



APPLICATION ACCEPTED: July 30, 2009
BOARD OF ZONING APPEALS: March 31, 2010
MOVED AT THE APPLICANT'S REQUEST
TIME: 9:00 a.m.

County of Fairfax, Virginia

February 24, 2010

STAFF REPORT

SPECIAL PERMIT AMENDMENT APPLICATION SPA 81-S-017 (in association with SE 2009-LE-016)

LEE DISTRICT

APPLICANT: T-Mobile Northeast, LLC and Springfield Swimming and Racquet Club, Incorporated

ZONING: R-3

LOCATION: 7400 Highland Street

ZONING ORDINANCE PROVISION: 3-303

TAX MAP: 80-1 ((5)) (52) 1

LOT SIZE: 3.75 acres

PLAN MAP: Private Recreation

PROPOSAL: The applicant proposes to amend S 81-S-017, which was previously approved for a community swimming pool and tennis courts, to permit the addition of a telecommunications facility.

STAFF RECOMMENDATION: Staff recommends approval of SPA 81-S-017 subject to the proposed development conditions contained in Appendix 2.

Brenda J Cho

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/

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Integrity * Teamwork * Public Service



It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five (5) days after the decision becomes final.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290. Board of Zoning Appeals' meetings are held in the Board of Room, Ground Level, Government Center Building, 12000 Government Center Parkway, Fairfax, VA 22035-5505.

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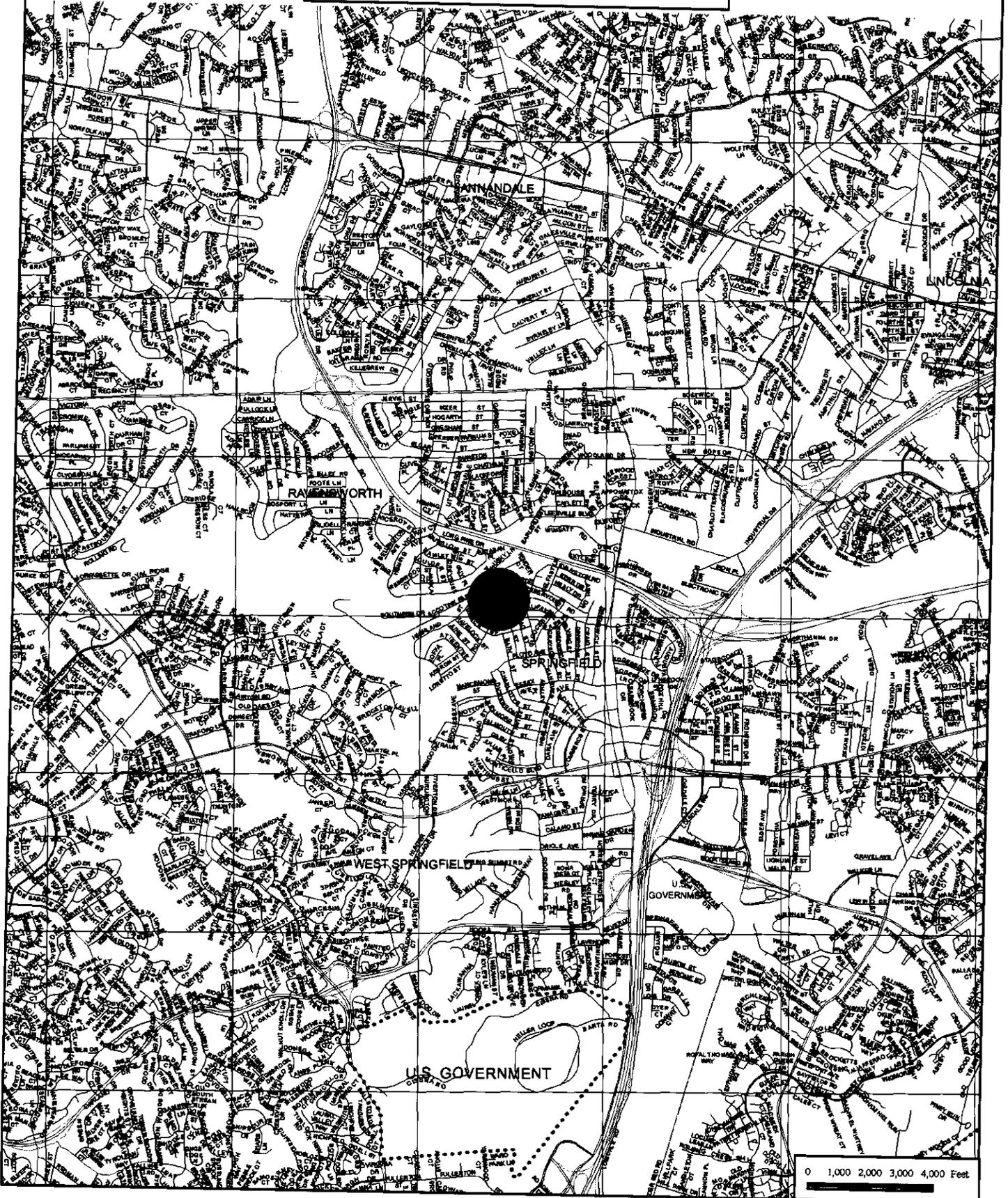


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

SPA 81-S-017

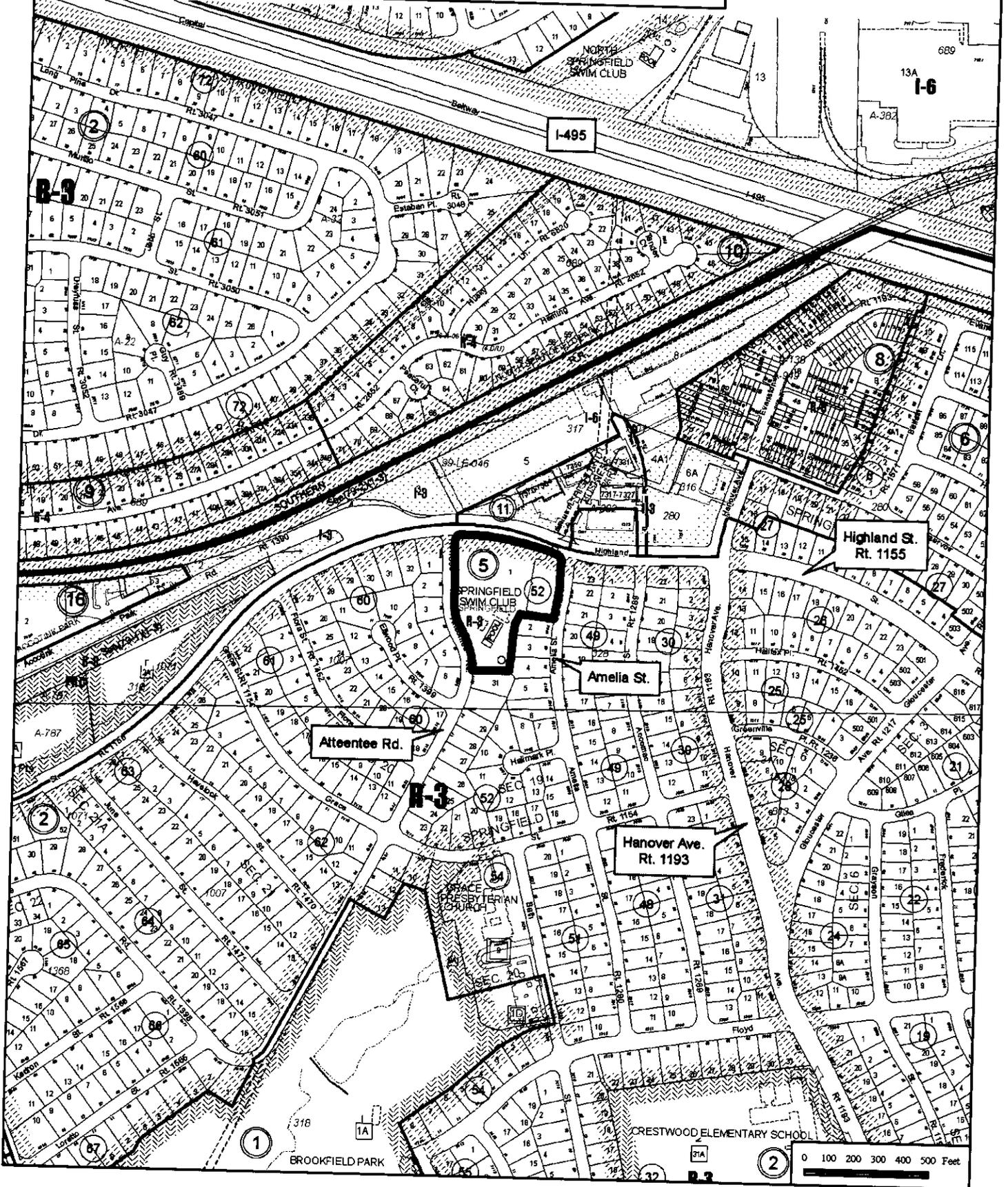
T-MOBILE NORTHEAST LLC & SPRINGFIELD
SWIMMING AND RACQUET CLUB, INCORPORATED



Special Permit Amendment

SPA 81-S-017

T-MOBILE NORTHEAST LLC & SPRINGFIELD SWIMMING AND RACQUET CLUB, INCORPORATED





APPLICATION ACCEPTED: July 30, 2009
PLANNING COMMISSION: March 10, 2010
BOARD OF ZONING APPEALS: March 31, 2010 @ 9:00 a.m.
BOARD OF SUPERVISORS: Not Yet Scheduled

County of Fairfax, Virginia

February 24, 2010

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2009-LE-016
(Concurrent with 2232-L08-25 and in association with SPA 81-S-017)

LEE DISTRICT

APPLICANT: T-Mobile Northeast, LLC and Springfield Swimming and Racquet Club, Incorporated

ZONING: R-3

PARCEL(S): 80-1 ((5)) (52) 1

ACREAGE: 3.75 acres

PLAN MAP: Private Recreation

SE CATEGORY: Category 1 – Light Public Utility Uses (Mobile and Land Based Telecommunication Facilities)

PROPOSAL: The applicant proposes to add a land-based telecommunications facility and related equipment, on the site of the Springfield Swimming and Racquet Club. The proposal is subject to review by Sect. 15.2-2232 of the Code of Virginia. SPA 81-S-017 is a concurrent application to amend the existing Special Permit application to permit the addition of a telecommunications facility.

STAFF RECOMMENDATION:

Staff recommends that the Planning Commission find that the facility proposed under 2232-P07-17 does satisfy the criteria of location, character and extent as specified in Sect. 15.2-2232 of the Code of Virginia and is substantially in accord with the provisions of the Comprehensive Plan.

Brenda J Cho

Department of Planning and Zoning
Zoning Evaluation Division
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5509
Phone 703-324-1290 FAX 703-324-3924
www.fairfaxcounty.gov/dpz/



Staff recommends approval of SE 2009-LE-016, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of a transitional screening and barrier modification for the western, eastern, and southern property lines in favor of that shown on the SE/SPA Plat.

Staff recommends that the Board of Supervisors direct the Director of DPWES to permit a modification of the Tree Conservation Plan elements for SE 2009-LE-016 in favor of the landscaping shown on the SE/SPA Plat.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

For information, contact the Zoning Evaluation Division, Department of Planning and Zoning, 12055 Government Center Parkway, Suite 801, Fairfax, Virginia 22035-5505, (703) 324-1290.

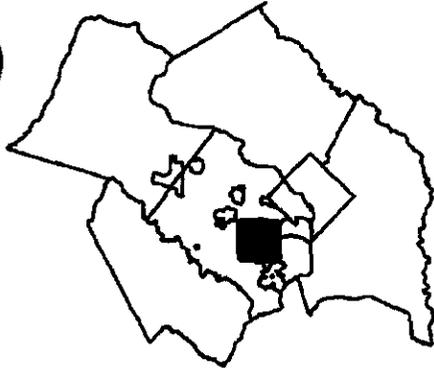
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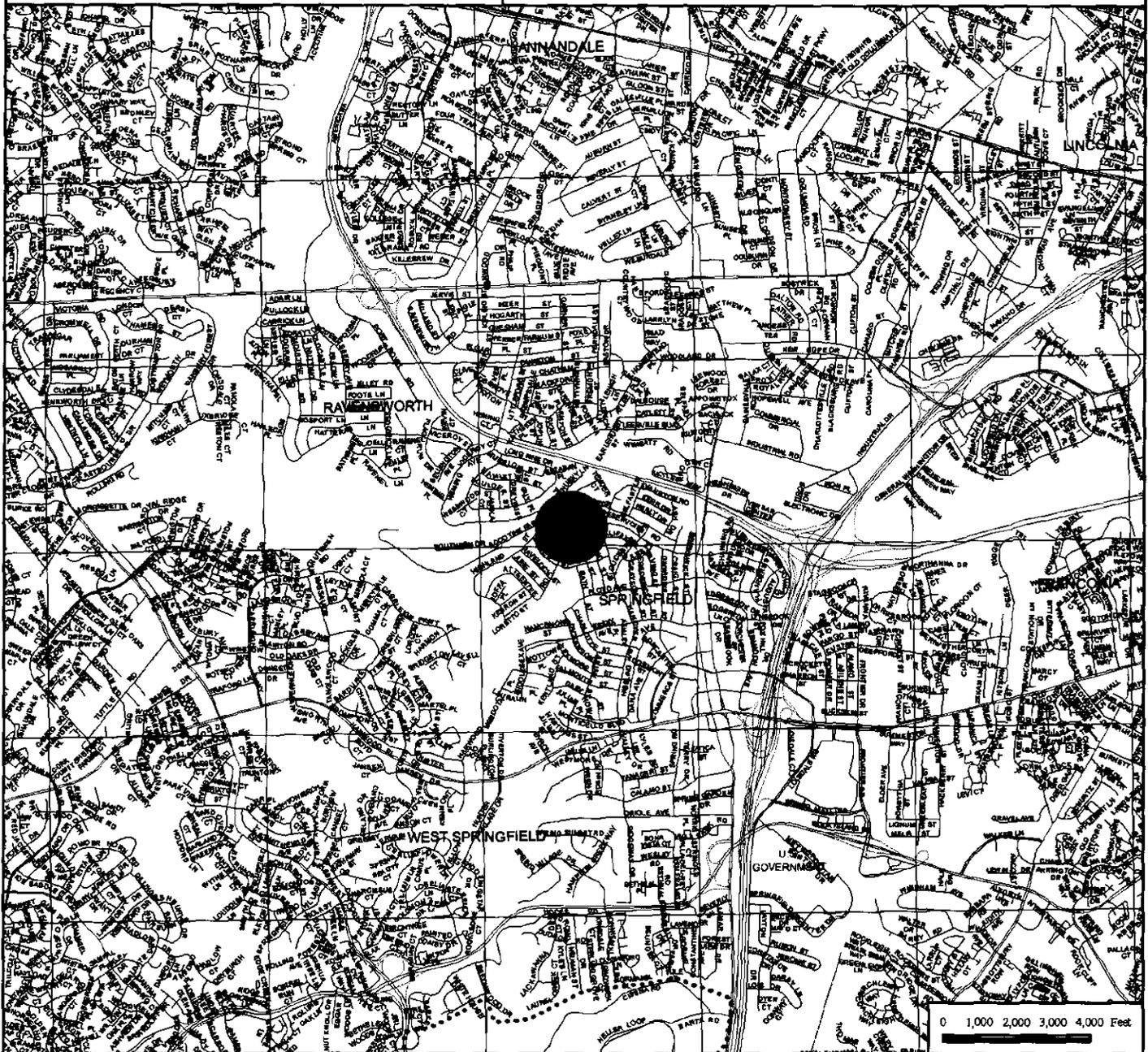
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2009-LE-016



Applicant: T-MOBILE NORTHEAST LLC & SPRINGFIELD SWIMMING AND RACQUET CLUB, INCORPORATED
Accepted: 07/30/2009
Proposed: TELECOMMUNICATIONS FACILITY
Area: 3.75 AC OF LAND; DISTRICT - LEE
Zoning Dist Sect: 03-0304
Art 9 Group and Use: 1-08
Located: 7400 HIGHLAND STREET
Zoning: R- 3
Plan Area: 4,
Overlay Dist:
Map Ref Num: 080-1- /05/52/0001



