



Planning & Development Services Division

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Salt Lake County Planning Commission

Public Meeting Agenda

Wednesday, February 12, 2014 8:30 A.M.

**THE MEETING WILL BE HELD AT SALT LAKE COUNTY GOVERNMENT CENTER
2001 SOUTH STATE STREET, NORTH BUILDING, MAIN FLOOR, COUNCIL CHAMBERS,
ROOM N1100**

ANY QUESTIONS, CALL (385) 468-6700

*REASONABLE ACCOMMODATIONS FOR QUALIFIED INDIVIDUALS MAY BE PROVIDED
UPON RECEIPT OF A REQUEST WITH 5 WORKING DAYS NOTICE. PLEASE CONTACT
WENDY GURR AT 385-468-6707. TTY USERS SHOULD CALL 711.*

The Planning Commission Public Meeting is a public forum where the Planning Commission receives comment and recommendations from applicants, the public, applicable agencies and County staff regarding land use applications and other items on the Commission's agenda. In addition, it is where the Planning Commission takes action on these items. Action may be taken by the Planning Commission on any item listed on the agenda which may include: approval, approval with conditions, denial, continuance or recommendation to other bodies as applicable.

BUSINESS MEETING

- 1) Township Services Introduction, Patrick Leary
- 2) Approval of Minutes from the January 15, 2014 meeting.
- 3) Review of Bylaws
- 4) Other Business Items (as needed)

PUBLIC HEARINGS

Conditional Use (Continued from 12/11/2013) -

28680 – Nefi Garcia of Technology Associates – Requesting Conditional Use approval for a stealth wireless telecommunications facility. **Location:** 9850 South 2700 East. **Zone:** R-1-43 (Residential). **Community Council:** Granite. **Planner:** Todd Draper

ADJOURN



MEETING MINUTE SUMMARY

Salt Lake County Planning Commission Meeting

Wednesday, January 15, 2014, 8:30 a.m.

Approximate meeting length: 3 hours 15 minutes
Number of public in attendance: 45
Summary Prepared by: Wendy Gurr
Meeting Conducted by: Commissioner Young (Chair)

***NOTE:** Staff Reports referenced in this document can be found on the State and County websites, or from Salt Lake County Planning & Development Services.

ATTENDANCE

Commissioners and Staff:

Commissioners	Public Mtg	Business Mtg	Absent	Planning Staff / DA	Public Mtg	Business Mtg
Tod Young – Chair	x	x		Todd Draper	x	x
Neil A. Cohen	x	x		Wendy Gurr	x	x
Jeff Creveling	x	x		Max Johnson		x
Ronald Vance – Vice Chair	x	x		Zach Shaw (DA)	x	x
Clare Collard	x	x				
Todd Sutton	x	x				
Bryan O’Meara	x	x				

BUSINESS MEETING

Meeting began at – 8:32 a.m.

- 1) Approval of Minutes from the December 11, 2013 meeting.
Motion: to approve Minutes from the December 11, 2013 meeting, with the amendment of the word Opacity to Opacities.
Motion by: Commissioner O’Meara
2nd by: Commissioner Creveling
Vote: unanimous in favor

Commissioner Young Introduced the Planning Commissioners.

- 2) APA Membership for Planning Commissioners

Staff Max Johnson advised we will be signing all Planning Commissioners up for an APA Membership. Staff Wendy Gurr handed out the APA membership sign up form to the Planning Commissioners.

- 3) Collection of completed documents

Staff collected completed Disclosure Notices and Volunteer Contracts. Staff advised whoever needs a notary may come to our office after the meeting. The documents need to be completed and collected as soon as possible.

- 4) Election of Chair and Vice Chair for 2014

Commissioner Creveling suggests to nominate and approve chair and vice chair at the same time.

Appointment of Chair:

- Nomination **for:** Tod Young

Motion by: Commissioner Vance

2nd by: Commissioner O'Meara

Vote: Unanimous in favor. Commissioner Young accepted the position of Chair.

Appointment of Vice-Chair:

- Nomination **for:** Ronald Vance

Motion by: Commissioner Cohen

2nd by: Commissioner Creveling

Vote: Unanimous in favor. Commissioner Vance accepted the position of Vice-Chair.

Commissioner Creveling recognized Commissioner Young for an outstanding job and looks forward to another year under his leadership.

Commissioner Young provided a hand out regarding suggested Bylaws changes and Commissioners and Staff had a brief discussion.

Commissioner Creveling motions to move the review of Bylaws to the end of the meeting.

Commissioners Vance, Sutton and Young volunteered to form a Sub-Committee for the Bylaws.

Motion: to move Business Items 5 and 6 to the end of the meeting, following Public Hearings.

Motion by: Commissioner Creveling

2nd by: Commissioner Cohen

Vote: Unanimous in favor

PUBLIC HEARINGS

Hearings began at – 8:55 a.m.

Commissioner Young disclosed ex parte contact and communications. He attended the Granite Community Council meeting, application #28715 was discussed, he was there as a citizen. He has had written correspondence with two members of the public. He handed out copies of email communication with members of the public. Mary Young wrote to a citizen that she was sharing the emails.

Staff Max Johnson excused himself at 8:58am.

Commissioner Vance attended the Granite Community Council meeting, he did not form an opinion, he was there as a citizen.

Commissioner Cohen attended the Granite Community Council, he was under the assumption he was establishing relationships with the Community Councils. He attended to get a flavor of the issues, heard presentations, didn't speak to anyone and left the meeting prior to the discussions.

Staff Todd Draper handed out correspondence received from Granite Community Council and Citizens.

Commissioner Young stated this is something the Bylaws commit to and asked how do they proceed at the Community Council, are they conducting the public hearing on these land use issues and should their minutes be part of the Planning Commission and go to the County Council? He thinks after this meeting that is one of the things that needs to be discussed.

28715 – Mike Winder on behalf of Breen Homes – Request for a zone change from R-1-21 (Residential, ½ acre minimum lot size) to R-1-10 (Residential, 10,000 sq. ft. minimum lot size) for the subject property. **Address:** 10308 South Dimple Dell Road. **Community Council:** Granite. **Planner:** Todd A. Draper.

Commissioner Young stated he was a new resident of Granite in 1991. He attended the Granite Community Council meetings where the master plan was assembled. None of the charts were approved by the citizens for the general plan. Staff Todd Draper advised this is the adopted plan and this body should be using this plan to make decisions.

Commissioners and Staff had a brief discussion about the Staff Report and analysis.

Staff Todd Draper presented the staff report.

Commissioner Creveling asked Staff if there was an overlap of density? Staff Todd Draper explained the differences between low, medium and high density. He explained R-1 and R-2 zones density, and that R-M is high density without a maximum. Commissioner Young stated the charts are part of the Master Plan and this is what they have to live with.

PUBLIC PORTION OF MEETING OPENED

Speaker # 1: Applicant

Name: Mike Winder

Address: 4400 West 4100 South

Comments: He requests striking out the concept plan. It was done several months ago and has had input since then, from the residence and developers that will cause that to change is they come back to the subdivision application. They have had a lot of feedback from lot sizes to setbacks, curb and gutter on Dimple Dell. They want to incorporate all that feedback as they put together a final plan. He stated the what the Mayor had said about Salt Lake County and how it will double in the next 30 years and where will all of the residents go and his answer to that is from time to time, there needs to be zone changes that make sense and accommodate surrounding neighborhoods. They feel this request is reasonable within these regards. They aren't speaking of apartments and mobile homes, they are speaking of 10,000 square foot lots. The lots above and across the street from Dimple Dell are 10,000 square foot lots. They aren't asking for anything that is out of character for this neighborhood. If they pass this process, there is the potential of the application for a subdivision. They don't know if they'll do a PUD today, that's a debate for a different day. They don't know how the lots will lay out. They are just asking for a chance with 10,000 square foot lots. He understands there are a lot of people there that would love to see nothing change. There are property owners there that would like to see an investment in their property and to build quality homes with low density that can be done a quality way that fits with the low density needs of the Dimple Dell area.

Commissioner Cohen asked the Applicant if he owns the two lots. Mr. Winder advised he doesn't own them but his partners own them or are working under contract.

Speaker # 2: Breen Homes Representative

Name: Kyle Christensen

Address: 5421 Alpine Drive, Murray

Comments: The parcels have been for sale. The Layton parcel has been for sale for quite a while and the Workman property has been for sale for six months. They had a contract with Workman, but cancelled that after the Community Council meeting, but she still would like to go forward with the zone change. They have been approached by a property owner to the South to incorporate their 2 acre lot into the subdivision and had conversations with Mr. Whitmore to the West and he would like to sale some of his property and incorporate that into the subdivision as well.

