SUBJECT: CMPT-2021-0014 & SPEX-2021-0053, Milestone Towers
Mickie Gordon Park

ELECTION DISTRICT(S): Blue Ridge

CRITICAL ACTION DATE: July 27, 2022

STAFF CONTACT(S): Grace Adams, Project Manager, Planning and Zoning
                   Daniel Galindo, AICP, Assistant Director, Planning and Zoning

APPLICANT: Leonard Forkas, Milestone Tower Limited Partnership IV

PURPOSE: To consider a request for a Commission Permit (CMPT) to permit a 150-foot-tall Telecommunications Monopole with a two-foot lighting rod on top (152 feet tall in total) inside a related equipment compound on a 99.89-acre parcel containing Mickie Gordon Memorial Park. To accommodate the requested CMPT, the application also requests a Special Exception (SPEX) to allow a telecommunications facility in the Agricultural/Rural – 2 (AR-2) zoning district.

RECOMMENDATION: Staff supports the Planning Commission’s (Commission) approval of the CMPT and recommendation of approval of the SPEX to the Board of Supervisors (Board) subject to the Conditions of Approval (Conditions) (Attachment 1) and based on the Findings for Approval (Attachment 2). Staff finds that the general location, character, and extent of the proposed telecommunications monopole and associated equipment compound are consistent with the location and design policies for telecommunications facilities in the Rural Policy Area (RPA) and Rural South Place Type as described in the Loudoun County 2019 General Plan (2019 GP), and the location and design policies in the Strategic Land Use Plan for Telecommunication Facilities (Telecommunication Plan). As conditioned, the applications are consistent with the Revised 1993 Loudoun County Zoning Ordinance (Zoning Ordinance) criteria for evaluation of SPEX applications. The applications are ready for Commission action.

OUTSTANDING ISSUES: There are no outstanding issues.
APPLICATION INFORMATION:

<table>
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<tr>
<th>APPLICANT:</th>
<th>REPRESENTATIVE:</th>
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<tr>
<td>Leonard Forkas Milestone Tower Limited Partnership IV</td>
<td>Phil Stetler Site Link Wireless, LLC</td>
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<th>ZONING ORDINANCE:</th>
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<td>Rural South</td>
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CONTEXT:

Location/Site Access – The subject property is located north of U.S. Route 50 and west of Carters Farm Lane (Route 627). The site is also the location of Mickie Gordon Memorial Park. The site can be accessed from Carters Farm Lane through an entrance to the park, on the northwest side of the parking lot by the soccer and cricket fields.

Existing Conditions – The site is a public active and passive recreational park containing open space, a covered seating area, sports fields, recycling drop-off facility, and partially wooded areas.

Surrounding Properties –

<table>
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<tr>
<th>Land Use</th>
<th>Zoning District(s)</th>
<th>Place Type</th>
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<tr>
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Directions – From Leesburg, go south on King Street and continue onto U.S. Route 15 headed south for approximately 8.9 miles. Turn right at the traffic circle intersection with U.S. Route 50 and head west for approximately 4.6 miles. Turn right on Carters Farm Lane, then turn left at the entrance to Mickie Gordon Memorial Park.
PROPOSAL: The applicant proposes to construct a 150-foot-tall Telecommunications Monopole with a two-foot lighting rod on top inside a 2,500 SF (50 feet by 50 feet) fenced equipment compound on the north end of a 99.89-acre parcel zoned AR-2. The subject parcel is owned by the Loudoun County School Board (LCPS) and is also the location of Mickie Gordon Memorial Park. The park is operated by Loudoun County Parks, Recreation, and Community Services (PRCS). The land subject to these applications would be leased by the applicant from LCPS. The facility would be able to accommodate up to four wireless telecommunication carriers. To access the site, the applicant proposes to construct a ten-foot-wide gravel access road extending from an existing parking lot to the compound entrance. The compound would be surrounded by an eight-foot-high slatted chain link fence and a 25-foot-wide Type C landscape buffer yard on all sides.¹

¹ A Type C Buffer contains 120 plant units per 100 linear feet with diverse plant types, is 25 feet wide, and also requires an opaque fence at a minimum of six feet high in order to create maximum screening opacity.
BACKGROUND: On April 5, 2022, the Board approved (7-0-2: Buffington and Saines absent) a timeline extension of 60 days for the Commission to act on the CMPT application, which gave the Commission until July 18, 2022. Because of a delay in the applicant’s resubmission and a subsequent referral review, the applicant agreed to extend the Commission’s decision deadline to July 27, 2022.

The applicant held a community meeting on August 25, 2021, and conducted two online polls to get community feedback on the site location and the color scheme for the monopole and associated equipment. Staff has received three comments on the Loudoun Online Land Applications System (LOLA), all comments in opposition to the request, citing concerns with the visual impact of the
proposal on the rural and historic landscape in the surrounding area. Staff has also received an email comment in opposition to the request, citing concerns with the visual impact and inadequate public outreach. The staff reports and associated attachments can be viewed online at www.loudoun.gov/lola; search “CMPT-2021-0014.”

**POLICY ANALYSIS:**

**Commission Permit (CMPT) Criteria for Approval - Zoning Ordinance Section 6-1103(A)** of the Revised 1993 Loudoun County Zoning Ordinance states that when considering a Commission Permit, “The Planning Commission shall review the application to determine if the feature for which approval is sought is substantially in accord with the adopted Comprehensive Plan.” Section 6-1101(A) further states, “No street or connection to an existing street, park or other public area, public building or public structure, public utility facility or public service corporation facility other than a railroad facility, whether publicly or privately owned, shall be constructed, established or authorized, unless and until the general location or approximate location, character and extent thereof has been submitted to and approved by the Planning Commission as being substantially in accord with the adopted Comprehensive Plan.”

**Special Exception (SPEX) Criteria for Approval - Zoning Ordinance Section 6-1309** of the Revised 1993 Loudoun County Zoning Ordinance states that in considering a minor special exception or special exception application, six (6) factors shall be given reasonable consideration. These criteria for approval are organized below by category, followed by staff’s analysis.

**A. Land Use:**

ZO §6-1309(1) **Whether the proposed minor special exception or special exception is consistent with the Comprehensive Plan. (5) Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.**

**Analysis** – There are no outstanding land use issues with the applications.

A telecommunications facility requires a CMPT and is permitted with a SPEX approval in the AR-2 zoning district. Appropriately sited and well-designed telecommunications facilities are encouraged in the Rural Policy Area (RPA) under 2019 GP policies. The 2019 GP recognizes high-speed wired and wireless telecommunication networks, including broadband technology, as priorities to support rural businesses and residents of this area of Loudoun County.\(^2\) Likewise, 2019 GP policies state that the lack of broadband service in western Loudoun is a major constraint to the rural economy and mark the need to support the development of high-quality wired and wireless telecommunications networks to serve businesses, residents, and visitors.\(^3\)

The Telecommunications Plan policies establish a hierarchy of preferred locations for new telecommunications facilities.\(^4\) The first preference is for new antennas to be collocated on existing

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\(^2\) 2019 GP, Chapter 2, Rural Policy Area Strategy 3.2.

\(^3\) 2019 GP, Chapter 6, Fiscal Policy 7.

\(^4\) Telecommunications Plan, Section II. A. Countywide Location Policies, Policy 1.
structures that are over 50 feet tall to minimize the need for new towers and monopoles. Where it is not feasible to collocate on existing structures, as is the case for the subject applications, the second preferred locations are areas with compatible land uses, such as industrial and employment areas, overhead transmission line rights-of-way, and on public sites or volunteer fire and rescue company properties. In the RPA, regardless of where the selected site falls within the location hierarchy, telecommunications facilities must be subject to performance standards to mitigate their visual impact on rural and historic landscapes. Staff’s recommended Conditions mitigate the visual impact of the telecommunications facility to the extent possible on the open space of the park and the rural character of the surrounding area. The telecommunications facility has the potential to contribute to the welfare and convenience of the public by providing needed wireless coverage. Staff finds the general location and use of the subject property for a telecommunication facility is in conformance with the land use and locational policies of the 2019 GP.

B. Compatibility:

**ZO §6-1309(2)** Whether the level and impact of any noise, light, glare, odor or other emissions generated by the proposed use will negatively impact surrounding uses. (3) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and on adjacent parcels.

**Analysis** – There are no outstanding compatibility issues.

**Location/Extent** – The proposed location of the telecommunications facility is currently open space with a forested area surrounding it on three sides. The site is interior to the property near an existing forested area. The extent of the associated equipment compound will be able to accommodate up the four telecommunications providers, consistent with 2019 GP and Telecommunications Plan policies. Locating telecommunications facilities internal to a site rather than on the edge is also consistent with 2019 GP policies.

**Visual Impact/Character** – The telecommunications facility is expected to have a visual impact on Mickie Gordon Memorial Park and the surrounding residences, but it will have minimal impact on the viewshed from U.S. Route 50 based on the results from the balloon test conducted by the applicant (see Figure 3). The proposed Conditions regarding the design of the telecommunications facility would also mitigate some of the visual impacts. Based on community feedback, the applicant reduced the height of the monopole from 185 feet to 150 feet. The applicant claims 150 feet is the lowest height necessary to provide sufficient service to the area. The proposal would also be subject to a condition that the facility have a two-toned painting scheme. The monopole and all antennas, cables, and other associated equipment would be painted brown up to 100 feet above the ground to blend in with the forested area. Above 100 feet, everything would be painted gray to blend with the galvanized steel of the monopole and sky.

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5 Telecommunications Plan, Section II. A. Rural Location Policies, Policy 2.
Landscaping, Screening, and Buffering – The applicant is required to provide a Type C Buffer Yard surrounding the limits of the telecommunications facility. Staff finds the buffer yard and eight-foot-high slatted chain link fence are appropriate to mitigate the visual impact of the equipment compound and base of the monopole on the surrounding open space of Mickie Gordon Memorial Park.

C. Environmental and Heritage Resources:
ZO §6-1309(4) Whether the proposed special exception or minor special exception adequately protects and mitigates impacts on the environmental or natural features including, but not limited to, wildlife habitat, vegetation, wetlands, water quality (including groundwater), air quality, topographic, scenic, archaeological or historic features, and agricultural and forestal lands.

Analysis – There are no outstanding environmental or heritage resource issues with these applications.
Environmental Resources – Staff did not identify any significant impact to existing vegetation, critical habitat, or wetlands that would be caused by the proposed land disturbance or use.

Heritage Resources – There is potential for a minimal visual impact on heritage resources in the surrounding area. The Phase I Archeological Survey identified no physical impact to heritage sites. The subject property is located within the boundaries of the Middleburg Battlefield, marking a large cavalry battle that took place during the Civil War. The subject property is classified as a “study area” which encompasses the periphery of the battlefield. The “core” battlefield area is located to the west of the subject property in and around the Town of Middleburg. The Battle of Middleburg-Civil War Site (VDHR 53-5057) is listed on the Virginia Department of Historic Resources (VDHR) Inventory of Historic Sites and considered potentially eligible for listing on the National Register of Historic Places. As part of the review process, the applicant was required to submit a historic resources survey report and photo simulations for the proposed project to the Federal Communication Commission (FCC) and VDHR to evaluate the visual impact of the proposed construction on the surrounding historic resources pursuant to the National Historic Preservation Act (NHPA) Section 106 review process. The conclusion of the Section 106 Review was that there would be no adverse visual effect on historic properties in the vicinity of the site.

D. Transportation:
ZO §6-1309(6) Whether the proposed special exception can be served adequately by public utilities and services, roads, pedestrian connections and other transportation services and, in rural areas, by adequate on-site utilities [emphasis added].

Analysis – Staff has identified no outstanding transportation issues for the applications. The applicant anticipates between one to two trips to the site per month for routine maintenance, indicating a negligible impact on the public roadway network.

E. Public Utilities/Public Safety:
ZO §6-1309(6) Whether the proposed special exception can be served adequately by public utilities and services, roads, pedestrian connections and other transportation services and, in rural areas, by adequate on-site utilities [emphasis added].

Analysis – There are no outstanding issues related to public utilities or public safety. The facility will be accessed by a ten-foot-wide driveway that will be constructed from an existing parking lot to the compound entrance. The necessary utilities are present on the property. For fire response and emergencies, the site is served by Middleburg Station 3 with an approximate response time of six minutes.

ZONING ANALYSIS: There are no outstanding zoning issues with these applications. The applicant is not requesting any zoning modifications.
DRAFT MOTIONS:

1a. I move that the Planning Commission approve CMPT-2021-0014, Milestone Towers Mickie Gordon Park, subject to the Commission Permit Plat dated June 14, 2022, and based on the Findings for Approval provided as Attachments 2 and 3 to the July 26, 2022, Planning Commission Public Hearing Staff Report.

AND

1b. I move that the Planning Commission forward SPEX-2021-0053, Milestone Towers Mickie Gordon Park, to the Board of Supervisors with a recommendation of approval subject to the Conditions of Approval dated July 14, 2022, and based on the Findings for Approval provided as Attachments 1 and 2 to the July 26, 2022, Planning Commission Public Hearing Staff Report.

OR

2. I move an alternate motion.

ATTACHMENT(S):

1. Conditions of Approval (July 14, 2022)
2. Findings for Approval
3. CMPT/SPEX Plat (June 14, 2022)
4. Statement of Justification
5. Review Agency Comments
6. Response to Referral Comments
CONDITIONS OF APPROVAL
Milestone Towers Mickie Gordon Memorial Park, SPEX-2021-0053
July 14, 2022

1. **Substantial Conformance.** The development of the Special Exception use described in Condition 2 below shall be in substantial conformance with sheets Z-2, Z-4, Z-4A, Z-5, Z-6, Z-7, Z-8, Z-9, and Z-10 of the plan set entitled “MILESTONE TOWERS MICKIE GORDON MEMORIAL PARK,” prepared by Entrex Communications Services, Inc. and dated April 30, 2021 as revised through June 14, 2022, (referred to herein as the “SPEX Plat”); and the Revised 1993 Loudoun County Zoning Ordinance (the “Zoning Ordinance”). The property subject to this Special Exception application is an approximately 0.47-acre portion of the 99.889-acre parcel identified as Tax Map Number /88////////13/ (PIN: 503-40-4063), which portion is more particularly identified on Sheet Z-4 of the SPEX Plat as “COMMISSION PERMIT AND SPECIAL EXCEPTION AREA 16,609 SF.” (the “Property”). Approval of this application shall not relieve the applicant or the owners of the Property, their successors, or parties developing, establishing, or operating the approved Special Exception use (the “Applicant”) from the obligation to comply with the Zoning Ordinance, Codified Ordinance, and any other applicable regulatory requirements.

2. **Uses Permitted.** Approval of this Special Exception permits a Telecommunications Monopole use at a maximum of 150 feet in height with a two-foot-tall lightning rod mounted on top (“Monopole”), located within a 2,500 square foot fenced equipment compound in the Agricultural Rural – 2 (AR-2) zoning district in accordance with Section 5-618(B) of the Zoning Ordinance (“SPEX Use”).

3. **Height.** The maximum height of the Monopole is limited to 150 feet, not including the height of a two-foot-tall lightning rod, as depicted on Sheet Z-7 of the SPEX Plat.

4. **Materials.**
   a. The Monopole shall be constructed with galvanized steel (or a material determined by the Department of Building and Development (B&D) to be equivalent). The antennas, but not the related hardware mounted behind the antennas, shall be painted gray to match.
   b. All the associated wiring and conduit for the antennas will be located within the interior of the Monopole and identified as such on all land development applications.
   c. Any paint necessary to substantially conform to these Conditions of Approval (“Conditions”) shall be applied prior to the operation of the SPEX Use. Any areas where paint becomes damaged, deteriorated, or missing shall be repainted by the Applicant.

Attachment 1
Applicant with reasonable promptness, taking into account seasonal weather limitations, as such is determined by the Zoning Administrator.

d. In order to demonstrate compliance with Conditions 4a-4c, the Applicant shall:

   i. With the submission of a Zoning Permit application, provide manufacturer’s cut sheets and paint samples for the Monopole Tower, antennas, and related equipment, and;

   ii. Prior to approval of the final inspection by B&D for the building permit for the SPEX Use, request a final zoning inspection by Zoning Enforcement staff to verify that the SPEX Use is in substantial conformance with the approved SPEX Plat and these Conditions.

5. **Paint Color.** The Monopole, equipment, antennae, and cables shall be painted brown from ground level up to a height of 100 feet on the monopole to blend the structure with the surrounding trees, and then grey above the height of 100 feet to help blend the galvanized metal Monopole with the sky, in keeping with the design policies of CPAM-1996-0003, Strategic Land Use Plan for Telecommunication Facilities (the “Telecommunications Facilities Plan”) and to better mitigate the visual impact of the proposed structure on the surrounding area. Condition #5 shall be identified as a requirement on the first site plan for said SPEX Use, and the site plan shall provide a detail that demonstrates conformance to this Condition. The Applicant shall maintain the paint in good condition and repaint as needed with reasonable promptness for the lifetime of the SPEX Use.

6. **Design.** Prior to the approval of a site plan for the SPEX Use, the Applicant shall submit for review and approval by the Zoning Administrator details of the Monopole Tower and its design to ensure compatibility with these Conditions. As used herein, the term site plan includes any site plan amendment.

7. **Colocation Space.** The Monopole shall provide colocation space with the capacity to accommodate a minimum of four wireless telephone service carriers and/or wireless internet service providers, as shown on Sheet Z-7 of the SPEX Plat.