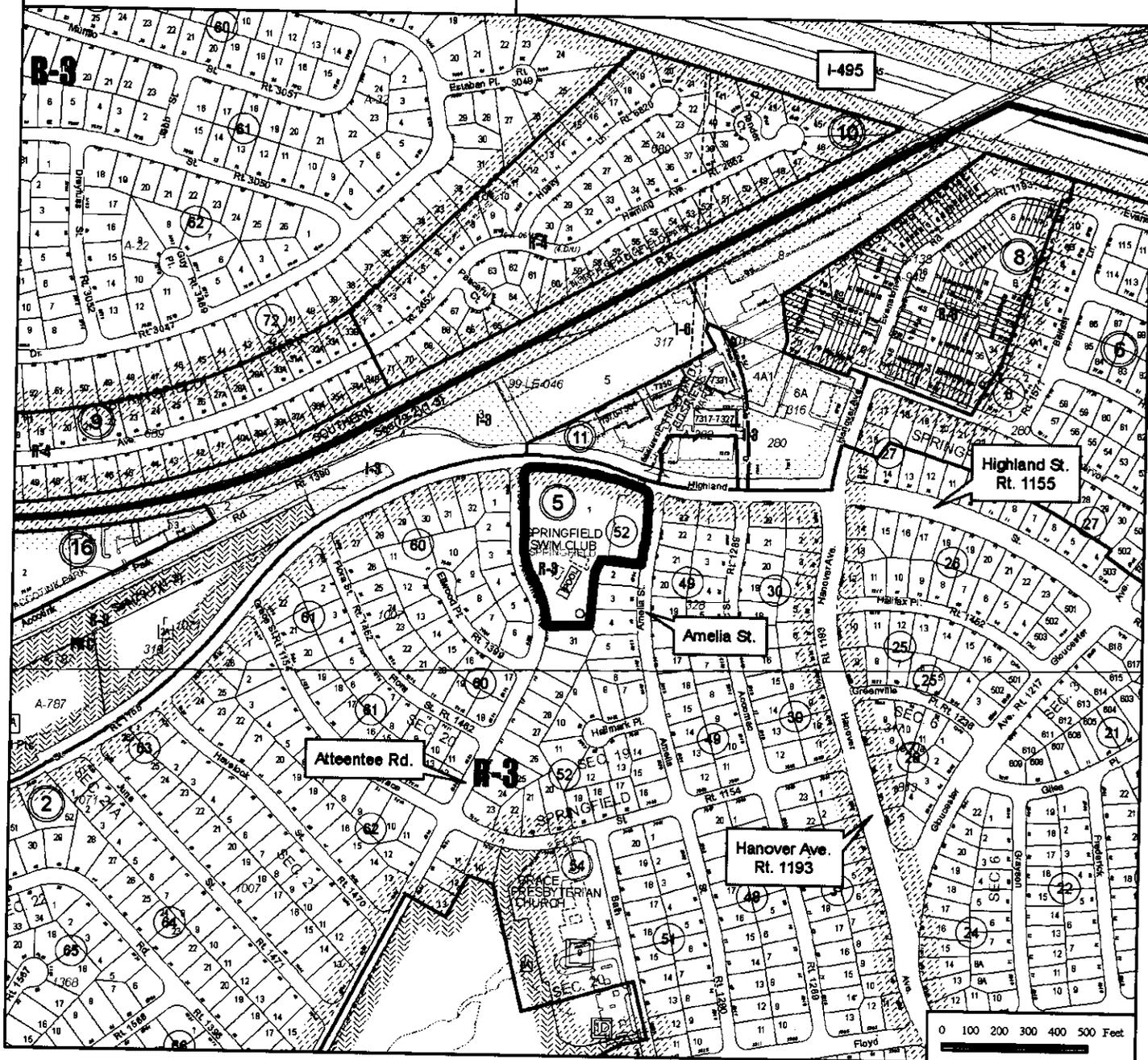
0 1,000 2,000 3,000 4,000 Feet

Special Exception

SE 2009-LE-016



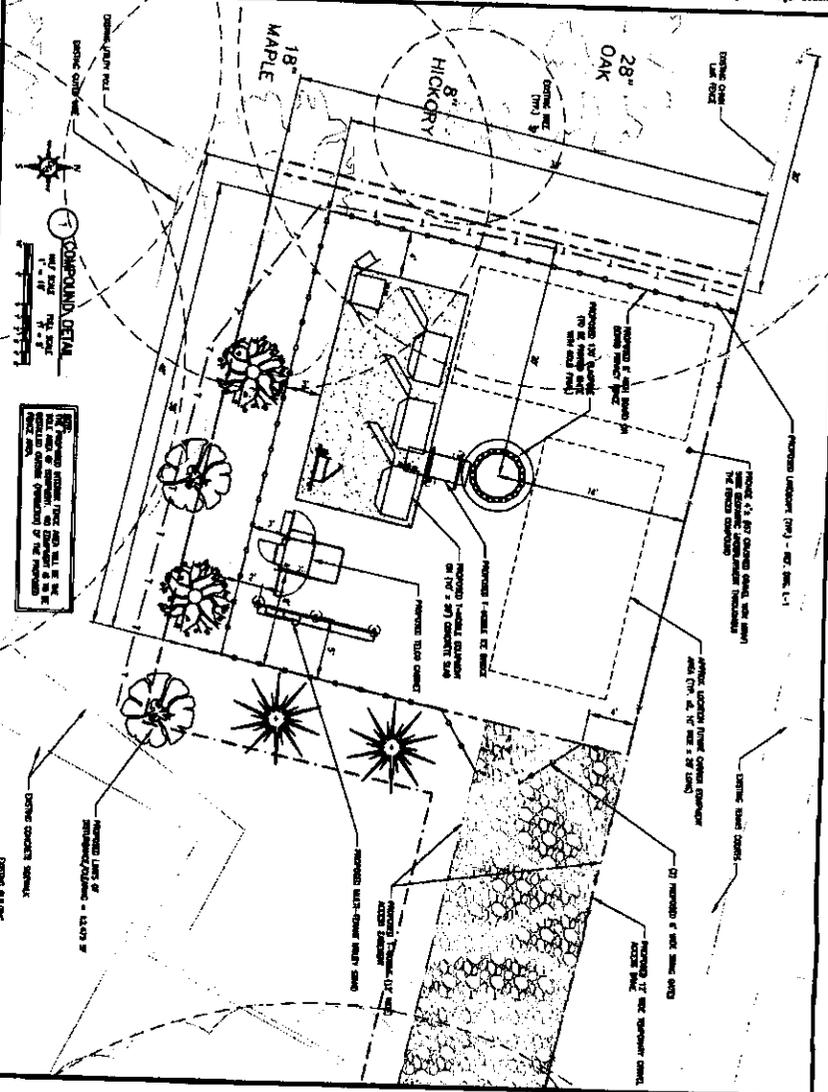
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Art 9 Group and Use: 1-08
Located: 7400 HIGHLAND STREET
Zoning: R-3
Plan Area: 4,
Overlay Dist:
Map Ref Num: 080-1- /05/52/0001



ANTENNA AND CABLE SCHEDULE

SECTION	ANTENNA	HEIGHT	TYPE	CONNECTION	CONDUCTOR	WAVELENGTH	REMARKS
A	1	18'	MAPLE	1/2"	1/2"	1/2"	1
B	2	18'	HICKORY	1/2"	1/2"	1/2"	2
C	3	28'	OAK	1/2"	1/2"	1/2"	3
D	4	18'	MAPLE	1/2"	1/2"	1/2"	4
E	5	18'	HICKORY	1/2"	1/2"	1/2"	5
F	6	28'	OAK	1/2"	1/2"	1/2"	6
G	7	18'	MAPLE	1/2"	1/2"	1/2"	7
H	8	18'	HICKORY	1/2"	1/2"	1/2"	8
I	9	28'	OAK	1/2"	1/2"	1/2"	9
J	10	18'	MAPLE	1/2"	1/2"	1/2"	10
K	11	18'	HICKORY	1/2"	1/2"	1/2"	11
L	12	28'	OAK	1/2"	1/2"	1/2"	12
M	13	18'	MAPLE	1/2"	1/2"	1/2"	13
N	14	18'	HICKORY	1/2"	1/2"	1/2"	14
O	15	28'	OAK	1/2"	1/2"	1/2"	15
P	16	18'	MAPLE	1/2"	1/2"	1/2"	16
Q	17	18'	HICKORY	1/2"	1/2"	1/2"	17
R	18	28'	OAK	1/2"	1/2"	1/2"	18
S	19	18'	MAPLE	1/2"	1/2"	1/2"	19
T	20	18'	HICKORY	1/2"	1/2"	1/2"	20
U	21	28'	OAK	1/2"	1/2"	1/2"	21
V	22	18'	MAPLE	1/2"	1/2"	1/2"	22
W	23	18'	HICKORY	1/2"	1/2"	1/2"	23
X	24	28'	OAK	1/2"	1/2"	1/2"	24
Y	25	18'	MAPLE	1/2"	1/2"	1/2"	25
Z	26	18'	HICKORY	1/2"	1/2"	1/2"	26
AA	27	28'	OAK	1/2"	1/2"	1/2"	27
AB	28	18'	MAPLE	1/2"	1/2"	1/2"	28
AC	29	18'	HICKORY	1/2"	1/2"	1/2"	29
AD	30	28'	OAK	1/2"	1/2"	1/2"	30
AE	31	18'	MAPLE	1/2"	1/2"	1/2"	31
AF	32	18'	HICKORY	1/2"	1/2"	1/2"	32
AG	33	28'	OAK	1/2"	1/2"	1/2"	33
AH	34	18'	MAPLE	1/2"	1/2"	1/2"	34
AI	35	18'	HICKORY	1/2"	1/2"	1/2"	35
AJ	36	28'	OAK	1/2"	1/2"	1/2"	36
AK	37	18'	MAPLE	1/2"	1/2"	1/2"	37
AL	38	18'	HICKORY	1/2"	1/2"	1/2"	38
AM	39	28'	OAK	1/2"	1/2"	1/2"	39
AN	40	18'	MAPLE	1/2"	1/2"	1/2"	40
AO	41	18'	HICKORY	1/2"	1/2"	1/2"	41
AP	42	28'	OAK	1/2"	1/2"	1/2"	42
AQ	43	18'	MAPLE	1/2"	1/2"	1/2"	43
AR	44	18'	HICKORY	1/2"	1/2"	1/2"	44
AS	45	28'	OAK	1/2"	1/2"	1/2"	45
AT	46	18'	MAPLE	1/2"	1/2"	1/2"	46
AU	47	18'	HICKORY	1/2"	1/2"	1/2"	47
AV	48	28'	OAK	1/2"	1/2"	1/2"	48
AW	49	18'	MAPLE	1/2"	1/2"	1/2"	49
AX	50	18'	HICKORY	1/2"	1/2"	1/2"	50
AY	51	28'	OAK	1/2"	1/2"	1/2"	51
AZ	52	18'	MAPLE	1/2"	1/2"	1/2"	52
BA	53	18'	HICKORY	1/2"	1/2"	1/2"	53
BB	54	28'	OAK	1/2"	1/2"	1/2"	54
BC	55	18'	MAPLE	1/2"	1/2"	1/2"	55
BD	56	18'	HICKORY	1/2"	1/2"	1/2"	56
BE	57	28'	OAK	1/2"	1/2"	1/2"	57
BF	58	18'	MAPLE	1/2"	1/2"	1/2"	58
BG	59	18'	HICKORY	1/2"	1/2"	1/2"	59
BH	60	28'	OAK	1/2"	1/2"	1/2"	60
BI	61	18'	MAPLE	1/2"	1/2"	1/2"	61
BJ	62	18'	HICKORY	1/2"	1/2"	1/2"	62
BK	63	28'	OAK	1/2"	1/2"	1/2"	63
BL	64	18'	MAPLE	1/2"	1/2"	1/2"	64
BM	65	18'	HICKORY	1/2"	1/2"	1/2"	65
BN	66	28'	OAK	1/2"	1/2"	1/2"	66
BO	67	18'	MAPLE	1/2"	1/2"	1/2"	67
BP	68	18'	HICKORY	1/2"	1/2"	1/2"	68
BQ	69	28'	OAK	1/2"	1/2"	1/2"	69
BR	70	18'	MAPLE	1/2"	1/2"	1/2"	70
BS	71	18'	HICKORY	1/2"	1/2"	1/2"	71
BT	72	28'	OAK	1/2"	1/2"	1/2"	72
BU	73	18'	MAPLE	1/2"	1/2"	1/2"	73
BV	74	18'	HICKORY	1/2"	1/2"	1/2"	74
BW	75	28'	OAK	1/2"	1/2"	1/2"	75
BX	76	18'	MAPLE	1/2"	1/2"	1/2"	76
BY	77	18'	HICKORY	1/2"	1/2"	1/2"	77
BZ	78	28'	OAK	1/2"	1/2"	1/2"	78
CA	79	18'	MAPLE	1/2"	1/2"	1/2"	79
CB	80	18'	HICKORY	1/2"	1/2"	1/2"	80
CC	81	28'	OAK	1/2"	1/2"	1/2"	81
CD	82	18'	MAPLE	1/2"	1/2"	1/2"	82
CE	83	18'	HICKORY	1/2"	1/2"	1/2"	83
CF	84	28'	OAK	1/2"	1/2"	1/2"	84
CG	85	18'	MAPLE	1/2"	1/2"	1/2"	85
CH	86	18'	HICKORY	1/2"	1/2"	1/2"	86
CI	87	28'	OAK	1/2"	1/2"	1/2"	87
CJ	88	18'	MAPLE	1/2"	1/2"	1/2"	88
CK	89	18'	HICKORY	1/2"	1/2"	1/2"	89
CL	90	28'	OAK	1/2"	1/2"	1/2"	90
CM	91	18'	MAPLE	1/2"	1/2"	1/2"	91
CN	92	18'	HICKORY	1/2"	1/2"	1/2"	92
CO	93	28'	OAK	1/2"	1/2"	1/2"	93
CP	94	18'	MAPLE	1/2"	1/2"	1/2"	94
CQ	95	18'	HICKORY	1/2"	1/2"	1/2"	95
CR	96	28'	OAK	1/2"	1/2"	1/2"	96
CS	97	18'	MAPLE	1/2"	1/2"	1/2"	97
CT	98	18'	HICKORY	1/2"	1/2"	1/2"	98
CU	99	28'	OAK	1/2"	1/2"	1/2"	99
CV	100	18'	MAPLE	1/2"	1/2"	1/2"	100
CV	101	18'	HICKORY	1/2"	1/2"	1/2"	101
CV	102	28'	OAK	1/2"	1/2"	1/2"	102
CV	103	18'	MAPLE	1/2"	1/2"	1/2"	103
CV	104	18'	HICKORY	1/2"	1/2"	1/2"	104
CV	105	28'	OAK	1/2"	1/2"	1/2"	105
CV	106	18'	MAPLE	1/2"	1/2"	1/2"	106
CV	107	18'	HICKORY	1/2"	1/2"	1/2"	107
CV	108	28'	OAK	1/2"	1/2"	1/2"	108
CV	109	18'	MAPLE	1/2"	1/2"	1/2"	109
CV	110	18'	HICKORY	1/2"	1/2"	1/2"	110
CV	111	28'	OAK	1/2"	1/2"	1/2"	111
CV	112	18'	MAPLE	1/2"	1/2"	1/2"	112
CV	113	18'	HICKORY	1/2"	1/2"	1/2"	113
CV	114	28'	OAK	1/2"	1/2"	1/2"	114
CV	115	18'	MAPLE	1/2"	1/2"	1/2"	115
CV	116	18'	HICKORY	1/2"	1/2"	1/2"	116
CV	117	28'	OAK	1/2"	1/2"	1/2"	117
CV	118	18'	MAPLE	1/2"	1/2"	1/2"	118
CV	119	18'	HICKORY	1/2"	1/2"	1/2"	119
CV	120	28'	OAK	1/2"	1/2"	1/2"	120

2 ANTENNA & CABLE SCHEDULE



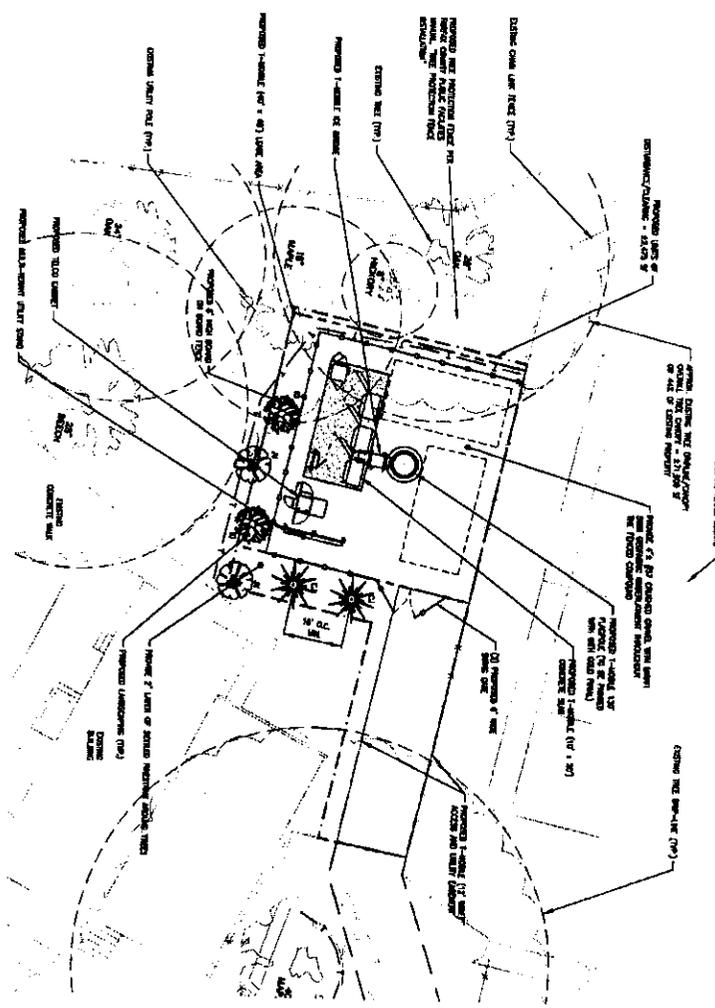
- ### CABLE SCHEDULE
1. ALL CABLE, CABLE CONNECTIONS TO BE SPECIFIED.
 2. CONNECTION TO BE MADE BY THE CONTRACTOR AND APPROVED BY THE ARCHITECT.
 3. ALL CABLES TO BE INSTALLED WITH CABLE COILS TO BE INSTALLED TO PROTECT THE CABLES FROM DAMAGE.
 4. ALL CABLES TO BE INSTALLED WITH CABLE COILS TO BE INSTALLED TO PROTECT THE CABLES FROM DAMAGE.
 5. ALL CABLES TO BE INSTALLED WITH CABLE COILS TO BE INSTALLED TO PROTECT THE CABLES FROM DAMAGE.
 6. ALL CABLES TO BE INSTALLED WITH CABLE COILS TO BE INSTALLED TO PROTECT THE CABLES FROM DAMAGE.
 7. ALL CABLES TO BE INSTALLED WITH CABLE COILS TO BE INSTALLED TO PROTECT THE CABLES FROM DAMAGE.
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 9. ALL CABLES TO BE INSTALLED WITH CABLE COILS TO BE INSTALLED TO PROTECT THE CABLES FROM DAMAGE.
 10. ALL CABLES TO BE INSTALLED WITH CABLE COILS TO BE INSTALLED TO PROTECT THE CABLES FROM DAMAGE.

