Tower Engineering Professionals
 Case Planner: Alexander Bosworth
 39700 W. Civic Center Plaza
 Maricopa, AZ 85138

Owner: City of Maricopa
 43929 W. Bowlin Rd.
 Maricopa, AZ 85138

COUNCIL PRIORITIES CONSIDERED

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

PROJECT DATA

Existing Tower Height	95 feet
Parcel #	510-12-014M
Site Address	43929 W. Bowlin Rd. Maricopa, AZ 85138
Existing Site Use	Parks and Open Space Recreation
Existing General Plan Land Use	Public / Institutional (P)
Existing Zoning	TR Transitional Zone

SURROUNDING ZONING/LAND USE

Direction	General Plan Land Use	Existing Zoning	Existing Use
North	Employment (E)	TR Transitional Zone	Copper Sky
East	N/A	N/A	State Land
South	Public / Institutional (P)	TR Transitional Zone	Copper Sky
West	Public / Institutional (P)	TR Transitional Zone	Copper Sky

ANALYSIS

Tower Engineering Professionals (TEP), as the applicant on behalf of DISH Wireless, is requesting:

1. Tower Scope of Work:
 - a. Install (3) proposed panel antennas
 - b. Install three (3) proposed antenna T-arm mount
 - c. Install proposed jumpers
 - d. Install six (6) proposed RRU's at two (2) per sector
 - e. Install one (1) proposed over voltage protection device (OVP)
 - f. Install one (1) proposed hybrid cable
2. Ground Scope of Work:
 - a. Install one (1) metal platform
 - b. Install one (1) ice bridge
 - c. Install one (1) PPC cabinet
 - d. Install one (1) equipment cabinet
 - e. Install one (1) power conduit
 - f. Install one (1) telco conduit
 - g. Install one (1) telco-fiber box
 - h. Install one (1) GPS unit
 - i. Install one (1) safety switch (if required)
 - j. Install one (1) fiber NID (if required)
 - k. Install one (1) meter socket

These proposed modifications are not to increase the height of the existing monopole and will not expand the existing fenced compound area.

Within the City of Maricopa's Zoning Code, the City strongly encourages the joint-use (co-location) of new and existing tower sites as a primary option rather than construction of additional single-use towers. This proposal meets the intent of this Code.

This project will help support the 5G connectivity needs of residents, businesses, public services, educational facilities, healthcare, and first responders. This proposed co-located facility will not negatively impact nearby communities, and will play a role in providing high-speed wireless connectivity for residents and businesses alike, as well as for first responders and emergency services.

CITIZEN PARTICIPATION:

Prior to recommending approval of the Conditional Use Permit, 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 Participation Plan is available to be reviewed upon request.

- Legal Notices mailed out on 05/06/2022
- Sign Posting on 05/09/2022
- Newspaper Notice in the Casa Grande Dispatch on 05/09/2022
- Neighborhood Meeting was held on 05/24/2022
- Public Hearing scheduled for 06/27/2022

CRITERIA FOR APPROVAL

As required by Sec. 18.150.060 of the City's Zoning Code, the Planning & Zoning Commission shall make the following findings in their recommendation to the City Council:

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.*

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.*

PUBLIC COMMENT:

As of the writing of this report, no additional correspondence has been received by staff.

CONCLUSION:

Staff recommends **approval** of **case CUP22-02**, subject to the conditions of approval stated in this staff report, and as amended by the Planning and Zoning Commission.

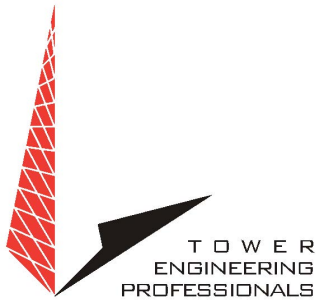
ATTACHMENTS:

Exhibit A: Narrative

Exhibit B: Site Location Map

Exhibit C: Photo Simulations

-- End of staff report --



4/25/2022, 9:04:28 AM

CUP22-02

TEP PHOENIX OFFICE
4710 E. ELWOOD, SUITE 9
PHOENIX, AZ 85040
480-599-1852
WWW.TEPGROUP.NET

April 20th, 2022

RE: PROJECT NARRATIVE FOR EXISTING TELECOMMUNICATIONS FACILITY MODIFICATION

PROJECT SITE ADDRESS: 43929 West Bowlin Road, Maricopa, AZ 85138
PARCEL NUMBER: 51012014M
ATC SITE NUMBER/ NAME: 415367/ AK-CHIN AZ
DISH NETWORK SITE NUMBER: PXPXH00371A

