



PLANNING COMMISSION AGENDA

Thursday, December 18, 2025, 6:30 PM
1020 East Pioneer Road
Draper, UT 84020
Council Chambers

6:30 PM BUSINESS MEETING

1. Items for Commission Consideration

1.a Public Hearing: The Break Subdivision Plat Amendment (Administrative Item)

On the request of Gary Knapp, representing LM Restaurant Group LC, a Subdivision Plat Amendment located on 1.02 acres of property located at approximately 12240 S. 700 E. and 12258 S. 700 E., Known as application 2025-0174-SUB, Staff Contact: Nick Whittaker, nick.whittaker@draperutah.gov, 801-576-6522.

1.b Public Hearing: T-Mobile Steep Mountain Park Amended Conditional Use Permit Request (Administrative Item)

On the behalf of Declan Murphy, representing Coal Creek Consulting and T-Mobile a Conditional Use Permit to amend details and conditions for a previously approved Wireless Telecommunications Facility on approximately 9.51 acres at approximately 351 E. Steep Mountain Dr. Known as application 2025-0275-USE, Staff Contact: Todd Draper, todd.draper@draperutah.gov, (801) 576-6335.

2. Other Business

Coordination between City Staff and Planning Commission (as needed).

3. Adjournment

I, the City Recorder of Draper City, certify that copies of this agenda for the **Draper Planning Commission** meeting to be held **December 18, 2025**, were posted at Draper City Hall, Draper City website www.draperutah.gov, and the Utah Public Notice website at www.utah.gov/pmn.



Nicole Smedley, CMC, City Recorder
Draper City, State of Utah

In compliance with the Americans with Disabilities Act, any individuals needing special accommodations or services during this meeting shall notify Nicole Smedley, City Recorder at (801) 576-6502 or nicole.smedley@draperutah.gov, at least 24 hours prior to the meeting.

MEMO



To: Planning Commission
From: Nick Whittaker, MCMP
Date: 2025-12-18
Re: Public Hearing: The Break Subdivision Plat Amendment (Administrative Item)

Comments:

This application is a request for approval of a Subdivision Plat Amendment for approximately 1.02 acres located on the west side of 700 E. at approximately 12240 S. 700 E. and 12258 S. 700 E. The property is currently zoned CC (Community Commercial). The applicant is requesting that a Subdivision Plat Amendment be approved to consolidate two properties located within the Draperville Plat.

Findings for approval:

1. There is good cause for the amendment, and no public street or municipal utility easement will be vacated or amended.

Findings for denial:

1. Good cause does not exist for the amendment.

ATTACHMENTS:

[The break Amended Plat staff Report.pdf](#)



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

December 8, 2025

To: Draper City Planning Commission
Business Date: December 18, 2025

From: Development Review Committee

Prepared By: Nick Whittaker, MCMP, Planner II
Planning Division
Community Development Department
801-576-6522, nick.whittaker@draperutah.gov

Re: The Break – Subdivision Plat Amendment Request

Application No.: 2025-0174-SUB
Applicant: Gary Knapp, representing LM Restaurant Group LC
Project Location: 12240 S. 700 E. and 12258 S. 700 E.
Current Zoning: CC (Community Commercial)
Acreage: 1.02 Acres (Approximately 44,431 ft²)
Request: Request for approval of a Subdivision Plat Amendment to consolidate two properties located within the Draperville Plat.

BACKGROUND AND SUMMARY

This application is a request for approval of a Subdivision Plat Amendment for approximately 1.02 acres located on the west side of 700 E. at approximately 12240 S. 700 E. and 12258 S. 700 E. (Exhibit B & C). The property is currently zoned CC (Exhibit E). The applicant is requesting that a Subdivision Plat Amendment be approved to consolidate two properties located within the Draperville Plat.

The subject property at 12240 S. 700 E. is a portion of Lot 7 of Block 17 within the Draperville Plat contained a single-family home that was built in 1951. The subject property at 12258 S. 700 E. is Lot 8 of Block 17 within the Draperville Plat. The property contained a commercial structure which was built in 1987. Both structures have been demolished.

ANALYSIS

General Plan and Zoning.

| Table 1 | | General Plan and Zoning Designations | Exhibit |
|-------------------|--|--------------------------------------|-----------|
| Existing Land Use | | Neighborhood Commercial | Exhibit D |
| Current Zoning | | CC | Exhibit E |
| Adjacent Zoning | | | |
| East | | CN (Neighborhood Commercial) | |
| West | | OR (Office Residential) | |
| North | | RA1 | |
| South | | CC | |

The Neighborhood Commercial land use designation is characterized as follows:

Neighborhood Commercial

| LAND USE DESCRIPTION | |
|--------------------------|--|
| CHARACTERISTICS | <ul style="list-style-type: none"> Small-scale commercial land uses that serve local residents in adjacent neighborhoods Minimal impact in predominantly residential areas Well-landscaped street frontages Limited traffic access points and pedestrian access from surrounding residential areas Don't overcrowd commercial lots; i.e., require adequate setback and landscape buffers Screened parking and adequate ingress and egress to parking areas Adequate drainage Low noise standards |
| LAND USE MIX | <ul style="list-style-type: none"> Small-scale commercial Planned retail Office |
| COMPATIBLE ZONING | <ul style="list-style-type: none"> Neighborhood Commercial (CN) Institutional Care (IC) Commercial Services (CS) |
| LOCATION | <ul style="list-style-type: none"> Adjacent to neighborhood Along local roads |

According to Draper City Municipal Code (DCMC) Section 9-8-020(C)(2) the purpose of the CC zone is to *"provide areas where commercial uses may be established which are generally oriented toward local residents rather than out of town patrons. Uses typical of this zone include planned retail and office development."*

Subdivision Plat. The applicant is requesting to consolidate portions of Lot 7 (12240 S. 700 E.) and Lot 8 (12258 S. 700 E.) of Block 17 within the Draperville Plat (Exhibit F). Lot 7, is 0.52 acres in size and Lot 8, is 0.50 acres in size. The applicants request of consolidating these portions of Lots 7 and 8 into a single lot is illustrated on the proposed amended plat which can be found in Exhibit G of this report. The purpose of the amendment is to create a

single lot which is large enough to accommodate a commercial development.

In addition, a geotechnical study was completed at the subject property. The study was reviewed and determined to be acceptable.

Criteria For Approval. The grounds for review and potential approval of a subdivision plat amendment request are found in Section 17-9-040 of the DCMC. This section depicts the standard of review for such requests as:

The Planning Commission may approve the vacation or amendment of a plat if the Planning Commission finds that there is good cause for the vacation or amendment, and no public street or municipal utility easement has been vacated or amended.

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the Subdivision Plat Amendment submission. Comments from this division, if any, can be found in Exhibit A.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their reviews of the Subdivision Plat Amendment submission. Comments from these divisions, if any, can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the Subdivision Plat Amendment submission. Comments from this division, if any, can be found in Exhibit A.

Fire Division Review. The Draper City Fire Marshal has completed his review of the Subdivision Plat Amendment submission. Comments from this division, if any, can be found in Exhibit A.

GIS Division Review. The Draper GIS Division has completed their review of the Subdivision Plat Amendment submission. Comments from this division, if any, can be found in Exhibit A.

Geotechnical and Geologic Hazards Review. Taylor Geo-Engineering, LLC and Simon Associates LLC., in working with the Draper City Building and Engineering Divisions, have completed their reviews of the geotechnical and geologic hazards report. Comments from Taylor Geo-Engineering, LLC, if any, can be found in Exhibit A.

Noticing. Notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the request based on the findings and the criteria for approval, or denial as listed within the staff report. The Planning Commission should also review the request and hear from the applicant prior to making a decision.

If the Planning Commission decides to approve the request, staff notes the applicant is required to comply with the following requirements pertaining to the plat and development of the subdivision:

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That all requirements of the geotechnical report are satisfied throughout the development of the site and the construction of all buildings on the site.
3. That the Final Plat must include the surveyors stamp with all watermarks removed and signature boxes updated to reflect the current entity names and titles of the required signatories.
4. The proposed plat must be updated to reflect the current month and year prior to being printed to Mylar and obtaining the necessary signatures prior to recordation of the Amended Subdivision Plat.
5. The buildings and site improvements be removed from the plat on the printed mylar.
6. The printed mylar shall have a note addressing the installation of street trees.
7. If the subdivision plat amendment is not recorded within one (1) year from the date of approval or construction of the required landscaping and infrastructure has not commenced, such approval shall be null and void. This time period may be extended by the Planning Commission for up to one additional six (6) month period for good cause shown. The subdivider must petition in writing for an extension prior to the expiration of the original one (1) year. See DCMC Section 17-9-070.

MODEL MOTIONS AND FINDINGS

Sample Motion for Approval – I move that we approve the Subdivision Plat Amendment, as requested by Gary Knapp, representing LM Restaurant Group LC, application 2025-0174-SUB, based on the following findings for approval as listed in the Staff Report dated December 8, 2025.

Findings for approval:

1. There is good cause for the amendment, and no public street or municipal utility easement will be vacated or amended.

Sample Motion for Denial – I move that we deny the Subdivision Plat Amendment, as requested by Gary Knapp, representing LM Restaurant Group LC, application 2025-0174-SUB, based on the following findings for denial as listed in the Staff Report dated December 8, 2025.

