

## **PLANNING AND DEVELOPMENT SERVICES STAFF REPORT**

**For Planning Commission Meeting of September 9, 2015**

**SUBJECT: Temporary Telecommunications Facility – Cell On Wheels (COW) Non-colocation Monopole Approval (910 Greene Street)  
File No. SEU15-005**

### **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 910 Greene Street 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 west side of Greene Street, between East Davis and East Hoover streets (Central Area; Allen Creek watershed; Ward 4).

### **DESCRIPTION OF PROJECT**

Wireless communication towers are permitted in many zoning districts including the C2B (Business Services District), subject to the height regulations of the district in which it is proposed. Most proposed wireless communication towers require site plan approval as they are permanent structures. Temporary telecommunication facilities such as a COW (Cellular On Wheels) are not structures and, therefore, do not require site plan approval (but do require a building permit). The Zoning Ordinance, Section 5:82, states that, "Unless otherwise specifically approved by the Planning Commission, all wireless communications towers shall be monopoles, designed for co-location." A COW is not designed for co-location and so, despite being exempt from site plan approval, its use requires specific approval by the Planning Commission.

The petitioner seeks approval for installation of a COW (Cellular On Wheels, a temporary telecommunications facility) without co-location capability at 910 Greene Street. The 4,399-square foot site is currently vacant and zoned C2B. The proposed tower will be 55 feet tall when extended to its full height, the maximum height permitted in the C2B district. The

proposed COW will be placed within a 30-foot by 40-foot fenced area, set back 25 feet from the front lot line and 60 feet from the rear lot line. The COW will be powered by a generator, and the tower base will be surrounded by a six-foot high temporary fence, similar to a chainlink construction fence. A tow truck will move and place the COW from the adjacent site to the south, 151 East Hoover Street, which is under the same ownership as 910 Greene. No natural features are affected by placement of the tower and associated facilities on either site.

The proposed COW is intended to boost wireless communication capacity during University of Michigan football games. Existing permanent wireless communication facilities in the area are unable to handle the extra demand on gamedays. This has resulted in periodic disruptions in service, including the ability to place or receive phone calls and text messages, for everyone with the petitioner’s service inside the stadium as well as the surrounding neighborhoods. As a temporary structure, the COW may be placed at 910 Greene Street for up to 180 days per year. New building permits and zoning compliance permits are required for each occurrence.

**COMPARISON CHART**

		<b>EXISTING</b>	<b>PROPOSED</b>	<b>REQUIRED</b>
Zoning		C2B (Business Service District)	C2B	C2B
Lot Area		4,399 sq ft	4,399 sq ft	4,000 sq ft MIN
Floor Area Ratio		Vacant	0%	200% MAX
Setbacks	Front	Vacant	25 ft	10ft MIN 25 ft MAX
	Side	Vacant	5 ft	0 ft MIN
	Rear	Vacant	60 ft	30 ft MIN (because abutting R district)
Height		Vacant	55 ft when raised	55 ft MAX
Parking		Vacant	0	None

**SURROUNDING LAND USES AND ZONING**

	<b>LAND USE</b>	<b>ZONING</b>
<b>NORTH</b>	Two-Family Dwelling	C2B (Business Service District)
<b>EAST</b>	University of Michigan	M2 (Heavy Industrial District)
<b>SOUTH</b>	Commercial	C2B
<b>WEST</b>	Multiple-Family Dwelling	R4C (Multiple-Family Dwelling)

## PLANNING BACKGROUND

The Master Plan Land Use Element recommends commercial and office uses for the site.

The petition was assigned a project number with the pre-fix SEU (Special Exception Use) because it was the best fit for a petition of this nature. Wireless communication towers, temporary or permanent, are permitted principal uses in the C2B district. Special exception use approval is not required nor requested.

## COMMENTS PENDING, DISMISSED OR UNRESOLVED

Planning – As indicated by the petitioner, a permanent tower is not needed at this location. The petitioner will remove the tower and all associated facilities at the conclusion of the football season. The building permit for a temporary structure will allow use of the COW for 180 days during the year. Every occurrence of COW use at this site will require a separate building and zoning compliance permits that specifies the installation and removal date. Site plan approval would be required to construct a permanent tower.

