

PLH23-0020 Hunt Highway Cell

Tower

Emails In Opposition

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Wednesday, August 2, 2023 1:07 PM
To: helenbettes@comcast.net; Mayor&Council; Matt Orlando
Cc: waldec85@yahoo.com; dale.mortimer@comcast.net; tspags@msn.com; maureen_moore_88@hotmail.com; moesco@hotmail.com; free2bme1025@yahoo.com; sunbirdaz@yahoo.com; desert5dog@yahoo.com; frago@haw.ca; lindajtownsend@hotmail.com; rmoser@synergy.com; lmoser1@shaw.ca; hostins@srt.com; fasmundson@gmail.com; fbetteswa@aol.com; dbbieryan842@gmail.com; jdsandpas@gmail.com; sandhcustomrods@gmail.com; csgourlay@comcast.net; lj Ludwig@westianet.net; kenjanz1@gmail.com; bglockwood@aol.com; DBMAC75@GMAIL.COM; bamac1952@gmail.com; jmb6444@yahoo.com; jdvalento@gmail.com; mgoncalves2013@live.com; wiaz2@yahoo.com; ddfhouse@yahoo.com; janj@att.net; jtcareible@cox.net; jfeath1515@msn.com; hangontotherope@gmail.com; blosh.robyn@gmail.com; bglockwood@aol.com; davidjwalden@gmail.com
Subject: RE: Petition signatures of opposition to the cell tower - No to

Good afternoon Helen:

Thank you for providing the email with the details on the opposition to the proposed project. I will add this to the case file.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Tuesday, August 1, 2023 1:55 PM
To: Mayor&Council <Mayor&Council@chandleraz.gov>; Matt Orlando <Matt.Orlando@chandleraz.gov>; Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Cc: waldec85@yahoo.com; dale.mortimer@comcast.net; tspags@msn.com; maureen_moore_88@hotmail.com; moesco@hotmail.com; free2bme1025@yahoo.com; sunbirdaz@yahoo.com; desert5dog@yahoo.com; frago@haw.ca; lindajtownsend@hotmail.com; rmoser@synergy.com; lmoser1@shaw.ca; hostins@srt.com; fasmundson@gmail.com; fbetteswa@aol.com; dbbieryan842@gmail.com; jdsandpas@gmail.com; sandhcustomrods@gmail.com; csgourlay@comcast.net; lj Ludwig@westianet.net; kenjanz1@gmail.com; bglockwood@aol.com; DBMAC75@GMAIL.COM; bamac1952@gmail.com; jmb6444@yahoo.com; jdvalento@gmail.com; mgoncalves2013@live.com; wiaz2@yahoo.com; ddfhouse@yahoo.com; janj@att.net; jtcareible@cox.net; jfeath1515@msn.com; hangontotherope@gmail.com; blosh.robyn@gmail.com; bglockwood@aol.com; davidjwalden@gmail.com
Subject: Petition signatures of opposition to the cell tower - No to

To the Mayor, City Council and City of Chandler Planning department,

A petition has been circulated over the past few months within Sunbird to oppose the cell tower. Please find their signatures below in opposition to the cell tower. A few wanted to remain anonymous, but they have been vetted as being residents/owners of Sunbird. They are also CC'd on this email. If you need to view the petition on the web, here is the address: <https://www.gopetition.com/petitions/no-to-sunbird-cell-phone-tower.html>
Thank you.

PETITION:

We are opposed to approval of a Use Permit and construction for a 65-foot-high cell phone tower, within the Sunbird Golf Resort/HOA, 6250 S. SunBird Blvd. Chandler, AZ 85249. We oppose this based on the following concerns.

- 1) This current proposed facility is proposed to be located at 160 feet (for health concerns) from homes within the Sunbird Community,
- 2) A 65-foot cell phone tower is not architecturally compatible with the neighborhood. Trees may be removed for the construction of the cell tower and replaced with a false looking pine tree,
- 3) Once the cell phone tower is constructed, another 20 feet can be added without any permitting processes or community consent due to the passing of Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012,
- 3) Atlas made a concern that the reserve south of Sunbird was not suitable because it was too far from houses, but the proposed tower will be less than 1 mile away from that area of concern for Atlas,
- 4) The installation of such a tower will negatively impact home prices in the immediate vicinity and could affect the community as a whole based upon comparable home sales. According to REALTOR, "Home buyers and renters are less interested in properties located near cell towers and antennas, as well as in properties where a cell tower or group of antennas are placed on top of or attached to a building. 94% said a nearby cell tower or group of antennas would negatively impact interest in a property or the price they would be willing to pay for it". HUD requires its certified appraisers to take the presence of nearby cell towers into consideration when determining the value of a single-family residential property,
- 5) Sunbird is a residential community that should not have commercial equipment such as a cell tower located within the community and
- 6) At completion, Sunbird will be the only residential community with a cell phone tower in the middle of it. Approval of a cell phone tower located in a middle of residential community will set precedence for the ability to have cell phone towers erected in residential communities in the city of Chandler.

Signed:

Name	Email	Str
Homeowner/Resident in Sunbird wanting to remain Anonymous	waldec85@yahoo.com	Oa
Mortimer Dale	dale.mortimer@comcast.net	64

Thomas Spagnoletti	tspags@msn.com	65
Maureen Moore	maureen moore 88@hotmail.com	64
David Scobie	moesco@hotmail.com	64
Christina Riley	free2bme1025@yahoo.com	64
Homeowner/Resident in Sunbird wanting to remain Anonymous	sunbirdaz@yahoo.com	S
Homeowner/Resident in Sunbird wanting to remain Anonymous	desert5dog@yahoo.com	S
Fausto Rago	frago@haw.ca	16
Linda J. Townsend	lindajtownsend@hotmail.com	18 Dr
Rick Moser	rmoser@synergy.com	64 Dr
Laurie Moser	lmoser1@shaw.ca	64 Dr
Dennis Asmundson	hostins@srt.com	64
Faye Asmundson	fasmundson@gmail.com	64
Frank Bettes	fbetteswa@aol.com	69
Ann Bettes	fbetteswa@aol.com	69
Homeowner/Resident in Sunbird wanting to remain Anonymous.	blosh.robyn@gmail.com	
Debbie Ryan	dbbieryan842@gmail.com	62
Peggy Stokes	jdsandpas@gmail.com	62
Jim Stokes	sandhcustomrods@gmail.com	62
carol Gourlay	csgourlay@comcast.net	16
Laura Ludwig	ljludwig@westianet.net	15
Kenneth Sieth	kenjanz1@gmail.com	18
Homeowner/Resident in Sunbird wanting to remain Anonymous	bglockwood@aol.com	Ea

Homeowner/Resident in Sunbird wanting to remain Anonymous	DBMAC75@GMAIL.COM	E
Brenda Mac	bamac1952@gmail.com	18
Homeowner/Resident in Sunbird wanting to remain Anonymous	jmb6444@yahoo.com	E
Homeowner/Resident in Sunbird wanting to remain Anonymous	davidjwalden@gmail.com	E
Jeff Valento	jdvalento@gmail.com	18
Homeowner/Resident in Sunbird wanting to remain Anonymous	mgoncalves2013@live.com	e
Dennis Bulinski	wiaz2@yahoo.com	69
Homeowner/Resident in Sunbird wanting to remain Anonymous	ddfhouse@yahoo.com	E
Homeowner/Resident in Sunbird wanting to remain Anonymous	janj@att.net	e
Homeowner/Resident in Sunbird wanting to remain Anonymous	jtcareible@cox.net	S.
Judy Featherstone	jfeath1515@msn.com	65
Homeowner/Resident in Sunbird wanting to remain Anonymous	hangontotherope@gmail.com	E

Name	Email	Street Address	City	State	Zip	Date Signed	Comment	Other notes
Homeowner/Resident in Sunbird wanting to remain Anonymous	waldec85@yahoo.com	Oakmont Dr	Chandler	AZ	85249	4-Apr-23	Oppose	Verified as homeowner/resident of Sunbird
Mortimer Dale	dale.mortimer@comcast.net	6401 S. Championship Dr.	Chandler	AZ	85249	4-Apr-23	Oppose	Verified as homeowner/resident of Sunbird
Thomas Spagnoletti	tspags@msn.com	6520 S Championship Dr	Chandler	AZ	85249	5-Apr-23	Oppose	Verified as homeowner/resident of Sunbird
Maureen Moore	maureen.moore.88@hotmail.com	6421 S. Championship Dr.	Chandler	AZ	85249	5-Apr-23	I am against the erection of a cell phone tower anywhere within the community boundary of Sunbird.	
David Scobie	moesco@hotmail.com	6421 S Championship Dr	Chandler	AZ	85249	5-Apr-23	This tower and/or additional towers will have negative impact on Sunbird property owners and will further divide the community.	
Christina Riley	free2bme1025@yahoo.com	6411 S Oakmont Dr	Chandler	AZ	85249	6-Apr-23	Oppose	
Homeowner/Resident in Sunbird wanting to remain Anonymous	sunbirdaz@yahoo.com	S Championship Dr	Chandler	AZ	85249	6-Apr-23	Oppose	Verified as homeowner/resident of Sunbird
Homeowner/Resident in Sunbird wanting to remain Anonymous	desert5dog@yahoo.com	S Championship Dr	Chandler	AZ	85249	6-Apr-23	Oppose	Verified as homeowner/resident of Sunbird
Fausto Rago	frago@haw.ca	1671 E Firestone Crt	chandler	AZ	85249	6-Apr-23	I am opposing the building of the cell tower in Sunbird	
Linda J. Townsend	lindajtownsend@hotmail.com	1850 E. Winged Foot Drive	Chandler	AZ	85249	6-Apr-23	If you live within a quarter mile of a cell phone antenna or tower, you may be at risk of serious harm to your health, according to a German study cited at www.EMF-Health.com (link is external), a site devoted to exposing hazards associated with electromagnetic frequencies from cell phone towers and other sources.	
Rick Moser	rmoser@synergy.com	6440 S Cypress Point Drive	Chandler	AZ	85249	7-Apr-23	Stop cell tower in Sunbird	
Laurie Moser	lmoser1@shaw.ca	6440 S Cypress Point Drive	Chandler	AZ	85249	7-Apr-23	Stop cell tower	
Dennis Asmundson	hostlins@srt.com	6451 S Championship Dr.	Chandler	AZ	85249	7-Apr-23	Oppose	
Faye Asmundson	fasmundson@gmail.com	6451 S Championship Dr.	Chandler	AZ	85249	8-Apr-23	Oppose	
Frank Bettes	fbetteswa@aol.com	6950 Oakmont	Chandler, AZ	AZ	85249	10-Apr-23	No Cell Phone Towers in Sunbird!	
Ann Bettes	fbetteswa@aol.com	6950 Oakmont	Chandler, AZ	AZ	85249	10-Apr-23	No Cell Phone Towers in Sunbird!	
Homeowner/Resident in Sunbird wanting to remain Anonymous.	blosh.robvyn@gmail.com					20-Apr-23	SunBird Address s Oakmont Dr Chandler Az 85249 At a HOA/ Golf Board Meeting a member of the Golf Borad stated that the Casino (Reservation Off Hunt HWY) was pushing the GC to get the Cell tower up, because it would benefit them greatly. If that's so, why wouldn't they put it on their property. Lots of empty space there. Leave it out of SunBird!!!	Verified as homeowner/resident of Sunbird
Debbie Ryan	dbbieryan842@gmail.com	6250 S. Oakmont Dr.	Chandler	AZ	85249	21-Apr-23		
Peggy Stokes	jdsandpas@gmail.com	6260 s tournament lane	Chandler	Az	84249	29-Apr-23	Voting no on cell tower in Sunbird resort and golf course	
Jim Stokes	sandhcustomrods@gmail.com	6260 s tournament lane	Chandler	Az	85249		No on cell tower in Sunbird	
carol Gourlay	csqourlay@comcast.net	1664 east Kirby Farms	chandler	AZ	48855	29-Apr-23	No cell phone tower	
Laura Ludwig	ljludwig@westianet.net	1571 E Augusta Ave	Chandler	AZ	85249	29-Apr-23	I don't think a large cell tower la at all appropriate in a residential neighborhood	
Kenneth Sieth	kenianz1@gmail.com	1801 E. Kerby Farms Rd.	Chandler	AZ	85249	8-May-23	Oppose	

Homeowner/Resident in Sunbird wanting to remain Anonymous	bglockwood@aol.com	East Winged Foot Drive	Chandler	AZ	85249	8-May-23	I oppose the zoning permit for the proposed cell tower within the SunBird residential community. This is being proposed and placed on land owned by a private business that operates within the walls of the community. This is NOT a SunBird HOA proposed project. This has not been discussed openly with the residents, in fact there have been overt efforts, by the people that will profit from the tower, to prevent any open discussion or information sharing by residents within the community.	Verified as homeowner/resident of Sunbird
Homeowner/Resident in Sunbird wanting to remain Anonymous	DBMAC75@GMAIL.COM	E Colonial Drive	Chandler	AZ	85249	8-May-23	Oppose	Verified as homeowner/resident of Sunbird
Brenda Mac	bamac1952@gmail.com	1832 E Colonial Drive	Chandler	AZ	85249	9-May-23	Oppose	
Homeowner/Resident in Sunbird wanting to remain Anonymous	jmb6444@yahoo.com	E Colonial Dr	Chandler	AZ	85249	10-May-23	City of Chandler do not allow this cell tower to be built in my neighborhood. Atlas Tower I do not want this tower near my home in SunBird.	Verified as homeowner/resident of Sunbird
Homeowner/Resident in Sunbird wanting to remain Anonymous	davidwalden@gmail.com	E La Costa Drive	Chandler	AZ	95249	16-May-23	If we attract a further two four golfers a week we have the equivalent of the \$1500/month which is what the cell tower is offering without the hassle of a new ugly tower.	Verified as homeowner/resident of Sunbird
Jeff Valento	jvalento@gmail.com	1821 E Winged Foot DR	Chandler	AZ	85249	16-May-23	There is no data taken from actual cell tower tests to prove that they are safe. All data I have seen comes from design calculations. This is what the American Cancer Society, cancer.org, states: At this time, there's no strong evidence that exposure to RF waves from cell phone towers causes any noticeable health effects. However, this does not mean that the RF waves from cell phone towers have been proven to be absolutely safe. Most expert organizations agree that more research is needed to help clarify this, especially for any possible long-term effects. I do not believe cell tower radiation is safe for humans and animals. This seems to me to be a simple test; why is not being done? Is this the next tobacco? Lead in paint? Asbestos? Seems to be a huge risk on a grand scale to be taken with no actual scientific testing on effects.	
Homeowner/Resident in Sunbird wanting to remain Anonymous	mgoncalves2013@live.com	e Bellerive dr	Chandler	AZ	85249	24-May-23	Oppose	Verified as homeowner/resident of Sunbird
Dennis Bullinski	wiaz2@yahoo.com	6960 S. Tobago Fr	Chandler	AZ	85249	30-May-23	We do not need it	
Homeowner/Resident in Sunbird wanting to remain Anonymous	ddfhouse@yahoo.com	E Buena Vista Drive	Chandler	AZ	85249	1-Jun-23	We oppose installation of any cell tower within the Sunbird Golf Resort on gong course or HOA property.	Verified as homeowner/resident of Sunbird
Homeowner/Resident in Sunbird wanting to remain Anonymous	janj@att.net	e winged foot dr	Chandler	AZ	85249	14-Jun-23	No Cellular tower should be erected within a gated senior community	Verified as homeowner/resident of Sunbird
Homeowner/Resident in Sunbird wanting to remain Anonymous	jfcareible@cox.net	S. Lake Forest Drive	Chandler	AZ	85249	5-Jul-23	Having a cell tower located within hundreds of feet of 1,630+ homes occupied by senior citizens in an age restricted residential community is a ridiculous request that should be outright rejected, with health concerns and property value concerns that are well documented. Chandler should not set a precedent of allowing these cell towers in residential communities. There are better locations.	Verified as homeowner/resident of Sunbird
Judy Featherstone	jfeath1515@msn.com	6542 S Lake Forest Dr.	Chandler	AZ	85249	27-Jul-23	I am opposed to a cell tower in a residential community. (# 1 & 6) At completion, Sunbird will be the only residential community with a cell phone tower in the middle of it. Approval of a cell phone tower located in a middle of residential community will set precedence for the ability to have cell phone towers erected in residential communities in the city of Chandler.) Not enough reliable data available on health concerns.	
Homeowner/Resident in Sunbird wanting to remain Anonymous	hanqontotherope@gmail.com	E Winged Foot Dr	Chandler	AZ	85249	27-Jul-23	Oppose	Verified as homeowner/resident of Sunbird

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Matt Orlando
Sent: Tuesday, July 18, 2023 3:04 PM
To: helenbettes@comcast.net
Cc: Benjamin Cereceres
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Helen,

Just an FYI, We've been receiving a lot emails supporting the cell tower. See at the Wednesday meeting

All the Best

Matt

Matt Orlando
Vice Mayor Chandler City Council
602-370-7536

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Friday, May 5, 2023 6:49 AM
To: Matt Orlando <Matt.Orlando@chandleraz.gov>
Cc: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Matt,

I am looking forward to meeting you tomorrow and discussing the proposition of the SB Golf Course cell tower being within our residential community. There will be quite a few neighbors present who will give you a very broad oversight as to what kind of fabric this community is woven from. Sunbird is a unique community.

Because of this uniqueness, my husband and I decided to winter down here from Washington. We are both retired. My husband was in the aerospace industry for 38 years. My background is a little vaster. I am a retired volunteer firefighter/EMT which was my most challenging career. While volunteering as a firefighter on nights and weekends, my day job was in the escrow and title industry for 25 years. I was licensed as a Limited Practice Officer closing escrow and examining and clearing titles on real and personal property. This background has given me some great awareness of real and personal property and its underlying restrictions and limitations.

Using my past experience, I went ahead and did my own title search on the golf course. I looked at the underlying documents that are against the particular piece of property which the cell tower is to be put on (parcel 303-57-984) and I found that there is a document recorded with Maricopa County named "Amended Declaration of Restrictions for Golf Course Use", under document number 2007060488. This document covers the whole golf course property. Below are some excerpts from that document.

Paragraph 1 is as follows:

1. The Premises shall be used for a golf course as such term is defined in A.R.S. §42-13151, or any successor statute thereto, and for related uses, including practice and maintenance areas, transition areas, lakes, cart paths and drainage areas.

When I look at the statute, here is the definition:

42-13151. Definition of golf course

In this article, unless the context otherwise requires, "golf course" means substantially undeveloped land, including amenities such as landscaping, irrigation systems, paths and golf greens and tees, that may be used for golfing or golfing practice by the public or by members and guests of a private club. Golf course does not include:

1. Commercial golf practice ranges that are operated exclusive of golf courses that are valued under this article.
2. Clubhouses, pro shops, restaurants and similar buildings that are associated with the golf course, which are generally used by the public or by members and guests who are entitled to use the golf course.

Paragraph 3 is as follows:

3. Except as otherwise provided in Paragraph 2 hereof, or in A.R.S. §42-13151 through §42-13154, no third party shall, by reason of this Declaration, acquire any rights or interest with respect to the use of the Premises.

Here is the statute 42-13154 (42-13153 does not exist):

42-13154. Covenant not to convert golf course to another use; violation; penalty

A. As a condition for valuation under this article, the owner of a golf course shall record a deed restriction with the county recorder and file a copy of the restriction with the county assessor, restricting the property to use as a golf course for at least ten years. The deed restriction must be refiled as necessary to ensure that the deed restriction always applies for at least ten years.

B. The valuation of a golf course under this section constitutes a covenant between the county assessor and the owner of the golf course that the use of the property will remain unchanged for the duration of the deed restriction.

C. The assessor shall maintain a record of the value of the property determined under this article and the value of the property if it had not been determined under this article. The assessor shall maintain the record for at least ten years for use in computing the penalty under subsection D if the property is converted to a different use in violation of the covenant.

D. If the property is converted to a different use in violation of the covenant, the assessor shall add to the tax levied against the property on the next tax roll a penalty equal to the difference between the total amount of property taxes that would have been levied on the property for the preceding ten years or the period of time the property was valued under this section, whichever period is shorter, if the property had not been valued under this section and the property taxes that were actually paid for the same period. The penalty due under this subsection shall be paid before completion of the next property tax roll and is enforceable and subject to the same penalties and interest as if the penalty were a tax levied against the property.

This document binds the SB Golf Course considerably. Paragraph no. 3 is quite clear that they cannot enter into an agreement with any third party to give rights or interest with respect to the golf course (the "Premises"). Atlas Tower 1, LLC is a third party, and they are being given rights and interest to the premises. With that said, I cannot see how a permit can be issued, as it will go against the declaration. If they do erect a cell tower, this could also trigger the assessor to re-assess the property for the last 10 years and tack on interest and penalties. I checked with the county assessor, and currently they are being assessed at \$500/acre, which is the calculation for a golf course.

I am not sure if you were provided with a title report on this property, but it might be wise that the SB Golf Course provide that to you. I was going to present this document to you tomorrow, but I wanted the neighbors the opportunity to talk with you – I don't want to dominate the conversation. I am hoping the city can see the legal ramifications of this declaration.

Again, I am looking forward to talking with you and introducing you to some of the Sunbird neighbors. I have attached the recorded documents Amended Declaration of Restrictions for Golf Course Use, and the Memorandum of Lease Agreement between Atlas and the SB Golf Course.

Thank You,

Helen M.

From: Matt Orlando <Matt.Orlando@chandleraz.gov>
Sent: Wednesday, May 3, 2023 11:51 AM
To: helenbettes@comcast.net
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Ms Mortimer,

I left you a brief voice mail earlier today. Could you please give me a call on my cell phone to discuss the cell tower?

Thank you

All the Best

Matt

Matt Orlando
Vice Mayor Chandler City Council
602-370-7536

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Saturday, April 29, 2023 11:19 AM
To: Brittany Barry <Brittany.Barry@chandleraz.gov>
Cc: Mayor&Council <Mayor&Council@chandleraz.gov>; Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Brittany,

Thank you for your reply. There are a few things that concern me with the cell tower in Sunbird. First and foremost is our community is made up of a majority of snowbirds, and I feel the golf club is waiting for most of the snowbirds to leave before proceeding with the next meeting, on purpose of course. This will be a great opportunity for the golf club to take advantage of the residents that are mostly affected by this to not voice their concerns, opinions, opposition, etc. I would like the city to really look at that and make the golf club wait until all of the residents are back in the community to hold the next meeting, which would be in the fall. I also feel that the owners of the golf club, which total around 200 owners in total, should not have individual voices at the meeting, but rather have only 1 voice as a whole. I heard from my neighbor at the first meeting, the golf club packed the neighborhood meeting with its owners to make the support of this proposition look good.

Secondly, I am looking to the Mayor and city Council to protect me, my neighbor, future neighbors, and the community as a whole. This tower will represent up to a 20% reduction in our home values, and it will trickle down to other houses over time that are not within sight of the tower due to many factors including but not limited to people not wanting to move to Sunbird because of the tower in their community. Also, this tower will be the only tower within a residential community in the City of Chandler. If the City allows this tower to be erected, it sends a clear message to me that your citizens/residents/visitors are not valued, but rather business is the primary value, even if it is at the degradation of the citizens/residents/visitors.

Thirdly, Atlas was out yesterday to show how tall the tower will be. As you can see from the picture it clearly is not going to "blend in". It is going to tower all of the existing trees. It was also relayed at an HOA meeting that the trees that are there will be cut down. 20 more feet can be added by Atlas without any oversight from your jurisdiction or any permitting process. Either at the height of 65 feet, or another 20 feet, I definitely cannot see this tower "blending in".

As you can see I have many concerns about the construction of this cell tower in a 100% residential area, and I am looking to the City to protect its citizens/residents/visitors.

