



# Staff Report

PLANNING DIVISION  
DEPARTMENT of COMMUNITY and NEIGHBORHOODS

**To:** Salt Lake City Administrative Hearing Officer  
**From:** Aaron Barlow, Principal Planner, [aaron.barlow@slcgov.com](mailto:aaron.barlow@slcgov.com), 801-535-6182  
**Date:** May 25, 2023  
**Re:** PLNPCM2023-00215 – Trolley North Temporary Wireless Telecommunication Facility

## Conditional Use

**PROPERTY ADDRESS:** 675 East 500 South & 470 South 700 East  
**PARCEL ID:** 16-05-307-011-0000 & 16-05-307-010-0000  
**MASTER PLAN:** [400 South Livable Communities Project](#)  
**ZONING DISTRICT:** [TSA-UN-C Transit Station Area, Urban Neighborhood Core](#)  
**OVERLAY DISTRICT:** [H Historic Preservation Overlay](#) – [Central City Local Historic District](#)

### REQUEST:

Cardenas of SmartLink (representing AT&T) and Keleigh Glass Adams of J5 Infrastructure Partners (representing Verizon) are seeking Conditional Use approval for a wireless telecommunications facility at the above-stated address. All wireless telecommunication facilities located within TSA Districts require Conditional Use approval when they exceed the maximum permitted height, which in this case is 75 feet. The proposed facility would be approximately 121 feet tall at its highest point. The intent of this proposal is to maintain uninterrupted cellular service between the demolition of the existing building on the property (where the antennas are currently located) and the completion of the Trolley North development project (which is under review by the Salt Lake City Historic Landmark Commission), after which the antennas would be moved to stealth facilities that are part of that proposed development.

### RECOMMENDATION:

Based on the information and findings listed in the staff report, it is the Planning Staff's opinion that the request generally meets the applicable standards of approval and therefore recommends approval with the following condition:

- Because it would incorporate a portion of a future development project, the proposed facility and all associated structures must be removed from the subject site if the associated development project (PLNHLC2022-00675) is not completed within two years of approval of this Conditional Use. The applicants may request a one-year extension not less than 30 days before the end of the 2-year period.

### ATTACHMENTS:

- [Vicinity Map](#)
- [Applicant Submittal](#)
- [Property Photos](#)
- [Relevant Zoning Standards](#)
- [Conditional Use Standards](#)
- [Public Process and Comments](#)
- [Department Review Comments](#)

## PROJECT DESCRIPTION

### Background

The subject property is currently under review by the Historic Landmark Commission for the development of a new mixed-use student housing development on the subject property. The building currently on the site (known as the Xerox building or the offices for the School and Institutional Trust Lands Administration) is slated for demolition in anticipation of the new development. Several roof-mounted wireless telecommunication antennas are currently mounted on the top of the building serving Verizon's and AT&T's cellular network in this part of Salt Lake City.

To accommodate cellular service during the time between the demolition of the Xerox building and the construction of the proposed development (that is slated for review by the Historic Landmark Commission at their meeting on June 1, 2023), Verizon and AT&T will need a temporary facility on the site. Because Salt Lake City's Zoning Ordinance does not have regulations that would permit temporary wireless telecommunication facilities during the redevelopment of a site, the applicants have submitted this request for a facility that would situate antennas on top of and house electrical equipment within a stair tower that would eventually be incorporated into the proposed mixed-use student housing development. Planning Staff worked with the applicants (representing the cellular providers and Alta Terra Real Estate (the property owner and developer of the site) to find a solution that would work within the project's unusual context and exhausted all other feasible alternatives before the applicant submitted this request.

### Project Details

The applicants have indicated that to maintain the existing quality of service for Verizon's and AT&T's cellular networks, they would need a facility approximately 121 feet at its highest point. In all TSA districts, new Wireless Telecommunication Facilities (no matter the type) require Conditional Use approval when they are taller than the maximum permitted height. The maximum height in the TSA-UN-C district (where the subject property is situated) is 75 feet, so this proposal requires Conditional Use Approval.

The proposed facility would be located at the northwest corner of the project site. The facility's proposed "stair tower" section (proposed to be constructed of cast-in-place concrete) would be approximately 94.5 feet in height. The antenna structure would rise roughly another 26.5 feet up from the stair tower roof. Verizon and AT&T would collocate their antennas on the facility. The applicants have not indicated if the tower could accommodate additional carriers.

Electrical equipment would be housed within a structure that would eventually be incorporated into the final proposed development. The equipment rooms would eventually accommodate all necessary ground-floor equipment for the proposed cellular services on top of the student housing development.

### Site and Neighborhood Context

The subject properties are located within the Central City Local and National Historic Districts and are subject to the H Historic Preservation Overlay District. Surveys of the district and the site have determined that all existing structures on the project site either do not contribute to the character of the Central City Local Historic District or were constructed outside the district's periods of significance.

To the north of the subject property sits the Mulloy (or Hancock) Mansion, one of only two contributing structures on the block (the other being the Ensign Floral building facing 600 East). The recently completed Liberty Square sits to the west of the project site. The Historic Landmark Commission recently approved a new multi-family development (Station 424) on the property that currently contains Modern Display's showroom and warehouse.

Across 500 South, A parking garage and Whole Foods grocery sit between the subject site and Trolley Square, a National Historic Landmark Site. Commercial property with a bar and an office furniture store occupy the properties to the east across 700 East.

## APPROVAL PROCESS AND COMMISSION AUTHORITY

This Conditional Use application is authorized to be reviewed at an Administrative Hearing because (per [21A.54.155.B](#)) it is not located within a residential district, does not abut a residential use, and does not require Planned Development approval.

Per section [21A.54.010.A](#) of the zoning ordinance, Conditional uses are allowed unless appropriate conditions cannot be applied, which, in the judgment of the Administrative Hearing Officer, would mitigate adverse impacts that may arise by introducing a conditional use on the particular site. The Administrative Hearing Officer has the authority to approve, approve with conditions, or deny the Conditional Use request. A conditional use shall

be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable conditional use standards. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.

## KEY CONSIDERATIONS

The key considerations listed below were identified through the analysis of the project:

1. Compliance with H Historic Preservation Overlay District Standards
2. Neighborhood Compatibility and Impact

### Consideration 1: Compliance with H Historic Preservation Overlay District Standards

Because the subject site is located within the H Historic Preservation Overlay District, approval of the proposed temporary telecommunication facility will need a Certificate of Appropriateness in addition to Conditional Use approval. All new development in a historic district must comply with the relevant standards found in [21A.34.020](#). In this case, the proposed tower would need to substantially comply with the criteria for new construction in a historic district in section [21A.34.020.H](#) of the zoning regulations. The Historic Landmark Commission is set to review this proposal at their next hearing on Thursday, June 1, 2023. They will determine if the proposal meets the necessary standards for a Certificate of Appropriateness.

### Consideration 2: Neighborhood Compatibility and Impact

The subject site and surrounding properties are within the TSA-UN-C zoning district. The permitted maximum height in this district can be as tall as 87 feet (if a new development meets specific criteria). While the proposed temporary antenna would be significantly taller than some buildings within the immediate vicinity, development in this district is intended to be relatively large in scale. However, it is important to note that the proposed facility would only be in place during the construction of the proposed student housing development and would not be out of scale with cranes and other construction equipment that would be on the site.

Because the subject site is located within the Central City Local Historic District, any permanent wireless communication facility that is a part of the proposed student housing development would need to be in line with the standards for New Construction in a Local Historic District (found in [21A.34.020.H](#)) and approved by the Historic Landmark Commission. Plans for the proposed Trolley North Student Housing Development incorporate associated wireless telecommunication facilities into the proposed building by disguising them as stairwells and elevator bulkheads on the roof.

The antenna portion of the telecommunication facility proposed with this petition is not part of the proposed Trolley North Student Housing Development. If that project is approved as proposed under petition PLNHLC2022-00675, then issuance of Trolley North's final occupancy by the Building Service Division would require the removal of the antenna on top of the "stair tower" that is part of this proposal.

