

MEMORANDUM

DATE:

February 25, 2025 For March 13, 2025 Hearing

TO: Frank Cassidy Zoning Examiner FROM:

Koren Manning, Interim Director Planning & Development Services

SUBJECT: SPECIAL EXCEPTION LAND USE PLANNING & AND DEVELOPMENT SERVICES REPORT TP-ENT-1224-00030 Milagros Tower, S 16th Ave, (MCSE) MH-1 (Ward 1)

Issue – This is a request by Native Network on behalf of the Pascua Yaqui Tribe, for approval of a wireless communication facility (WCF). The special exception site is located at 3410 S 16th Avenue, approximately one-half mile north of Ajo Way and 150 feet east of Interstate-19 (see Case Location Map).

The preliminary development plan (PDP) proposes an 80-foot wireless communication tower with three broadband wireless internet antennas mounted at 79 feet, with options for future colocation at 69 feet and 69 feet. The project is designed to provide wireless broadband internet to members of the Pascua Yaqui Tribe living in the neighborhoods north-east of the proposed monopole location.

The proposed ground equipment, including the monopole, will be placed within an approximately 1,600 square-foot (40 by 40 feet) ground area surrounded by an 8-foot-high chain-link fence. Access is provided by a 12-foot access gate on the east side of the lease area which opens to the equipment area. Service access is provided via a gate which opens to the cul-de-sac where 44th street terminates before reaching Interstate-19. No access easement is required as the tower equipment area and surrounding parcel are under the ownership of the Pascua Yaqui Tribe.

A communications use of this type in the MH-1 zone is subject to Section 4.9.4.I.2, .3, and .8 of the *Unified Development Code (UDC)* and requires approval through a Mayor and Council Special Exception Procedure, in accordance with *UDC* Sec. 3.4.3, for a new tower less than two times the height from the nearest property zoned residential or office, and less than one mile from any existing tower unless documentation that no practical alternative exists. Documentation provided by the applicant indicates that no practical alternative exists, and the tower will be painted to minimize visual impacts. The tower will also be placed in a site adjacent to Interstate 19, and located over 500 feet from the nearest residential land use.

While there is an existing monopole 2,200 feet away from the project site, it offers neither sufficient height nor opportunity for colocation to meet the necessary conditions for use of wireless broadband antennas, which require a line of site between the mounted antenna and an end-user's household equipment.

The Mayor & Council Special Exception Procedure requires a public hearing before the Zoning Examiner, after which the Zoning Examiner forwards a recommendation to the Mayor and Council for a decision to grant the request with, or without, conditions or to deny the request. The Mayor and Council may also forward the request to the Design Review Board (DRB) for design review and recommendation.

<u>Planning & Development Services Department Recommendation</u> – The Planning & Development Services Department recommends approval of the special exception request, subject to the attached preliminary conditions.

Background Information

Existing Land Use: There is a church towards the center of the parcel. The project area is almost 200 feet away from the existing use.

Zoning Description:

MH-1 (Mobile Home Zone): This zone provides for low to medium density, residential development primarily in mobile home buildings on individual lots and within mobile home parks. Civic, educational, recreational, religious uses, and select other uses, such as day care and urban agriculture, are also permitted that provide reasonable compatibility with adjoining residential uses.

Surrounding Zones and Land Uses:

North: Zoned R-1; Assisted Living Facility South: Zoned MH-1; Vacant Land, same ownership East: Zoned R-2; Pueblo High School West: Zoned R-2; Interstate-19

<u>Previous Cases on the Property:</u> None.

Related Cases: None.

<u>Applicant's Request</u> – The applicant requests special exception approval for the placement of a 80-foot high cellular communications monopole. The monopole's purpose is the placement of broadband wireless antennas to be used by members of the Pascua Yaqui Tribe. The proposed monopole is 80 feet in height to provide opportunities for future co-location for other

telecommunications providers. The pole will be painted to minimize visual impacts, and the pole and ground equipment will be contained within an 8-foot chain link fence surrounding the 40 by 40-foot ground equipment area. Additionally, the surrounding parcel is surrounded by an existing 6-foot chain link fence.

<u>Planning Considerations</u> – Land use policy direction for this area is provided by *Plan Tucson*. *Plan Tucson* identifies this area in the Future Growth Scenario Map as "Existing Neighborhoods" and supports new services and amenities that contribute further to neighborhood stability. Policy LT28.1.2 requires that, if possible, wireless communication facilities be located, installed and maintained to minimize visual impacts and preserve views. The proposed wireless communication facility will fulfill an important infrastructure need faced by the Pascua Yaqui tribe, and is proposed with future colocation opportunities in mind which will also help improve telecom services in the area.

The special exception site is located in the northwest corner of a larger parcel which currently has a church owned by the Tribe. The nearest residential land use is single-family residential homes approximately 550 feet east of the project location.

The applicant estimates that the proposed development will not generate additional measurable vehicle trips per day. ADOT and DTM have provided no comments concerning this development. There are no billboards on the special exception site.

