

PLANNING COMMISSION REPORT



Meeting Date: May 14, 2025
General Plan Element: *Public Services and Facilities*
General Plan Goal: *Provide and Maintain Utility and Infrastructure Systems*

ACTION

Verizon PHO Dynamic 8-UP-2014#3

Request to consider the following:

1. A recommendation to City Council regarding a request by owner for approval of a Conditional Use Permit for an existing Type 4, Alternative Concealment, Wireless Communication Facility (WCF) located on an existing 55-foot-tall artificial palm tree, with associated ground-mounted equipment located at 1525 N. Hayden Road with Industrial Park (I-1) zoning.

Goal/Purpose of Request

The applicant's request is for approval of a Conditional Use Permit for an existing Verizon artificial palm tree WCF, which was initially approved by the City Council on February 17, 2015 with case 8-UP-2014, and reapproved on January 14, 2020 with case 8-UP-2014#2. Conditional Use Permits for WCFs are valid for a period of five (5) years from the date of City Council approval. Verizon, who operates this existing WCF, is requesting approval of another Conditional Use Permit to allow the use to continue for an additional five years. There have not been changes in technology that eliminate the need for this or other existing wireless communication facilities.

Key Items for Consideration

- Conditional Use Permit Criteria
- No modifications are proposed to the facility at this time
- This existing 55-foot-tall artificial palm tree is a Type 4 Wireless Communication Facility and is subject to a Conditional Use Permit because the proposed height exceeds the maximum allowable height of 52-feet in the I-1 zoning district.

OWNER

Bkm Scottsdale Commerce Center 910 LLC
602-362-0803

Action Taken _____

Bkm Scottsdale Commerce Center 910 LLC
602-362-0803

APPLICANT CONTACT

Steve Ciolek
Coal Creek Consulting
(480) 246-4131

LOCATION

1525 N Hayden Rd



BACKGROUND

General Plan

The General Plan Land Use Element designates the property as Mixed Use Neighborhoods. This category includes higher density housing combined with complementary office or retail uses or mixed-use structures.

Character Area Plan

The site is located within the South Scottsdale Character Area boundary. The land use map portion of the plan defers to the land use map of the General Plan. As noted above, the property is currently designated as Mixed Use Neighborhoods in the General Plan.

Zoning

The site is zoned Industrial Park (I-1). This district permits wireless communication facilities by right, or with a Conditional Use Permit when the height exceeds that allowed by the zoning district.

Context

The subject property is located within an existing office park southeast of the southeast corner of N. Hayden Road and E. McDowell Road. To the east is the General Dynamics property. To the west and south is an existing office park. Please refer to context graphics attached.

Adjacent Uses and Zoning

- North: Office/Warehouse zoned I-1
- South: Retail/Office zoned C-3
- East: General Dynamics zoned I-1
- West: Office/Warehouse zoned I-1

Other Related Policies, References:

Zoning Ordinance

APPLICANT'S PROPOSAL

Development Information

No modification to this existing wireless facility are proposed at this time. The applicant's request is for approval of a Conditional Use Permit to keep this existing WCF in place for at least another five years. There have been no changes in technology that have eliminated the need for the wireless facility. In recent years, there has been an increase in the amount of needed wireless communication facilities to handle the capacity and bandwidth needs.

Conditional Use Permit

Conditional Use Permits, which may be revocable, conditional, or valid for a specified time period, may be granted only when expressly permitted after the Planning Commission has made a recommendation and City Council has found as follows:

- A. That the granting of such Conditional Use Permit will not be materially detrimental to the public health, safety or welfare. In reaching this conclusion, the Planning Commission and the City Council's consideration shall include, but not be limited to, the following factors:
 1. Damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination.
 - **The WCF does not create damage or nuisance from noise, smoke, odor, dust, vibration or illumination.**
 2. Impact on surrounding areas resulting from an unusual volume or character of traffic.
 - **This WCF does not generate daily traffic. Traffic to the site will only occur during times of maintenance, when maintenance vehicles will utilize the existing adjacent parking spaces.**
- B. The characteristics of the proposed conditional use are reasonably compatible with the types of uses permitted in the surrounding areas.
 - **This existing use is reasonably compatible with the commercial nature of the area. The nearest residential property is located approximately 600 feet to the north, across McDowell Road.**

