



# MEMORANDUM

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DATE: October 8, 2008  
For October 23, 2008 Hearing

TO: Peter M. Gavin  
Zoning Examiner

FROM: *Albert Elias*  
Albert Elias, AICP  
Urban Planning & Design  
Director

SUBJECT: SPECIAL EXCEPTION LAND USE – URBAN PLANNING AND DESIGN  
REPORT  
SE-08-33 AT&T – Benson Highway, C-2 Zone (Ward 5)

**Issue** – This is a request by Scott Quinn, on behalf of the property owners, Ashland Group-Millennium LLC, for approval of a wireless communication facility. The special exception site is located on the south side of Benson Highway, between Campbell Avenue and Irvington Road (see Case Location Map). The preliminary development plan (PDP) proposes to extend an existing wireless communication tower from 58 feet to 70 feet to co-locate six antennas and install associated ground equipment. 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, subject to the attached preliminary conditions.

### **Background Information**

Existing Land Use: wireless communication facility

Surrounding Zones and Land Uses:

North: Zoned C-2; RV sales and service, and apartments

South: Zoned C-2, C-3; neighborhood shopping center

East: Zoned C-2; commercial

West: Zoned C-2, C-3; neighborhood shopping center and undeveloped land

Previous Cases on the Property: none

Related Cases:

SE-00-78 Cricket Wireless – Benson Highway This was a request to collocate wireless communication antennas at the 79 foot level of the existing 156 foot high monopole. The Planning Director approved the request October 23, 2000, and a building permit was issued November 30, 2000.

SE-03-30 Nextel – Benson Highway This was a request to allow the co-location of six panel antennas on an existing 156-foot high monopole at a height of 90 feet. On March 1, 2004, Mayor and Council approved the request and a building permit was issued on June 25, 2004.

**Applicant's Request** – The applicant requests approval to allow for the extension of an existing wireless communication tower from 58 feet to 70 feet in height in order to co-locate six antennas and install associated ground equipment.

### **Planning Considerations**

Land use policy direction for this area is provided by the *Kino Area Plan (KAP)*, the *General Plan*, and *Design Guidelines*. The *KAP* commercial subgoal is to provide for an adequate amount and appropriate arrangement of commercial development within the Kino area. Plan policy encourages private developers to utilize existing provisions in the *Land Use Code (LUC)* which allow the integration of appropriate commercial and supportive service activities within industrial parks. The *KAP* does not specifically address communication antennas.

The *General Plan* states that whenever possible, telecommunications facilities should be located, installed and maintained in a manner to minimize visual impacts and preserve views. Policies also promote the coordination of efforts of government, private developers, and utility firms to improve the appearance of necessary aboveground utility lines and structures. The *Plans* support the requested land use when visual appropriate design elements and buffering techniques are

employed to mitigate the potential negative impacts of more intense development on established neighborhoods.

The subject property does not abut any residential uses, however, there is a small apartment complex located on the north side of Benson Highway that is approximately 450 feet away from the monopole. Vehicular access to the special exception site is proposed from Benson Highway. Benson Highway, identified as a Gateway Arterial roadway with a future right-of-way of 150 feet on the *Major Streets and Routes Plan* map, is north of the special exception site. Campbell Avenue, an arterial roadway with a future right-of-way width of 120 feet, is located west of the site. South and east of the property is Irvington Road, identified as an arterial roadway with a future right-of-way width of 120 feet.

The application states that the facility will generate one trip per month for routine maintenance. Field inspection by staff indicates there are currently no billboards on the special exception site.

### **Design Considerations**

**Land Use Compatibility** – The existing monopole is located at the southeast corner of the undeveloped parcel. The monopole will be extended twelve feet in height to support the co-location of six new panel antennas. The new antennas will be attached to the extension at the 68-foot centerline. The application states that the antennas will be in a cluster mount which will provide less mass than a typical T-arm design and be smaller in appearance than the existing wireless communication provider's antennas and mounts. Minimizing visual clutter results from co-location on an existing facility. This approach meets the minimum requirement of policy direction. Consideration should be given to reducing the "standoff" separation to 18-inches and the "sector arm" width to 42-inches to further minimize visual clutter.

The associated ground equipment is proposed to be placed at the base of the pole inside the existing chainlink fenced area. No additional fencing or screening is proposed with this project. An opaque fence or wall with appropriate buffering should be used to screen the equipment area. Staff will also recommend that the equipment area include exterior landscaping that will consist of trees and drought-tolerant vegetation.

**Road Improvements/Vehicular Access/Circulation** – Access to the monopole and equipment area is provided through the existing driveway from Benson Highway. A technician parking space is provided as demonstrated on the PDP.

**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:

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- 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 proposed antennas 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.

