

COUNTY OF LOUDOUN
DEPARTMENT OF BUILDING AND DEVELOPMENT
ZONING ADMINISTRATION REFERRAL

DATE: August 28, 2008

TO: Stephen Gardner, Project Manager, Planning

THROUGH: Marilee Seigfried, Deputy Zoning Administrator

FROM: Nita Bearer, Planner, Zoning Administration *NS*

CASE NUMBER AND NAME: SPEX-2007-0009 & CMPT-2007-0011
Nextel-Jakboub VA 3891A

LCTM: //80//13/////C/ **MCPI:** 060-30-2345

PLAN SUBMISSION NUMBER: 1st Referral



I. APPLICATION SUMMARY

Zoning staff has reviewed the above-referenced special exception application for conformance with the 1993 Loudoun County Zoning Ordinance. The parcel is zoned Planned Development-Industrial Park (PD-IP) and is within the Route 28 Taxing District and the Ldn 60 noise contour of the Airport Impact Overlay District. Although the property is located within the Route 28 Taxing District, the property owner chose to be regulated by the 1993 Loudoun County Zoning Ordinance. According to County records, an electric utility substation is located on the property. The materials submitted for review of the application consist of the following:

1. Information Sheet (w/checklist waiver letter, photo-simulations, coverage maps, and threatened and endangered species NEPA Summary Report)
2. State of Justification dated October 23, 2007
3. Plat revised through January 10, 2008

II. CONFORMANCE WITH SECTION 6-1310, ISSUES FOR CONSIDERATION IN REVIEWING A SPECIAL EXCEPTION APPLICATION

Section 6-1310 includes factors that shall be given reasonable consideration when reviewing a special exception application. The applicant should provide a statement of justification and address all applicable factors within the statement. Staff has the following comments:

1. *6-1310(A) Whether the proposed special exception is consistent with the Comprehensive Plan.*
The applicant has indicated in the explanation that the proposed use is a permitted use pursuant to Section 4-503. The proposed use is a use permitted by approval of a special exception pursuant to Section 4-504(P) as it will be located within 750 feet of a residential district.
2. *6-1310(B) Whether the proposed special exception will adequately provide for safety from fire hazards and have effective measures of fire control.*
Staff recommends that a note be added to the plat indicating the method of fire protection that will be provided.
3. *6-1310(F) Whether sufficient existing or proposed landscaping, screening and buffering on the site and in the neighborhood to adequately screen surrounding uses.*
The applicant has indicated that the proposed site is adequately screened by an existing stand of mature trees. Please note that, if the applicant proposes to use the existing stand of trees located north and east of the site, it must be demonstrated at the time of site plan that the existing vegetation is adequate to meet the type 4 landscape buffer requirements.

III. CONFORMANCE WITH SECTION 5-618(B)

1. For clarification purposes, please note that the applicant indicated on page 3 of the Statement of Justification that Section 5-618(B)(2)(b) is not applicable to this application. This section is applicable as the site is within 750 feet from a residential district and the special exception is required. Section 5-618(B)(1)(b) is not applicable.
2. As required by Section 5-618(B)(3)(b), the applicant has provided space on the monopole for the minimum three providers. On page 4 of the Statement of Justification, the applicant indicated that other service providers shall be allowed to co-locate provided that future installations will not interfere with existing antennas. In order to alleviate the need for approval of another special exception for the site if additional providers desire to co-locate at the site, zoning staff recommends that the applicant indicate on the plat the maximum number of providers that may be allowed to co-locate on the monopole and to consider whether the proposed special exception area will accommodate equipment for the maximum number of providers.
3. Pursuant to Section 5-618(B)(3)(c), the approved height of the monopole shall include the antennae height. Include the antennae height in the height of the monopole requested.
4. State the text of Section 5-618(B)(3)(m) regarding removal of unused equipment and facility on the plat.
5. On page 6 of the Statement of Justification, the applicant referenced an FAA determination as required by Section 5-618(B)(3)(n). Zoning staff could not locate the determination in the packet.

IV. OTHER ZONING COMMENTS

1. On the plat, provide a table of the required lot and building requirements as required by Section 4-500 and what is proposed and the required and proposed setback from the W&OD Trail as required by Section 5-900(B).
2. Also on the plat, provide a table of the requirements of Section 5-618(B) and what is proposed.
3. On Sheet C-1, the applicant has indicated a setback of 86' for the front yard setback under "Proposed Tower Setback from Residentially Zoned Properties." According to the plat, the monopole is set back 180' from the residentially zoned property. Also, please note that the east side and rear of the monopole area is not adjacent to residentially zoned property.
4. For clarification purposes, as the Zoning Ordinance contains a section specific to "towers," please replace all references to a "tower" with "monopole" as this application pertains to a monopole site.