



# # 6

DEPARTMENT OF PLANNING  
STAFF REPORT

## BOARD OF SUPERVISORS PUBLIC HEARING

**DATE OF HEARING: June 7, 2010      DECISION DEADLINE: Extended to June 7, 2010**  
**CMPT 2007-0011 & SPEX 2007-0009 – T Mobile Beaumeade**  
**ELECTION DISTRICT: Broad Run**  
**PROJECT PLANNER: Stephen Gardner      DIRECTOR: Julie Pastor**

### EXECUTIVE SUMMARY

T-Mobile – Northeast, LLC of Beltsville, Maryland has submitted applications for a Special Exception and Commission approval to permit the construction of a telecommunications monopole facility consisting of a 130-foot monopole with an additional 8-foot lightning rod, and associated equipment shelters, in the PD-IP (Planned Development-Industrial Park) zoning district. The property is also located within the AI (Airport Impact) Overlay District, between the Ldn 60-65 aircraft noise contours, and within the Route 28 Taxing District. This application is subject to the 1993 Zoning Ordinance, and the proposed use is listed as a Special Exception use under both Section 4-504(P), subject to the Additional Regulations set forth in Section 5-618(B)(2), and Section 5-618(B)(2), and requires a Commission Permit in accordance with Section 5-618(B)(3) and 6-1101. The area of the proposed special exception is an approximately 13,250 square foot portion of a 7.6 acre parcel located on the south side of Smith Switch Road (Route 607), on the north side of the W&OD Trail, approximately 0.1 miles southwestward of Gloucester Parkway (Route 2150) at 21260 Smith Switch Road, Ashburn, Virginia, in the Broad Run Election District. The area is governed by the policies of the Revised General Plan, (Suburban Policy Area (Ashburn Community)), the Revised Countywide Transportation Plan, and the Strategic Land Use Plan for Telecommunications Facilities which designate this area for Business uses and which recommend a Floor Area Ratio (FAR) of 0.4 to 1.0.

### RECOMMENDATION

#### Planning Commission

At the May 19, 2010 Work Session, the Planning Commission voted 8-0-1 (Ronis – absent) to approve the Commission Permit application subject to the Plat dated September 21, 2009, revised through May 5, 2010, prepared by Compass Technology Services, with the attached Findings, and forward the application to the Board of Supervisors for ratification. As part of the same motion, the Planning Commission voted 8-0-1 (Ronis – absent) to forward the Special Exception to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated May 12, 2010, and with the attached Findings for Approval.

#### Staff

Staff can support this application as no land use issues remain outstanding. A review of the Conditions of Approval is in progress by the County Attorney's Office. An update will be provided at the Public Hearing. At this time, Staff recommends the Board refer this item to the July 7, 2010 Business Meeting for action.

## SUGGESTED MOTIONS

1. I move that the Board of Supervisors forward CMPT 2007-0011 & SPEX 2007-0009, T Mobile Beaumeade, to the July 7, 2010 Business Meeting for action. *(A timeline extension from the Applicant will be necessary.)*
- OR,
2. I move an alternate motion.

## VICINITY MAP



### Directions:

From Leesburg, take Route 7 east to Loudoun County Parkway. Follow Loudoun County Parkway south to Gloucester Parkway. Turn right onto Gloucester Parkway. Follow Gloucester Parkway west to Smith Switch Road. Turn left onto Smith Switch Road. The subject property will be on the left, approximately 0.1 miles past the Smith Switch Road / Gloucester Parkway intersection.

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**I. APPLICATION INFORMATION**

**APPLICANT** T Mobile – Northeast, LLC  
Attn: Amy Bird  
12050 Baltimore Avenue  
Beltsville, MD 20705  
410-703-6541

**REPRESENTATIVE** Lake Murray Consultants  
Attn: Sean Hughes  
5100 Dorsey Hall Drive  
Ellicott City, MD 21042-7870  
410-964-0300

**APPLICANT’S REQUEST** A Special Exception and Commission Permit to allow a 130-foot monopole with an eight (8) foot lightning rod, combined height of 138-feet, and related equipment in the PD-IP (Planned Development – Industrial Park) zoning district. This application was accepted on July 30, 2008.

