

Marked Agendas
Approved Minutes
Approved Reports

**The August 21, 2014
Development Review
Board Meeting Agenda
and Minutes can be
found at**

<http://www.scottsdaleaz.gov/boards/DRB>

DEVELOPMENT REVIEW BOARD REPORT



Meeting Date: August 21, 2014 Item No. 6
General Plan Element: *Public Services and Facilities*
General Plan Goal: *Encourage provision of power and communication systems that match the character of Scottsdale and provide reliable, efficient service for Scottsdale citizens, visitors, and businesses.*

ACTION

**Verizon PHO Cinco Soles
3-DR-2012#2**

Location: 12051 N. 96th St.

Request: Request approval for a new Type 3 wireless communication facility (WCF), to be located on a new 30-foot-tall artificial palm tree, with associated ground mounted equipment screened by an 8-foot-tall masonry wall enclosure.

OWNER

Conroy Scottsdale Family Ranch LLLP
480-206-3568

ARCHITECT/DESIGNER

Young Design Co.

ENGINEER

Young Design Co.

APPLICANT CONTACT

Rick Shaw
Shaw Associates
480-204-1843

BACKGROUND

Zoning

This site is zoned Single-family Residential, Planned Residential Development (R1-35 PRD).

Context

The proposed wireless communication facility is located on a commercial stable property that is near the southeast corner of N. 96th Street and E. Cactus Road; at 12051 N. 96th Street.

Adjacent Uses and Zoning

- North City of Grace Church and single-family residential property, zoned R1-35.
- South La Cienega single-family residential subdivision, zoned R1-35 PRD.
- East Ranch property, zoned R1-35.
- West Scottsdale Vista single-family residential subdivision, zoned R1-35 PCD.

Key Items for Consideration

- This application was approved by the Development Review Board on April 19, 2012. Permits were not obtained within a two year period, causing the Development Review Board approval to lapse.

DEVELOPMENT PROPOSAL

Goal/Purpose of Request

Verizon Wireless is proposing to construct a new, Type 3 Alternative Concealment Wireless Communication Facility (WCF) disguised as an artificial palm tree, located on the Camelot Farms Commercial Ranch property at 12051 N. 96th Street. This site is proposed to be located near the center of the ranch property, approximately 325 feet south of E. Cactus Road and 413 feet east of N. 96th Street. The WCF will contain a three (3) sector antenna array, with two (2) antennas per sector for a total of six (6), with antenna dimensions measuring 73 inches long by 12 inches wide. This artificial palm tree will consist of sixty (60) fronds, with 60 percent of the fronds at 10 feet in length and 40 percent of the fronds at 7 feet in length to help disguise the antenna array. The antenna array and mounting hardware will also be painted the color of the palm fronds. There are also several existing live palm trees on the property. The height of the WCF, including palm fronds will be 30 feet.

For site security and screening purposes the artificial palm tree, ground equipment shelter and emergency power generator will be enclosed by a new 8-foot-tall perimeter wall, which measures thirty (30) feet by thirty (30) feet. The equipment shelter and screen wall will be painted to match existing colors on-site.

This WCF will not require the approval of a Conditional Use Permit as the height does not exceed 30 feet, which is allowed in the R1-35 zoning district and 2-ZN-1992#2, and the primary use is considered to be a commercial ranch.

Staff initially asked Verizon to examine co-locating on the traffic signal pole at the southeast corner of Cactus Road and 96th Street. However, the signal pole is 500 feet northwest of the WCF location, and Verizon is already at the western-most extent of serviced search ring. There is also limited right-of-way for the ground equipment due to the existing trails and utilities that are in the vicinity.

Neighborhood Communication

July 18, 2014: City staff mailed application submittal notification postcards to property owners within 750 feet. Staff has received no public comment regarding this application as of the drafting of this report.

June 28, 2014: Applicant mailed project and open house notifications to property owners within 750 feet of the proposed site.

November 21, 2011: Applicant mailed project and open house notifications to property owners within 750 feet of the proposed site.

December 3, 2011: Applicant held a neighborhood meeting at the site. Five (5) residents were in attendance. The residents were requesting additional information regarding the proposed location, and had no objections after being shown the location.

February 15, 2012: City staff mailed application submittal notification postcards to property owners within 750 feet. Staff has received no public comment regarding this application as of the drafting of this report.

As of the drafting of this report, staff received one call from the public requesting additional information. The applicant received one e-mail with concerns regarding the application.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Development Review Board approve 3-DR-2012#2 per the attached stipulations.

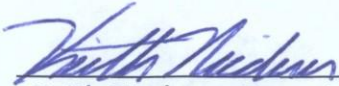
RESPONSIBLE DEPARTMENT

Planning and Development Services
Current Planning Services

STAFF CONTACT

Keith Niederer
Senior Planner
480-312-2953
E-mail: kniederer@ScottsdaleAZ.gov

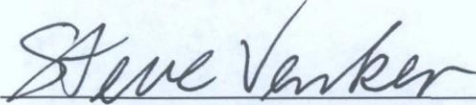
APPROVED BY



Keith Niederer, Report Author

8-12-2014

Date



Steve Venker, Development Review Board Coordinator

Phone: 480-312-2831 E-mail: svenker@ScottsdaleAZ.gov

8/12/14

Date

ATTACHMENTS

- A. Stipulations/Zoning Ordinance Requirements
- 1. Applicant's Narrative
- 2. Context Aerial
- 2A. Close-Up Aerial
- 3. Zoning Map
- 4. Photo Simulations
- 5. Plans
- 6. Neighborhood Notification Letter and Mailing List
- 7. Correspondence

**Stipulations for the
Development Review Board Application:
Verizon PHO Cinco Soles
Case Number: 3-DR-2012#2**

These stipulations are intended to protect the public health, safety, welfare, and the City of Scottsdale.

APPLICABLE DOCUMENTS AND PLANS:

1. Except as required by the Scottsdale Revised Code, the Design Standards and Policies Manual (DSPM), and the other stipulations herein, the site design and construction shall substantially conform to the following documents:
 - a. Architectural elements, including dimensions, materials, form, color, and texture, shall be constructed to be consistent with the building elevations submitted by Young Design Corp. and Verizon Wireless, with a City staff date of 2/14/2012.
 - b. The location and configuration of all site improvements shall be consistent with the site plan submitted by Young Design Corp. and Verizon Wireless, with a City staff date of 2/14/2012.

RELEVANT CASES:

Ordinance

- A. At the time of review, the applicable Conditional Use Permit application is 41-UP-92, Zoning application is 2-ZN-1992#2.

ARCHITECTURAL DESIGN:

Ordinance

- B. The artificial palm tree WCF shall not exceed thirty (30) feet in height.

DRB Stipulations

2. The artificial palm tree shall contain a minimum of sixty (60) fronds, sixty (60) percent of the fronds shall be ten (10) feet in length, and forty (40) percent of the fronds shall be seven (7) feet in length.
3. Antennas and mounting hardware shall be painted to match the color of the palm fronds.
4. Routine maintenance shall be performed on the palm tree fronds and trunk in order to sustain the original appearance and condition.
5. Antennas shall have cables back-fed.

SITE DESIGN:

Ordinance

- C. On the final plan submittal, the applicant shall submit a detail of the required emergency site marker or plaque, showing conformance with the Zoning Ordinance requirements. The site plan and elevations shall clearly identify the marker location and list the service providers name and emergency contact number.

