COMMUNITY WIRELESS STRUCTURES

January 13, 2010

Mike Elabarger, Project Manager, Planning
Land Use Review, County of Loudon
1 Harrison Street SE
Leesburg, VA 20175

Re: SPEX 2009-0030 and CMPT 2009-0009 Exit 5: Claiborne Parkway – Dulles Greenway

Dear Mike:

CWS, LLC (CWS) acknowledges receipt of the Zoning Administration, the Virginia Department of Transportation, the Office of Transportation Services, the Community Planning and Environmental Review Team referral comments in the referenced land use application. This letter constitutes the response of CWS as applicant to those comments received in connection with this application.

Our responses are as follows:

ZONING ADMINISTRATION REFERRAL November 30, 2009 (Theresa M. Stein, Planner)

COMPLIANCE WITH SECTION 5-618(B)(3) and (4):

Staff Comment #1: Add to the height requirement box on sheet 8 the height of the lightning rod.

Response: Complied, please see Sheet 8, Z-5.

Staff Comment #2: On sheet 8, state the number of providers to be accommodated per 5-618(B)(3)(b).

Response: Complied, please see Sheet 8, Z-5.

Staff Comment #3: Add the required setback per Section 5-618(B)(3)(c) to the setback boxes on sheet 8.

Response: Complied, please see Sheet 8, Z-5.

Staff Comment #4: On sheet 10, provide a typical microwave dish to demonstrate compliance with 5-618(B)(3)(d).

Response: Complied, please see Sheet 10, Z-7.

Staff Comment #5: State the proposed square footage and height of the equipment structure per 5-618(B)(3)(f).

Response: Complied, please see Sheet 10, Z-7..

2800 SHIRLINGTON ROAD, SUITE 960 · ARLINGTON, VIRGINIA · 22206
PHONE: 703-845-1971 · FAX: 703-845-1953

Staff Comment #6: Add a note that there will be no signal, unless otherwise required per 5-618(B)(3)(h).

Response: Complied, please see Sheet 8, Z-5.

Staff Comment #7: Demonstrate that location on an existing structure greater than 40' is not feasible per 5 618(B)(4)(b).

Response: To be supplied by others.

COMPLIANCE WITH SECTION 5-1100:

Staff Comment #8: Revise Survey Note ~~18~~ 15 to include the required communication parking calculation of 1 space per 1.5 employees on a major shift, which results in one required parking space.

Response: Complied, please see Sheet 6, Z-3.

COMPLIANCE WITH SECTION 5-1400:

Staff Comment #9: Revise the Landscape Waiver Request on sheet 11 to state that a modification of the landscaping requirement is being sought as part of this SPEX application, if this is the applicant's intent. Per Sections 5-1403(E), 5-1405(A), 5-1406(C), and 5-1406(E)(2), a Type III front yard buffer is required around the subject site. A modification of the required buffer may be granted by the Board of Supervisors as part of an approval of a special exception, per 5-1403(C). To seek relief under this section, a landscape modification must be part of the SPEX application, and must be advertised. Sheet 8 and 11 of the SPEX plat must show any areas to be within a "tree save" area.

If the applicant seeks to waive or modify the buffer administratively, a letter must be sent to the Zoning Administration demonstrating how one or more of the criteria found in Section 5-1409 applies to the site.

Finally, a modification can be granted as part of a site plan application, if the applicant can demonstrate that there is suitable existing vegetation which fulfills the landscaping requirements per 5-1403(B). Under this provision, where the existing vegetation does not meet or exceed the requirement, supplemental planting may be required. A letter from TreesPlease indicates that the existing vegetation meets or exceeds the landscape requirement. If the applicant seeks relief per 5-1403(B), the sheet 11 note must be revised to indicate that a Type III front yard landscape buffer is required around the site, unless a buffer waiver/modification is approved at the time of site plan. Again, this application should show any tree save area that will be used to support any modification or waiver.

Response: Note on Sheet 11, Z-8, landscape plan has been revised.

OTHER:

Staff Comment #10: On sheet 1 of 11, revise Note 2 as this use shall conform to all standards found in Section 5618(B)(3) and (4), not Section 5-618(A).

Response: Complied, please see Sheet 1, T-1.

Staff Comment #11: Remove references to Catoctin Election District in the sheet 1 title block, as the site subject to this SPEX is only located in the Dulles Election District. Also remove "THIS PROPERTY IS LOCATED IN THE DULLES AND CATOCTIN ELECTION DISTRICT" in the box under the title block, as well as all sheets of the SPEX plat.

Response: Complied.

Staff Comment #12: Remove all listed "Current Zoning" districts in the Project Description box on sheet 1 and the survey notes on sheets 6 and 8. Instead, state that the subject SPEX area is zoned PD-H3. Revise "commercial toll road" as the Proposed Use on sheet 1, Project Description, and replace "Dulles Greenway" in Survey Note 3 on sheets 6 and 8, with "monopole". Provide the acreage of the subject site area in the Project Description box, on sheet l, as well as Survey Note 4 on sheets 6 and 8.

Response: Complied, please see Sheets 6 and 8.

Staff Comment #13: On sheet 6 and 8, add a note that there are very steep and moderately steep slopes, but that neither is impacted by the proposal.

Response: Complied.

Staff Comment #14: Add to Survey Note 8 on sheet 6 and 8 that there is no floodplain within the subject area.

