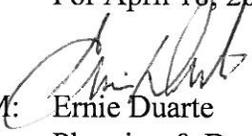




MEMORANDUM

DATE: April 3, 2013
For April 18, 2013 Hearing

TO: Linus Kafka
Zoning Examiner

FROM: 
Ernie Duarte
Planning & Development Services
Director

SUBJECT: SPECIAL EXCEPTION LAND USE
PLANNING & DEVELOPMENT SERVICES REPORT
SE-12-94 AT&T Presidio Road, C-1 Zone (Ward 3)

Issue – This is a request by Timothy Burmer of FM Group, Inc., for AT&T, on behalf of the property owners, Saint Francis Cabrini Parish, for a special exception land use to install a 65-foot tall wireless communication facility enclosed within an artificial palm tree (monopalm) and associated ground equipment on the approximately 5.91 acre church property, in the C-1 zone. The special exception land use site is located approximately 350 feet north of Presidio Road, near the north central property line of the church site, and approximately 565 feet east of Country Club Road (see Case Location Map).

A communications use of this type in the C-1 zone is subject to Section 4.9.13.O and 4.9.4.I.2, .3, and .7 of the *Unified Development Code (UDC)* and requires approval through a Mayor & Council Special Exception Procedure, Sec. 3.4.4 because the tower height exceeds 50 feet. Documentation provided by the applicant indicates that no practical alternative exists, and measures are being taken to conceal or disguise the tower and antenna from view.

The Mayor & Council Special Exception Procedure requires a public hearing before the Zoning Examiner after which the Zoning Examiner forwards a recommendation to the Mayor and Council for a decision to grant the request with, or without, conditions or to deny the request. The Mayor and Council may also forward the request to the Design Review Board (DRB) for design review and recommendation.

Planning & Development Services Recommendation – The Planning & Development Services Department recommends approval of the special exception land use, subject to the attached preliminary conditions.

Background Information

Existing Land Use: Vacant portion of church property

Surrounding Zones and Land Uses:

North: Zoned C-1; Commercial

South: Zoned R-2; Religious (Church)

East: Zoned C-1; Commercial

West: Zoned C-1 & R-2; Parking for commercial and religious use

Previous Cases on the Property: None

Related Cases:

SE-10-105 AT&T – E. Speedway, C-2 Zone: This was a request for a special exception land use to allow the development of a 65-foot tall monopalm cell tower with associated ground equipment. The monopalm was located approximately 100 feet from residentially zoned and developed property. The Zoning Examiner approved the request on September 30, 2013.

SE-10-124 AT&T Craycroft Road, C-2 Zone: This was a request for a special exception land use to allow the development of a 70-foot-tall monopalm with associated ground equipment. The monopalm was located approximately 64 feet from residentially zoned and developed property. On June 21, 2011, Mayor and Council adopted Ordinance No. 10916 approving the request.

Applicant's Request – Installation of a wireless communication facility consisting of a 65-foot tall monopalm with associated ground equipment in the C-1 zoned portion of a 5.91-acre R-2 and C-1-zoned property. The top of the pole itself will be 62 feet tall with the fronds extending another three feet. The monopalm will carry nine antennas (three per each sector), mounted at the 58-foot high antenna center.

Planning Considerations

Land use policy direction for this area is provided by the *Grant-Alvernon Area Plan* and the *General Plan*. *Grant-Alvernon Area Plan*, Office and Commercial Policy 6 discourages wireless communication antennae arrays unless concealed, disguised, or collocated on existing buildings or structures. The *General Plan* - Element 4, Policy 3.7 requires that, if possible, telecommunications facilities be located, installed and maintained to minimize visual impacts and preserve views. Visual impacts are a key consideration during the review process. Policy 4.6 promotes the coordination of efforts of government, private developers and utility firms to improve the appearance of aboveground utilities and structures.

The proposed monopalm design is consistent with the policy objectives of the *Grant-Alvernon Area Plan* and *General Plan*, and does not require a plan amendment.

The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will generate one vehicle trip per month. Field inspection by staff indicates there are currently no billboards on the rezoning site.

