



Town of Paradise Valley

6401 E Lincoln Dr
Paradise Valley, AZ 85253

Minutes - Final

Planning Commission

Chairman James Rose
Commissioner Thomas G. Campbell
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Karen Liepmann
Commissioner Kristina Locke
Commissioner William Nassikas

Tuesday, February 7, 2023

6:00 PM

Council Chambers

1. CALL TO ORDER

Chairman Rose called the meeting to order at 6:00 p.m.

STAFF MEMBERS PRESENT

Community Development Director Lisa Collins
Town Attorney Andrew McGuire
Planning Manager Paul Michaud
Senior Planner George Burton

2. ROLL CALL

Commission Members Covington (arrived at 6:05 p.m.), Georgelos, and Nassikas attended remotely.

Present 7 - Commissioner Thomas G. Campbell
Commissioner Charles Covington
Commissioner Pamela Georgelos
Commissioner Karen Liepmann
Commissioner Kristina Locke
Commissioner William Nassikas
Commissioner James Rose

3. EXECUTIVE SESSION

None

4. CITIZEN REVIEW SESSION ITEMS

- A. [23-041](#) Proposed amendments to Article XII, Personal Wireless Service Facilities Zoning Ordinance creating a managerial or similar process for certain Personal Wireless Service Facilities as directed in the Town of Paradise

Valley Resolution 2022-23 to close the gaps in cell coverage.

Ms. Collins presented the staff report. The Town of Paradise Valley has passed a resolution directing staff to create a managerial process for Personal Wireless Service Facilities for five specific sites. This process is like the Managerial Special Use Permit process and will replace the Conditional Use Permit Planning Commission approval for those sites. The Town Council recently discussed closing the gaps in cell coverage. The resolution is a result of efforts between the Town, Engineering Wireless Services (EWS), and the wireless carriers to improve cell coverage within Paradise Valley while preserving aesthetics and providing the greatest coverage and capacity with the least visible infrastructure. The resolution provides siting and design guidance for Personal Wireless Service Facilities at the identified five locations, with guidelines for number, location, height, setback, and design. Ms. Collins detailed each location.

Commissioner Campbell asked what the structure's design would be for the Invergordon location and if it would be visible.

Ms. Collins stated it would be integrated into a block retaining wall. The antennas would blend in and not extend above the hilltop. There was no specific design at this time.

Commissioner Campbell noted that the design standard was a faux cactus at one time and asked if that was an option. This and the Cosanti locations concerned him. He asked if the Planning Commission would be involved in the Invergordon site.

Ms. Collins noted that a faux cactus could be used if that was the best design to camouflage the Personal Wireless Service Facility. She replied that the Planning Commission would not be involved with this site, but the Town Council would be. She added that the Personal Wireless Service Facility application still must comply with all the requirements in the Zoning Ordinance and there would be considerable review. She detailed the process of going through the Town Manager and Town Council.

Commissioner Liepmann asked what the criteria for choosing these sites involved. She asked if a particular cell carrier will be the applicant for each case. Additionally, she asked who would build a wall at the Invergordon site.

Ms. Collins replied that the five selected sites provide the most coverage where the Town has gaps, and it would be a particular wireless carrier. Whoever applied to do the Personal Wireless Service Facility at Invergordon would also do the construction based on the plans reviewed and approved by the Town.

Commissioner Liepmann was concerned that the proposed amendment stated that the Town Manager reviews or designee. She would like it to be more specific, for example, "staff designee."

Commissioner Locke asked if they considered sites that were right-of-way or public easements.

Ms. Collins replied there were several small cells that were approved before her time at the Town in the right-of-way. All the faux cacti are small cells. She added that the five proposed sites are all on private property. The resolution has been amended a few times. The purpose of this meeting is to get input on the language within the text amendment. She responded to a question from Commissioner Locke that they wanted to see multiple carriers on each site.

Commissioner Nassikas asked who would pay for the construction at these sites.

Ms. Collins responded that the Town would waive the application fee and that the carrier would cover all the other costs. The Town Council would review the application and verify it meets the qualifications.

Commissioner Campbell was concerned that the surrounding residents would not be properly notified before installation.

Commissioner Liepmann agreed and wanted the Town Council to review the Managerial Personal Wireless Service Facility as an agenda item in their meetings.

Commissioner Georgelos asked who provided the list of sites to the Town Council for consideration.

Ms. Collins replied that EWS worked with the Town and looked at the sites that could close the gaps in coverage.

Commissioner Georgelos expressed that she was concerned about the proposed managerial amendment process in that unless appealed by three or more members of the Town Council the application is approved. She continued that this streamlined process would mean the review would be complete and final without any further notice or review. She felt that the proposed managerial process provides very little in terms of notice, and the issues regarding wireless facilities is significant in the Town. She was not in favor of moving forward with the proposal in this manner and felt that there should be a vetting process other than just the Town Manager or their designee.

Commissioner Locke agreed with the other Commissioners. She wanted to add language about compliance with the Federal Communications Commission (FCC) guidelines.

Ms. Collins replied that the FCC review is a requirement. She acknowledged the comments and concerns raised by others but explained that the proposed changes did not allow for any reduction in the submittal and that there are federal guidelines that must be met. She acknowledged that the Town staff received some input, but it was mainly focused on timing constraints faced by the carriers and health concerns. She suggested that this item come back to the Planning Commission with more information on how the Town Council is informed about these managerial amendments and provide assurance that the

Council will not be sidestepped. The idea behind the proposed changes is to move quickly and meet all code requirements while addressing the concerns raised by citizens over the years regarding coverage. She emphasized that there may be some locations where this solution would help resolve those concerns, but it was not meant to suggest that more managerial amendments would follow. She added that other Personal Wireless Service Facilities may occur and these will be reviewed via the Conditional Use Permit process.

Chairman Rose stated that he wanted the residents to have input regardless of the outcome. He made suggestions for streamlining the process.

Commissioner Liepmann brought up making the timeline in Section 1213.A and Section 1213.C of the proposed text amendment to including a timeframe and it be consistent.

Ms. Collins commented on the objective that once the application was complete, it could be reviewed within days. If it was approved, the Town Manager would send the managerial application to the Town Council.

Commissioner Georgelos asked if the Planning Commission could see examples of a situation where Personal Wireless Service Facility approvals were not made or not continued due to funding. She did not like the proposed process. She wanted clarification on what was driving the timeframe.

Commissioner Campbell suggested they could streamline the Conditional Use Permit process. He reiterated that the proposed managerial process impacts public input opportunity and thinks residents will express concerns after these structures are constructed.

Commissioner Georgelos agreed.

Commissioner Covington asked if the purpose of streamlining the process was to benefit the applicants or the Town.

Ms. Collins replied that it would benefit both, with the purpose to close coverage gaps.

Chairman Rose opened the Citizen Review Session. Ms. Brady, a resident, asked if the only Town owned site was the Invergordon site and whether this allowance applied to all Town-owned property

Ms. Collins replied the Invergordon is the only Town owned site of the five sites and the managerial process applied only to these five sites.

No Reportable Action

5. STUDY SESSION ITEMS

- A. [23-009](#) Discussion of Scottsdale Plaza Intermediate Special Use Permit
7200 N Scottsdale Road (SUP-22-02)