- C. The additional conditions specified in Section 1.403, as applicable, have been satisfied. The proposal meets the provisions for Wireless Communication Facility as identified in Zoning Ordinance Section 1.403.L., including:
1. All use permits shall be granted for a maximum of five (5) years from the date of City Council approval. The applicant shall be responsible for initiating a review of the approved wireless communication facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the Conditional Use Permit.
 - **Changes in wireless technology have not eliminated the need for wireless communication facilities. In recent years, there has been an increase in the amount of needed wireless communication facilities to handle the capacity and bandwidth needs of the wireless carriers.**
 2. To the degree a proposed WCF meets height requirements set forth in this Ordinance, no Conditional Use Permits shall be granted when the heights are found to be intrusive, obtrusive or out of character with the surrounding area.
 - **The height of the existing artificial palm tree WCF is 55-feet. The height doesn't appear to be intrusive, obtrusive or out of character with the area.**
 3. Antennas and pole diameters shall be harmonious with the existing context and not be intrusive or obtrusive on the landscape or views.
 - **The existing artificial palm tree will not be increased in height.**
 4. The shape of the WCF shall blend with other similar vertical objects and not be intrusive in its setting or obtrusive to views.
 - **Mature trees exist in the vicinity of the artificial palm tree, which help it blend with the surrounding environment and not appear too tall. There are also several existing tall mature Mexican Fan Palms to the northwest near the intersection of McDowell Road and Hayden Road.**
 5. The WCF shall blend into its setting and, to the extent that it is visible, not be intrusive on the landscape or obtrusive on views.
 - **Mature trees exist in the vicinity of the artificial palm tree, which help it blend into the setting and not appear too tall.**

Water/Sewer

The WCF has no impact on water or sewer infrastructure.

Community Involvement

The City of Scottsdale promotes public participation in the development of the built environment. The applicant has complied with the city's suggested best practices for public

outreach. Both the applicant and city staff notified properties within 750-feet of this application via US mail. As of the drafting of this report, no public comments have been received.

Significant Updates to Development Proposal Since Initial Submittal

There were no significant changes made to the proposal during the public/staff review period.

Community Impact

Approving this Conditional Use Permit will allow Verizon to remain in the current location for at least another 5-years and continue to provide wireless coverage to this portion of Scottsdale. Not approving this Conditional Use Permit would mean this wireless facility would need to be removed.

STAFF RECOMMENDATION

Recommended Approach:

Staff recommends that the Planning Commission find that the Conditional Use Permit criteria have been met and make a recommendation to City Council for approval of case 8-UP-2014#3, per the attached stipulations.

RESPONSIBLE DEPARTMENT

Planning and Development Services

Current Planning Services

STAFF CONTACT

Keith Niederer
Telecom Policy Coordinator
480-312-2953
E-mail: kniederer@ScottsdaleAZ.gov

APPROVED BY



Keith Niederer, Report Author

5/1/2025

Date



Tim Curtis, AICP, Current Planning Director
Planning Commission Liaison
Phone: 480-312-4210 Email: tcurtis@scottsdaleaz.gov

5/1/2025

Date



Erin Perreault, AICP, Director
Planning and Development Services
Phone: 480-312-7093 Email: eperreault@scottsdaleaz.gov

05/02/2025

Date

ATTACHMENTS

1. Context Aerial
2. Draft Resolution No. XXXXX
 - Exhibit 1: Aerial Close-Up
 - Exhibit 2: Stipulations
 - Exhibit A to Exhibit 2: Plans
 - Exhibit 3: Additional Conditions
3. Photograph
4. Existing Zoning Map
5. Community Involvement
6. City Notification Map



Context Aerial

8-UP-2014#3

ATTACHMENT 1

RESOLUTION NO. xxxxx

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF SCOTTSDALE, MARICOPA COUNTY, ARIZONA, APPROVING THE RENEWAL OF A CONDITIONAL USE PERMIT FOR AN EXISTING TYPE 4, ALTERNATIVE CONCEALMENT, WIRELESS COMMUNICATION FACILITY (WCF) LOCATED ON AN EXISTING 55-FOOT-TALL ARTIFICIAL PALM TREE, WITH ASSOCIATED GROUND-MOUNTED EQUIPMENT LOCATED AT 1525 N. HAYDEN ROAD WITH INDUSTRIAL PARK (I-1) ZONING.

WHEREAS, the Planning Commission held a public hearing on May 14, 2025;

NOW, THEREFORE, LET IT BE RESOLVED, by the City Council of the City of Scottsdale, Maricopa County, Arizona, as follows:

Section 1. That the City Council finds and approves:

- a) that granting a renewal of this conditional use permit per stipulations set forth on **Exhibit 2** will not be materially detrimental to the public health, safety or welfare based on, but not limited to, the following factors: damage or nuisance arising from noise, smoke, odor, dust, vibration or illumination and impact on surrounding areas resulting from an unusual volume or character of traffic;
- b) that compliance with the additional conditions for a Wireless Communication Facility, set forth on **Exhibit 3**, is required.

