

ZONING MEMBERS PRESENT:

Linus Kafka, Zoning Examiner  
Glenn Moyer, Planning & Development Services  
Delma Sanchez, City Recording Clerk

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1           ZONING EXAMINER: All right. Good evening, everybody.  
2 My name is Linus Kafka, and I'm the Zoning Examiner for the City  
3 of Tucson. I conduct special exception hearings and rezoning  
4 hearings on behalf of the Mayor and Council, and I make findings  
5 of fact.

6           This evening we have two special exception hearings.  
7 One's a legislative full process special exception hearing, and  
8 one's a Zoning Examiner's special exception hearing. So I have  
9 two different processes for those, and I'll go over those.

10           For the special exception, the Zoning Examiner special  
11 exception, after I close the hearing, I'll prepare a decision  
12 within five working days. If I do not close the public hearing  
13 this evening, I'll continue it to a date not more than 30 days  
14 from now.

15           In my decision, I'll recommend approval, approval with  
16 conditions, or denial of the application. I'll mail the notice  
17 of the application within - decision on the application within  
18 three days after I render my decision. And this will be mailed  
19 to the Applicant and anyone who requests notice.

20           My decision may be appealed by a party of record to the  
21 Mayor and Council in accordance with Unified Development Code,

1 Section 3.4.3-j by submitting a Notice of Intent to Appeal to the  
2 City Clerk within 14 days from the date of the decision with a  
3 copy delivered to the Planning & Development Services Department.  
4 The complete appeal materials must be filed within 30 days of the  
5 decision.

6 An Applicant may request a change in a condition of  
7 approval of a special exception land use. The request shall be  
8 reviewed by Staff for recommendation to me. The request shall  
9 then be considered at a public hearing in accordance with UDC  
10 3.9.2.

11 In the case of rezonings and a legislative special  
12 exception, I'll prepare a preliminary report and a final report.  
13 After I close the hearing, I'll prepare a preliminary report  
14 within five working days. I'll prepare a final report two weeks  
15 after the close of the public hearing.

16 For those of you who wish to receive a copy of my  
17 preliminary report in those cases, and you're not already a  
18 principal listed on the case, you'll find an orange card at the  
19 podium. And if you fill that out with the information regarding  
20 the case, we'll be sure to send you a copy of the preliminary  
21 report.

22 A copy of the final report will be available from the  
23 Planning & Development Services Department, and that's the report  
24 that I'll send along to the Mayor and Council. They may consider

1 my recommendation, along with other factors and make their  
2 decision on that.

3 At the start of the hearing, I'd like to have - are you  
4 presenting both cases? Okay. I'd like to have Mr. Moyer give me  
5 a presentation on the case, and after that, I'll have the  
6 Applicant come up to present the case.

7 After the Applicant presents, I'll call up anyone else  
8 wishing to speak regarding the case. Typically, I like to call  
9 on people who are in favor of the application first, and then  
10 followed by people who have other opinions about the application,  
11 just to organize my thoughts on that. So after I call up the  
12 Applicant, I'll call up those in favor of the case.

13 I may call individuals back to the podium to address  
14 particular issues. But since I cannot have any communication  
15 with parties involved in a case, now is the time to speak. And  
16 if you are going to speak tonight, when I ask you to come  
17 forward, you'll have an opportunity to, at this podium, sign in  
18 with your name.

19 And that's for our transcript. It's sometimes hard  
20 when we're doing a transcript to keep track of the order of  
21 names. When we have them written down there, we know how to  
22 spell them, and who speaks in what order.

23 So, as I said, if you're planning to speak tonight,  
24 I'll also need to swear you in. So if you would stand now, those

1 of you who are planning to speak, and raise your right hand.

2 All right. Do you swear or affirm to tell the truth, the whole  
3 truth, and nothing but the truth?

4 (Affirmative.)

5 ZONING EXAMINER: All right. Thank you. All right.  
6 We have two cases this evening. The first case is Case No. SE-  
7 14-89 AT&T - 1st Avenue regarding a wireless communication tower.  
8 Mr. Moyer.

9 MR. MOYER: This is a request by Garrett Jonilonis of  
10 Pinnacle Consulting on behalf of AT&T Mobility for approval of a  
11 wireless communications facility. The special exception site is  
12 located approximately 500 feet east of 1st Avenue and 500 feet  
13 north of Limberlost Drive within a 13-acre shopping center.

14 The Preliminary Development Plan proposes a wireless  
15 communications tower 67 feet in height with nine antennas. The  
16 communications use of this type in the C-1 zone is subject to  
17 Sections 4.9.13.o and 4.9.4.i.2.3 and .7 of the Unified  
18 Development Code, and requires approval through a Mayor and  
19 Council special exception procedure because the tower height  
20 exceeds 50 feet.

21 Land use policy direction for this area is provided by  
22 the Northside Area Plan and Plan Tucson. Although the Northside  
23 Area Plan does not have specific language addressing wireless  
24 communications facilities, it does support commercial development

1 at this location.

