BOARD OF SUPERVISORS AGENDA ITEM REPORT

Requested Board Meeting Date: May 21, 2019

Title: P19CU00001 LIN - N. QUARTZ HILL PLACE WIRELESS COMMUNICATION TOWER (APPEAL)

Introduction/Background:

The Rockcliff HOA is requesting an appeal regarding an approval of a Type I Conditional Use Permit for two (2) monopoles disguised as Saguaro cacti. The position of the HOA is that right of access granted to the subject property was specifically to the owner of the property.

Discussion:

The Rockcliff HOA claims that "the basis of the appeal is that the Hearing Administrator incorrectly found that the site in questions has adequate accessibility to the County road network." They stated the streets of the Rockcliff subdivision are private and are owned by the HOA.

Conclusion:

The Rockcliff HOA claims the easement attempted to be relied upon doesn't allow access to the property for the intended commercial use.

Recommendation:

Staff provided an original recommendation of approval to the Hearing Administrator. The Hearing Administrator granted approval subject to standard and special conditions. Staff is not providing recommendation per Section 18.97.030.F.6.b of the Pima County Zoning Code. The Board of Supervisors is to make the final decision.

Fiscal Impact:

N/A

Board of Supervisor District:

☒ 1 ☐ 2 ☐ 3 ☐ 4 ☐ 5 ☐ All

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

Contact: Nick Coussoulis, Planner Senior Telephone: 520-724-6692

Department Director Signature/Date: 4/24/19

Deputy County Administrator Signature/Date: 4/30/19

County Administrator Signature/Date: 5/1/19

PIMA COUNTY
DEVELOPMENT SERVICES

TO: Honorable Ally Miller, Supervisor, District #1

FROM: Chris Poirier, Planning Official Tom Prazgowski
Public Works-Development Services Department-Planning Division

DATE: April 18, 2019

SUBJECT: **P19CU00001 LIN – N. QUARTZ HILL PLACE**
(Conditional Use – Type I – Wireless Communication Facility *Appeal*)

The above referenced Conditional Use Permit is within your district and scheduled for the Board of Supervisors' **TUESDAY, May 21, 2019** hearing.

REQUEST: Conditional Use – Wireless Communication Facility *Appeal*

OWNER: Paul and Kim Lin, CP/RS
4013 N. Ocotillo Canyon Dr.
Tucson, AZ 85750

AGENT: Steve Olson, AT&T Mobility/Bechtel
10641 N. Camino Rosas Nuevas
Oro Valley, AZ 85737

APPELLANT: Rockcliff Homeowners Association, Inc.
c/o Joe F. Tarver
4710 N. Caida Place
Tucson, AZ 85718

DISTRICT: 1

STAFF CONTACT: Nick Coussoulis, Planner Senior

PUBLIC COMMENT TO DATE: Staff had received no public comment up to the day of the hearing. Staff received one letter of opposition on the day of the public hearing, followed by a letter of appeal.

HEARING ADMINISTRATOR DECISION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

STAFF RECOMMENDATION: APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.

MAEVEEN MARIE BEHAN CONSERVATION LANDS SYSTEM (CLS): The subject property is outside of the MMBCLS.

PIMA COUNTY

DEVELOPMENT SERVICES

BOARD OF SUPERVISORS MEMORANDUM

Subject: P19CU00001

FOR MAY 21, 2019 MEETING OF THE BOARD OF SUPERVISORS

TO: HONORABLE BOARD OF SUPERVISORS

FROM: Chris Poirier, Planning Official
Public Works-Development Services Department-Planning Division

DATE: April 18, 2019

ADVERTISED ITEM FOR PUBLIC HEARING

APPEAL OF HEARING ADMINISTRATOR'S DECISION

P19CU00001 LIN – N. QUARTZ HILL PLACE
In accordance with Pima County Zoning Code Section 18.97.030.F(6), Rockcliff HOA appeals the decision of the Hearing Administrator in Case No. P19CU00001, to allow a Type I Conditional Use Permit for a wireless communication facility and equipment located at 4702 N. Quartz Hill Place in the CR-1 zone. Chapter 18.97, in accordance with Sections 18.07.030.H.2.d. of the Pima County Zoning Code, allows wireless towers disguised as Saguaro cacti as a Type I Conditional Use in the CR-1 zone. Staff recommends **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** The Hearing Administrator granted **APPROVAL SUBJECT TO STANDARD AND SPECIAL CONDITIONS.** (District 1)

Summary of the Hearing Administrator Meeting (February 27, 2019)

In accordance with Pima County Zoning Code Section 18.97.030.F.3, a public hearing was held on this application on February 27, 2019. The applicant's representative presented the conditional use permit request and answered the Hearing Administrator's various questions. The applicant's submittal package included narrative information and propagation maps in addition to the proposed development plan for the new towers.

