PLANNING & ZONING COMMISSION
REGULAR MEETING
NOTICE & AGENDA
THURSDAY, FEBRUARY 18, 2010
6:30 P.M.
COUNCIL CHAMBERS
8401 W. MONROE ST.

MUNICIPAL OFFICE COMPLEX
8401 W. MONROE STREET
PEORIA, AZ 85345

PLANNING & ZONING COMMISSION:

Veda McFarland, Chair
Marc Melbo, Vice Chair
Bill Louis, Secretary
Greg Loper
Gene Sweeney
Nancy Golden
Leigh Strickman

Department Liaison
Glen Van Nimwegen

Accommodations for Individuals with Disabilities. *Alternative format materials, sign language interpretation, assistive listening devices or interpretation in languages other than English are available upon 72 hours advance notice through the Office of the City Clerk, 8401 West Monroe Street, Room 150, Peoria, Arizona 85345 (623)773-7340, TDD (623)773-7221, or FAX (623) 773-7304. To the extent possible, additional reasonable accommodations will be made available within the time constraints of the request.*

CONVENE:

ROLL CALL:

OPENING STATEMENT:

CALL TO SUBMIT SPEAKER REQUEST FORMS:

CONSENT AGENDA

CONSENT AGENDA: All items listed with "C" are considered to be routine or have been previously reviewed by the Planning and Zoning Commission, and will be enacted by one motion. There will be no separate discussion of these items unless a Commission member so requests; in which event the item will be removed from the General Order of Business, and considered in its normal sequence on the Agenda.

CONSENT – New Business:

1C **DISPOSITION OF ABSENCE:** Discussion and possible action to approve/excuse the absences of Chair McFarland and Commissioner Golden from the February 4, 2010 meeting.

2C **MINUTES:** Discussion and possible action to approve the minutes of the Regular Meeting held February 4, 2010.

3C **CU09-02290:** First Industrial Realty Trust is requesting a Conditional Use Permit to allow the use of a suite within an existing building for an automobile service establishment by AAMCO Complete Car Care. The proposed location is within the Arrowhead 101 Business Park at 14131 N Rio Vista Boulevard. The property in question is generally located west of the northwest corner of Loop 101 and Thunderbird Road.

4C **CU09-08:** Quinn United Enterprises, LLC is requesting a Conditional Use Permit to allow a wireless communication facility consisting of a 65 foot high monopalm and associated ground equipment. The property is located at the southwest corner of 81st Avenue and Market Street.

REGULAR AGENDA

NEW BUSINESS: None

CALL TO THE PUBLIC: (Non-Agenda Items)

Your comments pertaining to the Planning and Zoning Commission business are welcome. However, if you wish to address the Planning and Zoning Commission, please complete a Speaker Request Form and return it to the clerk before the call to order for this meeting. Boards and Commissions are not authorized by state law to discuss or take action on any issue raised by public comment until a later meeting.

Reports from Staff:
Presentation and primer on the Development Process
Development Summary (information only)

Reports from the Planning and Zoning Commission:

ADJOURNMENT:

NOTE: Documentation (if any) for items listed on the Agenda is available for public inspection, a minimum of 24 hours prior to the Board/Commission Meeting, at any time during regular business hours in the Office of the City Clerk, 8401 W. Monroe Street, Room 150, Peoria, AZ 85345.

PLANNING AND ZONING COMMISSION MINUTES
CITY OF PEORIA, ARIZONA
COUNCIL CHAMBER
FEBRUARY 4, 2010
DRAFT

A **Regular Meeting** of the Planning and Zoning Commission of the City of Peoria, Arizona, convened at 8401 W. Monroe St., Peoria, AZ in open and public session at 6:30 p.m.

Members Present: Vice Chair Marc Melbo, Commissioners Gene Sweeney, Leigh Strickman, Bill Louis, and Greg Loper.

Members Absent: Chair Veda McFarland and Commissioner Nancy Golden.

Others Present: Ellen Van Riper - Assistant City Attorney, Glen Van Nimwegen – Planning and Community Development Director, Adam Pruett – Senior Planner, Cody Gleason – Planning Technician, and Bev Parcels – Planning Assistant.

Opening Statement: Read by Adam Pruett, Senior Planner.

Call for speaker request forms.

Audience: Twenty three.

Note: The order in which items appear in the minutes is not necessarily the order in which they were discussed in the meeting.

CONSENT AGENDA

All items listed with a "**C**" are considered to be routine by the Planning and Zoning Commission, and were enacted by one motion.

1C **DISPOSITION OF ABSENCE:** Approve the absences of Commissioner Louis, Commissioner Loper, and Commissioner Golden, from the January 7, 2010 meeting.

2C **MINUTES:** Approve the minutes of the Regular Meeting held January 7, 2010.

3C **CU09-02269:** Discussion and possible action to approve a request from Squid Ink of Peoria, LLC for a Conditional Use Permit to allow an approximately 900 square foot outdoor dining patio at a proposed restaurant located at the southwest corner of Lake Pleasant Parkway and Happy Valley Parkway.

4C **CU09-02291:** Discussion and possible action to approve a request from 83rd Partners, LLC for a Conditional Use Permit to allow an approximately 1,000 square foot outdoor

dining patio at a proposed restaurant located south of the southeast corner of 83rd Avenue and Mariners Way.

COMMISSION ACTION: Commissioner Loper moved to approve the Consent Agenda items. The motion was seconded by Commissioner Louis and upon vote, carried unanimously.

REGULAR AGENDA

NEW BUSINESS:

5R **PUBLIC HEARING – GPA08-02:** [redacted] on behalf of Aloravita II, LLC and [redacted] requested a minor amendment to alter the current Peoria General Plan Land Use designation for approximately 78 gross acres from Residential Low Density (2-5 du/ac. target of 3 du/ac) to Neighborhood Commercial Mixed-Use. The proposal is generally located east of 83rd Avenue, approximately midway between Happy Valley and Jomax Roads. On January 19, 2010 the City Council remanded this case back to the Planning and Zoning Commission for further discussion and consideration. The applicant requested an indefinite continuance.

STAFF REPORT: Senior Planner Adam Pruett stated to the Commission that the applicant would like to request an indefinite continuance.

COMMISSION COMMENT: None

PUBLIC COMMENT: None

COMMISSION ACTION: Commissioner Loper moved to continue case GPA08-02 indefinitely. The motion was seconded by Commissioner Strickman and upon vote, carried unanimously.

4R **ELECTION OF OFFICERS:** Discussion and possible action to elect officers for 2010 including Chairman, Vice-Chairman, and Secretary.

COMMISSION ACTION: Commissioner Loper nominated Veda McFarland as Chairman, Commissioner Sweeney seconded the motion and upon vote carried unanimously. Commissioner Louis nominated Marc Melbo as Vice Chairman, Commissioner Loper seconded the motion and upon vote carried unanimously. Commissioner Loper nominated Bill Louis as Secretary, Commissioner Strickman seconded the motion and upon vote carried unanimously.

CALL TO THE PUBLIC: (Non-agenda Items): None

REPORT FROM STAFF: None

REPORTS FROM THE PLANNING AND ZONING COMMISSION: Commissioner Loper asked for an updated information sheet on the Commissioners.

ADJOURNMENT: There being no further business to come before the Planning and Zoning Commission, the meeting adjourned at 6:38 p.m.

_____ _____

Veda McFarland, Chair Date Signed

CONDITIONAL USE PERMIT
REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: CU 09-02290

DATE: February 18, 2010

AGENDA ITEM: 3C

Applicant: First Industrial Realty Trust

Request: Obtain a Conditional Use Permit to allow the use of an automobile service establishment within a PAD zoning district.

Proposed Development: AAMCO Car Care Facility within the existing Arrowhead 101 Business Park.

Location: The property is located at 14131 N. Rio Vista Blvd, Suite # 16, north of the northeast corner of Rio Vista Blvd. and Thunderbird Rd.

Size of Suite: Approximately 7,000 square feet

Support / Opposition: As of the date of this printing, Staff has not received any written or verbal support or opposition to this proposal.

Recommendation: Approve, with conditions.

LAND USE BACKGROUND

Table 1: *Existing Land Use, Current Zoning. (Exhibit C)*

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Business/Industrial Park (Arrowhead 101 Business Park)	**Business Park/Industrial**	**PAD (Planned Area Development) Mack Arrowhead Z04-39A.2**
North	Parking for Rio Vista Recreation Center	Park/Open Space	AG General Agricultural)
South	Business/Industrial Park (Arrowhead 101 Business Park)	Business Park/Industrial	PAD (Planned Area Development) Mack Arrowhead Z04-39A.2
East	Business/Industrial Park (Arrowhead 101 Business Park)	Business Park/Industrial	PAD (Planned Area Development) Mack Arrowhead Z04-39A.2
West	Rio Vista Blvd, then New River Wash and trail corridor	Water	RM-1 (Multi-Family Residential)

PROJECT DESCRIPTION

Request and Development Details

1. The applicant is proposing to operate a automobile service establishment providing vehicle maintenance and repairs in a suite within an existing building in the Arrowhead 101 Business Park.
2. According to the Project Narrative (Exhibit A) provided by the applicant, the hours of operation for the proposed use are as follows: Monday-Friday 8:00 am – 5:30 pm, Saturday 8:00 am – 12 pm, closed Sunday.
3. The scale of the facility is also described by the Project Narrative (Exhibit A) which indicates that the facility will contain a total of 3 lifts for performing vehicle service.