**LOCATION** 21260 Smith Switch Road; south side of Smith Switch Road, approximately 0.1 miles west of Gloucester Parkway.

**TAX MAP/PARCEL #s** Tax Map /80//13/////C/ MCPI 060-30-2345

**ZONING** PD-IP (Planned Development – Industrial Park)

**ACREAGE OF SITE** 0.3 acres subject to Special Exception; 7.6 acre parent tract

**SURROUNDING ZONING / LAND USES**

	<b>ZONING</b>	<b>PRESENT LAND USES</b>
North	PD-IP / PD-H4	Vacant
South	PD-IP	Recreational (W&OD Trail); Flex Industrial
East	PD-IP	Vacant
West	PD-H4	Vacant

## II. SUMMARY OF DISCUSSION

Topic	Issues Examined and Status
Comprehensive Plan	<ul style="list-style-type: none"> <li>• Demonstrate conformance with the <u>Revised General Plan</u> and the <u>Strategic Land Use Plan for Telecommunications Facilities</u> with respect to use. Status: Resolved. The Telecommunications Plan recommends placement of new commercial telecommunication facilities on existing tall structures, as a first preference, and, as a second preference, in planned industrial or employment areas. The proposed site, adjacent to the Beaumeade Corporate Park, is consistent with this location criterion.</li> <li>• Justify why collocation on the existing 125-foot tall VEPCO/Dominion Power transmission line towers is not practical and/or feasible. Status: Resolved. The visual impact of locating individual arrays on individual towers with the associated ground equipment lining the W&amp;OD Trail would be greater than concentrating all of the arrays and equipment on one tower and in one location.</li> <li>• Use of colors, materials, and textures that are consistent with surrounding land uses, notably the adjoining VEPCO/Dominion Power electrical substation. Status: Resolved. Condition # 4 added accordingly.</li> <li>• Commit to removal of the facility following cessation of use. Status: Resolved. Condition # 3 added accordingly.</li> <li>• Enhancement of landscaping to provide additional screening from Smith Switch Road. Status: Resolved. A total of eighteen (18) additional trees will be planted to include twelve (12) evergreen trees along the eastern perimeter of the access driveway as well as four (4) evergreen trees and two (2) deciduous trees along the northwestern boundary of the compound.</li> </ul>
Zoning	<ul style="list-style-type: none"> <li>• Clarify the maximum number of providers anticipated and revise the application accordingly. Status: Resolved. The application has been revised such that a maximum of six (6) providers can be accommodated on the proposed monopole.</li> <li>• Revise the request to include the maximum height of the structure (138-foot) inclusive of the lightning rod. Status: Resolved.</li> <li>• Delineate the required Type 4 Buffer around the perimeter of the compound; any existing plantings intended to meet buffer requirements should be included as part of the Special Exception area or within a designated tree save area. Status: Resolved. The existing Type 4 Buffer has been referenced on the Special Exception plat. Verification that this buffer is inclusive of required trees and shrubs will be provided at the time of site plan.</li> <li>• Delineate the boundaries of the Special Exception area on the plat and include all accessory uses (i.e. buffers, access drive, parking, etc.) within such. Status: Resolved. The special exception area has been clarified from the 4,791 square feet noted at the Planning Commission Public Hearing to the current 13,250 square feet and is now inclusive of all accessory uses.</li> <li>• Minor administrative revisions to the Special Exception Plat. Status: Resolved.</li> </ul>
Parks	<ul style="list-style-type: none"> <li>• No issues noted. Status: Recommendation of approval.</li> </ul>

Northern Virginia Regional Park Authority	<ul style="list-style-type: none"> <li>No issues noted. Status: Recommendation of approval.</li> </ul>
Emergency Services	<ul style="list-style-type: none"> <li>No issues noted. Status: Recommendation of approval.</li> </ul>
VDOT	<ul style="list-style-type: none"> <li>Frontage improvements should be provided along Smith Switch Road. Status: Not an Issue; frontage improvements are not warranted based upon the projected trip generation.</li> </ul>
Transportation (OTS)	<ul style="list-style-type: none"> <li>Right-of-way should be dedicated along the property's frontage to accommodate the ultimate four lane configuration of Smith Switch Road. Status: Resolved. Condition # 6 provides for the dedication of additional right-of-way, if needed, to accommodate the ultimate condition of Smith Switch Road.</li> </ul>