Eight (8) members of the public attended the hearing, six (6) of whom chose to speak on the matter. Staff indicated that it had received one (1) letter of objection from the Rockcliff Homeowners Association.

After hearing from the applicant and from the public, the Hearing Administrator closed the public hearing.

This application for a Type I conditional use permit for a new communication tower, on property zoned CR-1, is hereby **approved** by the Hearing Administrator, subject to the following *Standard & Special Conditions:*

Standard Conditions -- Zoning Code Basis

The Pima County Zoning Code allows communication towers of the proposed height (30') within the CR-1 zone, subject to the Type I conditional use permit process.

Special Conditions

1) The two (2) new tower installations shall be faux saguaros and shall be no more than the requested thirty feet (30') in height to the top of the faux structures.
2) All associated cabling and antennae arrays shall be wholly contained within the faux saguaro structures.
3) The proposed faux saguaro structures shall be located on the property as shown on the submitted drawings.
4) All ground equipment associated with the towers/antennae shall be located internal to the existing residence. No external/outdoor ground equipment is allowed, other than the required trenching and buried cable between the residence and the faux structures.
5) Trenching for the incoming fiber optic cable to the property for the proposed towers/antennae is expressly contemplated by this decision and found acceptable as an attendant component of this approval.

TD/NC/ar
Attachments

cc: Paul & Kim Lin, 4013 N. Ocotillo Canyon Dr., Tucson, AZ 85750
Steve Olson, 10641 N. Camino Rosas Nuevas, Oro Valley, AZ 85750
Rockcliff Homeowners Association, Inc., c/o Joe F. Tarver, 4710 N. Caida Place
Tucson, AZ 85718
Tom Drzazgowski, Chief Zoning Inspector Pima County Development Services
Nick Coussoulis, Planner Senior Pima County Development Services
P19CU00001 File

Conditional Use Permit Application

Property Owner: Paul and Kim Lin, CP/RS Phone: 520-977-0429

Owner's Mailing Address, City, State & Zip: 4013 N. Ocotillo Canyon Dr., Tucson, AZ 85750

Applicant (if different from owner): AT&T Mobility / Bechtel Phone: 520-743-6087

Applicant's Mailing Address, City, State & Zip: 10641 N. Camino Rosas Nuevas, Oro Valley, AZ

Applicant's or Owner's Email Address: stolson@bechtel.com

Property Address or Tax Code: 4702 N. Quartz Hill Pl. / 114-18-004B

Type of Use Proposed for the Property: Install a wireless communication facility disguised as (2) faux Saguaro cacti. Ground equipment will be installed inside an existing storage room and will not be visible.

Discuss the proposed use and it's compatibility with the surrounding area: The surrounding area is populated with Saguaro cacti. Disguising the facility using a Saguaro cactus design blends with the existing environment. Ground equipment will be completely concealed.

☒ The applicant agrees to contact the Regional Flood Control District to discuss the proposal prior to application submittal.

☒ The applicant agrees to contact United States Fish and Wildlife Service at scott_richardson@fws.gov and provide a written notice that an application for a conditional use permit has been submitted a minimum of 15 days prior to the public hearing date.

