



**CITY OF
TUCSON**

ZONING
EXAMINER'S
OFFICE

August 7, 2015

ZONING EXAMINER'S DECISION

**Special Exception Land Use Case:
SE-15-25 – Verizon – Lakeside Parkway**

Applicant/Agent: Shirley Crowder
Centerline Solutions
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Phoenix, AZ 85040

Engineer/Architect: Dario Mendoza
Centerline Solutions
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Phoenix, AZ 85040

Special Exception Land Use Request

This is a request for approval of a wireless communication tower with twelve antenna panels concealed in an artificial palm tree (monopalm) 65 feet in height. The proposed tower is located approximately 750 feet south of Golf Links Road and 630 feet east of Pantano Road

Public Hearing

On July 30, 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 Shirley Crowder of Centerline Solutions, on behalf of Verizon Wireless, for approval of a wireless communication facility (WCF). The special exception site is located approximately 750 feet south of Golf Links Road and 630 feet east of Pantano Road. The preliminary development plan proposes a wireless communication tower with twelve antenna panels concealed within an artificial palm tree (monopalm), 65 feet in height. The facility will be placed within an approximately 800 square foot lease area in the northeastern portion of the 0.93 acre site.

The special exception site is currently undeveloped in the C-2 commercial zone. To the east are vacant lots in the C-2 commercial zone, to the south is multi-family residential developed in the C-2 commercial zone, to the west across Lakeside Parkway is a self-storage use and a utility use developed in the C-2 commercial zone, and to the north are commercial retail and office uses developed in the C-2 commercial zone. The nearest single-family residential zoned and developed land is located directly to the south, approximately 485 feet away.

Vehicular access to the wireless communications facility is through an existing curb cut from Lakeside Parkway. The access easement to Lakeside Parkway shall be recorded and sequence number provided prior to, or at, permit submittal stage. According to the *Major Streets and Routes Plan*, Lakeside Parkway is designated as a local 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*. Commercial Policy 1 of the *PEAP* 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.

Plan Tucson identifies this area in the Future Growth Scenario Map as an "existing neighborhood" category and supports new services and amenities that contribute further to neighborhood stability. 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 wireless communication facility will help improve telecommunication services in the surrounding neighborhoods.

The proposed monopalm will include four antennas per sector with three sectors for a total of twelve antennas. The applicant has submitted a photo-simulation of the monopalm showing the antennas concealed by the artificial branches of the monopalm. The monopalm will be set back from Lakeside Parkway by approximately 187 feet to the west and 217 feet to the south. A monopalm was chosen because of the presence of several palm trees within relatively close proximity to the site. The proposed ground equipment is located within an area screened by a twelve (10) foot tall masonry wall with

a 2-foot tall wrought iron extension. A proposed cabinet will be located on a concrete pad. A twelve foot wide access easement for the WCF site will be provided from Lakeside Parkway. The access easement runs along the east edge of the parcel.

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 monopalm at this location, the following standards are recommended:

- The monopalm shall not exceed 65 feet in height at top of fronds;
- The monopalm shall include crown and apple;
- The pole shall be covered with cladding (bark) from the pineapple to bottom of pole, and painted to resemble a live palm;
- There shall be a minimum of 65 fronds ranging in length from seven (7) feet to ten (10) feet and placed to extend above, below and between antenna panels;
- Replacement of lost/damaged fronts to be completed within ten working days of observation and fronds shall be colored to match live fronds as closely as possible;
- All cables shall be run inside the pole, with no foot pegs or 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 an 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 Zoning Examiner Special Exception Procedure and must meet the Use-Specific Standards of UDC Sections 4.9.13.0 and 4.9.4.1.2, .3, and .6.b. The Zoning Examiner may forward the request to the Design Review Board for design review and recommendation.

UDC 4.9.1.6.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

Given the compliance of the proposed project with *Plan Tucson* and the *Pantano East Area Plan* and the applicable provisions of the *Unified Development Code*, this request is appropriate.

Decision

This special exception land use request for a 50-foot monopalm cellular communications facility with associated equipment is hereby approved, subject to the following conditions:

