



**CITY OF
TUCSON**

ZONING
EXAMINER'S
OFFICE

September 4, 2015

ZONING EXAMINER'S DECISION

Special Exception Land Use Case:
SE-15-31 Verizon – Ajo Way

Applicant/Agent: Shirley Crowder
Centerline Solutions
4636 East Elwood, Suite 7
Phoenix, AZ 85040

Owner: St. John the Evangelist Roman Catholic School
602 W. Ajo Way
Tucson, AZ 85702

Engineer/Architect: Matthew Young
Young Design Group
10245 Via Linda, #211
Scottsdale, AZ 85258

Special Exception Land Use Request

This is a request for approval of a wireless communication tower with twelve antenna panels concealed within an artificial palm tree (monopalm), 50 feet in height with associated ground equipment, including a back-up diesel generator. The proposed tower is located approximately 500 feet north of Ajo Way and 300 feet west of 12th Avenue.

Public Hearing

On August 27, 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 500 feet north of Ajo Way and 300 feet west of 12th Avenue. The preliminary development plan (PDP) proposes a wireless communication tower with twelve antenna panels concealed within an artificial palm tree (monopalm), 50 feet in height with associated ground equipment, including a back-up diesel generator. The facility will be placed within an approximately 700 square foot lease area near the central portion of the 7.60 acre site, which is developed as a church with an associated school.

The special exception site is currently developed with a school and religious use in the R-2 residential zone. To the east across 12th Avenue are commercial retail and single-family residential uses in the C-1, C-2 and R-2 zones. To the south across Ajo Way is commercial development with restaurant and retail uses in the C-2 zone. To the west are single-family residential and commercial uses in the R-1 and C-1 zones. To the north is single-family residential in the R-1 and R-2 zones. The nearest residential units are located approximately 300 feet away and directly to the west and to the north of the proposed WCF site.

Vehicular access to the wireless communications facility is by a 12-foot wide easement through an existing parking lot located adjacent to and west of 12th Avenue. The access easement shall be recorded and sequence number provided prior to, or during the permitting stage. According to the *Major Streets and Routes Plan*, 12th Avenue is designated as an arterial street with a future right-of-way of 100 feet. Ajo Way is designated as a Gateway arterial street with a future right-of-way of 120 feet.

Land use policy direction for this area is provided by *Plan Tucson*, which identifies this area on the Future Growth Scenario Map as an "existing neighborhood." The *Plan* defines existing neighborhoods as built-out areas with residential and commercial uses. The goal is to maintain the character of the neighborhood while accommodating some new development and encouraging reinvestment and new services that contribute to neighborhood stability. Policy LT28.1.2 requires that wireless communication facilities be located, installed and maintained to minimize visual impacts and preserve views. Policy LT28.1.3 calls for improved appearance of above-ground utilities and structures, and extending access to high-tech wireless communication facilities throughout the city. The applicant states that 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 visible from surrounding residential development, as well as from nearby streets. The proposed stealth monopalm provides concealment and reduces the visible impacts to the area. The PDP shows that the proposal includes two additional live palms to be located immediately north of the WCF to help provide a visual buffer from

adjacent residential uses. The nearest homes are north and west of the site in the R-1 residential zone, approximately 300 feet from the proposed location of the WCF. Any existing on-site native tree, or landscape planting disturbed during the monopalm or ground equipment installation will be replaced to enhance stealthing provided by the monopalm design.

The applicant proposes to place the monopalm and ground equipment in a 700 square foot lease area south of an existing school ballfield and north of the existing school buildings. Ground equipment will be housed inside a 10'x10' pre-fabricated equipment shelter located on a concrete slab. The equipment shelter will be enclosed by an 8-foot high masonry screen wall painted to match surrounding buildings. As with other WCF's located within school sites, staff recommends the equipment enclosure have a complete top barrier such as wire mesh or chain link fencing material to prevent children from climbing the walled enclosure and entering the equipment area.

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 50 feet in height at top of fronds;
- The 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;
- There shall be a minimum of 55 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 fronds 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.

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.a. The Zoning Examiner may forward the request to the Design Review Board for design review and recommendation.

UDC 4.9.1.6.a:

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 fifty (50) feet or less in height.

Conclusion

Given the compliance of the proposed project with *Plan Tucson* 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 August 18, 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 fifty (50) 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 55 fronds ranging in length from seven (7) feet to ten (10) feet and placed to extend above, below and between antenna panels.
12. Verizon shall routinely monitor the facility and repair/replace any artificial fronds that may become worn or damaged through time.
13. 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.
14. All cables shall be run inside the pole, with no foot pegs other visible appurtenances.
15. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopole.
16. Ground equipment to be located within lease area as depicted on the preliminary development plan dated August 18, 2015.
17. Ground equipment to be screened by 8-foot high masonry wall.
18. All walls visible from a public right-of-way and/or adjacent to existing residential development are to be graffiti-resistant. Graffiti shall be removed from walls within seventy-two (72) hours of discovery or notification.
19. 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.
20. Top of ground equipment wall enclosure shall include a complete top cover, which may include wire mesh, chain link, or other acceptable durable material. Top cover shall be in place at all times. If top cover impedes required services of WCF ground

equipment, wall enclosure may be raised up to a maximum of twelve feet in height to allow full services of equipment.

21. 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.
22. Plans for future carriers must be approved through the special exception process.

Linus Kafka



Zoning Examiner

CC: Glenn Moyer, PDSD
John Beall, PDSD
Daniel Bursuck, PDSD
City of Tucson Mayor and Council