



MEMORANDUM

DATE: October 1, 2014
For October 16, 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-14-29 Verizon – 22nd Street, C-2 Zone (Ward 4)

Issue – This is a request by Scott Quinn of Quinn United Enterprises, on behalf of Verizon, Pinnacle Consulting, and Crown Castle, to allow a height extension of approximately 10 feet to an existing wireless communication tower (monopole), and add associated ground equipment, as a special exception land use in the C-2 zone. The special exception site is 2.89 acres and is developed with an automotive repair facility. The monopole is located approximately 400 feet south of 22nd Street and 1,500 feet east of Pantano Parkway (see Case Location Map). The preliminary development plan proposes to extend to the height of the monopole, from approximately 51 feet, to 61 feet, 7 inches, to accommodate twelve new antennas (3 sectors with 4 antennas per sector). The existing communication facility is equipped with active antennas for another carrier. These antennas will remain at their current position, below the 50-foot height level of the monopole. Ground equipment, including a new backup diesel generator and equipment shelter, is to be placed within a new equipment cabinet within a fenced 30-foot by 16-foot expanded portion of the lease area located immediately north of the monopole.

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. 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.

The proposed special exception is considered under the requirements of a Zoning Examiner Special Exception Procedure because the tower and antennas will not exceed 80 feet in height, it represents a co-location on an existing structure, and because the facility is setback at least two times the height of the structure from the boundary of any property zoned residential or office, as required by the *UDC*.

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 decommissioned wireless communication facility.

Surrounding Zones and Land Uses:

North: Zoned C-2; Commercial, Auto Repair

South: Zoned C-3; Commercial, Arizona Motor Vehicle Division

East: Zoned C-3; Commercial

West: Zoned C-2; Commercial, Personal Storage Facility

Previous Cases on the Property:

SE-03-20 Type IV Special Exception Land Use Request T-Mobile – 22nd Street, C-2 Zone This was a request for approval of a Type IV Special Exception Land Use to locate a fifty-foot high cellular communications monopole and associated ground equipment on the 2.89-acre subject site. On August 22, 2003 the Development Services Director approved the Type IV Special Exception Land Use.

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 issued a decision to approve 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. On July 16, 2009, the Zoning Examiner issued a decision to approve the requested special exception, subject to certain conditions.

SE-14-08 AT&T – Wilmot Road, C-2 Zone This was a request to allow placement of a 10-foot height extension on an existing monopole, raising the height from 52 feet, 10 inches to 62 feet, 10 inches to accommodate twelve new antennas, and the addition of associated ground equipment as a Zoning Examiner Special Exception Procedure. The special exception site is located on the east side of Wilmot Road south of Grant Road. On June 13, 2014, the Zoning Examiner issued a decision to approve the requested special exception, subject to certain conditions.

Applicant's Request – The applicant requests approval to increase the height of an existing wireless communication tower by 10 feet, seven inches to a height of approximately 61 feet. The additional height is necessary to accommodate 12 new antennas to be installed for Verizon Wireless.

Planning Considerations

The *Pantano East Area Plan (PEAP)* and *Plan Tucson* provide policy direction. The special exception site is located within a Mixed-Use Center area 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 along arterial streets. 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. Although the *PEAP* does not have specific language for wireless communication facilities, it does support commercial development at this location.

The existing monopole is located approximately 400 feet south of 22nd Street and 1,500 feet east of Pantano Road. The site is zoned C-2 and developed with commercial retail and auto repair services. To the east are C-3 commercial zoned parcels with a mix of retail, contractor yards, and a State of Arizona emissions station. To the south is a C-3 zoned parcel developed with an Arizona Motor Vehicle Department office. To the west is a self-storage facility, zoned C-2. To the north across 22nd Street is a self-storage facility and other commercial uses in C-1 zoning. The nearest homes are located approximately 400 feet to the south across the Rolling Hills Wash in the Pantano Parkview Subdivision, zoned R-3 residential.

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 the tower by approximately 10 feet to accommodate the placement of 12 new antennas at the top. The combined tower and antenna height increases from 51 feet to 61 feet, 7 inches. The existing antennas and mount, in use by another carrier and located below the proposed antenna arrays, shall remain in place per the preliminary development plan. The new antennas will be painted with a non-reflective paint to blend in with the existing monopole.