<b>Policy or Ordinance Sections Subject to Application</b>
<u>Revised General Plan</u> Chapter 6. Suburban Policy Area. B. Business.
<u>Strategic Land Use Plan for Telecommunication Facilities</u> Section II. TELECOMMUNICATIONS POLICIES. A. LOCATION POLICIES. Countywide Location Policies.
Section II. TELECOMMUNICATIONS POLICIES. A. LOCATION POLICIES. Urban Location Policies.
Section II. TELECOMMUNICATIONS POLICIES. B. DESIGN STANDARDS. Tower and Monopole Design.
Section II. TELECOMMUNICATIONS POLICIES. A. DESIGN STANDARDS. Countywide Visual Impacts.
<u>Revised Countywide Transportation Plan (CTP)</u> Design Guidelines for Major Roadways. Old Route 607; Smith Switch Road.
<u>1993 Zoning Ordinance</u> Section 4-500. PD-IP Planned Development – Industrial Park.
Section 5-618(B). Telecommunications Use and/Or Structures. Monopoles.
Section 5-1414(A). Buffer Yard and Screening Matrix.
Section 5-1414(B)(4). Buffer Yard Type 4.

### III. PLANNING COMMISSION REVIEW AND RECOMMENDATION

On March 24, 2010, the Planning Commission held a Public Hearing on this application; no members of the public spoke for or against the application. Outstanding issues noted at the Public Hearing included the planting of additional evergreen trees along the access road to the compound, verification that adequate right-of-way had been dedicated to accommodate the ultimate condition of Smith Switch Road, and the delineation and clarification of the special exception area on the plat. Conditions of Approval were proposed to resolve issues related to evergreen plantings and right-of-way dedication. Revisions to the plat were presented that clarified and increased the special exception area. Independent of the review of this application, it was noted a Boundary Line Adjustment had been approved subsequent to the application being advertised which increased the property acreage.

Given that the extent of both the special exception area and the property acreage<sup>1</sup> had increased beyond that which was noted in the legal advertisement, the Planning Commission voted 8-0-1 (Syska – absent) to forward the application to Work Session to provide time for the County Attorney to render an opinion as to whether the Public Hearing had been properly advertised. Ultimately, it was determined that the legal advertisement was in error. However, the Applicant opted not to pursue a second Planning Commission Public Hearing, recognizing and assuming the risk should the application be challenged.

At the May 19, 2010 Work Session, one issue was identified as outstanding, confirmation that adequate right-of-way exists to accommodate the ultimate condition of Smith Switch Road. This issue had been previously resolved as a previous iteration of the plat depicted right-of-way dedication based upon a distance of thirty-five feet (35') from the ultimate centerline of the road to a revised property line. Current revisions removed the ultimate centerline as a reference point and failed to depict the thirty-five feet (35') as requested. A Condition of Approval (Condition # 6) was proposed to resolve this issue.

The Applicant indicated their agreement to the Conditions of Approval, and as such, the Planning Commission voted 8-0-1 (Ronis – absent) to approve the Commission Permit application subject to the Plat dated September 21, 2009, revised through May 5, 2010, prepared by Compass Technology Services, with the attached Findings, and forward the application to the Board of Supervisors for ratification. As part of the same motion, the Planning Commission voted 8-0-1 (Ronis – absent) to forward the Special Exception to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated May 12, 2010, and with the attached Findings for Approval.

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<sup>1</sup> The outstanding issue noted by Zoning Administration that accessory uses (i.e. buffers, access drives, parking, etc.) be included as part of the special exception resulted in an increase in the area from the 4,791 square feet included in the Planning Commission Public Hearing legal advertisement to the current 13,250 square feet. A Boundary Line Adjustment (BLAD 2009-0034) was approved by the County in February 2010 which increased the acreage of the site from 6.01 acres to the current 7.6 acres.