Commissioner Cohen asked if the contracts are contingent with getting the zone request and move forward with the purchase of whether or not it's rezoned. Mr. Christensen confirmed the Workman property is subject to the zone change, on the Layton property it is not. Staff Todd Draper added whether they purchase or not, they have been dually authorized by the current owners to proceed with the rezone. Commissioner Young advised this is not for vote from the public, but comments and recommendations. The public should not repeat comments.

Speaker # 3: Property Owner

Name: Brent Layton

Address: 730 West 1180 South, Midway

Comments: He is a Physician practicing in Utah County. His family owns the 10308 portion of the planned property. He is new to the process, he doesn't know how it works, but appreciates them. He knows they will take care in digesting the legal and lifestyle part. He was reading the paper this morning and the title said "10 Cities where you are most likely to achieve the American dream" and number one was Salt Lake City, Utah. For someone who has grown up in Salt Lake, he is quite proud and he knows the Commissioners. His interest is not financial, they owned the property for 42 years, he grew up there, and it was his late father's dream come true. He allowed him to grow up there, they've owned it since 1972. When he was young he terrorized that area and he knows it well. The opposition is spoken of dimple dell hamlet. It has changed, there was virtually nothing on the map until now. He knows the process will be fair. He realizes it's emotional, but wants fairness. Opposition flyers were up and down Dimple Dell and on his real estate sign on his property. There were derogatorily referring to the rezone leading to some city like subdivision. He doesn't know anywhere else but Granite as being a true American dream. He spent years there. The Granite July 4th parade is something that should be shown across this country. Things require change he wants to let them know first the rezone is not making a precedent. Change is inevitable. His concern is the ability for new families and children to come in and grow up in a fantastic community. His interest is the County providing diversity and opportunity. They have included people and hope they do to. He respects the opinions of people. He is in favor of the rezone.

Speaker # 4: Breen Homes Representative

Name: Jake Breen

Address: 8089 South Pinecreek Lane, Cottonwood Heights

Comments: He is for this zone change. He grew up in the Granite area from 1992 to 2002 and 2007 to 2013. For the sake of having a vibrant community and he is a broker. If you isolate the grand area, and look at ½ acre homes 2006 or newer, on ½ acre homes or larger the sales price is over \$750,000 and you ostracize people to be able to afford this stature. If you look at new construction, ½ acre or smaller you get a medium price of \$500,000. He is young and has 3 children and that is a price point a lot of his friends can afford and live in. He knows having moved 8 times and built 3 homes of his own. Granite is true to his heart. He is in favor of the rezone.

Speaker # 5: Real Estate Agent

Name: Karen Mead

Address: 1358 Warren Sage Way, Saratoga Springs

Comments: The Workman property has been for sale for a long time. There are a lot of things hanging and Nancy has not had any takers or an opportunity to move on with her life. This is the highest and best use and provides opportunity. She represents Nancy and is for the rezone change. Believes it's a beautiful addition to the area. The development would be the highest and best use for the community.

Staff Todd Draper asked Commission if we had heard from the Community Councils yet.

Speaker # 6: Granite Community Council

Name: Mary Young

Address: 3260 East Wasatch Pines Lane

Counsel Zach Shaw asked her to separate her comments from the Granite Community Council comments.

Granite Community Council Comments: Mrs. Young provided a handout. She had been updating the Granite Master Plan, but that was deferred. The Community Council recommends denying the rezone request. They feel strongly they don't want to increase housing density in the most special area, Dimple Dell.

Mrs. Young's Comments: She walks the park for the beauty and silence and drives Dimple Dell road. She took Mr. Draper's Staff report and highlighted and emphasized parts she wants to speak and refer to. She created footnotes to highlight what statements she will speak on.

Speaker # 7: Citizen

Name: Terry Wood

Address: 3227 East Deer Hollow Drive

Comments: He is a 39 year resident of the area. President of the Dimple Dell park advisory board, his remarks may reflect some of the dimple dell advisory board. The zoning laws are not for individual, but for the good of the neighborhood. Majority of the community should be concerned if they don't want it changed the zoning change should not be permitted. Property rights don't mean you can negatively affect your neighbors. Yesterday, Mayor McAdams addressed the future we choose (he quoted part of Mayor McAdams speech). The Planning Commissioner can fulfill the role in preserving the community. They want to preserve Dimple Dell's community. They aren't anti-development, but pro Dimple Dell. Dimple Dell Park is a treasure. No paved roads. It is still in basically the original state. This would change the nature of the park. The construction and destruction would change the peace and quiet. The five people that spoke in favor are from Murray, West Valley City, Midway, Cottonwood Heights and Saratoga Springs. The rest to speak of live in and love Dimple Dell. Requesting denial of the zone change.

Speaker # 8: Citizen

Name: Dan Fischer

Address: 10444 Dimple Dell Road

Comments: He has lived there since 1977. It has been lovely to raise children. He lives on a five acre parcel South of the property. It's been pointed out, there could be ¼ acre lots, two factors to look at dimension of lot and residence brought to the community. Six lots, this means six families with automobiles will be coming down Dimple Dell. You take this further to the West and you start throwing 10, 15, 20, 25 families and their cars onto Dimple Dell. Things have changed density wise, the difference is all of the homes accessed on to roads with curb, gutter and sidewalk. Unique factor to dimple dell, there had been talk of a 4 lane highway, the denser the housing, the more people requesting the highway. There is not a decision to be made, that can be made in a vacuum. Every decision has a fallout. When he moved there, the zoning was five acres per lot. When does the Planning Commission have the courage to say this progression has been growing. Are we locked into what previous entities have made. His family is using it with the sanctity that his children have known. This community is not so dense they can't breathe the mountain air. In a snow storm 2 years ago, there was a pile up at the bottom of the hill. The more people, the more compounded. The grade school is up the road, it's a zoo. A four lane road will not change the verticalness. Bikers love to ride the scenic route and love to take a Sunday drive around Dimple Dell. Dimple dell is double yellow lines for 2 miles, there is no passing. School busses can make that a zoo. There are a lot of ramifications.

Speaker # 9: Citizen

Name: John Sieverts

Address: 10475 Dimple Dell Road

Comments: His family moved there in 1965. He agrees with Brent Layton, it's not about the money for him, he sold his father's place and wants to see something done with it. Everyone else is in it for the money. He lives on an acre lot. His feelings have this is ringing in his gut. He has seen change and isn't opposed to change. They used to ride dune buggies in the park. It is going to change the neighborhood for the feel of what it is. Sandy does care, this will factor into what people want to do. Something needs to be done with the property. Make it fit in, that is what makes Dimple Dell unique. They don't want curb and gutter. Dimple Dell is different than being in other cities. He hopes they consider all these things and deny the proposal.

Speaker # 10: Citizen

Name: Neil Jessop

Address: 10543 Dimple Dell Road

Comments: New member to Dimple Dell. His wife grew up on Dimple Dell. 21 years ago, they married and they knew what they wanted and in the future they could connect to the earth. They originally lived in Kearns, moved to California and moved back to Utah a few miles away. They did purchase a piece of property and now do have a residence on Dimple Dell. The purchase of that lot brought extreme concern to the neighbors. Their lot touches 8 pieces of property. They received challenge and concern from the neighbors when they moved in that they were going to change something. They bought for this feel and want to preserve this feel. He worked for this and raising his family. They don't want to bring in high density. It doesn't represent the sentiment. He is opposed to the zone change.

Speaker # 11: Citizen

Name: Terry Wood

Address: 3227 East Deer Hollow Drive

Comments: He wanted to let the Planning Commission know he was in another meeting yesterday with Sandy Officials and Sandy Mayor Tom Dolan. Tom Dolan stated Sandy is not interested in changing the density in this area, but planned higher density from 9000 South to 10600 South and I-15 to Trax line.

Speaker # 12: Citizen

Name: Michael Sax

Address: 10400 Dimple Dell Road

Comments: They live across the street and North of the property. He has lived there for a year. He hadn't heard of Dimple Dell until the real estate agent brought it to them when they told her what they wanted. They are happy to come home from their city jobs and sit out there. Feels like a special valley within the valley. They moved from 9th and 9th and they know more neighbors here in the year they have lived there, then they ever knew at their old residence. The neighbors here are passionate. They have seen a change, but can only undergo so much change. He handed out 2 letters from neighbors that could not be there today.

