



City of Harrisonburg, Virginia

Department of Planning & Community Development

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Building Inspections

Engineering

Planning & Zoning

June 29, 2017

TO THE MEMBERS OF CITY COUNCIL CITY OF HARRISONBURG, VIRGINIA

SUBJECT: Public hearing to consider a request from 865 East LLC with representative Stephen Waller, agent for Verizon, for a special use permit per Section 10-3-55.4 (8) of the Zoning Ordinance to allow a concealed wireless telecommunications facility in the R-5, High Density Residential District. A concealed wireless telecommunications facility is defined as “[a]ny wireless telecommunications facility that is integrated as an architectural feature of an existing structure or any new support structure designed so that the purpose of the facility or support structure for providing wireless telecommunications services is not readily apparent to a casual observer. Examples include but are not limited to: bell towers, clock towers, faux trees, flag poles, minarets, monuments, parapets, religious symbols, smoke stacks, steeples, or structures intended as art.” The specified special use permit is further regulated by Article CC and, among other requirements, must meet the height, setback, screening or camouflaging, and lighting requirements within Section 10-3-196 (2) (a.) of the Zoning Ordinance. The 5.47 +/- acre site is zoned R-5C, High Density Residential District Conditional, is located at 865 Port Republic Road, and is identified as tax map parcel 92-F-1.

EXTRACT FROM MINUTES OF HARRISONBURG PLANNING COMMISSION MEETING HELD ON: June 14, 2017

Chair Way read the request and asked staff to review.

Ms. Dang said the Comprehensive Plan designates this area as High Density Residential. This designation states that these areas are intended for high density residential use, mostly apartment buildings at densities ranging from 12 to 24 dwelling units per acre.

The following land uses are located on and adjacent to the property:

- Site: 865 East building – zoned R-5C
- North: Across Devon Lane, townhomes – zoned R-3
- East: Across Port Republic Road, apartments – zoned R-4
- South: Apartments – zoned R-3
- West: Townhomes – zoned R-3

The applicant is requesting a special use permit per Section 10-3-55.4 (8) of the Zoning Ordinance in order to install a new wireless telecommunications facility consisting of concealed antennas, remote radio heads, and supporting equipment on the rooftop of 865 Port Republic Road. The 5.47 +/- acre site is located on the southwestern corner of Port Republic Road and Devon Lane and contains the mixed use building of 865 East Residences and Plaza.

In December 2007, the subject property was rezoned from B-2C to R-5C and included approval of three special use permits: (1) to allow a multiple-family building of more than twelve units per building; (2) to allow a multiple-family building greater than four stories and 52-feet in height; and (3) to allow retail stores, convenience shops, personal service establishments, and restaurants (excluding those with drive through facilities). As part of the rezoning request, the owner proffered that the height of the structure would not exceed 91-feet in height. In 2008, building permits were issued for a 6-story building to be constructed to an overall height of 69-feet.

The applicant, Verizon Wireless, is requesting to locate a wireless facility consisting of antennas, remote radio heads, radio transmitting cabinets, utility boxes, cable diplexers, and mounting frames on the rooftop of 865 East. The actual height of the building's roof is 60.7-feet; however, there is a surrounding parapet wall at an elevation of 65.3-feet, and a taller, decorative façade at an elevation of 69-feet. Currently, there are HVAC units and a small lounge area for residents located on the rooftop of the building.

If the request is approved, Verizon would install three non-penetrating mounting frames, which would hold the panel antennas, and the supporting equipment of cabinets, boxes, diplexers, and radio heads. Approval would also allow for three future Verizon remote radio heads and wireless diplexers (one on each proposed mount). All proposed and future supporting equipment would be mounted at a height of 4-feet 9-inches above the roof and would be set in a location on the roof such that the frame and equipment are not visible above the 65.3-foot parapet wall. Each proposed antenna would be screened within a stealth shroud enclosure made of RF-friendly material designed to look like a chimney and painted to match the building's façade. The top of each shroud enclosure would be 70-feet in height. Other fiber and power equipment would be located within the basement of the building and connected to the rooftop equipment via conduit running through the interior of the building.

In July 2015, the City adopted its Wireless Telecommunications Facilities regulations, which are regulated under Article CC of the Zoning Ordinance. Verizon's SUP request for collocation on the 865 East building is the first SUP requested since the adoption of the regulations.