Design Considerations

Land Use Compatibility – The proposed monopole will be designed to accommodate future wireless carriers. The existing monopole in the vicinity of the target neighborhood lacks sufficient height for colocation, and space on other nearby tall objects is limited. By providing space for future carriers on an 80-foot monopole, the opportunity for other carriers to improve their services will be available without the construction of further poles in the area. The proposed height ensures that antennas co-located on the monopole will offer coverage to a wider area without necessitating additional monopoles. The pole will be of galvanized steel with all antennas, mounts, and associated visible equipment painted to match pole color to minimize visual impacts

The applicant has submitted photo-simulations of the monopole. The proposal is for a monopole rather than a stealth tree design, because there are no existing tall trees nearby to provide context, and because it is not in the immediate vicinity of a residential land use. Cell tower location maps showing the potential coverage areas of co-located equipment were submitted with the special exception materials. Staff acknowledges that the proposed monopole will help improve telecom services to the area, and also acknowledges the placement of wireless broadband antennas will help fulfill a communications infrastructure need faced by members of the Pascua Yaqui Tribe in the area.

The nearest residential use is approximately 550 feet away, or almost seven times the height of the proposed monopole.

The monopole and ground equipment will be placed within a 1,600 square foot ground equipment area in the northwest corner of the subject parcel. Ground equipment will be housed inside cabinets within an area secured by an 8-foot chain-link fence preventing access to the substation area. Additionally, the surrounding parcel is secured by a 6-foot chain link fence.

<u>Road Improvements/Vehicular Access/Circulation</u> – No road improvements are proposed with this project. Vehicular access to the wireless communications facility is by way of existing access to the parcel. The surrounding parcel, equipment area, monopole, and ground equipment are owned by the Pascua Yaqui Tribe.

<u>Federal Regulations</u> – Because this Special Exception application involves a request for a wireless communication facility, the Zoning Examiner's consideration of the application is impacted by the application of federal laws specific to wireless communications. While federal law does not entirely preempt local decision-making authority based on legitimate zoning requirements, such as community aesthetics and compliance with stealthing requirements, it does impose the following limitations:

- 1) The decision on the application must occur within the "shot clock" period as provided under federal law, which for this type of application is 150 days. In this case, the application was accepted on January 10, 2025 and the "shot clock" period will expire on June 9, 2025. If a decision is not rendered within the "shot clock" period, the review and consideration process is presumed to be unreasonable and affords the applicant the opportunity to file a lawsuit. If sued, the City would need to prove that it acted "reasonably" when it failed to act within the established "shot clock" period.
- 2) The evaluation of the request cannot include consideration of potential environmental or health effects of radio-frequency (RF) emissions where, as here, the facility will comply with FCC regulations and standard on such emissions.
- 3) The decision on the application cannot unreasonably discriminate among providers of functionally equivalent services. A denial may be deemed to be "unreasonable discrimination" if the facility is designed and situated similarly to other previously approved facilities and is no more intrusive than those previously facilities.
- 4) The decision may not have the effect of prohibiting the provision of wireless services, or of causing a significant gap in the applying provider's coverage. In this context, the relevant issues are: (1) whether the applicant has shown a significant gap in service coverage; and (2) whether the proposal to fill this gap is the least intrusive means of doing so, or whether there are alternative sites that would fill the gap.
- 5) In the event of a denial, that decision and its reasons must be delivered to the applicant in writing, and must be supported by substantial evidence.

Given these constraints, the Zoning Examiner's recommendation on this application should focus on whether the applicant has demonstrated a significant coverage gap; whether that gap could be addressed through an installation at an alternative site; and whether the proposed concealment/stealthing measures are sufficient to meet the City's requirements. The Zoning Examiner should also consider how this application compares to other prior applications for similar facilities. In the event of a recommendation for denial, the reasons must be stated so they can be incorporated into a written decision and captured in the meeting minutes.

<u>Use-Specific Standards</u> – The applicant's proposal requires approval as a Zoning Examiner Special Exception and must meet the Use-Specific Standards of *UDC* Sections 4.9.4.1.2, .3, and .8. The Zoning Examiner shall render a decision to grant the use with or without conditions, or to deny the use. Below is the analysis of the performance criteria.

- 4.9.4.I.8 The following requires approval as a special exception in accordance with Section 3.4.4, *Mayor and Council Special Exception Procedure*. The Mayor and Council may forward the request to the Design Review Board (DRB) for design review and recommendation.
 - a. Wireless communication antennas, provided:
 - (1) The tower or antennas are not permitted by other provisions of this Section.

The 80-foot utility pole is located less than two times the height of the structure from the boundary of the residentially zoned property to the north, necessitating a Mayor and Council Special Exception.

(2) New towers require a minimum separation of one mile from any existing tower, regardless of ownership, unless documentation establishes that no practical alternative exists.

The nearest existing wireless communications facilities are located one-half mile away from the project site. However, there is inadequate height or availability of space for the installation of the Pascua Yaqui Tribe's wireless broadband antennas. There were no other feasibly located vertical objects in the area sufficient to locate the antennas.

(3) All appropriate measures shall be taken to conceal or disguise the tower and antenna from external view.

The utility pole with be painted to blend into the sky, as there are no surrounding tall trees to provide context for a camouflage scheme such as a mono-elm or mono-palm tower.

(4) All appropriate measures shall be taken to reduce the negative proliferation of visible towers and antennae by the collocation of new antennae on existing

towers or with the facilities of other providers which are located or planned for development within the proposed service area.

Staff recommended in the pre-application meeting for this project to request an 80-foot monopole to provide the opportunity for the colocation of future arrays. This space reduces the need for additional antennas, offers potential coverage to a large area, and satisfies the needs of the Pascua Yaqui Tribe.

(5) Notice shall be provided to all agents, in accordance with Section 4.9.4.I.2.g, at least 15 days prior to the date of the public hearing before the Zoning Examiner.

All policies of the Mayor and Council Special Exception Process shall be followed accordingly.

Staff finds the proposal to be in compliance with the UDC's Use-Specific Standards.

