

Scala, Mary Joy

From: Scala, Mary Joy
Sent: Monday, August 18, 2014 1:27 PM
To: 'Doug Brooks'
Cc: 'Rency Yeatts' (R.Yeatts@velocitel.com)
Subject: RE: 500 Court Square - BAR agenda and staff report

Yes I will remove from agenda. In the future, any antennas that are new (or larger) will require screening. Rency must resubmit her revised application for administrative approval.

Thank you.

Mary Joy Scala, AICP

Preservation and Design Planner
City of Charlottesville
Department of Neighborhood Development Services
City Hall – 610 East Market Street
P.O. Box 911
Charlottesville, VA 22902
Ph 434.970.3130 FAX 434.970.3359
scala@charlottesville.org

From: Doug Brooks [mailto:doug@realpropertyinc.com]
Sent: Thursday, August 14, 2014 2:00 PM
To: Scala, Mary Joy
Subject: FW: 500 Court Square - BAR agenda and staff report
Importance: High

MJ -

I remember something about you being out of town and a deadline for agenda, etc.

I just heard from Velocitel (Rency Yeatts) that she and AT&T reviewed the latest information and would like to withdraw the current application proposing the 3 additional antennae.

They will re-submit an application that will maintain the existing 6 and swap-out 3 with like kind (no change at all in size).

They will work with me and with the City in the future on a renewed application for additional antennae.

On behalf of 500CS Association, can you take us off of the agenda and decommission the application?

Doug

**CITY OF CHARLOTTESVILLE
BOARD OF ARCHITECTURAL REVIEW
STAFF REPORT
August 19, 2014**



Certificate of Appropriateness Application

BAR 14-08-07

500 Court Square

Tax Parcel 530096000

500 Court Square Associates, Owner/ Rency Yeatts (Velocitel), Applicant

Add three AT&T antennas

Background

This property is a contributing structure in the North Downtown ADC district and the Charlottesville Albemarle County Courthouse National Register District. The 1980 National Register nomination describes the building as a 9 story brick (Flemish bond) building with a flat roof designed in the Colonial Revival by architect Stanhope Johnson of Lynchburg. The building was constructed between 1924-26 and originally called the Monticello Hotel. It is currently a condominium building.

February 28, 1989 - New windows in south wall façade and 2-3 outdoor mechanical units on fire stair

June 27, 1989 - Install new railings on towers and two sets of stairs on roof

January 23, 1990 - Install six new rear windows; close two fire door entrances; install vent; add two heat pump units on fire stairs

April 24, 1990 - Screening for rear heat pumps

June 21, 1994 - Replace new sliding doors

February 2001 - Administrative approval: Co-locate antenna on roof (Nextel/Crown)

April 2001 - Administrative approval: (Ntelos) Replace 2 cabinets and upgrade equipment.

July 2001 - Administrative approval: Locate up to 6 to 9 antennas (General Dynamics) with accessory telecommunication cabinets

October 2001 - Administrative approval: Remove 3 antennas and replace 6 (US Cellular)

June 17, 2003 - Add two new rectangular windows in south elevation.

September 21, 2004 - Install revolving door

June 21, 2011 - The BAR approved on the consent agenda to replace the balustrade with a painted terne-coated stainless steel replica.

July 19, 2011 - The BAR approved the replacement of nine existing wood windows in a 6th floor unit facing Market Street with aluminum clad wood window sash kits with exterior applied 7/8" putty profile muntins. This is the only approved window replacement at this time for the entire structure.

March 19, 2013 - Approved (9-0) as submitted re-roofing and replacement of painted galvanized steel balustrade with painted copper balustrade.

March 18, 2014 - The BAR approved (5-0) the change in baluster material from painted copper to fiberglass as submitted.

Application

The applicant is requesting approval to remove 9 existing antennas, currently located on three rooftop sled mounts, and to install 12 new AT&T antennas (one additional antenna per sector) to the three sleds. The 9 existing antennas are clearly visible at the northwest, northeast, and southeast corners of the roof.