DISCUSSION AND ANALYSIS

Applicability

4. The proposed location is within a Planned Area Development (PAD), case Z04-39A.2, which lists "automobile repair including body and fender shops, excluding outdoor storage of vehicles in coincidence with this specific use" as a conditionally permitted use.
5. Section 14-39-10.D of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified impacts arising from a specific use on the surrounding neighborhood and provide controls to ensure maximum compatibility.

Analysis

6. The suite of the proposed use is more than 1,000 feet away from the closest residential use, although there is residentially zoned property approximately 200 feet away. This residentially zoned property is owned by the Flood Control District Maricopa County and is part of the New River Wash and trail corridor. As a floodway, the potential for future residential development of this property is extremely limited.

   The proposed use would be located within an existing business park. The PAD Standards and Guidelines Report for this development refers back to the City Zoning Ordinance for parking and loading standards. Section 14-23-B.2 (Parking and Loading Requirements) of the Zoning Ordinance provides parking requirements for automobile related services, including a queuing space of one hundred (100) linear feet exclusive of drive aisles and parking spaces. However, the existing layout of the development will not accommodate a queuing lane, due to the presence of a fire lane and other impediments such as a trash enclosure. In addition, based on AAMCO's business model, a queuing lane would not be

utilized. In order to meet the intent of the code and acknowledge the actual nature of the proposed use, the property owner has agreed to reserve 5 parking spaces specifically for vehicles awaiting repair in lieu of providing a queuing lane (Exhibit D). The depth of each parking stall would account for 20' feet of queuing space, thus the 5 reserved spaces would be equivalent to the 100 linear foot requirement. Any overnight storage of vehicles before or after repair would occur inside of the suite in accordance with the PAD standards.

In addition to the queuing space required, the proposed use must meet the following parking requirements: 3 spaces per service bay, and 1 space per 300 square feet of gross floor area excluding service bay. The Project Narrative (Exhibit A) includes a calculation of the total required versus total available parking spaces. The applicant has confirmed that AAMCO's lease agreement for the location in question provides a sufficient number of parking spaces to exceed the total parking requirement.

Noticing and Neighborhood Comment

7. The application notice was forwarded to all property owners within 300 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance. The City has not received any verbal or written comments on the proposal to date. Additionally, the site was posted at least 15 days prior to the Public Hearing with a sign meeting the content and size requirements prescribed by the Planning Division. The applicant has provided a photo exhibit and signed affidavit attesting to the posting.

Proposition 207

8. The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

RECOMMENDATION

9. Based on the following findings:
   - The request is consistent with the standards and guidelines of the approved Mack Arrowhead Planned Area Development (PAD);
   - The request is compatible with the surrounding uses; and
   - The proposal does not result in any detrimental impacts to the surrounding area.

It is recommended that the Planning and Zoning Commission take the following action:

Approve the applicant's request for a Conditional Use Permit under Case CU09-02290, subject to the following conditions:

1. The use shall substantially conform to the Project Narrative (Exhibit A), Parking Plan (Exhibit D), and Floor Plan (Exhibit E) as contained in the staff report to the Planning & Zoning Commission dated February 18, 2010.
2. A detailed utility plan must be submitted to the Engineering Division at the time of the tenant improvement submittal. At this time, the Engineering Division will determine if interceptors or utility modifications are necessary to address this use.

Attachments:

Exhibit A1-4	Project Narrative
Exhibit B	Vicinity Map
Exhibit C	Zoning Map
Exhibit D	Parking Plan
Exhibit E	Floor Plan

Prepared by: Melissa Sigmund
Planner

FIRST INDUSTRIAL REALTY·TRUST

Project Narrative
Arrowhead 101 Business Park
AAMCO Conditional Use Permit

Arrowhead 101 Business Park is a multi tenant industrial park built to accommodate commerce/office park, support retail services, warehousing and certain light industrial users such as manufacturing, assembly and subassembly uses which operate in a quiet and safe manner in a comprehensive planned and attractive setting. For reference purposes Arrowhead 101 Business Park can be referenced to "Mack Arrowhead Commerce Park PAD".

AAMCO Complete Car Care is a prospective tenant seeking to lease space within Arrowhead 101 Business Park. The identified location is in Building Suite #16 or commonly known as 14131 North Rio Vista Blvd Suite 16 Peoria, Arizona 85381.

AAMCO Complete Car care Centers perform maintenance and repairs on foreign and domestic vehicles. Servicing and maintenance is projected to be 60%-70% of the work performed with repairs or replacement of parts projected to be 30%-40% of which all work is conducted within the leased premises. The range and scope of services will vary from electronic diagnostics and scanning to removal and replacement of failed or worn parts. General maintenance and interval servicing of today's vehicles will be the mainstay of this proposed location

AAMCO Car Care Centers fill a viable need to the neighboring public. Nationally, AAMCO has been in business for nearly 50 years. Each AAMCO center is individually owned and operated. This will be the first AAMCO Center in Peoria. Currently there are twenty five (25) AAMCO Centers in the state of Arizona. The proposed Peoria AAMCO owners have been a franchisee with AAMCO for thirty (30) years and welcome the opportunity to be involved in the community of Peoria.

As part of this narrative a "Context Plan" has been provided to give added perspective to the area, proposed cup location, building construction/presentation and surrounding neighborhood. Addition Site Photographs are provided with the application.

RECEIVED
DEC. 2009
CU09-022900
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Exhibit A-1

Key Company Details are as follows:

Hours of Operation:

8:00 am to 5:30pm	Monday – Friday
8:00am – 12 Noon	Saturday
Closed	Sunday

Number of Employees

Four (4) to Six (6) Employees

Typical Daily Vehicle Servicing

Four (4) to Six (6) vehicles per day

General Policy & Procedures by Franchisee and AAMCO

AAMCO with fifty (50) years of experience offers great support and written guidelines to establish a profitable and sound business operation. A considerable amount of this information is available on the AAMCO website. This plus thirty (30) years of experience by the AAMCO Franchisee will certainly provide an understanding that all automotive procedures for storage and removal of product/material and waste are strictly adhered to on an ongoing basis. For Example Waste Oil and Automatic Transmission Fluid is picked up on a regular basis by PETROLEUM – RECOVERY / RECYCLE / REUSE who processes this material and then it is reused in heaters and related equipment. Storage of this material and product/material (vehicle parts) are stored within the facility and restocked on a regular basis during business hours.

Detailed Floor Plan

A floor plan of the facility (Exhibit "A") identifies or addresses the following:

- Vehicle Bay Area
- Office Area
- Employee Area
- Work Area - Stations
- Indoor Parts Storage Area
- Customer Lounge Area

AMMCO will utilize three (3) lifts in the proposed bay area of the facility.

Overnight Storage of Vehicles

AAMCO is aware that no outside storage of vehicles is allowed. The facility is approximately 7,000 square feet of area and offers plenty of room to store up to twenty (20) vehicles if needed. Verification of this strategy is outlined on Exhibit "B" which outlines the overnight vehicle storage area.

Interior Business Operations

During Business Hours all door to the facility remain unlocked. The single bay door will remain open during work hours or when work on vehicles in the warehouse is is occurring.

Site Plan of Overall Commerce Park

Site Plan provided as Exhibit "C"

Parking

Parking is outlined and on Exhibit "D".

Parking / queuing of planned workload will utilize the alternate of providing five (5) parking spaces nearest to the bay door as designated "AAMCO SERVICE VEHICLES ONLY"

AAMCO Parking Calcuation	
Amount Required	
Non Bay GFA:	
Total Area Excluding Service Bays (SF)	1,247
Spaces Required (1 per 300 SF)	4
Other Parking Required	
Service Bay Spaces (1 bay x 3 spaces)	3
Reserved "Service" Vehicle Spaces	5
Total Required	**12**
Amount Provided	
Overall Parking Ratio	1.8 Spaces/1,000 SF
Total AAMCO Premises	6,990
Total Unreserved Spaces Provided per the Lease.	**13**

