



CITY OF
TUCSON
ZONING
EXAMINER'S
OFFICE

Preliminary Report

April 15, 2016

Shirley Crowder

Centerline Solutions
4636 E. Elmwood St. Suite 7
Phoenix, AZ 85040

SUBJECT: SE-16-16 Verizon –Broadway Boulevard
Public Hearing: March 31- April 7, 2016

Dear Ms. Crowder ,

Pursuant to the City of Tucson Unified Development Code (Sec.3.4.4) 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 special exception case **SE-16-16 Verizon – Broadway Boulevard**. At the expiration of 14 days of the conclusion of the public hearing, the Zoning Examiner's Report to the Mayor and Council (complete with background information, public hearing summary, findings of fact, conclusion, recommendation, and public hearing minutes) 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 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 325 feet west of Chimney Canyon Drive and 530 feet south of Essex Village Drive Boulevard and is on a parcel with a single family residence in the SR zone. It is generally about a half mile in a southwestern direction of the intersection of Broadway Boulevard and Houghton Road and approximately 1,000 feet west of Houghton Road. The preliminary development plan proposes a wireless communication tower with twelve antenna panels concealed within an artificial palm tree or monopalm, which was initially proposed as 55 feet in height to its topmost feature (the recommended conditions state 50 feet). The facility consisting of a monopalm and ground equipment pad that will be placed in two leased areas of approximately 616 square foot combined in the southwestern portion of the 4.57 acre site.

As of the March 31 public hearing, there were four written approvals and two written protests. The applicant submitted several papers explaining the value and safety of wireless communication towers. The protesters were concerned about mountain views, health concerns, and reduced property values.

The case was continued till April 7 to allow the applicant to speak to the protesting property owners and give more information about the views of the tower from adjoining property owners with concerns. At the April 7 hearing, the applicant and a protesting property owner agreed that they had reached a compromise. There were two changes to the preliminary conditions. The tower would be lowered from 55 feet to 50 feet (measured from the topmost fronds of the monopalm). Further, that trees planted to surround the monopalm would be, as requested by the property owner, a variety known as live silver leaf oak trees. The property owner clarified that he and his wife were not removing their protest or supporting the Special Exception but if it were to be approved then the two revised conditions were necessary.

Surrounding Land Uses - To the north are SR and R-1 single family residences, to the south and east are R-1 single family residences, and to the west is vacant SR land. The Special Exception site as noted has a single family residence. To the southwest is a Tucson Water well site on a separate parcel. The nearest residential unit is located about 165 feet south of the proposed WCF site.

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 an Existing Neighborhood Building Block. This Building Block supports new services and amenities that further contribute to neighborhood stability. 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 proposed ground equipment will be screened by an eight-foot wall. There is an access easement to the site from Leland Drive. The proposed tower will be disguised as a palm tree (monopalm). The antennas will be concealed in the artificial branches of the monopalm. The monopalm will be setback from Chimney Canyon Drive by about 325 feet to the east and from Essex Village Drive 530 feet to the north. The monopalm was recommended because of several palm trees to the east of the site. The monopalm will be visible from the surrounding residential development as well as adjacent streets. As noted live silver leaf oak trees will be planted on the site to add natural tall trees with expanded branching patterns to help screen and reduce the impact of the monopalm. A successful stealth design fits into its surroundings to the degree that it becomes part of the natural vegetative setting.

To ensure a successfully designed site the following conditions are considered in the preparation of the preliminary recommended conditions:

- The monopalm shall not exceed 50 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 65 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 fronds shall be colored to match a palm tree 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-nine inches in length, eighteen inches 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.

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 proposal was initially taller than allowed (originally 55 feet now 50 feet per the April 7 compromise) in the SR zone. However, the tower setback for the SR zone to residentially-zoned property is still less than required (100 feet is required and it is about 30 feet from an adjoining SR-zoned City-owned parcel). In addition, 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 has, as already been described, using stealth design as a monopalm and surrounding the tower with tall oak trees for screening.

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 with tall screening trees that will limit the visual impact of the facility. Approval of the request is appropriate subject to compliance with the recommended Planning and Development Service Department conditions.