Section 2. That a description of the conditional use permit is set forth in Case No.14-UP-2012#3. The property that is subject to the conditional use permit is shown on **Exhibit 1** and the conditional use permit approval is conditioned upon compliance with all of the stipulations that are set forth in **Exhibit 2 and Exhibit 3**. All exhibits are incorporated herein by reference.

PASSED AND ADOPTED by the Council of the City of Scottsdale, Maricopa County, Arizona this _____ day of _____, 2025.

ATTEST:

CITY OF SCOTTSDALE, an Arizona municipal corporation

By: _____
Ben Lane
City Clerk

By: _____
Lisa Borowsky
Mayor

APPROVED AS TO FORM:
OFFICE OF THE CITY ATTORNEY

By: _____
Sherry R. Scott, City Attorney
By: Joe Padilla, Deputy City Attorney



Close-up Aerial

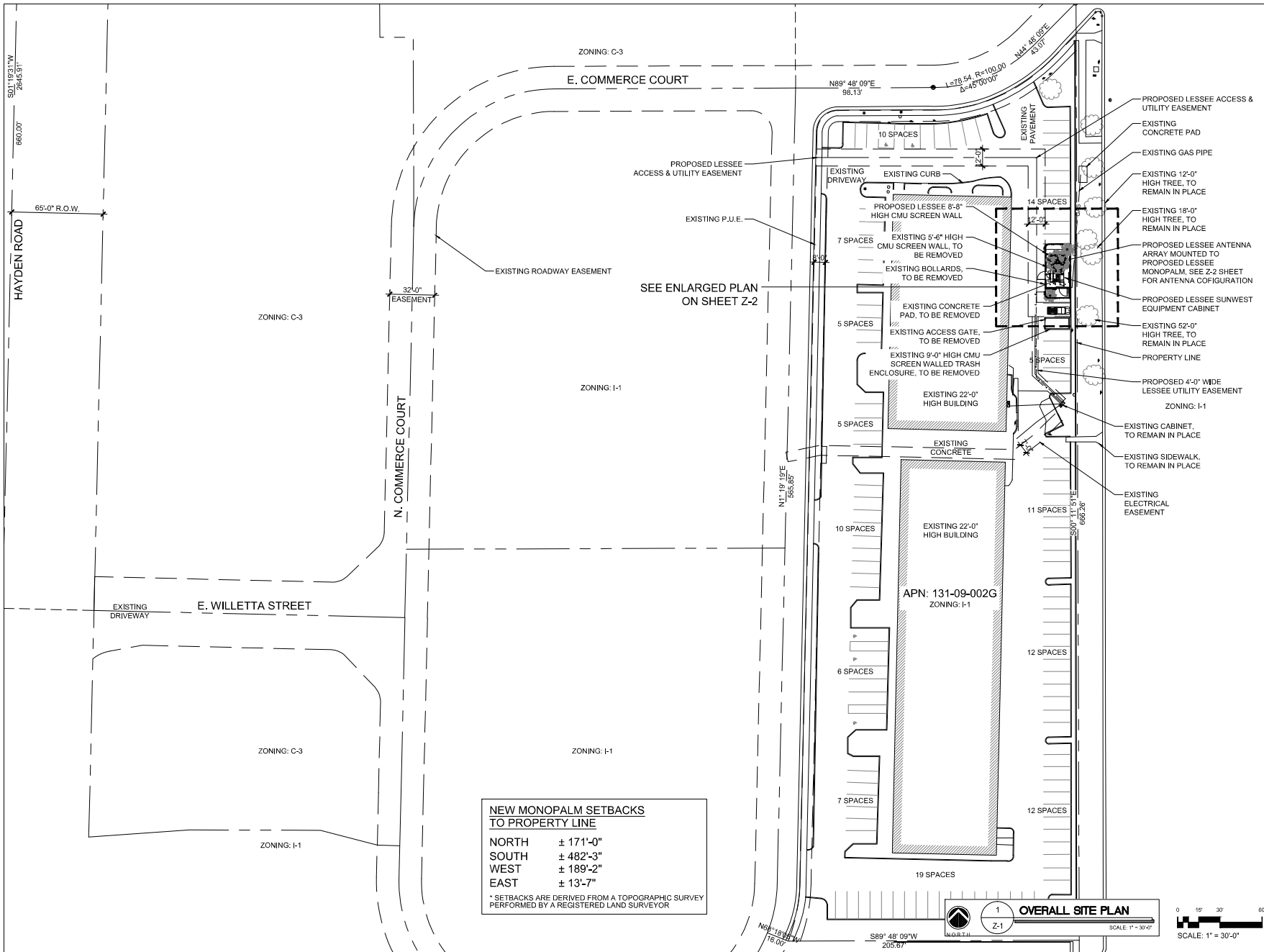
8-UP-2014#3

**Stipulations for the Conditional Use Permit
For a Type 4 Alternative Concealment Wireless Communication
Facility
Verizon PHO Dynamic
Case Number: 8-UP-2014#3**

