MEMORANDUM

DATE: August 12, 2015
For August 27, 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-15-31 Verizon – Ajo Way, R-2 (Ward 1)

Issue – This is a request by Shirley Crowder of Centerline Solutions, on behalf of Verizon Wireless, for approval of a wireless communication facility (WCF). The special exception site is located approximately 500 feet north of Ajo Way and 300 feet west of 12th Avenue (see Case Location Map). The preliminary development plan (PDP) proposes a wireless communication tower with twelve antenna panels concealed within an artificial palm tree (monopalm), 50 feet in height with associated ground equipment, including a back-up diesel generator. The facility will be placed within an approximately 700 square foot lease area near the central portion of the 7.60 acre site, which is developed as a church with an associated school.

A communications use of this type in the R-2 zone 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: School (Kindergarten – 8th grade) and religious use

Surrounding Zones and Land Uses:

North: Zoned R-1 & R-2; Single-family residential
South: Zoned C-2; Commerical retail
East: Zoned C-1, C-2 and R-2; Commercial retail and single-family residential
West: Zoned R-1 & C-1; Single-family residential & commerial

Previous Cases on the Property: None

Related Cases:

SE-11-04 AT&T – Park Avenue, R-2 Zone – This was a request to allow a wireless communication facility concealed within an artificial palm tree (monopalm) as a special exception land use in the R-2 zone. The special exception site is located approximately 325 feet west of Park Avenue and 1700 feet south of Ajo Way. The original request was for a height of 70 feet. On November 20, 2012, Mayor and Council adopted Ordinance No. 11037, with a condition to restrict the maximum height of the monopalm to 65 feet.

SE-08-39 AT&T – at Holy Trinity, R-1 Zone – This was a request to allow a wireless communication facility concealed within an artificial palm tree, 65 feet in height and associated equipment as a special exception land use in the R-2 zone. The special exception site is located approximately 210 feet east of 12th Avenue and 215 feet south of Calle Alvord. On January 27, 2008, Mayor and Council adopted Ordinance No. 10628.

Applicant's Request – The applicant requests special exception approval for the placement of a 50-foot high cellular communications monopole disguised as a palm tree with associated equipment south of an existing school ballfield and north of existing school building and church.

Planning Considerations

Land use policy direction for this area is provided by *Plan Tucson,* which identifies this area on the Future Growth Scenario Map as an "existing neighborhood". The *Plan* defines existing neighborhoods as built-out areas with residential and commercial uses. The goal is to maintain the character of the neighborhood while accommodating some new development and encouraging reinvestment and new services that contribute to neighborhood stability. Policy LT28.1.2 requires that wireless communication facilities be located, installed and maintained to minimize visual impacts and preserve views. Policy LT28.1.3 calls for improved appearance of above-ground utilities and structures, and extending access to high-tech wireless communication

facilities throughout the city. The applicant states that the proposed wireless communication facility will help improve telecommunication services in the surrounding neighborhoods.

The special exception site is currently developed with a school and religious use in the R-2 residential zone. To the east across 12th Avenue are commercial retail and single-family residential uses in the C-1, C-2 and R-2 zones. To the south across Ajo Way is commercial development with restaurant and retail uses in the C-2 zone. To the west are single-family residential and commercial uses in the R-1 and C-1 zones. To the north is single-family residential in the R-1 and R-2 zones. The nearest residential units are located approximately 300 feet away and directly to the west and to the north of the proposed WCF site.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will not generate additional measurable vehicle trips per day. Field inspection by staff indicates there are currently no billboards on the special exception site.

Design Considerations

The proposed ground equipment is located within an area screened by a twelve (12) foot tall masonry wall with a solid metal access gate. The equipment cabinet will be located on a concrete pad. A twelve foot wide access easement is provided to the WCF from 12th Avenue to the east through the existing school parking lot.