LENGTH OF CABLE	NO. OF CABLES	NO. OF CABLES
1'-0"	1/2"	1/2"
2'-0"	1/2"	1/2"
3'-0"	1/2"	1/2"
4'-0"	1/2"	1/2"
5'-0"	1/2"	1/2"
6'-0"	1/2"	1/2"
7'-0"	1/2"	1/2"
8'-0"	1/2"	1/2"
9'-0"	1/2"	1/2"
10'-0"	1/2"	1/2"
11'-0"	1/2"	1/2"
12'-0"	1/2"	1/2"
13'-0"	1/2"	1/2"
14'-0"	1/2"	1/2"
15'-0"	1/2"	1/2"
16'-0"	1/2"	1/2"
17'-0"	1/2"	1/2"
18'-0"	1/2"	1/2"
19'-0"	1/2"	1/2"
20'-0"	1/2"	1/2"
21'-0"	1/2"	1/2"
22'-0"	1/2"	1/2"
23'-0"	1/2"	1/2"
24'-0"	1/2"	1/2"
25'-0"	1/2"	1/2"
26'-0"	1/2"	1/2"
27'-0"	1/2"	1/2"
28'-0"	1/2"	1/2"
29'-0"	1/2"	1/2"
30'-0"	1/2"	1/2"
31'-0"	1/2"	1/2"
32'-0"	1/2"	1/2"
33'-0"	1/2"	1/2"
34'-0"	1/2"	1/2"
35'-0"	1/2"	1/2"
36'-0"	1/2"	1/2"
37'-0"	1/2"	1/2"
38'-0"	1/2"	1/2"
39'-0"	1/2"	1/2"
40'-0"	1/2"	1/2"
41'-0"	1/2"	1/2"
42'-0"	1/2"	1/2"
43'-0"	1/2"	1/2"
44'-0"	1/2"	1/2"
45'-0"	1/2"	1/2"
46'-0"	1/2"	1/2"
47'-0"	1/2"	1/2"
48'-0"	1/2"	1/2"
49'-0"	1/2"	1/2"
50'-0"	1/2"	1/2"
51'-0"	1/2"	1/2"
52'-0"	1/2"	1/2"
53'-0"	1/2"	1/2"
54'-0"	1/2"	1/2"
55'-0"	1/2"	1/2"
56'-0"	1/2"	1/2"
57'-0"	1/2"	1/2"
58'-0"	1/2"	1/2"
59'-0"	1/2"	1/2"
60'-0"	1/2"	1/2"
61'-0"	1/2"	1/2"
62'-0"	1/2"	1/2"
63'-0"	1/2"	1/2"
64'-0"	1/2"	1/2"
65'-0"	1/2"	1/2"
66'-0"	1/2"	1/2"
67'-0"	1/2"	1/2"
68'-0"	1/2"	1/2"
69'-0"	1/2"	1/2"
70'-0"	1/2"	1/2"
71'-0"	1/2"	1/2"
72'-0"	1/2"	1/2"
73'-0"	1/2"	1/2"
74'-0"	1/2"	1/2"
75'-0"	1/2"	1/2"
76'-0"	1/2"	1/2"
77'-0"	1/2"	1/2"
78'-0"	1/2"	1/2"
79'-0"	1/2"	1/2"

THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.

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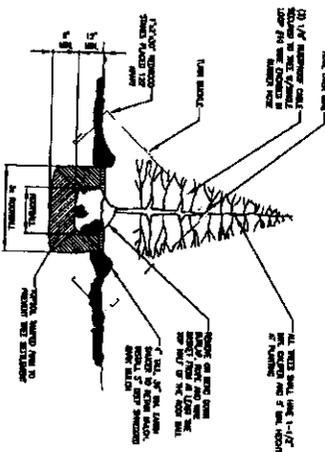


LANDSCAPE PLAN

1. ALL UTILITIES AND SERVICES SHALL BE PROVIDED BY THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
2. ALL UTILITIES AND SERVICES SHALL BE PROVIDED BY THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
3. ALL UTILITIES AND SERVICES SHALL BE PROVIDED BY THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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ITEM	QUANTITY	SPACING	PLANTING DATE	PLANTING METHOD	PLANTING NOTES
1	1	10' x 10'	ASAP	PLANTING	PLANTING IN PLACE
2	1	10' x 10'	ASAP	PLANTING	PLANTING IN PLACE
3	1	10' x 10'	ASAP	PLANTING	PLANTING IN PLACE

2 TREE PLANTING DETAIL



1. ALL UTILITIES AND SERVICES SHALL BE PROVIDED BY THE APPLICABLE AGENCIES. THE CONTRACTOR SHALL VERIFY THE EXISTING UTILITIES AND CONDITIONS OF THE SITE PRIOR TO CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE APPLICABLE AGENCIES.
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T-Mobile Northeast LLC

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COMPASS
TECHNOLOGY SERVICES

14000 LEE HIGHWAY
FARMERS BRANCH, MD 21051
PHONE: (410) 326-1234

PROJECT: SPRINGFIELD BOWL CLUB

DATE: 10/2013

W/ACI:25E

DATE: 10/2013

PROJECT: LANDSCAPING & FENCING DETAILS

DATE: 10/2013

W/ACI:25E

DATE: 10/2013

**A GLOSSARY OF TERMS FREQUENTLY
USED IN STAFF REPORTS WILL BE
FOUND AT THE BACK OF THIS REPORT**

DESCRIPTION OF THE APPLICATION

Three concurrent applications have been filed on the 3.75 acre site of the Springfield Swimming and Racquet Club to construct a land-based telecommunications facility and related equipment on the site of the existing swim club. Each of the applications is detailed below.

2232-L08-25:

The applicants (T-Mobile Northeast LLC and Springfield Swimming and Racquet Club, Inc.) has filed for review by the Planning Commission to determine whether the construction of a telecommunications facility (130-foot high flagpole monopole), related equipment, and site improvements on the property of the Springfield Swimming and Racquet Club satisfies the criteria of location, character, and extent pursuant to Sect. 15.2-2232 of the Code of Virginia, and therefore, may be determined to be in substantial accord with the Comprehensive Plan.

SE 2009-LE-016:

The applicants seek approval of a Category 1 Special Exception to permit a telecommunications facility (130-foot high flagpole monopole), related equipment, and site modifications on the subject property. The flagpole monopole and three (3) equipment cabinets will be located in a fenced and landscaped compound in the middle of the site, which is developed with a community swimming pool and tennis courts.

SPA 81-S-017:

The applicants seek to amend SP 81-S-017, which was previously approved for a community swimming pool and tennis courts, to permit the addition of a telecommunications facility. The applicant does not propose any other site modifications other than the addition of the telecommunications facility.

Waivers and Modifications:

The applicants request that the Board of Supervisors direct the Director of DPWES to permit a deviation from the tree preservation target percentage for SE 2009-LE-016 in favor of the proposed landscaping shown on the SE/SPA Plat.

The applicants request a modification of the barrier and transitional screening requirements for the eastern, western and southern property lines in favor of that shown on the SE/SPA Plat.

LOCATION AND CHARACTER

The subject property, which measures approximately 3.75 acres, is located on Highland Street between Atteentee Road (western boundary) and Amelia Street (eastern boundary) just south of I-495 in the Lee District. The site is developed with four (4) regulation tennis courts, one (1) racquetball court with two (2) backboards, one (1) swimming and two (2) wading pools, as well as a single-story clubhouse. There is an existing parking lot with 74 parking spaces. The private recreation site is covered by a variety of mature deciduous trees, including maple, cherry, oak, poplar and ash trees, around and within the site area. The topography of the site is elevated towards the middle of the site.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Commercial (Highland Business Park)	I-3	Residential, 5 – 8 du/ac
South	Single-Family Detached Residential	R-3	Residential, 2 – 3 du/ac
East	Single-Family Detached Residential	R-3	Residential, 2 – 3 du/ac
West	Single-Family Detached Residential	R-3	Residential, 2 – 3 du/ac

BACKGROUND

Site History:

The Springfield Swimming and Racquet Club was established in 1954. On October 19, 1954, the Board of Zoning Appeals (BZA) approved Special Use Permit (S.U.P.) #5450 to permit a swimming pool and incidental buildings, which were built in 1955, on the subject site. On November 28, 1967, a special permit application, S-738-67, was approved by the BZA to permit an addition to the existing bath house. On September 11, 1974, the BZA approved S-95-74 for two (2) additional tennis courts.

On June 2, 1981, SP 81-S-017 was approved by the BZA to permit site modifications for a community swimming pool and tennis courts as a Group 4 Special Permit Use. Eight (8) development conditions were approved with the request. A copy of the development conditions is included as Appendix 6.

COMPREHENSIVE PLAN PROVISIONS

Plan Area: Area IV, Springfield Planning District

Planning Sector: S2 – Crestwood Community Planning Sector

Plan Map: Private recreation

In the 2007 Edition of the Comprehensive Plan within Area IV of the Springfield Planning District (as amended through 8-3-2009) in the S2-Crestwood Community Planning Sector on Pages 36 – 38, the plan states the following:

The Crestwood Community Planning Sector is largely developed in stable residential neighborhoods. Infill development should be of a compatible use, type, and density and in accordance with the guidance provided by the Policy Plan under Land Use Objectives 8 and 14.

Where substantial parcel consolidation is specified, it is intended that such consolidations will provide for projects that function in a well-designed, efficient manner and provide for the development of unconsolidated parcels in conformance with the Area Plan.

Figure 15 indicates the geographic location of land use recommendations for this sector. Where recommendations are not shown on the General Locator Map, it is so noted.

In the 2007 Edition of the Fairfax County Comprehensive Plan, the Policy Plan, Public Facilities (as amended through January 10, 2005) section of mobile and land-based telecommunication services, General Guidelines, Pages 37 – 39 state the following:

Objective 42: In order to provide for the mobile and land based telecommunication network for wireless telecommunication systems licensed by the Federal Communications Commission, and in order to achieve opportunities for the collocation of related facilities and the reduction of their visual impact, locate the network's necessary support facilities which include antennas, monopoles, lattice towers and equipment buildings in accordance with the following policies. ...

Policy a. Avoid the construction of new structures by locating mobile and land-based telecommunication facilities on available existing structures . . . when the telecommunication facilities can be placed inconspicuously to blend with such existing structures.

Policy b. Locate new structures that are required to support telecommunication antennas on properties that provide the greatest opportunity to conceal the telecommunication facilities and minimize their visual impact on surrounding areas.

- Policy c. Subject to the availability and feasibility of a public site, when multiple sites have equal opportunity to minimize impacts, consider public lands as the preferred location for new structures. . . .*
- Policy e. Locate mobile and land-based telecommunication facilities operated by different service providers on single sites and/or structures whenever appropriate. . . .*
- Policy f. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.*
- Policy g. Ensure that the use of public property by mobile and land based telecommunication facilities does not interfere with the existing or planned operational requirements of the public use.*
- Policy h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of the property and surrounding areas. Demonstrate the appropriateness of the design through facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.*
- Policy i. Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public way. Analyze the potential impacts from other vantage points in the area to illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility.*
- Policy j. Mitigate the visual impact of proposed telecommunication structures, and their antennas and ancillary equipment, using effective design options appropriate to the site such as:*
- blending facilities with an existing pattern of tall structures;*
 - obscuring or blocking the views of facilities with other existing structures, vegetation, treecover, . . . to the maximum extent feasible;*
 - increasing the height of or replacing existing structures to reduce the need for another structure when such height increases or structure replacements are appropriate to the site and the surrounding area.*

Objective 43: Design telecommunication facilities to mitigate their visual presence and prominence, particularly when located in residential areas, by concealing their intended purpose in a way that is consistent with the character of the surrounding area. . . .

- Policy a. Disguise and camouflage the appearance of telecommunication facilities so as to resemble other man-made structures and natural features (such as flagpoles, bell towers, and trees) that are typically found in a similar context and belong to the setting where placed;*
- Policy b. Design telecommunications facilities that are disguised and camouflaged to be of a bulk, mass and height typical of and similar to the feature selected;*
- Policy c. Use appropriately other new and existing structures and vegetation of comparable form and style to establish a grouping that complements a camouflaged telecommunication facility and supports its design, location and appearance."*

ANALYSIS

Special Exception (SE) / Special Permit Amendment (SPA) Plat (Copy at front of staff report)

Title of SE/SPA Plat: T-Mobile Northeast LLC

Prepared By: Compass Technology Services

Original and Revision Dates: October 23, 2008, as revised through February 22, 2010

Description of Plat:

The combined SE/SPA Plat consists of eight (8) sheets.

T-Mobile Northeast LLC SE/SPA Plat	
Sheet #	Description of Sheet
1 (T-1)	Title Sheet
2 (C-1)	Site Boundary Plan
3 (C-2)	Compound Detail Plan and Elevation
4 (L-1)	Landscaping and Fencing Details
5 (L-2)	Details
6 (S-1)	Structural Details and Notes
7 (SE-1)	Site Boundary Plat
8	Easement Survey

Site Layout: The 3.75 acre property is bordered by Highland Street to the north, Atteentee Road to the west and Amelia Street to the east. There are single-family

detached residences to the south of the site. The site contains one (1) adult swimming pool, two (2) wading pools, four (4) regulation tennis courts, one (1) racquet ball court with two backboards, and a clubhouse on site. A paved parking lot with 74 parking spaces is located in the northeast corner of the site.

Access and Parking: There is one (1) access point each along Highland Street and Amelia Street; both lead to the parking lot. The main entrance to the club is accessed through the parking lot. The parking lot currently has 74 parking spaces. Access to the proposed telecommunication facility compound will occur from the Highland Street access, through the parking lot and to the proposed compound on a temporary 12-foot wide gravel access drive. A twelve (12) foot wide access easement proposed for T-Mobile's use will be recorded, which extends from the Highland Street access point and across the parking lot.

Proposed Telecommunications Facility and Equipment: T-Mobile proposes to lease a 40 foot by 40 foot area (1,600 square feet) in the center of the Springfield Swimming and Racquet Club. This area will be surrounded by an eight (8) foot high board-on-board fence. The applicant proposes to erect a flagpole monopole, which will be painted white and measure 130-feet tall in a grass covered area near the clubhouse and tennis courts. The monopole and compound will be located approximately 138 feet from Atteentee Road and 133 feet from the nearest property line bordering a single-family detached residence. T-Mobile's equipment will measure approximately 10 feet by 20 feet, and there is room within the proposed compound for two additional future carriers' equipment on the ground.

Landscaping and Open Space: The proposed compound will be located in an existing cleared area. The proposed limits of clearing and grading are limited to approximately 2,475 square feet around the flagpole monopole compound. No existing trees will be removed to build the monopole and equipment. An eight (8) foot high board-on-board fence will also surround the compound. Six (6) trees of various species at a height between six (6) to eight (8) feet high will be planted outside the compound. Tree protection fencing is also proposed during the construction of the monopole and compound in order to ensure that none of the surrounding trees are impacted by the proposal.

Special Permit Request Analysis

The Springfield Swimming and Racquet Club was initially approved for a special permit use to allow a swimming pool and incidental buildings in 1954. Subsequent special permit applications permitted site modifications to the private recreation club. The applicant does not propose to change the existing approved development conditions for the site. Under this proposal, the applicant plans to add a telecommunications facility to the site. Specifically, a 130-foot high flagpole monopole, which will be painted white, will be installed with associated equipment inside a fenced compound. The total area of development will be 40 feet by 40 feet and will measure a total of 1,600 square feet. No other site modifications are proposed to the club other than the addition of the telecommunications facility.

Land Use/2232 Analysis (Appendix 7)

Location

Plan guidelines support the location of telecommunication uses on an existing private recreation site in a predominately residential area when other, more suitable land uses, such as public property or commercial or industrial properties are not available and the telecommunications facility is located to blend with its surroundings. The applicant states that a number of other sites in the surrounding vicinity were evaluated as a possible alternative location. Six (6) nearby alternative sites, including industrial and commercially zoned sites, were evaluated before the subject site which is zoned R-3, was proposed since it is zoned R-3 (see Appendix 7, Land Use/2232 Analysis). These sites as well as other possible sites did not meet coverage objectives due to lack of acceptance of the property owners. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines to consider public, commercial or industrial land as preferred locations.

The subject property includes existing tall trees throughout except for within the parking area. While the density of growth varies throughout the site, staff concludes that these existing trees will screen views of the facility from adjoining nearby residential land uses based on the balloon test evaluation. Furthermore, the applicant has proposed additional landscaping to mitigate existing and future visual impact of the proposed flagpole monopole and equipment compound.

The proposed facility will be central to service an existing void in the radio frequency transmission coverage area and will be designed to accommodate at least three telecommunications service providers, in accordance with Plan recommendations for collocation. Finally, the proposed telecommunications facility is not located within a floodplain or other environmentally sensitive area, in accordance with the Plan Guidelines.

Character

The proposed flagpole monopole will be designed to appear as a white flagpole with a gold finial. In order to minimize its visual impact to the surrounding area, the facility will use a 4-foot by 6-foot flag with an automatic halyard to raise and lower the flag everyday, so that there will be no need to light the flagpole monopole. This type of flagpole design will minimize the visual impact and is an acceptable stealth design. In combination with existing and proposed landscaping, this design should mitigate its visual impact and help the facility to blend with its surroundings.

The proposed flagpole monopole will be screened by the existing trees located on the subject property and supplemental tree landscaping along the eastern and southern sides of the equipment compound. The combination of existing and proposed tree landscaping should further mitigate any visual impact of the flagpole monopole into the future.

Staff concludes that the proposed flagpole monopole design, narrow silhouette, concealed antennas and surrounding supplemental and existing trees will effectively mitigate the facility's visual impact on adjacent residential development. Therefore, the proposed flagpole monopole will be compatible with the wooded open space of the Springfield Swimming and Racquet Club and the trees in the surrounding residential areas. In staff's opinion, the proposed facility should not have a negative visual impact on the overall character of the surrounding area which is consistent with Plan objectives.

Extent

The 3.75-acre subject property is a wooded parcel where a swim club is located. The flagpole monopole and the equipment compound (approximately 38 feet by 35 feet) will occupy 1,330 square feet which accounts for less than one percent of the total area of the subject property. The property's size permits substantial setbacks of the facility. Therefore, staff concludes that the proposed unmanned facility will not have an adverse impact on the use of the existing site or on the possible future development of the surrounding area, in accordance with the Plan guidelines.

Transportation Analysis (Attachment B)

The Fairfax County Department of Transportation did not identify any issues with these applications. The Virginia Department of Transportation (VDOT) noted that the site's entrances along Amelia and Highland Streets should be designed and constructed in accordance with VDOT's *Minimum Standards of Entrances to State Highway*, which will be addressed at the time of site plan review. There are no outstanding transportation issues.