Per the regulations, this particular request would be allowed by-right within the B-1, B-2, and M-1 zoning districts; however, the R-5 zoning district allows such facilities only by special use permit (SUP). An applicant can apply for a SUP within a residential district for: a telecommunications tower primarily erected for use of the Harrisonburg-Rockingham Emergency Communications Center and may include rental of space for private wireless telecommunications providers; Industrial microcells, distributed antenna systems (DAS), macrocells, and similar facilities; or, concealed wireless telecommunications facilities. Verizon's proposed facilities are considered concealed wireless telecommunications facilities because they will be designed to look like chimneys and painted to match the building's façade. If the facilities were only painted to match the building's façade, they would be considered camouflaged industrial microcells and would be prohibited from being any taller than 5-feet above the existing building height. The height of a concealed wireless telecommunications facility is controlled by the specified height in the application or as conditioned by approval of the SUP. The applicant proposes that facilities would be limited to a height of 70-feet; one foot taller than the overall building height and 21-feet shorter than the proffered building height of 91-feet.

Verizon states that the deployment of this facility will help improve high-speed wireless data service for residents, visitors, business owners, and consumers throughout the City. Slow data transmission is due to greater distances between existing facilities and/or higher numbers of users during peak hours. Small cell facilities, such as the one proposed with this request, help to increase data speeds for users, thus provides more reliable access to high-speed data transmissions and overall service improvements and coverage.

The Verizon elements in this proposal have been designed as a single carrier facility, which helps to mitigate visual impacts; however, this design does not prevent other carriers from proposing future

facilities on the rooftop. Any future wireless carriers would need to apply for a SUP to collocate on the building.

Per the requirements of Section 10-3-199 of the Zoning Ordinance, which regulates submittal requirements for wireless telecommunication facilities, Verizon Wireless contacted and worked closely with the Harrisonburg Rockingham Emergency Communications Center (HRECC) regarding any possible interference with City service. In March 2017, the Director of HRECC emailed that there is “no opposition to the applicant request.” (That email is included within this packet.)

If approved, the property owner on which a facility is located is responsible for ensuring a report is submitted to the Zoning Administrator, no later than June 30 of each year, with the following information (as per Section 10-3-200):

- a. Name, address, telephone numbers and email addresses of the property owner and, if applicable, the owner of the support structure.
- b. The support structure’s (including alternative support structures) location (latitude and longitude), street address, height, and structure type.
- c. The current user status of the facility, including the name and contact information of each active tenant/wireless service provider leasing space from the site. If vacant/collocation space is available, the report shall indicate such information and explain the facility’s available accommodations.
- d. An explanation or listing of each tenant’s/wireless service provider’s equipment identifying at least the type and number of all antennae, equipment cabinets, and any other supporting equipment. The location of such equipment shall also be described or illustrated.

As well, the applicant is aware that building permits and necessary sub-trade permits will be required prior to installation of any equipment.

Staff has no concerns with a concealed wireless telecommunication facility at this location. However, to ensure that the relatively small profile of the concealed antennas and supporting equipment is maintained staff recommends approval, with the following condition:

Aside from the three, chimney-like antennas, no other equipment, including any proposed future equipment, shall be visible above any parapet on the roof of the structure.

Chair Way asked if there were any questions for staff.

Mrs. Whitten said if there is another carrier that would want to co-locate, I am sure there is probably a reason why they pick a particular location on a roof because the signal is stronger, I do not know all the technicalities of that. What happens in that case, I know that when co-location used to happen on water towers there was a way that they worked together on that, how does that happen? Does the structure have to look exactly the same?

Ms. Dang said I believe it would be evaluated on its own merits.

Mr. Fletcher said yes it would. Remember that this is a residential classification; this type of facility is permitted by right in the B-1, B-2 and M-1 classifications. It is really on the representative of the carrier to make sure that the structure is sound, that it can facilitate the support structure in itself to meet all the requirements.

Mr. Baugh said this is an expansion because it use to be that they were not allowed in residential areas.

Mr. Fletcher said that is correct.

Chair Way opened the public hearing and asked if anyone would like to speak in favor or against this request.

Lori Schweller, attorney with LeClair Ryan, representing Verizon Wireless, said also with me is Steven Waller, who is a Site Development Consultant with GNDsites. Mr. Waller submitted the application and he is here to answer questions you might have about the application. I do have a PowerPoint presentation; however, staff has presented such an excellent presentation. I will give you a moment to tell me if you would like to see it or not, but I would like to share with you additional information, unless you have questions first.

You are familiar with the property and the location of the property. We are at the intersection of Devon Lane and Port Republic Road, which you will see in our photo simulations. Just to provide a little bit of background information on the request for what we refer to as a small cell facility. Small cells, or in your Zoning Ordinance, industrial micro cells, or in this case groups of data nodes, are basically all the same thing. They are just small facilities that are intended to serve customers in very densely populated areas just as this, where you have medium to high density residential development, commercial development, or in areas where you might have temporary large populations, such as a stadium or public plaza.