Thank You,
Helen Mortimer

From: Brittany Barry <Brittany.Barry@chandleraz.gov>
Sent: Monday, April 24, 2023 2:09 PM
To: helenbettes@comcast.net
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Good Afternoon,

On behalf of Mayor and Council, thank you for reaching out regarding Atlas Tower Group's Cell Tower Use Permit Application. Your feedback has been received and shared with the City Council. City staff is working with the applicant to move the cell tower further away from residential properties. There are also discussions taking place about changing the design to more closely match the existing pine trees on site. As part of the Use Permit process, a neighborhood meeting will be scheduled where you can share additional feedback. There is no date yet scheduled for this meeting. The assigned planner for this case is Ben Cereceres, who can be reached at Benjamin.cereceres@chandleraz.gov should you wish to submit additional comments at any time. Thank you again for your feedback.

Brittany Barry
Executive Management Assistant
City of Chandler - Mayor and Council Office
Phone: 480-782-2209
Website: <https://www.chandleraz.gov>



From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Wednesday, April 19, 2023 2:45:51 PM (UTC-07:00) Arizona
To: Mayor&Council <Mayor&Council@chandleraz.gov>
Subject: Attention Needed: Sunbird Cell Tower - City of Chandler

To the Mayor and City Council Members of Chandler,

Please accept this submission requesting that the permit application by Atlas Tower Group to erect a 65 foot cell phone tower on parcel number 303-57-984 which is owned by Sunbird Golf Course and will be located in the 55+ Sunbird residential community, be denied.

BACKGROUND:

Sunbird is a Robson development built in the 1990's, between Cooper and McQueen on Riggs. Sunbird Golf Course and Sunbird residential community (the "HOA") are distinct entities, operated independently.

The relationship between Sunbird Golf Course and the HOA is complex, as the golf course is owned by a number of past and present Sunbird homeowners, managed by a Board and a hired Manager.

The Golf Course is experiencing considerable financial difficulties due to aging infrastructure and a lack of an adequate capital reserve fund. The Golf Board has been in constant conversations with the HOA over the years, to solicit help to pay for capital requirements. Since inception, the HOA has been resolved to not involve itself financially with the Golf Course, as the owners of the Golf Course are an independent third party, even though some of them are homeowners in the community of Sunbird. Approximately two years ago, the HOA agreed to change their CCR's to allow for a percentage from home sale costs be contributed directly to the Sunbird Golf Course. A lawsuit is currently underway in relation to this. The Sunbird Golf Course operation has recently adopted a more business-like model, resulting in apparent increased efficiencies and golf course revenue, but is constantly looking for new ways to finance both the operation and capital requirements of operating a golf course successfully. The HOA, has no input as to what the Golf Course does or does not do on Golf Course land.

ISSUE:

The Sunbird Golf Course board has agreed to enter into a contract with Atlas Tower Group to build a 65-foot cell phone tower on the Sunbird Golf course, in order to ensure a constant revenue stream, it is argued, at the expense of the greater Sunbird residential community. Atlas Tower Group has recently applied to the City of Chandler for a permit to erect such a tower.

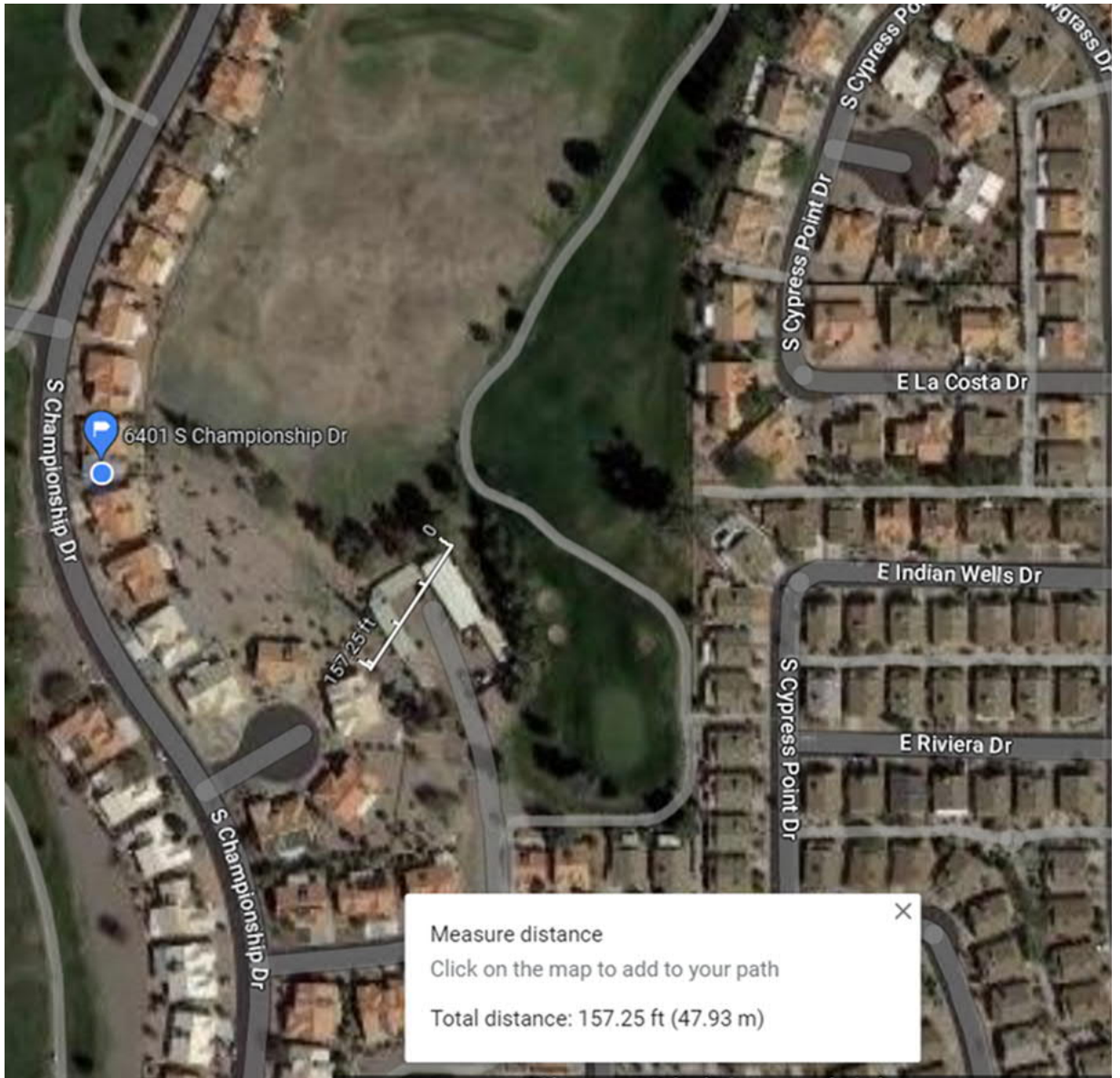
REQUEST OF MAYOR AND COUNCIL:

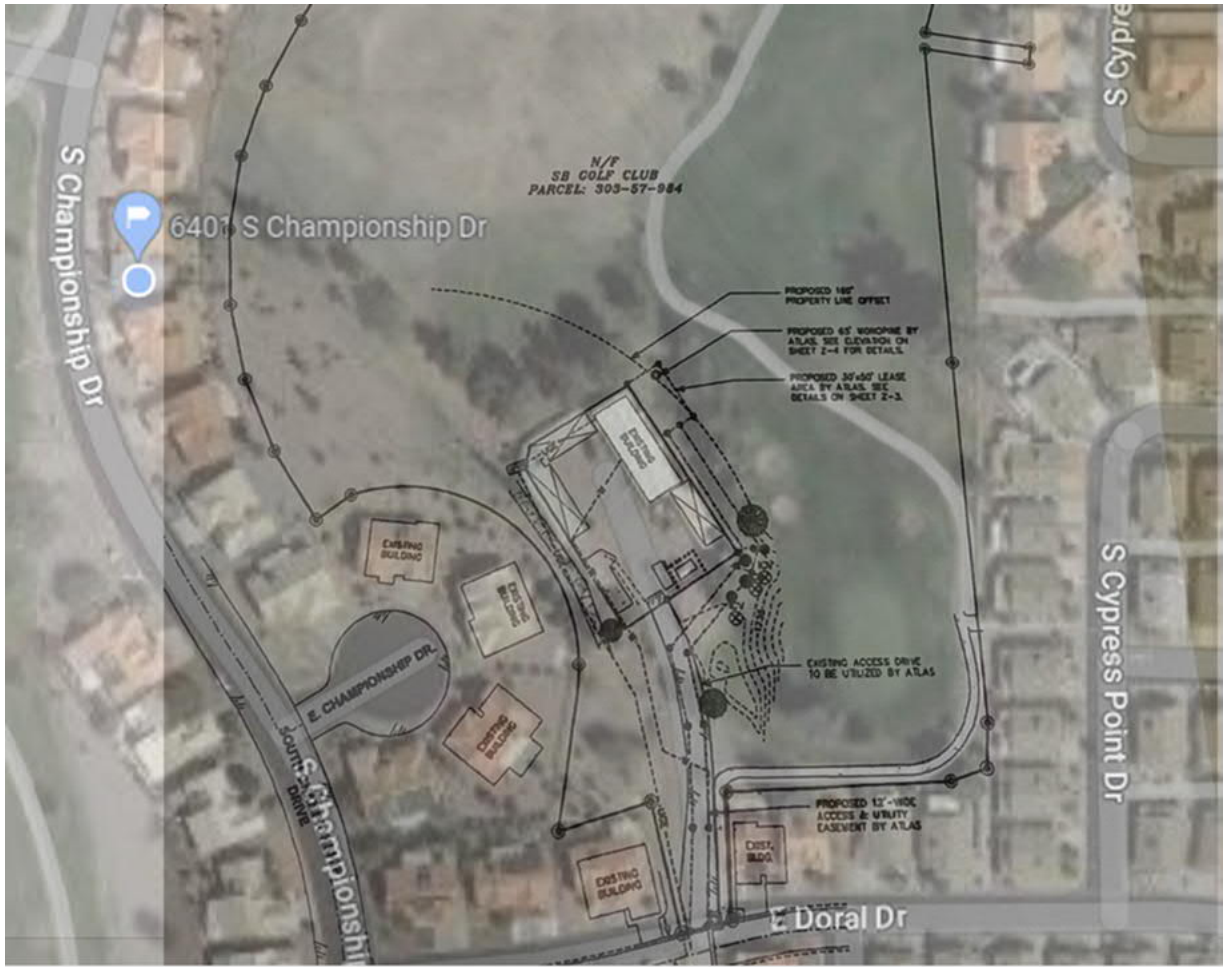
That the CITY OF CHANDLER MAYOR AND COUNCIL MEMBERS deny the Atlas Tower permit application to erect a cell phone tower on the Sunbird Golf course within the Sunbird residential community.

REASON FOR THIS REQUEST:

1. It has been demonstrated throughout the United States that proximity to cell phone towers negatively impacts property values. Numerous studies indicate that home buyers are reluctant to buy homes near cell phone towers. The Wall Street Journal recently reported that " In some areas with new towers, property values have decreased by 20%." Most homeowners in Sunbird are 55+, many are retired and consider their home as their major investment. They are relying on the sale value of their home for financial security in their later years.
2. Aesthetically, the cell phone tower is planned to resemble a coniferous tree, and will be located in a group of coniferous trees on the golf course. It will rise well above the existing trees and several of these trees will be removed in order to erect it. It will be very visible and not blend in at all. There is also a concern, that once constructed under the proper permits, a possible 20 more feet can be added to the top of the tower, with no need for additional permission or permitting. This was confirmed by the City of Chandler Planning Department. It has also been noted in other areas like commercial developments with a cell tower on the property, that a second cell phone tower has been erected beside the original tower. Concern for the number of potential towers on the Sunbird Golf Course exists.
3. NO other community group in the surrounding area was amenable to having a cell phone tower erected in their community when approached (by flyer) by Atlas Tower Group. This demonstrates a reluctance in surrounding HOA Boards and communities to have a cell phone tower built in the middle of their neighborhoods, but the Sunbird Golf Course is proceeding in their own best interests, not those of the Sunbird home owners. It has been indicated by The City of Chandler Planning Department that if approved, this would be the first permit allowing for a cell phone tower to be erected in the middle of a residential neighborhood. If so, this will be a precedent setting decision for the City of Chandler regarding the placement and approval of future applications for cell phone towers.
4. Health risks are inconclusive to date, but the chance of ANY risk of health possibly incurred by Sunbird residents or residents of ANY community, should not be acceptable.

5. Please note that I have done a little research into where the tower is going, and it looks as though it is not outside of the parameters set by the planning department. I see that it is approximately less than 160 feet from the nearest residential house. Also, what kind of protection is being given to the workers that work in the maintenance shed, which is directly next to the cell tower?





Thank you for your attention to this matter.

Sincerely,
Helen Mortimer, Sunbird Community
6401 S Championship Dr,
Chandler, AZ 85249
360-387-9121

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Bob DeMatteo <imbmbd2@gmail.com>
Sent: Friday, April 21, 2023 5:42 AM
To: Cornelius Whitehead
Cc: Benjamin Cereceres
Subject: Re: Sunbird Cell Tower Concerns

Hi Cornelius, thank you very much for your speedy reply. It is great to be able to see a picture of the tower, even though the manufacturer has not yet been selected. Will you be able to specify the actual tower appearance within your contract documents to the suppliers? Will they, in turn, send you a picture of the proposed results? I think it would help the neighbors to buy in to the project, if there is a way to anticipate what this change to their horizon will actually look like.

In that same vein, thank you for your pursuit of the visual representation. It is quite difficult to project how the skyline will change, with only a tower height spec and schematic. Can you give a rendering from a street view (perhaps from different angles) of the appearance after existing trees are removed and the tower installed? Again, the tower seems ominous, but perhaps a look at how it will actually appear to all of the neighbors would help to allay concerns. I'm sure the plan is to partner with Sunbird, so as to promote public relations. In my opinion, this would be a very helpful method to show that cooperation.

Thanks for taking the time to consider my messages. I hope we can meet in the Fall or Winter, upon our return.

Best Regards,

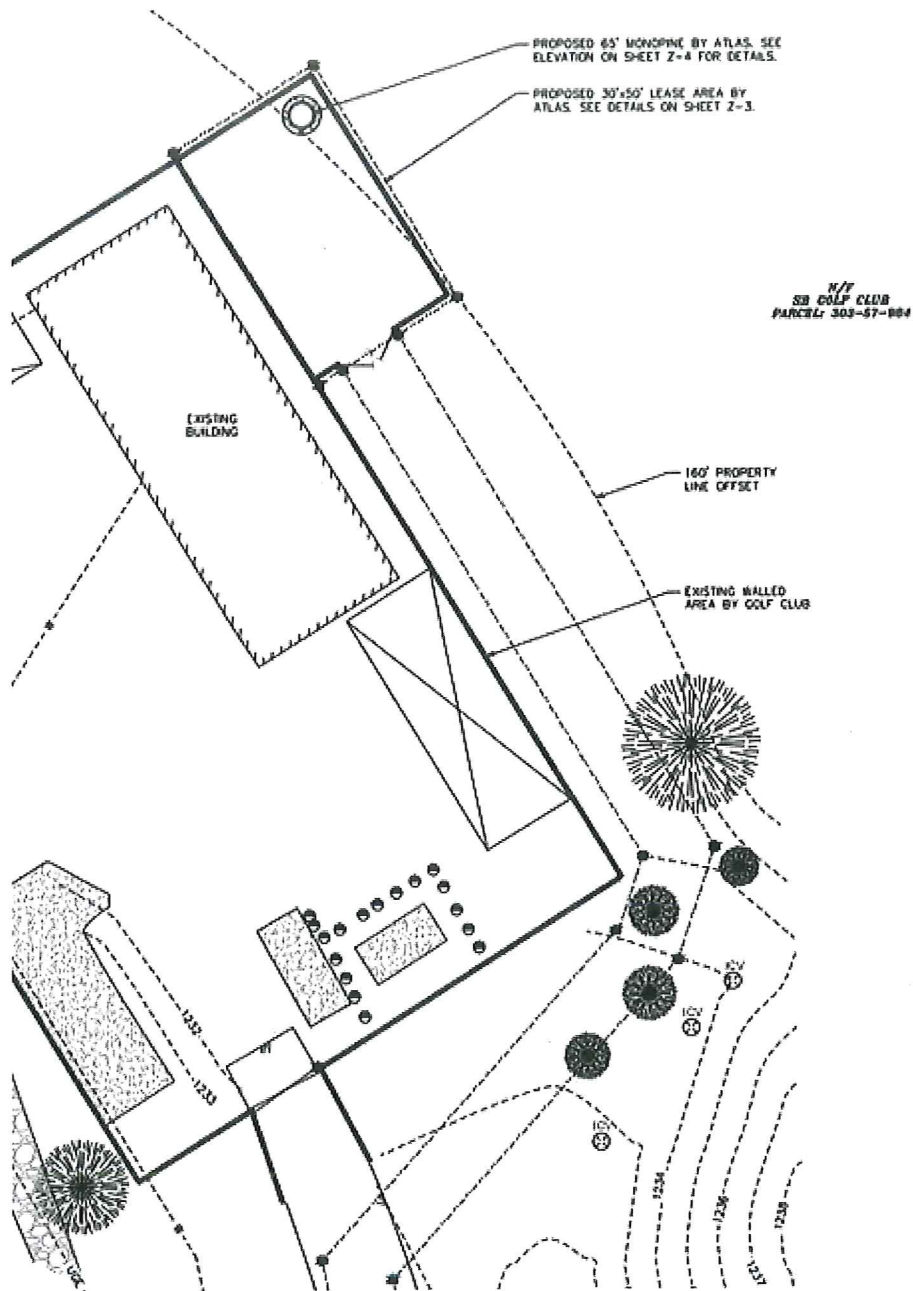
Bob DeMatteo

On Apr 20, 2023, at 2:31 PM, Cornelius Whitehead <cwhitehead@atlastowers.com> wrote:

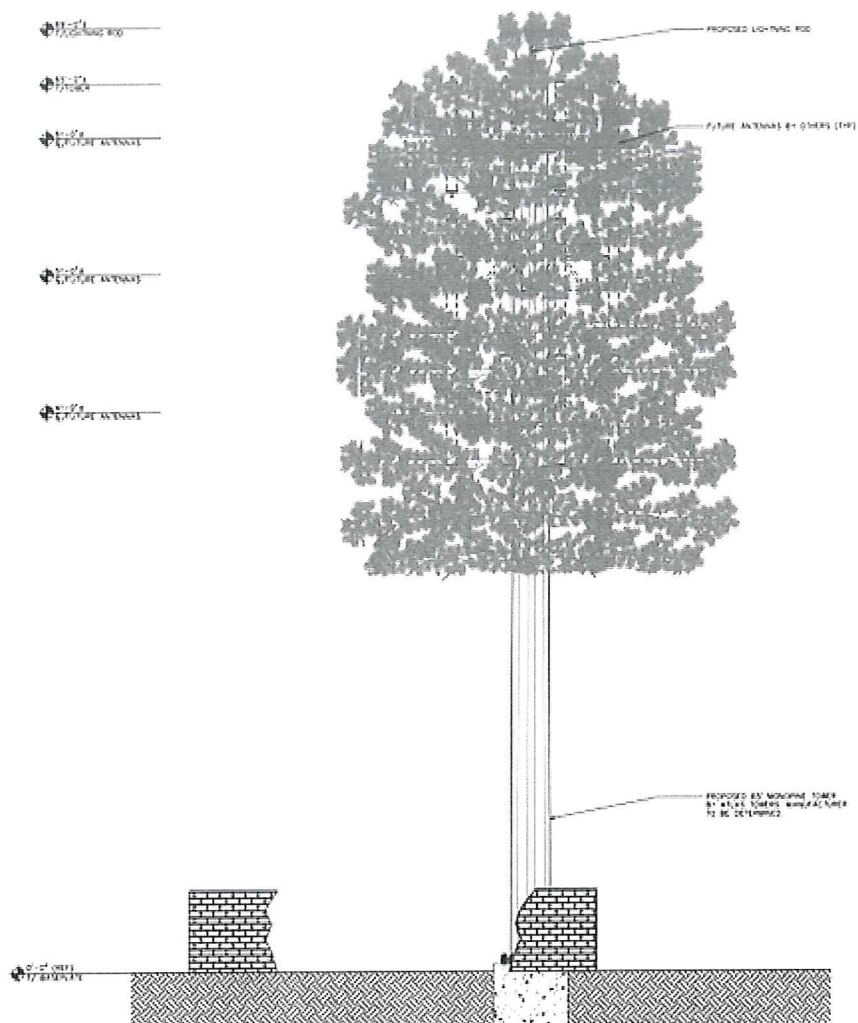
Hello Bob!

Thanks for including me in this email! We greatly appreciate your feedback on this project. I am happy to answer any specific questions that you have if you would like to send them my way! In the meantime there are a few quick items I wanted to address with you.

Tower Location: We have actually proposed this tower location in an area that will maximize distance from residential homes, maximize camouflage of the faux pine tree design by placing the tower among existing pine trees, and minimize the number of existing trees that will be removed for this site. I have attached our schematics showing that a few of the small existing pine trees will need to be relocated in order to place the site where it is proposed. All other mature trees would be outside of our access path/compound and will not be removed.



Tower Height: This project is proposed to be a 65' structure with a 4' lightning rod/faux branches on top for a total tip height of 69'. There is no agreement to extend up to 85'. Please see attached elevation drawings showing as such. The 1996 FCC act does create a path for increasing existing tower heights in order to provide necessary coverage for mobile networks, however that process is lengthy and does still allow for the City of Chandler to review the extension proposal. This tower, as applied for, will be 69' at the highest point and will have the ability to host additional mobile carriers below 69' prior to any extension even needing to be considered. Let me know if you have any questions!



Visual Representation: This is a very valid point and I have requested photo simulations be created for this project for the public/city to review. These will be available prior to any scheduled neighborhood meeting! In the meantime I have attached an example of a previous mono-pine project we completed.





Please let me know if you have any questions that I could answer about this project!

Cornelius Whitehead

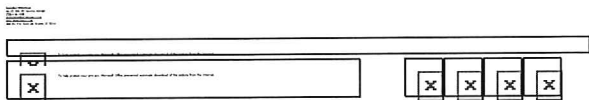
Site Acquisition Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301



On Thu, Apr 20, 2023 at 11:40 AM Bob DeMatteo <imbmbd2@gmail.com> wrote:

Hi Ben, thanks so much for the call and your explanation of the process that the cell tower approval will go through. Your time is greatly appreciated.

Our understanding is currently:

- 1) The formal application from Atlas has now been received. The normal time for the city to review and respond to this is 4 - 6 weeks. The requirements for tower height and aesthetic blending with the environment have been given to Atlas. Thus far, no artistic rendering has been submitted to help judge the meeting of these requirements.
- 2) If the state requirements are met, within reason, the golf club/ Atlas will be required to hold a meeting with all neighbors to address questions and concerns.
- 3) There will be multiple media used to contact the neighbors to inform of the date, time and place for this meeting. The app, Next Door, as well as site signage, letters and emails to the HOA and neighbors who have already contacted you will be utilized to provide this communication.
- 4) The neighbor concerns you have collected thus far will also be represented by you to the golf club/ Atlas at this meeting.
- 5) Atlas will be required to respond to all questions and concerns.
- 6) This compilation will be provided to the Planning / Zoning Committee for their consideration. A public meeting will be held by the committee to decide on approving the project. Notification of this meeting will also be provided to the neighbors, similar to #3 above.
- 7) If the committee recommends proceeding with the tower project, the City Council will give final approval at their meeting, which is also open to the public. You will also send out notification of this meeting, similar to #3 above.

Please feel free to reply with any corrections to our understanding of the process.