Urban Forest Management (UFM) Analysis (Attachment C)

Issue: Tree Conservation Plan Elements

The latest Public Facilities Manual (PFM) requirements for tree conservation became effective on January 1, 2009, and zoning applications after the date must meet the Section 12 requirements. The Tree Conservation Plan elements include an existing vegetation map, tree preservation target calculations and narrative and 10-year tree canopy requirements and calculations. The subject site is developed with many mature trees, and most of the existing vegetation on the site is in fair to good condition. The proposed addition of a flagpole monopole will have minimal impact since it will be built on an existing cleared area, and the Tree Conservation Plan elements can be modified. However, one (1) existing tree, a Red Maple, which is located within ten (10) feet of the new compound, is listed in poor to fair condition. Nevertheless, the applicant proposed to save the tree. Because of the tree's poor condition and its proximity to the proposed compound, staff recommended removal of the Red Maple tree and requested an additional evergreen tree in its place. In addition to the existing

vegetation, the applicant proposed to plant additional trees around the compound at a height of 50 inches. Staff recommended a height of six (6) to eight (8) feet. Staff also recommended that the surrounding existing vegetation be preserved with tree protection fencing measures.

Resolution:

In response to staff's concern, the applicant revised the proposed tree height to 6 to 8 feet for the proposed trees. In order to ensure the replacement of the Red Maple tree and preservation of the existing trees, staff recommends a development condition for the landscape plan to be reviewed and approved by UFM prior to site plan approval. Staff also recommends that additional areas of trees should be saved on site, particularly along the northern and western property boundaries of the site. The existing mature trees on site will help screen the proposed monopole. A development condition is proposed by staff for the applicant to identify and preserve the tree save areas, subject UFMD review. Staff also proposes a development condition for adequate tree protection measures. With the implementation of the development conditions and the Board of Supervisors' modification of the Tree Conservation Plan elements, these issues are satisfied.

Stormwater Management Analysis (Attachment D)

Issue: Limits of Disturbance

The site is required to meet Public Facilities Manual (PFM) requirements for adequate outfall and water quality controls will be required since more than 2,500 square feet of the Resource Management Area (RMA) will be disturbed. Staff recommended that the limits of disturbance be shown ten (10) feet from the proposed construction due to the RMA disturbance. Staff also noted that water quality controls will be required without an approved detention waiver.

Resolution:

On the most recent SE/SPA Plat submission, the applicant showed the limits of clearing and grading 10 feet from the compound, which satisfies staff's recommendation. The applicant will also be seeking a detention waiver, which will be reviewed at site plan. If DPWES does not approve this waiver request, staff notes that the applicant will be required to provide stormwater management (SWM) and Best Management Practices (BMP) on-site.

Environmental Analysis

No environmental issues were identified with this application.

Public Facilities Analysis (Appendix 8)

No public facilities issues were identified with this application.

ZONING ORDINANCE PROVISIONS

R-3 Bulk Standards		
Standard	Required	Provided
Lot Size	10,500 square feet	3.75 acres
Lot Width	105 feet (corner lot)	143.62 – 339.92 feet
Max. Building Height	60 ft. (non-residential structure)	24 feet
Front Yards*	40° angle of bulk plane, but not less than 30 feet	Approx. 285 feet (Highland St.), approx. 180 feet (Amelia St.), and approx. 150 feet (Atteentee St.)
Side Yard	35° angle of bulk plane, but not less than 10 feet	N/A
Rear Yard	35° angle of bulk plane, but not less than 25 feet	Approximately 205 feet
Parking Spaces**	16 spaces for the tennis courts, and 43 spaces for the swim club, which totals 59 spaces overall	74 spaces
Transitional Screening (for the entire site)		
North (SFD)	Not applicable	Modification to permit existing vegetation
East (SFD)	Transitional Screening (TS) 1 – 25 feet	Modification to permit existing vegetation
South (SFD)	TS 1 – 25 feet	Modification to permit existing vegetation
West (SFD)	TS 1 – 25 feet	Modification to permit existing vegetation
Barrier (for the entire site)		
North (SFD)	N/A	N/A
East (SFD)	Barrier D, E or F	Existing chain link fence
South (SFD)	Barrier D, E or F	Existing chain link fence
West (SFD)	Barrier D, E or F	Existing chain link fence

* The lot directly faces three (3) streets, and the front yards are measured from the property line to the existing clubhouse.

** Parking requirements for a community swimming pool are one (1) space for every seven (7) persons lawfully permitted in the pool at one time, plus one (1) space per employee, subject to a lesser number determined by the Director which is in accordance with that number of members who are within a reasonable walking distance of the pool, and four (4) spaces per tennis court. There are 170 members and no employees. Four (4) tennis courts are on site.

Waivers and Modifications

Transitional Screening and Barrier Requirements

Along the eastern, southern and western property lines of the subject site, there are single-family detached residences, and the Zoning Ordinance requires the provision of transitional screening consisting of a 25-foot wide unbroken strip of open space with trees and shrubs to these residences. A barrier consisting of a 42 – 48 inch chain link

fence; six (6) foot high wall, brick or architectural block; or a six (6) foot high solid wood or architecturally solid fence is also required between the site and these residences. The applicant proposes to build an eight (8) foot tall board-on-board fence around the proposed monopole compound and plant six (6) trees at a height of six (6) to eight (8) feet tall around the southeast corner of the compound. The rest of the compound will be shielded by an existing canopy of mature trees and fenced tennis courts. Par. 3 of Sect. 13-305 of the Zoning Ordinance permits the transitional screening requirements to be modified when the adjacent property is landscaped to minimize adverse impacts. The applicant notes that the canopy of existing trees and existing barrier of a chain link fence around the site, as well as the proposed board-on-board fence around the new compound, will provide adequate screening to the residences and will minimize any visual impact caused by the proposal. Staff supports the requested modification of the transitional screening and barrier requirement along the eastern, western and southern property lines in favor of that shown on the SE/SPA Plat.

Other Zoning Ordinance Requirements:

Special Exception Requirements (Appendix 13)

General Special Exception Standards (Sect. 9-006)

General Standards 1 and 2 require that the proposed use be in harmony with the adopted Comprehensive Plan and with the general purpose and intent of the applicable zoning district regulations. The proposed flagpole monopole generally complies with the Comprehensive Plan and zoning district guidelines.

General Standard 3 requires that the proposed use will be harmonious with and will not adversely affect the use or development of neighboring properties and that the use will not hinder or discourage appropriate development and use of nearby land or buildings. The addition of a flagpole monopole and compound will not affect the use or development of neighboring residential and commercial properties because it will be developed in the center of the subject site, which is surrounded by mature trees. The inconspicuous design of the proposed monopole and the fenced compound will limit the monopole's visual impact. In addition to saving the mature trees, the applicant intends to plant additional trees around the compound to provide further buffering.

General Standard 4 requires that the proposed use's pedestrian and vehicular traffic will not be hazardous or conflict with existing and anticipated traffic in the area. There will be no regular vehicular or pedestrian traffic generated by the proposed flagpole monopole. At most, the telecommunications facility will be serviced from time to time, which may require vehicular access, but the addition of this use will not cause hazardous or conflicting pedestrian and vehicular traffic.

Landscaping and open space recommendations for General Standards 5 and 6 are generally addressed by the applicant. The applicant proposes to protect the adjacent trees next to the proposed monopole compound, as well as plant six (6) additional trees around the compound, to screen the telecommunications facility. Staff also

recommends additional tree save areas on site since the site is developed with many mature trees which screen the site from the adjacent residential properties.

Adequate utility will be provided for the proposed telecommunications facility, as required by General Standard 7, and any required SWM/BMPs will be included before site plan approval. As noted earlier, the applicant will be seeking a waiver of SWM/BMP requirements at the time of site plan. No additional parking spaces, also required by General Standard 7, will be required with the proposed flagpole monopole.

Any signage provided on site will be required to meet the signage regulations of the Zoning Ordinance, as required by General Standard 8. All signage on the site will be subject to conformance with the Zoning Ordinance.

Standards for All Category 1 Uses (Sect. 9-104)

Category 1 special exception uses are not required to comply with the lot size or bulk regulations for the site's zoning district. No land or building in any district besides I-5 and I-6 Districts should be used for storage of materials or equipment, repair or servicing of vehicles or equipment or the parking of vehicles except when needed by employees for the facility's operation.

The applicant does not intend to perform any of the stated activities on site, and any storage or equipment on site will be used solely for the proposed flagpole monopole. Additionally, six (6) nearby alternative sites, including industrial and commercially zoned sites, were evaluated before the subject site was proposed since it is zoned R-3. Due to site-specific issues, an additional monopole was not feasible on each of these sites. As discussed in the 2232 Analysis, the proposed location is ideal for adequate service, ample screening and consistency with the Comprehensive Plan guidelines. The application will be subject to Article 17 of the Zoning Ordinance before establishment. Staff considers these standards satisfied.

Additional Standards for Mobile and Land Based Telecommunications Facilities (Sect. 9-105)

Standard 1 recommends that all antennas and their supporting mounts shall be colored or built to closely match with the mounting structure, except for antennas completely enclosed within a structure. The proposed flagpole monopole will be painted white with a decorative gold finial, and the narrow silhouette of the monopole will help minimize its visual impact. Staff believes that this standard has been satisfied.

Standard 2 recommends that, except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure. The applicant proposes a 4-foot high and 6-foot wide (maximum) flag, and no commercial advertising or signs are proposed for the flagpole monopole or compound area. Staff believes that this standard has been satisfied.

Standard 3 recommends that proof may be required of any additions, changes or modifications made to the monopole conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code, as proven through engineering and structural data. Staff recommends a development condition to address this standard, and with the implementation of this development condition, staff believes that this standard has been satisfied.

Standard 4 states that no signals, lights or illumination shall be permitted on an antenna unless it is required by the FCC, FAA or the County. However, on all antenna structures that exceed 100 feet in height, a steady red marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Police Department that the marker light is not necessary for flight safety requirements for police and emergency helicopter operations. All such lights shall be shielded to prevent the downward transmission of light. Staff recommends a development condition that requires a steady red marker light on the proposed flagpole monopole unless it is waived by the Zoning Administrator. With the implementation of the development condition, staff believes that this standard has been satisfied.

Standard 5 recommends that all antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use. Staff recommends a development condition that requires conformance with this standard; therefore, this standard has been satisfied.

Special Permit Requirements (Appendix 14)

General Special Permit Standards (Sect. 8-006)

Standard 1 requires harmony with the adopted comprehensive plan, and staff believes that the proposed telecommunications facility would be compatible on the existing site and with surrounding uses. The existing tree canopy, proposed screening and landscaping and placement of the facility in the middle of the site will help address any potential impacts of the flagpole monopole. Therefore, this issue is satisfied.

Standard 2 states that the use shall be in harmony with the general purpose and intent of the applicable zoning district regulations. The R-3 District permits mobile and land based telecommunication facilities as a Special Exception use. The site, which is situated next to single-family residential uses, is designed to be compatible with the surrounding uses, including the offices across Highland Street. Staff believes this standard is satisfied.

Standard 3 requires that the use be harmonious with and not adversely affect the use or development of neighboring properties. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and

landscaping should not hinder or discourage the appropriate development and use of nearby land and/or buildings. The proposed flagpole monopole will not affect the use or development of the adjacent properties. The 130-foot high monopole, which has a narrow silhouette, will be screened by an existing canopy of mature trees, and the proposed compound will be surrounded by an eight (8) foot high fence. As such, staff finds that the proposed telecommunications facility will not adversely affect the neighboring properties.

Standard 4 states that pedestrian and vehicular traffic will not be hazardous or conflict with existing and anticipated traffic in the neighborhood. The proposed telecommunication facility will not trigger additional traffic demand in the neighborhood and will be situated in the middle of the site, away from existing and anticipated pedestrian traffic. Staff believes this issue is satisfied.

Standard 5 states that landscaping and screening standards shall be satisfied. The applicant has requested modifications of the landscaping and barrier requirements, as discussed previously, due to the existing vegetation and chain link fencing on site. Staff supports the requested modifications and further recommends the identification of tree save areas to preserve the existing landscaping, which helps screen the site from neighboring residential properties. With the inclusion of the proposed development conditions related to landscaping, this standard has been satisfied.

Standard 6 recommends adequate open space as required in the zoning district, and there is no open space requirement in the R-3 District for this use. Therefore, this standard does not apply.

Standard 7 requires adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use. Parking and loading requirements should also be satisfied. The proposed addition of a flagpole monopole and compound area does not require additional parking or loading requirements, and the site already provides more parking than required. Any increase in runoff created by the addition of the telecommunications facility will be minimal. Staff believes these issues are satisfied.

Standard 8 requires that the signs be regulated by Article 12 provisions. There is no additional signage requested with the application, except for the flag, and staff has included a development condition to preclude any advertising signage for the telecommunication users. With the inclusion of the development condition, this issue is satisfied.

General Group 4 Standards (Sect. 8-403)

Standard 1 requires that all uses and related facilities shall be under the control and direction of a board of managers composed, at least in part, of the area residents to be served by the facility. Additionally, no Group 4 use shall be operated on a profit-making use, and the facility's owner shall be a nonprofit organization whose membership is limited to nearby residents. The Springfield Swimming and Racquet Club, Inc. is a nonprofit organization that owns, develops, operates and maintains a

swimming pool and tennis facilities for use by residents of Springfield. This issue has been satisfied.

Standard 2 requires that the bulk regulations of the zoning district should be met, and as previously discussed the applicant complies with the R-3 District regulations. This issue has been satisfied.

Standard 3 and 4 require conformance with the performance standards of the zoning district and to the provisions of Article 17, Site Plans. The application will require site plan review, and any performance standards and other requirements will be met at the time of review. These issues have been satisfied.

Summary of Zoning Ordinance Provisions

All applicable standards have been satisfied with the proposed development conditions.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The addition of a flagpole monopole and compound on the site of a private recreation club will not impact the site or neighboring properties negatively. The proposed compound will be located in an existing cleared area, and existing mature trees on site will help camouflage the flagpole monopole, which will have a slender profile. The compound will be fenced and landscaped, and existing vegetation on the site will be preserved. Staff concludes that the subject proposal to construct a 130-foot high flagpole monopole, antennas, equipment shelters and compound and site improvements satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and are in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance Provisions.

Recommendation

Staff recommends that the Planning Commission find that the facility proposed under 2232-P07-17 does satisfy the criteria of location, character and extent as specified in Sect. 15.2-2232 of the Code of Virginia and is substantially in accord with the provisions of the Comprehensive Plan.

Staff recommends that the Board of Supervisors approve SE 2009-LE-016 subject to the development conditions contained in Appendix 1.

Staff recommends that the Board of Zoning Appeals approve SPA 81-S-017 subject to the development conditions contained in Appendix 2.

Staff recommends that the transitional screening and barrier requirements along the western, eastern and southern property lines be modified in favor of that shown on the SE/SPA Plat.

Staff recommends that the Board of Supervisors direct the Director of DPWES to permit a modification of the Tree Conservation Plan elements for SE 2009-LE-016 in favor of the landscaping shown on the SE/SPA plat.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions proffered by the owner, relieve the applicant/owner from compliance with the provisions of any applicable ordinances, regulations, or adopted standards.

The approval of this special exception does not interfere with, abrogate or annul any easement, covenants, or other agreements between parties, as they may apply to the property subject to this application.

It should be further noted that the content of this report reflects the analysis and recommendations of staff; it does not reflect the position of the Board of Supervisors.

APPENDICES

1. Proposed Development Conditions for SE 2009-LE-016
2. Proposed Development Conditions for SPA 81-S-017
3. Affidavit for SE 2009-LE-016
4. Affidavit for SPA 81-S-107
5. Statement of Justification
6. Approved Development Conditions for S-81-S-017
7. Land Use/2232 Analysis
 - Transportation Analysis (Attachment B)
 - Urban Forest Management Division (UFMD) Analysis (Attachment C)
 - Stormwater Management (SWM) Analysis (Attachment D)
 - Fairfax County Park Authority Analysis (Attachment E)
 - Historic Site Review (Attachment F)
8. Sanitary Sewer Analysis
9. Applicable Special Exception Zoning Ordinance Provisions
10. Applicable Special Permit Zoning Ordinance Provisions
11. Glossary

PROPOSED DEVELOPMENT CONDITIONS

SE 2009-LE-016

February 24, 2010

If it is the intent of the Board of Supervisors to approve SE 2009-LE-016 located at 7400 Highland Street [Tax Map 80-1 ((5)) (52) 1] to permit the construction of a telecommunication facility and associated equipment pursuant to Sect. 3-304 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions:

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 this application, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit shall be posted in a conspicuous space on the property of the use and be made available to all departments of Fairfax County during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception Amendment shall be in substantial conformance with the approved Special Exception Plat entitled "T-Mobile Northeast LLC" prepared by Compass Technology Services, consisting of 8 sheets dated October 23, 2008, as revised through February 22, 2010, 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.
5. The project shall conform to National Electric and Safety Code Standards and the regulations of the Federal Communications Commission with respect to electromagnetic radiation.
6. The flagpole monopole shall be in substantial conformance with the elevation shown on the SE Plat. The maximum height of the monopole shall not exceed 130 feet, inclusive of all antennas and other appurtenances. The monopole shall be painted white with a gold finial.

