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DEPARTMENT OF PLANNING
STAFF REPORT

BOARD OF SUPERVISORS PUBLIC HEARING

DATE OF HEARING: March 8, 2010
SPEX 2009-0006, CMPT 2010-0001 – DULLES INDUSTRIAL PARK SOUTH, LOT 1
DECISION DEADLINE: March 8, 2010
ELECTION DISTRICT: Dulles PROJECT PLANNER: Marchant Schneider

EXECUTIVE SUMMARY

Dulles South Properties, LLC of Rockville, Maryland, and AmeriGas, Inc. of Ranson, West Virginia, have submitted applications for a Commission Permit and Special Exception to permit installation of two 30,000-gallon storage tanks for storage and distribution of propane gas in the MR-HI (Mineral Resource-Heavy Industry) zoning district. The area of the proposed special exception will comprise 0.97 acres of a 4.52 acre parcel located on the north side of Wade Drive, approximately 0.5 mile north of the intersection of Pleasant Valley Road and Route 50 in Chantilly. The proposed facility will be located with an existing air compressor rental company (Washington Air Compressor Company) and landscaping company (Palmer Landscaping) and is intended to replace an existing distribution facility in Aldie. Delivery and distribution trucks associated with the proposed special exception will be parked off-site at the AmeriGas offices in Ranson, West Virginia.

The area is governed by the policies of the Revised General Plan (Suburban Policy Area (Dulles Community)) as amended by the Arcola Area/Route 50 Corridor Plan, which designate this area for Industrial Uses. The use also requires a Commission Permit in accordance with Section 6-1101.

RECOMMENDATIONS

Planning Commission

The Planning Commission recommended approval of the Special Exception application and approved the Commission Permit application on February 22, 2010 (9-0). The proposed propane gas storage and distribution facility is consistent with the existing land use policies of the Revised General Plan for the subject area (Suburban Policy Area) and with the Revised 1993 Zoning Ordinance. The proposed use at the subject site will provide timely delivery of propane gas to businesses and residents within Loudoun County.

Staff

Staff concurs with the Planning Commission recommendation.

SUGGESTED MOTIONS

1a. I move to suspend the rules;

and

1b. I move that the Board of Supervisors ratify the Planning Commission decision to approve CMPT 2010-0001, Dulles Industrial Park South, Lot 1;

and

1c. I move that the Board of Supervisors forward SPEX 2009-0006, Dulles Industrial Park South, Lot 1, to the April 6, 2010, Business Meeting for action. [*A timeline extension will be necessary.*]

OR,

2a. I move to suspend the rules;

and

2b. I move that the Board of Supervisors ratify the Planning Commission decision to approve CMPT 2010-0001, Dulles Industrial Park South, Lot 1;

and

2c. I move that the Board of Supervisors approve SPEX 2009-0006, Dulles Industrial Park South, Lot 1, subject to the Conditions of Approval dated February 4, 2010, and based on the Findings listed in the March 8, 2010, Board of Supervisors Public Hearing Staff Report.

OR,

3. I move an alternate motion.

VICINITY MAP

Directions:

From Leesburg, take Route 15 south to Evergreen Mills Road (Route 621). Travel south on Evergreen Mills Road through Arcola to Loudoun County Parkway (Route 606). Take Loudoun County Parkway south to Route 50 east. Turn north on Pleasant Valley Drive then left onto Wade Drive. The subject property is located on the north side of Wade Drive at 44176 and 44180 Wade Drive.

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I. APPLICATION INFORMATION

APPLICANT(S)	Dulles South Properties, LLC Stephen Stecklein, Managing Member 12529 Parklawn Drive Rockville, Maryland 20852 301.230.5800 sstecklein@washair.com AmeriGas, Inc. Lois Smith, District Manager 126 East 3rd Avenue Ranson, West Virginia 25438 304.725.7087 Lbsmith020@aol.com
REPRESENTATIVE(S)	Dunlap, Grubb, and Weaver, PLLC Thomas Dunlap / David Ludwig 199 Liberty Street, SW Leesburg, Virginia 20175 703.777.7319 tdunlap@dglegal.com dludwig@dglegal.com
APPLICANT REQUEST	A **Special Exception** (SPEX) and **Commission Permit** (CMPT) to permit installation of two 30,000 gallon storage tanks for distribution and storage of propane gas in the MR-HI Zoning District pursuant to Sections 3-1004(Y) and 6-1101(A). The SPEX application was accepted on May 23, 2009.
LOCATION	Dulles Industrial Park South, 44176 and 44180 Wade Drive. North side of Wade Drive, 0.2 miles northwest of Pleasant Valley Road (Route 609).
TAX MAP/PARCEL #	Tax Map /102///1/////1/ PIN 097-40-7676
ZONING	-Revised 1993 Zoning Ordinance -MR-HI (Mineral Resource – Heavy Industrial) -AI (Airport Impact) Overlay District (Ldn 65)
ACREAGE OF SITE	0.97 acre portion of a 4.52 acre parcel

SURROUNDING ZONING/ LAND USES

	ZONING	PRESENT LAND USES
NORTH	MR-HI	Commercial Industrial
SOUTH	MR-HI	Commercial Industrial
EAST	MR-HI	Commercial Industrial
WEST	MR-HI	Commercial Industrial

II. REFERRAL AGENCY COMMENT SUMMARY

TOPIC / ISSUE AREA	ISSUES EXAMINED AND STATUS
Comprehensive Plan	○ Consistency with land use policies of the Revised General Plan (RGP) (Suburban Policy Area, Dulles Community), as amended by the Arcola Area/Route 50 Corridor Plan, the Revised Countywide Transportation Plan, and the Bicycle and Pedestrian Mobility Master Plan. Status: No Issue. Storage and distribution of propane gas consistent with Industrial use designation. ○ Potential negative impacts to be avoided, minimized, or mitigated by appropriate conditions of approval. Provide information regarding federal, state, or other regulations pertaining to propane storage and distribution. Investigate fire safety and/or necessity for emergency action plan. Status: Resolved. Conditions of Approval recommended and agreed to by Applicant (Conditions 3,4,5,6,7,8,9). Storage facilities subject to Section 58 of the National Fire Protection Association (NFPA) Liquefied Petroleum Gas Code. ○ Provide on-site water quality treatment. Status: Resolved. Plat revised to correctly size concrete pads used to support the storage tanks as well as identify replacement of existing graveled areas with vegetative ground cover. Additional stormwater management and/or best management practices for new development will be in accordance with the Facilities Standards Manual (FSM). ○ Provide perimeter landscaping to screen proposed uses from adjacent properties. Landscaped area to be maintained for the life of the project. Status: Resolved. Condition of Approval recommended and agreed to by Applicant (Condition 8). Zoning Ordinance requirement of 10% tree cover to be identified at site plan.
Environmental Review	○ Provide information describing measures employed to ensure public and environmental safety. Status: Resolved. Storage tank design, emergency shut off-valves, employee training, and minimum distance requirements between tanks and buildings to ensure public safety. ○ Provide on-site water quality treatment. Status: Resolved. Plat revised to correctly size concrete pads used to support the storage tanks as well as identify replacement of gravel areas with vegetative ground cover. Additional stormwater management and/or best management practices for new development will be in accordance with the Facilities Standards Manual (FSM).
Zoning	○ Notation, graphics, and zoning reference revisions to the Plat. Status: Resolved by Plat revision.

