



## CITY OF RICHMOND

### Department of Planning & Development Review *Staff Report*

**Ord. No. 2019-202:** To authorize the special use of the property known as 3022 Jefferson Davis Highway for the purpose of a wireless telecommunications monopole and associated equipment, upon certain terms and conditions.

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**To:** City Planning Commission  
**From:** Land Use Administration  
**Date:** September 3, 2019

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#### **PETITIONER**

Network Building and Consulting, LLC

#### **LOCATION**

3022 Jefferson Davis Highway

#### **PURPOSE**

To authorize the special use of the property known as 3022 Jefferson Davis Highway for the purpose of a wireless telecommunications monopole and associated equipment, upon certain terms and conditions.

#### **SUMMARY & RECOMMENDATION**

The proposed communications tower will be located in the OS-Office Services District where communications towers are not a permitted use. Therefore a special use permit is required.

Staff finds that the proposed special use would contribute to improving wireless coverage in the area and would be fenced and buffered with landscaping.

Staff finds that, based on engineering analysis, the proposed tower is designed to buckle in place and would have a ground-level fall zone of approximately 25'.

Staff finds that with the ordinance conditions the safeguards contained within the City Charter, relative to the granting of Special Use Permits, are met. Specifically, staff finds that the proposed use would not be detrimental to the general welfare of the community involved.

Therefore, staff recommends approval of the Special Use Permit request.

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## **FINDINGS OF FACT**

### **Site Description**

The property is located in the Jefferson Davis neighborhood of the Broad Rock Planning District, on Jefferson Davis Highway (US-1) between Lochaven Boulevard and Newhaven Drive. A truck maintenance shop and office are located on the property along Jefferson Davis Highway.

### **Proposed Use of the Property**

The proposed project calls for the installation of a 195' wireless telecommunications monopole (including a 5' lighting rod) and associated ground equipment within a 50 x 50 foot fenced and landscaped lease area to the rear of the property.

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### **Master Plan**

The City of Richmond's Master Plan designates the subject property as an Economic Opportunity Area. Specifically for the Broad Rock District, the Master Plan states that "this area is identified as an Economic Opportunity Area in order to better accommodate a range of uses that can effectively contribute to the Highway US-1 corridor. The area generally identified on the Land Use Plan map currently consists of several parcels, and the most appropriate strategy is to encourage consolidation of as many of the parcels as practical to support a more substantial development.

### **Zoning and Ordinance Conditions**

The 5.46 acre subject property is split zoned, with the eastern portion of the property located in the B-3 General Business District and the remaining portion in the OS Office Services District. The proposed communications tower will be located within the OS Office Services District where it is not a permitted principal use. A truck maintenance shop and office are located within the B-3 General Business District section of the property fronting Highway US-1. The portion of the property located within the OS Office Services District has no improvements and is currently used for outdoor storage of vehicles and vehicle parts. These uses are not allowed uses in the OS Office Services District.

The special use permit ordinance will impose conditions on the property, including:

- a. The Special Use of the Property shall be as a wireless telecommunications monopole and associated equipment, substantially as shown on the Plans.
- b. All equipment shall be limited to a 2,500 square foot enclosed area, substantially as shown on the Plans.

- c. The Owner shall have a structural inspection conducted annually by a professional engineer licensed in the Commonwealth of Virginia, and a copy of the inspection report shall be filed with the Department of Planning and Development Review.
- d. The Owner shall file with the Department of Planning and Development Review a statement from a professional engineer licensed in the Commonwealth of Virginia that non-ionizing electromagnetic radiation emitted from the communications tower does not result in a ground level exposure at any point outside such facility which exceeds the lowest applicable exposure standards established by any regulatory agency of the United States Government or the American National Standards Institute.
- e. Obsolete, unused, or abandoned communications towers and antenna facilities shall be removed within 12 months of obsolescence, cessation of use, or abandonment.
- f. The tower shall have no markings signs or lighting except for lighting that may be required by the Federal Aviation Administration.
- g. No building permit shall be issued until the portion of the Property located within the OS Office-Service District is brought into conformance with section 30-450.2 of the Code of the City of Richmond (2015), as amended.
- h. Landscaping and fencing shall be provided for the Special Use substantially as shown on the Plans.
- i. The height of the Special Use shall not exceed the height as shown on the Plans.

### **Surrounding Area**

The properties to the west, across a CSX Railroad corridor, are properties containing single-family dwellings located within the R-4 Single-Family Residential Districts. Abutting to the north are properties containing single-family dwellings on land located within the R-5 Single-Family Residential District. Abutting to the south is property containing an excavating contractor business on land zoned M-1 Light Industrial. Abutting to the east is a property containing an auto parts store on land zoned B-3 General Business District.

### **Neighborhood Participation**

Staff notified the Jefferson Davis Neighborhood Civic Association and adjacent property owners. No comments for or against this request were received.

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