



MEMORANDUM

DATE: May 21, 2014
For June 5, 2014 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: Ernie Duarte, Director
Planning & Development
Services Director

SUBJECT: SPECIAL EXCEPTION LAND USE – PLANNING & AND DEVELOPMENT SERVICES REPORT – Zoning Examiner Special Exception Procedure SE-14-08 AT&T – Wilmot Road, C-2 Zone (Ward 2)

Issue – This is a request by Scott Quinn of Quinn United Enterprises, LLC, on behalf of AT&T and the property owners, North Wilmot Properties, LLC, to allow a height extension of 10 feet to an existing wireless communication tower (monopole) as a special exception land use in the C-2 zone. The special exception site is 1.05 acres and is developed with a multi-tenant commercial office building. The monopole is located approximately 200 feet east of Wilmot Road and 700 feet south of Grant Road (see Case Location Map). The preliminary development plan proposes a 10-foot height extension to the existing monopole, from 52 feet, 10-inches, to 62 feet, 10 inches, to accommodate twelve new antennas (3 sectors with 4 antennas per sector).

A communications use of this type is subject to Section 4.9.I.6.b of the *Unified Development Code (UDC)* and requires approval through a Zoning Examiner Special Exception Procedure, in accordance with *UDC* Section 3.4.3. A public hearing before the Zoning Examiner is required because the tower will exceed 50 feet in height. The maximum allowable height under this procedure is 80 feet. The Zoning Examiner will render a decision to grant the use with or without conditions, or to deny the use. The Zoning Examiner may also forward the request to the Design Review Board (DRB) for design review and recommendation.

Under federal law, the City of Tucson does not have the authority to consider the environmental effects of radio frequency emissions from wireless communications facilities that comply with FCC regulations.

Planning & Development Services Department Recommendation – The Planning & Development Services Department recommends approval of the special exception request, subject to the attached preliminary conditions.

Background Information

Existing Land Use: Multi-tenant commercial office building and currently unused wireless communication tower.

Surrounding Zones and Land Uses:

North: Zoned C-2; Commercial
South: Zoned C-2; Commercial
East: Zoned C-2; Commercial
West: Zoned C-1; Commercial

Previous Cases on the Property:

C10-94-131 Mary Stevenson, Judith and George Tudor/US West Newvector, 2200 N. Wilmot Road, B-2A (C-2) Zone. This was a request for approval of a Board of Adjustment variance to locate a fifty-foot high cellular telephone monopole and an accompanying 360 square foot equipment building on the 1.05-acre subject site. The Board of Adjustment variance was granted on November 10, 1994.

Related Cases:

SE-08-33 AT&T – Benson Highway, C-2 Zone. This was a request for approval to extend an existing wireless communication tower from 58 feet to 70 feet to co-locate additional antennas and install associated ground equipment, as a special exception land use under the Zoning Examiner Full Notice Procedure. The special exception site is located on the south side of Benson Highway, between Campbell Avenue and Irvington Road. On October 30, 2008, the Zoning Examiner approved the requested special exception, subject to certain conditions.

SE-09-06 Cricket – 6th Avenue, C-2 Zone. This was a request for approval to extend an existing wireless communication tower from 75 feet to 80 feet as a special exception land use under the Zoning Examiner Full Notice Procedure. The additional height was necessary to clear a new building under construction to restore the radio frequency signal to improve communication service. The special exception site is located between 40th and 43rd streets, west of I-10, Exit 261 (see Case Location Map). On July 16, 2009, the Zoning Examiner approved the requested special exception, subject to certain conditions.

Applicant's Request – The applicant request approval to increase the height of an existing wireless communication tower by 10 feet, to a height of approximately 63 feet. The additional height is necessary to accommodate 12 new antennas to be installed for Verizon Wireless.