RECOMMENDATION

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

Sincerely,



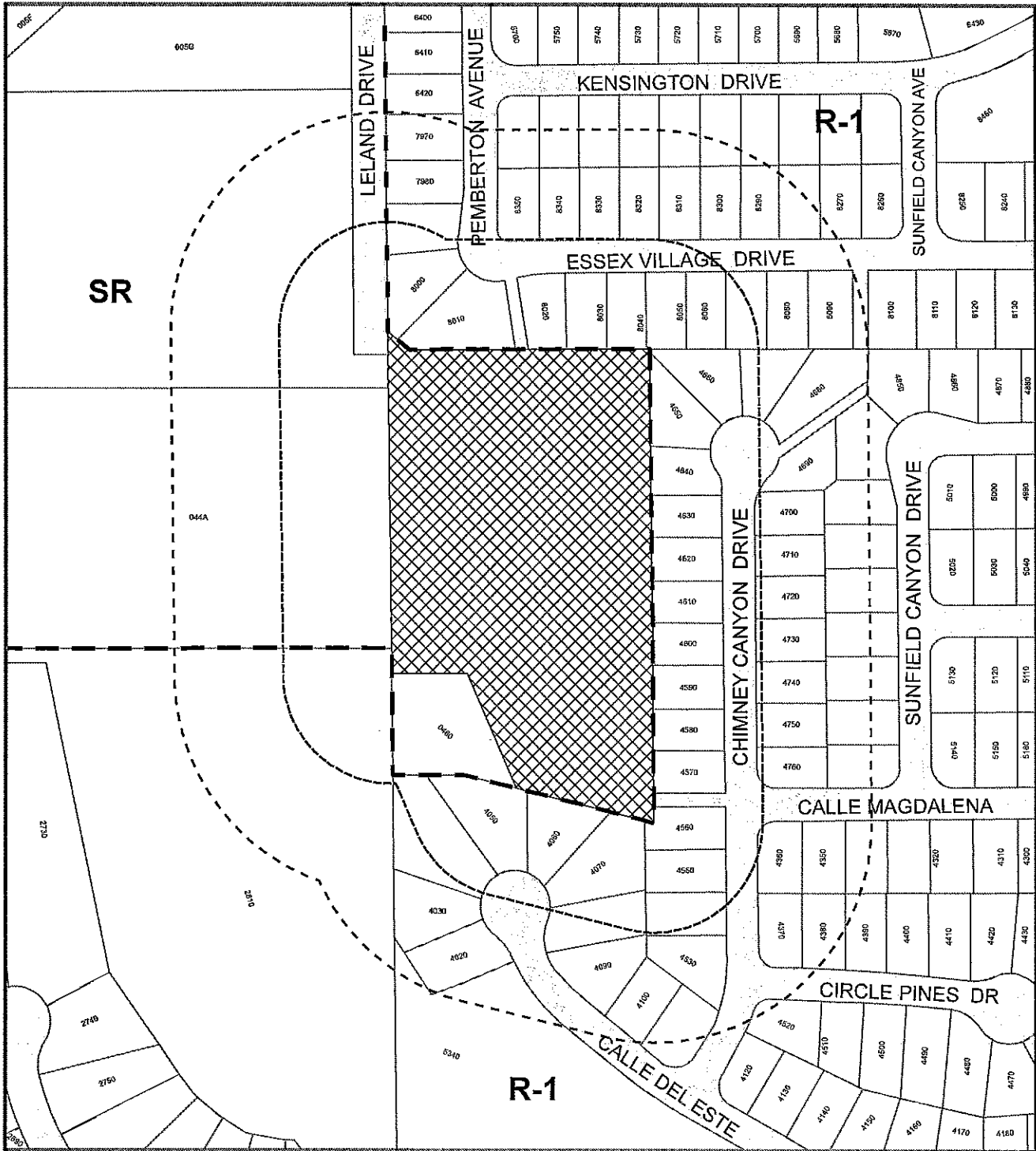
Jim Mazzocco, AICP
Zoning Examiner

ATTACHMENTS:

Case Location Map
Site Case Map

cc: City of Tucson Mayor and Council

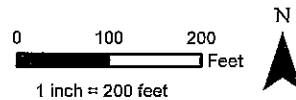
SE-16-16 Verizon - Broadway Boulevard M. & C. Special Exception



