



Staff Report

PLANNING DIVISION
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Planning Commission
From: John Anderson, (801) 535-7214, john.anderson@slcgov.com
Date: August 12, 2015
Re: PLNPCM2015-00478 Sprint Equipment Upgrade Wireless Antennas Conditional Use

CONDITIONAL USE

PROPERTY ADDRESS: Approximately 1226 S. 1100 E.

PARCEL ID: N/A Located in the park strip

MASTER PLAN: Central Community

ZONING DISTRICT: CN Neighborhood Commercial District

REQUEST: The petitioner, Mr. Rock Schutjer, representing Sprint Wireless, is requesting conditional use approval for the installation of three additional wireless antennas on a utility pole located in the park strip which is a part of the city right of way at approximately 1226 South 1100 East. This type of request must be processed as a conditional use as the diameter of the antennas would exceed 30 inches.

Zoning Ordinance section 21A.54.155 authorizes administrative approval of certain categories of low impact conditional uses; however, because the subject property abuts a residential zoning district, this Conditional Use cannot be approved administratively and is being forwarded to the Planning Commission.

RECOMMENDATION: Based on the information and findings in this staff report, Planning Staff recommends that the Planning Commission approve the proposal subject to complying with all applicable regulations and the following conditions of approval:

Based on the information in the staff report, public comment provided and discussion, I move that the Planning Commission approve PLNPCM2015-00478 for wireless antennas mounted on a utility pole subject to the following conditions:

1. Any modifications to the approved plans after the issuance of a building permit must be specifically requested and approved by the Planning Division prior to execution.
2. Applicant shall comply with all other department/division requirements.

ATTACHMENTS:

- A. Vicinity Map
- B. Photos
- C. Site Plan & Elevations
- D. Analysis of Standards
- E. Public Process and Comments
- F. Dept. Comments
- G. Motions

PROJECT DESCRIPTION:

The request is to install three new wireless antennas on a utility pole located in a park strip. Rocky Mountain Power is replacing the existing wood utility pole with a new steel pole. The replacement pole would be the same height and width as the existing pole. Currently, there are three wireless antennas on the pole. The existing antennas are mounted flush against the pole and stretch 4 feet 4 inches in diameter. The proposed antennas will not be constructed flush against the pole. The antenna array would stretch 10 feet 2 inches in diameter. The diameter measurement for both includes the pole itself, antennas and necessary mounting materials. The new antennas are proposed to be approximately 5 feet 1 inch in tall which is 11 inches shorter than the existing flush mounted antennas.

The new antennas will require few changes to the operations of the site. There will be two new pieces of hardware installed in the existing ground cabinet. It will not necessitate an expansion of that cabinet or the construction of any new structures.

Because the proposed antennas will exceed 30 inches in width, the request must be reviewed as a conditional use. All other aspects of the project meet the standards for wireless antennas mounted on a utility pole.

There are existing federal regulations regarding the limitations of local government when deciding the placement of wireless facilities regarding potential environmental effects. These regulations are summarized below:

Relevant provision of the Telecommunications Act, Local Zoning Authority Limitations:

47 U.S.C. 332(c)(7)(B)(iv) No State or local government or instrumentality thereof may regulate the placement, construction, and modification of personal wireless service facilities on the basis of the environmental effects of radio frequency emissions to the extent that such facilities comply with the Commission's regulations concerning such emissions.

Over-the-Air Reception Devices ("OTARD") Rule

As directed by Congress in Section 207 of the Telecommunications Act of 1996, and amended in 2000, the Federal Communications Commission adopted the Over-the-Air Reception Devices ("OTARD") rule concerning governmental and nongovernmental restrictions on wireless antennas and other devices.

The rule applies to state or local laws or regulations, including zoning, land-use or building regulations. A restriction impairs if it: (1) unreasonably delays or prevents use of; (2) unreasonably increases the cost of; or (3) precludes a person from receiving or transmitting an acceptable quality signal from an antenna covered under the rule. The rule does not prohibit legitimate safety restrictions or restrictions designed to preserve designated or eligible historic or prehistoric properties, provided the restriction is no more burdensome than necessary to accomplish the safety or preservation purpose.

KEY ISSUES:

The key issue listed below has been identified through the analysis of the project, neighbor and community input and department review comments.

1. VISUAL IMPACTS:

The proposed antennas are located on an existing utility pole in a small neighborhood commercial node at the intersection of 1100 East and 1300 South. A retail store is located directly to the south, a commercial structure containing office and restaurant uses is located east across 1100 East. The property to the west is currently vacant property and is zoned CN Neighborhood Commercial. The nearest single family residential structure is located on the opposite side of 1100 East approximately 95 feet away.

There are currently three wireless antennas on the existing pole and the proposed antennas will extend outward further but will be shorter than the existing antennas. By utilizing antennas that extend further away from the pole, the antennas can accommodate an increased amount of cellular traffic. This decreases the need to construct new antenna arrays on other poles in the community. The utility pole directly to the south of this pole also houses wireless antennas and is constructed in the same manner. These antennas are similar in size and design as the proposed additional antennas. The new antennas, though visible, should have no further negative impacts to the neighborhood.