Finally, the "stair tower" portion of this request is an incomplete piece of a larger project. If the proposed Trolley North Student Housing Development falls through, leaving the tower in place would (based on Planning staff's analysis of potential impacts, see [Attachment E](#)) detrimentally impact surrounding structures. If the Trolley North Development is not completed within the typical timeframe for construction (Planning staff is recommending two years), then the "stair tower" portion of this proposal would need to be taken down, and the applicants would need to submit a new conditional use request to continue locating a wireless telecommunication facility on the site.

## DISCUSSION

The proposed wireless facility is allowed as a Conditional Use in TSA Transit Station Area zoning districts. Conditional Use for the wireless telecommunications facility should be approved if reasonable conditions are proposed or can be imposed to mitigate the reasonably detrimental effects of the proposed use.

As discussed in [Attachment E](#), the proposed use meets the Conditional Use standards, and any anticipated detrimental impacts could be mitigated through the recommended conditions. As such, the Administrative Hearing Officer should approve the conditional use.

## **NEXT STEPS**

### **Approval of the Request**

If the Administrative Hearing Officer grants Conditional Use approval, the applicant can bring the proposal to the Historic Landmark Commission to request a Certificate of Appropriateness. In addition to any conditions established by the Administrative Hearing Officer's decision, the proposal must comply with all other department/division requirements and obtain all necessary building permits for the project.

### **Denial of the Request**

Denial of the request would prevent Verizon and AT&T from maintaining the same level of cellular service within the immediate vicinity during the construction of the proposed Student Housing Development. The applicants would need to find an alternative location or method for temporary cellular service during the development of the project site.

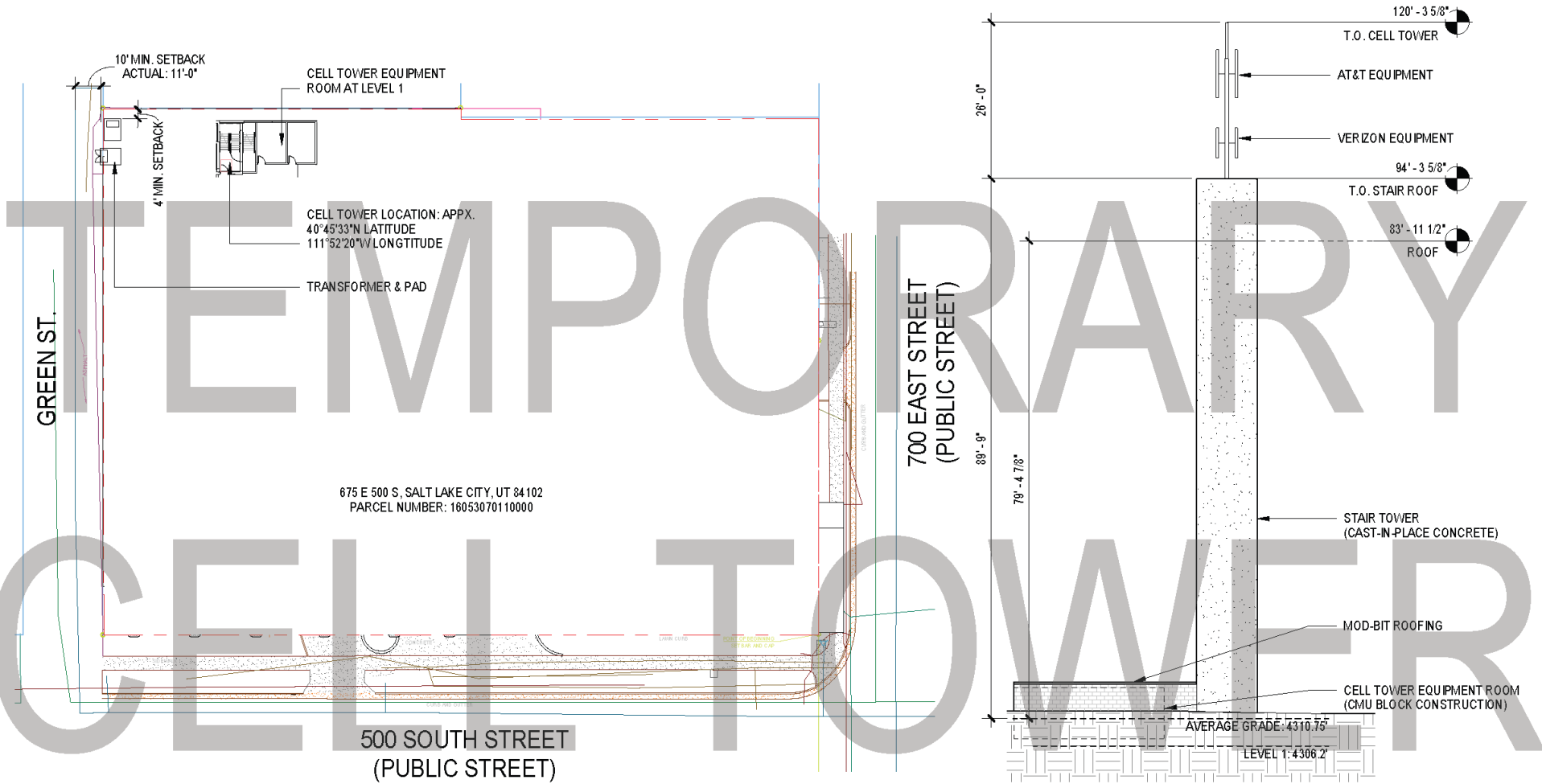


# ATTACHMENT A: Vicinity Map



# ATTACHMENT B: Applicant Submittal

## CELL TOWER & EQUIPMENT ROOM - SITE PLAN & ELEVATION



**1 SITE PLAN - CELL TOWER LOCATION**  
SCALE: 1" = 40'-0"

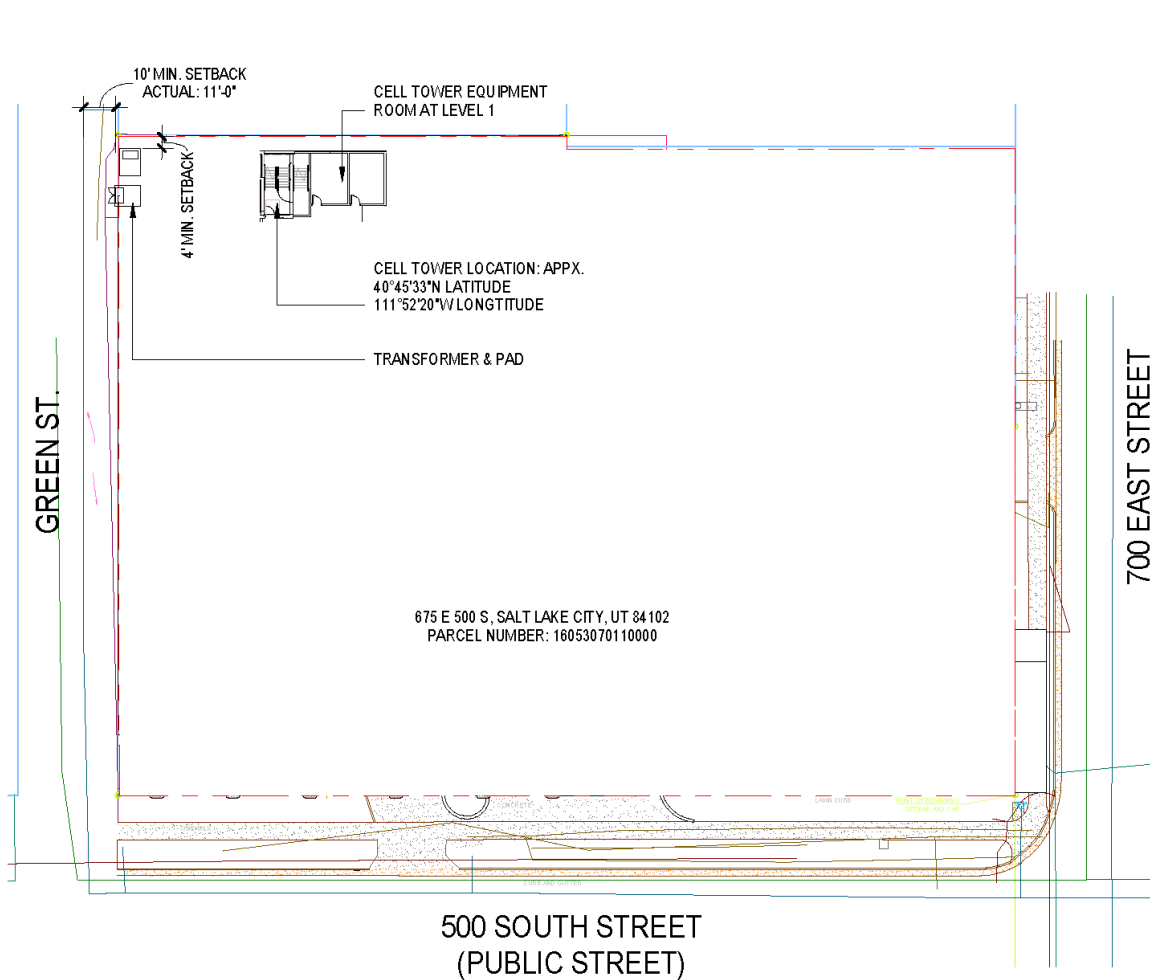
**2 ENLARGED ELEVATION - NORTH - CELL TOWER**  
SCALE: 1/16" = 1'-0"



