



MEMORANDUM

DATE: September 24, 2008
For October 9, 2008 Hearing

TO: Peter M. Gavin
Zoning Examiner

FROM: 
Albert Elias, AICP
Urban Planning & Design
Director

SUBJECT: SPECIAL EXCEPTION LAND USE – URBAN PLANNING AND DESIGN
REPORT
SE-08-30 AT&T – Pantano Road, C-2 Zone (Ward 4)

Issue – This is a request by Scott Quinn, on behalf of the property owners, Garner Automotive LLC, for approval of a wireless communication facility. The special exception site is located southeast of Pantano and Golf Links Roads (see Case Location Map). The preliminary development plan (PDP) proposes the placement of a new wireless communication facility consisting of a 69-foot tall tower disguised as a palm tree and a 400 square-foot equipment compound enclosed by an 8-foot high masonry wall to match the existing automotive repair building. A communications use of this type is subject to Section 3.5.4.20.F.2 of the *Land Use Code (LUC)*.

3.5.4.20 Communications.

F. The following requires approval as a special exception through a Zoning Examiner Full Notice Procedure, Sec. 23A-50 and 23A-53. The Zoning Examiner may forward the request to the Design Review Board (DRB) for design review and recommendation. (Ord. No. 9967, §3, 7/1/04)

2. Wireless communication antennae, provided:

- a. The antennae are mounted on a new tower and the tower and antennae are concealed or disguised, or the antennae are collocated on an existing structure.
- b. The tower and antennae are architecturally and/or environmentally compatible with the surrounding structure(s) and general area.
- c. A new tower is set back at least two (2) times the height of the structure from the boundary of any property zoned residential or office.
- d. The tower and antennae are eighty (80) feet or less in height.

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.

Department of Urban Planning and Design Recommendation – The Department of Urban Planning and Design recommends approval of the special exception land use request, subject to the attached preliminary conditions.

Background Information

Existing Land Use: automotive repair

Surrounding Zones and Land Uses:

North: Zoned C-2; convenience store with fuel sales

South: Zoned C-2; vehicle storage

East: Zoned C-2; single-family residential

West: Zoned R-2; single-family residential

Previous Cases on the Property: none

Related Cases:

SE-01-18 Nextel – 4725 E. Pima Street, R-1 Zone A special exception land use request for the placement of a wireless communications monopole with an overall height of 50 feet disguised as a palm tree at an existing church. The site is located at the northeast corner of Swan Road and Pima Street. On July 19, 2001, the Zoning Examiner approved the request.

SE-08-02 AT&T – Anklam Road, C-1 Zone A special exception land use request for the placement of a wireless communications monopole with an overall height of 55 feet disguised as a palm tree at an existing office. On July 8, 2008, Mayor and Council adopted Ordinance No. 10567.

Applicant's Request – The applicant requests approval for the placement of a new wireless communication facility consisting of a 69-foot tall monopole disguised as a palm tree and a 400 square-foot equipment compound enclosed by an 8-foot high masonry wall to match the existing automotive repair building.

Planning Considerations

Land use policy direction for this area is provided by the *South Pantano Area Plan* and the *General Plan*. *South Pantano Area Plan* policy promotes commercial development at appropriate locations in the area while the policies of the *General Plan* provide guidance for locating wireless communications facilities. *General Plan* policy supports the provision of new telecommunications facilities if they are located, installed and maintained in a manner that minimizes visual impacts and preserves views.

The proposed location of the wireless communications facility is behind an existing automotive repair building. There are residential uses immediately to the east of the site and west of Pantano Road. Vehicular access to the special exception site is proposed from Pantano Road. Pantano Road is identified as an arterial roadway with a future right-of-way of 150 feet on the *Major*

Streets and Routes Plan map. Golf Links Road, identified as a Gateway Arterial roadway with a future right-of-way of 200 feet is north of the site.

The applicant states that the proposed facility will generate approximately one vehicle trip per month. Field inspection by staff indicates there are currently no billboards on the rezoning site.

