

### **BOARD OF SUPERVISORS AGENDA ITEM REPORT**

Requested Board Meeting Date: 12/20/2022

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\*= Mandatory, information must be provided

#### Click or tap the boxes to enter text. If not applicable, indicate "N/A".

#### \*Title:

P22CU00012 FIDELITY NATIONAL TITLE TR 60380 - S. ROCKING K RANCH LOOP

#### \*Introduction/Background:

This is a request for a Type III Conditional Use Permit for a Communication Tower in accordance with Section 18.07.030H of the Pima County Zoning Code.

#### \*Discussion:

The proposed Type III Conditional Use Permit is for a new 85-foot-tall communication tower and associated ground equipment area. The subject property identified as pacel number a portion of parcel 205-95-3260 and is zoned SP (TDR-SA) (Rocking K Specific Plan – Transfer, of Development Rights –Sending Area).

#### \*Conclusion:

This Type III Conditional Use request will provide necessary wireless coverage in a growing area.

#### \*Recommendation:

The Hearing Administrator and the Planning and Zoning Commission recommend APPROVAL of the request.

#### \*Fiscal Impact:

N/A

#### \*Board of Supervisor District:

Department: Development Services, Planning Division Telephone: 520-724-8800

Contact: Thomas Drzazgowski, Chief Zoning Inspector Telephone: 520-724-6675

Date: <u>12/1/2022</u> Department Director Signature: Deputy County Administrator Signature: Xeu i County Administrator Signature:

7/14/2021



- TO: Honorable Steve Christy, District 4
- **FROM:** Chris Poirier, Deputy Director *Up Ton Orangewski* Public Works-Development Services Department-Planning Division
- DATE: November 29, 2022
- SUBJECT: <u>P22CU00012 FIDELITY NATIONAL TITLE TR 60380 S. ROCKING K RANCH</u> LOOP (Conditional Use Type III – Communication Tower)

The above referenced Conditional Use Permit is within your district and is scheduled for the Board of Supervisors' **TUESDAY**, **December 20**, **2022** hearing.

- **REQUEST:** Fidelity National Title Tr 60380, represented by State 48 Consulting, request a Type III Conditional Use Permit for a wireless communication facility (portion of parcel 205-95-3260) in accordance with Section 18.07.030 of the Pima County Zoning Code in the SP (TDR-SA) (Rocking K Specific Plan Transfer of Develop Rights Sending Area) zone, located south of the T-intersection of S. Rocking K Ranch Loop and S. Mountain View Way. (District 4)
- **OWNER:** Fidelity National Title Tr 60380
- DISTRICT: 4

STAFF CONTACT: Anita McNamara, AICP, Senior Planner

**PUBLIC COMMENT TO DATE:** As of November 29, 2022, no public comment has been received.

PLANNING AND ZONING COMMISSION RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS

HEARING ADMINISTRATOR'S RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS

**MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (CLS):** The subject property is located within the Maeveen Behan Conservation Lands System Multiple Use Management Areas.

TD/AM/ds Attachments



#### **BOARD OF SUPERVISORS MEMORANDUM**

#### Subject: P22CU00012

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#### FOR DECEMBER 20, 2022 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

**FROM:** Chris Poirier, Deputy Director

DATE: November 29, 2022

#### ADVERTISED ITEM FOR PUBLIC HEARING

#### CONDITIONAL USE PERMIT

#### P22CU00012 FIDELITY NATIONAL TITLE TR 60380 - S. ROCKING K RANCH LOOP

Fidelity National Title Tr 60380, represented by State 48 Consulting, request a Type III Conditional Use Permit for a wireless communication facility (portion of parcel 205-95-3260) in accordance with Section 18.07.030 of the Pima County Zoning Code in the SP (TDR-SA) (Rocking K Specific Plan - Transfer of Develop Rights - Sending Area) zone, located south of the T-intersection of S. Rocking K Ranch Loop and S. Mountain View Way. On motion, the Planning and Zoning Commission voted 10-0 to recommend APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. The Hearing Administrator recommends APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS. (District 4)

#### Summary of the Planning and Zoning Commission Hearing (October 26, 2022)

In accordance with Pima County Zoning Code Section 18.97.030.H.3, a public hearing was held before the Planning and Zoning Commission on this application on October 26, 2022. The hearing administrator presented the case and with the help of the applicant, answered all the commission members' questions.

The proposed communications tower is located within the Diamond Community Park complex, which is a developed neighborhood park facility within the larger Rocking K master planned project. The park contains children's playground equipment, a splash pad, soccer fields, pickleball courts, and community restrooms. It receives high usage from the existing single-family residences located to the south and west. The proposed tower is located in proximity to the westernmost soccer field and aforementioned restrooms.

The primary issue raised by the Commission was the size of the faux western-style water tank that would contain the (up to) three (3) co-located antennae arrays. The applicant's representative explained that the size of the arrays, their required separation, and the minimum height of the lowest array for proper service were the factors that drove the size and height of the faux water

#### P22CU00012

#### Page 2 of 2

tank. Another commissioner asked about the materials of the faux water tank; the applicant indicated that it was a fiberglass material that allowed for passage of the required signals while replicating the look and feel of wood.

Four (4) members of the public appeared to speak on the matter, all of whom expressed their strong support. These included speakers from the Rincon Valley Fire District, the Southern Arizona Homebuilders Association, and the Heirloom Farmers Market. Staff had received and posted written comments from these speakers on the DSD website prior to the public hearing.

After reviewing the applicant's submitted materials, the Hearing Administrator's report, and listening to the presentation, the Planning and Zoning recommends **APPROVAL** of the requested Type III Conditional Use Permit for a communication tower. The applicant is advised that this is a *recommendation* to the Board of Supervisors, who will make the ultimate and final decision on this Conditional Use Permit request.

Should the Board of Supervisors agree with the Planning and Zoning and Hearing Administrator's recommendation for approval, it is suggested that this approval be granted subject to the following standard and special conditions as listed below:

#### Standard Requirements per the Pima County Zoning Code:

1. Adherence to all requirements of Section 18.07.030H (General Regulations and Exceptions) of the Pima County Zoning Code.

#### Recommended Special Conditions:

- 1. The new top height of the tower structure shall not be more than the requested one eightyfive feet (85').
- 2. The new tower structure and antennae arrays shall be camouflaged as a western-style water tank as illustrated on the submitted construction drawings.
- 3. The tower and its associated on-the-ground equipment area shall be located on the property as shown on the submitted set of construction drawings.
- 4. The exterior wall of the on-the-ground equipment area shall be a minimum of eight feet (8') tall and be constructed of decorative brown slump-block. The access gate shall have a rusted metal finish.

TD/AM/ds Attachments

C: Yvette Potkonjak



# MEMORANDUM

PUBLIC WORKS - DEVELOPMENT SERVICES

#### P22CU00012

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#### FOR BOARD OF SUPERVISORS DECEMBER 20, 2022 PUBLIC HEARING

TO: THE HONORABLE BOARD OF SUPERVISORS

**FROM:** Jim Portner, Hearing Administrator

**DATE:** October 31, 2022

DOCUMENT: <u>P22CU00012</u>

#### **CONDITIONAL USE PERMIT REQUEST FOR PUBLIC HEARING**

Fidelity National Title Trust 60380, represented by State 48 Consulting, on a portion of parcel 205-95-3260 in the SP (TDR-SA) (Rocking K Specific Plan – Transfer of Development Rights – Sending Area) zone requests a **Type III Conditional Use Permit for a communications tower** in accordance with Section 18.07.030 of the Pima County Zoning Code. (District 4)

#### CASE PARTICULARS

This is a Type III Conditional Use Permit request for a new eighty-five foot (85') tall **communications tower** and attendant on-the-ground equipment area. It will be a co-location structure that provides antenna arrays for up to three (3) providers. The tower will be camouflaged as a western-style water tank, within which the three antennae arrays will be hidden. The attendant ground equipment will be housed within a secure compound surrounded by an eight-foot (8') tall decorative masonry wall.

The proposed communications tower is located within the Diamond Community Park complex, which is a developed neighborhood park facility within the larger Rocking K masterplanned project. The park contains children's playground equipment, a splash pad, soccer fields, pickleball courts, and community restrooms. It receives high usage from the existing single-family residences located to the south and west. The proposed tower is located in proximity to the westernmost soccer field and aforementioned restrooms.

#### SUMMARY OF THE PLANNING & ZONING COMMISSION PUBLIC HEARING

The Planning & Zoning Commission hearing on this case took place on October 26, 2022. At same, the Commission heard staff's and the applicant's presentation as to the particular details of the request. The primary issue raised by the Commission was the size of the faux western-style

watertank that would contain the (up to) three (3) co-located antennae arrays. The applicant's representative explained that the size of the arrays, their required separation, and the minimum height of the lowest array for proper service were the factors that drove the size and height of the faux watertank. Another commissioner asked about the materials of the faux watertank; the applicant indicated that it was a fiberglass material that allowed for passage of the required signals while replicating the look and feel of wood.

Four (4) members of the public appeared to speak on the matter, all of whom expressed their strong support. These included speakers from the Rincon Valley Fire District, the Southern Arizona Homebuilders Association, and the Heirloom Farmers Market. Staff had received and posted written comments from these speakers on the DSD website prior to the public hearing.

After closing the public hearing, the Commission voted 10-0 (motion by Matter, seconded by Gungle) to recommend APPROVAL of this CUP request to the Board of Supervisors, said recommendation being in recognition of the twenty-one (21) criteria as outlined by the Federal Telecommunications Act and as addressed in the Hearing Administrator's separate memorandum of October 10, 2022, and recommending approval to the Board as per the following standard and special conditions as promulgated by the Hearing Administrator:

#### Standard Requirements per the Pima County Zoning Code

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

#### Special Conditions

- 1. The new top height of the tower structure shall not be more than the requested one eighty-five feet (85').
- 2. The new tower structure and antennae arrays shall be camouflaged as a western-style water tank as illustrated on the submitted construction drawings.
- 3. The tower and its associated on-the-ground equipment area shall be located on the property as shown on the submitted set of construction drawings.
- 4. The exterior wall of the on-the-ground equipment area shall be a minimum of eight feet (8') tall and be constructed of decorative brown slump-block. The access gate shall have a rusted metal finish.

#### HEARING ADMINISTRATOR'S CONSIDERATIONS

This request proposes a new eighty-five foot (85') tall communications tower and walled on-theground equipment structure. The proposed tower site lies within an existing community park that is part of the larger Rocking K Ranch masterplanned development.

The tower will provide co-location for up to three (3) carriers, each with their own antennae array. The facility will be camouflaged as a western-style watertank to better aesthetically fit within the surrounding park and residential context.

#### Wireless Service Coverage and "Gap" Considerations

The Federal Telecommunications Act of 1996 encourages all new wireless installations that introduce or enhance reliable wireless coverage in those areas where a "gap" in coverage or service-quality presently exists. The applicant's submitted materials includes pre-and-post propagation plots for the initial two (2) carriers that will occupy the tower. In both cases, these before and after plots sufficiently demonstrate an existing coverage gap, and the "filling" of this same gap by the proposed tower.

In the first case, the plots indicate that the proposed site is currently within an area of very weak indoor coverage that is generally characterized by a signal level of -103 dBm (higher values represent higher <u>noise</u> levels, and therefore poorer wireless signal strengths). With the new tower in place, this gap area and will have a projected indoor signal strength of -90 dBm, which is the best coverage category shown on the plot.

In the second case, the plots indicate that the proposed site is currently within an area that only provides outdoor or in-vehicle coverage. With the new tower in place, indoor coverage will be provided.

#### **Comprehensive Plan Considerations**

The Comprehensive Plan designates the subject property as *Planned Development Community* (*PDC*), given it being part of the Rocking K Ranch Specific Plan. Other communications towers have been previously approved in *PDC* district.