Exhibit A-4

CU09-02290 Aerial Vicinity Map

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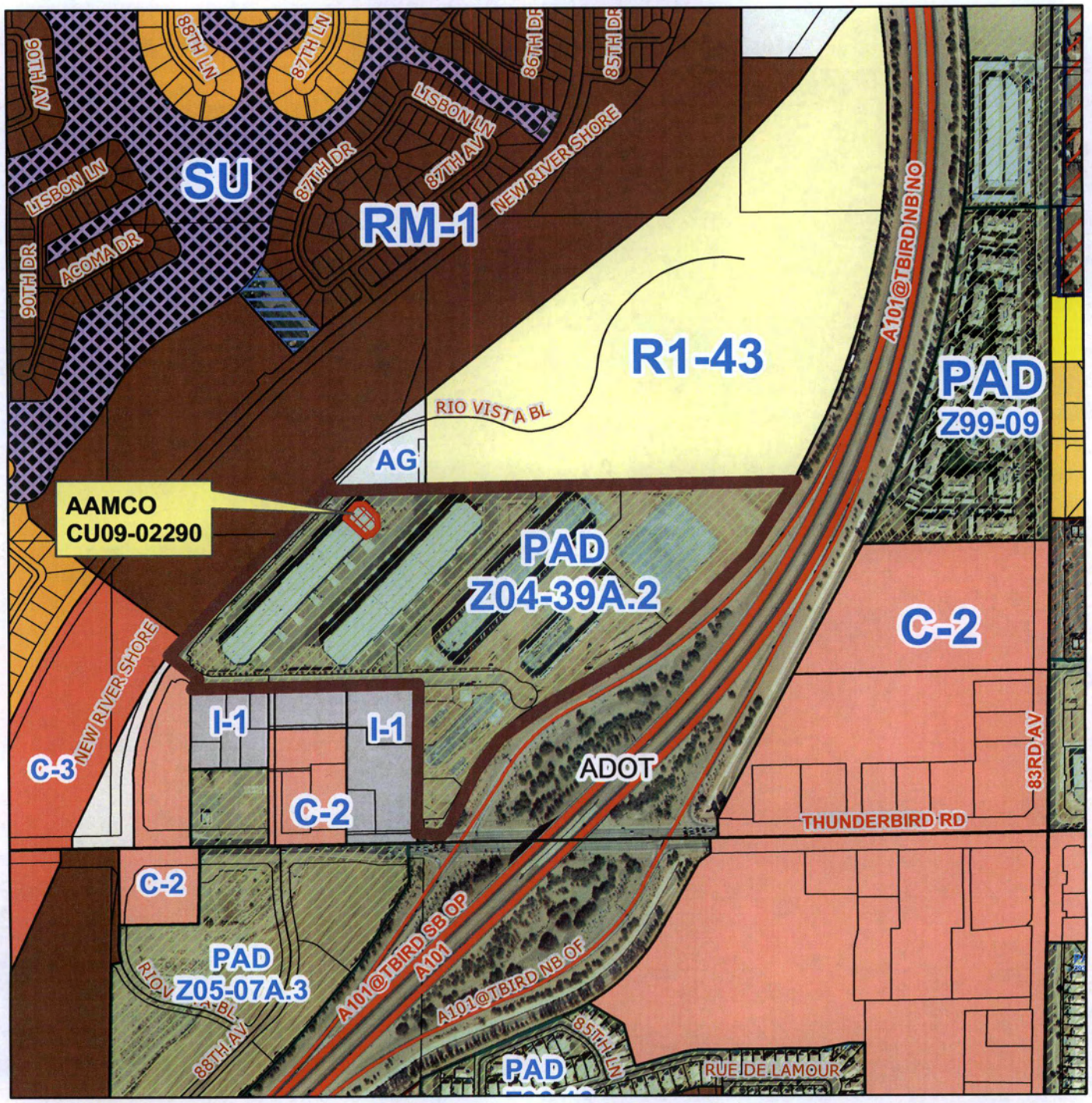
CU09-02290

North of the northeast corner of Rio Vista Blvd. & Thunderbird Rd.

Request for a Conditional Use Permit (CUP) for an automotive service establishment

Exhibit B

CU09-02290 Zoning Map



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CU09-02290

North of the northeast corner of Rio Vista Blvd. & Thunderbird Rd.

Request for a Conditional Use Permit (CUP) for an automotive service establishment