NEXT STEPS:

If the conditional use is approved, the applicant will be required to comply with all other department/division requirements and obtain all necessary building permits for the project.

ATTACHMENT A: VICINITY MAP



ATTACHMENT B: PHOTOS



This photograph is looking towards the west at a lot that is used for overflow parking for adjacent businesses. The utility pole in question is located in the park strip directly adjacent to this lot.



Photograph is looking towards the north along 1100 East. The utility pole that is proposed to gain additional wireless antennas is directly to the south of this location.



Photograph looking towards the east at an existing commercial structure on the opposite side of 1100 East.



The existing utility pole as it currently appears. In the background, another utility pole can be seen. The proposed antennas would look similar.

ATTACHMENT C: SITE PLAN & ELEVATIONS



PROJECT: 2.5 EQUIPMENT DEPLOYMENT

SITE NAME: HALE BAKERY SLC068 KEEBLER

SITE NUMBER: SL60XC001

SITE ADDRESS: 1216 S 1100 E
SALT LAKE CITY, UTAH 84105

SITE TYPE: POWER POLE

PLANS PREPARED FOR:

Sprint
6580 Sprint Parkway
Overland Park,
Kansas 66251

PLANS PREPARED BY:

NEW HORIZON
SITE SERVICES
92 East Shenango Street
Sharpville, PA 16150
724.383.4033
www.newhss.com

MLA PARTNER:

ENGINEERING LICENSE:

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PROJECT NUMBER: TS-2173

REVISIONS:	DESCRIPTION	DATE	BY	REV
	310 PRELIM ZD	06.02.15	JYW	A
	310 REVISED PRELIM ZD	06.05.15	JYW	B
	310 REVISED PRELIM ZD	06.08.15	JYW	C

SITE NAME: HALE BAKERY SLC068
KEEBLER

SITE NUMBER: SL60XC001

SITE ADDRESS: 1216 S 1100 E
SALT LAKE CITY, UTAH 84105

SHEET DESCRIPTION: TITLE SHEET

SHEET NUMBER: T-1

SITE INFORMATION

PROPERTY OWNER:
DU COMPANY, INC
20 WEST CENTURY PARKWAY
SALT LAKE CITY, UT 84115
PHONE: 801.466.3361
CONTACT: V. J. JOHNSON

SITE ADDRESS:
1216 S 1100 E
SALT LAKE CITY, UTAH 84105
SALT LAKE COUNTY

GEOGRAPHIC COORDINATES:
LATITUDE: 40° 44' 31.164" N, (40.74199°)
LONGITUDE: 111° 51' 34.92" W, (-111.8597°)

ZONING JURISDICTION:
SALT LAKE CITY

ZONING DISTRICT:
CN NEIGHBORHOOD COMERCIAL

POWER COMPANY:
ROCKY MOUNTAIN POWER/PACIFICORP

AAV PROVIDER:
SYRINGA

SPRINT CONSTRUCTION MANAGER:
NAME: JUSTIN R. NELSON
PHONE: 801-685-5809
E-MAIL: Justin.R.Nelson@sprint.com

AREA MAP



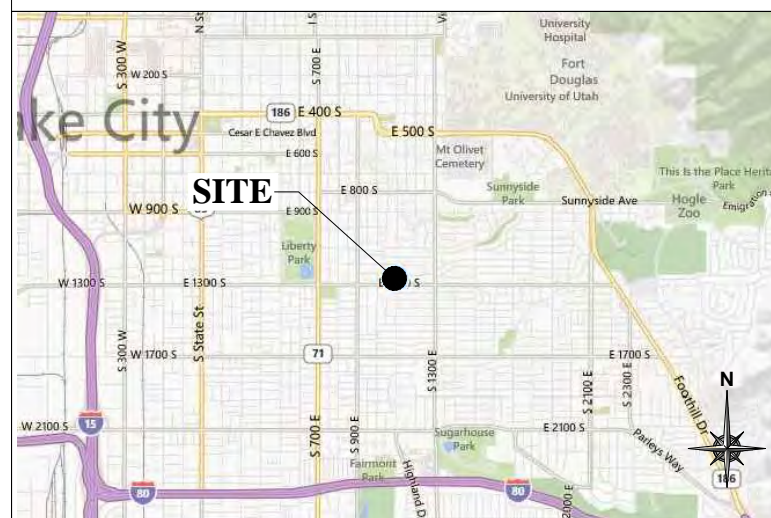
PROJECT DESCRIPTION

- * INSTALL (1) UADU KIT IN EXISTING CABINET
- * INSTALL (3) PANEL ANTENNAS
- * INSTALL (3) RRU'S
- * INSTALL (27) JUMPERS
- * INSTALL (3) OPTICAL JUNCTION CYLINDERS
- * INSTALL (3) POWER JUNCTION CYLINDERS
- * INSTALL (1) RADAR FILTER, SEC 1
- * INSTALL (1) STEEL POWER POLE