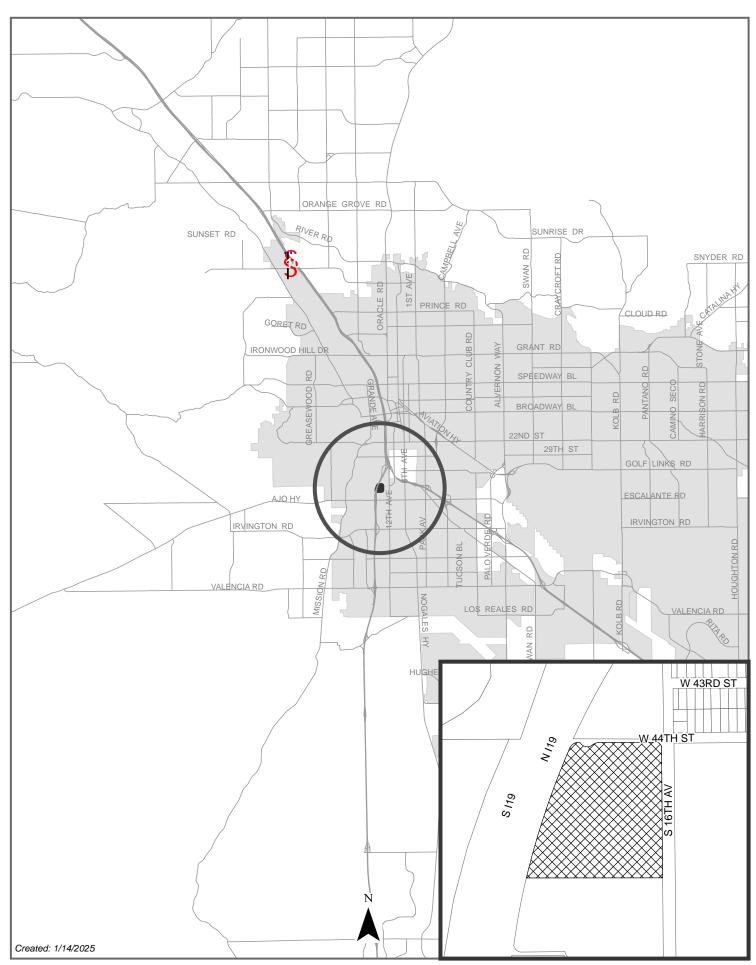
<u>**Conclusion**</u> – The proposal is in compliance with the performance criteria for a wireless communication facility. The special exception request is consistent with policy direction in *Plan Tucson*, which supports development designed to be compatible with and sensitive to surrounding land uses. Staff acknowledges that the WCF will help improve telecom services in the area. Subject to compliance with the attached preliminary conditions, approval of the requested special exception is appropriate.

PROCEDURAL

- 1. A site plan in substantial compliance with the preliminary development plan dated January 10, 2025 is to be submitted and approved in accordance with *Administrative Manual*, Section 2-06.
- 2. This project is located in an Archaeological Sensitivity Zone. An Archaeological Monitor hired by the permit applicant is required to be on-site during any digging, unless a waiver is issued. Monitoring reports are to be submitted to the Historic Preservation Office, City of Tucson, P.O. Box 27210, Tucson, AZ 85726. Additionally, any historic or prehistoric features or artifacts discovered during future ground disturbing activities should be reported to the City of Tucson Historic Preservation Officer. Pursuant to A.R.S. 41-865 the discovery of human remains, and associated objects found on private lands in Arizona must be reported to the Director of Arizona State Museum.
- 3. Any relocation, modification, etc., of existing utilities and/or public improvements necessitated by the proposed development shall be at no expense to the public.
- 4. Five years are allowed from the date of initial authorization to implement and effectuate all Code requirements and conditions of the special exception land use.
- 5. A copy of the Special Exception decision letter shall be included with the site plan at the time of permit application submittal.

LAND USE COMPATABILITY / CONCEALMENT MEASURES

- 6. The wireless communication monopole shall not exceed eighty feet in height from grade elevation.
- 7. Antennas and other visible ancillary equipment on the monopole shall be painted or finished to match as closely as possible the galvanized steel color of monopole.
- 8. Ground equipment to be located within lease area as depicted on the preliminary development plan dated January 1, 2025.