8. **Landscaping, Buffering, and Screening.** Buffering and screening shall be provided along the perimeter of the equipment compound as shown on Sheets Z-6, Z-9, and Z-10 of the SPEX Plat in accordance with Section 5-1400 of the Zoning Ordinance. All buffering and screening shall be depicted on the first site plan for the SPEX Use. The Applicant shall also install and comply with the following:

   a. Any land disturbance shall occur only within the “Limits of Disturbance” as depicted on Sheet Z-5 of the SPEX Plat.

   b. All landscaping, buffering, and screening shown on the site plan shall be maintained in good condition and health over the lifetime of the SPEX Use, and
any dead or diseased materials shall be replaced with reasonable promptness, considering seasonal weather limitations.

c. The Applicant shall use at the time of site plan 80 percent Virginia native species, with emphasis on Northern Virginia native species, for all landscaping throughout the Property, provided that the Applicant reserves the right, in consultation with and approval by the County Urban Forester, to modify as part of site plan approval, including any site plan amendment, the exact species to be used in order to meet FSM requirements, or if some plant materials are not available, or not available in the quantities required for the project, or have been deemed by the County Urban Forester to no longer be appropriate. Said species shall be identified on the first site plan for the SPEX Use prior to its approval.

d. The equipment compound identified as “PROPOSED 150’ MONOPOLE INSIDE A 50’ x 50’ FENCED EQUIPMENT COMPOUND” shall be enclosed by a fence with gating, as shown on Sheets Z-6, Z-8, and Z-9 of the SPEX Plat. The fence and gating shall provide a minimum opacity of 90% and shall be a minimum of eight feet tall above finished grade. The Applicant shall maintain such fence and gating in good order performing prompt repairs over the lifetime of the SPEX Use.

9. **Cessation of Use.** The Applicant shall notify the Zoning Administrator within 30 days of the cessation of all telecommunication use. All equipment and facilities associated with the SPEX Use, including the Telecommunications Monopole, shall be removed from the Property, and the Property restored as closely as possible to its original condition within 90 days of cessation of all telecommunication use. Regarding foundations for any structures, the Applicant shall be required to remove foundations to a depth of two feet below the ground surface and shall obtain approval of the appropriate plan or permit to B&D to demonstrate conformance to Condition #9.

10. **Generator Fuel.** All generator fuel sources shall be located above ground.
1. The general location, character, and extent of the proposed telecommunications tower and associated equipment compound are in substantial accord with the *Loudoun County 2019 General Plan*.

2. The proposal provides improved wireless and broadband coverage to residents and businesses in the Rural Policy Area in accordance with *Loudoun County 2019 General Plan* policies.

3. As conditioned, the overall design and visual impact of the proposed telecommunication antennas and associated equipment compound are in conformance with the design guidelines for telecommunication facilities of the *Strategic Land Use Plan for Telecommunications Facilities*.
PLANTING NOTE:
LANDSCAPE PLANTINGS WILL BE INSTALLED IMMEDIATELY AFTER EQUIPMENT COMPOUND FENCE AND MONOPOLE HAVE BEEN INSTALLED OR AT SOONEST APPROPRIATE LANDSCAPING SEASON.
MILESTONE TOWERS MICKIE GORDON PARK
Proposed Telecommunications Facility
23229 Carters Farm Lane, Middleburg
PIN # 503404063000
Milestone Tower Limited Partnership IV d/b/a Milestone Towers
Commission Permit Application (CMPT-2021-0014)
Special Exception Application (SPEX-2021-0053)
Telecommunications Application (TELE-2021-0012)

STATEMENT OF JUSTIFICATION

INTRODUCTION

Milestone Tower Limited Partnership IV (hereinafter “Milestone,” or “Applicant”) respectfully requests review and approval of a Commission Permit and a Special Exception application to construct a one hundred fifty (150) foot tall monopole telecommunications facility (150 feet tall with a 2-foot lightning rod at the top of pole for a total of 152 feet) located at 23229 Carters Farm Lane, Middleburg, just north of Route 50/John Mosby Highway. The parcel is identified as GPIN # 503404063000 (hereinafter the “Property”). The monopole and a related equipment compound will accommodate the telecommunications provider AT&T and up to three other future telecommunication providers at the site. Wireless communication and wireless internet access are insufficient to meet current and future demand in the general vicinity. AT&T’s antennas will be at the top of the monopole at a centerline height of 145 feet. Space for three other carriers on the monopole will be available at center elevations of 135 feet, 125 feet, and 115 feet.

The monopole will be located in a 50-foot by 50-foot fenced area to the northwest of an existing baseball field facility. Access to the site will be via a proposed 10-foot-wide gravel access drive that will exit out of the existing gravel parking lot adjacent to the baseball field.

The compound area will be in 2,500 sq ft leased area. It will have space to accommodate up to 4 telecommunication providers, including the initial provider, AT&T. The total compound area will be surrounded by an 8-foot-high chain link fence with slats as well as a 25’ wide planted landscape “Type C” buffer yard on the east and south sides.

Details of the proposed facility area are shown on the Zoning Drawings prepared by Entrex Communication Services and dated October 13, 2021, submitted with the application package and are further described in this Statement of Justification. The proposed telecommunications monopole and structure are subject to the standards of Section 5-618 of the Loudoun County Zoning Ordinance (hereinafter “Zoning Ordinance”). As a permitted use via Special Exception (Section 5-618(B)(2)) in the AR-2 zone, the proposed telecommunications monopole and structure will comply with the standards set forth in Section 5-618(B)(3) and (B)(4) of the Zoning Ordinance as well as the general exception standards of Section 6-1309 of the Zoning Ordinance.

BACKGROUND

The Property is owned by the Loudoun County School Board and has a physical address of 23229 Carters Farm Lane in the Blue Ridge Election District. The Park property has an existing gravel entrance road off of Carters Farm Lane. Vehicles going to the telecommunications site will use this entrance to obtain access to the proposed facility.
The Park property is zoned AR-2 and consists of athletic fields, a picnic pavilion, natural wooded areas, and open space. A gravel parking area exists adjacent to the baseball field.

The immediate surrounding adjacent area is characterized by both rural and rural-residential land uses.

The Applicant’s representatives met with County staff during a Pre-Application Conference on March 22, 2021 (PRAP-2021-0024). As discussed at that meeting, the proposed use requires both a Commission Permit (CMPT) and approval of a Special Exception (SPEX). The approval of the Special Exception per §2-1702, §2-1502 and §3-103 of the Zoning Ordinance, and the provisions of §5-618 B (2), (3) and (4).

In addition to coordinating with the Blue Ridge and Middleburg offices, Milestone has done extensive outreach to the community to include them in the process. To this point, Milestone has presented the project at a Loudoun County Public School-sponsored virtual informational meeting, launched a project informational website (http://www.mickiegordonparkwireless.com/), hosted a second virtual community meeting, coordinated two balloon fly events, and solicited post-meeting feedback from community meeting participants via two online polls.

The outreach timeline is as follows:

- 03/22/21 – Pre-Application Meeting (PRAP-2021-0024) with County
- 04/12/21 – LCPS Informational Meeting
- 05/04/21 – LCPS School Board Action
- 06/08/21 – Milestone call with Blue Ridge-Middleburg offices to discuss outreach
- 08/14/21 - Milestone Balloon Fly
- 08/19/21 - Milestone Balloon Fly 2
- 08/20/21 - Website Updated with Photosimulations and Location Poll
- 08/25/21 - Community Meeting
- 08/31/21 - Location Poll Closed
  - Link to archived poll: https://docs.google.com/forms/d/e/1FAIpQLSfhwJyPXymS5-m4xCFpdbeCZv0Xov_JIEqQC0LKeySU5P2V8w/viewanalytics
- 09/03/21 - Website Updated with Final Location, Paint Color Photosims, and Paint Color Poll
- 09/17/21 - Paint Color Poll Closed, Website Updated with Final Color
  - Link to archived poll: https://docs.google.com/forms/d/e/1FAIpQLSdhXC9ktx9v1HzNLXcVfjvKdTjS3XTw82e15XvaywLn-8g/vhttp://www.mickiegordonparkwireless.com/viewanalytics

Key adjustments made based on feedback received during outreach:

- Reduced overall structure height from 185’ to 150’
- Relocated the tower facility to the northwest corner of the Park, thereby increasing distance from closest residences and main roads.
- Offered a two-toned painting scheme to better match surrounding trees.

**REASON FOR REQUEST**

The proposed telecommunications facility is necessary for AT&T to provide and improve coverage around and near the intersection of Carters Farm Lane and Route 50 and to the east of Middleburg. The proposed site will fill a coverage gap and enhance coverage of neighboring residential communities. In addition, growing wireless traffic demands in the area limit capacity of neighboring, existing AT&T sites to deliver
quality and reliable service. The proposed site will also relieve some existing traffic so that service does not degrade in the communities they serve.

As of October 2021, Milestone has also received interest from T-Mobile. T-Mobile intends to locate telecommunications antennas and equipment at the 135’ antenna centerline. Analysis of the terrain profile indicated that 135’ is the bare minimum height required for T-Mobile to meet their propagation objectives; lower heights would result in degraded performance.

The proposed site will resolve the need for adequate coverage in this area of Loudoun County and will also ensure adequate overlapping coverage between and among existing AT&T sites in the area. Ultimately, the new proposed site will allow residents and commuters to experience better quality service coverage.

Propagation maps are included with the Application Package and show the existing AT&T coverage in the general area and the improvement that will be realized with construction of the proposed site. As more specifically shown on the propagation maps, the proposed site will fill the existing void in coverage not provided adequately by neighboring sites and when the new site is on-line.

**COMPLIANCE WITH §5-618**

Telecommunications monopoles are permissible subject to approval of a Special Exception pursuant to §5-618(B)(2) and subject to the performance standards in §5-618(B)(3) and 5-618(B)(4).

§5-618(B) (3) Monopoles, General Performance Criteria.

All telecommunications monopoles, whether permitted by right or permissible with the approval of a special exception application, shall be subject to the following criteria:

(a) The proposed telecommunications monopole shall be compatible with development in the vicinity with regards to the setting, color, lighting, topography, materials and architecture. In addition, the facility shall be located in the interior of the property and areas of existing vegetation, if applicable, shall be used to screen the facility.

(b) New telecommunications monopoles shall be designed to accommodate at least three (3) providers, unless: (i) Doing so would create an unnecessary visual impact on the surrounding area; or (ii) No additional need is anticipated for any other potential user in the vicinity; or (iii) There is some valid economic, technological, or physical justification as to why co-location is not possible. The Applicant shall identify the conditions under which future co-location by other service providers is permitted.

(c) The height of such monopole, including antennas, shall not exceed 199 feet, as measured from the natural ground elevation.
The proposed installation will not exceed 199'. The proposed monopole measures 155 feet AGL and will have a 2-foot tall lightning rod mounted to the top of the pole. The overall height of the structure is the lowest extent possible to meet AT&T’s coverage objectives and accommodate a total of 4 carriers.

(d) Satellite and microwave dishes attached to monopoles shall not exceed two (2) feet in diameter.

No satellite or microwave dishes are proposed in this application.

(e) Except as provided in Section 5-618(B)(3)(o) and Section 5-618(B)(4)(d), telecommunications monopoles shall not be located any closer than one (1) foot for every five (5) feet in height to any property line. Structures and buildings may be constructed within the setback areas of the monopole, provided other zoning standards are met.

The proposed 150-foot tall monopole exceeds the 5:1 setback requirement of 31 feet. The monopole is 109.1 feet from the northeastern property line. It is 802 feet from the northwestern property line, 409 feet from the southwestern property line, and 1852.7 feet from the southeastern property line along Carters Farm Lane.

(f) The related unmanned equipment structure(s) shall not contain more than 500 square feet of total gross floor area per telecommunications provider on each site. Structures shall not exceed 12 feet in height.

The equipment structures and cabinets proposed will not exceed 500 square feet nor 12 feet in height.

(g) Unless otherwise required by the Federal Communications Commission or the Federal Aviation Administration, monopoles shall blend with the background.

The proposed monopole will be constructed of galvanized steel and be both grey and brown in color. The proposed monopole, panel antennas, and related equipment cabinets will all be within the size and height limitations specified in the Ordinance. The antennas will be painted to match the color of the pole.

(h) No signals or lights or illumination shall be permitted on a monopole, unless required by the Federal Communications Commission, the Federal Aviation Administration, State or Federal authorities, or the County.

No signals, lights, or illumination will be utilized at the proposed facility unless required by the FCC, FAA, State or Federal Authorities, or Loudoun County.

(i) No commercial advertising or signs shall be allowed on a monopole.

No commercial signs or advertising are proposed. Milestone will comply with this requirement.

(j) A commission permit shall be required.

A Commission Permit for the facility is being applied for and processed simultaneously with this Special Exception application.

(k) No monopole shall be located within a County designated historic district.

The proposed facility is not located within a County designated historic district.
(l) All unused equipment and facilities from a commercial public telecommunications site shall be removed within 90 days of cessation of commercial public telecommunication use and the site shall be restored as closely as possible to its original condition.

_**Should the equipment or facilities at the site not be used, they will be removed within 90 days of cessation and the site restored as closely as possible to its original condition prior to approval of this application.**_

(m) Applicants for any commercial public telecommunications facility shall demonstrate that they have complied with applicable regulations of the FCC and the FAA. A finding from the FAA that the proposed facility is not a hazard or obstruction to aviation is necessary prior to the issuance of a zoning permit. If a proposed telecommunications facility is higher than 199 feet or within five (5) miles of the property boundary of either Dulles or Leesburg Airports, the Applicant shall provide verification that: 1) the appropriate airport authority (Metropolitan Washington Airports Authority or the Town of Leesburg) has been notified in writing; and 2) the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation.

_Milestone will comply with all applicable regulations of the FCC and the FAA. The subject parcel is not located within 5 miles of either Dulles or Leesburg Airports. Supporting compliance documentation will be provided as part of the Application review process._

(n) When locating on a Loudoun County or Loudoun County Sanitation Authority site or fire and/or rescue company site: 1) the telecommunications equipment shall not interfere with the existing telecommunications equipment of the primary use; and 2) the setback provisions of Section 5-618(B)(3)(e) shall not apply. In addition, the landscaping/buffering provisions of the Ordinance may be reduced or waived if the site has been developed in accordance with Section 5-1409(G).

_The proposed facility will be located on a Loudoun County site. The telecommunications equipment will not interfere with any existing uses of the park property, and there is no existing telecommunications equipment on the site. Additionally, setback provisions will be met._

(o) Applicants proposing a new telecommunications monopole within one (1) mile of a County designated historic district or a Virginia Byway shall submit a minimum of three (3) visual simulations and written justification as to why the monopole could not be sited elsewhere. This requirement shall also be applied if a telecommunications monopole is proposed on a property listed on the National Register of Historic Places.

_The site is located within one mile of John Mosby Highway/Rt. 50, a noted Virginia Byway. Milestone submits, as a part of this application package, photosimulations from sixteen (16) vantage points that demonstrate the minimal visual impact the proposal will have in the area and along the Byway._

_A written justification as to why the monopole could not be sited elsewhere is provided below under the “Monopole: Additional Submission Requirements” section (b) of this Statement of Justification and is supported by the RF Justification and the alternative sites analysis. It should also be noted that the applicant has received a “No Adverse Effect” Determination from the VA SHPO (Virginia Department of Historic Resources)._ 

(p) Telecommunications monopoles shall not be located along ridge lines, but downslope from the top of ridge lines, to protect views of the Catoctin, Bull Run, Hogback, Short Hill, and Blue Ridge Mountains.

_The proposed facility is not located along a ridge line and will not negatively impact such views._
(q) Applicants shall submit documentation, in written and graphic form, regarding the service area to be provided by the proposed telecommunications monopole.

A written discussion regarding the service area to be provided is included above in this Statement of Justification under Reason for Request, page 2. RF propagation maps reflecting the service area are also included in the application package. The proposed facility is necessary to cover gaps in service near Route 50 and Carters Farm Lane and to relieve wireless service provided by existing neighboring AT&T sites. As more specifically shown on the propagation maps submitted as part of this Application, AT&T needs to improve and provide additional coverage in this area.

5-618(B) (4) Monopoles, Additional Submission Requirements. The following additional information shall be submitted by applicants for monopoles required to be approved by special exception.

(a) The applicant shall provide photo imagery or other visual simulation of the proposed telecommunications monopole shown with the existing conditions of the site. This simulation shall be provided from a minimum of three (3) perspectives. The applicant shall address how the facility can be designed to mitigate the visual impact on area residents, facilities, and roads.

The application package includes photo simulations taken from 16 vantage points reflecting existing site conditions as well as the proposal when completed. As the photo simulations demonstrate, the proposed facility is well removed from residential communities and surrounding land uses and will not have a negative visual impact. The proposed structure is being designed to blend in with the surrounding tall trees by utilizing both grey and brown coloring schematics for the pole and appurtenances.

(b) Except for areas where permitted by right, an applicant for a new commercial public telecommunication monopole shall demonstrate that location on an existing telecommunications facility or structure greater than 40 feet in height is not feasible. The applicant shall evaluate telecommunications facilities and structures greater than 40 feet in height within a one (1) mile radius of the proposed facility within the Eastern Loudoun Urban Growth Area. Elsewhere in the County, the applicant shall evaluate these locations within a two (2) mile radius of the proposed facility. Technological, physical, and economic constraints may be considered in determining infeasibility. Co-location may be determined to be infeasible in the following situations:

(i) Planned equipment would exceed the structural capacity of existing and approved telecommunications facilities, considering existing planned use of those facilities, and such facilities cannot be reinforced to accommodate planned or equivalent equipment at a reasonable cost;
(ii) Planned equipment will cause interference with other existing or planned equipment for that telecommunications facility, and that interference cannot be prevented at a reasonable cost;
(iii) Existing or approved telecommunications facilities do not have space on which planned equipment can be placed so as to provide adequate service; and
(iv) Existing and approved telecommunications facilities will not provide adequate signal coverage.