Speaker # 13: Citizen

Name: Brad Zarbock

Address: 3014 Apple Hollow Cove

Comments: He is majorly affected by the decision. He is a victim of the American dream. He believes this is the American dream living here. As a community, they would love to have people move in with ½ acre lots. He is a developer they developed 4 acres into ½ acre lots there. He is so convinced to live your life in this area and has invested millions of dollars. He wants to preserve the world they live in at Dimple Dell. He has names of 29 people who signed an affidavit and delivered to Todd Draper yesterday. He a to support the people who signed the affidavit.

Speaker # 14: Citizen

Name: Brad Greene

Address: 10479 Dimple Dell Road

Comments: He lives directly across the street from Dan Fischer. He has lived there for 16 years. He is a physician assistant and mediator with the Utah Supreme Court. He was traveling around for work and came out here on five assignments. When he decided to settle down he was looking for something particular and didn't want to live in a community like daybreak. He was looking for a community with a country atmosphere with the airport and shopping close by. It had acre zoning and he thought he was only one of two who lived on a ½ acre lot. There will be change, but it isn't always necessary good change. Commission is there to make sure change is not always for profit or greed. They need to stay with ½ acre lots. He feels this development would not improve the neighborhood, it would segregate. He would like to keep Dimple Dell in the pristine nature it's in. He's against the proposal.

Speaker # 15: Citizen

Name: Michael Braun

Address: 3020 Apple Hollow Cove

Comments: He knew Mr. Layton and his dad. He has lived there for 11 years. He believes everyone has a right to sell property. Numerous homes will be substantially affected by mass, density, loss of light, loss of view, increased noise, loss of night sky. They've written a packet as group. His biggest concern, he has never found a house that has four houses directly behind it. He thinks it's improper and exceptionally poor planning, possibly a change to the plan would zone the R-1-21. He asked the Commissioners what would they do if they had four houses built behind them, fifteen feet from the property line?

Speaker # 16: Citizen

Name: Carol Miller

Address: 3073 East Dimple Dell Circle

Comments: Her lot is 1 1/2 acres. She has been there 28 years. She was the first home in the cul-de-sac. They moved there for the rural feel. She has seen half a dozen trick or treaters in the 28 years she has lived there. She likes the feel of living in the country and that's the way they would like to see it stay.

Speaker # 17: Citizen

Name: Mike and Tomi McCarthy

Address: 10280 Dimple Dell Road

Comments: His wife grew up on Dimple Dell. Hard to say anything that hasn't already been said. He has lived there for 21 years. He feels lucky, they have worked hard. This is the first house they have owned and their lot is .78 acres. He lived in the avenues prior, high density. He is a builder, and he opposes this density in this area. In his gut it doesn't feel right. First house he ever bought, it feels perfect, because of the wide open space. He has tried to develop property in Sandy and on 1/2 acre lots, what's disturbing in the initial proposal, the concept is higher density in a PUD then it could be in a zoning change. They're not asking for 19, because a PUD would allow them to have 19, they are asking for a zoning change, his initial reaction to this they want to put in more homes they can squeeze in there, to make more money. Now if they had a map, not of a PUD, just something showing what they could do if they rezoned this. How many can we squeeze. If they can't get 19, maybe they could get 17. They are after as many homes as they can fit. The disclaimers say this isn't what we're really going to do.

Commissioner Young stated they can't see what's beyond the rezone. Mr. McCarthy explained he is just showing the high density intent.

Speaker # 18: Citizen

Name: Ken Bowers

Address: 2868 Dimple Dell Road

Comments: He has lived there 21 years. He's a landscape architect and as he looks at this and what is missing and assuming there is a broader picture of what's going on. He really wants everyone to take a look at what's going on. If you look at the map, three houses further to the south are sitting on multiple acre lots. They will drop like dominoes and the precedent will spread through Dimple Dell Park. Doubling the amount of homes and don't forget the long term condition being developed and it's not going to be what's expected.

Commissioners Creveling and Young would like a show of hands from the public, who has anything new to add to the conversation. If nothing more than what's been said, they will close the public hearing. By a show of three hands, they decided to take a break and resume in six minutes.

Speaker # 19: Citizen

Name: Chris Patterson

Address: 3002 East Apple Hollow Cove

Comments: He is the newest member of the community. There used to be a pond, they filled that in, there used to be ducks and geese on private property. Deer used to come and drink from there, some still do. He fears if the development occurs, they won't see development at all. He lives there with his two daughters and he knows every

single one of his neighbors. Very tight nipped community and they all watch each other. There is an access point to the park and can enter the park when he wants, but with the new community it won't be there. He hopes the commission decides to keep the community as it is and doesn't change it because people want to profit more from their existing properties.

Speaker # 20: Citizen

Name: Scott Peeler

Address: 3110 east Deer Hollow Drive

Comments: He has lived in the area for 27 years. He annexed into Sandy. He had 3 acres, 1 and 2 subdivided. Sandy is allowing only R-43, which is 43,000 square feet per house. He thinks it's easier to go through the County and it has been that way for two years.

Speaker # 21: Citizen

Name: Ted Baudendistel

Address: 10270 Dimple Dell Road

Comments: Parcel at the top. He moved there four years ago. He has seen a lot of people talk of diversity, they have 3 children. They don't trick or treat, it's not that type of neighborhood, they go to other neighborhoods to trick or treat. He chooses that. This is the first house he's owned. When he didn't have children, he chose to live downtown. His concern is the prospect that will be set. His backyard will turn into a PUD. Dimple Dell lane has density, he doesn't know why they can't build like that. He knows they can still make plenty of money. He doesn't understand why Salt Lake County is so willing to get rid of these areas and turn them over to Sandy. He lived there 4 years ago. At the time, they couldn't develop their home until they annexed into Sandy, because they couldn't get water rights. He isn't a big fan, this is going to hold him hostage to be able to do what he wants with his property and that will hold him hostage. Sandy wants them for their tax base. There are no street lights and he loves it.

Speaker # 22: Breen Homes Representative

Name: Jake Breen

Address: 8089 South Pinecreek Lane

Comments: They have meetings with Sandy and they wouldn't be having this hearing if they were negative. A lot of them saw him speaking to John Sieverts. There are nine people in there that he grew up with and were part of his church group. He understands, he grew up there. What he said was no hard feelings. These sensitive situations come up on death or inheritance. People want to sell. There is an attitude change of what dollar amount they can get. It is about the money. They want to preserve the lower density. When the properties go up for sale at higher density, they are often contradicting themselves when they go to sale these properties. If down the line they don't want higher density, they should add that to the deed so it never changes. The door is always open and people do what they think is fair and reasonable with their own property.

Staff Todd Draper said he wants to thank the public. It's been exceptionally appreciated and he understands it is an emotionally charged issue on both sides. He wanted to point out some of the comments Commissioner Young made about things being added into the plan after the fact, he understands he may have the feeling and he may have some personal knowledge of that and asks that he point out that the zoning ordinance in 1993 did have these zones and were low density then, but at the same time did those definitions have existed since that time. Just to make that clarification. He went back over the ordinance and the PUD's densities were added in 2004. The general density question was answered long ago and has not changed much since.

PUBLIC PORTION OF MEETING CLOSED

Commissioners, Staff and Counsel had a brief discussion.

Motion: to deny application #28715. Based on Alternative Recommendations and Reasoning presented in the Staff Report, Other Recommendations.

Motion by: Commissioner Creveling

2nd by: Commissioner Cohen

Vote: unanimous in favor

BUSINESS MEETING RESUMED

5) Review of Bylaws

Commissioner Young asked Staff when they come up with the draft of the Bylaws, they will forward to Staff.

6) New Commissioner Orientation and Training

Staff advised we will be holding training and request we move this to the February meeting. Commissioner Young would like to see training at each meeting.

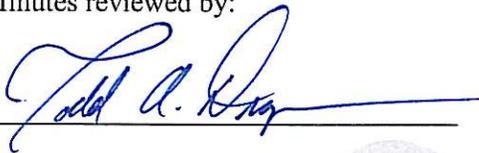
Counsel Zach Shaw will review the County Ordinance and State Statute and bring it to the February meeting.

7) Other Business Items (as needed)

MEETING ADJOURNED

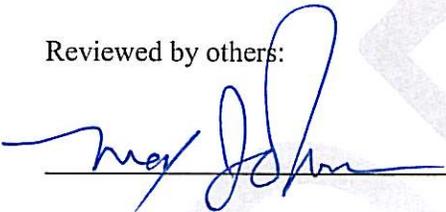
Time Adjourned – 11:47 a.m.