Exhibit C

AAMCO Service Parking Plan

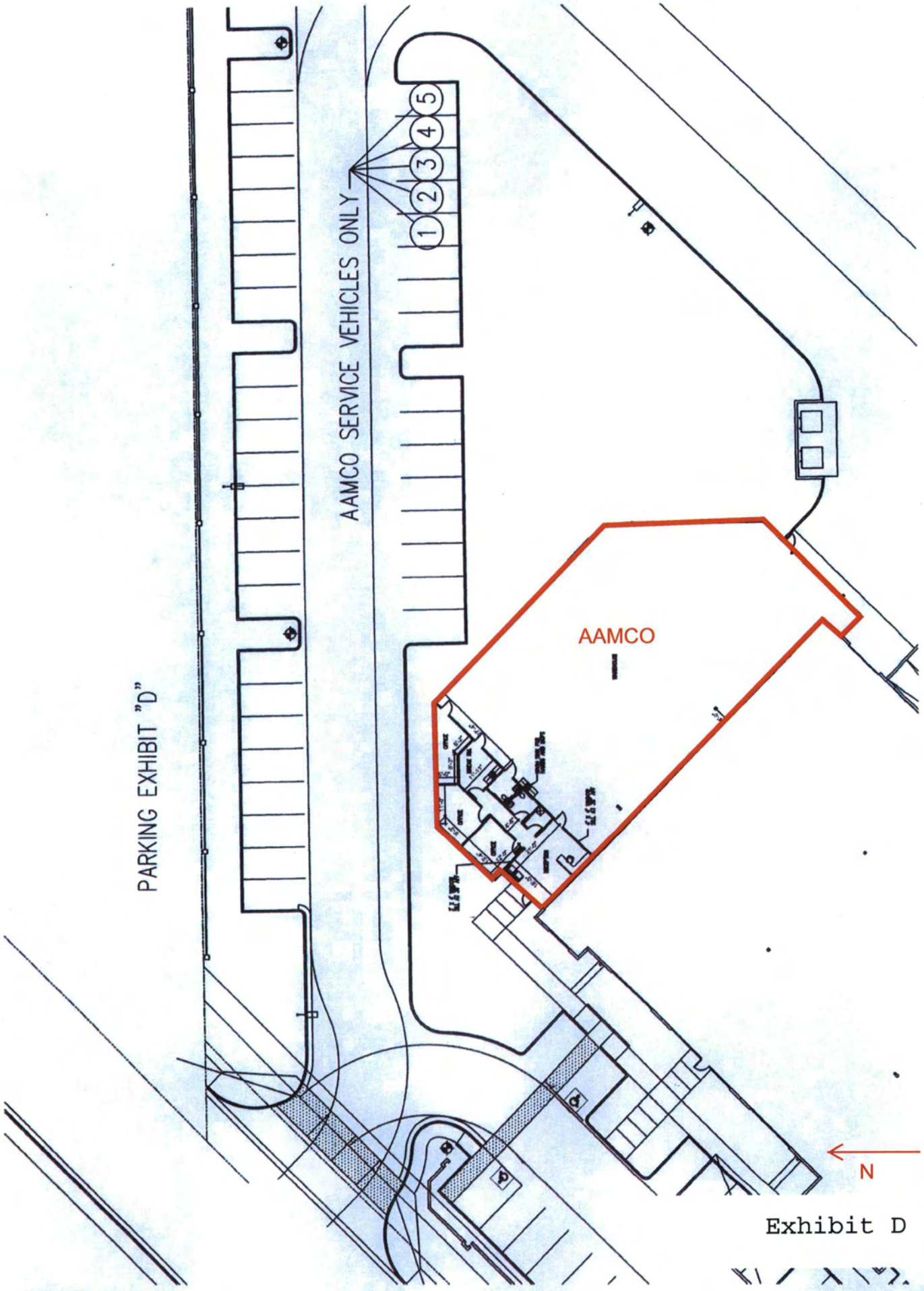


Exhibit D

AAMCO Floor Plan

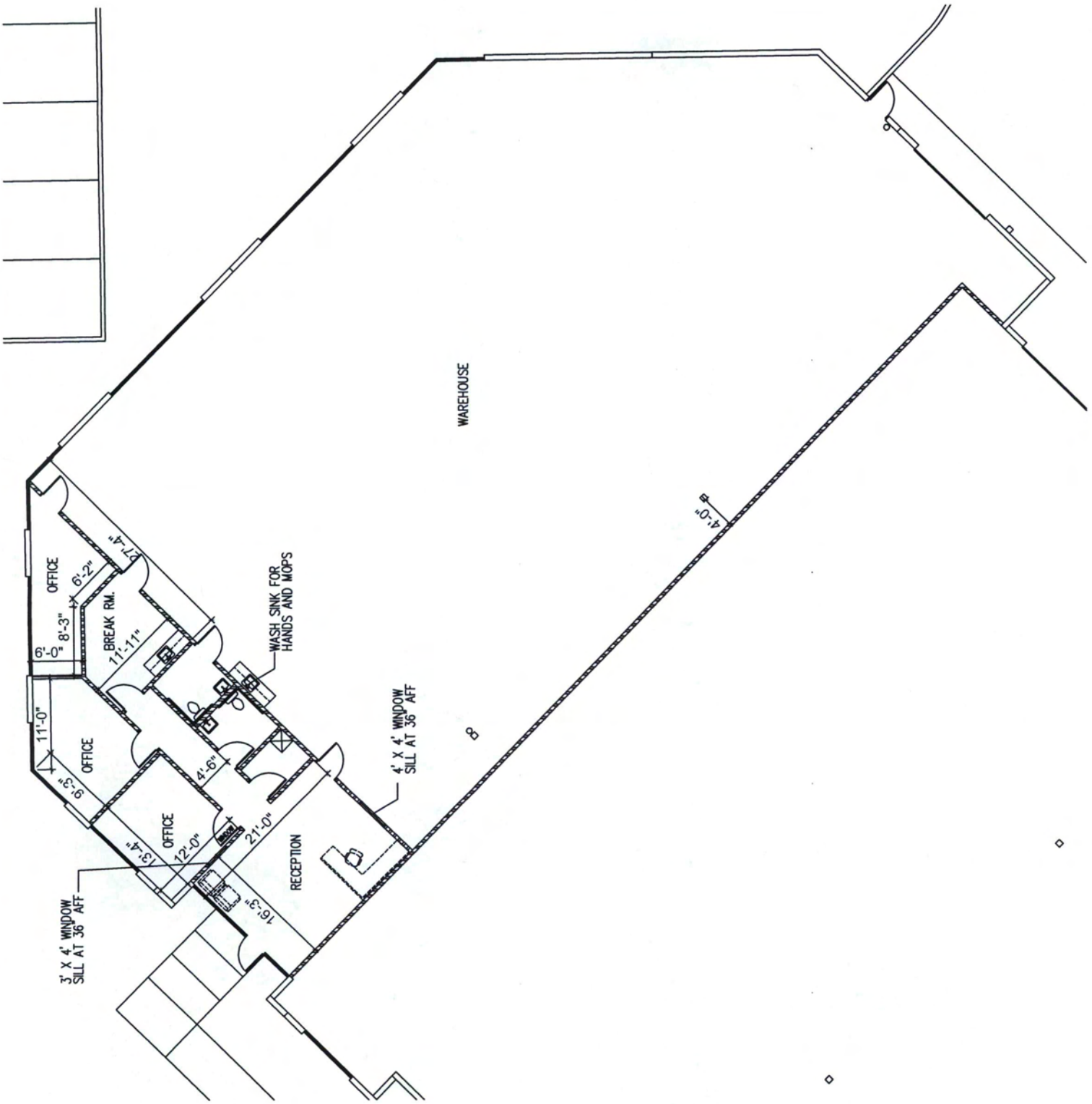


Exhibit E

CONDITIONAL USE PERMIT

REPORT TO THE PLANNING AND ZONING COMMISSION

CASE NUMBER: CU 09-08

DATE: February 18, 2010

AGENDA ITEM: 4C

Applicant:	Quinn United Enterprises for Cricket.
Request:	Approve a Conditional Use Permit (CUP) for a wireless communication facility.
Proposed Development:	65-foot mono-palm and ground equipment enclosed in a 9 foot high screen wall.
Location:	Southwest corner of 81st Avenue and Market Street.
Site Acreage:	Approximately 285 s.f. lease area for monopalm and equipment enclosure plus associated on-site improvements for parking and landscaping on a 12,525 s.f. parcel.
Support / Opposition:	At the time of printing, the City has not received any letters or phone calls in support of or opposition to this case.
Recommendation:	Approve, with conditions.

LAND USE BACKGROUND

Table 1: *Existing Land Use, Current Zoning. (Exhibit B)*

	LAND USE	GENERAL PLAN	ZONING
Subject Property	Vacant	**Mixed Use**	**I-1 (Light Industrial)**
North	Market St., then refrigerant recovery facility	Mixed Use	I-1 (Light Industrial)
South	BNSF Railroad then Grand Avenue	Mixed Use	I-1 (Light Industrial)
East	Vacant/open space, Cotton Crossing, then big-box retail	Mixed Use	PAD (Planned Area Development) Cotton Crossing
West	BNSF Railroad then Grand Avenue	Mixed Use	I-1 (Light Industrial)

PROJECT DESCRIPTION

1. The applicant is proposing a 65-foot cell tower disguised as a palm tree, "monopalm", and associated equipment cabinets. The facility will be located on a leased site of approximately 285 square feet within a larger approximately 12,525 square foot parcel. The facility will be screened by a 9-foot tall masonry wall and will have landscaping on all four sides at the base of the wall.

2. The proposed site will be located in the southeastern corner of the subject parcel adjacent to the Burlington Northern/Santa Fe Railroad.

3. The proposed wireless communication facility will be unmanned.

DISCUSSION AND ANALYSIS

Applicability

4. Section 14-39-10.D of the Zoning Ordinance outlines the applicable criteria for evaluating Conditional Use Permits. In general, the purpose of a CUP is to mitigate any identified impacts arising from a specific use on the surrounding properties and provide controls to ensure maximum compatibility.

5. Specifically, this proposal requires approval of a Conditional Use Permit for several reasons.
   - The monopalm is not setback from street and non-residential property lines a minimum of 110% of its height. The proposed monopalm is 65' in height and is setback from two property boundaries of the site by approximately 20 feet, or 31% of the height of the monopalm.
   - The proposed site is also located less than 1320 feet from several State and Local Historic Landmarks, specifically the Peoria Central School, and the Peoria First Presbyterian Church. The Peoria Central School, located at 10304 N. 83rd Ave and the Peoria First Presbyterian Church, located at 10236 N. 83rd Ave. are both listed on the State of Arizona and City of Peoria Registers of Historic Places.

Analysis

6. The proposed site is located within an industrial zoned area. The proposed use is compatible with existing land uses in the vicinity. The property adjacent to the southeast is a retention area, essentially creating a large buffer between the proposed use and the commercial center located farther east across Cotton Crossing.

7. The project will be visible from Grand Avenue, which is located to the south of the proposed site separated by the intervening BNSF rail line. Due to the visibility of the project, particular attention was paid to the aesthetics of the equipment screen wall and landscaping to enhance the appearance of the project. The colors and materials of the wall and the landscape palette have been designed to coordinate with the previously approved Verizon monopalm

that is proposed for the northwest corner of the same parcel. The wall will also have an anti-graffiti finish to decrease the potential for damage from vandalism.

8. The 9 foot masonry wall surrounding the facility will fully screen the equipment cabinets from public view. The 9 foot wall height is necessary due to the site's location within the flood plain. As a result, all equipment cabinets must be raised considerably above ground level, requiring a taller than average wall to fully conceal the cabinets.

9. In the past, monopalms developed within the Phoenix metro area have varied greatly in the quality of their appearance and the level of camouflage that they achieve. In order to assure a quality product is utilized at this site, the applicant has provided photos of the type of monopalm that would be installed at the proposed location for staff approval (Narrative, Exhibit C).

10. As stated in the Narrative attached as Exhibit C, the applicant sought out opportunities to collocate on nearby existing structures of comparable height, however the alternative sites were not feasible due to a variety of factors, including unwilling property owners and technical constraints.

11. A cultural resource study performed for the previously approved Verizon monopalm site located on the same parcel approximately 120 feet to the northwest recommended a determination of "no adverse effect" in the area of potential effects (APE) for visual impacts. The APE for visual effects is defined as a ½ mile radius extending from the project in accordance with the 2004 FCC Nationwide Programmatic Agreement. This indicates that the consultants undertaking the study concluded that while there are existing historic buildings including within ½ mile of the nearby Verizon project site, a 65 foot monopole would not negatively impact the visual setting of those historic buildings. Further correspondence from the same consultant stated that the 65 foot Verizon monopole would be either barely visible or not visible from the identified historic buildings as the view will be blocked by existing development. The close proximity of the proposed monopalm to the approved Verizon monopalm site reported in the afore mentioned cultural resource study strongly suggests that the proposed monopalm will not adversely impact the visual settings of historic buildings in the area.

Noticing and Neighborhood Comment

12. The application notice was forwarded to all property owners within 300 feet of the proposal and properly noticed pursuant to Section 14-39-10 of the Peoria Zoning Ordinance. The City has not received any verbal or written comments on the proposal to date. Additionally, the site was posted at least 15 days prior to the Public Hearing with a sign meeting the content and size requirements prescribed by the Planning Division. The applicant has provided a photo exhibit and signed affidavit attesting to the posting.

Proposition 207

13. The voters of Arizona approved Proposition 207, which among other things requires municipalities to compensate property owners for actions which have the effect of diminishing the value of property. The City Attorney's Office has drafted an agreement which waives the applicant's rights to future Proposition 207 claims against the City. Accordingly, the applicant has furnished a signed and notarized Proposition 207 Waiver.

RECOMMENDATION

14. Staff recommends approval of case CU09-08, based on the following findings:

- The proposed wireless communication facility meets all CUP criteria.
- The proposal will not result in any detrimental impacts to nearby properties.
- The proposal will not result in any detrimental impacts to nearby historic properties listed in or eligible for listing in the Nation Register of Historic Places.

It is recommended that the Commission take the following action:

Approve the Conditional Use Permit requested under case CU09-08, subject to the follow stipulations:

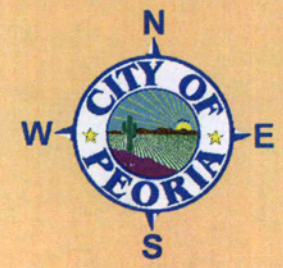
1. The development shall substantially conform to the Narrative (Exhibit C), Preliminary Site Plan (Exhibit D), and Preliminary Elevations (Exhibit E).
2. In accordance with Article 14-39-10.B.5 of the City of Peoria Zoning Ordinance (1977 Edition), a building permit must be obtained within 18 months of the date of CUP approval.