The Applicant and AT&T evaluated existing sites within 2 miles of the proposed location for the new monopole. The sites were determined by AT&T RF engineers to be unacceptable as an alternative location to the proposed site because of several primary reasons: the site is outside AT&T’s desired coverage area;
the site is too close to an existing on-air AT&T site; the existing structure does not have sufficient height to provide optimal coverage for AT&T; or AT&T is already located at the existing the site to provide for wireless coverage to this area of the County. A map showing the alternative sites considered and an accompanying spreadsheet providing address, type of structure, and reasons the site is not an acceptable alternative to the Mickie Gordon Park site are included with the application package.

(c) In addition to those entitled to notice under the provisions of Section 6-600 of this Ordinance, all owner(s), or their agent(s), of all properties abutting or immediately and diagonally across the street or road from those properties whose owners are entitled to notice under Section 6-600, shall be provided with the same written notice. The applicant is also encouraged to meet with community and homeowner’s association groups in the area.

Notice will be provided as required under §6-600 and §5-618(B)(4)(c). Additionally, the Applicant has already met with numerous community stakeholders to solicit feedback and dialogue.

(d) Telecommunications monopoles permissible by special exception pursuant to Section 5-618(B)(2)(d) shall not be subject to the lot requirements, building requirements, and open space requirements, if applicable, of the zoning district in which they are located.

The subject property is zoned AR-2. It is not being located in the right of way of a private toll road. The lot requirements, building requirements and open space requirements have been met in accordance with §5-618 and §2-1500.

6-1309 Issues for Consideration. In considering a minor special exception or special exception application, the following factors shall be given reasonable consideration. The applicant shall address all the following in its statement of justification and plat unless not applicable, in addition to any other standards imposed by this Ordinance:

(1) Whether the proposed minor special exception or special exception is consistent with the Comprehensive Plan.

The proposed facility supports the County’s effort to deliver a community with a high quality of life and an attractive business environment. The provision of improved wireless telecommunications services fosters an environment that is conducive to growth, competitiveness and expansion of business.

The Milestone facility has been sited and designed in accordance with the Strategic Land Use Plan for Telecommunications Facilities which recognizes the positive net fiscal impact such facilities offer the community and strives to meet the needs of the industry while effectively preventing harmful effects on the community.

(2) Whether the level and impact of any noise, light, glare, odor or other emissions generated by the proposed use will negatively impact surrounding uses.

No noise, light, glare, odor or other emissions to be generated by use.

(3) Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and on adjacent parcels.
The proposed facility is compatible with the Mickie Gordon Memorial Park site and the surrounding neighborhoods. Visual impacts on these areas are minimal primarily due to distance, intervening trees and vegetation in the area, and the facility’s proximity to tall trees on the site. The adjacent and nearby parcels are primarily residential in nature and use, thereby allowing the passive nature of a telecommunications facility to not encumber existing neighboring uses. Specifically, the large wooded areas on the park site to the north and west, and tree lines to the south of the proposed facility’s location serve to interrupt views and screen the facility from most residences and parcels.

(4) Whether the proposed special exception or minor special exception adequately protects and mitigates impacts on the environmental or natural features including, but not limited to, wildlife habitat, vegetation, wetlands, water quality (including groundwater), air quality, topographic, scenic, archaeological or historic features, and agricultural and forestal lands.

The proposed facility will have no adverse effect on the wildlife, vegetation, wetlands, water quality, air quality, topographic, scenic, archaeological or historic features, and agricultural and forestal lands. The site will have minimal impact on this area as demonstrated by the photo-simulations included in the application package.

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

As noted, there is a substantial need for improvement of capacity and coverage by AT&T in the immediate area. The level of service without and with the proposed new facility is shown on the propagation maps.

(6) Whether the proposed special exception can be served adequately by public utilities and services, roads, pedestrian connections and other transportation services and, in rural areas, by adequate on-site utilities.

The proposed facility will be located off an existing parking area and is accessed from an existing roadway. Public utilities are available to the site for electrical hook-ups. The facility will not require water, sewer or other services.

RELATIONSHIP OF THE PROPOSAL TO THE COMPREHENSIVE PLAN

The Strategic Land Use Plan for Telecommunications Facilities was adopted as part of Loudoun County’s Comprehensive Plan on November 6, 1996. The purpose of this policy document includes “... ensuring appropriate siting and design, and mitigating impacts of telecommunication facilities.” The following is a discussion of the consistency of the proposed expanded monopole facilities with the Location, Design, Safety and Health and Implementation policies detailed in the General Plan.

Location:

The County’s Plan for Telecommunications Facilities states that “where it is not feasible to locate on an existing structure, new towers or monopoles preferably should preferably be located a) in planned and zoned industrial and employment areas, b) within overhead utility line rights of way where structures exceed 80 feet in height already exist, and c) on public sites or volunteer fire and rescue company properties where such facilities mitigate adverse impacts on the character and use of the public or public safety site.” As described above in this Statement of Justification, the Applicant and AT&T have evaluated collocation on other existing structures in the area and have determined that a suitable location that meets AT&T’s coverage objectives is not available. The selected site for a new monopole is a Public Park consisting of 99.89 acres, adjacent or near to land areas that are developed with, zoned and planned for employment areas, businesses, and residences. The location of the site, its large land area and heavily wooded areas on
the property and trees and vegetation in the environs serve to mitigate any adverse impacts on the public site and the surrounding area. The proposed monopole and compound area are designed to encourage collocation in compliance with the County’s Telecommunication Policies, and the facility will accommodate a minimum of four telecommunication carriers including the initial provider, AT&T. The site is not located at the interior of the property but in the northwestern corner of the property. Most of the Park’s land area is to the south of the facility’s location.

The proposed telecommunications facility will not emit noise, light, or odors and will not have any discernable traffic impact. The facility will have no impact on air quality, water quality, radiation exposure, light pollution, noise pollution, traffic congestion or circulation. The proposed telecommunications facility will be consistent with all applicable requirements, including building and fire code. The proposed telecommunications facility will not present safety or fire hazards. AT&T and all future carriers will visit the site approximately once per month by a technician for regular maintenance. All carriers, and future carriers, co-locating on the monopole are licensed by the FCC, and each operates its equipment in full compliance with FCC rules and regulations.

**Design:**

Milestone has carefully considered the design standards to address visual and land use impacts of the proposed facility. Such consideration resulted in the selection of the large public park property which is well buffered from residential areas and provides an opportunity to construct the facility in an area of the Park well removed from existing uses. The monopole is designed to be the minimum height possible to meet AT&T’s coverage objectives and allow for collocation by other telecommunication carriers.

The facility will blend with the natural and built environment of the surrounding area. The 150-foot-tall structure will not be lighted, will be grey and brown in color and located among other tall trees. Antennas and platforms mounted on the structure will be of a neutral color to blend with the monopole. The attached Plans show the design of the proposed facility and its relation to the Park Property.

The equipment compound area is surrounded by an eight (8) foot chain link security fence and a 25-foot-wide landscape planting area on two sides (northern and western sides are shrouded by existing trees) as shown on the Plans. The proposed equipment cabinets within the compound area will be completely screened by the fence and landscape area. The facility will not have physical or technological interference with the existing or planned function of the Park facility.

**Safety and Health:**

The Plan provides that Applicants shall demonstrate that they have complied with regulations of the FCC and the FAA. The site is not located within five (5) miles of Dulles Airport and the Applicant will provide that the FAA has determined that the proposed facility is neither a hazard nor an obstruction to aviation. The Applicant agrees to remove all unused structures and facilities from the monopole within 90 days of ceasing its use or expiration of its lease, whichever occurs first, and will return the site to the original condition as it existed prior to approval of this application.

**Zoning Ordinance:**

The telecommunication facility is subject to approval of a special exception pursuant to Section 5-618(B)(2)(a) and subject to performance standards listed in Sections 5-618(B)(3) and 5-618(B)(4). Compliance with each of these performance standards was discussed in detail above.
RELATIONSHIP OF THE PROPOSAL TO THE VIRGINIA CODE, AGRICULTURAL AND FORESTAL DISTRICTS

In Chapter 43 of the Code of Virginia, Section 15.2-4301. Declaration of policy findings and purpose states, *It is the policy of the Commonwealth to conserve and protect and to encourage the development and improvement of the Commonwealth's agricultural and forestal lands for the production of food and other agricultural and forestal products. It is also the policy of the Commonwealth to conserve and protect agricultural and forestal lands as valued natural and ecological resources which provide essential open spaces for clean air sheds, watershed protection, wildlife habitat, as well as for aesthetic purposes. It is the purpose of this chapter to provide a means for a mutual undertaking by landowners and localities to protect and enhance agricultural and forestal land as a viable segment of the Commonwealth's economy and as an economic and environmental resource of major importance.*

It was suggested during Milestone’s pre-application meeting that the Applicant consider how the proposal meets the purposes of these districts due to adjacent parcels being part of Agricultural and Forestal Districts. It is the Applicant’s contention that the proposed facility is compatible with the Mickie Gordon Memorial Park site and the surrounding neighborhoods. Visual impacts on these areas are minimal primarily due to distance, intervening trees and vegetation in the area, and the facility’s proximity to tall trees on the site. The adjacent and nearby parcels are primarily residential in nature and use, thereby allowing the passive nature of a telecommunications facility to not encumber existing neighboring uses. Specifically, the large wooded areas on the park site to the north and west, and tree lines to the south of the proposed facility’s location serve to interrupt views and screen the facility from most residences and parcels. The proposal in no way takes away from the viability of these Districts and will allow the Districts to continue to be used as an economic and environmental resource of major importance.

CONCLUSION

The proposal described above is consistent with and furthers the policies and standards for the placement of commercial public telecommunications facilities in the applicable zoning district as set forth in the Loudoun County Comprehensive Plan and Zoning Ordinance. The Applicant’s proposed facility will comply with all applicable development and building codes and the proposed uses will conform to all ordinances, regulations, adopted standards, and conditions. Accordingly, Milestone respectfully requests approval of this Application for a Commission Permit and Special Exception.
DATE: March 16, 2022

TO: Grace Adams, Project Manager
Department of Planning and Zoning (DPZ)

FROM: Tom Donnelly, Planner, Land Development Division

THROUGH: Ronald Dunbar, Land Development Division Manager

APPLICATION NUMBER: SPEX-2021-0053 & CMPT-2021-0014

APPLICATION NAME: MILESTONE TOWER (MICKIE GORDON PARK)
(1st Submission Review)

PLANNER REQUESTS TO REVIEW SUBSEQUENT SUBMISSIONS

The Department of Building and Development (B&D), Land Development Division has completed first submission review of this application and provides the following comments:

1. The proposed monopole site will be located on a leased portion of PIN 503-40-4063; therefore, no subdivision or boundary line adjustment applications will be required for the proposed use and further B&D Land Development Division review will not be required.

2. Pursuant to Land Subdivision and Development Ordinance (LSDO) Section 1244 and Facilities Standards Manual (FSM) Section 8.107, B&D staff notes the Applicant will be required to submit a site plan (STPL) application for the proposed use, which will be review by the B&D Engineering Division, along with any easement, bonding and other documents required by County ordinances.

3. Please revise the Plat title to reference both the CMPT-2021-0014 and SPEX-2021-0053 applications. In addition, please revise all applicable Plat sheets and labels to reference both the Commission Permit and Special Exception, i.e., “Commission Permit & Special Exception Area = 12,796 SF” and “Commission Permit & Special Exception Area Legal Description.”

4. B&D staff recommends the Plat be revised to include an Area Tabulation detailing the separate acreage/square footage of the proposed equipment compound and gravel access road included in the leased area for the proposed use.

5. Access to the subject monopole site from Carters Farm Lane (Route 627) is proposed by a ten-foot (10’) gravel access driveway. During site plan review, the minimum width and design of the access driveway will be evaluated for consistency with FSM § 4.330. B&D staff recommends the following condition of approval for the proposed use: “At the time of site plan review and approval, the gravel access driveway serving the proposed use shall be designed in accordance with the requirements of Facilities Standards Manual (FSM) Section 4.330.”

6. As a requirement for site plan approval, the Applicant will be required record an easement agreement for the proposed gravel access driveway serving the proposed monopole site. In this regard, B&D staff recommends the following condition of approval for the proposed use: “Prior to final site plan approval, the Applicant shall record an easement agreement to provide for the use and maintenance of the gravel access driveway serving the proposed use.”

Attachment 5
7. Regarding the zoning related comments provided herein, B&D staff defers to the Department of Planning and Zoning for technical review of zoning requirements applicable to the subject SPEX and CMPT applications.

Thank you for the opportunity to review and comment on these applications. Please feel free to contact me at (703) 777-0255 or via email at Tom.Donnelly@loudoun.gov have any questions.

If substantial revisions are made to these applications after review Building and Development requests further review of the application.
DATE: June 1, 2022
TO: Grace Adams, Project Manager
Department of Planning and Zoning (DPZ)
FROM: Tom Donnelly, Planner, Land Development Division
THROUGH: Ronald Dunbar, Land Development Division Manager
APPLICATION NUMBER: SPEX-2021-0053 & CMPT-2021-0014
APPLICATION NAME: MILESTONE TOWER (MICKIE GORDON PARK)
(2nd Submission Review)

PLANNER REQUESTS TO REVIEW SUBSEQUENT SUBMISSIONS

The Department of Building and Development (B&D), Land Development Division has completed second submission review of this application and provides the following comments:

1. **Prior Comment 1**: The proposed monopole site will be located on a leased portion of PIN 503-40-4063; therefore, no subdivision or boundary line adjustment applications will be required for the proposed use and further B&D Land Development Division review will not be required.

   **Follow-up Staff Comment**: B&D staff recommends the Plat be revised to include the following Plat note: “The area of the proposed monopole equipment compound will be leased and is not proposed to be subdivided or boundary line adjusted as a separate fee simple lot or parcel.”

2. **Prior Comment 6**: As a requirement for site plan approval, the Applicant will be required record an easement agreement for the proposed gravel access driveway serving the proposed monopole site. In this regard, B&D staff recommends the following condition of approval for the proposed use: “Prior to final site plan approval, the Applicant shall record an easement agreement to provide for the use and maintenance of the gravel access driveway serving the proposed use.”

   **Follow-up Staff Comment**: B&D staff recommends that the foregoing condition be included as a condition of approval for the proposed use.

3. **Proposed Condition 5**: Since the area for the proposed use will not be subdivided or boundary line adjusted as a separate lot or parcel (see Comment 1 above), then please revise proposed Condition 5, as follows:

   5.a. Establishment of Tree Conservation Areas, “…Boundaries of all Tree Conservation Areas shall be clearly marked in the field prior to land disturbing activities and shall be delineated on each easement record plat, site plan, and/or site plan amendment containing any portion of a Tree Conservation Area. The Applicant shall provide a tabulation of the Tree Conservation Areas demonstrating that SPEX Plat is in conformance with this condition with each site plan, site plan amendment and/or easement record plat submitted to the County.”
5.e. Tree Conservation Easement. The Tree Conservation Areas shall be protected by a Tree Conservation Easement granted to the County and recorded with the applicable Deed of Easement record and plat(s) for the proposed use. A Deed of Easement, running to the benefit of the County, shall be recorded prior to or concurrently with each record plat, or prior to the approval of each site plan or amended site plan, for the Property containing any portion of the Tree Conservation Area. Such deed shall include a provision that prohibits removal of trees within such Tree Conservation Easement as shown on the recorded easement plat, or site plan and/or site plan amendment after construction has been completed by the Applicant without specific permission of the County except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, such actions as pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The recorded easement plat, or site plan and/or site plan amendment for each portion of the Property containing a Tree Conservation Easement shall contain a note stating that the removal of trees within a Tree Conservation Easement is prohibited except in accordance with the recorded Deed of Easement for the Tree Conservation Areas.

4. Regarding the zoning related comments provided herein, B&D staff defers to the Department of Planning and Zoning for technical review of zoning requirements applicable to the subject SPEX and CMPT applications.

Thank you for the opportunity to review and comment on these applications. Please feel free to contact me at (703) 777-0255 or via email at Tom.Donnelly@loudoun.gov have any questions.

*If substantial revisions are made to these applications after review Building and Development requests further review of the application.*
MEMORANDUM

To: Grace Adams, Project Manager, Land Use Review
From: Pat Giglio, Planner III, Community Planning
Date: March 17, 2022
Re: CMPT-2021-0014 & SPEX-2021-0053, Milestone Towers Mickie Gordon Park
Community Planning 1st Referral

EXECUTIVE SUMMARY
The applicant, Milestone Tower Limited Partnership IV, is requesting a Commission Permit (CMPT) and Special Exception (SPEX) to construct a telecommunication facility on a County-owned property occupied by Mickie Gordon Memorial Park located at 23229 Carters Farm Lane, Middleburg. The application proposes the construction of a 152-foot monopole with ground-mounted equipment to provide wireless telecommunication and broadband services to an area where gaps in coverage currently exist. The County has identified the provision of reliable wireless telecommunication and broadband service as critical infrastructure for the development and support of rural economy uses, home-based businesses, and the daily activities of residents in the Rural Policy Area (RPA).

The CMPT and SPEX requests for the proposed telecommunication facility are in general conformance with the land use policies of the Loudoun County 2019 General Plan (2019 GP) and the location and design policies of the Strategic Land Use Plan for Telecommunication Facilities (Telecommunication Plan). However, Community Planning Staff is not able to recommend approval of the applications until additional information related to the preservation and protection of existing forest cover being utilized to screen the facility is provided. Staff has also requested the applicant submit information pertaining to Section 106 Review to evaluate potential visual impacts on historic resources within the viewshed of the proposed telecommunication facility.

