



**CITY OF  
TUCSON**

ZONING  
EXAMINER'S  
OFFICE

June 26, 2015

**ZONING EXAMINER'S DECISION (amended July 2, 2015)**

**Special Exception Land Use Case:  
SE-15-21 – Verizon – Prince Road**

Owner: Southwest Conservation Corps  
701 Camino del Rio, Suite 101  
Durango, CO 81301

Applicant/Agent: Adam Brixius  
Jeremy Waterberg  
Pinnacle Consulting  
1426 N. Marvin Street, Suite 101  
Gilbert, AZ 85233

**Special Exception Land Use Request**

This is a request by Adam Brixius of Pinnacle Consulting, on behalf of Verizon Wireless, for approval of a wireless communication facility encompassing an artificial pine tree, 70 feet in height. The special exception site is located approximately 235 feet south of Prince Road and 400 feet west of Flowing Wells Road.

**Public Hearing**

On June 18, 2015 a public hearing was held on this special exception land use request in City Hall, 255 West Alameda, Tucson, Arizona, pursuant to Sections 3.4.3 of the *Unified Development Code*.

**Appeal**

The Zoning Examiner's decision may be appealed to Mayor and Council pursuant to 3.4.3.J of the *Unified Development Code*. An appeal of the Zoning Examiner's decision must be filed with the City Clerk, 255 West Alameda Tucson, Arizona, 85701 by a party of record within fourteen (14) days of the date of the Zoning Examiner's decision.

### **Findings of Fact**

This is a request by Adam Brixius of Pinnacle Consulting, on behalf of Verizon Wireless, for approval of a wireless communication facility. The special exception site is located approximately 235 feet south of Prince Road and 400 feet west of Flowing Wells Road. The preliminary development plan proposes a wireless communication tower with twelve antenna panels concealed within an artificial pine tree (monopine), 70 feet in height. The facility will be placed within an approximately 2,100 square foot lease area in the northeastern portion of the 0.56 acre site.

To the north of the site are office uses, zoned C-2. To the south are multi-family and single-family residential uses, zoned R-2 and O-3. To the west are a nursery and mobile home residential uses, zoned C-1. To the east are single-family residential, zoned C-2. Vehicular access to the wireless communications facility is through an access easement from Prince Road, located in an existing driveway. According to the *Major Streets and Routes Plan*, Prince 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 *Plan Tucson*. The special exception site is located within a mixed-use center as identified on the Future Growth Scenario Map of *Plan Tucson*. Mixed-use centers combine a variety of housing options, retail, services, office, and public gathering places, located close to each other, providing occupants of the center and the residents and workers in the surrounding neighborhoods with local access to goods and services. *Plan Tucson* 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 LT28. 1.2 requires that, if possible, wireless communication facilities be located, installed and maintained to minimize visual impacts and preserve views

The proposed ground equipment is located within an area screened by a six (6) foot tall chain link fence. A proposed diesel generator and cabinet will be located on a concrete pad. The nearest residential unit is located approximately 45 feet to the east of the proposed WCF site.

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 Prince Road by approximately 235 feet and 400 feet from Flowing Wells Road. A monopine was chosen in lieu of a monopalm because of the existing vegetation in the surrounding areas. Currently on-site and surrounding the site, there are several smaller trees and desert-adapted pine trees. A monopine matches this vegetation better than a monopalm.

The monopine will be visible from the surrounding commercial and residential development, as well as from adjacent streets. The proposed stealth monopine provides concealment and reduces the visible impacts to the area. Staff also suggests the design

include additional desert or conifer trees to help visually buffer the WCF from adjacent residential. The nearest residence is east of the site in the C-2 commercial zone, approximately forty-five (45) feet from the proposed location of the monopine. 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. Any existing on-site palm tree, native tree, or landscape planting disturbed during the monopine 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 monopine and ground equipment in a 2,100 square foot lease area in the northeast corner of the parcel, which is currently used for parking. Ground equipment will be housed inside a 12' x 16' equipment shelter located on a concrete slab. A diesel generator will be placed on a concrete slab within the lease area. The ground equipment shelter will be housed within a six (6) foot tall chain-link fence with matching slats to match surrounding buildings. Staff recommends that WCF use an eight (8) foot masonry wall in place of the proposed chain-link fence to mitigate noise from the generator and reduce the equipment's visual impact on the surrounding areas. Staff also recommends the eight (8) foot masonry wall to be painted in neutral desert colors or to match the surrounding existing buildings.

