

CITY OF NORTH SALT LAKE
PLANNING COMMISSION MEETING
AUGUST 14, 2018

FINAL

Commission Chair Ted Knowlton called the meeting to order at 6:35 p.m. and Stephen Garn led those present in the Pledge of Allegiance.

PRESENT: Commission Chair Ted Knowlton
Commissioner Stephen Garn
Commissioner William Ward
Commissioner Brandon Tucker
Commissioner BreAnna Larson
Commissioner Natalie Gordon

EXCUSED: Commissioner Kent Kirkham

STAFF PRESENT: Sherrie Llewelyn, Community Development Director; Kate Werrett, Planning Technician; Andrea Bradford, Minutes Secretary.

OTHERS PRESENT: Jared White, Verizon Wireless; Travis Davis, Hughes General Contractors; Judy Rogers, resident.

1. PUBLIC COMMENTS

There were no public comments.

2. PUBLIC HEARING-CONSIDERATION OF A CONDITIONAL USE PERMIT FOR A CELLULAR TELEPHONE TOWER AT APPROXIMATELY 431 NORTH 725 EAST, JARED WHITE, VERIZON, APPLICANT

Sherrie Llewelyn reported that Verizon Wireless had approached the City about placing a cellular telephone tower on the property of the City's water tower located at 431 North 725 East. The property, zoned R1-10, is 1.35 acres in size and the proposed use of cellular and other wireless telecommunications is classified as a public or quasi-public use as utility provider and is allowed as a conditional use in this zone.

Verizon would lease a 38' by 20' area for the tower and equipment shelter and would provide a six foot chain link fence with three strands of barbed wire strung along the top of the fence.

The adjacent properties to the site are the Vineyard Condos to the South, an LDS Church to the North, and the former Wood Museum to the East. The proposed tower would be located 23 feet from the street, 15 feet from the north property line with the church, 230 feet from the Vineyard Condo property line, and 69 feet from the edge of the water tank.

The applicant had proposed a 60' tower and the Development Review Committee (DRC) determined that an additional height would be necessary for co-location on this tower so they recommended 90' as the maximum height of the tower. The DRC recommended approval with six conditions including the maximum height of 90', the proposed stealth treatment of the pine tree tower, co-location for other carriers, the placement of City owned cameras, the access easement would utilize materials such as dustless gravel or asphalt, and the City Council approval of the lease agreement.

Notifications were mailed to all property owners within a 300' radius of the site and one comment was received via telephone. Mrs. Llewelyn commented on the design of the cell tower including the stealth treatment (pine tree) versus the cell phone tower and said that the resident was concerned about the height and the appearance of the tower.

Commission Chair Knowlton opened the public hearing at 6:43 p.m.

Judy Rogers commented that she lived across the street from the proposed tower and asked what the tower was needed for. She also asked if there were other locations that may be more suitable to place the tower.

Commissioner Gordon asked Ms. Rogers if she would prefer the tower to look like a tree or a tower. Judy Rogers replied that she would prefer the tower and not a 90' tall fake tree.

Commission Chair Knowlton closed the public hearing at 6:47 p.m.

Jared White, Verizon Wireless, said that Verizon would build whatever type of tower the City preferred whether it was the tree or a regular pole. He said that they did review other sites and that this location was the best for capacity and performance as well as coverage. Mr. White explained that co-location meant sharing the tower with other carriers. He said they generally built mono-pine towers in areas with similar looking trees that would help to conceal the tower.

Commissioner Gordon asked if the City needed the tower to be higher for the placement of the cameras. Sherrie Llewelyn replied that the cameras would monitor the water tower and did not need to be placed that high.

Sherrie Llewelyn suggested that the Planning Commission could make a recommendation on the height of the tower, such as up to 90' in height, per the lease agreement and the City Council could then determine whether to restrict the height.

The Commission discussed an 80' high tower, the visual difference between 60' and 90' height, the average height of power poles in the area, and the recommendation of a mono-pine or pole to the City Council based on the height of the tower.

Commissioner Gordon moved that the Planning Commission approve the conditional use permit and site plan for a Verizon cell phone tower to be located on City owned property at 431 North 725 East with the following conditions:

- 1) Recommend to the City Council to allow a maximum height of the cell tower up to 90 feet in height;**
- 2) The tower may be either a tower or a stealth pine tree (mono-pine);**
- 3) The tower may be capable for co-location of other carriers;**
- 4) Provision for the placement of the city owned cameras, relay devices, or other electronic devices for purposes of providing security and improved maintenance of the water tank site;**
- 5) The access easement will utilize materials such as dustless, washed gravel, or asphalt, as approved and agreed upon by the engineering and public works departments;**
- 6) The City council approves a lease agreement for the site.**

Commissioner Garn asked if there should be clarification in the motion that the City Council would make the decision between the stealth pine tree (mono-pine) or the tower. He suggested that if the tower was 60' in height that the mono-pine design would work but that if the tower was 90' in height that the Planning Commission would prefer the regular tower design.

The Planning Commission asked if the preference for the tower design needed to be specified in the motion. Sherrie Llewelyn commented that she would inform the Council regarding the Commission's preference.

Chair Knowlton asked for the Commission's feedback on the design of the pole. He said that that he would prefer the mono-pine tree design if the pole were 60' high and a regular pole at 90'

high. Commissioners Garn, Tucker, and Knowlton preferred a mono-pine design if the pole were 60' in height and none of the Commissioners wanted a mono-pine design at 90' in height.

Commissioner Gordon amended her motion to change the name “stealth pine” to “mono-pine” and “can” to “may”. Commissioner Garn seconded the amended motion. The motion was approved by Commissioners Knowlton, Garn, Ward, Tucker, Larson and Gordon. Commissioner Kirkham was excused.

