

Planning & Zoning Minutes

April 21, 2016

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CITY OF
REXBURG
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Commissioners Attending:

Jedd Walker – Chairman
Rory Kunz Mark Rudd
Melanie Davenport Greg Blacker
Bruce Sutherland Steve Oakey
Heidi Christensen

City Staff and Others:

Brad Wolfe- City Council Liaison
Daniel Torres – Assistant Economic Developer
Steven Park – Community Development Intern
Elaine McFerrin – P&Z Coordinator

Chairman Jedd Walker opened the meeting at 7:04 pm.
Community Development Director Val Christensen was excused.

Roll Call of Planning and Zoning Commissioners:

Attending: Steve Oakey, Greg Blacker, Rory Kunz, Mark Rudd, Jedd Walker, Bruce Sutherland, Heidi Christensen, and Melanie Davenport.

Gil Shirley, Richard Smith, and John Bowen were excused.

Minutes:

1. Planning and Zoning meeting – April 7, 2016

Bruce Sutherland motioned to approve the Planning & Zoning minutes of April 7, 2016. **Rory Kunz** seconded the motion.

Melanie Davenport, Steve Oakey, and Mark Rudd abstained for having not been present.
None opposed. **Motion carried.**

Public Hearings:

1. 7:05 pm - Conditional Use Permit – Verizon Monopole – 110 South 12th West – The property is in the City of Rexburg Impact Area.; the zoning is Rural Residential 1

Chairman Walker explained the procedure that is followed for a public hearing.

Tonight, the Commissioners will make a recommendation to the Madison County Commission for this proposal rather than a recommendation to the City Council, because the subject property is in the City of Rexburg Impact Area.

Jared White, 1894 West 1690 South, Woodscross, UT, representing Verizon Wireless, the applicant. The subject location was shown on the overhead screen.

Verizon Wireless is requesting a Conditional Use Permit to construct a new cell tower, a monopole, at 110 South 12th West. Verizon Wireless obtained a Conditional Use Permit for a tower over a year ago for property at 1076 West Main (Alpine Propane). After working with that property owner, it was determined that he no longer wanted to lease that space and may want to develop it in the future.

Verizon Wireless is no longer pursuing that site and have no intention of ever building a cell tower there.

The subject location of 110 South 12th West being proposed tonight is instead being requested for a monopole cell tower.

The major purpose of building the cell tower is not so much for cell phone coverage but more for the capacity of the network. Each tower can hold only so much activity. As cell phone use continues to intensify, it overloads the existing sites. To combat this, a new cell tower would be placed in a denser area that is having capacity issues. It would have a triple effect, as it enhances the coverage in the immediate area and will also allow the cell towers that surround it to function better, because they do not have to handle so much data and so much traffic. One tower in one location benefits a much greater area through the offloading for existing towers and coverage.

Verizon Wireless recognizes the proximity of the subject location to the airport. They are seeking approval from the FAA (Federal Aviation Administration) for up to a 100-foot tower, as the FAA may approve a tower that is for a lesser height. Verizon does not anticipate that happening because the FAA had approved the earlier site for a 150-foot tower.

Melanie Davenport asked how visible the cell tower would be from the road and how the site would be maintained.

Jared White said the tower would be located on the back portion of the property at approximately where the paved portion of the property ends and would be shielded from the street by the home and a landscaping business shop. It is much more screened than in their previous request on West Main.

The cell tower site will be fenced and will have a weed barrier of gravel. There will not be a lot to maintain. Verizon Wireless will keep the inside of the site area clear of debris and weeds.

A technician will visit the cell tower site every 4 to 6 weeks.

Mark Rudd asked if the height of 100 feet is average for a cell tower.

Jared White stated a 100 foot height is an average height. The height of towers is dropping from where they used to be because companies no longer want the cell tower site to cover miles and miles; they want it to cover a smaller area so all sites can perform better.

Typically a monopole, a cylinder-like structure, averages between 80 and 120 feet in height. A lattice tower is much higher, closer to 150 to 200 feet.

It was clarified that the tower behind Clair and Dee's is about 80 feet tall.

Chairman Walker opened the public input portion of the public hearing.

In Favor:

Dean Kunz, 110 South 12th West. He owns the subject property. The cell tower will be back behind his shop. He does not see any problem and is in favor of the request.

Neutral:

Lee Dexter, 150 South 12th West. He wondered how this cell tower proposal would affect him and his possibly wanting to do development on his property, which is just to the south of the subject property. Does it limit things for him? He wanted clarification on the construction.

Opposed: None

Written Input: None

Chairman Walker closed the public input portion of the hearing. He asked if any of the Commissioners had a direct or perceived conflict of interest with this proposal. No one declared a conflict.

Chairman Walker clarified for Lee Dexter that the construction of the cell tower would be of a monopole tower, which is basically a steel tube. He clarified that as far as what Mr. Dexter can do on his property, this issue does not limit Mr. Dexter's property rights as far as code and developable land.

Chairman Walker read the staff review comment from Public Works, which staff would like as a condition of approval:

"Because of the height and the location of the tower to the airport, a review by the FAA (Federal Aviation Administration) must be completed, per the Rexburg City Attorney. Application will need to be made by the applicant and FAA approval received prior to final approval."

He reiterated from the Community Development staff report that the property is in the City's impact area, so a recommendation would be made by this Commission to the Madison County Commission instead of the City Council.

Heidi Christensen asked if the cell tower would stay if property owner Dean Kunz sells his property.

Jared White stated the tower would stay with the property. Verizon Wireless would have a property lease agreement.

Steve Oakey motioned to recommend to the Madison County Commission approval of a Conditional Use Permit (Verizon) for a 100-foot monopole, to be located at 110 South 12th West, which is in the City of Rexburg Impact Area, and to include one condition as was stated in the City's Public Works Department staff review:

1. Because of the height and the location of the tower to the airport, a review by the FAA (Federal Aviation Administration) must be completed. Application will need to be made by the applicant and FAA approval received prior to final approval.

Mark Rudd seconded the motion.

The Standard CUP requirements stated in the Development Code No.1026 ("Standards Applicable to Conditional Use Permits") Section 6.12B) apply to the Conditional Use Permit.

None opposed. **Motion carried.**

Heads Up:

May 5, 2016:

1. Rezone – 419 West 1st North – from Low Density Residential 2 to Mixed Use 2
2. Conditional Use Permit – 419 West 1st North - to allow 100 percent residential and zero percent commercial in a Mixed Use 2 zone.

Chairman Walker adjourned the meeting at 7:25 pm.