Minutes reviewed by:



2-5-14

Reviewed by others:



2-5-14



STAFF REPORT

Executive Summary									
Hearing Body:	Salt Lake County Planning Commission								
Meeting Date and Time:	Wednesday, February 12, 2014	08:30 AM	File No:	2	8	6	8	0	
Applicant Name:	Nefi Garcia	Request:	Conditional Use						
Description:	Stealth Wireless Telecommunications Facility								
Location:	9850 South 2700 East								
Zone:	R-1-43 Residential Single-Family	Any Zoning Conditions?	Yes <input type="checkbox"/>	No <input type="checkbox"/>					
Community Council Rec:	Approval with Conditions								
Staff Recommendation:	Approval with Conditions								
Planner:	Todd A. Draper								

1.0 BACKGROUND

1.1 Summary

Item Continued from the December 11, 2013 meeting.

This application is for the instillation and operation of a wireless telecommunications facility (cell tower). The property is zoned R-1-43 (residential) and the property is currently encumbered by a residential use as well as allowable agricultural uses including the keeping of personal horses. As a result of the property zoning, wireless telecommunications facilities are required by ordinance to be stealth in design.

To comply with these requirements the applicant has proposed the use of a monopole that is disguised as a large pine tree (also known as a mono-pine). The design proposed by the applicant is at least 7 feet taller than that allowed by the ordinance, however the planning commission may consider allowing the additional height under allowances given for stealth designs.

The existing barn on the property already exceeds the maximum 1,200 gross square feet of accessory structures allowed on the property as a permitted use under the ordinance and therefore the additional equipment building must also be considered as a conditional use expansion of the square footage of accessory structures on the property. No specifics have been provided by the applicant as to the current square footage of existing accessory structures on the property, however staff estimates the existing structures to be about 3,100 sq ft. The new proposed building would add approximately 275 additional square feet to the total.

1.3 Neighborhood Response

At the December 11, 2013 meeting of the Planning Commission a number of residents made comments. Generally they were unhappy with perceived impacts to view, the height of the tower, the architecture of the support structure, fencing, and potential noise impacts.

1.4 Community Council Response

At their December 4, 2013 meeting the Community Council recommended that the Planning Commission encourage the applicant to work with the neighboring property owners to explore alternate locations for the location of the tower. (see attached letter).

Although the Community Council and other citizens have expressed a desire for locations other than the subject property, the Planning Commission is unable to impose such a condition and is limited to the imposition of mitigating conditions relative to the subject property only. Staff advises that any conditions imposed will need to be reasonable, and relate directly to mitigating a particular negative impact.

2.0 ANALYSIS

2.1 Applicable Ordinances

Section 19.84.060 of the Conditional Use Chapter of the Zoning Ordinance establishes five standards to be used in evaluating Conditional Use applications. The Planning Commission must find that all five of these standards have been met before granting approval of an application. Based on the foregoing analysis, Staff suggests the following:

Criteria Met		Conditional Use Criteria and Evaluation
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `A':</u> <i>The proposed site development plan shall comply with all applicable provisions of the Zoning Ordinance, such as parking, building setbacks, building height, etc.</i>
		<p>Discussion: Although information regarding the distance to the nearest residential structures has not been provided at this time, aerial photography would suggest that the nearest residential structure is located on the adjacent property to the West and that the tower would be approximately 60 to 80 feet away from the residence. As part of the technical review staff will insure that accurate plans and information are provided by the applicant that show in detail how the setback standards will be met.</p> <p>As the tower will be located on a residential property it is required to be stealth in design.</p> <p>Additional considerations for stealth facilities can be granted by the Planning Commission as listed in [19.83.060 (C) (5)]. The applicant is requesting an additional 7 feet in tower height over the normally applicable 60 foot height limit. No information has been provided by the applicant in support of the request for additional height. Staff has identified no unique characteristics of the site that might warrant or support a request for additional height. Given the circumstances staff believes that this criterion has been met relative to a 60' total height monopine but not for the 67' monopine that has been proposed. This is reflected in the suggested conditions provided by staff at the end of this report.</p>
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `B':</u> <i>The proposed use and site development plan shall comply with all other applicable laws and ordinances.</i>
		Discussion: Compliance with other agency reviews and requirements is part of the technical review process that will be completed prior to the issuance of a final approval by planning staff.

YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `C'</u> : <i>The proposed use and site development plan shall not present a traffic hazard due to poor site design or to anticipated traffic increases on the nearby road system which exceed the amounts called for under the County Transportation Master Plan.</i>
		Discussion: There are no significant traffic impacts associated with this request as the facility will be an unmanned site and the property will continue to function as a residential property.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `D'</u> : <i>The proposed use and site development plan shall not pose a threat to the safety of persons who will work on, reside on, or visit the property nor pose a threat to the safety of residents or properties in the vicinity by failure to adequately address the following issues: fire safety, geologic hazards, soil or slope conditions, liquefaction potential, site grading/ topography, storm drainage/flood control, high ground water, environmental health hazards, or wetlands.</i>
		Discussion: All of the identified issues will be addresses as part of the technical review (if necessary) and building permit review processes.
YES <input checked="" type="checkbox"/>	NO <input type="checkbox"/>	<u>Standard `E'</u> : <i>The proposed use and site development plan shall not adversely impact properties in the vicinity of the site through lack of compatibility with nearby buildings in terms of size, scale, height, or noncompliance with community general plan standards.</i>
		Discussion: The proposed use and site development plan will not be incompatible with the surrounding neighborhood. Another non-stealth tower located on the immediately adjacent property to the north (within Sandy City limits) is visible from the site and the surrounding properties are semi-agricultural in use and include similar large barns and outbuildings. Telecommunications facilities were not specifically addressed within the Granite Community General Plan.

2.2 Zoning Requirements

19.83.060 - Facility types and standards

Wireless telecommunications facilities are characterized by the type and location of the antenna structure. There are four general types of antenna structures: wall mounted; roof mounted; monopoles; and lattice towers. Standards for the installation of each type of antenna are as follows:

C. Monopole. The following provisions apply to monopoles:

1. The height limit for monopoles is sixty feet except the planning commission may allow a monopole up to eighty feet in the C-2, C-3, M-1, and M-2 zones if it finds: (1) that the monopole will blend in with surrounding structures, poles, or trees and is compatible with surrounding uses, (2) the monopole will be available for co-location with other companies, and (3) the monopole will be setback at least three hundred feet from any residential zone boundary. The height shall be measured from the top of the structure including antennas, to the original grade directly adjacent to the monopole.

2. In all R-1, R-2, and R-4-8.5 zones, monopoles will only be allowed in conjunction with an existing public or quasi-public use. Public and quasi-public uses, as defined in Sections 19.04.440 and 19.04.450, include but are not limited to churches, schools, utilities, and parks.

3. No monopoles shall be allowed in the front yard setback of any lot.

4. Monopoles shall be setback from any residential structure a distance equal to its height.

5. Stealth monopole facilities are encouraged and shall be allowed to vary from the provisions of this section as determined by development services division for permitted uses and the planning commission for conditional uses. Stealth monopoles are not required to be located with public or quasi-public uses in all R-1, R-2 and R-4.95 zones (see Table 19.83.050).

19.83.070 - Color

Monopoles, antennas, and any associated buildings or equipment shall be painted to blend with the surroundings which they are most commonly seen. The color shall be determined on a case-by-case basis by the planning commission for conditional uses and development services division for permitted uses. Within six months after the facility has been constructed, the planning commission or the development services division may require the color be changed if it is determined that the original color does not blend with the surroundings.

19.83.090 - Additional requirements

The following shall be considered by the planning commission for conditional uses:

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

B. Location of the antenna on other existing structures in the same vicinity such as other monopoles, buildings, water towers, utility poles, athletic field lights, parking lot lights, etc. where possible without significantly impacting antenna transmission or reception.

C. Location of the antenna in relation to existing vegetation, topography including ridge lines, and buildings to obtain the best visual screening.

D. Spacing between monopoles which creates detrimental impacts to adjoining properties.

E. Installation of, but not limited to, curb, gutter, sidewalk, landscaping, and fencing as per Sections 19.76.210 and 19.84.050

19.83.100 - Accessory buildings

Accessory buildings to antenna structures must comply with the required setback, height and landscaping requirements of the zoning district in which they are located. All utility lines on the lot leading to the accessory building and antenna structure shall be underground.

