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PLANNING DEPARTMENT

LOT 1, DULLES INDUSTRIAL PARK SOUTH
Special Exception

Statement of Justification

Introduction

Dulles South, a Virginia Limited Liability Company ("Dulles South"), and AmeriGas Propane, a Delaware Corporation ("AmeriGas"), seek a special exception for the bulk storage and commercial distribution of propane gas on the heavy industrial property located at 44180 Wade Drive, in Chantilly, Virginia, PIN 097-40-7676 (the "Property"). The Property is located in an industrial park off of Pleasant Valley Road, about a half-mile north of Route 50, south of Washington Dulles International Airport, in the south-east corner of Loudoun County. The Property is zoned MR-HI (Mineral Resource - Heavy Industry), and this special exception use is pursuant to section 3-1004(Y) of the Loudoun County Zoning Ordinance, which allows for "Storage, bulk gasoline, petroleum products and natural gas, small and large" in an MR-HI zone.

Dulles South is the owner of the destination property and AmeriGas is the propane distributor whose tanks would be relocated to the property and who seeks to operate a commercial propane distribution operation on the property. AmeriGas is the nation's largest propane company, serving over 1.3 million residential, commercial, industrial, agricultural and motor fuel propane customers in nearly 50 states. AmeriGas propane is used in multiple commercial and industrial settings, including building constructions, filling stations, restaurants, hotels, schools, crematories, vehicles and forklifts.

Design commitments are included in the application to ensure that the proposed development is adequately screened and buffered from surrounding developments. In addition, the Property is located within Washington Dulles International Airport's 65 Ldn (day-night average noise level) noise contours (*see* Airport Ldn Contours Map) and therefore will not affect any existing or potential commercial or residential development of the Route 50 corridor. Rather, the proposed development would serve the community and promote the interests of the Loudoun County Revised General Plan by supplying green fuels to local businesses, creating local jobs, and improving highway safety.

Need for a Propane Storage and Distribution Facility in Southeast Loudoun County

Loudoun County's rapid growth in recent years has resulted in the growth of the demand for petroleum products by residential, commercial, and industrial customers. The nearest AmeriGas propane storage and distribution facility is located in Aldie, Virginia, approximately twenty miles north-west of the proposed site. There is significant demand for additional commercial propane distribution capabilities in south-east Loudoun County, as well as Fairfax county and surrounding areas.

Conformance with County Policies and Comprehensive Plan

The proposed AmeriGas propane storage and distribution facility will strengthen the local economy by bringing new and diverse jobs to the area, which supports the policies outlined in Loudoun County's Economic Development Plan.

The proposed AmeriGas propane storage and distribution facility will be conveniently located to provide services to local businesses in the Dulles area, the Route 28 corridor, and the Route 50 corridor, all of which are high growth areas. These services are consistent with Loudoun County's Economic Development Plan.

The proposed AmeriGas propane storage and distribution facility will improve highway safety, particularly on the scenic and historic, yet highly travelled, Route 50 corridor because AmeriGas' propane will no longer have to be transported all the way from Aldie, Virginia to customers in the Dulles area and Route 28 corridor. This is consistent with Loudoun County's Economic Development Plan and Transportation Plan.

The proposed AmeriGas propane storage and distribution facility will improve the availability and affordability (due to reduced transportation costs) of clean burning propane fuel, which lends itself to improved air quality consistent with Loudoun County's Green Infrastructure Plan.

The proposed AmeriGas propane storage and distribution facility is not at odds with the Loudoun County Economic Development and Suburban Policy Area Plans' proposal to foster residential and non-industrial commercial growth of the Route 50 corridor because the Property is located within Washington Dulles International Airport's 65 Ldn (day-night average noise level) noise contours (*see* Airport Ldn Contours Map), where residential development is prohibited. In fact, the proposed development will foster such development by making available affordable propane gas for new hotels, restaurants, schools, and other businesses that serve both local residents and tourists.

The Loudoun County Suburban Policy Area Plan's General Industrial Policies specify that industrial uses, such as the proposed development, are the preferred use in designated industrial areas such as the Washington Dulles International Airport 65 Ldn (day-night average noise level) noise contours, where the Property is located. (*See also* Loudoun County Suburban Policy Area Plan's General Industrial Use Policies.)