7. The size, location and configuration of the antennas shall be in substantial conformance with the elevation depicted on the SE Plat. Additional antennas may be installed provided that they are enclosed within the flagpole monopole. No antennas shall be attached to the exterior of the flagpole monopole. Minor modifications to the antennas may be permitted pursuant to Par. 4 of Sect. 9-004 of the Zoning Ordinance.
8. The equipment compound area may include equipment shelters, cabinets, electrical panels, telephone panels, and other improvements necessary and/or required for the operation of the telecommunications facility. Equipment shelters and cabinets shall have a maximum height of 10 feet and shall be located within a 1,600 square feet telecommunications compound area as shown on the SE Plat.
9. The equipment compound of the telecommunications facility shall be enclosed by an 8-foot high board-on-board fence.
10. The flagpole monopole shall not be lighted or illuminated unless required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC) or Fairfax County. A steady marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Fairfax County Police Department that the marker light is not necessary for the flight safety of police and emergency helicopters.
11. There shall be no outdoor storage of materials, equipment or vehicles within the wireless compound for the telecommunication facility.
12. Engineering and structural data shall be submitted to DPWES and the Department of Planning and Zoning (DPZ) affirming that any modifications to the flagpole monopole conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code and in substantial conformance with the SE Plat.
13. Any component(s) of the telecommunication facility shall be removed within 120 days after such components are no longer in use.
14. A landscape plan shall be submitted concurrent with site plan review for the review and approval of UFM. This plan shall provide for the number and sizes of trees consistent with that shown on the SE Plat.
15. The limits of clearing and grading, as depicted on the SE Plat shall be strictly observed. Tree save areas around the tennis courts and along Atteendee Road to the west of the proposed monopole shall be

designated on the initial and all subsequent site plan submissions, subject to UFMD review and approval.

16. All trees proposed for preservation shall be protected by tree protection fence. Despite that which is shown on the SE Plat, tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets. All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.
17. Unless waived or modified by DPWES, SWM/BMPs shall be provided on site in accordance with Public Facilities Manual (PFM) requirements.
18. All signage shall meet the requirements of Article 12 of the Zoning Ordinance. The flag shall be no more than four (4) feet in height and six (6) feet in width.
19. An automatic halyard shall be installed to assure the flag is flown in the morning and lowered every evening. No lighting of the flag is permitted.
20. The flag shall be provided and maintained by T-Mobile.
21. All unused equipment and facilities from a commercial public telecommunications site shall be removed within 90 days of cessation of commercial public telecommunications use. The site shall be restored as closely as possible to its original condition.

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.

APPENDIX 1

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 the use 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.

PROPOSED DEVELOPMENT CONDITIONS

SPA 81-S-017

February 24, 2010

If it is the intent of the Board of Zoning Appeals to approve SPA 81-S-017 located at 7400 Highland Street (Tax Map 80-1 ((5)) (52) 1) to amend S 81-S-017 previously approved for a community swimming pool and tennis courts to permit the addition of a telecommunications facility, pursuant to Sect. 3-303 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions. Previously approved development conditions have been carried forward and marked with an asterisk (*).

1. This approval is granted to the applicants only. T-Mobile Northeast LLC and Springfield Swimming and Racquet Club, Inc., and is not transferable without further action of this Board and is for the location, 7400 Highland Street, indicated on the application and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structures, and/or use(s) indicated on the special permit plat titled T-Mobile Northeast LLC, prepared by Compass Technology Services, consisting of 8 sheets dated October 23, 2008, as revised through February 22, 2010, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This special permit is subject to the provisions of Article 17, Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this special permit shall be in substantial conformance with these development conditions. Minor modifications to the approved special permit may be permitted pursuant to Par. 4 of Sect. 8-004 of the Zoning Ordinance.
5. The maximum number of memberships for the Springfield Swimming and Racquet Club, Inc. shall be 525.
6. Parking shall be provided as shown on the Special Permit Amendment Plat. All parking shall be on site.
7. The regular hours of operation for the swim club shall be 7:00 a.m. to 9:00 p.m., Memorial Day through Labor Day. After hour parties for the swim club shall be governed by the following:

- Limited to six (6) per season;*
 - Limited to Friday, Saturday and pre-holiday evenings;*
 - Shall end by midnight.*
8. A written copy of all applicable development conditions shall be provided to the individual responsible for any after-hours party or event, to all members, to contractors providing services at the club, and to parties who may rent the club's facilities.

These development conditions incorporate and supersede all previous development conditions. 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 responsible for obtaining the required Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire without notice, thirty (30) months after the date of approval unless construction has commenced and been diligently pursued. The Board of Zoning Appeals may grant additional time 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 permit. 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.



County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
Suite 549, 12000 Government Center Parkway
Fairfax, Virginia 22035-0064
Phone: (703) 324-2421; Fax: (703) 324-2665
www.fairfaxcounty.gov

DATE: February 4, 2010

TO: Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Bette R. Crane, Paralegal *WR*
Office of the County Attorney

SUBJECT: Revised Affidavit
SE 2009-LE-016
Applicant: T-Mobile Northeast LLC & Springfield Swimming and Racquet
Club, Inc.
PC Hearing Date: 3/10/10
BOS Hearing Date: Not yet scheduled

REF.: 105585

Attached is an affidavit which has been approved by the Office of the County Attorney for the above-referenced case. Please include this affidavit dated 2/1/10, which bears my initials and is numbered 105585b, when you prepare the staff report.

Thank you for your cooperation.

Attachment

cc: (w/attach) Meredith Amonson, Planning Technician
Zoning Evaluation Division
Department of Planning and Zoning

SPECIAL EXCEPTION AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

I, James R. Michal, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 1055850

in Application No.(s): SE 2009-LE-016
(enter County-assigned application number(s), e.g. SE 88-V-001)

and that, to the best of my knowledge and belief, the following information is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS** and **REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print are to be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Springfield Swimming and Racquet Club, Incorporated	7400 Highland St., Springfield, VA 22150	Applicant/Title Owner/Lessor
Joseph E. Milligan, III	7400 Highland St., Springfield, VA 22150	President/Agent for Lessor
T-Mobile Northeast, LLC	12050 Baltimore Ave., Beltsville, MD 20705	Applicant/Tower Owner/Lessee
Amy Bird	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
Network Building and Consulting, LLC	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
James R. Michal, Esq.	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee
Nelson Figueroa-Vélez	1120 20th St., NW Suite 300, Washington, DC 20036	Agent for Lessee
Jackson & Campbell, PC	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Exception Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

SPECIAL EXCEPTION AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

1055854

for Application No. (s): SE 2009-LE-016
(enter County-assigned application number(s))

1(b). The following constitutes a listing*** of the SHAREHOLDERS of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name and number, street, city, state, and zip code) Springfield Swimming and Racquet Club, Incorporated
7400 Highland St., Springfield, VA 22150

NOT FOR PROFIT- DOES NOT APPLY

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial and last name)

This is non-stock, not-for-profit corporation
having no shareholders.

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Exception Affidavit Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Special Exception Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2009-LE-016
(enter County-assigned application number (s))

1055852

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile Northeast, LLC
12050 Baltimore Ave.
Beltsville, MD 20705

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

T-Mobile, USA, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile, USA, Inc.
12920 SE 38th Street
Bellevue, WA 98006

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

T-Mobile Global Holding GmbH

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

1055854

for Application No. (s): SE 2009-LE-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile Global Holding GmbH
Kennedyallee 1-5, 53175 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

T-Mobile Global Zwischenholding GmbH

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile Global Zwischenholding GmbH
Friedrich-Ebert-Allee 140
D-53111 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Deutsche Telekom AG

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

1055854

for Application No. (s): JE2009-CE-014
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Deutsche Telekom AG
Friedrich-Ebert-Allee 140
D-53111 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Federal Republic of Germany
C/O the Federal Ministry of Finance

Kreditanstalt fuer Wiederaufbau

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Federal Republic of Germany
C/O the Federal Ministry of Finance
Wilhelmstr. 97 10117 Berlin, Germany
PA.: PO BOX 272
10117 Berlin, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

GOVERNMENT OF GERMANY, THERE
ARE NO SHAREHOLDERS

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2008-LE-014
(enter County-assigned application number (s))

1055854

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Kreditanstalt fuer Wiederaufbau
Palmengartenstrasse 5-9, 60325 Frankfurt am Main

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Federal Republic of Germany
C/O the Federal Ministry of Finance

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Jackson & Campbell, PC
1120 20th St., NW Suite 300
Washington, DC 20036

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

Special Exception Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

10558545

for Application No. (s): SE 2009-CE-016
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Network Building and Consulting, LLC
7380 Coca Cola Dr., Suite 106
Hanover, MD 21076

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Network Building and Consulting Newco,
LLC

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Network Building and Consulting Newco, LLC
7380 Coca Cola Dr., Suite 106
Hanover, MD 21076

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Thomas P. Kane

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

1055854

for Application No. (s): SE 2009-CE-016
(enter County-assigned application number(s))

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, and number, street, city, state, and zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Exception Affidavit Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

SPECIAL EXCEPTION AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

1055854

for Application No. (s): SE 2008-CE-016
(enter County-assigned application number(s))

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)

NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Exception Attachment to Par. 2" form.

Application No.(s): SR 2009-CE-016
(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

1055854

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Supervisors, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)
NONE

NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Exception Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature: *James R. Michal, Agent*
(check one) [] Applicant [x] Applicant's Authorized Agent

James R. Michal, Authorized Agent
(type or print first name, middle initial, last name, and & title of signee)

Subscribed and sworn to before me this 1 day of February 20 10, in the State/Comm. of District of Columbia, County/City of Washington

Anthony M. Finley
Notary Public

My commission expires: March 14, 2014





County of Fairfax, Virginia

MEMORANDUM

Office of the County Attorney
 Suite 549, 12000 Government Center Parkway
 Fairfax, Virginia 22035-0064
 Phone: (703) 324-2421; Fax: (703) 324-2665
 www.fairfaxcounty.gov

DATE: February 4, 2010

TO: Brenda Cho, Staff Coordinator
 Zoning Evaluation Division
 Department of Planning and Zoning

FROM: Bette R. Crane, Paralegal *[Signature]*
 Office of the County Attorney

SUBJECT: Revised BZA Affidavit
 Application No. SPA 81-S-107
 BZA Hearing Date: 3/10/10

REF.: 105300.001

Attached is a copy of an application and an original revised affidavit that has been approved by the Office of the County Attorney for the following case:

Name of ApplicantAffidavit Date of Oath

T-Mobile Northeast LLC & Springfield Swimming
 and Racquet Club, Inc.

2/1/10

Attachment

Application No.(s): SPA 81-S-017
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

I, James R. Michal, do hereby state that I am an
(enter name of applicant or authorized agent)

(check one) applicant
 applicant's authorized agent listed in Par. 1(a) below 1053004

and that, to the best of my knowledge and belief, the following is true:

1(a). The following constitutes a listing of the names and addresses of all **APPLICANTS, TITLE OWNERS, CONTRACT PURCHASERS, and LESSEES** of the land described in the application,* and, if any of the foregoing is a **TRUSTEE,**** each **BENEFICIARY** of such trust, and all **ATTORNEYS and REAL ESTATE BROKERS**, and all **AGENTS** who have acted on behalf of any of the foregoing with respect to the application:

(NOTE: All relationships to the application listed above in BOLD print must be disclosed. Multiple relationships may be listed together, e.g., Attorney/Agent, Contract Purchaser/Lessee, Applicant/Title Owner, etc. For a multiparcel application, list the Tax Map Number(s) of the parcel(s) for each owner(s) in the Relationship column.)

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
Springfield Swimming and Racquet Club, Incorporated	7400 Highalnd St., Springfield, VA 22150	Applicant/Title Owner/Lessor
Joseph E. Milligan, III	7400 Highalnd St., Springfield, VA 22150	President/Agent for Lessor
T-Mobile Northeast, LLC	12050 Baltimore Ave., Beltsville, MD 20705	Applicant/Tower Owner/Lessee
Amy Bird Network Building and Consulting, LLC	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076 7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee Agent for Lessee
James R. Michal, Esq. Nelson Figueroa-Vélez Jackson & Campbell, PC	1120 20th St., NW Suite 300, Washington, DC 20036 1120 20th St., NW Suite 300, Washington, DC 20036 1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee Agent for Lessee Attorney/Agent for Lessee

(check if applicable) There are more relationships to be listed and Par. 1(a) is continued on a "Special Permit/Variance Attachment to Par. 1(a)" form.

* In the case of a condominium, the title owner, contract purchaser, or lessee of 10% or more of the units in the condominium.

** List as follows: Name of trustee, Trustee for (name of trust, if applicable), for the benefit of: (state name of each beneficiary).

Application No.(s): SPA 81-S-017
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: FEB 0 1 2010
(enter date affidavit is notarized)

1053004

1(b). The following constitutes a listing*** of the **SHAREHOLDERS** of all corporations disclosed in this affidavit who own 10% or more of any class of stock issued by said corporation, and where such corporation has 10 or less shareholders, a listing of all of the shareholders:

(NOTE: Include **SOLE PROPRIETORSHIPS, LIMITED LIABILITY COMPANIES, and REAL ESTATE INVESTMENT TRUSTS** herein.)

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Springfield Swimming and Racquet Club, Incorporated
7400 Highland St., Springfield, VA 22150

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF SHAREHOLDERS: (enter first name, middle initial, and last name)

THIS IS A NON STOCK,
NOT-FOR-PROFIT CORPORATION
HAVING NO SHAREHOLDERS

(check if applicable) There is more corporation information and Par. 1(b) is continued on a "Special Permit/Variance Attachment 1(b)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed.* Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 5

Special Permit/Variance Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

1053006

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile Northeast, LLC
12050 Baltimore Ave.
Beltsville, MD 20705

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

T-Mobile, USA, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile USA, Inc.
12920 SE 38th Street
Bellevue, WA 98006

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

T-Mobile Global Holding GmbH

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

Page 2 of 5

Special Permit/Variance Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

1053006

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile Global Holding GmbH
Kennedyallee 1-5,
53175 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

T-Mobile Global Zwischenholding GmbH

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

T-Mobile Global Zwischenholding GmbH
Freidrich-Ebert-Allee 140
D-53111 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Deutsche Telekom AG

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

Page 3 of 5

Special Permit/Variance Attachment to Par. 1(b)

DATE: FEB 01 2010
(enter date affidavit is notarized)

1053006

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Deutsche Telekom AG
Friedrich-Ebert-Alle 140
D-53111 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Federal Republic of Germany
C/O the Federal Ministry of Finance

Kreditanstalt fuer Wiederaufbau

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Federal Republic of Germany
C/O the Federal Ministry of Finance
Wilhelmstr. 97 10117 Berlin, Germany
PA: PO BOX 272, Berlin, Germany

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

NOT APPLICABLE: GOVERNMENT OF
GERMANY. NO SHAREHOLDERS

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

Page 4 of 5

Special Permit/Variance Attachment to Par. 1(b)

DATE: FEB 0 1 2010
(enter date affidavit is notarized)

105300v

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Kreditanstalt fuer Wiederaufbau
Palmengartenstrasse 5-9
60325 Frankfurt am Main

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Federal Republic of Germany
C/O the Federal Ministry of Finance

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Jackson & Campbell, P.C.
1120 20th St., N.W., Suite 300
Washington, DC 20036

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

Page 5 of 5

Special Permit/Variance Attachment to Par. 1(b)

DATE: FEB 0 1 2010
(enter date affidavit is notarized)

1053004

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Network Building and Consulting, LLC
7380 Coca Cola Dr., Suite 106
Hanover, MD 21076

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Network Building and Consulting Newco,
LLC

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)

Network Building and Consulting Newco, LLC
7380 Coca Cola Dr., Ste. 106
Hanover, MD 21076

DESCRIPTION OF CORPORATION: (check one statement)

- There are 10 or less shareholders, and all of the shareholders are listed below.
- There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
- There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)

Thomas P. Kane

(check if applicable) There is more corporation information and Par. 1(b) is continued further on a "Special Permit/Variance Attachment to Par. 1(b)" form.

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: FEB 0 1 2010
(enter date affidavit is notarized)

1053006

1(c). The following constitutes a listing*** of all of the PARTNERS, both GENERAL and LIMITED, in any partnership disclosed in this affidavit:

PARTNERSHIP INFORMATION

PARTNERSHIP NAME & ADDRESS: (enter complete name, number, street, city, state, and zip code)

(check if applicable) The above-listed partnership has no limited partners.

NAMES AND TITLE OF THE PARTNERS (enter first name, middle initial, last name, and title, e.g. General Partner, Limited Partner, or General and Limited Partner)

(check if applicable) There is more partnership information and Par. 1(c) is continued on a "Special Permit/Variance Attachment to Par. 1(c)" form.

*** All listings which include partnerships, corporations, or trusts, to include the names of beneficiaries, must be broken down successively until: (a) only individual persons are listed or (b) the listing for a corporation having more than 10 shareholders has no shareholder owning 10% or more of any class of stock. *In the case of an APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land that is a partnership, corporation, or trust, such successive breakdown must include a listing and further breakdown of all of its partners, of its shareholders as required above, and of beneficiaries of any trusts. Such successive breakdown must also include breakdowns of any partnership, corporation, or trust owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land. Limited liability companies and real estate investment trusts and their equivalents are treated as corporations, with members being deemed the equivalent of shareholders; managing members shall also be listed. Use footnote numbers to designate partnerships or corporations, which have further listings on an attachment page, and reference the same footnote numbers on the attachment page.*

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

105300-15

1(d). One of the following boxes **must** be checked:

In addition to the names listed in Paragraphs 1(a), 1(b), and 1(c) above, the following is a listing of any and all other individuals who own in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land:

Other than the names listed in Paragraphs 1(a), 1(b), and 1(c) above, no individual owns in the aggregate (directly and as a shareholder, partner, and beneficiary of a trust) 10% or more of the **APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE*** of the land.

2. That no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household owns or has any financial interest in the subject land either individually, by ownership of stock in a corporation owning such land, or through an interest in a partnership owning such land.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on the line below.)
NONE

(check if applicable) There are more interests to be listed and Par. 2 is continued on a "Special Permit/Variance Attachment to Par. 2" form.

Application No.(s): SPA 81-5-017
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: FEB 01 2010
(enter date affidavit is notarized)

1053006

3. That within the twelve-month period prior to the public hearing of this application, no member of the Fairfax County Board of Zoning Appeals, Planning Commission, or any member of his or her immediate household, either directly or by way of partnership in which any of them is a partner, employee, agent, or attorney, or through a partner of any of them, or through a corporation in which any of them is an officer, director, employee, agent, or attorney or holds 10% or more of the outstanding bonds or shares of stock of a particular class, has, or has had any business or financial relationship, other than any ordinary depositor or customer relationship with or by a retail establishment, public utility, or bank, including any gift or donation having a value of more than \$100, singularly or in the aggregate, with any of those listed in Par. 1 above.