The Hearing Administrator finds the proposed use to not be in conflict with the stated goals of the Comprehensive Plan, nor with its *PDC* designation, due to the fact that the applicant proposes camouflaging the structure in a creative way (as a western-style water tank) that aesthetically fits within the established park and residential context of the Rocking K Ranch project.

#### Zoning and Land Use Considerations

The subject parcel is zoned SP (Specific Plan). As previously mentioned, the tower site is within Diamond Community Park, an established and well-used neighborhood park facility that abuts existing residents to the south and west, as well as future planned residential neighborhoods to the east and north.

#### Hearing Administrator's Required Standards and Findings

Following are the Hearing Administrator's findings relative to the standards set by Pima County Code Sec. 18.97.030.F.3.c. These Sections stipulate that the following standards be met by the proposed use:

# 1. It will not be in serious conflict with the objectives of the general land use plan or the area plan in which situated.

See <u>Comprehensive Plan Considerations</u> heading above. The Hearing Administrator finds the proposed use to not be in conflict with the stated goals of the Comprehensive Plan, nor with its *PDC* designation, due to the fact that the applicant proposes camouflaging the structure in a creative way (as a western-style water tank) that aesthetically fits within the established park and residential context of the Rocking K Ranch project.

# 2. It will provide safeguards for the protection of adjacent developed property, or if the adjacent property is undeveloped, for the legal permitted uses of such property.

The Hearing Administrator finds that the proposed new tower will not have a significant impact upon any of the surrounding properties in a way that prohibits any of their legal or permitted uses.

#### 3. It has adequate accessibility to the County road network.

The site lies within a property that is accessed by Rocking K Ranch Loop, which is a paved public boulevard; it connects directly to E. Old Spanish Trail, which is a designated major street on the Pima County Major Streets & Routes Plan (MSRP). Access needs for such wireless facilities are minimal at best. With the above in mind, access is found to be adequate.

# 4. It has sufficient off-street parking and loading facilities, that will be developed in accordance with County engineering standards.

Parking sufficiency and compliance with the Zoning Code in this regard is a matter verified at the time of permitting.

# 5. It will meet County standards in terms of control of noise, smoke, glare or heat, odors, vibrations, fly, ash, dust, fumes, vapors, gasses, and other forms of air pollution, liquids and solid wastes.

The Hearing Administrator finds that proposed use is found to not threaten the surrounding properties in any of the above ways.

#### 6. Hours of operation will not be detrimental to adjoining residents.

This is an unmanned facility; hours of operation do not apply.

#### 7. Landscaping will be fully in conformance with zoning code regulations.

Landscaping requirements, if any, are a matter enforced at the time of permitting.

### **HEARING ADMINISTRATOR'S RECOMMENDATION**

After considering all of the above and reviewing the applicant's submitted materials, the Hearing Administrator finds that the proposed (85') communications tower, with attendant on-the-ground equipment compound, is needed in this area to address a clearly identified gap in coverage. The Hearing Administrator recommends that the Commission recommend **APPROVAL** of this Type III conditional use permit to the Board of Supervisors, subject to the following Standard and Special Conditions:

#### Standard Requirements per the Pima County Zoning Code

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

#### Special Conditions

- 1. The new top height of the tower structure shall not be more than the requested one eighty-five feet (85').
- 2. The new tower structure and antennae arrays shall be camouflaged as a western-style water tank as illustrated on the submitted construction drawings.
- 3. The tower and its associated on-the-ground equipment area shall be located on the property as shown on the submitted set of construction drawings.
- 4. The exterior wall of the on-the-ground equipment area shall be a minimum of eight feet (8') tall and be constructed of decorative brown slump-block. The access gate shall have a rusted metal finish.

#### SONORAN DESERT CONSERVATION CONCEPT PLAN/ENVIRONMENTAL ISSUES

#### Comprehensive Plan Regional Environmental Policies — Conservation Lands System

In December, 2001 the Board of Supervisors incorporated the Maeveen Marie Behan Conservation Lands System (MMB-CLS) into the Comprehensive Plan 2001 Update as the Regional Environmental Policies. The MMB-CLS is the heart of the Sonoran Desert Conservation Plan (SDCP). On June 21, 2005, the Board of Supervisors amended the Comprehensive Plan Regional

Environmental Policies and the MMB-CLS to reflect recommendations from the SDCP Science Technical Advisory Committee that were based on new scientific and technical data. As adopted, Conservation Guidelines associated with the MMB-CLS establish conservation objectives for a variety of projects (e.g. rezoning actions, comprehensive plan amendments, Type II and Type III conditional use permits, etc.) that require a discretionary decision by the Board of Supervisors. Conservation objectives include:

- Important Riparian Areas 95% undisturbed natural open space
- Biological Core Management Areas 80% undisturbed natural open space
- Special Species Management Areas 80% undisturbed natural open space
- Multiple Use Management Areas 66-2/3% undisturbed natural open space

The subject property is located within the **Multiple Use Management Area (MUMA)** of the Maeveen Marie Behan Conservation Lands System (MMB-CLS).

#### **Biological Impacts Report**

On July 17, 2001, the Board of Supervisors adopted Ordinance No. 2001-103, which requires the applicant's notice to the US Fish and Wildlife Service (USFWS) staff regarding the pending matter, and staff commentary on biological resources and development impacts of the subject site and proposal.

#### **Staff Commentary on Biological Impacts**

This particular proposed tower site is located within a developed masterplanned development, being more particularly part of an established community park within same. The area has already been graded and developed per the above, and has been appropriately landscaped. Approval of this request will have no impact on existing biological resources nor be in conflict with any Pima Prospers adopted environmental policies.

#### Facts Confirmed by the Pima County Geographic Information System (GIS)

The following facts are confirmed by the Pima County GIS and the Sonoran Desert Conservation Plan maps with respect to this conditional use permit request:

**Cactus Ferruginous Pygmy Owl.** This site is located within a Priority Conservation Area (PCA) No. 1 for this species. It lies within Survey Zone 1.

**Western Burrowing Owl.** The subject property is not within the Priority Conservation Area (PCA) for this species.

**Pima Pineapple Cactus.** The subject property is not located within the Priority Conservation Area (PCA) for this species.

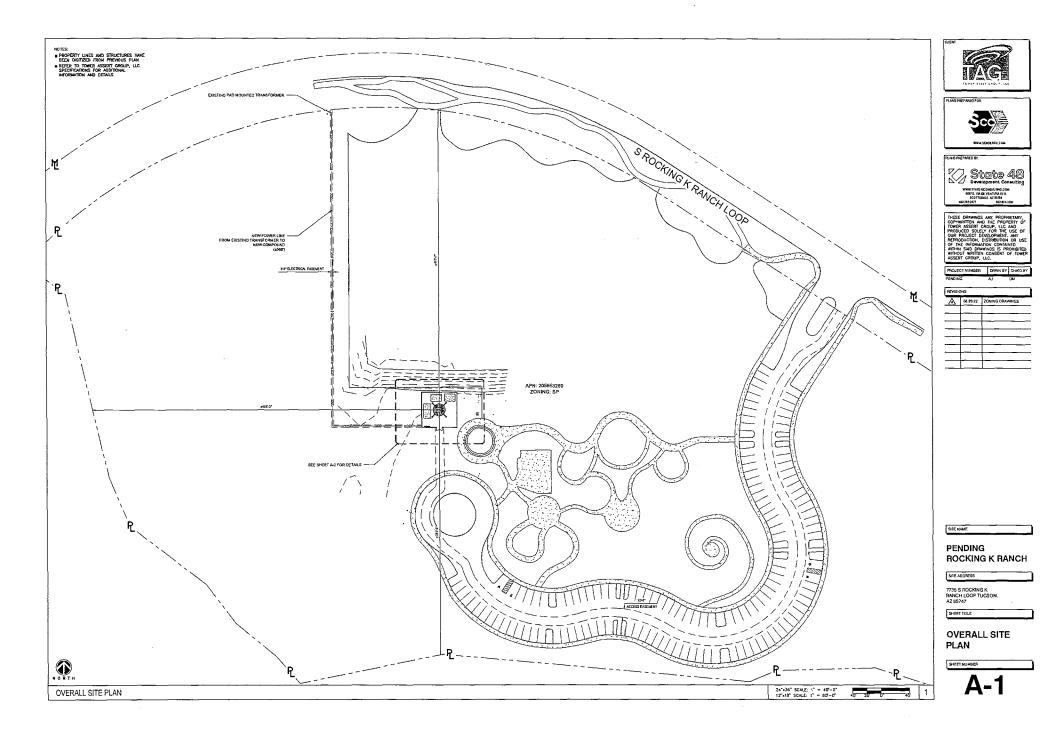
**Needle-Spined Pineapple Cactus.** The subject property is located within an area that is outside of the known range for the Needle-Spined Pineapple cactus. It is not within the Priority Conservation Area (PCA) for this species.

#### **<u>RECOMMENDATIONS BY THE DEPT. OF TRANSPORTATION AND THE</u>** <u>**REGIONAL FLOOD CONTROL DISTRICT**</u>

The Department of Transportation (DOT) and the Regional Flood Control District (RFCD) will review this application as a matter of course during the permitting process.

attachments

cc: Carla Blackwell, Director, Development Services Dan Ice, Chief Building Official Chris Poirier, Planning Official Tom Drzazgowski, Chief Zoning Inspector Fidelity National Title Trust #60380, Property Owner Yvette Potkonjak, Applicant



### PIMA COUNTY DEVELOPMENT SERVICES REPORT TO THE PIMA COUNTY PLANNING & ZONING COMMISSION

CASE:	P22CU00012
	FIDELITY NATIONAL TITLE TRUST 60380 – S. ROCKING K RANCH
	LOOP

- OWNERSHIP: Fidelity National Title Trust # 60380 2200 E. River Road – Suite 115 Tucson, AZ 85718
- APPLICANT: Yvette Potkonjak 14301 N. 87<sup>th</sup> Street -- #105 Scottsdale, AZ 85260
- **LOCATION:** The proposed communications tower is located within the Diamond Community Park complex, which is a developed neighborhood park facility within the larger Rocking K masterplanned project. The park contains children's playground equipment, a splash pad, soccer fields, pickleball courts, and community restrooms. It receives high usage from the existing single-family residences located to the south and west. The proposed tower is located in proximity to the westernmost soccer field and aforementioned restrooms.
- **REQUEST:** This is a Type III Conditional Use Permit request for a new eighty-five foot (85') tall **communications tower** and attendant on-the-ground equipment area. It will be a co-location structure that provides antenna arrays for up to three (3) providers. The tower will be camouflaged as a western-style water tank, within which the three antennae arrays will be hidden. The attendant ground equipment will be housed within a secure compound surrounded by an eight-foot (8') tall decorative masonry wall.

#### PETITIONER'S STATEMENT REGARDING THE TYPE OF USE PROPOSED

"New wireless telecommunications facility to service surrounding community and provide improved coverage to future residents."

#### PETITIONER'S STATEMENT REGARDING NEED AND COMPATIBILITY

"Current zoning for parcel where proposed wireless telecommunications facility is to be place is SP [Specific Plan]. Surrounding zoning is GR-1. New facility is compatible with current use."

The petitioner has provided a complete submittal package that includes coverage/propagation plots, a photo simulation of the new tower, and a set of construction drawings.

#### HEARING ADMINISTRATOR'S CONSIDERATIONS

This request proposes a new eighty-five foot (85') tall communications tower and walled on-the-ground equipment structure. The proposed tower site lies within an existing community park that is part of the larger Rocking K Ranch masterplanned development.