BACKGROUND
The 99.89-acre subject property is located in the northwest quadrant of the intersection of Route 50 and Carters Farm Lane (Route 627), approximately one mile east of the Town of Middleburg. The property, occupied by Mickie Gordon Memorial Park, is operated by Loudoun County Parks, Recreation and Community Services with active and passive recreational uses including a baseball field, a soccer field, cricket fields, tennis courts, a walking trail, and picnic pavilion. The lease area for the
The proposed telecommunication facility is located approximately 2,250 feet north of Route 50 in the northwest corner of the property within an open field adjoining a forested area with mature hardwood trees to the north and west. A gravel driveway will provide access to the site within the park. The proposed telecommunication facility will consist of a 150-foot monopole constructed of galvanized steel with a 2-foot lightning rod. The lower portions of the monopole will be painted brown to blend with the adjoining trees, while the upper portions of the monopole and antennas will be painted grey to better blend with the sky. Up to four (4) telecommunication and/or broadband providers may be located on the monopole. Each provider will install unmanned ground equipment structures or cabinets within a fenced compound (50’ x 50’) at the base of the monopole. The compound will be surrounded by an 8-foot chain link fence with privacy slats. A 25-foot wide landscaped buffer is proposed on the east and south sides of the compound. The existing vegetation and mature trees on the north and west elevations will be used to screen the compound and fulfill the landscape buffering requirements of the Zoning Ordinance. The proposed landscape buffer is anticipated to screen the ground-mounted equipment from views within the park, however, views of the upper portion of the monopole are anticipated from the surrounding properties and roadways, including Route 50. Community Planning Staff also notes that an existing lighted baseball field located near the center of the property is surrounded by a series of 80-foot tall, galvanized metal lighting poles that are also visible from Route 50 and surrounding properties, but do not provide sufficient height to be utilized for the colocation of telecommunication antennas.

The subject property is zoned Agricultural Rural-2 (AR-2) and is governed under the provisions of the Revised 1993 Zoning Ordinance (Zoning Ordinance). In accordance with the Zoning Ordinance, a CMPT is required prior to construction of a public utility or public service facility to determine if the general location, character, and extent of the proposed use is in substantial accord with the Comprehensive Plan. A SPEX is also required for the proposed use within the AR-2 zoning district. The proposed telecommunication facility will require some ground disturbance for the construction of the facility and the creation of the access road. A review of County GIS records did not identify any steep slopes, drainage ways, or known archeological/historic features on the property that would be impacted by the proposed construction.
COMPREHENSIVE PLAN CONFORMANCE
The subject property is governed under the policies of the 2019 GP, which places the property within the RPA in an area identified as the Rural South Place Type. The Rural South Place Type is planned to develop with complementary agricultural, rural economy and low density residential development (2019 GP, Chapter 2, RPA Place Types Map). The proposed use is more specifically governed under the policies of the Telecommunication Plan.

LAND USE AND LOCATION
The policies of the 2019 GP support the establishment of uses in the RPA that preserve the rural character of the landscape, that are compatible with the dominant rural agricultural land use pattern, and that promote opportunities for the expansion of the County’s rural economic and environmental goals (2019 GP, Chapter 2, Rural Economy, text). The provision of high-speed wired and wireless telecommunication and broadband service has been identified as a priority to support rural economy uses, home-based businesses and the daily activities of residents in the RPA (2019 GP, Chapter 2, Rural Economy, text).

The County’s Telecommunication Plan establishes a hierarchy of preferred locations for new commercial public telecommunication facilities in the RPA and acknowledges the importance of maintaining the scenic and historic character of the area. The first preference is for new telecommunication facilities to co-locate on existing buildings and other tall structures over 50 feet in height (Telecommunication Plan, Countywide Location Policies, Policy 1). If existing tall structures are not available, the County prefers that new monopoles be located in or near existing mature vegetation so that the maximum amount of the structure and associated buildings are screened (Telecommunication Plan, Rural and Historic Areas, Policy 1a). Monopoles should be sited to the interior of a property rather than close to a property line unless a lesser visual impact would occur from locating it elsewhere (Telecommunication Plan, Rural and Historic Areas, Policy 1d). Otherwise, telecommunication facilities are permissible in rural areas only by SPEX and subject to performance standards to mitigate visual impacts (Telecommunication Plan, Rural Location Policies, Policy 2).

In accordance with the location policies of the Telecommunication Plan, the applicant has sited the proposed facility toward the interior of the property, proximate to an existing stand of trees to better screen views of the ground-mounted equipment and base of the monopole. The proposed site was selected by the applicant to provide wireless coverage to a segment of Route 50 where a gap in service currently exists. The nearest existing telecommunication facility is located 1.5 miles to the west on the 153-foot tall Town of Middleburg Water Tower. Based on a search of the area, it was determined that no tall structures of sufficient height exist within the desired coverage area for the network and that a new facility may be justified based on network coverage requirements. No other telecommunication applications are pending for the area.
No existing tall structures are located within the vicinity of the proposed site, and construction of a new telecommunication facility may be justified based on network coverage requirements for the area to support rural economy uses, home-based businesses, and the daily activities of residents in the RPA.

Community Planning Staff finds the general location and use of the subject property for a telecommunication facility is in conformance with the land use and locational policies of the Comprehensive Plan.

**DESIGN**

The Telecommunication Plan calls for design standards to mitigate the visual impacts of commercial public telecommunication facilities so as to “blend with the natural and built environment of the surrounding area” (Telecommunication Plan, Design Standards, Countywide Visual Impacts Policy 1). The Telecommunication Plan specifically identifies monopoles as the preferred design when technologically and physically feasible due to their reduced visual impact (Telecommunication Plan, Design Standards, Countywide Visual Impacts Policy 2). The Plan directs that specific attention be paid to the setting, color, lighting, topography, materials, and architecture. Antennas and other telecommunication devices should be neutral in color to blend with the background, unless specifically required by the FAA to be painted or lighted otherwise (Telecommunication Plan, Design Standards, Countywide Visual Impacts Policy 2). Accessory structures and equipment buildings should also blend with the surrounding environment using appropriate color, texture of materials, scale, landscaping, and visual screening (Telecommunication Plan, Design Standards, Countywide Visual Impacts Policy 3).

The policies of the Telecommunication Plan state that monopoles should be constructed to the minimum height necessary to accommodate at least three (3) providers and provide sufficient land area for additional equipment buildings, unless doing so would create an unnecessary visual impact on the surrounding area, or no additional need is anticipated for any other potential user in the area (Telecommunication Plan, Tower and Monopole Design, Policy 2). The proposed 152-foot monopole has been designed to accommodate up to four (4) telecommunication providers. The applicant has provided measured drawings of the proposed 152-foot monopole and equipment compound. The proposed monopole will be constructed of galvanized metal with the lower portion painted brown to blend with nearby trees and the upper portions and antennas painted gray to match the sky. Community Planning Staff also recommends the applicant commit to painting all the associated antenna cable and any other fixtures to match the color of the monopole and further mitigate the potential visual impact of the structure (Telecommunication Plan, Countywide Visual Impacts, Policy 1).

The proposed 152-foot monopole has been designed to accommodate up to four (4) telecommunication providers and is the lowest height necessary to provide service to the area. However, the telecommunication facility will
have a visual impact on the surrounding area. Community Planning Staff recommends a condition of approval requiring that all the antennas and associated antenna arrays, cables and other fixtures be painted either brown or gray to mitigate the potential visual impact, in keeping with the design policies of the Telecommunication Plan.

**VISUAL IMPACT**

The Telecommunication Plan recognizes the importance of maintaining the scenic and historic character of the RPA. The policies of the Telecommunication Plan recommend that the visual impact of telecommunication facilities be mitigated through appropriate setbacks, screening, and design to blend with the natural and built environment of the surrounding area (Telecommunication Plan, Countywide Visual Impacts, Policy 1). Plan policies state that monopoles should be sited within areas of existing mature vegetation to screen the maximum amount of the structure and associated buildings (Telecommunication Plan, Design Standards, Rural and Historic Areas, Policy 1a).

In accordance with Telecommunication Plan policy, the Applicant has sited the proposed telecommunication facility within an open field adjoining a forested area of mature deciduous trees to shield views of the lower portion of monopole and equipment compound and minimize the larger visual impact of the proposed construction on the surrounding area. The application included photo simulations from various vantage points depicting views of the upper portions of the proposed 152-foot monopole from nearby roadways and properties. The existing trees and forest cover on the subject property effectively soften views of the proposed 152-foot monopole and minimize the larger visual impact of the proposed facility on the surrounding area. The proposed location of the telecommunication facility, 2,250 feet north of Route 50 enables the visible upper portion of the monopole to avoid a direct line of sight impact on motorists, thereby maintaining the rural character of the roadway.

The proposed application relies on the existing mature trees located on the periphery of the telecommunications compound to screen and mitigate the visual impact of the proposed facility on the surrounding homes and roadways. However, no commitments have been provided to ensure the future preservation of these trees. In the past, applications have designated tree conservation areas (TCAs) for visual screening and committed to provide long-term tree care for the health of existing trees in the TCA to ensure that a visual screen will be maintained.
in perpetuity. In this case the property is owned by the County and the applicant will be maintaining a lease area for the proposed telecommunication facility.

**Community Planning Staff recommends that the Applicant ensure that the existing forested areas adjoining the proposed telecommunication facility are retained to mitigate the visual impact of the proposed telecommunications facility on the surrounding rural landscape. Staff also recommends that the County Urban Forester be afforded the opportunity to evaluate the site’s trees and vegetation and develop a long term maintenance proposal for the existing forest cover within the County-owned Park.**

**HISTORIC AND ARCHAEOLOGICAL RESOURCES**

The 2019 GP calls for the conservation and preservation of the County’s cultural and scenic resources. Land development applications are required to include an archaeological and historic resources survey to identify resources and, if warranted, identify measures for preservation, mitigation, and adaptive reuse (2019 GP, Chapter 3, Historic, Archaeologic, and Scenic Resources, Action 5.1.C). The Loudoun County Heritage Preservation Plan (HPP) provides additional detail regarding survey requirements (HPP, Chapter 2, Archaeological Resources, Policy 3). The HPP further articulates policies regarding the preservation of significant heritage resources in the context of land development (HPP, Chapter 9, Development Review).

In accordance with County requirements, a Phase I Archaeological Survey Report for the lease area and access road on the subject property dated November 3, 2021, was completed, and submitted to the County for review. Based on the consultant’s recommendations and staff’s review of the survey report, no identified archaeological sites will be impacted by the proposed construction of the telecommunication facility. However, there are anticipated visual impacts to historic resources associated with the proposed construction of the 152-foot monopole that should be evaluated.

The subject property is located within the boundaries of the Middleburg Battlefield, marking a large cavalry battle fought between Confederate and Union troops that took place in the area from June 17 to June 19, 1863. The subject property is classified as a “study area” which encompasses the periphery of the battlefield. The “core” battlefield area is located to the west of the subject property in and around the Town of Middleburg. The Battle of Middleburg-Civil War Site (VDHR 53-5057) is listed on the Virginia Department of Historic Resources (VDHR) Inventory of Historic Sites and considered potentially eligible for listing on the National Register of Historic Places. Other properties listed on the VDHR Inventory of Historic Sites and National Register of Historic Places are located within a two-mile radius of the subject property and will be visually impacted by the proposed facility.

As part of the review process the applicant is required to submit a historic resources survey report and photo simulations for the proposed project to the Federal
Communication Commission (FCC) and VDHR to evaluate the visual impact of the proposed construction on the surrounding historic resources pursuant to the National Historic Preservation Act (NHPA) Section 106 review process.

**Community Planning Staff requests the applicant submit any correspondence with the FCC and VDHR pertaining to the Section 106 Review to evaluate potential visual impacts on historic resources within the viewshed of the proposed telecommunication facility.**

**RECOMMENDATIONS**

Community Planning Staff finds that the applications for a CMPT and SPEX to establish a telecommunication facility is consistent with the land use policies of the 2019 GP and the general location and design policies of the Telecommunication Plan. However, Community Planning Staff is not able to recommend approval of the applications until additional information related to the preservation and protection of existing forest cover being utilized to screen the facility and conformance with federal and state requirements for potential visual impacts on historic resources are provided.

Cc: Randall Farren, AICP, Community Planning Program Manager (via e-mail)
Joshua Peters, AICP, Principal Planner, Community Planning (via e-mail)
Grace

Community Planning Staff has reviewed the most recent application submittals dated April 28, 2022 and finds those issues raised in the first referral have been adequately addressed. Staff requests that correspondence related to the Section 106 Review of the proposed facility be provided to the County for the project file. Community Planning Staff finds that the general location, character, and extent of the proposed telecommunication use on the subject property is in conformance with the policies of the Comprehensive Plan. Community Planning Staff supports approval of the Commission Permit (CMPT) and Special Exception (SPEX) with conditions of approval related to the design of the facility and the long-term maintenance and care of the tree conservation area and landscape buffering to ensure that a visual screen is maintained.

Pat Giglio
Planner III, Community Planning
Loudoun County Department of Planning & Zoning
1 Harrison Street, S.E., 3rd Floor
Leesburg, Virginia 20175
703.777.0246 [Main] 703.737.8563 [Direct]
From: Smolens, Kristine
Sent: Thursday, February 24, 2022 1:49 PM
To: Adams, Grace
Subject: FW: CMPT-2021-0014 & SPEX-2021-0053, MILESTONE TOWERS MICKIE GORDON PARK

Fyi,

From: Friedrich, Dave <Dave.Friedrich@loudoun.gov>
Sent: Thursday, February 24, 2022 11:32 AM
To: Smolens, Kristine <Kristine.Smolens@loudoun.gov>
Subject: RE: CMPT-2021-0014 & SPEX-2021-0053, MILESTONE TOWERS MICKIE GORDON PARK

Hi Kristine, from a Public Safety standpoint as of now this is area isn’t something DIT have highlighted as an area that needs increased coverage. Please let me know if you need anything additional.

Thanks!
-Dave

Assistant Director, Information Technology
LOUDOUN COUNTY Information Technology
V IRGINIA
41975 Loudoun Center Place | Leesburg, VA 20175
O: 703-367-8308

From: Smolens, Kristine <Kristine.Smolens@loudoun.gov>
Sent: Friday, February 18, 2022 11:38 AM
To: DEPT-BD-NATURAL.Resources <DEPT-BD-NATURAL/Resources@loudoun.gov>; Dunbar, Ronald <Ronald.Dunbar@loudoun.gov>; Lowitz, Katy <Katy.Lowitz@loudoun.gov>; Gonski, Alex <Alex.Gonski@loudoun.gov>; Klancher, Bobby <Bobby.Klancher@loudoun.gov>; Taylor, Maria <Maria.Taylor@loudoun.gov>; Richardson, Christopher <Christopher.Richardson@loudoun.gov>; Barry, Chris <Chris.Barry@loudoun.gov>; Federline, Kevin <Kevin.Federline@loudoun.gov>; Sharrer, Mark <Mark.Sharrer@loudoun.gov>; Friedrich, Dave <Dave.Friedrich@loudoun.gov>; jatwill@loudounwater.org; amrichardson@loudounwater.org; Novak, Mark <Mark.Novak@loudoun.gov>; Iwanczuk, Rachael <Rachael.Iwanczuk@loudoun.gov>; Farren, Randall <Randall.Farren@loudoun.gov>; Thompson, Stephen <Stephen.Thompson@loudoun.gov>; DEPT-PZ-ZONING_REFERRAL <DEPT-PZ-ZONING_REFERRAL@loudoun.gov>; Mosurak, Lou <Lou.Mosurak@loudoun.gov>; Kleckner, Sarah <Sarah.Kleckner@loudoun.gov>; DEPT-TCI-REVIEWS <DEPT-TCI-REVIEWS@loudoun.gov>; Lu, Yao Q., P.E. (VDOT) <yao.lu@vdot.virginia.gov>

Cc: Adams, Grace <Grace.Adams@loudoun.gov>

Subject: CMPT-2021-0014 & SPEX-2021-0053, MILESTONE TOWERS MICKIE GORDON PARK

Good afternoon,
Please see attached Referral Cover, Statement of Justification, SPEX Plat. Your review and comments are requested for this application. All application documents/materials can be found in WebLMIS or LOLA under CMPT-2021-0014.

No Paper Referral Documents or Plans will be distributed and/or mailed.

Best,
Kris Smolens
Planning Technician | Customer Service Center
Loudoun County Department of Planning and Zoning
1 Harrison Street SE, 3rd Floor/PO Box 7000, Leesburg, VA 20177
703.777.0246, option 5 (main)
571.258.3458 (direct)

Visit Us on the Web: www.loudoun.gov/planningandzoning

In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification.

This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.
County of Loudoun
Department of Transportation and Capital Infrastructure
MEMORANDUM

DATE: March 21, 2022

TO: Grace Adams, Project Manager
Department of Planning and Zoning (DPZ)

FROM: Juliane Dixon-Crump, Senior Transportation Planner
DTCI, Transportation Planning & Traffic Engineering Division

SUBJECT: CMPT 2021-0014 & SPEX 2021-0053 – Milestone Towers Mickie Gordon Park
First Referral

Background
These applications seek approval of: 1) a Commission Permit (CMPT) to determine whether the
location, character, and extent of a 152-foot Telecommunications Monopole and associated
equipment compound are in substantial conformance with the Comprehensive Plan, and (2) a
Special Exception (SPEX) application to allow construction of such facility in the Agricultural Rural-
2 (AR-2) Zoning District pursuant to Section 5-618 (B)(2)) of the Loudoun County Revised 1993
Zoning Ordinance.

