

## PLANNING AND DEVELOPMENT SERVICES STAFF REPORT

For Planning Commission Meeting of October 7, 2014

**SUBJECT: Temporary Telecommunications Facility – Cell On Wheels (COW) for City Planning Commission Approval (400 East Stadium Boulevard)  
File No. SEU14-016**

### **PROPOSED CITY PLANNING COMMISSION MOTION**

The Ann Arbor City Planning Commission finds the petition to substantially meet the standards contained in Chapter 55 (Zoning Ordinance), Section 5:82 (Wireless Communication Facilities), and therefore approves the Temporary Telecommunications Facility – Cell On Wheels at 400 East Stadium Boulevard for a monopole designed without the ability to co-locate additional antennae.

### **STAFF RECOMMENDATION**

Staff recommends that this petition be **approved** because it would comply with local, state and federal laws and regulations; the development would limit the disturbance of natural features to the minimum necessary to allow a reasonable use of the land; would not cause a public or private nuisance; and would not have a detrimental effect on public health, safety or welfare.

### **LOCATION**

This site is located on the south side of East Stadium Boulevard, just east of the corner of East Stadium and South Main Street (Central Area; Allen Creek watershed).

### **DESCRIPTION OF PROJECT**

The petitioner seeks approval for installation of a temporary wireless communications tower or Cell on Wheels (COW) on the Ann Arbor Golf and Outing parcel. The proposed tower will be less than 80 feet tall, and is intended to boost wireless communication capacity during University of Michigan football games. Existing wireless facilities in the area are unable to handle the current demand. This has resulted in periodic disruptions in service, including the ability to place or receive phone calls and text messages, from the stadium and surrounding neighborhoods.

City Code does not specifically address temporary installation of wireless towers, so the project was reviewed under the standards for permanent wireless communication facilities (Chapter 55, Section 5:82). The tower as proposed meets the standards, however, due to the temporary nature of the tower, it is not designed for co-location. As stated in Section 5:82, "Unless otherwise specifically approved by the Planning Commission, all wireless communications towers shall be monopoles, designed for co-location."

The proposed tower will be located in northwest corner of the existing parking lot. It will be placed entirely on the existing pavement and will result in the temporary loss of two vehicular parking spaces. The spaces are not required parking for the Ann Arbor Golf and Outing use, and will be restored after removal of the tower. The tower will be powered by a generator, and the tower base will be surrounded by a six foot high fence. All access to the tower will be from the existing parking lot and access drive. There will be no natural features affected by placement of the tower and associated facilities.

A building permit and zoning compliance permit will be required for each occurrence of COW installation.

**COMPARISON CHART**

		<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED</b>
Zoning		AG (Agriculture-Open Space)	AG (Agriculture-Open Space)	AG (Agriculture-Open Space)
Gross Lot Area		1,558,357 sq ft (36.8 acres)	1,558,357 sq ft (36.8 acres)	100,000 sq ft MIN
Setbacks	Front - East Stadium	N/A	265 ft	40 ft MIN
	Front - South Main	N/A	545 ft	40 ft MIN
	Side - East	N/A	778 ft	148 ft MIN (10% of the lot width + one foot for each five feet of tower height)
	Rear	N/A	1025 ft	58 ft MIN (50 ft + one foot for each five feet of tower height)

### SURROUNDING LAND USES AND ZONING

	LAND USE	ZONING
<b>NORTH</b>	University of Michigan	PL (Public Land)
<b>EAST</b>	University of Michigan	PL (Public Land)
<b>SOUTH</b>	University of Michigan	PL (Public Land)
<b>WEST</b>	Pioneer High School	PL (Public Land)

### HISTORY

A similar, slightly taller (100 feet) temporary tower was installed in 2010 in the small triangular gravel lot adjacent to Crisler Arena on the north side of East Stadium. This land is also owned by Ann Arbor Golf and Outing. After installation, the petitioner was informed of the requirement in City Code that such facilities, even of a temporary nature, need to be site planned and approved by the Planning Commission. As requested by the City, the tower was removed and the site was restored in early December 2010 after the conclusion of the football season.

In 2011, an 80 foot Verizon COW was approved in the Golf and Outing parking lot, but the request only applied to that football season and expired in December 2011. It was believed that new telecommunications equipment being installed permanently in the stadium would eliminate the need for temporary towers. Current demand has overwhelmed that equipment, though, necessitating temporary towers again.