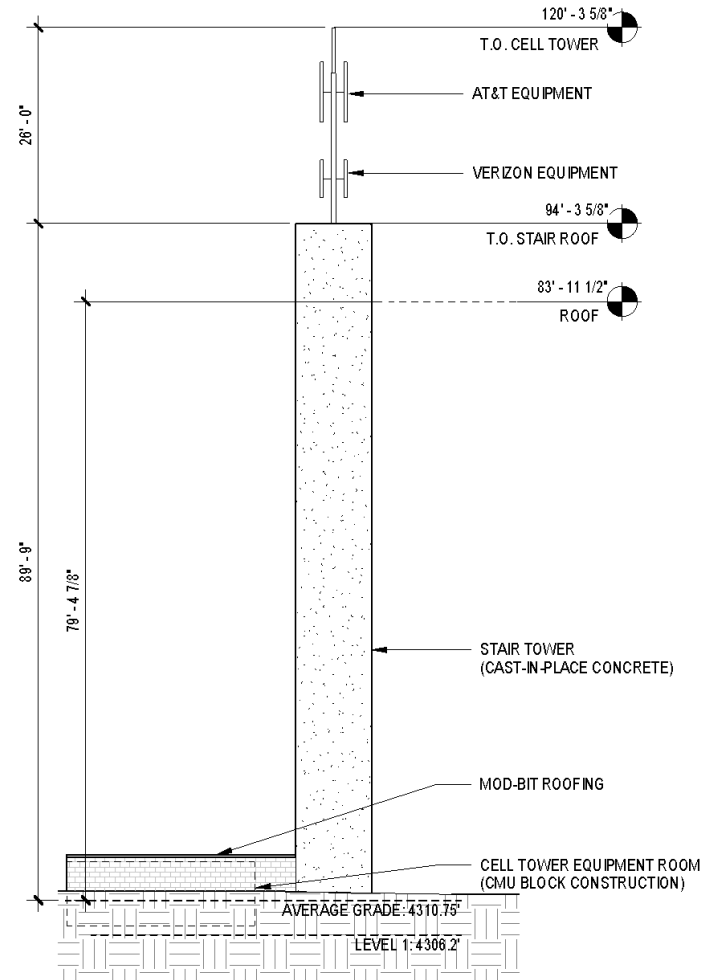
TROLLEY NORTH | 2367.08 | 03/14/2023



# CELL TOWER & EQUIPMENT ROOM - SITE PLAN & ELEVATION



**1** SITE PLAN - CELL TOWER LOCATION  
SCALE: 1" = 40'-0"



**2** ENLARGED ELEVATION - NORTH - CELL TOWER  
SCALE: 1/16" = 1'-0"



## **AT&T & VZW Trolley Square Telecom Relocation Project – CUP Application**

**Property Address: 675 E 500 S. Salt Lake City, UT 84102**

**Parcel #: 16053070110000**

### **Submittal Requirements Section 21A.40.090E**

E. Wireless Telecommunications Facilities; Low Power Radio Services Facilities: The purpose of this section is to address planning issues brought on by the rapid growth in demand for low power radio services. This section distinguishes low power radio from other broadcasting type telecommunication technologies and establishes provisions that deal with issues of demand, visual mitigation, noise, engineering, residential impacts, health, safety and facility siting. The requirements of this section apply to both commercial and private low power radio services. Low power radio services facilities include "cellular" or "PCS" (personal communications system) communications and paging systems.

1. Uses: The uses specified in table 21A.40.090E of this section, indicate which facility types are allowed as either a permitted or conditional use within specific zoning districts. Low power radio service facilities may be an accessory use, secondary use or principal use.

a. Administrative Consideration Of Conditional Uses: Applications for low power wireless telecommunication facilities that are listed as conditional uses shall be reviewed according to the procedures set forth in section 21A.54.155 of this title.

### **1. TABLE 21A.40.090E WIRELESS TELECOMMUNICATIONS FACILITIES**

2. Facility Types: Low power radio services facilities are characterized by the type or location of the antenna structure. There are seven (7) general types of such antenna structures: wall mounted antennas; roof mounted antennas; monopoles with antennas and antenna support structure less than two feet (2') in width; monopoles with antennas and antenna support structure greater than two feet (2') in width; lattice towers; stealth antennas; and utility pole mounted antennas. Standards for the installation of each type of antenna are as follows:

***Response: This is a general wireless facility for a monopole with antennas and antenna support structure is less than two (2') in width which is an allowed by means of a Conditional Use Permit related to section 21A.33.035 which doesn't specify identify the TSA UNC zone district in the table by type.***

***The following grayed section doesn't apply as the proposed wireless facility is a monopole.***

a. Wall Mounted Antenna: The following provisions apply to wall mounted antennas:

(1) Wall mounted antennas shall not extend above the wall line of the building or extend more than four feet (4') horizontally from the face of the building.

(2) Antennas, equipment and the supporting structure shall be painted to match the color of the building or structure of the background against which they are most commonly seen. Antennas and the supporting structures on buildings should be architecturally compatible with the building. Whip antennas are not allowed on a wall mounted antenna structure.

(3) Antennas mounted directly on existing parapet walls, penthouses, or mechanical equipment rooms, with no portion of the antenna extending above the roofline of such structures, shall be considered a wall mounted antenna.

b. Roof Mounted Antenna: The following provisions apply to roof mounted antennas:



(1) Roof mounted antennas shall be allowed on top of existing penthouses or mechanical equipment rooms and shall not extend more than eight feet (8') above the existing roofline of the penthouse or mechanical equipment room.

(2) For antennas not mounted on a penthouse or mechanical equipment room, the antennas shall be mounted at least five feet (5') from the exterior wall of a building. For antennas mounted between five (5) and ten feet (10') from the exterior wall, the maximum height of a roof mounted antenna is directly proportional to the distance the antenna is set back from the exterior wall up to a maximum height of ten feet (10') above the roofline of the building to which the antenna is attached. Antennas shall be mounted at least five feet (5') behind any parapet wall. For antennas mounted between five (5) and ten feet (10') behind a parapet wall, the maximum height of the antenna is directly proportional to the distance the antenna is set back from the wall up to a maximum of ten feet (10') as measured from the top of the parapet wall. The antennas shall not extend more than fifteen feet (15') above the roofline of the building itself unless approved as a conditional use (see subsection 21A.62.050H of this title).