Findings for denial:

1. Good cause does not exist for the amendment.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.

Brien Maxfield

Digital signature of Brien Maxfield
DN: C=US,
E=brien.maxfield@draperutah.gov,
O=Draper, OU=Public Works -
Engineering, CN=Brien Maxfield
Date: 2025.12.11 13:14:29-07'00'

Draper City Public Works Department

Don Buckley

Digital signature of Don Buckley
DN: C=US, E=don.buckley@draper.ut.us,
O=Draper City Fire Department, OU=Fire
Marshal, CN=Don Buckley
Date: 2025.12.11 16:30:34-07'00'

Draper City Fire Department

Matthew Symes

Digital signature of Matthew Symes
DN: C=US, E=matt.symes@draperutah.gov,
O=Draper City Corp., CN=Matthew Symes
Date: 2025.12.11 14:50:01-07'00'

Draper City Building Division

Todd Draper

Digital signature of Todd Draper
DN: C=US,
E=todd.draper@draperutah.gov,
O=Draper City Community
Development Department,
OU=Planning and Zoning,
CN=Todd Draper
Date: 2025.12.15 14:36:31-07'00'

Draper City Planning Division



Draper City Legal Counsel

EXHIBIT A

DEPARTMENT REVIEWS

REVIEWS ARE NOT MEANT TO BE AN ALL INCLUSIVE LIST OF POSSIBLE COMMENTS OR CONDITIONS.

Planning Division Review.

1. No additional comments.

Engineering and Public Works Divisions Review.

1. No additional comments.

Building Division Review.

1. No additional comments.

Fire Division Review.

1. No additional comments.

GIS Division Review.

1. No additional comments.

Geotechnical and Geologic Hazards Review.

1. All organics, topsoil, asphalt, existing fill and other deleterious material should be removed from below proposed building and pavement areas.
2. Footings should be supported on undisturbed natural soil or on compacted structural fill extending to undisturbed natural soil.
3. Footings for the structures may be designed using an allowable bearing capacity of 2,000 PSF if supported on undisturbed natural soil and 3,500 PSF if supported on at least 2 feet of compacted structural fill extending to undisturbed natural soil.
4. Footings should have a minimum width of 24 inches.
5. Footings susceptible to frost should be located a minimum depth of 30 inches. Footings not susceptible to frost should have a minimum embedment of 12 inches.
6. Basement construction is not anticipated; however, if basements are incorporated in the design the structure, foundation walls should be designed using an equivalent fluid pressure of 65 PCF and provided with a perimeter foundation drainage system.

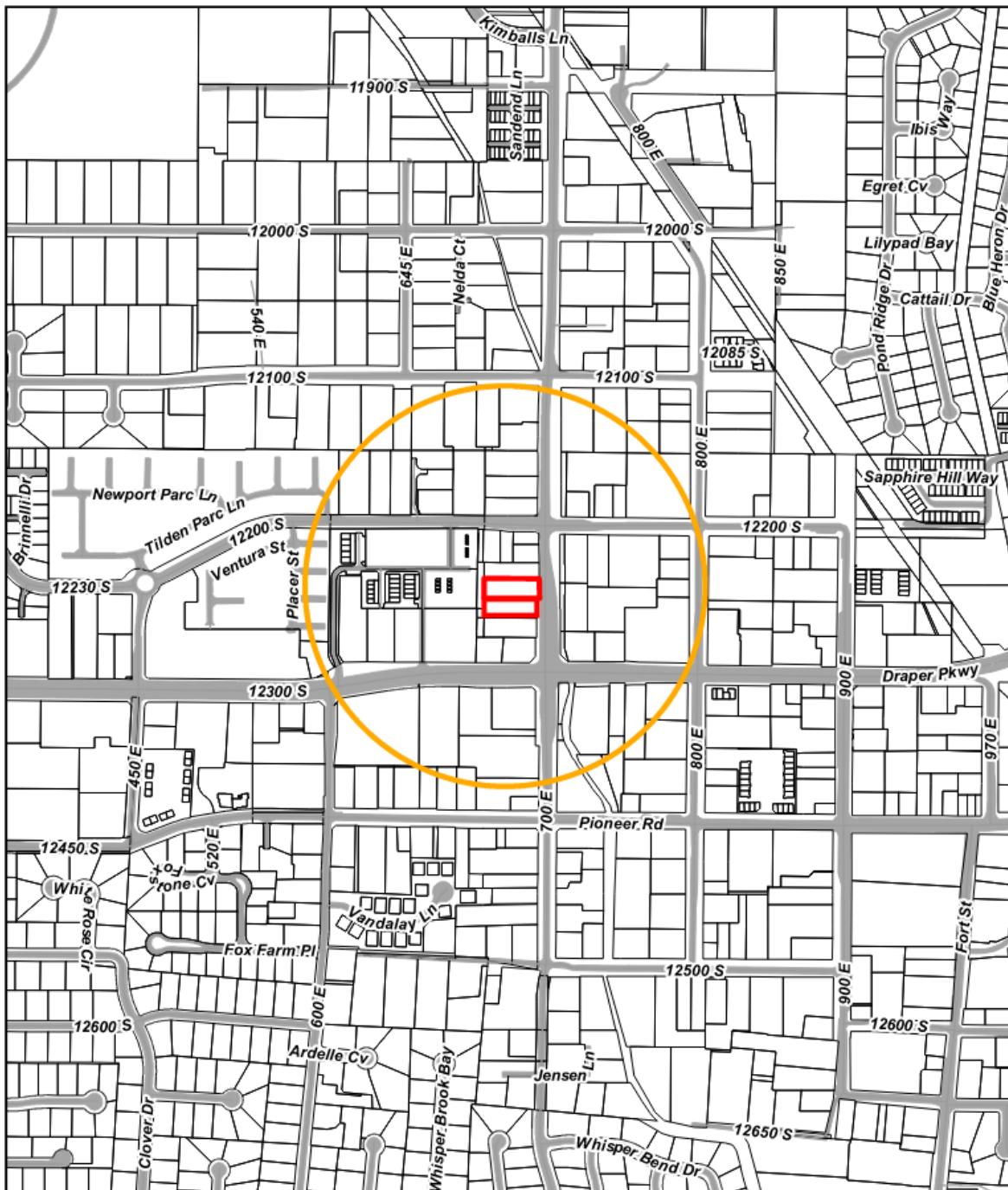
7. Seismic analysis of the proposed structure at the site should be based on the following spectral response design accelerations:

- a. 0.2 sec (short period) SDS = 0.97g, and;
- b. 1.0 sec (long period) SD1 = 0.63g.

The spectral response acceleration values were factored using Site Class = D.

8. No special cement type is required for concrete placed in contact with natural soil.
9. Prior to the placement of concrete for footings, a letter from the geotechnical engineer should be obtained that indicates subgrade for footing and floor slab support was prepared in accordance with the geotechnical report and ready for the placement of concrete.
10. Floor slabs may be supported on undisturbed natural soil or compacted structural fill extending to undisturbed natural soils.
11. Floor slabs should be underlain by at least 4-inches of free draining gravel.
12. Gutters should be discharged beyond the limits of backfill.
13. Surface drainage should slope away from the structure in all directions with a 5 percent grade for the first 10 feet.
14. All import materials should be approved by the Geotechnical Engineer.
15. All compaction for interior and exterior backfills adjacent to the building should be verified by the geotechnical engineer.

EXHIBIT B
VICINITY MAP



The Break Plat Amendment Request
12240 S. 700 E & 12258 S. 700 E.



Date Printed: 10/22/2024

0 385 770 1,540
Feet



EXHIBIT C
AERIAL MAP

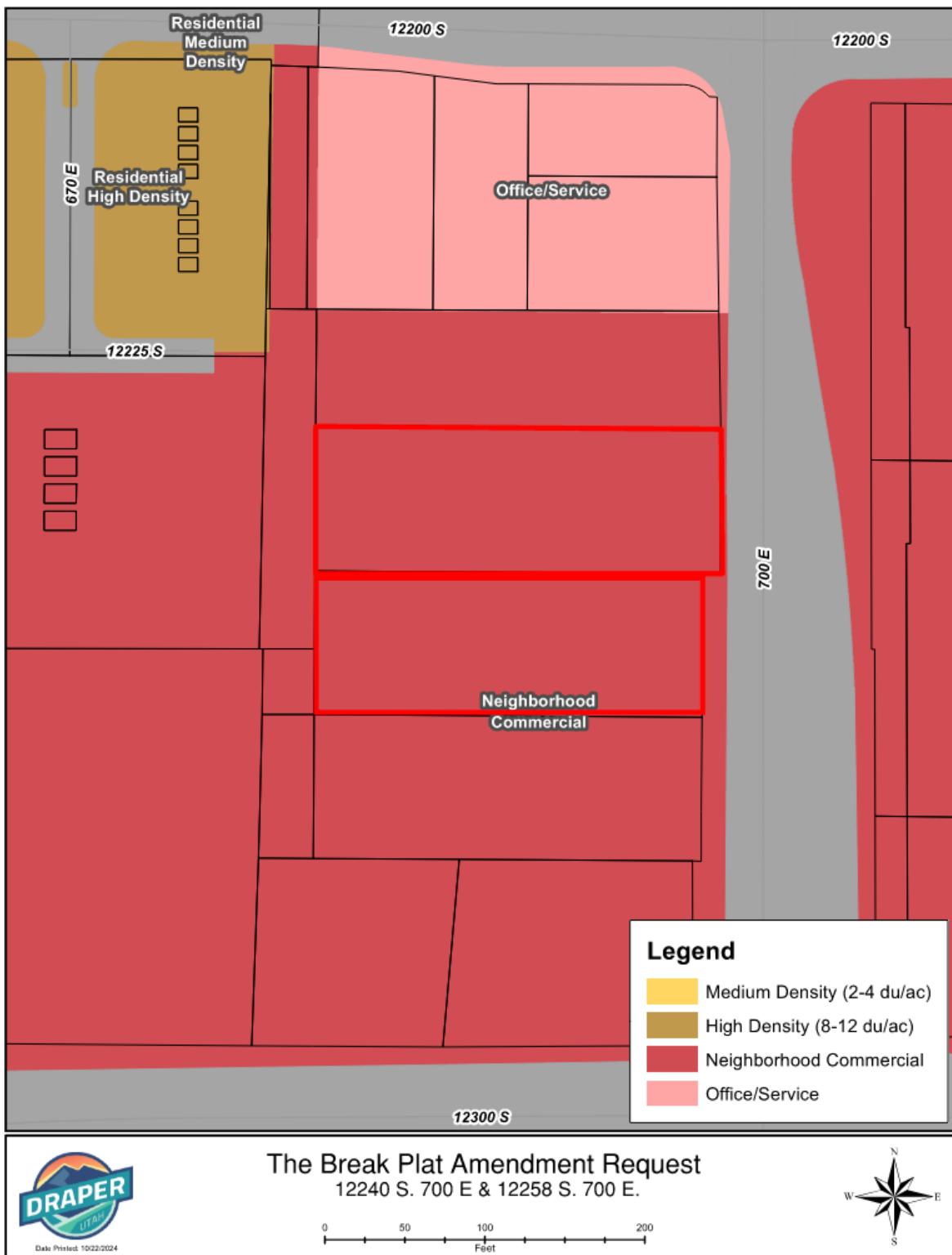


The Break Plat Amendment Request
12240 S. 700 E & 12258 S. 700 E.