Our main concerns for the process are:

- 1) Due to the nature of the Sunbird community, many residents are seasonal. For the true concerns of the neighborhood to be heard, the first meeting mentioned above, should happen after January 1. Whereas a firm number of seasonal residents is not available, it is considered that at least 50% of the owners are seasonal. It would be in good-faith to consider the impracticality of logistics for half of the residents to attend a meeting in the Summer of Fall.
- 2) For the community to buy into the presence of a 65 ft (and possibly 85ft) tower, a scaled, artist's rendering should be provided with the application and to the community. A decision regarding the appropriateness of the aesthetics must be provided information as to the uniqueness of the height in a single-story community as well as the actual appearance of the tower. Is the tower double, or even triple the height of any other structure in Sunbird? What does will the 'pine tree' camouflage really look like? These are just a couple of the questions that come to mind...
- 3) Will the final two potential public meetings (committee and council) subsequently occur no later than April 30, 2024? Most of the seasonal residence periods will end by this date, for next year.

Thanks for bearing the load of our concerns. We do understand that your role is to see that the processes laid out by the city and state are followed. That, along with the transmission of information is all we can ask of you. Hopefully, the committee and council will also factor in the human-impact side in their decision. We didn't discuss our question below about other communities in Chandler, like Sunbird. We are unaware of cell towers being located in any of them. A approval like this could affect many other Chandler residents. Likely, they have already spoken about the practicality of cell towers within their walls as well.

Best Regards,

Bob & Mary Beth DeMatteo
Chandler, AZ
Holland, OH

On Apr 19, 2023, at 5:01 PM, Benjamin Cereceres
<Benjamin.Cereceres@chandleraz.gov> wrote:

Thanks for sending over your phone number Bob. I will give you a call now.

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Bob D <imbmbd2@gmail.com>
Sent: Wednesday, April 19, 2023 1:53 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: Re: Sunbird Cell Tower Concerns

Hello Benjamin, thank you very much for the reply and offer to discuss the tower. I'm currently available, here in Ohio. My number is 419-466-7544.

If you are busy today, I'd be happy to schedule a mutually convenient time.

Best Regards,

Bob DeMatteo

Sent from my iPhone

On Apr 19, 2023, at 4:06 PM, Benjamin Cereceres
<Benjamin.Cereceres@chandleraz.gov> wrote:

Good afternoon Bob:

Do you have a number that I can reach you at in order to discuss the questions below?

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Bob DeMatteo <imbmbd2@gmail.com>
Sent: Tuesday, April 11, 2023 5:52 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: Sunbird Cell Tower Concerns

On Apr 11, 2023, at 5:50 PM, Bob DeMatteo <imbmbd2@gmail.com> wrote:

Hi Benjamin, I understand that you are connected to the approval process for the Sunbird Golf (SB) Club installation of a cell tower in our community. My wife and I are a homeowners in SB, at 1886 E Lindrick Dr.

I'd like to know what the aesthetic effect will be with a 65 ft tower installed in a spot where existing trees must be removed to make space for this new tower. Additionally, the agreement they've currently drawn would give the tower company an additional 20 ft on top of that, without outside scrutiny. I'd be surprised if there are any structures, or even trees, in the rest of our community that exceed 40 ft, let alone 85 ft. I think this tower will stand out awkwardly. I am concerned that this will not reflect an appropriate change to our neighborhood.

As I understand, there are no other communities, like ours, in Chandler, that has a tower located on their property. I guess that they didn't consider that a beneficial addition to their properties either. If the tower was in our immediate back yard, we'd be even further concerned. Perhaps if the city and the SB community had an artist's rendering to grasp how this would look, we could as an entire HOA vote on such an alteration.

I've read some cases where healthcare organizations feel that the health effects may be detrimental. I know it is possible to find educated opinions that conflict, yet I would favor the cautious approach, especially in a retirement-age community.

We are seasonal, for now, in AZ, and will unfortunately not be able to attend a meeting, if this happens before the Fall. Hopefully it will be delayed until most owners will be able to attend. However, I would appreciate greatly if my concerns would be represented, should this meeting occur this Summer. My wife and I love SB, and the life it brings. We hope this can continue, and potentially be a full-time residence, in the future.

Thank you for your consideration. I know you must be very busy.

Best Regards,

Bob (Robert) DeMatteo, Mary Beth DeMatteo
Chandler and Holland, OH constituents

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Dale Anderson <sunbirdaz@yahoo.com>
Sent: Sunday, April 30, 2023 3:24 PM
To: Benjamin Cereceres
Subject: Proposed SunBird Cell Tower

Mr. Cereceres,

This email is regarding the proposed cell tower in SunBird Golf Resort. We are Dale and Carolyn Anderson at 6411 S Championship Drive. We have lived in SunBird in this home since 1996. We are against the cell tower as it will have a detrimental effect on our property value, and it will have a negative effect on the view as well and possible adverse health effects.

Thank you for your time and attention.

Dale and Carolyn Anderson

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Micah Miranda
Sent: Friday, May 26, 2023 10:04 AM
To: Benjamin Cereceres
Subject: FW: Constituent Inquiry -- FW: Sunbird Cell Tower.

Ben,

Please see below and respond to Brittany and Cc me and your supervisors.

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

From: Brittany Barry <Brittany.Barry@chandleraz.gov>
Sent: Friday, May 26, 2023 9:33 AM
To: Micah Miranda <Micah.Miranda@chandleraz.gov>
Cc: Joshua Wright <Joshua.Wright@chandleraz.gov>; Tadd Wille <Tadd.Wille@chandleraz.gov>; Dawn Lang <Dawn.Lang@chandleraz.gov>; Andy Bass <Andy.Bass@chandleraz.gov>; Steven Turner <Steven.Turner@chandleraz.gov>; Matthew Burdick <Matthew.Burdick@chandleraz.gov>; Melissa Quillard <Melissa.Quillard@chandleraz.gov>
Subject: Constituent Inquiry -- FW: Sunbird Cell Tower.

Hi Micah,

Have any public hearing dates been scheduled reference PLH23-0020? Also, do you know if the city has any other cell towers in residential areas? Thank you.

Brittany Barry
Executive Management Assistant
City of Chandler - Mayor and Council Office
Phone: 480-782-2209
Website: <https://www.chandleraz.gov>

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

From: Kevin Hartke <Kevin.Hartke@chandleraz.gov>
Sent: Thursday, May 25, 2023 10:55 PM
To: MandC2 <mandc2@chandleraz.gov>
Subject: FW: Sunbird Cell Tower.

From: David Walden <davidjwalden@gmail.com>
Sent: Thursday, May 25, 2023 10:54:38 PM (UTC-07:00) Arizona
To: Mayor&Council
Subject: Sunbird Cell Tower.

Honorable Mayor and Council Members,

We have lived in Sunbird for over twenty years we play golf, tennis and PickleBall. It's a fabulous, friendly retirement community. Of deep concern is the recent proposal to install a 65 foot cell tower in the middle of our housing community. Normally these towers are installed in commercial or industrial sites not in residential areas. Aside from potential health effects is the impact to property values especially in the vicinity of the tower. Research has shown the potential of a 20% drop in house values with the erection of a cell tower in the immediate vicinity. We hope for a full evaluation of this proposal with all the pros and cons considered. Also does the city have any other cell towers in a purely residential area?
Dave and Jenifer Walden.

Sent from my iPhone

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: helenbettes@comcast.net
Sent: Friday, May 5, 2023 6:49 AM
To: Matt Orlando
Cc: Benjamin Cereceres
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler
Attachments: ATLAS LEASE AGREEMENT WTH sbgc.zip

Matt,

I am looking forward to meeting you tomorrow and discussing the proposition of the SB Golf Course cell tower being within our residential community. There will be quite a few neighbors present who will give you a very broad oversight as to what kind of fabric this community is woven from. Sunbird is a unique community.

Because of this uniqueness, my husband and I decided to winter down here from Washington. We are both retired. My husband was in the aerospace industry for 38 years. My background is a little vaster. I am a retired volunteer firefighter/EMT which was my most challenging career. While volunteering as a firefighter on nights and weekends, my day job was in the escrow and title industry for 25 years. I was licensed as a Limited Practice Officer closing escrow and examining and clearing titles on real and personal property. This background has given me some great awareness of real and personal property and its underlying restrictions and limitations.

Using my past experience, I went ahead and did my own title search on the golf course. I looked at the underlying documents that are against the particular piece of property which the cell tower is to be put on (parcel 303-57-984) and I found that there is a document recorded with Maricopa County named "Amended Declaration of Restrictions for Golf Course Use", under document number 2007060488. This document covers the whole golf course property. Below are some excerpts from that document.

Paragraph 1 is as follows:

1. The Premises shall be used for a golf course as such term is defined in A.R.S. §42-13151, or any successor statute thereto, and for related uses, including practice and maintenance areas, transition areas, lakes, cart paths and drainage areas.

When I look at the statute, here is the definition:

42-13151. Definition of golf course

In this article, unless the context otherwise requires, "golf course" means substantially undeveloped land, including amenities such as landscaping, irrigation systems, paths and golf greens and tees, that may be used for golfing or golfing practice by the public or by members and guests of a private club. Golf course does not include:

1. Commercial golf practice ranges that are operated exclusive of golf courses that are valued under this article.
2. Clubhouses, pro shops, restaurants and similar buildings that are associated with the golf course, which are generally used by the public or by members and guests who are entitled to use the golf course.

Paragraph 3 is as follows:

3. Except as otherwise provided in Paragraph 2 hereof, or in A.R.S. §42-13151 through §42-13154, no third party shall, by reason of this Declaration, acquire any rights or interest with respect to the use of the Premises.

Here is the statute 42-13154 (42-13153 does not exist):

42-13154. Covenant not to convert golf course to another use; violation; penalty

A. As a condition for valuation under this article, the owner of a golf course shall record a deed restriction with the county recorder and file a copy of the restriction with the county assessor, restricting the property to use as a golf course for at least ten years. The deed restriction must be refiled as necessary to ensure that the deed restriction always applies for at least ten years.

B. The valuation of a golf course under this section constitutes a covenant between the county assessor and the owner of the golf course that the use of the property will remain unchanged for the duration of the deed restriction.

C. The assessor shall maintain a record of the value of the property determined under this article and the value of the property if it had not been determined under this article. The assessor shall maintain the record for at least ten years for use in computing the penalty under subsection D if the property is converted to a different use in violation of the covenant.

D. If the property is converted to a different use in violation of the covenant, the assessor shall add to the tax levied against the property on the next tax roll a penalty equal to the difference between the total amount of property taxes that would have been levied on the property for the preceding ten years or the period of time the property was valued under this section, whichever period is shorter, if the property had not been valued under this section and the property taxes that were actually paid for the same period. The penalty due under this subsection shall be paid before completion of the next property tax roll and is enforceable and subject to the same penalties and interest as if the penalty were a tax levied against the property.

This document binds the SB Golf Course considerably. Paragraph no. 3 is quite clear that they cannot enter into an agreement with any third party to give rights or interest with respect to the golf course (the "Premises"). Atlas Tower 1, LLC is a third party, and they are being given rights and interest to the premises. With that said, I cannot see how a permit can be issued, as it will go against the declaration. If they do erect a cell tower, this could also trigger the assessor to re-assess the property for the last 10 years and tack on interest and penalties. I checked with the county assessor, and currently they are being assessed at \$500/acre, which is the calculation for a golf course.

I am not sure if you were provided with a title report on this property, but it might be wise that the SB Golf Course provide that to you. I was going to present this document to you tomorrow, but I wanted the neighbors the opportunity to talk with you – I don't want to dominate the conversation. I am hoping the city can see the legal ramifications of this declaration.

Again, I am looking forward to talking with you and introducing you to some of the Sunbird neighbors. I have attached the recorded documents Amended Declaration of Restrictions for Golf Course Use, and the Memorandum of Lease Agreement between Atlas and the SB Golf Course.

Thank You,
Helen M.

From: Matt Orlando <Matt.Orlando@chandleraz.gov>
Sent: Wednesday, May 3, 2023 11:51 AM
To: helenbettes@comcast.net
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Ms Mortimer,

I left you a brief voice mail earlier today. Could you please give me a call on my cell phone to discuss the cell tower?

Thank you

All the Best

Matt

Matt Orlando
Vice Mayor Chandler City Council
602-370-7536

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Saturday, April 29, 2023 11:19 AM
To: Brittany Barry <Brittany.Barry@chandleraz.gov>
Cc: Mayor&Council <Mayor&Council@chandleraz.gov>; Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Brittany,

Thank you for your reply. There are a few things that concern me with the cell tower in Sunbird. First and foremost is our community is made up of a majority of snowbirds, and I feel the golf club is waiting for most of the snowbirds to leave before proceeding with the next meeting, on purpose of course. This will be a great opportunity for the golf club to take advantage of the residents that are mostly affected by this to not voice their concerns, opinions, opposition, etc. I would like the city to really look at that and make the golf club wait until all of the residents are back in the community to hold the next meeting, which would be in the fall. I also feel that the owners of the golf club, which total around 200 owners in total, should not have individual voices at the meeting, but rather have only 1 voice as a whole. I heard from my neighbor at the first meeting, the golf club packed the neighborhood meeting with its owners to make the support of this proposition look good.

Secondly, I am looking to the Mayor and city Council to protect me, my neighbor, future neighbors, and the community as a whole. This tower will represent up to a 20% reduction in our home values, and it will trickle down to other houses over time that are not within sight of the tower due to many factors including but not limited to people not wanting to move to Sunbird because of the tower in their community. Also, this tower will be the only tower within a residential community in the City of Chandler. If the City allows this tower to be erected, it sends a clear message to me that your citizens/residents/visitors are not valued, but rather business is the primary value, even if it is at the degradation of the citizens/residents/visitors.

Thirdly, Atlas was out yesterday to show how tall the tower will be. As you can see from the picture it clearly is not going to "blend in". It is going to tower all of the existing trees. It was also relayed at an HOA meeting that the trees that are there will be cut down. 20 more feet can be added by Atlas without any oversight from your jurisdiction or any permitting process. Either at the height of 65 feet, or another 20 feet, I definitely cannot see this tower "blending in".

As you can see I have many concerns about the construction of this cell tower in a 100% residential area, and I am looking to the City to protect its citizens/residents/visitors.

Thank You,
Helen Mortimer

From: Brittany Barry <Brittany.Barry@chandleraz.gov>
Sent: Monday, April 24, 2023 2:09 PM

To: helenbettes@comcast.net
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Good Afternoon,

On behalf of Mayor and Council, thank you for reaching out regarding Atlas Tower Group's Cell Tower Use Permit Application. Your feedback has been received and shared with the City Council. City staff is working with the applicant to move the cell tower further away from residential properties. There are also discussions taking place about changing the design to more closely match the existing pine trees on site. As part of the Use Permit process, a neighborhood meeting will be scheduled where you can share additional feedback. There is no date yet scheduled for this meeting. The assigned planner for this case is Ben Cereceres, who can be reached at Benjamin.cereceres@chandleraz.gov should you wish to submit additional comments at any time. Thank you again for your feedback.

Brittany Barry
Executive Management Assistant
City of Chandler - Mayor and Council Office
Phone: 480-782-2209
Website: <https://www.chandleraz.gov>



From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Wednesday, April 19, 2023 2:45:51 PM (UTC-07:00) Arizona
To: Mayor&Council <Mayor&Council@chandleraz.gov>
Subject: Attention Needed: Sunbird Cell Tower - City of Chandler

To the Mayor and City Council Members of Chandler,

Please accept this submission requesting that the permit application by Atlas Tower Group to erect a 65 foot cell phone tower on parcel number 303-57-984 which is owned by Sunbird Golf Course and will be located in the 55+ Sunbird residential community, be denied.

BACKGROUND:

Sunbird is a Robson development built in the 1990's, between Cooper and McQueen on Riggs. Sunbird Golf Course and Sunbird residential community (the "HOA") are distinct entities, operated independently.

The relationship between Sunbird Golf Course and the HOA is complex, as the golf course is owned by a number of past and present Sunbird homeowners, managed by a Board and a hired Manager.

The Golf Course is experiencing considerable financial difficulties due to aging infrastructure and a lack of an adequate capital reserve fund. The Golf Board has been in constant conversations with the HOA over the years, to solicit help to pay for capital requirements. Since inception, the HOA has been resolved to not involve itself financially with the Golf Course, as the owners of the Golf Course are an independent third party, even though some of them are homeowners in the community of Sunbird. Approximately two years ago, the HOA agreed to change their CCR's to allow for a percentage from home sale costs be contributed directly to the Sunbird Golf Course. A lawsuit is currently underway in relation to this. The Sunbird Golf Course operation has recently adopted a more business-like model, resulting in apparent increased efficiencies and golf course revenue, but is constantly looking for new ways to finance both the operation and capital requirements of operating a golf course successfully. The HOA, has no input as to what the Golf Course does or does not do on Golf Course land.

ISSUE:

The Sunbird Golf Course board has agreed to enter into a contract with Atlas Tower Group to build a 65-foot cell phone tower on the Sunbird Golf course, in order to ensure a constant revenue stream, it is argued, at the expense of the greater Sunbird residential community. Atlas Tower Group has recently applied to the City of Chandler for a permit to erect such a tower.

REQUEST OF MAYOR AND COUNCIL:

That the CITY OF CHANDLER MAYOR AND COUNCIL MEMBERS deny the Atlas Tower permit application to erect a cell phone tower on the Sunbird Golf course within the Sunbird residential community.

REASON FOR THIS REQUEST:

1. It has been demonstrated throughout the United States that proximity to cell phone towers negatively impacts property values. Numerous studies indicate that home buyers are reluctant to buy homes near cell phone towers. The Wall Street Journal recently reported that " In some areas with new towers, property values have decreased by 20%." Most homeowners in Sunbird are 55+, many are

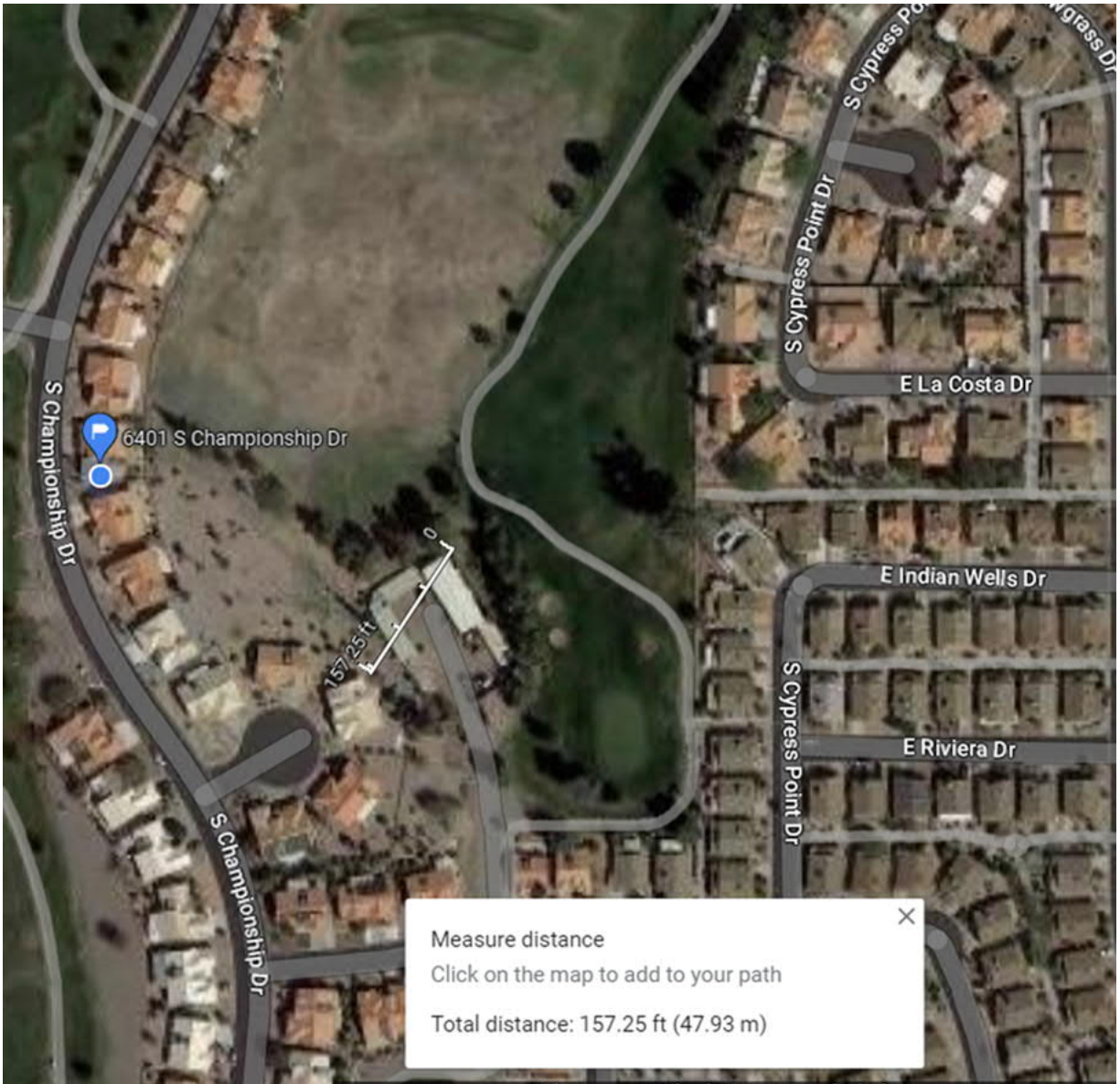
retired and consider their home as their major investment. They are relying on the sale value of their home for financial security in their later years.

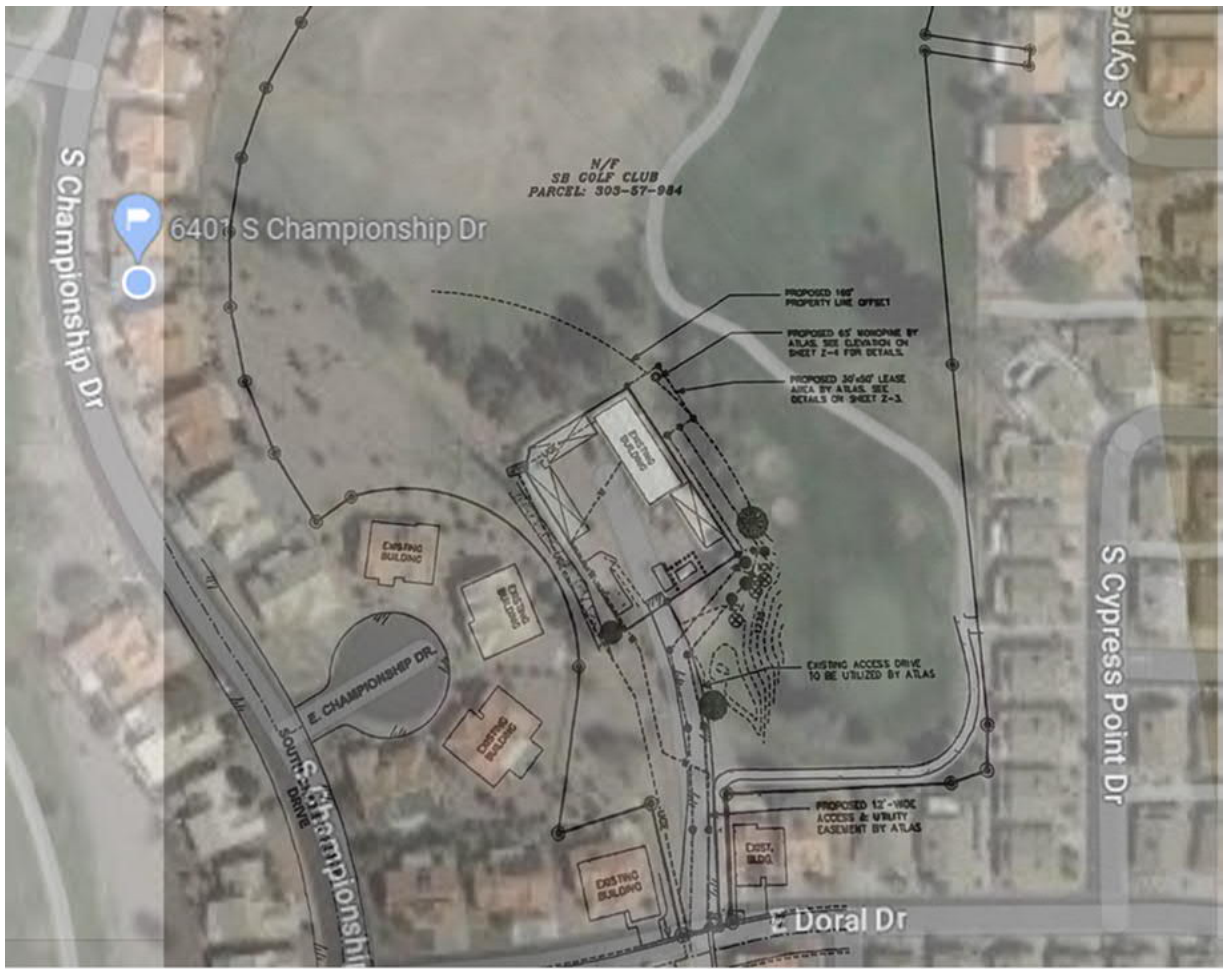
2. Aesthetically, the cell phone tower is planned to resemble a coniferous tree, and will be located in a group of coniferous trees on the golf course. It will rise well above the existing trees and several of these trees will be removed in order to erect it. It will be very visible and not blend in at all. There is also a concern, that once constructed under the proper permits, a possible 20 more feet can be added to the top of the tower, with no need for additional permission or permitting. This was confirmed by the City of Chandler Planning Department. It has also been noted in other areas like commercial developments with a cell tower on the property, that a second cell phone tower has been erected beside the original tower. Concern for the number of potential towers on the Sunbird Golf Course exists.

