

January 7, 2014

7:00 p.m.

Planning Department
Council Chambers

MEMBERS PRESENT: Commissioners Margaret Wimborne, Donna Cosgrove, George Swaney, Doug Branson, Brent Dixon, and James Wyatt.

MEMBERS ABSENT: Leslie Polson, Kurt Karst, David Hodder, Dee Whittier, and Natalie Black.

ALSO PRESENT: Planning Director Brad Cramer, Assistant Planning Director Kerry Beutler, Recording Secretary Cynthia Likes, and interested citizens.

CALL TO ORDER: Chair Swaney called the meeting to order at 7:00 p.m. and reviewed the public hearing process.

MINUTES: None

PUBLIC HEARINGS:

Rezone of HC-1 (Highway Commercial) to HC-1 with T-1 (Tower) overlay: Beutler presented the staff report, a part of the record. Beutler clarified for Wimborne the maximum tower allowed would be 90 ft. Cosgrove asked what the difference is between a T1 and T2 overlay. Beutler explained that a T1 permit is near a major highway and has limitations for residential areas and T2 is more industrial buffered by natural features. Dixon asked if the City prefers cell towers by the highway or by buildings. Beutler said there is no preference. Dixon asked if the whole parcel was being rezoned. Cramer pointed out that when the ordinance was written, it was to identify corridors and existing towers. Cosgrove questioned whether another company could come in put a tower near this one. Dixon clarified that it has to be 1000 ft away so no cluster will be created.

Swaney opened the public hearing.

Jared White, 1894 W 1690 S, Woods Cross, Utah. Mr. White appeared for the applicant, Verizon Wireless, to explain the project further and to answer any questions.

Cosgrove asked about interference and health concerns. White explained that cell phone companies pay billions of dollars to register for a specific spectrum, and that is what allows them to collocate on the same tower. Verizon and AT&T can have antennas within a few feet of each other because they have paid the federal government a lot of money to have a very specialized licensed frequency. A company cannot transmit on another company's frequency. Cosgrove questioned the risk of a resident 330 ft. away having fuzzy television reception, and whether the

emissions are harmful to humans. White said the transmission would not affect any television broadcasts. He said the residents would not be affected by day-to-day activities. Also, the emissions have been so thoroughly studied that it is actually illegal, due to the Federal Telecommunications Act, for the board to make a decision based on health concerns.

Wimborne asked about the existing overlays in the city since several are illustrated on the map. She wondered if there was enough room in the existing areas to build this tower. White said that Verizon is already in the closest overlay so they would be building one right on top of another. Another overlay zone is so close to these other towers, it wouldn't enhance the coverage, and the other one where you can locate your equipment is very low to the equipment and is full.

Dixon asked White if Verizon has a preference for the location. White said it is a 90 ft tower so there will be visual impact, but their intent is to try to stay behind the owner's building in the corner for privacy and security concerns, it won't take up parking, and they will meet the required distance setbacks from everyone.

Ron Johnson, 1649 Parley Street, Idaho Falls. Mr. Johnson appeared as a representative for the Bank of Commerce, a business that would be in close proximity to the tower. He is the bank's Chief Financial Officer as well as the Chief Operating Officer. He admitted that cell phones are useful and that the bank uses Verizon as does he in his personal life. However, just as there are needs and concerns for the residents in the area, there are also some business considerations that need to be factored in. The slide, part of the record, shows the Bank of Commerce's building. In 2007 the bank began construction on this building on the west side of town. The larger building on the bottom is a full-service branch for the bank, about one-third of it is used for the bank branch and two-thirds for operational things such as, internet banking, trace departments, debit cards, etc. The building above that, the little square, is a state of the art data center. It is the life blood of all bank's processes for the 16 locations of the bank.

Without that building, they don't have a bank to operate. Their concern is where Verizon proposed the tower to be located. They are concerned that if an earthquake occurred the tower would fall and it could land on their building. They are also concerned about the possibility of needing a tower of their own in the future for data transmission. He is also concerned if anything will affect the bank's transmissions with electromagnetic types of things. Even though it seems to be a perfect science, it is not.