0 50 100 200
Feet

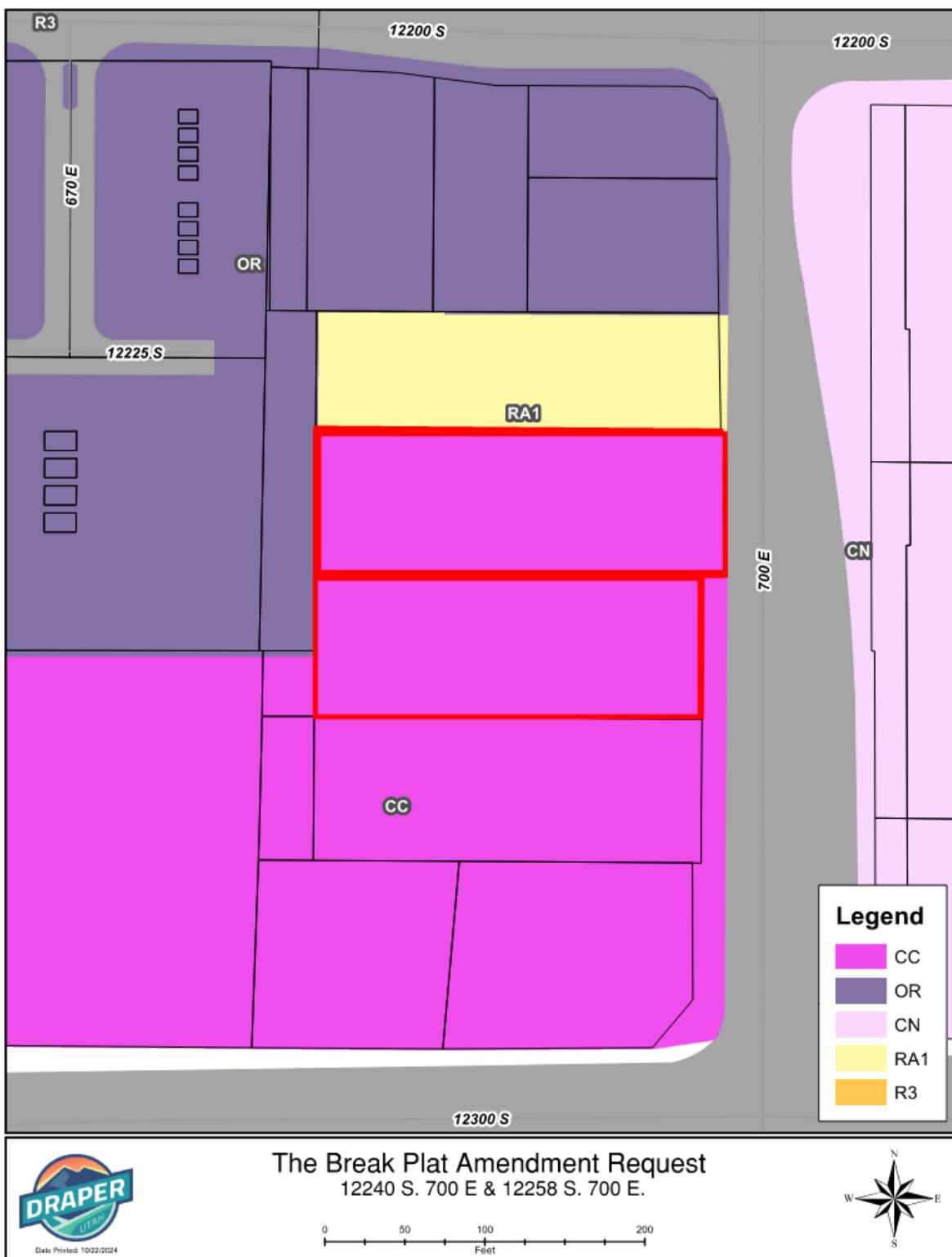


EXHIBIT D LAND USE MAP



Date Printed: 10/22/2024

EXHIBIT E
ZONING MAP

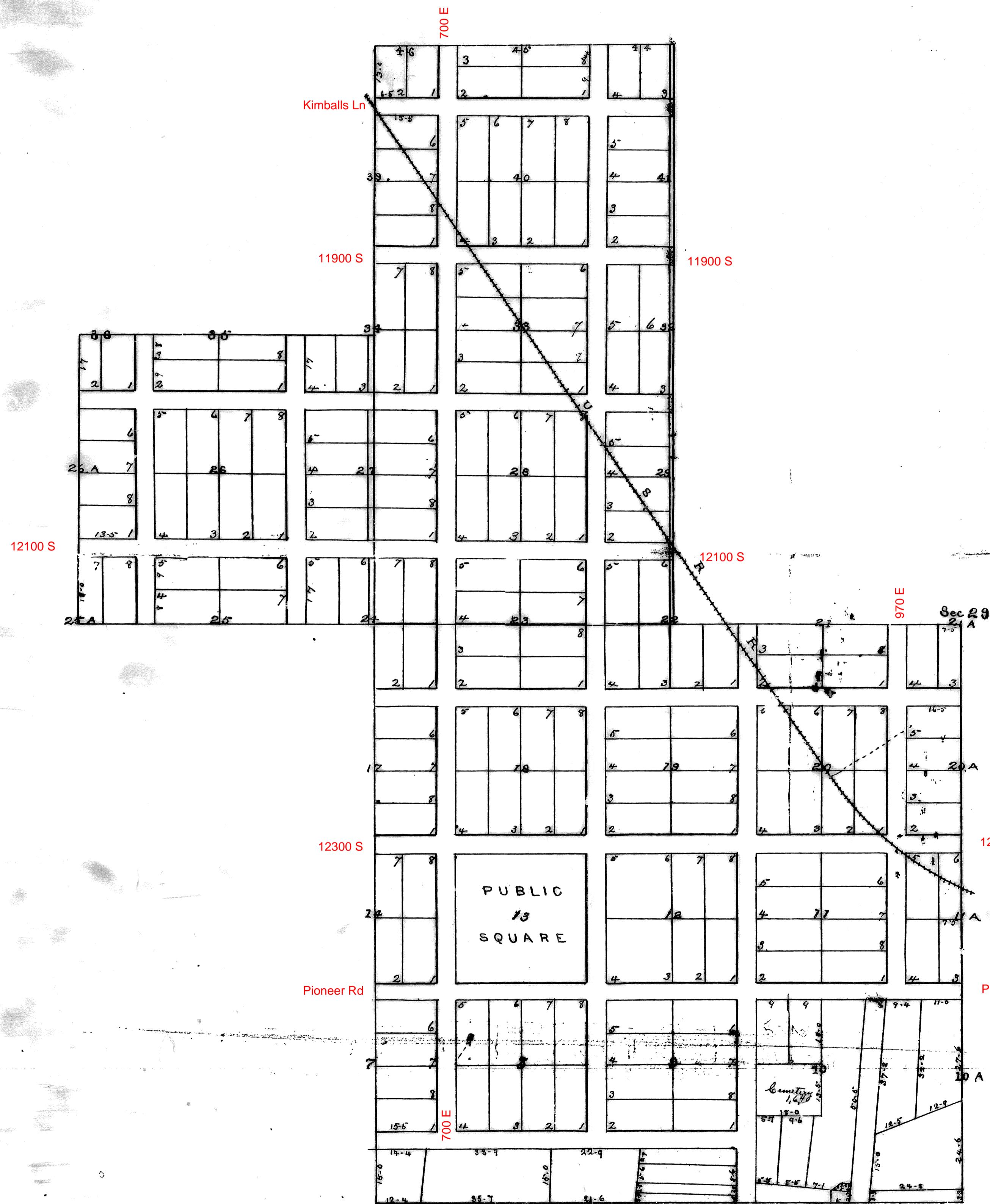


Date Printed: 10/22/2024

EXHIBIT F
EXISTING SUBDIVISION PLAT

OR
DRAPERVILLE
T 3 S - R. 1. E.

17-637



Scale 20

A-69

RECORDED NOTE: THE ORIGINAL RECORDED VERSION OF THIS PLAN IS STORED IN THE CLOSET LOCATED IN VAULT IN SALT B7.