The tower will provide co-location for up to three (3) carriers, each with their own antennae array. The facility will be camouflaged as a western-style watertank to better aesthetically fit within the surrounding park and residential context.

#### Wireless Service Coverage and "Gap" Considerations

The Federal Telecommunications Act of 1996 encourages all new wireless installations that introduce or enhance reliable wireless coverage in those areas where a "gap" in coverage or service-quality presently exists. The applicant's submitted materials include pre-and-post propagation plots for the initial two (2) carriers that will occupy the tower. In both cases, these before and after plots sufficiently demonstrate an existing coverage gap, and the "filling" of this same gap by the proposed tower.

In the first case, the plots indicate that the proposed site is currently within an area of very weak indoor coverage that is generally characterized by a signal level of -103 dBm (higher values represent higher <u>noise</u> levels, and therefore poorer wireless signal strengths). With the new tower in place, this gap area will have a projected indoor signal strength of -90 dBm, which is the best coverage category shown on the plot.

In the second case, the plots indicate that the proposed site is currently within an area that only provides outdoor or in-vehicle coverage. With the new tower in place, indoor coverage will be provided.

#### **Comprehensive Plan Considerations**

The Comprehensive Plan designates the subject property as *Planned Development Community (PDC)*, given it being part of the Rocking K Ranch Specific Plan. Other communications towers have been previously approved in *PDC* district.

The Hearing Administrator finds the proposed use to not be in conflict with the stated goals of the Comprehensive Plan, nor with its *PDC* designation, due to the fact that the applicant proposes camouflaging the structure in a creative way (as a western-style water tank) that aesthetically fits within the established park and residential context of the Rocking K Ranch project.

#### Zoning and Land Use Considerations

The subject parcel is zoned SP (Specific Plan). As previously mentioned, the tower site is within Diamond Community Park, an established and well-used neighborhood park facility that abuts existing residents to the south and west, as well as future planned residential neighborhoods to the east and north.

#### Hearing Administrator's Required Standards and Findings

Following are the Hearing Administrator's findings relative to the standards set by Pima County Code Sec. 18.97.030.F.3.c. These Sections stipulate that the following standards be met by the proposed use:

## 1. It will not be in serious conflict with the objectives of the general land use plan or the area plan in which situated.

See <u>Comprehensive Plan Considerations</u> heading above. The Hearing Administrator finds the proposed use to not be in conflict with the stated goals of the Comprehensive Plan, nor with its

*PDC* designation, due to the fact that the applicant proposes camouflaging the structure in a creative way (as a western-style water tank) that aesthetically fits within the established park and residential context of the Rocking K Ranch project.

## 2. It will provide safeguards for the protection of adjacent developed property, or if the adjacent property is undeveloped, for the legal permitted uses of such property.

The Hearing Administrator finds that the proposed new tower will not have a significant impact upon any of the surrounding properties in a way that prohibits any of their legal or permitted uses.

#### 3. It has adequate accessibility to the County road network.

The site lies within a property that is accessed by Rocking K Ranch Loop, which is a paved public boulevard; it connects directly to E. Old Spanish Trail, which is a designated major street on the Pima County Major Streets & Routes Plan (MSRP). Access needs for such wireless facilities are minimal at best. With the above in mind, access is found to be adequate.

## 4. It has sufficient off-street parking and loading facilities, that will be developed in accordance with County engineering standards.

Parking sufficiency and compliance with the Zoning Code in this regard is a matter verified at the time of permitting.

# 5. It will meet County standards in terms of control of noise, smoke, glare or heat, odors, vibrations, fly, ash, dust, fumes, vapors, gasses, and other forms of air pollution, liquids and solid wastes.

The Hearing Administrator finds that proposed use is found to not threaten the surrounding properties in any of the above ways.

#### 6. Hours of operation will not be detrimental to adjoining residents.

This is an unmanned facility; hours of operation do not apply.

#### 7. Landscaping will be fully in conformance with zoning code regulations.

Landscaping requirements, if any, are a matter enforced at the time of permitting.

#### **HEARING ADMINISTRATOR'S RECOMMENDATION**

After considering all of the above and reviewing the applicant's submitted materials, the Hearing Administrator finds that the proposed (85') communications tower, with attendant on-the-ground equipment compound, is needed in this area to address a clearly identified gap in coverage. The Hearing Administrator recommends that the Commission recommend **APPROVAL** of this Type III conditional use permit to the Board of Supervisors, subject to the following Standard and Special Conditions:

#### Standard Requirements per the Pima County Zoning Code

1. Adherence to all requirements of Section 18.07.030.H and Section 18.07.040.A.4 (General Regulations and Exceptions) of the Pima County Zoning Code.

#### Special Conditions

- 1. The new top height of the tower structure shall not be more than the requested eighty-five feet (85').
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- 4. The exterior wall of the on-the-ground equipment area shall be a minimum of eight feet (8') tall and be constructed of decorative brown slump-block. The access gate shall have a rusted metal finish.

#### SONORAN DESERT CONSERVATION CONCEPT PLAN/ENVIRONMENTAL ISSUES

#### <u>Comprehensive Plan Regional Environmental Policies — Conservation Lands System</u>

In December, 2001 the Board of Supervisors incorporated the Maeveen Marie Behan Conservation Lands System (MMB-CLS) into the Comprehensive Plan 2001 Update as the Regional Environmental Policies. The MMB-CLS is the heart of the Sonoran Desert Conservation Plan (SDCP). On June 21, 2005, the Board of Supervisors amended the Comprehensive Plan Regional

Environmental Policies and the MMB-CLS to reflect recommendations from the SDCP Science Technical Advisory Committee that were based on new scientific and technical data. As adopted, Conservation Guidelines associated with the MMB-CLS establish conservation objectives for a variety of projects (e.g. rezoning actions, comprehensive plan amendments, Type II and Type III conditional use permits, etc.) that require a discretionary decision by the Board of Supervisors. Conservation objectives include:

- Important Riparian Areas 95% undisturbed natural open space
- Biological Core Management Areas 80% undisturbed natural open space
- Special Species Management Areas 80% undisturbed natural open space
- Multiple Use Management Areas 66-2/3% undisturbed natural open space

The subject property is located within the **Multiple Use Management Area (MUMA)** of the Maeveen Marie Behan Conservation Lands System (MMB-CLS).

#### **Biological Impacts Report**

On July 17, 2001, the Board of Supervisors adopted Ordinance No. 2001-103, which requires the applicant's notice to the US Fish and Wildlife Service (USFWS) staff regarding the pending matter, and staff commentary on biological resources and development impacts of the subject site and proposal.

#### **Staff Commentary on Biological Impacts**

This particular proposed tower site is located within a developed masterplanned development, being more particularly part of an established community park within same. The area has already been graded and developed per the above, and has been appropriately landscaped. Approval of this request will have no

#### STAFF REPORT FOR OCTOBER 26, 2022 P & Z MEETING P22CU00012: FIDELITY NAT'L TITLE TR# 60380 – S. ROCKING K RANCH LOOP October 10, 2022 Page 5 of 5

impact on existing biological resources nor be in conflict with any Pima Prospers adopted environmental policies.

#### Facts Confirmed by the Pima County Geographic Information System (GIS)

The following facts are confirmed by the Pima County GIS and the Sonoran Desert Conservation Plan maps with respect to this conditional use permit request:

**Cactus Ferruginous Pygmy Owl.** This site is located within a Priority Conservation Area (PCA) No. 1 for this species. It lies within Survey Zone 1.

Western Burrowing Owl. The subject property is not within the Priority Conservation Area (PCA) for this species.

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**Needle-Spined Pineapple Cactus.** The subject property is located within an area that is outside of the known range for the Needle-Spined Pineapple cactus. It is not within the Priority Conservation Area (PCA) for this species.

#### <u>RECOMMENDATIONS BY THE DEPT. OF TRANSPORTATION AND THE REGIONAL</u> <u>FLOOD CONTROL DISTRICT</u>

The Department of Transportation (DOT) and the Regional Flood Control District (RFCD) will review this application as a matter of course during the permitting process.

attachments

cc: Carla Blackwell, Director, Development Services Dan Ice, Chief Building Official Chris Poirier, Planning Official Tom Drzazgowski, Chief Zoning Inspector Fidelity National Title Trust #60380, Property Owner Yvette Potkonjak, Applicant



#### PIMA COUNTY DEVELOPMENT SERVICES DEPARTMENT

201 N. Stone Avenue, 1st Floor Tucson, Arizona 85701-1207

CARLA BLACKWELL

Phone: (520) 740-6520 FAX: (520) 798-1843

## **MEMORANDUM**

- TO: Members of the Pima County Planning & Zoning Commission
- FROM: Jim Portner, Pima County Hearing Administrator
- SUBJECT: P22CU00012 FIDELITY TITLE TRUST #60380 S. ROCKING K RANCH LOOP; Type III Conditional Use Permit Request for an Eight-five Foot (85') Tall Communications Tower
- DATE: October 10, 2022

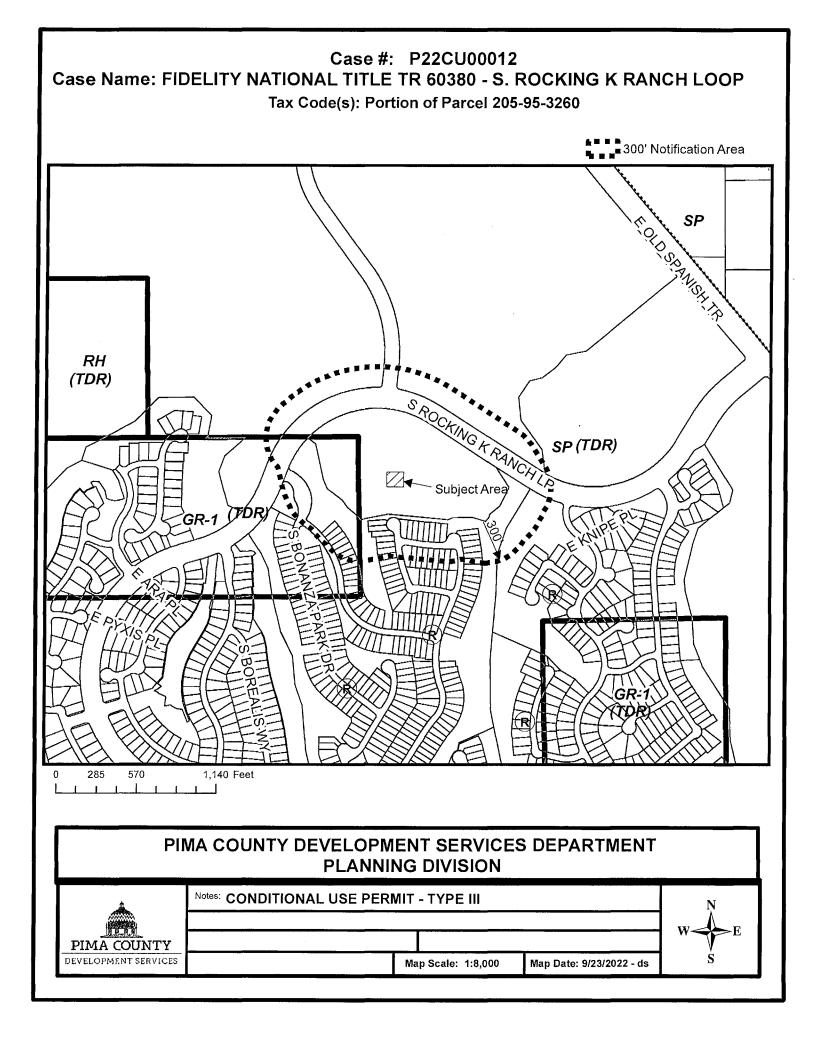
This memorandum is intended to assist the members of the Planning & Zoning Commission in its evaluation of the above-referenced Type III request for a new communications tower. Per the Federal Telecommunications Act of 1996, twenty-one (21) criteria were established which can be considered by the local zoning authority in its decision to approve or deny such requests.