Prepared by Alexis DiLeo  
Reviewed by Ben Carlisle  
9/2/2015

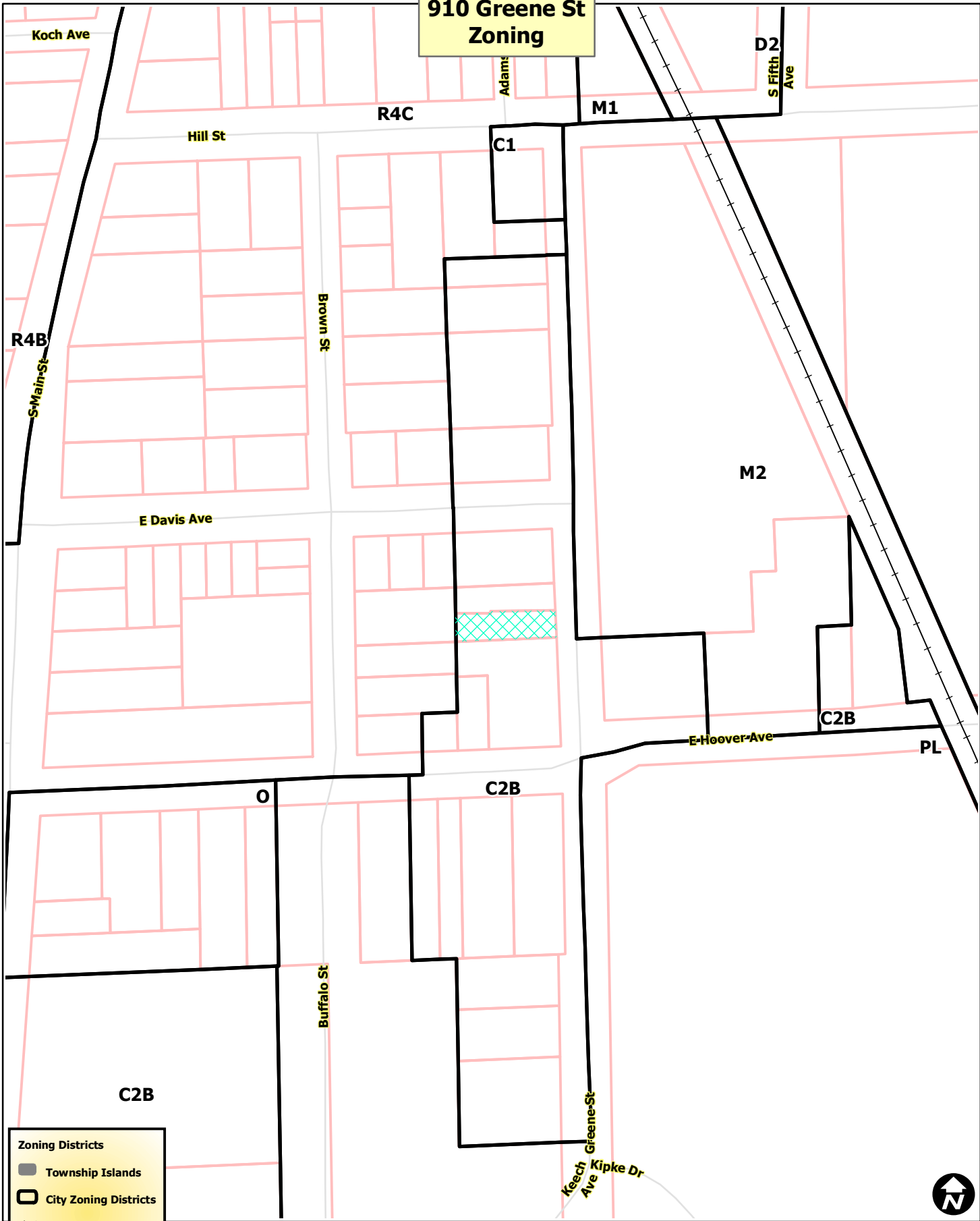
Attachments: Zoning Map  
Aerial Photo  
Site Plan

c: Petitioner: Sprint Spectrum L.P.  
c/o Haley Law Firm, PLC  
Carolyn Klekner  
10059 Bergin Road  
Howell, MI 48843