Area of Special Exception Request

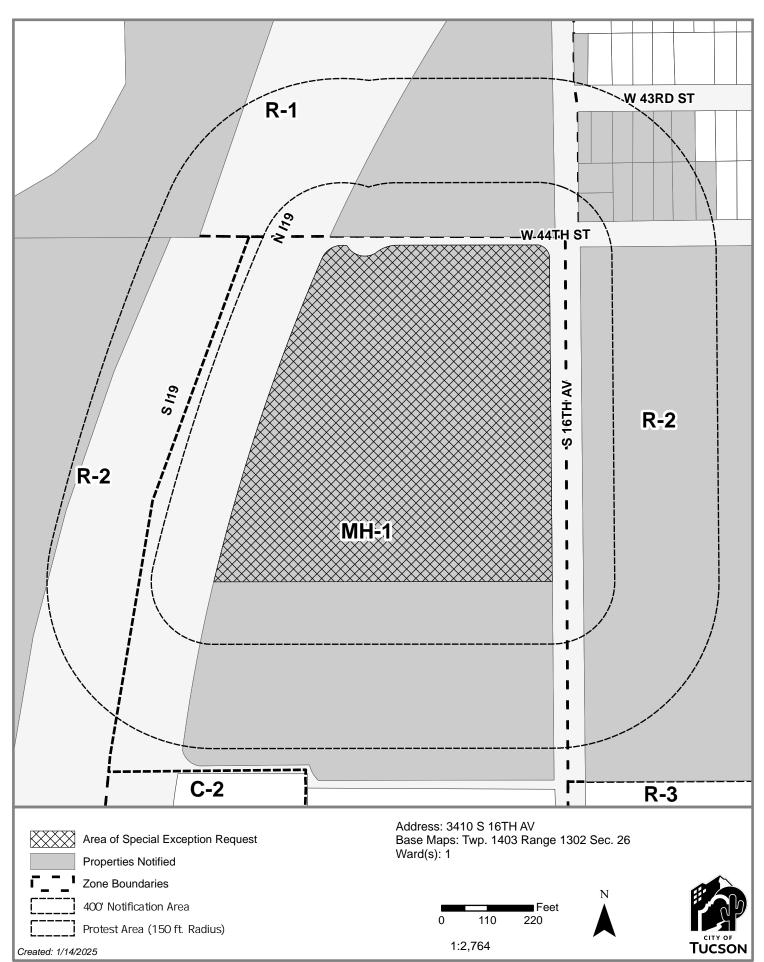


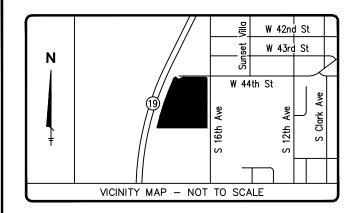
Address: 3410 S 16TH AV Base Maps: Twp. 1403 Range 1302 Sec. 26 Ward(s): 1





2022 Aerial Created:1/14/2025





OWNER INFORMATION

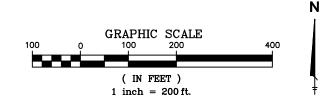
PASCUA YAQUI TRIBE

ZONING INFORMATION

THE CURRENT ZONING CLASSIFICATION OF THE PARENT PARCEL IS "MH-1" (MOBILE HOME ZONE) IN THE CITY OF TUCSON, AZ. (PER CITY TUCSON ZONING MAP)

FLOOD INFORMATION

BY GRAPHIC PLOTTING ONLY, THIS PROPERTY IS IN ZONE 'X' OF THE FLOOD INSURANCE RATE MAP, COMMUNITY PANEL NO. 04019C 2286 L, WITH AN EFFECTIVE DATE OF JUNE 16, 2011, AND IS NOT IN A SPECIAL FLOOD HAZARD AREA.



FAA 1-A PROPOSED TOWER LOCATION INFORMATION

NAD83 LATITUDE = 32° 11' 05.65" N $\pm 20'$ LONGITUDE = $110^{\circ} 59' 01.20'' \text{ W} \pm 20'$

NAVD88 GROUND ELEVATION AT BASE OF TOWER = $2400.30' \pm 3'$

BENCHMARK = DT21

ELEVATION = 2421.24'

AREA SUMMARIES								
	AREA	S.F.±	ACRES±					
A	PARENT PARCEL	547,599	12.571					
B	PROPOSED LEASE AREA	1,600	0.037					

INTERSTAT		б, (ж _{р.}	* * *		ino a	FOUND BRASS CAP F	Found 1/2 Capped "L	R-1 W. 44TH ST (VARIABLE WIDTH PUBLIC R.O.W.) L2 2" REBAR	FOUND \neg SS CAP FLUSH \neg r.o.w. 50'	
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		3					RENT PAR 119-18-(ZONING MH-1		Ц	S. 16TH AVE. (VARIABLE WDTH PUBLIC R.O.W.)
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, / /	C1	∆=089° 52' 45"	25.00'	39.22'	L1	S00° 38' 57"E	783.20'	West 40'-0" East 499'-9"		
, , , , , , , , , , , , , , , , , , , ,	C2	∆=033° 33' 26"	100.00'	58.57'	L2	S89° 28' 18"W	337.43'			
,	C3	∆=103° 50' 50"	50.00'	90.62'	L3	S89° 36' 41"W	808.28'			
//	C4	∆=054°15'50"	60.00'	56.83'						
//	C5	∆=010° 43' 51 "	4417.66 '	827.39'						
R.O.W						L3 APN 119-18-0 Zoning MH-1)40B			К.О.Ж. С.Г. С.Г.

AS-BUILT SURVEY

IN SECTION 26,

TOWNSHIP 14 SOUTH, RANGE 13 EAST PIMA COUNTY

SURVEYOR'S NOTES

1. BEARINGS SHOWN HEREON ARE BASED UPON U.S. STATE PLANE NAD83 COORDINATE SYSTEM, ARIZONA STATE PLANE COORDINATE CENTRAL ZONE, DETERMINED BY GPS OBSERVATION. 2. NO SUBSURFACE INVESTIGATION WAS PERFORMED TO LOCATE UNDERGROUND UTILITIES. UTILITIES SHOWN HEREON ARE LIMITED TO AND ARE PER OBSERVED EVIDENCE ONLY. 3. THIS SURVEY DOES NOT REPRESENT A BOUNDARY SURVEY OF THE PARENT PARCEL. 4. ALL VISIBLE TOWER EQUIPMENT AND IMPROVEMENTS ARE CONTAINED WITHIN THE DESCRIBED AREA. 5. NOT ALL SYMBOLS ARE DEPICTED TO SCALE.