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

SITE DESIGN

1. CONFORMANCE TO SITE PLAN. Development shall conform with the site plan submitted by Young Design Corp. and Verizon Wireless with a date of 11/4/2014, attached as Exhibit A to Exhibit 2. Any proposed significant change to the conceptual site plan as determined by the Zoning Administrator, shall be subject to additional action and public hearings before the Planning Commission and City Council.
2. HEIGHT LIMITATIONS. Artificial Palm Tree WCF shall not exceed a 46-foot tall RAD center and 55-foot overall tree height measured above existing grade to top of fronds.
3. MAINTENANCE. The applicant shall perform periodic maintenance on the facility to keep it looking in its original form. Any damage to palm fronds as a result of inclement weather, including fading, shall be repaired as soon as possible.
4. NUMBER OF FRONDS. The artificial palm tree WCF shall contain a minimum of sixty-five (65) fronds of varying sizes.
5. EXPIRATION OF CONDITIONAL USE PERMIT AFTER FIVE (5) YEARS. If the applicant wishes to continue this use, within ninety (90) days of the expiration of this Conditional Use Permit, the applicant shall file an application to review and extend this Conditional Use Permit. This review shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for this wireless communication facility. If a new Conditional Use Permit is not granted, the applicant shall be responsible for the removal of the entire facility.



NEW MONOPALM SETBACKS TO PROPERTY LINE

NORTH ± 171'-0"
 SOUTH ± 482'-3"
 WEST ± 189'-2"
 EAST ± 13'-7"

* SETBACKS ARE DERIVED FROM A TOPOGRAPHIC SURVEY PERFORMED BY A REGISTERED LAND SURVEYOR

OVERALL SITE PLAN
 1 Z-1
 SCALE: 1" = 30'-0"

SCALE: 1" = 30'-0"

CLIENT

verizon wireless
 126 W. GEMINI DR.
 TEMPE, AZ 85283

INTERNAL REVIEW _____ DATE _____

CONSTRUCTION SIGNATURE _____

RF SIGNATURE _____

FACILITIES SIGNATURE _____

REAL ESTATE SIGNATURE _____

PLANS PREPARED BY

Young design corp
 architecture / project management
 10245 E. Via Linda, Scottsdale, AZ 85258
 ph: 480 451 9609 fax: 480 451 9608
 e mail: corporate@ydcoffice.com

SCALE

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WALD C. YOUNG, P.E.
 No. 3382
 STATE OF ARIZONA

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PRELIMINARY UNLESS SHOWN

NO.	DATE	DESCRIPTION
1	6/25/2014	PRELIMINARY REVIEW ZD'S
2	7/29/2014	SUBMITTAL ZD'S
3	8/11/2014	COMMENTS
4	11/4/2014	CITY COMMENTS

ARCHITECTS JOB NO. YDC-6000

PROJECT INFORMATION

PHO_DYNAMIC
 1525 N. HAYDEN ROAD
 SCOTTSDALE, AZ 85257

SHEET TITLE

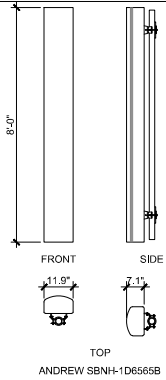
SITE PLAN

JURISDICTION APPROVAL _____

SHEET NUMBER

Z-1

EXHIBIT A TO EXHIBIT 2



NOTE: BACK FED ANTENNAS REQUIRED

ANTENNA DETAILS

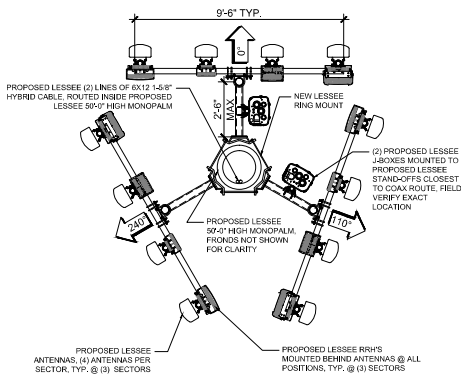
4

COAXIAL CABLE TABLE					
SECTOR	AZIMUTH	CENTERLINE	QTY.	SIZE	TYPE
ALPHA	0°	46'-0"	-	-	-
BETA	110°	46'-0"	-	-	-
GAMMA	240°	46'-0"	-	-	-
N/A	N/A	46'-0"	2	1-5/8"	6X12 HYBRID CABLE

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.