This application is for a (Select one):

☒ Type I Conditional Use ☐ Type II Conditional Use ☐ Type III 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: 1/14/19

PIMA COUNTY
DEVELOPMENT SERVICES

LETTER OF AUTHORIZATION

As required by Arizona Revised Statues I hereby certify that I am the owner of the property referenced below and that the party whose name is listed below is authorized to take out Development Services permits in my name:

4702 N. Quartz Hill Place, Tucson, AZ 85750

Property Address

Type 1 Conditional Use Permit

Type of Permit Applied for: (SFR/MH/Remodel/Addition/Fence or Wall/Home Occupation/Child Care/Adult Care/Secondary Dwelling/Assisted Living/Group Home)

Olson, Steven Digitally signed by: Olson, Steven
DN: CN = Olson, Steven C • US O = Bechtel Global Corporation
Date: 2018.11.26 14:58:19 -07'00'

Signature of Applicant

11/26/18

Date

AUTHORIZED BY:

Signature of Property Owner

1/19/2019

Date

PROJECT NARRATIVE

AT&T Wireless Communication Facility
4702 N. Quartz Hill Place

AT&T proposes to construct a new wireless communication facility on residential property located at 4702 N. Quartz Hill Place. The facility will be disguised as two (2) faux Saguaro cacti to provide coverage in the area required by AT&T. As depicted in the site photos and photo simulations submitted with the application, the environment surrounding the property is populated with numerous Saguaros which lend context to the proposed design. The proposed Saguaros will be 30 feet tall. One of the two (2) Saguaros will be placed on the north side of the residence, the second Saguaro will be placed on the east side of the residence. Ground equipment for the facility will be completely concealed inside an existing storage room on the property.

The applicant considered colocation on a TEP utility pole on Snyder Road near Rockcliff Rd. This location is substantially lower in elevation than the proposed facility and would not cover as large an area. The applicant considered installing antennas on the rooftop of the garage at the host property. This area is screened to conceal Sprint antennas and equipment as well as an internet service provider's antennas and ancillary equipment. Visual inspection led to the conclusion the space could not feasibly accommodate AT&T antennas, cabling, and ancillary equipment in the relatively small space. The applicant also had concerns about the structural integrity of the roof deck and screening material if AT&T equipment were to be installed.

The facility is needed to fill a significant gap in coverage as shown on the propagation maps submitted with the application. In addition to providing AT&T wireless services to the general public, the facility will include service for the FirstNet project, which is a contract awarded to AT&T by the federal government. In 2012, Congress created the FirstNet Authority (https://firstnet.gov/) which is responsible for building a nationwide public safety broadband wireless network for first responders. The FirstNet Authority awarded a competitive contract to AT&T to build that network for public safety (https://www.firstnet.com/). This facility will be equipped to provide dedicated wireless access to first responders using the AT&T network.

Bechtel Infrastructure and Power Corporation
2601 S. 37th Street, Suite 200
Phoenix, AZ 85034
P | 520-743-6087
F | 623-282-3150

PIMA COUNTY
DEVELOPMENT SERVICES
201 N. Stone Avenue, 2nd Floor
Tucson, AZ 85701-1207
(520) 724-9000

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.

This report will include information provided by both Pima County Planning staff (Part I) as well as the applicant (Part II).

Part I. Information Provided by Pima County staff:

Pima County Planning staff will provide the following information for the proposed project site, as applicable:

1. Is the project located in the Maeveen Marie Behan Conservation Lands System? (Select) NO
   Any Special Species Management Areas? No
2. Is the project in the vicinity of any of the six Critical Landscape Linkages? No
3. Is the project Designated for acquisition as a Habitat Protection or Community Open Space property? No
4. Is the project located within the Priority Conservation Area for any of the following species?
   a. Cactus ferruginous pygmy-owl No
   b. Western burrowing owl No
   c. Pima pineapple cactus No
   d. Needle-spined pineapple cactus No

Part II. Information Provided by the Applicant:

1. Has the owner of the project site had any communications with Pima County about the County potentially acquiring the property? No

   If yes, provide a summary of those communications: _____

PIMA COUNTY
DEVELOPMENT SERVICES

2. Several species are of particular interest. Please fill out the following table to the best of your ability.

Species	Ever found on project site?	Date of last observation if found on project site?	Future surveys planned?
Cactus ferruginous pygmy owl	No		No
Western burrowing owl	No		No
Pima pineapple cactus	No		No
Needle-spined pineapple cactus	No		No

Contact the Office of Sustainability and Conservation at 520-724-6940 if you have any questions about this report.