3. NO other community group in the surrounding area was amenable to having a cell phone tower erected in their community when approached (by flyer) by Atlas Tower Group. This demonstrates a reluctance in surrounding HOA Boards and communities to have a cell phone tower built in the middle of their neighborhoods, but the Sunbird Golf Course is proceeding in their own best interests, not those of the Sunbird home owners. It has been indicated by The City of Chandler Planning Department that if approved, this would be the first permit allowing for a cell phone tower to be erected in the middle of a residential neighborhood. If so, this will be a precedent setting decision for the City of Chandler regarding the placement and approval of future applications for cell phone towers.

4. Health risks are inconclusive to date, but the chance of ANY risk of health possibly incurred by Sunbird residents or residents of ANY community, should not be acceptable.

5. Please note that I have done a little research into where the tower is going, and it looks as though it is not outside of the parameters set by the planning department. I see that it is approximately less than 160 feet from the nearest residential house. Also, what kind of protection is being given to the workers that work in the maintenance shed, which is directly next to the cell tower?





Thank you for your attention to this matter.

Sincerely,
 Helen Mortimer, Sunbird Community
 6401 S Championship Dr,
 Chandler, AZ 85249
 360-387-9121

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: helenbettes <helenbettes@comcast.net>
Sent: Tuesday, July 18, 2023 8:02 PM
To: Matt Orlando
Cc: Benjamin Cereceres
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Thank you Matt.

At the meeting is there any way we can differentiate "who" are the golf owners on record and will benefit from this? In the past the golf course put it in their favor to "stack" the meeting with golf course owners, and they did heckle those that were in opposition to silence them. This concerns me the Dave week happen at this meeting

Thanks

Helen Mortimer

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: Matt Orlando <Matt.Orlando@chandleraz.gov>
Date: 7/18/23 3:04 PM (GMT-08:00)
To: helenbettes@comcast.net
Cc: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Helen,

Just an FYI, We've been receiving a lot emails supporting the cell tower. See at the Wednesday meeting

All the Best

Matt

Matt Orlando

Vice Mayor Chandler City Council

602-370-7536

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Friday, May 5, 2023 6:49 AM
To: Matt Orlando <Matt.Orlando@chandleraz.gov>
Cc: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Matt,

I am looking forward to meeting you tomorrow and discussing the proposition of the SB Golf Course cell tower being within our residential community. There will be quite a few neighbors present who will give you a very broad oversight as to what kind of fabric this community is woven from. Sunbird is a unique community.

Because of this uniqueness, my husband and I decided to winter down here from Washington. We are both retired. My husband was in the aerospace industry for 38 years. My background is a little vaster. I am a retired volunteer firefighter/EMT which was my most challenging career. While volunteering as a firefighter on nights and weekends, my day job was in the escrow and title industry for 25 years. I was licensed as a Limited Practice Officer closing escrow and examining and clearing titles on real and personal property. This background has given me some great awareness of real and personal property and its underlying restrictions and limitations.

Using my past experience, I went ahead and did my own title search on the golf course. I looked at the underlying documents that are against the particular piece of property which the cell tower is to be put on (parcel 303-57-984) and I found that there is a document recorded with Maricopa County named "Amended Declaration of Restrictions for Golf Course Use", under document number 2007060488. This document covers the whole golf course property. Below are some excerpts from that document.

Paragraph 1 is as follows:



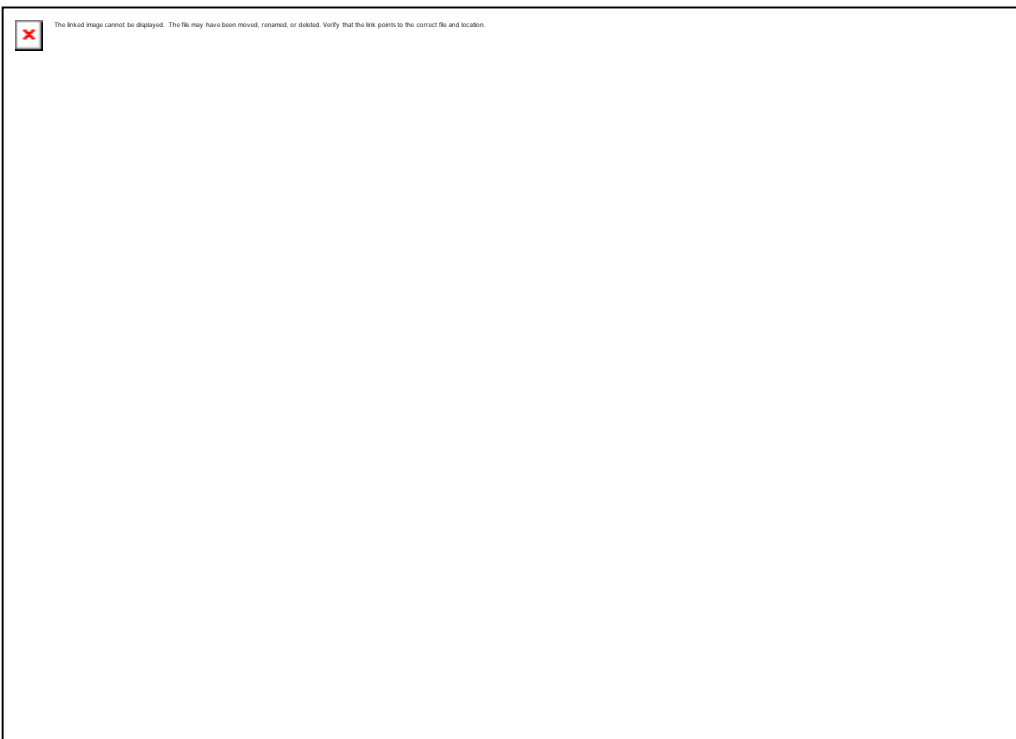
When I look at the statute, here is the definition:



Paragraph 3 is as follows:



Here is the statute 42-13154 (42-13153 does not exist):



This document binds the SB Golf Course considerably. Paragraph no. 3 is quite clear that they cannot enter into an agreement with any third party to give rights or interest with respect to the golf course (the "Premises"). Atlas Tower 1, LLC is a third party, and they are being given rights and interest to the premises. With that said, I cannot see how a permit can be issued, as it will go against the declaration. If they do erect a cell tower, this could also trigger the assessor to re-assess the property for the last 10 years and tack on interest and penalties. I checked with the county assessor, and currently they are being assessed at \$500/acre, which is the calculation for a golf course.

I am not sure if you were provided with a title report on this property, but it might be wise that the SB Golf Course provide that to you. I was going to present this document to you tomorrow, but I wanted the neighbors the opportunity

to talk with you – I don't want to dominate the conversation. I am hoping the city can see the legal ramifications of this declaration.

Again, I am looking forward to talking with you and introducing you to some of the Sunbird neighbors. I have attached the recorded documents Amended Declaration of Restrictions for Golf Course Use, and the Memorandum of Lease Agreement between Atlas and the SB Golf Course.

Thank You,

Helen M.

From: Matt Orlando <Matt.Orlando@chandleraz.gov>
Sent: Wednesday, May 3, 2023 11:51 AM
To: helenbettes@comcast.net
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Ms Mortimer,

I left you a brief voice mail earlier today. Could you please give me a call on my cell phone to discuss the cell tower?

Thank you

All the Best

Matt

Matt Orlando

Vice Mayor Chandler City Council

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Saturday, April 29, 2023 11:19 AM
To: Brittany Barry <Brittany.Barry@chandleraz.gov>
Cc: Mayor&Council <Mayor&Council@chandleraz.gov>; Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Brittany,

Thank you for your reply. There are a few things that concern me with the cell tower in Sunbird. First and foremost is our community is made up of a majority of snowbirds, and I feel the golf club is waiting for most of the snowbirds to leave before proceeding with the next meeting, on purpose of course. This will be a great opportunity for the golf club to take advantage of the residents that are mostly affected by this to not voice their concerns, opinions, opposition, etc. I would like the city to really look at that and make the golf club wait until all of the residents are back in the community to hold the next meeting, which would be in the fall. I also feel that the owners of the golf club, which total around 200 owners in total, should not have individual voices at the meeting, but rather have only 1 voice as a whole. I heard from my neighbor at the first meeting, the golf club packed the neighborhood meeting with its owners to make the support of this proposition look good.

Secondly, I am looking to the Mayor and city Council to protect me, my neighbor, future neighbors, and the community as a whole. This tower will represent up to a 20% reduction in our home values, and it will trickle down to other houses over time that are not within sight of the tower due to many factors including but not limited to people not wanting to move to Sunbird because of the tower in their community. Also, this tower will be the only tower within a residential community in the City of Chandler. If the City allows this tower to be erected, it sends a clear message to me that your citizens/residents/visitors are not valued, but rather business is the primary value, even if it is at the degradation of the citizens/residents/visitors.

Thirdly, Atlas was out yesterday to show how tall the tower will be. As you can see from the picture it clearly is not going to "blend in". It is going to tower all of the existing trees. It was also relayed at an HOA meeting that the trees that are there will be cut down. 20 more feet can be added by Atlas without any oversight from your jurisdiction or any permitting process. Either at the height of 65 feet, or another 20 feet, I definitely cannot see this tower "blending in".

As you can see I have many concerns about the construction of this cell tower in a 100% residential area, and I am looking to the City to protect its citizens/residents/visitors.

Thank You,

Helen Mortimer

From: Brittany Barry <Brittany.Barry@chandleraz.gov>
Sent: Monday, April 24, 2023 2:09 PM
To: helenbettes@comcast.net
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Good Afternoon,

On behalf of Mayor and Council, thank you for reaching out regarding Atlas Tower Group's Cell Tower Use Permit Application. Your feedback has been received and shared with the City Council. City staff is working with the applicant to move the cell tower further away from residential properties. There are also discussions taking place about changing the design to more closely match the existing pine trees on site. As part of the Use Permit process, a neighborhood meeting will be scheduled where you can share additional feedback. There is no date yet scheduled for this meeting. The assigned planner for this case is Ben Cereceres, who can be reached at Benjamin.cereceres@chandleraz.gov should you wish to submit additional comments at any time. Thank you again for your feedback.

Brittany Barry

Executive Management Assistant

City of Chandler - Mayor and Council Office

Phone: 480-782-2209

Website: <https://www.chandleraz.gov>



From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Wednesday, April 19, 2023 2:45:51 PM (UTC-07:00) Arizona
To: Mayor&Council <Mayor&Council@chandleraz.gov>
Subject: Attention Needed: Sunbird Cell Tower - City of Chandler

To the Mayor and City Council Members of Chandler,

Please accept this submission requesting that the permit application by Atlas Tower Group to erect a 65 foot cell phone tower on parcel number 303-57-984 which is owned by Sunbird Golf Course and will be located in the 55+ Sunbird residential community, be denied.

BACKGROUND:

Sunbird is a Robson development built in the 1990's, between Cooper and McQueen on Riggs. Sunbird Golf Course and Sunbird residential community (the "HOA") are distinct entities, operated independently.

The relationship between Sunbird Golf Course and the HOA is complex, as the golf course is owned by a number of past and present Sunbird homeowners, managed by a Board and a hired Manager.

The Golf Course is experiencing considerable financial difficulties due to aging infrastructure and a lack of an adequate capital reserve fund. The Golf Board has been in constant conversations with the HOA over the years, to solicit help to pay for capital requirements. Since inception, the HOA has been resolved to not involve itself financially with the Golf Course, as the owners of the Golf Course are an independent third party, even though some of them are homeowners in the community of Sunbird. Approximately two years ago, the HOA agreed to change their CCR's to allow for a percentage from home sale costs be contributed directly to the Sunbird Golf Course. A lawsuit is currently underway in relation to this. The Sunbird Golf Course operation has recently adopted a more business-like model, resulting in apparent increased efficiencies and golf course revenue, but is constantly looking for new ways to finance both the operation and capital requirements of operating a golf course successfully. The HOA, has no input as to what the Golf Course does or does not do on Golf Course land.

ISSUE:

The Sunbird Golf Course board has agreed to enter into a contract with Atlas Tower Group to build a 65-foot cell phone tower on the Sunbird Golf course, in order to ensure a constant revenue stream, it is argued, at the expense of the greater Sunbird residential community. Atlas Tower Group has recently applied to the City of Chandler for a permit to erect such a tower.

REQUEST OF MAYOR AND COUNCIL:

That the CITY OF CHANDLER MAYOR AND COUNCIL MEMBERS deny the Atlas Tower permit application to erect a cell phone tower on the Sunbird Golf course within the Sunbird residential community.

REASON FOR THIS REQUEST:

1. It has been demonstrated throughout the United States that proximity to cell phone towers negatively impacts property values. Numerous studies indicate that home buyers are reluctant to buy homes near cell phone towers. The Wall Street Journal recently reported that " In some areas with new towers, property values have decreased by 20%." Most homeowners in Sunbird are 55+, many are retired and consider their home as their major investment. They are relying on the sale value of their home for financial security in their later years.
2. Aesthetically, the cell phone tower is planned to resemble a coniferous tree, and will be located in a group of coniferous trees on the golf course. It will rise well above the existing trees and several of these trees will be removed in order to erect it. It will be very visible and not blend in at all. There is also a concern, that once constructed under the proper permits, a possible 20 more feet can be added to the top of the tower, with no need for additional permission or permitting. This was confirmed by the City of Chandler Planning Department. It has also been noted in other areas like commercial developments with a cell tower on the property, that a second cell phone tower has been erected beside the original tower. Concern for the number of potential towers on the Sunbird Golf Course exists.
3. NO other community group in the surrounding area was amenable to having a cell phone tower erected in their community when approached (by flyer) by Atlas Tower Group. This demonstrates a reluctance in surrounding HOA Boards and communities to have a cell phone tower built in the middle of their neighborhoods, but the Sunbird Golf Course is proceeding in their own best interests, not those of the Sunbird home owners. It has been indicated by The City of Chandler Planning Department that if approved, this would be the first permit allowing for a cell phone tower to be erected in the middle of a residential

neighborhood. If so, this will be a precedent setting decision for the City of Chandler regarding the placement and approval of future applications for cell phone towers.

4. Health risks are inconclusive to date, but the chance of ANY risk of health possibly incurred by Sunbird residents or residents of ANY community, should not be acceptable.

5. Please note that I have done a little research into where the tower is going, and it looks as though it is not outside of the parameters set by the planning department. I see that it is approximately less than 160 feet from the nearest residential house. Also, what kind of protection is being given to the workers that work in the maintenance shed, which is directly next to the cell tower?



The linked image cannot be displayed. This file may have been moved, renamed, or deleted. Verify that the link points to the correct file and location.



Thank you for your attention to this matter.

Sincerely,
Helen Mortimer, Sunbird Community
6401 S Championship Dr,
Chandler, AZ 85249
360-387-9121

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Cornelius Whitehead <cwhitehead@atlastowers.com>
Sent: Monday, August 7, 2023 1:25 PM
To: helenbettes@comcast.net
Cc: Lisa Kittredge; Jeff Valento; Maureen Moore; bglockwood; Benjamin Cereceres
Subject: Re: Sunbird Cell Tower - follow up from last night

Hey Helen!

I likewise have not forgotten about this request. I am currently waiting on a written response from my legal team on your specific items raised.

Cornelius Whitehead

Territory Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301



On Mon, Jul 31, 2023 at 11:18 AM Cornelius Whitehead <cwhitehead@atlastowers.com> wrote:
Hey Helen,

Happy Monday! Hope you had a good weekend. Thanks for sending these our way. I see that Ben with the City of Chandler has responded to your email and I am thus removing the other City of Chandler representatives from this email chain for the time being. My team is reviewing these over and will get you a response as soon as possible.

In the meantime please see list of questions that were asked during the online meeting in no particular order:

- Can you guarantee that I will not lose value on my property when this cell tower goes in? if I do sell my house and lose value because of it, will you pay the difference?
- As this is 5 G, will there be sub stations put in throughout the community?
- Please show the radius where the 5G tower will improve coverage? We are outside of 2000 ft of proposed tower location. Verizon 5G maps show Sunbird already has coverage.
- I also have Verizon, and I have never dropped a call in Sunbird. I have great coverage everywhere. You read letters from people that had dropped calls while getting to 911 - I have a hard time believing that it's all due to connectivity and some of these events might be exaggerated. So putting this cell tower in will do what to connectivity?
- You also state RF emissions are safe. What if it is proven they are not safe? what will happen to this tower? Also, what is the future of the technology on this tower?
- Why would no other communities in and around Sunbird nor the reserve want a cell tower in their community? We will be the ONLY community with a cell tower! Is that a red flag for our community?
- Do you intend on adding to this?

- How many towers could fit inside the proposed enclosure?
- Will you be maintaining the "compound" walls?? Will you maintain the "tree" to ensure things don't start looking ratty?
- Those photos were taken from so far away, what about the people that are right on the green? you did not take any pictures of that.
- Have any additional cell providers (other than Verizon) expressed interest in using this tower?
- we are in the requirement area, we did not receive notification. We are within 300 feet. How many other people did not receive notification besides us that are in the notification requirement area??
- Signs were not posted in very visible areas, who chose the locations for posting?
- will lease payments increase if additional carriers are added to the tower?
- If technology advances to the point where Wifi signals are linked through satellite and the tower becomes redundant, will you remove? And/or Will you remove at the end of the lease
- Seems this proposal is just the tower, but may Verizon or another carrier possibly add substations in the future?
- For city planners, can this project be placed on hold or delayed until winter months with the community homes are occupied rather than pushing this approval through during summer months?
- Does increasing the number of carriers on the tower increase the electromagnetic radio wave output? Does this increase any risk to human exposure?
- If you get more carriers, does the golf course get more money?
- What are next steps for approval or disapproval of this project?
- Is this a zoning change for the entire golf course property?
- 1) How many decibels in volume will this tower emit. I have heard of towers going into emergency mode, and the sound it emits is horrible. 2) who is responsible to field this?
- When were the FCC guidelines last updated?
- Since we are the first residential community that the city will possibly allow this kind of project right in the middle of a residential community, will this set a precedence of the city to allow for future projects such as this to be within other residential communities?
- So I am hearing, yes, the city will allow this in a residential community. Why are we going through these motions then, if there is nothing we as a community can do to stop this?
- If the golf course is zoned as a golf course, how can it be used for another purpose such as this?
- has the lease with the golf course been finalized
- How do I show that I support the construction of this tower.
- Trees die what is the requirement for golf course to plant new trees?
- Will Atlas and their subs be given a gate code?
- Are only the opinions of the people living within the 600 feet being considered for approval?
- when is the council having their meeting to review this and make a decision? is it going to be open for comments?
- Why is one of your criteria proximity to homes if there is no danger?

I should be able to follow up with you before end of the week. Please feel free to reach out with any additional questions in the meantime!

Cornelius Whitehead
Territory Manager
(720) 466-1508
cwhitehead@atlastowers.com
www.atlastowers.com
3002 Bluff St. Suite 300 Boulder, CO 80301



On Fri, Jul 28, 2023 at 5:54 PM <helenbettes@comcast.net> wrote:

Cornelius and all,

As stated in the meeting last night, I am sending this to you to help you understand the restrictions the golf course has agreed to in existing documentation. I am attaching all documents in question, and I have provided excerpts within this email to help you in following what is in those documents.

First and foremost, when I look at the consideration and meaning of a special use permit, I understand it allows a property or parcel of land to be used in a manner that deviates from its normally accepted activity. Based on that, can it be construed that Atlas and the golf course are changing the zoning by allowing the golf course to deviate from its intended use as promised in these documents?

Here are some documents that bolster the argument that they are deviating from their current zoning:

1. 1999 Transition Agreement:

Paragraph 11; As part of the 1999 Transition agreement – it states it shall remain a golf course, AND shall not be rezoned for any purpose in consistent therewith.

11. SunBird Golf Course. Upon execution of this Agreement, the Association, SBG , and First American Title Insurance Company, as Trustee of its Trusts No. 7756 and 7771, shall execute a Declaration of Covenants, Conditions, Restrictions and Easements in the form attached hereto as Exhibit C (the "New Declaration"). The New Declaration provides, in part, that the SunBird Golf Course shall remain a golf course, and that said property shall not be rezoned for any purpose inconsistent therewith. The Association acknowledges and agrees that the SunBird Golf Course, owner's discretion. The Association shall cooperate with SBG and/or the owner of the golf course in any attempt by SBG and/or the owner of the golf course to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are

And again, this statement is reiterated in the following document.

2.Document 20000427330, paragraph no. 5

5. Golf Course Use. The Golf Course Property, including the associated driving range, maintenance area and golf cart storage area and including parking areas, shall not be rezoned for any purpose inconsistent with its continued use for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents. The Association acknowledges and agrees that the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including the portion of the existing parking area owned by the Golf Course Owner on portions of Tracts B and D in SunBird Unit 6B, does not constitute common area of the Association. The golf cart storage area is in part located on a portion of Tract B of Phase IA. The Golf Course Owner shall have the right to continue to permit the public to use the golf course and shall have the right to establish and change the terms and conditions upon which the golf course is available for use in the Golf Course Owner's discretion. The Association shall cooperate with the Golf Course Owner in any attempt by the Golf Course Owner to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents.

3.Amended Declarations for Restriction for Golf Course Use – document no. 20070604888

Within this declaration are two paragraphs (below). I can see that the tower will be going against both paragraphs.

1. **The Premises shall be used for a golf course as such term is defined in A.R.S. §42-13151, or any successor statute thereto, and for related uses, including practice and maintenance areas, transition areas, lakes, cart paths and drainage areas.**

3. **Except as otherwise provided in Paragraph 2 hereof, or in A.R.S. §42-13151 through §42-13154, no third party shall, by reason of this Declaration, acquire any rights or interest with respect to the use of the Premises.**

I look forward to your reply after you have looked at these. Can you also send to me the questions that were asked on the chat last evening?

