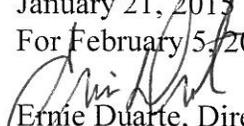




MEMORANDUM

TO: Linus Kafka
Zoning Examiner

DATE: January 21, 2015
For February 5, 2015 Hearing

FROM: 
Ernie Duarte, Director
Planning & Development
Services Director

SUBJECT: SPECIAL EXCEPTION LAND USE
PLANNING & AND DEVELOPMENT SERVICES REPORT
Zoning Examiner Special Exception Procedure
SE-14-76 Verizon – Irvington Road, C-2 Zone (Ward 1)

Issue – This is a request by Adam Brixius of Pinnacle Consulting Inc., on behalf of Verizon Wireless, and the property owner, The City of Tucson, to allow a new wireless communication tower (monopole) with associated ground equipment as a special exception land use. The facility will be placed within a 20-foot by 40-foot lease area near the southwest corner of an existing walled enclosure surrounding a 0.23 acre Tucson Water wellsite. The proposed location of the monopole is approximately 200 feet west of Interstate 19 and 2,000 feet south of Irvington Road (see Case Location Map). The preliminary development plan proposes a 60-foot monopole to accommodate twelve antennas (3 sectors with 4 antennas per sector) at a centerline height of 56 feet. The antennas are approximately 8 feet in height, 11 inches in width, and 7 inches in depth.

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 type 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: City of Tucson wellsite

Surrounding Zones and Land Uses:

North: Zoned C-2; Commercial

South: Zoned C-2; Commercial

East: Zoned C-2; Commercial

West: Zoned C-2; Commercial

Previous Cases on the Property: None

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 requests approval to of the Special Exception Land Use to allow a 60-foot wireless communication tower (monopole) with associated ground equipment.

Planning Considerations

Land use policy direction for this area is provided by the *Santa Cruz Area Plan (SCAP)* and *Plan Tucson*. Both Plans support redevelopment of existing commercial districts to encourage new services and amenities that extend access to high-tech wireless communication facilities throughout the city while minimizing visual impacts. The monopole and antennas are to be painted to minimize visual impacts. The ground equipment shelter will be painted to compliment the surrounding structures. In addition, staff recommends that antennas be mounted as close to the monopole as possible and that the facility be designed to allow future collocation.

The *SCAP* provides policy direction stating support for community facilities. New and existing neighborhoods should include related commercial services with specific locations decided on a case-by-case basis according to overall plan policies and depending on specific market conditions. New development within or near existing neighborhoods should be designed and scaled to be compatible with existing neighborhood characteristics. Light industrial and commercial uses are proposed for the area between Drexel and Irvington.

This area is identified in *Plan Tucson* on the Future Growth Scenario Map as an "Existing Neighborhood". In particular to wireless communication facility, *Plan Tucson* provides direction and support in Chapter 3 – The Built Environment, under Guidelines LT28.1.2, LT28.1.3, stating that telecommunication facilities 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 throughout the City. Cabling and fiber optics should be installed underground where possible, and the visual impact of cellular towers should be a prime consideration in the City's acceptance and approval. The proposed special exception request to consider a wireless communication facility in the C-2 Commercial zone is in general compliance with *Plan* policy.

The special exception site is zoned C-2 and is surrounded by a commercial shopping center, also zoned C-2, with commercial uses to the north, south, east, and west. The location of the special exception site is within an existing well site towards the eastern edge of the Tucson Spectrum Center where it abuts Interstate-19, and approximately one-half mile south of Irvington Road. The center is developed with a mix of one-and-two-story commercial buildings, and backs up to the Interstate, including freestanding advertising signs for the commercial buildings, and electric transmission lattice towers crossing through and along Tucson Spectrum Center site and creating significant verticality in the area. The nearest residential development is located approximately 800 feet to the southeast of the proposed wireless communication facility, across Interstate 19.

This regional commercial center was developed using existing grade which caused significant variations in elevations across the center site due to the Airport Wash and the Nebraska Wash merging adjacent to the project site. In comparison to the special exception site, the interstate sits at a higher elevation. The grade difference between Interstate 19 traffic lanes and the site is approximately fifteen (15) feet. Off-site vegetation includes native trees growing in the I-19 right-of-way adjacent to the Tucson Spectrum Center. This naturally occurring vegetation along with required landscaping within the center will aid in reducing the visual impacts of the proposed sixty foot tall monopole.