The dimensions of old and new antennas are:

- (9) current antenna to be removed: SBNH = 72"x12"x7" – 47.4lbs (each antenna)
- (12) proposed antenna to be installed: SBNHH = 72"x12"x7" – 40 lbs (each antenna)

Criteria, Standards and Guidelines

Review Criteria Generally

Sec. 34-284(b) of the City Code states that,

In considering a particular application the BAR shall approve the application unless it finds:

- (1) That the proposal does not meet specific standards set forth within this division or applicable provisions of the Design Guidelines established by the board pursuant to Sec.34-288(6); and*
- (2) The proposal is incompatible with the historic, cultural or architectural character of the district in which the property is located or the protected property that is the subject of the application.*

Pertinent Standards for Review of Construction and Alterations include:

- (1) Whether the material, texture, color, height, scale, mass and placement of the proposed addition, modification or construction are visually and architecturally compatible with the site and the applicable design control district;*
- (2) The harmony of the proposed change in terms of overall proportion and the size and placement of entrances, windows, awnings, exterior stairs and signs;*
- (3) The Secretary of the Interior Standards for Rehabilitation set forth within the Code of Federal Regulations (36 C.F.R. §67.7(b)), as may be relevant;*
- (4) The effect of the proposed change on the historic district neighborhood;*
- (5) The impact of the proposed change on other protected features on the property, such as gardens, landscaping, fences, walls and walks;*
- (6) Whether the proposed method of construction, renovation or restoration could have an adverse impact on the structure or site, or adjacent buildings or structures;*
- (7) When reviewing any proposed sign as part of an application under consideration, the standards set forth within Article IX, Sections 34-1020, et seq. shall be applied; and*
- (8) Any applicable provisions of the city's Design Guidelines (see Sec. 34-288(6)).*

Pertinent Design Review Guidelines for Site Design and Elements

H. UTILITIES & OTHER SITE APPURTENANCES

Site appurtenances, such as overhead utilities, fuel tanks, utility poles and meters, antennae, exterior mechanical units, and trash containers, are a necessary part of contemporary life. However, their placement may detract from the character of the site and building.

- 1. Plan the location of overhead wires, utility poles and meters, electrical panels, antennae, trash containers, and exterior mechanical units where they are least likely to detract from the character of the site.*
- 2. Screen utilities and other site elements with fences, walls, or plantings.*
- 3. Encourage the installation of utility services underground.*

4. *Antennae and communication dishes should be placed in inconspicuous rooftop locations, not in a front yard.*
5. *Screen all rooftop mechanical equipment with a wall of material harmonious with the building or structure.*

Discussion and Recommendations

To staff's knowledge, no new antennas have been placed on this building since 2001, but there have probably been replacements and upgrades. The pertinent Telecommunication Facilities section of the zoning ordinance that was adopted in 2003 states:

Sec. 34-1073. Facilities by district.

(a) *Within the city's historic and entrance corridor overlay districts:*

(1) The following shall be permitted uses: antennae or microcells mounted on existing communications towers established prior to February 20, 2001; attached communications facilities utilizing utility poles or other electric transmission facilities as the attachment structure; and other attached communications facilities if such other attached communications facilities are not visible from any adjacent street or property.

(2) *The following shall be prohibited uses: attached communications facilities where such facilities are visible from any adjacent street or property, and communications facilities utilizing alternative tower, monopole tower, guyed tower, lattice tower and self-supporting tower support structures.*

A recent opinion from the City Attorney's office confirms:

Only the antenna(s) that were actually in place as of 2/20/2001 are permitted uses. Any additional antenna(s), if they will be visible from an adjacent property or street are prohibited. (Each antenna is, itself, an "attached communications facility", and therefore, each antenna that was already in place as of 2/20/2001 is a lawful, conforming use, per 34-1072(b)). The building/roof is just the "attachment structure").