Thank you,

Helen Mortimer

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Cornelius Whitehead <cwhitehead@atlastowers.com>
Sent: Monday, August 7, 2023 1:22 PM
To: helenbettes@comcast.net
Cc: Benjamin Cereceres; Lisa Kittredge; Jeff Valento; Maureen Moore; bglockwood
Subject: Re: Sunbird Cell Tower - follow up from last night

Hey Helen,

Thanks for the follow up, I had not forgotten about you. Moreover, I am still waiting on documents back from VZW before we send along our updates to the City and Community.

My apologies that you received the neighborhood notice on August 4th. I am not sure why it took so long for your notice to arrive as we sent out all letters on June 23 and had been receiving comments from the community since then. We did have a small number of mailers returned by the USPS prior to the meeting date as they were not able to deliver to the correct address/land owner due to incorrect property data from the assessor website but nothing was returned due to lack of postage and I see that your package was not among them.

The amount of community engagement on this project has greatly exceeded that of any of our other previously completed projects and I assure you that we have made all efforts to make sure the community was/is aware of our proposal and has had a chance to comment on it. We are still actively taking comments and are happy to answer any additional questions about the project.

After our initial neighborhood meeting in January as subsequent follow up meetings in July, we feel that the community recognizes the need for mobile coverage and supports the project.

We are currently waiting on the coverage maps from VZW to include when our application goes to the Planning Commission hearing on September 20th as well as subsequent City Council hearing October 19th.

Please let me know if you have any additional questions in the meantime!

Cornelius Whitehead

Territory Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301

Microsoft Word



On Sun, Aug 6, 2023 at 12:45 PM <helenbettes@comcast.net> wrote:

Cornelius,

As of Thursday last week, we had not received our documents that were supposed to be sent out to the those affected within the community. You also were going to look into it, but I think this was something you forgot about. We were

one of those residents who should had received the package. We received it in the mail Friday (8/4/2023). It seems it did not get to us because Atlas did not put enough postage on the envelope. How many other people did this happen to? If it did happen to more than just us, how many of them did not know about the meeting. Not everyone is hooked up to the internet, which was the only reason I knew about the meeting because the city was kind enough to send me the date, time and link. This is concerning.

Thanks

Helen

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Friday, July 28, 2023 4:53 PM
To: cwhitehead@atlastowers.com; 'Benjamin Cereceres' <Benjamin.Cereceres@chandleraz.gov>; mayorandcouncil@chandleraz.gov; 'Matt Orlando' <Matt.Orlando@chandleraz.gov>
Cc: 'Lisa Kittredge' <liskittredge@gmail.com>; 'Jeff Valento' <jdvaleto@gmail.com>; 'Maureen Moore' <maureen_moore_88@hotmail.com>; 'bglockwood' <bglockwood@aol.com>
Subject: Sunbird Cell Tower - follow up from last night

Cornelius and all,

As stated in the meeting last night, I am sending this to you to help you understand the restrictions the golf course has agreed to in existing documentation. I am attaching all documents in question, and I have provided excerpts within this email to help you in following what is in those documents.

First and foremost, when I look at the consideration and meaning of a special use permit, I understand it allows a property or parcel of land to be used in a manner that deviates from its normally accepted activity. Based on that, can it be construed that Atlas and the golf course are changing the zoning by allowing the golf course to deviate from its intended use as promised in these documents?

Here are some documents that bolster the argument that they are deviating from their current zoning:

1) **1999 Transition Agreement:**

Paragraph 11; As part of the 1999 Transition agreement – it states it shall remain a golf course, AND shall not be rezoned for any purpose in consistent therewith.

11. SunBird Golf Course. Upon execution of this Agreement, the Association, SBG , and First American Title Insurance Company, as Trustee of its Trusts No. 7756 and 7771, shall execute a Declaration of Covenants, Conditions, Restrictions and Easements in the form attached hereto as Exhibit C (the "New Declaration"). The New Declaration provides, in part, that the SunBird Golf Course shall remain a golf course, and that said property shall not be rezoned for any purpose inconsistent therewith. The Association acknowledges and agrees that the SunBird Golf Course, owner's discretion. The Association shall cooperate with SBG and/or the owner of the golf course in any attempt by SBG and/or the owner of the golf course to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are

And again, this statement is reiterated in the following document.

2) Document 20000427330, paragraph no. 5

5. Golf Course Use. The Golf Course Property, including the associated driving range, maintenance area and golf cart storage area and including parking areas, shall not be rezoned for any purpose inconsistent with its continued use for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents. The Association acknowledges and agrees that the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including the portion of the existing parking area owned by the Golf Course Owner on portions of Tracts B and D in SunBird Unit 6B, does not constitute common area of the Association. The golf cart storage area is in part located on a portion of Tract B of Phase IA. The Golf Course Owner shall have the right to continue to permit the public to use the golf course and shall have the right to establish and change the terms and conditions upon which the golf course is available for use in the Golf Course Owner's discretion. The Association shall cooperate with the Golf Course Owner in any attempt by the Golf Course Owner to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents.

3) Amended Declarations for Restriction for Golf Course Use – document no. 20070604888

Within this declaration are two paragraphs (below). I can see that the tower will be going against both paragraphs.

1. The Premises shall be used for a golf course as such term is defined in A.R.S. §42-13151, or any successor statute thereto, and for related uses, including practice and maintenance areas, transition areas, lakes, cart paths and drainage areas.

3. Except as otherwise provided in Paragraph 2 hereof, or in A.R.S. §42-13151 through §42-13154, no third party shall, by reason of this Declaration, acquire any rights or interest with respect to the use of the Premises.

I look forward to your reply after you have looked at these. Can you also send to me the questions that were asked on the chat last evening?

Thank you,

Helen Mortimer

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

Sent: Tuesday, April 4, 2023 2:01 PM
To: helenbettes@comcast.net
Subject: RE: Sunbird cell phone tower - Questions

Good afternoon Helen:

Thank you for reaching out. Please see below for responses to your inquiries.

- what are the rules/regulations/standard practices the city looks at for making decisions to grant a valid permit for the construction of a cell tower?

For this type of request, the applicant will need to process a Use Permit which is a public hearing process.

- Does the city listen to the community at large of their opposition and use that as weight to deny or grant an application?

The

- I guess with that question I am asking is if we have any voice with the city's decision, or are we a silent majority that has no say?
- Do you know of any evidence that supports that this cell phone tower is needed?

Feel free to reach out should you have any additional questions or comments.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Sunday, April 2, 2023 11:15 AM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: FW: Sunbird cell phone tower - Questions

Mr. Cereceres,

I am a homeowner that is within 200 feet of the proposed cell phone tower that is to be located in Sunbird. After researching the internet on cell phone towers I have become a little concerned as to the affects this proposed tower will have on my health, environment and property values. I feel the golf club is only doing this for the money, which in my opinion is selfish on their part and it shows they do not have an interest in their community.

With that said, what are the rules/regulations/standard practices the city looks at for making decisions to grant a valid permit for the construction of a cell tower? Also, does the city listen to the community at large of their opposition and use that as weight to deny or grant an application? I guess with that question I am asking is if we have any voice with the city's decision, or are we a silent majority that has no say?

Also, do you know of any evidence that supports that this cell phone tower is needed? Has the golf club presented any of that to you? I ask, because I currently have Verizon with my cell phone, and I get great coverage with 5G – I question the need for this tower.

I appreciate your help in this matter and welcome any input you may have.

Thank you for your time.

Helen Mortimer
6401 S Championship Dr
Chandler, AZ 85249

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: helenbettes@comcast.net
Sent: Saturday, April 29, 2023 11:19 AM
To: Brittany Barry
Cc: Mayor&Council; Benjamin Cereceres
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler
Attachments: how tall it will be.jpg

Brittany,

Thank you for your reply. There are a few things that concern me with the cell tower in Sunbird. First and foremost is our community is made up of a majority of snowbirds, and I feel the golf club is waiting for most of the snowbirds to leave before proceeding with the next meeting, on purpose of course. This will be a great opportunity for the golf club to take advantage of the residents that are mostly affected by this to not voice their concerns, opinions, opposition, etc. I would like the city to really look at that and make the golf club wait until all of the residents are back in the community to hold the next meeting, which would be in the fall. I also feel that the owners of the golf club, which total around 200 owners in total, should not have individual voices at the meeting, but rather have only 1 voice as a whole. I heard from my neighbor at the first meeting, the golf club packed the neighborhood meeting with its owners to make the support of this proposition look good.

Secondly, I am looking to the Mayor and city Council to protect me, my neighbor, future neighbors, and the community as a whole. This tower will represent up to a 20% reduction in our home values, and it will trickle down to other houses over time that are not within sight of the tower due to many factors including but not limited to people not wanting to move to Sunbird because of the tower in their community. Also, this tower will be the only tower within a residential community in the City of Chandler. If the City allows this tower to be erected, it sends a clear message to me that your citizens/residents/visitors are not valued, but rather business is the primary value, even if it is at the degradation of the citizens/residents/visitors.

Thirdly, Atlas was out yesterday to show how tall the tower will be. As you can see from the picture it clearly is not going to "blend in". It is going to tower all of the existing trees. It was also relayed at an HOA meeting that the trees that are there will be cut down. 20 more feet can be added by Atlas without any oversight from your jurisdiction or any permitting process. Either at the height of 65 feet, or another 20 feet, I definitely cannot see this tower "blending in".

As you can see I have many concerns about the construction of this cell tower in a 100% residential area, and I am looking to the City to protect its citizens/residents/visitors.

Thank You,
Helen Mortimer

From: Brittany Barry <Brittany.Barry@chandleraz.gov>
Sent: Monday, April 24, 2023 2:09 PM
To: helenbettes@comcast.net
Subject: RE: Attention Needed: Sunbird Cell Tower - City of Chandler

Good Afternoon,

On behalf of Mayor and Council, thank you for reaching out regarding Atlas Tower Group's Cell Tower Use Permit Application. Your feedback has been received and shared with the

City Council. City staff is working with the applicant to move the cell tower further away from residential properties. There are also discussions taking place about changing the design to more closely match the existing pine trees on site. As part of the Use Permit process, a neighborhood meeting will be scheduled where you can share additional feedback. There is no date yet scheduled for this meeting. The assigned planner for this case is Ben Cereceres, who can be reached at Benjamin.cereceres@chandleraz.gov should you wish to submit additional comments at any time. Thank you again for your feedback.

Brittany Barry
Executive Management Assistant
City of Chandler - Mayor and Council Office
Phone: 480-782-2209
Website: <https://www.chandleraz.gov>



From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Wednesday, April 19, 2023 2:45:51 PM (UTC-07:00) Arizona
To: Mayor&Council <Mayor&Council@chandleraz.gov>
Subject: Attention Needed: Sunbird Cell Tower - City of Chandler

To the Mayor and City Council Members of Chandler,

Please accept this submission requesting that the permit application by Atlas Tower Group to erect a 65 foot cell phone tower on parcel number 303-57-984 which is owned by Sunbird Golf Course and will be located in the 55+ Sunbird residential community, be denied.

BACKGROUND:

Sunbird is a Robson development built in the 1990's, between Cooper and McQueen on Riggs. Sunbird Golf Course and Sunbird residential community (the "HOA") are distinct entities, operated independently.

The relationship between Sunbird Golf Course and the HOA is complex, as the golf course is owned by a number of past and present Sunbird homeowners, managed by a Board and a hired Manager.

The Golf Course is experiencing considerable financial difficulties due to aging infrastructure and a lack of an adequate capital reserve fund. The Golf Board has been

in constant conversations with the HOA over the years, to solicit help to pay for capital requirements. Since inception, the HOA has been resolved to not involve itself financially with the Golf Course, as the owners of the Golf Course are an independent third party, even though some of them are homeowners in the community of Sunbird. Approximately two years ago, the HOA agreed to change their CCR's to allow for a percentage from home sale costs be contributed directly to the Sunbird Golf Course. A lawsuit is currently underway in relation to this. The Sunbird Golf Course operation has recently adopted a more business-like model, resulting in apparent increased efficiencies and golf course revenue, but is constantly looking for new ways to finance both the operation and capital requirements of operating a golf course successfully. The HOA, has no input as to what the Golf Course does or does not do on Golf Course land.

ISSUE:

The Sunbird Golf Course board has agreed to enter into a contract with Atlas Tower Group to build a 65-foot cell phone tower on the Sunbird Golf course, in order to ensure a constant revenue stream, it is argued, at the expense of the greater Sunbird residential community. Atlas Tower Group has recently applied to the City of Chandler for a permit to erect such a tower.

REQUEST OF MAYOR AND COUNCIL:

That the CITY OF CHANDLER MAYOR AND COUNCIL MEMBERS deny the Atlas Tower permit application to erect a cell phone tower on the Sunbird Golf course within the Sunbird residential community.

REASON FOR THIS REQUEST:

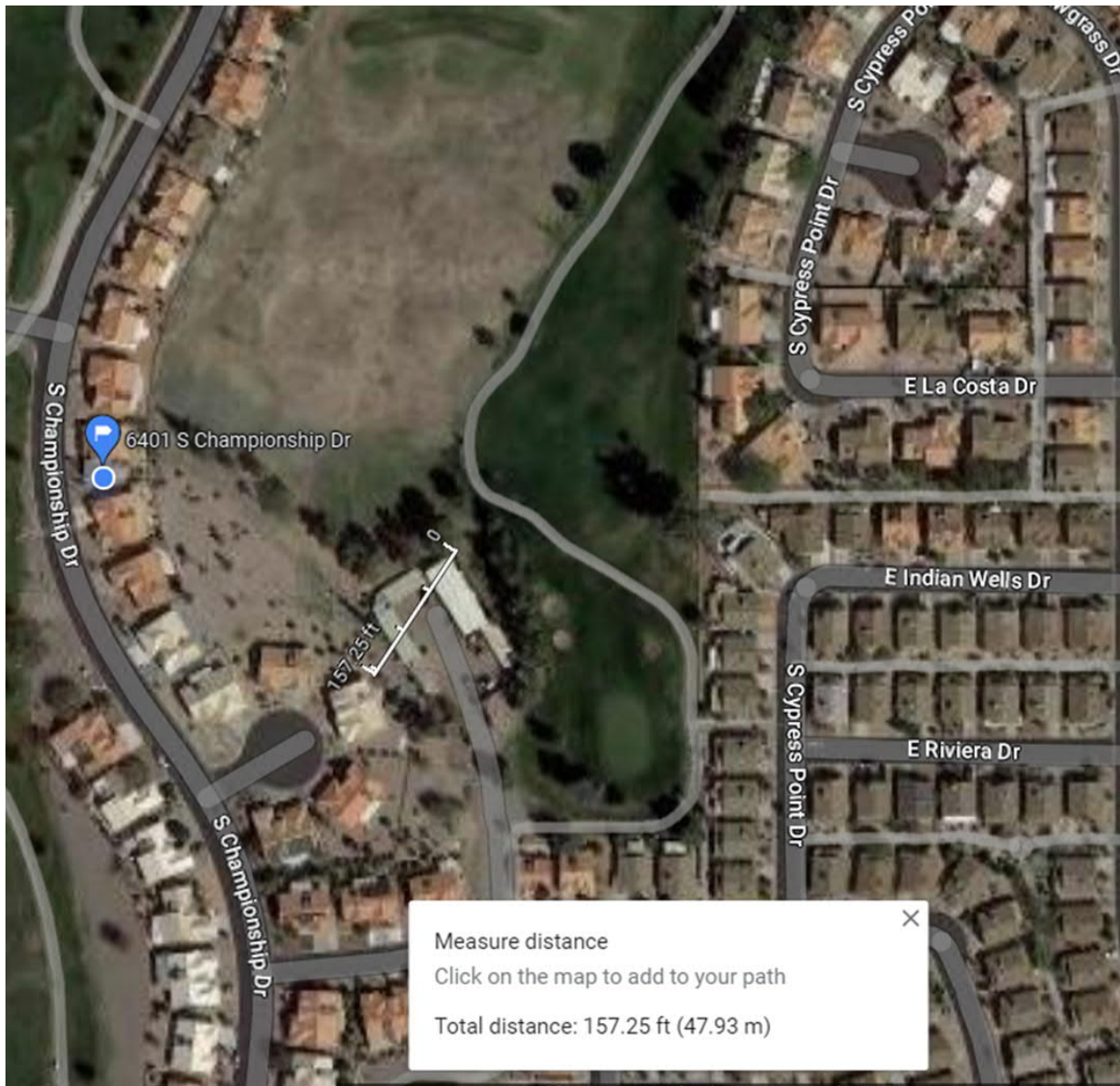
1. It has been demonstrated throughout the United States that proximity to cell phone towers negatively impacts property values. Numerous studies indicate that home buyers are reluctant to buy homes near cell phone towers. The Wall Street Journal recently reported that " In some areas with new towers, property values have decreased by 20%." Most homeowners in Sunbird are 55+, many are retired and consider their home as their major investment. They are relying on the sale value of their home for financial security in their later years.
2. Aesthetically, the cell phone tower is planned to resemble a coniferous tree, and will be located in a group of coniferous trees on the golf course. It will rise well above the existing trees and several of these trees will be removed in order to erect it. It will be very visible and not blend in at all. There is also a concern, that once constructed under the proper permits, a possible 20 more feet can be added to the top of the tower, with no need for additional permission or permitting. This was confirmed by the City of

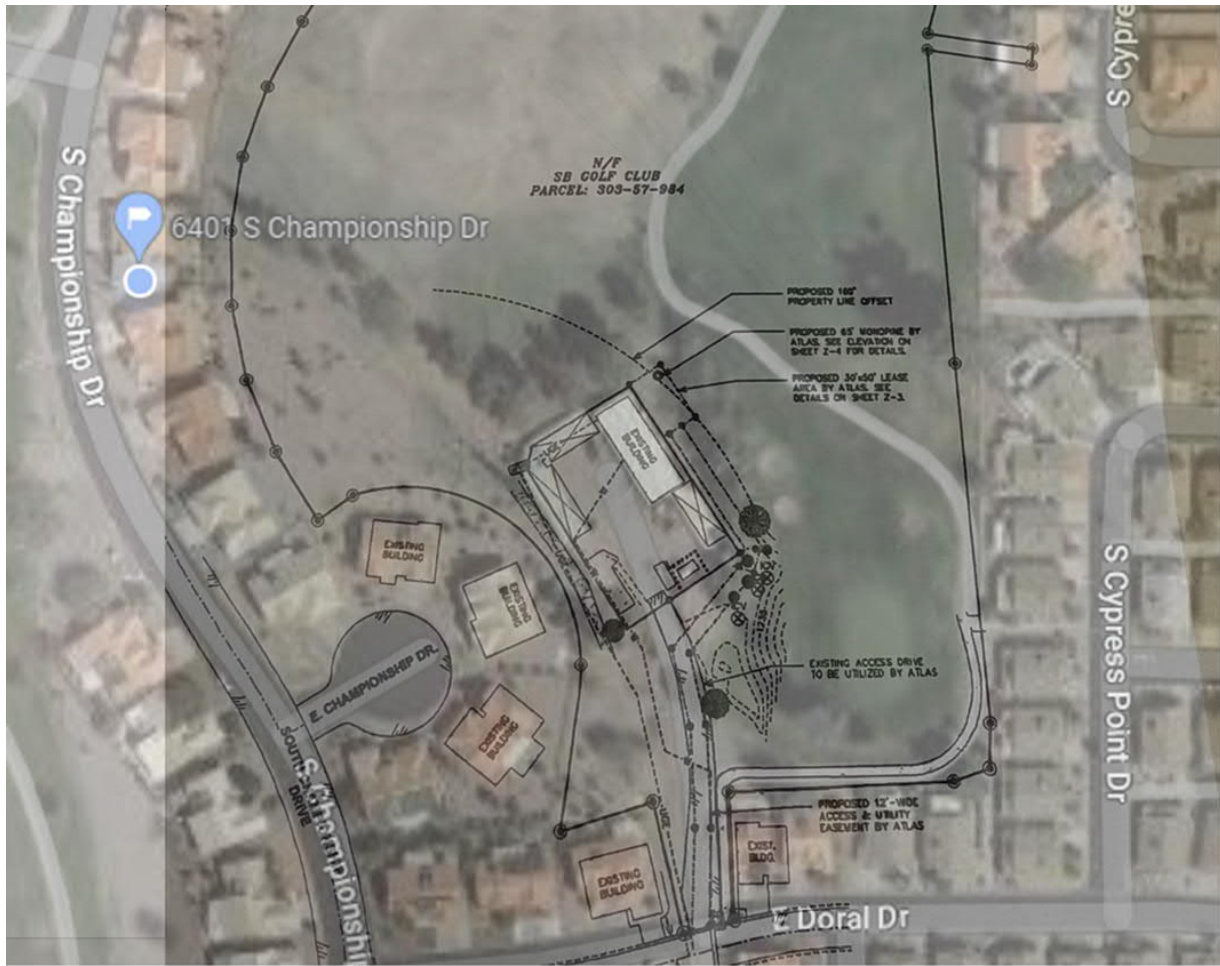
Chandler Planning Department. It has also been noted in other areas like commercial developments with a cell tower on the property, that a second cell phone tower has been erected beside the original tower. Concern for the number of potential towers on the Sunbird Golf Course exists.

3. NO other community group in the surrounding area was amenable to having a cell phone tower erected in their community when approached (by flyer) by Atlas Tower Group. This demonstrates a reluctance in surrounding HOA Boards and communities to have a cell phone tower built in the middle of their neighborhoods, but the Sunbird Golf Course is proceeding in their own best interests, not those of the Sunbird home owners. It has been indicated by The City of Chandler Planning Department that if approved, this would be the first permit allowing for a cell phone tower to be erected in the middle of a residential neighborhood. If so, this will be a precedent setting decision for the City of Chandler regarding the placement and approval of future applications for cell phone towers.

4. Health risks are inconclusive to date, but the chance of ANY risk of health possibly incurred by Sunbird residents or residents of ANY community, should not be acceptable.

5. Please note that I have done a little research into where the tower is going, and it looks as though it is not outside of the parameters set by the planning department. I see that it is approximately less than 160 feet from the nearest residential house. Also, what kind of protection is being given to the workers that work in the maintenance shed, which is directly next to the cell tower?





Thank you for your attention to this matter.

Sincerely,
Helen Mortimer, Sunbird Community
6401 S Championship Dr,
Chandler, AZ 85249
360-387-9121

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Tuesday, August 1, 2023 8:56 AM
To: Jan Johnson
Subject: RE: PLH23-0020 HuntHighwayCellTower

Good morning Jan:

The notification area is taken 600' from the subject site and a list of Registered Neighborhood Organization (RNO's) within ¼ are also provided with the notice. Since the notification area has contact information and mailing addresses we are not able to release the list of neighbors that received the notice. But, you are able to go to Maricopa County Assessors website and generate the mailing list.

Below is a link on how to generate the mailing list:

<https://www.chandleraz.gov/sites/default/files/UDMDevServ/Generating-Mailing-Labels.pdf>

Please keep in mind that the proposal is not a rezoning request but a Use Permit application. The underlying Zoning for the property will not be modified.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Jan Johnson <janj@att.net>
Sent: Thursday, July 27, 2023 7:16 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: PLH23-0020 HuntHighwayCellTower

Hi Ben

I attended the Atlas meeting last night and inquired about which homeowners received notice regarding the tower. I was told a list of addresses was provided by CofC to the golf club/Atlas to send notices regarding their intention of placing a cell tower within Sunbird. Would it be possible to get the boundaries given for such addresses within Sunbird of who received these notices?

Also, the golf course is zoned and taxed by CofC as a golf course land only. How can the golf club as a private entity legally 'lease' land to another private company? Can this be rezoned and approved by CofC and opened to whatever else they want to throw on their golf course land?

Thank you so much for your time.
Jan Johnson

On May 2, 2023, at 8:49 AM, Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov> wrote:

Good morning Jan:

The applicant has submitted the correct application and City staff has reviewed the submittal documents and provided corrections/comments. The case number is PLH23-0020 HuntHighwayCellTower.