2.3 Other Agency Recommendations or Requirements

Grading- Review approved. Footing and Foundation inspection by a Geotechnical engineer will be required at the time of construction.

2.4 Other Issues

Planning:

1. Revised plans showing the setback from the nearest residential structures will be required before final approval can be given.
2. Height of the monopine is too tall. 60 feet from natural grade is the maximum. No reason for the additional 7+ feet in height is given in the application.
3. The tower needs to be available for co-location. Staff recommends that future co-location applications be approved by staff.
4. Submit complete plans for review regarding the equipment building including elevations, floor plans, and accurate dimensions.

3.0 STAFF RECOMMENDATION

3.1 Staff recommends APPROVAL of the proposed Conditional Use with the following conditions:

- 1) Overall height of the tower (including all branches) is limited to 60 feet from natural grade surrounding the tower. The maximum height of the antennas shall be 7 feet lower than the maximum height of the tower. (The proposed branch configuration and tapered design shall remain)
- 2) The tower shall be made available to other wireless telecommunications providers for co-location of their antennas.
- 3) Future applications for co-location upon this tower to be approved by planning staff.
- 4) Comply with all recommendations and requirements of the individual reviewers.
- 5) Plant 8-10 conifer trees on the property either near the periphery of the enclosure, or along the property lines, in order to help to break up the visual effect of the Monopine as seen from the adjoining properties to the West, and to help blend in the base of the tower. Such trees shall be 6-8 feet in height at time of planting and be of a variety capable of reaching at least 20-30 feet at maturity. Landscaping plan to be approved by staff.

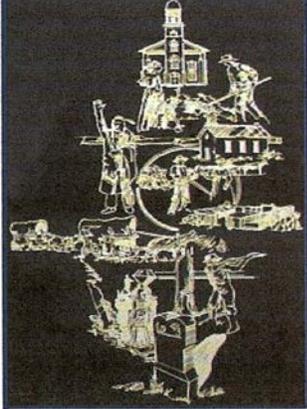
3.2 Reasons for Recommendation

- 1) The applicant has not demonstrated any compelling reasons for the additional height of the tower as proposed.
- 2) Co-locating other antennas on this mono-pine will further reduce the potential visual impacts of towers in the surrounding neighborhood.
- 3) Allowing staff to review and approve applications for future co-location ensures that other telecommunications providers will be able to obtain approval to move onto this new tower quickly, serving the public interest.
- 4) Compliance with individual reviewers recommendations and requirements will ensure that the project is compliant with all ordinance requirements.
- 5) The addition of landscaping is a proven method for softening the view impact from adjacent properties. The similar shape and elements of the conifer trees will help integrate the Monopine into its surroundings.

3.3 Other Recommendations

None at this time

1.



GRANITE COMMUNITY COUNCIL

December 5, 2013

Todd Draper
Planning & Development Services
Salt Lake County
2001 S. State
Salt Lake City, Utah 84190

Dear Todd:

The Granite Community Council appreciated the opportunity to review and comment on the Land Use & Development Application, File No. 28680, at our meeting of December 4, 2013. After considerable input from adjacent residents and questions raised and answered about what the Council's options were in this application, we:

RESOLVED, that with regard to the Granite Community Council (the "GCC") hereby recommends to the Salt Lake Planning Commission (the "Planning Commission") that:

1. The Planning Commission take note of the strong objection to the installation of the 67' stealth "monopine" on the subject property by the owners of adjacent properties who will be impacted by the visual impact of the installation;
2. The Planning Commission encourage, as has the GCC, that the applicant, Verizon, and its advisors, including Mr. Nefi Garcia, examine alternate locations for the installation of the monopine, including at Granite Elementary School, and report to the adjacent property owners what property alternatives are examined and, if they are dismissed as unacceptable, why they are dismissed as such; and
3. The Planning Commission encourage, as has the GCC, that the applicant, Verizon, and its advisors, including Mr. Nefi Garcia, when siting the monopine, work with the adjacent property owners to mitigate the view damage caused thereby.

I recognize that the previously installed 67' stealth monopine that replaced antennae on the now removed water tower on Wasatch Boulevard fits in very nicely with that landscape, which includes some medium-sized pine trees and deciduous trees. Mr. Garcia has been very responsive and easy to work with and the residents closest to our Wasatch stealth monopine are very pleased with its appearance,

especially as compared with other non-stealth installations. I hope that Mr. Garcia is able to work with the residents adjacent to the subject property and achieve similar results.

The Council appreciates your attendance at the meeting and your assistance in clarifying the issues associated with both this and other applications. You continue to be a great resource for communities to help us reduce the emotions associated with issues that impact residents and help us to focus on recommending changes that can mitigate such impacts.

Sincerely,

Mary J. Young
Chairman, Granite Community Council

Cc: Tod Young, Chair
Salt Lake County Planning Commission

9850 S 2700 E



Mon Dec 2 2013 04:49:39 PM.

APPROVED
By Chad Bryce at 2:06 pm, Sep 13, 2013

APPROVED

By nefi.garcia at 10:34:51 AM, 9/17/2013

APPROVED
By Robert Whitlock at 4:43 pm, Sep 17, 2013

APPROVED
By Craig Skinner at 8:05 am, Sep 19, 2013

verizonwireless

SAL - GABBRO

verizon
wireless

VERIZON WIRELESS
9858 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088

TAEC

Technology Associates Engineering Corporation Inc.
TECHNOLOGY ASSOCIATES

UTAH MARKET OFFICE
5710 SOUTH GREEN STREET
SALT LAKE CITY, UTAH 84123

CORPORATE OFFICE
3115 SOUTH MELROSE DRIVE, SUITE #110
CARLSBAD, CALIFORNIA 92010

DRAWN BY: JAY C
CHECKED BY: NEFI G

SITE INFORMATION

APPLICANT:
VERIZON WIRELESS
9856 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088

SITE ADDRESS:
9850 SOUTH 2700 EAST
SANDY, UTAH 84092

LATITUDE AND LONGITUDE:
N 40°34'19.56", W 111°49'00.51"

ZONING JURISDICTION:
SALT LAKE COUNTY

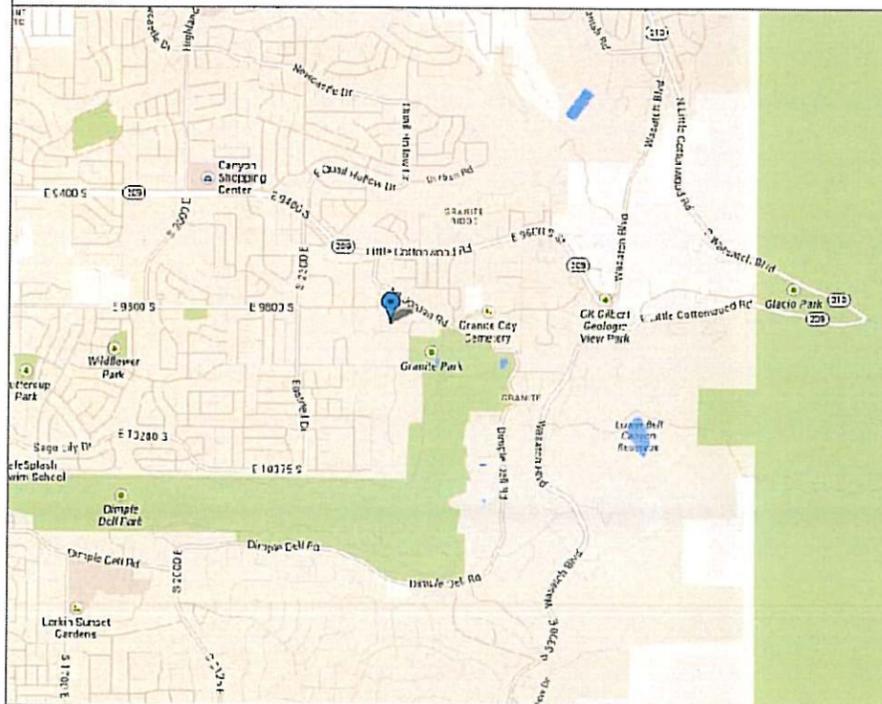
PROJECT DESCRIPTION:
VZW IS PROPOSING TO CONSTRUCT AN UNMANNED COMMUNICATIONS FACILITY CONSISTING OF ANTENNAS MOUNTED TO A NEW MONOPINE WITH EQUIPMENT LOCATED INSIDE A 11'-6" X 25'-5.5" PREFABRICATED EQUIPMENT SHELTER