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 concealed by the artificial branches of the monopalm. The monopalm will be set back from 12th Avenue by approximately 300 feet from Ajo Way by approximately 500 feet.

The monopalm will be visible from surrounding residential development, as well as from nearby streets. The proposed stealth monopalm provides concealment and reduces the visible impacts to the area. The PDP shows that the proposal includes two additional live palms to be located immediately north of the WCF to help provide a visual buffer from adjacent residential uses. Staff recommends the live palm trees include a permanent drip irrigation system to ensure their health to maturity. The nearest homes are north and west of the site in the R-1 residential zone, approximately 300 feet from the proposed location of the WCF. Any existing on-site native tree, or landscape planting disturbed during the monopalm or ground equipment installation should be replaced to enhance stealthing provided by the monopalm design. Additionally, staff recommends any new pavement or roof materials installed shall also be in accordance with the UDC and heat island mitigation.

The applicant proposes to place the monopalm and ground equipment in a 700 square foot lease area south of an existing school ballfield and north of the existing school buildings. Ground equipment will be housed inside a 10' by 10' pre-fabricated equipment shelter located on a concrete slab. The equipment shelter will be enclosed by an 8-foot high masonry screen wall

painted to match surrounding buildings. As with other WCF's located within school sites, staff recommends the equipment enclosure have a complete top barrier such as wire mesh or chain link fencing material to prevent children from climbing the walled enclosure and entering the equipment area.

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 55 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 or other visible 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 to better camouflage them;
- Ground equipment to be screened by an existing masonry wall (provide elevation of street views).
- Maximum antenna size is ninety-nine (99) inches in length, eighteen (18) inches in width, and eight (8) inches in depth,

Road Improvements/Vehicular Access/Circulation – Vehicular access to the wireless communications facility is by a 12-foot wide easement through an existing parking lot located adjacent to and west of 12th Avenue. The access easement shall be recorded and sequence number provided prior to, or during the permittng stage. According to the *Major Streets and Routes Plan*, 12th Avenue is designated as an arterial street with a future right-of-way of 100 feet. Ajo Way is designated as a Gateway arterial street with a future right-of-way of 120 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.a. 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.a 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.

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 120 feet from the nearest residentially zoned property and approximately 1,000 feet from the nearest office zoned property.

4. *The tower and antennas are fifty (50) feet or less in height.*

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

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

Conclusion – The proposed stealth tower is in compliance with the performance criteria for a wireless communication facility. The Special Exception request is consistent with the policies and intent of *Plan Tucson*, considering the use of a stealth design, in this case a monopalm, which will limit the visual impact of the facility. Approval of the request is appropriate subject to the attached preliminary conditions.

PROCEDURAL

1. A site plan in substantial compliance with the preliminary development plan dated June 15, 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 / CONCEALMENT MEASURES

7. The wireless communication monopalm, including attachments such as antenna panels and palm fronds, shall not exceed fifty (50) feet in height from grade elevation.

8. A maximum of twelve (12) antenna panels shall be installed and painted with a light/shade pattern to blend and minimize visual impacts.

9. The monopalm shall include crown and pineapple.

10. The pole shall be covered with cladding (bark) from the pineapple to bottom of pole, and painted to resemble a live palm.

11. There shall be a minimum of 55 fronds ranging in length from seven (7) feet to ten (10) feet and placed to extend above, below and between antenna panels.

12. Verizon shall routinely monitor the facility and repair/replace any artificial fronds that may become worn or damaged through time.

13. Replacement of lost/damaged fronds to be completed within sixty (60) working days of observation and fronds shall be colored to match live fronds as closely as possible.

14. All cables shall be run inside the pole, with no foot pegs or other visible appurtenances.

15. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopole.

16. Ground equipment to be located within lease area as depicted on the preliminary development plan dated June 15, 2015.

17. Ground equipment to be screened by an 8-foot high masonry wall.

18. All walls visible from a public right-of-way and/or adjacent to existing residential development are to be graffiti-resistant. Graffiti shall be removed from walls within seventy-two (72) hours of discovery or notification.