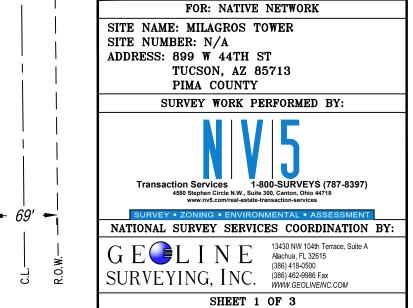
SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY TO: NATIVE NETWORKS AND (INSERT TITLE INSURANCE COMPANY) THAT THIS GROUND SURVEY WAS MADE UNDER MY SUPERVISION.

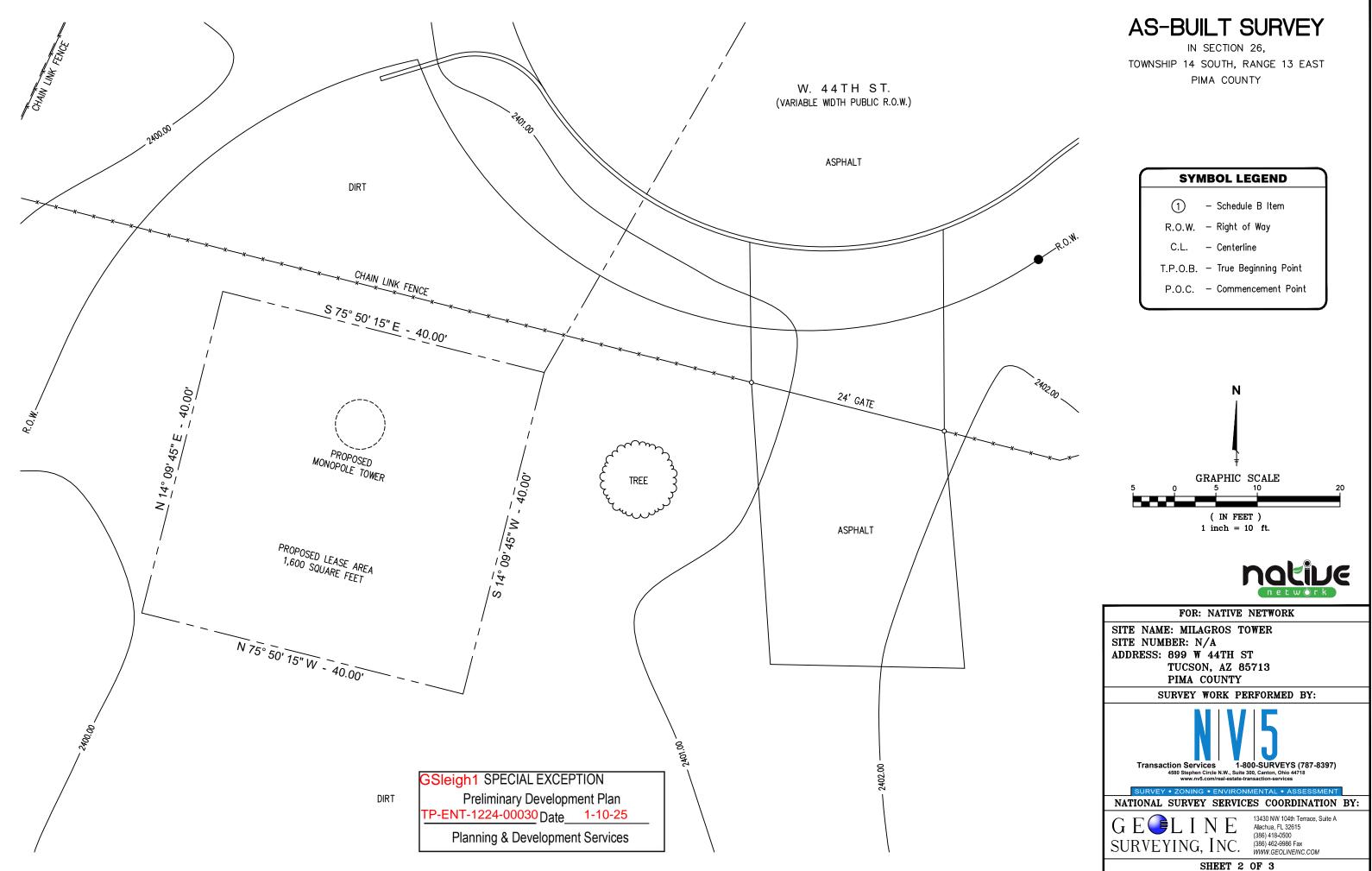
PRELIMINARY

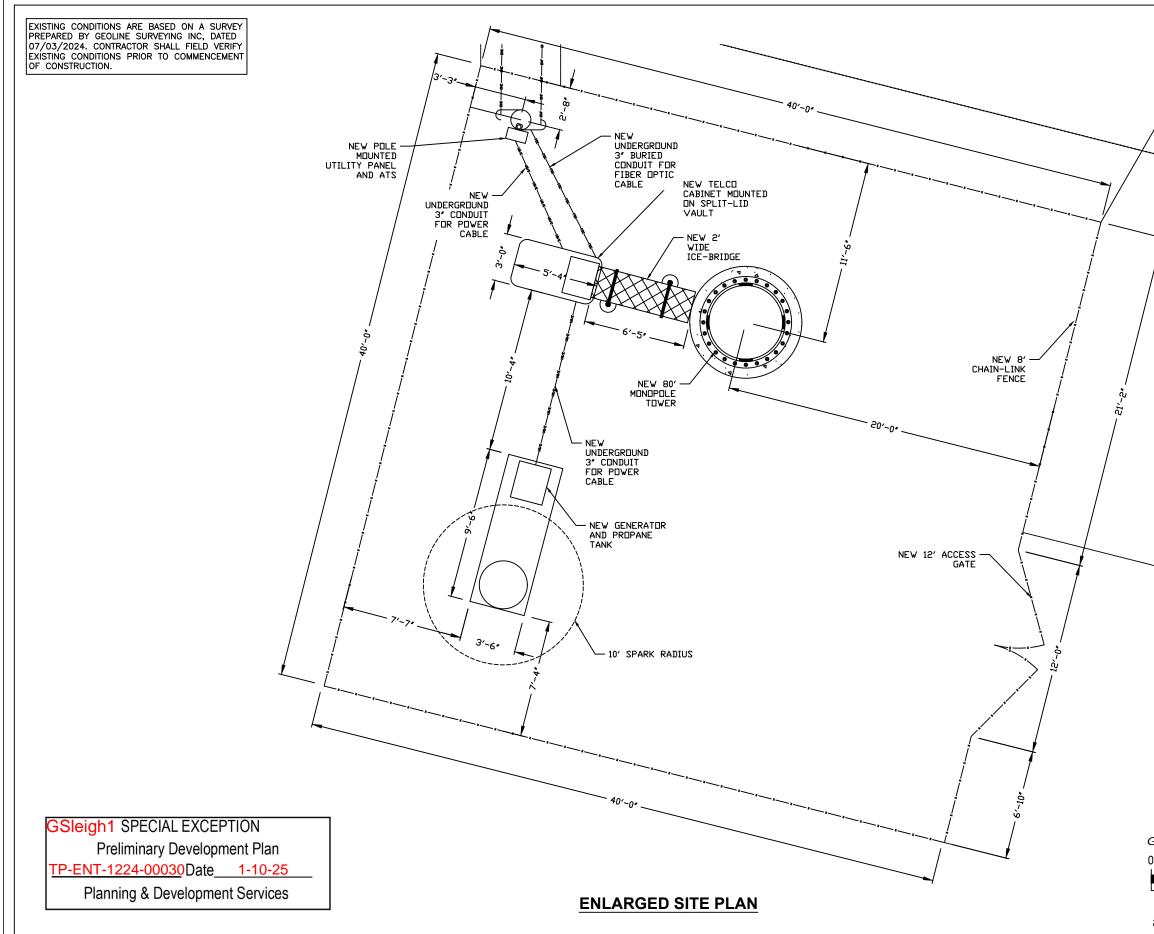
JOSHUA L. VUKODER ARIZONA NO. 41114 NV5 PROJECT NO. 5202306754 DATE OF SURVEY: 07-03-24 **REVISED:**





-R.O.W.



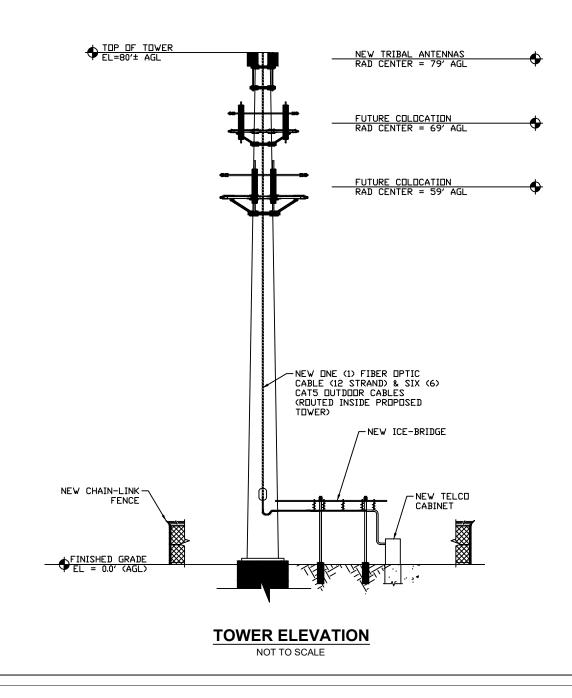


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	CSCALE IN FEET	TITLE: ENLARGED SITE PLAN



- 1. THE PROPOSED TOWER, FOUNDATION, ANTENNA MOUNTS, AND ANTENNAS DESIGNED BY OTHERS.
- 2. THE TOWER ELEVATION SHOWN IS FOR REFERENCE ONLY.