TYPE OF CONSTRUCTION:
PRE-FAB SHELTER, MONOPINE, AND ANTENNAS

HANDICAP REQUIREMENTS:
FACILITY IS UNMANNED AND NOT FOR HUMAN HABITATION, HANDICAP ACCESS REQUIREMENTS DO NOT APPLY

POWER COMPANY:
ROCKY MOUNTAIN POWER, 1-888-221-7070

LOCATION MAP



DO NOT SCALE DRAWINGS

CONTRACTOR SHALL VERIFY ALL PLANS, AND EXISTING DIMENSIONS, AND CONDITIONS ON THE JOB SITE, AND SHALL IMMEDIATELY NOTIFY THE ENGINEER IN WRITING OF ANY DISCREPANCIES BEFORE PROCEEDING WITH THE WORK OR BE RESPONSIBLE FOR SAME

DRIVING DIRECTIONS

FROM SALT LAKE CITY TAKE I-15 TO 9000 SOUTH EXIT. GO WEST ON 9000 SOUTH AND IT WILL BEND TO THE SOUTH THEN BACK TO THE EAST AND BECOMES 9400 SOUTH. PASS 1300 EAST AND 2000 EAST/HIGHLAND AND AT THE TOP OF THE HILL, TURN RIGHT ONTO MOUNT JORDAN ROAD (2580 EAST). CONTINUE SOUTH ON MOUNT JORDAN ROAD FOR 0.5 MILE AS IT WINDS AROUND TO 9800 SOUTH. TURN RIGHT (WEST) ONTO 9800 SOUTH AND FOLLOW UNTIL THE ROAD BENDS TO THE SOUTH. THE VZW SITE WILL BE LOCATED ON THE WEST SIDE OF THE ROAD AND ALONG THE WEST PROPERTY LINE.

APPROVALS

VERIZON WIRELESS REPRESENTATIVE:
VERIZON WIRELESS RF ENGINEER:
TAEC SITE ACQUISITION:
TAEC CONSTRUCTION MANAGER:
SITE OWNER:

DRAWING INDEX

SHEET NO.	SHEET TITLE	REV	REV DATE
T100	TITLE SHEET, VICINITY MAP, GENERAL SITE INFORMATION	0	
SURV	SITE SURVEY	0	
C100	OVERALL SITE PLAN	0	
C101	ENLARGED SITE PLAN	0	
C200	SITE ELEVATIONS	0	

CONTACT INFORMATION

SITE ACQUISITION:
TECHNOLOGY ASSOCIATES EC, INC
5710 SOUTH GREEN STREET
SALT LAKE CITY, UTAH 84123
CONTACT: NEFI GARCIA
PHONE: 801-463-1020

REV	DATE	DESCRIPTION
0	09.12.2013	ZONING DRAWINGS

SAL - GABBRO
SE SEC 10, T3S, R1E
9850 SOUTH 2700 EAST
SANDY, UTAH 84092
-- RAWLAND SITE --

SHEET TITLE
TITLE SHEET
VICINITY MAP
GENERAL INFORMATION

SHEET NUMBER
T100



UNDERGROUND SERVICE ALERT, CALL 'BLUE STAKES OF UTAH' @ 811 OR 1-800-662-4111 THREE WORKING DAYS BEFORE YOU DIG



ASAC INFORMATION SHEET 91:003

INFORMATION REGARDING SURVEY DATA SUBMITTED TO THE FAA

FAA Order 8260.19c requires proponents of certain proposed construction (located beneath instrument procedures) provide the FAA with a site survey and/or letter, from a licensed land surveyor, which certifies the site coordinates and the surface elevation at the site. On October 15, 1992, the FAA started using the North American Datum of 1983 (NAD-83), and therefore all site coordinates should be based on NAD-83. The FAA requires that the survey letter contain an accuracy statement that meets accuracy tolerances required by the FAA. The most requested tolerances are +/- 50 feet in the horizontal and +/- 20 feet in the vertical (2-C). When the site coordinates and/or site elevation can be certified to a greater accuracy than requested by the FAA, please do so.

In order to avoid FAA processing delays, the original site survey or certifying letter should be attached to the 7460 when it is filed at the FAA's regional office. It must be signed and sealed by the licensed land surveyor having performed or supervised the survey.

The FAA accuracy codes and a sample accuracy statement are listed below.

ACCURACY CODES:

<u>HORIZONTAL</u>		<u>VERTICAL</u>	
<u>Code</u>	<u>Tolerance</u>	<u>Code</u>	<u>Tolerance</u>
1	+/- 15 ft	A	+/- 3 ft
2	+/- 50 ft	B	+/- 10 ft
3	+/- 100 ft	C	+/- 20 ft
4	+/- 250 ft	D	+/- 50 ft
5	+/- 500 ft	E	+/- 125 ft
6	+/- 1000 ft	F	+/- 250 ft
7	+/- 1/2 NM	G	+/- 500 ft
8	+/- 1 NM	H	+/- 1000 ft
9	Unknown	I	Unknown

Date: AUGUST 5, 2013

Re: SAL GABBRO

SE 1/4 OF SECTION 10, TOWNSHIP 3 SOUTH, RANGE 1 EAST, SALT LAKE MERIDIAN
9850 SOUTH 2700 EAST, SANDY, UTAH 84092

I certify that the latitude of N 40°34'19.56", and the longitude of W 111°49'00.51", are accurate to within 15 feet horizontally and the site elevation of 5055.88 feet, AMSL (American Mean Sea Level), is accurate to within +/- 3 feet vertically. The overall height would be 5055.88 feet AMSL. The horizontal datum (coordinates) are in terms of the North American Datum of 1983 (NAD-83) and are expressed as degrees, minutes and seconds, to the nearest (tenth/hundredth) of a second. The vertical datum (heights) are in terms of the (NAVD88) and are determined to the nearest foot.



Professional Licensed Land Surveyor:

I-A FAA Letter

Jerry Fletcher, Utah LS no. 6436064

**verizon
wireless**

VERIZON WIRELESS
9856 SOUTH PROSPERITY ROAD
WEST JORDAN, UTAH 84088

TAEC

Technology Associates Engineering Corporation Inc.
TECHNOLOGY ASSOCIATES

UTAH MARKET OFFICE
5710 SOUTH GREEN STREET
SALT LAKE CITY, UTAH 84123

CORPORATE OFFICE
3115 SOUTH MELROSE DRIVE, SUITE #110
CARLSBAD, CALIFORNIA 92010

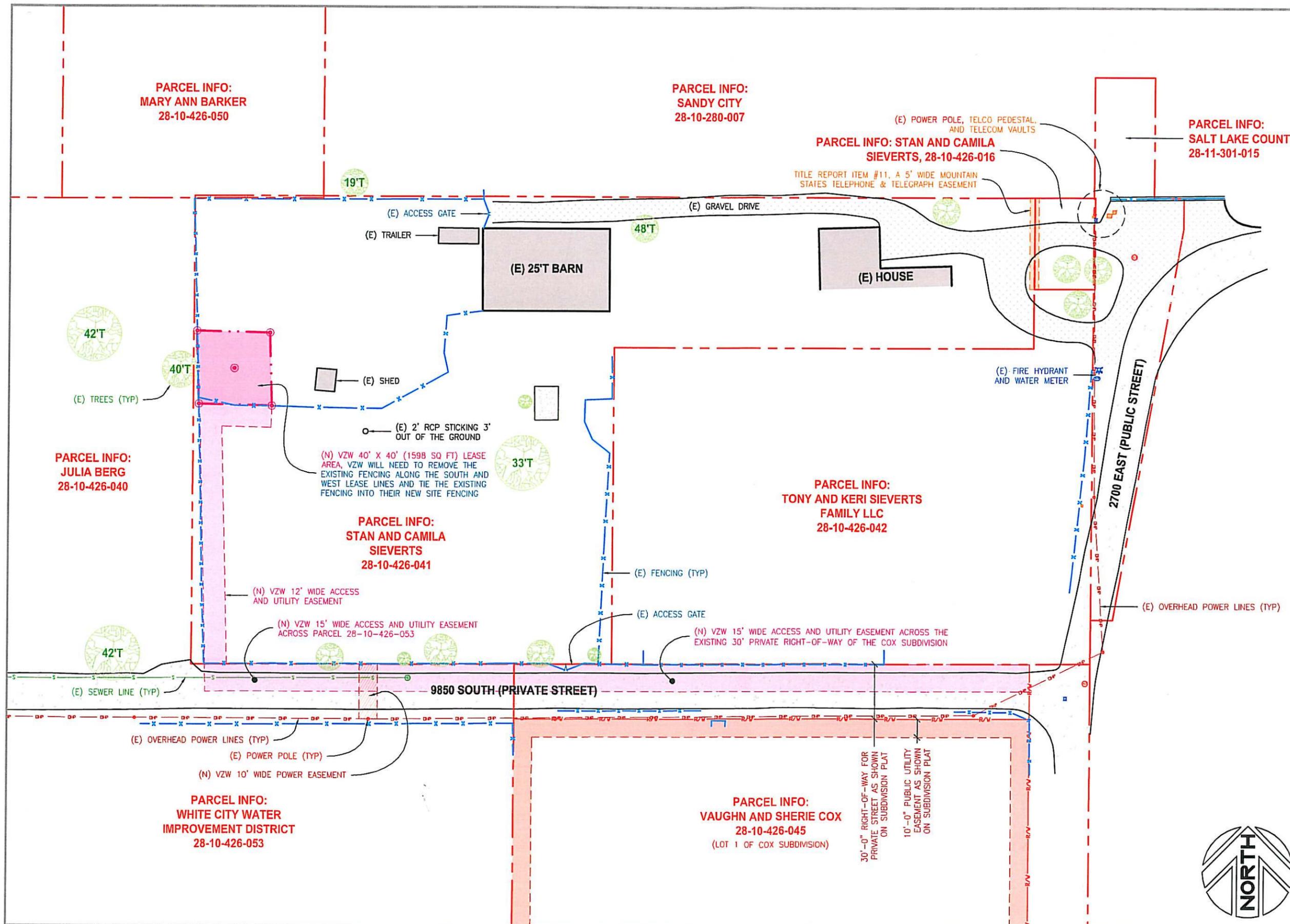
DRAWN BY: JAY C
CHECKED BY: NEFI G

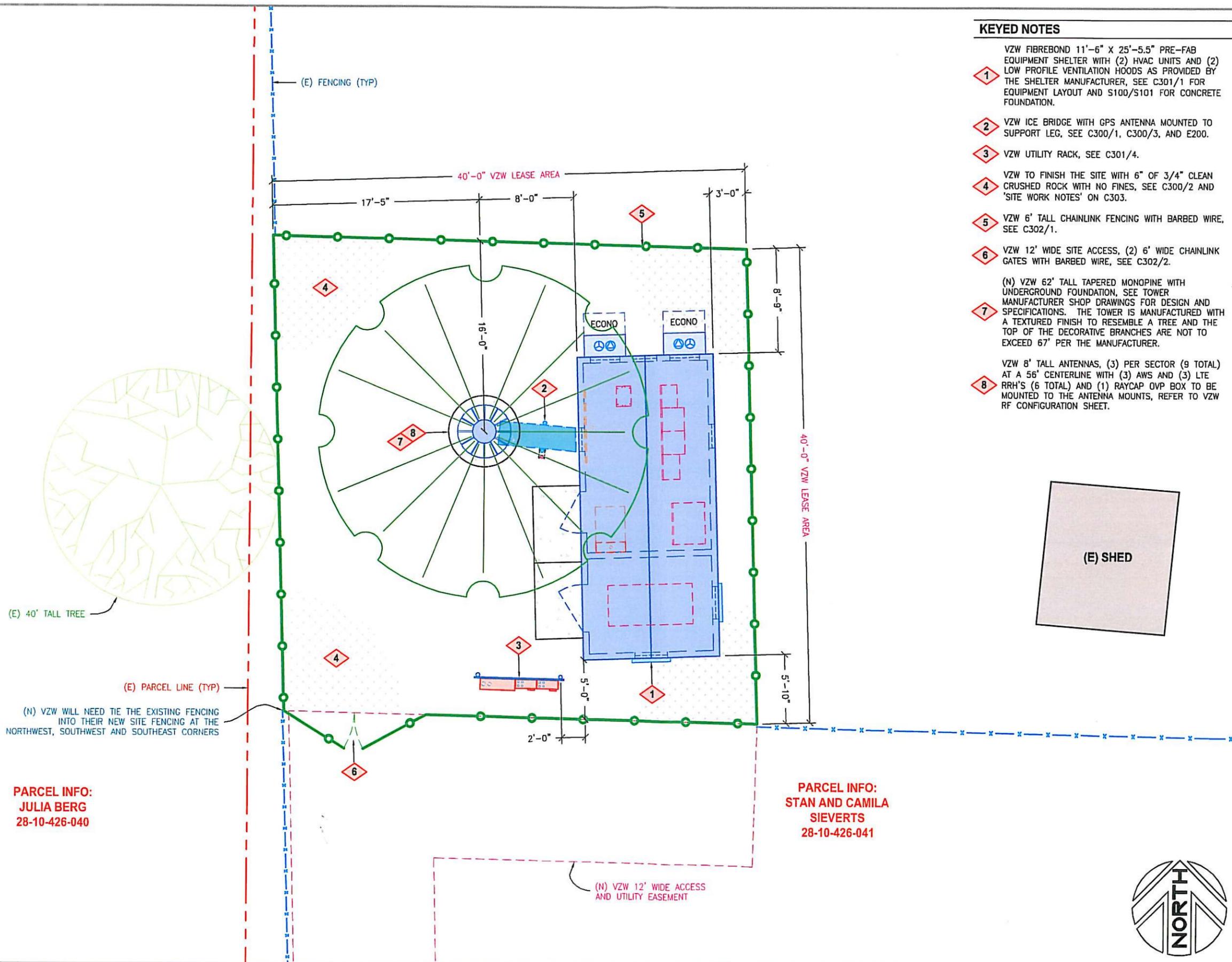
REV	DATE	DESCRIPTION
0	09.12.2013	ZONING DRAWINGS

SAL - GABBRO
SE SEC 10, T3S, R1E
9850 SOUTH 2700 EAST
SANDY, UTAH 84092
-- RAWLAND SITE --

SHEET TITLE
OVERALL SITE PLAN

SHEET NUMBER
C100





KEYED NOTES

- 1 VZW FIBREBOND 11'-6" X 25'-5.5" PRE-FAB EQUIPMENT SHELTER WITH (2) HVAC UNITS AND (2) LOW PROFILE VENTILATION HOODS AS PROVIDED BY THE SHELTER MANUFACTURER, SEE C301/1 FOR EQUIPMENT LAYOUT AND S100/S101 FOR CONCRETE FOUNDATION.
- 2 VZW ICE BRIDGE WITH GPS ANTENNA MOUNTED TO SUPPORT LEG, SEE C300/1, C300/3, AND E200.
- 3 VZW UTILITY RACK, SEE C301/4.
- 4 VZW TO FINISH THE SITE WITH 6" OF 3/4" CLEAN CRUSHED ROCK WITH NO FINES, SEE C300/2 AND 'SITE WORK NOTES' ON C303.
- 5 VZW 6' TALL CHAINLINK FENCING WITH BARBED WIRE, SEE C302/1.
- 6 VZW 12' WIDE SITE ACCESS, (2) 6' WIDE CHAINLINK GATES WITH BARBED WIRE, SEE C302/2.
- 7 (N) VZW 62' TALL TAPERED MONOPINE WITH UNDERGROUND FOUNDATION, SEE TOWER MANUFACTURER SHOP DRAWINGS FOR DESIGN AND SPECIFICATIONS. THE TOWER IS MANUFACTURED WITH A TEXTURED FINISH TO RESEMBLE A TREE AND THE TOP OF THE DECORATIVE BRANCHES ARE NOT TO EXCEED 67' PER THE MANUFACTURER.
- 8 VZW 8' TALL ANTENNAS, (3) PER SECTOR (9 TOTAL) AT A 56' CENTERLINE WITH (3) AWS AND (3) LTE RRR'S (6 TOTAL) AND (1) RAYCAP OVP BOX TO BE MOUNTED TO THE ANTENNA MOUNTS, REFER TO VZW RF CONFIGURATION SHEET.



