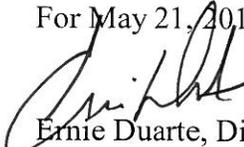




MEMORANDUM

DATE: May 6, 2015
For May 21, 2015 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: 
Ernie Duarte, Director
Planning & Development Services
Director

SUBJECT: SPECIAL EXCEPTION LAND USE
PLANNING & AND DEVELOPMENT SERVICES REPORT
SE-15-12 Verizon – San Juan Trail, MH-1 Zoning (Ward 1)

Issue – This is a request by Garrett Bair of Wavelength Management, on behalf of the property owner, Good Music Inc., for approval of a wireless communication facility (WCF). The special exception site is located approximately 420 feet north of San Juan Trail and 150 feet east of Greasewood Road (see Case Location Map). The preliminary development plan (PDP) proposes a wireless communication tower with twelve antenna panels concealed in an artificial palm tree (monopalm), 50 feet in height. The facility includes a ground equipment shelter with a diesel back-up generator to be screened by an eight (8) foot tall masonry wall surrounding the 22-foot by 48-foot lease. The site is located in the western portion of a 16-acre parcel, which is developed with two lattice towers (radio antennas), each tower being approximately 260 feet in height.

A communications use of this type is subject to Section 4.9.4.I.6.a 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 50 feet in height, the tower is concealed or disguised, 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: Radio and television transmission towers with associated ground equipment on an otherwise vacant site.

Surrounding Zones and Land Uses:

North: Zoned MH-1; Single-family residential

South: Zoned MH-1; Single-family residential

East: Zoned MH-1; Single-family residential

West: Zoned MH-1; Single-family residential

Previous Cases on the Property: None

Related Cases:

SE-10-58 AT&T – Old Spanish Trail, SR Zone - This was a request for approval of a wireless communication facility concealed within an artificial palm tree, 60 feet in height, and associated ground equipment as a special exception land use. The special exception site is located on church property at the northeast corner of Old Spanish Trail and Houghton Road. On October 9, 2010, the Mayor and Council adopted Ordinance 10846, allowing the requested special exception.

SE-08-02 AT&T - Anklam Road, C-1 Zone – This was a request for approval of a wireless communication facility concealed within an artificial palm tree, 55 feet in height, and associated equipment as a special exception land use. The special exception site is located in back of an existing office building at the northeast corner of Anklam Road and La Cholla Boulevard. On July 8, 2008, the Mayor and Council adopted Ordinance 10567, allowing the requested special exception.

Applicant's Request – The applicant requests special exception approval for the placement of a 50-foot high cellular communications tower disguised as a palm tree with associated equipment in the western portion of a 16-acre parcel currently developed with radio transmission towers.

Planning Considerations

Land use policy direction for this area is provided by the *Tumamoc Area Plan* and *Plan Tucson*. Generally, the Plans support the requested use when visual impacts, setbacks, and landscaping and buffering elements are addressed.

The proposed WCF site is within subarea six (6) of the *Tumamoc Area Plan*, which supports suburban to mid-suburban residential density, with a cap at three (3) units per acres. General Policy 5 requires a Design Compatibility Report, as was submitted by the applicant.

Plan Tucson identifies this area in the Future Growth Scenario Map as an "existing neighborhood" category and supports new services and amenities that contribute further to neighborhood stability. *Plan Tucson*, guidelines LT28.1.2, requires that wireless communication facilities be located, installed and maintained to minimize visual impact and preserve views. Guideline LT28.1.3 states that wireless communication facilities are to be designed to improve the appearance of above ground utilities and structures and extend access to high-tech wireless communication facilities throughout the city.

The area surrounding the site to the north, east, south (across San Juan Trail), and west (across Greasewood Road) is developed with low to medium density residential with a mix of site built homes and mobile homes, in the MH-1 mobile home zone. The nearest single-family residential property, zoned MH-1 is located directly to the north, approximately 380 feet from the WCF site.