EXCEPT AS FOLLOWS: (NOTE: If answer is none, enter "NONE" on line below.)
NONE

(NOTE: Business or financial relationships of the type described in this paragraph that arise after the filing of this application and before each public hearing must be disclosed prior to the public hearings. See Par. 4 below.)

(check if applicable) [] There are more disclosures to be listed and Par. 3 is continued on a "Special Permit/Variance Attachment to Par. 3" form.

4. That the information contained in this affidavit is complete, that all partnerships, corporations, and trusts owning 10% or more of the APPLICANT, TITLE OWNER, CONTRACT PURCHASER, or LESSEE* of the land have been listed and broken down, and that prior to each and every public hearing on this matter, I will reexamine this affidavit and provide any changed or supplemental information, including business or financial relationships of the type described in Paragraph 3 above, that arise on or after the date of this application.

WITNESS the following signature: [Signature]
(check one) [] Applicant [x] Applicant's Authorized Agent
James R. Michal, Authorized Agent
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 1 day of February 2010, in the State/Comm. of District of Columbia, County/City of Washington.

[Signature]
Notary Public

My commission expires: March 14, 2014



EXHIBIT A
STATEMENT OF JUSTIFICATION IN SUPPORT OF APPLICATION FOR SPECIAL
EXCEPTION AND WAIVER AND/OR MODIFICATION OF SCREENING AND BARRIER
REQUIREMENTS

Applicant(s): T-Mobile Northeast, LLC and Springfield Swim and Racquet Club, Incorporated
Site Name: WAC123-Springfield
Property Address: 7400 Highland Street, Springfield, VA 22150 (Fairfax County)
District: Lee
Parcel Id No.: 0801-05520001
Zoning Classification: R-3
Property Owner: Springfield Swim and Racquet Club, Incorporated

Applicants, Springfield Swim and Racquet Club, Incorporated ("Owner") and T-Mobile Northeast, LLC ("T-Mobile"), together known as "Applicants" request a Special Exception to allow the construction and operation of a wireless telecommunication facility consisting of a 130' high monopole designed as "flag pole" ("Pole") install thereupon up to 12 panel antennas and, related ground equipment to be located within a 40' x 40' leased area. The Pole and the ground equipment will be surrounded by a 8' board on board fence. The Pole will be able to collocate up to twelve (12) wireless panel antennas that will be hidden within the branches of the Pole.

The proposed development conforms to all applicable ordinances, regulations and adopted standards, or if any waiver, exception or variance is sought by Applicants, such shall be specifically noted with the justification for such. There are no known hazardous or toxic substances as set forth in Title 40 Code of Federal Regulations parts 116.4, 304.4 and 355.

The following statement of justification is submitted in support of the Applicants' aforementioned requests. An application for review pursuant to Section 15.2.2232 was submitted under separate cover. Applicants submit that the proposed wireless facility is in accord with the Fairfax County Zoning Ordinance and the Comprehensive Plan as to location, character and extent.

RECEIVED
 Department of Planning & Zoning

JUN 30 2009

Zoning Evaluation Division

CURRENT IMPROVEMENTS ON AND DESCRIPTION OF SUBJECT PROPERTY

The subject property is composed of approximately 161,315.15 SQ. FT. and is zoned R-3. It adjoins properties also zoned R-3.

The Property is owned by Springfield Swim Club, Incorporated. T-Mobile entered into a lease agreement with Owner, pursuant to which T-Mobile will install and operate a wireless telecommunications facility on the Property. The Property Owner has authorized T-Mobile to seek all required County authorizations. A copy of T-Mobile's Special Exception affidavit, which list in detail information related to ownership and other interest in the Property is attached hereto.

The subject property is improved with a building, two (2) swimming pools, tennis courts, racquet courts and related parking spaces. Access to the property is via an access drive off of Highland Street, which is connected to the existing parking lot on the property. A copy of site drawings/plat is attached hereto. Photographs of the Property, attached hereto provide further information about the Property. Finally, a copy of a recent County Zoning Map is enclosed herein and depicts the location of the subject property and neighborhood.

The Swim Club hours of operation are from 8:00 a.m. to 9:00 p.m. except on competition days which opens at 6:00am and can close at 12:00am. The Swim Club has no full or part time employees and counts with 170 members.

DESCRIPTION OF THE PROPOSED TELECOMMUNICATIONS SITE

Applicant requests a Special Exception for the installation of a 130' high monopole, designed as a flag pole on the subject property and location of related ground equipment on a near the base of the monopole ("Site"). The monopole will be situated at a considerable distance from the existing structures on the property. The monopole will be placed within a leased area 40' x 40'. Access to the Site will be via the existing access drive on the subject property.

The Pole will be designed to accommodate a minimum of three (3) wireless telecommunications carriers, including applicant T-Mobile.

T-Mobile will install up to six (6) panel antennae at a RAD center of 127' and 117' and on the structure (3 antennas per RAD center). T-Mobile's antennae measure approximately 6'x2'x1' or less. T-Mobile will also install 7 (4 initially) equipment cabinets measuring 82"(h) x 60".5 (w) x 31"(d) or less.

The installation proposed by T-Mobile will not interfere with radio, television or telephone reception and the emissions will comply with all applicable EPA and FCC emission requirements. Furthermore, neither the antennae nor the related equipment will produce any noise, fumes, dust, odors, lights, glare or vibrations.

ALTERNATIVE LOCATIONS CONSIDERED

Lake Accotink Park: This candidate is a Fairfax County Park. It was ruled out because, per the Fairfax County Parks Policy 303, before a public utility can be placed on parkland, a determination shall be made that there is no feasible and prudent alternative to the use of parkland. Since the Southern Industrial Park, which is directly adjacent to Lake Accotink Park, is a viable candidate, Fairfax County Parks was not interested in leasing their property for this facility.

Crown Monopole Located at 7920 Woodruff Court: This monopole is not a viable candidate to meet this coverage objective because it is located too close to an existing T-Mobile site, which is located near the intersection of Braddock Road and I-495.

Robinson Terminal: This industrial parcel is also not a viable candidate to meet this coverage objective because it is located too close to an existing T-Mobile site, which is located on the Washington Post building on Wimsatt Road.

North Springfield Elementary School: This public school was not a viable candidate because Fairfax County Public Schools have the policy of only entertaining wireless providers' proposals for County high schools and declining those on elementary and middle schools.

NEED FOR THE WIRELESS TELECOMMUNICATIONS FACILITY

As FCC licensees, T-Mobile is committed to providing seamless telecommunications service to their users. The proposed Site will assist in the creation of a seamless, state-of-the-art all-digital wireless network. This requires the installation of a network of telecommunications antenna and equipment facilities so as to allow each facility to transmit and receive radio signals within a strictly limited radio frequency range to each wireless user in the vicinity of the facility. Moreover, each facility must be able to pass the user's signal to an adjacent facility as each user travels out of the coverage area and into an adjacent coverage area. Each facility is capable of covering only a limited area,

generally determined by the height of the antennas, the local topography and terrain, as well as obstructions.

To achieve the desired coverage and capacity within the intended geographical area, each antenna facility must be strategically located so as to ensure maximum coverage and a minimum overlap with each other facility. Because of the low power of the system, the antennae are effective only within a limited geographic area. Thus, each facility site is subject to technical and geographical constraints in order to provide reliable and efficient service. The proposed facility is necessary to T-Mobile's coverage objectives in the area ***and will further satisfy similar needs of other wireless telecommunications carriers in the future.*** Moreover, the proposed height of the monopole allows placement of antennae at a sufficient height so as to permit radio signals to clear any obstructions such as trees, buildings, or other structures while simultaneously providing coverage to the intended area and allow the collocation of 3 additional wireless carriers.

Radio frequency coverage maps depicting T-Mobile's coverage in the area presently and the improvement anticipated after installation at the proposed monopole are enclosed with this application. As demonstrated by these maps, T-Mobile's objective of this site is to provide seamless coverage in the surrounding neighborhood of the Swim Club, between I-495 and the neighborhood around Essex Avenue to the south and Carrleigh Parkway to the southwest. Furthermore, the proposed site was chosen for its particular suitability to the site, including its location, satisfaction of T-Mobile's coverage objectives, and the nature of the existing use of the property. Installation of T-Mobile's antennae on the proposed monopole will satisfy this objective, providing wireless telecommunications coverage to T-Mobile's clients in the area.

Since one of the primary benefits of the wireless communication system is the ability to communicate to and from any location, a network of facilities that provide seamless coverage is essential. The location and design of each facility in the network is therefore critical to the overall functioning of the entire network. Without a facility at or near this location, T-Mobile will be unable to provide reliable coverage to its users in the area.

The Pole will be designed to accommodate a minimum of three (3) wireless telecommunications carriers antennae as follows:

- a. **T-Mobile's Installation at RAD Center of 127' and 117'**
Applicant, T-Mobile has expressed an interest in locating its antennae and equipment at the Site. T-Mobile will install of up to 6 wireless telecommunications antennae, measuring 6'x2'x1' or less, at a RAD center

of 127" and 117' on the Pole and install equipment cabinets within the proposed compound to contain its telecommunications equipment.

b. Future Wireless Telecommunication Carrier Installation at RAD Center of 107'

Applicants seek to include in their application for special exception, installation of up to 3 wireless telecommunications antennae measuring 6'x2'x1' or less by a future second carrier, anticipated to occupy a RAD center of 107' on the Pole. Related equipment will be placed in the compound near the base of the Pole.

c. Future Wireless Telecommunication Carrier Installation at RAD Center of 97'

Applicants seek to include in their application for special exception, installation of up to 3 wireless telecommunications antennae measuring 6'x2'x1' or less by a future third carrier, anticipated to occupy a RAD center of 97' on the Pole. Related equipment will be placed in the compound near the base of the Pole.

APPLICABLE LEGAL STANDARDS

Section 704 of the 1996 Telecommunications Act requires that State and local governments "(I) shall not unreasonably discriminate among providers of functionally equivalent [wireless telecommunications] services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services." Accordingly, local governments cannot prohibit, either by law or by action, wireless telecommunications facilities. Regulations cannot have the effect of prohibiting wireless facilities, even though it may purport to allow such facilities. Moreover, local governments must undertake to consider all wireless telecommunications zoning requests on an equal basis.

The Fairfax County Zoning Ordinance, Section 9-101 designates wireless telecommunications facilities as Category 1, Light Public Utility Uses and Sections 9-102 and 304 allow the installation of such facilities on the subject property, via approval of a special exception. The granting of applicant's request will, therefore, be in harmony with the spirit and intent of the Zoning Regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant addresses each section of the Fairfax County Zoning Ordinance and Comprehensive Plan applicable to its Special Exception application below. The Fairfax County regulations are stated in boldface; Applicant's responses immediately follow.

COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE ZONING ORDINANCE REGULATIONS

I. SECTION 9-006 GENERAL STANDARDS [APPLICABLE TO SPECIAL EXCEPTIONS]

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

General Standard 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

Applicants' Response: The construction of a 130' wireless communication structure designed as a flag pole, which will locate up to 12 antennae hidden within the structure and the addition of related ground equipment near the base of the structure shall be in harmony with the adopted comprehensive plan.

General Standard 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

Applicants' Response: The proposed use is located in an R-3 zone. The expressed purpose and intent of the R-3-District is, inter alia, otherwise to provide for single family detached dwellings at densities... to provide for affordable dwelling unit developments; to allow other selected uses which are compatible with the low density residential character of the district. As demonstrated by the drawings, site photographs and photo simulations, due to its location the proposed use will have minimal visual impact on the adjoining properties. As further demonstrated below, Applicant's proposed use is in compliance with each of the aforementioned sections of the Zoning Ordinance. It is, therefore, in compliance with General Standard 2 stated above.

General Standard 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of

adjacent or nearby land and/or buildings or impair the value thereof.

Applicants' Response: As explained in detail throughout this Justification Statement, the proposed use is in harmony with the letter, intent, and spirit of the Comprehensive Plan, the general and specific requirements related to Special Exceptions, and the general purposes of the Zoning Ordinance. Thus, the proposed use is in harmony with the general purpose and intent of the applicable zoning district regulations.

General Standard 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Applicants' Response: The proposed wireless facility will be unmanned, requiring only 1 or 2 monthly maintenance visits hence, the proposed use shall not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

General Standard 5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.

Applicants' Response: Applicant discusses at length below the existing conditions of the Property and adjacent properties, and the nature of the proposed Site in support of their request for a waiver of the landscape requirements of Article 13, should the Board determine that the existing conditions do not satisfy the aforementioned Article.

General Standard 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

Applicants' Response: Not applicable.

General Standard 7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

Applicants' Response: The proposed facility will be unmanned with few maintenance visits per year. There is no need, therefore, for parking and loading provisions. The facility requires utilities to the extent telephone landlines and electrical power is required for the operation and maintenance of its facility. Applicant will ensure that the required utilities are adequately provided.

General Standard 8. General Standard 8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

Applicants' Response: Applicant does not intend to place any signs on its facility.

II. SECTION 9-103 ADDITIONAL SUBMISSION REQUIREMENTS FOR CATEGORY 1 USES

In addition to the general standards set forth in Sect. 006 above, all In addition to the submission requirements set forth in Sect. 011 above, all applications for Category 1 uses shall be accompanied by the following items:

1. Four (4) copies of a map showing the utility system of which the proposed use will be an integral part, together with a written statement outlining the functional relationship of the proposed use to the utility system.

Applicants' Response: Attached are radio frequency propagation maps that depict the relationship of the proposed Site to the existing or proposed sites in the vicinity. These maps show that the proposed T-Mobile installation at a RAD center of 127' and 117' which will permit this Facility to connect to existing T-Mobile sites, thereby facilitating improved coverage in the area. Furthermore, a certified statement by Applicants' site acquisition staff, pursuant to Section 9-104(3) of the Ordinance and enclosed herein, provides additional information about the absence of feasible collocation opportunities in the area and the utility of the proposed site to Applicants' network. The foregoing statements and the RF maps together demonstrate the "utility system" of which the proposed Site will be an integral part and satisfy the foregoing submission requirement.

2. Four (4) copies of a statement, prepared by a certified engineer, giving the exact technical reasons for selecting the particular site as the location for the proposed facility and certifying that the proposed use will meet the performance standards of the district in which located.

Applicants' Response: Attached hereto collectively as are certified statements by T-Mobile's Radio Frequency Engineer and Site Acquisition personnel, which respond to the foregoing submission requirement. These statements certify that the proposed site will be installed, operated and maintained in accordance with all applicable laws. The RF maps depict the exact technical reasons for selection of the site and its role in satisfying the coverage objectives in the area.

3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

Applicants' Response: Applicant will ensure that the provisions of Article 17 are met.

III. SECTION 9-104: STANDARDS FOR ALL CATEGORY 1 USES (THE WIRELESS TELECOMMUNICATIONS FACILITY)

In addition to the general standards set forth in Sect. 006 above, all Category 1 special exception uses shall satisfy the following standards:

1. Category 1 special exception uses shall not have to comply with the lot size requirements or the bulk regulations set forth for the zoning district in which located.

Applicants' Response: No response required.

2. No land or building in any district other than the I-5 and I-6 District shall be used for the storage of materials or equipment, or for the repair or servicing of vehicles or equipment, or for the parking of vehicles except those needed by employees connected with the operation of the immediate facility.

Applicants' Response: Not applicable.

3. If the proposed location of a Category 1 use is in an R district, there shall be a finding that there is no alternative site available for such use in a C or I district within 500 feet of the proposed location; except that in the case of electric transformer stations and telecommunication central offices, there shall be a finding that there is no alternative site available in a C or I district within a distance of one (1) mile, unless there is a substantial showing that it is impossible for satisfactory service to be rendered from an available location in such C or I district.

Applicants' Response: There are no C or I districts within 500 feet of the propose location as shown by zoning map, all surrounding properties are zoned R-3.

4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans, in the Zoning Ordinance.

Applicants' Response: Applicant will comply with the provisions of Article 17 of the County Code.

IV. SECTION 9-105 – ADDITIONAL SPECIAL EXCEPTION REQUIREMENTS FOR MOBILE AND LAND-BASED TELECOMMUNICATIONS FACILITIES

1. Except for antennas completely enclosed within a structure, all antennas and their supporting mounts shall be of a material or color that closely matches and blends with the structure on which it is mounted.

Applicants' Response: Applicants propose to install a monopole designed as a flag pole. The antennae will be hidden within the flag pole in order to camouflage the panel antennas.

2. Except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure.

Applicants' Response: Applicant does not propose to place any advertisement or signs on the Site.

3. If any additions, changes or modifications are to be made to monopoles or towers, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change, or modifications conforms to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.

Applicants' Response: Applicant will comply.

4. No signals, lights or illumination shall be permitted on an antenna unless required by the Federal Communications Commission, the Federal Aviation Administration or the County, provided, however, that on all antenna structures which exceed 100 feet in height, a steady red marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Police Department that such marker light is not necessary for flight safety requirements for police and emergency helicopter operations. All such lights shall be shielded to prevent the downward transmission of light.

Applicants' Response: Applicant does not propose to install any lights on the Site unless required by law.

5. All antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use.

Applicants' Response: Applicant will comply with the requirements of this Section.

V. SECTION 1-200 – GENERAL PURPOSES OF THE COUNTY ZONING ORDINANCE

According to this Section, the Zoning Ordinance is intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the County. To accomplish these ends, the Zoning Ordinance is designed to give reasonable consideration to each of the following purposes, where applicable:

1. to create and maintain conditions under which people and their environment can exist in a productive and enjoyable harmony while fulfilling the social, economic and other requirements of present and future generations;

Applicants' Response: See response to General Standard 1 above.

2. to facilitate the creation of a convenient, attractive and harmonious community; to provide for adequate light, air, convenience of access and safety from fire, flood, crime and other dangers; and to reduce or prevent congestion in the public streets;

Applicants' Response: See response to General Standard 1 above.

3. to provide for County growth that is consonant with the efficient and economic use of public funds and environmental quality;

Applicants' Response: The proposed facility will not affect the environmental quality.

4. to recognize the needs of agriculture, housing, industry and business in the County's future growth;

Applicants' Response: The proposed wireless structure, including the 6 antennas by T-Mobile promotes the needs of agriculture, housing, industry and business because these areas will be equipped with adequate wireless telecommunication services. It is, therefore, in furtherance of the County's above-referenced purpose to approve the proposed facility.