PROJECT INFORMATION

NEW TELECOMMUNICATIONS FACILITY

SITE NO: AZL01390
SITE NAME: QUARTZ HILL

4702 N QUARTZ HILL PLACE
TUCSON, AZ 85750

PROJECT OWNER

at&t

SITE DEVELOPMENT

BECHTEL

PREPARED BY

ABN ENGINEERING

LOCATION MAP

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Looking South Toward
Tower Location (Before)

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PREPARED BY

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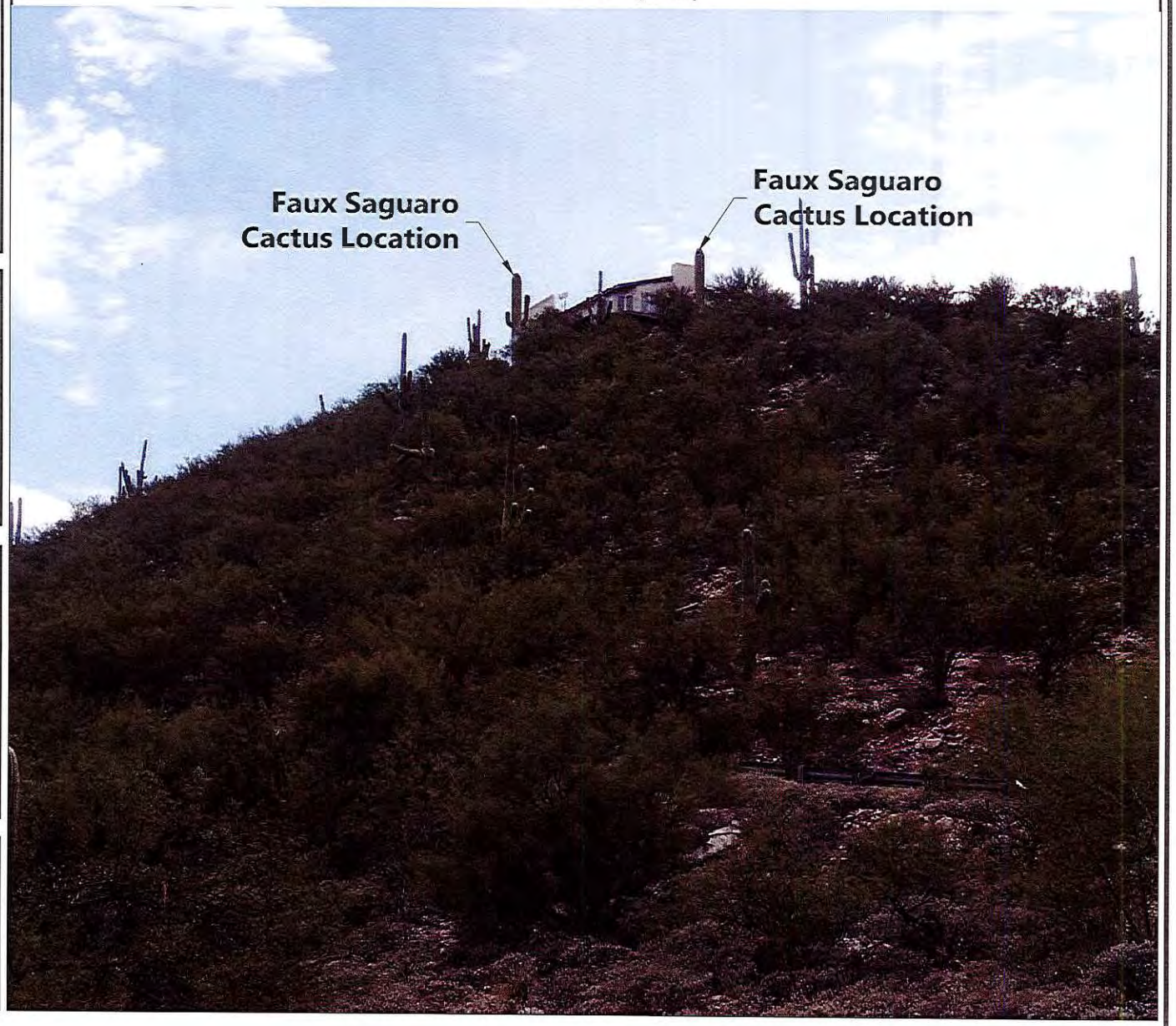
Looking South Toward
Tower Location (After)