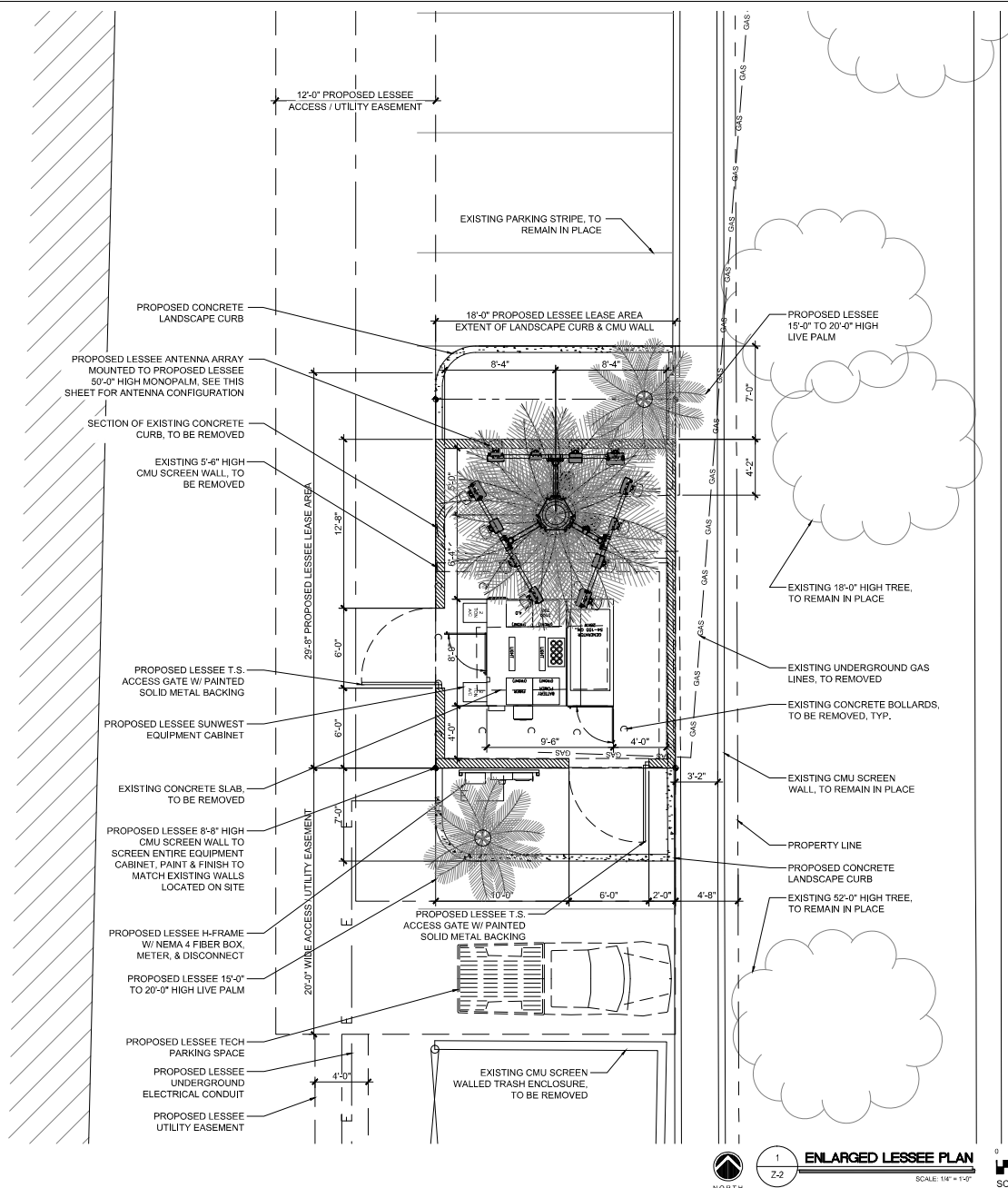
COAX CABLE INFORMATION

3



NEW ANTENNA CONFIGURATION - 46' CL

2



ENLARGED LESSEE PLAN
SCALE: 1/4" = 1'-0"
SCALE: 1/4" = 1'-0"

CLIENT
verizon wireless
126 W. GEMINI DR.
TEMPE, AZ 85283

INTERNAL REVIEW _____ DATE _____
CONSTRUCTION SIGNATURE _____
RF SIGNATURE _____
FACILITIES SIGNATURE _____
REAL ESTATE SIGNATURE _____

PLANS PREPARED BY
Young design corp
architecture / project management
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SEALED
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WALD C. YOUNG, P.E.
Professional Engineer
No. 00112918
STATE OF ARIZONA

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3	8/11/2014	COMMENTS
4	11/4/2014	CITY COMMENTS