*Comment: The extension of the existing monopole with cluster-mounted antennas is compatible with the commercial uses of the 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 existing monopole is surrounded by commercial zoning.*

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

*Comment: The tower and the proposed extension will not exceed 70 feet in height.*

*Staff comment: The proposal is in compliance with the LUC Performance Criteria for the special exception land use.*

**Conclusion** – The special exception request for a twelve foot extension to the existing monopole to accommodate six new antennas with associated ground equipment can be supported and is in general compliance with applicable policy and the intent of the *General Plan*, the *Kino Area Plan*, and the performance criteria. Subject to compliance with the attached preliminary conditions, approval of the special exception request is appropriate.

Preliminary Conditions

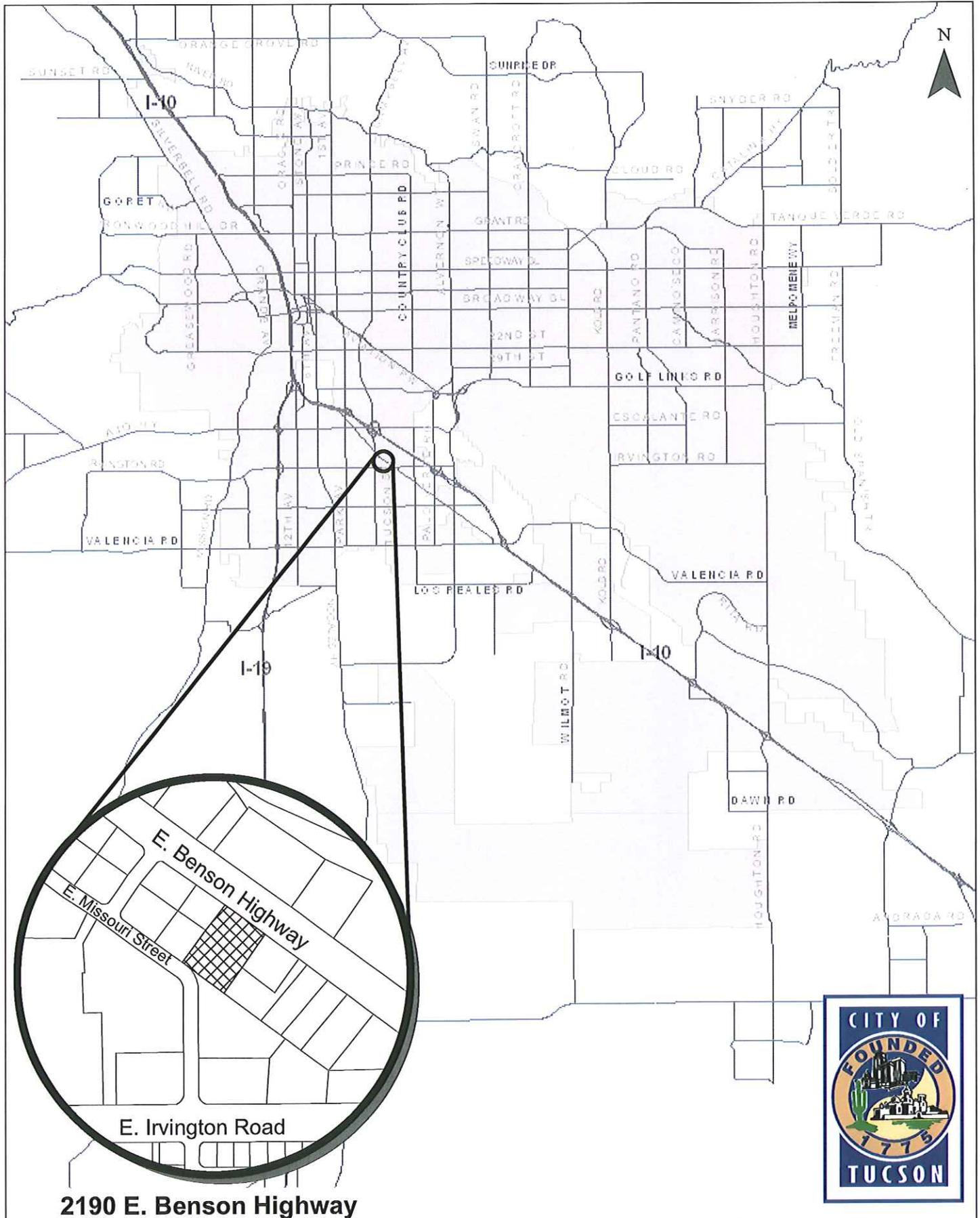
PROCEDURAL

1. A development plan in substantial compliance with the preliminary development plan dated August 11, 2008, and the Design Compatibility Report, is to be submitted and approved in accordance with Section 5.3.8 of the *Land Use Code*.
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. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
4. “Safe by Design” concepts shall be incorporated in the development plan for review by the Tucson Police Department.
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.

