ITEM 3  Request of Rocky Schutjer, representing T-Mobile, for the location of a new antenna array on an existing telecommunications monopole located at approximately 564, 566, & 576 N 2050 West in the A1.1 Zone. **Lakeview South Neighborhood** 14-0013CUP

| Applicant: T-Mobile - Rocky Schutjer | Current Legal Use: Communications (Use #4700) is listed as a Conditional Use within the A1.1 zone. |
| Staff Coordinator: Brian Maxfield | Relevant History: No Conditional Use Permit for the existing tower has been found. |
| Property Owner: Provo City | Neighborhood Issues: No information from the neighborhood has been received. |
| Parcel ID#: 21-013-0010 | Summary of Key Issues: Because of the tower’s location, no issues have been identified. |
| Current Zone: A1.1 | Staff Recommendation: Approve the requested Conditional Use Permit, with conditions. |
| General Plan Designation: R | |
| Acreage: 1.56 | |
| Number of Properties: 1 | |
| Council Action Required: No | |

Alternative Actions:
1. **Continue** to a future date to obtain additional information or to further consider information presented. *The next available meeting date is July 16, 2014, 5:00 P.M.*

2. **Deny** the requested Conditional Use Permit. *This action would be inconsistent with the recommendations of the Staff Report.*

OVERVIEW

T-Mobile is requesting the location of a second antenna array on an existing cell tower located at approximately 576 N 2050 West, in the A1.1 Zone. The cell tower is actually at the 566 N address, while other equipment associated with the site is located at the 564 and 576 N addresses.
Although a monopole cell tower is a Conditional Use within the A1.1 Zone, staff has not discovered any previous Conditional Use Permit issued for the exiting monopole and antenna array.

**PLANNING REVIEW**

1. **Compliance with 14.02.040**
   
   The ordinance, in part, is as follows:
   
   (1) The Planning Commission may, subject to the procedures and standards set forth in this Chapter, grant, conditionally grant, or deny an application for a Conditional Use Permit for uses allowed by the chapter for the applicable zone. The purpose of a Conditional Use Permit is to allow proper integration of uses into the community which may only be suitable in specific locations and may have potentially detrimental characteristics if not properly designed, located, and conditioned.

   (2) The following standards shall apply to any request for a Conditional Use Permit:
   
   (a) A proposed conditional use shall be granted unless the subject use will be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity.
   
   (b) A proposed conditional use shall be detrimental to the health, safety, or general welfare of persons residing in the vicinity or injurious to property in the vicinity:

   (i) if the proposed use will cause unreasonable risks to the safety of persons or property because of vehicular traffic or parking, large gatherings of people, or other causes;

   (ii) if the proposed use will unreasonably interfere with the lawful use of surrounding property;

   (iii) if the proposed use will create a need for essential municipal services which cannot be reasonably met;

   (iv) if the proposed use will in any other way be detrimental to the health, safety or general welfare of persons residing in the vicinity or injurious to property in the vicinity.

   (c) A change in the market value of real estate shall not be a basis for the denial of a proposed conditional use.

   (d) If a part of a proposed conditional use is found to be contrary to the standards described in this section, the applicant may propose or consent to curative measures which will make the proposed use not contrary to the standards described in this section.

2. Project Plan Approval
3. Design Review
4. Landscaping
5. Trash Container Enclosure
6. Fencing
7. Parking
8. Signage
9. Transitional Development Standards
10. Design Corridor
11. Other Concerns

CONCLUSIONS
The subject monopole is located between the I-15 Freeway and an existing power substation. It should have no impact on surrounding properties. To date, no concerns have been filed regarding the existing monopole, nor the proposed additional antenna array.

As per Section 14.34.420(6)(ii) of the Zoning Ordinance, ‘All monopole structures shall be designed by a state-certified engineer to allow co-location of antennas owned by as many as three (3) separate uses on a single pole. The Conditional Use Permit should allow for a total of three antenna arrays to be located on the monopole, as well as associated equipment to be located on the site without further requirements. Additionally, maintenance and replacement of existing equipment is allowed with this Conditional Use Permit.

RECOMMENDATION
Staff recommends the Administrative Hearing Officer approve the Conditional Use Permit for the Cell Tower located at 576 N 2050 West, with an allowance for a total of three antenna arrays to be located on the structure, along with associated equipment.

CONDITIONS OF APPROVAL
1. Obtain all building permits as necessary
View of Cell Tower at 566 N and equipment at 576 N 2050 West (Geneva Road)
View of 566 N. 2050 West monopole from freeway