These are particularly important now that we have increasing data transmission, that is what this slide is showing you here. Mobile data usage, using the internet on Smartphones, is increasing so quickly that the carriers are trying to keep up and this is an elegant way to serve that need. This visual shows you how a macro site, which is what we would call something like a cell tower, or in this case in an urban area six to seven foot antennas on the top of an existing building. A macro site can serve a radius of three to four miles, but if you have a lot of users in that area, then these network nodes, or small cell or industrial macro cells, they all load that traffic onto these smaller facilities and make sure that everyone has a seamless wireless experience. These are intended to address the ever-growing needs for data transmission.

As you have seen we are proposing three data nodes, or small cells, on the rooftop of this building and they face in different directions. Number 1 will be facing north, Number 4 will be facing east, and what we refer to as Number 5 faces southeast. Each one of those platforms has an antenna on it. You have already seen this elevation; none of the equipment other than the concealed antennas would be visible above the parapet wall. Antennas are concealed as has been discussed.

Just some information about equipment dimensions. Small signal cell antennas are only 24 inches long and that is why they are very easily disguised within these concealment elements. Showing you from the side how this 24 inch antenna is concealed within an architectural element, which is on a non penetrating sled, so there is no roof top penetration. This is a typical stretcher that Verizon Wireless uses. Again, just to go through the photo simulations, the first one, which faces north, you can see is barely visible above the roof top. Similarly Number 4, which is facing east is barely visible above the roof top on the east side across from Port Republic Road. The last one on the southeast you can see that is on the southern side of the building just peaking above the parapet wall.

Just to reiterate, this use is permitted by special use permit in this residential zoning district and we do accept the conditions that have been suggested by staff. There will be no adverse effects on health, safety, or comfort, but this would be a great benefit to the residences and those working in the area by providing voice and internet connectivity access to business and government websites, health information, recreation and of course E911 calls, which are now over 70% of the 911 calls that are made. I also would like to point out that these sites do not use any significant public resources, very little electricity, of course we pay the landlord for that, and I think it will be a benefit to the community.

Mr. Colman asked do the antennas need regular servicing, how do you access them.

Ms. Schweller said they are serviced by a technician, typically once a month, they are checked. Usually our leases with our landlords provide for access, so we have access for routine checking, testing and modification of equipment. But in emergency situations, we always have immediate access through the landlords to make sure we can get access to the roof top.

Mrs. Whitten said I have two questions, the first one is that we have antennas Numbers 1, 4 and 5; what happened to Number 2 and 3.

Ms. Schweller said I do not know.

Mrs. Whitten said I was just wondering, are they yet to come.

Ms. Schweller said there may be people in the audience who know the answer to that question.

Mrs. Whitten said and the other question is how much area does this installation cover, it is not just that building correct; or is it just that building?

Ms. Schweller said it is just the building and to address a question you asked earlier these installations have very specific leasing areas, so Verizon Wireless will have a small lease area for each one of these platforms on which these antennas are erected. All of the equipment that Verizon Wireless needs to install and antennas are within specific Verizon Wireless rectangular or square lease areas. Any other area on that roof top that we might have access over it to get to the equipment is not in any way used by Verizon Wireless.

Mr. Colman said the special use permit only addresses these three antennas not the other two that perhaps will come later.

Ms. Schweller said that is correct.

Steven Waller, consultant with GDNsites, said I think your question may have been about the coverage area in addition to the lease area. The coverage area actually goes beyond the building, it is basically for that whole area. I know that there is kind of a new park and one of the antennas pointing in that direction. What they are trying to do is create capacity for high density residential that is out there, but also the gathering places like some of the commercial places, the gas station; it goes beyond the building.

Ms. Schweller said I am sorry Mrs. Whitten I completely misunderstood your question.

Mrs. Whitten asked what happened to antennas Numbers 2 and 3.

Mr. Waller said Number 2 and 3 are part of this node, I think this particular polygon its created by about 11 to 13 separate nodes. These three are Number 1, 4 and 5 and then Number 2 and 3 are at two other apartment complexes, so they will be trying to get some more of that high density residential areas at other apartment complexes.

Mrs. Whitten said great, so they are not missing in action.

Chair Way asked if anyone would like to speak in favor or against this request. Hearing none, he closed the public hearing and asked Planning Commission for a motion on the request for the purpose of discussion.

Mr. Finks motioned to approve the special use permit at 865 Port Republic Road as presented by staff.

Mrs. Fitzgerald seconded the motion.

Chair Way asked if there was any other discussion. Hearing none, he called for a voice vote on the motion.

All voted in favor (6-0) to approve the special use permit at 865 Port Republic Road as presented by staff.

Chair Way said this will go forward to City Council on July 11, 2017.

Respectfully Submitted,

Alison Banks

Alison Banks

Senior Planner