SHEET INDEX

SHT NO:	SHEET TITLE:	REV:	ENGINEER:
T-1	TITLE SHEET	C	GWC
A-1	SITE PLAN	C	GWC
A-2	EQUIPMENT PLAN	C	GWC
A-3	SITE ELEVATIONS/ANTENNA LAYOUTS	C	GWC

LOCATION MAP



APPLICABLE CODES

- * ALL WORK SHALL BE PERFORMED AND MATERIALS INSTALLED IN ACCORDANCE WITH THE FOLLOWING CODES AS ADOPTED BY THE LOCAL GOVERNING AUTHORITIES. NOTHING IN THESE PLANS IS TO BE CONSTRUED TO PERMIT WORK NOT CONFORMING TO THESE CODES.
1. INTERNATIONAL BUILDING CODE
 2. ANSI/TIA-222 STRUCTURAL STANDARD FOR ANTENNA STRUCTURES
 3. NFPA 780 - LIGHTNING PROTECTION CODE
 4. NATIONAL ELECTRIC CODE



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PLANS PREPARED FOR:



PLANS PREPARED BY:



MLA PARTNER:

ENGINEERING LICENSE:

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	310 REVISED PRELIM ZD	06.05.15	JYW	B
	310 REVISED PRELIM ZD	06.08.15	JYW	C

SITE NAME:

HALE BAKERY SLC068
KEEBLER

SITE NUMBER:

SL60XC001

SITE ADDRESS:

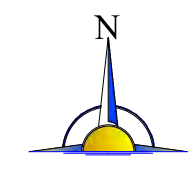
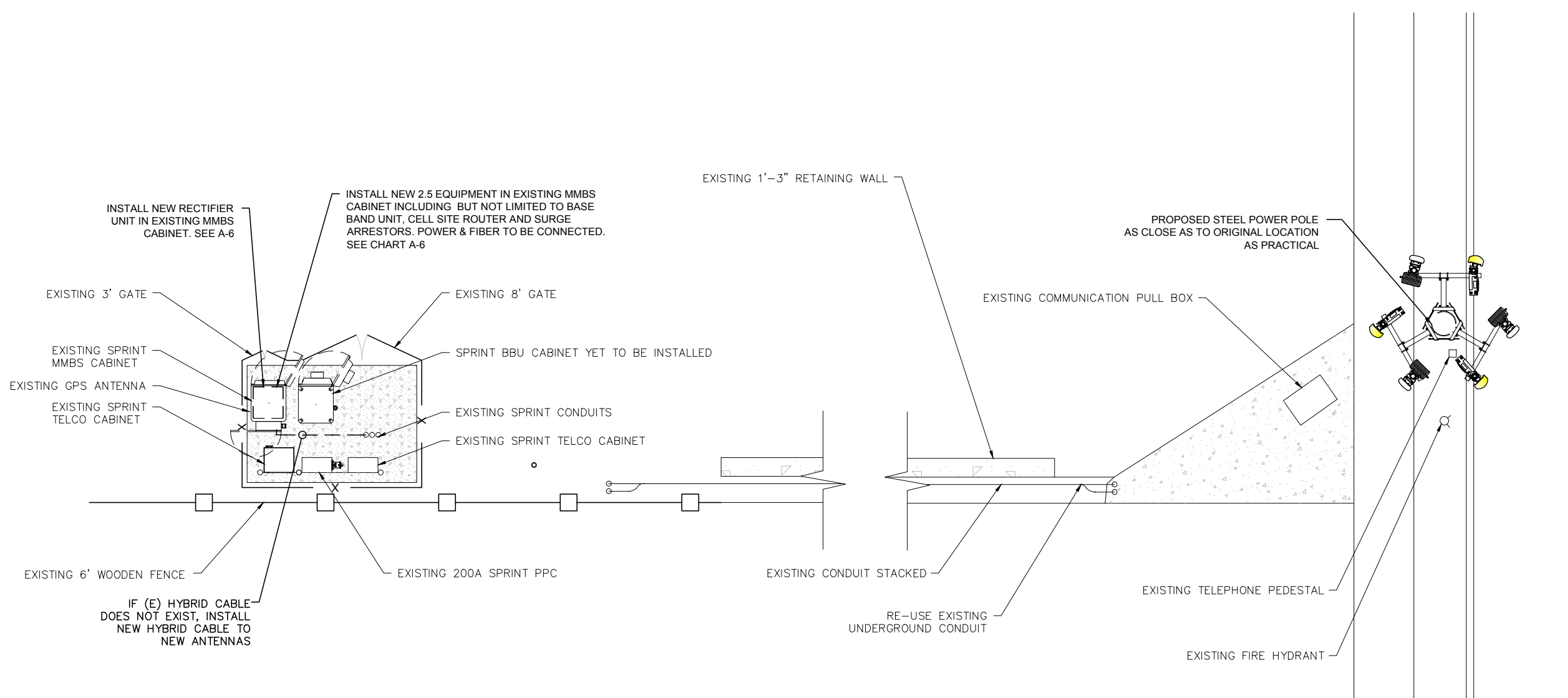
1216 S 1100 E
SALT LAKE CITY, UTAH 84105

SHEET DESCRIPTION:

SITE PLAN

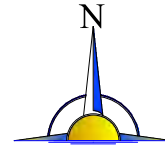
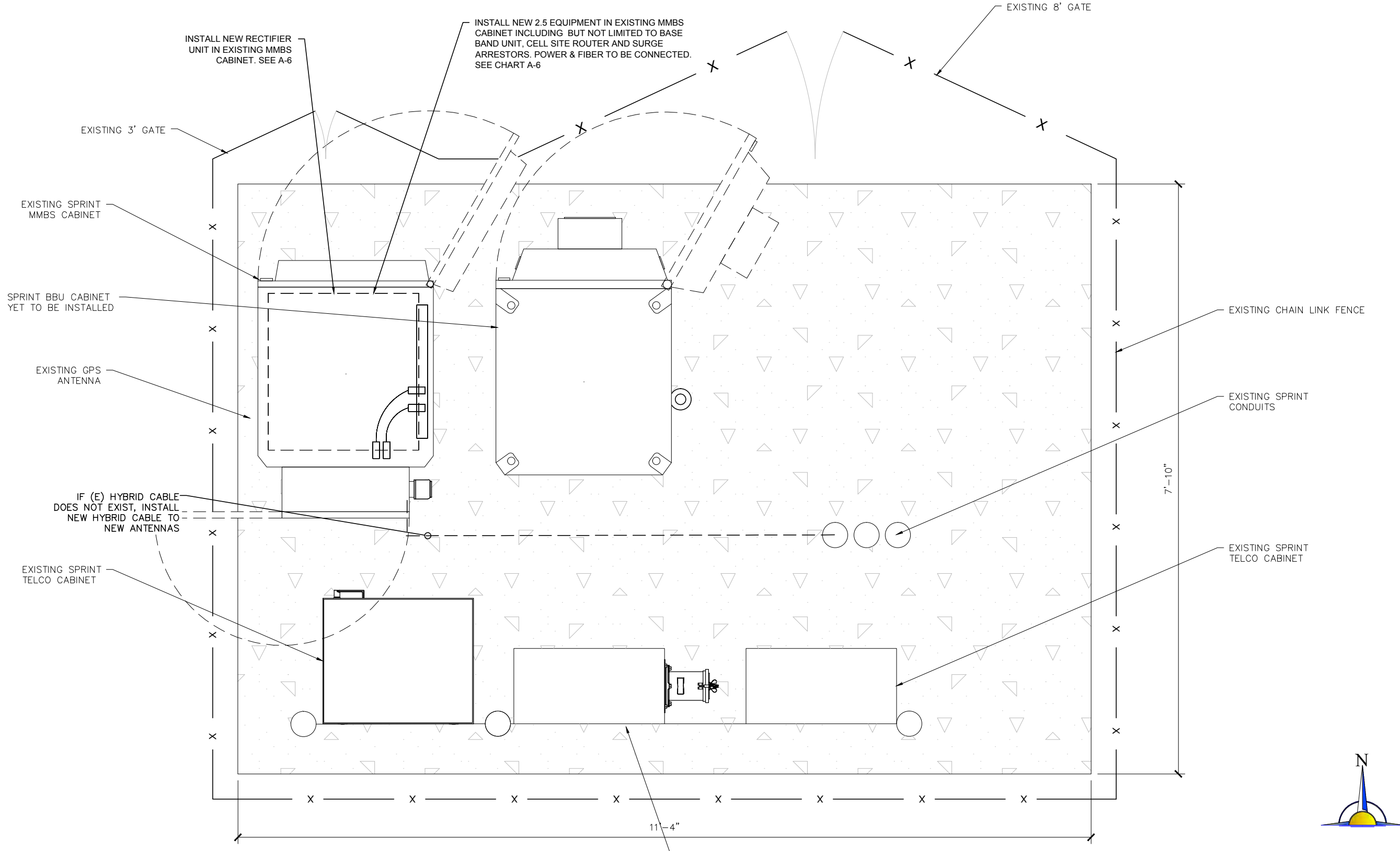
SHEET NUMBER:

A-I

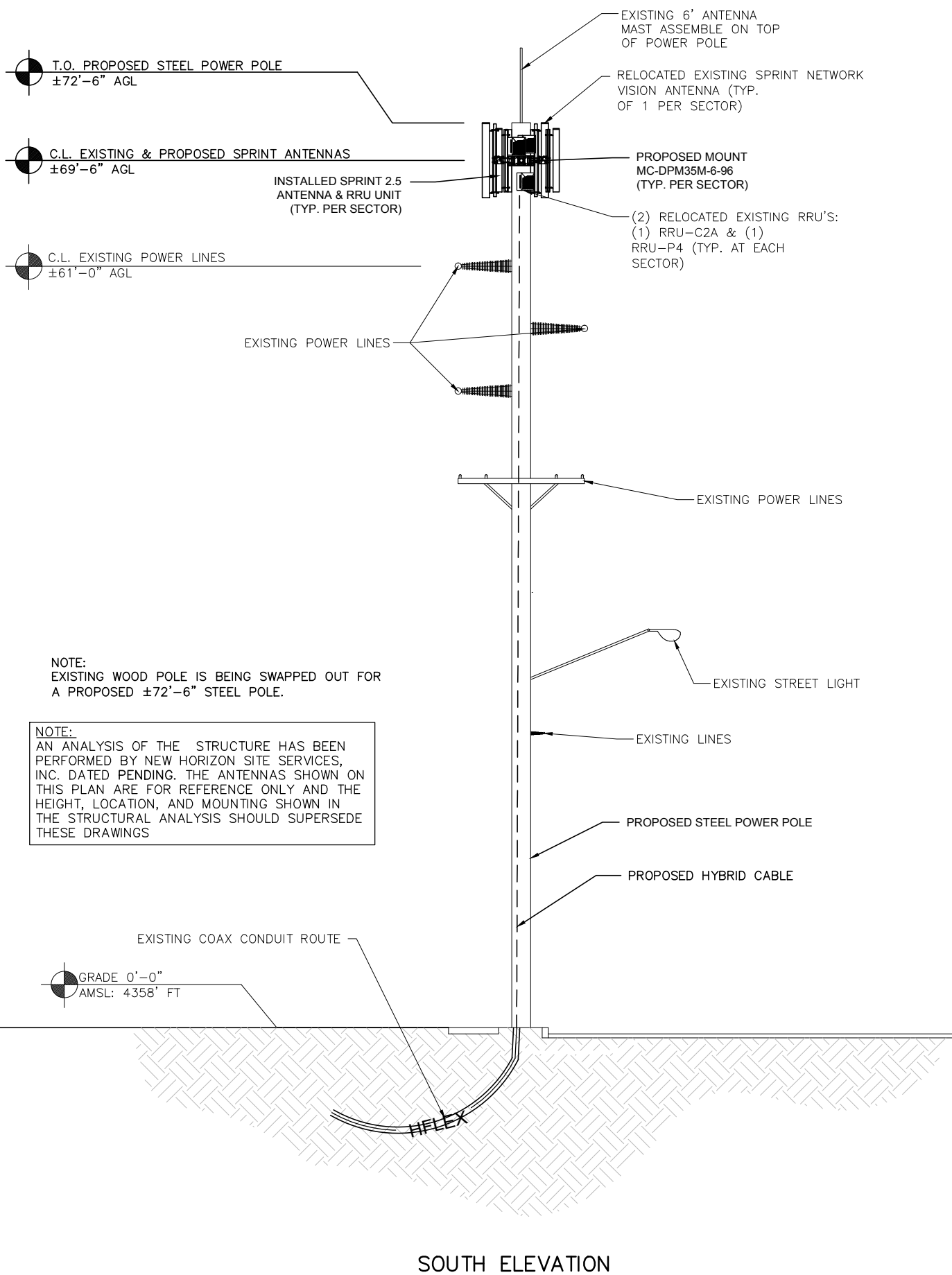


ENLARGED SITE PLAN
SCALE: 1/8" = 1'-0" (1/4"=1'-0" ON 22"x34" SHEET)

1



ENLARGED SITE PLAN
SCALE: 3/4" = 1'-0" (1-1/2"=1'-0" ON 22"x34" SHEET)