Response: Complied.

Staff Comment #15: On Sheet 8 of 11, revise the note in the second column as this is not a compound expansion and revise the note to reflect that the subject site is within the Dulles Election district.

Response: Complied.

VIRGINIA DEPARTMENT OF TRANSPORTATION REFERRAL 11/25/09 (Thomas VanPoole, P.E., Senior Transportation Engineer)

1. Staff Comment: The driveway should be perpendicular to the ramp.

Response: Complied, please see Sheet 8, Z-5 and Sheet 9, Z-6.

2. Staff Comment: The entrance should confirm to VDOT standard PE-1.

Response: Complied, please see Sheet 8, Z-5 and Sheet 9, Z-6.

3. Staff Comment: The entrance should be paved for a least 25' from the edge of the ramp pavement.

Response: Complied, please see Sheet 8, Z-5 and Sheet 9, Z-6.

OFFICE OF TRANSPORTATION SERVICES REFERRAL 12/18/09 (Marc Lewis-DeGrace, Transportation Planner)

Staff Comment: The provided traffic impact documents state that the proposed monopole will have a maximum of four (4) carriers. The provided plat indicates space for up to seven (7) carriers. For consistency, the Applicant should confirm the maximum number of carriers that will utilize this structure.

Response: The monopole will support a maximum of seven (7) carriers. The traffic impact letter was incorrect and will be revised to say that the monopole, when fully leased, would support seven (7) carriers.

Staff Comment: The proposed use will not generate a significant amount of traffic and thus road improvements are not requested from this Applicant. However, it is recommended that the Applicant coordinate with the owners of the Dulles Greenway (TRIP II) to ensure that the proposed monopole and equipment compound will not interfere with any future expansion of the Dulles Greenway.

Response: CWS has a ground lease with TRIP II defining the compound area of the telecommunications site. This has been coordinated with the civil engineers and does not conflict with any planned future expansion of the Dulles Greenway.

Staff Comment: The Applicant should confirm that the proposed entrance meets applicable commercial entrance requirements.

Response: Complied, please see Sheet 8, Z-5 and Sheet 9, Z-6.

COMMUNITY PLANNING REFERRAL December 7, 2009 (Pat Giglio, Planner III)

ANALYSIS
A. Land Use
Location

Staff Comment: Staff finds that no existing tall structures are currently located within the vicinity of the proposed site and that construction of a new telecommunication facility may be justified based on network coverage requirements.

Response: Applicant agrees with staff that there are no existing tall structures located within the vicinity of the proposed site. However, Applicant has identified three structures of 40+ feet in height within a one mile radius of this site. Two of the structures are Loudoun County Public Schools Headquarters and Church of Jesus Christ of Latter Day Saints, which do not currently lease or license space to telecommunications carriers. The third structure, Our Savior's Way Evangelical Lutheran Church, which is located almost one mile from the site at Exit 5, Claiborne Parkway, is in the process of a CMPT/SPEX application process for T-Mobile USA to replace the church steeple for the placement of a telecommunications facility. The final height of the steeple will be 70 feet. Due to the nature of this build, the only carrier that can be accommodated is T-Mobile. The steeple will not have sufficient space for other carriers. This location will not satisfy the coverage requirements of the monopole proposed at Exit 5, Claiborne Parkway. The Applicant will revise the Statement of Justification to reflect this information.

Design and Visual Impact

Staff Comment: Staff recommends that conditions of approval and the general notes of the plat specify the color, texture, and materials of the proposed monopole and ground-mounted equipment to ensure that the proposed construction is consistent with the submitted photo-simulations and drawings.

Response: Applicant has revised plat to respond to this recommendation.

Staff Comment: Staff recommends that the applicant commit to the long-term maintenance and care of the proposed fence and existing trees and vegetation to ensure that the proposed facility is adequately screened.

Response: Applicant agrees to ensure that the proposed facility remains adequately screened by the fence and the trees and vegetation, as specified in the final conditions of approval at the time of the Approval of the SPEX.

B. Safety and Health Policies

Staff Comment: Staff recommends that a condition of approval and/or plat note be included to require removal of

the facility and associated equipment following cessation of use.

Response: Applicant has revised plat to respond to this recommendation.

ENVIRONMENTAL REVIEW TEAM REFERRAL December 3, 2009 (Todd Taylor)

Staff Comment: Staff recommends that the applicant consider reforestation of the triangular shaped land located between the Dulles Greenway, the access ramp, and Claiborne Parkway, outside of the proposed monopole compound, existing stormwater management (SWM) pond, and existing tree stand.
Response: Applicant will agree to plant seedlings in the triangular shaped land located between the Dulles Greenway, the access ramp, and Claiborne Parkway, outside of the proposed monopole compound, existing stormwater management (SWM) pond, and existing tree stand, and will work with ERT to develop a planting plan that is sustainable.

We believe that this letter responds to all staff comments that we have identified.

On behalf of Community Wireless Structures, LLC, the Applicant, I request that our resolution of these issues be reviewed and that this application be set down for public hearing before the Loudoun County Planning Commission at the next available public hearing date.

COMMUNITY WIRELESS STRUCTURES, LLC

By: TLA. M

Thomas A. Murray
Managing Member

CC: Ed Donohue, Colleen Canovas