### 3. Electrical Equipment:

a. Electrical Equipment Located In The Public Right-Of-Way, Front Yard Or Side Yard: Electrical equipment in the public right-of-way shall either be attached directly to the utility pole or placed underground.

**Response: N/A – No equipment is located in the Public Right-Of-Way or Side Yard.**

If the electrical equipment is attached to the pole, the boxes shall not be larger than thirty six inches (36") in height, twelve inches (12") deep and no wider than twenty inches (20"). No more than five (5) such boxes shall be mounted on the utility pole to which it is attached (excluding the power meter and network interface box). The boxes shall be stacked vertically, one above the other, and shall be at least ten feet (10') above the ground. The power meter and network interface box may be installed below the ten foot (10') level.

**Response: N/A**

Electrical equipment in the required front or side yard shall be placed underground.

**Response: N/A**

Electrical equipment placed underground or on a utility pole in the public right-of-way shall comply with the requirements of the Salt Lake City Engineering and Transportation Divisions.

**Response: N/A**

b. Electrical Equipment Located on Private Property: Electrical equipment shall be subject to the following standards:

(1) Located in a rear yard, interior side yard, or within the building area of the lot.

**Response: A power transformer will be located within the building area of the lot**

(2) If located in a zoning district without a require front or corner side yard setback, the equipment shall be located a minimum of ten feet (10') from the front or corner side yard property line.

**Response: The Site Plan and Elevation Page identify these the 10' setback from Green Street.**

(3) Located a minimum of four feet (4') from a side or rear property line unless located in an enclosed structure or a vault where the equipment will not be visible.

**Response: The Site Plan and Elevation Page identify these the 4' setback from the north property line.**

(4) If the equipment is located next to a public trail, park, open space, or other public space other than a street, the equipment shall be screened by a masonry wall or solid fence so the equipment is not visible.

**Response: N/A**

(5) The electrical equipment and any structure associated with the electrical equipment is subject to the maximum lot coverage of the underlying zoning district.

**Response: There is no lot coverage for the UNC zone district**

4. Collocation: Collocation of a wireless telecommunication facility on a previously approved wireless telecommunication service facility such as an existing building, structure, or antenna support structure, is allowed as a permitted use, provided:

a. No increase in the height of the existing wireless telecommunication support structure is proposed;

**Response: N/A - This CUP application is for a new collocatable wireless facility. This application includes both AT&T and Verizon Wireless.**

b. All aspects of the collocation improvements must be located within the previously approved fenced (lease) area;

**N/A – all equipment is located within the building area.**

c. Compliance with the corresponding provisions set forth in this subsection E.

**Response: All equipment complies with subsection E.**

5. Height Limit: The height limit for monopoles and lattice towers shall be limited as per table 21A.40.090E of this section.

**Response: There is no height limit for the UNC zone district**

6. Location And Minimum Setbacks: Monopoles with antennas and antenna support structure less than two feet (2') in width, monopoles with antennas and antenna support structure greater than two feet (2') in width and lattice towers shall be allowed only in the rear yard area of any lot. These structures shall not be located in a required landscaped area, buffer area or required parking area.

**Response: The proposed location for the antennas and 2' support structure meets the required setbacks.**

7. Area Limitations For Wall And Roof Mounted Antennas: A combination of both roof and wall mounted antennas are allowed on a building. The total area for all wall and roof mounted antennas and supporting structures combined shall not exceed the lesser of sixty (60) square feet or five percent (5%) of the gross square footage of each exterior wall of a building. The total area is the sum of each individual antenna face and the visible portion of the supporting structure as viewed when looking directly at the face of the building. The total area for a roof mounted antenna shall apply to the closest exterior wall (see subsection 21A.62.050J of this title).

**Response: N/A – Not wall or roof mounted.**

8. Roof And Wall Mounted Antennas On Noncomplying Buildings That Exceed The Maximum Height Limit Of The Zoning District: If a building exceeds the maximum allowable height of the zoning district, roof or wall mounted antennas may be attached to the portion of the building that extends above the maximum height limit of the zoning district, if said antenna is listed as a permitted use in table [21A.40.090E](#) of this section.

**Response: N/A Not wall or roof mounted.**

9. Additional Conditional Use Requirements: In addition to conditional use standards outlined in [chapter 21A.54](#) of this title, the following shall be considered by the Planning Commission:

a. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures;

**Response: The development is compatible for the UNC zone district**

b. Whether collocation of the antenna on the other existing structures in the same vicinity such as other towers, buildings, water towers, utility poles, etc., is possible without significantly impacting antenna transmission or reception;

**Response: AT&T and Verizon Wireless are collocating and are co-applicants on this application.**

c. The location of the antenna in relation to existing vegetation, topography and buildings to obtain the best visual screening;

**Response: The design proposed is compatible with the overall property development.**

10. Accessory Buildings To Antenna Structures: Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. Monopoles shall be fenced with a six foot (6') chainlink fence and the climbing pegs removed from the lower twenty feet (20') of the monopole. All power lines on the lot leading to the accessory building and antenna structure shall be underground.

**Response: The accessory equipment for each carrier will be located within each individual equipment room inside the future parking garage.**

11. Historic District: Any antenna proposed for a location within a historic district or on landmark site is subject to approval through the Historic Landmarks Commission as contained in [chapter 21A.34](#) of this title.

**Response: A New Construction (Principal Structure) application will be submitted to the Historic Preservation for their review in conjunction with this CUP application.**

12. Permission Required For Antennas And Mounting Structures On Or Over A Public Right-Of-Way: Antennas and mounting structures encroaching on or over the public sidewalk or on or over a public right-of-way shall be subject to obtaining permission from the City pursuant to the City's rights-of-way encroachment policy.

**Response: N/A - This wireless facility is not going to be located on or over a public Right-Of-Way.**

13. Location On City Owned Property Or Land Zoned As Open Space: Telecommunication facilities proposed to be located on City owned property or on any property located within an Open Space Zoning District or subject to the City's open space lands program must obtain approvals from appropriate agencies governing such properties.

**Response: N/A – This wireless facility is to be located on private property.**

14. Nonmaintained Or Abandoned Facilities: The building official may require each nonmaintained or abandoned low power radio services antenna to be removed from the building or premises when such an antenna has not been repaired or put into use by the owner, person having control or person receiving benefit of such structure within thirty (30) calendar days after notice of nonmaintenance or abandonment is given to the owner, person having control or person receiving the benefit of such structure. (Ord. 73-22, 2022: Ord. 64-21, 2021: Ord. 13-19, 2019: Ord. 59-17, 2017: Ord. 46-17, 2017: Ord. 55-11, 2011: Ord. 10-10 § 12, 2010: Ord. 73-02 §§ 9 (Exh. D) - 11, 2002: Ord. 81-01 § 1, 2001: Ord. 11-01 § 1, 2001: Ord. 14-00 § 7, 2000: Ord. 3-00 § 1, 2000: Ord. 93-99 §§ 1 - 4, 1999: Ord. 35-99 §§ 60 - 62, 1999: amended during 5/96 supplement: Ord. 5-96 § 1, 1996: Ord. 26-95 § 2(20-8), 1995)

**AT&T & VZW Trolley Square Telecom Relocation Project – CUP Application**  
**Property Address: 675 E 500 S. Salt Lake City, UT 84102**  
**Parcel #: 16053070110000**

**21A.58.060: APPLICATION REQUIREMENTS:**

Each application for site plan review shall include six (6) copies of a site plan, drawn to a scale of twenty feet (20') to the inch or such other scale as the zoning administrator shall deem appropriate. Plans shall be submitted with every application for site plan approval and shall contain the following information:

- A. The applicant's name, address, telephone number and interest in the property;

***Response: This information is located on the Project Narrative and the CUP application.***

- B. The owner's name, address and telephone number, if different than the applicant, and the owner's signed consent to the filing of the application;

