

STAFF PERSON: Andrew Knuppel, Planner
PLANNING COMMISSION: June 19, 2018
BOARD OF SUPERVISORS: July 11, 2018 (tentative)
PROJECT: B201800883ATWR Country Green - Special Exception
PROPERTY OWNER: SM Charlottesville LLC
APPLICANT: Shenandoah Personal Communications, LLC "Shentel"
c/o Ryan Fletcher, NB+C, LLC
LOCATION: Dominion Virginia Power transmission lines south of
Redfields Road; between Hayrake Lane and Fieldstone
Road
TAX MAP/PARCEL: 076S0-02-OS-001II, 076S0-02-00-06300

PROPOSAL:

This is a request to collocate a platform-mounted antenna array and 10' extension onto an existing 100' tall Dominion Virginia Power (Dominion) transmission tower for an overall height of 110', with new ground equipment to be contained within an approximately 300 square foot fenced equipment area in an approximately 1,600 square foot lease area located approximately 25' west of the tower. The site would be accessed using a 15' wide access and utility easement across TMP 076S0-02-00-06300, running parallel to Redfields Road before turning to follow the Dominion power lines.

The request includes the following special exception requests to modify the regulations found in Section 5.1.40:

- 1) 5.1.40.a(4)(f) showing all trees where the dripline is located within 50 feet of the facility
- 2) 5.1.40.b(2)(c) projection of antennas and mount type
- 3) 5.1.40.b(3) tree conservation plan

REASON FOR REFERRAL:

Staff seeks direction regarding interpretation of the Wireless Policy. Although the Policy recommends utilizing existing structures where possible, the proposed facility's mounting type is specifically discouraged by the Policy. While prior approvals of a similar nature have been predicated on the usage of screening and other techniques to mitigate visibility impacts, these techniques are not present in this request. Strict adherence to the design guidelines outlined in the Zoning Ordinance and the Policy would effectively preclude the usage of Dominion Virginia Power transmission towers as Opportunity Sites.

CHARACTER OF THE AREA:

This property is zoned R1 Residential and is located between the Redfields and Oak Hill Farm (Wintergreen Farm) developments, south of Redfields Road. The property has no improvements other than the Dominion transmission line. The property is substantially cleared of trees, with some trees and shrubs along its edges on adjoining parcels. Surrounding properties are residential, including some associated open space tracts. (Attachment A - Location Map)

PLANNING AND ZONING HISTORY:

The property was dedicated as common open space with the Wintergreen Farm Phase IIA plat. The access and utility easement was dedicated with the Wintergreen Farm Phase IIB plat.

PERSONAL WIRELESS SERVICE FACILITIES POLICY:

The wireless policy encourages the construction of facilities that have limited visual impact on the community. A summary of the Policy is below.

- This Policy allows for the location of personal wireless service facilities throughout the County.
- The Policy encourages the construction of facilities that have limited visual impact on the community.
- Visibility is the primary focus in the review of personal wireless service facilities.
- Facilities with limited visibility are encouraged.
- Personal wireless service facilities should not be located on ridgetops or along the ridgeline and they should be provided with an adequate backdrop so that they are not skylined.
- Personal wireless service facilities should not adversely impact resources identified in the Open Space Plan or designated as Avoidance Areas.
- Personal wireless service facilities should utilize existing structures where possible.
- Personal wireless service facilities, if appropriately sited and designed, may be appropriate in any zoning district.
- Ground based equipment should be limited in size and be designed in keeping with the character of the area.
- Antennas should be mounted close to the supporting structure and be designed to minimize visibility.
- The personal wireless service facilities policy is primarily intended to address facilities providing personal wireless service. Other types of wireless facilities are encouraged to adhere to this policy to the extent possible.

The policy encourages use of existing structures where possible, specifically identifying electric transmission towers as opportunity sites. However, the policy also specifically discourages the usage of platform mounting techniques due to their visibility, stating that they do not comply with design guidelines. (Attachment B)

The proposed facility is both consistent and inconsistent with the wireless policy. Of note in the applicant's justification for the mounting technique exception is a letter from Dominion stating that flush-mounted antenna systems (in line with the Wireless Policy and Section 5.1.40) are no longer permitted under company policy due to safety concerns for employees and contractors (Attachment C). Strict adherence to the policy's recommendation to discourage platform mounting techniques would effectively preclude the usage of Dominion transmission towers as opportunity sites.