City of Maricopa Planning Department:

Please see the included application for the collocation to the existing wireless communications facility referenced above. Also included, the DISH Wireless EFR Letter, photosims and related construction documents. The proposed scope of work is as follows:

Installation of (3) antennas, (6) RRU's, and related equipment on an existing 150' self support tower. Additionally, (1) new equipment cabinet, (1) PPC cabinet, and related ground equipment is proposed within the existing fenced compound area. Please see Constructions Drawings for additional details.

The proposed modification will not increase the height of the existing monopole and will not expand the existing fenced compound area. According to the FCC, this proposed modification is an eligible facilities request.

I look forward to working with the City of Maricopa in completing this application and working towards zoning approval. As the primary point of contact for this project, please let me know if any further information is needed.

Sincerely,

Krystal Nelmcs

Site Acquisition Agent | Tower Engineering Professions
Knelmes@tepgroup.net | 480-599-1852

4/20/22

City of Maricopa
Planning & Zoning Division
39700 W Civic Center Plaza
Maricopa, AZ 85138

***Re: 415367_PXPHX00371A_43929 West Bowlin Road
Eligible Facilities Request: Minor Modification to Existing Wireless Facility***

Dear Planning and Zoning Division:

As it moves to deploy a new, national 5G broadband network, DISH Wireless L.L.C. ("Dish Wireless") is pleased to submit the attached, as application to install equipment and initiate operations at the above existing, permitted and approved wireless communications facility.

Please see the scope of work and details within the submittal attached, for specific information related to this installation -- as proposed, this minor modification will not substantially change the physical dimensions of the existing wireless tower or facility.

This project will help support the 5G connectivity needs of residents, businesses, public services, education, health care and first responders. DISH Wireless looks forward to working cooperatively with you to advance these important efforts in your community.

This submittal constitutes a minor modification as an Eligible Facilities Request (EFR) under Section 6409(a) of the Middle-Class Tax Relief and Job Creation Act of 2012 ("Spectrum Act") and the rules of the Federal Communications Commission ("FCC"). (*See Pub. Law No. 112-96, 126 Stat. 156 (2012); 47 C.F.R. §1.6100*). Please accept this letter as confirmation that, as of the date of this letter, Dish Wireless has taken the first step required for the above request, initiating the review period.

DISH Wireless is committed to working cooperatively with you to process this EFR in a timely and effective manner. We also understand that these are challenging times and that COVID-19 can present significant difficulties in the continuation and provision of public services. We welcome the opportunity to discuss and answer any questions or concerns you may have to facilitate the local review process and timely deployment of our communications infrastructure.

We look forward to developing a long-term, collaborative working relationship with you, as well as enhancing communications and networking services in your

community. Please do not hesitate to contact me if you have any questions or need any additional information.

Respectfully submitted,

Krystul Nelmes
Site Acquisition|Tower Engineering Professionals, Inc.
4710 E. Elwood St., Suite 9 | Phoenix, AZ 85040
480-599-1852



Site



AMERICAN TOWER®

SITE NUMBER: 415367

SITE NAME: AK-CHIN AZ

DISH SITE NAME: AK-CHIN AZ

DISH SITE NUMBER: PXPXH00371A

DISH COLLOCATION ON EXISTING MONOPOLE TOWER

43929 WEST BOWLIN ROAD
MARICOPA, AZ 85138
(PINAL COUNTY)

City of Maricopa
Planning and Zoning Division
Approved

4/25/2022, 9:03:53 AM

CUP22-02

PHOTO RENDERED BY TOWER ENGINEERING PROFESSIONALS, INC.