The applicant proposes to expand the ground lease area for additional equipment, including a backup diesel generator and radio equipment shelter. To accommodate this new equipment, the applicant proposes to add approximately 480 square feet (16 feet by 30 feet) of ground lease area abutting the northern edge of the existing lease area to the north of the monopole. An existing 8 foot high chain link fence will also be expanded to enclose the expanded lease area, and new chain link access gates will be added. Staff recommends that slats of a desert-tone color be placed in the new and existing chain link fence to provide screening of the equipment area.

Given the type of development in the surrounding area, visual impacts of the monopole to the immediate area are minimal. Staff recommends that any future graffiti visible from the public right-of-way or adjacent properties be removed within ten working days of observation. Staff believes the proposed 10-foot cell tower extension will help improve telecommunication services to the established neighborhoods and businesses in the area. The proposal is consistent with the *Pantano East Area Plan* and *Plan Tucson*, and does not require a plan amendment.

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

Road Improvements/Vehicular Access/Circulation – Vehicular access to the special exception site is from 22nd Street, which is identified as an arterial roadway with a future right-of-way of 150 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 fifteen (15') foot wide ingress and egress easement is proposed from 22nd Street to the monopole lease area.

Coordination with Federal Law – In reviewing a Special Exception Land Use application for a wireless communication facility, there shall be no consideration given to the environmental effects of radio frequency emissions to the extent that such emissions are in compliance with the regulations of the Federal Communications Commission, as provided in 47 U.S.C § 332(c)(7)(B)(iv).

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 approximately 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 approximately 400 feet from the nearest residential property. The antenna array at the top will be similar in mass and scale to that of the existing antenna.

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 400 feet from the nearest residentially zoned property and approximately 2,500 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 61 feet, 7 inches.

Conclusion – The proposal is in general compliance with the policy and intent of the *Pantano East Area Plan* and *Plan Tucson*. Subject to compliance with the attached preliminary conditions, approval of the special exception request is appropriate.

PROCEDURAL

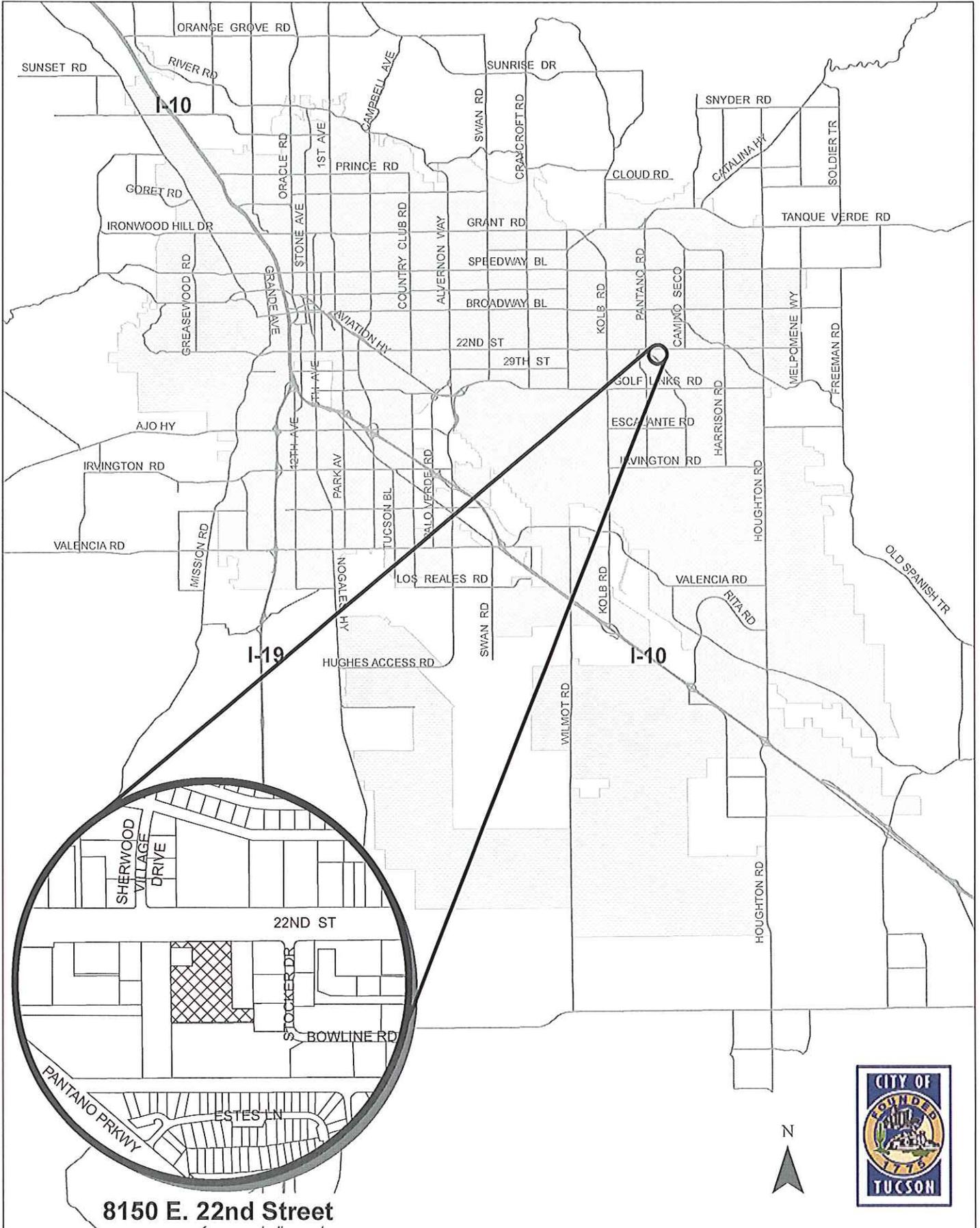
1. A site plan in substantial compliance with the preliminary development plan dated August 4, 2014, is to be submitted and approved in accordance with *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment 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