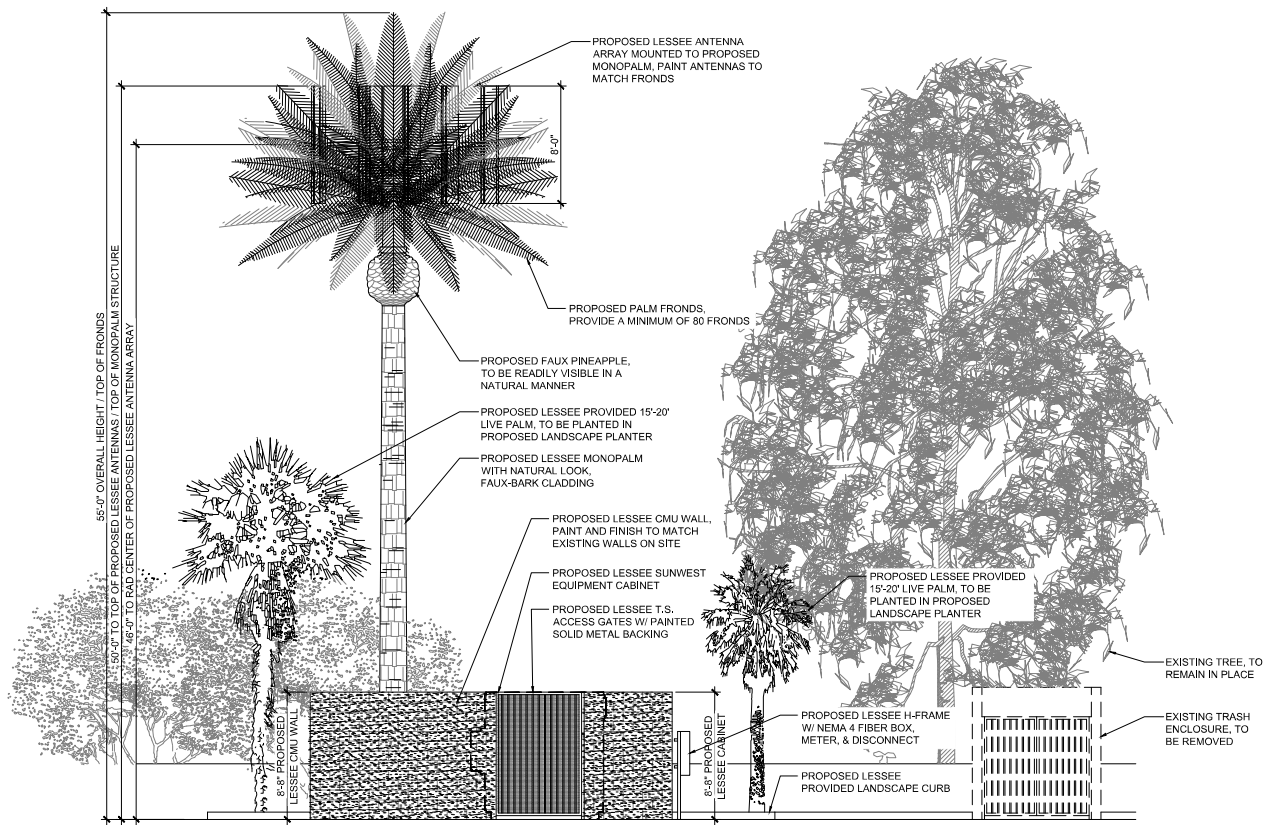
ARCHITECTS JOB NO. YDC-6000

PROJECT INFORMATION
PHO_DYNAMIC
1525 N. HAYDEN ROAD
SCOTTSDALE, AZ 85257

SHEET TITLE
ENLARGED SITE PLAN SITE DETAILS

JURISDICTION APPROVAL

SHEET NUMBER
Z-2



1 NEW WEST ELEVATION
 Z-3
 SCALE: 1/4" = 1'-0"
 SCALE: 1/4" = 1'-0"

CLIENT

126 W. GEMINI DR.
 TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY

architecture / project management
 10245 E. Via Linda, Scottsdale, AZ 85258
 ph: 480 451 9609 fax: 480 451 9608
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SCALE

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ARCHITECTS JOB NO.
 YDC-6000