Design Considerations

Land Use Compatibility – The proposed monopalm will include four antennas per sector with three sectors for a total of twelve antennas. The applicant has submitted a photo-simulation of the monopalm showing the antennas to be concealed by the artificial fronds of the monopalm's crown. The design compatibility report includes a street view (photo simulation) of the stealth monopalm with photos of existing live palms in the surrounding area, addresses noise mitigation for the on-site back-up diesel generator, and states color theme to be desert earth tone for the ground equipment enclosure. Staff supports the stealth design, and acknowledges that the proposed WCF will help improve telecom services to the established neighborhoods and businesses in the area. The monopalm will be set back approximately 150 feet from Greasewood Road and 420 feet from San Juan Trail. The nearest adjacent MH-1 zoned residential properties are approximately 380 to the north and 680 feet to the east.

There are some desert trees and palm trees in the general area, including four tall palm trees located to the north of the site. These trees allow the monopalm to blend in when viewed from a distance. Staff recommends that any existing native tree or landscape planting disturbed during the monopalm or ground equipment installation be replaced in accordance with the UDC and heat island mitigation.

The applicant proposes to place the monopalm and ground equipment in a 1,056 square foot lease area in the western area of the parcel, which is mostly undeveloped except for radio transmission towers and equipment shelters. Ground equipment will be housed inside a 3-bay equipment cabinet to be located on a concrete slab, and a backup diesel generator, also to be located on a concrete slab. The required setback of two times the height of the structure from the boundary of adjacent MH-1 zoned property is met.

In terms of wireless communication facilities, a stealth application is one that disguises the appearance of the pole and antennas to look like an element of the built or natural landscape, which could typically occur at the chosen location. A stealth application should be as close as

possible in scale and appearance to the object it is disguised as, with no obvious unnatural elements. The success of a stealth application is dependent on the ability of the design and construction of the cellular site to fit into its surroundings to such a degree that it is not noticeable. Scale and proportion, site design, color, and materials, are particularly important in stealth applications insofar as they contribute, or do not contribute, to the ability of the facility to be as unobtrusive as possible. To ensure a successful stealth monopalm at this location, the following standards are recommended:

- The monopalm shall not exceed 50 feet in height at top of fronds;
- The monopalm shall include crown and pineapple;
- The pole shall be covered with cladding (bark) from the pineapple to bottom of pole, and painted to resemble a live palm;
- There shall be a minimum of 65 fronds ranging in length from seven (7) feet to ten (10) feet and placed to extend above, below and between antenna panels;
- Replacement of lost/damaged fronds to be completed within ten working days of observation and fronds shall be colored to match live fronds as closely as possible;
- All cables shall be run inside the pole, with no foot pegs other visible unnatural appurtenances;
- All wire ports shall be concealed behind the antennas and all equipment shall be mounted behind the antenna panels;
- Antenna panels shall be painted with a light/shade pattern for camouflage;
- Ground equipment to be screened by masonry wall.

Road Improvements/Vehicular Access/Circulation – The existing on-site dirt road used to service the Radio/TV towers will function as the access/utility easement for the WCF site. Vehicular access to the wireless communications facility is provided from San Juan Trail through a gated 12-foot wide access easement. The *Major Streets and Routes Plan* designates San Juan Trail as a Collector Street with a right-of-way width of 64 feet. Greasewood Road, along the west boundary of the parcel, is designated as a Collector Street with a right-of-way of 50 feet.

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 a disguised as a palm tree (a stealth monopalm).

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

The proposed artificial palm is an effective method to mitigate visual impacts of the wireless facility on surrounding development. The associated ground equipment is to be located inside an enclosed shelter, located immediately south of the proposed monopalm. An 8-foot high masonry wall, painted an earth tone color, will surround the compound.

- 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 380 feet from the nearest adjacent residentially zoned property and approximately 4,000 feet from the nearest office zoned property.

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

The proposal is for an artificial palm of fifty (50) feet in height. Staff's recommendation is that the overall height of the monopalm be no more than fifty-five (50) feet.

Staff finds the proposal to be in compliance with the *UDC* Use-Specific Standards.