These twenty-one criteria are listed below (in *italics*), with a brief commentary on each for the Commission's consideration:

- 1. *Amount of compliance with permit requirements.* A Type III CUP is required because this is a request for a new, free-standing communications tower that exceeds fifty feet (50').
- 2. *Staff approval or disapproval.* Not applicable; the Type III CUP process calls for a recommendation by the Hearing Administrator to the P&Z, then a recommendation by the P&Z to the Board of Supervisors, and then a final decision of approval or denial by the Board. The Hearing Administrator's recommendation has been provided via a separate staff report memorandum to the Planning & Zoning Commission.
- 3. *Zoning approval or disapproval.* Not applicable; same comment as Item 2 above. This site is zoned SP (Specific Plan), as is the entire Rocking K Ranch community.

- 4. *Other towers in the same zoning classification.* Prior towers have been approved in the SP (Specific Plan) zoning district.
- 5. Other towers in other zoning classifications. Pima County has previously approved towers in the SH, GR-1, RH, SR, CR-1, and CR-4 residential zones, in the SP (Specific Plan) zone, in the CB-1 and CB-2 business zones, and in the CPI industrial zone.
- 6. Amount of neighborhood opposition and whether it is substantial and supported by factual evidence. Staff has received no letters, emails, etc. of opposition as of the writing of this memorandum.
- 7. *Type of neighborhood opposition*. None to date. See Item #6 above.
- 8. *Nature of neighborhood opposition, whether aesthetic, etc.* Not applicable; see Item #6 above.
- 9. *Amount, type, and nature of evidence offered by wireless provider.* Contained within application packet; additional information may be sought by the Commission at hearing.
- 10. *Expert testimony*. None to date.
- 11. *Height of tower*. The height of the proposed monopole tower is eighty-five feet (85') to its highest point.
- 12. *Color of tower*. The applicant proposes to camouflage the tower as a western-style water tank; predominant color is brown.
- 13. *Possibilities of camouflage*. See Item No. 12 above. The proposed western-style water tank is an appropriate camouflage given the developed context of the site within an established community park.
- 14. Service coverage issues; such as whether a gap would be created that would impede emergency service. The applicant's existing/proposed coverage maps, together with the Hearing Administrator's staff report, discusses the existing and proposed coverage characteristics of this proposal. These materials establish that a gap in coverage does presently exist.
- 15. *Alternative sites explored*. The applicant has provided no information as to any other sites that were examined.
- 16. *Possibilities for co-location on an existing tower*. The applicant has provided no information regarding potential co-location on an existing tower. It should be noted, however, that this structure will provide co-location for up to three total carriers.

- 17. *Possibilities for more, shorter towers*. The applicant has provided no information as to the possibility for more, shorter towers.
- 18. *Provision for tower removal*. The applicant has provided no information as to provisions for tower removal.
- 19. *Possibilities for this tower serving as a co-location site for other providers.* The proposed tower is structurally designed to accommodate co-location for up to three total wireless carriers.
- 20. *Time taken to make the decision (by the local zoning authority).* This item is before the Commission for the first time at its October 26, 2022 public hearing. Federal law encourages a timely response by the local zoning authority. It is recommended that the Commission vote on their formal recommendation to the Board of Supervisors at its October 26, 2022 meeting.
- 21. *Government contracts with the wireless provider*. The applicant has provided no information as to any contracts with governmental entities.





#### DEVELOPMENT SERVICES

201 N. Stone Avenue, Tucson, AZ 85701 (520) 724-9000 www.pima.gov/developmentservices

## **BIOLOGICAL IMPACT REPORT**

(Not applicable for rezonings that require a site analysis)

The Biological Impact Report assists staff in assessing a proposed project's potential to impact sensitive biological resources and is required by the Pima County Zoning Code Chapter 18.91. A project's design should conserve these important resources.

The report will include information provided by both Pima County Planning staff (Part I) and the Applicant (Part II).

**INSTRUCTIONS FOR SAVING FORM:** 1) Download form to computer. 2) Fill out form as applicable. 3) Save completed form to computer. 4) Submit completed form to Pima County Development Services. **If you fill out the form before you download it, the info you entered will not be saved.** 

**Project ID** (case no., APN no., address, or other identifying info):

ROCKING K RANCH

**<u>Part I.</u>** Information Provided by Pima County Staff Pima County Planning staff will provide the following information for the project site, as applicable:

1. Is the project located within any Maeveen Marie Behan Conservation Lands System (CLS) designation(s)? (Hold SHIFT for multiple selections) NA

Important Riparian Area Biological Core Multi-Use Management Area

- 2. Is the project within a CLS Special Species Management Area? SELECT
- 3. Is the project in the vicinity of any of the six Critical Landscape Linkages? SELECT
- 4. Is the project designated for acquisition as a Habitat Protection or Community Open Space property? SELECT
- 5. Is the project located within a Priority Conservation Area for any of the following species?
  - a. Cactus ferruginous pygmy-owl: SELECT
  - b. Western burrowing owl: SELECT
  - c. Pima pineapple cactus: SELECT
  - d. Needle-spined pineapple cactus: SELECT

#### Part II. Information Provided by the Applicant

The Applicant will provide the following information to the best of their knowledge, as applicable:

- Has the owner of the project site had any communications with County staff about Pima County potentially acquiring the property? No
   If yes, provide a summary of those communications:
- 2. The following species are of particular interest to Pima County conservation efforts; please fill out the following table to the best of your knowledge:

Species	Ever found on project site?	If yes, date of last observation/survey?	Future surveys planned?
Cactus ferruginous pygmy owl	No		No
Western burrowing owl	No		No
Pima pineapple cactus	No		Νο
Needle-spined pineapple cactus	No		Νο

Questions about this form? Contact the Office of Sustainability and Conservation at (520) 724-6940.



## Conditional Use Permit Application

Property Owner: FIDELITY NATIONAL TITLE TR 60380 Phone:

Owner's Mailing Address, City, State & Zip: 2200 E River Rd STE 115 Tucson, AZ 85718

Applicant (if different from owner): Yvette Potkonjak Phone: 480-685-0858

Applicant's Mailing Address, City, State & Zip: 14301 N 87th Street #105, Scottsdale, AZ 85260

Applicant's or Owner's Email Address: ypotkonjak@sendercc.com

Property Address or Tax Code: 7735 S Rocking K Ranch Lp Tucson, AZ 85747

Type of Use Proposed for the Property: New wireless telecommunications facility to service surrounding community and provide improved coverage to future residents.

Discuss the proposed use and it's compatibility with the surrounding area: Current zoning for parcel where proposed wireless telecommunications facility is to be placed is SP.

Surrounding zoning is GR-1. New facility is compatible with current use.

The applicant agrees to contact the <u>Regional Flood Control District</u> to discuss the proposal prior to application submittal.

The applicant agrees to contact United States Fish and Wildlife Service at <u>scott\_richardson@fws.gov</u> and provide a written notice that an application for a conditional use permit has been submitted a minimum of 1S days prior to the public hearing date.

#### This application is for a (Select one):

□ Type | Conditional Use □ Type || Conditional Use ■ Type || Conditional Use

#### **Terms and Conditions**

I confirm the information provided is true and accurate to the best of my knowledge. I am the owner of the above described property or have been authorized by the owner to make this application. (By checking the box, I am electronically signing this application.)

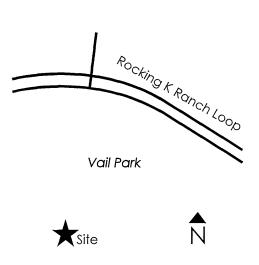
Date: 08/24/22

Public Works Building, 201 N. Stone Ave., 1st floor • Tucson, Arizona 85701-1207 • 520-724-9000 • www.pima.gov/developmentservices

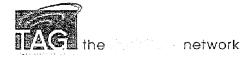
# PHOTO SIMULATIONS Rocking K Ranch - Vail Park

Vail, Arizona



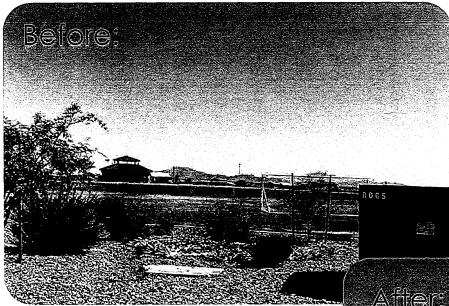


Note: Simulations are an artistic illustration created to represent how the proposed project may look once constructed. Simulations are create to match the current design as accurately as possible, but are not guaranteed to match the final build.



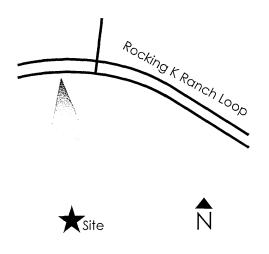


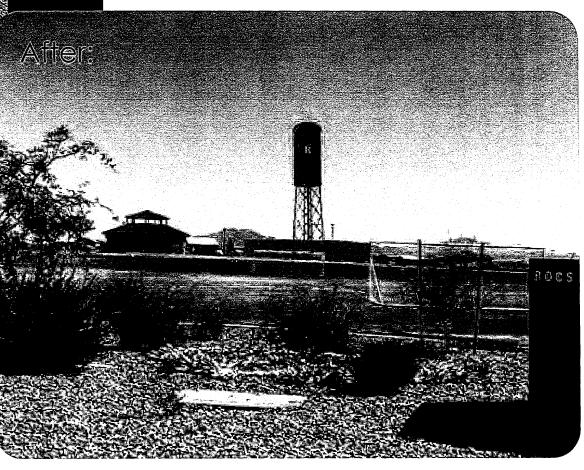




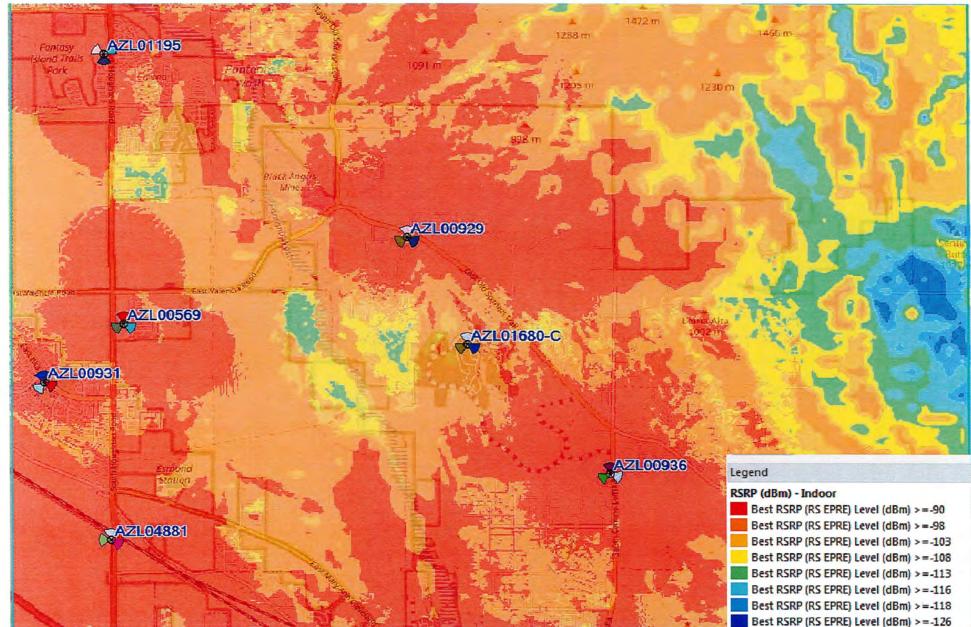
# PHOTO SIMULATIONS Rocking K Ranch - Vail Park Vail, Arizona