LANDSCAPE DESIGN:

Ordinance

- D. With the final plans submittal, submit a Native Plant narrative and application, which shall include three (3) copies of the site plan and plant inventory to the One Stop Shop. The Native Plant application requirement is a separate submittal.

DRB Stipulations

6. Any landscaping disturbed or destroyed as a result of this construction shall be replaced with a like size and species, to the satisfaction of Inspection Services staff.

AIRPORT:

DRB Stipulations

7. With the final plans submittal, the applicant shall submit a Scottsdale Airport Vicinity Guidelines and Checklist and Declaration (Short Form). The applicant shall provide Aviation staff a copy of the FAA determination letter prior to final plans approval.

ADDITIONAL ITEMS:

DRB Stipulations

8. Submit a letter of authorization or redacted lease from the property owner granting permission for Verizon to obtain building permits.
9. Running of the backup power generator for preventative maintenance shall only occur during regular business hours, 8AM to 5PM on a weekday, and shall not run for more than 30 minutes.
10. Obtain permits as required by the One Stop Shop.



Verizon PHO Cinco Soles

3-DR-2012#2

ATTACHMENT #2

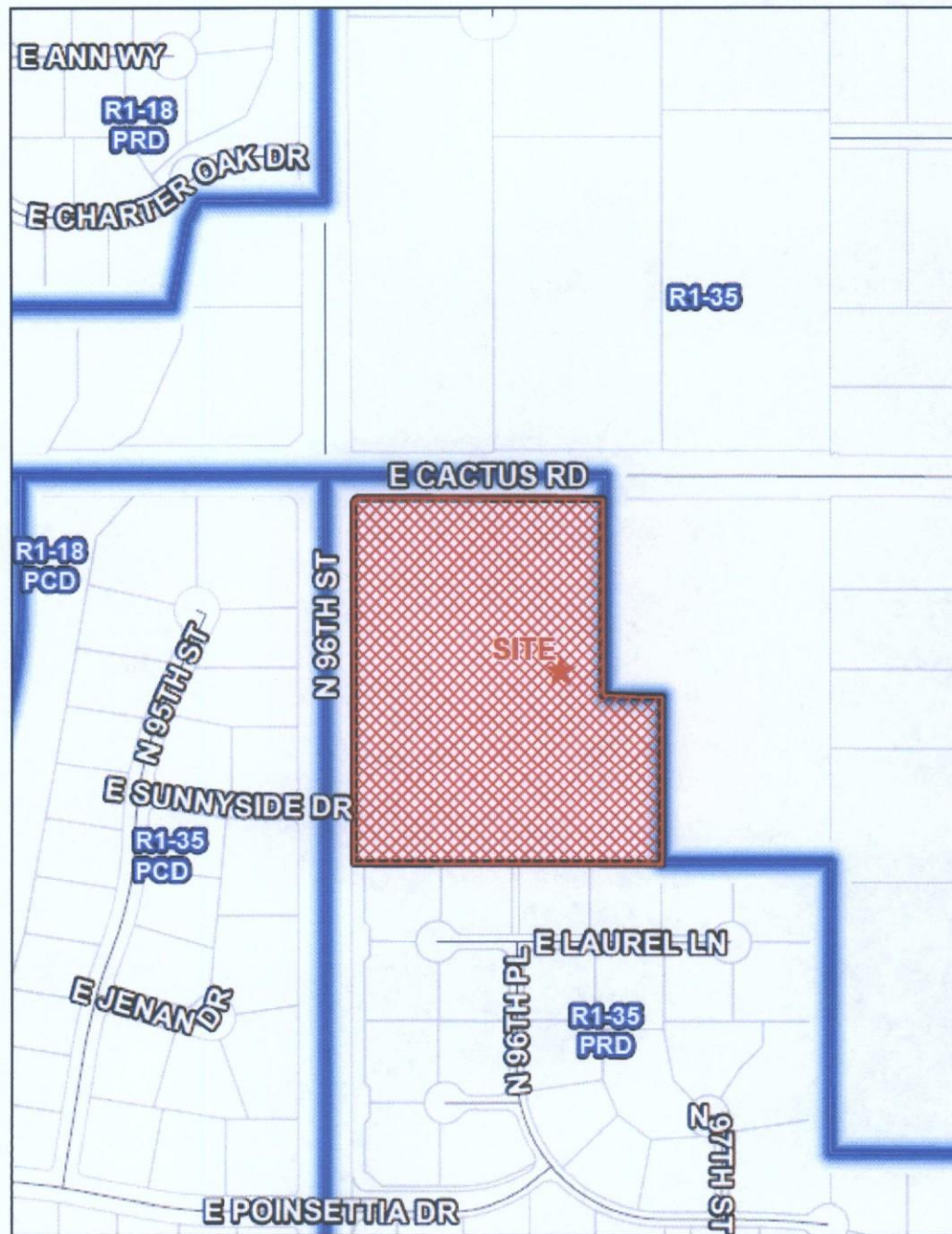


Verizon PHO Cinco Soles

3-DR-2012#2

ATTACHMENT #2A

Zoning Map

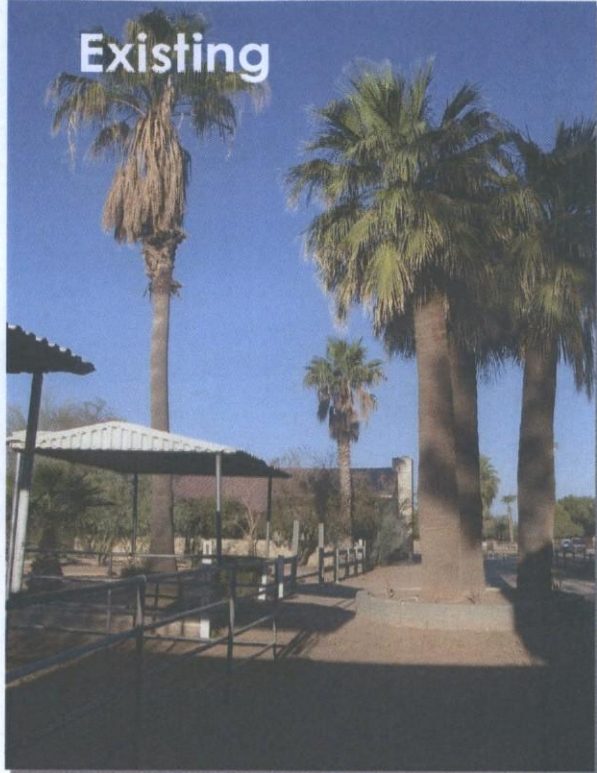


3-DR-2012#2



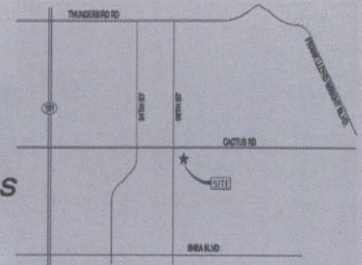
ATTACHMENT #3

Existing

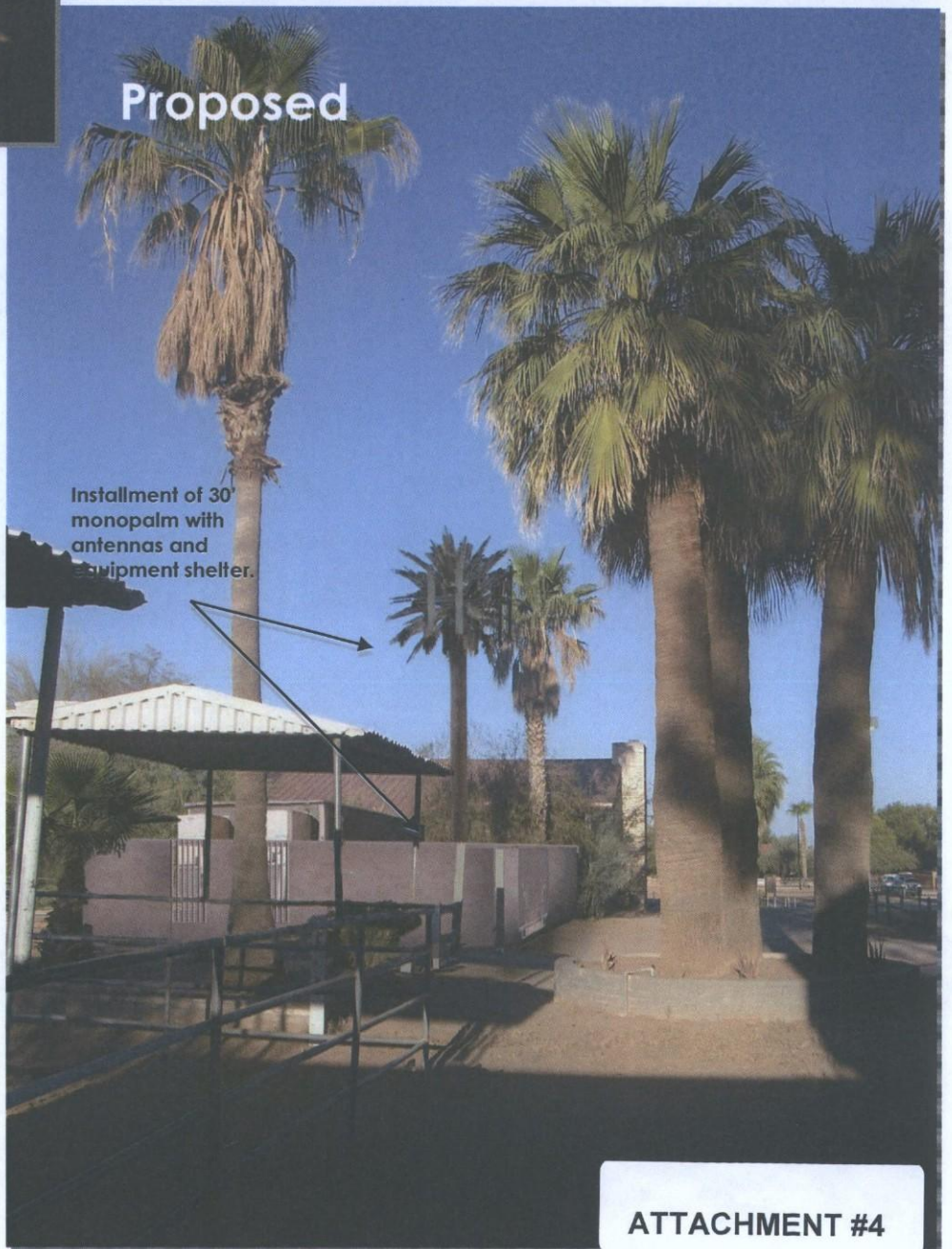


PHO CINCO SOLES

12051 N. 96th Street
Scottsdale, Arizona 85260
(East Elevation viewpoint)



Proposed



Installation of 30'
monopalm with
antennas and
equipment shelter.



young design corp
architecture project management

10245 e via linda suite 211
scottsdale az 85258

480 451 9609 office
480 451 9608 fax

ATTACHMENT #4

Photo simulation of proposed telecommunications site
(Approximate to scale only)