The application states AT&T is experiencing a significant coverage gap in the central part of the city. Multiple collocation alternatives were reviewed before choosing the subject site. Existing tower sites within one mile were investigated and determined to not be sufficient to address the coverage gap. Existing Tucson Electric Power poles were also investigated but none were found that met the coverage requirements, were acceptable to TEP for replacement and provided sufficient ground space for equipment. Commercial properties along Fort Lowell Road were also considered, but none was found with a willing landlord and sufficient space. The subject site was chosen because it meets coverage objectives, the larger site allows for ground equipment installation and there is a greater potential for mitigation.

Design Considerations

Land Use Compatibility – The subject site is a 5.91-acre parcel developed with a religious use. The dimensions of the bulk of the parcel are approximately 660 feet by 360 feet, with a 225-foot long, by 50-foot wide paved access extending north through the commercial development to Fort Lowell Road. The site is zoned R-2 except for the approximate north 50 feet which are zoned C-1. The lease area and monopalm are to be located within the C-1 zoned portion of the site, about 185 feet west of the east property line. The Design Compatibility Report (DCR) submitted by the applicant states the applicant chose the location to minimize visual impacts on residential properties to the east and south. The nearest residence to the east is approximately 300 feet of the proposed monopalm location. It is nearly 400 feet to the nearest residence to the south.

The applicant has chosen the monopalm design because it offers the opportunity to better blend into the area. For wireless communications facilities, a stealth application is one that disguises the appearance of the pole and/or 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 real object, with no obvious unnatural elements. The success of a stealth application is dependent on the ability of the design and construction of the wireless 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 to, or do not contribute to, the ability of the facility to be as unobtrusive as possible.

There is extensive vegetation on the site ranging from 10 feet to 30 feet in height, thereby blocking potential view sheds. However, at 65 feet in height, the monopalm will be visible from surrounding properties. There are no trees or other vertical elements in the area to give context to the 65-foot tall monopalm, therefore, the DCR recommends two or three live palms be installed near the monopalm to provide that context. Staff concurs with this suggestion and is recommending three live palms be planted. One palm should be at least 40 feet tall and the other two should be a minimum of 30 feet tall. The palms must be properly trimmed and maintained in a healthy condition. Any dead palm must be replaced within 60 days with a palm of similar height. This approach has been used successfully in other locations and has been favorably received.

The City applies standard conditions to control the appearance of monopalm facilities. The following appearance standards are recommended as conditions:

- Monopalm shall include crown and pineapple;
- The pole shall be covered with cladding (bark) from the pineapple to bottom of pole, and painted to resemble a live palm;
- 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;
- Minimum 56 fronds ranging in length from seven (7) feet to 10 feet;
- Fronds shall be placed to extend above, below and in between antenna panels;
- Fronds shall be colored to match live fronds as closely as possible;
- Antenna panels shall be painted with a light/shade pattern to better camouflage them;
- Maximum panel size is eight (8) feet by one (1) foot by six (6) inches; and,
- Antenna standoff from the pole shall not exceed 30 inches.

The DCR states the lease area is 20 feet by 40 feet. Ground equipment will be housed inside a prefabricated equipment shelter, and the exterior utilities will be screened. An eight (8)-foot tall chain link fence, rather than a CMU wall, will surround the lease area to reduce the opportunities for graffiti. This is an acceptable proposal, however there should be additional landscaping outside of the chain link fence on the east and south perimeters to provide visual screening of the interior of the compound from the residentially zoned property. Staff recommends a minimum five (5)-foot wide landscape border be established on the east and south perimeters of the compound. The landscape border should be planted with drought-tolerant vegetation that will reach a five (5)-foot tall screen height within two (2) years. As with the live palms, the vegetative screen must be properly maintained, and any dead plants should be replaced with plants of similar species and height. The equipment shelter should be painted a color that complements the church property, in consultation with the church.