***Response: This information is located on the CUP application.***

- C. The street address, tax parcel number and legal description of the subject property;

***Response: This information is located on the CUP application and the Site Plan & Elevation page.***

- D. The zoning classification, zoning district boundaries and present use of the subject property;

***Response: This zoning classification for this property is TSA UNC with Historic Overlay which allows for wireless facilities by means of CUP.***

- E. A vicinity map with north arrow, scale and date, indicating the zoning classifications and current uses of properties within eighty five feet (85') of the subject property (exclusive of intervening streets and alleys);

***Response: N/A***

- F. The proposed title of the project and the names, addresses and telephone numbers of the architect, landscape architect, planner or engineer on the project, and a signature panel for zoning administrator approval;

***Response: Project Title: AT&T & Verizon Wireless Trolley Square Telecom Relocation Project. Co-applicant and project detail information is located on the Project Narrative Letter.***

*The CUP application provide the project contact information and the Site Plan & Elevation page has the architect and engineering firm information.*

- G. The boundaries of the subject property, all existing property lines, setback lines, existing streets, buildings, watercourses, waterways or lakes, wetlands, and other existing physical features in or adjoining the project;

***Response: Yes for all items that are applicable.***

- G. Topographic survey, showing the elevation of streets, alleys, buildings, structures, watercourses and their names. The topography shall be shown by adequate spot elevations. The finished grade for the entire site shall be shown as well as the first floor elevation of all buildings. Additionally, on all site plans the following information must be provided:

1. Significant topographical or physical features of the site, including existing trees;

**Response: N/A**

2. The elevation of the curb (if existing or proposed) in front of each lot shall be indicated;

**Response: N/A**

3. Elevations of the top of bank and toe of slope, slope ratio of fill, and limits of fill, including access, shall be indicated;

**Response: N/A**

I. The location and size of sanitary and storm sewers, water, gas, telephone, electric and other utility lines, culverts and other underground structures in or affecting the project, including existing and proposed facilities and easements for these facilities. In the case of city owned utilities, such information shall be provided to the applicant by the department of community and neighborhoods and/or department of public utilities;

**Response: N/A**

J. The location, dimensions and character of construction of proposed streets, alleys, loading areas (including numbers of parking and loading spaces), outdoor lighting systems, storm drainage and sanitary facilities, sidewalks, curbs and gutters and all curb cuts. Where necessary to meet the purposes and intent of this chapter, such information shall be provided for the site. Additional area may also be required to be shown to indicate connections or proposed connections to major utilities;

**Response: This information can be found on the Cell Tower Site Plan and Elevation Page.**

K. The location of all proposed buildings and structures, accessory and principal, showing the number of stories and height, dwelling type, if applicable, major elevations and the total square footage of the floor area by proposed use;

**Response: This information can be found on the Cell Tower Site Plan and Elevation Page.**

- L. The location, height, type and material of all fences and walls;

**Response: All pertinent information can be found on the Cell Tower Site Plan and Elevation Page.**

M. The location, character, size, height and orientation of proposed signs, as proposed to be erected in accordance with [chapter 21A.46](#) of this title, and elevations of buildings showing signs to be placed on exterior walls. Signs which are approved in accordance with this chapter shall be considered a part of the approved site plan;

**Response: N/A**

N. The proposed nature and manner of grading of the site, including proposed treatment of slopes in excess of ten percent (10%) to prevent soil erosion and excessive runoff;

**Response: N/A**

- O. The location of dumpsters or other outdoor trash receptacles;

**Response: N/A**

P. The location and dimensions of proposed recreation areas, open spaces and other required amenities and improvements;

**Response: N/A**



Q. A tabulation of the total number of acres in the project and the percentage and acreage thereof proposed to be allocated to off street parking, open space, parks and other reservations;

**Response: N/A**

R. A tabulation of the total number of dwelling units in the project and the overall project density in dwelling units per gross acre (for residential projects);

**Response: N/A**

S. The proposed and required off street parking and loading areas, including parking and access for persons with disabilities, as specified in the Utah Adopted Building Code; and

**Response: N/A**

T. Landscape plans subject to the standards contained in [chapter 21A.48](#) of this title.

**Response: This wireless facility is part of an overall property development currently taking place which will be integrating landscape plans as required with the overall development requirements.**

The Zoning Administrator may waive any of the above listed requirements upon making a determination that such requirements are unnecessary due to the scope and nature of the proposed development. (Ord. 49-16, 2016: Ord. 38-08, 2008: Ord. 20-06 § 1, 2006: Ord. 13-04 § 39, 2004: Ord. 6-04 § 18, 2004: Ord. 35-99 § 100, 1999: Ord. 77-97 § 17, 1997: Ord. 26-95 § 2(29-6), 1995)

## **AT&T & VZW Trolley Square Telecom Relocation Project – CUP Application**

**Property Address: 675 E 500 S. Salt Lake City, UT 84102**

**Parcel #: 16053070110000**

### **Submittal Requirements (21A.54.060.A)**

**A narrative that describes the general operations of the proposed use, including answers to the following questions:**

***Response: A separate Project Narrative Letter has been prepared to summarize the scope of work for this combined AT&T and Verizon Wireless Conditional Use Permit Application.***

- What are the anticipated hours of operation?

***Response: This wireless facility will be operational 24 hours a day, 7 days a week, 365 days a year for both carriers***

- What are the anticipated peak hours for the proposed use? Peak hours refer to the hours of the day with the highest number of customers, employees, deliveries, or activities.

***Response: N/A – this will be an unmanned wireless facility***

- Is there any anticipated outdoor activity associated with the use?

***Response: No, periodically a maintenance technician will visit the site but there won't be any outdoor activity associated with this wireless facility.***

- Is there enough space on the site to provide adequate movement, queueing, and storing of vehicles? The space should be based on the anticipated trip generation of similar uses in a similar environment either in Salt Lake City or in similar cities.

***Response: N/A – The wireless facility will be located inside a parking garage once the building development is completed***

- How will the waste generated by the use be stored and handled on site? How will it be removed from the site?

***Response: N/A – No waste will be generated from this wireless facility.***

- What is the anticipated amount of water consumption of the proposed use?

***Response: N/A – No water or sewer services will be required for this wireless facility***

- What is the anticipated level of emissions generated by the proposed use?

***Response: This facility will comply with all Federal Communications Commission ("FCC") Radio Frequency ("RF") emission and exposure rules 47 U.S.C. § 332(c)(7)(B)(iv). Accordingly, this issue is preempted under federal law and any testimony or documents introduced relating to the environmental or health effects of the proposed Facility and should be disregarded in review of this application or any proceedings associated with this application. No other emissions will be generated from this wireless facility.***

- Are there trees with a trunk circumference greater than 6 inches on the property that will be removed?

***Response: No – This CUP application doesn't require any trees or landscaping to be removed.***

- What is the anticipated amount of grading required for the proposed development? Does it include the moving or removing of any pollutant or contaminant in the soil from the site?

**Response: No, the wireless facility will be installed after the new staircase has been built.**

- Will the proposed use produce any dust, odor, smoke, noise, vibrations, or use any chemicals, toxins, heat, or radiation? If so, how will the impact be addressed? Has the applicant been in contact with the regulatory agency that regulates the specific impact?

**Response: This wireless facility will not produce any dust, odor, smoke, vibrations or toxins. The noise emitted from this facility will be minimal if any as such will not exceed levels permitted by the jurisdictions noise ordinance. The equipment rooms will host several acid-based batteries used when power outages occur. All equipment will be designed to meet the jurisdictional building code requirements.**

**As standard protocol, both AT&T and Verizon Wireless has already started the compliance process for their individual wireless equipment and guarantee that their facilities will meet all Federal Communications Commission ("FCC") Radio Frequency ("RF") emission and exposure rules before they are put into service.**

- Are the locations of all utility needs identified on the site plan and located to avoid creating a hazardous situation? Have utility providers been made aware of the proposed use and is there any information about utility needs?