EXHIBIT G
PROPOSED SUBDIVISION PLAT AMENDMENT

MEMO



To: Planning Commission

From: Todd A. Draper, AICP

Date: 2025-12-18

Re: Public Hearing: T-Mobile Steep Mountain Park Amended Conditional Use Permit Request (Administrative Item)

Comments:

This application is a request for approval of a Conditional Use Permit for approximately 9.51 acres located within Steep Mountain Park, east of Red Leaf Dr., west of Parowan Way, and north of Steep Mountain Dr. at approximately 351 E. Steep Mountain Dr. The property is currently zoned OS (Open Space/Parks). The applicant is requesting that amendments to the details and conditions of approval for the wireless telecommunications facility installation be approved to allow for changes to the stealth concealment type for the existing wireless telecommunications installation for T-Mobile.

Findings for Approval:

1. The proposed use is in harmony and compliance with the objectives and requirements of the city's general plan.
2. Reasonable conditions have been imposed that substantially mitigate the reasonably anticipated detrimental effects of the proposed use.
3. The proposed height of the installation is compatible with the height and mass of existing buildings and utility structures.
4. The antenna location in relation to existing vegetation, topography and buildings provides adequate visual screening.
5. The specific property is suitable for the proposed use.
6. There are no identified health, safety, or welfare impacts of the proposal for either the city, the area, or persons owning or leasing property in the area.

Findings for Denial:

1. The proposed use is not in harmony with the objectives and requirements of the city's general plan.
2. Reasonable conditions are not able to be imposed to substantially mitigate the reasonably anticipated detrimental effects of the proposed use.
3. The proposed height of the installation is not compatible with the height and mass of existing buildings and utility structures.
4. The antenna location in relation to existing vegetation, topography and buildings does not provide adequate visual screening.
5. The specific property is not suitable for the proposed use.

6. There are health, safety, or welfare impacts of the proposal for either the city, the area, or persons owning or leasing property in the area.

ATTACHMENTS:

[2025-0275-USE - T-Mobile CUP staff report - final.pdf](#)



Development Review Committee

1020 East Pioneer Road

Draper, UT 84020

December 10, 2025

To: Draper City Planning Commission
Business Date: December 18, 2025

From: Development Review Committee

Prepared By: Todd A. Draper, AICP, Planning Manager
Planning Division
Community Development Department
801-576-6335, todd.draper@draperutah.gov

Re: T-Mobile Steep Mountain Park Amended – Conditional Use Permit Request

Application No.: 2025-0275-USE
Applicant: Declan Murphy, representing Coal Creek Consulting and T-Mobile
Project Location: approximately 351 E. Steep Mountain Dr.
Current Zoning: OS (Open Space/Parks) Zone
Acreage: Approximately 9.51 acres (Approximately 414,256 ft²)
Request: Request for approval of a Conditional Use Permit in the OS zone
regarding amendments to details and conditions of the previous
approval for the wireless telecommunications facility installation.

BACKGROUND AND SUMMARY

This application is a request for approval of a Conditional Use Permit for approximately 9.51 acres located within Steep Mountain Park, east of Red Leaf Dr., west of Parowan Way, and north of Steep Mountain Dr. at approximately 351 E. Steep Mountain Dr. (Exhibit B & C). The property is currently zoned OS. The applicant is requesting that amendments to the details and conditions of approval for the wireless telecommunications facility installation be approved to allow for changes to the stealth concealment type for the existing wireless telecommunications installation for T-Mobile.

The facility was constructed in 2017 and consisted of a structure designed to resemble and function as a light pole with the antennas concealed inside the pole. In 2019 a second carrier (Verizon) was approved to co-locate at a lower elevation on the tower. Minor upgrades to the T-Mobile installation were approved in 2022 under a separate Permitted Use Permit, however that permit expired without the upgrades being implemented.

ANALYSIS

General Plan and Zoning.

| Table 1 | General Plan and Zoning Designations | Exhibit |
|-------------------|--------------------------------------|-----------|
| Existing Land Use | Open Space/Parks | Exhibit D |
| Current Zoning | OS | Exhibit E |
| Proposed Use | Stealth Wireless Facility | |
| Adjacent Zoning | | |
| East | R3 (Single-Family Residential) | |
| West | R3 | |
| North | R3 | |
| South | R3 | |

The Open Space/Parks land use designation is characterized as follows:

Open Space and Parks

| LAND USE DESCRIPTION | |
|--------------------------|---|
| CHARACTERISTICS | <ul style="list-style-type: none">• Applies to natural areas that have the potential to be permanent open space• Efforts should continue to preserve mountainous areas, drainage and riparian areas with attractive indigenous vegetation• Areas designated as permanent natural open space should be placed within a conservation easement |
| LAND USE MIX | <ul style="list-style-type: none">• City's established parks• Public/private golf courses• Greenbelts/linear parks• Large retention areas that have recreational potential• Natural area open space |
| COMPATIBLE ZONING | <ul style="list-style-type: none">• Public Open Space (OS)• Agricultural (A2)• Agricultural (A5) |
| OTHER CRITERIA | <ul style="list-style-type: none">• A variety of methods can be used to preserve these areas, including easements, dedications, and acquisition, some with the potential of having tax relief benefits |

According to Draper City Municipal Code (DCMC) Section 9-8-020 the purpose of the OS zone is to *"recognize on the official zoning map areas which are open and generally undevelopable due to their sensitive environmental nature and/or the unavailability of adequate public facilities, such as conservation areas and national forest land."*

Site Plan Layout. The site plan drawings are included as Exhibit F. The existing pole is located towards the southern end of the park and adjacent to an outdoor basketball court. The existing equipment building is located nearby as an addition to the restroom facilities at the park. No changes to the general site layout are being proposed. The existing

monopole is 40 feet tall and the existing antennas are located inside a canister. The co-location carrier located lower on the pole is not located inside a canister and but was required to paint their antennas black to match the pole as allowed under the standards for stealth design.

The elevation drawings (Exhibit G) show the proposed changes to the T-Mobile installation. The existing antennas and the canister enclosure would be removed from the top of the pole and a new compact antenna array and new antennas would be installed at the top of the pole. The new array and antennas would not be located inside of an enclosure. The new installation would increase the overall height of the pole by ten feet (10') and the total overall height by two feet (2') to forty-two feet (42'). As this change represents a change to the approved construction and conditions of the original approval for the change to the proposed concealment type, a new review and approval by the City is necessary. Additionally, as the proposed change has been determined to have a visual impact, a conditional use permit is required under DCMC subsection 9-41-050(B)(2).

The applicant has proposed to paint the antennas but did not provide specific details as to the color they would be painted (Exhibit H). Color schemes that make an antenna less noticeable are included in DCMC subsection 9-41-050(B)(1)(c) as a potential method for making an antenna design stealth. As no reference to painting or paint color is included on the schematic plans provided to staff (Exhibits F and G) a condition requiring a paint color that matches the color of the pole has been included in the recommended conditions section of this report. Painting the antenna to match with the pole color will help to mitigate the additional visual impacts created by the additional height and removal of the canister that currently screens the antennas from view.

The applicant's responses and statements regarding the proposed changes to the installation and Conditional Use Permit criteria can be found in Exhibit H.

Landscaping. No changes to the existing landscaping are proposed.

Lighting. No changes to the existing approved lighting are proposed.

Fencing. There was no fencing associated with the original approval and no changes to any existing fencing on site are proposed.

Previous Conditions of Approval. The following conditions of approval for the Wireless Telecommunications Facility were imposed with the approval from October 6, 2015:

1. That an electrical permit is needed for the tower.
2. That a building permit is needed for the restroom expansion.

The following condition of approval was included with the approval dated February 22,

2022:

1. The applicant shall obtain all applicable permits from Draper City Fire, the Engineering Division, and the Building Division for this installation.

Criteria For Approval

The criteria for review and potential approval of a conditional use permit request are found in Section 9-5-080(E) of the DCMC. This section depicts the standard of review for such requests as:

E. Approval Standards: The standards of this subsection shall apply to the issuance of a conditional use permit:

1. *A conditional use permit may be issued for a use to be located within a zone where the particular conditional use is allowed by the use regulations of the zone.*
2. *Reasonable conditions may be imposed as necessary to substantially mitigate reasonably anticipated detrimental effects of the proposed use. These conditions may include conditions concerning use, construction, character, location, landscaping, screening, parking, hours of operation, and other matters relating to the purposes and objectives of this section. Such conditions shall be expressly set forth in the motion authorizing the conditional use permit.*
3. *If the reasonably anticipated detrimental effects of a proposed conditional use cannot be substantially mitigated by the imposition of reasonable conditions to achieve compliance with applicable standards, the conditional use may be denied.*
4. *The following factors shall be reviewed and considered in determining whether a conditional use permit application should be approved, approved with conditions, or denied because reasonable conditions cannot be imposed to achieve compliance with applicable standards:*
 - a. *The harmony and compliance of the proposed use with the objectives and requirements of the city's general plan and this title;*
 - b. *The suitability of the specific property for the proposed use;*
 - c. *Whether the proposed use or facility may be injurious to potential or existing development in the vicinity;*
 - d. *The economic impact of the proposed facility or use on the surrounding area;*
 - e. *The aesthetic impact of the proposed facility or use on the surrounding area;*
 - f. *The safeguards proposed or provided to ensure adequate utilities, transportation access, drainage, parking, loading space, lighting, screening, landscaping, open space, fire protection, and pedestrian and vehicular circulation;*

- g. The safeguards provided or proposed to prevent noxious or offensive emissions such as noise, glare, dust, pollutants and odor from the proposed facility or use; and*
- h. The impact of the proposed facility or use on the health, safety, and welfare of the city, the area, and persons owning or leasing property in the area.*
- 5. The planning commission may request additional information as may be reasonably needed to determine whether the requirements of this subsection E can be met.*

In addition to the criteria found in DCMC Section 9-5-080, additional Conditional Use Permit criteria for review and potential approval of a Wireless Telecommunications Facilities are found in Sections 9-41-060 and 9-41-070 of the DCMC. These sections depict the additional standards of review for such requests as:

9-41-060: CONDITIONAL USE:

A wireless telecommunication facility that does not conform to the development standards of section 9-41-040 of this chapter may be established in any agricultural, residential, commercial, public facilities, or industrial zone subject to the issuance of a conditional use permit pursuant to the requirements of section 9-5-080 of this title and the development standards of section 9-41-070 of this chapter. Each facility shall require a separate conditional use permit.