The subject property (PIN # 344-45-5673) is located at 23229 Carters Farm Lane (VA Route 627),
north of US Route 50 and is within the Rural Policy Area. Site access to the Telecommunications
Monopole and associated equipment compound is proposed from an existing driveway from Carters
Farm Lane then via a proposed internal gravel access connection. A vicinity map is provided as
Attachment 1.

Department of Transportation and Capital Infrastructure (DTCI) review of these applications is based
on materials received from the Department of Planning and Zoning on February 18, 2022, including
(1) an Information Sheet, dated February 18, 2022; (2) a Statement of Justification prepared by the
Applicant (undated); (3) a Traffic Statement prepared by the Applicant, dated November 11, 2021
and (4) a Commission Permit / Special Exception Plat prepared by Entrex Communication Services

Executive Summary
DTCI can support approval of these applications as proposed with this submission.

Countywide Transportation Plan Arterial and Collector Roadways
The existing and planned transportation network is subject to the policies of the Countywide
Transportation Plan (2019 CTP). Arterial and collector roadways in the vicinity of the proposed
development is described below.
US Route 50
Sam Fred Road / Melmore Place (VA Route 748) to Oakham Road (VA Route 838)

<table>
<thead>
<tr>
<th>Functional Classification (CTP)</th>
<th>Existing Condition</th>
<th>Ultimate Condition</th>
</tr>
</thead>
<tbody>
<tr>
<td>Section/Lanes</td>
<td>Minor Arterial</td>
<td>Minor Arterial</td>
</tr>
<tr>
<td>Bicycle and Pedestrian Facilities</td>
<td>R2 / 2 lanes</td>
<td>R2 / 2 lanes</td>
</tr>
<tr>
<td>Speed Limit</td>
<td>None</td>
<td>10-foot shared use path on one side of the roadway.</td>
</tr>
<tr>
<td>VDOT Traffic Counts</td>
<td>45 mph</td>
<td>TBD</td>
</tr>
<tr>
<td>Ultimate Improvements</td>
<td>8,700 AADT (2019)</td>
<td>Provision of bicycle and pedestrian facilities along one side of the roadway per 2019 CTP.</td>
</tr>
<tr>
<td>Notes</td>
<td>Left- and right-turn lanes required at all intersections.</td>
<td></td>
</tr>
</tbody>
</table>

Summary of Traffic Statement

DTCI’s assessment of the Applicant’s traffic analysis and transportation impacts deriving from the proposed development is based on review the Applicant’s submission materials, existing and planned transportation facilities, and applicable County policies.

The proposed Telecommunications Monopole will be sited in a fenced compound space northwest of the existing baseball field. Per the Traffic Statement provided by the Applicant, vehicle trips to the compound are anticipated to be approximately one (1) to two (2) trips per month for routine maintenance. It is also noted in the Statement of Justification that the Telecommunications Monopole may support up to three additional telecommunications providers at the site.

Transportation Comments and Recommendations

Based upon review of the Applicant’s submission materials, DTCI has the following comments:

Traffic Statement

1. DTCI has reviewed the Applicant’s Traffic Statement and finds it to be an acceptable evaluation of this development as proposed.

2. The proposed use (Telecommunications Monopole) would add minimal trips to the public roadway network.

Roadway Network and Site Access

3. The proposed Telecommunications Monopole does not conflict with any existing or planned roadways shown on the Loudoun County 2019 Countywide Transportation Plan (2019 CTP).

Site access to the Telecommunications Monopole and associated equipment compound is proposed from an existing driveway from Carters Farm Lane then via a proposed internal gravel access connection at the northwest corner of the site.

ATTACHMENT

1. Vicinity Map

cc: Lou Mosurak, AICP, Senior Coordinator, DTCI
Memorandum

To: Grace Adams, Project Manager
From: Maria Figueroa Taylor, Fire-Rescue Planner
Date: March 17, 2022
Subject: Milestone Towers, Mickie Gordon Park
CMPT-2021-0014 & SPEX-2021-0053

Thank you for the opportunity to review the above captioned application. The Fire and Rescue Staff has no comments.

The Fire-Rescue GIS and Mapping coordinator offered the following information regarding estimated response times:

<table>
<thead>
<tr>
<th>PIN</th>
<th>Middleburg, Station 3 Travel Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>503-40-4063</td>
<td>4 minutes</td>
</tr>
</tbody>
</table>

Travel times are determined using ESRI GIS network analyst along the county’s street centerline with distance and speed limit being the criteria. Travel time is reported in minutes. For the approximate response time two minutes is added for turnout time.

<table>
<thead>
<tr>
<th>Approximate Response Time for Middleburg, Station 3</th>
</tr>
</thead>
<tbody>
<tr>
<td>6 minutes</td>
</tr>
</tbody>
</table>

If you have any questions or need additional information, please contact me at 703-777-0333.

c: project file
Memorandum

DATE:            March 11, 2022
TO:              Grace Adams, Project Manager, Planning and Zoning
FROM:            Kevin Federline, Fire Inspector
THRU:            Leif Sundberg, Deputy Fire Marshal
SUBJECT:         CMPT-2021-0014 & SPEX-2021-0053 Milestone Towers Mickie Gordon Park, First Submission

The Loudoun County Fire Marshal’s Office (FMO) has no comments or objections to the commission permit and special exception requests for the project.

If there are any changes to the plans include the Fire Marshal’s Office in review to ensure fire code compliance.

I. Requirements: From the current Loudoun County Fire Prevention Code (LCFPC) and Loudoun County Facilities Standards Manual (FSM)
   1. None.

II. Concern:
    1. None.

III. Recommendations:
    1. None.

Information for requesting modifications to the LCFPC:

1. 106.5 Modifications. The fire official may grant modifications to any provision of the LCFPC upon application by the owner or the owner’s agent provided the spirit and intent of the LCFPC are observed and public health, welfare, and safety are assured. Note: The current editions of many nationally recognized model codes and standards are referenced by the LCFPC. Future amendments to such codes and standards do not automatically become part of the LCFPC; however, the fire official should consider such amendments in deciding whether a modification request should be granted.

2. 106.5.1 Supporting data. The fire official shall require that sufficient technical data be submitted to substantiate the proposed use of any alternative. If it is determined that the evidence presented is satisfactory proof of performance for the use intended, the fire official shall approve the use of such alternative subject to the requirements of this code. The fire official may require and consider a statement from a professional engineer, architect or other competent person as to the equivalency of the proposed modification.
Pursuant to section 112.1 of the Fire Prevention Code:

If you have concerns about the application of the Fire Prevention Code (FPC) or to request a modification to the provisions of the FPC pursuant to section 106.5, please contact Chief Fire Marshal Linda Hale at 703/737-8600. The owner of a structure, the owner’s agent or any other person involved in the design, construction or maintenance of the structure may appeal a decision of the fire official concerning the application of FPC or the fire official’s refusal to grant modification. Persons wishing to file an appeal shall submit a written request for appeal to the Board of Building Code Appeals (BBCA), within 14 calendar days of receipt of the decision being appealed. Persons wishing to file an appeal shall address it to Deputy Fire Marshal at DutyFm@Loudoun.gov, or send by certified mail to the Loudoun Fire Marshal’s Office at the above address. The appeal shall contain the name and address of the owner of the structure and the person appealing if not the owner. A copy of the written decision of the fire official shall be submitted along with the appeal. Failure to submit an appeal within the time limit established shall constitute acceptance of the fire official’s decision.
March 09, 2022

MEMORANDUM TO: Grace Adams, Project Manager
Planning and Zoning

FROM: Katherine Roy
Env. Health Specialist
Division of Environmental Health

SUBJECT: Milestone Towers Mickie Gordon Park
CMPT-2021-0014 & SPEX-2021-0053
PIN – 503-40-4063

This Department reviewed the package provided to this office by Milestone Tower Limited Partnership IV, dated 2/18/2022. Staff supports approval of the application and provides comments of guidance.

Comments:
- Department files indicate wells located on parcel as WWIR-1981-0249 & WWMN-2007-0248. While the application proposed shows no impact, for accuracy purposes it is recommended to show WWIR-1981-0249 & WWMN-2007-0248 on plat. Recommendations do not impact staff support of application approval.

- Department of Building and Development may require a health clearance be completed prior to that office issuing any permits.

If further information or clarification on the above project is required, please contact Katherine Roy at 571-577-5037.
MEMORANDUM

To: Grace Adams, Project Manager, Land Use Review
From: Steve Thompson, County Archaeologist, Community Planning
Date: March 10, 2022
Re: CMPT-2021-0014 & SPEX-2021-0053, Milestone Towers Mickie Gordon Park; Archaeology 1st Referral

BACKGROUND

The applicant is requesting a Commission Permit (CMPT) and a Special Exception (SPEX) to construct a 150-foot-tall telecommunications monopole with associated infrastructure. The proposed tower will occupy a fenced 50-ft by 50-ft lease area accessed via a leased and graveled 10-ft-wide drive within the approximately 199.98-acre Mickie Gordon Memorial Park Parcel located at the northeastern corner of the intersection of Little River Turnpike (Route 50) and Carters Farm Lane approximately 1.25 miles east of Middleburg. This application proposes disturbance to a total area of approximately 0.29 acres of previously undisturbed land.

COMPLIANCE WITH THE COMPREHENSIVE PLAN

The Loudoun County 2019 General Plan (2019 GP) calls for the conservation and preservation of the County’s cultural and scenic resources. Land development applications are required to include an archaeological and historic resources survey to identify resources and, if warranted, identify measures for preservation, mitigation, and adaptive reuse (2019 GP, Chapter 3, Historic, Archaeologic, and Scenic Resources, Action 5.1.C). The Loudoun County Heritage Preservation Plan (HPP) provides additional detail regarding survey requirements (HPP, Chapter 2, Archaeological Resources, Policy 3). The HPP further articulates policies regarding the preservation of significant heritage resources in the context of land development (HPP, Chapter 9, Development Review).

In compliance with the 2019 GP, the applicant has submitted a Phase I archaeological report prepared by EBI Consulting in November 2021 titled Phase I Archaeological Survey Report, Mickie Gordon Memorial Park, 23229 Carters Farm Lane, Middleburg, Virginia.

ANALYSIS

EBI’s Phase I cultural resources survey included background documentary research to establish environmental and historical context, pedestrian reconnaissance and visual inspection of the entire property, and systematic shovel testing at 50-ft...
intervals within the proposed limits of disturbance across all terrain not characterized by excessive slope, poor drainage, or prior disturbance. The Phase I survey identified no archaeological sites, cemeteries, burial grounds, or graves and recommended no additional archaeological investigation.

**RECOMMENDATIONS**

EBI’s fieldwork and reporting meet the standards for Phase I cultural resource investigation set forth in the County’s HPP and the Virginia Department of Historic Resources’ (VDHR) 2017 *Guidelines for Conducting Historic Resources Survey in Virginia*. Staff concurs with the consultant’s findings recommendations. **No additional cultural resources investigations of this property are recommended prior to approval of this application.** Staff also notes that the project will receive additional cultural resources review by VDHR as part of its FCC license application, including a determination regarding the project’s potential indirect (visual) impacts upon significant historic properties.

**Staff recommends that the applicant add the following Archaeology Note to the plat in conformity with Facilities Standards Manual Section 8.101.A.21 to include the full title, company name, and completion date of the Phase I cultural resources survey completed for the property.** Staff recommends the existing text of Note #21 be struck and the following inserted in its place:

> A Phase I archaeological survey report, *Phase I Archaeological Survey Report, Mickie Gordon Memorial Park, 23229 Carters Farm Lane, Middleburg, Virginia*, was prepared for the property by EBI Consulting in November 2021. The survey identified no archaeological sites, cemeteries, burial grounds, or graves within the limits of disturbance.

cc: Randall Farren, AICP, Manager, Community Planning (via e-mail)  
Heidi Siebentritt, Principal Planner, Community Planning (via e-mail)
Grace –

Loudoun County Public Schools/Loudoun County School Board is reflected on the referral as the property owner. The School Board has reviewed the cell tower proposal and on June 8, 2021, took action in support of the installation of a 185-foot tall telecommunications facility (monopole) at Mickie Gordon Park.

Additionally, LCPS and the School Board are also aware of the pending Special Exception application forthcoming from PRCS, for the Mickie Gordon Memorial Park property; this proposal is currently under School Board review with anticipated action in support of the PRCS project (and property lease revisions) at their March 8, 2022 meeting.

Would you prefer that we put this detail in an official referral memo even as LCPS was not initially identified as a referral agency for the Milestone applications?

Bev

Beverly I. Tate, Director
Loudoun County Public Schools
Division of Planning Services
960 Sycolin Road SE, #110
Leesburg, Virginia 20175
beverly.tate@lcps.org
571.252.1153

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Hello,

Mark Novak from Parks and Recreation suggested in his referral for this application that there should be coordination between Loudoun County Public Schools, the applicant, and Parks and Recreation on this application because PRCS is about to submit a Special Exception request to make significant changes to the property. We would like to get your comments on CMPT-2021-0014 & SPEX-2021-0053, MILESTONE TOWERS MICKIE GORDON PARK.
TOWERS MICKIE GORDON PARK and have the application materials shared with whomever is appropriate at LCPS. Mark Novak suggested Chris Glassmoyer, for example.

Thank you,

**Grace Adams**  
Planner, Land Use Review  
Department of Planning & Zoning  
Loudoun County Government  
1 Harrison Street, SE, 3rd Floor  
Leesburg, Virginia 20175  
(571) 258-3975  
Visit Us On The Web: [https://www.loudoun.gov/planning](https://www.loudoun.gov/planning)

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*In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification.*

---

**From:** Smolens, Kristine  
**Sent:** Friday, February 18, 2022 11:38 AM  
**To:** DEPT-BD-NATURAL_RESOURCES <DEPT-BD-NATURAL_RESOURCES@loudoun.gov>; Dunbar, Ronald <Ronald.Dunbar@loudoun.gov>; Lowitz, Katy <Katy.Lowitz@loudoun.gov>; Gonski, Alex <Alex.Gonski@loudoun.gov>; Klancher, Bobby <Bobby.Klancher@loudoun.gov>; Taylor, Maria <Maria.Taylor@loudoun.gov>; Richardson, Christopher <Christopher.Richardson@loudoun.gov>; Barry, Chris <Chris.Barry@loudoun.gov>; Federline, Kevin <Kevin.Federline@loudoun.gov>; Sharrer, Mark <Mark.Sharrer@loudoun.gov>; Friedrich, Dave <Dave.Friedrich@loudoun.gov>; jatwell@loudounwater.org; amrichardson@loudounwater.org; Novak, Mark <Mark.Novak@loudoun.gov>; Ivanczuk, Rachael <Rachael.Iwanczuk@loudoun.gov>; Farren, Randall <Randall.Farren@loudoun.gov>; Thompson, Stephen <Stephen.Thompson@loudoun.gov>; DEPT-PZ-ZONING_REFERRAL <DEPT-PZ-ZONING_REFERRAL@loudoun.gov>; Mosurak, Lou <Lou.Mosurak@loudoun.gov>; Kleckner, Sarah <Sarah.Kleckner@loudoun.gov>; DEPT-TCI-REVIEWS <DEPT-TCI-REVIEWS@loudoun.gov>; Lu, Yao Q., P.E. (VDOT) <yao.lu@vdot.virginia.gov>; davis@middleburgva.gov; wmoore@middleburgva.gov  
**Cc:** Adams, Grace <Grace.Adams@loudoun.gov>  
**Subject:** CMPT-2021-0014 & SPEX-2021-0053, MILESTONE TOWERS MICKIE GORDON PARK

Good afternoon,

Please see attached Referral Cover, Statement of Justification, SPEX Plat. Your review and comments are requested for this application. All application documents/materials can be found in WebLMIS or [LOLA](https://www.loudoun.gov/planning) under CMPT-2021-0014.

No Paper Referral Documents or Plans will be distributed and/or mailed.
Best,
Kris Smolens
Planning Technician | Customer Service Center
Loudoun County Department of Planning and Zoning
1 Harrison Street SE, 3rd Floor/PO Box 7000, Leesburg, VA 20177
703.777.0246, option 5 (main)
571.258.3458 (direct)

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This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.
May 6, 2022

Ms. Grace Adams
County of Loudoun
Department of Planning & Zoning
1 Harrison Street, SE
Leesburg, Virginia 20175

RE: CMPT-2021-0014 and SPEX-2021-0053, Milestone Towers Mickie Gordon Park

Dear Ms. Adams:

As the property owner, the Loudoun County School Board has reviewed the Milestone Towers telecommunications tower proposal for Mickie Gordon Park. On June 8, 2021, the School Board took action in support of the installation of a telecommunications facility (monopole) on the site.

Thank you for the opportunity to provide comment with the second referral review. Should you require further information, please contact me at your earliest convenience.