EXISTING VIEW: LOCATION 1



AMERICAN TOWER®

SITE #: 415367
SITE NAME: AK-CHIN AZ
ADDRESS: 43929 WEST BOWLIN ROAD
MARICOPA, AZ 85138
COUNTY: PINAL

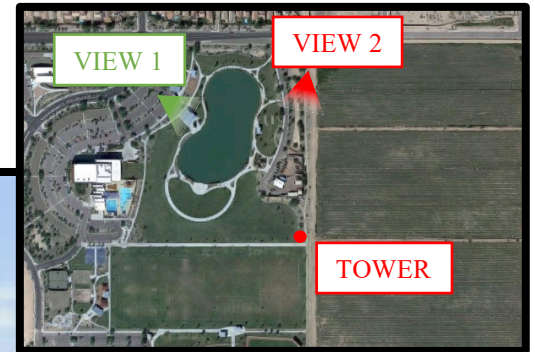


PHOTO RENDERED BY TOWER ENGINEERING PROFESSIONALS, INC.

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Planning and Zoning Division
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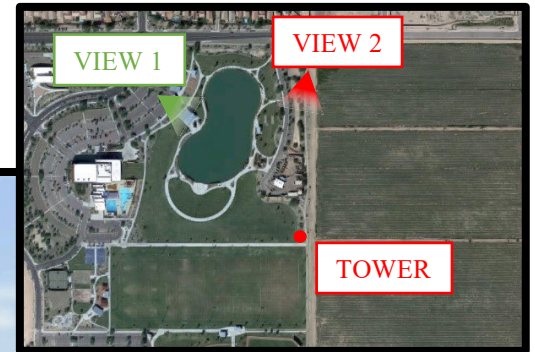