You are able to request documents through a Public Records Request. Below is a link to the public records request:

<https://www.chandleraz.gov/sites/default/files/City-of-Chandler-Public-Records-Request-Development-Services-May-2020.pdf>

The following forms are provided for public notification:

1. A neighborhood meeting notice and public hearing dates notice will be sent out to neighbors within 600' of the subject site
2. A neighborhood notice and public hearing dates notice will be sent to Registered Neighborhood Organization (RNO's) within a ¼ mile of the subject site.
3. An orange sign will be posted for the neighborhood meeting and public hearing dates. They will need to be posted close to the location of the proposed facility.
4. The request will be published in the AZ Central/AZ Republic
5. The City of Chandler posts the Neighborhood Meeting notice on social media via NextDoor.

Residents are able to provide feedback and comments at any time during the process all the way up to the City Council Hearing dates. For the neighborhood meeting a 15 day review period is given prior to the meeting and a 30 day period is given to the Planning and Zoning Commission hearing dates.

I will take note of your concerns regarding the request and have added them to the case file. Feel free to reach out should you have any question or additional comments/concerns.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Jan Johnson <janj@att.net>
Sent: Tuesday, May 2, 2023 7:44 AM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Cc: jillleejohnson@yahoo.com
Subject: Sunbird Golf Community

Good morning Ben

Is there an official application from Atlas Towers yet?
Is there a case number? Will I be able to access in public records?

How will the entire Sunbird HOA community be given proper notice? IE: mailed correspondence to all residences including the winter visitors home addresses provided to the office as well as large community sign on Championship drive at the Riggs gate entrance? With ample time to respond.

I find it curious this project was basically sidelined for 5 months while the winter visitors were here and could have participated in any required community meetings, thereby avoiding confrontation .

Please do not approve this project. There are plenty of other areas for placement than inside a senior gated community whereby the residents don't have an official say what is erected on the golf course. This project has basically been kept from the community.
The Sunbird Golf company is overreaching their authority because they are close to defaulting and desperate for any kind of income and not related to a golf business. This jeopardizes housing prices and introduces unfounded health issues.

Thank you
Jan Johnson

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Tuesday, May 2, 2023 8:50 AM
To: Jan Johnson
Cc: jilleejohnson@yahoo.com
Subject: RE: Sunbird Golf Community

Good morning Jan:

The applicant has submitted the correct application and City staff has reviewed the submittal documents and provided corrections/comments. The case number is PLH23-0020 HuntHighwayCellTower.

You are able to request documents through a Public Records Request. Below is a link to the public records request:

<https://www.chandleraz.gov/sites/default/files/City-of-Chandler-Public-Records-Request-Development-Services-May-2020.pdf>

The following forms are provided for public notification:

- A neighborhood meeting notice and public hearing dates notice will be sent out to neighbors within 600' of the subject site
- A neighborhood notice and public hearing dates notice will be sent to Registered Neighborhood Organization (RNO's) within a ¼ mile of the subject site.
- An orange sign will be posted for the neighborhood meeting and public hearing dates. They will need to be posted close to the location of the proposed facility.
- The request will be published in the AZ Central/AZ Republic
- The City of Chandler posts the Neighborhood Meeting notice on social media via NextDoor.

Residents are able to provide feedback and comments at any time during the process all the way up to the City Council Hearing dates. For the neighborhood meeting a 15 day review period is given prior to the meeting and a 30 day period is given to the Planning and Zoning Commission hearing dates.

I will take note of your concerns regarding the request and have added them to the case file. Feel free to reach out should you have any question or additional comments/concerns.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Jan Johnson <janj@att.net>
Sent: Tuesday, May 2, 2023 7:44 AM

To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Cc: jilleejohnson@yahoo.com
Subject: Sunbird Golf Community

Good morning Ben
Is there an official application from Atlas Towers yet?
Is there a case number? Will I be able to access in public records?

How will the entire Sunbird HOA community be given proper notice? IE: mailed correspondence to all residences including the winter visitors home addresses provided to the office as well as large community sign on Championship drive at the Riggs gate entrance? With ample time to respond.

I find it curious this project was basically sidelined for 5 months while the winter visitors were here and could have participated in any required community meetings, thereby avoiding confrontation .

Please do not approve this project. There are plenty of other areas for placement than inside a senior gated community whereby the residents don't have an official say what is erected on the golf course. This project has basically been kept from the community.

The Sunbird Golf company is overreaching their authority because they are close to defaulting and desperate for any kind of income and not related to a golf business. This jeopardizes are housing prices and introduces unfounded health issues.

Thank you
Jan Johnson

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Cornelius Whitehead <cwhitehead@atlastowers.com>
Sent: Tuesday, May 2, 2023 1:26 PM
To: Jan Johnson
Cc: Jilleejohnson@yahoo.com; Benjamin Cereceres
Subject: Re: Sunbird Golf Community Arizona

Hey Jan,

Thank you for getting back to me with your comments. Please see my responses below:

I do respectfully disagree with your qualification that this project has been a "hidden agenda" item. I would imagine that this perception comes from less that this is a "hidden" project and moreover that this project is relatively early on in the development process.

We had a preliminary neighborhood meeting to judge the initial interest prior to our official application submission with the City of Chandler back in January, which was by far the largest community meeting we have ever hosted and the feedback was overwhelmingly positive.

We have been engaged with the City of Chandler to answer all comments/questions about this project from neighbors, which have been coming in since our preliminary meeting.

We are also going to schedule another neighborhood meeting in the future, under the notification requirements as set by the City of Chandler as well as additional notices and flyers published around the golf house. After this meeting we will then have 2 separate hearings through the City of Chandler. Even if you cannot make the meeting or hearings, your comments will be noted by City planning staff.

We adjusted our site location based on City/Community comments in order to maximize distance from nearby residential homes.

We are having photo simulations created prior to this meeting to show the community exactly what this project will look like and we had a balloon test conducted on the exact tower location to accurately show proposed tower height.

These are all steps that we have taken prior to scheduling the official neighborhood meeting as required by the City of Chandler.

Please let me know if you have any additional questions! I have CC'd City of Chandler Planning staff to this email if you have specific questions about the review process!

Cornelius Whitehead

Territory Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301

Microsoft Word

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

Document

On Tue, May 2, 2023 at 11:44 AM Jan Johnson <janj@att.net> wrote:

Cornelius

Appreciate your quick response.

Atlas Response: We have indeed sent out notices to the community! We also posted notices in common areas, had a preliminary community meeting on 1-11-23 with roughly 180 people in attendance and we are planning on having an

Where exactly were those notices sent? There was No signage on primary roads. No residential mailings. I found out by a small link at the bottom of an eblast a few weeks before the meeting? I canvassed my neighborhood to which not one person knew about the proposed tower. Most don't go up to the clubhouse to read bulletin boards. And only one receives the eblast and didn't see it because it was buried under the golf course link. If you don't play golf, you typically don't go to meetings or randomly enter the pro shop. The HOA says it's a Golfs club deal and the golf club attitude is we own the property we can do whatever with no regard to the residents. 180 people in attendance out of 1600 homes is proof even the meeting was not known. Haven't heard anything more about it until this week and it wasn't from the HOA or the Golf Club.

Hence my question to what communication effort will be put forth this time. Knowing a good majority of residents have now conveniently left. This has been a hidden agenda and should be more transparent and not a treasure hunt for information. Thankfully someone started a website to share information as they learn about it. Unrelated to any parties involved in the project.

How are residents going to be notified for the chandler meeting and also sunbirds meeting if we want to attend both?

I have done plenty of research regarding antennas vs Towers etc. which is why I don't want one in the community.

Thank you

Jan

On May 2, 2023, at 8:31 AM, Cornelius Whitehead <cwhitehead@atlastowers.com> wrote:

Hey Jan,

Thanks for sending along your comments and questions! Please see my responses below!

What effect do cell towers have on pacemakers? Since Sunbird is a retirement community the usage of these devices are more prominent.

Atlas Response: Absolutely none. The FCC regulates any potential adverse health effects and has concluded that cell towers have no effect on pacemakers and more than cell phones themselves.

Also who carries the liability of health risks damage?

City of chandler for approving the tower so close to residential homes? Atlas Tower for placing it? Sunbird Golf Club Inc because it's their property?

Atlas Response: There is no liability to be had for "health effects", per say. The FCC is the governmental agency tasked with regulating this type of industry for safety and the FCC has concluded under normal operation there are no adverse health effects from cell towers. The FCC is also responsible for making sure your wi-fi router is safe as well. This is similar to the way the FDA

controls safety for food and drug regulations.

Have the immediate homes within a stones throw of the tower location been properly notified of what exactly is going up in their back patio view and given approval?

Atlas Response: We have indeed sent out notices to the community! We also posted notices in common areas, had a preliminary community meeting on 1-11-23 with roughly 180 people in attendance and we are planning on having an additional community meeting in the future. We are making all efforts to make sure members of the community are well aware of this project.

How will the entire Sunbird HOA community be given proper notice? IE: mailed correspondence to all residences including the winter visitors home addresses provided to the office as well as large community sign on Championship drive at the Riggs gate entrance? With ample time to respond.

Atlas Response: Absolutely! As mentioned below we are going to have another community meeting with ample notice to residents.

I find it curious this project was basically sidelined for 5 months while the winter visitors were here and could have participated in any required community meetings, thereby avoiding confrontation .

Atlas Response: This project at no point has been "sidelined" and I am curious as to where that perception is coming from. Would you mind providing some additional details from your point of view as to why you feel this project was "sidelined"? This area was identified to us by Verizon in mid '22, we identified and found a suitable location (Sun Bird) that worked for Verizon coverage in late '22. We had a preliminary neighborhood meeting in early '23 and since then we have been actively working with the community and Chandler City staff to adjust our project to best fit the area. We will also have another community meeting about this project prior to moving through the Chandler hearing process.

How many Atlas towers are installed in Arizona and reside within a gated community?

Atlas Response: None, this would be our first project within AZ. However we are not reinventing the wheel on this project and a faux pine tree design is very common in the telecom industry. I have attached an example of a previous faux pine tree project that we completed. Keep in mind that the proposed tower at sunbird is about half of the size of the below example.

<SkagitHighlands_collage (7).jpg>

Please reconsider putting this project outside our community. This huge tower will have detrimental effects to our housing prices much less other health concerns.

Atlas Response: I would recommend that you look more into the FCC regulations on cell towers and health regulations. I have added some quick links from the American Cancer Society that provide some great information.

<https://www.cancer.org/healthy/cancer-causes/radiation-exposure/cellular-phone-towers.html>

<https://www.cancer.org/healthy/cancer-causes/radiation-exposure/cellular-phones.html>

We did look into alternative areas. In our initial due diligence we looked into all properties in the greater area that met the following qualifications.

1. In an area close enough to fix where Verizon is lacking coverage
2. In an area that maximizes distance from residential communities
3. Had enough space to host this project
4. Had a willing land owner

Simply put, there is no other location outside of this community that would be able to fix the coverage within this area.

How many employees of Atlas live within 1/4mile of a Tower with multiple antennas?

Atlas Response: I cannot speak for other employees as this is not any data that we track. However I can attest that I live within a 1/2 mile of 2 active towers and work within 1/4 mile of active antennas as well. With the demand that cellular phones put on the mobile network, it is very common to be at least 1/2 mile from any cellular infrastructure at any given time.

Please let me know if you have any additional questions about the project!

Cornelius Whitehead

Territory Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301



On Tue, May 2, 2023 at 8:30 AM Jan Johnson <janj@att.net> wrote:

Hi Cornelius

I have a few questions.

What effect do cell towers have on pacemakers? Since Sunbird is a retirement community the usage of these devices are more prominent.

Also who carries the liability of health risks damage?

City of Chandler for approving the tower so close to residential homes? Atlas Tower for placing it? Sunbird Golf Club Inc because it's their property?

Have the immediate homes within a stones throw of the tower location been properly notified of what exactly is going up in their back patio view and given approval?

How will the entire Sunbird HOA community be given proper notice? IE: mailed correspondence to all residences including the winter visitors home addresses provided to the office as well as large community sign on Championship drive at the Riggs gate entrance? With ample time to respond.

I find it curious this project was basically sidelined for 5 months while the winter visitors were here and could have participated in any required community meetings, thereby avoiding confrontation .

How many Atlas towers are installed in Arizona and reside within a gated community?

Please reconsider putting this project outside our community. This huge tower will have detrimental effects to our housing prices much less other health concerns.

How many employees of Atlas live within 1/4mile of a Tower with multiple antennas?

Thank you
Jan Johnson

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Cornelius Whitehead <cwhitehead@atlastowers.com>
Sent: Monday, August 7, 2023 1:25 PM
To: helenbettes@comcast.net
Cc: Lisa Kittredge; Jeff Valento; Maureen Moore; bglockwood; Benjamin Cereceres
Subject: Re: Sunbird Cell Tower - follow up from last night

Hey Helen!

I likewise have not forgotten about this request. I am currently waiting on a written response from my legal team on your specific items raised.

Cornelius Whitehead

Territory Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301



On Mon, Jul 31, 2023 at 11:18 AM Cornelius Whitehead <cwhitehead@atlastowers.com> wrote:

Hey Helen,

Happy Monday! Hope you had a good weekend. Thanks for sending these our way. I see that Ben with the City of Chandler has responded to your email and I am thus removing the other City of Chandler representatives from this email chain for the time being. My team is reviewing these over and will get you a response as soon as possible.

In the meantime please see list of questions that were asked during the online meeting in no particular order:

- Can you guarantee that I will not lose value on my property when this cell tower goes in? if I do sell my house and lose value because of it, will you pay the difference?
- As this is 5 G, will there be sub stations put in throughout the community?
- Please show the radius where the 5G tower will improve coverage? We are outside of 2000 ft of proposed tower location. Verizon 5G maps show Sunbird already has coverage.
- I also have verizon, and I have never dropped a call in Sunbird. I have great coverage everywhere. You read letters from people that had dropped calls while getting to 911 - I have a hard time believing that its all due to connectivity and some of these events might be exaggerated. So putting this cell tower in will do what to connectivity?
- You also state RF emissions are safe. What if is proven they are not safe? what will happen to this tower? Also, what is the future of the technology on this tower?
- Why would no other communities in and around Sunbird nor the reserve want a cell tower in their community? We will be the ONLY community with a cell tower! Is that a red flag for our community?
- Do you intend on adding to this?

- How many towers could fit inside the proposed enclosure?
- Will you be maintaining the "compound" walls?? Will you maintain the "tree" to ensure things don't start looking ratty?
- Those photos were taken from so far away, what about the people that are right on the green? you did not take any pictures of that.
- Have any additional cell providers (other than Verizon) expressed interest in using this tower?
- we are in the requirement area, we did not receive notification. We are within 300 feet. How many other people did not receive notification besides us that are in the notification requirement area??
- Signs were not posted in very visible areas, who chose the locations for posting?
- will lease payments increase if additional carriers are added to the tower?
- If technology advances to the point where Wifi signals are linked through satellite and the tower becomes redundant, will you remove? And/or Will you remove at the end of the lease
- Seems this proposal is just the tower, but may Verizon or another carrier possibly add substations in the future?
- For city planners, can this project be placed on hold or delayed until winter months with the community homes are occupied rather than pushing this approval through during summer months?
- Does increasing the number of carriers on the tower increase the electromagnetic radio wave output? Does this increase any risk to human exposure?
- If you get more carriers, does the golf course get more money?
- What are next steps for approval or disapproval of this project?
- Is this a zoning change for the entire golf course property?
- 1) How many decibels in volume will this tower emit. I have heard of towers going into emergency mode, and the sound it emits is horrible. 2) who is responsible to field this?
- When were the FCC guidelines last updated?
- Since we are the first residential community that the city will possibly allow this kind of project right in the middle of a residential community, will this set a precedence of the city to allow for future projects such as this to be within other residential communities?
- So I am hearing, yes, the city will allow this in a residential community. Why are we going through these motions then, if there is nothing we as a community can do to stop this?
- If the golf course is zoned as a golf course, how can it be used for another purpose such as this?
- has the lease with the golf course been finalized
- How do I show that I support the construction of this tower.
- Trees die what is the requirement for golf course to plant new trees?
- Will Atlas and their subs be given a gate code?
- Are only the opinions of the people living within the 600 feet being considered for approval?
- when is the council having their meeting to review this and make a decision? is it going to be open for comments?
- Why is one of your criteria proximity to homes if there is no danger?

I should be able to follow up with you before end of the week. Please feel free to reach out with any additional questions in the meantime!

Cornelius Whitehead

Territory Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301



On Fri, Jul 28, 2023 at 5:54 PM <helenbettes@comcast.net> wrote:

Cornelius and all,

As stated in the meeting last night, I am sending this to you to help you understand the restrictions the golf course has agreed to in existing documentation. I am attaching all documents in question, and I have provided excerpts within this email to help you in following what is in those documents.

First and foremost, when I look at the consideration and meaning of a special use permit, I understand it allows a property or parcel of land to be used in a manner that deviates from its normally accepted activity. Based on that, can it be construed that Atlas and the golf course are changing the zoning by allowing the golf course to deviate from its intended use as promised in these documents?

Here are some documents that bolster the argument that they are deviating from their current zoning:

1. 1999 Transition Agreement:

Paragraph 11; As part of the 1999 Transition agreement – it states it shall remain a golf course, AND shall not be rezoned for any purpose in consistent therewith.

11. SunBird Golf Course. Upon execution of this Agreement, the Association, SBG , and First American Title Insurance Company, as Trustee of its Trusts No. 7756 and 7771, shall execute a Declaration of Covenants, Conditions, Restrictions and Easements in the form attached hereto as Exhibit C (the "New Declaration"). The New Declaration provides, in part, that the SunBird Golf Course shall remain a golf course, and that said property shall not be rezoned for any purpose inconsistent therewith. The Association acknowledges and agrees that the SunBird Golf Course, owner's discretion. The Association shall cooperate with SBG and/or the owner of the golf course in any attempt by SBG and/or the owner of the golf course to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are

And again, this statement is reiterated in the following document.

2.Document 20000427330, paragraph no. 5

5. Golf Course Use. The Golf Course Property, including the associated driving range, maintenance area and golf cart storage area and including parking areas, shall not be rezoned for any purpose inconsistent with its continued use for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents. The Association acknowledges and agrees that the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including the portion of the existing parking area owned by the Golf Course Owner on portions of Tracts B and D in SunBird Unit 6B, does not constitute common area of the Association. The golf cart storage area is in part located on a portion of Tract B of Phase IA. The Golf Course Owner shall have the right to continue to permit the public to use the golf course and shall have the right to establish and change the terms and conditions upon which the golf course is available for use in the Golf Course Owner's discretion. The Association shall cooperate with the Golf Course Owner in any attempt by the Golf Course Owner to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents.

3.Amended Declarations for Restriction for Golf Course Use – document no. 20070604888

Within this declaration are two paragraphs (below). I can see that the tower will be going against both paragraphs.

1. **The Premises shall be used for a golf course as such term is defined in A.R.S. §42-13151, or any successor statute thereto, and for related uses, including practice and maintenance areas, transition areas, lakes, cart paths and drainage areas.**

3. **Except as otherwise provided in Paragraph 2 hereof, or in A.R.S. §42-13151 through §42-13154, no third party shall, by reason of this Declaration, acquire any rights or interest with respect to the use of the Premises.**

I look forward to your reply after you have looked at these. Can you also send to me the questions that were asked on the chat last evening?

Thank you,

Helen Mortimer

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Cornelius Whitehead <cwhitehead@atlastowers.com>
Sent: Monday, August 7, 2023 1:22 PM
To: helenbettes@comcast.net
Cc: Benjamin Cereceres; Lisa Kittredge; Jeff Valento; Maureen Moore; bglockwood
Subject: Re: Sunbird Cell Tower - follow up from last night

Hey Helen,

Thanks for the follow up, I had not forgotten about you. Moreover, I am still waiting on documents back from VZW before we send along our updates to the City and Community.

My apologies that you received the neighborhood notice on August 4th. I am not sure why it took so long for your notice to arrive as we sent out all letters on June 23 and had been receiving comments from the community since then. We did have a small number of mailers returned by the USPS prior to the meeting date as they were not able to deliver to the correct address/land owner due to incorrect property data from the assessor website but nothing was returned due to lack of postage and I see that your package was not among them.

The amount of community engagement on this project has greatly exceeded that of any of our other previously completed projects and I assure you that we have made all efforts to make sure the community was/is aware of our proposal and has had a chance to comment on it. We are still actively taking comments and are happy to answer any additional questions about the project.

After our initial neighborhood meeting in January as subsequent follow up meetings in July, we feel that the community recognizes the need for mobile coverage and supports the project.

We are currently waiting on the coverage maps from VZW to include when our application goes to the Planning Commission hearing on September 20th as well as subsequent City Council hearing October 19th.

Please let me know if you have any additional questions in the meantime!

Cornelius Whitehead

Territory Manager

(720) 466-1508

cwhitehead@atlastowers.com

www.atlastowers.com

3002 Bluff St. Suite 300 Boulder, CO 80301

Microsoft Word



On Sun, Aug 6, 2023 at 12:45 PM <helenbettes@comcast.net> wrote:

Cornelius,

As of Thursday last week, we had not received our documents that were supposed to be sent out to the those affected within the community. You also were going to look into it, but I think this was something you forgot about. We were

one of those residents who should had received the package. We received it in the mail Friday (8/4/2023). It seems it did not get to us because Atlas did not put enough postage on the envelope. How many other people did this happen to? If it did happen to more than just us, how many of them did not know about the meeting. Not everyone is hooked up to the internet, which was the only reason I knew about the meeting because the city was kind enough to send me the date, time and link. This is concerning.

Thanks

Helen

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Friday, July 28, 2023 4:53 PM
To: cwhitehead@atlastowers.com; 'Benjamin Cereceres' <Benjamin.Cereceres@chandleraz.gov>; mayorandcouncil@chandleraz.gov; 'Matt Orlando' <Matt.Orlando@chandleraz.gov>
Cc: 'Lisa Kittredge' <liskittredge@gmail.com>; 'Jeff Valento' <jdvaleto@gmail.com>; 'Maureen Moore' <maureen_moore_88@hotmail.com>; 'bglockwood' <bglockwood@aol.com>
Subject: Sunbird Cell Tower - follow up from last night

Cornelius and all,

As stated in the meeting last night, I am sending this to you to help you understand the restrictions the golf course has agreed to in existing documentation. I am attaching all documents in question, and I have provided excerpts within this email to help you in following what is in those documents.

First and foremost, when I look at the consideration and meaning of a special use permit, I understand it allows a property or parcel of land to be used in a manner that deviates from its normally accepted activity. Based on that, can it be construed that Atlas and the golf course are changing the zoning by allowing the golf course to deviate from its intended use as promised in these documents?

Here are some documents that bolster the argument that they are deviating from their current zoning:

1) **1999 Transition Agreement:**

Paragraph 11; As part of the 1999 Transition agreement – it states it shall remain a golf course, AND shall not be rezoned for any purpose in consistent therewith.

11. SunBird Golf Course. Upon execution of this Agreement, the Association, SBG , and First American Title Insurance Company, as Trustee of its Trusts No. 7756 and 7771, shall execute a Declaration of Covenants, Conditions, Restrictions and Easements in the form attached hereto as Exhibit C (the "New Declaration"). The New Declaration provides, in part, that the SunBird Golf Course shall remain a golf course, and that said property shall not be rezoned for any purpose inconsistent therewith. The Association acknowledges and agrees that the SunBird Golf Course, owner's discretion. The Association shall cooperate with SBG and/or the owner of the golf course in any attempt by SBG and/or the owner of the golf course to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are

And again, this statement is reiterated in the following document.