Sincerely,

Beverly I. Tate, Director

c: Scott A. Ziegler, Superintendent
   Kevin L. Lewis, Chief Operations Officer
   Election District: Blue Ridge
DATE: March 22, 2022

TO: Grace Adams, Project Manager, Department of Planning and Zoning

FROM: Jenn Hare, Natural Resources Engineer

THROUGH: Anna Dougherty, Natural Resources Team Leader

CC: Mike Ronayne, County Urban Forester
    Hilary Richardson, Zoning Administration, Department of Planning & Zoning

SUBJECT: CMPT-2021-0014 SPEX-2021-0014 Milestone Towers Mickie Gordon Park

The Natural Resources Team (NRT) the commission permit application received on February 18, 2022, and offers the following comments:

Recommendations:

Floodplain Management:

1) Please revise Note 8 on Sheet Z-2 to provide the standard Source of Floodplain Note as outlined below and pursuant to Section 8.101.A.20 of the FSM:

   “There is no floodplain on the property that is the subject of this application. The current Flood Insurance Rate Map (FIRM) of Loudoun County Community Panel Number for the property that is the subject of this application is 51107C0330E, effective February 17, 2017.”

Natural Resources:

2) Per the Natural Resources Review conducted by EBI Consulting, dated February 3, 2022, the proposed project is anticipated to have ‘no effect’ on designated critical habitats and threatened and endangered species. Please add a general note to the plat referencing the natural resources review and any relevant findings. (SPEX Checklist Item L.2)

3) Staff notes that there are potential wetlands and an intermittent stream within proximity of the proposed facility. Note that potential jurisdictional waters and wetlands must be identified by a consultant wetland delineation performed in
accordance with USACE standards at the time of site and/or construction plan application. (FSM 8.107.A.26.a and 8.111.A.2)

a) Staff notes that consultant wetland delineation information is included within the Environmental Features documentation provided with this submission, under the document titled “Wetlands and Waters Delineation Package, Mickie Gordon Memorial Park” completed by Timmons Group, dated October 27, 2021. The wetlands depicted on the plat sheets do not appear consistent with this delineation. Please revise the plat sheets to depict the wetlands based upon the provided consultant delineation.

b) Please revise Note 7 on the Sheet Z-2 to identify the source of wetland information depicted on the plat sheets.

c) An approved Jurisdictional Determination (JD) and wetland permit, as applicable, will be required at the time of grading permit application. Staff recommends initiating this process as soon as possible to ensure there are no delays during the site plan process or grading permit application process. If a JD is obtained prior to completion of the legislative process, please update Note 7 on Sheet Z-2 to include the JD number, issuance date, and expiration date. (FSM 8.107.A.26.a)

4) The impact of the proposed project on existing vegetation is a matter of consideration as part of a special exception application (R93ZO 6-1309(4)). Consistent with Forest, Trees, and Vegetation Strategy 4.1 Action B of the 2019 General Plan, Staff recommends preserving forest cover within the site.

a) Staff defers to the Zoning Reviewer for specific buffer requirements for the facility. Please be aware that at the time of site plan, existing vegetation used to meet canopy, buffering, and/or screening requirements must be placed in a TCA and shown on a Tree Conservation and Landscape plan with accompanying narrative in accordance with Chapter 7.300 of the Facilities Standards Manual. (FSM 7.302, FSM 7.300.B)

**County Urban Forester:**

There are no urban forestry comments at this time.

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.
DATE: June 3, 2022

TO: Grace Adams, Project Manager, Department of Planning and Zoning

FROM: Jenn Hare, Natural Resources Engineer

THROUGH: Anna Dougherty, Natural Resources Team Leader

CC: Mike Ronayne, County Urban Forester
    Hilary Richardson, Zoning Administration, Department of Planning & Zoning

SUBJECT: CMPT-2021-0014 SPEX-2021-0014
         Milestone Towers Mickie Gordon Park
         2nd Submission

The Natural Resources Team (NRT) the commission permit application received on May 5, 2022, and offers the following comments:

County Urban Forester:

1) Please provide evergreen tree planting detail. (FSM 7.302A.9)

2) Please revise the landscape schedule to match the FSM’s “sample landscaping table.” (FSM: 7.302)

Floodplain Management:

There are no floodplain management comments at this time. The previous comment has been addressed.

Natural Resources:

There are no natural resources comments at this time. The previous comments have been addressed.

Please ensure that any future submissions are referred to the Natural Resources Team and contact me if you have any questions or need additional information.
Good day,
Attached are comments on the conditions of approval for the subject application.

One key issue to be addressed is Condition 5 Tree conservation. The limits of the application do not include that area identified for Tree Conservation, so the plat would need to be revised to include that area for Condition 5 to be enforceable. Otherwise it would be an off-site condition of approval that requires the property owner to implement. Please let me know if that is the intent or if further discussion is necessary.

Joseph Carter Jr., AICP, CZA, GISP
Program Manager
Department of Planning & Zoning
Proffer Administration

This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator.

Visit us on the web (click image):

In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification.
Hello all,

Please find the attached second referral cover, draft Conditions of Approval, and additional documents for CMPT-2021-00014 & SPEX-2021-0053, Milestone Towers Mickie Gordon Park. Your review and comments are requested for this application. All application documents/materials, including the NEPA Report that is too large to attach to this email with the other application materials, can be found in WebLMIS or on LOLA under CMPT-2021-0014.

_No Paper Referral Documents or Plans will be distributed and/or mailed._

Thank you,

_Grace Adams_

_she/her/hers_

Planner, Land Use Review
Department of Planning & Zoning
Loudoun County Government
1 Harrison Street, SE, 3rd Floor
Leesburg, Virginia  20175
(571) 258-3975
Visit Us On The Web: [https://www.loudoun.gov/planning](https://www.loudoun.gov/planning)

_This e-mail is not intended to be and shall not be deemed to be an official order, requirement, decision or determination made by or on behalf of the Zoning Administrator._

_In keeping with the Virginia Freedom of Information Act (FOIA), emails and all attachments may be released to others upon request for inspection and copying without prior notification._
To: Grace Adams, Project Manager, Planning and Zoning (MSC #62)
From: Mark A. Novak, Chief Park Planner, Facilities Planning and Development (MSC #78)
CC: Steve Torpy, Director
Karen Sheets, Assistant Director
Jeremy Payne, Assistant Director
Rameir Martin, Assistant Director
Myla Neal, Assistant Director
Jefferson Miller, Park Planner
Kristen Blaylock-Reed, Chairman, PROS Board, Dulles District
Kelly Foltman, Vice Chairman, PROS Board, Blue Ridge District
James O’connor, PROS Board, Algonkian District
Tom Bellanca, PROS Board, Chair At-Large
Carrie-Anne Mosley, Open Space Member At-Large
Erik Scudder, Open Space Member At-Large

Date: February 22, 2022

Subject: Milestone Tower – Mickie Gordon Park | SPEX 2021-0053, CMPT 2021-0014
Election District: Blue Ridge
MCPI # 503-40-4063
Sub Planning Area: SW

APPLICATION OVERVIEW:

The subject site is owned by the Loudoun County Board Public School Board and leased and operated by Loudoun County Parks Recreation and Community Services as a Park (Mickie Gordon Memorial Park). The property is located at t 23229 Carters Farm Lane, Middleburg, just north of Route 50/John Mosby Highway in the Blue Ridge Election District and SW Sub-Planning Area. The applicant (Milestone) is requesting approval of a Commission Permit and a Special Exception application to construct a one hundred fifty (150) foot tall monopole telecommunications facility (150 feet tall with a 2-foot lightning rod at the top of pole for a total of 152 feet).
COMMENTS:

The Department of Parks Recreation and Community Services (PRCS) through a lease agreement with Loudoun County Public Schools (LCPS) has developed and operated the property as a park since 1982. PRCS is currently in the process of submitting a Special Exception for improvements to the park (see below) which include additional parking, new access, additional cricket pitch’s, concession/restrooms and trail system.

1. The original location for the monopole telecommunications facility (see original location, below) showed the facility in the general vicinity northwest of the baseball field. As stated in the Statement of Justification, adjustments were made based on feedback received during outreach which included, relocating the tower facility to the northwest corner of the park, to increase distance from closest residences and main roads (see revised location, below).
PRCS SPEX was based on the original location (see PRCS proposed improvements, below). Applicant needs to coordinate with PRCS’ engineer to confirm revised layout will not impact proposed improvements (parking, trail and athletic fields).
REVISED LOCATION
2. Depending on timing for construction of monopole telecommunications facility there needs to be coordination between all parties (LCPS, PRCS and Milestone). The park is open to the public from dawn to dusk for passive use year-round and active use (cricket pitch’s) starting third week in March through mid-November. Any construction activity needs to be monitored to assure public access or use is not impacted.

COMMENTS/RECOMMENDATIONS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the applicant’s proposal and identified above, outstanding issues that require more information to complete the review of this application.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me at 703-737-8992 or mark.novak@loudoun.gov.
MICKIE GORDON MEMORIAL PARK
SPECIAL EXCEPTION PLAT
SPEX-2021-XXXX

23229 CARTERS FARM LN
MIDDLEBURG, VA 20117

BLUE RIDGE ELECTION DISTRICT

Sheet List Table

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TOTAL SHEETS: 5

VICINITY MAP
SCALE: 1" = 1,000'

OCTOBER 22, 2021
### ZONING TABULATIONS

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### SITE TABULATIONS (ZONING ORDINANCE SEC 2:203)

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### LANDSCAPING/BUFFER YARDS

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<td>2. BOUNDARY BUFFER</td>
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### NOTES & DETAILS

- The project site is located on 99.89 acres or 0.999 acres.
- The property is subject to Section 2:203 of the Revised 1993 Loudoun County Zoning Ordinance.
- The property is zoned AR-2 and is subject to Section 2-202 of the Revised 1993 Loudoun County Zoning Ordinance.
- The project site is located on Blue Ridge Tax Record.
- The site contains no known graves, objects, or structures marking burial places as determined by visual inspection.
- A cultural resource database summary was completed on September 7, 2021 by Timmons Group.
- The proposed use will meet the noise standard regulations stated in Section 5-1102, and light and sound regulations stated in Section 5-1103.
- Parking tabulation is 200 spaces.
- The site contains no known hazardous or toxic substances as set forth to the best of our knowledge.
- The site is an existing developed public park with proposed improvements to the cricket fields, including additional bleachers, parking, restrooms, and amenities, per Loudoun County GIS.
- The proposed use will meet the noise and measures regulations stated in Section 5-1107, and light and glare regulations stated in Section 5-1106.
- The proposed use will meet the noise and measures regulations stated in Section 5-1107, and light and glare regulations stated in Section 5-1106.
-作業の一環として、これら全ての条件を満たすことを確認してください。
To: Grace Adams, Project Manager, Planning and Zoning (MSC #62)
From: Mark A. Novak, Chief Park Planner, Facilities Planning and Development (MSC #78)
CC: Steve Torpy, Director
    Karen Sheets, Assistant Director
    Jeremy Payne, Assistant Director
    Rameir Martin, Assistant Director
    Myla Neal, Assistant Director
    Jefferson Miller, Park Planner
    Kristen Blaylock-Reed, Chairman, PROS Board, Dulles District
    Kelly Foltman, Vice Chairman, PROS Board, Blue Ridge District
    James O’connor, PROS Board, Algonkian District
    Tom Bellanca, PROS Board, Chair At-Large
    Carrie-Anne Mosley, Open Space Member At-Large
    Erik Scudder, Open Space Member At-Large

Date: February 22, 2022

Subject: Milestone Tower – Mickie Gordon Park | SPEX 2021-0053, CMPT 2021-0014 (2nd Submission)
Election District: Blue Ridge
MCPI # 503-40-4063
Sub Planning Area: SW

APPLICATION OVERVIEW:

The subject site is owned by the Loudoun County Board Public School Board and leased and operated by Loudoun County Parks Recreation and Community Services as a Park (Mickie Gordon Memorial Park). The property is located at 23229 Carters Farm Lane, Middleburg, just north of Route 50/John Mosby Highway in the Blue Ridge Election District and SW Sub-Planning Area. The applicant (Milestone) is requesting approval of a Commission Permit and a Special Exception application to construct a one hundred fifty (150) foot tall monopole telecommunications facility (150 feet tall with a 2-foot lightning rod at the top of pole for a total of 152 feet).
COMMENTS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the Applicant’s responses dated April 22, 2022, to referral comments dated February 22, 2022. The following is the current issue status of the initial comments:

Comment #1: The original location for the monopole telecommunications facility (see original location, below) showed the facility in the general vicinity northwest of the baseball field. As stated in the Statement of Justification, adjustments were made based on feedback received during outreach which included, relocating the tower facility to the northwest corner of the park, to increase distance from closest residences and main roads (see revised location, below). PRCS SPEX was based on the original location (see PRCS proposed improvements, below). Applicant
needs to coordinate with PRCS’ engineer to confirm revised layout will not impact proposed improvements (parking, trail, and athletic fields).
REVISED LOCATION
Applicant Response: Location has been coordinated with PRCS’ engineer.

Issue Status: Acknowledged.
Comment #2: Depending on timing for construction of monopole telecommunications facility there needs to be coordination between all parties (LCPS, PRCS and Milestone). The park is open to the public from dawn to dusk for passive use year-round and active use (cricket pitch’s) starting third week in March through mid-November. Any construction activity needs to be monitored to assure public access or use is not impacted.

Applicant Response:  Noted.

Issue Status:  Acknowledged.

COMMENTS/RECOMMENDATIONS:

The Department of Parks, Recreation and Community Services (PRCS) has reviewed the applicant’s responses and has no further comment.

If you have any questions or concerns regarding these comments, please do not hesitate to contact me at 703-737-8992 or mark.novak@loudoun.gov.
<table>
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<th>ITEM NO.</th>
<th>DWG. No.(1)</th>
<th>COMMENTS</th>
<th>COMMENT CATEGORY</th>
<th>RESPONSE(2)</th>
<th>FINAL DISPOSITION(3)</th>
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<td>VDOT has “No Objections” to the Commission Permit and Special Exception Plat of the submission,</td>
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**COMMENT CATEGORIES:**
1. REQUIREMENT
2. RECOMMENDATION

---

(1) Indicate drawing no./page no. or use “G” for general comment.
(2) To be filled out by Applicant/Engineer. Date of Response is required.
(3) The VDOT reviewer is responsible for the final disposition of all comments.

**Note:** This form is to be used by the VDOT land use team to provide comments or concerns associated with the rezoning applications, site plans or any other plans when requested by the county or the applicants.
March 3, 2022

Grace Adams  
Department of Planning  
1 Harrison Street, S.E.  
P.O. Box 7000  
Leesburg, VA 20177-7000

Re: CMPT-2021-0014 & SPEX-2021-0053, MILESTONE TOWERS MICKIE GORDON PARK

Dear Ms. Adams,

Loudoun Water has reviewed the referenced Commission Permit and Special Exception applications and offers no objection to their approval. Water and sanitary sewer service would be contingent upon the developer’s compliance with the Authority’s Statement of Policy; Rates, Rules and Regulations; and Design Standards.

Should you have any questions on this matter, please contact me by phone at 571-291-7984 or by email pbodkin@loudounwater.org.

Sincerely,

[Signature]

Paul D. Bodkin  
Senior Project Engineer
MEMORANDUM

To: Grace Adams, Project Manager

From: Hilary Richardson, Planner III, Zoning Administration

Date: March 29, 2022

Re: CMPT-2021-0014 & SPEX-2021-0053, Milestone Towers-Mickie Gordon Park, First Submission

PIN: 503-40-4063

The above referenced application proposes a Commission Permit and Special Exception application to establish a 150-foot-tall telecommunications monopole with a 2,500-square-foot equipment compound on a parcel zoned Agricultural Rural-2 (AR-2) pursuant to Section 5-168(B)(2) of the Revised 1993 Loudoun County Zoning Ordinance.

Zoning Administration staff has reviewed the first submission materials prepared by Entrex and Site Link Wireless listed on the February 18, 2022, referral memorandum for the above referenced legislative application for conformance with the requirements of the Zoning Ordinance and has the following comments:

**General Comments**

Zoning Administration staff notes that pursuant to Section 6-1101(A) of the Zoning Ordinance the Planning Commission shall review the application to determine if the feature for which approval is sought is substantially in accord with the adopted Comprehensive Plan. Zoning Administration staff defers to the Community Planning division for comment about such accordance.

**Statement of Justification (SOJ)**

**Introduction**

1. Add the Parcel Identification Number (PIN) under the address in the title.
2. Address whether the proposed monopole will provide wireless internet access.

**Background**

3. Add the year to the dates in the outreach timeline.
Compliance with Section 5-618(B)(3) Monopoles, General Performance Criteria

4. Section 5-618(B)(3)(e): Double check the setbacks provided in the narrative under Section 5-618(B)(3)(e). While the setbacks provided go beyond what is required per Zoning Ordinance Section 2-203 (A)(3)(c), the setbacks provided on the plat differ from what is written in the Statement of Justification.

5. Section 5-618(B)(3)(g): Staff defers to the Community Planning section to ensure the design and color of the proposed telecommunications monopole blends with the background.

6. Section 5-618(B)(3) sub note (m): Correct the subsection to be subsection (l) not (m). Additionally, please correct the applicant response to say, “Should the equipment or facilities at the site not be used, they will be removed within 90 days of cessation....”

7. The subsection labeling for Section 5-618(B)(3) after (m) is incorrect- please review and revise the citations.

8. Section 5-618(B)(3)(n)- Demonstrate conformance with Section 5-618(B)(3)(n) as the site is owned by Loudoun County Public Schools.

9. Section 5-618(B)(3) sub note (p): Please provide the full name of the VA SHPO.

Section 6-1309 Issues for Consideration

10. Section 6-1309(1): Whether the proposed minor special exception or special exception is consistent with the Comprehensive Plan.

Zoning Administration Staff defers to Community Planning Division on Section 6-1309 Issues for Consideration and Relationship of the Proposal to The Comprehensive Plan.

11. Section 6-1309(2): Whether the level and impact of any noise, light, glare, odor, or other emissions generated by the proposed use will negatively impact surrounding uses.