In general, the proposal is consistent with the direction provided by Plan Tucson and the Santa Cruz Area Plan regarding compatibility with the scale, intensity and character of the surrounding development.

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 install a monopole at a height of 60 feet with the top of antenna array also at 60 feet in height. The proposed ground equipment will be within a lease area of approximately 20 feet by 40 feet to be located at the southwest corner of the wellsite, which is surrounded by a 6-foot high masonry wall. An existing drive-through gate from the shopping center parking area will be used to access the wireless communication facility. Nearby is an existing Tucson Electric Power overhead power line which abuts the proposed wireless communication facility.

Mitigation measures supported by staff include painting antennas and other attachments to minimize visual impacts. Staff recommends that any future graffiti be removed within ten working days of observation. Staff acknowledges that the proposed cell tower will help improve telecom services to the established neighborhoods and businesses in the area.

Road Improvements/Vehicular Access/Circulation – Vehicular access to the special exception site is from Irvington Road and Calle Santa Cruz. Irvington Road is identified on the *Major Streets & Routes Plan (MS&RP)* as an arterial street with a future right-of-way of 150 feet. Calle Santa Cruz is identified on the *MS&RP* as a collector street with a right-of-way of 80 feet. Road improvements are not planned as part of the proposed special exception request.

Drainage/Grading/Vegetation – The site does not lie within a mapped 100-year floodplain, however the site does lie within the mapped 500-year floodplain and the 100-year floodplain is immediately to the south along Airport Wash and a portion of an adjacent tributary, Nebraska Wash, a designated WASH Ordinance watercourse. The site lies within an existing wellsite enclosure and there is no proposed disturbance of existing vegetation along top of bank. Due to location of the proposed WCF within the 500-foot floodplain, Engineering staff recommends that the equipment cabinet be placed on a pad to be elevated at least 1 feet above base flood elevation.

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 new wireless communication facility is to be painted a color to blend with its surroundings and minimize visual impacts.

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

The site is surrounded by C-2 commercial zoning commercial uses and is located approximately 800 feet from the nearest residence, which is to the southeast across Interstate 19.

- 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 300 feet from the nearest residentially zoned property and approximately 1,900 feet from the nearest office zoned property.

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

The applicant proposes a maximum height of 60 feet.

Conclusion – The proposed monopole cell tower will help improve telecommunication services in the area. The proposal is in general compliance with the policy and intent of *Plan Tucson* and the *Santa Cruz Area Plan*. Subject to compliance with the attached preliminary conditions, approval of the special exception request is appropriate.

