

COUNTY OF LOUDOUN  
MEMORANDUM  
DEPARTMENT OF BUILDING AND DEVELOPMENT

**DATE:** November 30, 2009

**TO:** Mike Elabarger, Project Manager, Department of Planning

**FROM:** Theresa M. Stein, Planner, Zoning Administration

**CASE NUMBER AND NAME:** SPEX 2008-0030/CMPT 2009-0009, CWS monopole at Exit 5 (Claiborne Parkway) of the Dulles Toll Road

**TAX/MAP PARCEL NUMBER:** /60/////7BTR1

**MCPI:** 234-37-8457

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The application is to request a special exception and a commission permit to construct a 155' monopole, which includes a 5' lightning rod, and will accommodate a total of 7 providers, at Exit 5 of the Dulles Toll Road (Rt 267). One provider, T-Mobile is proposed to have 12 panel antennas and another provider, Clearwire is proposed to have 3 panel antenna and 3 microwave dishes. The other 5 providers are unknown at this time. The subject site is zoned Planned Development – Housing 3 (PD-H3) under the *Revised 1993 Loudoun County Zoning Ordinance* (Ordinance). A monopole is a special exception use in all zoning districts within the right of way of a private toll road per Section 5-618(B)(2)(d), provided it meets the standards found in Section 5-618(B)(3) and (4).

Zoning staff has reviewed the Statement of Justification and Special Exception Plat, revised through October 30, 2009, a letter dated August 24, 2009 from Community Wireless Structures to the Department of Building and Development, a letter dated September 21, 2009 from TreesPlease to Thomas Murray of Community Wireless Structures, and offers the following comments:

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

1. Add to the height requirement box on sheet 8 the height of the lightning rod.
2. On sheet 8, state the number of providers to be accommodated per 5-618(B)(3)(b).
3. Add the required setback per Section 5-618(B)(3)(c) to the setback boxes on sheet 8.
4. On sheet 10, provide a typical microwave dish to demonstrate compliance with 5-618(B)(3)(d).
5. State the proposed square footage and height of the equipment structure per 5-618(B)(3)(f).
6. Add a note that there will be no signal, unless otherwise required per 5-618(B)(3)(h).
7. Demonstrate that location on an existing structure greater than 40' is not feasible per 5-618(B)(4)(b).

**COMPLIANCE WITH SECTION 5-1100:**

8. Revise Survey Note 18 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.

**COMPLIANCE WITH SECTION 5-1400:**

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.

**OTHER:**

10. On sheet 1 of 11, revise Note 2 as this use shall conform to all standards found in Section 5-618(B)(3) and (4), not Section 5-618(A).
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.
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 1, as well as Survey Note 4 on sheets 6 and 8.
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.
14. Add to Survey Note 8 on sheet 6 and 8 that there is no floodplain within the subject area.
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.