### PLANNING BACKGROUND

The Master Plan Land Use Element recommends public and semi-public uses for the site.

### COMMENTS PENDING, DISMISSED OR UNRESOLVED

Planning: As indicated by the petitioner, a permanent tower is not needed at this location and the proposed tower is only intended to address service outages due to the heavy use of wireless devices during University of Michigan football games. The petitioner will remove the tower and all associated facilities at the conclusion of the football season. This request is not restricted to the 2014 football season, however. The University may host other events where the stadium is at capacity, thus requiring a telecommunications boost to the area. Every occurrence of COW use at this site will require a separate Building and Zoning Compliance Permit that specifies the installation and removal date.

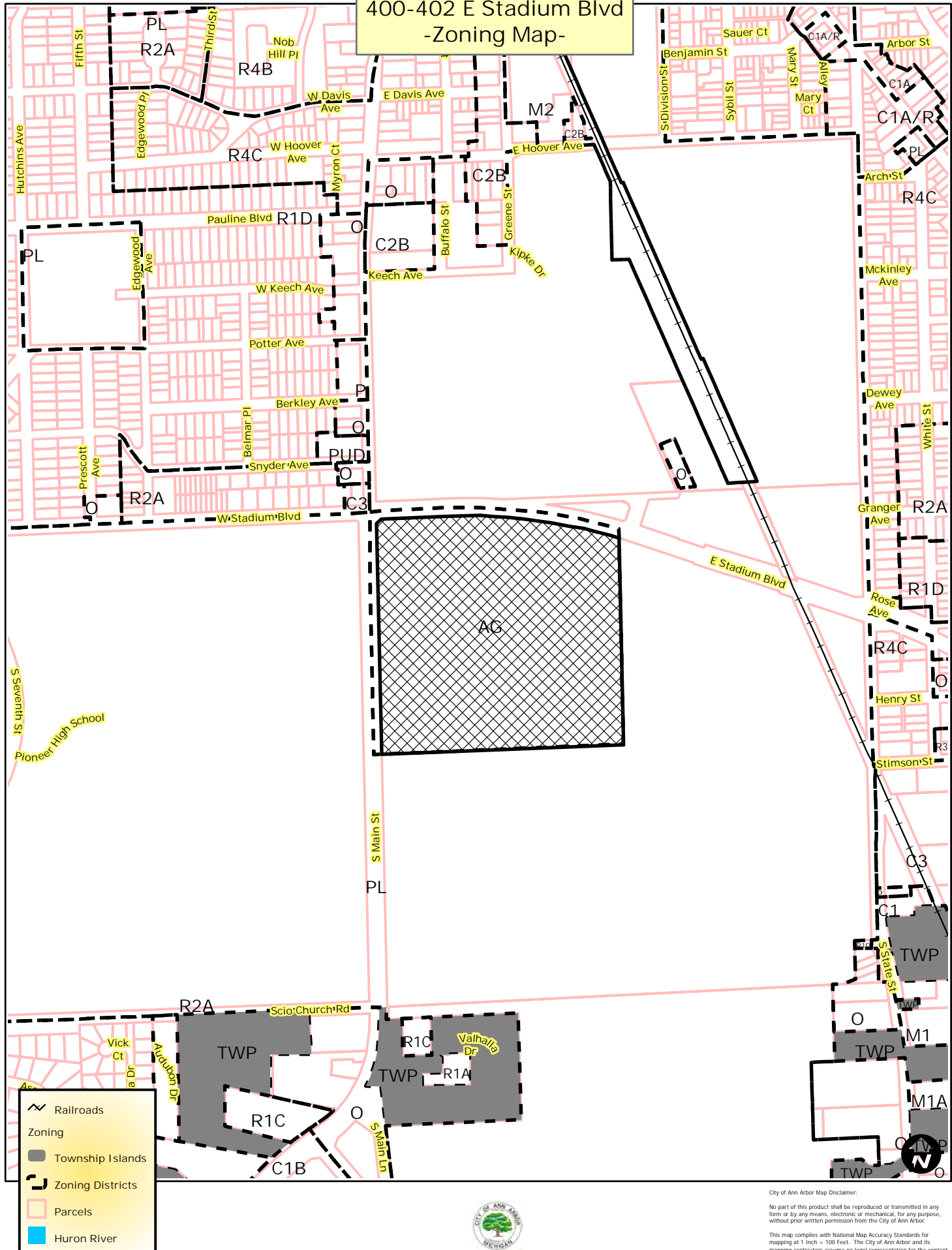
Attachments: Zoning Map  
Aerial Photo  
Site Drawing

c: Petitioner: T.J. Garrett  
Haley Law Firm, PLC  
10059 Bergin Road  
Howell, MI 48843