Design Considerations

Land Use Compatibility – The lease area is located in the vehicle storage area of the existing auto repair facility. The proposed 65-foot high monopole disguised as a palm tree (69 feet to the top of fronds) will have two antennas per sector for a total of six antenna panels. The application also indicates that there are approximately five existing palm trees of various heights located on the south adjacent property. The proposed ground equipment will be contained within a 400 square-foot area surrounded by an 8-foot high masonry wall painted to match the existing automotive repair building.

The vehicle storage area is currently screened from Pantano Road by a landscape border. In addition, chainlink fencing surrounds the site. The residential development to the east is screened from this site by a block wall. No additional landscaping or screening are proposed with this project. Staff recommends that drought-tolerant plantings be provided around the perimeter of the proposed wall.

Drainage/Grading/Vegetation – The site does not lie within a mapped floodplain, however it does lie in the Atterbury Wash balanced basin. Neither detention nor threshold retention are required for this project.

Road Improvements/Vehicular Access/Circulation – Access to the facility will be provided via an existing driveway off of Pantano Road. A parking stall for the technician is shown on the preliminary development plan.

Performance Criteria – The applicant’s proposal requires approval as a special exception land use through a Zoning Examiner Full Notice Procedure, and must meet the following performance criteria as stated in Section 3.5.4.20.F.2 of the *LUC*. Following each criterion, in italics, are the applicant’s response regarding compliance.

3.5.4.20.F.2. Wireless communication antennae, provided:

- a. The antennae are mounted on a new tower and the tower and antennae are concealed or disguised, or the antennae are collocated on an existing structure.

Comment: The antennae are mounted on a new tower disguised as a palm tree. The antennae are concealed inside the branch canopy of the palm tree.

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

Comment: The proposed wireless communication facility is an appropriate use for the area due to the existing commercial uses and utility poles that exceed 100 feet in height. Five palm trees are located south of the proposed site. The faux palm tree will provide the best possible opportunity to blend in with its surroundings while allowing AT&T full diversity to provide optimum coverage for the subject area.

- c. A new tower is set back at least two (2) times the height of the structure from the boundary of any property zoned residential or office.

Comment: The application does not clearly show the setback from the residential zone to the west.

- d. The tower and antennae are eighty (80) feet or less in height.

Comment: The tower is 69 feet in height to the top of the palm fronds.

Staff comment: Although it appears that the tower meets the 2:1 setback to residential zoning to the west, this must clearly be shown on the development plan at the time of submittal. In general, the proposal is in compliance with the LUC Performance Criteria for the special exception land use.

Conclusion – The proposed special exception land use for a stealth monopole can be supported and is in general compliance with applicable policy and the intent of the *General Plan*, the *South Pantano Area Plan*, and the performance criteria. Subject to compliance with the attached preliminary conditions, approval of the special exception request is appropriate.

Preliminary Conditions

PROCEDURAL

1. A fully dimensioned development plan demonstrating compliance with Section 3.5.4.20.F.2.C of the *Land Use Code (LUC)* and with the preliminary development plan dated August 1, 2008, and supporting materials, is to be submitted and approved in accordance with Section 5.3.8 of the *LUC*.
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. “Safe by Design” concepts shall be incorporated in the development plan for review by the Tucson Police Department.
6. 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.