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 seventy (70) 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;
- The monopine shall include at least three (3) branches per foot with antenna socks;
- 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-nine (39) inches.

The applicant's proposal requires approval as a Zoning Examiner Special Exception and must meet the Use-Specific Standards of UDC Sections 4.9.13.0 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:

4.9.4.I.6.b:

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.
2. The tower and antennas are architecturally and/or environmentally compatible with the surrounding structure(s) and general area.
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.
4. The tower and antennas are eighty (80) feet or less in height.

**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 monopine, that will limit the visual impact of the facility. Approval of the request is appropriate subject to the attached preliminary conditions. Subject to compliance with the attached preliminary conditions, approval of the requested special exception is appropriate.

**Decision**

This special exception land use request for a 70-foot monopine cellular communications facility with associated equipment is hereby approved, subject to the following conditions:

1. A site plan in substantial compliance with the preliminary development plan dated April 7, 2015 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.
7. The wireless communication monopine, including attachments such as antenna panels and branches, shall not exceed seventy (70) 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) wherever the pole is visible, and painted to resemble a live pine.
10. The wireless communication monopine shall include at least three (3) branches per foot with antenna socks.
11. 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.
12. All cables shall be run inside the pole, with no foot pegs other visible appurtenances.
13. All wire ports shall be concealed behind the antennas and all equipment shall be mounted behind the antenna panels.
14. Antenna standoff from the pole shall not exceed thirty-nine (39) inches as long as the branches are placed to extend beyond, above, between, and below antennas and appurtenances as to maximize the stealth design.
15. Ground equipment to be located within lease area as depicted on the preliminary development plan dated April 7, 2015.

16. East edge of the lease area to be screened by 8-foot masonry wall (painted in neutral desert colors or to match surrounding existing buildings) or 8-foot chain-link fence with metal slats (painted in neutral desert colors or to match surrounding buildings) with dense hedge of vegetation, which substantially screens views from adjacent properties. Plants to be irrigated for two years until established, if used. Ground equipment to the south and west of the lease area to be screened by 8-foot chain-link fence with metal slats (painted in neutral desert colors or to match surrounding existing buildings).
17. Panel antenna dimensions shall not exceed ninety-nine (99) inches in length, eighteen (18) inches in width, and eight (8) inches in depth.
18. All walls visible from a public right-of-way and/or adjacent to existing residential development are to be graffiti-resistant.
19. 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.
20. 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.
21. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopole.
22. 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.
23. Plans for future carriers must be approved through the special exception process.
24. Access easement shall be recorded and sequence number provided prior to, or at, permit submittal stage.
25. Pads for the generator, tank, or equipment shelter shall be elevated to one (1) foot above 100-year flood elevation or two (2) feet above existing grade.
26. Building structures shall include roofing material certified by Cool Roof Rating Council or Energy Star rated per the Environmental Protection Agency, solar panels are an acceptable alternative.

27. If paving is to be replaced or new, provide light colored vehicular paving materials, such as concrete or cool paving coating over asphaltic surfaces. Porous paving or porous pavers would also be an acceptable alternative.
28. If mature trees cannot be preserved in place and need to be removed, they must be replaced with acceptable trees and vegetation, in accordance with the UDC and heat island mitigation.

Linus Kafka  
  
Zoning Examiner

CC:

Glenn Moyer, PDSD

John Beall, PDSD

City of Tucson Mayor and Council