

**CITY OF CHARLOTTESVILLE
PLANNING COMMISSION WORK SESSION
TUESDAY, JUNE 24, 2008 -- 5:00 P.M.
NDS CONFERENCE ROOM**

Planning Commissioners present

Mr. Michael Farruggio
Ms. Cheri Lewis
Mr. Dan Rosensweig
Mr. Jason Pearson
Ms. Genevieve Keller

Staff Present:

Mr. Richard Harris, Deputy City Attorney
Ms. Missy Creasy, AICP, Planning Manager
Mr. Nick Rogers, Neighborhood Planner
Mr. Brian Haluska, Neighborhood Planner
The meeting began at 5:05pm.

Zoning Text Amendment Initiation

Brian presented the request to the commission. Cheri expressed concern that there was not a lot of detail with this request. Richard explained the initiation process to clarify. There was discussion about the process followed by a motion.

Missy noted for the record that this meeting was advertised as a special meeting and written documentation from the chair calling a special meeting is on file.

Mike Farruggio moved for the reasons of public necessity, convenience, general welfare and good zoning practice to initiate a proposed amendment to the city's zoning ordinance, to wit: amending Article 2, Division 4, Section 34-328 of the City Code concerning regulations in the Public Park Protection Overlay District. Cheri seconded the motion and all voted in favor.

Presentation on Proposed Telecommunication Zoning Text Amendment

Steve Blaine, Counsel for Verizon Wireless, made a presentation that included process information for potential applications and photos of different tower examples.

Gennie asked what the optimum height of a tower would be. Steve noted that it would be site specific. Gennie further noted that residential areas typically do not have the tall buildings that other areas have.

Steve explained that the sites would be nonresidential within the residential zones so it would not be for a house site. He answered Mike F. question concerning collocation that there are limitations to collocation with the monopole facilities associated with the height and the capacity of the structure.

Cheri asked about the height limitations in the code. Rich noted it was 70 feet. Gennie asked if there would be tree trimming. It was determined that one option is that the tower could be elevated over time as the surrounding trees grew in height, with this process treated administratively by staff..

Steve noted that though the health implications can not be addressed in land use issues, the wireless companies are aware that they exist and it is a consideration that the property owners can make in allowing the site to be used.

Mike F. asked if the applicant would be open to a condition that did not allow tree topping but allowed the tower to be no higher than XX of the nearest tree. They were okay with that. Valerie Long did note that there are challenges with survey heights for trees. It is easier to have height regulations and staff have administrative ability to allow for tree cutting. Jason noted that option was opposite what had been noted earlier. Mike F. opposed any tree topping but would be okay with providing staff the administrative ability to raise the height of the poles. He also did not want to have the antenna on top of the tower but flush with the structure. Rich noted that may be limiting.

Gennie asked if an SUP were in place and a change in technology occurred, would it come back for another SUP review. It was noted that if it could not comply with the original conditions that it would have to come back. Steve wanted flexibility in the ordinance. He was okay with not mounting on top of poles but did note that in some cases there was flare from the pole of the antenna.

Jason asked what conditions are appropriate for a SUP for a telecommunication application? Rich noted the criteria available in the code. Dan noted that camouflage of structures is subjective and wanted to know if that could be a criteria for rejection. Rich noted that it could.

Steve noted that they wanted a simpler ordinance than Albemarle so has come forward with a proposal that would require each to have an SUP.

Dan noted that he had mixed feelings about fake trees. Mike F asked what the structure would look like in 5 years. It was note that had been a concern and some places have opted away from that type of structure. Jason noted that this would be a new category of SUP and was curious about the volume of applications. It was noted that Verizon is currently looking at six sites in the residential areas.

Mary Sullivan, a resident of the Greenbrier neighborhood, noted that she is a representative of the school health advisory board and they are opposed. It was not a unanimous vote and did not include school employees.

Gennie asked if this ordinance change was made and 6 applications came in at one time, can each be looked at with different criteria or would a precedent be set if one was approved? Rich noted that they each can be looked at separately. Gennie asked if the system could receive and transmit 911calls from other carriers. It was noted that could be done due to roaming agreements. It was noted that more information on the compatibility with UVAs alert system would need to be gathered.

Mike F wanted staff to review the following 3 issues:

1. Have no allowance for tree topping but was okay with tower height being increased over time
2. Tailor the monopole definition to clarify that only a smooth surface is acceptable.
3. He did not want to see attached facilities hanging off the side of poles or structures.

Dan asked what happens to structures that are no longer used. Are they removed? Steve noted that is typically a condition. Cheri was interested in having that expressed in the ordinance. Cost of removal

was estimated at \$30-100K. Rich was tasked with looking at who could be required to remove obsolete structures if the carrier was not available and how to reflect that in the code.

Dan asked what environmental issues could be a factor in decision making.

Cheri felt that the current height limits are acceptable in the more intense zoning districts but questioned that in residential areas if that height was compatible. She was interested in seeing information from other localities experience.

Work Plan

The Commission looked at the status of the first quarter. It was noted that a meet and greet with the school board should be deleted but that the meeting on the CIP should be coordinated.

Mike F reviewed the letters that were to be written to Council and it was noted that no action had been taken at this point but he planned to initiate allowing for planting in the ROW and the requirement that a planting strip be placed between the sidewalk and the street.

The work plan discussion will be placed on the August work session agenda with information on the first two quarters progress.

Public Comment

Paul Yates – noted that the placement of towers is important. He understands that the health considerations are not allowed but sited that there are no studies on the long term affects of children. There is no data to determine if it is safe or not. Those studies are underway. Do we want to become one of the experiment sites? He hopes the ordinance can be crafted to not allow school sites to be considered.

Andrew Gilmore – noted that there are other reasons besides health to say no. They are building another network so this is not an all or nothing situation. A zoning change would be difficult to change. If it were to go through, the SUP conditions would need to be really strict.

Steve Russell – Asked for information on where the regulation that does not allow discussion of health considerations came from. Rich noted the sources. Mr. Russell note that we will have to work with the regulations in place but wanted to make sure all aspects are considered. He was also curious about what happens when towers are obsolete.

The meeting ended at 7:05pm.