Owner: Ann Arbor Golf & Outing Club  
400 East Stadium Blvd  
Ann Arbor, MI 48104

Systems Planning  
File No. SEU14-016

# 400-402 E Stadium Blvd -Zoning Map-






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# 400-402 E Stadium Blvd -Aerial Map-



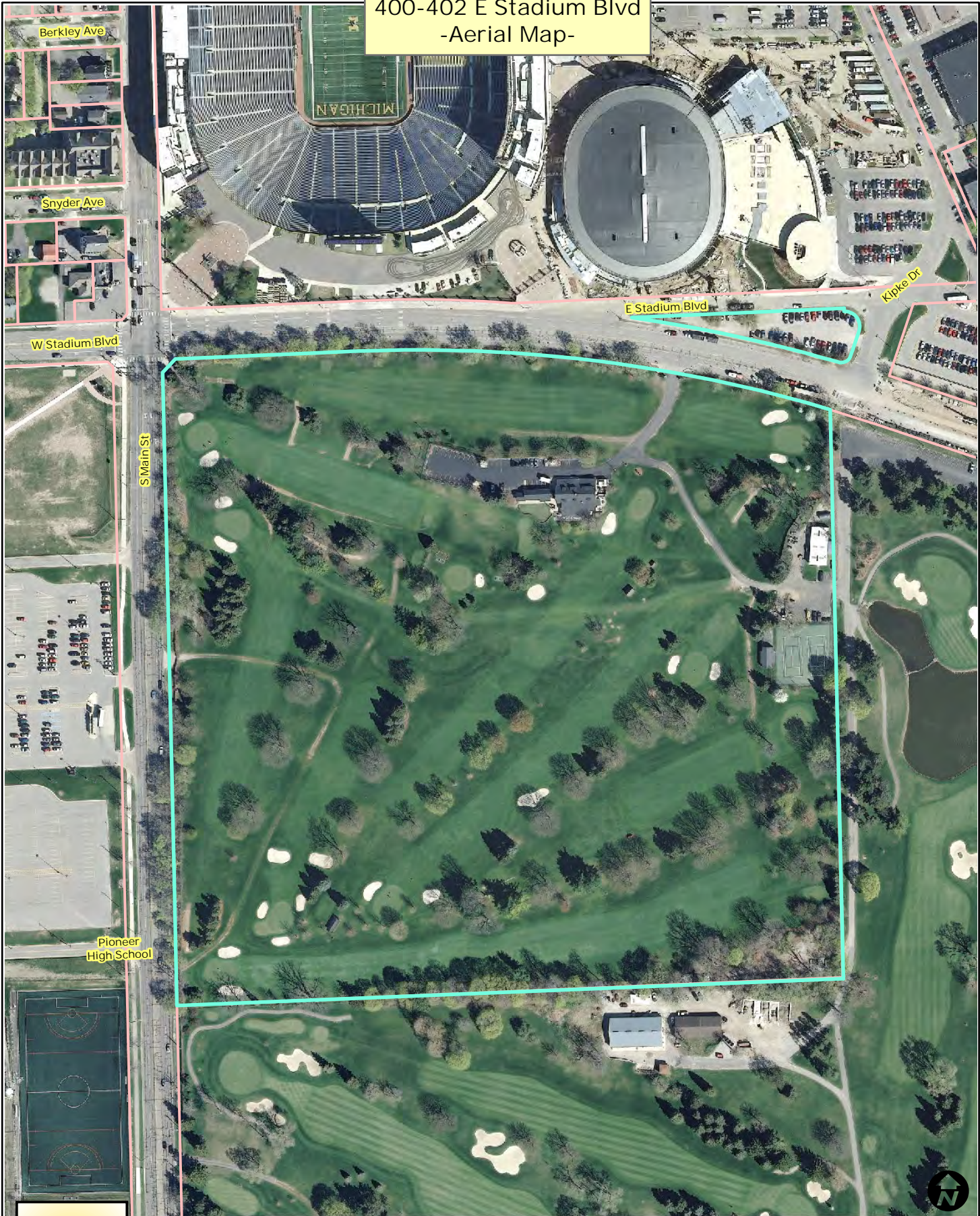
-  Railroads
-  Parcels
-  Huron River



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400-402 E Stadium Blvd  
-Aerial Map-