VIEW 1 Looking South





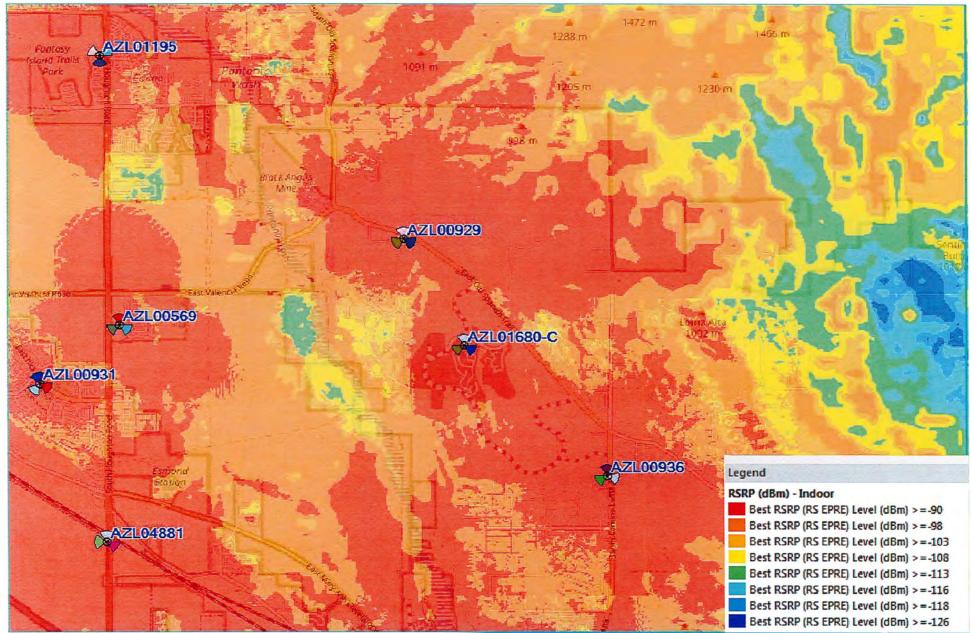
#### AT&T indoor signal strength (RSRP) without AZL01680







#### AT&T indoor signal strength (RSRP) with AZL01680



at&t



the INVISIBLE network

SITE#: PENDING SITE NAME: ROCKING K RANCH

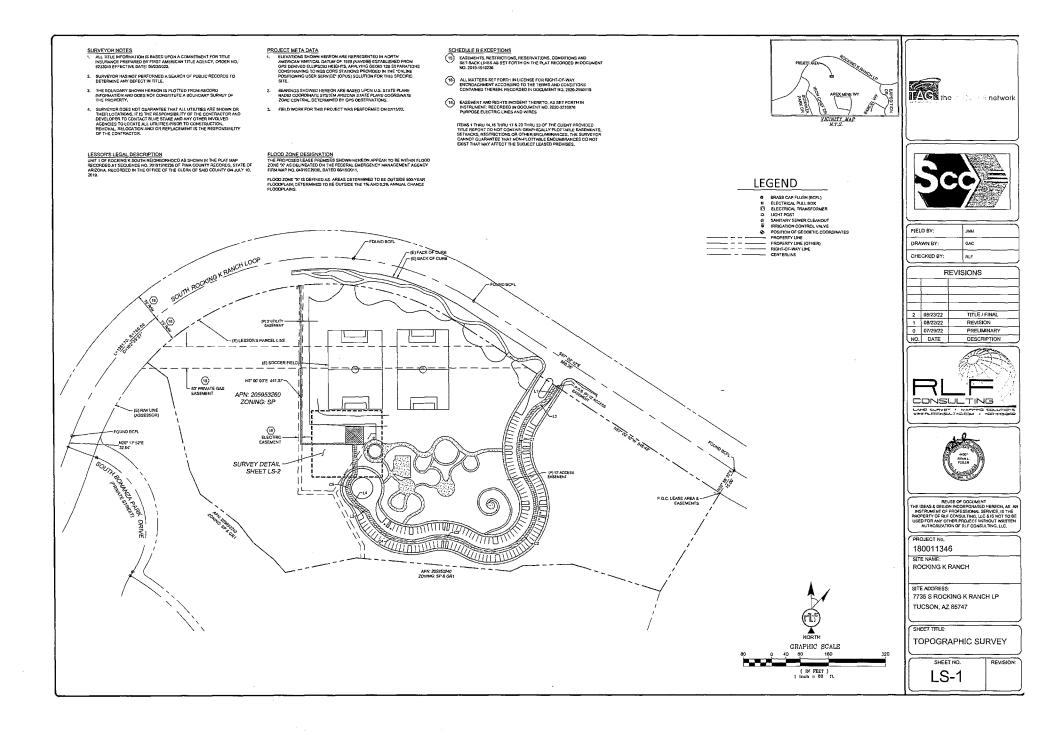
## SITE ADDRESS: 7735 S ROCKING K RANCH LOOP TUCSON, AZ 85747

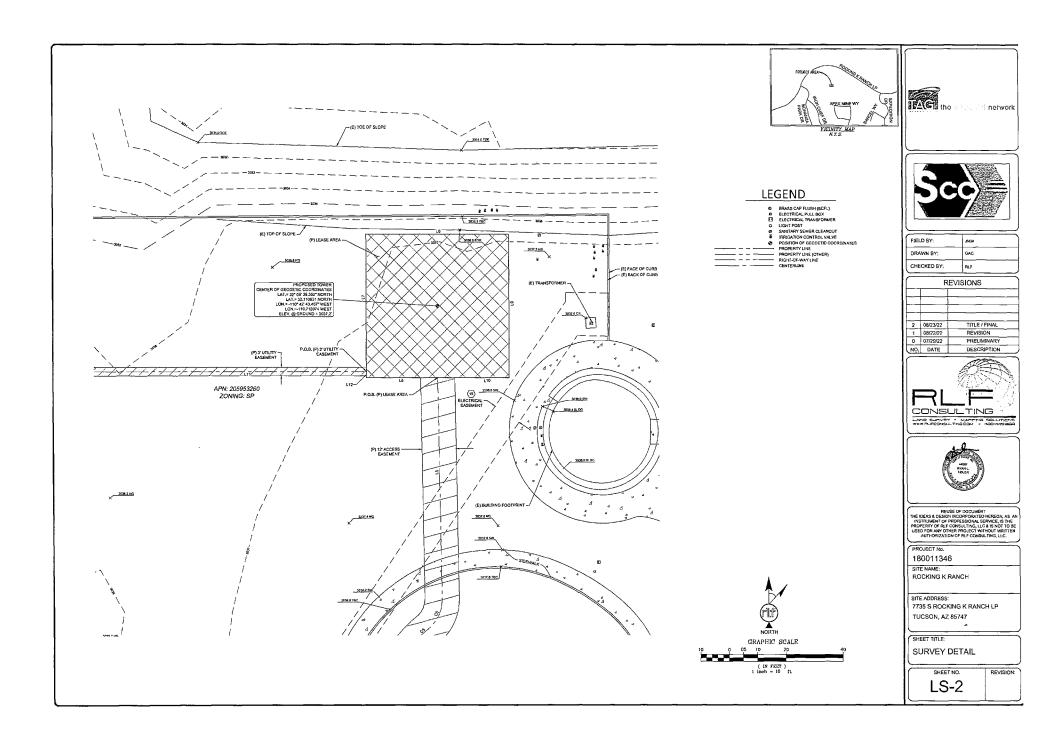
DESIGN TYPE: 85' WATER TANK

ARIZONA STATE CODE COMPLIANCE	PROJECT SUMMARY	PROJECT TEAM		
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ENGINEERS NOTES	OCCUPANCY CLASSIFICATION / TYPE OF CONSTRUCTION:     U / IB			
1. IF A DECREPANCY ARGES BETWEEN THE DRAWINGS AND FIELD CONDITIONS, OR WHERE A DETAIL IS DOLUBIFLIE OF INTERFERIATION, OR AN ILAWINGPARED FIELD CONDITION IS DECOUNTED, THE CHINERE SWILL BE CLUED ANALDINETY OF REOCEDING TO BE FOLLOWED, SUCH INSTRUCTIONS SHALL BE COMPARED IN WORTHS AND DISTRIBUTED TO ALL AFFECTED PARTIS.	СЕООЕПС ОЛОНИЛТЕ: • LATINGE: 32.10331 NORTH (M4083) • UDKGTUDE: 110.712104 WEST (M4083)			
<ol> <li>THE ENGNEER WILL NOT BE RESPANSIBLE FOR CONSTRUCTION WEAKS, WETHODS, TECHNINGS, STOLINGER, PROCEDURES, SHOTT INFECTIONIS, OR PROGRAMS UTLEED UN CONNECTION WITH THE WORK, NAD WILL NOT BE RESPANSIBLE FOR THE CONSTRUCTION'S FALLINE TO LARY OUT THE WORK IN ACCORDANCE WITH THE CONSTRUCTION DRAWNIG AND/OR DOCLARENTS.</li> </ol>	e ground Slevator: Pedinic (anabe) Project Area: Adding 2500 50 ft of new Lease Area			
<ol> <li>CONTRACTOR SHALL BE RESPONDED FOR PROPER LAYOUT OF IMPROVEDENTS BASED UPON SCITACS/ PROPERTY LIKE LICATION. DALABSIGHUL RELATIONSHIPS TO EQUIPMENT ARE APPROXIMATE AND ARE FOR ILLISTRATIVE PURPOSES ONLY.</li> </ol>				SITE NAME
<ol> <li>CONTRACTOR TO MARITAIN ALL DRAINAGE PATHS FREE FROM ANY OBSTRUCTIONS (I.E. DEBRIS AND SLT).</li> </ol>	PROJECT DESCRIPTION	CWINERS		PENDING
5. CONTRACTOR TO PROVIDE POSITIVE ORAINAGE AWAY FROM EDUIPMENT.	TOWER ASSERT GROUP, LLC PROPOSES TO:	PROPERTY OWNER		ROCKING K RANCH
<ol> <li>If the specified equipment cannot de installes as samen on these draminos, the subcontractor and link propose an alternative installation for approval by the contractor and disperse of record.</li> </ol>	<ul> <li>ADD NEW 50<sup>1</sup>−0<sup>1</sup> X 50<sup>1</sup>−0<sup>1</sup> X 6<sup>1</sup>−0<sup>1</sup> BROWN SLUAP BLOCK COMPOUND</li> <li>ADD NEW 85<sup>1</sup>−0<sup>1</sup> X 10<sup>1</sup>−0<sup>1</sup> X 10<sup>1</sup>−0<sup>1</sup> EDUIPHENT CONCRETE PAD</li> <li>ADD (3) NEW 15<sup>1</sup>−0<sup>1</sup> X 10<sup>1</sup>−0<sup>1</sup> EDUIPHENT CONCRETE PAD</li> <li>ADD NEW 8<sup>1</sup>−0<sup>1</sup> X 10<sup>1</sup> HEAL ACCESS CATE</li> </ul>	FIDELITY NATIONAL TITLE TR 02380 ATTI-RCOLOR K HOLDING SLP 22000 E RIVER RD STE 115 TUCSON AC 25/12-65/7		SITE ADDRESS
7. SUBCONTRACTOR SHALL BETERING ACTULE ROUTING OF CONDUCT, POWER AND TI CARLES GROUNDIC COLLEGES AS SHOW ON THE POWER, RECOMMONE AND TICLO PLAN DRAWNES SUBCONTRACTOR SHALL INTER COSTING TWAYS AND/OR SHALL ADD HEN THATS AS HEXCESSARY: DOUBLINGTONE CONTRACT, DOWNING HEAT DRAW THE CONTRACTOR, ROUTING OF TREASMAG SHALL BE APPROVED BY CONTRACTOR.	• ADD NEW ANTENNA SECTORS	Torefa owner Torefa Saster (Grupp, LLC Andrew J Wessing (570) J80-3801		7735 S ROCKING K RANCH LOOP TUCSON, AZ 85747 SHEET TITLE
UTILITY NOTES				
<ol> <li>π SHALL BE THE CONTRACTORS RESPONSIBILITY TO CONTACT BLUESTAKE AT LEAST TWO FULL WORKING DAYS (48 HOURS) PRIOR TO BEDINNING OF ANY EXCAVATING.</li> </ol>				PROJECT INFORMATION
<ol> <li>IT SHALL BE THE COMPACIDIES RESPONSIBILITY TO LOCATE ALL STRUCTURES, UNDERGRAND PIPLUNES, BECTRIC AN OTLEPHONE CONJUTY, DIMENSION OR NOT SHOWN ON THE PLANS PRORE TO ANY CONSTRUCTION, AND TO DESERVE ALL POSSELE PRECURINGS TO AND DAY MAUNCE TO THESE RULLITIES. THE ORIGINAL POSSEL PRECURINGS TO AND DAY MAUNCE TO THESE RULLITIES. THE ORIGINAL POSSEL DEVELOPMENT AND COMPANY TEXATIONS OF DOSTING UNDERGRAND UTILITIES SHOWN ON THESE FLAMS.</li> </ol>			THE ADDRESS AND ADDRESS ADDRES	
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State 48