Conclusion – The proposed special exception use is consistent with the policy direction in the *Tumamoc Area Plan* and *Plan Tucson*, which support development designed to be compatible with and sensitive to surrounding land uses. The proposed wireless facility has been designed to blend in with the surroundings and will be have substantial setbacks from residential development in all directions. Subject to compliance with the attached preliminary conditions, approval of the requested special exception is appropriate.

PROCEDURAL

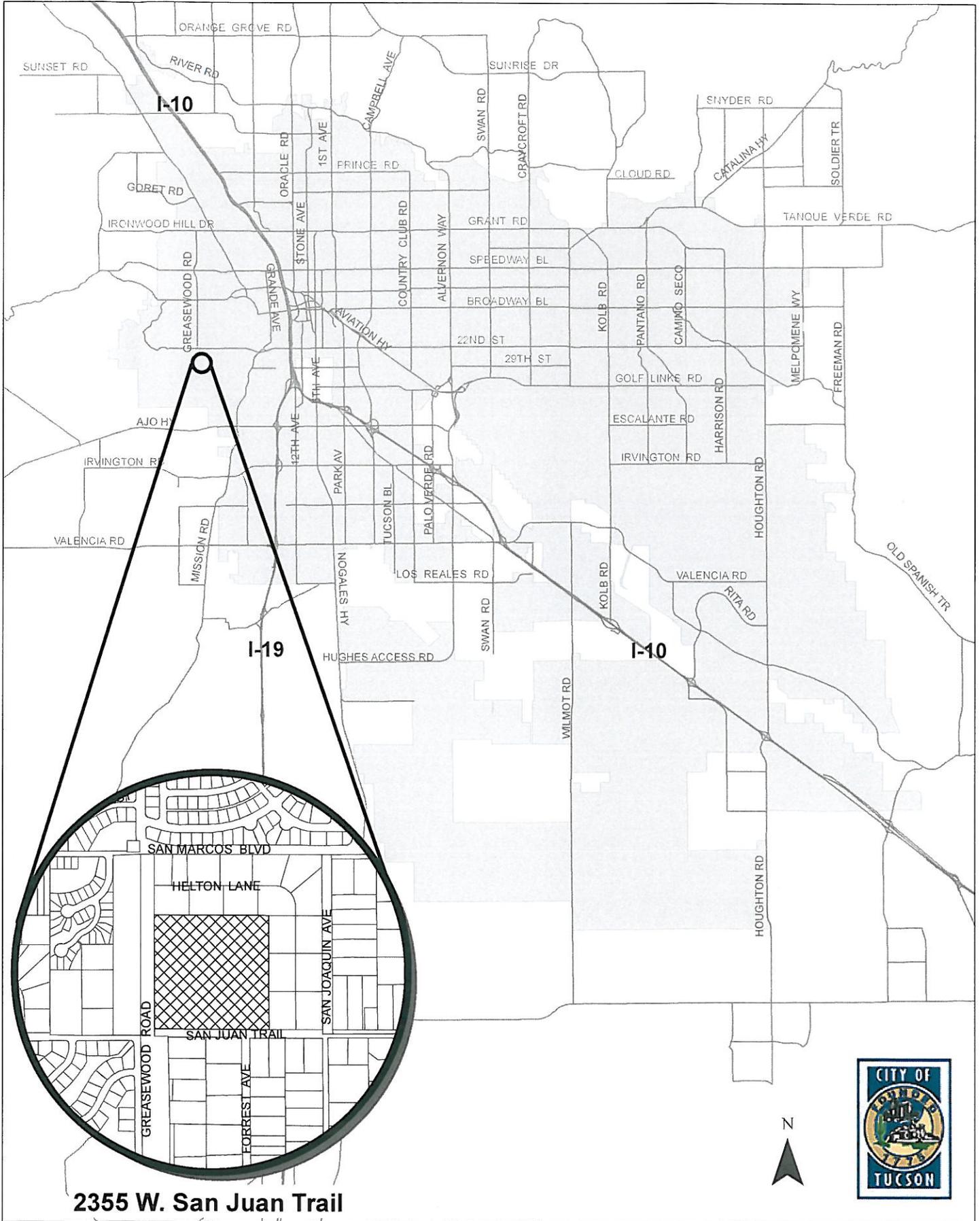
1. A development package/site plan in substantial compliance with the preliminary development plan dated March 13, 2015, is to be submitted and approved in accordance with *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 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 monopalm wireless communication tower shall not exceed fifty (50) feet in height at the top of the artificial fronds.
8. The pole shall be full bark cladding in imitation palm tree bark, and painted an appropriate bark color to resemble a live palm.
9. The monopalm shall include crown and faux pineapple beneath the crown, as shown on the preliminary development plan dated March 13, 2015.
10. A maximum of twelve (12) antenna panels shall be installed and painted to match the palm fronds as appropriate. The antenna panels shall not visually extend above or below the artificial palm fronds.
11. AT&T shall routinely monitor the facility and repair/replace any artificial fronds that may become worn through time or damaged.