PROCEDURAL

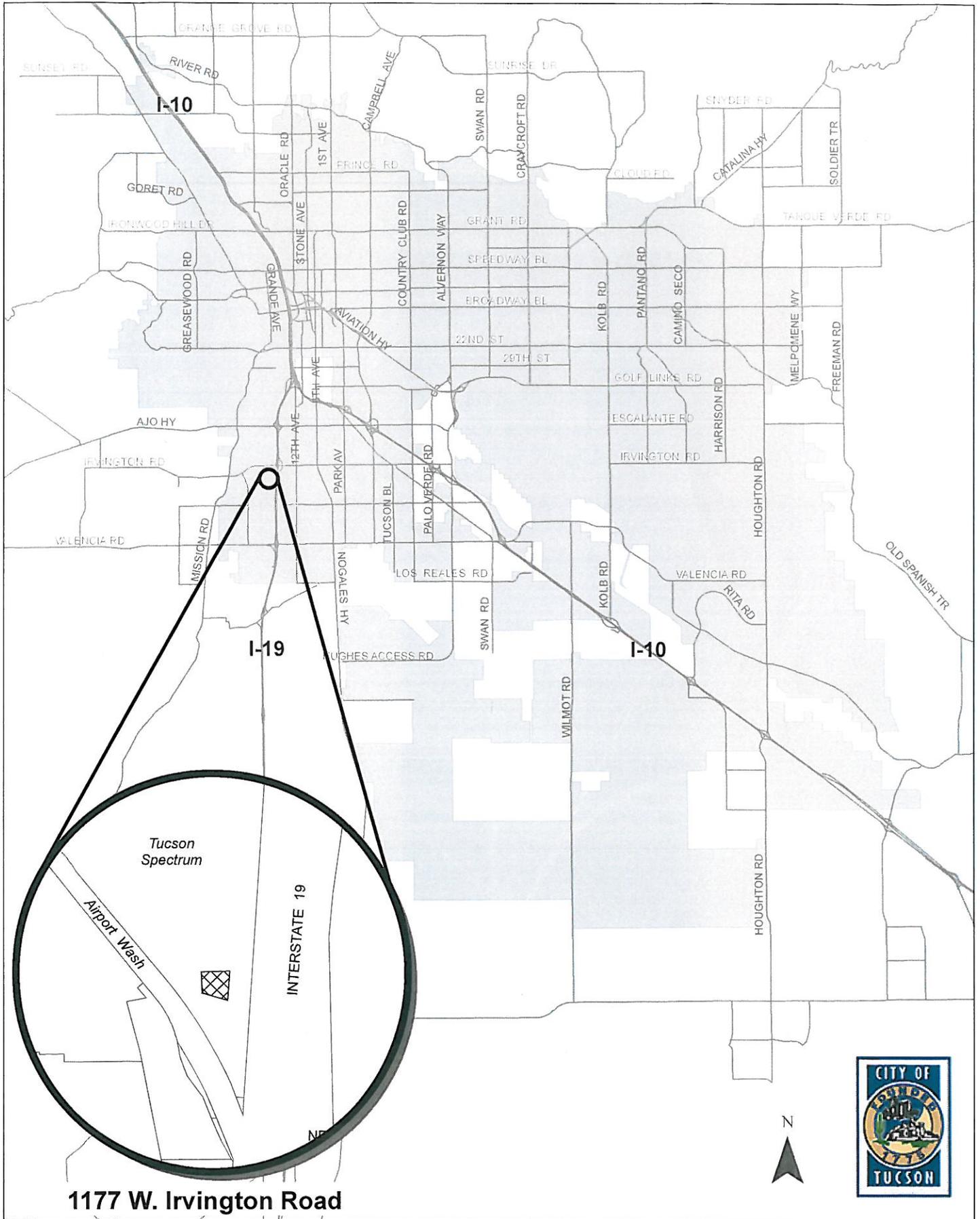
1. A development package in substantial compliance with the preliminary development plan dated November 25, 2014, is to be submitted and approved in accordance with *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this 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 (60) 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 November 25, 2014.
9. Ground equipment shelter shall be constructed on a pad elevated a minimum of 1 foot above 100-year base flood elevation.
10. Antenna dimensions shall not exceed ninety-eight (99) inches in length, twelve (12) inches in width, and eight (8) inches in depth.
11. Any graffiti shall be removed within ten working days of observation.
12. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, on the monopole.

