



## ARLINGTON COUNTY, VIRGINIA

**County Board Agenda Item  
Meeting of January 22, 2011**

**DATE:** January 6, 2011

**SUBJECT:** U-3234-09-1 USE PERMIT REVIEW for public utility/telecommunications for a microwave/dish antenna; located at 100 N. Wayne St. (RPC#: 18-059-022).

**Applicant:**

Clearwire Wireless Broadband

**By:**

Butch Salamone  
Network Building and Consulting, LLC  
7380 Coca Cola Drive, Suite 106  
Hanover, Maryland 21076

**C.M. RECOMMENDATION:**

Renew the use permit subject to all previously approved conditions and no further scheduled County Board review.

**ISSUES:** This is a one (1)-year review of a use permit for the collocation of an antenna on an existing smokestack at the Washington-Lee Apartments, and no issues have been identified.

**SUMMARY:** This is a one (1)-year review of a use permit for the collocation of a dish antenna at a telecommunications facility located on a smokestack at 100 N. Wayne St. in the Washington-Lee Apartment complex. During the initial review of the use permit request, a citizen living adjacent to the telecommunications facility had raised concerns about an undesirable noise emanating from the equipment shed. The noise was identified as coming from a faulty air conditioning unit mounted on the shed, and was promptly replaced. The County Board approved the use permit with a one (1)-year review in order to monitor whether the issue had been resolved. Staff conducted an administrative review in July 2010, and no issues were identified at that time. An inspection by the Zoning Office has found the applicant to be in compliance with the use permit conditions, and no complaints have been received regarding this use. Staff contacted the citizen who had originally expressed concern regarding noise impacts, and the citizen supports the renewal of the use permit. Given that all outstanding issues appear to be

County Manager:

*BMD/GA*

Staff: Matthew Pfeiffer, DCPHD, Planning Division

PLA-5809

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resolved, staff is recommending that no further County Board review be scheduled for this use permit. Therefore, staff recommends renewal of the use permit for an additional dish antenna at a telecommunications facility at 100 N. Wayne St., subject to all previously approved conditions, and with no further scheduled County Board review.

**BACKGROUND:** The County Board approved a use permit for the collocation of an additional dish antenna at an existing telecommunications facility at the Washington-Lee Apartment complex in January 2010. During the initial review of the use permit, complaints from an adjacent citizen were received regarding existing noise impacts caused by a faulty air conditioner mounted on the telecommunication facility's equipment shed. As a result of the complaints, the applicant replaced the air conditioner and the noise impacts stopped. The County Board approved the use permit subject to a one-year review in order to monitor whether the noise impacts had been mitigated. In addition, a condition was added to the use permit (Condition #3) which required the applicant to promptly respond to any future community concerns about the facility. An administrative review conducted in July 2010 revealed no issues or impacts with the operation of the use permit.

**DISCUSSION:** Since the last administrative review (July 2010):

Use Permit Conditions: The applicant is in compliance with the Use Permit conditions. A site visit revealed no issues.

Community Code Enforcement: No issues were reported by Community Code Enforcement.  
Civic Association: The Lyon Park Citizens Association has commented that there are no objections to the renewal of this use permit. Staff contacted the citizen living adjacent to the site that had originally expressed concerns about noise impacts, and the citizen responded to staff by email on December 16, 2010, commenting that all issues have been resolved and there are no objections to the renewal of the subject use permit.

**CONCLUSION:** Since approval, no additional issues have been identified, and the citizen who originally expressed concerns regarding noise supports the renewal of the use permit. Typically, the County does not review use permits for telecommunication facilities absent any outstanding issues. In this case, given that the issue has been resolved and that there is a condition in place (Condition #3) whereby the applicant must respond promptly to any community concerns, staff is recommending that no further review be scheduled on this use permit. Therefore, staff recommends renewal of the use permit for an additional dish antenna at a telecommunications facility at 100 N. Wayne St., subject to all previously approved conditions and with no further scheduled County Board review.

PREVIOUS COUNTY BOARD ACTIONS:

January 24, 2010

Approved use permit for one (1) dish antenna mounted on a smokestack at 100 N. Wayne Street, subject to a six (6)-month administrative review and a County Board review in one (1) year (January 2011).

Approved Conditions:

1. The applicant agrees that the Clearwire dish antenna will be installed on the existing building at 100 North Wayne Street as shown on plans dated December 30, 2009.
2. The applicant agrees that if the County Manager finds that any aspect of the operation of telecommunications equipment on site results in an adverse impact on either the site or the surrounding area, the applicant shall, within five (5) business days of receipt of notice from the County, respond to the County with a plan to mitigate said issues.
3. The applicant shall identify a community liaison who shall be available to address any concerns regarding the facility operation. The name and telephone number of the liaison shall be provided to the Lyon Park Citizens Association, nearby residents at 2417 Washington Boulevard, 201, 205, 209, 213, and 217 North Barton Street, and the Zoning Administrator. This information shall also be posted at the site in a clearly visible location.
4. The applicant agrees that the antennas shall be removed within ninety (90) days after any cessation of use.



**U-3234-09-1**  
**100 North Wayne Street**  
**RPC #18-059-022.**

Note: These maps are for property location assistance only.  
 They may not represent the latest survey and other information.

Not To Scale

Case Location(s)