



**CITY OF
TUCSON**
ZONING
EXAMINER'S
OFFICE

Preliminary Report

June 5, 2015

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**SUBJECT: SE-15-13 Sun State – Tanque Verde Road
Public Hearing: May 28, 2015**

Dear Mr. Brixius,

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules of Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case SE-15-13 Sun State – Tanque Verde Road. At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report (complete with background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) to the Mayor and Council shall be filed with the City Manager. A copy of that report can be obtained from either the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

This is a request by Adam Brixius of Pinnacle Consulting, on behalf of Verizon Wireless, for approval of a wireless communication facility (WCF). The special exception site is located approximately 180 feet south of Tanque Verde Road and 208 feet east of Indian Ruins Road. The preliminary development plan proposes a wireless communication tower with twelve antenna panels concealed within an artificial pine tree (monopine), 75 feet in height. The facility will be placed within an approximately 1,350 square foot lease area in the southwestern portion of the 0.63 acre site. The proposed ground equipment is located within an area screened by an eight (8) foot tall CMU wall painted to match existing building. A proposed diesel generator and cabinet will be located within the equipment shelter on a concrete pad. A twelve foot wide access easement for the WCF site will be provided from Tanque Verde Road. The access easement is located within an existing driveway. The nearest residential unit is located approximately 350 feet to the north of the proposed WCF site.

The special exception site is currently developed with a retail land use in the C-1 commercial zone. To the east and south is a motel developed in the C-1 commercial zone, to the north across Tanque Verde Road is a single-family one-story residential subdivision developed in CR-2, a Pima County single family residential zone, and to the west are commercial parcels developed with retail and restaurant land uses in the C-1 commercial zone. The nearest single-family residential zoned and developed land is located directly to the north across Tanque Verde Road, at approximately 300 feet. The nearest motel hospitality rooms are approximately twenty (20) feet to the south of the proposed WCF site. Vehicular access to the facility is through the existing parking lot and curb cut from Tanque Verde Road. According to the *Major Streets and Routes Plan*, Tanque Verde Road is designated as an arterial street. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will not generate additional measurable vehicle trips per day.

Land use policy direction for this area is provided by the *Pantano East Area Plan (PEAP)* and *Plan Tucson*. The rezoning site is located within a neighborhood center as identified on the Future Growth Scenario Map of *Plan Tucson*. Neighborhood centers feature a mix of small businesses surrounded by housing and accessed internally and from nearby neighborhoods by pedestrian and bike friendly streets and by transit. *Plan Tucson* land use policies protect established residential neighborhoods by supporting compatible development, including non-residential uses, where the scale and intensity of use is compatible with adjacent uses. Policy LT 28.1.2 requires that, if possible, wireless communication facilities be located, installed and maintained to minimize visual impacts and preserve views. The applicant states that the proposed wireless communication facility will help improve telecommunication services in the surrounding neighborhoods. *Pantano East Area Plan* Commercial Policy 1 supports commercial developments

in appropriate locations in the area along arterial streets when adjacent uses are adequately buffered. Commercial Policy 2 of *PEAP* supports the integration of adjoining commercial uses and should be designed to be in harmony with adjacent residential uses.

The proposed monopine will include four antennas per sector with three sectors for a total of twelve antennas. The applicant has submitted a photo-simulation of the monopine showing the antennas concealed by the artificial branches of the monopine. The monopine will be set back from Tanque Verde Road by approximately 180 feet and 208 feet from Indian Ruins Road. A monopine was chosen in lieu of a monopalm because of the existing vegetation in the surrounding areas. Currently on-site there is one Aleppo Pine and two existing full grown mesquite trees. A monopine matches this vegetation better than a monopalm.

The monopine will be visible from the surrounding, commercial development, as well as from the adjacent streets. The proposed monopine stealth design provides concealment and reduces the visible impacts to the area. The nearest residence is approximately 300 feet north of the site across Tanque Verde Road in CR-2, a Pima County single family residential zone. There are some desert trees, pine trees, and palm trees in the general area, but few of the palms are located close to the proposed site. These trees allow the monopine to blend in when viewed from a distance. Staff recommends that any existing on-site palm tree, native tree or landscape planting disturbed during the monopine or ground equipment installation be replaced in accordance with the UDC and heat island mitigation.