Owner: Precision Properties, LLC  
John Parke  
1244 Grand Oaks  
Howell, MI 48843

Systems Planning  
File No. SEU15-005

**910 Greene St Zoning**



**Zoning Districts**

- Township Islands
- City Zoning Districts
- Railroads
- Parcels
- Huron River



Map date 8/11/2015  
 Any aerial imagery is circa 2012  
 unless otherwise noted  
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# 910 Greene St Aerial



- Railroads
- Parcels
- Huron River



Map date 8/11/2015  
Any aerial imagery is circa 2012  
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# 910 Greene St Aerial

E Davis Ave

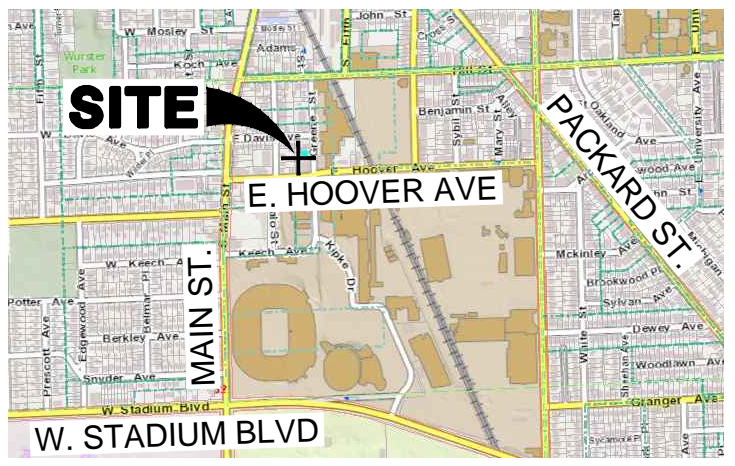
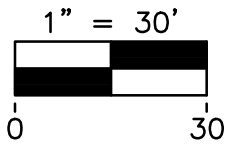
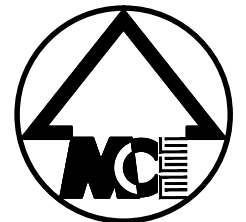
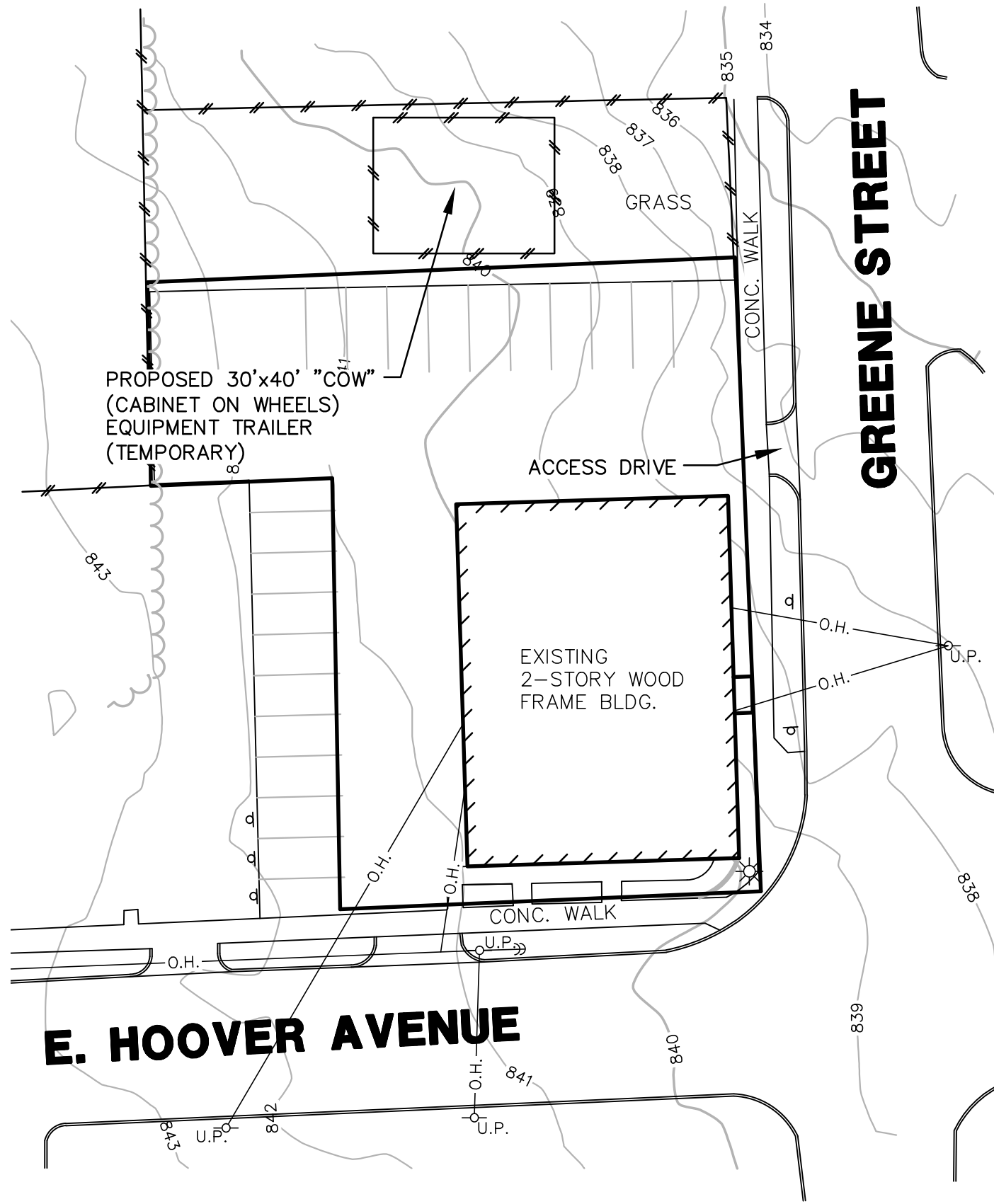
Greene St