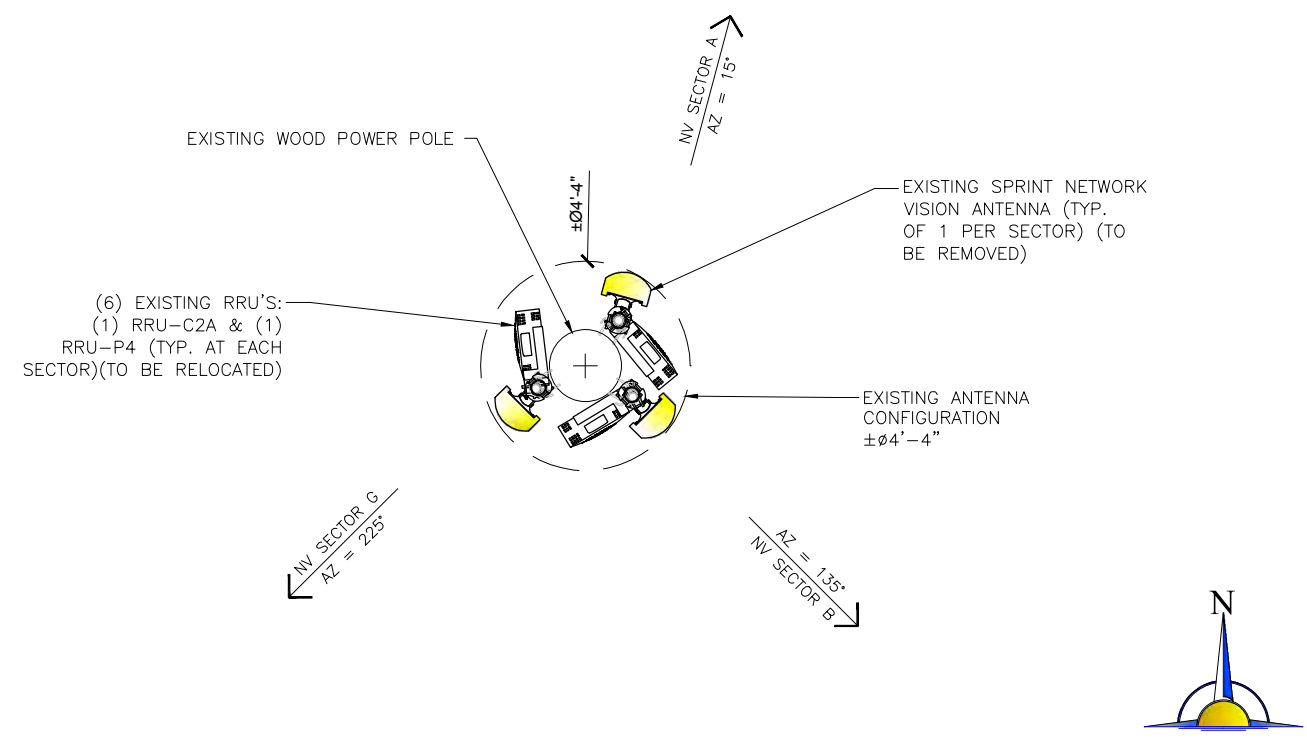


SOUTH ELEVATION

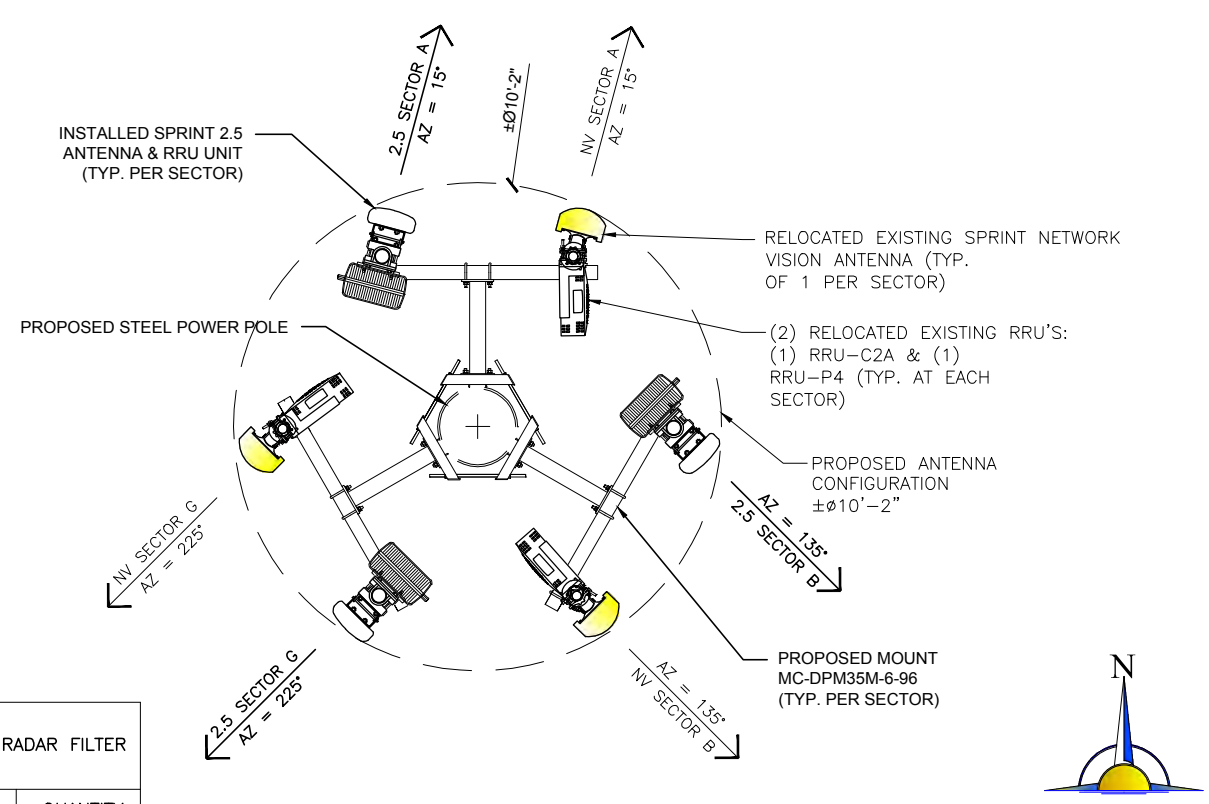
FINAL TOWER
SCALE: 1/16" = 1'-0" (1/8"=1'-0" ON 22"x34" SHEET) **2**

NOTE:
INSTALLED RADAR FILTER
SECTOR A

SECTOR	QUANTITY
A	1
B	0
G	0



EXISTING ANTENNA & RRU LAYOUT
SCALE: 1/4" = 1'-0" (1/2"=1'-0" ON 22"x34" SHEET) **3**



FINAL ANTENNA & RRU LAYOUT
SCALE: 1/4" = 1'-0" (1/2"=1'-0" ON 22"x34" SHEET) **4**

PLANS PREPARED FOR:

6580 Sprint Parkway
Overland Park,
Kansas 66251

PLANS PREPARED BY:

92 East Shenango Street
Sharpville, PA 16150
724.383.4033
www.newhss.com

MLA PARTNER:

ENGINEERING LICENSE:

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310 REVISED PRELIM ZD	06.08.15	JYW	C

SITE NAME:
**HALE BAKERY SLC068
KEEBLER**

SITE NUMBER:
SL60XC001

SITE ADDRESS:
1216 S 1100 E
SALT LAKE CITY, UTAH 84105

SHEET DESCRIPTION:
**TOWER ELEVATIONS &
ANTENNA LAYOUT**

SHEET NUMBER:
A-3

ATTACHMENT D: ANALYSIS OF STANDARDS

21A.54.080 Standards for Conditional Use

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;

Analysis: The antennas are proposed to be constructed on property located in the city's street right of way and are located in the CN Neighborhood Commercial zoning district. As per 21A.E.2.g of the Zoning Ordinance all utility pole mounted antennas in the zoning district are permitted but in this case it requires conditional use approval because the antennas exceed 30 inches in diameter.

The Zoning Ordinance requires that antennas must be located on an existing utility pole, and the antennas must not extend more than 10 feet above the top of the pole. As proposed the new antennas will meet these standards as the pole is the replacement of an existing pole and the antennas are not proposed to extend taller than the pole itself.

Finding: The proposal complies with the applicable provisions of the Salt Lake City Zoning Ordinance, provided that the request meets the conditions recommended as part of this staff report.

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

Analysis: The proposed antennas are located on an existing utility pole in a small neighborhood commercial node at the intersection of 1100 East and 1300 South. A retail store is located directly to the south, a commercial structure containing office and restaurant uses is located east across 1100 East. The property to the west is currently vacant property and is zoned CN Neighborhood Commercial. The nearest single family residential structure is located on the opposite side of 1100 East approximately 95 feet away.

There are currently three wireless antennas on the existing pole and the proposed antennas will extend outward further but will be shorter than the existing antennas. By utilizing antennas that extend further away from the pole, the antennas can accommodate an increased amount of cellular traffic. This decreases the need to construct new antenna arrays on other poles in the community. The utility pole directly to the south of this pole also houses wireless antennas. These antennas are similar in size and design as the proposed additional antennas.

Finding: Staff finds that wireless antennas are common in residential neighborhoods where they are needed to provide services to residents of the area. Though the antennas will be visible from surrounding properties the additional antennas will not be a substantial change for those already existing. The proposal is generally compatible with the nature of the area.

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

Analysis: The Central Community Master Plan does not address matters related to wireless telecommunication equipment but utility mounted wireless antennas are permitted uses in all zoning districts. Because this specific proposal must be reviewed as a Conditional Use, if the proposal meets all of the conditions and standards listed, it should be considered as meeting this standard.

Finding: The proposal does not present a conflict with the Central Community Master Plan.

4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart below for details).

21a.54.080B Detrimental Effects Determination

In analyzing the anticipated detrimental effects of a proposed use, the planning commission shall determine compliance with each of the following:

Criteria	Finding	Rationale
1. This title specifically authorizes the use where it is located	Complies	The utility mounted wireless antennas are a permitted use if they are less than 30 inches in diameter and a conditional use if larger. If the conditional use is approved according to the Zoning Ordinance process and all required standards, the proposal will not create a detrimental effect.
2. The use is consistent with applicable policies set forth in adopted citywide, community, and small area master plans and future land use maps	Complies	The use is located in an area zoned and designed by the associated master plan as neighborhood commercial (see analysis from standard 3 above).
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	Complies	Surrounding the proposed antenna is a vacant lot and commercial uses though low density residential uses are located nearby. Wireless antennas are common in residential neighborhoods where they are needed to provide services to residents of the area. Collocating these antennas on an existing wireless array, decreases the number of additional poles that need to be utilized to accommodate cellular traffic. Though the antennas will be visible from surrounding properties the additional antennas will not be a substantial change from the existing conditions.
4. The mass, scale, style, design, and architectural detailing of the surrounding structures as they relate to the proposed have been considered	Complies	The antennas are located on an existing utility pole with existing antennas. The new proposed antennas though they extend wider they are actually shorter than the existing antennas.
5. Access points and driveways are designed to minimize grading of natural topography, direct vehicular traffic onto major streets, and not impede traffic flows	Complies	The proposal will have no traffic impact.
6. The internal circulation system is designed to mitigate adverse impacts on adjacent property from motorized, non-motorized, and pedestrian traffic	Complies	The proposal will have no traffic impact.
7. The site is designed to enable access and circulation for pedestrian and bicycles	Complies	The proposal will have no traffic impact.
8. Access to the site does not unreasonably impact the service level of any abutting or adjacent street	Complies	The proposal will have no traffic impact.
9. The location and design of off-street parking complies with applicable standards of this code	Complies	The proposal will not require additional off-street parking.
10. Utility capacity is sufficient to support the use at normal service levels	Complies	The proposal will not require additional utility service.
11. The use is appropriately screened, buffered, or separated from adjoining dissimilar uses to mitigate potential use conflicts	Complies	The proposal will not change the land use.
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	Complies	The proposal will not significantly impact the environment or introduce any hazard.
13. The hours of operation and delivery of the use are compatible with surrounding uses	Complies	The existing electrical equipment is serviced by a technician approximately once a month.
14. Signs and lighting are compatible with, and do not negatively impact surrounding uses	Complies	The proposal will not require signs and lighting.
15. The proposed use does not undermine preservation of historic resources and structures	Complies	The proposal is not associated with any historic resources or structures.