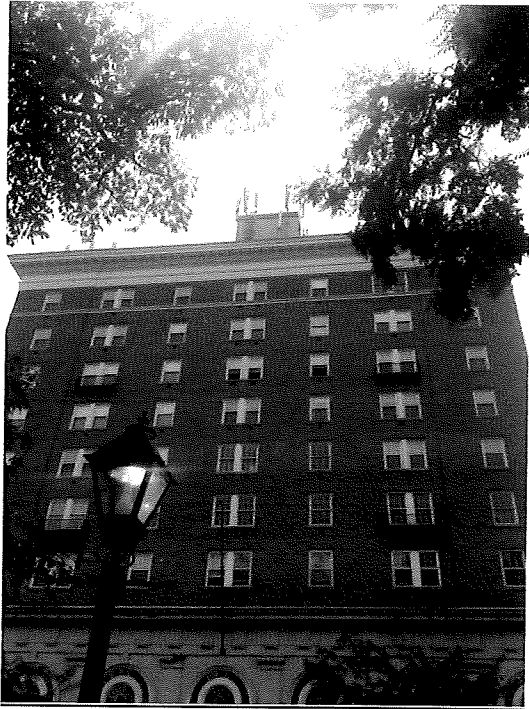
If the application adequately demonstrates that the additional antenna(s) will not be visible, then they are permitted uses, per 34-1073(a)(1); otherwise, additional antenna(s) are prohibited per 34-1073(a)(2). The applicant/application should demonstrate, via screening or otherwise, that the new proposed antenna(s) won't be visible—all the BAR should have to determine is whether, based on the details provided, the additional antenna(s) will be visible, or not.

Therefore, the BAR may not approve this application unless screening is provided to conceal the new antennas from view. The BAR may wish to assist the applicant by recommending types of screening that may be acceptable in this location. Then the BAR should either have the applicant request deferral, or the BAR may deny the request.

Suggested Motions

I move to accept the applicant's request for deferral to propose appropriate screening. (or)

Having considered the standards set forth within the City Code, including City Design Guidelines for Site Design & Elements, I move to find that the proposed new antennas do not satisfy the BAR's criteria and are not compatible with this property and other properties in the North Downtown ADC district, and that the BAR denies the application as submitted.





Board of Architectural Review (BAR) Certificate of Appropriateness

RECEIVED

JUL 29 2014

NEIGHBORHOOD DEVELOPMENT SERVICES

Please Return To: City of Charlottesville
Department of Neighborhood Development Services
P.O. Box 911, City Hall
Charlottesville, Virginia 22902
Telephone (434) 970-3130 Fax (434) 970-3359

Please submit ten (10) copies of application form and all attachments.
For a new construction project, please include \$375 application fee. For all other projects requiring BAR approval, please include \$125 application fee. For projects that require only administrative approval, please include \$100 administrative fee. Make checks payable to the City of Charlottesville.

The BAR meets the third Tuesday of the month.
Deadline for submittals is Tuesday 3 weeks prior to next BAR meeting by 4 p.m.

Owner Name	AT&T MOBILITY	Applicant Name	Rency Yeatts (Velocitel)
Project Name/Description	CV305 LTE/2C Antenna Upgrade	Parcel Number	530096000
Property Address	500 Court Square		

Applicant Information

Address: 4144 Innslake Dr.
Glen Allen, VA 23060
Email: r.yeatts@velocitel.com
Phone: (W) 757-573-3129 (H)
FAX: 804-217-8665

Signature of Applicant

I hereby attest that the information I have provided is, to the best of my knowledge, correct. (Signature also denotes commitment to pay invoice for required mail notices.)

Rency Yeatts 7/11/14
Signature Date

Rency Yeatts
Print Name Date

Property Owner Information (if not applicant)

Address: 500 Court Square Associates
500 Court Sq., Cville, VA 22902
Email: dwarner@broadcastservicesinc.com
Phone: (W) o: 317-895-9050 x 204
FAX:

Property Owner Permission (if not applicant)

I have read this application and hereby give my consent to its submission.

Do you intend to apply for Federal or State Tax Credits for this project? n/a

Signature Date

Print Name Date

Description of Proposed Work (attach separate narrative if necessary):
remove existing antennas and replace with new antennas

List All Attachments (see reverse side for submittal requirements):
site plan drawings and structural analysis provided

For Office Use Only	Approved/Disapproved by: _____
Received by: <i>J. Barnow</i>	Date: _____
Fee paid: \$125 Cash/Ck. # 1832 & 1834	Conditions of approval: _____
Date Received: 7/29/2014	_____
<i>P14-0120</i>	_____

Scala, Mary Joy

From: Doug Brooks <doug@realpropertyinc.com>
Sent: Monday, August 11, 2014 3:19 PM
To: Scala, Mary Joy
Subject: Re: 500 Court Square

Thanks MJ – you are too efficient!