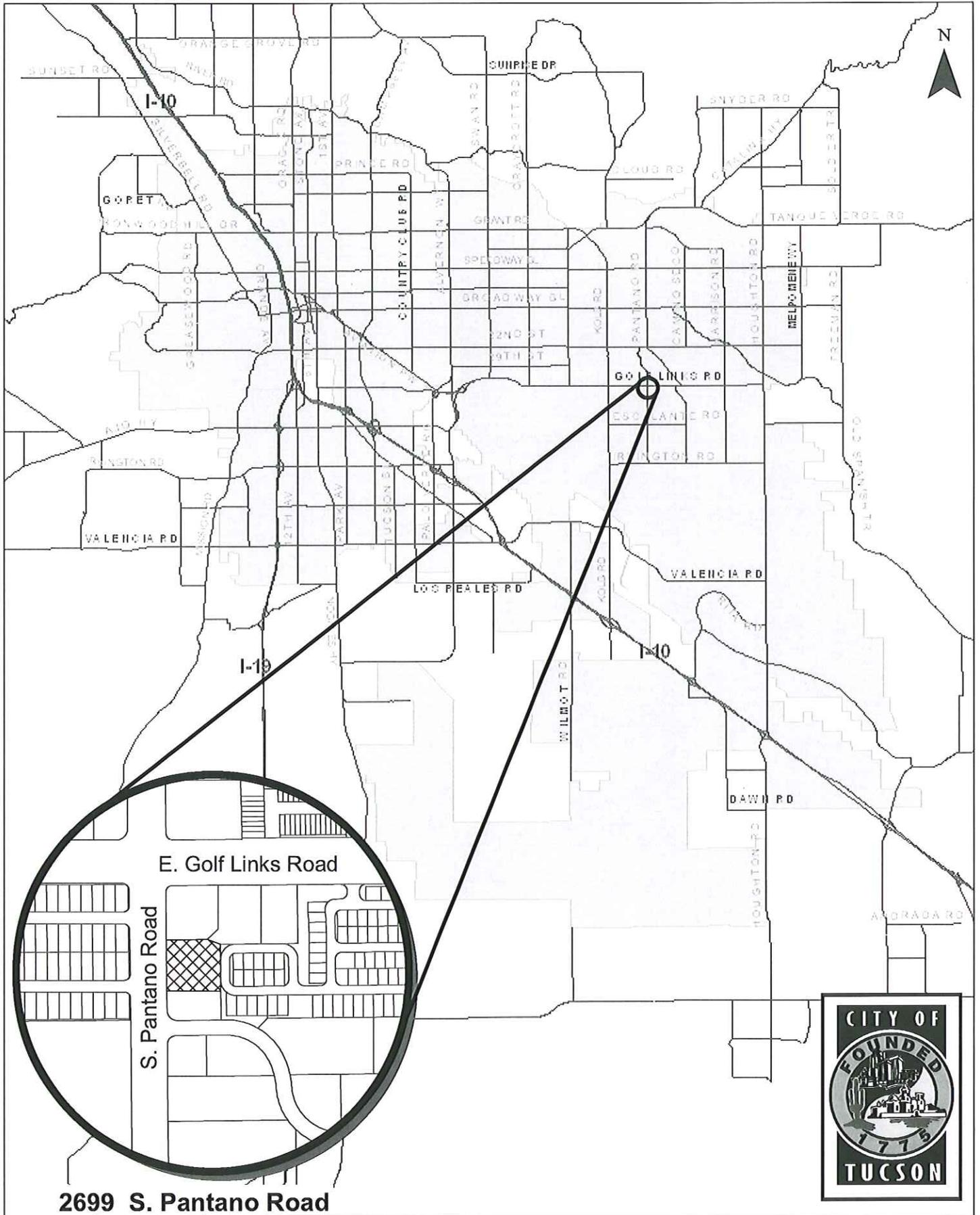
LAND USE COMPATABILITY

7. The stealth (palm tree design) monopole shall be designed as a fan palm, and shall not exceed sixty-nine feet in height at the top of the fronds.
8. Maximum diameter of the monopole shall not exceed 18 inches.
9. A maximum of six (6) antenna panels painted to match the palm fronds as appropriate. The antenna panels shall not visually extend above or below the imitation palm fronds.
10. The pole shall be clad in imitation palm tree bark, and painted an appropriate bark color.
11. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features. The imitation bark shall continue to ground.
12. The masonry screen wall designed to screen the telecommunication ground equipment shall be graffiti resistant, textured and painted to match existing buildings in the surrounding area.

Preliminary Conditions

13. All walls visible from a public right-of-way and/or adjacent to existing residential development, are to be graffiti-resistant and incorporate one or more visually appealing design treatments, such as the use of two or more decorative materials like stucco, tile, stone, or brick; a visually interesting wall surface; varied wall alignments, (jog, curve, notch, setback, etc.); and/or trees and shrubs in voids created by the wall variations.
14. Six (6) inch wide fence block or greater shall be used for perimeter walls.
15. Drought-tolerant landscaping shall be provided around the perimeter of the masonry wall.