Planning Considerations

Plan Tucson provides land use guidance for the requested special exception. The special exception site is located within a Mixed-Use Center as identified by *Plan Tucson*. A Mixed-Use Center supports a variety of retail, services, office, and public gathering places, located in close proximity to each other, providing occupants of the center and the residents and workers in the

surrounding neighborhoods with local access to goods and services. In relation to wireless communication facilities, *Plan Tucson* provides direction and support in Chapter 3 – The Built Environment, under Guidelines LT28.1.2, LT28.1.3 which state telecommunication facilities should be installed and maintained to minimize visual impact and preserve views, to improve the appearance of above ground utilities and structures, and extend access to high-tech wireless communication facilities through out the city. Visual impacts are a key consideration during the review process.

The existing tower is located east of Wilmot Road and south of Grant Road. The site is zoned C-2 and immediately surrounded by C-2 zoning with commercial uses to the north, east, and south. To the west across Wilmot Road is a commercial shopping center with offices in C-1 zoning.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) states that no additional vehicle trips per day will be generated by the proposal.

Design Considerations

Land Use Compatibility – The applicant proposes to increase the height of a currently unused wireless communications tower by 10 feet to accommodate the placement of 12 new antennas at the top. The existing antenna mount, which was used by a previous wireless carrier, is to be removed per the submitted preliminary development plan. The combined tower and antenna height will be increased from 52 feet 10 inches to 62 feet, 10 inches.

Given the existence of the tower and the intensity of the existing commercial development surrounding the tower, the visual impact of the project will be minimal. Ground equipment is to be placed within a proposed pre-fabricated shelter located within a fenced 25-foot by 16-foot lease area located immediately south of the monopole. Staff recommends that slats of a desert-tone color be placed in the existing chain link fence to provide screening of the equipment area. Staff recommends that any future graffiti visible from the public right-of-way or the adjacent properties be removed within ten working days of observation.

Road Improvements/Vehicular Access/Circulation – Vehicular access to the special exception site is from Wilmot Road. Wilmot Road is identified as an arterial roadway with a future right-of-way of 76 feet on the *Major Streets and Routes Plan* map. Road improvements are not planned as part of the proposed special exception request. An on-site sixteen (16') foot wide ingress and egress easement is proposed from Wilmot Road to the monopole lease area and includes a parking space within the lease area for the facility maintenance/tech personnel.

Drainage/Grading/Vegetation – The site does not lie within a mapped 100-year floodplain. Detention/retention has been addressed for the site.

Use-Specific Standards – The applicant’s proposal requires approval as a Zoning Examiner Special Exception Procedure and must meet the Use-Specific Standards of *UDC* Sections 4.9.13.O and 4.9.4.I.2, .3, and .6.b. The Zoning Examiner may forward the request to the Design Review Board for design review and recommendation. Use Specific Standards specified in the *Unified Development Code* Section 4.9.I.6.b include the following items (in *italics*). A response follows each Use Specific Standard:

1. *The antennas are mounted on a new tower and the tower and antennas are concealed or disguised, or the antennas are collocated on an existing structure.*

The wireless facility is an existing tower. The applicant proposes to increase the height of the tower by 10 feet to improve service to their customers.

2. *The tower and antennas are architecturally and/or environmentally compatible with the surrounding structure(s) and general area.*

The applicant proposes a design that will extend the tower at the top by 10 feet, with 12 new antennas. The site is surrounded by commercial uses and commercial zoning and is located more than 500 feet from the nearest residentially zoned property. The antenna array at the top will be similar in mass and scale to that of the previously existing antenna array and the existing mount, which is to be removed.

3. *The new tower is setback at least two times the height of the structure from the boundary of any property zoned residential or office.*

The structure is located approximately 530 feet from the nearest residentially zoned property and approximately 650 feet from the nearest office zoned property.

4. *The tower and antennas are eighty feet or less in height.*

The applicant proposes a combined tower and antenna height of 62 feet, 10-inches.

Conclusion – The proposed ten-foot cell tower extension will help improve telecommunication services to the established neighborhoods and businesses in the area. The proposal is in general compliance with the policy and intent of *Plan Tucson*. Subject to compliance with the attached preliminary conditions, approval of the special exception request is appropriate.

