

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 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.

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)

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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)

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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.

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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.