#### IV. FINDINGS FOR APPROVAL

1. Though existing tall structures (i.e. VEPCO/Dominion Power transmission line towers lining the W&OD Trail) are located proximate to the proposed site, the locating of individual telecommunications facilities and associated ground equipment on individual towers will result in a visual impact along the W&OD Trail that is greater than the visual impact of concentrating the same equipment on a single tower in one location.
2. The proposed telecommunications monopole will be located on a site, adjoining an existing VEPCO/Dominion Power electrical substation, consistent with the industrial character of the area.
3. The proposed site, proximate to the Beaumeade Corporate Park on a parcel currently zoned PD-IP (Planned Development – Industrial Park), is consistent with the policy guidance of the Strategic Land Use Plan for Telecommunication Facilities which states a preferred location for commercial public telecommunication facilities is within planned and zoned industrial and employment areas.
4. As an unmanned facility, the proposed telecommunication monopole will not directly impact area roads and the surrounding transportation network.

#### V. CONDITIONS OF APPROVAL – May 12, 2010

Staff recommends the following conditions of approval:

1. **Substantial Conformance** – This Special Exception to permit development of a telecommunications monopole shall be developed in substantial conformance with Sheets T-1, C-1, and C-2 (the “Special Exception Plat”) of the plan set entitled “T Mobile Northeast LLC BEAUMEADE SUBSTATION” dated September 21, 2009, revised through May 5, 2010, prepared by Compass Technology Services (the “Plans”), and incorporated herein by reference. Approval of this application for Tax Map Number /80//13/////C/ (PIN# 060-30-2345) (the “Property”) shall not relieve the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.
2. **Lighting** – No permanent outdoor lighting shall be permitted on the facility unless otherwise directed by the County, Federal Aviation Administration, Federal Communications Commission, State or Federal Authorities.
3. **Removal of Equipment** – The Applicant or its successors shall remove all unused related telecommunications facilities and ground equipment from the site, within 90 days of cessation of commercial public telecommunications use or the expiration of the ground lease, whichever occurs first, and restore the site as closely as possible to its original condition.

4. **Design** - The Applicant shall design and maintain the monopole facility in substantial conformance with the "TOWER ELEVATION" and "COMPOUND DETAIL" profiles depicted on Sheet C-2 of the Plans. The monopoles shall include a light grey color scheme, similar to that used in the adjoining VEPCO/Dominion Power electrical substation unless otherwise directed by the Federal Aviation Administration or Federal Communications Commission. All antennae arrays and associated telecommunications equipment shall also include a light grey color scheme, consistent with that used for the monopole.
5. **Landscaping** – At the time of site plan review, the Applicant shall demonstrate that a Type 4 landscape buffer exists as required by the 1993 Loudoun County Zoning Ordinance. If the required buffer does not exist, it must be provided. In addition to landscaping required by the 1993 Loudoun County Zoning Ordinance, the following enhancements to landscaping shall be made:
  - i. Twelve (12) evergreens trees shall be planted along the eastern perimeter of the access driveway in an area consistent with that depicted on Sheets C-1 and C-2 of the Plans; and
  - ii. Four (4) evergreen trees and two (2) canopy trees shall be planted adjacent to the northwest perimeter of the compound in an consistent with that depicted on Sheets C-1 and C-2 of the Plans.

All new plantings shall be a minimum of six-feet (6') in height at the time of planting. Any diseased or dying trees shall be identified, removed and replaced in coordination with the County Urban Forester prior to site plan approval.

6. **Dedication of Right-of-Way** – The owner shall dedicate right-of-way, thirty-five (35) feet from the ultimate centerline, to accommodate the future widening of Smith Switch Road. Such right-of-way dedication plat and deed shall be submitted to the County for review, approval and recordation prior to site plan approval of the telecommunications monopole. Neither the property owner nor the Applicant shall receive compensation for the afore-mentioned right-of-way.
7. **Metropolitan Washington Airports Authority (MWAA) Notification** – Since the site is located less than five (5) miles from Dulles Airport, the Applicant shall provide verification to the County that the Metropolitan Washington Airports Authority (MWAA) has been notified in writing. Such written certification from MWAA shall be provided prior to first site plan approval.