TOPIC / ISSUE AREA	ISSUES EXAMINED AND STATUS
Transportation	○ Dedicate half section of ROW for planned Route 50 North Collector Road (35 feet) and associated construction easements. Status: Resolved. Condition of Approval recommended and agreed to by Applicant (Conditions 10, 11). ○ Identify internal traffic movement associated with use. Confirm multiple entrances will not become points of traffic conflict with development of Route 50 North Collector Road. Status: Resolved. Plat revised to identify efficient traffic movement. Entrances have been accepted by VDOT.
Loudoun County Health Department	○ Identify existing well on the Plat. Issue: Resolved by Plat revision. ○ Correctly label pump and haul tanks on the Plat. Status: Resolved by Plat revision. ○ Pump and Haul tanks to be abandoned following public sewer service. Status: Resolved. Condition of Approval recommended and agreed to by Applicant (Condition 12).
Emergency Services	○ Describe fire control measures, monitoring systems, safety operations, and plans to provide water supply to firefighters. Status: Resolved. Storage tank design, emergency shut off-valves, employee training, and minimum distance requirements between tanks and buildings to ensure public safety. Public water recently extended to the site (two fire hydrants provided). ○ Develop an emergency response and evacuation plan. Status: Resolved. Condition of Approval recommended and agreed to by Applicant (Condition 5). ○ Provide fire-rescue contribution consistent with the Board Policy. Status: Resolved. A one-time contribution of $1,000 to be provided by Applicant prior to zoning permit approval.
County Attorney	○ Development conditions, review and approval to legal form. Status: Complete
Disclosure of Real Parties	○ Received, dated February 22, 2010

POLICY OR ORDINANCE SECTIONS SUBJECT TO APPLICATION
<u>Revised General Plan</u>
Arcola Area / Route 50 Corridor Plan, Planned Land Use Map
Arcola Area / Route 50 Corridor Plan, General Industrial Policy 1, 3, 4
Chapter 5 / Green Infrastructure, Policy 1
Chapter 5 / Surface and Groundwater text
Chapter 5 / Plant and Wildlife Habitat Policy 8
Chapter 6 / General Industrial text, Use Policies, Policy 2, 6, 9, 10
Chapter 11 / General Industrial Design Guidelines
Revised Countywide Transportation Plan (CTP)
Route 50 North Collector Road, page A1-11
<u>Revised 1993 Zoning Ordinance</u>
Section 3-1000: Mineral Resource – Heavy Industrial

III. PLANNING COMMISSION REVIEW AND RECOMMENDATION

The Planning Commission held a public hearing for the above-mentioned Special Exception application on January 21, 2010. No members of the public spoke regarding the application. Staff informed the Planning Commission at the January 21 public hearing that Zoning Administration had determined that the proposed use met the State Code definition of a "public service corporation" and therefore required a Commission Permit pursuant to Section 6-1100(A) of the 1993 Revised Zoning Ordinance. Given the timing of the Zoning Determination and subsequent requirement for a Commission Permit, Staff recommended at the January 21 public hearing that the Planning Commission forward the Special Exception application to worksession in order for the Commission Permit to be scheduled for Planning Commission Public Hearing on February 22, 2010. No members of the public spoke regarding the Commission Permit at the February 22 public hearing.

At its worksession immediately following the February 22 public hearing, the Planning Commission voted 9-0 to approve the Commission Permit and recommend approval of the Special Exception request based on the following Findings:

Findings

1. The general location, character, and extent of the proposed bulk storage and distribution of propane gas is in substantial accord with the existing land use policies of the Revised General Plan (RGP) (Suburban Policy Area, Dulles Community).

2. The use of the subject site for storage of bulk propane gas is generally in conformance the RGP's vision for Industrial areas and is compatible with established uses on similarly planned properties adjacent to the site. Subject to the prescribed development conditions, the proposed special exception use will be in accordance the RGP.

3. The proposed special exception for bulk storage of propane gas at the subject site will provide timely delivery of propane gas to businesses and residents within Loudoun County consistent with RGP policies.

4. The proposed special exception for bulk storage of propane gas is in accordance with the Revised 1993 Zoning Ordinance.

5. The special exception application provides improvements in support of the planned road network of the Revised Countywide Transportation Plan (2001).

IV. SPEX CONDITIONS OF APPROVAL (February 4, 2010)

Staff recommends the following Conditions of Approval in accordance with the applicable land use policies of the Revised General Plan. The Applicant has agreed to the recommended Conditions language.

1. **Substantial Conformance.** The proposed Special Exception use, bulk storage of propane gas, shall be developed in substantial conformance with Sheet 2 and Sheet 3 (together comprising and herein referred to as the "Special Exception Plat") of the plan set entitled Special Exception Plat, Lot 1, Dulles Industrial Park South, SPEX 2009-0006, CMPT 2010-0001, prepared by William H. Gordon Associates, Inc., dated February 3, 2009, revised through February 2, 2010 (the "Plans") and the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance). Approval of this application for Tax Map 102///1/////1/ (PIN# 097-40-7676) (the "Property"), shall not relieve the applicant or the owners of the Property from the obligation to comply with and conform to any other Zoning Ordinance, Codified Ordinance, or applicable regulatory requirement.

2. **Uses Permitted/Prohibited.** Approval of the Special Exception grants approval under the general use "Storage, bulk gasoline, petroleum products and natural gas, small and large" as set forth in the Revised 1993 Loudoun County Zoning Ordinance, in the MR-HI (Mineral Resource – Heavy Industrial) Zoning District. This Special Exception specifically approves only the installation and use of two 30,000-gallon propane storage tanks as shown on Sheet 3 of the Special Exception Plat and applies only to that area of the Property shown on Sheet 3 as lying within the bold, single-dash lines and labeled as "Limits of Special Exception (42,153 S.F. or 0.97 ac.)" (the "Special Exception Area"). Notwithstanding the provisions of the MR-HI Zoning District use regulations, storage of distribution vehicles shall not be permitted on the Property within the Special Exception Area.

3. **Hours of Operation.** Activities related to the use of the propane tanks and associated equipment shall be limited to the hours from 7:30 a.m. to 5:00 p.m., Monday through Friday, except as required for maintenance and safety inspection.

4. **Storage Tank Design.** The applicant shall utilize precast, reinforced concrete steel piers to support the propane tanks. The propane tanks shall be painted light, reflective colors.

5. **Emergency Response and Evacuation Plan.** Prior to the issuance of the first zoning permit for the special exception use, the applicant will develop and submit an Emergency Response and Evacuation Plan to the Department of Fire, Rescue and Emergency Management for Fire-Rescue preparedness training specific to the propane tanks and associated equipment that are to be installed on the Property.