ATTACHMENTS

Exhibit A	Vicinity Map
Exhibit B	Zoning Map
Exhibit C1-6	Project Narrative
Exhibit D	Preliminary Site Plan
Exhibit E	Preliminary Elevations

Prepared by: Melissa Sigmund
Planner

CU 09-08 Location Map



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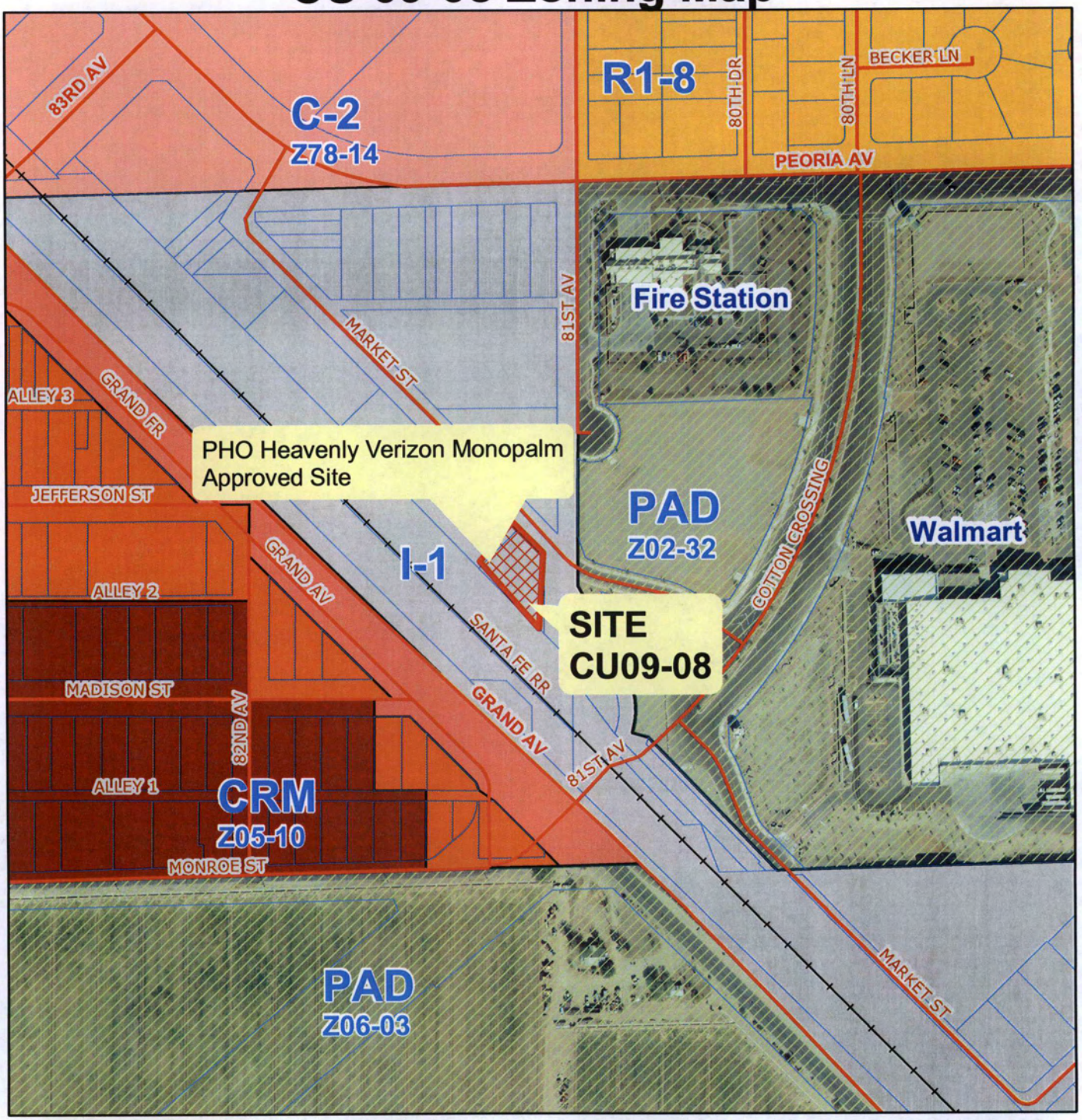
CU09-08 Cricket PHX-362-C

Southwest corner of 81st Avenue and Market Street

Request for a Conditional Use Permit (CUP) to allow a wireless communication facility (mono-palm) and associated equipment enclosure.

Exhibit A

CU 09-08 Zoning Map



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CU09-08 Cricket PHX-362-C

Southwest corner of 81st Avenue and Market Street

Request for a Conditional Use Permit (CUP) to allow a wireless communication facility (mono-palm) and associated equipment enclosure.

Exhibit B

DESCRIPTION OF THE PROPOSAL

The subject proposal is allow for new faux palm tree and radio equipment used to conceal wireless communication antennas to be used for wireless phone, internet, and E-911 emergency services.

The following is an outline of the limitations to the area and how Cricket will comply with all Federal, State, and Local Regulations with respect to wireless communication facilities:

Cricket Wireless Specific Information

The faux palm tree will have (6) six antennas to be placed at the **62**-foot centerline with a structure height of **62**-feet (**65**-feet to the top-of-fronds).

- The antennas will be a maximum of 16-inches depth/width, and T-Arm mounts will have a 4-foot maximum width and be clustered within the faux palm fronds.
- A minimum of 52 palm fronds will be installed that are used to conceal the wireless communication antennas and appurtenances.
- All antennas and appurtenances are to be painted to match the palm fronds.
- The faux palm tree will be a **date palm** species consistent with the more common types found in desert type climates and more specific to the downtown Peoria area.
- The faux tree will also have cladding that has bark appearance similar to a real palm tree.

The associated ground equipment will be placed inside of new **9**-foot high screen wall to match the character of the area and be contained within a **15X19**-foot **285**sf lease area.

- Crickets radio cabinets, Interior cables, and appurtenances will not be visible to the general public due to being below the height of the **9**-foot wall.
- Arizona drought tolerant landscaping is being added around the perimeter wall to further mitigate any visual concerns.
- The proposal will be in conformance with the guidelines in the Peoria Zoning Ordinance Article 14-3-4.

RELATIONSHIP TO SURROUNDING PROPERTIES

- The project site is located in an I-1 industrial zone district that abuts railroad lines in an area of heavy intensive industrial uses. The parcel is currently vacant lot utilized for storage purposes and the lot size of the parcel is **12,524.57** square feet and the proposed lease area is a **285** square foot area having minimal impact on its surroundings.
- The proposed unmanned wireless communications should have no demand for police surveillance, and is isolated and enclosed from other buildings, having no impact on neighboring properties.
- Peoria recently approved Verizon faux palm tree wireless communication facility at the subject property which is further evidence that subject property is an appropriate location.

The distance from the property lines are as follows (all surrounding properties I-1 Industrial):

- East property line is 19'-8" feet to property line with a vacant I-1 industrial parcel that appears to be unusable for things other than storage.
- SW property line 9-feet from proposed masonry wall with industrial I-1 zoning and railroad tracks beyond.
- North property line is 119'-3" feet from the faux palm tree to property line with Market Street beyond.

LOCATION AND ACCESSIBILITY

The site technician will use a proposed 9.5x20 foot parking stall for the once a month routine maintenance visit. A new 4-inch compacted decomposed gravel surface will be provided from Market Street to the proposed unmanned wireless facility.

CIRCULATION SYSTEM (IMPROVEMENTS ON AND OFF SITE)

The existing access will be used resulting in no change to the circulation.

DEVELOPMENT SCHEDULE

Cricket will start construction after obtaining the building permit and take 4-6 weeks to complete construction.

COMMUNITY FACILITIES AND SERVICES

- The project property is located near the Downtown Peoria area in the industrial use area.
- The location, size, design, and operating characteristics of the proposed communications facility will not create unusual noise, traffic or other conditions or situations that may be objectionable, detrimental or incompatible with other permitted uses in the vicinity.
- The equipment associated with the communication structure operates quietly or virtually noise-free.
- The equipment does not emit fumes, smoke, or odors that could be considered objectionable.
- The communications facility is unmanned and only requires periodic maintenance that equates to approximately one vehicle trip per month.

RADIO FREQUENCY EMISSIONS

The Cricket facility will fall within the portion of the electromagnetic spectrum, which transmits non-ionizing radio waves. "Non-ionizing" electromagnetic emissions, at the low levels associated with this type of wireless technology, are not harmful to living cells. Among the items which result in non-ionizing electromagnetic emissions are police/fire/EMS radios, television broadcasts, CB radios, microwave ovens, baby monitors, home wireless phones, garage door openers, and many other items used in day to day life. Not to be confused with "ionizing" electromagnetic emissions which include ultra-violet light, medical x-rays and gamma rays.