2) Document 20000427330, paragraph no. 5

5. Golf Course Use. The Golf Course Property, including the associated driving range, maintenance area and golf cart storage area and including parking areas, shall not be rezoned for any purpose inconsistent with its continued use for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents. The Association acknowledges and agrees that the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including the portion of the existing parking area owned by the Golf Course Owner on portions of Tracts B and D in SunBird Unit 6B, does not constitute common area of the Association. The golf cart storage area is in part located on a portion of Tract B of Phase IA. The Golf Course Owner shall have the right to continue to permit the public to use the golf course and shall have the right to establish and change the terms and conditions upon which the golf course is available for use in the Golf Course Owner's discretion. The Association shall cooperate with the Golf Course Owner in any attempt by the Golf Course Owner to obtain, maintain or renew any zoning, permit or authorization reasonably required to continue to use the SunBird Golf Course, including the associated driving range, maintenance area and golf cart storage area and including parking areas, for (a) the existing uses and purposes, and (b) any other reasonable uses or purposes that are reasonably related to the operation of the golf course and not unreasonably disruptive to the SunBird residents.

3) Amended Declarations for Restriction for Golf Course Use – document no. 20070604888

Within this declaration are two paragraphs (below). I can see that the tower will be going against both paragraphs.

1. The Premises shall be used for a golf course as such term is defined in A.R.S. §42-13151, or any successor statute thereto, and for related uses, including practice and maintenance areas, transition areas, lakes, cart paths and drainage areas.

3. Except as otherwise provided in Paragraph 2 hereof, or in A.R.S. §42-13151 through §42-13154, no third party shall, by reason of this Declaration, acquire any rights or interest with respect to the use of the Premises.

I look forward to your reply after you have looked at these. Can you also send to me the questions that were asked on the chat last evening?

Thank you,

Helen Mortimer

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

Sent: Tuesday, April 4, 2023 2:01 PM
To: helenbettes@comcast.net
Subject: RE: Sunbird cell phone tower - Questions

Good afternoon Helen:

Thank you for reaching out. Please see below for responses to your inquiries.

- what are the rules/regulations/standard practices the city looks at for making decisions to grant a valid permit for the construction of a cell tower?

For this type of request, the applicant will need to process a Use Permit which is a public hearing process.

- Does the city listen to the community at large of their opposition and use that as weight to deny or grant an application?

The

- I guess with that question I am asking is if we have any voice with the city's decision, or are we a silent majority that has no say?
- Do you know of any evidence that supports that this cell phone tower is needed?

Feel free to reach out should you have any additional questions or comments.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: helenbettes@comcast.net <helenbettes@comcast.net>
Sent: Sunday, April 2, 2023 11:15 AM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: FW: Sunbird cell phone tower - Questions

Mr. Cereceres,

I am a homeowner that is within 200 feet of the proposed cell phone tower that is to be located in Sunbird. After researching the internet on cell phone towers I have become a little concerned as to the affects this proposed tower will have on my health, environment and property values. I feel the golf club is only doing this for the money, which in my opinion is selfish on their part and it shows they do not have an interest in their community.

With that said, what are the rules/regulations/standard practices the city looks at for making decisions to grant a valid permit for the construction of a cell tower? Also, does the city listen to the community at large of their opposition and use that as weight to deny or grant an application? I guess with that question I am asking is if we have any voice with the city's decision, or are we a silent majority that has no say?

Also, do you know of any evidence that supports that this cell phone tower is needed? Has the golf club presented any of that to you? I ask, because I currently have Verizon with my cell phone, and I get great coverage with 5G – I question the need for this tower.

I appreciate your help in this matter and welcome any input you may have.

Thank you for your time.

Helen Mortimer
6401 S Championship Dr
Chandler, AZ 85249

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Dale Anderson <sunbirdaz@yahoo.com>
Sent: Sunday, April 30, 2023 3:24 PM
To: Benjamin Cereceres
Subject: Proposed SunBird Cell Tower

Mr. Cereceres,

This email is regarding the proposed cell tower in SunBird Golf Resort. We are Dale and Carolyn Anderson at 6411 S Championship Drive. We have lived in SunBird in this home since 1996. We are against the cell tower as it will have a detrimental effect on our property value, and it will have a negative effect on the view as well and possible adverse health effects.

Thank you for your time and attention.

Dale and Carolyn Anderson

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Tuesday, July 11, 2023 9:17 AM
To: J Fontana
Subject: RE: Sunbird Cell Tower

Good morning Jeff:

Please see responses below:

While the *tower* portion of the proposed structure may technically be 65 ft (and an uncovered 4 ft lightning rod might be unnoticeable), the simulated pine covering the entire structure (tower + rod) will be at least 69 ft -- as the drawings & balloon simulations show

- a) Not trying to mountain from molehills, but shouldn't the proposed height be 69 ft (if not, why not...)?

The City of Chandler has historically taken the height from the top of antenna

"In theory, they are able to come back in"

Could you explain this process, my impression is just a formality and Homeowners have no input/voice

If the current project gets approved at the height proposed, the applicant is able to come in and increase the height of the cell site an additional 20 feet. They would have to submit an Administrative Design Review application through the City of Chandler Planning Division, but it is not a public hearing process, it would be processed administratively and a neighborhood meeting/notification is not required for administrative review/approval.

- b) If Homeowners have no input/voice after this initial approval, shouldn't this proposal be for structure *up to 89 ft* (if not, why not...)?

The applicant has not stated that they want to increase the proposed cell site height from what they are currently proposing, we cant require them to submit the cell site at 89' since it is not proposed by the applicant.

Feel free to reach out should you have any additional questions.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: J Fontana <az4plf@gmail.com>
Sent: Thursday, July 6, 2023 12:42 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: Re: Sunbird Cell Tower

Hi Benjamin -- thanks for your reply

A few more followups for my understanding:

While the **tower** portion of the proposed structure may technically be 65 ft (and an uncovered 4 ft lightning rod might be unnoticeable), the simulated pine covering the entire structure (tower + rod) will be at least 69 ft -- as the drawings & balloon simulations show

a) Not trying to mountain from molehills, but shouldn't the proposed height be 69 ft (if not, why not...)?

"In theory, they are able to come back in"

Could you explain this process, my impression is just a formality and Homeowners have no input/voice

b) If Homeowners have no input/voice after this initial approval, shouldn't this proposal be for structure **up to 89 ft** (if not, why not...)?

Thanks again,
Jeff Fontana

On Thu, Jul 6, 2023, 9:47 AM Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov> wrote:

Good morning Jeff:

The proposed height that Atlas is proposing is at 65'. They have not indicated that they wish to increase the height an additional 20' from what is currently being proposed. In theory, they are able to come back in once the proposed cell site is approved and built and increase the height an addition 20' in height but, that has not been indicated by the applicant.

Thanks,

Benjamin Cereceres

City Planner

Development Services Department

Planning Division

(480)782-3063

From: J Fontana <az4plf@gmail.com>
Sent: Sunday, July 2, 2023 5:23 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: Re: Sunbird Cell Tower

Hi Mr Cereceres --

Just a brief follow up question:

I've been notified of the upcoming in-person & virtual Homeowner Meetings, and have viewed the Visual Impact Assessment (balloon test) with photos & simulated photos.

Pleased to see the test (and corresponding simulations) with the balloon top include the lightning rod.

However, my understanding (please correct me) is that if this project is approved, Atlas can then unilaterally - with nominal paperwork - increase the height to 89 ft (85 tower+ 4 lightning).

If so, those photos are misleading and do not represent the possible result if approved. Those simulated tower images could be almost 1/3 (29%) higher.

a) Am I correct?

b) If so, who's responsible to communicate that to the Homeowners (Atlas seems to only describe the height as 65 ft) ?

Best regards,

Jeff Fontana

On Mon, May 15, 2023, 10:24 AM J Fontana <az4plf@gmail.com> wrote:

Greetings Mr Cereceres --

I'm a Sunbird homeowner reaching out to share my thoughts regarding the proposed cell tower.

I don't wear a tinfoil hat ;-) and do understand the need for better coverage at the south end of Chandler.

However, I have two primary concerns:

a) I humbly feel - for multiple reasons - the tower should be located in one of the nearby commercial zones, and not in the middle of our residential neighborhood.

b) I also feel strongly that many (most?) of our neighbors are unaware of this proposal and/or accurate details of it, with departed snowbirds even more challenged.

To be generous, communication from the two parties involved has been poor...

I sincerely hope this proposal will include open & accurate information, with timely dissemination so *all* neighborhood homeowners can understand the end result if it were approved.

Best regards,

Jeff Fontana

1832 E Riviera Dr

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Peggy Stokes <jdsandpas@gmail.com>
Sent: Tuesday, July 25, 2023 10:37 AM
To: Benjamin Cereceres; Mayor&Council
Subject: Cell tower

I'd like to let you know that we are against the Atlas company building a cell tower in Sunbird community. We know it will reflect in our future sell of our home as well as the health and welfare of the residents. It will definitely not enhance the beauty of our community. Please listen to the entire residents of the community not just the golf course membership. You represent us all.

Thank you for your consideration, Jim & Peggy Stokes

Sent from my iPad

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Monday, May 22, 2023 3:05 PM
To: jdsandpas@gmail.com
Subject: Sunbird Cell Tower

Good afternoon Jim and Peggy:

I wanted to reach out and advise that our Mayor and City Council has received your email regarding your opposition regarding the proposed wireless cell site within your community.

I am the case planner that is assigned to the project and would be happy to answer any questions you may have. Please feel free to give me a call or provide a phone number so that I may reach out and we can discuss the proposal, status and/or through what scope we as the City of Chandler are able to regulate this proposal through.

Sincerely,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Monday, May 22, 2023 11:33 AM
To: Kevin Mayo; Andy Bass; Micah Miranda
Subject: RE: Sunbird cell tower

Good morning:

I checked my records and I have not been in contact with this resident yet. I will reach out to them directly.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Kevin Mayo <Kevin.Mayo@chandleraz.gov>
Sent: Monday, May 22, 2023 11:26 AM
To: Andy Bass <Andy.Bass@chandleraz.gov>; Micah Miranda <Micah.Miranda@chandleraz.gov>
Cc: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: RE: Sunbird cell tower

One and all,
I believe Ben has already been in contact with this citizen. Ben, can you confirm? See email below....

Kevin Mayo
Planning Administrator | City of Chandler
Development Services Department | Planning Division
480.782.3068

From: Andy Bass <Andy.Bass@chandleraz.gov>
Sent: Monday, May 22, 2023 11:20 AM
To: Micah Miranda <Micah.Miranda@chandleraz.gov>; Kevin Mayo <Kevin.Mayo@chandleraz.gov>
Subject: FW: Sunbird cell tower

Please see the email below. I believe you guys have spoken to this family already. Can you confirm that? Thanks.

Andy Bass
Deputy City Manager

PO Box 4008
Chandler AZ 85244
480-782-2245



From: Tadd Wille <Tadd.Wille@chandleraz.gov>
Sent: Monday, May 22, 2023 10:57 AM
To: Andy Bass <Andy.Bass@chandleraz.gov>
Subject: FW: Sunbird cell tower

Andy: Is this something Development Staff can call about?

Thank you,

Tadd Wille

Assistant City Manager
City of Chandler
Phone (480) 782-2212
tadd.wille@chandleraz.gov



chandleraz.gov | Facebook | Twitter | Instagram | LinkedIn

From: Christine Ellis <Christine.Ellis@chandleraz.gov>
Sent: Monday, May 22, 2023 9:34 AM
To: Tadd Wille <Tadd.Wille@chandleraz.gov>
Subject: Fwd: Sunbird cell tower

Good morning Mr Willi,
Can someone please reach out to Miss Peggy and let her what we can do or not on this tower issue?
Thank you for all you do!! 🙏🙏

Council Member

Christine T D Ellis

City of Chandler

Office Cell: [4802084497](tel:4802084497)

Office Email: Christine.Ellis@chandleraz.gov

AS A MAN THINK IN HIS HEART SO IS HE.

From: Peggy Stokes <jdsandpas@gmail.com>
Sent: Sunday, May 21, 2023 10:06:16 PM
To: Mayor&Council <Mayor&Council@chandleraz.gov>
Subject: Sunbird cell tower

As a resident in this community we oppose the cell phone tower and would greatly appreciate you voting against it. Thank you. Jim & Peggy Stokes, 6260 S. Tournament lane, chandler. 85249

Sent from my iPad

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Home <jtcareible@cox.net>
Sent: Saturday, July 29, 2023 5:34 PM
To: Benjamin Cereceres; Mayor&Council
Cc: Jon Reible
Subject: Sunbird Cell Tower Approval

Dear Mr. Cereceres, Mayor, and City Council Members,

My name is Jon Reible. I am a resident of Gilbert, but own 2 homes in Sunbird. I have owned them since 2014 for the first home, and 2018 for the second home. I purchased the first home for my parents to winter in, so they would spend more time here with their grandchildren. The second home is occupied by my mother-in-law, who moved here from New York and has lived here full time since then. We are very big fans of the community and all of the surrounding amenities and opportunities that the City of Chandler provides to our parents.

I am writing to express my strong opposition to the proposed approval to put a cell tower on the golf course land, right in the middle of this residential community occupied by senior citizens, with over 1,600 homes in the community. While there is a lot of contradicting information, depending on who is making the pitch, I think it is clear that there are potentially unknown health risks related to cell phone towers. I have no idea why anyone would want to put a cell phone tower right in the middle of a senior citizen retirement community? I can't imagine any of you would want this tower put up in close proximity to where your parents live. We sure don't want to have our parents exposed to this potential health risk. There are plenty of places in Chandler where this tower could be located not in such close proximity to homes of senior citizens. My wife and I are strongly opposed to this, and would hope that you take into consideration the potential risk and liability related to the over 1,600 homes occupied by senior citizens in Sunbird.

I am also curious as to whether or not the City of Chandler takes into account recorded restrictions on the land when it is making decisions like this. I am not an attorney and expert in reading legal documents, but based on my reading and interpretation, there is a document recorded in 2007 where the owner of the golf course recorded a declaration of restrictions for golf course use. In that recorded document, the golf course agree that the property shall only be used as a golf course. It also states that no third party shall acquire any rights or interest with respect to the use of the property. If I understand correctly, the golf course receives a tax break in exchange for this restrictive declaration where they agree to use the property solely as a golf course. It sure seems like the lease to Atlas is a third party acquiring an interest in the property, and I don't think a cell tower falls into the definition of golf course use?

In addition to this recorded document, there is a 2015 recorded declaration of restrictions for the Sunbird Golf Resort HOA where it is clearly stated that the owner of the golf course is to use the property solely for the use as a golf course. The restriction survives even if the golf course ownership changes, and thus runs with the land.

Is the City of Chandler aware of these recorded documents that appear to restrict the use of this property for a cell tower? I will state again that I am not an attorney and thus I am not sure my interpretation is correct, but based on what I have read, the documents seem to prohibit this use.

We respectfully request that you do not move forward with any approval for this proposed cell tower.

Sincerely,

Jon and Tami Reible
Concerned homeowners in Sunbird

Sent from my iPhone

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Monday, May 15, 2023 11:20 AM
To: TOM FEATHERSTONE
Subject: RE: SunBird Cell Tower

Good morning Tom:

Thanks for reaching out. The applicant has submitted the correct application for the proposed cell site. I did review the submitted documents and they had corrections/comments that were provided by City staff in April. We are waiting for the applicant to submit the correct applicant to resubmit and address City staff comments.

The Use Permit will have to go through three public meetings:

1. Neighborhood Meeting – The applicant will host this meeting
2. Planning and Zoning Commission – This is a City hosted meeting
3. City Council – This is a City hosted meeting

Historically the precedence has been set that these cell sites have been separated from residence at least 160'. I did scope out the City to see if we have any other cell site that is located within a residential zoned area and there are a couple:

- Monopole – APN: 304-88-781: This cell site was in place prior to the residential development being developed around it.

Your input on the proposed cell site has been noted and will be added to the case file. Feel free to reach out should you have any questions or comments.

Sincerely,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: TOM FEATHERSTONE <jfeath1515@msn.com>
Sent: Monday, May 8, 2023 9:31 AM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: SunBird Cell Tower

Good Morning, Benjamin,

I sent you an email in March and you so kindly return my email with a phone call. Very much appreciated.

I was just wondering if you have any follow up information on the status of the SunBird Golf Course Cell Tower permit? I would definitely like to be kept in the loop from your end if possible. Information is NOT

forthcoming from the SunBird Golf Course nor from our SunBird HOA. I am beginning to wonder if shenanigans are happening! Just thinking!

If my recollection is correct you mentioned that they would have to have another Public Information forum, then Permits may/may not be issued, City Council would vote on the permit. Please feel free to correct my memory.

I am still opposed to installing a cell tower anywhere within the SunBird plat description. Main concern is there is little information about the health risks to humans or animals from towers in a residential development. Did you ever discover ANYWHERE if there is a cell tower within a residential development? I

Thank you for your earlier information and I hope to hear from you again.

Sincerely,

Judy Featherstone
6542 S Lake Forest Dr.
Chandler, AZ 85249
480-883-0963

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Wednesday, July 26, 2023 4:53 PM
To: Maureen Moore; Helen Mortimer; Beth Lockwood; Bob DeMatteo
Subject: RE: Cell tower effect

Good afternoon:

Thank you for providing feedback on the proposed project. I will add your comment to the case file.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

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

From: Maureen Moore <maureen_moore_88@hotmail.com>
Sent: Wednesday, July 26, 2023 11:37 AM
To: Helen Mortimer <helenbettes@comcast.net>; Beth Lockwood <bglockwood@aol.com>; Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>; Bob DeMatteo <imbmbd2@gmail.com>
Subject: Cell tower effect

I am currently in San Francisco visiting a friend who just lost her husband! While here, a condo overlooking San Francisco Bay came up, exactly what she was looking for! Size, amenities, view. She was going to put an offer in but her kids wanted to look at condo docs ect. First! Turns out there are 3 cell towers on the top of the building and the current owner is selling because he believes his health is being compromised! He is suing the HOA and the cell phone company and selling his beautiful unit. My friends family did not want her to buy it, even though in every other way it was perfect for her, because of the cell towers!

This is the type of thing that is going on and is a perfect example proving that cell towers negatively affect property!

Maureen

Sent from my iPhone

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: helenbettes@comcast.net
Sent: Monday, July 10, 2023 2:39 PM
To: Mayor&Council; Benjamin Cereceres
Cc: 'Maureen Moore'
Subject: RE: Cell Tower Application, Sunbird Community (Sunbird Golf Course)

And FYI to the City of Chandler, I have not received this correspondence from either Atlas or the Golf Course. I also have not received any information on the meeting (where, when, etc.) from the Golf Course, or Atlas Tower. For our household, we have our address as the Washington state address with the assessor, and all our mail that is received at the Chandler address is automatically forwarded to our Washington State address. This concerns me that I have not received any information from either Atlas or the Golf Course on any proposed meetings, or correspondence from them.

Thanks
Helen Mortimer
6401 S Championship Dr
Chandler, AZ 85249

From: Maureen Moore <maureen_moore_88@hotmail.com>
Sent: Monday, July 10, 2023 2:20 PM
To: mayorandcouncil@chandleraz.gov
Cc: Cereceres Benjamin <benjamin.Cereceres@chandleraz.gov>
Subject: Cell Tower Application, Sunbird Community (Sunbird Golf Course)

Please find attached, the contents of a Cell Tower information package sent by Atlas Tower to specific (most affected) home owners in the community of Sunbird! Please note the diagram showing how the tower "tree" and the height difference over the existing trees! It is significant!

The information contained in this package talks about the safety of radio frequency energy and 5G and the "fact" that cell towers do not affect property values.

This is a propaganda package, citing selected information assuring people of the safety and benign influence on property values.

I felt it was important you are aware of this package, theoretically sent to notify owners of the Use Permit filed with the City of Chandler Planning Division.

Sincerely,
Maureen Moore

ATLAS TOWER

June 23, 2023

SCOBIE DAVID GORDON/MOORE PATRICIA MAUREEN
3-3315 RIDEAU PLACE SW
CALGARY, AB T2S2T1

RE: PLH23-0020 Hunt Highway Cell Tower
Sunbird Golf Course Community
6240 Sunbird Blvd., Chandler, Arizona. 85249
(APN: 303-57-984)

Dear Property Owner:

This letter is being sent to you to notify you of a Use Permit filed with the City of Chandler's Planning Division.

The project is the construction of a new communications facility, or cell phone tower, that will improve the mobile network strength in your area. The tower will be a monopine, which means it will look like an Evergreen pine tree, and the Verizon antennas will be hidden in the branches. It will be 65 feet in height and will be painted to blend with the surrounding vegetation and trees so as to be less noticeable. The compound surrounding the tower will be 30 feet by 50 feet, and will be 160 feet away from the nearest property line behind the golf club maintenance buildings. A drawing of the area, as well as an image of the tower, are attached.

You are invited to participate in a neighborhood meeting to learn more about the project. Two meetings are scheduled – details below – one in person, the other virtual. The same information will be shared at both meetings, so it is your choice which one to attend.

IN-PERSON MEETING

Date/Time: July 26, 2023. 6:30 PM
Location: Sunbird Golf Resort Ballroom, 6240 Sunbird Blvd, Chandler AZ

VIRTUAL MEETING

Date/Time: July 27, 2023. 6:30 PM
Join the virtual meeting by going to this website: <https://tinyurl.com/SunbirdMeeting>
Or you can participate by phone at: 469-998-8380

If you have questions, comments, or are unable to attend either meeting, please feel free to contact me at cwhitehead@atlastowers.com, or by phone at 720-466-1508. You may also contact Ben Cereceres, City Planner, with the City of Chandler's Planning Division, at 480-782-3063.

Thank you for your time,

Cornelius Whitehead
Site Acquisition Manager



May 17, 2023

Atlas Tower
3002 Bluff St., Suite 300
Boulder, CO 80301

Subject: Hunt Hwy – Balloon Test

To whom it may concern,

Tower Engineering Professionals, Inc. (TEP), on behalf of Atlas Tower completed a Visual Impact Assessment for a proposed 65-ft AGL (69-ft AGL overall) stealth monopine communications tower to be located at 6240 Sunbird Blvd., within the City of Chandler, within Maricopa County, Arizona (Maricopa County Parcel #30357984). The proposed tower is located at latitude: N 33° 12' 46.76", longitude: W 111° 48' 39.59" (NAD 83). On April 28, 2023, TEP personnel deployed an approximately 5.5-ft diameter orange CloudBuster balloon at 69-ft AGL (to top of balloon) from 10 a.m. to 11 a.m. MST. The weather at the time of the balloon flight was clear, with adequate visibility, incidences of 5 to 7-mph wind gusts, and a temperature of approximately 55 to 65 degrees Fahrenheit.

During the balloon test, photographs were taken from pre-determined publicly accessible locations in order to determine what (if any) visual impact the proposed stealth monopine tower may have on the surrounding areas. Photographs were taken by Sophie O'Neill of TEP with a Kodak PixPro AZ252 camera. Utilizing four (4) photographs, TEP completed two (4) pictorial representations (photo simulations) to simulate the view of the proposed stealth monopine tower.

Attached is the photograph location map and the pictorial representations (photo simulations) of the proposed tower. Please don't hesitate to contact me with any questions or concerns regarding this report.

Sincerely,

A handwritten signature in black ink, appearing to read "Marcus Hatter".

Marcus Hatter
Environmental Scientist
Tower Engineering Professionals, Inc.