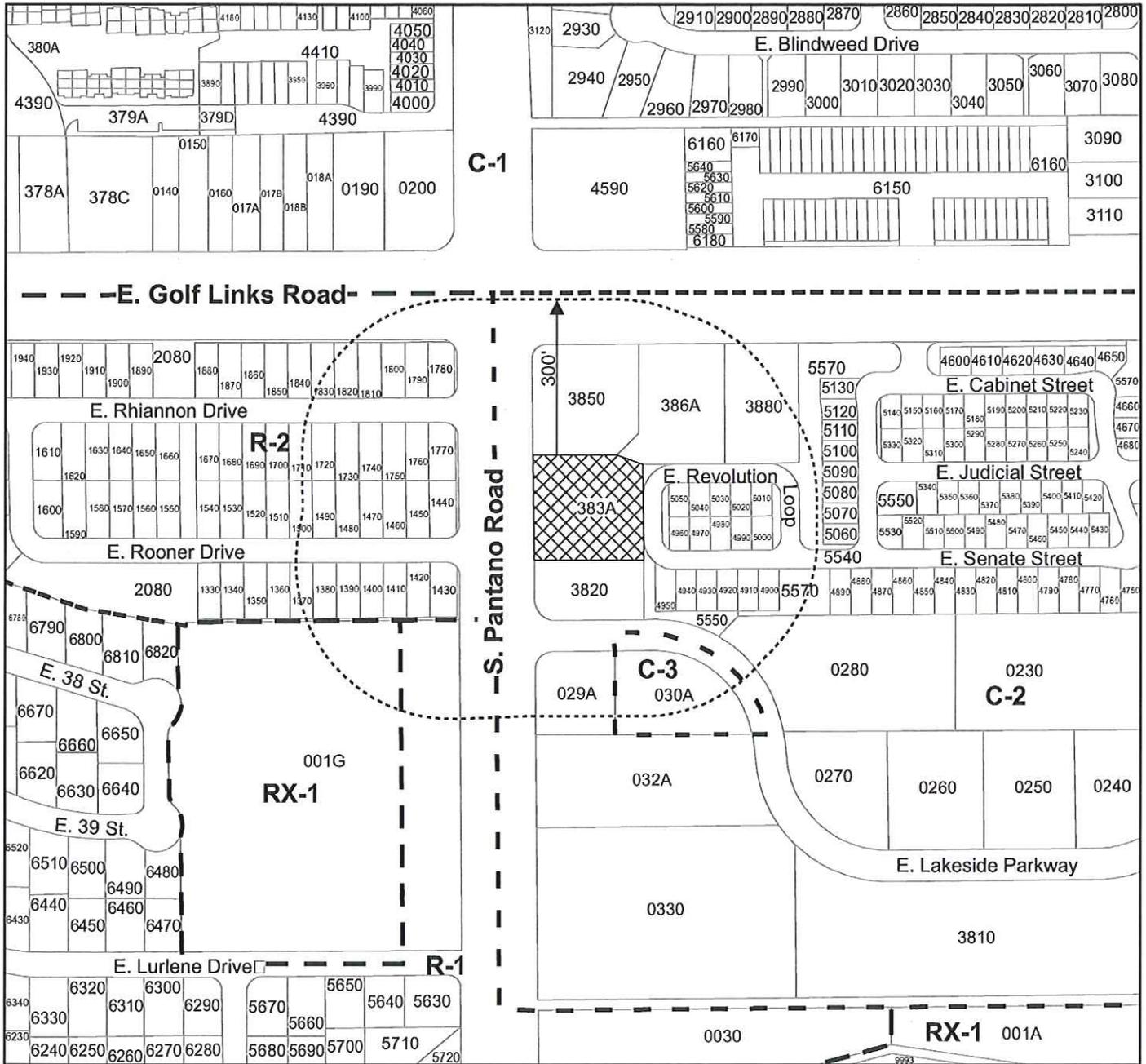
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2699 S. Pantano Road

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Special Exception - Full Notice Procedure



0 150 300
 Feet
 1 inch = 300 feet

- Area of Special Exception Request
- C-2** Zoning of Requested Area
- Zone Boundaries
- Notification Area (300 foot radius)

Neighborhood, Area Plan(s): South Pantano Area Plan
 Address: 2699 S. Pantano Road
 Base Maps: Sec.28 T.14 R.15
 Ward: 4





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