- Area of Special Exception Request
- 150' Protest Area
- 300' Notification Area
- Zone Boundaries
- SR** Zoning of Requested Area



Address: 10000 E. Broadway Boulevard
Base Maps: Sec.14 T.14 R.15
Ward: 2



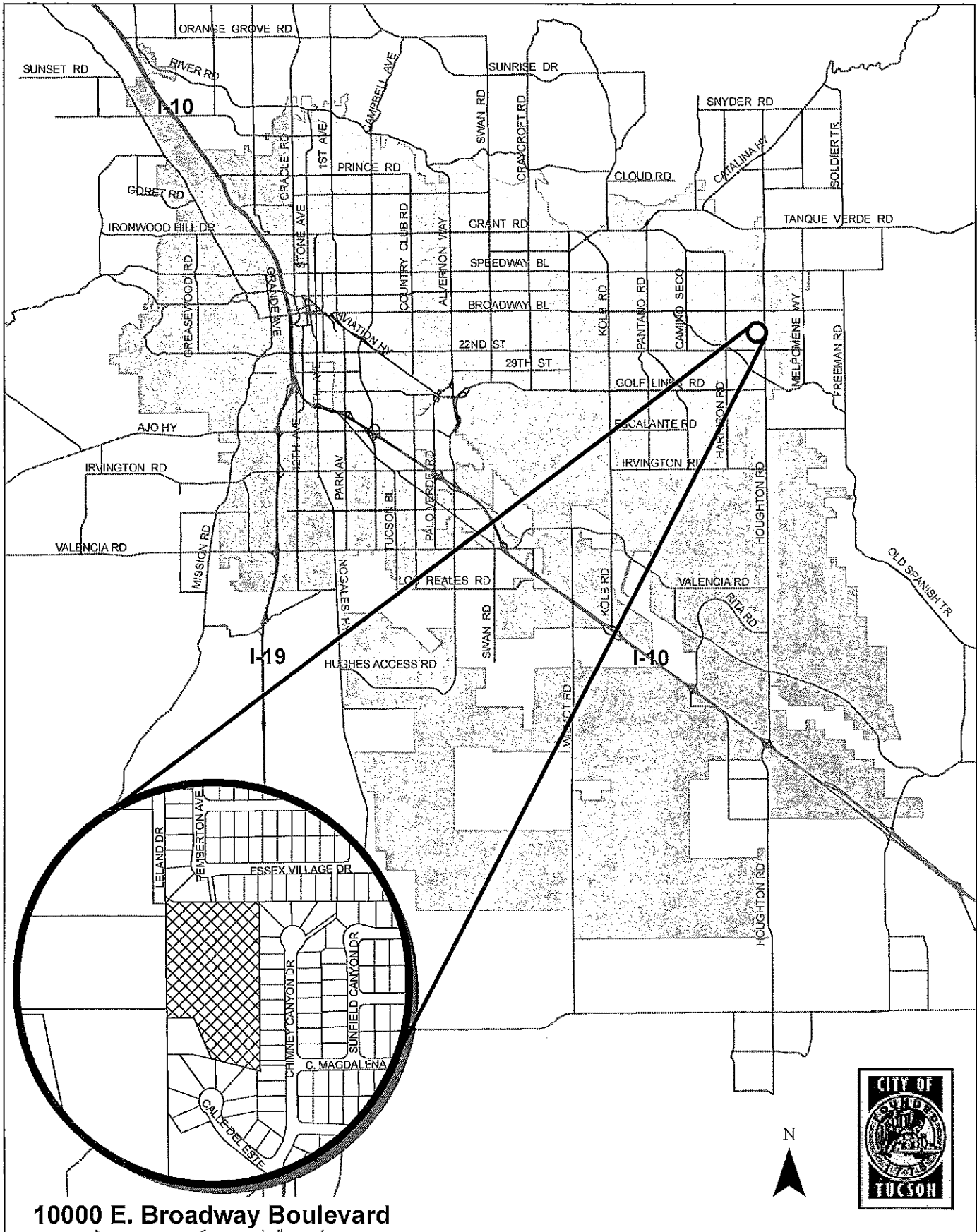


SE-16-16 Verizon - Broadway Boulevard
2014 Aerial

0 100 200
Feet
1 inch = 200 feet



SE-16-16 Verizon - Broadway Boulevard



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.

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