3-DR-2012#2
7/15/2014

Existing

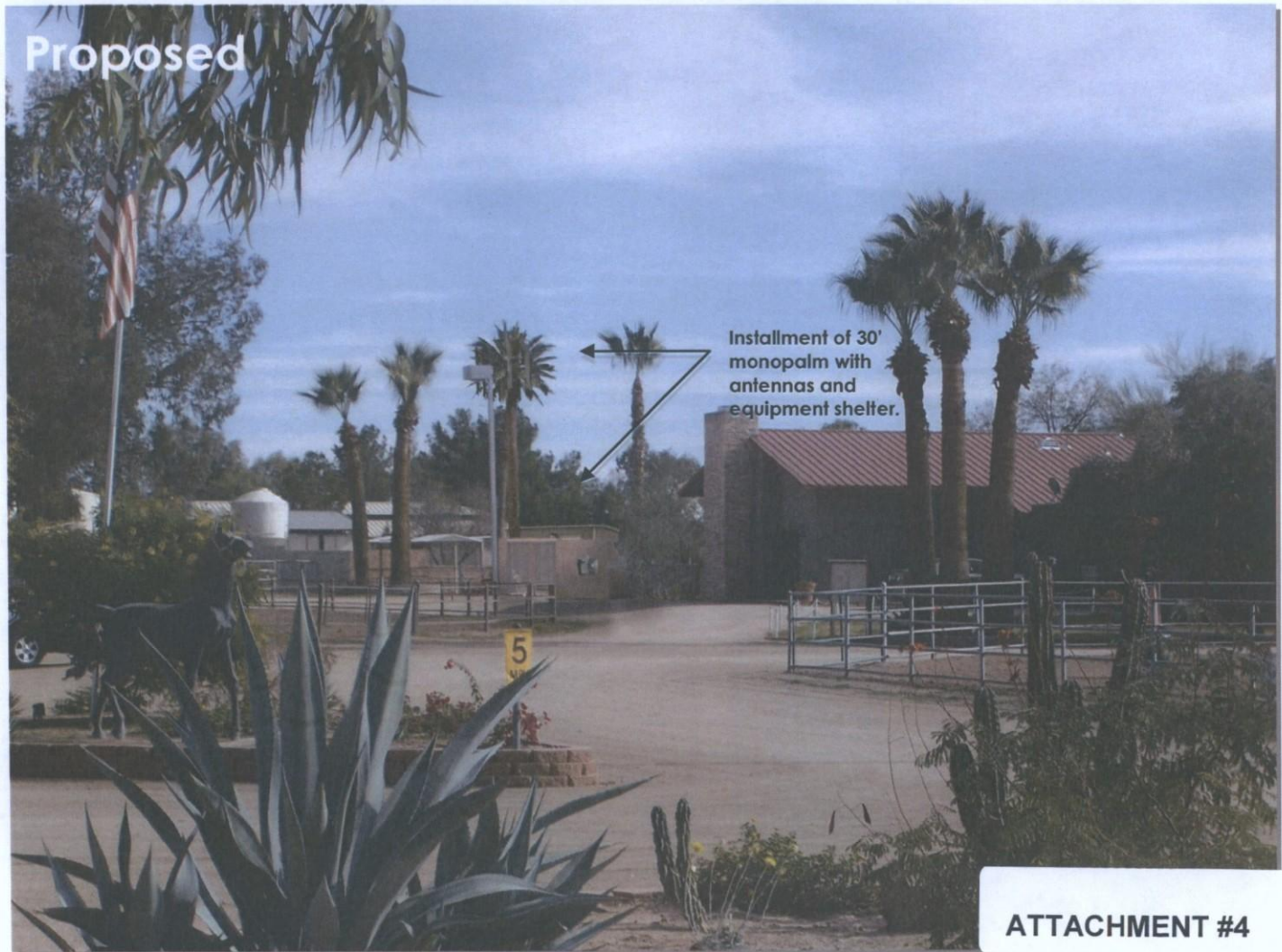


PHO CINCO SOLES

12051 N. 96th Street
Scottsdale, Arizona 85260
(Northwest Elevation viewpoint)



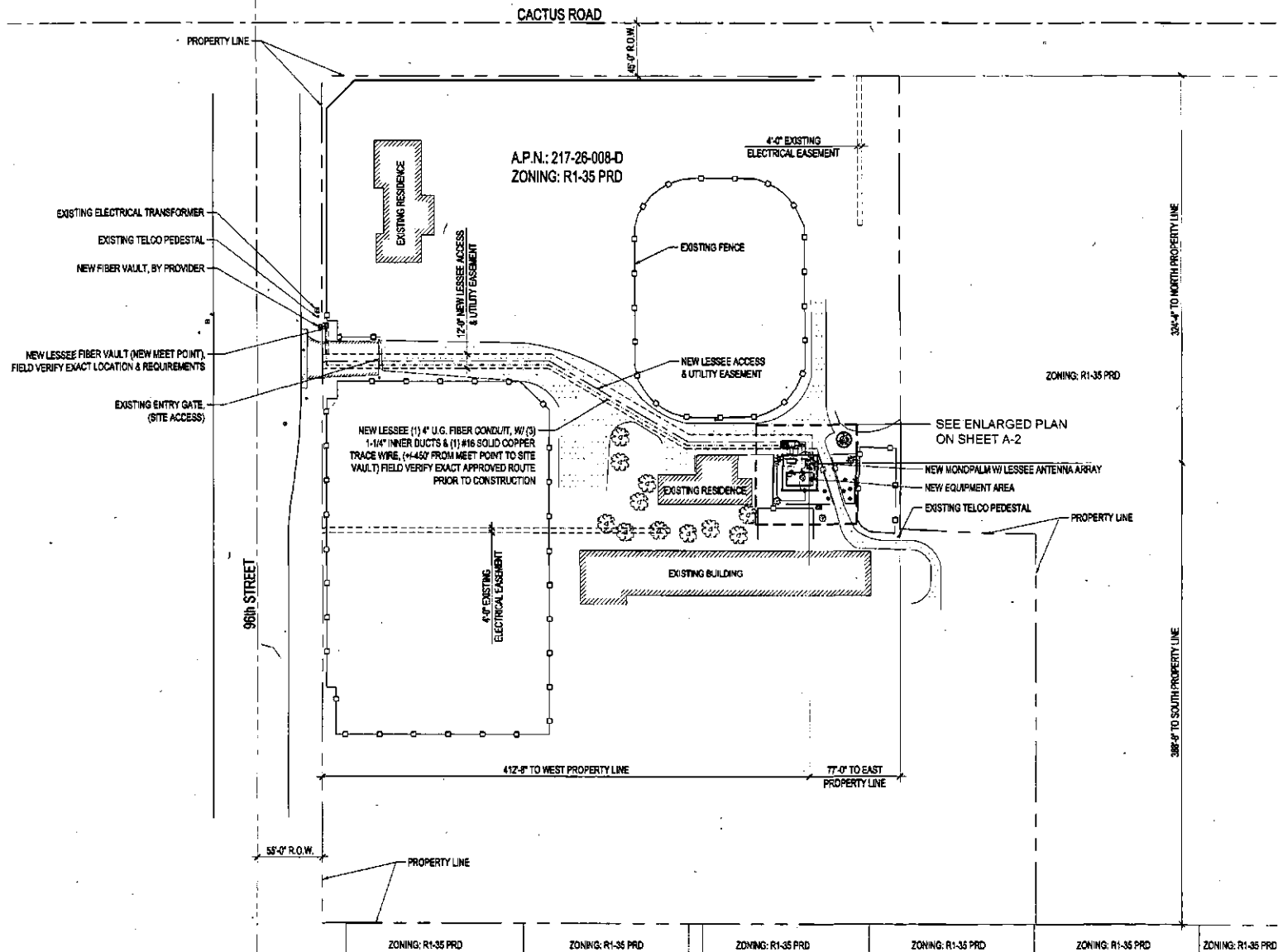
Proposed



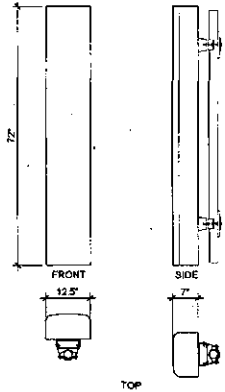
Installment of 30'
monopalm with
antennas and
equipment shelter.

ATTACHMENT #4

Photo simulation of proposed telecommunications site
(Approximate to scale only)



CLIENT	
126 W. GEMINI DR. TEMPE, AZ 85283	
INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
REAL ESTATE SIGNATURE	
architecture / project management 10245 E. Via Linda, Scottsdale, AZ 85258 ph: 480 451 9509 fax: 480 451 9606 e mail: corporate@yccoff.co.com	
SEAL 	
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NO.	DATE
1	01/27/14
2	08/26/14
DESCRIPTION	
FINAL ISSUE	
CITY COMMENTS	
ARCHITECTS JOB NO.	
YDC-3036	
PROJECT INFORMATION	
PHO_CINCO SOLES 12051 N 96th STREET SCOTTSDALE, ARIZONA, 85260	
SHEET TITLE	
OVERALL SITE PLAN	
JURISDICTION APPROVAL	
SHEET NUMBER	
A-1	



ANTENNA INFORMATION

4

COAXIAL CABLE TABLE					
SECTOR	AZIMUTH	CENTERLINE	QTY.	SIZE	TYPE
ALPHA	100°	23'-0"	4	7/8"	AVAS-50
BETA	220°	23'-0"	4	7/8"	AVAS-50
GAMMA	340°	23'-0"	4	7/8"	AVAS-50

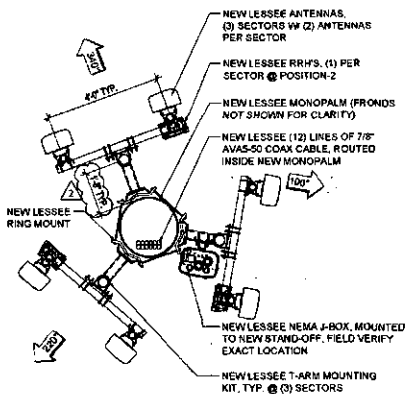
NOTE:
ALL AZIMUTHS SHOWN ARE RELATIVE TO TRUE NORTH,
UNLESS NOTED OTHERWISE

IT SHALL BE THE CONTRACTORS RESPONSIBILITY TO VERIFY
AZIMUTHS DEPICTED HEREIN WITH RF DEPARTMENT PRIOR
TO INSTALLING ANTENNAS

NOTE:
ALL EQUIPMENT & HARDWARE INSTALLED ON TOWER
SHALL BE PAINTED TO MATCH NEW PALM FRONDS.