12. The monopalm frond density and design shall properly camouflage the proposed antennas and there shall be a minimum of 56 fronds ranging in length from seven (7) feet to ten (10) feet. Fronds shall be placed to extend above, between and below antennas and appurtenances. Fronds length shall vary as needed to provide maximum camouflage of antennas and appurtenances. The antenna arrays shall be painted to camouflage them using a color mix (shade/light) given of by the palm fronds in the daylight hours.
13. Antenna mounts shall be designed with dimensions that allow maximum coverage and disguise of antennas and appurtenances.
14. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the stealth monopalm.
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. Six-(6) inch wide fence block or greater shall be used for perimeter screen walls. Graffiti shall be removed from walls within seven (7) working days of discovery or notification.
17. Any existing native tree disturbed during installation of the monopalm or ground equipment shall be replaced in accordance with the UDC and heat island mitigation.
18. Plans for future carriers must be approved through the special exception process.

SE-15-12 Verizon - San Juan Trail



2355 W. San Juan Trail



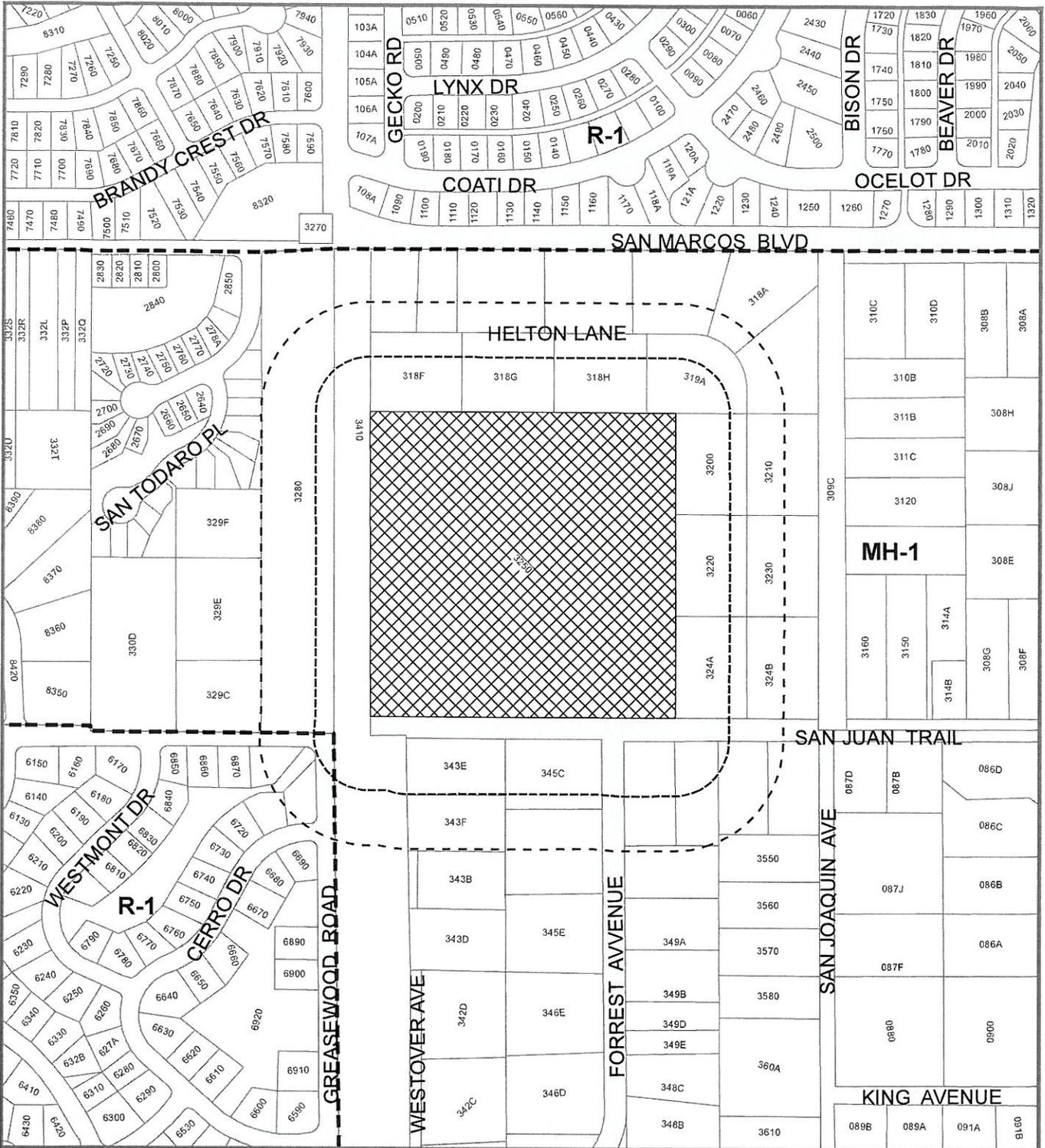


SE-15-12 Verizon - San Juan Trail
2014 Aerial

0 75 150 300
Feet
1 inch = 300 feet



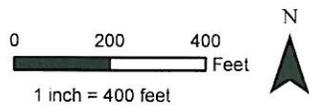
SE-15-12 Verizon - San Juan Trail Z.E. Special Exception



- Area of Special Exception Request
- 150' Protest Area
- 300' Notification Area
- Zone Boundaries
- MH-1** Zoning of Requested Area