- 3. CONTRACTOR TO REFER TO FINAL TOWER DRAWINGS FOR DETAILS ON REQUIRED ANTENNA MOUNTING LAYOUT, CDAX ROUTING AND ANY OTHER MODIFICATIONS THAT COULD AFFECT THE OVERALL TOWER STRUCTURAL CAPACITY.
- 4. CONTRACTOR TO FIELD VERIFY ANTENNA MOUNT CONFIGURATION AND PROVIDE MOUNTS OR ADDITIONAL HARDWARE IF REQUIRED TO SUPPORT PROPOSED ANTENNAS. ALL ANTENNAS AND MOUNTING HARDWARE SHALL CONFORM TO DESIGN REQUIREMENTS AS LISTED ON SHEET T-1.
- 5. RF INFORMATION SHOWN ON THESE PLANS IS BASED ON LATEST PROVIDED INFORMATION PROVIDED BY CLIENT. CONTRACTOR TO OBTAIN RFDS/ANTENNA LAYOUT FROM CLIENT AT TIME OF CONSTRUCTION FOR FINAL DESIGN AND ADVISE ENGINEER OF DEVIATIONS (IF ANY).
- 6. CENTERLINE OF THE ANTENNAS TO BE WITHIN 6" (VERTICALLY) OF THE CENTERLINE OF EACH SECTOR MOUNT, UNLESS SPECIFIED BY ENGINEER.