REVISIONS





PROPOSED 12 ACCESS EASEMENT LEGAL DESCRIPTION APORTION OF UNIT 1 OF ROCHING K SOUTH NEIGHBORHOOD 1 PARCEL D, AS SHOWN IN THE AUT MAP RECORDED AT SEQUENCE NO. 2019/S10230 FMA COMMY RECORDS, STATE OF ARIZONA, RECORDED IN THE OFFICE OF THE CLERK OF SAU DCOMYN ON JULY 10, 2019.

A 12.00 FOOT STRIP OF LAND LYING 8.00 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE MOST NORTHEAST CORNER OF SAID DESCRIBED UNIT 1 ALSO BEING A POINT DW THE SOUTH RIGHT OF WAY OF 'S ROCKING K MAXCH LOOF WHICH A CENTRUINE MONIMENT OF 'S ROCKING K MAXCH LOOP BEARS NORTH 32 M22 EXET, 73,03 FEE

THENCE NORTH 57'0242' WEST ALONG THE SOUTH RIGHT OF WAY OF S RDCKING K RANCH LOOP, 546.42 FEET TO THE POINT OF BEGINNING;

THENCE DEPARTING THE SOUTH RIGHT OF WAY OF \$ ROCKING K RANCH LOOP SOUTH 32\*5040° WEST, 48.02 FEET; THENCE SOUTH 56\*2759° WEST, 38.81 FEET;

THENCE SOUTHERLY ALONG SAID CURVE TO THE LEFT HAMING A RADIUS OF 164.54 FEET, WITH A CHORD BEARING SOUTH ON'9307" WEST, 211.40 FEET, THROUGH A CENTRAL ANGLE OF 737537, AN ARC LENSTH OF 229.57 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 126,08 FEET, WITH A CHORD BEARING SOUTH 45'3354' WEST, 242,30 FEET, THROUGH A CENTRAL ANGLE OF 149'4703', AN ARC LENGTH OF 327.21 FEET;

THENCE WESTERLY ALONG SAID CURVE TO THE LEFT HAVING A RAGIUS OF 133.20 FEET, WITH A CHORG BEARING MORTH 81\*5303\* WEST, 120.65 FEET, THRDUGH A CENTRAL ANGLE OF 53\*31\*7, AN ARC LENGTH OF 15220 FEET.

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 133.72 FEET, WITH A CHORD BEARING NORTH 65724'9' WEST, 180.93 FEET, THROUGH A CENTRAL MACLE OF 657633', AN AREL LENGTH OF 198.72 FEET;

THENCE NORTH \$1"24"13" WEST, 37.15 FEET; THENCE NORTH 41"53"01" WEST, 18.44 FEFT-

THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS CF 43.43 FEET, WITH A CHORD BEARING NORTH G3"19"15" EAST, 6LSS FEET, THROUGH A CENTRAL ANGLE OF 35"553"C, AN ARG LENGTH OF 7.273 FEET.

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 14,00 FEET, WITH A CHORD BEARING NORTH 23\*43'05\* EAST, 11,54 FEET, THROUGH A CENTRAL ANGLE OF 49\*05\*04", AN ARC LENGTH OF 12.01 FEET;

TRENCE NORTH 00"49"01" WEST, 76.74 FEET TO THE POINT OF TERMINUS

ALL SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO FORM ONE CONTIGUOUS PARCEL.

PROPOSED 50%50' LEASE AREA LEGAL DESCRIPTION APORTION OF UAIT 1.CF RODOWICK SQLTH REGMEDINEDD 1 PARCELD , IS COUNTY RECORDS STATE OF AROUND AREONODE IN THE CATEGO OF THE COUNTY RECORDS STATE OF AROUND AREONODE IN THE CATEGO OF THE CLERK OF SAID COUNTY ON JULY 10, 2019, MD MORE PARTICULARE Y DESCRIBED AS FOLLOWS:

COMMENCING AT THE MOST NORTHEAS' CORNER OF SAID DESCRIBED UNIT 1 ALSO BEING A POINT ON THE SOUTH RIGHT OF WAY OF S ROCKING K RANCHLOOP WHICH A CENTERLIVE MONIMENT OF S ROCKING K RANCH LOOP BEARS NORTH 32'5723" EAST, 75.00 FEET,

THENCE NORTH STO242" WEST ALONG THE SOUTH RIGHT OF WAY OF S ROCKING K RANCH LOOP, 546,42 FEET, THENCE, DEPARTING THE SOUTH RICHT OF WAY OF S ROCKING K RANCH LOOP SOUTH 325424" WEST, 48.02 FEET; THENCE SOUTH 56° TYS" WEST, 38.81 FEET;

THENCE SOUTHERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 164.54 FEET, WITH A CHORD BEARING SOUTH OF 00007" WEST, 211.40 FEET, THROUGH A CENTRAL ANGLE OF 75"50"27", AN ARC LENGTH OF 229.57 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 128.08 FEET, WITH A CHORO BEARING SOUTH 45"33"54" WEST, 242.80 FEET, THROUGH A CENTRAL ANGLE OF 148"4213", AN ARC LENGTH OF 327.21 FEET;

THENCE WESTERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 133.20 FEET, WITH A CHORD BEARING NORTH 81\*53'03' WEST, 120.65 FEET, THROUGH A CENTRAL ANGLE OF 53\*51\*7", AN ARC LENGTH OF 125.20 FEET,

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADRUS OF 133.72 FEET, WITH A CHORD BEARING NORTH 65"24"9" WEST, 180.33 FEET, THROUGH A CENTRAL ANGLE OF 85"08"33", AN ARC LENGTH OF 198,72 FEET;

THENCE NORTH 51"24"13" WEST, 37.15 FEET; THENCE NORTH 41"53'01" WEST, 18.44 FEET,

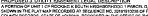
THENCE NORTHERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 43.43 FEET, WITH A CHORD BEARING NORTH 03"15" EAST, 64.53 FEET, THROUGH A CENTRAL ANGLE OF 95"\$6'32". AN ARC LENGTH OF 72,73 FEET:

THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT HAVING A HADIUS OF 14.00 FEET, WITH A CHORD BEARING NORTH 22'43'06' EAST, 11.54 FEET, THROUGH A CENTRAL ANGLE OF 49'05'04', AN ARC LENOTH OF 12.01 FEET;

THENCE NORTH 03"49'01" WEST, 76,74 FEET TO THE POINT OF BEGINNING,

THENCE SOUTH SONDYOF WEST, 25:00 FEET: THENCE NORTH 00"00"0" EAST, 50:00 FEET: THENCE MORTH SONDYOF" EAST, 50:00 FEET: THENCE SOUTH DOVDYOF EAST, 50:00 FEET; THENCE NORTH SONDYOF WEST, 25:00 FEET; TO THE POINT OF BEGINNING.

CONTAINING 2500.00 SQUARE FEET OR 0.057 ACRES MORE OR LESS.



PROPOSED 3 UTILITY EASEMENT LEGAL DESCRIPTION A PORTION OF UNIT 1 OF ROCKING & BOUTH NEGMEDRINDOD 1 PARCEL D, AS SHOWIN INTE PLATMAP RECORDADED AT SEQUENCE NO. 2019191023 OF PMA COUNT RECORDS, STATE OF ADZONA, RECORDED IN THE OFFICE OF THE CLERK OF SADE COUNTY OF JALT 10, 2019.

A 3.00 FOOT STRIP OF LAND LYING 1.50 FEET ON EACH SIDE OF THE FOLLOWING DESCRIBED CENTERLINE:

COMMENCING AT THE MOST NORTHEAST CORNER OF SAID DESCRIBED UNIT 1 ALSO DEING A POINT ON THE SOUTH RIGHT OF WAY OF S ROCKING K RANCH LOOP WHICH A CENTERLINE MONUMENT OF S ROCKING K RANCH LOOP BEARS NORTH 37:5823\* EAST. 75.00 FEET:

THENCE NORTH 57'0242" WEST ALONG THE SOUTH RIGHT OF WAY OF S ROCKING K RANCH LOOP, 546,42 FEET;

THENCE DEPARTING THE SOUTH RIGHT OF WAY OF S ROCKING K RANCH LOOP SOUTH 32'50'40' WEST, 48.02 FEET; THENCE SOUTH 56'27:59' WEST, 38.81 FEET;

THENCE SOUTHERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 164,54 FEET, WITH A CHORD BEARING SOUTH 04/03077 WEST, 211,40 FEET, THROUGH A CENTRAL ANGILE OF 79/5072, AN ARC LENGTH OF 29,57 FEET;

THENCE SOUTHWESTERLY ALONG SAID CURVE TO THE RIGHT HAVING A RADIUS OF 126.08 FEET, WITH A CHORO BEARING SOUTH 45"33"54" WEST, 242,80 FEET, THROUGH A CENTRAL ANGLE OF 146"42"03", AN ARC LENGTH OF 327,21 FEET;

THENCE WESTERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 133.20 FEET, WITH A CHORD BEARING NORTH 81'53'03' WEST, 120.25 FEET, THROUGH A CENTRAL ANGLE OF 53'51'17', AN ARC LENGTH OF 125.20 FEET,

THENCE NORTHWESTERLY ALONG SAID CURVE TO THE RICHT HAVING A RADIUS OF 133.72 FEET, WITH A CHORD BEARING NORTH 85'24'49' WEST, 180.93 FEET, THROUGH A CENTRAL ANGLE OF 85'09'33', AN ARG LENGTH OF TBAZ7 FEET,

THENCE NORTH 51"24"13" WEST, 37.15 FEET; THENCE NORTH 41"53"01" WEST, 18.44 FEET:

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THENCE NORTHEASTERLY ALONG SAID CURVE TO THE LEFT HAVING A RADIUS OF 14.00 FEET, WITH A CHORD BEARING NORTH 23\*43'06' EAST, 11.54 FEET, THROUGH A CENTRAL ANGLE OF 49\*09'04', AN ARC LENGTH OF 12.01 FEET;

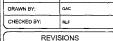
THENCE NORTH 3014931" WEST, 76.74 FEET, SOUTH 90'00'00" WEST, 25.00 FEET; THENCE NORTH 30'00'00" EAST, 2.17 FEET TO THE POINT OF DEGINNING;

THENCE NORTH 60'D000" WEST, 124.34 FEET; THENCE NORTH 00'00'00" EAST, 441.07 FEET TO THE POINT OF TERMINUS ON THE SOUTH RIGHT OF WAY OF S ROCKING K RANCH LOOP.