PROPOSED VIEW: LOCATION 1



AMERICAN TOWER®

SITE #: 415367
SITE NAME: AK-CHIN AZ
ADDRESS: 43929 WEST BOWLIN ROAD
MARICOPA, AZ 85138
COUNTY: PINAL

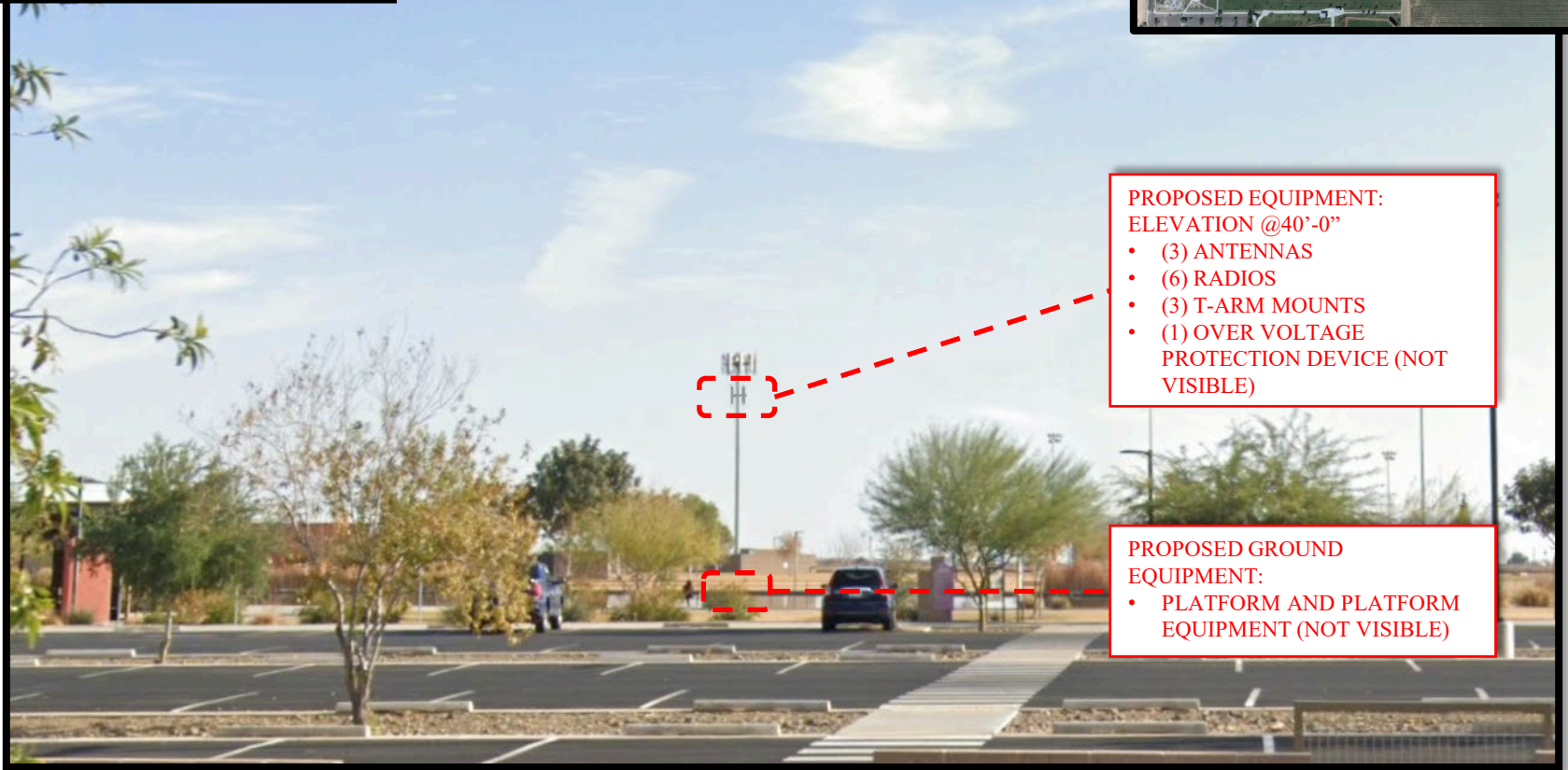


PROPOSED EQUIPMENT:
ELEVATION @40'-0"

- (3) ANTENNAS
- (6) RADIOS
- (3) T-ARM MOUNTS
- (1) OVER VOLTAGE PROTECTION DEVICE (NOT VISIBLE)

PROPOSED GROUND
EQUIPMENT:

- PLATFORM AND PLATFORM EQUIPMENT (NOT VISIBLE)



City of Maricopa
Planning and Zoning Division
Approved

PHOTO RENDERED BY TOWER ENGINEERING PROFESSIONALS, INC.

4/25/2022, 9:03:53 AM

CUP22-02

EXISTING VIEW: LOCATION 2



AMERICAN TOWER®

SITE #: 415367
SITE NAME: AK-CHIN AZ
ADDRESS: 43929 WEST BOWLIN ROAD
MARICOPA, AZ 85138
COUNTY: PINAL

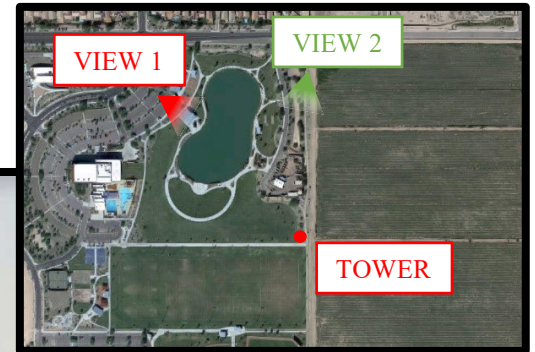


PHOTO RENDERED BY TOWER ENGINEERING PROFESSIONALS, INC.