PROCEDURAL

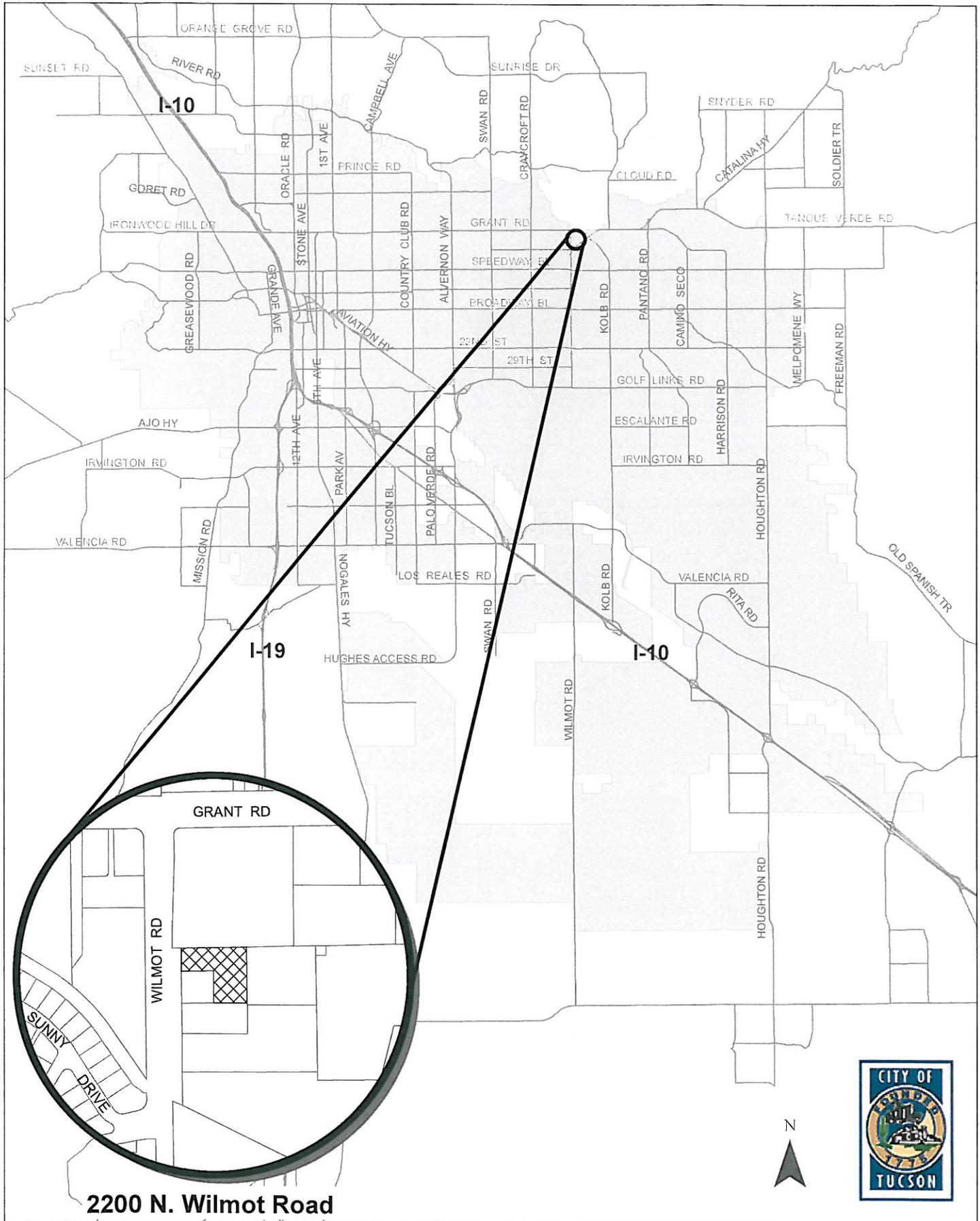
1. A site plan in substantial compliance with the preliminary development plan dated March 21, 2014, is to be submitted and approved in accordance with Section 5.3.8 of the *Land Use Code*.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment as permitted by A.R.S. Sec. 12-1134 (I) in the form approved by the City Attorney and titled "Agreement to Waive Any Claims Against the City for Special Exception Land Use".
3. Historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Archaeologist. Pursuant to A.R.S. 41-865 the discovery of human remains and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
4. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
5. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception land use.
6. A copy of the Special Exception decision letter shall be included with the site plan at the time of permit application submittal.

