



**CITY OF
TUCSON**
ZONING
EXAMINER'S
OFFICE

Preliminary Report

April 8, 2016

Adam Brixius
Jeremy Waterberg
Pinnacle Consulting
1426 N. Marvin Street, Suite 101
Gilbert, AZ 85233

**SUBJECT: SE-15-93 Verizon – Harrison Road
Public Hearing: March 31, 2016**

Dear Mr. Brixius,

Pursuant to the City of Tucson Unified Development Code and the Zoning Examiner's Rules of Procedures (Resolution No. 9428), this letter constitutes written notification of the Zoning Examiner's summary of findings for rezoning case **SE-15-93 Verizon – Harrison Road**. At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report (complete with background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) to the Mayor and Council shall be filed with the City Manager. A copy of that report can be obtained from either the Planning and Development Services Department (791-5550) or the City Clerk.

If you or any party believes that the Zoning Examiner's recommendation is based on errors of procedure or fact, a written request to the Zoning Examiner for review and reconsideration may be made within 14 days of the conclusion of the public hearing.

The public hearing held by the Zoning Examiner shall constitute the public hearing by the Mayor and Council. However, any person may request a new public hearing before the Mayor and Council. A request for a new public hearing must be filed in writing with the City Clerk within 14 days of the close of the Zoning Examiner's public hearing.

SUMMARY OF FINDINGS

This is a request by Adam Brixius of Pinnacle Consulting, on behalf of Verizon Wireless, for approval of a wireless communication facility. The Special Exception site is located approximately 75 feet west of Harrison Road and 150 feet south of Speedway Boulevard. The overall subject property is divided into C-1 and R-2 zone sections. The preliminary development plan proposes a wireless communication tower with eight antenna panels concealed within an artificial palm tree or monopalm, 60 feet in height to its topmost feature. The facility will be placed within a 14 by 14 feet leased area near the north edge of the subject property in the C-1 zone and the ground equipment will be located in an irregularly shaped second leased area near the southeast corner of the subject property in the R-2 zone. The subject property is used as a veterinary clinic.

There is one written approval and two written protests on the proposed tower. No one from the public spoke in support or in opposition to the proposal at the Zoning Examiner's March 31, 2016 public hearing.

Surrounding Land Uses. To the north of the site is a City transit lot zoned C-1. To the south and east are single family residences zoned R-2 and R-1 respectively. To the west is a single family and multi-family residential development zoned R-2. The nearest residentially zoned land to the proposed monopalm is about 100 feet to the south and west.

Land Use Plans. Land use policy direction for this area is provided by the *Pantano East Area Plan (PEAP)* and *Plan Tucson*. Two commercial land use polices of *PEAP* support commercial uses along arterials and further support commercial uses to be designed to be compatible with surrounding residences.

Plan Tucson identifies the area in the Future Growth Scenario Map as a Neighborhood Center Building Block. This Building Block supports a mix of small businesses surrounded by residential uses and is accessible by walking, cycling or transit. Policy LT28.1.2 requires wireless facilities to be installed and maintained to minimize visual impacts and preserve views. LT28.1.3 also requires well-designed facilities and that any installed facility provide improved wireless services in the surrounding area. The applicant states the facility will improve telecommunication services in the surrounding neighborhoods.

Design. The Special Exception site is located within a mixed-use center as identified on the Future Growth Scenario Map of *Plan Tucson*. Mixed-use centers combine a variety of housing options, retail, services, office, and public gathering places, located close to each other, providing occupants of the center and the residents and workers in the surrounding neighborhoods with local access to goods and services. *Plan Tucson* policies protect established residential neighborhoods by supporting compatible development, including non-residential

uses, where the scale and intensity of use is compatible with adjacent uses. Policy LT28. 1.2 requires that, if possible, wireless communication facilities be located, installed and maintained to minimize visual impacts and preserve views.

According to the *Major Streets and Routes Plan*, Harrison Road and Speedway Boulevard are both designated as arterial streets with 120-foot designated rights of way. The Pima Association of Governments - Transportation Planning Division (PAG-TPD) estimates that the proposed development will not generate additional measurable vehicle trips per day.