5. to promote the creation and expansion of land uses that will be developed with adequate highway, utility, health, education and recreational facilities;

Applicants' Response: The proposed wireless structure, including the proposed 6 antennas by T-Mobile, additional carriers which will collocate on the structure, the subscribers to the services and emergency response personnel promotes the expansion of land use equipped with adequate wireless telecommunication services. It is, therefore, in furtherance of the County's above-referenced purpose to approve the proposed facility.

6. to provide residential areas with healthy surroundings for family life;

Applicants' Response: See response to General Standard 1 above.

7. to protect against destruction of or encroachment upon historic areas;

Applicants' Response: The proposed Facility will not destroy or encroach upon historic areas.

8. to encourage economic development activities that provide desirable employment and a broad tax base;

Applicants' Response: See response to General Purpose 4 above.

9. to promote the conservation of natural resources;

Applicants' Response: See response to General Standard 1 above.

10. to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forestation, scenic vistas, and other similar areas and to ensure that development in such areas is self controlled;

Applicants' Response: See response to General Standard 1 above.

11. to protect against the following: overcrowding of land; undue intensity of noise; air and water pollution; undue density of population in relation to community facilities existing or available; obstruction of light and air; danger and congestion in travel and transportation; and loss of life, health, or property from fire, flood, panic or other dangers;

Applicants' Response: See response to General Standard 1 above.

12. to promote the creation and preservation of housing of such type, size and cost suitable for meeting the current and future needs of the County as well as a reasonable proportion of the current and future needs of the planning district in the form of safe, sanitary dwelling units;

Applicants' Response: See response to General Standard 1 above.

13. to encourage innovative and desirable approaches to designed development; and to promote the distinctive sense of urban suburban and exurban places as well as the sense of community within the County;

Applicants' Response: See response to General Standard 1 above.

14. to protect, not inconsistent with State water quality standards, surface water and ground water as defined by Sect. 62.1-255 of the code of Virginia;

Applicants' Response: See response to General Standard 1 above.

15. to accomplish all other objectives and exercise all other powers set forth in Article 7, Chapter 22, Title 15.2 of the Code of Virginia

Applicants' Response: See response to General Standard 1 above.

COMPLIANCE WITH THE APPLICABLE OBJECTIVES OF THE FAIRFAX COUNTY COMPREHENSIVE PLAN, 2007 ed.

MOBILE AND LAND-BASED TELECOMMUNICATIONS SERVICES:

Mobile and land-based telecommunication services provide for the wireless transmission of voice and data and include cellular and personal communications services (PCS), paging and wireless internet services and mobile radio. These services operate from wireless networks that are dependent on antenna devices and related equipment to transmit from a sender to one or more receivers. Such services are viewed as public utility service providers that benefit the community and its economic growth and vitality. The objectives and policies set forth in this section provide guidance on siting and design issues and are used in evaluating land use applications. They should not be interpreted as superseding or amending any requirements of the Zoning Ordinance or other local, state and Federal laws pertaining to these issues.

GENERAL GUIDELINES

Objective 42: In order to provide for the mobile and land based telecommunication network for wireless telecommunication systems licensed by the Federal Communications Commission, and in order to achieve opportunities for the collocation of related facilities and the reduction of their visual impact, locate the network's necessary support facilities which include antennas,

monopoles, lattice towers and equipment buildings in accordance with the following policies.

Policy a. Avoid the construction of new structures by locating mobile and land- based telecommunication facilities on available existing structures such as building rooftops, telecommunication and broadcast poles and towers, electrical utility poles and towers, and water storage facilities when the telecommunication facilities can be placed inconspicuously to blend with such existing structures. (See Figures 8, 9, 10.)

Applicant's Response: As evidenced by the Site Acquisition Statement attached hereto, there are no existing structures or facilities in the vicinity of the proposed Site which could be used for collocation purposes. Construction of a new pole is, therefore, in response to a growing need in the area. Applicant, however, has made great efforts to make the new structure inconspicuous by designing it as a Pole and placing it on community used property. Thus, the proposed site is in compliance with the above policy.

Policy b. Locate new structures that are required to support telecommunication antennas on properties that provide the greatest opportunity to conceal the telecommunication facilities and minimize their visual impact on surrounding areas.

Applicant's Response: The design of the new structure as a flag pole, hiding the antennas within the proposed 130' high structure, and its placement on the community-used property are factors that demonstrate the applicant's compliance with the above policy. The Site will have minimal visual impact on the subject and adjacent properties. Thus, the proposed site is in compliance with the above policy.

Policy c. Subject to the availability and feasibility of a public site, when multiple sites have equal opportunity to minimize impacts, consider public lands as the preferred location for new structures.

Applicant's Response: Not applicable.

Policy d. Locate mobile and land based telecommunication facilities on public property only after a lease agreement between the County, or related board or authority, and service provider has been established.

Applicant's Response: Not applicable.

Policy e. Locate mobile and land-based telecommunication facilities operated by different service providers on single sites and/or structures whenever appropriate. Locate single-use structures on a property when a collocation structure for multiple service providers is not desirable or feasible due to site limitations or visual impact concerns.

Applicant's Response: As evidenced by the Site plans attached hereto, the proposed structure is designed to accommodate up to three wireless service providers. Thus, the objectives noted in the above policy are fully satisfied by this application.

Policy f. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.

Applicant's Response: As demonstrated by the RF maps and the Radio Frequency Engineer and Site Acquisition statements, T-Mobile's coverage objectives are satisfied by installation at a RAD center of 127' and 117'. Thus, the proposed 130' monopole is no greater than the need in the area. Visual impact concerns are significantly reduced by the location of the pole, hiding the antennas within the proposed structure and the existing conditions on the Property.

Policy g. Ensure that the use of public property by mobile and land based telecommunication facilities does not interfere with the existing or planned operational requirements of the public use.

Applicant's Response: Not applicable.

Policy h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of the property and surrounding areas. Demonstrate the appropriateness of the design through facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.

Applicant's Response: The design of the new structure as a flag pole, hiding the antennas within the proposed 130' high structure and its placement on community used property are factors that demonstrate the applicant's compliance with the above policy. Any adverse visual impact of the Site is substantially reduced by the aforementioned factors. Enclosed hereto are photographs of the site and site drawings that depict the conditions on the property and the Site's minimal visual

impact on neighboring properties. Thus, the proposed Site is in compliance with the above policy.

Policy i. Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public way. Analyze the potential impacts from other vantage points in the area to illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility.

Applicant's Response: The design of the new structure as a flag pole, hiding the antennas within the proposed 130' high structure and its placement on community-used property are factors that demonstrate the applicant's compliance with the above policy. Adverse visual impact of the Site is substantially reduced by the aforementioned factors and renders the proposed site in compliance with the above policy.

Policy j. Mitigate the visual impact of proposed telecommunication structures, and their antennas and ancillary equipment, using effective design options appropriate to the site such as:

- **locating facilities near to or within areas of mature vegetation and trees which effectively screen or provide an appropriate setting for the proposed structure or which, when viewed in context, considering perspective views, relative topography and other factors, mitigate their visual presence and prominence;**
- **blending facilities with an existing pattern of tall structures;**
- **obscuring or blocking the views of facilities with other existing structures, vegetation, treecover, or topographic features to the maximum extent feasible;**
- **increasing the height of or replacing existing structures to reduce the need for another structure when such height increases or structure replacements are appropriate to the site and the surrounding area.**

Applicant's Response: As discussed in detail above, applicant's proposal conforms with each of the recommendations noted in the above policy.

Policy k. Locate telecommunication facilities to ensure the protection of historically significant landscapes. The views of and vistas from architecturally and/or historically significant structures should not be impaired or diminished by the placement of telecommunication facilities.

Applicant's Response: Applicant is not aware of any adverse impact on historically significant properties in the area by the installation of the proposed Site.

Policy l. Site proposed facilities to avoid areas of environmental sensitivity.

Applicant's Response: Applicant is not aware of any adverse impact on environmentally significant areas in the area by the installation of the proposed Site.

Policy m. Site proposed facilities to allow for future expansion and maintain levels of screening to accommodate expansion.

Applicant's Response: The proposed monopole is designed to accommodate up to 3 wireless telecommunications providers, as depicted on site drawing attached hereto. In the event that there develops a need for additional expansion of the Site, the Property is of sufficient size to accommodate such a need. Thus, the intent of the above policy is maintained by the installation.

Policy n. Design and site proposed facilities to preserve areas necessary for future right-of-way dedication and ancillary easements for construction of road improvements.

Applicant's Response: The Site is unlikely to encroach or hinder any future road improvements. Thus, applicants proffer that the above policy is not applicable in this instance.

Policy o. Locate and construct antennas used for purposes other than mobile and land-based telecommunication services in accordance with the same guidelines established in this "Mobile and Land-Based Telecommunications Services" section.

Applicant's Response: Not applicable. Applicant proposes to install antennae for wireless telecommunications services.

Objective 43: Design telecommunication facilities to mitigate their visual presence and prominence, particularly when located in residential areas, by concealing their intended purpose in a way that is consistent with the character of the surrounding area. (See Figures 11 and 12.)

Policy a. Disguise and camouflage the appearance of telecommunication facilities so as to resemble other man-made structures and natural features (such as flagpoles, bell towers,

and trees) that are typically found in a similar context and belong to the setting where placed;

Applicant's Response: Factors such as the design of the Pole, hiding the antennas within the proposed 130' high structure, the size of the Property, and the location of the Site, offers a low likelihood of an adverse visual impact. Thus, the proposal meets the intent and spirit of above policy.

Policy b. Design telecommunications facilities that are disguised and camouflaged to be of a bulk, mass and height typical of and similar to the feature selected;

Applicant's Response: The proposed structure will be located on a community used property. The height of 130' is requested due to the coverage needs in the area, as demonstrated by the RF plots attached hereto. A structure of lower height will not satisfy the coverage objectives and thus render the proposed Site less productive, with the possibility of a continued need for additional wireless telecommunications poles in the area.

Policy c. Use appropriately other new and existing structures and vegetation of comparable form and style to establish a grouping that complements a camouflaged telecommunication facility and supports its design, location and appearance.

Applicant's Response: The proposed structure will be located on a community used property. Likewise, the visual impact of the Site is reduced by designing the 130' high structure as flag pole, hiding the antennas within the proposed 130' high structure and by its placement on the property.

JUSTIFICATION STATEMENT IN SUPPORT OF APPLICANT'S REQUEST FOR WAIVER OR MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS

Section 13-304 provides that the transitional screening and barrier requirements may be waived inter alia under the following circumstances:

- a. Where the building, a barrier and/or the land between that building and the property line has been specifically designed to minimize adverse impact through a combination of architectural and landscaping techniques.
- b. Where the adjacent property is zoned to allow a use similar to that of the parcel under site plan;
- c. Where the topography of the lot providing the transitional screening and the lot being protected is such that a barrier would not be effective; and

d. Where any public use has been specifically designed to minimize adverse impact on adjacent properties.

Applicant requests a waiver or modification of transitional screening requirements of the Ordinance to all sides of the Property and regarding the Facility based on the design and placement of the Site and the existing conditions on the Property and its surrounding neighborhood. Specifically, the design of the new structure as a Pole, hiding the antennas within the proposed 130' high structure and its placement on the community-used property. Thus, adverse visual impact of the Site is substantially reduced by the aforementioned factors. Applicant also proposes to enclose the Site compound with an 8' high board on board fence.

In light of the foregoing, applicants respectfully request that transitional screening and barrier requirements be waived or modified pursuant to Section 13-304 of the County Zoning Ordinance.

CONCLUSION:

The growing utilization of wireless technology cannot be doubted. Wireless communication not only facilitates economic growth but is also invaluable in providing emergency and other service to the users. In light of the foregoing the applicant, respectfully requests approval of its application for Special Exception and Screening and Barrier Waiver to accommodate the proposed telecommunications facility, as described herein. Applicant's request is in compliance with the Fairfax County Comprehensive Plan and Fairfax County Zoning Ordinance. Granting applicant's request will, therefore, be appropriate and in the best interest of Fairfax County and its Citizens.

EXHIBIT A

STATEMENT OF JUSTIFICATION IN SUPPORT OF APPLICATION FOR SPECIAL PERMIT

Applicant(s): T-Mobile Northeast, LLC and Springfield Swim and Racquet Club, Incorporated
Site Name: WAC123-Springfield
Property Address: 7400 Highland Street, Springfield, VA 22150 (Fairfax County)
District: Lee
Parcel Id No.: 0801-05520001
Zoning Classification: R-3
Property Area: 3.7492 Acres
Property Owner: Springfield Swim and Racquet Club, Incorporated

Applicants, Springfield Swim and Racquet Club, Incorporated (hereinafter "Owner") and T-Mobile Northeast, LLC (hereinafter "T-Mobile"), request a Special Permit to allow construction and operation of a wireless telecommunication facility consisting of a 130' high monopole designed as a Flag Pole install thereupon up to 12 panel antennas per carrier and related ground equipment to be located within a 40' x 40' compound surrounded by a 8' high chain link fence. The Flag Pole will be able to collocate up to 12 wireless panel antennas that will be hidden within the structure including those of T-Mobile.

The proposed development conforms to all applicable ordinances, regulations and adopted standards, or if any waiver, exception or variance is sought by Applicants, such shall be specifically noted with the justification for such. There are no known hazardous or toxic substances as set forth in Title 40 Code of Federal Regulations parts 116.4, 304.4 and 355.

The following statement of justification is submitted in support of the applicants' aforementioned requests. An application for review pursuant to Section 15.2.2232 is submitted under separate cover. The following required statements are attached hereto: (a) Statement of Ownership; and (b) Statement of Proposed Use. Applicants submit that the proposed wireless facility is in accord with the Fairfax County Zoning Ordinance and the Comprehensive Plan as to location, character and extent.

RECEIVED
Department of Planning & Zoning

JUN 30 2009

Zoning Evaluation Division

CURRENT IMPROVEMENTS ON AND DESCRIPTION OF SUBJECT PROPERTY

The subject property is composed of approximately 3.75 acres and is zoned R-3. It adjoins properties also zoned R-3 and houses a building, two (2) pools, tennis courts and racquet courts (hereinafter the "Property").

The Property is owned by the Springfield Swim and Racquet Club, Incorporated. T-Mobile entered into a lease agreement with Owner, pursuant to which T-Mobile will install and operate a wireless telecommunications facility on the Property. The Property Owner has authorized T-Mobile to seek all required County authorizations. A copy of T-Mobile's Special Exception affidavit, which list in detail information related to ownership and other interest in the Property is attached hereto.

The subject property is improved with a building, two (2) swimming pools, tennis courts, racquet courts and regular parking spaces. Access to the property is via a access drive off of Highland Street, which is connected to the existing parking lot on the property. A copy of site drawings/plat is attached hereto. Photographs of the Property, attached hereto provide further information about the Property. The Swim Club hours of operation are from 8:00 a.m. to 9:00 p.m. except on competition days which opens at 6:00am and can close at 12:00am. The Swim Club has no full or part time employees and counts with 170 members.

Finally, a copy of a recent County Zoning Map is enclosed herein and depicts the location of the subject property and neighborhood.

DESCRIPTION OF THE PROPOSED TELECOMMUNICATIONS SITE

Applicant requests a Special Exception Amendment for the installation of a 130' high monopole, designed as a flag on the subject property and location of related ground equipment on a near the base of the monopole (hereinafter the "Site"). The monopole will be situated at a considerable distance from the existing structures on the property and close to an existing tree line. The monopole will be placed within a compound measuring approximately 1,600 sq. ft. The compound will be enclosed by an eight (8) foot high board on board fence. Access to the Site will be via the existing access drive on the subject property. Approximately 1,600 square feet will be disturbed for construction of the Site.

The monopole will be designed to accommodate a minimum of three wireless telecommunications carriers, including applicant T-Mobile.

T-Mobile will install up to six (6) antennae at a RAD center of 127' and 117' on the structure. T-Mobile's antennae measure approximately 6'x2'x1' or less. T-Mobile will also install 7 (4 initially) equipment cabinets measuring 82"(h) x 60".5 (w) x 31"(d) or less on a 10' x 20' concrete slab within the enclosed lease area.

The installation proposed by T-Mobile will not interfere with radio, television or telephone reception and the emissions will comply with all applicable EPA and FCC emission requirements. Furthermore, neither the antennae nor the related equipment will produce any noise, fumes, dust, odors, lights, glare or vibrations.

NEED FOR THE WIRELESS TELECOMMUNICATIONS FACILITY

As FCC licensees, T-Mobile is committed to providing seamless telecommunications service to their users. The proposed Site will assist in the creation of a seamless, state-of-the-art all-digital wireless network. This requires the installation of a network of telecommunications antenna and equipment facilities so as to allow each facility to transmit and receive radio signals within a strictly limited radio frequency range to each wireless user in the vicinity of the facility. Moreover, each facility must be able to pass the user's signal to an adjacent facility as each user travels out of the coverage area and into an adjacent coverage area. Each facility is capable of covering only a limited area, generally determined by the height of the antennas, the local topography and terrain, as well as obstructions.

To achieve the desired coverage and capacity within the intended geographical area, each antenna facility must be strategically located so as to ensure maximum coverage and a minimum overlap with each other facility. Because of the low power of the system, the antennae are effective only within a limited geographic area. Thus, each facility site is subject to technical and geographical constraints in order to provide reliable and efficient service. The proposed facility is necessary to T-Mobile's coverage objectives in the area **and will further satisfy similar needs of other wireless telecommunications carriers in the future.** Moreover, the proposed height of the monopole allows placement of antennae at a sufficient height so as to permit radio signals to clear any obstructions such as trees, buildings, or other structures while simultaneously providing coverage to the intended area and allow the collocation of 3 additional wireless carriers.

