

**County of Loudoun**  
**Department of Planning**

**MEMORANDUM**

**DATE:** April 14, 2010  
**TO:** Loudoun County Planning Commission  
**FROM:** Stephen Gardner, Project Manager  
**SUBJECT:** **April 21, 2010 Work Session**  
**T Mobile Beaumeade; CMPT 2007-0011 & SPEX 2007-0009**

---

**BACKGROUND:**

The Planning Commission held a public hearing on this application on March 24, 2010; no members of the public spoke for or against the application. As part of the discussion, the Planning Commission requested clarification from the Applicant regarding their agreement to the proposed Conditions of Approval, specifically Condition # 6 related to right-of-way dedication along Smith Switch Road. Additional discussion included the need to verify the Public Hearing had been properly advertised as both the extent of the Special Exception area and the property acreage had increased beyond that which was noted in the legal advertisement. To allow for the County Attorney to render an opinion on this matter, the Commission voted 8-0-1 (Syska – absent) to forward the application to Work Session. Subsequently, it was determined that the legal advertisement was in error. However, the Applicant has elected not to pursue a second Planning Commission Public Hearing and has indicated their intent to proceed to the Board, recognizing and assuming the risk if the application is challenged. The discrepancy in both acreage and special exception area will be corrected in the Board of Supervisors Public Hearing legal advertisement.

**DISCUSSION:**

All land use issues have been resolved. Regarding Condition # 6 related to right-of-way dedication along Smith Switch Road, the Applicant has not indicated an aversion to the Condition but emphasized that it was their belief adequate right-of-way had been previously dedicated. The Applicant has further indicated documentation detailing such would be submitted. Verification of right-of-way dedication along Smith Switch Road has not been submitted, and as such, Condition # 6 has been retained. Should it be demonstrated that said right-of-way has been dedicated, this Condition will be removed.

**STAFF RECOMMENDATION:**

Staff can recommend approval of this application, subject to the Conditions of Approval dated March 24, 2010. Staff notes that a review of the Conditions of Approval is in

progress by Zoning Administration. It is anticipated this review will be complete by the April 21, 2010 Work Session; updated Conditions will be provided accordingly.

**SUGGESTED MOTION:**

1a. I move that the Planning Commission approve CMPT 2007-0011, T Mobile Beaumeade, subject to the "T Mobile Northeast LLC BEAUMEADE SUBSTATION" Plat dated September 21, 2009, revised through March 23, 2010, prepared by Compass Technology Services, and with the attached Findings, and forward the application to the Board of Supervisors for ratification.

AND,

1b. I move that the Planning Commission forward SPEX 2007-0009, T Mobile Beaumeade, to the Board of Supervisors with a recommendation of approval, subject to the Conditions of Approval dated March 24, 2010, and with the attached Findings for Approval.

OR,

2. I move that the Planning Commission forward CMPT 2007-0011 and SPEX 2007-0009, T Mobile Beaumeade, to a Planning Commission Work Session for further discussion.

OR,

3a. I move that the Planning Commission deny CMPT 2007-0011, T Mobile Beaumeade, subject to the following Findings for Denial:

- 1) \_\_\_\_\_
- 2) \_\_\_\_\_
- 3) \_\_\_\_\_

AND,

3b. I move that the Planning Commission forward SPEX 2007-0009, T Mobile Beaumeade, to the Board of Supervisors with a recommendation of denial.

**ATTACHMENTS**

1. SPEX Conditions of Approval, dated March 24, 2010
2. Findings for Approval

## SPEX 2007-0009 CONDITIONS OF APPROVAL – March 24, 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 March 23, 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.
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 and ground mounted equipment 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. All antennae arrays and associated telecommunications equipment shall also include a light grey color scheme, consistent with that used for the monopole.
5. **Landscaping** – The Applicant shall install landscaping in accordance with the following: i. A Type 4 Buffer as depicted on the Plans shall be installed along the perimeter of the compound. The number and type of plantings along the north, south, and east boundaries of the compound shall be consistent with that required for a “Side/Rear” Buffer Yard as noted in Section 5-1414(B) of the Revised 1993 Zoning Ordinance. The number and type of plantings along the western boundary of the compound shall be consistent with that required for a “Front” Buffer Yard as noted in Section 5-1414(B) of the Revised 1993 Zoning Ordinance but shall be enhanced to include a minimum of six (6) evergreen trees per one hundred lineal feet. The six (6) evergreen trees shall be in addition to the other plantings required as part of the “Front” Buffer Yard as noted above; ii. Existing plantings may be used to meet any of the afore-mentioned buffering requirements, provided such plantings are consistent with the criteria as outlined in Section i. above. In the event that existing plantings cannot achieve the criteria as outlined in Section i. above, new plantings shall be installed until such is met; iii. A minimum of twelve

(12) evergreen trees shall be planted along the eastern perimeter of the access driveway and shall extend from Smith Switch Road to the compound entrance. Said evergreen trees shall maintain a minimum height of three (3) feet at the time of planting; and iv. All landscaping shall be maintained in good condition. Any diseased or dying trees and/or shrubs shall be replaced with plantings of a like kind in the vicinity of said plantings removed.

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 expansion of Smith Switch Road, consistent with that depicted on Sheet C-1 of the Plans. The Owner shall execute plats and deeds for said dedication and return said plats and deeds to the applicable party for recordation prior to site plan approval for the telecommunications monopole. Neither the property owner nor the Applicant shall receive compensation for the afore-mentioned right-of-way.

## FINDINGS FOR APPROVAL

1. Though existing tall structures (i.e. VEPCP/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.