The applicant proposes to place the monopine and ground equipment in a 1,350 square foot lease area in the southwest corner of the parcel, which is currently a portion of the parking lot for Que Bonita Furnishings. Ground equipment and a diesel generator will be housed inside a 21'10" x 11'6" equipment shelter to be located on a concrete slab. The ground equipment shelter will be housed within an eight (8) foot tall CMU wall designed to match existing building.

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 monopine at this location, the following standards are recommended:

- The monopine shall not exceed 75 feet in height at top pine;
- The pole shall be covered with cladding (bark) from the top to bottom of pole, and painted to resemble a live pine;
- Replacement of lost/damaged branches to be completed within ten working days of observation and branches and socks shall be colored to match live pines as closely as possible;
- All cables shall be run inside the pole, with no foot pegs 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 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,
- Antenna standoff from the pole shall not exceed thirty (30) inches.

The applicant's proposal requires approval as a Mayor and Council Special Exception and must meet the Use-Specific Standards of UDC Sections 4.9.13.0 and 4.9.4.1.2, .3, and .7. The Mayor and Council may forward the request to the Design Review Board for design review and recommendation.

4.9.4.I.7

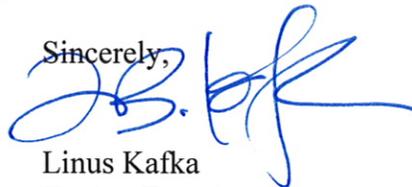
- a. Wireless communication antennas, provided:
 - (1) The tower or antennas are not permitted by other provision of this Section.
 - (2) New towers require a minimum separation of one mile from any existing tower, regardless of ownership, unless documentation establishes that no practical alternative exists.
 - (3) All appropriate measures shall be taken to conceal or disguise the tower and antenna from external view.
 - (4) All appropriate measures shall be taken to reduce the negative proliferation of visible towers and antennae by the collocation of new antennae on existing towers or with the facilities of other providers which are located or planned for development within the proposed service area.
 - (5) Notice shall be provided to all agents designated at least 15 days prior to the date of the public hearing before the Zoning Examiner.

CONCLUSION

The proposed stealth tower is in compliance with the performance criteria for a wireless communication facility. Considering the use of a stealth design, in this case a monopine, that will serve to conceal and limit the visual impact of the facility, the special exception request is consistent with the policies and intent of the *Pantano East Area Plan* and *Plan Tucson*. Approval of the request is appropriate subject to the attached preliminary conditions.

RECOMMENDATION

The Zoning Examiner recommends approval of the Special Exception request subject to the proposed preliminary conditions.

Sincerely,

Linus Kafka
Zoning Examiner

ATTACHMENTS:

Case Location Map
Rezoning Case Map

cc: City of Tucson Mayor and Council

PROCEDURAL

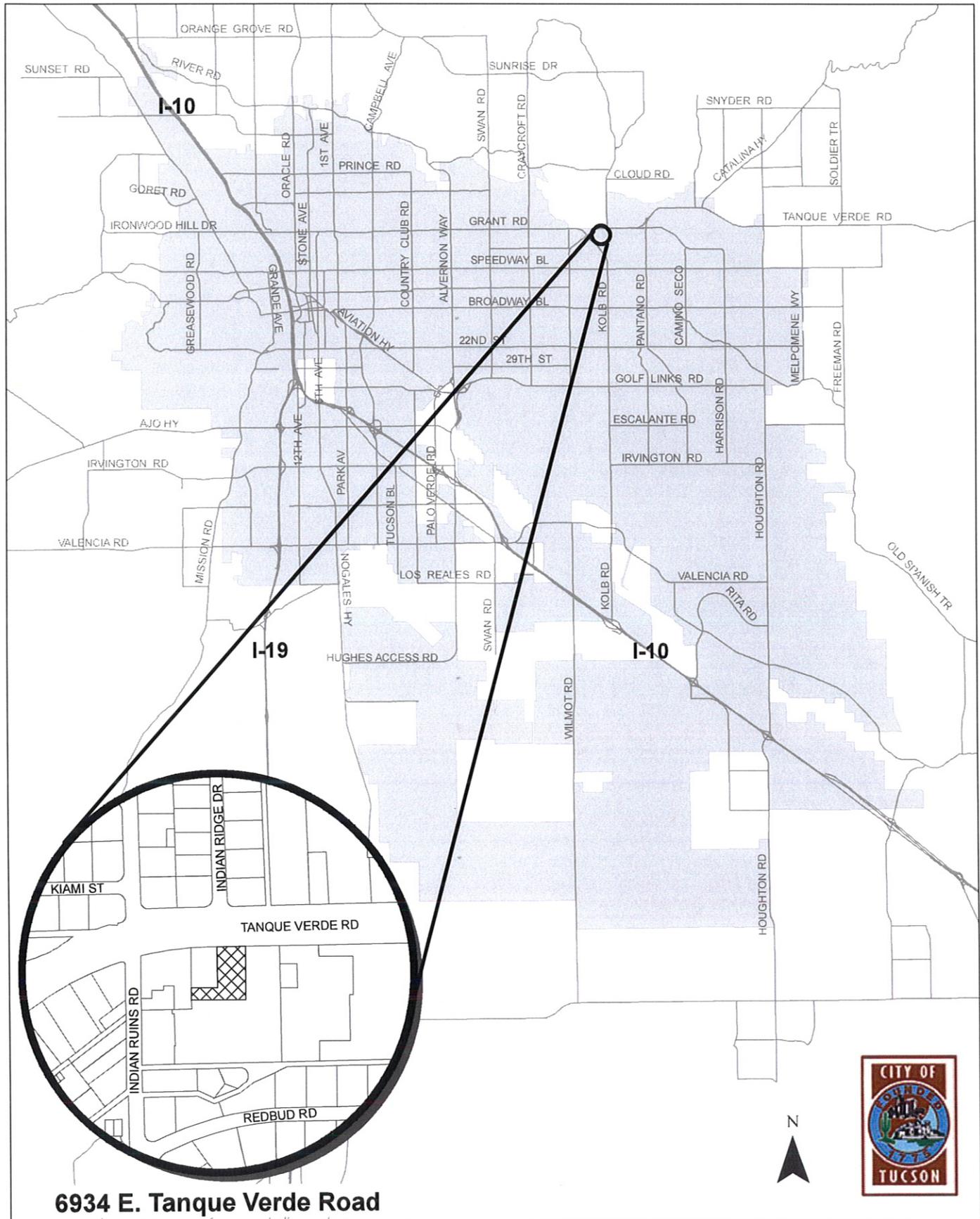
1. A site plan in substantial compliance with the preliminary development plan dated March 16, 2015, is to be submitted and approved in accordance with *Administrative Manual*, Section 2-06.
2. The property owner shall execute a waiver of potential claims under A.R.S. Sec. 12-1134 for this zoning amendment 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 monopine, including attachments such as antenna panels and branches, shall not exceed seventy-five (75) 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 pole shall be covered with cladding (bark) from the top to bottom of pole, and painted to resemble a live pine.
10. Replacement of lost/damaged branches to be completed within ten working days of observation and branches shall be colored to match live branches as closely as possible.
11. All cables shall be run inside the pole, with no foot pegs other visible appurtenances.