The proposed use will be required to adhere to the noise, light, and glare standards found in Section 5-1500 of the Zoning Ordinance. The proposed use will also be required to adhere to the buffering and screening requirements in Section 5-1400 of the Zoning Ordinance at the time of site plan submittal.

12. Section 6-1309(3): Whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and on adjacent parcels.

Zoning Administration Staff defers to the Community Planning Division as to whether the proposed use is compatible with other existing or proposed uses in the neighborhood, and on adjacent parcels.
13. **Section 6-1309(4):** Whether the proposed special exception or minor special exception adequately protects and mitigates impacts on the environmental or natural features including, but not limited to, wildlife habitat, vegetation, wetlands, water quality including groundwater, air quality, topographic, scenic, archaeological, or historic features, and agricultural and forestall lands.

Zoning Administration staff defers to the Community Planning Division and the Department of Building and Development Natural Resources Division as to the adequacy of mitigation of the impacts to any environmental and natural features on the property.

14. **Section 6-1309(5):** Whether the proposed special exception at the specified location will contribute to or promote the welfare or convenience of the public.

The Applicant has stated that there is a substantial need for improved capacity and coverage by AT&T within the immediate area of the site. Additionally, the propagation maps provided in the application materials show the level of service with and without the proposed facility.

15. **Section 6-1309(6):** Whether the proposed special exception can be served adequately by public utilities and services, roads, pedestrian connections, and other transportation services and, in rural areas, by adequate on-site utilities.

Zoning Administration staff defers to the Loudoun Water regarding public utilities access, and the Department of Transportation and Capital Infrastructure (DTCI) and Virginia Department of Transportation (VDOT) regarding the adequacy of transportation infrastructure to serve the proposed use.

**Relationship of the Proposal to the Comprehensive Plan**

16. Zoning Administration Staff defers to Community Planning Division for analysis on the relationship of the proposed SPEX/CMPT application to the Comprehensive Plan.

**Relationship of the Proposal to the Virginia Code, Agricultural and Forestal Districts**

17. Zoning Administration Staff defers to the Land Use Review Division, Towns and Agricultural and Forestal Districts planner for analysis on the relationship between the Virginia Code, Agricultural and Forestal Districts.
Commission Permit/Special Exception Plat

Title Sheet (T-1)

18. Please add the Parcel Identification Number (PIN) 503-40-4063 to the title of the plan.

19. Provide a more detailed Vicinity Map with the entire parcel boundaries to show a more exact location of the site. Replace the Vicinity Maps with the revised version on the other pages of the plat. Zoning Administration Staff suggests using the County’s WebLogis tool.

Sheet Z-1

20. Please provide a label for the squared off area (existing tennis courts) on the northeast corner of the parcel for consistency with Sheet Z-2.

Sheet Z-2
21. As mentioned in note 19, please revise the Vicinity Map.

22. Please revise the title to be CMPT-SPEX Plat- this plan is not a Site Plan.

23. County Wetlands Model shows that the site does contain wetlands. Please revise Note 7.

24. As mentioned in Note 4, the setbacks provided in the Monopole Setbacks need to be revised and double checked. In the AR-2 Zoning District are the required setbacks are the following:
   - Front: 35-feet
   - Side: 25-feet
   - Rear: 25-feet

Additionally, please remove the rows for closest house and closest road.

25. Please clarify if the limits of disturbance are the same as the limits of the proposed Special Exception.

26. The numbers for the setbacks, specifically the 84.1’ setback note, need to be made legible.
Sheet Z-3

27. Adjacent parcel 4 (PIN 467-26-0518) need an additional 0 added the end of the citation.

28. The label for Parcel 5 appears to be on the same parcel as parcel 6, please adjust the citation on the plat.

29. The property owner for Parcel 9 (PIN 503-30-9576, 23320 Forsythia Lane) is owned by Wensley, Robert Michael & Wensley Eliza. Please revise.

30. Remove the label for Parcel 10 that is adjacent to Forsythia Lane- it is not needed.

31. Please add label to the existing tennis court adjacent to the southeastern baseball field.

Sheet Z-4

32. Please clarify if the area labeled commission permit will also be the same limits for the Special Exception requested. If it is not the same, please show the limits of the Special Exception.

33. The wetlands area does not match the County GIS location of the wetlands. Please amend.

Sheet Z-4A

34. Also address comment 34 on Sheet Z-4A.

Sheet Z-5

35. Sheet Z-5 is provided twice, please remove one.

Sheet Z-6

36. Provide the setbacks of the proposed compound.

37. Please share the proposed buffering, landscaping, and screening pursuant to Section 5-1400 and when they are to be installed.

Sheet Z-7

38. Please revise the provided scale for the monopole elevation. Scale does not appear to match measurements provided. Should be 1” = 10’.
Sheet Z-9 (combine all comments together)

39. Please provide a general planting note to address when the landscaping and planting schedule will be provided, for example at the time of site plan. Additionally, revise the Buffer Yard Table. A Type C side and rear buffer yard is needed. Pursuant to Section 5-1404(E)(1), the Type C buffer can be provided surrounding the proposed use as long as it meets the required buffer yard type as per Section 5-1404(C). Also, pursuant to Section 5-1404(A)(6)(d), existing vegetation and trees may be used to meet the buffer requirements of Section 5-1402(D).

Sheet Z-10

40. Zoning Administration Staff defers to the Natural Resources Urban Forester for analysis of information provided on Sheet Z-10.
MEMORANDUM

To: Grace Adams, Project Manager

From: Hilary Richardson, Planner III, Zoning Administration

Date: May 23, 2022

Re: CMPT-2021-0014 & SPEX-2021-0053, Milestone Towers-Mickie Gordon Park, Second Submission

PIN: 503-40-4063

The above referenced application proposes a Commission Permit and Special Exception application to establish a 150-foot-tall telecommunications monopole with a 2,500-square-foot equipment compound on a parcel zoned Agricultural Rural-2 (AR-2) pursuant to Section 5-168(B)(2) of the Revised 1993 Loudoun County Zoning Ordinance.

Zoning Administration staff has reviewed the second submission materials prepared by Entrex and Site Link Wireless listed on the May 2, 2022, referral memorandum for the above referenced legislative application for conformance with the requirements of the Zoning Ordinance and has the following comments:

**General Comments**

Zoning Administration staff notes that pursuant to Section 6-1101(A) of the Zoning Ordinance the Planning Commission shall review the application to determine if the feature for which approval is sought is substantially in accord with the adopted Comprehensive Plan. Zoning Administration staff defers to the Community Planning division for comment about such accordance.

**Statement of Justification (SOJ)**

**Compliance with Section 5-618(B)(3) Monopoles, General Performance Criteria**

1. Previous Comment: Section 5-618(B)(3)(e): Double check the setbacks provided in the narrative under Section 5-618(B)(3)(e). While the setbacks provided go beyond what is required per Zoning Ordinance Section 2-203 (A)(3)(c), the setbacks provided on the plat differ from what is written in the Statement of Justification.

Second Submission Comment: The northwestern property line setback is shown as 775.1 feet on the plat (Sheet Z-2) but listed as 775.9 feet in SOJ. Please correct.
**Commission Permit/Special Exception Plat**

**Sheet Z-2**

9. **Previous Comment:** As mentioned in Note 4, the setbacks provided in the Monopole Setbacks need to be revised and double checked. In the AR-2 Zoning District are the required setbacks are the following:

- **Front:** 35-feet
- **Side:** 25-feet
- **Rear:** 25-feet

*Additionally, please remove the rows for closest house and closest road.*

**Second Submission Comment:** As mentioned in the first comment of the second submission referral, the setback provided in the table on Sheet Z-2 states that the rear yard (northwest) is 775.9 feet and the plat show the setback as 775.1, please revise.

2. **Previous Comment:** Please clarify if the limits of disturbance are the same as the limits of the proposed Special Exception.

**Second Submission Comment:** It appears that the limits of disturbance and the limits of the Commission Permit and Special Exception are the same per Sheet Z-4A, however the Applicant response letter states that they are not the same. Please clarify and provide the limits of disturbance and limits of the Commission Permit and Special Exception on Sheet Z-2 as well.

**Landscaping Plan**

3. Zoning Administration Staff defers to the Natural Resources team and County Forester for the details regarding the species of plantings provided and whether or not they meet the regulations of the Facilities Standards Manual as well as the regulations of the forest stands as provided on the Landscape Plan sheets.

**Sheet Z-9**

4. **Previous Comment:** Please provide a general planting note to address when the landscaping and planting schedule will be provided, for example at the time of site plan. Additionally, revise the Buffer Yard Table. A Type C side and rear buffer yard is needed. **Pursuant to Section 5-1404(E)(1), the Type C buffer can be provided surrounding the proposed use as long as it meets the required buffer yard type as per Section 5-1404(C). Also, pursuant to Section 5-1404(A)(6)(d), existing vegetation and trees may be used to meet the buffer requirements of Section 5-1402(D).**

**Second Submission Comment:** It appears that Sheet Z-9 which was the landscape plan in the first submission for CMPT-2021-0014 and SPEX-2021-0053 is missing from the
second submission plat. Additionally, the previously requested note about when the landscaping and planting will be provided is needed.
MEMORANDUM

To: Grace Adams, Project Manager

From: Hilary Richardson, Planner III, Zoning Administration

Date: June 29, 2022

Re: CMPT-2021-0014 & SPEX-2021-0053, Milestone Towers-Mickie Gordon Park, Third Submission

CC: Teresa Miler, Principal Planner, Zoning Administration
    Michelle Lohr, AICP, Deputy Zoning Administrator, Zoning Administration

PIN: 503-40-4063

The above referenced application proposes a Commission Permit and Special Exception application to establish a 150-foot-tall telecommunications monopole with a 2,500-square-foot equipment compound on a parcel zoned Agricultural Rural-2 (AR-2) pursuant to Section 5-168(B)(2) of the Revised 1993 Loudoun County Zoning Ordinance.

Zoning Administration staff has reviewed the third submission materials prepared by Entrex and Site Link Wireless provided in the June 21, 2022, correspondence from Project Manager, Grace Adams for the above referenced legislative application for conformance with the requirements of the Zoning Ordinance and has the following comments:

**Statement of Justification (SOJ)**

**Compliance with Section 5-618(B)(3) Monopoles, General Performance Criteria**

1. The measurements provided in the justification for Section 5-618(e) do not match the provided setback measurements shown on sheet Z-2 of the CMPT-SPEX Plat. Please revise.

**Commission Permit/Special Exception Plat**

**Sheet Z-9**

2. In the landscape buffers table for Buffers A and B, please remove the “EA” after the total linear feet and total required plant units in order to be uniform with the other landscape buffer tables provided.

3. Please clarify the plant type calculation for large deciduous trees for Landscape Buffer D. It appears that there are 0 large deciduous trees, however, that does not equate to 42% of the buffer plantings.
Ms. Adams:

Please find below and attached a revised plan, response letter/s, and information that addresses the comments received on March 30, 2022. This letter addresses comments specifically pertaining to the Statement of Justification and items not related to the engineered plans, while a separate letter from Entrex Communication Services, Inc., addresses comments dealing with engineered items.

ZONING ADMINISTRATION Hilary Richardson, Planner III

COMMENTS/ANALYSIS:

Introduction
1. Add the Parcel Identification Number (PIN) under the address in the title. Added.

2. Address whether the proposed monopole will provide wireless internet access. Detail has been added.

Background
3. Add the year to the dates in the outreach timeline. Detail has been added.

Compliance with Section 5-618(B)(3) Monopoles, General Performance Criteria
4. Section 5-618(B)(3)(e): Double check the setbacks provided in the narrative under Section 5-618(B)(3)(e). While the setbacks provided go beyond what is required per Zoning Ordinance Section 2-203 (A)(3)(c), the setbacks provided on
the plat differ from what is written in the Statement of Justification. Upon further review, the setbacks provided do match those within the plat.

5. Section 5-618(B)(3)(g): Staff defers to the Community Planning section to ensure the design and color of the proposed telecommunications monopole blends with the background. Noted.

6. Section 5-618(B)(3) sub note (m): Correct the subsection to be subsection (l) not (m). Additionally, please correct the applicant response to say, “Should the equipment or facilities at the site not be used, they will be removed within 90 days of cessation...” Revised and corrected.

7. The subsection labeling for Section 5-618(B)(3) after (m) is incorrect- please review and revise the citations. Revised and Corrected.

8. Section 5-618(B)(3)(n)- Demonstrate conformance with Section 5-618(B)(3)(n) as the site is owned by Loudoun County Public Schools. Complied.

9. Section 5-618(B)(3) sub note (p): Please provide the full name of the VA SHPO. Detail has been added to the statement.

Should you have any further questions on concerns, please feel free to reach out to me.

Sincerely,

Phil Stetler
Authorized agent for Milestone Towers
pstetler@sitelinkwireless.com
443-977-7561
April 22, 2022

To: Grace Adams

From: Colleen Khan

Re: Milestone Towers Mickie Gordon Memorial Park
   CMPT-2021-0014, SPEX 2021-0053

We have reviewed the most recent comments and have the following responses for the plat submittal:

A. Zoning – Hillary Richardson

<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>Sheet T-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>18</td>
<td>Please add the Parcel Identification Number (PIN) 503-40-4063 to the title of the plan.</td>
<td>Complied.</td>
</tr>
<tr>
<td>19</td>
<td>Provide a more detailed Vicinity Map with the entire parcel boundaries to show a more exact location of the site. Replace the Vicinity Maps with the revised version on the other pages of the plat. Zoning Administration Staff suggests using the County’s WebLogis tool</td>
<td>Complied.</td>
</tr>
<tr>
<td>Sheet Z-1</td>
<td></td>
<td></td>
</tr>
<tr>
<td>20</td>
<td>Please provide a label for the squared off area (existing tennis courts) on the northeast corner of the parcel for consistency with Sheet Z-2.</td>
<td>Complied.</td>
</tr>
<tr>
<td>Sheet Z-2</td>
<td></td>
<td></td>
</tr>
<tr>
<td>21</td>
<td>As mentioned in note 19, please revise the Vicinity Map.</td>
<td>Complied.</td>
</tr>
<tr>
<td>22</td>
<td>Please revise the title to be CMPT-SPEX Plat- this plan is not a Site Plan.</td>
<td>Complied.</td>
</tr>
<tr>
<td>23</td>
<td>County Wetlands Model shows that the site does contain wetlands. Please revise Note 7.</td>
<td>Complied.</td>
</tr>
<tr>
<td>24</td>
<td>As mentioned in Note 4, the setbacks provided in the Monopole Setbacks need to be revised and double checked. In the AR-2 Zoning District are the required setbacks are the following: • Front: 35-feet • Side: 25-feet • Rear: 25-feet Additionally, please remove the rows for closest house and closest road.</td>
<td>Complied.</td>
</tr>
<tr>
<td>25</td>
<td>Please clarify if the limits of disturbance are the same as the limits of the proposed Special Exception</td>
<td>The limits of disturbance are not the same as the limits of the proposed Special Exception.</td>
</tr>
<tr>
<td>26</td>
<td>The numbers for the setbacks, specifically the 84.1’ setback note, need to be made legible.</td>
<td>Complied.</td>
</tr>
<tr>
<td>Sheet Z-3</td>
<td></td>
<td></td>
</tr>
<tr>
<td>27</td>
<td>Adjacent parcel 4 (PIN 467-26-0518) need an additional 0 added the end of the citation.</td>
<td>Added.</td>
</tr>
<tr>
<td>28</td>
<td>The label for Parcel 5 appears to be on the same parcel as parcel 6, please adjust the citation on the plat.</td>
<td>Adjusted.</td>
</tr>
<tr>
<td>29</td>
<td>The property owner for Parcel 9 (PIN 503-30-9576, 23320 Forsythia Lane) is owned by Wensley, Robert Michael &amp; Wensley Eliza. Please revise.</td>
<td>Revised.</td>
</tr>
<tr>
<td>30</td>
<td>Remove the label for Parcel 10 that is adjacent to Forsythia Lane- it is not needed.</td>
<td>Complied.</td>
</tr>
<tr>
<td>31</td>
<td>Please add label to the existing tennis court adjacent to the southeastern baseball field.</td>
<td>Complied.</td>
</tr>
</tbody>
</table>

Sheet Z-4
<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>32</td>
<td>Please clarify if the area labeled commission permit will also be the same limits for the Special Exception requested. If it is not the same, please show the limits of the Special Exception.</td>
<td>Yes, areas are the same.</td>
</tr>
<tr>
<td>33</td>
<td>The wetlands area does not match the County GIS location of the wetlands. Please amend.</td>
<td>Revised.</td>
</tr>
<tr>
<td>34</td>
<td>Also address comment 34 on Sheet Z-4A.</td>
<td>Complied.</td>
</tr>
<tr>
<td>35</td>
<td>Sheet Z-5 is provided twice, please remove one.</td>
<td>Complied.</td>
</tr>
<tr>
<td>36</td>
<td>Provide the setbacks of the proposed compound.</td>
<td>Setbacks added to Sheet Z-2.</td>
</tr>
<tr>
<td>37</td>
<td>Please share the proposed buffering, landscaping, and screening pursuant to Section 5-1400 and when they are to be installed.</td>
<td>See Landscape Plan.</td>
</tr>
<tr>
<td>38</td>
<td>Please revise the provided scale for the monopole elevation. Scale does not appear to match measurements provided. Should be 1” = 10’.</td>
<td>Complied.</td>
</tr>
<tr>
<td>39</td>
<td>Please provide a general planting note to address when the landscaping and planting schedule will be provided, for example at the time of site plan. Additionally, revise the Buffer Yard Table. A Type C side and rear buffer yard is needed. Pursuant to Section 5-1404(E)(1), the Type C buffer can be provided surrounding the proposed use as long as it meets the required buffer yard type as per Section 5-1404(C). Also, pursuant to Section 5-1404(A)(6)(d), existing vegetation and trees may be used to meet the buffer requirements of Section 5-1402(D).</td>
<td>See Landscape Plan.</td>
</tr>
<tr>
<td>40</td>
<td>Zoning Administration Staff defers to the Natural Resources Urban Forester for analysis of information provided on Sheet Z-10.</td>
<td>Noted.</td>
</tr>
</tbody>
</table>