Yes, please proceed, the Building Owner, the 500 Court Square Association, Inc., approves of the application.

We will endeavor, NOW, to research screening options.

It would be helpful to know of screening requirements in terms of the angle of view from the ground at what distance.

We could do a rendering with shots from various areas in the City as well.

Doug Brooks, CMCA®, AMS®
President, CEO
Licensed VA Real Estate Broker
1500 Amherst St. Ste. 3
Charlottesville, VA 22903-5158
(434) 202-1850



From: <Scala>, Mary Scala <scala@charlottesville.org>
Date: Monday, August 11, 2014 at 3:15 PM
To: DOUGLAS BROOKS <doug@realpropertyinc.com>
Subject: RE: 500 Court Square

I have an application for three new (not upgraded) antennas on your building. I just realized the application has no property owner's signature, so I am glad you contacted me.

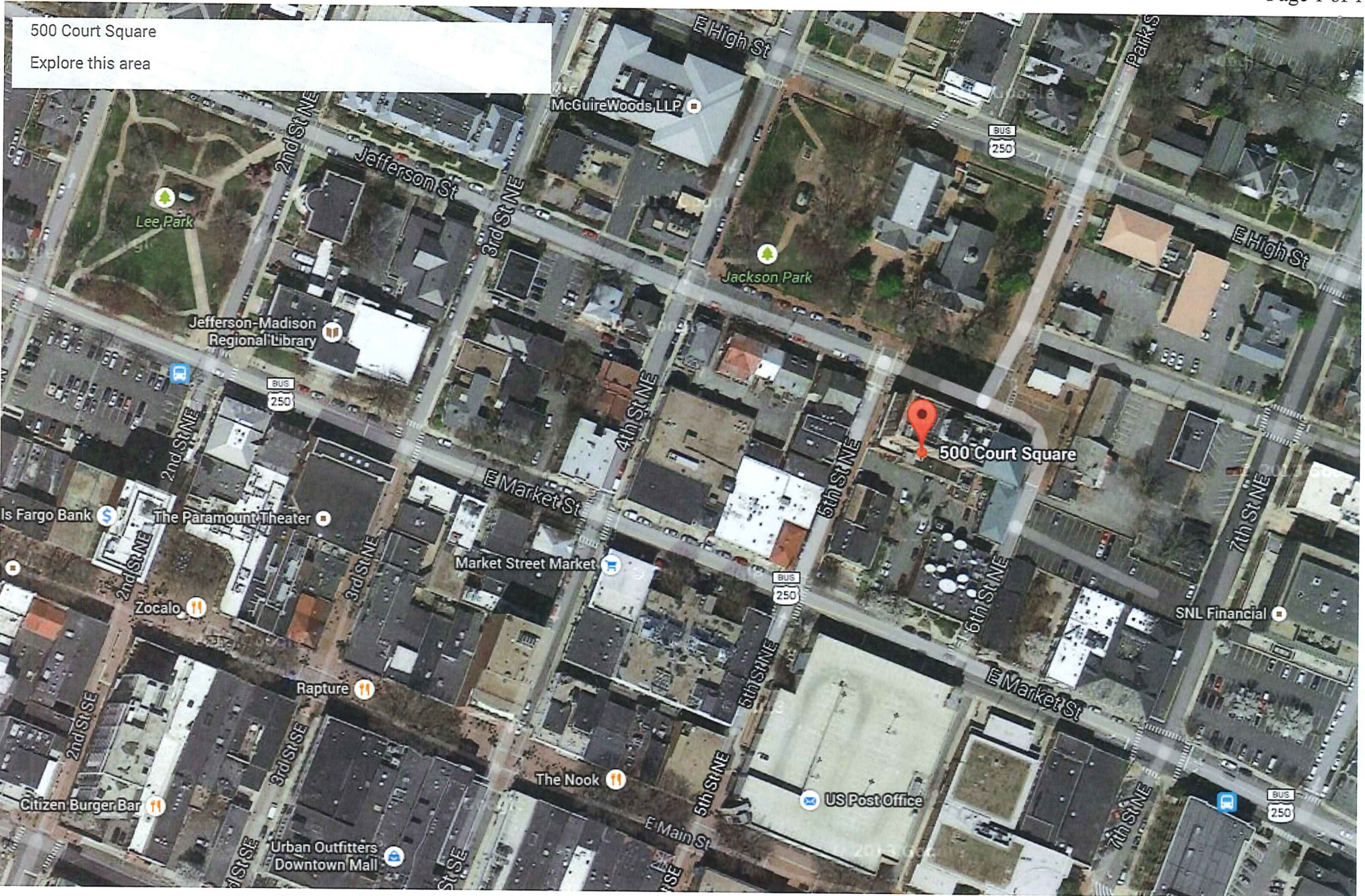
In 2003 the zoning ordinance was changed to require that an telecommunication devices, such as antennas, that are located in a historic district must not be visible.