-  Railroads
-  Parcels
-  Huron River



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**VICINITY SKETCH**  
NOT TO SCALE



**LOCATION**

LONGITUDE 83°44'52.2"  
LATITUDE 42°16'11.7"

**LEGAL DESCRIPTION**

(Taken from Tax Description)  
Part of Lot 20, Bach's Addition to the City of Ann Arbor, as recorded in Liber 48 of Plats, page 360, Washtenaw County Records.

Beginning at the Southeast corner of said Lot 20, thence North in the East line of said Lot 20, 35.00 feet; thence deflecting 88°39' Left, 80.62 feet; thence South parallel to aid East line 2.58 feet; thence deflecting 90°26' Right, 45.46 feet; thence South in the West line of said Lot 20, 36.56 feet; thence East in the South line of said Lot 20, 126.06 feet to the Point of Beginning.

**PROPERTY INFORMATION**

TAX PARCEL: # 09-09-32-110-016

**LEGEND**

	838	EXIST. CONTOUR
	U.P.	EXIST. UTILITY POLE
		GUY WIRE
	OH	EXIST. OVERHEAD UTILITY LINE
		EXIST. LIGHT POLE
	P	SIGN
		FENCE
		TREE OR BRUSH LIMIT

**NOTES**

1. A TEMPORARY, NON-PENETRATING CHAIN LINK FENCE AROUND PROPOSED "COW"

**MIDWESTERN CONSULTING**  
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**TEMPORARY CELL ON WHEELS**  
910 GREENE STREET  
SITE PLAN

JOB #:	15192
DATE:	08/13/15
SHEET	1 OF 1
CADD:	CTS
	15192-SP