ANALYSIS OF THE SPECIAL EXCEPTION REQUEST:

Requests for modifications must be reviewed under the criteria established in Section 33.9(a) taking into consideration the factors, standards, criteria and findings for each request; however no specific finding is required in support of a decision.

- 1) 5.1.40.a(4)(f) showing all trees where the dripline is located within 50 feet of the facility and 5.1.40.f(3) tree conservation plan** - The facility will be collocated on an existing structure, and the equipment compound area will be located within the cleared section of the property. The access and utility easement parallel to Redfields Road will not impact the tree preservation areas included with the Wintergreen Farm Phase IIB plat. No trees on the property are being used for screening.

- 2) **5.1.40.b(2)(c) projection of antenna beyond 18” from tower structure** - This proposal includes a special exception request to modify the requirements of Section 5.1.40b(2)(c) which limits the standoff distance to 18” from the tower structure to the back of the antenna. The proposed antenna would have 3.5’ of standoff distance from the structure to the backs of the antennas due to the use of a platform mounting technique. The platform itself is triangular and measures 11’ on each side. As referenced earlier, Dominion’s company policy requires this mounting technique or similar in order to utilize this transmission tower as an opportunity site, with the intent to serve a stated public safety interest.

The site’s location lacks opportunities for screening or backdrop, and the existing transmission tower is already substantially skylit when viewed from surrounding streets in the Redfields and Oak Hill Farm developments. (Attachment D) Although it is possible that a by-right flush-mounted option may also be visible from surrounding areas due to the tower’s existing skylighting, the mount type would act as a “camouflaging” mitigating technique. With regards to “camouflage” as a mitigation technique, the Wireless Policy mentions that “attachments to existing structures should not increase the height or bulk of the structure”. The proposed 10’ extension and mounting type clearly prevents opportunity for “camouflage” in the mitigation of visibility impacts. In the limited areas where the tower has a backdrop, it appears that the proposed 10’ extension may cause the proposed facility to become skylit.

Prior approvals of a similar nature have supported an interpretation of the Wireless Policy that prioritizes the usage of Opportunity Sites. It is with this interpretation that staff is able to recommend approval of this facility. However, prior approvals have also been predicated on the usage of screening and other techniques to mitigate visibility impacts from the usage of the 10’ extension and platform mount, techniques that are not present in this request. It is with this concern that staff seeks direction regarding interpretation of the Wireless Policy.

FACTORS FAVORABLE:

- The facility would utilize an existing structure, not located in an avoidance area.
- The facility would fill in coverage gaps in wireless service to surrounding neighborhoods and adjacent roadways.

FACTORS UNFAVORABLE:

- The proposed “top hat” or platform-mounted antenna array is specifically discouraged by the Wireless Policy because of negative visual impacts.
- The height of the proposed antenna platform, relative to the surrounding trees, increases visibility.
- The applicant has not submitted applications to pursue alternative options in the area.

RECOMMENDATION: Staff recommends approval of the special exception requests based upon the analysis provided herein. Staff recommends the Board adopt the attached Resolution to approve the following special exceptions:

- 1) 5.1.40.a(f) – waive requirement to show trees within 50’ of the facility.
- 2) 5.1.40.b(2)(c) – modify projection of antenna to allow stand-off distance beyond 18” from tower structure, provided that the antenna project no more than 3’ 6” as shown on Sheet C-7.
- 3) 5.1.40.f(3) – waive tree conservation plan

ATTACHMENTS:

- A. [Vicinity Map](#)
- B. [Personal Wireless Service Policy \(excerpts\)](#)
- C. [Applicant Justification for Special Exception Request; Letter from Dominion dated February 26, 2018; Propagation Maps](#)
- D. [Staff Photographs from June 5, 2018 Site Visit](#)
- E. [Applicant Photosimulations](#)
- F. [Site Plan](#)

MOTION: The Planning Commission's role in this case (**B201800883ATWR**) is to make a recommendation to the Board of Supervisors to approve or deny the requested modifications.

- A. Should the Planning Commission **choose to recommend approval** of the modifications for this personal wireless service facility:

I move to recommend approval of the modifications for reasons outlined in the staff report.

- B. Should the Planning Commission **choose to recommend denial** of the modifications for this personal wireless service facility:

I move to recommend denial of the modifications based on the determination they will have negative visual impacts.