## VI. PROJECT REVIEW

### A. CONTEXT

On July 30, 2008, the County accepted, on behalf of Nextel Communications of the Mid-Atlantic, Inc., a request for Special Exception (SPEX) to permit a telecommunications monopole in the PD-IP (Planned Development – Industrial Park) zoning district. The Special Exception is being processed concurrently with a Commission Permit, required

for any public facility not already shown as a feature on the Comprehensive Plan. The case, originally identified as Nextel-Jakboub VA3891A, was amended in October 2009 to change the Applicant from Nextel to T Mobile Northeast LLC. The application was renamed accordingly, though Sprint Nextel will remain a user of the facility.

The site is located on the south side of Smith Switch Road, approximately 0.1 miles west of Gloucester Parkway, and east of the W&OD Trail. The application proposes a single, 130-foot telecommunications monopole with an eight (8) foot lightning rod for a combined height of 138-feet. The premises and monopole are designed to accommodate up to six (6) wireless carriers. Two equipment shelters, each of which is proposed as 12' x 20', have been depicted within a fenced compound area located at the base of the monopole.

The compound adjoins an existing VEPCO/Dominion Power electrical substation, facilitated by the approval of a Commission Permit by the Board of Supervisors in June 1999. Approval to construct the substation was originally granted in June 2000 pursuant to STPL 1999-0055; a subsequent expansion was approved in September 2004 pursuant to SPAM 2004-0005. The construction and subsequent expansion of the substation encumber the entire site. As such, no environmental features remain except for a limited stand of deciduous trees fronting Smith Switch Road.



Existing VEPCO/Dominion Power electrical substation adjacent to subject site.

## **B. SUMMARY OF OUTSTANDING ISSUES**

No land use issues remain outstanding, and the Applicant is in agreement with the proposed Conditions of Approval. A review of the Conditions of Approval is in progress by the County Attorney's Office. An update will be provided at the Public Hearing.

## **C. OVERALL ANALYSIS**

### **COMPREHENSIVE PLAN**

The site is governed under the policies of the Revised General Plan (Plan) and is located in the Ashburn Community of the Suburban Policy Area. The Planned Land Use Map (Revised General Plan, p. 7-23) designates the area as suitable for Business uses. The proposed use is specifically governed under the policies of the Strategic Land Use Plan for Telecommunication Facilities (*Telecommunications Plan*).

### **LOCATION**

The *Telecommunications Plan* policies establish a hierarchy of preferred locations for new commercial public telecommunication facilities in the Suburban Policy Area with the intent of

maintaining compatibility with surrounding land uses. The County's first preference for new telecommunication facilities are collocation on existing buildings, towers, monopoles, water tanks, overhead utility transmission line structures, and other tall structures wherever possible. If collocation is not practical or feasible, the second preference is the placement of new facilities in planned and zoned industrial and employment areas, within overhead utility transmission line rights of ways, or on public sites or volunteer fire or rescue company properties. In the instance where the latter is proposed, it is incumbent upon the Applicant to demonstrate that existing tall structures greater than fifty (50) feet in height within a one-mile radius of the site were analyzed and precluded based upon either technical, operational, economic or coverage limitations.

In this instance, the proposed site will be collocated on a parcel that is currently developed with an existing VEPCO/Dominion Power electrical substation. This parcel is adjacent to the W&OD Trail, a linear east/west public recreational corridor operated by the Northern Virginia Regional Park Authority, along which, a VEPCO/Dominion Power transmission line is collocated. The Trail forms a physical boundary between the site and the Beaumeade Corporate Park, a planned industrial park that has developed with a series of flex-industrial, civic, and retail uses.

The VEPCO/Dominion Power transmission line towers that line the W&OD Trail each rise to a height of approximately 125-feet. Given the *Telecommunications Plan's* first preference is the collocation on existing towers, it was incumbent for the Applicant to demonstrate why such was not considered in lieu of a new facility. In response to this question, the Applicant has stated that in order to accommodate the same number of providers, individual arrays would need to be placed atop individual towers along the Trail. Each tower would necessitate ground equipment at the base to support the array with driveway access along the Trail. This piece-meal approach would result in a visual impact that is greater than what would otherwise be realized if all of the arrays were concentrated on a single tower with all of the associated equipment located in one place. Staff concurs with this assessment and notes the height of the proposed monopole facility is consistent with that of the transmission towers such that any visual impact would be immaterial. Staff further notes the intent of the proposed location, adjacent to an existing electrical substation, proximate to a developing industrial park (i.e. Beaumeade Corporate Park), is consistent with the location criteria as noted in the *Telecommunications Plan*. As such the request for Special Exception and Commission Permit are in general accord with the adopted Comprehensive Plan.