VERIZON WIRELESS
 9656 SOUTH PROSPERITY ROAD
 WEST JORDAN, UTAH 84088

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DRAWN BY: JAY C
 CHECKED BY: NEFI G

REV	DATE	DESCRIPTION
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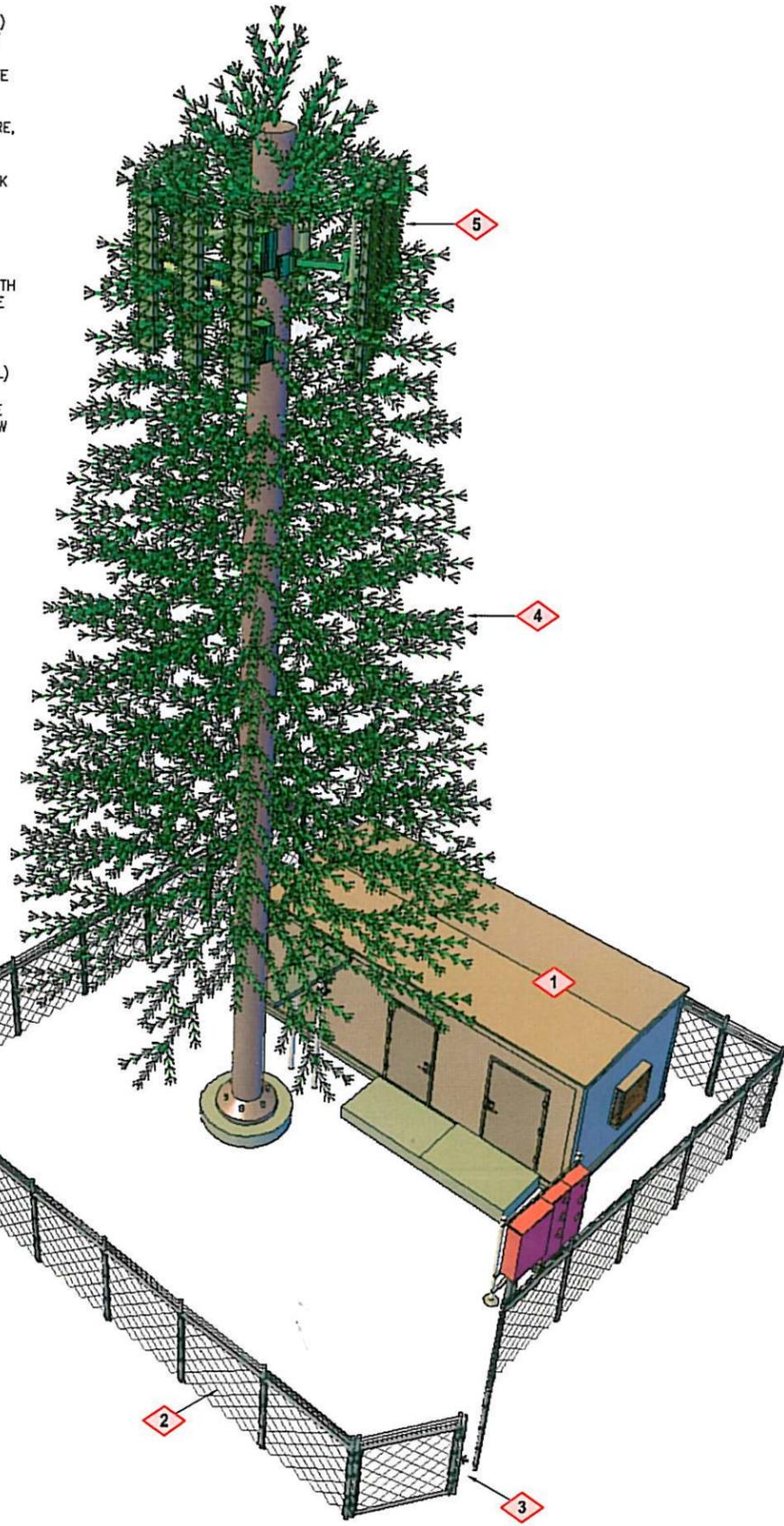
SHEET TITLE
ENLARGED SITE PLAN

SHEET NUMBER
C101

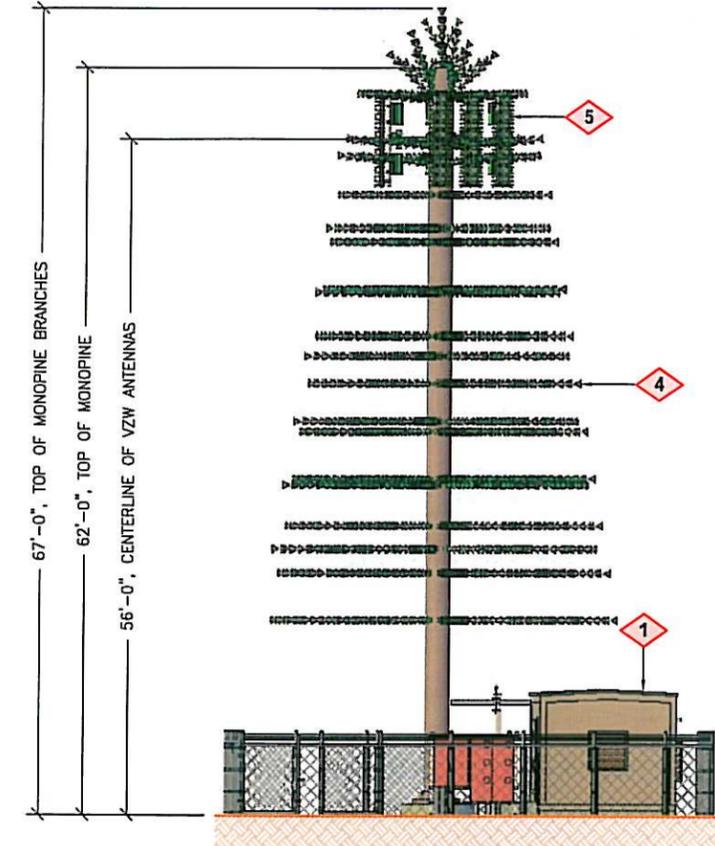


KEYED NOTES

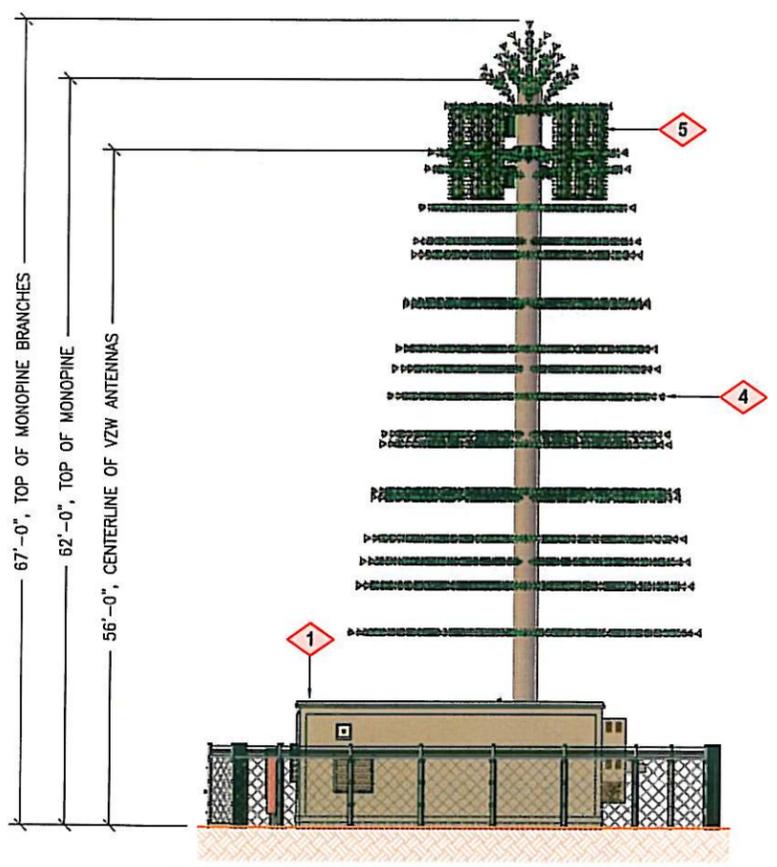
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SITE ELEVATION
NORTHEAST VIEW



SITE ELEVATION
LOOKING NORTH



SITE ELEVATION
LOOKING WEST

verizon wireless
VERIZON WIRELESS
9858 SOUTH PROSPERITY ROAD
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-- RAWLAND SITE --

SHEET TITLE
SITE ELEVATIONS

SHEET NUMBER
C200