Finding: In analyzing the anticipated detrimental effects of the proposed use, Staff finds that the request complies with the criteria listed above.

Section 21A.40.090.E.9 Additional Conditional Use Requirements (for antennas)

In addition to conditional use standards outlined in Section 21A.54 (above) of the zoning ordinance; 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;
- 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;
- c. The location of the antenna in relation to existing vegetation, topography and buildings to obtain the best visual screening;
- d. Whether the spacing between monopoles and lattice towers creates detrimental impacts to adjoining properties.

Analysis: Surrounding the proposed antennas are a vacant lot and commercial uses though low density residential uses are located nearby. Wireless antennas are common in residential neighborhoods where they are needed to provide services to residents of the area. In the CN Neighborhood Commercial District, the Zoning Ordinance only allows a few methods of providing wireless services and they include wall mounted antennas or utility poles. Because of the relatively low buildings in the area, utilizing existing utility poles can provide wireless service to more customers which will decrease the need for more wireless antennas in the community. Though the antennas will be visible from surrounding properties the additional antennas will not be a substantial change from the existing conditions.

These new antennas collocated on an existing utility pole will add capacity to the existing antennas on the utility pole. Because these wireless antennas are being collocated this decreases the chance that other utility poles will have wireless antennas in the community.

Because the antennas are being located on an existing utility pole that is located in the park strip of 1100 East, it would be difficult to attempt to screen the antenna with existing vegetation, topography or buildings.

These wireless antennas are not being proposed to be constructed on a monopole or lattice towers. There is another utility pole with antennas that is located south of this pole but as was discussed earlier in this report. Staff does not believe that this spacing creates detrimental impacts to adjoining properties.

Finding: This project satisfies the additional requirements of Section 21A.40.090.E.7.

ATTACHMENT E: PUBLIC PROCESS AND COMMENTS

PUBLIC PROCESS AND INPUT

Timeline

- The application was assigned on June 18, 2015.
- Staff sent a request to the East Liberty Park Community Council on June 25, 2015. The council chair did respond to the request on July 20, 2015 and placed the item on their agenda for July 23, 2015. Staff was unable to attend the meeting but the applicant was in attendance. The chair of the community council and the applicant reported that the conversation was positive in nature and that there were no dissenting comments.
- Mailings were sent out on August 31, 2015 for the Planning Commission meeting
- Sign was posted at the property in question on August 28, 2015 for the Planning Commission meeting

The following is a list of the public comments received for this project:

As of the published date of this report, no comments have been received from the public.

ATTACHMENT F: DEPARTMENT REVIEW COMMENTS

The proposed conditional use was sent to the departments listed below for review and comment.

SUSTAINABILITY REVIEW – no comments received.

PUBLIC UTILITIES – Public Utilities has no objections.

ZONING REVIEW – There was a concern about whether or not this qualified as an “existing utility pole” because the pole was being replaced. The Zoning Administrator found this did qualify as an “existing utility pole”.

ENGINEERING REVIEW – Engineering has no objections.

TRANSPORTATION REVIEW – Transportation has no objections.

FIRE CODE REVIEW – Fire has no objections.

POLICE REVIEW – no comments received.

ATTACHMENT G: MOTIONS

Potential Motions

Based on the findings listed in the staff report, it is the Planning Staff's opinion that the project adequately meets the applicable standards for a conditional use and therefore recommends the Planning Commission approve the application as proposed.

Consistent with Staff Recommendation: The motion recommended by the Planning Division is located on the cover page of this staff report. The recommendation is based on the above analysis.

Not Consistent with Staff Recommendation: Based on the information in this staff report, public testimony, and discussion by the Planning Commission, I move that the Planning Commission deny application PLNPCM2014-00478, for wireless antennas on an existing utility pole located at approximately 1226 South 1100 East.

The Planning Commission shall make findings on the following conditional use standards and specifically state which standard or standards are being complied with.

1. The use complies with applicable provisions of this title;
2. The use is compatible, or with conditions of approval can be made compatible, with surrounding uses;
3. The use is consistent with applicable adopted city planning policies, documents, and master plans; and
4. The anticipated detrimental effects of a proposed use can be mitigated by the imposition of reasonable conditions (refer to Detrimental Impacts Chart for details).

And the following additional conditional use requirement for antennas:

- a. Compatibility of the proposed structure with the height and mass of existing buildings and utility structures;
- 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;
- c. The location of the antenna in relation to existing vegetation, topography and buildings to obtain the best visual screening;
- d. Whether the spacing between monopoles and lattice towers creates detrimental impacts to adjoining properties.