Page 4 item 3 in the staff commentary asks if the applicant's proposed antenna would cause electromagnetic interference with existing towers or structures, and the information was not supplied by the applicant.

Jeff Jones, 1641 Raymond, Idaho Falls. Mr. Jones lives in a house directly behind and to the north of the prospective tower and feels there are better areas for towers to be located that are away from residential areas. He admits that cell phone towers are a necessity and suggested going further west of town where there are lots of open areas not so close to residential.

Jared White, 1894 W 1690 S, Woods Cross, Utah. White said they will allow any company to collocate on their tower. Verizon monitors signals and would correct any interference issues

immediately. He said no matter where they go somebody would be affected. He explained that cell towers used to be on the outskirts of the industrial areas and would shoot signals in but as demand increases, it is impossible to stay on the outskirts and shoot in. No matter where the cell tower is built, it will impact someone, and there will always be a visual impact. Cosgrove asked about how the tower meets the objectives. White explained that the objective is to both offload and to cover. They don't want to provide duplicate coverage to some areas and leave little islands of no coverage, black holes.

Swaney closed the public hearing.

Dixon said as far as being on that side of Broadway they are a reasonable distance from the residential both to the north and northeast as well the apartments further to the west. They are also a significant distance from the houses to the south. It does look like it meets the provisions of our ordinances so what we are looking for is to minimize impact and it looks like it is located to minimize impact on the residents and as for visual impact.

Wimborne said that the only issue that is left is that the ordinance protects residents but not the commercial areas.

Dixon then moved to recommend to the Mayor and City Council rezoning from HC-1 (Highway Commercial) to HC-1 with T-1 (Tower) Overlay for the subject property, with the suggestion that the planning department do what they can to ensure in this case and future cases to do what they can for the actual location of the towers be located to minimize falling on structures be they residences or otherwise.

Cosgrove seconded the motion and it passed unanimously.

Swaney then explained to the public that they have the chance to go to the hearing for City Council in behalf of or in opposition of this motion.

BUSINESS:

County Planning and Zoning. Cramer met with Roger Christensen, the County Chairman, and discussed having a liaison on the County Planning and Zoning board. The liaison would represent the city but would be only one voice on the Board. Christensen suggested having Bonneville County Planning and Zoning Administrator Steve Serr come and explain the position.

Serr explained that the liaison would be expected to participate on the board, same as they do on this board and be a liaison between the two boards. The value of having a liaison with the county there would be input about what might be planned outside the city limits and have a dialog between the two boards.

Swaney questioned why the prospective liaison would have to have an interview with the Bonneville County commissioners if it is a volunteer position. He feels that the person that is selected could come and serve. Serr said that it is just a common practice for an interview is conducted for all the boards. The county would like people from differing geographic areas and a

diversity of expertise from different areas of the city. Serr also said liaison might not be the best term, perhaps representative would be a better term. They are representing the city and part of their job is to inform both boards of what they are doing.

Cramer asked if any of the commissioners would volunteer for the County Planning Commission. There were no volunteers. Swaney suggested putting together a subcommittee to decide on a volunteer for the county.

Introduction: James Wyatt was introduced as replacing Jake Cordova. He was born in Turkey but lived in Idaho Falls most of his life. He is an architect, and has a private practice in Idaho Falls and has two partners. He also sits on the Board of Adjustment.

Planned Unit Development: Cramer said staff is still working on rewriting the ordinance. He asked the board to review the concept document to ensure their comments have been included. If they agree their comments are included, the city will begin to develop some visuals and concepts. Dixon said the distinction needs to be made between infill vs regular planned unit development to ensure this block isn't trying to be developed to avoid setbacks.

Sub-Committee Discussion: Cramer presented the idea of creating temporary sub-committees for specific items such as the PUD ordinance and sign ordinance and have a few work sessions. Cosgrove said she thought sub-committees were a good idea and Wimborne agreed. Swaney suggested bringing the information for sub-committees before the board and the board would say yes or no, and then decide who would be on it. Cramer said he would work on it and bring some ideas and ask for volunteers next month or in March.

The meeting adjourned at 9:10 p.m.

Respectfully submitted,

Cynthia Likes