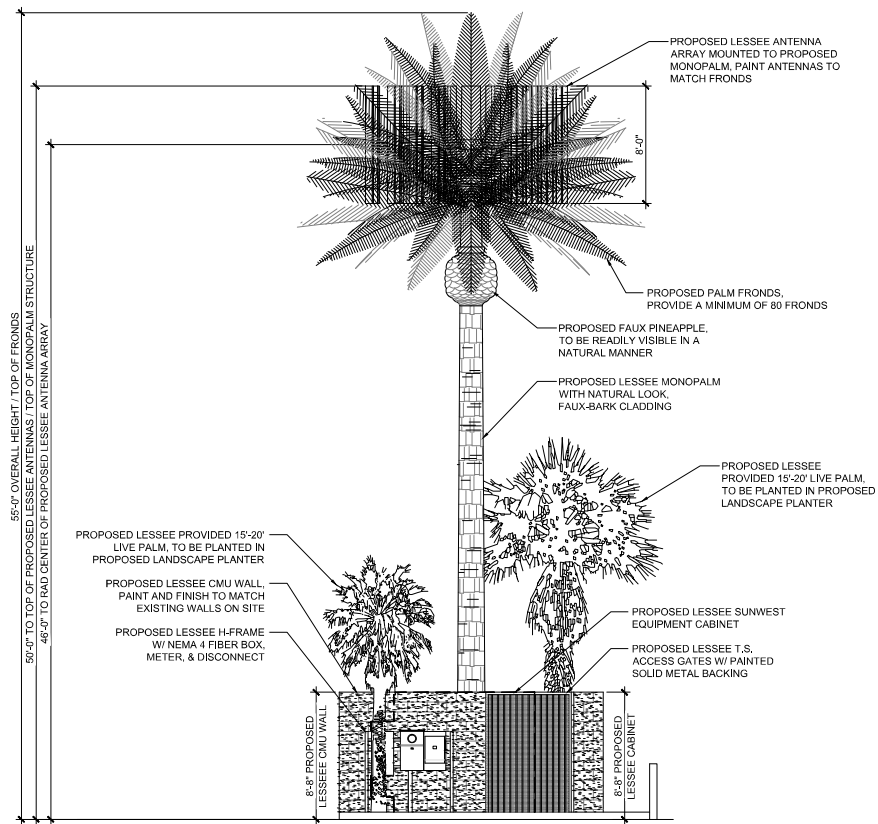
PROJECT INFORMATION

PHO_DYNAMIC
 1525 N. HAYDEN ROAD
 SCOTTSDALE, AZ 85257

SHEET TITLE
 ELEVATIONS

JURISDICTION APPROVAL

SHEET NUMBER
 Z-3





1 NEW SOUTH ELEVATION
 Z-4 SCALE: 1/4" = 1'-0" SCALE: 1/4" = 1'-0"

CLIENT

verizon wireless
 126 W. GEMINI DR.
 TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY

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ARCHITECTS JOB NO. YDC-6000

PROJECT INFORMATION
PHO_DYNAMIC
 1525 N. HAYDEN ROAD
 SCOTTSDALE, AZ 85257

SHEET TITLE
ELEVATIONS

JURISDICTION APPROVAL

SHEET NUMBER
Z-4

V. Wireless communications facility (WCF) Type 4.

1. All use permits shall be granted for a maximum of five (5) years from the date of City Council approval. The applicant shall be responsible for initiating a review of the approved wireless facility and shall demonstrate that changes in technology, that are economically feasible, have not eliminated the need for the use permit. If a new use permit is not granted, the applicant shall be responsible for the removal of the facility. When a use permit is granted for a co-location on a facility with an existing use permit, the action of granting the new use permit shall extend the existing use permit so that they will expire simultaneously.
2. To the degree a proposed WCF meets height requirements set forth in this ordinance, no use permit shall be granted when heights are found to be intrusive, obtrusive or out of character with the surrounding area.
3. Antennas and pole diameters shall be harmonious with the existing context and not be intrusive or obtrusive on the landscape or views.
4. The shape of the WCF shall blend with other similar vertical objects and not be intrusive in its setting or obtrusive to views.
5. The WCF shall blend into its setting and, to the extent that it is visible, not be intrusive on the landscape or obtrusive on views.



ATTACHMENT 3



Q.S.
17-46

Aerial

Zoning Aerial

8-UP-2014#3

ATTACHMENT 4

NEIGHBORHOOD NOTIFICATION

March 3, 2025

Dear Neighbor:

The purpose of this letter is to inform you that Coal Creek Consulting, representing Verizon Wireless, has submitted an application (Case Number 144-PA-2025) a CUP extension regarding the existing Wireless Communication Facility (WCF) located at 1525 N Hayden Rd.

The site was approved by the City of Scottsdale in 2014 and has since played a vital role in Verizon's wireless service. The proposed extension will ensure that the site continues to meet the needs of the community and will comply with all safety and regulatory requirements.

This letter is being sent to you as part of the required notification process for the City of Scottsdale. Attached are existing plans of the facility for reference. Feel free to distribute this notice to all respective tenants, students, parents of students, and all other interested parties. If you have any questions or wish to discuss this application, please contact me either by phone or e-mail using the contact information below. You may also contact the site's planner, Keith Niederer, at his office (480) 312-2953 or by email (KNiederer@scottsdaleaz.gov) with any questions, comments, or concerns.