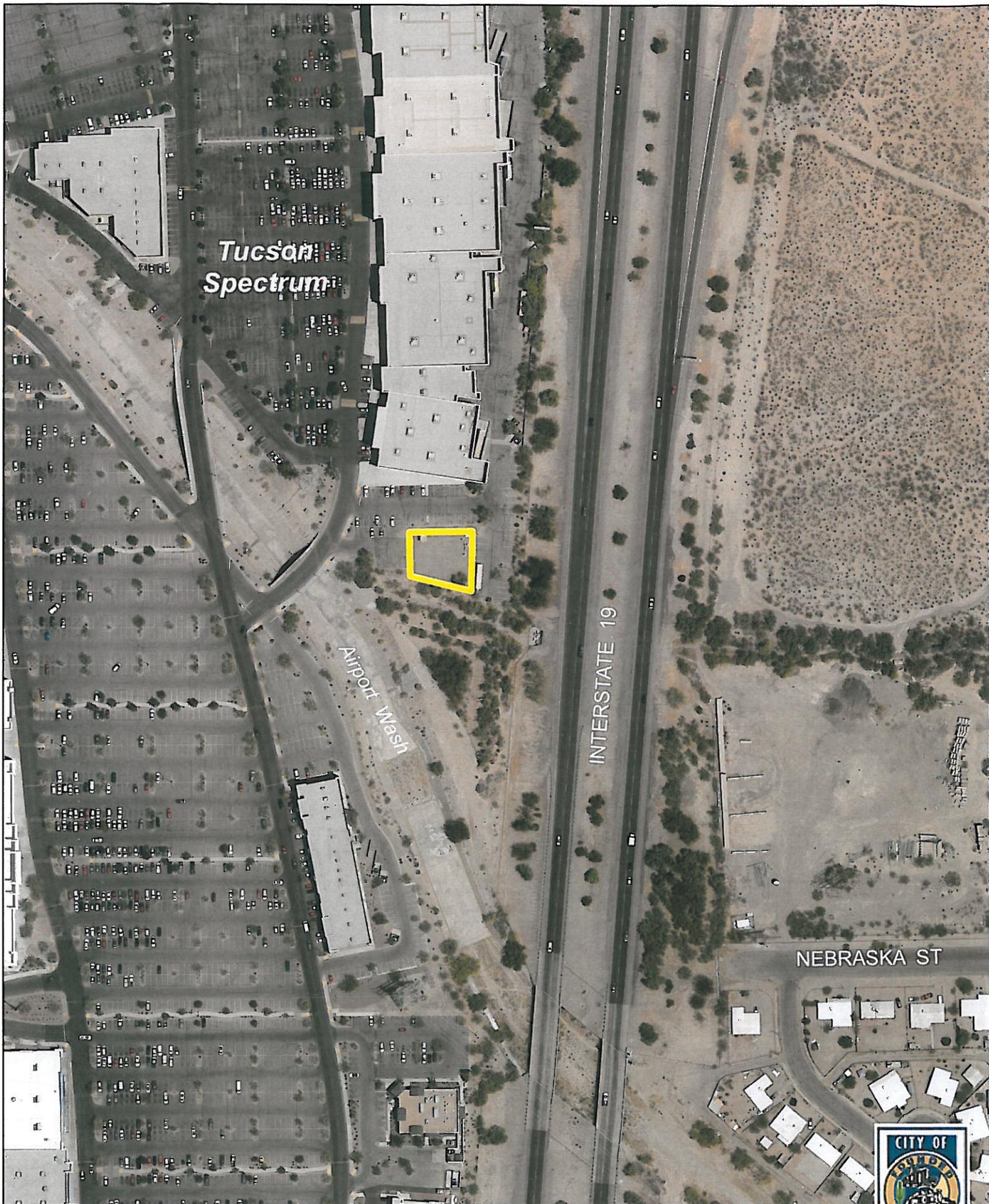
13. Antenna T-arm standoff from pole shall not exceed thirty-six (36) inches.
14. Should a back-up generator be installed at this site, evidence of compliance with the Tucson City Code, Section 16-31 Excessive Noise, will be required. The generator may be tested for up to 45 minutes per month, between the hours of 8:00 AM and 6:00 PM.
15. Ground equipment shelter shall be screened by existing masonry wall.
16. The monopole, antennas and appurtenances shall be painted a neutral color to blend with the surroundings and minimize visual impact.
17. Plans for future carriers must be approved through the special exception process.