9-41-070: DEVELOPMENT STANDARDS; CONDITIONAL USE:

The development standards of section 9-41-060 of this chapter shall apply to any wireless telecommunication facility established as a conditional use, except as otherwise modified by this section:

- A. Antennas And Mounting Structures On Or Over Public Rights Of Way: Antennas and mounting structures shall not encroach on or over the public sidewalk or on or over a public right of way, unless:*
 - 1. The facility is approved by conditional use permit on existing structures located in the right of way.*
 - 2. Associated mechanical and electrical equipment is not located in the public right of way.*
 - 3. The facility is virtually hidden from view.*
 - 4. The existing structure is proven structurally sound to support the proposed facility.*
 - 5. The carrier signs an agreement with the city which:*
 - a. Holds the city harmless from any liability claims as a result of the facility;*
 - b. Requires the carrier to provide, prior to permit issuance, proof to the city that the carrier has acquired sufficient liability insurance as may be required by the city; and*
 - c. Names the city as cobeneficiary of the insurance policy.*
- B. Facilities In Historic Districts: Any facility proposed within a historic district or on*

a landmark site as defined by the city, county, state or the federal governments shall be approved by a conditional use permit.

C. *Fencing And Screening Requirements: Specific fencing and screening plans for each facility shall be submitted to the city in conjunction with any conditional use permit application. Higher grade fencing, more aesthetic fence designs, and landscaping may be required for the purposes of visual screening, architectural compatibility, site compatibility, and other impact mitigation.*

D. *Lattice Towers: A lattice tower facility shall be permitted only upon a finding that none of the other facility types set forth in subsection 9-41-020B of this chapter is suitable in light of particular circumstances associated with a location where a facility is required for the proper functioning of a low power radio services network.*

E. *Monopoles:*

1. *Monopoles may be allowed in side yard areas of any lot if approved by conditional use permit.*
2. *The height of an existing monopole located in a commercial zone may be increased if approved by a condition use permit. No monopole with antennas and antenna support structures shall exceed a height of one hundred feet (100').*
3. *A monopole may be located within five hundred (500) linear feet from another monopole if approved by a conditional use permit.*
4. *The maximum height of a monopole with antennas and antenna support structures may be increased if approved by conditional use permit for collocation of a second carrier on an existing monopole. In the event collocation for the second carrier is terminated, the original carrier shall have thirty (30) days, from the date the second carrier files with the FCC the required "notice to abandon" its facility, to reduce the height of the monopole to its originally approved height. The city shall receive a copy of the "notice to abandon" filed with the FCC.*

F. *Nonflush Mounted Wall Antennas: Nonflush mounted wall antennas may extend more than six feet (6') horizontally from the wall surface if approved by a condition use permit.*

G. *Stealth Design Antennas And Monopoles: Stealth design monopoles may be located in residential or agricultural zones if approved by a conditional use permit. Final determination of the acceptability of any such stealth design antenna or monopole shall be made as part of the conditional use permit process.*

H. *Additional Conditional Use Factors: In addition to conditional use standards outlined in subsection 9-5-080E of this title, the following factors shall be considered in evaluating an application for a conditional use permit:*

1. *Compatibility of the proposed structure with the height and mass of existing buildings and utility structures.*
2. *For new sites, whether location of the antenna on other existing structures in*

the same vicinity such as other towers, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc., is possible without significantly impacting antenna transmission or reception.

3. *Antenna location in relation to existing vegetation, topography and buildings to obtain the best visual screening.*
4. *Whether spacing between monopoles creates quantifiable detrimental impacts to adjoining properties.*

REVIEWS

Planning Division Review. The Draper City Planning Division has completed their review of the amended Conditional Use Permit submission. Comments from this division, if any, can be found in Exhibit A.

Engineering and Public Works Divisions Review. The Draper City Engineering and Public Works Divisions have completed their reviews of the amended Conditional Use Permit submission. Comments from these divisions, if any, can be found in Exhibit A.

Building Division Review. The Draper City Building Division has completed their review of the amended Conditional Use Permit submission. Comments from this division, if any, can be found in Exhibit A.

Fire Division Review. The Draper City Fire Marshal has completed his review of the amended Conditional Use Permit submission. Comments from this division, if any, can be found in Exhibit A.

Noticing. Notice has been properly issued in the manner outlined in the City and State Codes.

STAFF RECOMMENDATION

Staff recommends that the Planning Commission review the request, hear from the applicant, receive public comment, and make a decision based on the findings and criteria for approval, or denial, as listed within the staff report.

If the Planning Commission decides to approve the request, staff recommends they include the following conditions of approval:

1. That all requirements of the Draper City Engineering, Public Works, Building, Planning, and Fire Divisions are satisfied throughout the development of the site and the construction of all buildings on the site, including permitting.
2. That the antenna and antenna mounts be painted a color that matches the

existing color of the pole and that the specific details regarding the exact paint color that will be used be provided to staff for review and approval as part of the required building permit application.

3. That after installation is complete, that T-Mobile and the applicant shall be required to re-paint the newly installed components if the color or sheen of the newly installed components does not match the color or sheen of the existing pole, as determined by Planning Staff.

MODEL MOTIONS

Sample Motion for Approval – I move that we approve the Conditional Use Permit amendments, as requested by Declan Murphy, representing Coal Creek Consulting and T-Mobile for the proposed T-Mobile Wireless Telecommunications Facility, application 2025-0275-USE based on the findings and criteria for approval and the conditions listed in the Staff Report dated December 10, 2025.

Findings for Approval:

1. The proposed use is in harmony and compliance with the objectives and requirements of the city's general plan.
2. Reasonable conditions have been imposed that substantially mitigate the reasonably anticipated detrimental effects of the proposed use.
3. The proposed height of the installation is compatible with the height and mass of existing buildings and utility structures.
4. The antenna location in relation to existing vegetation, topography and buildings provides adequate visual screening.
5. The specific property is suitable for the proposed use.
6. There are no identified health, safety, or welfare impacts of the proposal for either the city, the area, or persons owning or leasing property in the area.

Sample Motion for Modified Approval– I move that we approve the Conditional Use Permit amendments, as requested by Declan Murphy, representing Coal Creek Consulting and T-Mobile for the proposed T-Mobile Wireless Telecommunications Facility, application 2025-0275-USE based on the findings and criteria for approval and the conditions listed in the Staff Report dated December 10, 2025, together with the following additional or modified findings or conditions:

1. (List any additional or modified findings or conditions...)

Sample Motion for Denial –I move that we deny the Conditional Use Permit amendments, as requested by Declan Murphy, representing Coal Creek Consulting and T-Mobile for the proposed T-Mobile Wireless Telecommunications Facility, application 2025-0275-USE based on the findings for denial listed in the Staff Report dated December 10, 2025

Findings for Denial:

1. The proposed use is not in harmony with the objectives and requirements of the city's general plan.
2. Reasonable conditions are not able to be imposed to substantially mitigate the reasonably anticipated detrimental effects of the proposed use.
3. The proposed height of the installation is not compatible with the height and mass of existing buildings and utility structures.
4. The antenna location in relation to existing vegetation, topography and buildings does not provide adequate visual screening.
5. The specific property is not suitable for the proposed use.
6. There are health, safety, or welfare impacts of the proposal for either the city, the area, or persons owning or leasing property in the area.

DEVELOPMENT REVIEW COMMITTEE ACKNOWLEDGEMENT

We, the undersigned, as duly appointed members of the Draper City Development Review Committee, do acknowledge that the application which provides the subject for this staff report has been reviewed by the Committee and has been found to be appropriate for review by the Draper City Planning Commission and/or City Council.

Brien Maxfield

Draper City Public Works Department

Digitally signed by Brien Maxfield
DN: C=US,
E=brien.maxfield@draperutah.gov,
O=Draper, OU=Public Works -
Engineering, CN=Brien Maxfield
Date: 2025.12.15 14:07:11-07'00'

Don Buckley

Draper City Fire Department

Digitally signed by Don Buckley
DN: C=US, E=don.buckley@draper.ut.us,
O=Draper City Fire Department, OU=Fire
Marshal, CN=Don Buckley
Date: 2025.12.15 12:54:07-07'00'

Draper City Building Division

Todd Draper

Draper City Planning Division

Digitally signed by Todd Draper
DN: C=US,
E=todd.draper@draperutah.gov,
O=Draper City Community
Development Department,
OU=Planning and Zoning,
CN=Todd Draper
Date: 2025.12.15 12:49:15-07'00'

Draper City Legal Counsel

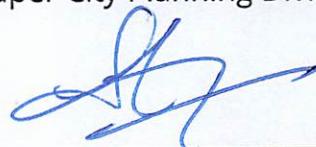


EXHIBIT A DEPARTMENT REVIEWS

REVIEWS ARE NOT MEANT TO BE AN ALL INCLUSIVE LIST OF POSSIBLE COMMENTS OR CONDITIONS.

Planning Division Review.

1. No additional comments.

Engineering and Public Works Divisions Review.

1. CUP does not impact public ROWs, utilities, traffic or drainage.

Building Division Review.

1. No additional comments.

Fire Division Review.