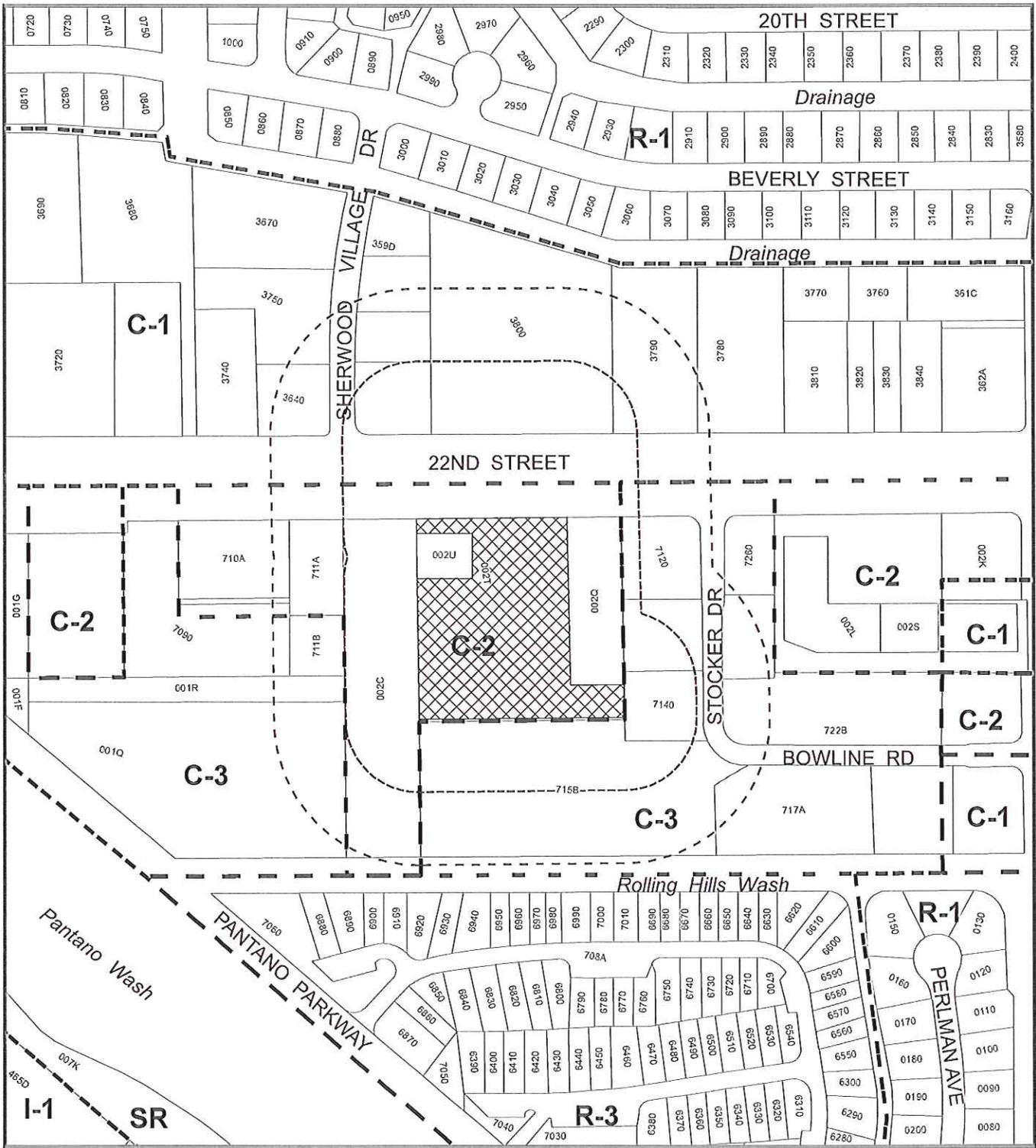
7. The wireless communication tower, including attachments such as antenna panels, shall not exceed sixty-two (62) feet in height from grade elevation.
8. Ground equipment to be located within lease area and within an enclosed shelter, as depicted on the preliminary development plan dated March 21, 2014.
9. A maximum of twelve (12) antenna panels shall be installed and painted to blend and minimize visual impacts.
10. Antenna dimensions shall not exceed ninety-nine (99) inches in length, eighteen (18) inches in width, and eight (8) inches in depth.
11. Any graffiti visible from the public right-of-way or area residential development shall be removed within ten working days of observation.
12. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopole.