1. A development package/site plan in substantial compliance with the preliminary development plan dated July 29, 2015, is to be submitted and approved in accordance with the *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.
7. The wireless communication monopalm, including attachments such as antenna panels and palm fronds, shall not exceed sixty-five (65) 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 monopalm shall include crown and pineapple.
10. The pole shall be covered with cladding (bark) from the pineapple to bottom of pole, and painted to resemble a live palm.
11. There shall be a minimum of 65 fronds ranging in length from seven (7) feet to ten (10) feet and placed to extend above, below and between antenna panels.
12. Replacement of lost/damaged fronds to be completed within ten working days of observation and fronds shall be colored to match live fronds as closely as possible.
13. Verizon shall routinely monitor the facility and repair/replace any artificial fronds that may become worn or damaged through time.
14. All cables shall be run inside the pole, with no foot pegs other visible appurtenances.
15. All wire ports shall be concealed behind the antennas and all equipment shall be mounted behind the antenna panels.
16. Antenna standoff from the pole shall not exceed thirty (30) inches.
17. Ground equipment to be located within lease area as depicted on the preliminary development plan dated July 29, 2015.
18. Ground equipment to be screened by 10-foot masonry wall to be painted in neutral desert colors or to match surrounding existing buildings with 2-foot tall wrought iron extension (provide elevation of street views).
19. Panel antenna dimensions shall not exceed ninety-nine (99) inches in length, eighteen (18) inches in width, and eight (8) inches in depth.
20. All walls visible from a public right-of-way and/or adjacent to existing residential development are to be graffiti-resistant.
21. Six-(6) inch wide fence block or greater shall be used for perimeter walls. Graffiti shall be removed from walls within seventy-two (72) hours of discovery or notification.
22. The screen wall and any paintable distribution system equipment shall be painted with neutral desert colors or to match the 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.

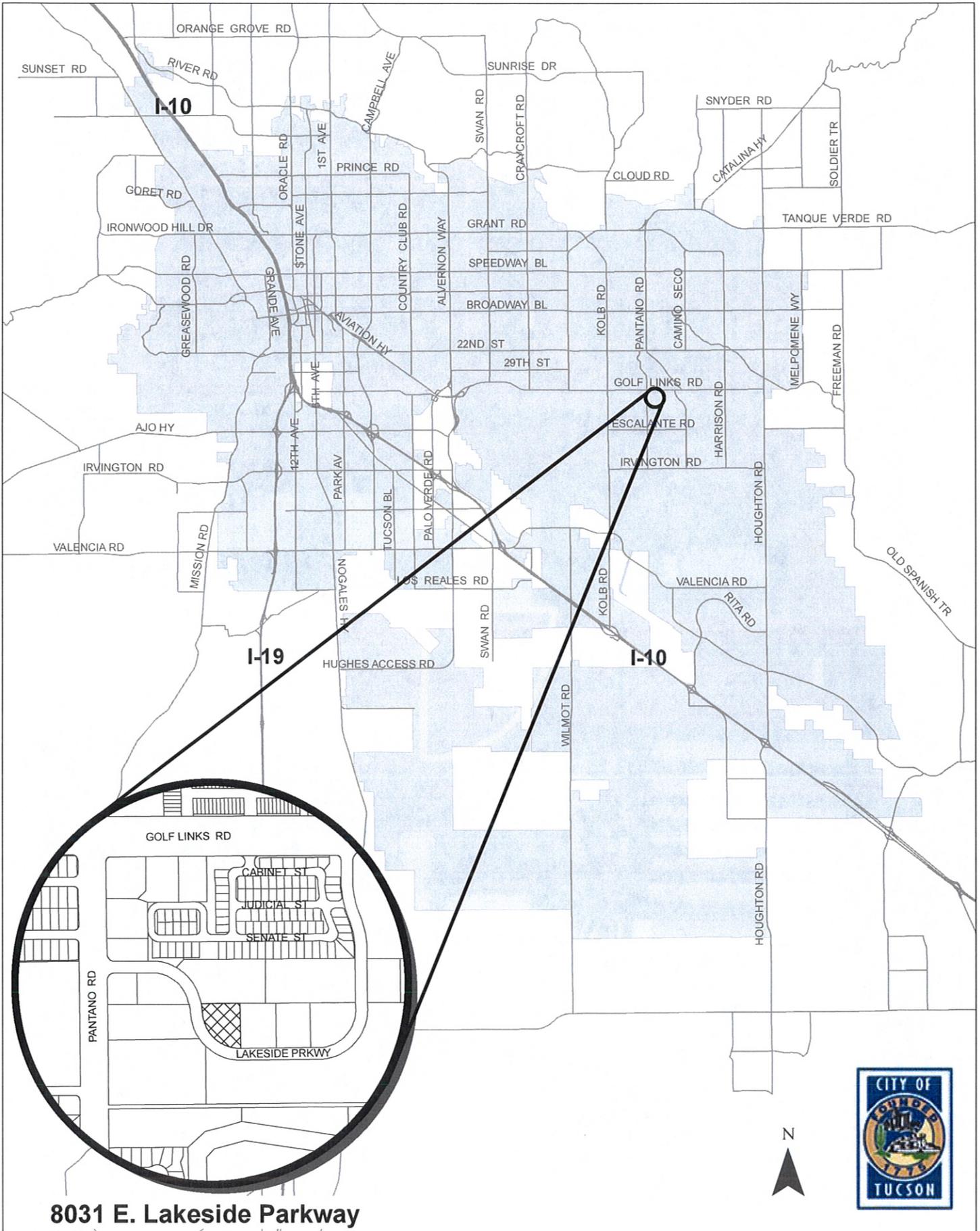
23. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopole.
24. Installation of a backup generator requires evidence of compliance with the Tucson City Code, Section 16-31 Excessive Noise. The generator may be tested 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.
25. North wall of equipment enclosure shall be at least 5-feet from neighboring building or property line to the north, whichever is closer.
26. Plans for future carriers must be approved through the special exception process.

