FINAL ACTIONS Planning Commission Meeting of June 26, 2018	
AGENDA ITEM/ACTION	**FOLLOW-UP ACTION**
1. **Call to Order**. • Meeting called to order at 6:00 p.m. by Chair Keller. • PC members present were Mr. Dotson, Ms. Firehock, Chair Keller, Mr. Bivins, Ms. More and Mr. Palmer (UVA Rep). Absent were Vice-Chair Riley and Ms. Spain. • Staff members present were Cameron Langille, Chris Perez, Bill Fritz, Andrew Gast-Bray, Sharon Taylor and John Blair.	
2. **Other Matters Not on the Agenda from the Public** None	Clerk: No action required
3. **Consent Agenda** **SUB-2018-00066 St. Francis Avenue Subdivision – Road Plans** Request for private street approval in accordance with 14-232(A) and 14-234 of the Subdivision Ordinance (Cameron Langille). **APPROVED,** by a vote of 5:0. (Riley, Spain absent).	Staff: Action letter – SUB-2018-00066 as noted in actions with the conditions as shown in **Attachment 1**.
4a. **Public Hearing Items.** **SP-2017-00026 Western Albemarle High School - Tier III Personal Wireless Service Facility** MAGISTERIAL DISTRICT: White Hall TAX MAP/PARCEL: 056000000017C0 LOCATION: Western Albemarle High School located at 5941 Rockfish Gap Turnpike, Crozet, VA 22932 PROPOSAL: Construction of a one hundred and forty five (145) foot tall steel monopole with three (3) antenna arrays. A special exception has been requested to allow the disturbance of critical slopes onsite and a special exception to the flush mount provisions of the ordinance to allow the closest point of the back of the antenna to project more than the permitted 12 inches from the monopole. However, all arrays	Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined. Staff: Action Letter – Recommend Denial of SP-2017-00026 and Special Exceptions as noted in the actions.

	will still comply with the 18-inch maximum standoff distance for the farthest point of the back of the antenna. The tower is located behind the bleachers adjacent to the football field on the eastern side of the parcel. PETITION: Section 10.2.2(48) of the zoning ordinance which allows for Tier III personal wireless service facilities in the RA, Rural Areas district. ZONING: RA Rural Areas - agricultural, forestal, and fishery uses; residential density (0.5 unit/acre in development lots) OVERLAY DISTRICT: EC- Entrance Corridor PROFFERS: No COMPREHENSIVE PLAN: Rural Area 3 - preserve and protect agricultural, forestal, open space, and natural, historic and scenic resources/ density (0.5 unit/ acre in development lots) (Chris Perez) **RECOMMEND DENIAL**, by a vote of 4:1 (Bivins Nay)(Spain, Riley absent) of SP-2017-00026 for the following reasons including the unfavorable factors outlined in staff report as shown in **Attachment 2.**: - The proposal violates the County's ordinance. - The facility is inconsistent with the Comprehensive Plan and - The ARB does not support or recommend approval. **RECOMMEND DENIAL,** by a vote of 5:0 (Spain, Riley absent) of the Special Exceptions to sections 5.1.40(b)(2)(b) (size) and section 5.1.40(b)(2)(c) (projection) and section 4.2.5 (disturbance of critical slopes) for the reason the Commission recommended denial of the special use permit as shown in **Attachment 2**.	
	The Planning Commission recessed at 7:44 p.m. and the meeting reconvened at 7:52 p.m.	
4b.	**ZTA-2017-00010 Farmers Markets** The Planning Commission will hold a public hearing on June 26, 2018 at 6:00 p.m. in the County Office Building, 401 McIntire Road, Charlottesville, Virginia 22902, to	Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined. Staff: Action Letter – Recommend Approval for ZTA-2017-00010 as noted in the actions.

	receive comments on its intent to recommend adoption of the following ordinance changes to the Albemarle County Code: Amend Section 18-5.1.47 to establish regulations for by right farmers' markets including prohibitions on amplified sound and lighting, limiting by right farmers' markets to twice a week, prohibiting by right farmers' markets from operating when the primary use of the property is occurring, and limiting by-right farmers' markets to properties subject to approved site plans pursuant to Section 18-32 and limiting parking to the parking areas shown on the property's approved site plan; Amend Sections 18-10.2.-1, 18-11.3.1, and 18-12.2.1 to permit farmers' markets as a by right use. A copy of the full text of the proposed ordinance amendments is on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia. (Bill Fritz) **RECOMMEND APPROVAL,** by a vote of 5:0 (Riley, Spain absent) of ZTA-2017-00010 proposed ordinance with the changes shown this evening with the correction of accessory to a more accurate term.	
4c.	**ZTA-2018-00004 Beekeeping** The Planning Commission will hold a public hearing on June 26, 2018 at 6:00 p.m. in the County Office Building, 401 McIntire Road, Charlottesville, Virginia 22902, to receive comments on its intent to recommend adoption of the following ordinance changes to the Albemarle County Code: Amend Section 18-3.1 to add a definition of urban beekeeping; Amend Sections 18-12.2.1, 18-13.2.1, 18-14.2.1, 18-15.2.1, and 18-16.2.1 to list urban beekeeping as a by right use, and add Section 18-5.1.63 to establish supplementary regulations for urban beekeeping to establish setback regulations for beehives, a warning sign requirement, prohibition of wax combs and other material left on the grounds that might encourage robbing by other bees,	Clerk: This matter will be forwarded to the Board of Supervisors to be heard on a date to be determined. Staff: Action Letter – Recommend Approval for ZTA-2018-00004 as noted in the actions.