The proposed ground equipment is located within an area screened by a 9-foot 4-inch tall masonry wall. A proposed diesel generator and cabinets will be located on concrete pads. Staff recommends the wall be painted and textured to match existing nearby architectural styles.

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 fronds of the monopalm. The monopalm will be set back about 75 feet from Harrison Road right-of-way and about 130 feet from the south edge of the Speedway Boulevard right-of-way. The monopalm will be visible from surrounding commercial and residential development. The monopalm design reduces the visual impact on the area. There are some desert trees, pine trees and palm trees in the general area. Any landscaping disturbed during construction of the monopalm should be replaced.

While the monopalm will be visible from the surrounding commercial and residential development, the proposed design of the monopalm is intended to provide concealment and reduce the visible impacts on the area. Staff considers the following conditions in making their recommendation to assure the scale and design of the monopalm reduces visual impacts on the area:

- The monopalm shall not exceed sixty feet in height to the topmost feature;
- 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 55 fronds ranging in length from seven feet to ten 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 branches and socks shall be colored to match live pines as closely as possible;
- 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;
- Antenna panels shall be painted with a light/shade pattern to better camouflage them;
- Ground equipment to be screened by existing masonry wall (provide elevation of street views);
- Maximum antenna size is ninety-eight inches in length, twelve in width, and eight inches in depth,
- Antenna standoff from the pole shall not exceed thirty inches.

Use Specific Standards. The proposal requires approval as a Mayor and Council Special Exception (Sec. 3.4.4). Additionally, the proposal must comply with Use-Specific Standards Sec.4.9.13.O and 4.9.4.I.2,3, and 7. The Mayor and Council may forward the request to the Design Review Board for design review and recommendation.

Sec. 4.9.4.I.7 allows towers that may not meet the requirements of other wireless communication review processes to be review and approved by the Mayor and Council. In this case, the tower is taller than allowed in the subject zones and, it is closer than one-mile to the next tower which the applicant states is not a suitable site for collocation. As part of the process, the tower design, as has already been described, is using stealth design as a monopalm. Adequate notice was provided. The proposal is in substantial compliance with the standards of the above noted section.

CONCLUSION

The Zoning Examiner has reviewed the evidence and finds the proposed tower to be in compliance with the UDC Use-Specific Standards. The proposed stealth tower is in compliance with the performance criteria for a wireless communication facility. The Special Exception request is consistent with the policies and intent of the *PEAP* and *Plan Tucson*, considering the use of a stealth design, in this case a monopalm, that will limit the visual impact of the facility. Approval of the request is appropriate subject to compliance with the attached preliminary recommended conditions. The applicant agrees with the conditions.

RECOMMENDATION

The Zoning Examiner recommends approval of the Special Exception request subject to the proposed preliminary conditions.

Sincerely,



Jim Mazzocco, AICP
Zoning Examiner

ATTACHMENTS:

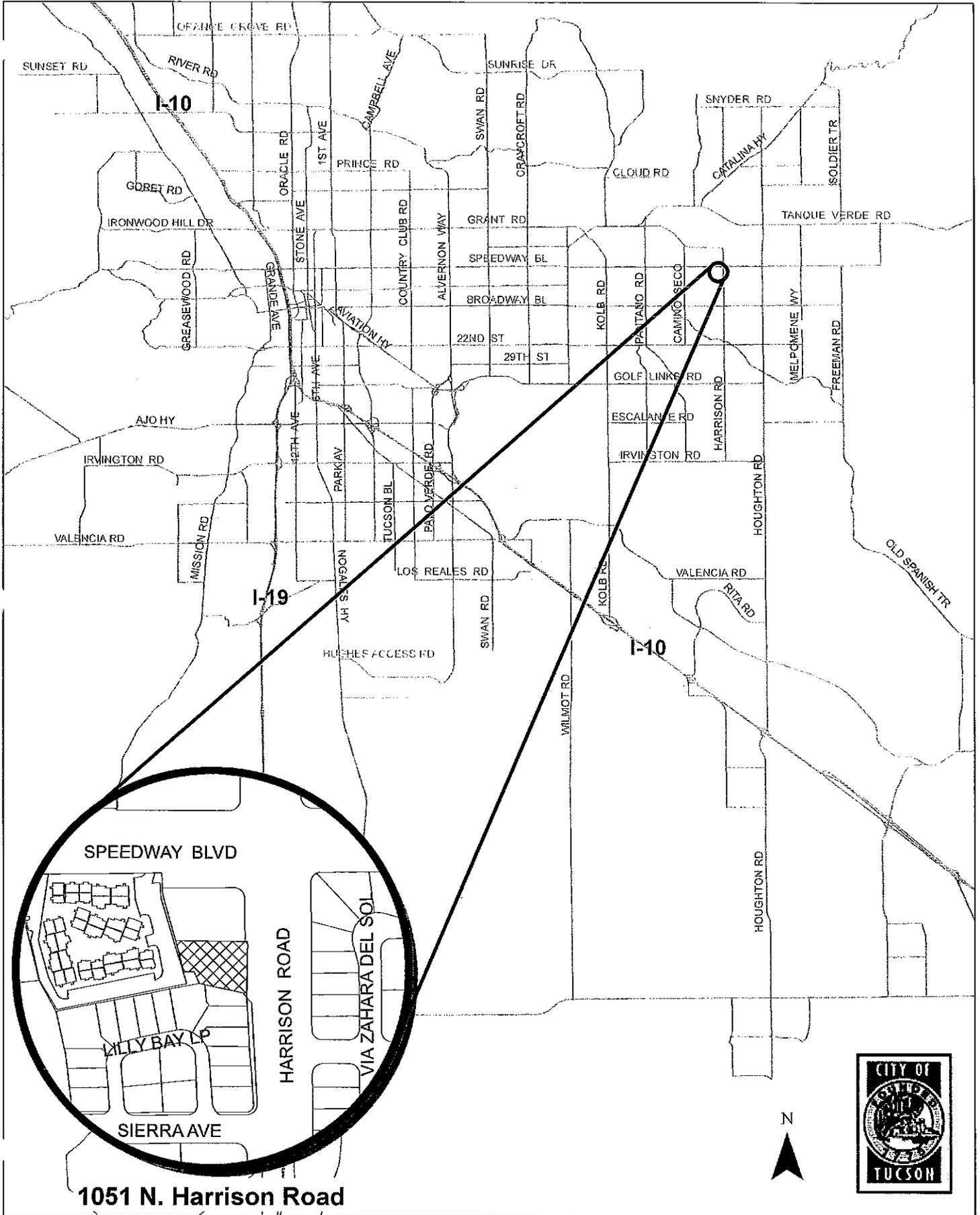
Case Location Map

Case Map

Preliminary Conditions

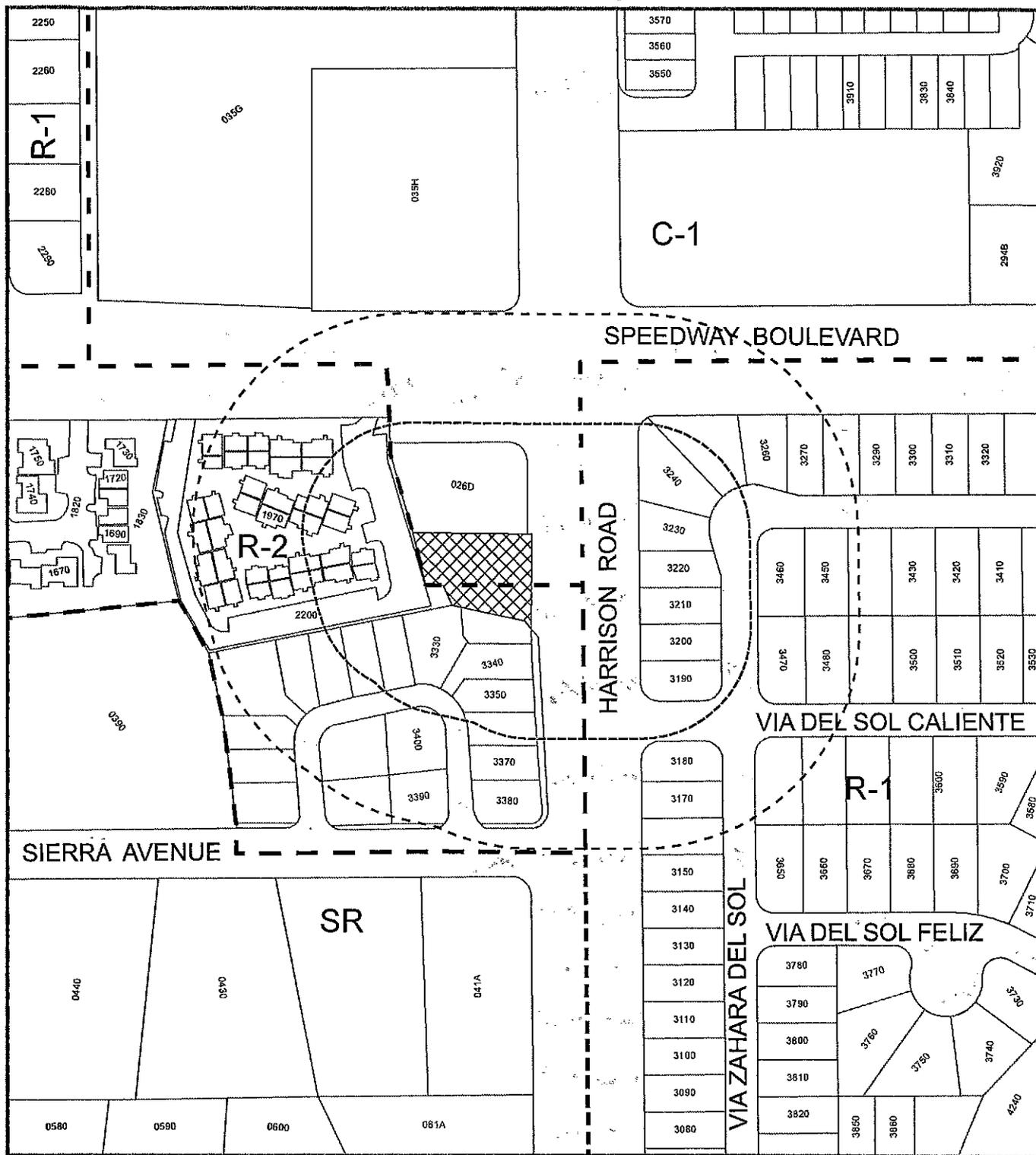
cc: City of Tucson Mayor and Council

SE-15-93 Verizon - Harrison Road



1051 N. Harrison Road

SE-15-93 Verizon - Harrison Road M. & C. Special Exception



-  Area of Special Exception Request
-  150' Protest Area
-  300' Notification Area
-  Zone Boundaries

C-1, R-2 Zoning of Requested Area



Address: 1051 N. Harrison Road
Base Maps: Sec.10 T.14 R.15
Ward: 2



PROCEDURAL

1. A site plan in substantial compliance with the preliminary development plan dated January 13, 2016, is to be submitted and approved in accordance with *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.

LAND USE COMPATABILITY / CONCEALMENT MEASURES

7. The wireless communication monopalm, including attachments such as antenna panels and palm fronds, shall not exceed sixty (60) 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. 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 lost, worn, or damaged through time.
14. All wire ports shall be concealed behind the antennas and all equipment shall be mounted behind the antenna panels.
15. Ground equipment to be located within lease area as depicted on the preliminary development plan dated January 13, 2016 and setback from southern property line by a minimum of 10 feet.
16. Panel antenna dimensions shall not exceed ninety-nine (99) inches in length, eighteen (18) inches in width, and eight (8) inches in depth.
17. All walls visible from a public right-of-way and/or adjacent to existing residential development are to be graffiti-resistant.
18. Graffiti shall be removed from walls within seventy-two (72) hours of observation.
19. The equipment screen wall shall be a minimum of 9 feet tall and painted and textured to match surrounding colors and architectural style of existing building.
20. There shall be no exterior wiring, visible footpegs, portals, cabling or cable shrouds, or other unnatural appearing features on the monopalm.
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. Any existing on-site palm tree, native tree or other landscape planting disturbed during the construction of the monopalm or ground equipment installation shall be replaced in accordance with the UDC and heat island mitigation.
23. Plans for future carriers must be approved through the special exception process.