SE-14-76 Verizon - Irvington Road



1177 W. Irvington Road



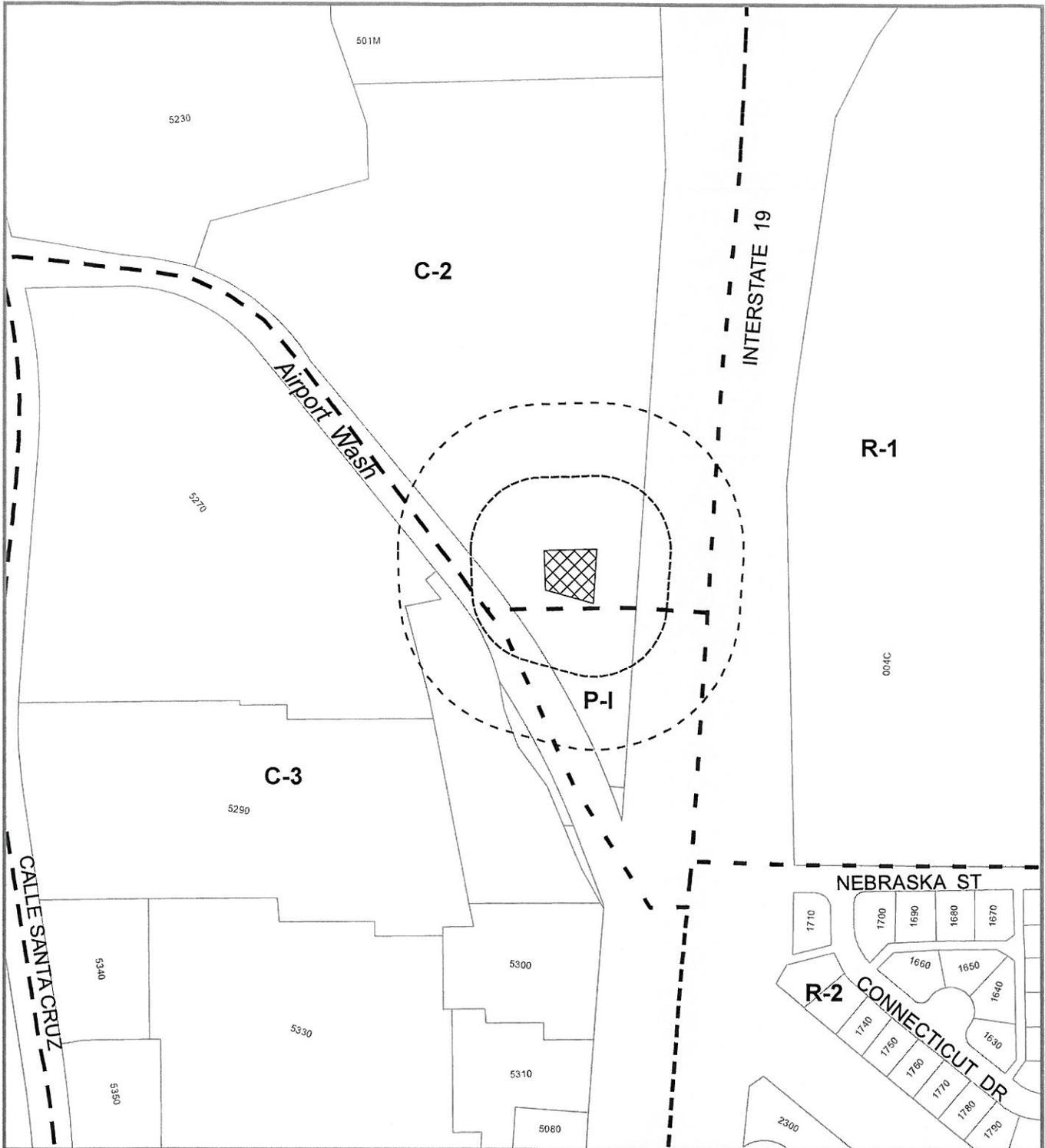


SE-14-76 Verizon - Irvington Road
2014 Aerial

0 50 100 200
Feet
1 inch = 200 feet



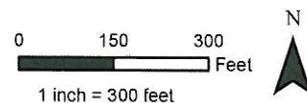
SE-14-76 Verizon - Irvington Road Z.E. Special Exception



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



Address: 1177 W. Irvington Road
Base Maps: Sec.02 T.15 R.13
Ward: 1



PUBLIC FACILITIES AND SERVICES REPORT FOR December 18, 2014
(as of January 15, 2015)

SE-14-76 Verizon – Irvington Road, C-2 Zone

CITY AGENCIES

Planning & Development Services – Zoning Review: See attached comments dated 12/22/14.

Planning & Development Services – Engineering: See attached comments dated 12/24/14.

Planning & Development Services – Community Design: See attached comments dated 1/6/15.

No Objections Noted

Office of Conservation & Sustainable Development

Transportation – Engineering

Transportation – Traffic Engineering

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 trips 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, January 21, 2015 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-14-76

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-14-76
IMPORTANT SPECIAL EXCEPTION NOTICE ENCLOSED