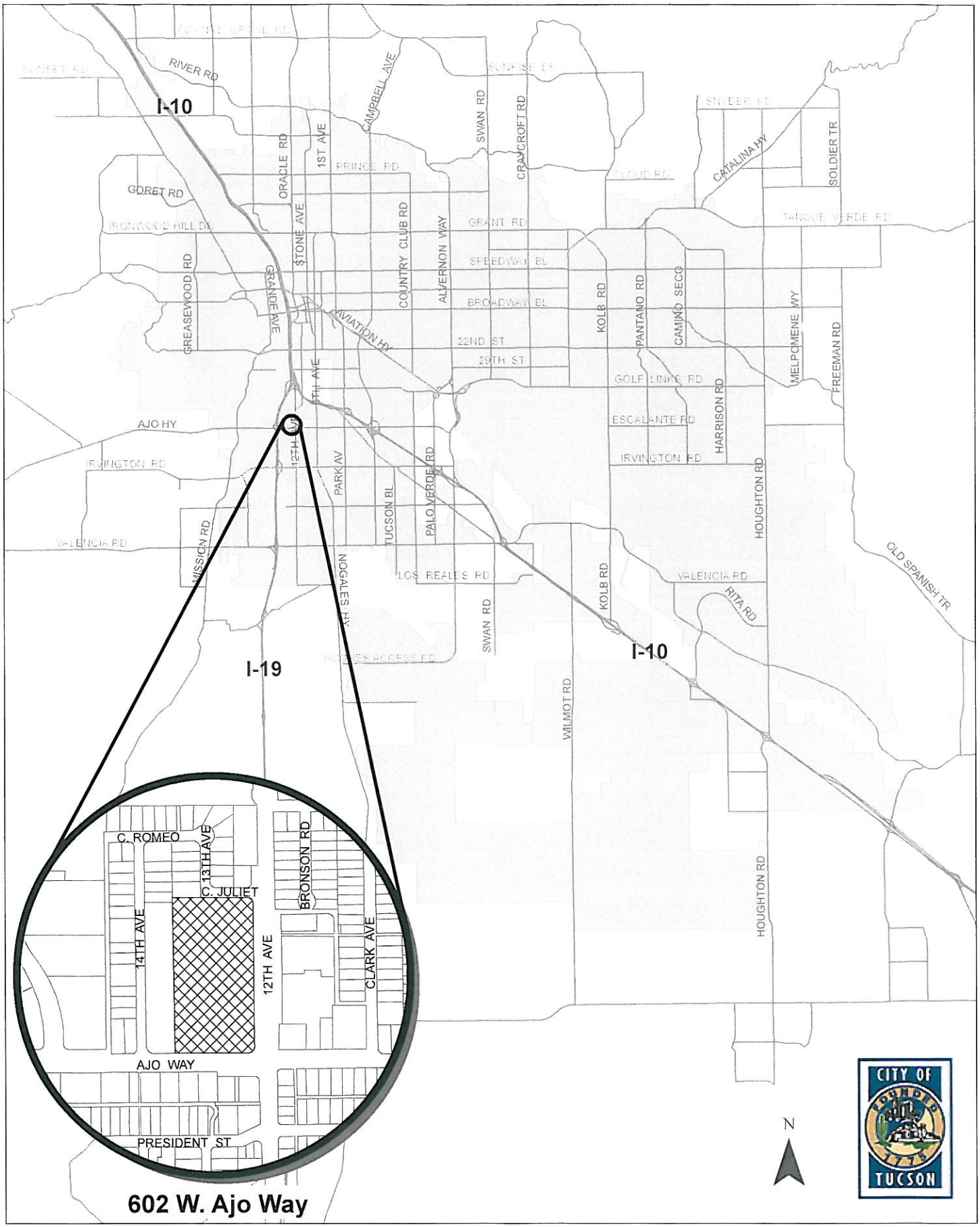
19. The screen wall and any paintable distribution system equipment shall be painted with neutral desert colors to match or blend with the existing structures. The paint on any equipment visible above the height of the screen wall, should be flat, non-reflective paint.