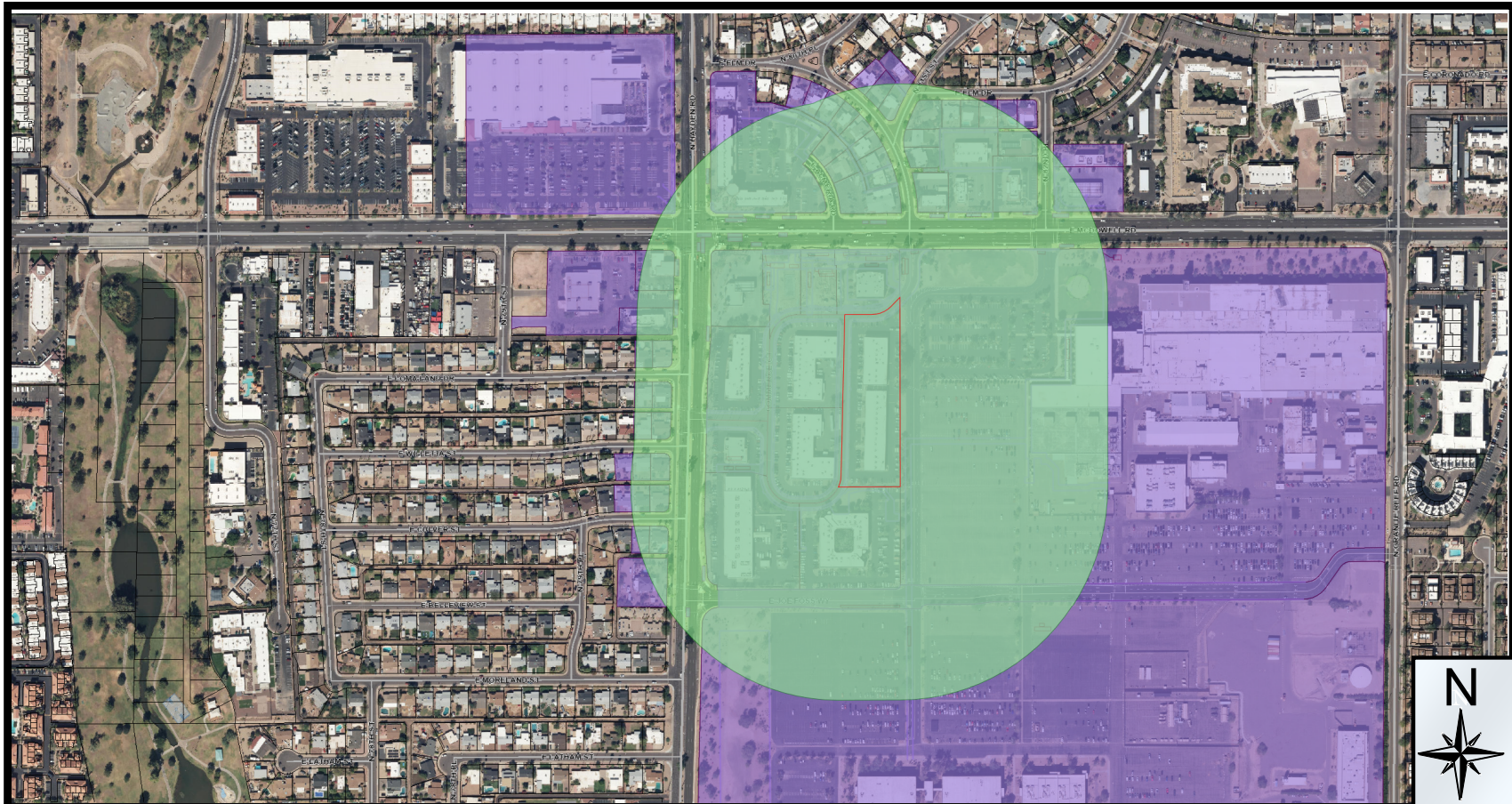
Sincerely,

Steve Ciolek

Steve Ciolek
Coal Creek Consulting
8283 N. Hayden Rd. #258
Scottsdale, AZ 85258
(480) 246-4131
sciolek@coal-creek.com

City Notifications – Mailing List Selection Map

Verizon PHO Dynamic



Additional Notifications:

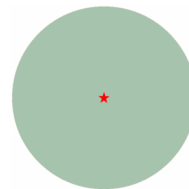
- Interested Parties List
- Adjacent HOA's
- P&Z E-Newsletter
- Facebook
- Nextdoor.com
- City Website-Projects in the hearing process

Pulled Labels
March 25, 2025

Map Legend:



Site Boundary



Properties within 750-foot

Postcards: 85

8-UP-2014#3