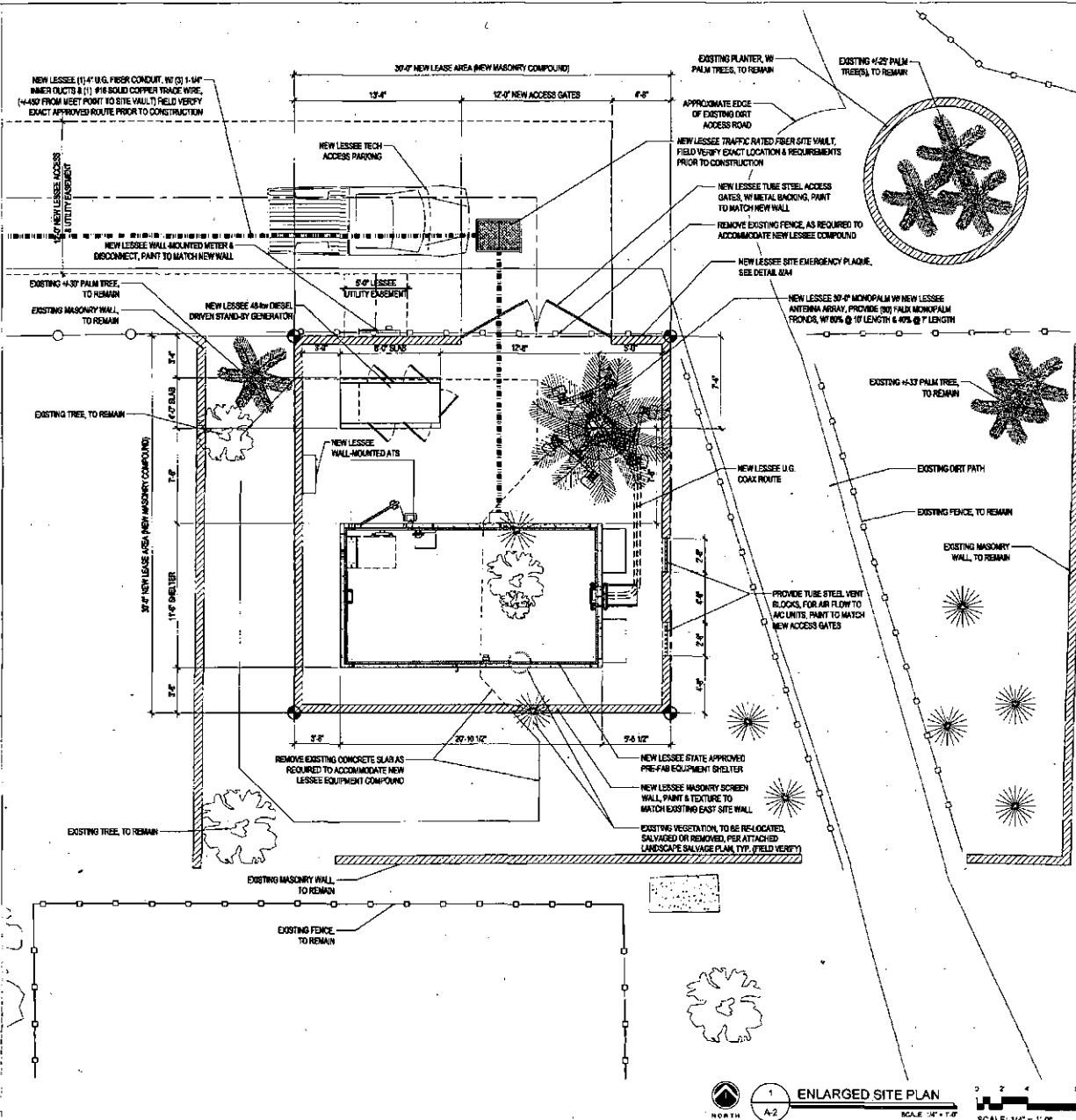
COAX CABLE INFORMATION

3



NEW ANTENNA CONFIGURATION

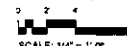
2



1
A-2

ENLARGED SITE PLAN

SCALE: 1/4\"/>



SCALE: 1/4\"/>

126 W. GEMINI DR.
TEMPE, AZ 85283

CLIENT

INTERNAL REVIEW DATE

CONSTRUCTION SIGNATURE

RF SIGNATURE

REAL ESTATE SIGNATURE

PLANS PREPARED BY

Young Design Corp

architecture / project management
12942 E. Via Linda, Scottsdale, AZ 85258
ph: 480.451.9500 fax: 480.451.9508
e-mail: corporat@ydcoffice.com

SEAL

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NO.	DATE	DESCRIPTION
1	01/07/14	FINAL ISSUE
2	02/28/14	CITY COMMENTS

ARCHITECTS JOB NO.
YDC-3036

PROJECT INFORMATION

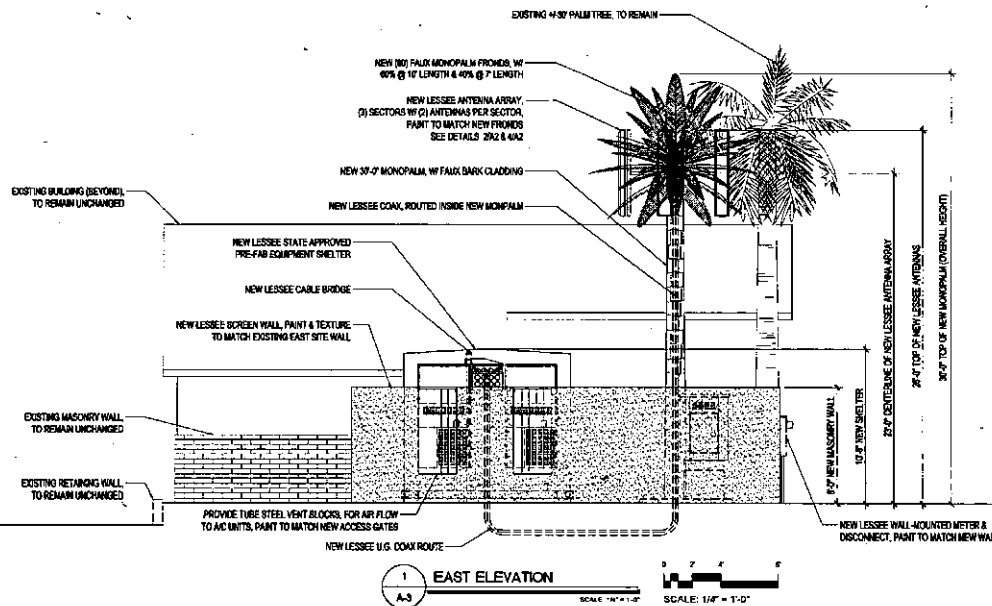
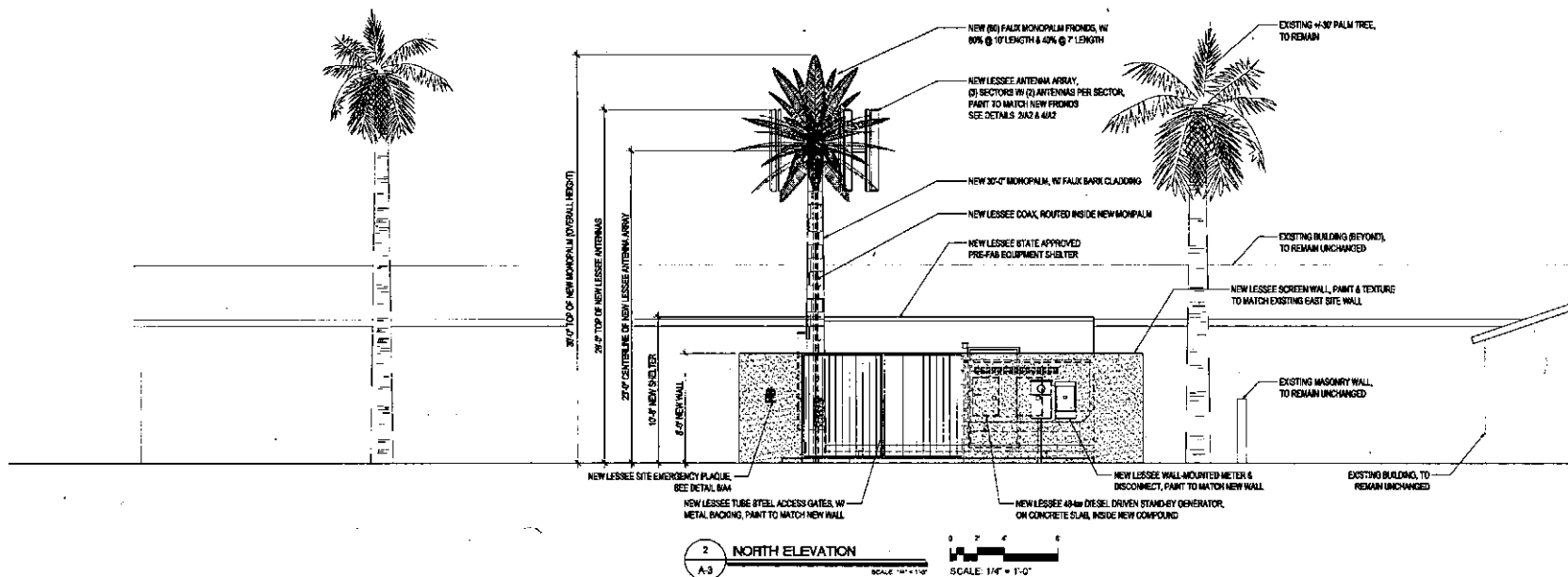
PHO_CINCO SOLES