ALL SIDELINES OF SAID EASEMENT ARE TO BE LENGTHENED OR SHORTENED TO FORM ONE CONTIGUOUS PARCEL.



E network



_		
2	08/23/22	TITLE / FINAL
1	08/22/22	REVISION
0	07/29/22	PRELIMINARY
NO.	DATE	DESCRIPTION



WWW RLECONSULTING COM



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PROJECT NO. 180011346

SITE NAME

ROCKING K RANCH

SITE ADDRESS: 7735 S ROCKING K RANCH LP

TUCSON, AZ 85747

SHEET TITLE:

SURVEY INFORMATION

SHEET NO. REVISION: LS-3

		(	CURVE TA	BLE	
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG.	СН
C1	229.57	164.54	79°56'32"	S4° 03' 07"W	211
C2	327,21	126.08	148°42'03"	S45° 33' 54"W	242
C3	125,20	133.20	53°51'17"	N81° 53' 03"W	120
C4	198.72	133.72	85°08'33"	N65° 24' 49"W	180
C5	72.73	43.43	95°56'32"	N3° 19' 15"E	64.
C6	12.01	14.00	49°09'04*	N23° 43' 06"E	11.

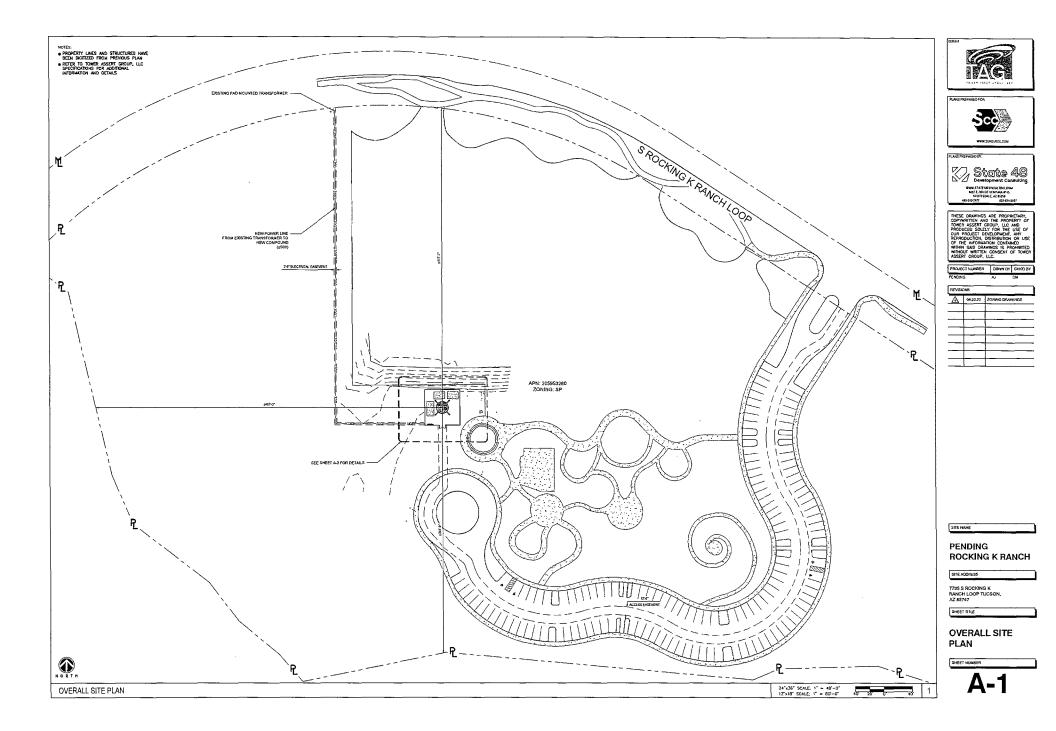
LINE TABLE			
LINE	LENGTH	BEARING	
L1	48.02	S32° 50' 40"W	
L2	38.81	S56° 27' 59"W	
L3	37.15	N51° 24' 13"W	
L4	18.44	N41° 53' 01"W	
1.5	76.74	N0° 49' 01"W	
L6	25.00	N90° 00' 00"W	
L7	50.00	N0° 00' 00"E	
L8	50.00	N90° 00' 00" E	
L9	50.00	S0° 00' 00"E	
L10	25.00	N90° 00' 00"W	
L11	124.34	N90° 00' 00"W	

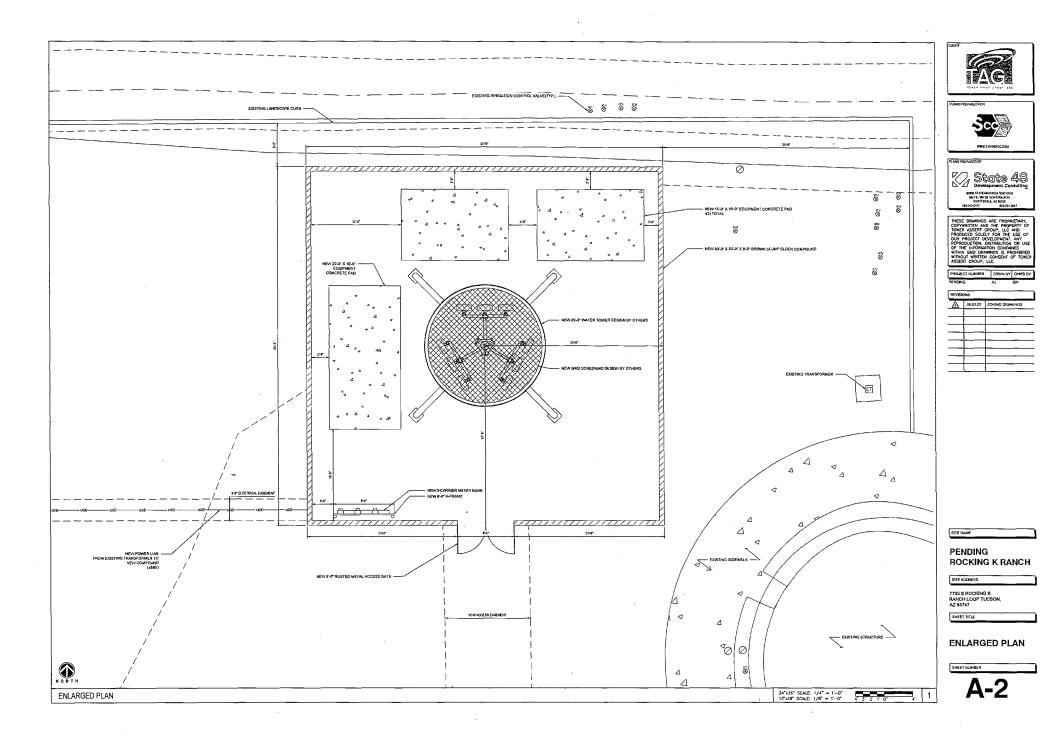
N0° 00' 00"E

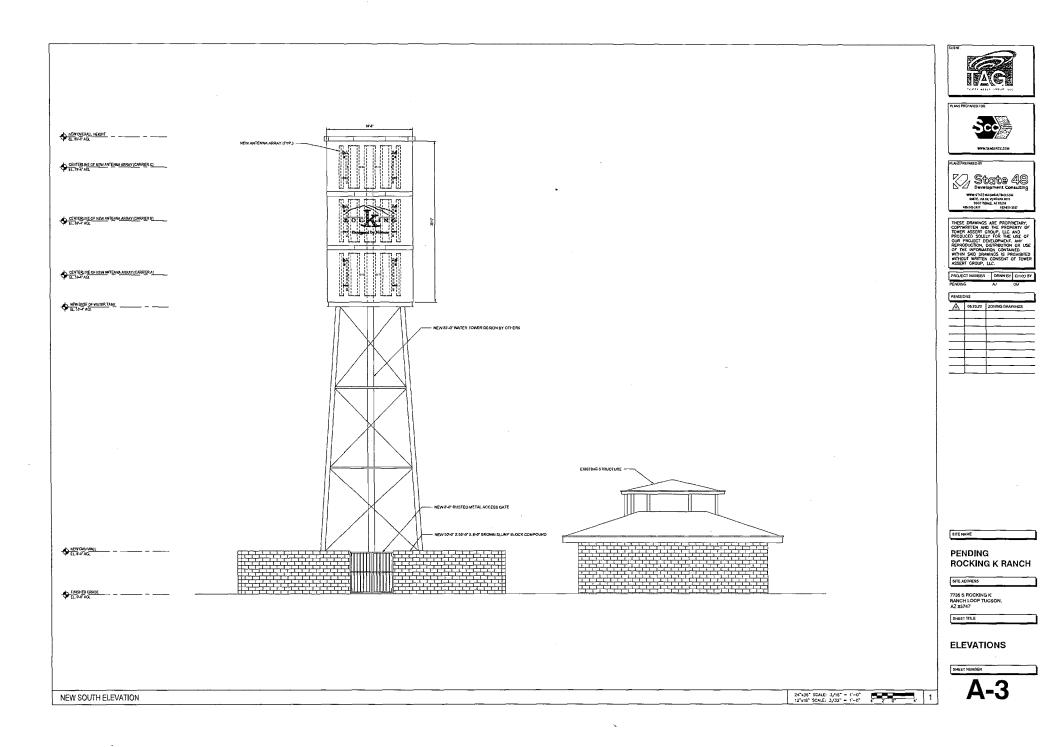
L12

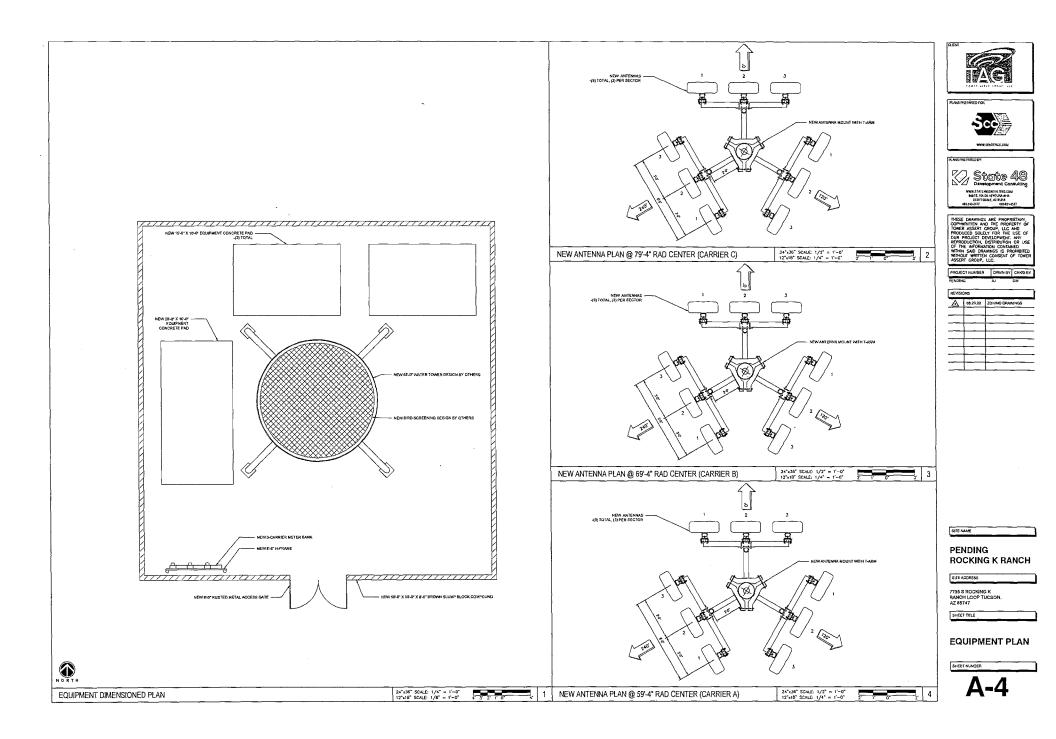
2.17

			CURVE TA	BLE	
CURVE	LENGTH	RADIUS	DELTA	CHORD BRG.	CHORD LENGTH
C1	229.57	164,54	79°56'32"	S4° 03' 07"W	211.40
C2	327,21	126.08	148°42'03"	S45° 33' 54"W	242.80
C3	125,20	133.20	53°51'17"	N81° 53' 03"W	120.65
C4	198.72	133.72	85°08'33"	N65° 24' 49"W	180.93
C5	72.73	43.43	95°56'32"	N3° 19' 15"E	64.53
C6	12.01	14.00	49°09'04*	N23° 43' 06"E	11.64