1. No additional comments.

EXHIBIT B
VICINITY MAP

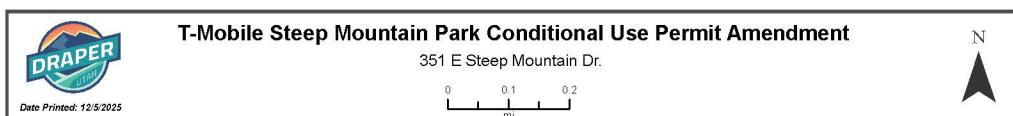
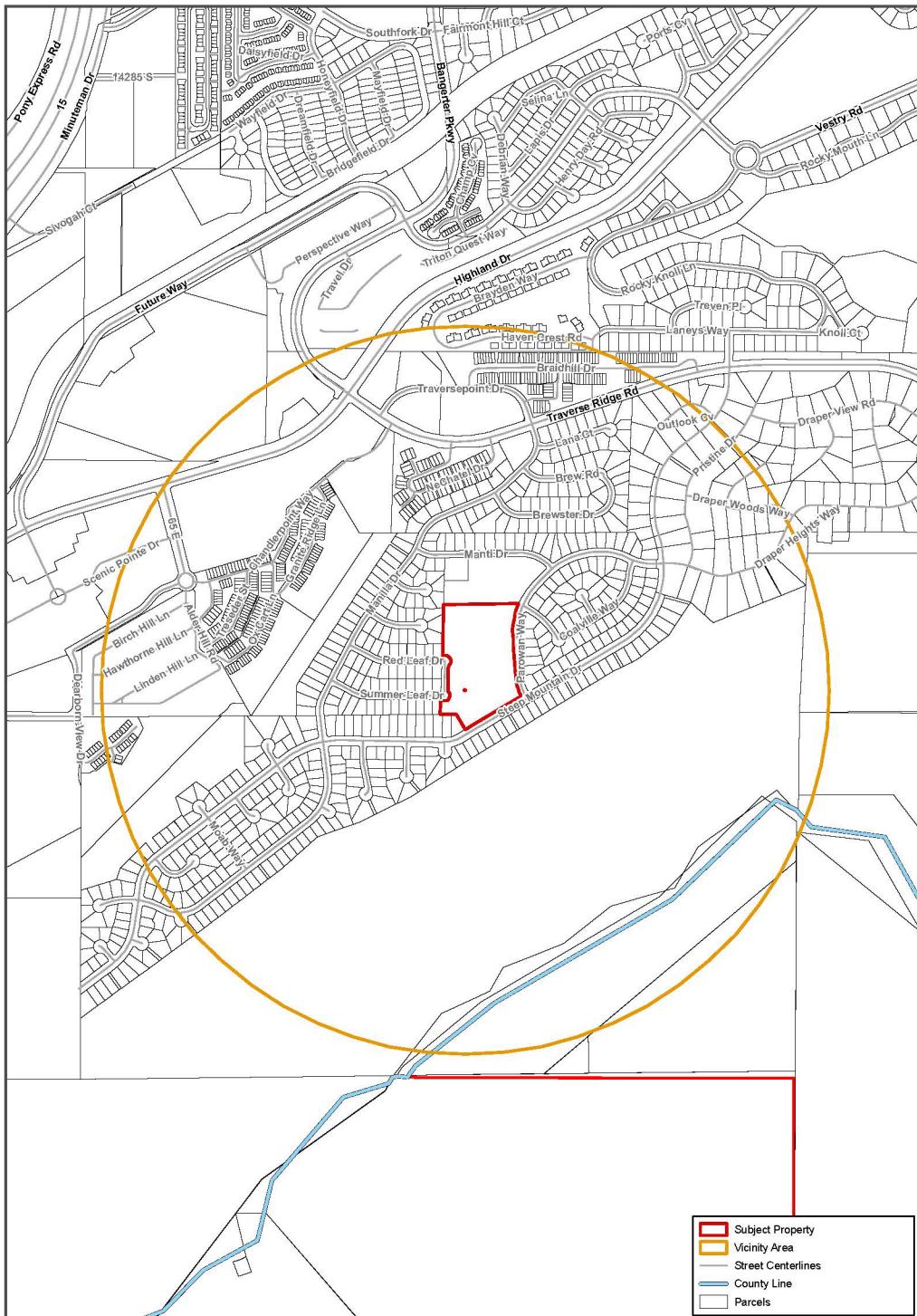


EXHIBIT C
AERIAL MAP

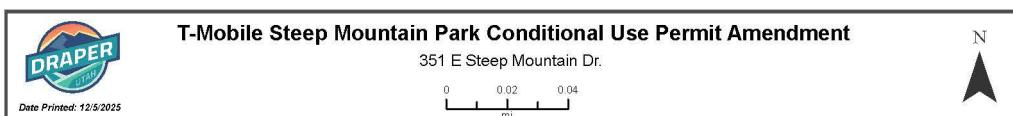


EXHIBIT D LAND USE MAP

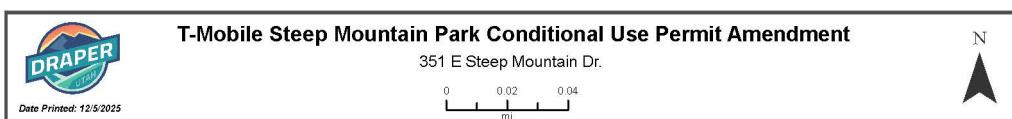
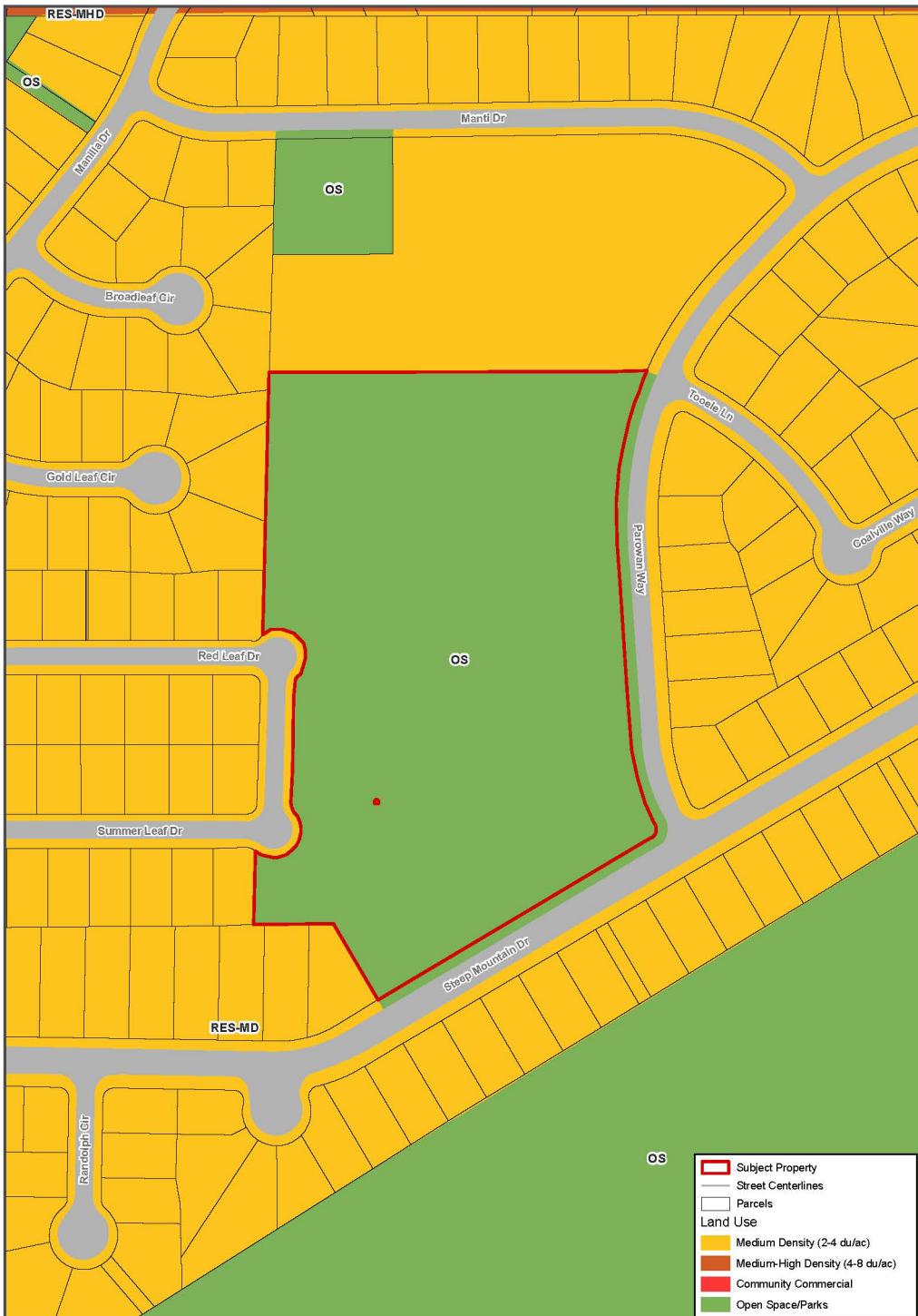