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			JOB/FILE NUMBER:

NOTE: CONTRACTO CONFIGURAT MOUNTS AN REQUIRED ALL ANTENN CONFORM TO TIA.



<u>CITY OF TUCSON PUBLIC HEARING NOTICE</u>

County Assessor records indicate that you are an owner of property located within 400 feet of parcels that is being considered for a Special Exception.

The Zoning Examiner will hold a public hearing public hearings on **March 13, 2025, at or after 6:00 P.M.** to consider a proposal to the property at the location indicated below. Copies of the proposed request can be obtained from the City of Tucson Planning & Development Services Department Rezoning Section, located at 201 North Stone, Tucson, Arizona. If you have any questions, please contact the Rezoning Section at 520-791-5550.

MEETING NOTE: This meeting will be held remotely through technological means, as permitted under Arizona law. These measures are in place to ensure that the discussions, deliberations and actions of the Zoning Examiner are transparent and conducted openly.

IN-PERSON ATTENDANCE BY MEMBERS OF THE PUBLIC WILL BE PROHIBITED.

The Zoning Examiner, on behalf of the Mayor and Council, conducts public hearings and considers testimony for each rezoning or special exception in the City of Tucson. The Zoning Examiner may impose reasonable limitations on the number of speakers and the length of the testimony.

After the close of each Public Hearing, the Zoning Examiner issues written reports with findings of fact and recommendation. A preliminary report is issued five working days after the close of the public hearing. A final report is issued 14 days after the close of the public hearing and transmitted to the Mayor and Council. Any person may request a public hearing before Mayor and Council provided the written appeal is filed with the City Clerk within 14 days after the close of the Zoning Examiner's public hearing. The Mayor and Council make the final decision on all rezoning requests.

PUBLIC HEARING INFORMATION

Date: March 13, 2025

Time: 6:00 PM

Please join the Zoning Examiner hearing from your computer, tablet, or smartphone. Members of the public may view, listen to, and participate in the hearing online by going to the Zoning Examiner website and clicking "Join Meeting" at the top of the page. The Zoning Examiner website may be accessed at the following location: https://www.tucsonaz.gov/Departments/Planning-Development-Services/Public-Meetings-Boards-Committees-Commissions/Zoning-Examiner.

You can also dial in using your phone.

United States: +1 346-248-7799 Meeting ID: 824 9464 9853# Passcode: 281408 If you encounter difficulty accessing the hearing please contact Tucson Rezoning at <u>TucsonRezoning@tucsonaz.gov</u> for technical assistance.

The public has the following options to provide comment to the Zoning Examiner:

- Members of the public may submit written comments prior to the hearing by sending an email to TucsonRezoning@tucsonaz.gov. The email should include the Zoning Examiner public hearing date, the case number or name, and your name. Written comments must be received no later than 5:00 pm March 12, 2025.
- 2) Individuals wishing to speak during the hearing may join the hearing via teleconference and should submit a written request to TucsonRezoning@tucsonaz.gov. Written request should be received by no later than 5:00 pm March 12, 2025. The email should include the Zoning Examiner hearing date, your

name, and the phone number you will use for the teleconference. The phone number provided will be used to identify the individual when/if being called upon to speak during the hearing by the Zoning Examiner. Individuals wishing to speak but who did not submit a prior written request will be provided instructions by the Zoning Examiner at the time of the hearing on how to comment.

APPLICANT

Pasqua Yaqui Tribe 4720 W Calle Tetakusim Tucson AZ 85757

SPECIAL EXCEPTION REQUEST

Case: TP-ENT-1224-00030 Milagros Tower – S 16th Ave (Ward 1)

Requested Change: Special Exception Land Use request. **Location:** 3140 S 16th Ave **Proposed Development:** 80-foot communications monopole with associated ground equipment in a 40-foot by 40-foot enclosure.

Notificación de Audiencia Pública del Examinador de Zonificación

Para oír y tomar en consideración el siguiente caso: TP-ENT-1224-00030 Milagros Tower – S 16th Ave (Ward 1) **Cambio solicitado:** Solicitud de uso de suelo de excepción especial.

Ubicación: 3140 S 16th Ave

Desarrollo Propuesto: Antena monopolo de 80 pies de altura y equipo de comunicaciones en un área cerrada de 40 pies por 40 pies.

Si usted desea este documento escrito en español, por favor llame al número de teléfono: 520-791-5550

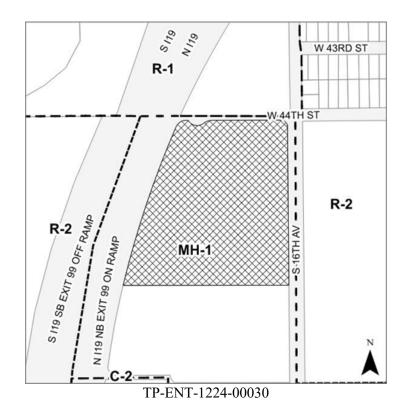
For further information, please contact Gabriel Sleighter at gabriel.sleighter@tucsonaz.gov or email Tucson Rezoning at <u>tucsonrezoning@tucson.gov</u>. You may also write to Planning & Development Services Department (PDSD) – Entitlement Section, P.O. Box 27210, Tucson, AZ 85726

ZONING DISTRICT NARRATIVE SUMMARIES

(For a complete description, refer to Unified Development Code, Chapter 23, Tucson Code, which can be found at <u>https://beta.tucsonaz.gov/files/sharedassets/public/city-services/planning-</u>development-services/documents/dimensional standards summary july 2020.pdf)

Current Zoning:

MH-1 *Mobile Home Zone* – This zone provides for low to medium density, residential development primarily in mobile home buildings on individual lots and within mobile home parks. Civic, educational, recreational, religious uses, and select other uses, such as day care and urban agriculture, are also permitted that provide reasonable compatibility with adjoining residential uses..