**Response: The site plan identifies the location of the proposed transformer that will provide power for the wireless facility.**

**As for the utility provider, notification of the development has been made to the utility provider by the developer managing the overall property improvement.**

**An analysis of how the proposal might affect adjacent uses, including answers to the following questions:**

- What are the land uses adjacent to the property (abutting and across-the-street properties)?

**Response:**

- **North of the existing commercial building: Parcel 16-05-307-010-0000, Use – Restaurant**
- **North of the existing parking garage: Parcel 16-06-435-001-0000, Use – Storage warehouse**
- **South beyond E. 500 S: Parcel 16064780140000, Use – Neighborhood Center with a Whole Food Grocery Store**
- **East beyond S 800 E: Parcel 16053080140000, Use – Retail Mixed**
- **West: Parcel 16064340100000, Use – Low-Inc- House-TC**

- Are exterior lights located and shielded to direct light away from adjacent uses and downwards (not directed to the sky)?

**Response: There won't be any exterior lighting for either the rooftop antenna equipment or the equipment rooms.**

- Are there access conflicts caused by the location or proximity of walkways, sidewalks, driveways, public streets or public spaces? Are there access conflicts caused by the any proposed or existing structure on the property or adjacent to the property?

**Response: N/A - There will be no access conflicts cause by this unmanned wireless facility. Both equipment rooms will be out of the way from any driveway or walkway and will not require any public access.**

- How will the proposed use be separated from adjacent land uses? What screening or buffering features will be provided to reduce any impact identified in these questions?

***Response: This wireless facility will be located on the top of the staircase for temporary use until the full development is completed which entails adding a parking garage around the staircase. The initial rooftop equipment will not include any screening, however, once the parking garage is built, both AT&T and Verizon Wireless plan to remove and relocate their antenna equipment onto the façade of the building. The final, permanent design of the wireless facility will incorporate a design to reduce the aesthetic impacts of the antenna equipment. As for the equipment rooms, they will be located inside the parking garage and none of the equipment will be visible by the public.***

**AT&T & VZW Trolley Square Telecom Relocation Project – CUP Application**

**Property Address: 675 E 500 S. Salt Lake City, UT 84102**

**Parcel #: 16053070110000**

**21A.54.080: STANDARDS FOR CONDITIONAL USES:**

**A conditional use shall be approved if reasonable conditions are proposed, or can be imposed, to mitigate the reasonably anticipated detrimental effects of the proposed use in accordance with applicable standards set forth in this section. If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the proposal or the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use shall be denied.**

A. Approval Standards: A conditional use shall be approved unless the planning commission, or in the case of administrative conditional uses, the planning director or designee, concludes that the following standards cannot be met:

1. The use complies with applicable provisions of this title;

***Response: This use of this proposed wireless telecommunication facility complies with Section 21A.40.090 Antenna Regulations as well as Section 21A.40.090E Wireless Telecommunication Facilities provisions for the designed UNC zone district.***

2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;

***Response: Yes. The proposed wireless telecommunication facility use is compatible with the property development and surrounding properties.***

3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and

***Response: This use of a wireless telecommunication facility complies with Section 21A.40.090 Antenna Regulations as well as Section 21A.40.090E Wireless Telecommunication Facilities provisions for the designed UNC zone district as related to the city planning policies, documents and master plans.***

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions.

***Response: The proposed use of a wireless telecommunication facility will comply with all Federal Communications Commission (“FCC”) Radio Frequency (“RF”) emission and exposure rules so no detrimental effects are anticipated with this improvement.***

B. Detrimental Effects Determination: In analyzing the anticipated detrimental effects of a proposed use, the planning commission, or in the case of administrative conditional uses, the planning director or designee, shall determine compliance with each of the following:

1. This title specifically authorizes the use where it is located;

***Response: The use of a Wireless Telecommunication Facility is an allotted use for this UNC zone district by means of a CUP.***



2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;

**Response: This use of this proposed wireless telecommunication facility complies with Section 21A.40.090 Antenna Regulations as well as Section 21A.40.090E Wireless Telecommunication Facilities provisions for the UNC zone district as related to the city planning policies, documents and master plans through a CUP.**

3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;

**Response: This temporary wireless facility has been designed to reduce the need for two (2) separate wireless facilities into one collocable facility which is in context and character of the surrounding urban community.**

4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered.

**Response: Yes, the design for this temporary wireless facility has been designed to reduce the need for two (2) separate wireless facilities into one collocable facility which is in context and character of the surrounding urban community.**

5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;

**Response: N/A - There will be no access conflicts cause by this unmanned wireless facility.**

6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;

**Response: N/A – This wireless facility will be unmanned so there will be no adverse impacts on adjacent properties from motorized, nonmotorized and pedestrian traffic.**

7. The site is designed to enable access and circulation for pedestrian and bicycles;

**Response: N/A – This wireless facility will be unmanned so there will be no impacts whatsoever on adjacent properties from pedestrian or bicycles.**

8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;

**Response: This wireless facility will be unmanned so there will be no access impacts on the service level on any abutting or adjacent streets.**

9. The location and design of off street parking complies with applicable standards of this code;

**Response: This wireless facility will be unmanned and will not require any parking whatsoever.**

10. Utility capacity is sufficient to support the use at normal service levels;

**Response: Yes, the overall new development plan took into consideration the proposed wireless facility utility needs and will be sufficient for both AT&T and Verizon Wireless.**

11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;

***Response: This wireless facility will be located on the top of the staircase for temporary use until the full development is completed which entails adding a parking garage around the staircase. The initial rooftop equipment will not include any screening, however, once the parking garage is built, both AT&T and Verizon Wireless plan to remove and relocate their antenna equipment onto the façade of the building. The final, permanent design of the wireless facility will incorporate a design to reduce the aesthetic impacts of the antenna equipment.***

12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;

***Response: This wireless facility will comply with all Federal Communications Commission (“FCC”) Radio Frequency (“RF”) emission and exposure rules and as such will not impact the quality of the surrounding air and water, encroach into any river or streams or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke.***

13. The hours of operation and delivery of the use are compatible with surrounding uses;

***Response: This unmanned wireless facility will be operational 24 hours a day, 7 days a week, 365 days a year for both carriers and has been designed to in a compatible manner for the nature of this property.***

14. Signs and lighting are compatible with, and do not negatively impact surrounding uses; and

***Response: There won't be any exterior lighting for either the rooftop antenna equipment or on the outside of the equipment rooms that will negatively impact to the surrounding uses. As for signage, the only signs associated with this facility will be determined by the building department and/or the FCC which are both government entities for safety purposes. Regardless, any signs associated imposed by the FCC, building department or fire department will not negatively impact surrounding uses.***

15. The proposed use does not undermine preservation of historic resources and structures.

***Response: The site of this proposed wireless facility will be placed on a newly built structure and will be designed to meet the criteria of the designated UNC zone district. In addition, an application will be concurrently submitted to the Historical Preservation Group for their review and approval.***