EXHIBIT E ZONING MAP

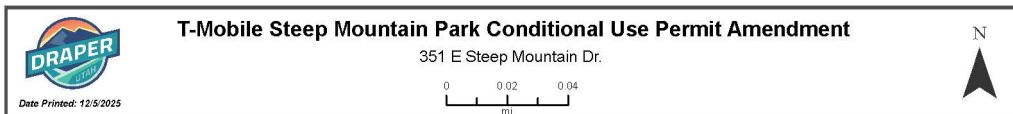
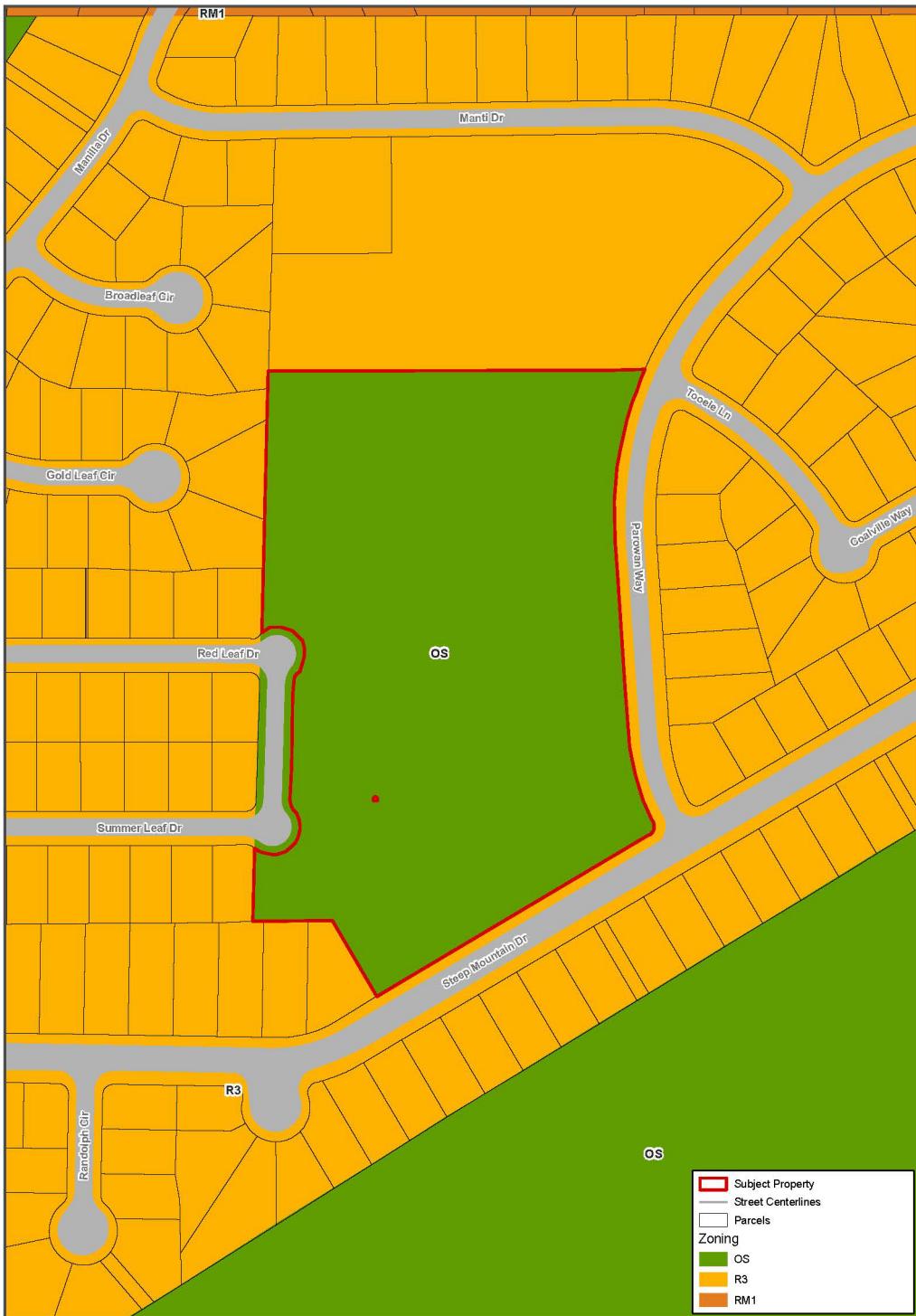
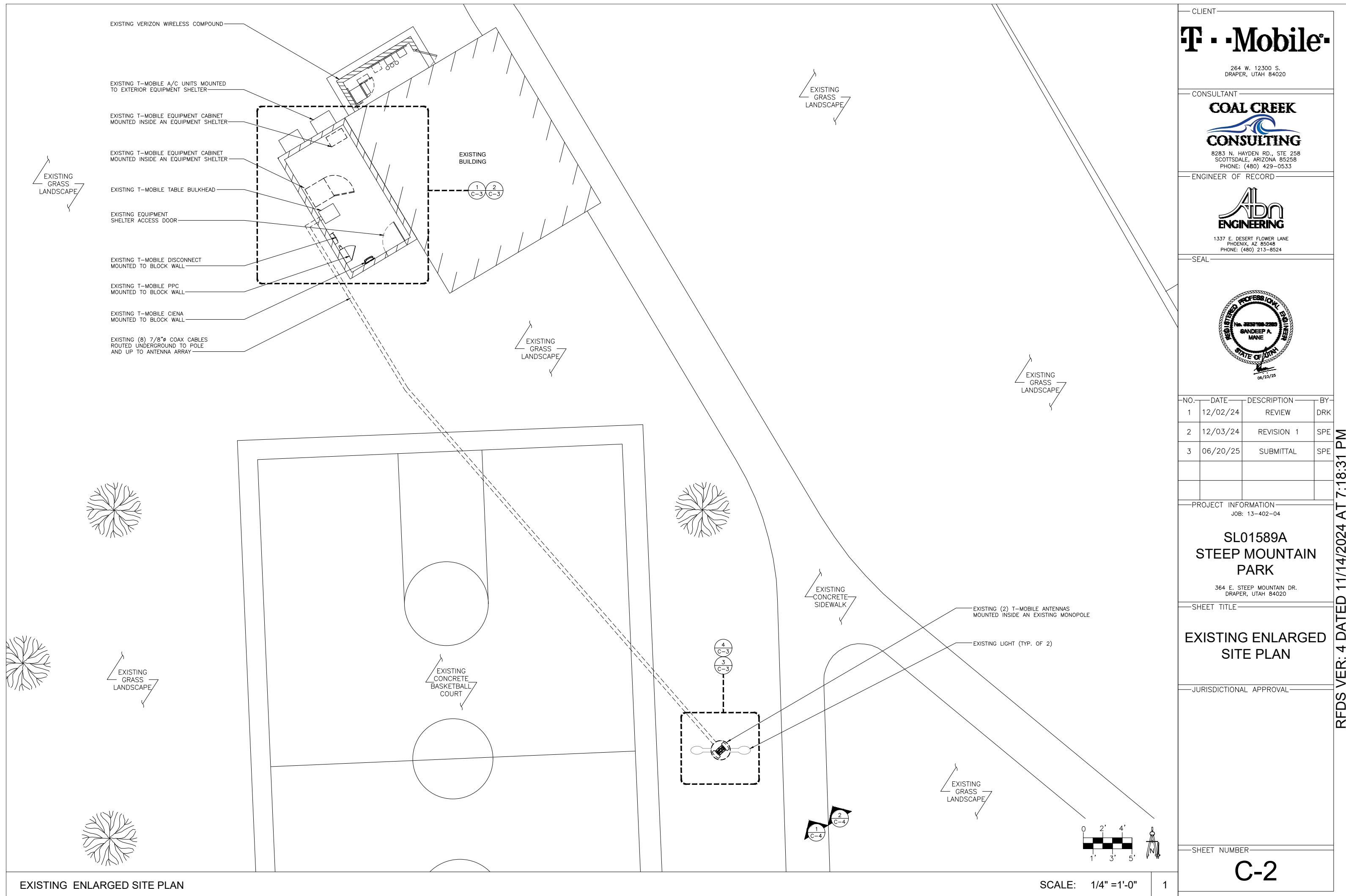