Address: 2355 W. San Juan Trail
 Base Maps: Sec.21 T.14 R.13
 Ward: 1



PUBLIC FACILITIES AND SERVICES REPORT FOR MAY 21, 2015
(as of May 1, 2015)

SE-15-12 Verizon – San Juan Trail, MH-1 Zone

CITY AGENCIES

Planning & Development Services – Zoning Review: See attached comments dated 4/1/15.
Planning & Development Services – Engineering: See attached comments dated 4/10/15.
Planning & Development Services – Community Planning: See attached comments dated 4/15/15.

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, May 6, 2015 at
http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html



Approval – Protest Form

If you wish to submit a written protest or approval, this form is provided for your convenience. Please print your comments below, sign your name, and mail to the Rezoning Section of the Planning & Development Services Department at the address on the reverse side (you will need to attach postage). The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner’s public hearing.

Approvals and protests must have an owner’s signature to be recorded.

Case: SE -15-12 Verizon – San Juan Trail MH-1 Zone Ward # 1

I/We the undersigned property owners, wish to APPROVE the proposed Special Exception.
 PROTEST the proposed Special Exception.

Reason:

PLEASE PRINT YOUR NAME	PLEASE PRINT MAILING ADDRESS	PLEASE PRINT LEGAL PROPERTY DESCRIPTION		
		Subdivision	Block	Lot

Owner’s Signature: _____ Date _____

Place
Stamp
Here

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

SE-15-12

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-15-12
IMPORTANT SPECIAL EXCEPTION NOTICE ENCLOSED