# ATTACHMENT C: Property Photos



*Xerox Building from corner of 500 S & 700 E*



*Subject site from the opposite corner of 500 S & 700 E*



*Subject site from the across 700 E*

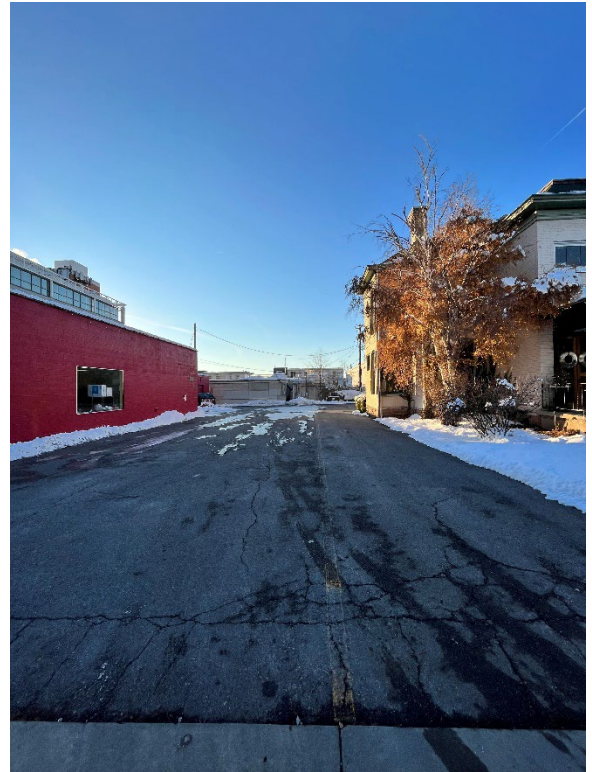


*Sidewalk along south side of subject site, facing east*





*Sidewalk along south side of subject site, facing west*



*North Property line of Subject site from 700 E*



*Subject Site from rear yard of adjacent Mulloy (Hancock) Mansion*

# ATTACHMENT D: Relevant Zoning Standards

## 21A.40.090.E – Wireless Telecommunication Facilities

### 3. Electrical Equipment:

- a. Electrical Equipment Located in The Public Right-Of-Way, Front Yard or Side Yard: Electrical equipment in the public right-of-way shall either be attached directly to the utility pole or placed underground.

**Finding: N/A – No equipment is located in the public right-of-way, front yard or side yard.**

If the electrical equipment is attached to the pole, the boxes shall not be larger than thirty-six inches (36") in height, twelve inches (12") deep and no wider than twenty inches (20"). No more than five (5) such boxes shall be mounted on the utility pole to which it is attached (excluding the power meter and network interface box). The boxes shall be stacked vertically, one above the other, and shall be at least ten feet (10') above the ground. The power meter and network interface box may be installed below the ten-foot (10') level.

**Finding: N/A – No electrical equipment is proposed to be attached to a pole.**

Electrical equipment in the required front or side yard shall be placed underground.

**Finding: N/A – No electrical equipment proposed in front or side yard.**

Electrical equipment placed underground or on a utility pole in the public right-of-way shall comply with the requirements of the Salt Lake City Engineering and Transportation Divisions.

**Finding: The Engineering and Transportation Divisions will review this request with the associated building permit application.**

- b. Electrical Equipment Located on Private Property: Electrical equipment shall be subject to the following standards:

- (1) Located in a rear yard, interior side yard, or within the building area of the lot.

**Finding: All electrical equipment will be located within the proposed CMU structure at the base of the tower. The CMU structure will be incorporated into the anticipated student housing development.**

- (2) If located in a zoning district without a required front or corner side yard setback, the equipment shall be located a minimum of ten feet (10') from the front or corner side yard property line.

**Finding: The TSA-UN-C district does not have a front yard or corner side yard setback. In compliance with this standard, the tower and the associated electrical equipment are proposed to be set back 10 feet from Green Street.**

- (3) Located a minimum of four feet (4') from a side or rear property line unless located in an enclosed structure or a vault where the equipment will not be visible.

**Finding: The tower and electrical equipment are set back 4 feet from the rear property line to the north.**

- (4) If the equipment is located next to a public trail, park, open space, or other public space other than a street, the equipment shall be screened by a masonry wall or solid fence, so the equipment is not visible.

**Finding: N/A – The equipment will not be located adjacent to any of the above-mentioned uses.**

- (5) The electrical equipment and any structure associated with the electrical equipment is subject to the maximum lot coverage of the underlying zoning district.

**Finding: The tower complies with the lot coverage requirements of the TSA-UN-C zoning district.**

5. Height Limit: The height limit for monopoles and lattice towers shall be limited as per table 21A.40.090E of this section.

**Finding: Table 21A.40.090.E does not include TSA districts. Table 21A.33.035 allows wireless telecommunication facilities beyond the maximum height as a conditional use.**



6. Location And Minimum Setbacks: Monopoles with antennas and antenna support structure less than two feet (2') in width, monopoles with antennas and antenna support structure greater than two feet (2') in width and lattice towers shall be allowed only in the rear yard area of any lot. These structures shall not be located in a required landscaped area, buffer area or required parking area.

**Finding: The proposed facility is located within the rear yard of the lot.**

9. Additional Conditional Use Requirements: In addition to conditional use standards outlined in [chapter 21A.54](#) of this title, the following shall be considered by the Planning Commission:

- a. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures;

**Finding: The “stair tower” section of the proposed facility is intended to be incorporated into the anticipated student housing development.**

- b. Whether collocation of the antenna on the other existing structures in the same vicinity such as other towers, buildings, water towers, utility poles, etc., is possible without significantly impacting antenna transmission or reception;

**Finding: AT&T and Verizon Wireless are collocating and are co-applicants on this application.**

- c. The location of the antenna in relation to existing vegetation, topography and buildings to obtain the best visual screening;

**Finding: The proposed tower will be incorporated into the anticipated student housing development allowing for minimal impact on the property and adjacent uses.**

10. Accessory Buildings to Antenna Structures: Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. Monopoles shall be fenced with a six-foot (6') chain link fence and the climbing pegs removed from the lower twenty feet (20') of the monopole. All power lines on the lot leading to the accessory building and antenna structure shall be underground.

**Finding: The accessory equipment for each carrier will be located entirely within the proposed CMU block structure.**

11. Historic District: Any antenna proposed for a location within a historic district or on landmark site is subject to approval through the Historic Landmarks Commission as contained in [chapter 21A.34](#) of this title.

**Finding: The applicants have submitted a request for a Certificate of Appropriateness that will be reviewed by the Historic Landmark Commission at the next meeting on Thursday, Jun 1, 2023.**

# ATTACHMENT E: Conditional Use Standards

## Conditional Use Standards

A petition for Conditional Use is required by city code 21A.54 and Utah Code 10-9a-507 to be approved if the proposal complies with the adopted standards of review and if any reasonably anticipated detrimental impact can be mitigated. Under Utah Code 10-9a-507, the criteria must be objective, and mitigating any reasonably anticipated detrimental impact is required to be interpreted to mean reduce, not eliminate, the impact.

The Finding for each standard is the recommendation of the Planning Division based on the facts associated with the proposal, the discussion that follows, and the input received during the engagement process. Input received after the staff report is published has not been considered in this report.

21A.54.080.A: Approval Standards
<b>Standard 1:</b> The use complies with applicable provisions of this title;
<b>Finding: Complies</b>
<b>Discussion:</b> Wireless telecommunications facilities are allowed as Permitted Uses up to the maximum height (75 feet in the TSA-UN-C District) and Conditional Uses beyond the maximum height. The proposed facility would be approximately 121 feet tall, requiring it to be reviewed as a Conditional Use. An analysis of applicable zoning provisions can be found in <a href="#">Attachment D</a> .
<b>Condition(s):</b> None proposed related to this standard
<b>Standard 2:</b> The use is compatible, or with conditions of approval can be made compatible, with surrounding uses
<b>Finding: Complies With Conditions</b>
<b>Discussion:</b> As discussed in <a href="#">Key Consideration 2</a> , the “stair tower” portion of this request is an incomplete piece of a larger project. If the proposed Trolley North Student Housing Development falls through, leaving the tower in place would detrimentally impact surrounding structures. Compatibility of the requested conditional use with surrounding structures is contingent upon completion of the Student Housing Development in a timely manner
<b>Condition(s):</b> Completion of the associated Trolley North Development within two years
<b>Standard 3:</b> The use is consistent with applicable adopted city planning policies, documents, and master plans;
<b>Finding: Complies</b>
<b>Discussion:</b> The proposed temporary telecommunication facility does not conflict with any policies within the <a href="#">400 South Livable Communities Project</a> Transit Oriented Development Amendment to the Central Community Master Plan.
<b>Condition(s):</b> None proposed related to this standard
<b>Standard 4:</b> The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions
<b>Finding: Complies With Conditions</b>
<b>Discussion:</b> Based on Planning Staff’s analysis of 21A54.080.B (see table on following page), Planning staff has found that since the “stair tower” that is part of this proposal is part of the larger Trolley North Student Housing Development (currently under review by the Historic Landmark Commission under Petition PLNHLC2022-00675), compatibility of the requested conditional use with surrounding structures is contingent upon completion of the Student Housing Development in a timely manner.
<b>Condition(s):</b> Completion of the associated Trolley North Development within two years