6. **Safety Equipment.** The applicant shall install a remote emergency gas shut-off station within the Special Exception Area in accordance with applicable fire prevention code or other applicable regulations, or, if no such code or regulations otherwise require, within two hundred and fifty-five feet (255') of the propane tanks. Stored propane shall contain an odorant for gas leak detection.

7. **Fencing**. Prior to first zoning permit approval for the Special Exception use, the Applicant shall install a chain link fence at least six feet (6') in height along the perimeter of the area of the propane tanks as shown on Special Exception Plat Sheet 3.

8. **Landscaping.** The applicant shall install an Evergreen Tree Buffer / Screen as shown on the Special Exception Plat Sheet 3 prior to or in conjunction with the first zoning permit approval for the Special Exception use. The size, amount, and species of the evergreen plantings shall be determined in consultation with the County Urban Forester. The applicant shall utilize native species for new plant material, as determined in consultation with the County Urban Forester, to the maximum extent possible. All required landscaping shall be depicted upon and bonded with the site plan. Landscaping materials within the Evergreen Tree Buffer / Screen shall be maintained in good condition by the property owner or appropriate owners association for the life of the planted material.

9. **Lighting.** No lighting fixtures shall be installed in conjunction with the Special Exception use except as otherwise required by law, ordinance, or regulation.

10. **Right of Way.** Upon written request by the Virginia Department of Transportation (VDOT) or the County, the Applicant shall dedicate to the County or VDOT, as applicable, five feet (5') of right of way along the Property's frontage to Wade Drive (Route 872) for public street purposes including without limitation the construction of the planned Route 50 North Collector Road. Such dedication shall be provided at no public cost.

11. **Easements.** Upon written request by VDOT or the County, the applicant shall grant construction, drainage, and all other easements necessary for the construction of the public street improvements referenced in Condition 10 above, at no public cost.

12. **Pump and Haul Facilities.** Pump and haul tanks located on the Property shall be abandoned prior to first site plan approval for the Special Exception use.

13. **Well Monitoring Program.** The Applicant shall work with the County to determine if the existing on-site well is suitable for the County's well monitoring program. If the on-site well is suitable for the well monitoring program, the Applicant shall provide access to the County for water quality and water quantity testing. Such access shall be provided through coordination with the Applicant and/or owners of the Property.

NOTE: *The Applicant has agreed to provide a one time Fire and Rescue contribution to the County in the amount of $1,000 for equal distribution between the primary volunteer Fire and Rescue servicing companies. This contribution shall be made prior to the issuance of a zoning permit for the installation any propane storage tank on the Property. Applicant has further agreed that the amount of such contribution shall escalate annually from the base year of 2009 and shall change effective each January 1st thereafter, based on the Consumer Price Index (CPI-U) for all urban consumers, 1982-1984=100 (not seasonally adjusted) as reported by the United States Department of Labor, Bureau of Labor Statistics.*

V. PROJECT REVIEW

A. CONTEXT

AmeriGas propane is used in multiple commercial and industrial settings, including building constructions, filling stations, restaurants, hotels, schools, crematories, vehicles and forklifts. The Applicant states Loudoun County's recent rapid growth has resulted in an increased demand for petroleum products by residential, commercial and industrial customers. As such, there is significant demand for additional commercial propane distribution capabilities in southeast Loudoun County as well as Fairfax County and surrounding areas. The proposed facility is intended to replace an existing distribution facility operated by AmeriGas in Aldie, approximately twenty miles west of the site. Distribution trucks will be parked at the AmeriGas office in Ranson, West Virginia.

Location

The two proposed 30,000 gallon tanks will be located on 0.97 acre portion of a 4.52 acre property located within the Dulles Industrial Park in Chantilly. The subject property is generally bound by a variety of heavy, light, and flex industrial uses including several landscaping and composting companies, a recycling and processing waste facility, a concrete plant, a crane service company, an irrigation supply, and construction equipment and vehicle/truck storage companies. The subject site is located within the Ldn 65 airport noise contour associated with the Washington Dulles International Airport.

Transportation

The subject parcel is accessed via multiple entrances from Wade Drive. The Applicant estimates up to 94 trips to and from the site monthly. The 2001 Revised Countywide Transportation Plan (CTP) identifies Wade Drive as a portion of the planned Route 50 North Collector Road.