RADIO FREQUENCY FCC COMPLIANCE

The FCC has allocated a portion of the radio spectrum to Cricket. The power required to operate the facility does not exceed 718 watts per channel, and thus, the Cricket wireless communication facility is by design a low-power system. Depending upon characteristics of the site, the actual power requirements may be reduced. When operational, the transmitted signals from the site will consist of non-ionizing waves typically generated significantly lower than the FCC standard for continuous public exposure of 900 microwatts per square centimeter.

ALTERNATIVE SITE EXPLORATION CRICKET PHX-362 (See attached map for location):

The point and purpose for the subject site is to provide wireless Internet, Phone, and E-911 services to the downtown Peoria area and Grand Avenue Corridor. Of the (60) sixty sites that Cricket is building this phase, (52) fifty-two are collocations and (8) eight are new builds. One example of a Cricket collocation is as an existing monopalm, 20316 N Lake Pleasant Rd (Permit 0900182), where the palm bulb was replaced to conceal the antennas inside. Of the remaining (8) eight new builds (6) six are stealth designs such as the subject faux palm tree.

Faux palm trees have proven to do the best to blend in with the surroundings. The palm tree is also the most common vegetation illustrated in the "Old Town Peoria Revitalization Plan" that the subject property is on the fringe of. The subject property is I-1 zoning surrounded by I-1 industrial so it is the closest location to the revitalization/historical area that provides the most intensive land uses and therefore the most appropriate location. The following are many of the other sites pursued within the area that were unacceptable due to the various reasons cited:

1) EXISTING FLAGPOLE –8181 W Peoria Av, T-Mobile (Apn142-14-008-A)

- As a collocation the radio frequency antenna centerline is 15-feet lower and does not meet the coverage objective.
- Separate ground and tower space would be required doubling the rent rate.
- The flagpole would have limited antenna diversity resulting in coverage deficiencies on a site that Cricket needs to cover a gap in coverage.
- Extensive modification to the flagpole would be required to facilitate the Cricket antennas increasing the already oversized look of the flagpole compromising esthetics.

2) EXISTING MONOPALM – 8181 W Peoria Ave - Towerco - (Apn# 142-14-008/9-A)

- As a collocation the radio frequency antenna centerline is 14-feet lower and does not meet the coverage objective.
- Separate ground and tower space would be required doubling the rent rate plus additional stealth cost.
- The flush mount design would not allow full antenna diversity resulting in deficiencies on a site that is needed to cover a gap in coverage. Full diversity would require a full antenna array making it difficult to stealth without compromising the esthetics.

3) FUTURE VERIZON MONOPALM AT SUBJECT SITE –

- Verizon is slow to respond which historically has been the case when collocating on Verizon sites.
- As a collocation the radio frequency centerline is 14-feet lower and does not meet~~ing~~ the coverage objective.
- Separate ground and tower space would be required doubling the rent rate plus additional stealth cost.
- The flush mount design would not allow full antenna diversity resulting in deficiencies on a site that is needed to cover a gap in coverage. Full diversity would require a full antenna array making it difficult to stealth without compromising the esthetics.

4) FIRE STATION -8065 W. Peoria Ave. (Peoria Station #191) Apn142-13-006-U

- Historically City of Peoria owned properties are challenging due to dealing with the complexity of jurisdictional process and the uncertainty of the time involved.

- Also the radio frequency engineer preferred the subject property over the fire station because it provided better line of site into the downtown Peoria area and Grand Ave.

5) PEORIA HIGH SCHOOL - 11200 N. 83rd Avenue – (Parcel # 142-44-003)

- A collocation on one of the football field light poles was proposed to the radio frequency engineer but was rejected due to being too far north to meet the coverage objective.

6) EXISTING MONOPOLE – Crown – (Parcel # 142-16-002-Q)

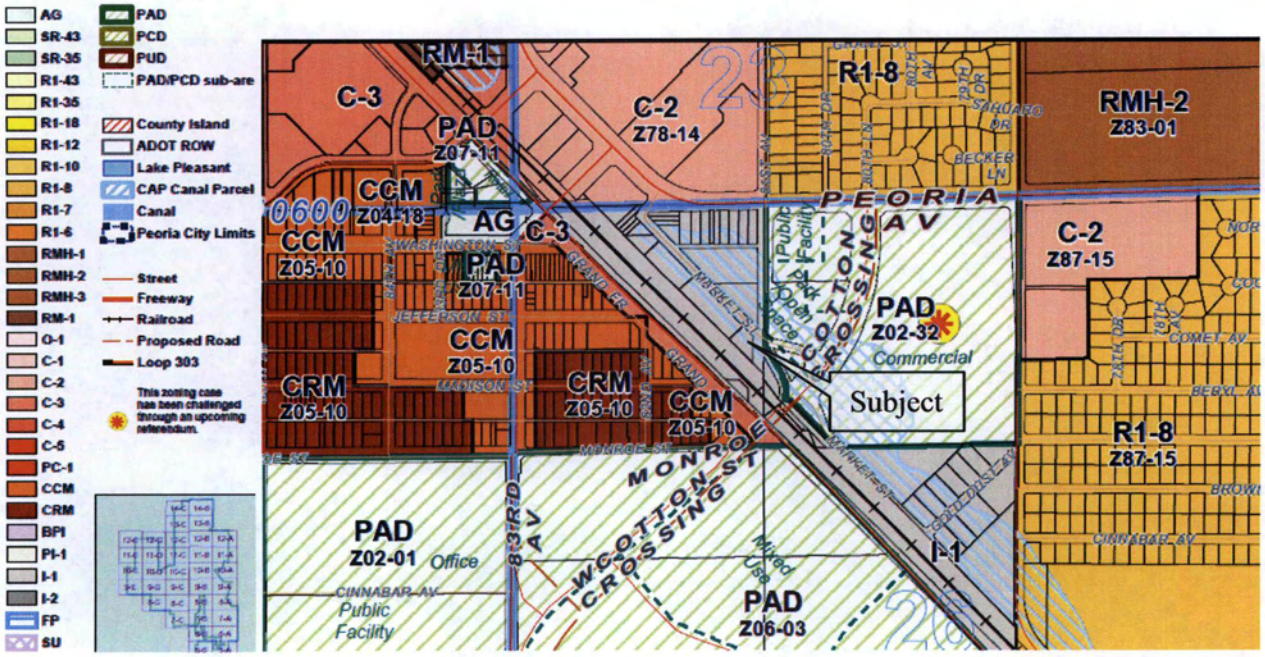
- Crown monopole located south of the current location would require a pole extension, structural and site modification resulting in additional cost and visual clutter.
- The site is a half mile south of the coverage objective so it did not meet the radio frequency engineer's criteria.

7) CITY OF PEORIA – 8401 W Monroe (Parcel 142-36-002-A)

- Historically City of Peoria owned properties are challenging due to dealing with the complexity of jurisdictional process and the uncertainty of the time involved.
- The Peoria communication tower has been looked at by several wireless providers that have been unsuccessful in securing a lease agreement.
- There were also questions as the whether it could cover both Grand Avenue and Downtown due to not having a definitive answer on an available antenna centerline.

8) DOWNTOWN PEORIA

- Based on early discussion with city staff and as a part of the Old Town Revitalization Plan it was advised to avoid this area.



Other Information

- A Drainage plan has been provided and the equipment elevated as a result of the city of Peoria Engineering comments during the subsequent reviews.
- No Traffic Impact Study is provided due to only one trip generation per month.
- There will be no noise, smoke, dust, odor, vibration or illumination created by the proposed use.
- The unmanned wireless communications facility will generate no refuse, and will use no water or sewer services.
- Existing communication facilities within a 1-mile radius of the subject site were not available or lacked the appropriate radio frequency engineering design requirements.
- Public utility poles lacked the available ground space needed and the appropriate height for the Radio Frequency signal.
- Other existing vertical elements were eliminated due to unwilling landlords, unavailable height, ground space, and physical site restraints.

SUMMARY

The proposed design will be engineered certified to be in compliance with the City of Peoria Zoning ordinance, International Building, Electric, and Fire Codes. The proposed wireless communication facility will meet or exceed all Federal, State, Local Government agency requirements including the Federal Communication Commission (FCC) and the Radio Frequency (RF) exposure standards.

Cricket is excited about the opportunity to bring enhanced service to the greater Peoria area. As a result, residents and tourist will benefit from the improved coverage and options available. The improvements will help to enhance E-911, City, and Public communication services.

Please refer to the drawings and supplemental information for any further clarification.

