

**GRAND JUNCTION PLANNING COMMISSION
JULY 24, 2012 MINUTES
6:00 p.m. to 6:27 p.m.**

The regularly scheduled Planning Commission hearing was called to order at 6:00 p.m. by Chairman Wall. The public hearing was held in the City Hall Auditorium.

In attendance, representing the City Planning Commission, were Reginald Wall (Chairman), Lynn Pavelka (Vice-Chairman), Pat Carlow, Ebe Eslami, Loren Couch (Alternate) and Jon Buschhorn (Alternate). Commissioners Gregory Williams, Lyn Benoit and Keith Leonard were absent.

In attendance, representing the City's Public Works and Planning Department – Planning Division, were Lisa Cox (Planning Manager) and Senta Costello (Senior Planner).

Also present was Jamie Beard (Assistant City Attorney).

Lynn Singer was present to record the minutes.

There were 6 interested citizens present during the course of the hearing.

ANNOUNCEMENTS, PRESENTATIONS AND/OR VISITORS

Chairman Wall announced that the Public Hearing item for the Greater Downtown Plan and Overlay – Comprehensive Plan Text Amendment, Comprehensive Plan Future Land Use Map Amendments, Rezoning Properties within the Greater Downtown Plan Area, Zoning Overlays for Corridors and the Downtown District had been pulled. At this time, no date had been set for when that item would be heard.

Consent Agenda

1. Minutes of Previous Meetings

Approve the minutes of the May 22, June 12 and June 26, 2012 regular meetings.

2. SBT-GJLC Telecommunications Tower – Conditional Use Permit

Request approval of a Conditional Use Permit for a Telecommunication Facility and Support Structure to allow a new 110' telecommunications tower with the potential for 5 additional collocations.

FILE #: CUP-2012-362
APPLICANT: Rex Jennings – SBT Internet
LOCATION: 400 23 Road
STAFF: Senta Costello

Chairman Wall briefly explained the Consent Agenda and invited the public, planning commissioners, and staff to speak if they wanted any item pulled for additional

discussion. At public request, Item 2 was pulled for a Full Hearing. After discussion, there were no objections or revisions received from the audience or Planning Commissioners on the remaining Consent Agenda item.

MOTION: (Commissioner Pavelka) “Mr. Chairman, I make a motion that we approve the minutes.”

Commissioner Eslami seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

Public Hearing Items

2. SBT-GJLC Telecommunications Tower – Conditional Use Permit

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STAFF’S PRESENTATION

Senta Costello, Senior Planner with the Public Works and Planning Division, made a PowerPoint presentation regarding the request for a Conditional Use Permit for a 110’ telecommunications facility located just northwest of the Ute Water Tank site in the Redlands area and near Wingate Elementary School. The surrounding property of the lease area was currently undeveloped, residentially zoned property, which was zoned as a Planned Development. At present, there was no plan established for the property.

Ms. Costello said the Future Land Use designation for the area was Conservation so it was slated for minimal residential development in the future, largely due to the topography of the area. She added that the zoning, designated as a PD, was surrounded by single-family - RSF-4, PD and R-2. The tower, as proposed, was a lattice-type tower as opposed to a monopole. The applicant had gone through the criteria and represented that he believed that his tower would meet all of the criteria required in the Code, including such things as signage, compatibility and minimization of negative effects to the surrounding property owners. Ms. Costello concluded that staff had recommended approval.

QUESTIONS

Commissioner Couch asked if there would be any development in the PD zoning especially with regards to Wingate Elementary. Ms. Costello said that there likely would not be, especially on top of the hill itself as it would be extremely difficult to develop there. The Future Land Use’s designation of Conservation limited residential development to one dwelling unit per five acres so that would be the highest level of residential development in the area.

Chairman Wall asked if the tower would be far enough away from any development if the tower was to fall over. Ms. Costello pointed out that there were required setbacks specific to the tower itself from any type of residential development – twice the height of the tower – so when a residential development would be proposed, they would look at what those standards were at that point. She said that Rex Jennings (applicant) could provide more information about how the towers were designed structurally.

Commissioner Buschhorn asked how far away this tower was from the existing tower. Ms. Costello said that from the existing tower site, the proposed site is approximately 550 feet.

Commissioner Buschhorn asked if it had to be 750' from another self-supporting lattice. Ms. Costello said that there were a couple of different standards that came into play in this particular instance. First, the existing tower is a monopole tower, whereas the proposed tower was a lattice. There was also a new federal law that had been adopted that prohibited the denial of a tower from having to comply with local zoning criteria if there was only one area where the tower could be located order to fill a coverage gap. She believed this tower did meet that criterion.

Commissioner Buschhorn inquired if that coverage gap was a Grand Junction coverage gap. Ms. Costello answered that for the applicant's specific use, the facility was for filling a coverage gap in rural northeastern Utah and for the 911 communications center, it was a local coverage gap that was being covered. The applicant has agreed to allow 911 communications center facilities to be located on the tower which would fill a coverage gap in the Redlands area for emergency service providers; there is also the potential for additional providers to utilize the facility to fill private coverage gaps for cell, internet and other telecommunication services.