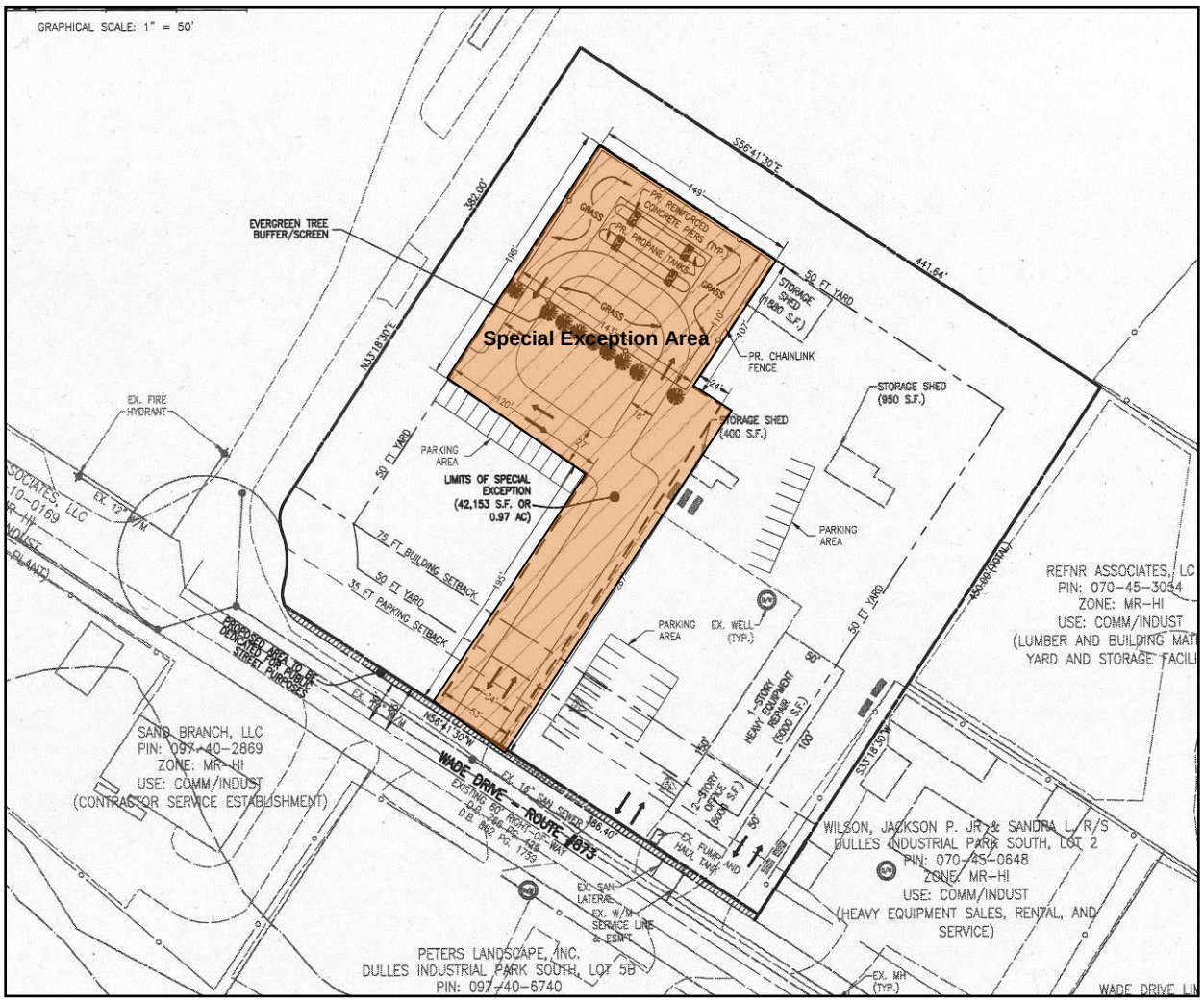


Figure 1. Special Exception Plat

<u>Site Conditions</u>

The majority of the site has been previously cleared and graded for an office/heavy equipment repair building and associated storage sheds and parking on the site. The property is served by a private on-site sewer system and on-site well; however, recent extensions of public water and sewer along Wade Drive will require abandonment of the site system. Vegetation on the site is minimal.

Figure 2. Site Entrance – View from Wade Drive

B. SUMMARY OF OUTSTANDING ISSUES

There are no outstanding issues identified with the applications.

C. OVERALL ANALYSIS

REVISED GENERAL PLAN (RGP)

Land Use

The site is located in the Dulles Community of the Suburban Policy Area and is designated for Industrial uses. Revised General Plan (RGP) policies direct that areas planned for Industrial uses accommodate the continued operation and expansion of major industrial uses in the County while providing a degree of protection from incompatible, non-industrial land uses. Primary land uses within planned industrial areas are General Industry and Heavy Industry. The proposed bulk storage and distribution of propane gas will be co-located with existing industrial uses on the subject property. As noted above, a variety of industrial uses have developed adjacent to the site consistent with the planned land use designation. The subject property's location within the Ldn 65 airport noise contour associated with the Washington Dulles International Airport precludes encroachment of non-compatible, residential development. As such, the proposed use appears to be in conformance with the RGP's vision for Industrial areas and is generally compatible with established industrial uses.

Commission Permit

The Revised 1993 Zoning Ordinance requires a Commission Permit when a proposed public utility or public service facility is not identified as a feature of the adopted Land Use Map or as part of certain development plans authorized by the Zoning Ordinance to include such uses. Commission Permit applications are evaluated to determine whether the general location, character, and extent of the proposed public use are in substantial accord with the Revised General Plan (RGP). Compliance with RGP policies regarding site design and layout, environmental impacts, scale and intensity, and transportation improvements are evaluated during the Special Exception review process.

The General Public Facilities Policies of the RGP state the County will determine the need for new public facilities and will identify suitable sites based on the Revised General Plan, appropriate area plans, land use, and growth policies. Specific to the proposed use, the RGP recognizes that gas, electrical and communication service are essential components to daily life within Loudoun County. The County supports the timely delivery of these services to businesses and households as development occurs, but seeks to minimize the negative visual impacts through regulations and the Commission Permit process. Based on the analysis above, Staff finds that the proposed propane storage and distribution facility is consistent with the general land use and energy facilities policies of the RGP.

Site Design / Stormwater Management

The RGP envisions that general industrial areas will be designed complement surrounding land uses by means of appropriate arrangement of buildings and service areas, attractive architecture, and effective landscape buffering. Specifically, landscape buffers will be utilized to break up monotonous parking surfaces, structural walls, and storage areas and enhance the aesthetic quality of General Industrial areas. The RGP also states that major water resource issues for the County include protecting groundwater and surface water (i.e., streams and wetlands) from contamination and pollution as well as preventing the degradation of water quality in watersheds. The subject property is located in the Bull Run watershed and drains to the Occoquan Reservoir, a drinking water supply. The site is also upstream of the Cub Run Stream Conservation Unit.

The proposed propane tanks will be located at the rear of the property, fifty feet from the property line and surrounded by a six foot chainlink fence. A gravel driveway will provide vehicle access to the tanks and existing gravel areas will be replaced with vegetative groundcover (grass). Delivery vehicles will be stored off-site. An evergreen buffer buffer/screen is proposed along the southern boundary of the fenced area facing Wade Drive. Additional tree canopy requirements (10% of the entire property) will be reviewed at the time of site plan. Facilities Standards Manual (FSM) requirements for Stormwater management and /or best management practices for new development will be determined at site plan. As noted above, the site has been cleared of vegetation. The proposed screening and reclaimed ground cover will improve the aesthetic quality

of the existing facilities as well as provide groundwater recharge and treatment consistent with RGP policies.

TRANSPORTATION

The subject parcel is accessed via multiple entrances from Wade Drive. The Applicant estimates between 6 and 94 trips monthly by delivery and distribution trucks. The 2001 Revised Countywide Transportation Plan (CTP) identifies Wade Drive as a portion of the Route 50 North Collector Road. The Route 50 North Collector Road is a planned, local access, four-lane undivided urban collector road within a 70 foot of right-of-way.

Office of Transportation Services (OTS) Staff requested the applicant provide right-of-way necessary for 35 feet of right-of-way from the centerline of the planned North Collector Road to the property line. The Applicant has agreed to provide an additional 5 feet of right-of-way necessary to meet the 35 foot requirement as well as required construction easements in support of the future planned roadway. OTS staff also requested the applicant identify internal traffic movements for the proposed use as well as verify the multiple entrances to the site will meet VDOT requirements. Traffic movement is shown on the Special Exception Plat and the three entrances to the site have been accepted by VDOT.

FIRE AND RESCUE

The Dulles South Public Safety Center (Station 19) is identified as the first responder to the subject property. Public water was recently extended along Wade Drive with two fire hydrants installed along Wade Drive adjacent to the site.

Community Planning, Environmental Review, and Fire-Rescue staff requested additional information regarding safety measures associated with the proposed propane tanks. In response, the Applicant states the storage and distribution of propane gas is subject to Section 58 of the National Firefighters Protection Association (NFPA) Liquefied Petroleum Gas Code. Among other requirements, Section 58 requires automatic shutdown valves and remote shutdown capabilities. Specific to the proposed use, 30,000 gallon propane tanks are to be spaced minimum 5 feet from each other and 50 feet from buildings.