2 The SE site is located within a - the special exception  
3 site is located within a mixed use corridor, as identified on the  
4 Future Growth Scenario Map of Plan Tucson. Plan Tucson policies  
5 require that wireless communications facilities be located,  
6 installed and maintained to maintain - to minimize visual impacts  
7 and preserve views.

8 Mitigation measures supported by the Staff include  
9 placement of antennas and other attachments as close to the  
10 monopole as practical, a sector width as narrow as practical, and  
11 with all surfaces and attachments painted in a rust color to  
12 minimize visual impacts.

13 The nearest residential development is an adjacent is  
14 an adjacent multi-family complex zoned R-3 located approximately  
15 220 feet to the east, and the nearest residential unit within the  
16 complex is approximately 300 feet northeast of the wireless  
17 communications facility.

18 The proposal must meet use specific standards of the  
19 UDC Sections 4.9.13.o and 4.9.4.i.2.3 and .7. The proposal is in  
20 compliance with the use specific standards for wireless  
21 communications facilities, and is consistent with the policy  
22 direction of the Northside Area Plan and Plan Tucson. Subject to  
23 compliance with the attached Preliminary Conditions, approval of  
24 the requested special exception is appropriate.

1 As of today, the Planning & Development Services  
2 Department has received one approval and zero protests.

3 ZONING EXAMINER: All right. Thank you.  
4 Mr. Jonilonis.

5 MR. JONILONIS: Good evening, Mr. Kafka, Mr. Moyer, Mr.  
6 Bursuck, attendees. My name is Garrett Jonilonis of Pinnacle  
7 Consulting, here on behalf of AT&T Mobility in regards to the  
8 special exception use proposal for a 67-foot co-locatable  
9 monopole located off of 1st Avenue and Limberlost.

10 This design was finalized actually out of three  
11 additional, three separate neighborhood meetings between the time  
12 frames of July 2014 and August 2015. Those were all noted within  
13 the zoning packages that were submitted for it.

14 The initial design, which was proposed by AT&T  
15 initially was for a (inaudible) monopalm. The initial meeting we  
16 had with the neighbors essentially came down to the fact they did  
17 not care for that aesthetic in their neighborhoods.

18 Around the second neighborhood meeting came the  
19 decision to utilize a co-locatable 410 monopole which TEP  
20 actually is in the process of swapping a lot of their poles, the  
21 old age wood poles, and utilizing that (inaudible) steel.  
22 There's a corridor up and down Limberlost and 1st Avenue that  
23 utilize that aesthetic. So that was the intent going into the  
24 project proposal with this one.

1 As of the third meeting that went out in actually  
2 August of this year, that was the finalization. There were three  
3 attendees at that meeting. We covered a couple of the final  
4 details as noted in the record with regard to slim-lining those  
5 antennas as close technically possible, keeping those antenna  
6 arrays snug-mounted, as it's known as in the industry, so as to  
7 reduce the visual impact there.

8 The facility does, as stated in the record, fall within  
9 the C-1 zone, so it is compatible land use. Any other additional  
10 questions are welcome from the attendees or Mr. Kafka.

11 ZONING EXAMINER: Well, you reviewed the conditions,  
12 and I see that they've been amended pretty recently. So let's,  
13 let's take a look at the conditions. Do you have a copy in front  
14 of you?

15 MR. JONILONIS: I do.

16 ZONING EXAMINER: Oh, and if you're - let me give you a  
17 moment to sign in after you find your copy there.

18 All right. So Condition 9, the height of the equipment  
19 shall be limited to 14 feet except for lightning protection mast  
20 tapering from 14 inches at ground level to six inches in diameter  
21 at their peak. That's correct, right?

22 MR. JONILONIS: You said Condition 9 in the land use  
23 compatibility?

24 ZONING EXAMINER: Yeah.

1 MR. JONILONIS: I have antenna dimension shall not  
2 exceed 19 inches in length, 14 inches in width, and eight inches  
3 in depth.

4 ZONING EXAMINER: Oh. I'm looking at the wrong, I'm  
5 looking at the wrong conditions.

6 MR. JONILONIS: (Inaudible)

7 ZONING EXAMINER: Yeah. You don't have a red line  
8 conditions on yours. All right. Sorry about that. Let me just  
9 add this. You're agreeable to the conditions, the Preliminary  
10 Conditions, is that correct?

11 MR. JONILONIS: Yes, we are. That's correct.

12 ZONING EXAMINER: There were no red lines on that.  
13 I think they were solid when we came in, right? There we go.  
14 Yeah. That looks right. All right. I don't have any questions.

15 Is anybody else here in - interested in Case No. SE-14-  
16 89 wishing to speak? All right. Seeing no one wishing to speak,  
17 and taking the agreement of Mr. Jonilonis regarding the  
18 conditions in SE-14-89, that case is hereby closed. Thank you  
19 very much.

20 (Case No. SE-14-89 was closed.)

I hereby certify that, to the best of my ability, the foregoing is a true and accurate transcription of the original tape recorded conversation in the case referenced on page 1 above.

Transcription Completed: 11/07/15

  
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KATHLEEN R. KRASSOW - Owner  
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