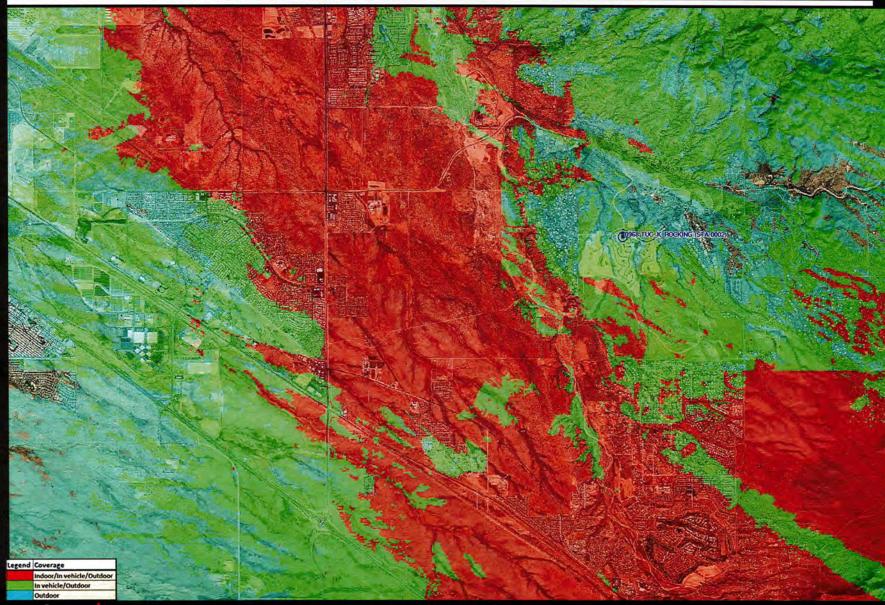








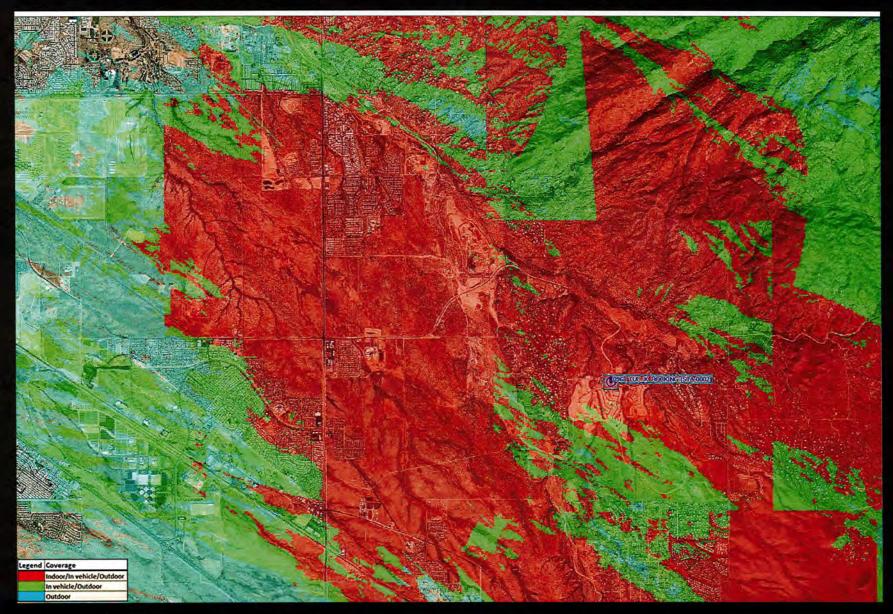
## Tucson K Rocking Ranch area's current coverage



verizon

Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

## Tucson K Rocking Ranch area's current coverage with the new site added





Verizon confidential and proprietary. Unauthorized disclosure, reproduction or other use prohibited.

From:	Jayme Kahle
То:	DSD Planning; Anita McNamara; Thomas Drzazgowski
Cc:	<u>Jim Tucker</u>
Subject:	Cellular Tower in Rocking K & Rincon Valley
Date:	Tuesday, October 11, 2022 10:33:55 AM

**CAUTION:** This message and sender come from outside Pima County. If you did not expect this message, proceed with caution. Verify the sender's identity before performing any action, such as clicking on a link or opening an attachment.

In reference to Record Number: P22CU00012

As the fire chief of the Rincon Valley Fire District, I wholeheartedly support the construction of a cellular tower in this neighborhood.

Our agency relies upon cellular providers that support our operational safety and rapid response. We are currently using Verizon cellular cards in our modems for our mobile data terminals in all emergency apparatus including ambulances. The Verizon connection provides us with detailed information from our dispatchers, the fastest routing directions, and any special hazards. In addition, we use Verizon cellular phones to contact our base hospital for life-saving medical instructions. Furthermore, we use the Verizon network to transmit crucial life-saving medical information such as EKG strips that provide for faster medical diagnosis in the field.

Unfortunately, this area is not adequately served by cellular providers and we have many gaps in our ability to provide life-saving services. This dangerous situation will only get worse as the population increases in this area. We have petitioned Verizon directly in the past with no success. However, it appears that the developers of Rocking K South are being extremely responsible in building critical infrastructure that will help us save lives.

Please approve this zoning request.

I would be happy to speak in support of this request at the October 6th meeting if needed.

photo	Jayme Kahle Fire Chief, Rincon Valley Fire District
	Tel: (520) 647-3760   Direct : (520) 561-3095   Fax: (520) 647-7102 14550 E Sands Ranch Rd, Vail, AZ 85641 www.rinconvalleyfd.org

To ensure compliance with the Open Meeting Law, recipients of this message should not forward it to other members of the Board. Members of the Board may reply to this message, but they should not send a copy of their reply to other members.



### Southern Arizona Home Builders Association

2840 N. Country Club Rd. Tucson, AZ 85716 P: 520.795.5114 <u>www.sahba.org</u>

**PRESIDENT & CEO** David M. Godlewski

#### **EXECUTIVE OFFICERS**

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> 1<sup>st</sup> Vice Chair Andrew Hayes Hayes Construction

2<sup>nd</sup> Vice Chair Steve Crawford Pepper Viner Homes

Secretary/Treasurer Randy Agron A.F. Sterling Homes

#### Immediate Past Chair Tom Gansheimer

Lennar

Affiliated With



October 12, 2022

Pima County Development Services 201 N. Stone Ave Tucson, AZ 85701

RE: Fidelity National Title TR 60380 - S. Rocking K Ranch Loop

Dear Anita McNamara and Tom Drzazgowski,

With the Rincon Mountains District of Saguaro National Park at a short distance and the intricate large cave system of Colossal Cave, Vail is becoming a community with great appeal and great potential. With that potential come the opportunities of investment and growth. One of the many components of growth, which we often take for granted, is being able to easily access excellent cellular service. Having access to reliable cellular service is a standard we have come to expect as it has become integral to online learning, work flexibility, and trade and commerce.

The Southern Arizona Home Builders Association not only represents homebuilders and developers, but also those in the full array of construction trades. These are the hard-working individuals who build our communities. And in order for our members to complete their work as efficiently and as safely as possible, infrastructure for reliable cellular coverage is needed. SAHBA acknowledges the need for expanded cellular coverage throughout our region, especially in southern Arizona and greater Pima County, which lack cell service infrastructure in several of its locations and submarkets. A communication tower at Rocking K would advance this objective.

The importance of fast and consistent network connections has never been greater. Supporting the digital connections that have become our way of life is the only way forward. Simply put, good cell service is an important component to the quality of life we enjoy. Our southeast region, greater Vail area, and Rincon Valley will be needing that support as it grows for years to come.

Sincerely,

Jennifer Barroso, *Government Liaison* Southern Arizona Home Builders Association 2840 N. Country Club Rd. Tucson, AZ 85716 520.795.5114 | jennifer@sahba.org



*Office* 3615 N. Prince Village Place, Suite 141 Tucson, AZ 85719

Mailing PO Box 65803 Tucson, AZ 85728 Phone 520.882.2157 www.heirloomfm.org

Pima County Planning and Zoning Commission Planning Division 201 N. Stone Ave, 1<sup>st</sup> Floor Tucson, AZ 85701

October 12, 2022

Dear Pima County Planning and Zoning Commission,

Heirloom Farmers Markets is pleased to offer this letter of support for Rocking K Holdings LP, for their request for a Type III Conditional Use Permit. This permit is for a communications tower, located at South Rocking K Ranch Loop. This location is near the weekly Saturday morning Rincon Valley Farmers and Artisans Market (RVFAM), at 12500 E. Old Spanish Trail, which was established over 20 years ago. Since 2018, Heirloom Farmers Markets has partnered with Diamond Ventures and the Rincon Institute to manage the RVFAM, which serves the Rocking K, Vail, southeast Tucson, and surrounding communities.

Heirloom Farmers Markets (HFM) is a 501(c)(3) Non-Profit that operates five farmers markets in Southern Arizona, with over 24 years of experience supporting local farmers, ranchers, producers, and small businesses while serving our communities. The RVFAM offers a weekly curated, direct-to-consumer grocery shopping experience with fresh, locally-grown and prepared foods from the region's finest farmers, ranchers, and producers, as well as unique handmade goods from local artisans.

Rocking K is a valuable partner to Heirloom Farmers Markets. The proximity of the Rocking K communications tower to the RVFAM will facilitate market operations that rely on consistent connectivity. These include:

- Smoothly administering nutritional access programs (SNAP, matching Double Up Food bucks, and WIC and Senior FMNP vouchers)
- Efficiently processing all credit/debit card transactions for 52 small local businesses,
- The sale of Farmers Market tokens at the HFM Info Booth.

In summary, Heirloom Farmers Markets supports the efforts to bring a communications tower to the Rincon Valley. Consistently reliable connectivity directly benefits HFM's Mission to connect, educate and empower the surrounding communities to create a vibrant and accessible food system in support of local food producers and artisans.

Sincerely,

your hi

Nick Szumowski, Executive Director Heirloom Farmers Markets PO Box 65803 Tucson, AZ 85728 info@heirloomfm.org o: 520-882-2157



See you at the market!

WEDNESDAYS Green Valley Village Farmers & Artisans 101 S. La Cañada Dr.

FRIDAYS Udall Park Morris K. Udall Park 7202 E. Tanque Verde Rd.

> SATURDAYS Oro Valley Steam Pump Ranch 10901 N. Oracle Rd.

SATURDAYS Rincon Valley Farmers & Artisans 12500 E. Old Spanish Trail

> SUNDAYS Rillito Park Food Pavilion 4502 N. 1st Ave.