City of Maricopa
Planning and Zoning Division
Approved

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CUP22-02

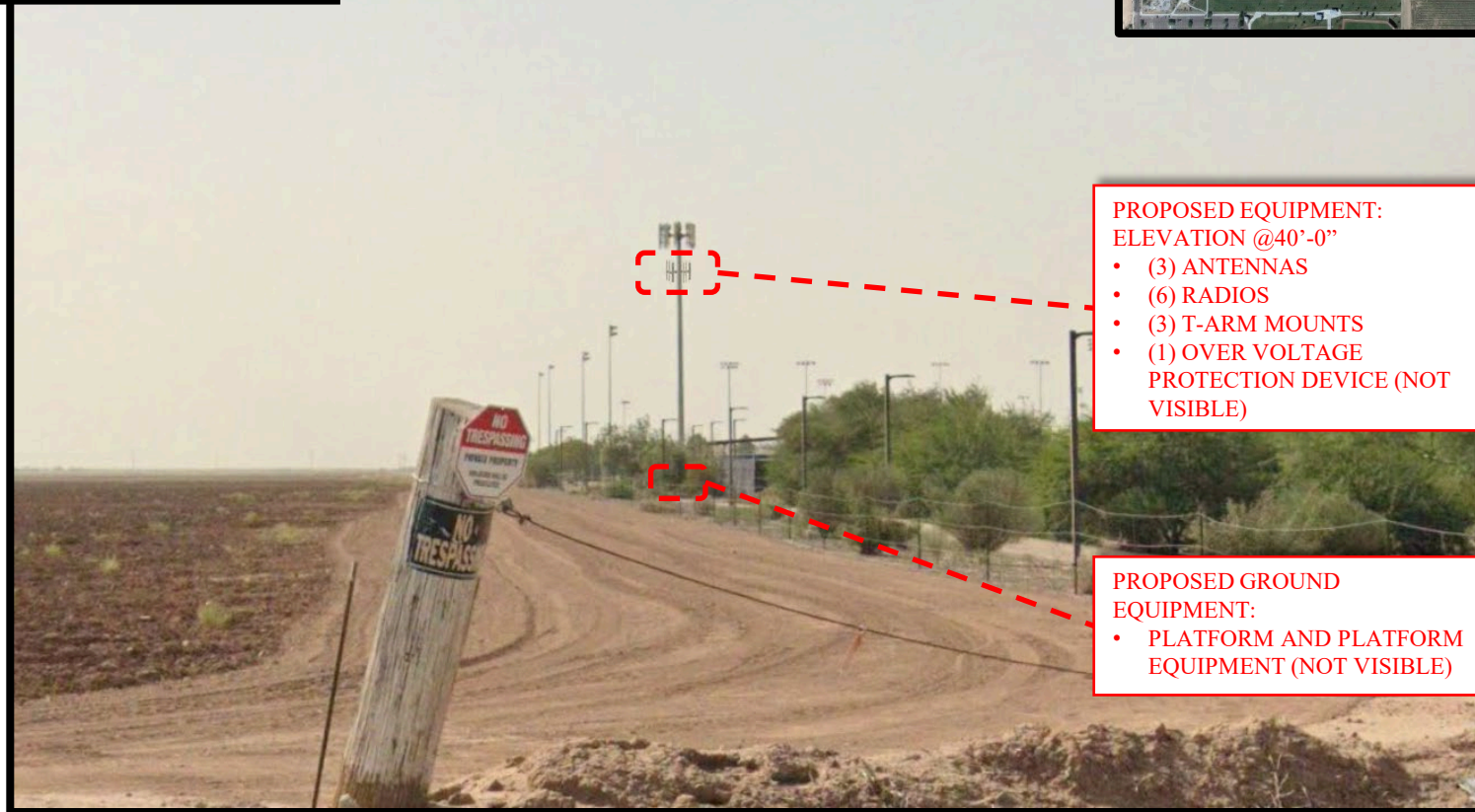
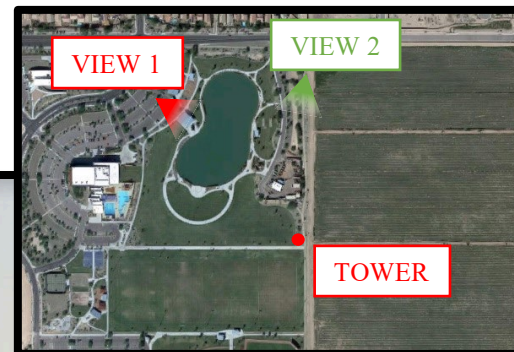


PROPOSED VIEW: LOCATION 2



AMERICAN TOWER®

SITE #: 415367
SITE NAME: AK-CHIN AZ
ADDRESS: 43929 WEST BOWLIN ROAD
MARICOPA, AZ 85138
COUNTY: PINAL



PROPOSED EQUIPMENT:
ELEVATION @40'-0"

- (3) ANTENNAS
- (6) RADIOS
- (3) T-ARM MOUNTS
- (1) OVER VOLTAGE PROTECTION DEVICE (NOT VISIBLE)

PROPOSED GROUND EQUIPMENT:

- PLATFORM AND PLATFORM EQUIPMENT (NOT VISIBLE)

City of Maricopa
Planning and Zoning Division
Approved

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