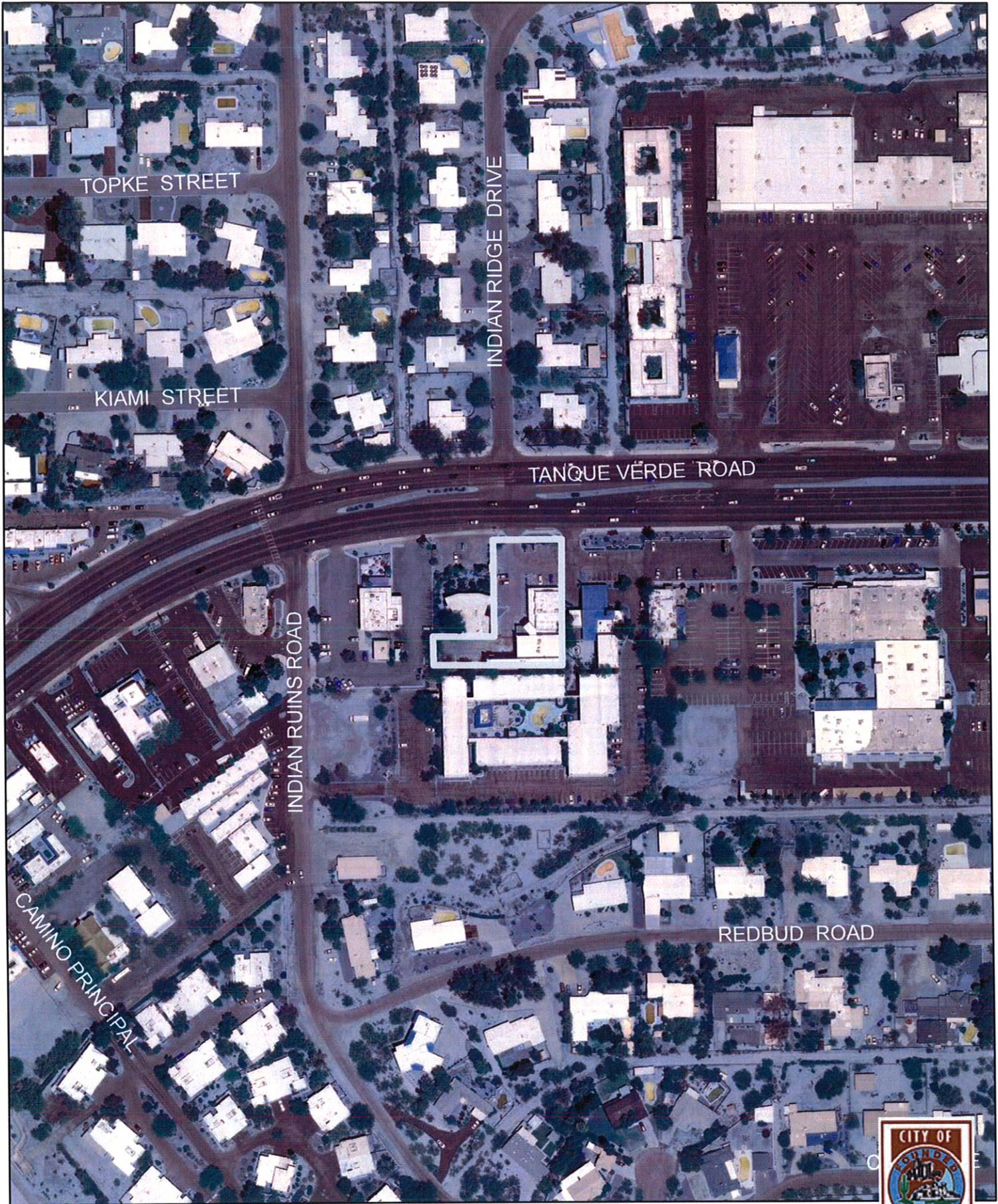
12. All wire ports shall be concealed behind the antennas and all equipment shall be mounted behind the antenna panels.
13. Antenna standoff from the pole shall not exceed thirty (30) inches.
14. Ground equipment to be located within lease area as depicted on the preliminary development plan dated March 16, 2015.
15. Ground equipment to be screened by 8-foot masonry wall to be painted in neutral desert colors or to match surrounding existing buildings (provide elevation of street views).
16. Panel antenna dimensions shall not exceed ninety-nine (99) inches in length, eighteen (18) inches in width, and eight (8) inches in depth.
17. All walls visible from a public right-of-way and/or adjacent to existing residential development are to be graffiti-resistant.
18. Six-(6) inch wide fence block or greater shall be used for perimeter walls. Graffiti shall be removed from walls within seventy-two hours of discovery or notification.
19. The screen wall and any paintable distribution system equipment shall be painted to match existing buildings. The paint on the equipment, above the height of the screen wall, should be flat, non-reflective paint. All of the equipment may be painted with the flat paint.
20. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopole.
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-15-13 Sun State Towers - Tanque Verde Road



6934 E. Tanque Verde Road





SE-15-13 Sun State Towers - Tanque Verde Road
2014 Aerial

0 50 100 200
Feet
1 inch = 200 feet