12051 N. 69th STREET
SCOTTSDALE, ARIZONA, 85260

SHEET TITLE
**ENLARGED SITE PLAN
SITE DETAILS**

JURISDICTION APPROVAL

SHEET NUMBER
A-2



CLIENT
verizon wireless

126 W. GEMINI DR.
TEMPE, AZ 85283

INTERNAL REVIEW DATE

CONSTRUCTION SIGNATURE

RF SIGNATURE

REAL ESTATE SIGNATURE

PLANS PREPARED BY

young design corp

architecture / project management
10245 E. Via Linda, Scottsdale, AZ 85258
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NO.	DATE	DESCRIPTION
1	01/07/14	FINAL ISSUE
2	05/28/14	CITY COMMENTS

ARCHITECTS JOB NO.

YDC-3035

PROJECT INFORMATION

PHO_CINCO SOLES

12061 N 98th STREET
SCOTTSDALE, ARIZONA, 85280

SHEET TITLE

ELEVATIONS

JURISDICTION APPROVAL

SHEET NUMBER

A-3

PROJECT NOTICE 3-DR-12#2

Dear Resident,

The purpose of this letter is to notify you of a new project that is being proposed in your area. The project has been previously approved by the City of Scottsdale in April of 2011, but due to extenuating circumstances the permits were inadvertently allowed to lapse. The project is a new 30 foot tall Verizon Wireless Communication Facility to be located at 12051 N. 96th Street, in Scottsdale, Arizona. The owner is Conroy Scottsdale Family Ranch LLLP. The project will involve the placement of panel antennas on a faux stealth palm tree. The panel antennas will be painted to match the faux palm fronds that will be placed on the palm tree structure. All antennas will be mounted at a height of 23 feet and will extend 3 feet in both directions, amounting to a 26 foot maximum height for the panel antennas. The ground-mounted radio equipment will be contained in an 11'6" x 20' walk-in cabinet that will be located on the east side of the existing residence. The backup emergency generator will be located adjacent to the proposed walk-in cabinet on its west side.

A proposed generator is included in this application that will be a whisper quiet unit with a level 2 acoustic enclosure which will only operate in the event of a power outage and about 30 minutes per week on a preprogrammed day and time that is most convenient for any interested party. The generator will cycle on automatically at this preprogrammed time to ensure it remains operational and capable of powering the site in the event of a power outage. . When operating, its noise level is equivalent to a household vacuum cleaner or washing machine (i.e. about 70 decibels) and a person can have a normal conversation within a few feet of the unit.

The new facility will be an important part of implementing and improving wireless 4th Generation service in your neighborhood. Although you may already have 4th Generation service in your area, this facility will ensure that you will maintain fast, reliable service as new users join the Verizon Wireless network and/or purchase new 4th Generation phones/devices that will be serviced by this site. As you may know, 4th Generation service is equivalent in speed to landline cable internet in your home and allows you to (among other things) have video phone calls on your iPhone (or other 4G device) with friends and family or a business conference call. To make this level of service possible, Verizon would like to partner with our existing and future customers in your neighborhood as we continue to improve and optimize our network for your safety, convenience and commerce needs. That said, we would appreciate any feedback you may have regarding this new facility and would be happy to answer any questions you may have at this time. Please feel free to contact the Verizon Wireless Planner, James Gardner, at jgardner@shaw-associates or, if you prefer to speak with a city representative, please contact Keith Niederer, Sr. Planner, for the City of Scottsdale at 480-312-2953 (kniederer@scottsdaleaz.gov)

Verizon Wireless will have the communication facility in service in the 4th Quarter of 2014.