A 6-foot high security fence is to be installed around the propane tanks and associated equipment. The propane storage tanks will be supported by precast reinforced concrete piers and are to be painted with light, reflective colors. The tanks are constructed with 1¼" thick steel walls with a pressure release valve 12 inches above the top of the tanks. Upgraded pneumatic actuator valves will automatically shut off the flow of gas if any leak is detected and will immediately notify AmeriGas of the leak. Propane stored on the premises will contain an odorant so that any potential leak could be promptly detected and shut off at a remote emergency shut-off station constructed between 100 and 255 feet from the tanks. Gas within the tanks is stored at negative -40° F. In the event that the ignition point of the gas is reached, resulting flames would be released through the

described pressure valve, preventing the explosion of the tanks. Lastly, the tanks will be surrounded by appropriate safety signage and will be subject to inspection by the Fire Marshall prior to the storage and distribution of propane gas.

The Applicant states AmeriGas employees and drivers receive mandatory safety training. Submission of an emergency response and evacuation plan will be provided to the Department of Fire, Rescue, and Emergency Management prior to first zoning permit for the construction of the storage area. The Applicant has also offered to provide Fire-Rescue personnel assistance with safety training and preparedness planning for the facility once it is in operation.

Per the adopted Board Fire and Rescue Policy, all applicants are requested to provide a one-time contribution of $0.10 per gross square foot to be distributed to the primary volunteer fire and rescue agencies, escalated annually from the base year when the policy was adopted (1988). County practice has been to apply the policy to the square footage of structures proposed with the Special Exception use. Escalated to 2009 ($0.18), the requested contribution, based on the dimensions of the Special Exception Area (42,253 square feet), is approximately $7,605. As there is no structure associated with this application to which a contribution would otherwise be calculated, the Applicant has agreed to a one-time contribution of $1,000.00.

D. ZONING ORDINANCE CRITERIA FOR APPROVAL

Section 6-1310 of the Revised 1993 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":

Standard (A) *Whether the proposed special exception is consistent with the Comprehensive Plan.*

Analysis As outlined and discussed above in Section C, Overall Analysis, Revised General Plan (RGP) policies designate the subject site for Industrial uses. The use of the subject site storage of bulk propane storage is generally in conformance the RGP's vision for Industrial areas and is compatible with established uses on similarly planned properties adjacent to the site. Subject to development conditions described above, the proposed special exception will be in accordance with the RGP.

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

Analysis As described above in Section C, Overall Analysis, Fire-Rescue, the proposed special exception use will provide effective safety and fire control measures that will meet national, state, and local fire safety requirements and regulations.

Standard (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.*

Analysis The proposed special exception use is not anticipated to generate noise which will negatively impact similarly planned properties in the immediate area (Industrial).

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

Analysis A condition of approval prohibits lighting for the use unless otherwise required by law, ordinance, or regulation.

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

Analysis The RGP designates the Dulles Industrial Park and surrounding area for Industrial use. The subject property and adjoining properties are similarly zoned MR-HI consistent with the planned land use designation. The proposed use is compatible with established industrial uses on the property (air compressor rental and landscaping services) and adjacent parcels (landscaping and building materials supply, equipment rental and maintenance, concrete production, etc.).

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

Analysis The storage tanks and associated equipment will be located within a fenced area located 50 feet from the property line. An evergreen buffer will screen the fence, tanks, and equipment from Wade Drive. Additional tree canopy will be required at site plan.

Standard (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.*

Analysis No topographic or physical, natural, scenic, archeological, or historic features of significant importance has been identified on the subject property as stated in study waivers submitted by the Applicant.

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

Analysis The site has been extensively cleared and graded. The Applicant proposes to remove compacted gravel and replace it with vegetative groundcover (grass). New landscaping will be installed along the southern boundary of the fenced area. Impervious surfaces will be limited to a small concrete pad and concrete pier supports for the tanks. No Endangered and Threatened Species (ETS), rare plant species, or rare plant communities were observed on the Property but have been identified in proximity to the site (Cub Run Conservation Unit). The noted improvements will improve groundwater recharge and stormwater treatment on the site.

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

Analysis Industrial uses and activities associated with industrial uses such as bulk gas storage and distribution makes them incompatible with residential development and similar noise-sensitive uses. RGP policies state such development is best located within planned Industrial areas. The proposed special exception use is consistent with these policies, therefore promoting the welfare of the public. The location of the storage area will also allow for convenient and affordable access to propane gas by residential and commercial users.

Standard (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.*

Analysis OTS Staff has determined the anticipated traffic impact of the proposed use is negligible and that the local road network has adequate capacity to safely serve the site.

Standard (L) *Whether the proposed special exception will be served adequately by essential public facilities and services.*

Analysis As identified in the attached referral agency comments, the proposed special exception use will be adequately served by existing public facilities and services.

Standard (M) *The effect of the proposed special exception on groundwater supply.*

Analysis The proposed special exception use is not anticipated to have an adverse affect on the County's ground water supply. Public water and sanitary sewer service will be provided by Loudoun Water (formerly LCSA). Removal of compacted gravel and installation of evergreen landscaping will help improve groundwater quality and recharge.

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

Analysis The proposed storage area is not anticipated to affect the structural capacity of the soils. Compliance with the requirements of the County's Facilities Standards Manual will ensure adequate structural capacity for the proposed use.

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

Analysis See the staff analysis of Standard (J) above. The Applicant has agreed to dedicate right-of-way and construction easements in support of the planned Route 50 North Collector Road.

Standard (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.*

Analysis The proposed special exception use will facilitate desirable employment in support of the planned land use designation of the area (Industrial), thereby enlarging the County's tax base.

Standard (Q) *Whether the proposed special exception considers the needs of agriculture, industry, and businesses in future growth.*

Analysis The proposed special exception use is intended to support existing and future fuel needs of agriculture, industry and businesses within Loudoun County.

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

Analysis Adequate on and off-site infrastructure will be provided prior to development of the proposed storage area. Public water and sewer have been recently extended along Wade Drive.

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

Analysis The proposed special exception use is not anticipated to generate odors which will negatively impact similarly planned properties in the immediate area (Industrial). Propone odorant associated with gas leak detection will dissipate following manual or automatic gas valve shut-off.

Standard (T) *Whether the proposed special exception uses sufficient measure to mitigate the impact of construction traffic on existing neighborhoods and school areas.*

Analysis Existing and proposed road networks serving the proposed special exception use have adequate capacity divert construction traffic away from existing neighborhoods and school areas.