This is the first application I have received for new antennas at 500 Court Square, so I got an opinion from the City Attorney's office that says the BAR must require screening.

Since there are multiple providers, it may be appropriate for the property owner, instead of an individual provider, to propose a screening solution for any new proposed antennas.

If you want to proceed, I will need your approval, as legal representative of the property owner, to proceed with this application to the BAR on August 19.

Since the application cannot be approved without a screening solution, I will suggest to the BAR that they discuss possible options to screen these three antennas and any new future antennas. Or, I can pull it from this agenda and wait for you, as property owner, to propose a screening solution.













(1) one additional antenna to be added



(1) one additional antenna to be added





4144 Innslake Drive
Glen Allen, VA 23060

7/25/2014

Ms. Mary Joy Scala
Preservation and Design Planner
City of Charlottesville, Dept of NDS
City Hall – 610 East Market Street
PO Box 911
Charlottesville, VA 22902

RE: AT&T Site No. CV305 – 500 Court Square Building

Dear Ms. Scala:

AT&T is Federally Licensed and currently operating its equipment on the aforementioned rooftop facility in Charlottesville. In an effort to advance technology and provide its customers with the best wireless coverage in the area, AT&T is tasked with upgrading and improving its services in this vital business area of the City. The proposed modification project will consist of adding three (3) Andrew SBNHH-1D65B antennas (one per sector) to the currently located rooftop sled mounts. The visual impact of adding one antenna per sled per sector will be negligible as there are currently 3 existing antennas located on each sled. You will find a number of photographs of the current configuration from various locations on the ground and a few from the rooftop itself. Additionally, the construction drawings dated 5/21/14 and the Structural Letter" dated 04/30/14 have been provided to more specifically describe the projects objectives.

Please do not hesitate to contact me with any questions and/or concerns.

Thank you,

Rency Yeatts
Sr. Site Acquisition Specialist
757-573-3129
r.yeatts@velocitel.com

April 30, 2014

Mr. Xiao He
Velocitel, Inc.
8000 Regency Parkway, Suite 430
Cary, NC 27518
(919) 380-0062



B+T Group
1717 S. Boulder, Suite 300
Tulsa, OK 74119
(918) 587-4630
btwo@btgrp.com

Subject: Structural Letter

Carrier Designation: **Site Number:** 10068631
Site Name: Court Square

Engineering Firm Designation: **B+T Group Project Number:** 92167.001.01

Site Data: 500 Court Square, Charlottesville, VA, Charlottesville City County
Latitude 38.03194°, Longitude -78.47806°
Rooftop

Dear Mr. He,

B+T Group is pleased to submit this "Structural Letter" to determine the structural integrity of the above mentioned roof top supported telecommunications site.

The purpose of the analysis is to determine acceptability of the building to sufficiently support the telecommunications equipment presented in this report. Based on our analysis we have determined the suitability for the structure, under the following load case, to be:

Existing + Proposed Equipment

Note: See Table 1 and Table 2 for the proposed and existing loading, respectively.