Thank you,

James Gardner
Planner
Shaw & Associates, PLC
OBO Verizon Wireless

ACHARYA PALLAV R/VANDANA
9571 E CHARTER OAK DR
SCOTTSDALE AZ 85260

ANDERS ERNEST RUDOLPH III/
SUSAN M TR
9705 E LAUREL LN SCOTTSDALE AZ
85260

ANDREWS FREDERICK C JR/
CYNTHIA F
11812 N 97TH ST SCOTTSDALE AZ
85260

BANICK MEGEATH TRUST
9504 E SUNNYSIDE DR
SCOTTSDALE AZ 85260

BATES AUSTIN B/MARJORIE K
14415 N 73RD ST #100
SCOTTSDALE AZ 85260

BILL ROE FAMILY TRUST
9595 E SUNNYSIDE DR
SCOTTSDALE AZ 85260

BRENLY ROBERT E/JOAN E TR
9726 E LAUREL LN SCOTTSDALE AZ
85260

BROWN SETH R/SHERRY L K
9609 E POINSETTIA DR
SCOTTSDALE AS 85260

CASHIN ROBERT D/GINA A
12068 N 95TH ST SCOTTSDALE AZ
85260

CHARTER OAK HOMEOWNERS
ASSOCIATION INC
P O B OX 12170 GLENDALE AZ
853182170

CITICHURCH INTERNATIONAL INC
9610 N CACTUS RD SCOTTSDALE
AZ 852605120

COHEN BETTY A/JACK
PO BOX 4036 SCOTTSDALE AZ
85261

CONROY SCOTTSDALE RANCH
FAMILY LLLP
12051 N 96TH ST SCOTTSDALE AZ
85260

CRISCIONE STEVEN/MARY A
9470 E CACTUS SCOTTSDALE AZ
85260

CROSS BRADLEY D/KIMBERLY A
8944 E PERSHING AVE
SCOTTSDALE AZ 85260

DAVID M GERUT TRUST
9158 E CAROL WY SCOTTSDALE AZ
85260

DEAN GEORGE HARVEY/EULA MAE
SAXON TR
11878 N 95TH ST SCOTTSDALE AZ
85260

DEAN GLENN
11720 N 98TH ST SCOTTSDALE AZ
85260

DICK RYAN/LEANNE
11750 N 95TH ST SCOTTSDALE AZ
85260

DILBECK RANDALL L/HOPE M TR
9585 E POINSETTIA DR
SCOTTSDALE AZ 85260

DOLLARHIDE JEFFREY C/ANNE M
TR
9646 E LAUREL LN SCOTTSDALE AZ
85260

DUICK DANIEL S/DIANE E
9505 E JENAN DR SCOTTSDALE AZ
85260

DWIGHT GREGORY/ MARCIE
12196 N 95TH ST SCOTTSDALE AZ
85260

FISCHER DOUGLAS HANSEN
11875 N 95TH ST SCOTTSDALE AZ
85260

GARVEY ROBERT H/BETTY A TR
11942 N 95TH ST SCOTTSDALE AZ
85260

GINSBERG MITCHELL/BEVERLEY H
TR
9627 E POINSETTA DR
SCOTTSDALE AZ 85260

GOLDSCHMIDT MARC A/ALMA R TR
9553 E ANN WY SCOTTSDALE AZ
85260

GRIFFITH JACK F/MARGARET M
12035 N 95TH ST SCOTTSDALE AZ
85260

HARTZEL JAMES J/KRISTEN N
9504 E JENAN DR SCOTTSDALE AZ
85260

HAUGEN PAUL A/KATHRYN I TR
9477 E SUNNYSIDE DR
SCOTTSDALE AZ 85260

HAVERTY MICHAEL B/GRACE F TR
11795 N 95TH ST SCOTTSDALE AZ
85260

HERTZBERG MARC/RHIANNON
9648 E POINSETTIA DR
SCOTTSDALE AZ 85260

HICKEY JAYNE M TR
11998 N 98TH ST SCOTTSDALE AZ
85260

HINSLEY DAN A TR
9670 E POINSETTIA DR
SCOTTSDALE AZ 85260

HOMESTEAD INVESTMENTS LLC
4781 CAUGHLIN PKWY RENO NV
89519

HUNDLEY MARY L
9480 E PARADISE DR SCOTTSDALE
AZ 85260

JAFFE ANDREW S/LINDA J TR
11818 N 96TH PL SCOTTSDALE AZ
85260

JOHNSON KEITH/MASELLI MARY
CHRIS
12132 N 95TH ST SCOTTSDALE AZ
85260

JOHNSON PAMELA A TR
9565 E POINSETTIA DR
SCOTTSDALE AZ 85260

KALLENBACH TERRY L/LEROUX
YVETTE
9681 E POINSETTIA DR
SCOTTSDALE AZ 85260

KANTOR-HOOGENBOOM BETSY S
11854 N 96TH PL SCOTTSDALE AZ
85260

KARASH MICHAEL S
9520 E CACTUS SCOTTSDALE AZ
85260

KENNETH GENE D
9479 E PARADISE DR SCOTTSDALE
AZ 85260

KNF ENTERPRISES L L C
9599 E CHARTER OAK DR
SCOTTSDALE AZ 85260

KOKOSKA FAMILY TRUST/KOKOSKA
EDWARD
8290 E SUTTON DR SCOTTSDALE
AZ 85260

LA CIENEGA OWNERS
ASSOCIATION
P O BOX 13615 CHANDLER AZ 85248

LADOUCEUR MARK/KAREN A TR/
ETAL
9563 E CHARTER OAK DR
SCOTTSDALE AZ 85260

LEWIS JOHN M & NORMA J
P O BOX 5094 PHOENIX AZ 85010

LIVOVICH JEFFREY/LISA
9610 E LAUREL LN SCOTTSDALE AZ
85260

LUCAS TAMMY/MARC
9555 E CHARTER OAK DR
SCOTTSDALE AZ 85260

MARKSON BARRY M/LORI H
9594 E JENAN DR SCOTTSDALE AZ
85260

MAYER DANIEL BEN/SHARON
12188 N 98TH ST SCOTTSDALE AZ
85260

MCFARLAND JOHN A & MARGARET
J
9478 E SUNNYSIDE DR
SCOTTSDALE AZ 85260

MIKULA LA VERN JOSEPH/LORETTA
LOUISE TR
9625 E LAUREL LN SCOTTSDALE AZ
85260

MISHARK KENNETH J/CROSBY
JULIE R TR
11686 N 95TH ST SCOTTSDALE AZ
85260

MITCHELL MICHAEL JAMES/
VICTORIA H
12195 N 95TH ST SCOTTSDALE AZ
85260

MY ESTATES LLC
PO BOX 5508 SCOTTSDALE AZ
85261

NIKZAD HOOMAN/CARA
9726 E POINSETTIA DR
SCOTTSDALE AZ 85260

NORTH ARABIANS SCOTTSDALE
LLC
9720 E CACTUS RD SCOTTSDALE
AZ 85260

OL VENTURES LLLP
9845 E CACTUS RD SCOTTSDALE
AZ 85260

ONO MARK K/MOORE-ONO JULIE A
9664 E LAUREL LN SCOTTSDALE AZ
85260

OZER FAMILY TRUST
9564 E CHARTER OAK DR
SCOTTSDALE AZ 85260

PARISI HEATHAR/GAVIN
9645 E POINSETTIA DR
SCOTTSDALE AZ 85260

PATEL ASHOK C/RITAA
9661 E LAUREL LN SCOTTSDALE AZ
85260

PATEL MILAN K/PRAGNA M
9607 E LAUREL LN SCOTTSDALE AZ
85260

PINE HILL TRUST
9708 E LAUREL LN SCOTTSDALE AZ
85260

PRESTON JOHN/MARY E TR
11814 N 95TH ST SCOTTSDALE AZ
85260

PROPHETER FLORENCE L
9628 E LAUREL LN SCOTTSDALE AZ
85260

RAPPA RICHARD C/NANCY J
77 RENAUD GROSSE POINTE MI
48236

RIERSON SEAN M
9490 E CACTUS RD SCOTTSDALE
AZ 85260

RIETH RICHARD E/KERRY A
9559 E JENAN DR SCOTTSDALE AZ
85260

RYCROFT DAVID P/PAMELA A
9550 E POINSETTIA DR
SCOTTSDALE AZ 85260

SAUNDERS JAMES E & MARGARET
E
9596 E POINSETTIA DR
SCOTTSDALE AZ 85260

SCHNEIDER BRIAN R/SHARALEE
11824 N 97TH ST SCOTTSDALE AZ
85260

SCHOENLING PATRICK J/YULIYA S
9653 E LAUREL LN SCOTTSDALE AZ
85260

SCOTT SARAH EVELYN/HAUSHEER
KEVIN E
12445 N 96TH PL SCOTTSDALE AZ
85260

SCOTTSDALE CITY OF
7447 E INDIAN SCHOOL RD STE 205
SCOTTSDALE AZ 85251

SHINO R MATTHEW/CAROLYN M
9780 E CACTUS RD SCOTTSDALE
AZ 85260

SMALLEY SHAWN
9470 E PARADISE DR SCOTTSDALE
AZ 85260

SMITH TIMOTHY MYRON/MARY
KATHLEEN TR
11815 N 97TH ST SCOTTSDALE AZ
85260

SNICKO LLC
8700 E VISTA BONITA DR STE 202
SCOTTSDALE AZ 85255

SONIA M SCOTT LIVING TRUST
11622 N 95TH ST SCOTTSDALE AZ
85260

TAYLOR ERIC/ALLANA
9723 E LAUREL LN SCOTTSDALE AZ
85260

TRIESTE SA
9707 E CACTUS RD SCOTTSDALE
AZ 85260

UMAR RAMSEY/SARAH
9708 E POINSETTIA DR
SCOTTSDALE AZ 85260

VINEEL KURLI AND MADHAVI KURLI
TRUST
9705 E POINSETTIA DR
SCOTTSDALE AZ 85260

WATSON MARK
12004 N 95TH ST SCOTTSDALE AZ
85260

WILEY LIVING TRUST
9504 E POINSETTIA DR
SCOTTSDALE AZ 85260

WILLIAMS LEA
225 17TH AVENUE SE CALGARY AB
T2G1H5

WILLS MICHAEL LEE/KATHRYN Y TR
9525 E JENAN DR SCOTTSDALE AZ
85260

WRIGHT MICHAEL W/LESLIE J
14808 N 100TH PL SCOTTSDALE AZ
85260

ZILTZER REVOCABLE TRUST
12122 N 98TH ST SCOTTSDALE AZ
85260

Niederer, Keith

From: Shaw & Associates <rshaw@shaw-associates.com>
Sent: Tuesday, July 01, 2014 7:44 AM
To: sethbrown1@outlook.com
Cc: jgardner@shaw-associates.com; Niederer, Keith
Subject: RE: [FWD: project notice 3-dr-12#2]
Attachments: PHO_CINCO SOLES-FINAL-REVISED-11.22.11.pdf

Hi Mr. Brown,

James forwarded your email to me so I could respond to you. I was involved with the original zoning approval for this project back in 2012 and have been involved with it throughout. I hope to be able to answer all your questions.

As an initial thought I wanted to let you know that I'd be happy to meet with you on site so you can see where the facility will be and learn a little more about it. The DRB hearing at the city will likely be August 20th so we will have an opportunity to meet prior to that at your convenience. I have attached a soft copy of the drawings in case the hard copy wasn't clear.