VI. ATTACHMENTS (UNLESS NOTED OTHERWISE, ATTACHMENTS ARE NOT AVAILABLE ELECTRONICALLY BUT MAY BE OBTAINED FROM THE DEPARTMENT OF PLANNING)	**PAGE NUMBER**
1. Review Agency Comments	
a. Planning, Comprehensive Planning (02/04/10,11/16/09, 05/21/09)	A-1
b. Building and Development, Environmental Review Team (10/28/09, 05/19/09)	A-11
c. Building and Development, Zoning (01/20/10,12/17/09,10/26/09, 05/15/09)	A-15
d. Office of Transportation Services (11/12/09, 05/26/09)	A-23
e. Virginia Department of Transportation (11/09/09, 06/02/09)	A-27
f. Fire, Rescue, and Emergency Services (11/16/09, 05/27/09)	A-29
g. Health Department (11/05/09,05/04/09)	A-33
h. MWAA (05/22/09)	A-35
i. Department of General Services (05/11/09)	A-37
2. Disclosure of Real Parties in Interest (02/22/10)	A-39
3. Applicant's Response to Referral Comments (10/09/09, 10/22/09, 11/25/09)	A-53
4. Applicant's Statement of Justification (10/22/09)	A-73
5. Plat (revised through 02/02/10)	Follows A-85

SPECIAL EXCEPTION PLAT

LOT 1

DULLES INDUSTRIAL PARK SOUTH

SPEX 2009-0006

CMPT 2010-0001

DULLES ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA

OWNER/APPLICANT

DULLES SOUTH PROPERTIES, LLC
4622 42ND PLACE
HYATTSVILLE, MD 20781-2208
301.230.5800

ENGINEER/PLANNER

William H. Gordon Associates, Inc.

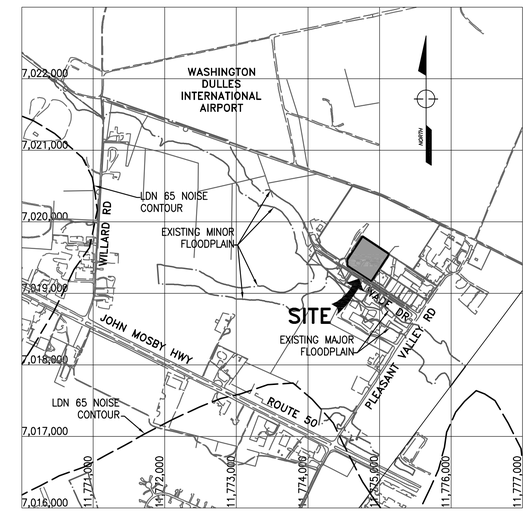
Engineers Land Planners•Landscape Architects•Surveyors

305 Harrison Street, Suite 1A
Leesburg, Virginia 20175
(703) 779-2191

PROJECT MANAGER: ROY CLARK

DATE ISSUED: FEBRUARY 3, 2009

NO.	REVISION	DATE
4.	ADD CMPT 2010-0001 TO COVER SHEET	2/02/10
3.	COUNTY COMMENTS	11/16/09
2.	COUNTY COMMENTS	10/09/09
1.	COUNTY COMMENTS	3/31/09



VICINITY MAP

GRAPHIC SCALE

1,000 0 500 1,000 2,000

(IN FEET)
1 INCH = 1,000 FEET

LIST OF DRAWINGS

1. COVER SHEET
2. EXISTING CONDITIONS PLAT
3. SPECIAL EXCEPTION PLAT

STEPHEN STECKLIEN	EXECUTIVE V.P. AND CHIEF OPERATING OFFICER
APPLICANT NAME	TITLE

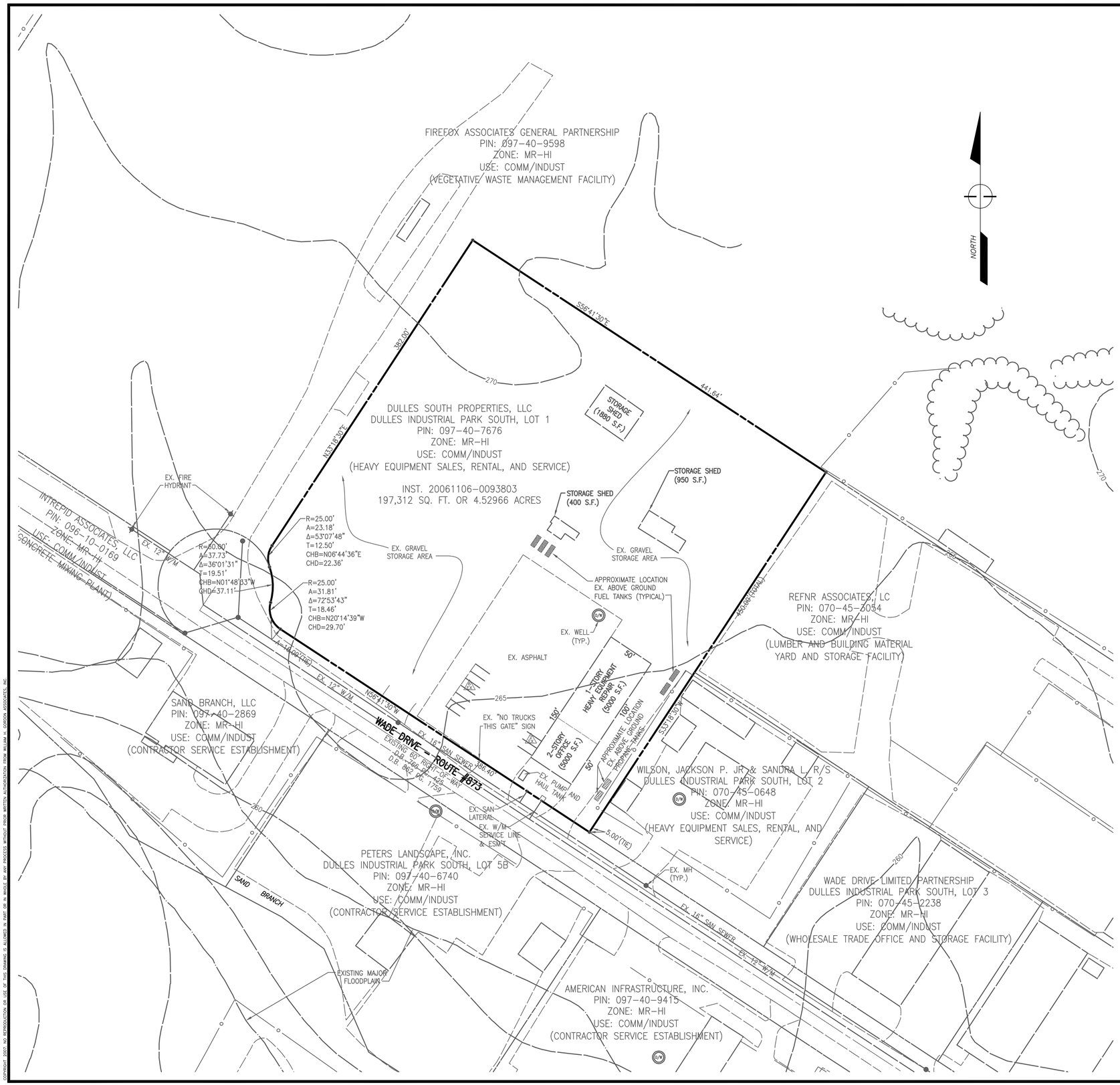
Stephen J. Stecklein

APPLICANT SIGNATURE DATE

LOIS SMITH	DISTRICT MANAGER
APPLICANT NAME	TITLE

Lois Smith

APPLICANT SIGNATURE DATE



GENERAL NOTES:

1. THE SPECIAL EXCEPTION IS SOUGHT TO ALLOW THE FOLLOWING:
   - STORAGE, BULK GASOLINE, PETROLEUM PRODUCTS AND NATURAL GAS, SMALL AND LARGE (SEC 3-1004(Y))
2. THE SUBJECT PROPERTY IS LOCATED ON LOUDOUN COUNTY PIN NUMBER 097-40-7676 IN THE NAME OF DULLES SOUTH PROPERTIES, LLC.
3. THE PROPERTY IS ZONED MR-HI MINERAL RESOURCES-HEAVY INDUSTRIAL (SEC. 3-1000) AND IS LOCATED WITHIN THE LDN 65 AI-AIRPORT IMPACT OVERLAY DISTRICT (SEC. 4-1400), ADMINISTERED UNDER THE REVISED 1993 ZONING ORDINANCE.
4. TOPOGRAPHIC INFORMATION AS SHOWN WAS TAKEN FROM LOUDOUN COUNTY OFFICE OF MAPPING & GEOGRAPHIC INFORMATION.
5. THE SUBJECT PROPERTY CONTAINS 4.5296 ACRES PER INFORMATION OF RECORD.
6. BOUNDARY INFORMATION WAS TAKEN FROM INFORMATION OF RECORD AND DOES NOT CONSTITUTE A FIELD RUN SURVEY BY WILLIAM H. GORDON ASSOCIATES, INC.
7. STORMWATER MANAGEMENT AND/OR BEST MANAGEMENT PRACTICES FOR NEW DEVELOPMENT SHALL BE IN ACCORDANCE WITH THE CURRENT FACILITIES STANDARDS MANUAL.
8. THE LOCATION AND NAMES OF ALL ROADWAYS THAT CONNECT OR ARE ADJACENT TO THE SUBJECT PROPERTY WERE OBTAINED FROM THE LOUDOUN COUNTY OFFICE OF MAPPING & GEOGRAPHIC INFORMATION.
9. THE AREA OF THE SPECIAL EXCEPTION DOES NOT ENCROACH UPON ANY POTENTIAL JURISDICTIONAL WATERS AND WETLANDS AS IDENTIFIED BY THE LOUDOUN COUNTY OFFICE OF MAPPING & GEOGRAPHIC INFORMATION PREDICTIVE WETLANDS MODEL.
10. A WAIVER HAS BEEN REQUESTED FOR A PHASE ONE (I) ARCHAEOLOGICAL ASSESSMENT.
11. THERE IS NO PROPOSED LIGHTING OR SIGNAGE WITH THIS APPLICATION.
12. THERE ARE NO STEEP SLOPES, FLOODPLAIN OR MOUNTAIN OVERLAY DISTRICTS ON THE SITE PER LOUDOUN COUNTY OFFICE OF MAPPING & GEOGRAPHIC INFORMATION.
13. THIS PROPOSED SPEX PLAT SHALL BE IN COMPLIANCE WITH SECTION 5-1507, NOISE STANDARDS OF THE REVISED 1993 ZONING ORDINANCE.
14. THE PROPERTY IS SERVED BY A PRIVATE ON-SITE SEWER SYSTEM AND AN ON-SITE WELL.
15. NO EXTENSION OF UTILITIES ARE PROPOSED WITH THIS USE.
16. EXISTING VEGETATION/TREE COVER: THE SITE HAS NO EXISTING EVERGREEN TREES WITH CALIPERS OF 14 INCHES OR LARGER OR DECIDUOUS TREES OF 22 INCHES OR LARGER. THERE ARE SHRUB FOUNDATION PLANTINGS ALONG THE FRONT OF THE BUILDING AND SMALL UNDERSTORY NATIVE SPECIES ALONG THE SIDE AND REAR FENCE LINES.
17. LAND DEVELOPMENT APPLICATIONS PRECEDING THE SUBJECT APPLICATION AND RELEVANT TO THE SUBJECT PROPERTY:

NUMBER	PROJECT NAME	APPROVAL DATE
SPPF 1990-0022	ADDISON CRANE ADDITION	JANUARY 27, 1992
BLAD 1989-0810	FOXFIRE ASSOCIATES GENERAL PARTNERSHIP PROPERTY AND ADDISON CRANE COMPANY, INC. PROPERTY	OCTOBER 10, 1989

REVISIONS
3/31/09 COUNTY COMMENTS
10/09/09 COUNTY COMMENTS
11/16/09 COUNTY COMMENTS

SURVEY: N/A
DESIGN: A. AGEE
DRAWN: A. AGEE
CHECKED: R. CLARK

ENGINEERS · SURVEYORS · LAND PLANNERS · LANDSCAPE ARCHITECTS
William H. Gordon Associates, Inc.
305 Harrison Street · Suite 1A · Leesburg, Virginia 20175
(703) 779-2191 · FAX (703) 263-0766