Commissioner Carlow asked the applicant if there would be any requirement for lighting on top of the tower. Mr. Jennings said that it met all of the requirements for the FAA and also the FCC and added that there were no lighting requirements for this tower.

Commissioner Carlow then asked Mr. Jennings about guy wires. Mr. Jennings said that there were no guy wires on this tower, that it was self-supporting.

PUBLIC COMMENT

Lin Morris said that she lived in the area where the cell towers would be constructed. She said she understood there was the possibility of five more towers in the future and wondered about the safety for the physical beings that were in this area. It is privately owned property although it has been used by the public. She said that she had been in the medical profession for 20 years and knew that when there was an electrical force, there was also a magnetic field that was perpendicular to that force and wondered what those effects would be on the nearby community. Ms. Morris also wondered what the safety would be for anyone who climbed up the lattices of those towers. She also raised concerns regarding the closeness to the water towers, lightning strike impacts

and effects on anyone who walked and/or hiked in the area. She next asked if there would be any fencing around the towers that would somehow limit people being able to climb on them or even touch them. Chairman Wall listed her concerns as related to the safety of the people around the tower; magnetic force effects; fencing around the tower; and whether or not additional towers would be constructed in the area. Ms. Morris also asked if ultrasonic sound would be emitted.

APPLICANT’S REBUTTAL

In response to Ms. Morris’s concerns, Rex Jennings said that with regard to the additional towers, he had to do due diligence and evaluated the best approach to putting the tower up. He personally only needed a 30’ pole for his use but the ordinances and requirements really drove one to look at how it would benefit the community to meet future telecommunication needs.

The idea of five additional towers was a little misleading – it would be five additional users on the one tower. His tower would then be used by other carriers or other people which would eliminate the need for additional towers. He also addressed that they would not construct antennas below 30’ in height, citing Federal safety standards that 12’ or more in front of the antenna and one foot behind it are safe proximity distances to an antenna (i.e.so as long as one was 12’ in front of the antenna, there would be no measurable harm to people or animals). He said that his antenna would be put 30’ above the ground as a safety margin which he thought would eliminate any walk-by traffic or drive-by traffic being exposed to any safety issues.

Mr. Jennings said that the fence to be put up would be similar to the one that was at the water tank area – a locked chain link fence. He said that what is transmitted off the tower would be to microwave and cell phone transmissions and it should not interfere with anyone’s broadcast or reception. Mr. Jennings finished by stating that the proposed tower met all FCC rules and regulations of transmission rates and signal strength.

QUESTIONS

Chairman Wall asked for clarification regarding putting the dish 30’ up in conjunction with a 110’ tower. Mr. Jennings said that it was 30’ from the ground to the center of the antenna and so that dish would not be any higher than that. Anything above that height would probably be collocation. He was unsure where the 911 equipment would be put and assumed it would be high enough it could see over any obstacles in the way.

Commissioner Buschhorn asked how big the dish would be. Mr. Jennings said it would be 10’ in diameter.

Lin Morris asked if Mr. Jennings had any information about history of lightning strikes to a 110’ cell tower. She also asked if he had any reports concerning microwaves interfering with people who had pacemakers in the area. Mr. Jennings said that as far as lightning strikes to the tower, the tower would meet all of the standards for grounding. With proper grounding, it affects nothing and was probably actually a benefit to anything

in the surrounding area because it would attract the lightning and take it to the ground rather than hitting other things out in the open. With regard to microwaves affecting pacemakers, the FCC had set the safety distance standards at 12' or more in front of an antenna and pointed out that if the antenna was 30' in the air, even if one was standing right up against the fence, you could not get closer than 30' from the antenna. In addition, the tower was set back from the fence so there really should not be any way that it would affect a pacemaker or anything else. Mr. Jennings said that these were pretty low powered radios and was just a carrier signal.

DISCUSSION

Commissioner Pavelka said that based on the federal safety standards and the grounding requirements, she thought this was safe. As there would be fencing around it as required, she felt the public would be safe and was in favor of putting in the tower. She added that she would much rather see one tower with five providers which was an effective use.

Commissioner Eslami concurred with Commissioner Pavelka.

Chairman Wall also concurred and thanked Mr. Jennings for the information he shared tonight. He thought it met all standards and was an application he would approve.

MOTION: (Commissioner Pavelka) “Mr. Chairman, on the request for a Conditional Use Permit for SBT-GJLC Telecommunications Tower application, Number CUP-2012-362, to be located at 400 23 Road, I move the Planning Commission approve the Conditional Use Permit with the facts and conclusions and conditions listed in the staff report.”

Commissioner Eslami seconded the motion. A vote was called and the motion passed unanimously by a vote of 6 - 0.

General Discussion/Other Business

None.

Nonscheduled Citizens and/or Visitors

None.

Adjournment

With no objection and no further business, the Planning Commission meeting was adjourned at 6:27 p.m.