### **DESIGN**

Whenever a new commercial public telecommunications facility is proposed, the *Telecommunications Plan* states the new facility should be designed with two over-arching criteria considered intended to address its visual and land use impacts. First, the facility should be designed to accommodate collocation of multiple providers on a single pole to minimize the need for future structures; the design of the facility should facilitate a minimum of three (3) providers. Second, any impacts should be mitigated through appropriate setbacks, screening, and design standards.

Regarding collocation, Staff had requested and the Applicant concurred to amend the application to accommodate the maximum number of providers possible and provide justification for the proposed height of the facility with letters of intent from wireless carriers. In this instance, six (6) arrays have been depicted with letters of intent provided by the Applicant from Verizon and Sprint.

Regarding design and screening, the *Telecommunications Plan* states that issues of "...setting, color, lighting, topography, materials, and architecture" should be considered with "...the use of appropriate color, texture of materials, topography, scale of buildings, landscaping and visual screening" to mitigate any visual impacts. As such, Conditions of Approval have been proposed that intend to limit lighting and provide a neutral color consistent with that of the adjoining VEPCO/Dominion Power substation.

As originally submitted, the application proposed no landscaping above that required by the 1993 Zoning Ordinance and, in fact, relied on existing landscaping to satisfy the majority of the Type 4 buffering and screening requirements. The only new plantings proposed were to be located along the western perimeter of the compound wall in a 65' x 20' strip. Given the monopole will be located approximately 116-feet from Smith Switch Road, Staff recommended the planting of additional evergreens along the eastern boundary of the access drive. Condition # 5 was developed as a means to resolve this issue, and the Applicant has indicated agreement to this and all of the Conditions of Approval.

## ZONING

The property under consideration is a 7.6 acre tract, 0.3 acres of which are subject to the proposed special exception. The property is zoned PD-IP (Planned Development – Industrial Park) and is governed by the 1993 Zoning Ordinance. The proposal includes a request for Special Exception (SPEX) to permit a telecommunications monopole and a Commission Permit (CMPT), required in accordance with Sections 5-618(B)(3)(j) and 6-1101, to demonstrate conformance with the Comprehensive Plan. The use is permitted (by-right) pursuant to Section 4-503(GG) but is subject to the *Additional Regulations for Specific Uses* as outlined in Section 5-618(B). It is within these criteria, specifically Section 5-618(B)(2)(b), that provides for a separation distance of 750-feet from any adjoining residential district. If such cannot be accommodated, a special exception is required. At approximately 165-feet from the adjoining PD-H4 district located opposite the site across Smith Switch Road, the proposed site does not satisfy this separation distance.

Issues considered by Zoning Administration include the following: 1) Revision of the application to accommodate the height of the proposed lightning rod in addition to the height of the proposed monopole; 2) A request that accessory structures (i.e. buffers, access drives, parking, etc.) be included as part of the Special Exception area; 3) Clarification of the maximum number of providers to be accommodated; and 4) Inclusion of any plantings intended to satisfy buffering and screening requirements within the Special Exception area or as part of a designated Tree Save Area. All of these issues have been resolved.

## TRANSPORTATION

The property currently under consideration is accessible by means of a private access drive via Smith Switch Road. Smith Switch Road is currently an unpaved gravel surface road proximate to the site. The Countywide Transportation Plan (CTP) identifies the ultimate configuration of Smith Switch Road as a four lane undivided urban collector in an seventy-foot (70') right-of-way.