20. Top of ground equipment wall enclosure shall include a complete top cover, which may include wire mesh, chain link, or other acceptable durable material. Top cover shall be in place at all times. If top cover impedes required services of WCF ground equipment, wall enclosure may be raised up to a maximum of twelve feet in height to allow full services of equipment.

21. 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.

22. Plans for future carriers must be approved through the special exception process.

SE-15-31 Verizon - Ajo Way

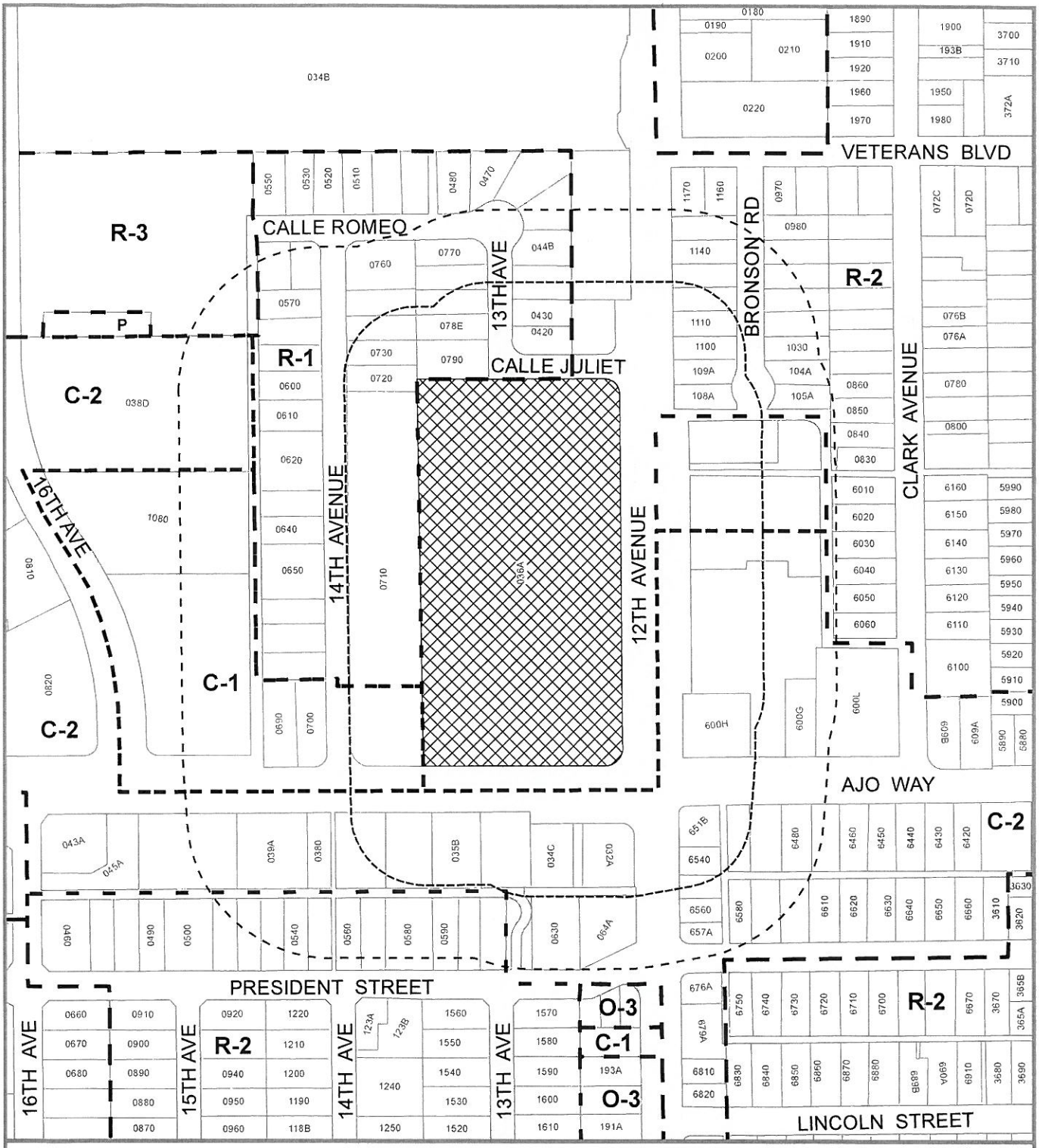


SE-15-31 Verizon - Ajo Way
2014 Aerial

0 50 100 200
Feet
1 inch = 200 feet

N

SE-15-31 Verizon - Ajo Way
Z.E. Special Exception



Area of Special Exception Request

150' Protest Area

300' Notification Area

Zone Boundaries

R-2 Zoning of Requested Area

Address: 602 W. Ajo Way
Base Maps: Sec.26 T.14 R.13
Ward: 1

CITY OF TUCSON

created by: JR, 6/18/2015

0 150 300 Feet

1 inch = 300 feet

N

PUBLIC FACILITIES AND SERVICES REPORT FOR August 27, 2015
(as of August 6, 2015)

SE-15-31 Verizon – Ajo Way, R-2 Zone

CITY AGENCIES

Planning & Development Services – Zoning Review: See attached comments dated 6/29/15.
Planning & Development Services – Sign Code: See attached comments dated 7/10/15.
Planning & Development Services – Community Planning: See attached comments dated 7/1/15.
Planning & Development Services – Engineering: See attached comments dated 7/13/15.

No Objections Noted

Office of Conservation & Sustainable Development
Transportation – Engineering
Transportation – Traffic Engineering
Tucson Fire Department
Community Services – Historic Preservation Officer
Environmental Services
Tucson Parks and Recreation
Tucson Police Department
Planning & Development Services – Landscape