13. Antenna T-arm standoff from pole shall not exceed twenty (20) inches.
14. New antenna arrays, monopole extension, and ground equipment shall be painted to blend and minimize visual impacts.
15. Installation of a backup generator requires evidence of compliance with the Tucson City Code, Section 16-31 Excessive Noise. The generator may be tested for up to 45 minutes per week, between the hours of 8:00 AM and 6:00 PM. Finish color and texture of all painted surfaces shall match existing surfaces of adjacent equipment enclosure. The generator shall include a fuel catchment feature designed to contain at least 210 gallons of fuel in the event of a leak.
16. Existing chain link fence shall include desert-tone color slats to screen lease area from on-site commercial land uses.
17. Plans for future carriers must be approved through the special exception process.

SE-14-29 Verizon - 22nd Street



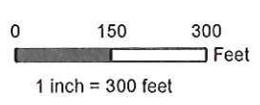
SE-14-29 Verizon - 22nd Street Z E. Special Exception



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



Address: 8150 E. 22nd Street
 Base Maps: Sec.21 T.14 R.15
 Ward: 4





SE-14-29 Verizon - 22nd Street
2014 Aerial

0 50 100 200
Feet
1 inch = 200 feet



PUBLIC FACILITIES AND SERVICES REPORT FOR October 16, 2014
(as of September 24, 2014)

SE-14-29 Verizon – 22nd Street, C-2 Zone

CITY AGENCIES

Planning & Development Services – Zoning Review: See attached comments dated 08/20/14.
Planning & Development Services – Community Design: See attached comments dated 08/25/14.

No Objections Noted

Planning & Development Services – Engineering
Transportation – Engineering
Transportation – Traffic Engineering
Office of Conservation & Sustainable Development
Planning & Development Services – Sign Code
Planning & Development Services – Zoning Enforcement
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, October 1, 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-14-29

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-14-29
IMPORTANT SPECIAL EXCEPTION NOTICE ENCLOSED