As the facility is unmanned, traffic generation will be limited to one vehicle trip per month per provider (six trips total). Comments from the Virginia Department of Transportation (VDOT) include a request that frontage improvements be installed along Smith Switch Road; the Application does not include any commitments to roadway improvements. Staff has not identified the lack of commitments to roadway improvements as an outstanding issue as the trip generation does not warrant such and the area subject to the special exception is small in comparison to the acreage of the site, the majority of which is being used as VEPCO/Dominion Power electrical substation.

Staff has, however, requested confirmation that adequate right-of-way has been provided to accommodate the ultimate condition of Smith Switch Road, the Applicant's share of which would be thirty-five (35) feet from the ultimate centerline. A Condition of Approval (Condition # 6) has been proposed which would provide for additional right-of-way dedication, if needed, prior to site plan approval. The Applicant is in agreement to this condition, and no additional issues remain outstanding.

### **E. ZONING ORDINANCE CRITERIA FOR APPROVAL**

*Section 6-1310 of the Loudoun County Zoning Ordinance states "In considering a Special Exception application, the following factors shall be given reasonable consideration. The applicant shall address all the following in its statement of justification or Special Exception plat unless not applicable, in addition to any other standards imposed by this Ordinance":*

*(A) Whether the proposed Special Exception is consistent with the Comprehensive Plan.*

Per the Strategic Land Use Plan for Telecommunication Facilities, new commercial telecommunication facilities should be collocated, as a first preference, atop existing tall structures and, as a second preference, within existing or planned industrial and employment areas. In this instance, existing tall structures (i.e. VEPCO/Dominion Power transmission towers located along the W&OD Trail) are proximate but were deemed impractical because of the added visual impact of locating multiple arrays atop multiple towers, necessitating the placement of ground equipment at the base of each tower, along an extended expanse of the W&OD Trail. Concentration of the towers and equipment in one location was the preferred approach. Conversely, the proposed site is adjacent to an existing VEPCO/Dominion Power electrical substation and proximate to the developing Beaumeade Corporate Park, a planned industrial park. The proposed telecommunication monopole is consistent with the industrial nature of both.

*(B) Whether the proposed Special Exception will adequately provide for safety from fire hazards and have effective measures of fire control.*

Measures for fire control will be provided in accordance with the applicable regulations.

*(C) Whether the level and impact of any noise emanating from the site, including that generated by the proposed use, negatively impacts the uses in the immediate area.*

It is not anticipated that any noise will be generated by the telecommunications facility.

*(D) Whether the glare or light that may be generated by the proposed use negatively impacts uses in the immediate area.*

The design criteria as noted by the Strategic Land Use Plan for Telecommunications Facilities discourages any lighting other than that which may be specifically required by the FAA to provide for general safety and public welfare. As such, Condition # 2 has been added accordingly.

*(E) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and adjacent parcels.*

The proposed telecommunications monopole adjoins an existing VEPCO/Dominion Power electrical substation and is proximate to the Beaumeade Corporate Park, a planned industrial park which has developed with a series of flex-industrial uses. The monopole facility is consistent with the industrial nature of both. Further, the proposed height of the monopole, 138-feet, is consistent with the height of the VEPCO/Dominion Power transmission towers that line the W&OD Trail.

*(F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*

Condition of Approval # 5 provides for additional evergreen and deciduous plantings along the eastern perimeter of the access driveway and along the northwest boundary of the compound. These plantings are in addition to buffers required by the 1993 Zoning Ordinance and will provide screening from Smith Switch Road as well as acreage currently zoned for residential uses located proximate to the site.

*(G) Whether the proposed Special Exception will result in the preservation of any topographic or physical, natural, scenic, archaeological, or historic feature of significant importance.*

The subject site is developed with an existing VEPCO/Dominion Power electrical substation; the proposed telecommunication monopole will adjoin this substation. As such, no topographic or physical, scenic, archaeological, or historic features remain on the site. Natural features are limited to a stand of existing deciduous trees that line a portion of the right-of-way of Smith Switch Road.

*(H) Whether the proposed Special Exception will damage existing animal habitat, vegetation, water quality (including groundwater) or air quality.*

The site is developed with an existing VEPCO/Dominion Power electrical substation; the proposed telecommunication monopole will adjoin this substation. No additional impacts to animal habitat, vegetation, or water quality are anticipated.