NON-CITY AGENCIES

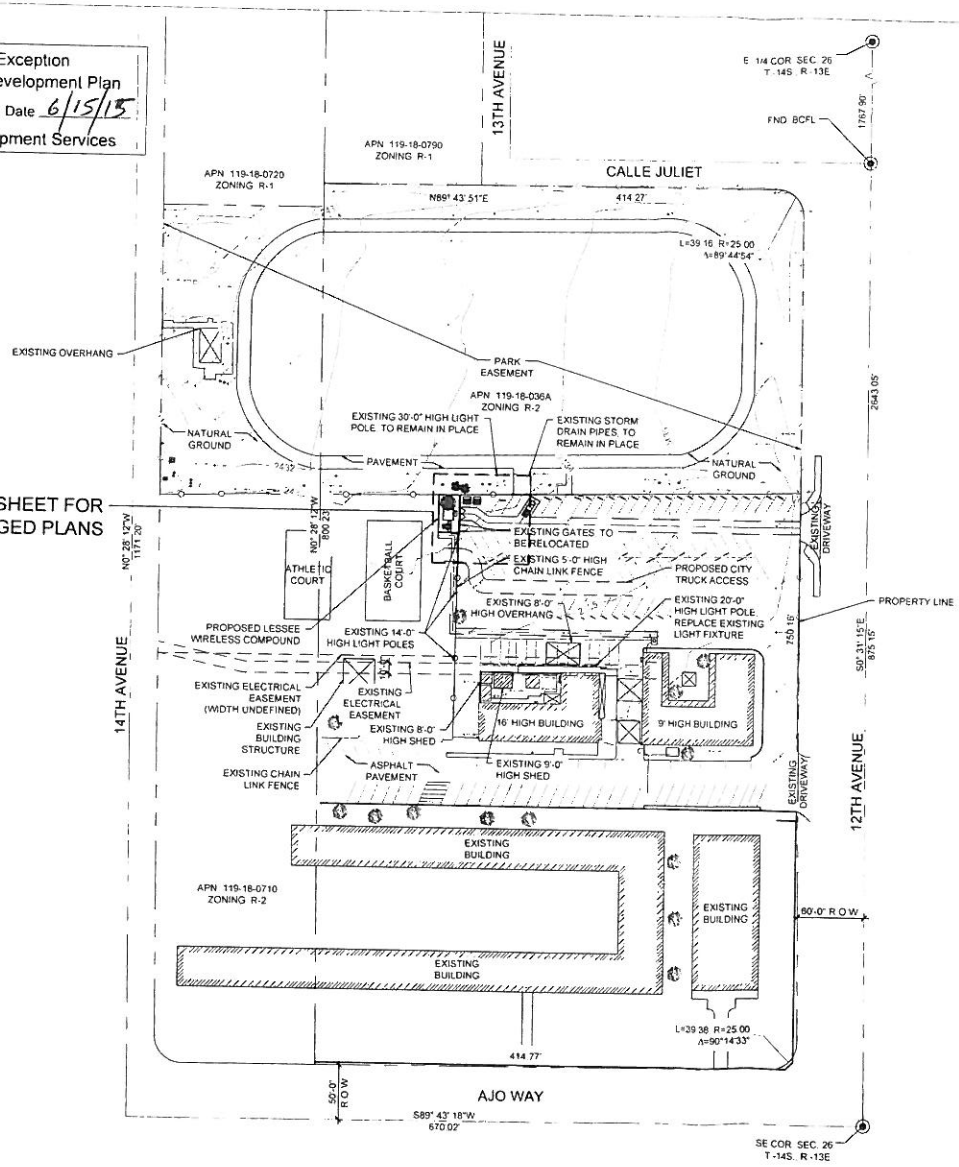
PAG-TPD: Estimated traffic generation of proposed development: Zero vehicle trips per month.

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, August 12, 2015 at **http://cms3.tucsonaz.gov/planning/prog_proj/projects/rezoning/index.html**

Special Exception
Preliminary Development Plan
SE -15-31 Date 6/15/15
Planning & Development Services



NEW LIGHT POLE SETBACKS TO PROPERTY LINE

NORTH	± 288'-10"
SOUTH	± 511'-4"
WEST	± 117'-8"
EAST	± 321'-10"

* SETBACKS ARE DERIVED FROM A TOPOGRAPHIC SURVEY PERFORMED BY A REGISTERED LAND SURVEYOR

NORTH

1 / Z-1 SITE PLAN
SCALE 1" = 50'-0"

0 25 50 100
SCALE 1" = 50'-0"

CLIENT
verizon wireless
126 W GEMINI DR
TEMPE, AZ 85283

INTERNAL REVIEW	DATE
CONSTRUCTION SIGNATURE	
RF SIGNATURE	
FACILITIES SIGNATURE	
REAL ESTATE SIGNATURE	

PLANS PREPARED BY
young design corp
architecture / project management
10245 E. Via Linda, Scottsdale, AZ 85258
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SEAL
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PRELIMINARY FOR REVIEW ONLY

NO	DATE	DESCRIPTION
1	10/27/2014	PRELIMINARY REVIEW ZDS

ARCHITECTS JOB NO
YDC-6125

PROJECT INFORMATION
TUC_BRONSON
602 W AJO WAY
TUCSON AZ 85702

SHEET TITLE
OVERALL SITE PLAN

JURISDICTION APPROVAL

SHEET NUMBER
Z-1

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-15-31 Verizon – Ajo Way, R-2 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-15-31

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-15-31
IMPORTANT SPECIAL EXCEPTION NOTICE ENCLOSED