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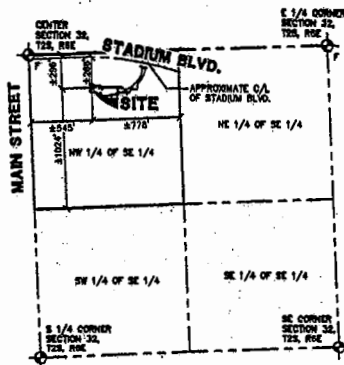
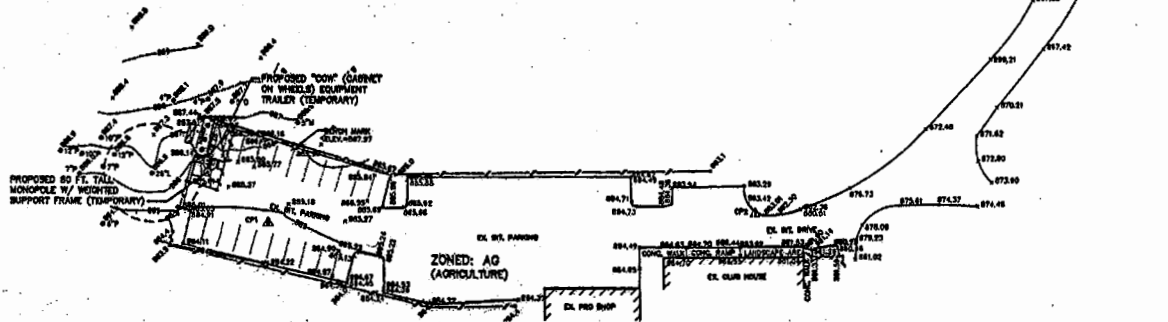
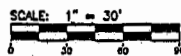


**TREE LEGEND**

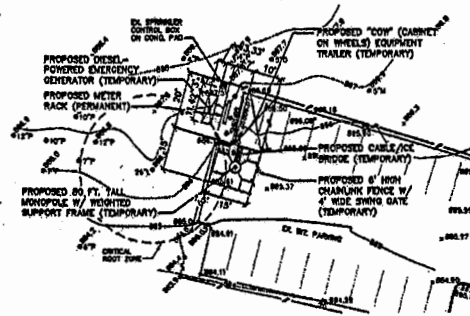
- L LOCUST
- M MAPLE
- O OAK
- P PINE

**LEGEND**

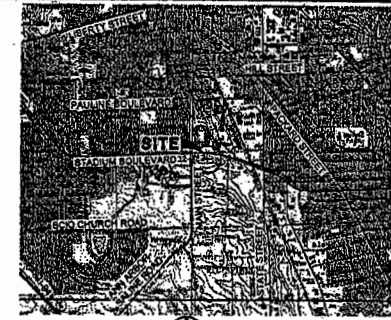
- 854 — DIST. CONTOUR
- 854.2 — PROP. CONTOUR
- 854.25 — PROP. SPOT ELEVATION
- 854.25 — DIST. LIGHT POLE
- 854.25 — SINGLE TREE
- — FENCE
- — SECTION CORNER
- — FOUND MONUMENT
- — CONTROL PT.



**OVERALL PARCEL SKETCH**  
SCALE: 1"=500'



**LEASE PARCEL DETAIL**  
SCALE: 1"=20'



**VICINITY SKETCH**  
SCALE: 1"=2000'

**LOCATION**  
LONGITUDE 83° 44' 53.4"  
LATITUDE 42° 15' 48.8"  
GROUND ELEV. @ TOWER BASE = 885.5

**LEGAL DESCRIPTION OF OVERALL PARCEL**  
(Taken from Tax Description)

Land situated in the City of Ann Arbor, County of Washtenaw, State of Michigan, described as follows:  
The Northeast 1/4 of the Southeast 1/4 of Section 32, Town 2 North, Range 8 East, EXCEPT that part used for highways.

**PROPERTY INFORMATION**  
TAX PARCEL: 209-00-32-100-001

CITY OF ANN ARBOR, WASHTENAW COUNTY, MICHIGAN  
SITE PLAN