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LOCATION MAP

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PROJECT OWNER

at&t

SITE DEVELOPMENT

BECHTEL

PREPARED BY

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Looking South West Toward
Tower Location (Before)

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PREPARED BY

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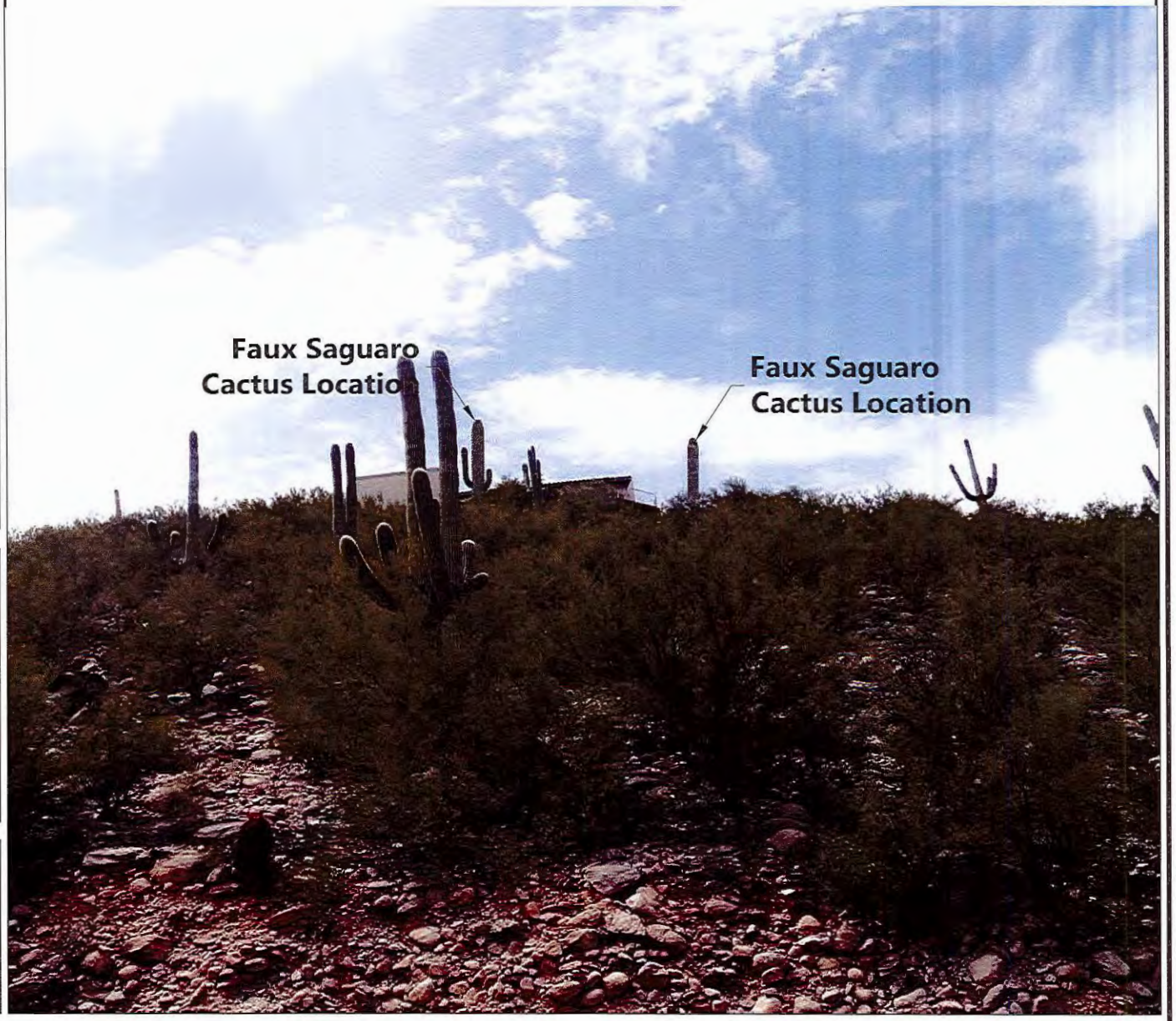
Looking South West Toward
Tower Location (After)



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LOCATION MAP