Sincerely,

[redacted]

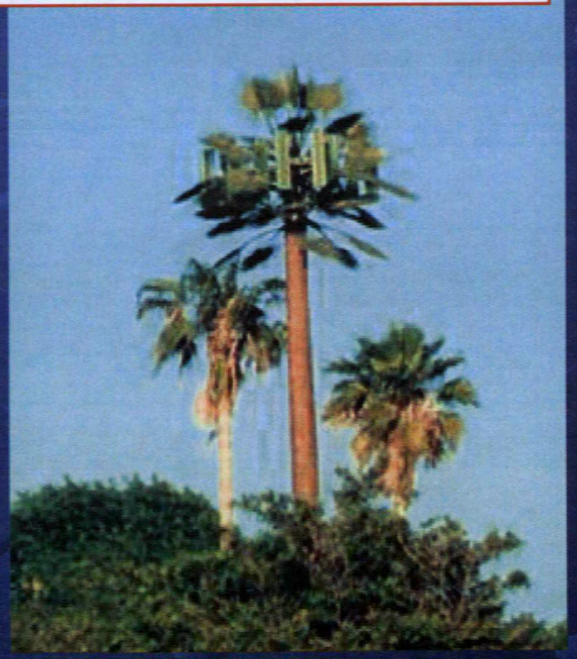
[redacted] **- QUINN UNITED ENTERPRISES FOR CRICKET**
Member of the American Planning Association & National Assoc Realtors
3655 West Anthem Way, Suite A109 PMB250, Anthem, AZ 85086
623-551-6096, [redacted] **623-321-9911 Fax**

Monopalms

- Two types available:
  - Date Palm (60 or 68 fronds standard)
  - Mexican Fan Palm (40 or 45 fronds standard)
- Trunk can be clad in epoxy bark, painted, or camouflage painted
- 3ft tall decorative cut-frond pineapple can be included

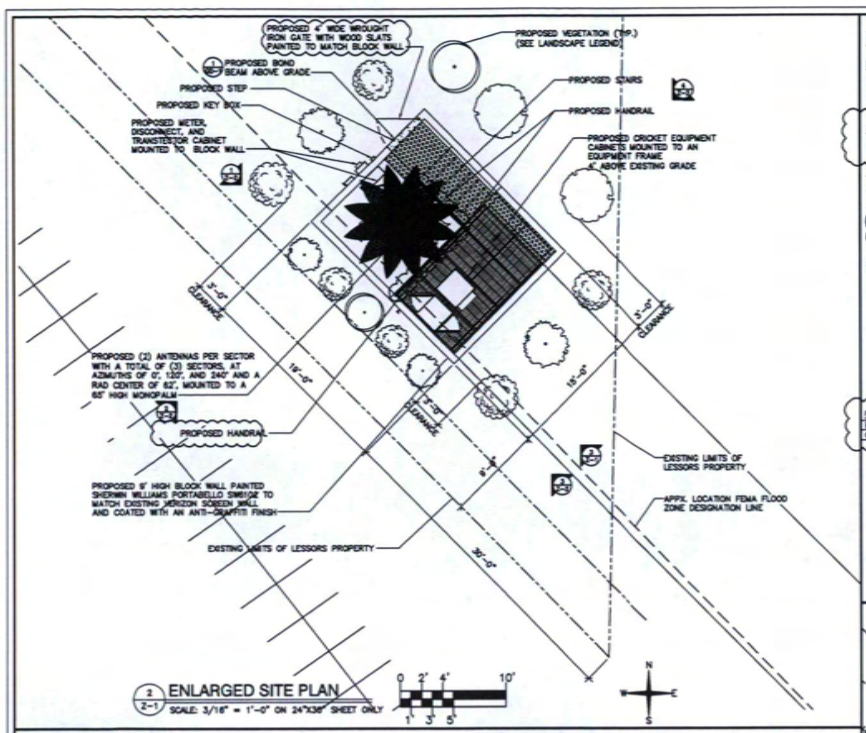
SUBJECT SPECIE TYPE TO BE USED FOR CRICKET SITE PHX-362

Date Palm



Mexican Fan Palm

3' Decorative Pineapple

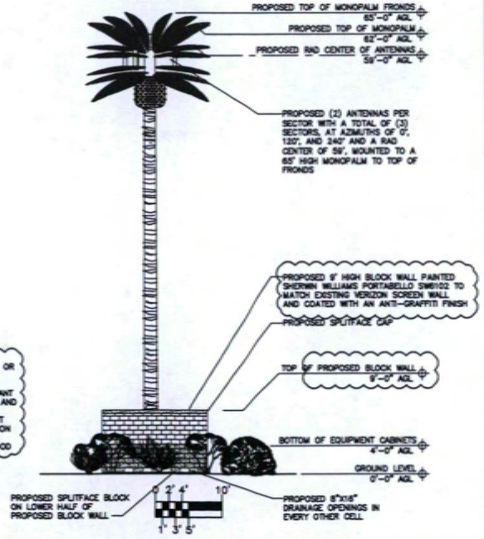


2 / Z-1 ENLARGED SITE PLAN
SCALE: 3/16" = 1'-0" ON 24"X36" SHEET ONLY

APPROXIMATE 7/8" COAX LENGTH	
ALPHA SECTOR	70'
BETA SECTOR	70'
GAMMA SECTOR	70'

PLANTING MATERIALS LIST			
SYMBOL	BOTANICAL NAME / COMMON NAME	SIZE	QUANTITY
	AMBROSIA DELTOIDEA BURSAGE	5 GAL	6
	ENCELIA FARINOSA BRITTLEBUSH	5 GAL	4
	ERICAMERIA LARICIFOLIA TURPENTINE BUSH	5 GAL	2
	SIMMONDSIA CHINESIS JOJOBA	5 GAL	2

IRRIGATION NOTES:
1. ALL PLANTING SHALL BE HAND WATERED FOR A MINIMUM PERIOD OF 6 MONTHS OR THROUGH THE SUMMER SEASON WHICH EVER IS GREATER.
2. ALL WATERING BASINS SHALL BE FILLED COMPLETELY TWICE PER IRRIGATION.
3. WATERING SHALL OCCUR AS OFTEN AS NECESSARY TO ENSURE SURVIVAL OF PLANT MATERIALS AND SHALL NOT BE LESS THEN WEEKLY DURING SUMMER MONTHS AND MONTHLY DURING WINTER MONTHS.
4. ALL PLANT BASINS SHALL BE MAINTAINED AT FULL DEPTH UNTIL REMOVAL. PLANT BASINS SHALL BE KNOCKED DOWN AND SPREAD AT THE END OF THE IRRIGATION PERIOD.
5. THE CITY OF PEORIA SHALL APPROVE THE TERMINATION OF THE IRRIGATION PERIOD.



3 / Z-1 SOUTHEAST ELEVATION
SCALE: 1/8" = 1'-0" ON 24"X36" SHEET ONLY

PROJECT SUMMARY

PROPERTY OWNER:
W.T.B. L.P.
65 SOUTH SYCAMORE ST, SUITE 2
MESA AZ 85202

SITE ADDRESS:
8147 WEST MARKET PLACE
PEORIA, ARIZONA 85345

APN: 142-14-017-A
JURISDICTION: PEORIA
ZONING: I-1
AREA OF LOT: 12,524.57 SQ. FT.
AREA OF LEASE: 285 SQ. FT.

APPLICANT
CRICKET COMMUNICATIONS
4050 E. COTTON CENTER
PHOENIX, ARIZONA 85040
PHONE: (602) 458-4438

ZONING/PERMITTING
CONTACT: SCOTT QUINN
PHONE: (623) 551-6096

RELEVANT CASE #:
PR08-12
CU09-06

CODES:
2006 INTERNATIONAL BUILDING CODE
2005 NATIONAL ELECTRICAL CODE

OCCUPANCY CLASSIFICATION: U
TYPE OF CONSTRUCTION: IIB

CONSULTING TEAM

DESIGN COMPANY:
CUSTOM DESIGN SERVICES
600 E. BASELINE RD. B-1
TEMPE, ARIZONA 85283

CONTACT: SHAWN EVANS
PHONE: (602) 758-5829
FAX: (602) 391-2132

SURVEYOR:
RELIANT LAND SERVICES
3234 S. FAIR LANE
TEMPE, ARIZONA 85282

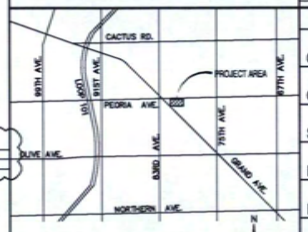
CONTACT: MATTHEW FORD
PHONE: (602) 463-0472
FAX: (602) 889-1291

CIVIL ENGINEER:
TERRA DYNAMIC ENGINEERING, LLC
2930 EAST NORTHERN AVENUE
SUITE, B-106
PHOENIX, ARIZONA 85028

CONTACT: ROBERT ORLANDO
PHONE: (602) 482-1603

ELECTRICAL ENGINEER:
PRIEST ENGINEERING
8909 S. HOLLY CIRCLE, STE 304
ENGLEWOOD, COLORADO 80112

CONTACT: LOREN PRIEST
PHONE: (303) 773-8773



VICINITY MAP:
TAKE I-10 TO GRAND AVE, RIGHT ON N 81ST AVE, LEFT ON MARKET ST TO SITE ALONG RAILROAD.