DATE: FEBRUARY 2009
SCALE: HORZ: 1"=50'
VERT: N/A
SEAL

EXISTING CONDITIONS PLAT

PROJECT
LOT 1
DULLES INDUSTRIAL PARK SOUTH
DULLES ELECTION DISTRICT
LOUDOUN COUNTY, VIRGINIA

JOB: 2766-0101
CADD: 2766EC.DWG
SHEET: 2 OF 3

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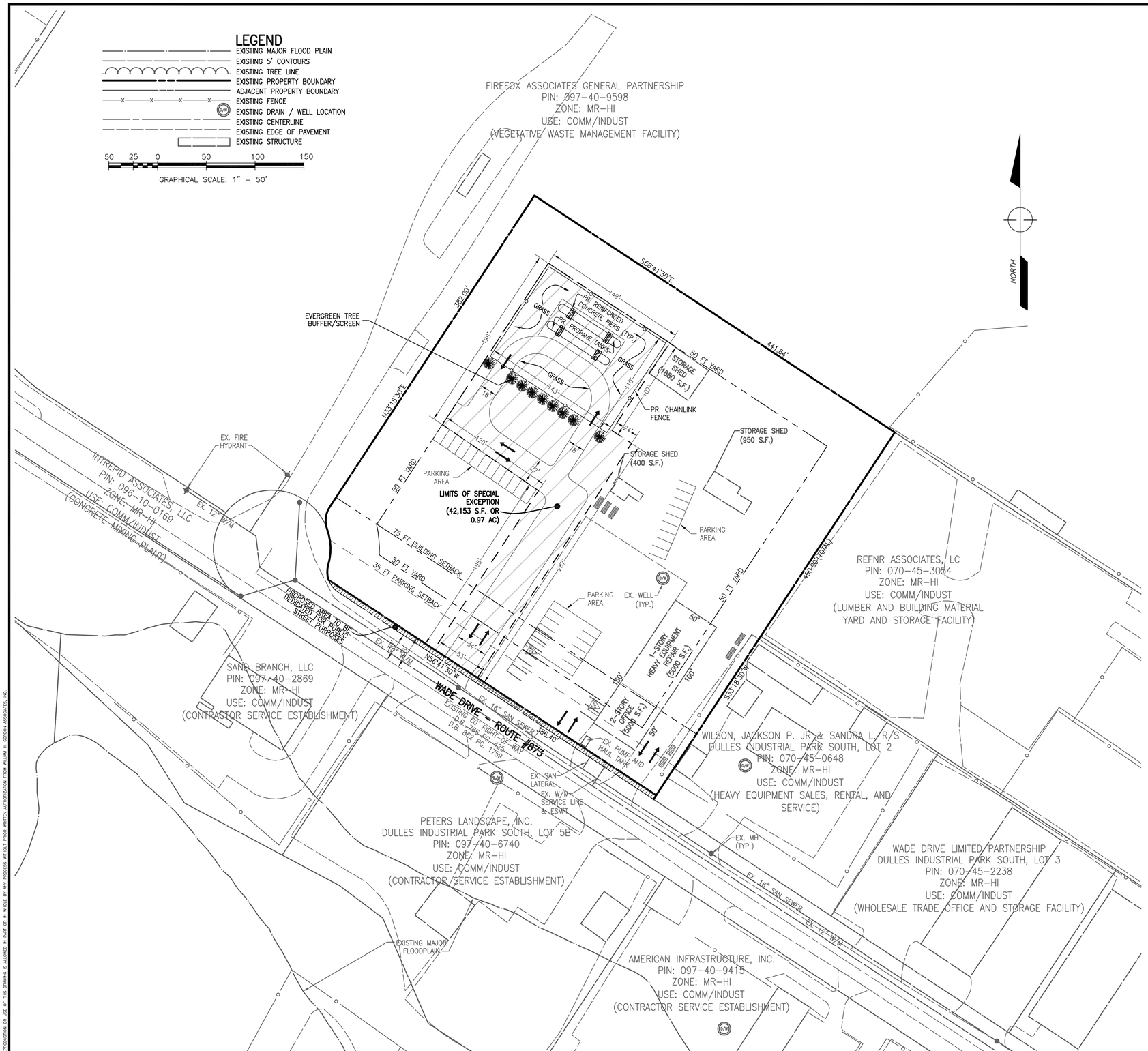

ZONING TABULATION

ZONE: MR-HI – MINERAL RESOURCES–HEAVY INDUSTRIAL (SEC. 3–1000)
AI – AIRPORT IMPACT OVERLAY DISTRICT (SEC 4–1400)

PROPOSED USE: STORAGE, BULK GASOLINE, PETROLEUM PRODUCTS AND NATURAL GAS, SMALL AND LARGE (SEC. 3–1004(Y))

EXISTING USE: HEAVY EQUIPMENT REPAIR AND ACCESSORY STORAGE RELATED TO HEAVY EQUIPMENT REPAIR AND CONTRACTOR SERVICE ESTABLISHMENT WITH ACCESSORY OUTDOOR STORAGE

LOT REQUIREMENTS (SEC. 3–1005)

LOT SIZE
MINIMUM: 3.00 ACRES
EXISTING: 4.53 ACRES
AREA TO BE DEDICATED: 0.05 ACRES
PROPOSED: 4.48 ACRES

LOT WIDTH
MINIMUM: 200 FT
EXISTING: 441.6± FT

DEPTH
MINIMUM: 500 FT
EXISTING: 450 FT
PROPOSED: 445 FT

LENGTH/WIDTH RATIO
MINIMUM: 3.5
EXISTING: 1

YARDS (SEC. 3–1005(E)
REQUIRED: NO STRUCTURE OR USE SHALL BE LOCATED WITHIN FIFTY (50) FEET OF ANY PROPERTY LINE
EXISTING: THIRTY (30) FEET. NON–CONFORMING USE; NO EXPANSION PROPOSED (SEC. 1–1400)

DEVELOPMENT SETBACK AND ACCESS FROM MAJOR COLLECTOR (SEC 5–900)
BUILDING SETBACK: 75 FT
PARKING SETBACK: 35 FT

BUILDING REQUIREMENTS (SEC. 3–1006)

LOT COVERAGE
ALLOWED: 98,663 S.F. (50%)
EXISTING/PROPOSED:

EXISTING BUILDING	7,500 S.F.
EXISTING SHEDS	3,280 S.F.
PROPOSED TANKS	12,500 S.F.
TOTAL	23,280 S.F. (12%)

BUILDING HEIGHT
ALLOWED: 40 F.T.
EXISTING: 20 F.T.
PROPOSED: N/A (NO BUILDING PROPOSED WITH THIS APPLICATION)

GROSS FLOOR AREA
EXISTING BUILDING:

INDUSTRIAL	6,752 S.F.
OFFICE	3,248 S.F.
EXISTING SHEDS	3,280 S.F.
PROPOSED	N/A
TOTAL	13,280 S.F.

FLOOR AREA RATIO
ALLOWED: 146,497 S.F. (75%)
EXISTING/PROPOSED: 13,280 S.F. (6.8%)

PARKING REQUIREMENTS (TABLE 5–1102)

REQUIRED
INDUSTRIAL/MANUFACTURING: 2/1,000 S.F. OF GFA PLUS ANY REQUIRED FOR OFFICE
(10,032 S.F./1,000) X 2 = 20 SPACES
GENERAL OFFICE: 4/1,000 S.F. OF GFA
(3,248 S.F./1,000) X 4 = 13 SPACES
TOTAL REQUIRED = 33 SPACES

PROVIDED

STANDARD	31 SPACES
HANDICAPPED ACCESSIBLE	2 SPACES
TOTAL	33 SPACES

LOADING
INDUSTRIAL/MANUFACTURING: 1/25,000 S.F. OF GFA
10,032 S.F./25,000 = 1 SPACE
GENERAL OFFICE: NONE FOR THE FIRST 30,000 S.F. OF GFA

BUFFER REQUIREMENTS (TABLE 5–1414)

PROPOSED LAND USE GROUPS:
STORAGE, BULK GASOLINE, PETROLEUM PRODUCTS AND NATURAL GAS, SMALL AND LARGE = GROUP 10

ADJACENT LAND USE GROUP	REQUIRED BUFFER
NORTH & WEST	
VEGETATIVE WASTE MANAGEMENT FACILITY = 10	N/A
EAST	
HEAVY EQUIPMENT SALES, RENTAL, AND SERVICES = 10	N/A
LUMBER & BUILDING MATERIAL YARD AND STORAGE FACILITY = 10	N/A
SOUTH	
CONTRACTOR SERVICE ESTABLISHMENT = 10	N/A

REVISIONS
3/31/09 COUNTY COMMENTS
10/09/09 COUNTY COMMENTS
11/16/09 COUNTY COMMENTS

SURVEY: N/A
DESIGN: A. AGEE
DRAWN: A. AGEE
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JOB: 2766-0101
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