

County of Loudoun
Department of Planning

MEMORANDUM

DATE: April 21, 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:

As an update to the April 21, 2010 Planning Commission Work Session Memorandum, the Conditions of Approval have been revised to reflect a third referral by Zoning Administration (Attached). A Condition related to Metropolitan Washington Airports Authority (MWAA) notification was included.

DISCUSSION:

As noted in the April 21, 2010 Planning Commission Work Session Memorandum, a third Zoning Administration referral was in progress related to the Conditions of Approval. In addition to a review of the Conditions, this referral was intended to review the impact of upward revisions to both the Special Exception area and property acreage made to the plat prior to the March 24, 2010 Public Hearing.

This referral identifies outstanding issues with the Landscape Plan (Sheet L-1) as well as the need for further clarification of the Special Exception area. The basis for many of these issues is the Applicant's intent to use existing landscaping to meet buffering and screening requirements, the need to include such plantings as an enforceable part of this Special Exception, and the ability of Staff to confirm that such plantings meet 1993 Zoning Ordinance requirements. Also at issue is the fact that proposed new plantings are disconnected from areas of existing plantings intended to server as required buffers, effectively creating gaps in the landscaping.

STAFF RECOMMENDATION:

Based upon issues noted in the third Zoning referral, Staff recommends further clarification of the Special Exception area and landscaping commitments. As such, Staff recommends the Planning Commission refer the application to Work Session for additional discussion. (NOT SURE WHAT ELSE TO SAY)

SUGGESTED MOTION:

1. 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,

2a. 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,

2b. 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,

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 April 22, 2010
2. SPEX Conditions of Approval, dated April 22, 2010 (Comparison Version)
3. Findings for Approval
4. Zoning Administration referral; dated April 16, 2010

SPEX 2007-0009 CONDITIONS OF APPROVAL – April 21, 2010

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, C-2, and L-1 (the "Special Exception Plat" and "Landscape Plan") 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, 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. The required Type 4 landscape buffer shall be enhanced by the following:
 - i. The Type 4 front buffer yard as shown on Sheet L-1 shall be enhanced to include six (6) evergreen trees per one hundred lineal feet. Said evergreen trees shall be a minimum height of six (6) feet at the time of planting;
 - ii. In addition to the required Type 4 east side buffer, a minimum of twelve (12) evergreen trees shall be planted along the eastern perimeter of the access driveway and shall extend between the rear of the Type 4 Front Buffer Yard along Smith Switch Road to the southern compound entrance except where clear visibility shall be provided per Section 5-300(B) at the driveway and

right-of-way intersection. Said evergreen trees shall be a minimum height of six (6) feet at the time of planting;

- iii. Existing plantings may be used to meet any of the afore-mentioned buffering requirements, provided such plantings are consistent with the criteria outlined above. In the event that existing plantings cannot achieve the criteria as outlined above, new plantings shall be installed; and
 - iv. 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, consistent with that depicted on Sheet C-1 of the Plans. 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 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.

SPEX 2007-0009 CONDITIONS OF APPROVAL – ~~March~~ April 24, 2010

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, and L-1~~ (the “Special Exception Plat” ~~and “Landscape Plan”~~) 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, 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 ~~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 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** – ~~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. 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. The required Type 4 landscape buffer shall be enhanced by the following:~~

- ~~i. The Type 4 front buffer yard as shown on Sheet L-1 shall be enhanced to include six (6) evergreen trees per one hundred lineal feet. Said evergreen trees shall be a minimum height of six (6) feet at the time of planting;~~
 - ~~ii. In addition to the required Type 4 east side buffer, a minimum of twelve (12) evergreen trees shall be planted along the eastern perimeter of the access driveway and shall extend between the rear of the Type 4 Front Buffer Yard along Smith Switch Road to the southern compound entrance except where clear visibility shall be provided per Section 5-300(B) at the driveway and right-of-way intersection. Said evergreen trees shall be a minimum height of six (6) feet at the time of planting;~~
 - ~~iii. Existing plantings may be used to meet any of the afore-mentioned buffering requirements, provided such plantings are consistent with the criteria outlined above. In the event that existing plantings cannot achieve the criteria as outlined above, new plantings shall be installed; and~~
 - ~~iv. 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 ~~expansion~~ widening of Smith Switch Road, consistent with that depicted on Sheet C-1 of the Plans. ~~The Owner shall~~ Such right-of-way dedication plat and deed shall be submitted to the County for review, approval ~~execute plats and deeds for said dedication and return said plats and deeds to the applicable party for~~ and recordation prior to site plan approval ~~for~~ 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 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.

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.