The DCR refers to noise generated by the wireless communication facility air conditioning units mounted on the equipment shelter. Staff recommends the applicant or service provider present evidence that the site will comply with the City of Tucson Code, Section 16-31 Excessive Noise. Evidence may include manufacturer specifications showing decibel acceptable levels at a distance shorter than or equal to the distance to the east property line. Alternatively, a specific sound study conducted and sealed by a Professional Engineer showing acceptable decibel levels at the distance from the air conditioning units to the east property line will also be accepted. This information must be provided at the time of special exception site plan review.

Should a back-up generator be installed at this site, the same evidence of compliance with the Tucson City Code, Section 16-31 Excessive Noise, as discussed above, will also apply to the generator. The generator may be tested for up to 45 minutes per month, between the hours of 8:00 AM and 6:00 PM.

Drainage/Grading/Vegetation/Heat Island – The Flood Hazard Area for Christmas Wash covers an extensive portion of the church site, but does not impact the proposed wireless communication facility site (see attached map). The site is relatively flat. Any grading associated with the project should direct storm water to the landscape border at the edges of the compound.

As the city grows to accommodate population influx, the urban heat island effect also increases due to loss of pervious surfaces and vegetation replaced by impervious surfaces. The young, elderly and those with chronic health conditions are the most vulnerable populations to heat

exhaustion during extreme heat events. Increasing reflectivity of these paved surfaces, providing shade (trees and/or shade structures) or pervious surfaces mitigate the heat absorption quality of dark pavement. Replace any trees removed to install the wireless communication facility to reduce the heat island effect.

Road Improvements/Vehicular Access/Circulation – No road improvements or circulation issues are associated with the project. The site will be visited a monthly for maintenance purposes, and the technician will park in an existing church parking space.

Use-specific Standards – 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.O and 4.9.4.I.3, .3, and .7. The Mayor and Council may forward the request to the Design Review Board for design review and recommendation. Below is the applicant’s analysis of the performance criteria.

4.9.4.I

- .2 *Plan is on file with the City.*
- .3
 - a. *This provision is reviewed during the Development Package Review process.*
 - b. *This provision is reviewed during the Development Package Review process.*
 - c. *Not applicable.*
 - d. *Not applicable.*
 - e. *Applied.*
 - f. *Submittal complies.*
 - g. *All items provided in the General Site Inventory/Design Compatibility Report and Supplemental Coverage maps.*
- .7
 - a. Wireless communication antennae, provided:
 - (1) The tower or antennae are not permitted by other provision of this Section.
The 65-foot tower in the C-1 zone does not conform to any other section of the code because it exceeds the maximum allowed height of 50 feet.
 - (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.
Multiple collocation alternatives were reviewed before choosing the subject site. Existing tower sites within one mile were investigated and determined to not be sufficient to address the coverage gap. Existing Tucson Electric Power poles were also investigated but none were found that met the coverage requirements, were acceptable to TEP for replacement and provided sufficient ground space for equipment. Commercial properties along Fort Lowell Road were also

considered, but none was found with a willing landlord and sufficient space. Therefore, no practical alternative exists.

- (3) All appropriate measures shall be taken to conceal or disguise the tower and antenna from external view.

The tower design as a monopalm will hide the antennas within the fronds of an artificial palm tree. Three live mature palm trees will be added adjacent to the pole to facilitate proper stealthing. The design of the monopalm will be of the highest industry standards for stealth applications.

- (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.

There are no available collocation opportunities in the area to provide coverage within the affected service area, ½ mile in diameter from the subject location. An additional carrier could collocate on the proposed monopalm.

- (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.

Staff comment: Notice shall be provided to all applicable individuals, on or before April 3, 2013 at least 15 days prior to the assigned Zoning Examiner's public hearing.

Staff finds the proposal to be in compliance with the UDC Use-specific Standards.

Conclusion – With the location of the facility toward the center of a larger non-residential use area, on C-1 zoned land, the use of the monopalm design, and the addition of live palm trees and the landscape border, the proposal is in conformance with the policies of *the Grant-Alvernon Area Plan* and the *General Plan*. Subject to compliance with the attached preliminary conditions, approval of the special exception land use is appropriate.