## 21A.54.080.B: Detrimental Effects Determination

### 1. This title specifically authorizes the use where it is located;

#### Finding: No Detrimental Impact

**Discussion:** The proposed wireless facility is an authorized use within the TSA-UN-C zoning district. They are allowed as Permitted Uses up to the maximum height (which is 75 feet in this case) and Conditional Uses beyond the maximum height. The proposed facility will be approximately 121 feet tall and is allowed as a conditional use

**Condition(s):** None proposed related to this standard

### 2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps;

#### Finding: No Detrimental Impact

**Discussion:** The proposed temporary telecommunication facility does not conflict with any policies within the [400 South Livable Communities Project](#) Transit Oriented Development Amendment to the Central Community Master Plan.

**Condition(s):** None proposed related to this standard

### 3. The use is well suited to the character of the site, and adjacent uses as shown by an analysis of the intensity, size, and scale of the use compared to existing uses in the surrounding area;

#### Finding: No Detrimental Impact

**Discussion:** The proposed facility will not be permanent. However, it is designed with future development in mind and the “stair tower” will be incorporated into the student housing development. The applicant worked with staff to determine the best possible option to maintain cellular service after the demolition of the Xerox building and during construction of the proposed student housing development.

**Condition(s):** None proposed related to this standard

### 4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered;

#### Finding: Detrimental Impact Mitigated With Conditions

**Discussion:** The “stair tower” portion of the facility will be incorporated into the student housing development proposed on the site, meaning that the facility would only be present during construction of the development. Because the stair tower included with this request is an incomplete portion of a larger project, leaving it in place if the Student Housing Development falls through would detrimentally impact surrounding structures. The “stair tower” would not relate in mass, scale, style, design, or architectural detailing to surrounding structures. If the Trolley North Development is not completed within the typical timeframe for construction, then the “stair tower” portion of this proposal would need to be taken down and the applicants would need to submit a new conditional use request to continue locating a wireless telecommunication facility on the site.

**Condition(s):** Completion of the associated Trolley North Development within two years

### 5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows;

#### Finding: No Detrimental Impact

**Discussion:** No new access points are proposed as part of this facility. Staff does not anticipate any significant vehicular traffic impacts to nearby major streets.

**Condition(s):** None proposed related to this standard

<b>6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, nonmotorized, and pedestrian traffic;</b>
<b>Finding: No Detrimental Impact</b>
<b>Discussion:</b> No vehicular or pedestrian traffic circulation is proposed for this facility.
<b>Condition(s):</b> None proposed related to this standard
<b>7. The site is designed to enable access and circulation for pedestrian and bicycles;</b>
<b>Finding: No Detrimental Impact</b>
<b>Discussion:</b> Ample pedestrian and cyclist infrastructure is present within the immediate vicinity of the site. Staff does not anticipate a significant need for pedestrian and bicycle access to the facility.
<b>Condition(s):</b> None proposed related to this standard
<b>8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street;</b>
<b>Finding: No Detrimental Impact</b>
<b>Discussion:</b> Staff anticipates only marginal traffic impacts from this unmanned facility on adjacent and abutting streets.
<b>Condition(s):</b> None proposed related to this standard
<b>9. The location and design of off-street parking complies with applicable standards of this code;</b>
<b>Finding: No Detrimental Impact</b>
<b>Discussion:</b> The proposed use will not require any off-street parking.
<b>Condition(s):</b> None proposed related to this standard
<b>10. Utility capacity is sufficient to support the use at normal service levels;</b>
<b>Finding: No Detrimental Impact</b>
<b>Discussion:</b> The subject site has access to all necessary utilities. Public Utilities did not indicate that the proposal would impact utilities serving the subject properties.
<b>Condition(s):</b> None proposed related to this standard

**11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts;**

**Finding: No Detrimental Impact**

**Discussion:** Staff does not anticipate any potential use conflicts with the adjacent or nearby property. All ground-floor electrical equipment will be located within a structure and will not be visible from the right of way or from adjacent property.

**Condition(s):** None proposed related to this standard

**12. The use meets city sustainability plans, does not significantly impact the quality of surrounding air and water, encroach into a river or stream, or introduce any hazard or environmental damage to any adjacent property, including cigarette smoke;**

**Finding: No Detrimental Impact**

**Discussion:** Staff does not anticipate any environmental impacts that would be significantly different than what already exists at the site or in the neighborhood. The proposed use would not significantly impact the quality of surrounding air or water.

**Condition(s):** None proposed related to this standard

**13. The hours of operation and delivery of the use are compatible with surrounding uses;**

**Finding: No Detrimental Impact**

**Discussion:** The facility will not have crew on site and will not require significant operations or deliveries once completed. Staff does not anticipate any detrimental impacts related to this standard.

**Condition(s):** None proposed related to this standard

**14. Signs and lighting are compatible with, and do not negatively impact surrounding uses;**

**Finding: No Detrimental Impact**

**Discussion:** At this time, no new lighting or signs have been proposed as part of this request.

**Condition(s):** None proposed related to this standard

**15. The proposed use does not undermine preservation of historic resources and structures.**

**Finding: No Detrimental Impact**

**Discussion:** The subject site is located within the Central City Local Historic District and the temporary tower will require a Certificate of Appropriateness from the Historic Landmark Commission. The proposed tower would not damage or destroy any historic resources within the Central City Local District and will not undermine the preservation of other resources within the district

**Condition(s):** None proposed related to this standard

According to Zoning Code Section 21A.54.080.C, the Administrative Hearing Officer may impose conditions related to the standards and detrimental impacts listed above if a condition is necessary for compliance with the standards of approval or any applicable zoning regulation and to reduce any reasonably anticipated detrimental impact. Conditions may be related to:

1. Conditions on the scope of the use; its character, location, hours and methods of operation, architecture, signage, construction, landscaping, access, loading and parking, sanitation, drainage, and utilities, fencing and screening, and setbacks; and
2. Conditions needed to mitigate any natural hazards; assure public safety; address environmental impacts; and mitigate dust, fumes, smoke, odor, noise, vibrations; chemicals, toxins, pathogens, gases, heat, light, and radiation.

After a public hearing is held, planning staff can help the Administrative Hearing Officer identify and determine if the information provided warrants further discussion on any potential non-compliance or detrimental impact that may require a condition of approval.

# ATTACHMENT F: Public Process & Comments

## Public Notice, Meetings, Comments

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project since the applications were submitted:

- March 29, 2023 – The Chairs of the Central City and East Central Community Councils were sent the 45-day required notice for recognized community organizations. The councils did not provide comments.
- March 29, 2023 - Property owners and residents within 300 feet of the development were provided early notification of the proposal.
- March – May 2023 – The project was posted to the Online Open House webpage.

Notice of the public hearing for the proposal included:

- May 16, 2023
  - Public hearing notice sign posted on the property.
- May 12, 2023
  - Public hearing notice mailed.
  - Public notice posted on City and State websites and Planning Division list serve.

## Public Input:

No public comments were received prior to the publication of this report.



# ATTACHMENT G: Department Review Comments

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This proposal was reviewed by the following departments. Any requirement identified by a City Department is required to be complied with.

**Engineering (Scott Weiler):**

No public way improvements, so no comments.

**Building (William Warlick):**

No comments. Will review for compliance under building permit review.

**Fire (Douglas Bateman):**

No comments

**Transportation (Kevin Young):**

No Comments

**Public Utilities (Jason Draper):**

No comments related to this phase of the proposal.