LAND USE COMPATABILITY

6. The proposed monopole shall not exceed seventy feet in height with “standoff” separation not to exceed 18 inches and the “sector arm” width not to exceed 42 inches.
7. The existing monopole, the extension, and the proposed antennas shall be painted with non-reflective paint tones of the same color.
8. The six antenna panels, not to exceed six-feet and six-inches in height, shall be mounted at the sixty-eight foot RAD center of the monopole.
9. The fencing on the west and south sides of the equipment compound shall be fitted with slats to create an opaque screen, and planted with exterior landscaping that will consist of trees and drought-tolerant vegetation in front of the opaque screen.

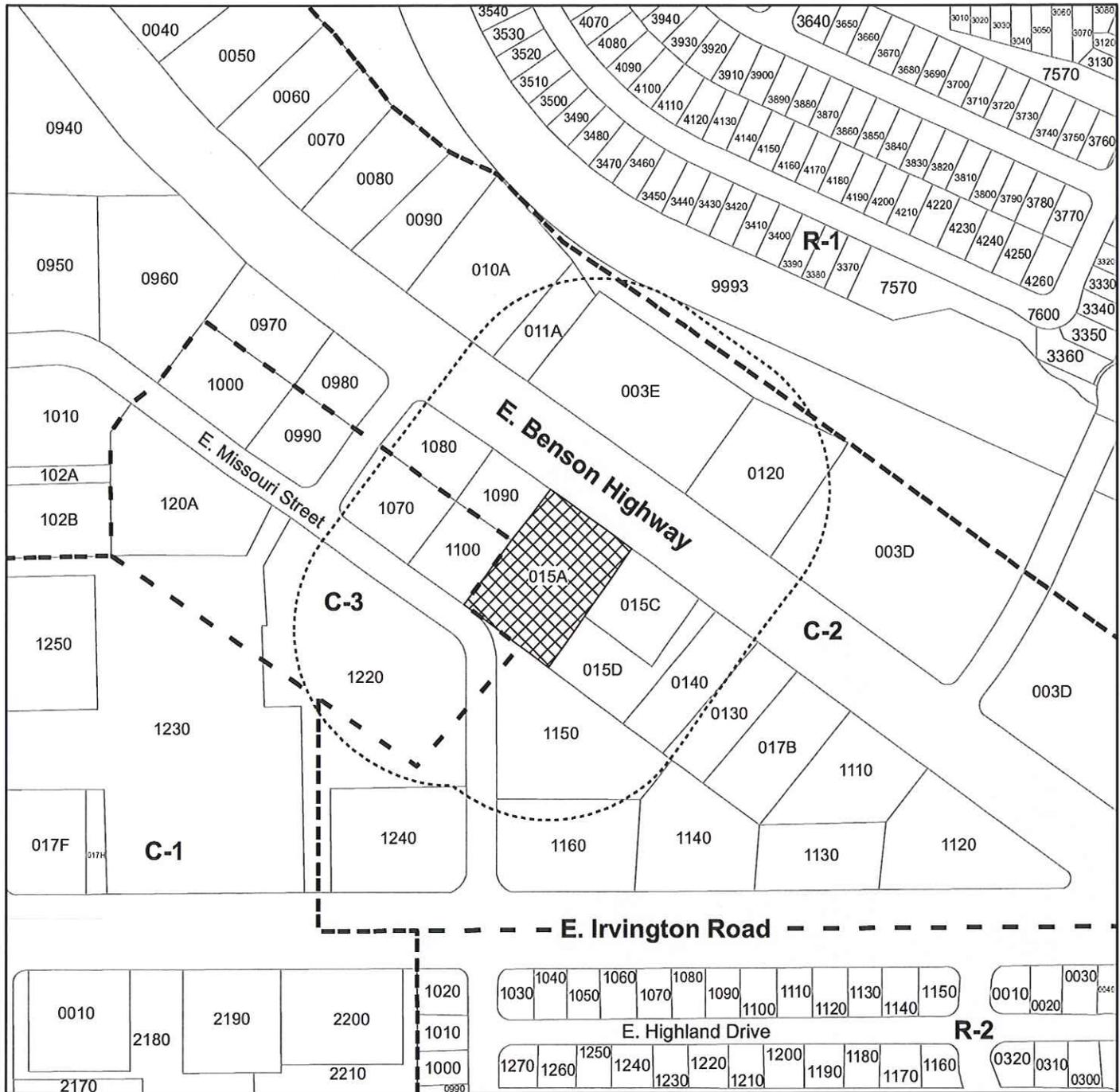
# SE-08-33 AT&T - Benson Highway



**2190 E. Benson Highway**

# SE-08-33 AT&T - Benson Highway

## 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): Kino Area Plan  
 Address: 2190 E. Benson Highway  
 Base Maps: Sec.32 T.14 R.14  
 Ward: 5





**SE-08-33 AT&T - Benson Highway**  
September 2008 Aerial