	beekeeping equipment regulations, and establishing a maximum number of bee colonies pursuant to a lot's size. A copy of the full text of the proposed ordinance amendments is on file in the office of the Clerk of the Board of Supervisors and in the Department of Community Development, County Office Building, 401 McIntire Road, Charlottesville, Virginia. (Bill Fritz) **RECOMMEND APPROVAL,** by a vote of 4:1 (Keller nay)(Riley, Spain absent) of ZTA-2018-00004 proposed ordinance as provided in Attachment B of the staff report.	
5.	**Committee Reports** ***Ms. More reported**:* Crozet CAC met and had Beaver Creek Reservoir assessment presentation. ***Ms. Firehock reported**:* Historic Presentation Committee met – Yancey School reuse dinner on Saturday.	
6.	**Old Business** Discussion held on progress of resolution of intent adopted previously. **APPOINTED Committee** to find ways to improve process of Bruce Dotson and Karen Firehock in consultation with Mr. Blair and the senior staff; then report back to the Commission on July 17.	<u>Secretary:</u> • None
7.	**New Business** • Request for dimensions of the auditorium for comparisons. • Consistency of staff report – use of grid on front page helpful. • There will be no Planning Commission meeting on Tuesday, July 3, 2018 and July 10, 2018. • The next meeting will be on Tuesday, July 17 in Auditorium at 6:00 p.m.	<u>Staff:</u> • None.
8.	**Items for follow-up** Discussed tentative schedule for presentations on Wireless Policy, Regional Housing Update, Regional Study Update with PEC and Biscuit Run and Community Recreational Needs Assessment.	
9.	Adjourn to July 17, 2018 Albemarle County Planning Commission meeting, 6:00 p.m., Auditorium, Second Floor, County Office	

Building, 401 McIntire Road, Charlottesville, Virginia. • The meeting adjourned at 9:34 p.m.	

Attachment 1: **SUB-2018-00066 St. Francis Avenue Subdivision – Road Plans** – Planning Commission Recommendation

Attachment 2: **SP-2017-00026 Western Albemarle High School - Tier III Personal Wireless Service Facility** – Planning Commission Recommendation.

Attachment 1 –
SUB-2018-00066 St. Francis Avenue Subdivision – Road Plans – Conditions of Approval.

The Planning Commission approved **SUB201800066 St. Francis Avenue Subdivision – Road Plans fr**om Section 14-232 and 14-434 - Authorization of two Private Streets within the Rural Areas with the following conditions:

a. The private street shall be bonded prior to final plat approval.
b. A private street maintenance agreement shall be recorded with the final plat.

Attachment 2: **SP-2017-00026 Western Albemarle High School - Tier III Personal Wireless Service Facility** – Planning Commission Recommendation.

RECOMMEND DENIAL, by a vote of 4:1 (Bivins Nay)(Spain, Riley absent) of SP-2017-00026 for the following reasons including the unfavorable factors outlined in staff's report as shown in **Attachment 2.**

- The proposal violates the County's ordinance.
- The facility is inconsistent with the Comprehensive Plan.
- The ARB does not support or recommend approval.

Factors unfavorable to this request include:

1. The proposal fails to meet section 5.1.40(b)(6) of the ordinance because the location and height of the monopole does not provide adequate opportunities for screening and the facility is not sufficiently sited to minimize its visibility from adjacent parcels.
2. The proposal fails to meet section 5.1.40(b)(2)(b) of the ordinance because the size of the Shentel antenna is larger than 1,400 square inches. This increases the bulk atop the tower, which increases visibility of a highly visible tower.
3. ARB does not support or recommend approval of the facility.
4. Under FCC regulations if approved the monopole would be permitted to increase in height by 20 feet and install antenna extending up to 20 feet from the monopole which would further increase the visibility of the facility.
5. The facility is inconsistent with the Comprehensive Plan.

RECOMMEND DENIAL, by a vote of 5:0 (Spain, Riley absent) of the Special Exceptions to sections 5.1.40(b)(2)(b) (size) and section 5.1.40(b)(2)(c) (projection) and section 4.2.5 (disturbance of critical slopes) for the reason the Commission recommended denial of the special use permit as shown in **Attachment 2**.