Linus Kafka

Zoning Examiner

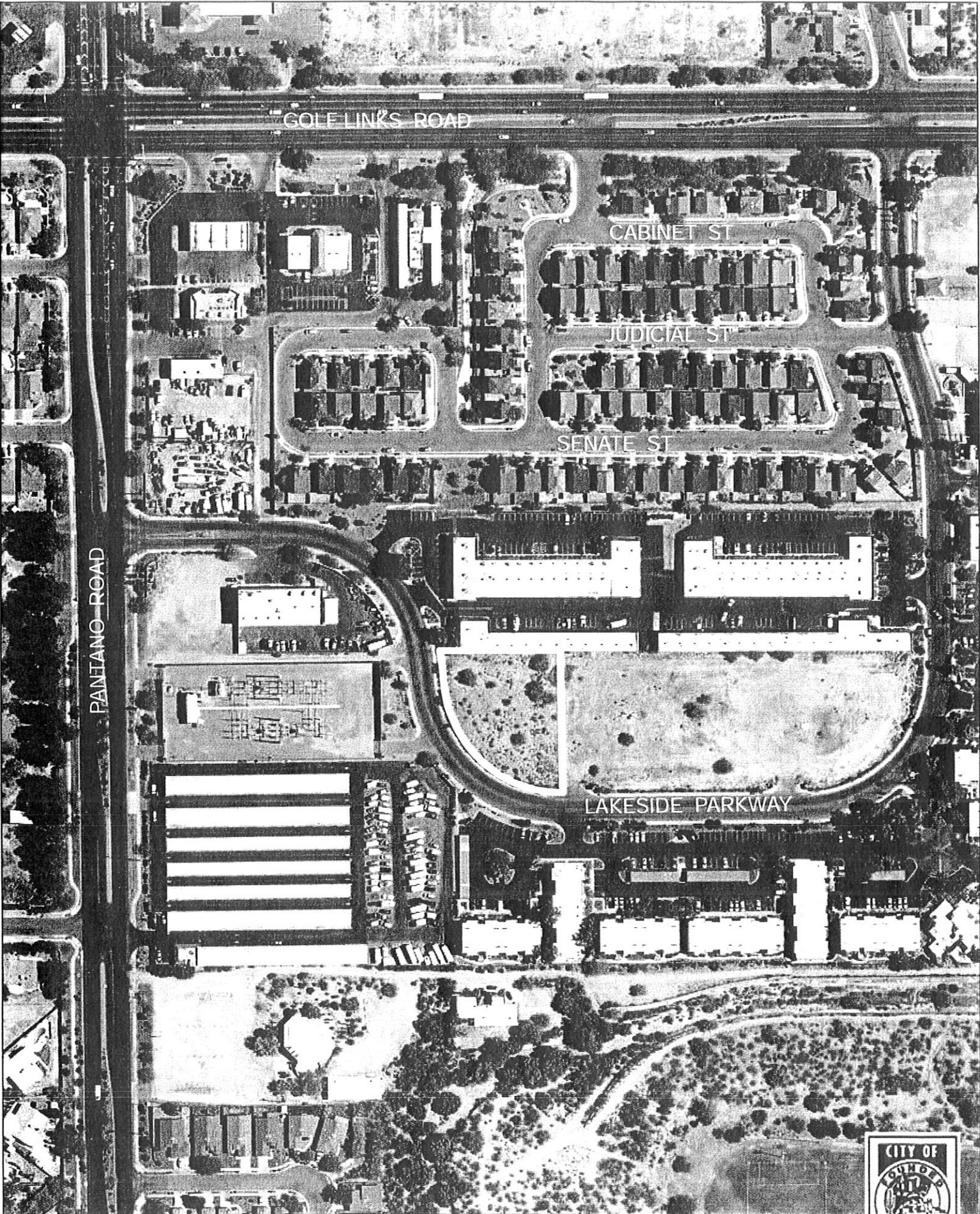
CC:
Glenn Moyer, PDSO
City of Tucson Mayor and Council

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8031 E. Lakeside Parkway





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2014 Aerial