The proposed AmeriGas propane storage and distribution facility will be located in an industrial park away from Route 50, which is consistent with Loudoun County Suburban Policy Area Plan's General Industrial Use Policies.

The proposed AmeriGas propane storage and distribution facility will provide sufficient buffering from nearby residential and business uses to ensure that the effects of noise, vibration, odor, or other emissions are screened from adjoining non-industrial properties and roads, which is consistent with Loudoun County Suburban Policy Area Plan's General Industrial Use Policies.

Section 6-1301 Issues for Consideration

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

As discussed above, the proposed special exception is consistent with the Comprehensive Plan, including the Economic Development Plan, Transportation Plan, Green Infrastructure Plan, Route 50 Corridor Plan, and the Suburban Policy Area Plan.

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

The proposed AmeriGas propane storage and distribution facility will have effective fire control measures and will adequately provide for safety from fire hazards. As indicated in the Special Exception application and accompanying materials, the propane storage tanks will be supported by precast concrete piers with reinforcement as needed, and a 6-foot high security fence will be installed around the tanks and piping. In addition, the propane stored on the premises will contain an odorant so that any potential leak could be promptly detected, and there will be a remote emergency shut-off station between 255 and 100 feet from the tanks. The Arcola Pleasant Valley Volunteer Fire Department is located a mere five miles from the Property.

(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.

The proposed AmeriGas propane storage and distribution facility will have a negligible noise impact. There will be no noise unless the pumps are running, which will only occur during business hours (Monday through Friday, 7:30 a.m. to 5:00 p.m.). The noise created by the pumps when they are operating will be consistent with or lower than the noise levels created by the other businesses on the Property and on adjacent parcels, all of which operate at noise levels that are below the continuous noise maximum sound levels for industrial properties. Loudoun County Zoning Ordinance section 5-1507(B)(1) allows for industrial properties to emit continuous noise levels up to 70 dBA, which is to be measured at the property boundary, which will separated from the pumps by landscaping and a buffer zone. In addition, the Property is located within Washington Dulles International Airport's 65 Ldn (day-night average noise level) noise contours (*see* Airport Ldn Contours Map), which negates any noise concerns related to the minimal noise caused by the pumps and their pneumatic control system.

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

The light impact of the proposed AmeriGas propane storage and distribution facility will be negligible. The propane tanks and pumps will only be operated during business hours

(Monday through Friday, 7:30 a.m. to 5:00 p.m.). As such, they will not need to be supported by additional lighting.

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

The proposed AmeriGas propane storage and distribution facility is compatible with other uses of land in the neighborhood, which include an air compressor rental company (Washington Air Compressor Rental Company) and a landscaping company (Palmer Landscaping) that stores equipment and maintains offices on the Property. The proposed AmeriGas propane storage and distribution facility is also compatible with other uses of land in on adjacent parcels, which include Weslind Crane Service, which stores large cranes, Central Irrigation, which stores and sells irrigation supplies, American Infra-Structural and RC Griffin, both of which store large construction equipment, Peters Landscaping and Mid Atlantic Tennis & Landscaping, both of which stores trucks and equipment, Buhl Electric, which stores trucks and maintains office space, Dunbrook Concrete, which stores trucks and maintains a concrete plant, Loudoun Compost, which recycles and processes waste, and Pro Built, which stores and sells drywall products.

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

As set forth on the accompanying Special Exception Plat, the proposed AmeriGas propane storage and distribution facility will be surrounded by ample landscaping and buffering to sufficiently screen the propane tanks from the surrounding uses. The propane tanks will be at least 50 feet from the property line, and there will be a Type 2 landscape buffer along the south-western side of the proposed development, which faces Wade Drive.

(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 proposed AmeriGas propane storage and distribution facility will not impact any topographic or physical, natural, scenic, archeological or historic feature of importance. There are no such features on the Property or in its vicinity.

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

The proposed AmeriGas propane storage and distribution facility will not damage any existing animal habitat, vegetation, water or groundwater quality, or air quality. The Department of Conservation and Recreation's Division of Natural Heritage has searched its Biotics Data System and has identified only one area of concern, the wood turtle (*Glyptemys insculpta*). According to the DCR, the wood turtle does not inhabit the Property, but rather than Cub Run Stream Conservation Unit, which is downstream from the property. As such, according to the DCR, the only concern raised by the proposed

development is erosion and sediment control. The proposed AmeriGas propane storage and distribution facility involves only the placement of a concrete slab and installation of two propane storage tanks, with supports. The proposed development therefore does not involve any excavation of soil or any new wastewater or other water runoff, and it should not affect the existing flow of storm water on the property. As such, there will be no damage to the habitat of the wood turtle caused by the proposed development.