EXHIBIT F
SITE PLANS





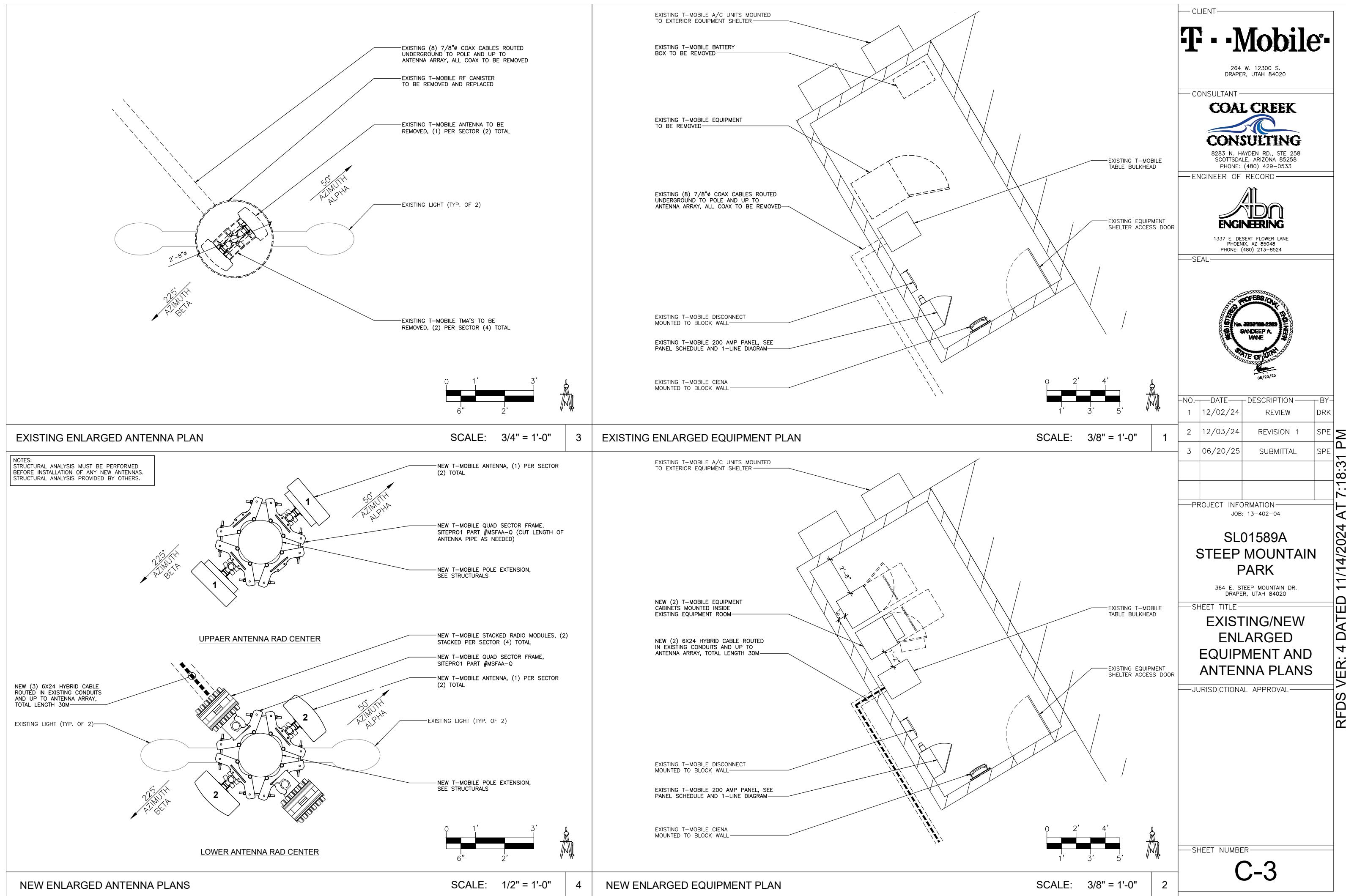


EXHIBIT G
ELEVATIONS

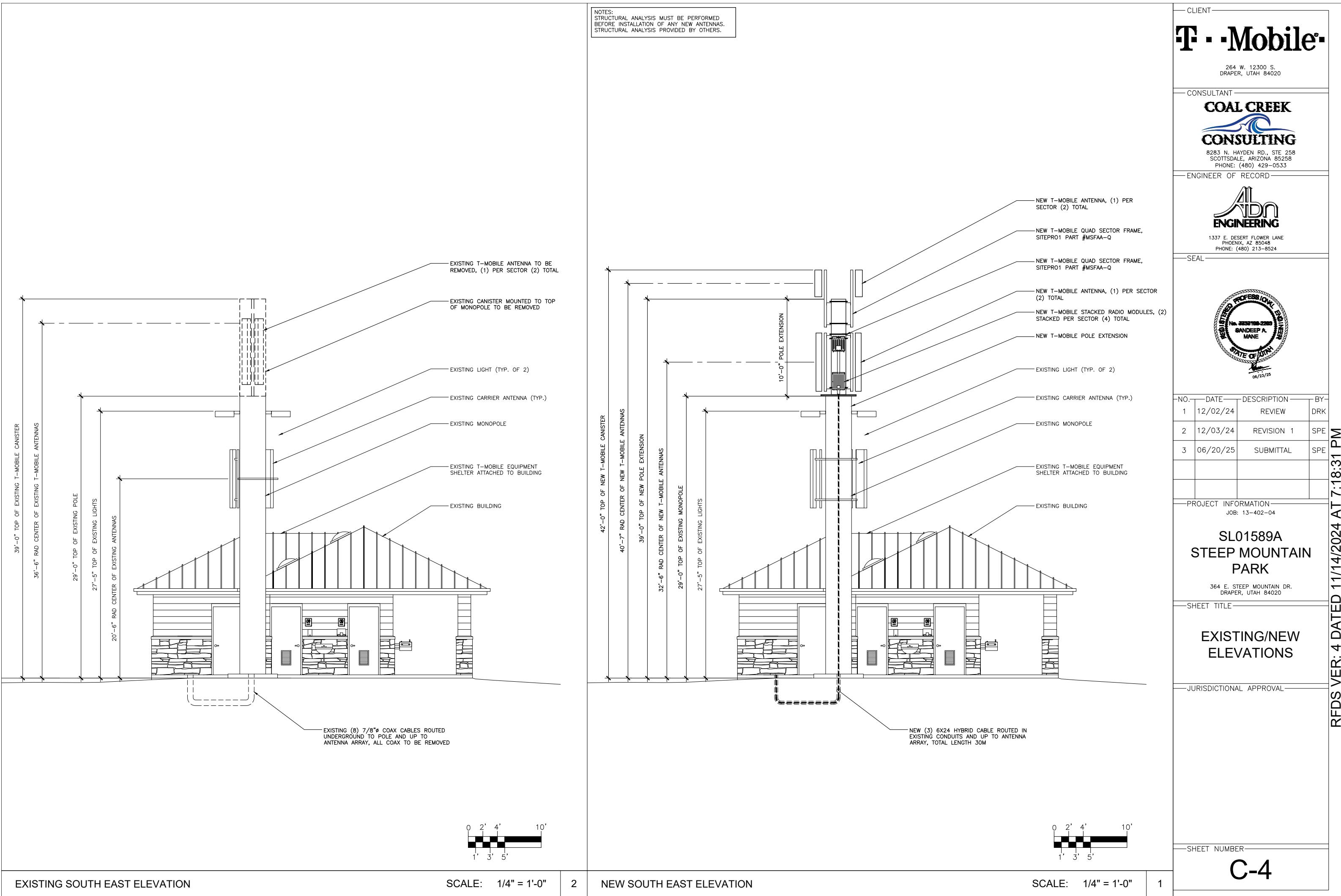


EXHIBIT H
APPLICANT QUESTIONNAIRE



SL01589A - Steep Mountain Park
351 E Steep Mountain Drive, Draper UT 84020
Parcel: 3407452006

Narrative Justification for T-Mobile Equipment Upgrade – Existing Wireless Communication Facility (WCF)

Project Overview

T-Mobile is requesting approval to upgrade antennas and associated equipment at an existing, previously approved Wireless Communication Facility (WCF) located at 351 E Steep Mountain Drive, Draper. The existing facility was originally approved through the City's Use Permit process, which required antenna screening at that time. Since the original approval, additional wireless carriers have been co-located on the same structure, with their antennas installed unscreened. T-Mobile now proposes to replace and upgrade its existing antennas with new modern equipment to enhance service reliability and data capacity. The proposed antennas will not be screened, but will be visually consistent with the existing unscreened/painted to match antennas currently on the pole.

This modification qualifies as an **eligible facilities request** under Section 6409(a) of the Middle Class Tax Relief and Job Creation Act of 2012 (the "Spectrum Act"), which requires local governments to approve modifications that do not substantially change the physical dimensions of an existing tower or base station.

Use Permit Criteria Analysis

a. Harmony and compliance with the City's General Plan and Title

The proposed upgrade supports the objectives of the City's General Plan by improving critical telecommunications infrastructure that serves residents, businesses, and visitors. Reliable wireless communication is an essential component of the City's economic vitality, emergency response capability, and overall quality of life. The proposal remains consistent with the City's zoning requirements and the intent of the original use permit.

b. Suitability of the property for the proposed use

The existing site has long been established as a suitable and appropriate location for a WCF. The proposed equipment upgrade does not introduce a new land use, it merely modernizes existing technology within the same approved footprint. The property remains ideally suited for continued use as a telecommunications facility.

c. Potential injury to existing or future development

The proposed modification will not be injurious to existing or future development. No increase to the existing tower height, expansion of ground equipment, or change in land use intensity is proposed. The upgraded antennas will operate within FCC-regulated emission limits and will not generate noise, vibration, or other adverse effects.

d. Economic impact on the surrounding area

The project will have a positive economic effect by supporting improved wireless coverage and capacity for local businesses, residents, and emergency services. No negative economic impacts are anticipated. The improved connectivity helps sustain commerce and supports the City's technology-driven economic objectives.

e. Aesthetic impact on the surrounding area

While the original T-Mobile installation included antenna screening, the visual context of the site has since evolved. Other wireless carriers have added unscreened antennas on the same structure, establishing a precedent and a new visual standard for this facility. The proposed unscreened antennas will closely resemble those of other carriers, resulting in a uniform and harmonious appearance. Requiring T-Mobile to maintain a screened configuration would create visual inconsistency and unfairly single out one carrier for different treatment contrary to federal telecommunications policy.

f. Safeguards for utilities, access, drainage, parking, lighting, screening, landscaping, and circulation

All existing site improvements and safeguards will remain unchanged. The proposed work involves only antenna and equipment replacement within the existing lease area. No modifications are proposed to utilities, access, or circulation patterns.

g. Safeguards to prevent noxious or offensive emissions

The upgraded equipment will comply with all applicable FCC, FAA, and local safety regulations. The facility will not produce noise, glare, dust, odor, or other emissions. Power consumption and operational characteristics are similar to or less than the existing equipment.

h. Impact on health, safety, and welfare

The upgrade enhances public safety and welfare by improving wireless communication capacity for emergency responders and the general public. The facility operates within all FCC-mandated radiofrequency exposure standards. No adverse health or safety impacts are anticipated.

Conclusion

The proposed T-Mobile equipment upgrade is in full harmony with the City's General Plan, zoning regulations, and established precedents for this WCF. The modifications will not substantially change the facility's physical dimensions and therefore qualify as an **eligible facilities request under Section 6409(a)**. The project maintains aesthetic consistency with co-located carriers, avoids adverse impacts, and enhances the reliability and resiliency of the City's wireless network infrastructure.

For these reasons, T-Mobile respectfully requests approval of this modification as a compliant, non-substantial and beneficial improvement to the existing wireless facility.

Sincerely,



Declan Murphy
Coal Creek Consulting for T-Mobile
8283 N Hayden Road, Suite 258, Scottsdale AZ 85258
Tel: (602) 326-0111
Email: dmurphy@coal-creek.com