3. CONSIDERATION OF A LOT LINE ADJUSTMENT (PLAT AMENDMENT) FOR SAHARA REDWOOD CONDOMINIUMS AT 460 NORTH REDWOOD ROAD, MIKE WRIGHT, APPLICANT

Sherrie Llewelyn reported on the proposed lot line adjustment between two businesses in the Sahara Redwood Condominium Subdivision. The proposed change would normally be handled as a minor lot line adjustment approved by staff, however upon recording the deeds, the County Recorder requested an amended plat to clean up the lot lines.

Commissioner Garn moved that the Planning Commission recommend approval to the City Council of the plat amendment for Sahara Redwood Condominium Subdivision at 460 North Redwood Road with no conditions. Commissioner Ward seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Ward, Tucker, Larson and Gordon. Commissioner Kirkham was excused.

4. CONSIDERATION OF A SITE PLAN AMENDMENT FOR HUGHES GENERAL CONTRACTORS AT 1020 NORTH REDWOOD ROAD, TRAVIS DAVIS, APPLICANT

Sherrie Llewelyn reported that the applicant was proposing to build two storage buildings at the Hughes Construction property for storage of concrete forms and other construction equipment. These two buildings would be located within the flight path of the Woods Cross Airport/RPZ Zone. Review of the airport plan shows that an approach surface would be required at a slope of 20:1 from the end of the runway. Analysis of this requirement is that buildings at the proposed location could be no taller than 44' with the proposed structures to be 21' tall. As airport regulations are complex the City has requested that the applicant obtain a letter of approval, known as a “Determination of No Hazard to Air Navigation” from the Federal Aviation Administration (FAA) before a building permit was issued. This was recommended procedure from Woods Cross City, as the airport is within their boundaries.

The Fire Marshal has also requested that the proposed buildings and all other buildings on the site be clearly numbered on the exterior of the building as well as the installation of a fire hydrant. The DRC recommended approval of the site plan amendment with four conditions including final engineering review and corrections, submittal of approval from the FAA, placement of building numbering, and an easement for maintenance of the water meter.

Travis Davis, Hughes General Contractors, said he would work with the FAA but based on preliminary correspondence the proposed buildings were less than half the height required for FAA clearance. Mr. Davis asked if a change could be made to condition three to make FAA approval a condition of final occupancy as well so that they could potentially begin construction now prior to receiving the FAA approval letter as there was no way to know the timeline for the letter.

Sherrie Llewelyn suggested that permission could be given to allow Hughes to build the footings, foundation, and install plumbing but wait until approval was given before vertical building was done. She said the City could contact the FAA to ensure approval before the vertical build as the wait for the FAA approval letter could take some time.

Commissioner Ward commented that the problem with allowing the applicant to start construction prior to FAA approval was that the location of the building may not be approved if it was determined to be obstructing the flight path. Commissioners Gordon and Tucker also expressed concern that if there was not FAA approval before construction began that there may be additional problems.

Commissioner Ward asked the applicant if they felt that the FAA approval was more of a precautionary measure. Travis Davis replied that they built projects all over the area, including those within close proximity to airports, and that unless the project was on airport grounds or in a designated overlay that it was unusual to need FAA approval.

Sherrie Llewelyn commented that as the proposed buildings were in the designated Runway Protection Zone (RPZ) and that staff would rather err on the side of caution which was why FAA approval was required.

Commissioner Gordon confirmed that the buildings would be concrete tilt up and asked if the applicant would need a crane for construction. Travis Davis replied that they would need to get temporary clearance from the airport for a certain timeframe to build.

Commissioner Gordon felt that if the FAA would allow them to bring in a temporary crane to install the tilt up then she did not see a problem with allowing them to build vertically at this time as the FAA would be granting approval of the temporary crane.

The Commission discussed several factors including that they did not want to delay construction especially if the FAA approval took time, that the approval letter was more of a precautionary measure, whether the proposed project complied with the current zoning, and that there were tall trucks that would be closer to the flight path than the proposed buildings.

Commissioner Ward moved that the Planning Commission approve the site plan amendment for Hughes Construction at 1020 North Redwood Road with the following conditions:

- 1) Final Engineering review and corrections;**
- 2) Submittal of approval from the FAA Regional Office of a “Determination of No Hazard to Air Navigation” prior to final occupancy;**
- 3) Placement of approved building numbering on the property prior to final occupancy, per Fire Marshall;**
- 4) Hughes Construction grant an easement for the maintenance of the water meter on the proposed private water line.**

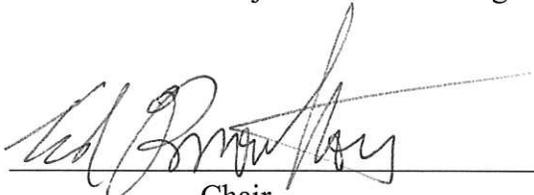
Commissioner Gordon seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Ward, Tucker, Larson and Gordon. Commissioner Kirkham was excused.

5. APPROVAL OF MINUTES

The Planning Commission meeting minutes of July 10, 2018 were reviewed and approved. **Commissioner Gordon moved to approve the minutes as amended. Commissioner Garn seconded the motion. The motion was approved by Commissioners Knowlton, Garn, Ward, Tucker, Larson and Gordon. Commissioner Kirkham was excused.**

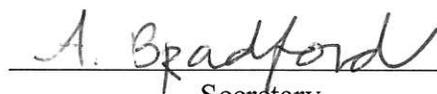
6. ADJOURN

Chair Knowlton adjourned the meeting at 7:47 p.m.



Chair

Recorder



Secretary