*(I) Whether the proposed Special Exception at the specified location will contribute to or promote the welfare or convenience of the public.*

The proposed telecommunications monopole facility will provide for enhanced communications services to both residential and employment users along Loudoun County Parkway and within the Beaumeade Corporate Park.

*(J) Whether the traffic expected to be generated by the proposed use will be adequately and safely served by roads, pedestrian connections and other transportation services.*

Access to the facility will be provided by means of Smith Switch Road. As an unmanned facility, impacts to the roadway network will be limited. Due to the nature of the facility, pedestrian connections and provisions for transportation services are not practical.

*(K) Whether, in the case of existing structures proposed to be converted to uses requiring a Special Exception, the structures meet all code requirements of Loudoun County.*

This provision is not applicable as no existing structures will be impacted by the construction of a new telecommunications monopole facility.

*(L) Whether the proposed Special Exception will be served adequately by essential public facilities and services.*

The telecommunications monopole is an unmanned facility; water and sewer facilities will not be necessary. In the unlikely event that water and sewer become necessary, public facilities are available to the site.

*(M) The effect of the proposed Special Exception on groundwater supply.*

The telecommunications monopole is an unmanned facility; the use of water and sanitation facilities will not be necessary such that no impacts to the groundwater supply are anticipated.

*(N) Whether the proposed use will affect the structural capacity of the soils.*

Construction of the proposed telecommunication monopole will be pursuant to standards established by the Facilities Standards Manual (FSM) such that no detrimental impacts to the structural capacity of the soils is anticipated.

*(O) Whether the proposed use will negatively impact orderly and safe road development and transportation.*

As an unmanned facility, trip generation will be limited to one vehicle trip per month per provider (six trips per month). As such, impacts to the roadway network will be limited such

that no negative impacts to orderly and safe road development and transportation are anticipated.

*(P) Whether the proposed Special Exception use will provide desirable employment and enlarge the tax base by encouraging economic development activities consistent with the Comprehensive Plan.*

The proposed telecommunication monopole will provide for enhanced communication opportunities that will complement existing and future businesses in the Beaumeade Corporate Park.

*(Q) Whether the proposed Special Exception considers the needs of agriculture, industry, and businesses in future growth.*

The subject site is currently zoned PD-IP (Planned Development – Industrial Park) and is located in the Business Community of the Suburban Policy Area. Areas proximate to the site have and continue to develop with flex-industrial uses pursuant to the applicable district regulations, consistent with this designation. The telecommunications monopole will provide needed communications services to the businesses and industry in these areas. Agricultural uses have not been contemplated for this area, and as such, will not be impacted.

*(R) Whether adequate on and off-site infrastructure is available.*

Public utilities, including water and sewer, have been extended and are available for the proposed uses, though the use of such is not anticipated.

*(S) Any anticipated odors which may be generated by the uses on site, and which may negatively impact adjacent uses.*

No odors are anticipated from the proposed sites.

*(T) Whether the proposed Special Exception uses sufficient measures to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

As the proposed site is located in an area zoned PD-IP (Planned Development – Industrial) and which has developed with commercial and flex industrial uses, it is not anticipated that construction traffic will traverse existing neighborhoods and/or school areas.

<b>VII. ATTACHMENTS</b>	<b>PAGE NUMBER</b>
<b>1. Review Agency Comments</b>	
a. Planning Department, Community Planning	A-1
b. Building and Development, Zoning Administration	A-9
c. Office of Transportation Services (OTS)	A-21
d. Virginia Department of Transportation (VDOT)	A-23
e. Fire, Rescue, & Emergency Management	A-27
f. Parks, Recreation and Community Services	A-31
<b>2. Disclosure of Real Parties in Interest</b>	A-35
<b>3. Applicant's Statement of Justification</b>	A-45
<b>4. Applicant's Response to Referral Agency Comments</b>	A-57
<b>5. Photo Simulations, Propagation Studies &amp; Letters of Intent</b>	A-63
<b>6. Special Exception Plat; 9/21/09; revised to 5/5/10</b>	Attached

**NOTE:** Attachments are available electronically, and may be viewed at the Planning Department Front Counter or in the Building & Development File Room.