I think it may be easiest to respond to your questions one by one below so please see my comments in red font below:

Richard S. Shaw, Esq.
Shaw & Associates, PLC
1222 W. Cavedale Drive
Phoenix, AZ 85085
(480) 204-1843

From: jgardner@shaw-associates.com [mailto:jgardner@shaw-associates.com]
Sent: Monday, June 30, 2014 9:21 AM
To: Shaw Associates
Subject: [FWD: project notice 3-dr-12#2]

More:

James Gardner

----- Original Message -----
Subject: project notice 3-dr-12#2
From: seth brown <sethbrown1@outlook.com>
Date: Sat, June 28, 2014 1:06 pm
To: <kniedler@scottsdaleaz.gov>, <jgardner@shaw-associates.com>

Gentlemen,
My name is Seth Brown. I reside at 9609 E Poinsetia Dr.; ½ block south of 96th & Cactus.
I am in receipt of said notice.

Candidly, your statements and explanations cause at least as many questions as answers.

A few of my questions are:

1. Who guarantees the maintenance and aesthetic continuity? Verizon Wireless will be responsible to maintain the site's appearance and functionality. The city planners and planning board will impose these responsibilities as a condition of the zoning approval (as they did in 2012). If Verizon does not comply, it will be subject to fines and, in extreme cases, removal of the facility. This has not been an issue with Verizon and Keith Neiderer can confirm this if you'd like to discuss it with him.
2. What consequences are there if said maintenance is not done? Please see my comment above.
3. All good intentions aside, who guarantees the noise abatement? There are 5 homes/buildings between your home and the site in addition to a 1,100 foot separation so you will not hear the site at all. Verizon is responsible for not exceeding the approved noise levels as noted in the zoning and permitting approvals. If Verizon exceeds the approved noise levels it will again be subject to fines and, in egregious cases, removal of the site. Again, this has not been a problem and there are many sites in/near residential communities in Scottsdale and other cities in town.
4. What consequences are there if the stated decibel level is not maintained? Please see above.
5. The fact is, the permit did expire; that in itself needs to be fully explained before the community gives anyone carte blanche to complete a project that may or may not be in our best interest. The original approval expired essentially due to an oversight by the project manager at Verizon. There are many sites being worked on around town and the expiration date of the zoning approval was not properly noted in the project tracker. Most zoning approvals in other cities don't have an expiration date but Scottsdale does. The building permit must be completed and issued within 2 years of the original zoning approval but, due to the oversight, it was completed about 6 weeks late. Verizon attempted to get another extension, however, the city felt it was in the neighborhood's best interest to have Verizon start over.
6. We who live on or near 96th fought hard to make this street a "neighborhood" type boulevard; candidly, this seems to be going in the wrong direction. I grew up at 76th St and Hayden Rd. and have an affinity to the entire area. I have worked on a couple of other sites in the area between Shea and the airpark and have explained to Verizon on many occasions the concerns of the residents in this area. Verizon is very receptive to preserving the feel and look of areas near any new location, particularly when it comes to residential areas. In this case, we placed the site near the middle of the horse facility amongst other palm trees so that it would be as invisible as possible from Cactus Rd, 96th St and the surrounding residences. The new palm tree is as short as it can be (just 30 feet to the highest palm frond) w/out completely compromising its usefulness. As you know, many live palm trees are twice that tall. The site will provide state of the art 4G service equivalent to cable internet speeds - so your smart phone will work as fast as your home PC. This is a monumental step in broadband communications and Verizon would like to bring this level of service to your neighborhood in the least intrusive means possible - I think we achieved that since we had no objections 2 years ago - but that said we are open to any additional concealment ideas you may have.

Please note that I am a development professional, I am not one to automatically think negatively on a project such as this. I do however think it is incumbent upon you to give a more in depth explanation of all indigenous items concerning this project.

7. What has Verizon offered to at least improve the street aesthetically as much as it will infringe on our neighborhood? I'm not sure I follow on this issue but I'd be happy to discuss any ideas you may have.

I'd appreciate an invitation to a hearing that is needed. If given the appropriate response, you may find that I become a protagonist on your behalf. As I noted above, I think the hearing will be August 20th (which you will be notified of by mail by the city),

but again I'm happy to meet with you on site to discuss any ideas you may have to make the site better. Thanks very much for your email and I hope to meet you soon. Best Regards, Rick.

Very Truly Your's
Seth Brown.

Niederer, Keith

From: Mark K. Ono, M.D. <mkonomd@yahoo.com>
Sent: Sunday, June 29, 2014 6:01 AM
To: jgardner@shaw-associates.com; Niederer, Keith
Cc: Julie Ono
Subject: Project 3-DR-12#2

Gentlemen,

Thank you for the notice regarding this project. I would ask that the preprogrammed 30 minutes testing period for the generator for the cell tower run during business hours on a weekday preferably on Wednesday at 12:00P to minimize any potential noise to our neighborhood. Please let me know if this plausible, thank you.

Mark K. Ono, M.D.

Niederer, Keith

From: Ruenger, Jeffrey
Sent: Wednesday, July 23, 2014 8:58 AM
To: Niederer, Keith; Perone, Steve
Subject: FW: 3-DR-2012#2

-----Original Message-----

From: WebSiteUser@scottsdaleaz.gov [<mailto:WebSiteUser@scottsdaleaz.gov>]
Sent: Wednesday, July 23, 2014 7:33 AM
To: Projectinput
Subject: 3-DR-2012#2

Do not reply to this message via email.
The Internet user did not provide a return email address:

Yes, build it. You have done a great job of hiding the cell towers

This message was feedback from the following web page:
<https://www.google.com/>
7/23/2014 7:32:52 AM

97.124.66.44 Mozilla/5.0 (Windows NT 5.1) AppleWebKit/537.36 (KHTML, like Gecko) Chrome/36.0.1985.125 Safari/537.36 sessionID: 0