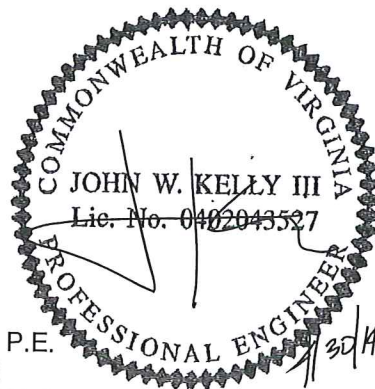
Sufficient Capacity

The analysis has been performed in accordance with the ASCE 7 standard and the 2009 VA Uniform Statewide Building Code (2009 IBC) based upon a wind speed of 90 mph 3-second gust.

All equipment proposed in this report shall be installed in accordance with the drawings for the determined available structural capacity to be effective.

We at B+T Group appreciate the opportunity of providing our continuing professional services to you and Velocitel, Inc. If you have any questions or need further assistance on this or any other projects please give us a call.

Respectfully submitted by:
B+T Engineering, Inc.



Karishma Caiado, E.I.
Project Engineer

John W. Kelly, P.E.
Vice President
COA# 0407 005047 Expires: 12/31/2014



**Federal Communications Commission
Washington, DC 20554**

Informational Notice of Section 106 Filings

Date: 06/25/2014
Reference Number: 805544

Mary Joy Scala, Preservation and Design Planner
City of Charlottesville Dept of Neighborhood Services
P.O. Box 911
Charlottesville, VA 22902

The following new Section 106 filing has been submitted:

FILE NUMBER: 0006330117
Purpose: Collocation Submission Packet
Notification Date: 7AM EST 06/18/2014
Applicant: AT&T Mobility, LLC
Consultant: EnviroBusiness Inc. d/b/a EBI Consulting (EBI 61144519)
Positive Train Control Filing Subject to Expedited Treatment Under Program Comment: No
Site Name: CV305
Site Address: 500 Court Square
Detailed Description of Project: EBI 61144519 Proposed modification of the existing telecommunications facility located on the building resulting in no ground disturbance
Site Coordinates: 38-01-52.0 N, 078-28-39.3 W
City: Charlottesville
County: CHARLOTTESVILLE CITY
State: VA
Lead SHPO/THPO: Virginia Department of Historic Resources

Consultant Contact Information:

Name: Tara Cubie
Title: Architectural Historian
PO Box:
Address: 6876 Susquehanna Trail S
City: York
State: PA
Zip: 17403
Phone: (339) 234-2597
Fax:
Email: bfennimantonn@ebiconsulting.com

NOTICE OF FRAUDULENT USE OF SYSTEM, ABUSE OF PASSWORD AND RELATED MISUSE

Use of the Section 106 system is intended to facilitate consultation under Section 106 of the National Historic Preservation Act and may contain information that is confidential, privileged or otherwise protected from disclosure under applicable laws. Any person having access to Section 106 information shall use it only for its intended purpose. Appropriate action will be taken with respect to any misuse of the system.

CITY OF CHARLOTTESVILLE

"A World Class City"

Department of Neighborhood Development Services

City Hall Post Office Box 911
Charlottesville, Virginia 22902
Telephone 434-970-3182
Fax 434-970-3359
www.charlottesville.org



August 5, 2014

Dear Sir or Madam:

This letter is to notify you that the following application has been submitted for review by the City of Charlottesville Board of Architectural Review on property that is either abutting or immediately across a street from your property, or that has frontage on the same city street block.

Certificate of Appropriateness Application

BAR 14-08-07

500 Court Square

Tax Parcel 530096000

500 Court Square Associates, Owner/ Rency Yeatts (Velocitel), Applicant

Add three AT&T antennas

The Board of Architectural Review (BAR) will consider these applications at a meeting to be held on **Tuesday, August 19, 2014, starting at 5:30 pm in the City Council Chambers, City Hall**. Enter City Hall from the Main Street pedestrian mall entrance and go up one floor.

An agenda with approximate times and additional application information will be available on the BAR's home page accessible through <http://www.charlottesville.org> If you need more information, please do not hesitate to contact me at 434-970-3130 or scala@charlottesville.org

Sincerely yours,

A handwritten signature in cursive script that reads "Mary Joy Scala".

Mary Joy Scala, AICP
Preservation and Design Planner