For further information, please contact Gabriel Sleighter (<u>gabriel.sleighter@tucsonaz.gov</u>, 520-837-6952) or write to Planning & Development Services Department – Rezoning Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, AZ 85726

Additional information about this project, including the staff report to the Zoning Examiner and the Preliminary Development Plan, will be posted on the web by 5:00 PM, February 25, 2025 at

https://www.tucsonaz.gov/Departments/Planning-Development-Services/Public-Meetings-Boards-Committees-Commissions/Zoning-Examiner



Area of Special Exception Request

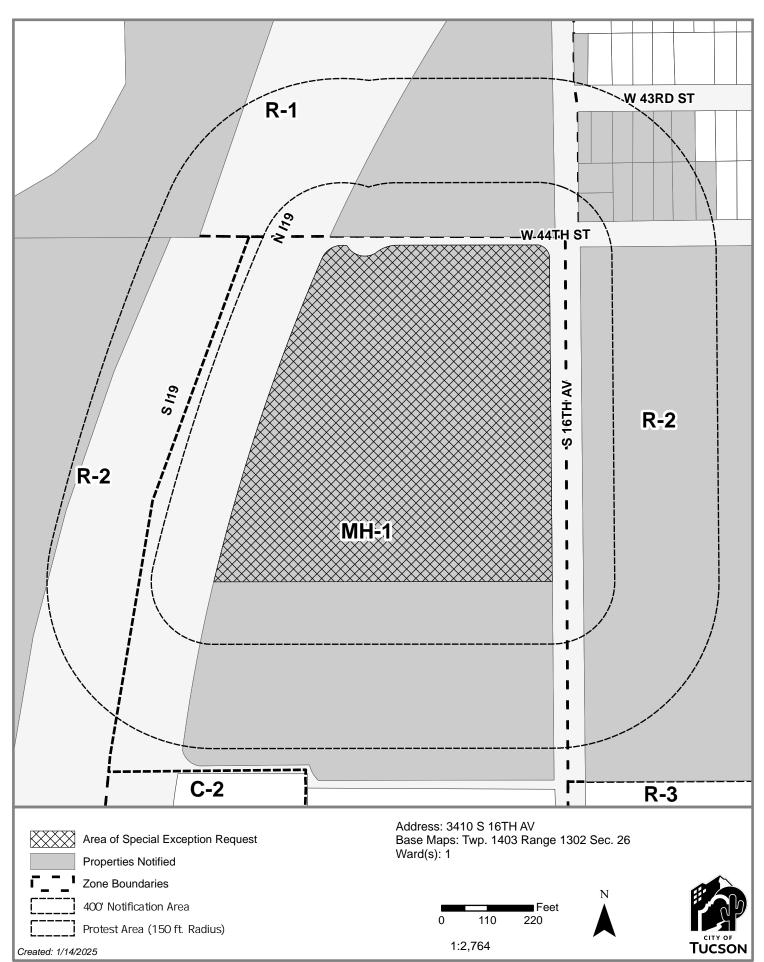


Address: 3410 S 16TH AV Base Maps: Twp. 1403 Range 1302 Sec. 26 Ward(s): 1





2022 Aerial Created:1/14/2025



<u> Approval – Protest Form</u>



If you wish to submit a written protest or approval, this form is provided for your convenience. Print your comments below, sign your name, and mail to the City of Tucson Planning and Development Services Department, Entitlements Section, 201 N. Stone Avenue, P.O. Box 27210, Tucson, Arizona 85726-7210. The number of approvals and protests along with protest calculations will be reported at the Zoning Examiner's public hearing. This form is not the City of Tucson Public Hearing Notice.

Protests from 20% of the property owners within 150' of the whole perimeter of the property, including BOTH 20% of the property by area and 20% of the number of lots with 150', require an affirmative vote of ³/₄ of the Mayor and Council (5 of 7 council members) to approve the rezoning or special Exception ordinance. Public rights-of-way and the area/lot of the proposed rezoning are included in the protest calculations. Calculations will be provided to the Mayor and Council.

Case: TP-ENT-1224-00030 Milagros Tower - S 16th Ave (Ward 1)

Property Owner(s) (PLEASE PRINT)

APPROVE the proposed rezoning/special exception PROTEST the proposed rezoning/special exception

Reason:

OWNER(S) SIGNATURES	PLEASE PRINT PROPERTY ADDRESS	PLEASE PRINT YOUR MAILING ADDRESS

Date

City of Tucson Planning and Development Services Department **Entitlements Section** 201 N. Stone P.O. Box 27210 Tucson, Arizona 85726-7210

TP-ENT-1224-00030 Gs

Expose this flap - Affix stamp and return



City of Tucson Planning and Development Services Department - Entitlements Section 201 N. Stone Avenue P.O. BOX 27210 PLANNING & TUCSON, Arizona 85726-7210

TP-ENT-1224-00030 Gs IMPORTANT REZONING NOTICE ENCLOSED