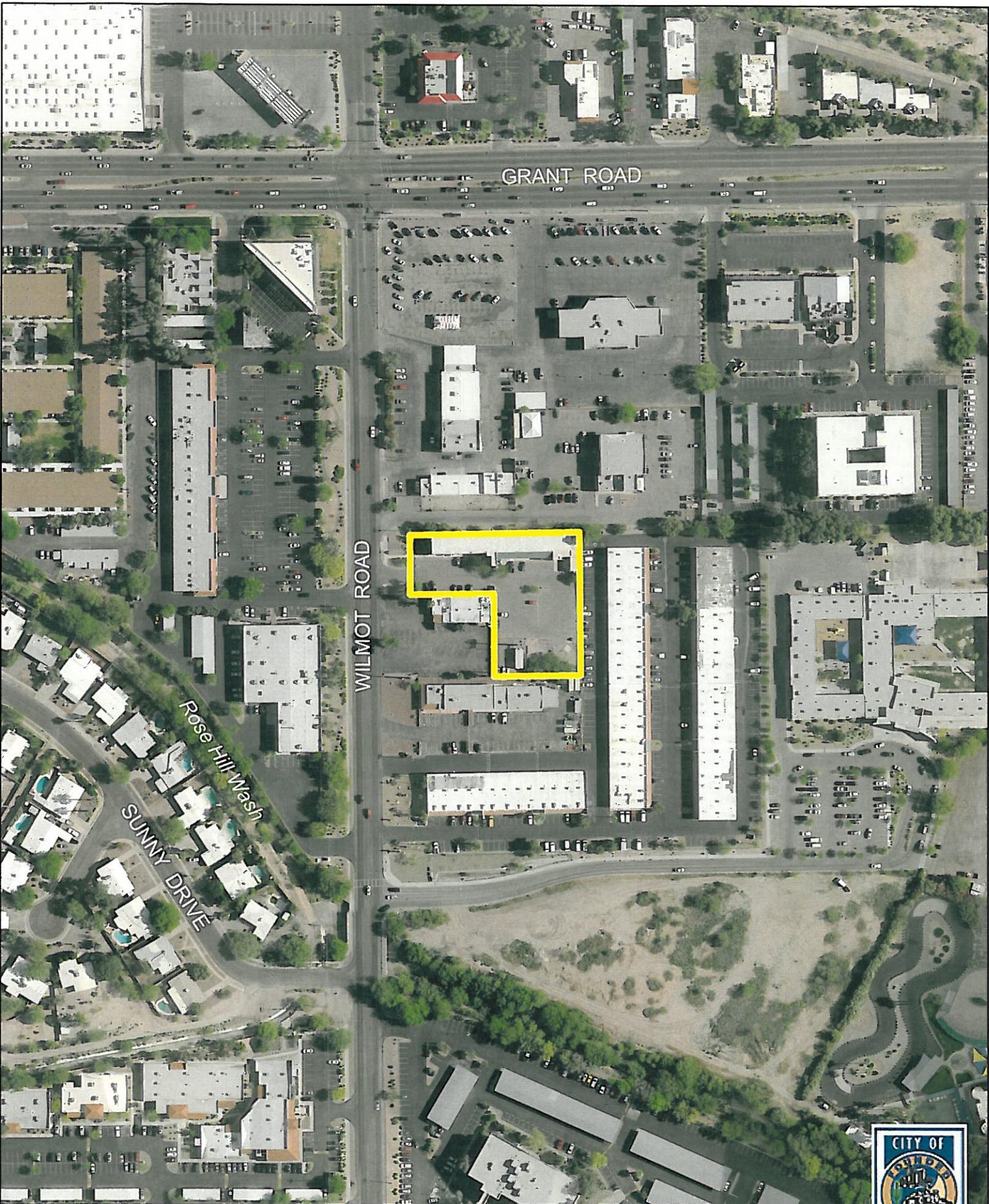
LAND USE COMPATABILITY

7. The wireless communication tower, including attachments such as antenna panels, shall not exceed sixty-three (63) feet in height from grade elevation.
8. The existing decommissioned antenna mounts shall be removed prior to site plan approval as shown on the site elevation sheet of the preliminary development plan dated March 21, 2014.
9. Ground equipment to be located within lease area and within an enclosed shelter, as depicted on the preliminary development plan dated March 21, 2014.
10. A maximum of twelve (12) antenna panels shall be installed and painted to blend and minimize visual impacts. .
11. Any existing on-site palm tree, native tree or landscape planting disturbed during the monopole height extension or ground equipment installation shall be replaced in accordance with the UDC and heat island mitigation.

12. Antenna dimensions shall not exceed ninety-eight (98) inches in length, eighteen (18) inches in width, and six (6) inches in depth.
13. Any graffiti visible from the public right-of-way or area residential development shall be removed within ten working days of observation.
14. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopole.
15. Antenna T-arm standoff from pole shall not exceed thirty-two (32) inches.
16. Should a back-up generator be installed at this site, evidence of compliance with the Tucson City Code, Section 16-31 Excessive Noise, will be required. The generator may be tested for up to 45 minutes per month, between the hours of 8:00 AM and 6:00 PM.
17. Existing chain link fence to include desert-tone color slats to screen lease area from on-site commercial land uses.
18. Plans for future carriers must be approved through the special exception process.

SE-14-08 AT&T - Wilmot Road





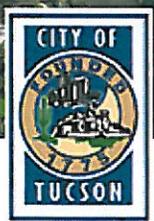
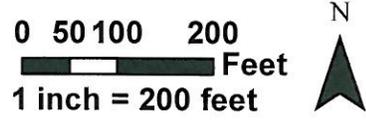
GRANT ROAD

