PROPOSED DEVELOPMENT CONDITIONS

SEA 85-L-110-4

August 31, 2001

If it is the intent of the Board of Supervisors to approve SEA 85-L-110-4 located at Tax Map 80-2 ((9)) D (6461 Stephenson Way) previously approved for a telecommunication facility with 24 satellite earth stations pursuant to Sect. 5-504 of the Fairfax County Zoning Ordinance to permit a building addition, six additional satellite earth stations, other site modifications and change in the development conditions, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supercede all previous conditions for the subject property. Previously approved conditions or those with minor modifications are marked with an asterisk (*).

1. This Special Exception is granted for and runs with the land indicated in this application and is not transferable to other land.*

2. This Special Exception is granted only for the purpose(s), structure(s) and/or use(s) indicated on the Special Exception plat approved with the application, as qualified by these development conditions.*

3. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by DPWES. Any plan submitted pursuant to this special exception shall be in substantial conformance with the approved Special Exception plat entitled "Verestar", prepared by William H. Gordon and Associates which is dated August, 2000 as revised through July 17, 2001, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.*

4. The maximum number of employees on site at any given time shall not exceed thirty (30).*

5. At the time of Federal Communications Commission (FCC) licensing of each reconfigured or new dish, a copy of the FCC required Radiation Hazard Assessment will be sent to the Technology Infrastructure Division, Department of Information Technology, Fairfax County. The antennas will not be placed into service until the Radiation Hazard Assessment is approved by the Technology Infrastructure Division.

6. Upon issuance of a Non-RUP establishing this Special Exception Amendment, a total of thirty (30) satellite earth station pads and one (1) microwave tower shall be permitted on the site generally as depicted on the Special Exception plat; there shall be a maximum of 17 pads in Zone 1, a maximum of 7 pads in Zone 2, a maximum of 1 pad in Zone 3, a maximum of 4 pads in Zone 4 and a maximum of 1 pad in Zone 5. The pads shall be a maximum of 30' x 30' each. The satellite earth stations shall be a maximum diameter of 18' meters, with a maximum overall height of 75 feet and shall be capable of transmitting and receiving. The satellite earth station pads may be relocated within a given zone irrespective of the precise location shown on the Special Exception Plat. The microwave tower shall be no taller than 86' and shall have no more than one 6 foot point to point parabolic antenna at approximately the 83 foot level, two 12 inch microwave point to point parabolic antennas at approximately the 80 foot level, two off-air antennas at approximately the 86 foot level and no more than three additional 7 foot point to point parabolic antennas no higher than the 84 foot level.. A shelter 10'L x 12'W X 8'H may be located adjacent to or on each pad site, as determined by the Department of Public Works and Environmental Services (DPWES) and/ the DIT.

7. In the event that any pad site(s) are relocated within a pad zone, the foundation and associated equipment serving the previous earth station location shall be removed and the location shall be revegetated as determined by DPWES.

8. A 4-6 foot tall chain link fence shall be located on the north side of the existing satellite earth station which is directly north of the existing building or the orientation of the station shall be directed away from pedestrians to prevent radiation on any passing pedestrian, subject to the approval of DPWES and DIT.*

9. The ground surrounding the existing and proposed satellite earth station pads shall be vegetated with ground cover which may include, but not be limited to: Tall Fescue grass, Crownvetch, or other ground cover which controls erosion, as determined by the Urban Forestry Division of DPWES. Any trees that require removal because of the location of the pads shall be replaced with trees of a similar quality and quantity, as determined by the Urban Forestry Division.*

10. All existing on-site vegetation shall be protected and preserved, except that additional clearing required for the installation of stormwater management facilities and satellite earth station pads which shall be coordinated with and approved by the Urban Forester. Any clearing shall be the minimum necessary to locate the facilities as determined by the Urban Forester. Should the

stormwater management ponds be constructed, existing vegetation shall be removed and the existing 6' tall fence within this area shall be relocated to the southern side of the stormwater management facility subject to the approval of DPWES. The stormwater management facility shall be configured so that the minimal amount of vegetation is removed, subject to the approval of DPWES.*

11. Landscaping substantially as shown on the Special Exception Plat shall be planted unless otherwise determined by the Urban Forestry Division.

12. The Environmental Quality Corridor shall not be disturbed.*

13. If required by DPWES, a geotechnical engineering study shall be submitted by the applicant for approval by DPWES, and the findings of such study shall be implemented by the applicant to the satisfaction of DPWES.*

The above-proposed conditions are staff recommendations and do not reflect the position of the Board of Supervisors unless and until adopted by that Board.

This approval, contingent on the above noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. The applicant shall be himself responsible for obtaining the required Non-Residential Use Permit through established procedures, and this Special Exception shall not be valid until this has been accomplished.

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless at least one of the uses has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.