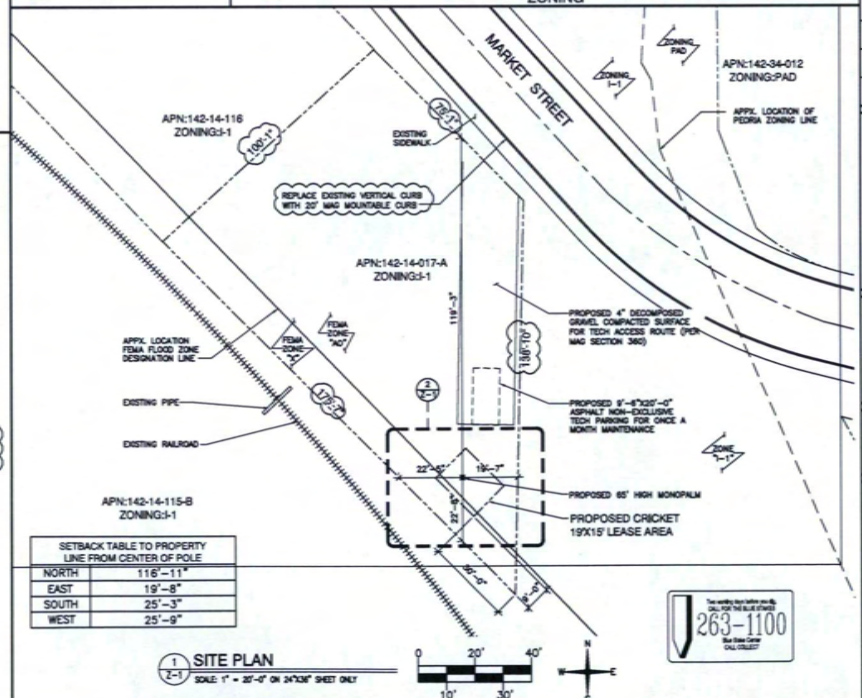
SITE NAME: GTP- PEORIA STORAGE
SITE NUMBER PHX-362-B
CITY: PEORIA
COUNTY: MARICOPA
STATE: ARIZONA
DESIGN: PROPOSED 65' MONOPALM

SHEET INDEX

SHEET NUMBER	DESCRIPTION
Z-1	SITE INFORMATION, SITE PLAN, ENLARGED SITE AND DIMENSION PLAN, AND ELEVATION
Z-2	SITE ELEVATIONS
LS-1	TOPOGRAPHIC SURVEY
GD-1	GRADING AND DRAINAGE PLAN

SIGNATURE BLOCK

OWNER
CRICKET
SA
RF
NETWORK
CONSTRUCTION
OPS
ZONING



1 / Z-1 SITE PLAN
SCALE: 1" = 20'-0" ON 24"X36" SHEET ONLY

SETBACK TABLE TO PROPERTY LINE FROM CENTER OF POLE	
NORTH	116'-11"
EAST	19'-8"
SOUTH	25'-3"
WEST	25'-9"

Two working days before you dig CALL FOR THE BLUE STAKES 263-1100 Blue Stake Center CALL BEFORE YOU DIG!

cricket communications
4050 E. COTTON CENTER BUILDING 3 SUITE 59
PHOENIX, ARIZONA 85040
PHONE: (602) 458-4438

PLANS PREPARED BY

CDS
Custom Design Services
600 E. Baseline Road, Suite B-1
Tempe, Arizona 85283
Ph: (602) 758-5829 Fx: (602) 391-2132

TDE
TERRA DYNAMIC ENGINEERING, LLC
2930 EAST NORTHERN AVENUE, B-106
PHOENIX, ARIZONA 85028
PH: (602) 482-1603
FAX: (602) 926-2692

24338 ROBERTO ORLANDO
Expires 3/31/2012

NO.	DATE	DESCRIPTION	BY
3	02/04/09	CITY COMMENTS	CJW
4	03/12/09	CITY COMMENTS	CJW
5	04/29/09	CITY COMMENTS	CJW
6	05/04/09	CITY COMMENTS	CJW
7	06/25/09	CHANGES	CJW
8	08/07/09	CITY COMMENTS	CJW
9	12/04/09	CITY COMMENTS	CJW

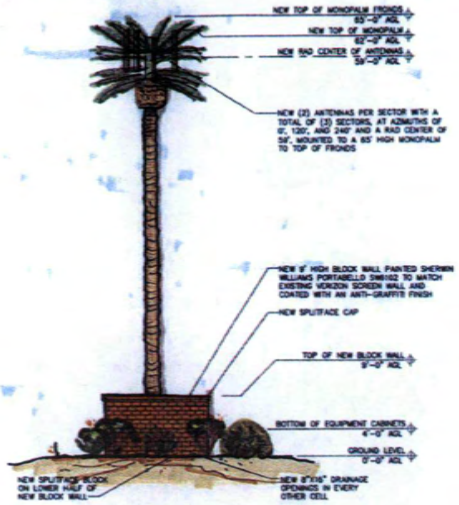
PROJECT INFORMATION
03-115-03

PHX-362-C
GTP-PEORIA STORAGE
8175 NORTH MARKET PLACE
PEORIA, ARIZONA 85345

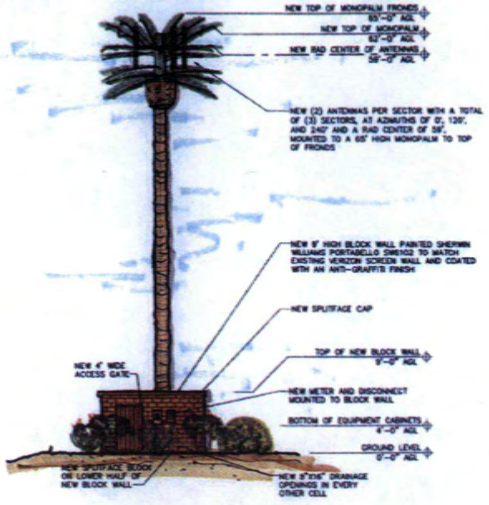
SHEET TITLE
SITE INFORMATION, SITE PLAN, ENLARGED SITE PLAN, AND ELEVATION

SHEET NUMBER
Z-1

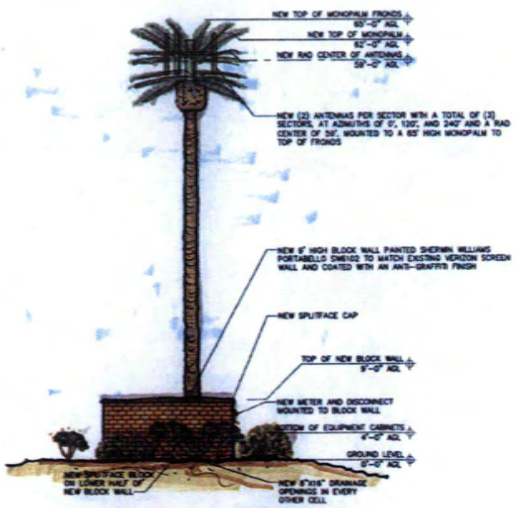
Exhibit D



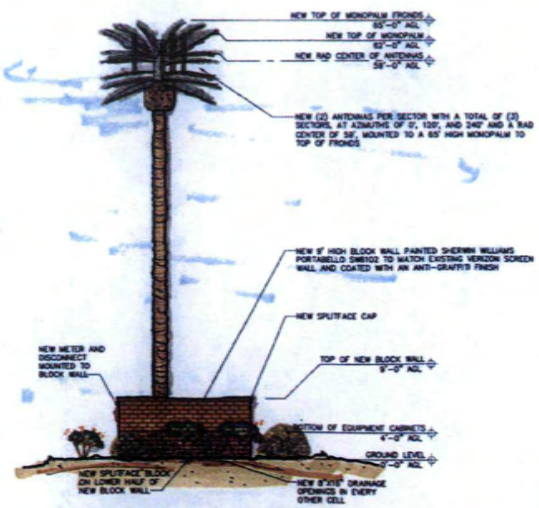
3 C-2 SOUTHEAST ELEVATION
SCALE: 1/8" = 1'-0" ON 24"X36" SHEET ONLY



1 C-2 NORTHWEST ELEVATION
SCALE: 1/8" = 1'-0" ON 24"X36" SHEET ONLY



4 C-2 NORTHEAST ELEVATION
SCALE: 1/8" = 1'-0" ON 24"X36" SHEET ONLY



2 C-2 SOUTHWEST ELEVATION
SCALE: 1/8" = 1'-0" ON 24"X36" SHEET ONLY

263-1100

cricket communications
4250 E. COTTON CENTER BUILDING 3 SUITE 39
PHOENIX, ARIZONA 85040
PHONE: (602) 458-4438

PLANS PREPARED BY

CDS
Custom Design Services
600 E. Baseline Road, Suite B-1
Tempe, Arizona 85283
Ph: (602) 758-5829 Fx: (602) 391-2132

NO.	DATE	DESCRIPTION	BY
1	06/16/09	PRELIMINARY	CJW
2	06/22/09	SUBMITTAL	CJW
3	06/25/09	PRELIMINARY 2	CJW
4	06/30/09	CHANGES	CJW
5	07/31/09	CITY COMMENTS	CJW
6	09/05/09	CHANGES	CJW

PROJECT INFORMATION
03-115-04

PHX-362-C

GTP-PEORIA STORAGE

8175 NORTH MARKET PLACE
PEORIA, ARIZONA 85345

SHEET TITLE

ANTENNA ELEVATIONS

SHEET NUMBER

C-2

RECEIVED
2nd
PL09-12

Exhibit E