WILMOT ROAD

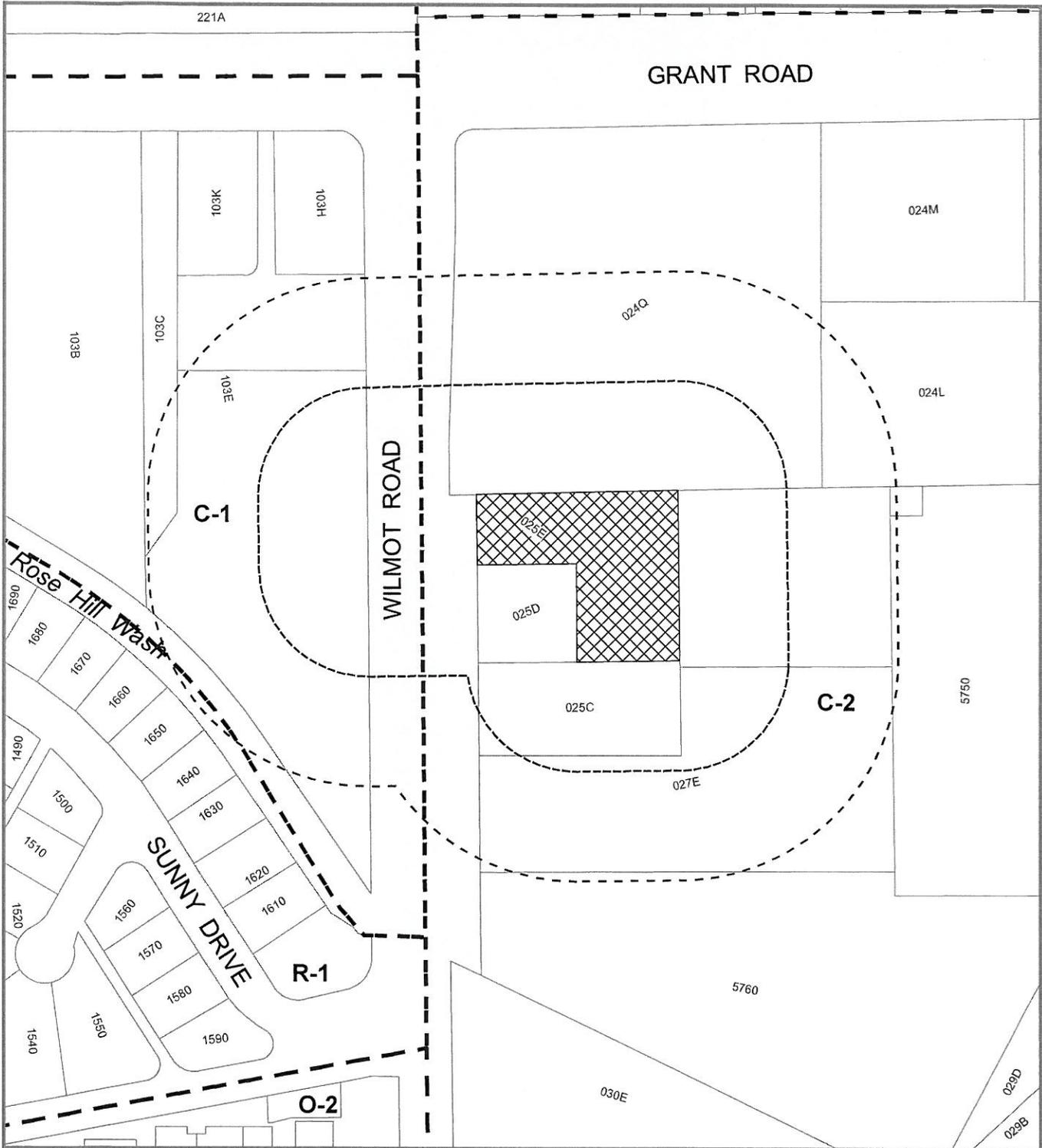
Rose Hill Wash

SUNNY DRIVE

SE-14-08 AT&T - Wilmot Road
2010 Aerial



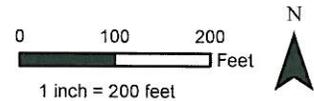
SE-14-08 AT&T - Wilmot Road Z.E. Special Exception



- Area of Special Exception Request
- 150' Protest Area
- 300' Notification Area
- Zone Boundaries
- C-2** Zoning of Requested Area



Address: 2200 N. Wilmot Road
Base Maps: Sec.06 T.14 R.15
Ward:2



PUBLIC FACILITIES AND SERVICES REPORT FOR May 30, 2013
(as of May 20, 2014)

SE-14-08 AT&T – Wilmot Road, C-2 Zone

CITY AGENCIES

Planning & Development Services – Zoning Review: See attached comments dated 04/08/14.
Planning & Development Services – Engineering: See attached comments dated 04/15/14.
Planning & Development Services – Community Design: See attached comments dated 04/18/14.
Planning & Development Services – Sign Code: See attached comments dated 04/22/14
Office of Conservation & Sustainable Development: See attached comments dated 04/08/14.

No Objections Noted

Transportation – Engineering
Transportation – Traffic Engineering
Planning & Development Services – Engineering
Planning & Development Services – Zoning Enforcement
Planning & Development Services – Sign Code
Tucson Fire Department
Community Services – Historic Preservation Officer
Environmental Services
Tucson Parks and Recreation
Tucson Police Department
Planning & Development Services – Landscape

NON-CITY AGENCIES

PAG-TPD: Estimated traffic generation of proposed development: Zero vehicle trip per month.

No Objections Noted

Tucson Unified School District
Pima County Wastewater
Arizona Department of Transportation
Pima County Transportation and Flood Control
Pima County Parks and Recreation
Davis-Monthan Air Force Base
Tucson Electric Power

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, May 21, 2014 at http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html

Place
Stamp
Here

City of Tucson
Planning & Development Services Department
Rezoning Section
201 N. Stone
P.O. Box 27210
Tucson, Arizona 85726-7210

SE-14-08

Expose this flap - Affix stamp and return



City of Tucson PMc
Planning & Development Services
Department -Rezoning Section
201 N. Stone Avenue
P.O. BOX 27210
Tucson, Arizona 85726-7210

SE-14-08
IMPORTANT SPECIAL EXCEPTION NOTICE ENCLOSED