**B. Parks, Recreation and Community Services – Mark Novak**

<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The original location for the monopole telecommunications facility (see original location, below) showed the facility in the general vicinity northwest of the baseball field. As stated in the Statement of Justification, adjustments were made based on feedback received during outreach which included, relocating the tower facility to the northwest corner of the park, to increase distance from closest residences and main roads (see revised location, below). VICINITY MAP SITE VICINITY MAP Milestone Tower- Mickie Gordon Park SPEX 2019-0053. CMPT 2020-0014 February 22, 2022 Page 3 of 6 PRCS SPEX was based on the original location (see PRCS proposed improvements, below). Applicant needs to coordinate with PRCS' engineer to confirm revised layout will not impact proposed improvements (parking, trail and athletic fields).</td>
<td>Location has been coordinated with PRCS' engineer.</td>
</tr>
<tr>
<td>2</td>
<td>Depending on timing for construction of monopole telecommunications facility there needs to be coordination between all parties (LCPS, PRCS and Milestone). The park is open to the public from dawn to dusk for passive use year-round and active use (cricket pitch's) starting third week in March through mid-November. Any construction activity needs to be monitored to assure public access or use is not impacted.</td>
<td>Noted.</td>
</tr>
</tbody>
</table>
### C. Building and Development – Tom Donnelly

<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>The proposed monopole site will be located on a leased portion of PIN 503-40-4063; therefore, no subdivision or boundary line adjustment applications will be required for the proposed use and further B&amp;D Land Development Division review will not be required.</td>
<td>Noted.</td>
</tr>
<tr>
<td>2</td>
<td>Pursuant to Land Subdivision and Development Ordinance (LSDO) Section 1244 and Facilities Standards Manual (FSM) Section 8.107, B&amp;D staff notes the Applicant will be required to submit a site plan (STPL) application for the proposed use, which will be review by the B&amp;D Engineering Division, along with any easement, bonding and other documents required by County ordinances.</td>
<td>Noted.</td>
</tr>
<tr>
<td>3</td>
<td>Please revise the Plat title to reference both the CMPT-2021-0014 and SPEX-2021-0053 applications. In addition, please revise all applicable Plat sheets and labels to reference both the Commission Permit and Special Exception, i.e., “Commission Permit &amp; Special Exception Area = 12,796 SF” and “Commission Permit &amp; Special Exception Area Legal Description.”</td>
<td>Complied.</td>
</tr>
<tr>
<td>4</td>
<td>B&amp;D staff recommends the Plat be revised to include an Area Tabulation detailing the separate acreage/square footage of the proposed equipment compound and gravel access road included in the leased area for the proposed use.</td>
<td>Complied.</td>
</tr>
<tr>
<td>5</td>
<td>Access to the subject monopole site from Carters Farm Lane (Route 627) is proposed by a tenfoot (10’) gravel access driveway. During site plan review, the minimum width and design of the access driveway will be evaluated for consistency with FSM § 4.330. B&amp;D staff recommends the following condition of approval for the proposed use: “At the time of site plan review and approval, the gravel access driveway serving the proposed use shall be designed in accordance with the requirements of Facilities Standards Manual (FSM) Section 4.330.”</td>
<td>Noted.</td>
</tr>
<tr>
<td>6</td>
<td>As a requirement for site plan approval, the Applicant will be required record an easement agreement for the proposed gravel access driveway serving the proposed monopole site. In this regard, B&amp;D staff recommends the following condition of approval for the proposed use: “Prior to final site plan approval, the Applicant shall record an easement agreement to provide for the use and maintenance of the gravel access driveway serving the proposed use.”</td>
<td>Noted.</td>
</tr>
<tr>
<td>7</td>
<td>Regarding the zoning related comments provided herein, B&amp;D staff defers to the Department of Planning and Zoning for technical review of zoning requirements applicable to the subject SPEX and CMPT applications.</td>
<td>Noted.</td>
</tr>
</tbody>
</table>

### D. Planning and Zoning – Pat Giglio

<table>
<thead>
<tr>
<th>No.</th>
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<th>Response</th>
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<tbody>
<tr>
<td>1</td>
<td>The proposed 152-foot monopole has been designed to accommodate up to four (4) telecommunication providers and is the lowest height necessary to provide service to the area. However, the telecommunication facility will CMPT-2021-0014 &amp; SPEX-2021-0053, Milestone Towers Mickie Gordon Park Community Planning 1st Referral March 17, 2022 Page 5 of 7 have a visual impact on the surrounding area. Community Planning Staff recommends a condition of approval requiring that all the antennas and associated antenna arrays, cables and other fixtures be painted either brown or gray to mitigate the potential visual impact, in keeping with the design policies of the Telecommunication Plan.</td>
<td>See Note Sheet C-6.</td>
</tr>
<tr>
<td>2</td>
<td>Community Planning Staff recommends that the Applicant ensure that the existing forested areas adjoining the proposed telecommunication facility are retained to mitigate the visual impact of the proposed telecommunications facility on the surrounding rural landscape. Staff also recommends that the County Urban Forester be afforded the opportunity to evaluate the site’s trees and vegetation and develop a long term maintenance proposal for the existing forest cover within the County-owned Park</td>
<td>Noted.</td>
</tr>
</tbody>
</table>
3 Community Planning Staff requests the applicant submit any correspondence with the FCC and VDHR pertaining to the Section 106 Review to evaluate potential visual impacts on historic resources within the viewshed of the proposed telecommunication facility.  

**E. Natural Resources – Jenn Hare**

<table>
<thead>
<tr>
<th>No.</th>
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</thead>
<tbody>
<tr>
<td>1</td>
<td>Please revise Note 8 on Sheet Z-2 to provide the standard Source of Floodplain Note as outlined below and pursuant to Section 8.101.A.20 of the FSM: “There is no floodplain on the property that is the subject of this application. The current Flood Insurance Rate Map (FIRM) of Loudoun County Community Panel Number for the property that is the subject of this application is 51107C0330E, effective February 17, 2017.”</td>
<td>Complied.</td>
</tr>
<tr>
<td>2</td>
<td>Per the Natural Resources Review conducted by EBI Consulting, dated February 3, 2022, the proposed project is anticipated to have ‘no effect’ on designated critical habitats and threatened and endangered species. Please add a general note to the plat referencing the natural resources review and any relevant findings. (SPEX Checklist Item L.2)</td>
<td>Complied.</td>
</tr>
</tbody>
</table>
| 3   | Staff notes that there are potential wetlands and an intermittent stream within proximity of the proposed facility. Note that potential jurisdictional waters and wetlands must be identified by a consultant wetland delineation performed in accordance with USACE standards at the time of site and/or construction plan application. (FSM 8.107.A.26.a and 8.111.A.2)  

a) Staff notes that consultant wetland delineation information is included within the Environmental Features documentation provided with this submission, under the document titled “Wetlands and Waters Delineation Package, Mickie Gordon Memorial Park” completed by Timmons Group, dated October 27, 2021. The wetlands depicted on the plat sheets do not appear consistent with this delineation. Please revise the plat sheets to depict the wetlands based upon the provided consultant delineation.  

b) Please revise Note 7 on the Sheet Z-2 to identify the source of wetland information depicted on the plat sheets.  

c) An approved Jurisdictional Determination (JD) and wetland permit, as applicable, will be required at the time of grading permit application. Staff recommends initiating this process as soon as possible to ensure there are no delays during the site plan process or grading permit application process. If a JD is obtained prior to completion of the legislative process, please update Note 7 on Sheet Z-2 to include the JD number, issuance date, and expiration date. (FSM 8.107.A.26.a) | a) Wetlands have been revised to reflect Timmons findings.  
b) Note 7 has been revised  
c) JD has been initiated. |
| 4   | The impact of the proposed project on existing vegetation is a matter of consideration as part of a special exception application (R93ZO 6-1309(4)). Consistent with Forest, Trees, and Vegetation Strategy 4.1 Action B of the 2019 General Plan, Staff recommends preserving forest cover within the site. a) Staff defers to the Zoning Reviewer for specific buffer requirements for the facility. Please be aware that at the time of site plan, existing vegetation used to meet canopy, buffering, and/or screening requirements must be placed in a TCA and shown on a Tree Conservation and Landscape plan with accompanying narrative in accordance with Chapter 7.300 of the Facilities Standards Manual. (FSM 7.302, FSM 7.300.B) | a) Noted. |

**F. County Archaeologist – Steve Thompson**

<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Staff recommends that the applicant add the following Archaeology Note to the plat in conformity with Facilities Standards Manual Section 8.101.A.21 to include the full title, company name, and completion date of the Phase I cultural resources survey completed for the property. Staff recommends the existing text of Note #2</td>
<td>Complied.</td>
</tr>
</tbody>
</table>
be struck and the following inserted in its place: A Phase I archaeological survey report, Phase I Archaeological Survey Report, Mickie Gordon Memorial Park, 23229 Carters Farm Lane, Middleburg, Virginia, was prepared for the property by EBI Consulting in November 2021. The survey identified no archaeological sites, cemeteries, burial grounds, or graves within the limits of disturbance.
June 17, 2022

To: Grace Adams

From: Colleen Khan

Re: Milestone Towers Mickie Gordon Park

We have reviewed the most recent comments and have the following responses for the plat submittal:

**A. Zoning – Hilary Richardson**

<table>
<thead>
<tr>
<th>No.</th>
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<tbody>
<tr>
<td>1</td>
<td>Sheet Z-2: 9. As mentioned in Note 4, the setbacks provided in the Monopole Setbacks need to be revised and double checked. In the AR-2 Zoning District are the required setbacks are the following: • Front: 35-feet • Side: 25-feet • Rear: 25-feet Additionally, please remove the rows for closest house and closest road. Second Submission Comment: As mentioned in the first comment of the second submission referral, the setback provided in the table on Sheet Z-2 states that the rear yard (northwest) is 775.9 feet and the plat show the setback as 775.1, please revise. 2. Previous Comment: Please clarify if the limits of disturbance are the same as the limits of the proposed Special Exception. Second Submission Comment: It appears that the limits of disturbance and the limits of the Commission Permit and Special Exception are the same per Sheet Z-4A, however the Applicant response letter states that they are not the same. Please clarify and provide the limits of disturbance and limits of the Commission Permit and Special Exception on Sheet Z-2 as well.</td>
<td>The setbacks have been revised to reflect the new compound/monopole location. The CMPT/SPEX area is 16,609 sf. This includes the access road, equipment compound and landscape buffer. The LOD area is 20,853 sf which includes the additional area around the access road and compound needed for construction. An area tabulation table has been added to Sheet Z-2.</td>
</tr>
<tr>
<td>5</td>
<td>Landscaping Plan 3. Zoning Administration Staff defers to the Natural Resources team and County Forester for the details regarding the species of plantings provided and whether or not they meet the regulations of the Facilities Standards Manual as well as the regulations of the forest stands as provided on the Landscape Plan sheets. Sheet Z-9 4. Previous Comment: Please provide a general planting note to address when the landscaping and planting schedule will be provided, for example at the time of site plan. Additionally, revise the Buffer Yard Table. A Type C side and rear buffer yard is needed. Pursuant to Section 5-1404(E)(1), the Type C buffer can be provided surrounding the proposed use as long as it meets the required buffer yard type as per Section 5-1404(C). Also, pursuant to Section 5-1404(A)(6)(d), existing vegetation and trees may be used to meet the buffer requirements of Section 5-1402(D). Second Submission Comment: It appears that Sheet Z-9 which was the landscape plan in the first submission for CMPT-2021-0014 and SPEX-2021-0053 is missing from the Milestone Towers-Mickie Gordon Memorial Park CMPT-2021-0014, SPEX-2021-0053. Second Submission May 23, 2022 Page 3 of 3 second submission plat. Additionally, the previously requested note about when the landscaping and planting will be provided is needed.</td>
<td>Sheet Z-9 shows landscape plan. Sheet Z-10 shows landscape tables, planting details and planting notes.</td>
</tr>
</tbody>
</table>
### B. Land Development – Tom Donnelly

<table>
<thead>
<tr>
<th>No.</th>
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<th>Response</th>
</tr>
</thead>
<tbody>
<tr>
<td>1</td>
<td>Prior Comment 1: The proposed monopole site will be located on a leased portion of PIN 503-40-4063; therefore, no subdivision or boundary line adjustment applications will be required for the proposed use and further B&amp;D Land Development Division review will not be required. Follow-up Staff Comment: B&amp;D staff recommends the Plat be revised to include the following Plat note: “The area of the proposed monopole equipment compound will be leased and is not proposed to be subdivided or boundary line adjusted as a separate fee simple lot or parcel.”</td>
<td>See note 17 on Sheet Z-2.</td>
</tr>
<tr>
<td>2</td>
<td>Prior Comment 6: As a requirement for site plan approval, the Applicant will be required record an easement agreement for the proposed gravel access driveway serving the proposed monopole site. In this regard, B&amp;D staff recommends the following condition of approval for the proposed use: “Prior to final site plan approval, the Applicant shall record an easement agreement to provide for the use and maintenance of the gravel access driveway serving the proposed use.” Follow-up Staff Comment: B&amp;D staff recommends that the foregoing condition be included as a condition of approval for the proposed use.</td>
<td>Per email on 6/13/22, this condition will not be required, see attached.</td>
</tr>
<tr>
<td>3</td>
<td>Proposed Condition 5: Since the area for the proposed use will not be subdivided or boundary line adjusted as a separate lot or parcel (see Comment 1 above), then please revise proposed Condition 5, as follows: 5.a. Establishment of Tree Conservation Areas. “…Boundaries of all Tree Conservation Areas shall be clearly marked in the field prior to land disturbing activities and shall be delineated on each easement record plat, site plan, and/or site plan amendment containing any portion of a Tree Conservation Area. The Applicant shall provide a tabulation of the Tree Conservation Areas demonstrating that SPEX Plat is in conformance with this condition with each site plan, site plan amendment and/or easement record plat submitted to the County.” Grace Adams, Project Manager SPEX-2021-0053 &amp; CMPT-2021-0014 / Milestone Tower (Mickie Gordon Park) June 1, 2022 Page 2 5.c. Tree Conservation Easement. The Tree Conservation Areas shall be protected by a Tree Conservation Easement granted to the County and recorded with the applicable Deed of Easement record and plat(s) for the proposed use. A Deed of Easement, running to the benefit of the County, shall be recorded prior to or concurrently with each record plat, or prior to the approval of each site plan or amended site plan, for the Property containing any portion of the Tree Conservation Area. Such deed shall include a provision that prohibits removal of trees within such Tree Conservation Easement as shown on the recorded easement plat, or site plan and/or site plan amendment after construction has been completed by the Applicant without specific permission of the County except as necessary to accommodate Forest Management Techniques, performed by or recommended by a professional forester or certified arborist, that are necessary to protect or enhance the viability of the canopy. Such Management Techniques may include, without limitation, such actions as pruning and the removal of vines, invasive species, trees uprooted or damaged by extreme weather conditions, and trees or limbs that are diseased, insect-infested, dead, or are considered a hazard to life or property. The recorded easement plat, or site plan and/or site plan amendment for each portion of the Property containing a Tree Conservation Easement shall contain a note stating that the removal of trees within a Tree Conservation Easement is prohibited except in accordance with the recorded Deed of Easement for the Tree Conservation Areas.</td>
<td>Site has been shifted slightly to provide the full landscape buffer on all sides in lieu of using existing vegetation to meet the requirements. The new landscape plan is included with this submittal; the Tree Conservation Plan has been removed.</td>
</tr>
<tr>
<td>4</td>
<td>Regarding the zoning related comments provided herein, B&amp;D staff defers to the Department of Planning and Zoning for technical review of zoning requirements applicable to the subject SPEX and CMPT applications.</td>
<td>Noted.</td>
</tr>
</tbody>
</table>
### C. NRT – Jenn Hare

<table>
<thead>
<tr>
<th>No.</th>
<th>Comment</th>
<th>Response</th>
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| 1   | County Urban Forester:  
1) Please provide evergreen tree planting detail. (FSM 7.302A.9)  
2) Please revise the landscape schedule to match the FSM's "sample landscaping table." (FSM: 7.302) | Complied. |
| 2   | Floodplain Management: There are no floodplain management comments at this time. The previous comment has been addressed. | Noted.    |
| 3   | Natural Resources: There are no natural resources comments at this time. The previous comments have been addressed. | Noted.    |

### D. Proffer Administration – Joseph Carter

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<th>Comment</th>
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<tr>
<td>1</td>
<td>One key issue to be addressed is Condition 5 Tree conservation. The limits of the application do not include that area identified for Tree Conservation, so the plat would need to be revised to include that area for Condition 5 to be enforceable. Otherwise it would be an off-site condition of approval that requires the property owner to implement. Please let me know if that is the intent or if further discussion is necessary.</td>
<td>Site has been shifted slightly to provide the full landscape buffer on all sides in lieu of using existing vegetation to meet the requirements. The new landscape plan is included with this submittal; the Tree Conservation Plan has been removed.</td>
</tr>
</tbody>
</table>