500 E. 84th Ave. Ste. C10, Thornton, CO 80229 O) (303) 566-9929
mhatter@tepgroup.net



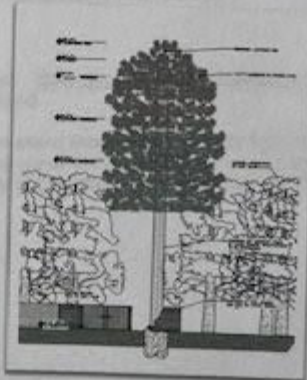
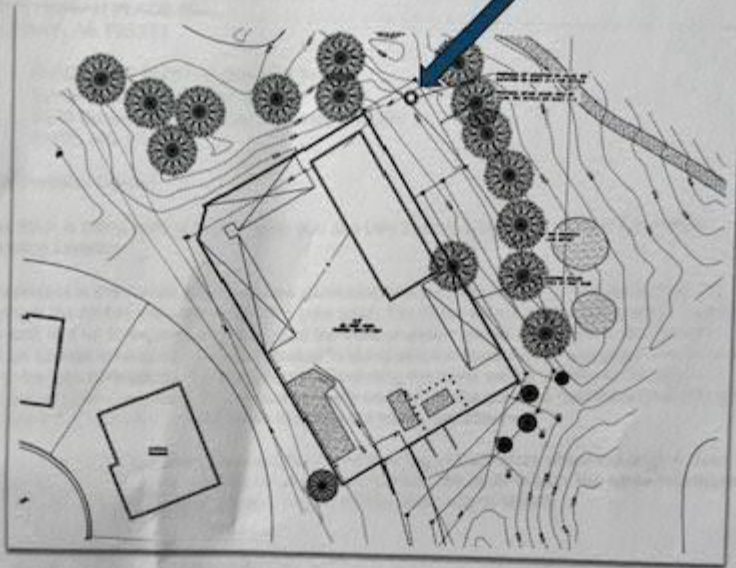
Photo Location Map (#1-4)



Stealth Mosquito Tower Simulation - PL #1
85.8' AGL (89.8' AGL overall)
Mosquito Tower 1 - 1000' WSP of Proposed Tower

ATLAS TOWER

Proposed Location of 65 foot Monopine



FAQ'S

Information provided by the American Cancer Society.

www.cancer.org

How do cell phone towers expose people to RF waves?

Cell phone base stations can be free-standing towers or mounted on existing structures, such as trees, water tanks, or tall buildings. The antennas need to be high enough to adequately cover a certain area. Base stations are usually from 50 to 200 feet high.

Cell phones communicate with nearby cell towers mainly through RF waves, a form of energy in the electromagnetic spectrum between FM radio waves and microwaves. Like FM radio waves, microwaves, visible light, and heat, they are forms of non-ionizing radiation. This means they do not directly damage the DNA inside cells, which is how stronger (ionizing) types of radiation such as x-rays, gamma rays, and ultraviolet (UV) rays are thought to be able to cause cancer.

On the ground near a cell phone tower

RF waves from a cell phone tower antenna, like those from other telecommunication antennas, are directed toward the horizon (parallel to the ground), with some downward scatter. Base station antennas use higher power levels than other types of land-mobile antennas, but much lower levels than those from radio and television broadcast stations. The amount of energy from RF waves decreases rapidly as the distance from the antenna increases. As a result, the level of exposure to RF waves at ground level is much lower than the level close to the antenna.

At ground level near typical cellular base stations, the amount of energy from RF waves is hundreds to thousands of times less than the limits for safe exposure set by the US Federal Communication Commission (FCC) and other regulatory authorities. It is very unlikely that a person could be exposed to RF levels in excess of these limits just by being near a cell phone tower.

Do cell phone towers cause cancer?

Some people have expressed concern that living, working, or going to school near a cell phone tower might increase the risk of cancer or other health problems. At this time, there isn't a lot of evidence to support this idea. Still, more research is needed to be sure.

What expert agencies say

The American Cancer Society (ACS) does not have any official position or statement on whether or not radiofrequency (RF) radiation from cell phones, cell phone towers, or other sources is a cause of cancer. ACS generally looks to other expert organizations to determine if something causes cancer (that is, if it is a carcinogen), including:

The International Agency for Research on Cancer (IARC), which is part of the World Health Organization (WHO)

The US National Toxicology Program (NTP), which is formed from parts of several different government agencies, including the National Institutes of Health (NIH), the Centers for Disease Control and Prevention (CDC), and the Food and Drug Administration (FDA)

Other major organizations might also comment on the ability of certain exposures to cause cancer.

FAQ'S

Information provided by the CTIA

www.wirelesshealthfacts.com

Are cellphones, cell towers, small cells and antennas safe?

Radiofrequency energy from wireless devices and networks, including radiofrequencies used by 5G, have not been shown to cause health problems, according to the international scientific community. To cite one example, the Food and Drug Administration said, "Based on the FDA's ongoing evaluation, the available epidemiological and cancer incidence data continues to support the Agency's determination that there are no quantifiable adverse health effects in humans caused by exposures at or under the current cell phone exposure limits."

Have wireless devices and networks been shown to cause cancer in humans?

No, according to the international scientific consensus, wireless devices and networks have not been shown to cause cancer in humans. In fact, an analysis of government statistics shows that since the introduction of mobile phones in the 1980s, rates of brain cancer have remained unchanged while the exposure to RF energy from wireless networks has gone up. Many studies have explored whether cellphones cause cancer with the American Cancer Society concluding that "RF waves given off by cell phones do not have enough energy to damage DNA directly or to heat body tissues. Because of this, it's not clear how cell phones might be able to cause cancer."

Is 5G safe?

The scientific consensus is that there are no known health risks from all forms of RF energy at the low levels approved for everyday consumer use. The FCC regulates RF emissions, including millimeter waves from 5G devices and equipment, and has adopted the recommendations of expert scientific organizations that have reviewed the science, including dozens of studies focused specifically on millimeter waves, and established safe exposure levels. In December 2019, the FCC reaffirmed—on a unanimous and bipartisan basis—these safety standards. Typical exposure to 5G devices—such as small cells attached to phone poles or the sides of buildings—is far below the permissible levels and comparable to Bluetooth devices and baby monitors (New Orleans City Council Hearing, 2019). The FCC continues to monitor the science to ensure that its regulations are protective of public health.

Do cellphones and wireless equipment have to meet safety standards?

Yes. Safety standards are set by the Federal Communications Commission in order to protect public health. In December 2019, the FCC reaffirmed—on a unanimous and bipartisan basis—these safety standards. The Food and Drug Administration has also said that "the existing safety limits for cell phones remain acceptable for protecting the public health." Wireless devices go through a rigorous approval process to ensure they meet guidelines and they operate well under safety limits. These limits are based on recommendations from the scientific community and expert non-government organizations including the National Council on Radiation Protection and Measurements.

THE TRUTH ABOUT 5G

Radiation measured from a microwave and compared to a 5G tower.

my broadband.co.za

Common misconceptions with 5G:

Spreads COVID	Causes cancer
High radiation levels	Poses a health risk
Uses more energy	Is not essential

"We expect 5G to become the worldwide dominating mobile communications standard of the next decade."

- Dr. Christoph Grote, Senior Vice President Electronics, BMW Group



Radiation from a microwave:
49.75 W/square meter



Radiation from 5G tower:
.004 W/square meter

HOW DOES THE PROXIMITY TO A CELL TOWER IMPACT HOME VALUES?

Information provided by the Valbridge Property Advisors.

www.valbridge.com/how-does-the-proximity-to-a-cell-tower-impact-home-values/

Valbridge Property Advisors conducts market studies to determine the impact of wireless communication towers on property values in four metropolitan U.S. cities.

Valbridge Property Advisors recently completed market studies in Boston, Dallas, Phoenix, and Raleigh, to determine the impact of the presence of wireless communications towers on residential property values.

The Process

The studies were conducted in multiple sub-areas of each city, which were then compiled to produce measurable results. Home sale values demonstrated no measurable difference for those homes within a 0.25-mile radius sphere of influence of the cell tower and those homes in a 0.50-1.0 mile radius outside of the cell tower sphere of influence. In many of the sub-areas, home prices increased nominally. No measurable difference is defined as a less than 1% difference; nominal difference is defined as 1-3%.

To prepare the sub-area studies, the center points of each sub-area's primarily single-family residential areas or specific subdivisions were identified by latitude and longitude. Single-family residential sales with both a qualified buyer and a qualified seller from the first quarter 2015 through first quarter 2018 were located and verified to assess the transactions.

THE RESULTS ARE IN

BOSTON: The Boston study revealed 10 of 22 pairings of home sales with higher sale prices within the 0.25-mile sphere of influence, 11 of 22 pairings with lower home prices, and one pairing indicating no difference. The data indicates cell towers do not have a negative impact on property values within a .25-mile radius of cell towers. Overall, the measurable difference is less than 1% in both the increasing and decreasing home price indications.

DALLAS: In Dallas, for homes in the .25 to 1.00-mile radius, there was no measurable difference. Out of 33 paired sales in five sub-areas, 20 pairings indicated higher values for those sales within the 0.25-mile sphere of influence, while 12 pairings indicated lower values and one indicated no difference. Overall, Dallas shows no measurable difference. The data indicates cell towers do not have a negative impact on property values within a .25-mile radius of cell towers.

PHOENIX: There were 37 paired sales in the Phoenix market, and 20 of the pairings indicated increased home prices within the 0.25-mile sphere of influence while seventeen of the 37 pairings indicated decreased home prices. Four of the five sub-areas studied had no measurable difference and one sub-area had a nominal difference.

RALEIGH: In Raleigh, fourteen of 22 pairings indicated higher home prices within the 0.25-mile sphere of influence while eight of 22 indicated slightly decreased home prices. Overall, the average and median prices increased in four of the five sub-areas and one sub-area indicated no measurable difference. The data indicates cell towers do not have a negative impact on property values within a .25-mile radius of cell towers. Overall, the measurable difference is less than 1% in both the increasing and decreasing home price indications.

Sent from my iPhone

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Tuesday, July 25, 2023 9:36 AM
To: Mike Kaddaras
Subject: RE: cell tower at Subbird

Good morning:

Thank you for providing feedback on the proposed project. I will add your comment to the case file.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Mike Kaddaras <mikek1947@gmail.com>
Sent: Sunday, July 23, 2023 4:34 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: cell tower at Subbird

NO ON THE CELL TOWER!!

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Monday, May 15, 2023 11:20 AM
To: TOM FEATHERSTONE
Subject: RE: SunBird Cell Tower

Good morning Tom:

Thanks for reaching out. The applicant has submitted the correct application for the proposed cell site. I did review the submitted documents and they had corrections/comments that were provided by City staff in April. We are waiting for the applicant to submit the correct applicant to resubmit and address City staff comments.

The Use Permit will have to go through three public meetings:

1. Neighborhood Meeting – The applicant will host this meeting
2. Planning and Zoning Commission – This is a City hosted meeting
3. City Council – This is a City hosted meeting

Historically the precedence has been set that these cell sites have been separated from residence at least 160'. I did scope out the City to see if we have any other cell site that is located within a residential zoned area and there are a couple:

- Monopole – APN: 304-88-781: This cell site was in place prior to the residential development being developed around it.

Your input on the proposed cell site has been noted and will be added to the case file. Feel free to reach out should you have any questions or comments.

Sincerely,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: TOM FEATHERSTONE <jfeath1515@msn.com>
Sent: Monday, May 8, 2023 9:31 AM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: SunBird Cell Tower

Good Morning, Benjamin,

I sent you an email in March and you so kindly return my email with a phone call. Very much appreciated.

I was just wondering if you have any follow up information on the status of the SunBird Golf Course Cell Tower permit? I would definitely like to be kept in the loop from your end if possible. Information is NOT

forthcoming from the SunBird Golf Course nor from our SunBird HOA. I am beginning to wonder if shenanigans are happening! Just thinking!

If my recollection is correct you mentioned that they would have to have another Public Information forum, then Permits may/may not be issued, City Council would vote on the permit. Please feel free to correct my memory.

I am still opposed to installing a cell tower anywhere within the SunBird plat description. Main concern is there is little information about the health risks to humans or animals from towers in a residential development. Did you ever discover ANYWHERE if there is a cell tower within a residential development? I

Thank you for your earlier information and I hope to hear from you again.

Sincerely,

Judy Featherstone
6542 S Lake Forest Dr.
Chandler, AZ 85249
480-883-0963

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Tuesday, July 11, 2023 9:17 AM
To: J Fontana
Subject: RE: Sunbird Cell Tower

Good morning Jeff:

Please see responses below:

While the *tower* portion of the proposed structure may technically be 65 ft (and an uncovered 4 ft lightning rod might be unnoticeable), the simulated pine covering the entire structure (tower + rod) will be at least 69 ft -- as the drawings & balloon simulations show

- a) Not trying to mountain from molehills, but shouldn't the proposed height be 69 ft (if not, why not...)?

The City of Chandler has historically taken the height from the top of antenna

"In theory, they are able to come back in"

Could you explain this process, my impression is just a formality and Homeowners have no input/voice

If the current project gets approved at the height proposed, the applicant is able to come in and increase the height of the cell site an additional 20 feet. They would have to submit an Administrative Design Review application through the City of Chandler Planning Division, but it is not a public hearing process, it would be processed administratively and a neighborhood meeting/notification is not required for administrative review/approval.

- b) If Homeowners have no input/voice after this initial approval, shouldn't this proposal be for structure *up to 89 ft* (if not, why not...)?

The applicant has not stated that they want to increase the proposed cell site height from what they are currently proposing, we cant require them to submit the cell site at 89' since it is not proposed by the applicant.

Feel free to reach out should you have any additional questions.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: J Fontana <az4plf@gmail.com>
Sent: Thursday, July 6, 2023 12:42 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: Re: Sunbird Cell Tower

Hi Benjamin -- thanks for your reply

A few more followups for my understanding:

While the *tower* portion of the proposed structure may technically be 65 ft (and an uncovered 4 ft lightning rod might be unnoticeable), the simulated pine covering the entire structure (tower + rod) will be at least 69 ft -- as the drawings & balloon simulations show

a) Not trying to mountain from molehills, but shouldn't the proposed height be 69 ft (if not, why not...)?

"In theory, they are able to come back in"

Could you explain this process, my impression is just a formality and Homeowners have no input/voice

b) If Homeowners have no input/voice after this initial approval, shouldn't this proposal be for structure *up to 89 ft* (if not, why not...)?

Thanks again,
Jeff Fontana

On Thu, Jul 6, 2023, 9:47 AM Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov> wrote:

Good morning Jeff:

The proposed height that Atlas is proposing is at 65'. They have not indicated that they wish to increase the height an additional 20' from what is currently being proposed. In theory, they are able to come back in once the proposed cell site is approved and built and increase the height an addition 20' in height but, that has not been indicated by the applicant.

Thanks,

Benjamin Cereceres

City Planner

Development Services Department

Planning Division

(480)782-3063

From: J Fontana <az4plf@gmail.com>
Sent: Sunday, July 2, 2023 5:23 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: Re: Sunbird Cell Tower

Hi Mr Cereceres --

Just a brief follow up question:

I've been notified of the upcoming in-person & virtual Homeowner Meetings, and have viewed the Visual Impact Assessment (balloon test) with photos & simulated photos.

Pleased to see the test (and corresponding simulations) with the balloon top include the lightning rod.

However, my understanding (please correct me) is that if this project is approved, Atlas can then unilaterally - with nominal paperwork - increase the height to 89 ft (85 tower+ 4 lightning).

If so, those photos are misleading and do not represent the possible result if approved. Those simulated tower images could be almost 1/3 (29%) higher.

a) Am I correct?

b) If so, who's responsible to communicate that to the Homeowners (Atlas seems to only describe the height as 65 ft) ?

Best regards,

Jeff Fontana

On Mon, May 15, 2023, 10:24 AM J Fontana <az4plf@gmail.com> wrote:

Greetings Mr Cereceres --

I'm a Sunbird homeowner reaching out to share my thoughts regarding the proposed cell tower.

I don't wear a tinfoil hat ;-) and do understand the need for better coverage at the south end of Chandler.

However, I have two primary concerns:

a) I humbly feel - for multiple reasons - the tower should be located in one of the nearby commercial zones, and not in the middle of our residential neighborhood.

b) I also feel strongly that many (most?) of our neighbors are unaware of this proposal and/or accurate details of it, with departed snowbirds even more challenged.

To be generous, communication from the two parties involved has been poor...

I sincerely hope this proposal will include open & accurate information, with timely dissemination so *all* neighborhood homeowners can understand the end result if it were approved.

Best regards,

Jeff Fontana

1832 E Riviera Dr

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Micah Miranda
Sent: Monday, April 17, 2023 12:33 PM
To: David De La Torre
Cc: Benjamin Cereceres; Kevin Mayo
Subject: Re: Atlas Tower Group Cell Tower Permit Application

Awesome, thanks!

Micah Miranda | Economic Development Director
City of Chandler Office of Economic Development
Office: 480-782-3035
Email: micah.miranda@chandleraz.gov | Website: chandleraz.gov/ed
Stay in the know: [LinkedIn](#) | [Twitter](#) | [e-Newsletter](#)

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

From: David De La Torre <David.DeLaTorre@chandleraz.gov>
Sent: Monday, April 17, 2023 11:52 AM
To: Micah Miranda <Micah.Miranda@chandleraz.gov>
Cc: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>; Kevin Mayo <Kevin.Mayo@chandleraz.gov>
Subject: RE: Atlas Tower Group Cell Tower Permit Application

Good morning Micah,

PLH23-0020 Hunt Hwy Cell Tower is a Use Permit application that was submitted on 3/16/2023 for a new wireless telecommunications tower located next to a maintenance yard in the Sunbird community. Ben Cereceres is the planner that is reviewing the application.

- The Sunbird HOA held a meeting on 1/11/2023 at which some residents expressed opposition to a new cell tower
- The HOA who was running the meeting did not let the residents in opposition speak, as they agreed to enter into a contract with the applicant to build a cell tower
- Ben is working with the applicant to move the cell tower a little further away from residential properties and change from a monopalm to a monopine to more closely match the existing pine trees on the site
- A neighborhood meeting will be required as part of the Use Permit process – no date has been scheduled yet
- Public hearing dates have not yet been scheduled

David de la Torre, AICP
Planning Manager
Development Services Department, Planning Division
Phone: 480-782-3059



From: Micah Miranda <Micah.Miranda@chandleraz.gov>
Sent: Monday, April 17, 2023 10:00 AM
To: David De La Torre <David.DeLaTorre@chandleraz.gov>
Subject: Fw: Atlas Tower Group Cell Tower Permit Application

David,

Are you familiar with an application for a cell tower at Song Bird?

Micah Miranda | Economic Development Director
City of Chandler Office of Economic Development
Office:480-782-3035
Email: micah.miranda@chandleraz.gov | Website: chandleraz.gov/ed
Stay in the know: [LinkedIn](#) | [Twitter](#) | [e-Newsletter](#)

NOTICE: This E-mail (including attachments) is covered by the Electronic Communications Privacy Act, 18 U.S.C. ss 2510-2521, is confidential and is legally privileged. If you are not the intended recipient, you are hereby notified that any retention, dissemination, distribution, or copying of this communication is strictly prohibited. Please delete if received in error and notify sender. Thank you kindly.

From: Christine Ellis <Christine.Ellis@chandleraz.gov>
Sent: Monday, April 17, 2023 9:45 AM
To: Micah Miranda <Micah.Miranda@chandleraz.gov>
Subject: Fwd: Atlas Tower Group Cell Tower Permit Application

Thank you!

Council Member

Christine T D Ellis

City of Chandler

Office Cell: [4802084497](tel:4802084497)

Office Email: Christine.Ellis@chandleraz.gov

AS A MAN THINK IN HIS HEART SO IS HE.

From: Maureen Moore <maureen_moore_88@hotmail.com>
Sent: Sunday, April 16, 2023 3:55:32 PM
To: Mayor&Council <Mayor&Council@chandleraz.gov>
Subject: Atlas Tower Group Cell Tower Permit Application

To the Mayor and City Council Members of Chandler,

Please accept this submission requesting that the permit application by Atlas Tower Group coming to erect a 65 foot cell phone tower on parcel number 303-57-984 which is owned by Sunbird Golf Course and will be located in the 55+ Sunbird residential community, be denied.

BACKGROUND:

Sunbird is a Robson development built in the 1990's, between Cooper and McQueen on Riggs. Sunbird Golf Course and Sunbird residential community (the "HOA") are distinct entities, operated independently.

The relationship between Sunbird Golf Course and the HOA is complex, as the golf course is owned by a number of past and present Sunbird homeowners, managed by a Board and a hired Manager.

The Golf Course is experiencing considerable financial difficulties due to aging infrastructure and a lack of an adequate capital reserve fund. The Golf Board has been in constant conversations with the HOA over the years, to solicit help to pay for capital requirements. Since inception, the HOA has been resolved to not involve itself financially with the Golf Course, as the owners of the Golf Course are an independent third party, even though some of them are homeowners in the community of Sunbird. Approximately two years ago, the HOA agreed to change their CCR's to allow for a percentage from home sale costs be contributed directly to the Sunbird Golf Course. A lawsuit is currently underway in relation to this. The Sunbird Golf Course operation has recently adopted a more business-like model, resulting in apparent increased efficiencies and golf course revenue, but is constantly looking for new ways to finance both the operation and capital requirements of operating a golf course successfully. The HOA, has no input as to what the Golf Course does or does not do on Golf Course land.

ISSUE:

The Sunbird Golf Course board has agreed to enter into a contract with Atlas Tower Group to build a 65-foot cell phone tower on the Sunbird Golf course, in order to ensure a constant revenue stream, it is argued, at the expense of the greater Sunbird residential community. Atlas Tower Group has recently applied to the City of Chandler for a permit to erect such a tower.

REQUEST OF MAYOR AND COUNCIL:

That the CITY OF CHANDLER MAYOR AND COUNCIL MEMBERS deny the Atlas Tower permit application to erect a cell phone tower on the Sunbird Golf course within the Sunbird residential community.

REASON FOR THIS REQUEST:

1. It has been demonstrated throughout the United States that proximity to cell phone towers negatively impacts property values. Numerous studies indicate that home buyers are reluctant to buy homes near cell phone towers. The Wall Street Journal recently reported that " In some areas with new towers, property values have decreased by 20%." Most homeowners in Sunbird are 55+, many are retired and consider their home as their major investment. They are relying on the sale value of their home for financial security in their later years.
2. Aesthetically, the cell phone tower is planned to resemble a coniferous tree, and will be located in a group of coniferous trees on the golf course. It will rise well above the existing trees and several of these trees will be removed in order to erect it. It will be very visible and not blend in at all. There is also a concern, that once constructed under the proper permits, a possible 20 more feet can be added to the top of the tower, with no need for additional permission or permitting. This was confirmed by the City of Chandler Planning Department. It has also been noted in other areas like commercial developments with a cell tower on the property, that a second cell phone tower has been erected beside the original tower. Concern for the number of potential towers on the Sunbird Golf Course exists.
3. NO other community group in the surrounding area was amenable to having a cell phone tower erected in their community when approached (by flyer) by Atlas Tower Group. This demonstrates a reluctance in surrounding HOA Boards and communities to have a cell phone tower built in the middle of their neighbourhoods, but the Sunbird Golf Course is thinking potential easy income, at the expense of the people living in the community. It has been indicated by The City of Chandler Planning Department that if approved, this would be the first permit allowing for a cell phone tower to be erected in the middle of a residential neighborhood. This will be a precedent setting decision for the City of Chandler regarding the placement and approval of future applications for cell phone towers.
4. Health risks are inconclusive to date, but the chance of ANY risk of health possibly incurred by Sunbird residents or residents of ANY community, should not be acceptable.

Thank you for your attention to this matter.

Sincerely,
Maureen Moore
Homeowner, Sunbird Community

Sent from my iPad

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.

Benjamin Cereceres

From: Benjamin Cereceres
Sent: Tuesday, July 25, 2023 9:36 AM
To: Mike Kaddaras
Subject: RE: cell tower at Subbird

Good morning:

Thank you for providing feedback on the proposed project. I will add your comment to the case file.

Thanks,

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

Benjamin Cereceres
City Planner
Development Services Department
Planning Division
(480)782-3063

From: Mike Kaddaras <mikek1947@gmail.com>
Sent: Sunday, July 23, 2023 4:34 PM
To: Benjamin Cereceres <Benjamin.Cereceres@chandleraz.gov>
Subject: cell tower at Subbird

NO ON THE CELL TOWER!!

CAUTION: This Email is from an EXTERNAL source. Ensure you trust this sender before clicking on any links or attachments.