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

As discussed herein, the proposed AmeriGas propane storage and distribution facility will promote the public welfare by improving highway safety along the Route 50 corridor and by promoting clean burning fuels that have a direct impact on air quality. The proposed development also promotes the convenience of the public by improving the affordability and availability of propane gas, which is used by local hotels, restaurants, schools, and other businesses that directly serve both local residents and the tourist population.

(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.

The proposed AmeriGas propane storage and distribution facility will have a negligible traffic impact. The proposed trip generation (including the other businesses on the property) will still be far lower than the existing by right use as zoned. Specifically, based on the traffic at Amerigas' plant in Aldie, Virginia, the expected number of monthly trips to/from the proposed site is between 6 and 94 trips per month. This level of traffic is more than adequately served by the connectors to the property: Wade Drive, Pleasant Valley Road, and Route 50. The proposed development will not offer retail services, only commercial distribution, so pedestrian connections and public transportation services are not necessary.

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

Not applicable. The proposed AmeriGas propane storage and distribution facility will not convert any existing structures, but all structures on the Property conform to the code requirements of Loudoun County.

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

Utilities exist on the property for water, electric, telephone, and other services.

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

None.

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

The proposed AmeriGas propane storage and distribution facility will have a negligible impact on the structural capacity of the soils. The proposed AmeriGas propane storage and distribution facility involves only the placement of a concrete slab and installation of two propane storage tanks that will be supported by precast concrete piers with reinforcement as needed. This development will have only a negligible impact on the structural capacity of the soils

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

The applicant is unaware of any plans for road development on Route 50 or Pleasant Valley Road that would be affected by the proposed development. Generally, the proposed development will increase traffic safety on Route 50 because AmeriGas and its customers will no longer have to transport propane from the plant in Aldie, Virginia to its customers in the Dulles area and the Route 28 corridor.

(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 propane sales generated by the proposed AmeriGas propane storage and distribution facility will contribute sales taxes to the local economy. In addition, the increased availability and affordability of propane gas may encourage businesses that rely on propane—including hotels, restaurants, and crematories—to invest in Loudoun County.

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

The proposed AmeriGas propane storage and distribution facility supports the needs of agriculture, industry, and local businesses in their future growth. The increased availability and affordability of propane will support enterprises that rely on propane for their operations. In the agricultural sector, numerous types of agricultural vehicles and machinery operate on propane. In the industrial sector, propane heaters are often employed in the construction and heavy industry businesses to maintain employee safety and productivity through cold winter months. Similarly, in the business sector, numerous businesses—including hotels, restaurants, crematories, and schools—rely on propane gas in their day to day operations.

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

All necessary transportation and utility infrastructure is currently available.

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

The proposed AmeriGas propane storage and distribution facility will not generate any odors that will negatively impact adjacent uses. Although the propane stored on the premises will contain an odorant to facilitate detection of a potential leak, this odorant will only be perceptible in the event of a leak. Should such a leak occur, there will be a remote emergency shut-off station between 255 and 100 feet from the tanks, which will allow for prompt shut-off of the pumps, thereby containing the leak and further odor. In the event of such a leak, following prompt detection and shut-off, any odorized propane that has been released would quickly dissipate and be imperceptible. Any release of such odors is mitigated by the distance of the propane tanks from the property boundary and the intervening landscape and buffer zones.

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

The proposed AmeriGas propane storage and distribution facility will have a negligible construction traffic impact. The development will require delivery of the two propane tanks and other minor construction traffic, whose impact on the surrounding neighborhood is negligible. There are no residential neighborhoods or school areas in the vicinity.

Conclusion

The proposed AmeriGas propane storage and distribution facility will bring much needed services to south-east Loudoun County and surrounding areas. It will bring economic benefits to the area and increase the convenient availability of clean burning propane gas. It will improve local air quality and traffic safety with negligible negative impact on the surrounding area. Dulles South and AmeriGas Propane therefore respectfully request that the Board of Supervisors approve the requested special exception.