Radio frequency coverage maps depicting T-Mobile's coverage in the area presently and the improvement anticipated after installation at the proposed monopole are enclosed with this application. As demonstrated by these maps,

T-Mobile's coverage objective of this site is to provide seamless coverage in the surrounding neighborhood of the Swim Club, between I-495 and the neighborhood around Essex Avenue to the south and Carrleigh Parkway to the southwest. There are no existing structures feasible for collocation. Furthermore, the proposed site was chosen for its particular suitability to the site, including its location, satisfaction of T-Mobile's coverage objectives, and the nature of the existing use of the property. The existing site conditions such as its location at the end of a cul-de-sac, substantial tree coverage and proximity to County property designated as "open space" make the subject property particularly suitable for the proposed wireless telecommunications use. Due to the absence of feasible collocation opportunities in the area, T-Mobile's needs in the area cannot be satisfied without the installation of the proposed Site. Installation of T-Mobile's antennae on the proposed monopole will satisfy this objective, providing wireless telecommunications coverage to T-Mobile's clients in the area.

Since one of the primary benefits of the wireless communication system is the ability to communicate to and from any location, a network of facilities that provide seamless coverage is essential. The location and design of each facility in the network is therefore critical to the overall functioning of the entire network. Without a facility at or near this location, T-Mobile will be unable to provide reliable coverage to its users in the area.

The Flag Pole will be designed to accommodate a minimum of four wireless telecommunications carriers antennae as follows:

a. T-Mobile's Installation at RAD Center of 127' and 117'

Applicant, T-Mobile has expressed an interest in locating its antennae and equipment at the Site. T-Mobile will install of up to six (6) wireless telecommunications antennae, measuring 6'x2'x1' or less, at a RAD center of 127' and 117' on the flag pole and install equipment cabinets within the proposed compound to contain its telecommunications equipment.

b. Future Wireless Telecommunication Carrier Installation at RAD Center of 107'

Applicants seek to include in their application for special exception, installation of up to three (3) wireless telecommunications antennae measuring 6'x2'x1' or less by a future third carrier, anticipated to occupy a RAD center of 107' on the flag pole. Related equipment will be placed in the compound near the base of the flag pole.

c. Future Wireless Telecommunication Carrier Installation at RAD Center of 97'

Applicants seek to include in their application for special exception, installation of up to three (3) wireless telecommunications antennae measuring 6'x2'x1' or less by a future third carrier, anticipated to occupy a RAD center of 97' on the flag pole. Related equipment will be placed in the compound near the base of the flag pole.

APPLICABLE LEGAL STANDARDS

Section 704 of the 1996 Telecommunications Act requires that State and local governments "(I) shall not unreasonably discriminate among providers of functionally equivalent [wireless telecommunications] services; and (II) shall not prohibit or have the effect of prohibiting the provision of personal wireless services." Accordingly, local governments cannot prohibit, either by law or by action, wireless telecommunications facilities. Regulations cannot have the effect of prohibiting wireless facilities, even though it may purport to allow such facilities. Moreover, local governments must undertake to consider all wireless telecommunications zoning requests on an equal basis.

The Fairfax County Zoning Ordinance, Section 9-101 designates wireless telecommunications facilities as Category 1, Light Public Utility Uses and Sections 9-102 and 304 allow the installation of such facilities on the subject property, via approval of a special exception. The granting of applicant's request will, therefore, be in harmony with the spirit and intent of the Zoning Regulations and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

Applicant addresses each section of the Fairfax County Zoning Ordinance and Comprehensive Plan applicable to its Special Exception application below. The Fairfax County regulations are stated in boldface; Applicant's responses immediately follow.

COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE ZONING ORDINANCE REGULATIONS

I. SECTION 8-006 GENERAL STANDARDS [APPLICABLE TO SPECIAL PERMITS]

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

General Standard 1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.

Applicants' Response: The construction of a 130' wireless communication structure designed as a flag pole, which will locate up to 12 antennas,

hidden within the proposed structure and the addition of related ground equipment near the base of the structure shall be in harmony with the adopted comprehensive plan.

General Standard 2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.

Applicants' Response: The proposed use is located in an R-3 zone. The expressed purpose and intent of the R-3 District is, inter alia, otherwise to provide for single family detached dwellings at densities... to provide for affordable dwelling unit developments; to allow other selected uses which are compatible with the low density residential character of the district. The subject site is used as a community recreational facility, containing a pool, racquet and tennis courts. As demonstrated by the drawings, site photographs and photo simulations; due to its location and the existing tree coverage in the area, the proposed use will have minimal visual impact on the adjoining properties. As further demonstrated below, Applicant's proposed use is in compliance with each of the aforementioned sections of the Zoning Ordinance. It is, therefore, in compliance with General Standard 2 stated above.

General Standard 3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.

Applicants' Response: The proposed use is in harmony with the letter, intent, and spirit of the Comprehensive Plan, the general and specific requirements related to Special Permits, and the general purposes of the Zoning Ordinance. Thus, the proposed use is in harmony with the general purpose and intent of the applicable zoning district regulations.

General Standard 4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

Applicants' Response: The proposed wireless facility will be unmanned with 1 or 2 monthly maintenance visits hence, the proposed use shall not

be hazardous or conflict with the existing and anticipated traffic in the neighborhood.

General Standard 5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.

Applicants' Response: The proposed structure will be situated within a community use area. Applicant discusses at length below the existing conditions of the Property and adjacent properties, and the nature of the proposed Site in support of their request for a waiver of the landscape requirements of Article 13, should the Board determine that the existing conditions do not satisfy the aforementioned Article.

General Standard 6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.

Applicants' Response: Not applicable.

General Standard 7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.

Applicants' Response: The proposed facility will be unmanned with few maintenance visits per year. There is no need, therefore, for parking and loading provisions. The facility requires utilities to the extent telephone land lines and electrical power are required for the operation and maintenance of its facility. Applicant will ensure that the required utilities are adequately provided.

General Standard 8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

Applicants' Response: Applicant does not intend to place any signs on its facility.

II. SECTION 9-104: STANDARDS FOR ALL CATEGORY 1 USES (THE WIRELESS TELECOMMUNICATIONS FACILITY)

In addition to the general standards set forth in Sect. 006 above, all Group 3 special permit uses shall satisfy the following standards:

1. Except as may be qualified in the following Sections, all uses shall comply with the lot size and bulk regulations of the zoning district in which located; however, subject to the provisions of Sect. 9-607, the maximum building height for a Group 3 use may be increased.

Applicants' Response: See response to General Standard 1 as applicable to Special Permits above.

2. All uses shall comply with the performance standards specified for the zoning district in which located.

Applicants' Response: See response to General Standard 1 as applicable to Special Permits above.

3. Before establishment, all uses, including modifications or alterations to existing uses, except home child care facilities, shall be subject to the provisions of Article 17, Site Plans.

Applicants' Response: See response to General Standard 1 as applicable to Special Permits above.

III. SECTION 1-200 – GENERAL PURPOSES OF THE COUNTY ZONING ORDINANCE

According to this Section, the Zoning Ordinance is intended to promote the health, safety and general welfare of the public and to implement the adopted Comprehensive Plan for the orderly and controlled development of the County. To accomplish these ends, the Zoning Ordinance is designed to give reasonable consideration to each of the following purposes, where applicable:

1. to create and maintain conditions under which people and their environment can exist in a productive and enjoyable harmony while fulfilling the social, economic and other requirements of present and future generations;

Applicants' Response: See response to General Standard 1 above.

2. to facilitate the creation of a convenient, attractive and harmonious community; to provide for adequate light, air, convenience of access and safety from fire, flood, crime and other dangers; and to reduce or prevent congestion in the public streets;

Applicants' Response: See response to General Standard 1 above.

3. to provide for County growth that is consonant with the efficient and economic use of public funds and environmental quality;

Applicants' Response: See response to General Standard 1 above.

4. to recognize the needs of agriculture, housing, industry and business in the County's future growth;

Applicants' Response: The proposed wireless structure, including the six antennas by T-Mobile promotes the needs of agriculture, housing, industry and business because it will be equipped with adequate wireless telecommunication services. It is, therefore, in furtherance of the County's above-referenced purpose to approve the proposed facility.

5. to promote the creation and expansion of land uses that will be developed with adequate highway, utility, health, education and recreational facilities;

Applicants' Response: The proposed wireless structure, including the proposed six antennas by T-Mobile promotes the expansion of land use equipped with adequate wireless telecommunication services. It is, therefore, in furtherance of the County's above-referenced purpose to approve the proposed facility.

6. to provide residential areas with healthy surroundings for family life;

Applicants' Response: See response to General Standard 1 above.

7. to protect against destruction of or encroachment upon historic areas;

Applicants' Response: T-Mobile will not destroy or encroach upon historic areas.

8. to encourage economic development activities that provide desirable employment and a broad tax base;

Applicants' Response: See response to General Purpose 4 above.

9. to promote the conservation of natural resources;

Applicants' Response: See response to General Standard 1 above.

10. to encourage the preservation of stream valleys, steep slopes, lands of natural beauty, dense forestation, scenic vistas, and other similar areas and to ensure that development in such areas is sell controlled;

Applicants' Response: See response to General Standard 1 above.

11. to protect against the following: overcrowding of land; undue intensity of noise; air and water pollution; undue density

of population in relation to community facilities existing or available; obstruction of light and air; danger and congestion in travel and transportation; and loss of life, health, or property from fire, flood, panic or other dangers;

Applicants' Response: See response to General Standard 1 above.

12. to promote the creation and preservation of housing of such type, size and cost suitable for meeting the current and future needs of the County as well as a reasonable proportion of the current and future needs of the planning district in the form of safe, sanitary dwelling units;

Applicants' Response: See response to General Standard 1 above.

13. to encourage innovative and desirable approaches to designed development; and to promote the distinctive sense of urban suburban and exurban places as well as the sense of community within the County;

Applicants' Response: See response to General Standard 1 above.

14. to protect, not inconsistent with State water quality standards, surface water and ground water as defined by Sect. 62.1-255 of the code of Virginia;

Applicants' Response: See response to General Standard 1 above.

15. to accomplish all other objectives and exercise all other powers set forth in Article 7, Chapter 22, Title 15.2 of the Code of Virginia

Applicants' Response: See response to General Standard 1 above.

**COMPLIANCE WITH THE APPLICABLE OBJECTIVES OF
THE FAIRFAX COUNTY COMPREHENSIVE PLAN, 2007 ed.**

MOBILE AND LAND-BASED TELECOMMUNICATIONS SERVICES:

Mobile and land-based telecommunication services provide for the wireless transmission of voice and data and include cellular and personal communications services (PCS), paging and wireless internet services and mobile radio. These services operate from wireless networks that are dependent on antenna devices and related equipment to transmit from a sender to one or more receivers. Such services are viewed as public utility service providers that benefit the community and its economic growth and vitality. The objectives and policies set forth in this section provide guidance on siting and design issues and are used in evaluating land use applications.

They should not be interpreted as superseding or amending any requirements of the Zoning Ordinance or other local, state and Federal laws pertaining to these issues.

GENERAL GUIDELINES

Objective 42: In order to provide for the mobile and land based telecommunication network for wireless telecommunication systems licensed by the Federal Communications Commission, and in order to achieve opportunities for the collocation of related facilities and the reduction of their visual impact, locate the network's necessary support facilities which include antennas, monopoles, lattice towers and equipment buildings in accordance with the following policies.

Policy a. Avoid the construction of new structures by locating mobile and land-based telecommunication facilities on available existing structures such as building rooftops, telecommunication and broadcast poles and towers, electrical utility poles and towers, and water storage facilities when the telecommunication facilities can be placed inconspicuously to blend with such existing structures. (See Figures 8, 9, 10.)

Applicant's Response: There are no existing structures in the vicinity of the proposed Site which could be used for collocation purposes. Construction of a new pole is, therefore, in response to a growing need in the area. Applicant, however, has made great efforts to make the new structure inconspicuous by designing it as a flag pole and placing it on community used property, in proximity to existing vegetation on the Property and at considerable distance from neighboring property lines and streets. Thus, the proposed site is in compliance with the above policy.

Policy b. Locate new structures that are required to support telecommunication antennas on properties that provide the greatest opportunity to conceal the telecommunication facilities and minimize their visual impact on surrounding areas.

Applicant's Response: The design of the new structure as a flag pole and its placement on the community-used property, in proximity to existing vegetation on the Property and at considerable distance from neighboring property lines and streets are all factors that demonstrate the applicant's compliance with the above policy. As depicted by enclosed site plans, the Site will have minimal visual impact on the subject and adjacent properties. Thus, the proposed site is in compliance with the above policy.

Policy c. Subject to the availability and feasibility of a public site, when multiple sites have equal opportunity to minimize impacts, consider public lands as the preferred location for new structures.

Applicant's Response: As demonstrated by the RF maps submitted, the statements proffered, and the drawings submitted, the Property is particularly suitable to the installation of the Site because placement of the monopole on the Property satisfies applicant's coverage objectives and possibly those of two additional carriers. Furthermore, the Property is of a substantial size, thereby allowing for generous setbacks from the road, existing structures, property lines, and dwellings. Adherence to the above policy is, therefore, achieved by the reduction of visual impact of the proposed Site.

Policy d. Locate mobile and land based telecommunication facilities on public property only after a lease agreement between the County, or related board or authority, and service provider has been established.

Applicant's Response: Not applicable.

Policy e. Locate mobile and land-based telecommunication facilities operated by different service providers on single sites and/or structures whenever appropriate. Locate single-use structures on a property when a collocation structure for multiple service providers is not desirable or feasible due to site limitations or visual impact concerns.

Applicant's Response: The proposed structure is designed to accommodate up to three wireless service providers. Thus, the objectives noted in the above policy are fully satisfied by this application.

Policy f. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.

Applicant's Response: As demonstrated by the RF maps and the statements, T-Mobile's coverage objectives are satisfied by installation at a RAD of 127' and 117'. Thus, the proposed 130' monopole is no greater than the need in the area. Visual impact concerns are significantly reduced by the location of the pole, design as a flag, and hiding the panel antennas within the structure and the existing conditions on the Property.

Policy g. Ensure that the use of public property by mobile and land based telecommunication facilities does not interfere with the existing or planned operational requirements of the public use.

Applicant's Response: Not applicable.

Policy h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of the property and surrounding areas. Demonstrate the appropriateness of the design through facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.

Applicant's Response: The design of the new structure as a flag pole and its placement on community used property, in proximity to existing woods on the Property and at considerable distance from neighboring property lines and streets are all factors that demonstrate the applicant's compliance with the above policy. Any adverse visual impact of the Site is substantially reduced by the aforementioned factors. Enclosed are photographs of the site, and site drawings which depict the conditions on the property and the Site's minimal visual impact on neighboring properties. Thus, the proposed Site is in compliance with the above policy.

Policy i. Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public way. Analyze the potential impacts from other vantage points in the area to illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility.

Applicant's Response: The design of the new structure as a flag pole, hiding the antenna within the structure and its placement on community-used property, in proximity to existing woods on the Property and at considerable distance from neighboring property lines and streets are all factors that demonstrate the applicant's compliance with the above policy. Thus, adverse visual impact of the Site is substantially reduced by the aforementioned factors and renders the proposed site in compliance with the above policy.

Policy j. Mitigate the visual impact of proposed telecommunication structures, and their antennas and ancillary equipment, using effective design options appropriate to the site such as:

- locating facilities near to or within areas of mature vegetation and trees which effectively screen or provide an appropriate setting for the proposed structure or which, when viewed in context, considering perspective views, relative topography and other factors, mitigate their visual presence and prominence;
- blending facilities with an existing pattern of tall structures;
- obscuring or blocking the views of facilities with other existing structures, vegetation, treecover, or topographic features to the maximum extent feasible;
- increasing the height of or replacing existing structures to reduce the need for another structure when such height increases or structure replacements are appropriate to the site and the surrounding area.

Applicant's Response: As discussed in detail above, applicant's proposal conforms with each of the recommendations noted in the above policy. It calls for location of the Site close to mature vegetation and trees on the Property, a flag pole design, generous setbacks, and other factors discussed above all show adherence to the above policy.

Policy k. Locate telecommunication facilities to ensure the protection of historically significant landscapes. The views of and vistas from architecturally and/or historically significant structures should not be impaired or diminished by the placement of telecommunication facilities.

Applicant's Response: Applicant is not aware of any adverse impact on historically significant properties in the area by the installation of the proposed Site.

Policy l. Site proposed facilities to avoid areas of environmental sensitivity.

Applicant's Response: Applicant is not aware of any adverse impact on environmentally significant areas in the area by the installation of the proposed Site.

Policy m. Site proposed facilities to allow for future expansion and maintain levels of screening to accommodate expansion.

Applicant's Response: The proposed monopole is designed to accommodate up to three wireless telecommunications providers. In the event that there develops a need for additional expansion of the Site, the Property is of sufficient size to accommodate such a need. Thus, the intent of the above policy is maintained by the installation.

Policy n. Design and site proposed facilities to preserve areas necessary for future right-of-way dedication and ancillary easements for construction of road improvements.

Applicant's Response: It is highly unlikely that it could encroach or hinder any future road improvements. Thus, applicants proffer that the above policy is not applicable in this instance.

Policy o. Locate and construct antennas used for purposes other than mobile and land-based telecommunication services in accordance with the same guidelines established in this "Mobile and Land-Based Telecommunications Services" section.

Applicant's Response: Not applicable. Applicant proposes to install antennae for wireless telecommunications services.

Objective 43: Design telecommunication facilities to mitigate their visual presence and prominence, particularly when located in residential areas, by concealing their intended purpose in a way that is consistent with the character of the surrounding area. (See Figures 11 and 12.)

Policy a. Disguise and camouflage the appearance of telecommunication facilities so as to resemble other man-made structures and natural features (such as flagpoles, bell towers, and trees) that are typically found in a similar context and belong to the setting where placed;

Applicant's Response: Factors such as the design of the facility as a flag pole, the size of the Property, and the location of the Site, offers a low likelihood of an adverse visual impact. Thus, the proposal meets the intent and spirit of above policy.

Policy b. Design telecommunications facilities that are disguised and camouflaged to be of a bulk, mass and height typical of and similar to the feature selected;

Applicant's Response: The proposed structure will be located in an area close to existing trees on the Property. The height of 130' is requested due to the coverage needs in the area. A structure of lower height will not satisfy the coverage objectives and thus render the proposed Site less productive, with the possibility of a continued need for additional wireless telecommunications poles in the area.

Policy c. Use appropriately other new and existing structures and vegetation of comparable form and style to establish a grouping that complements a camouflaged telecommunication facility and supports its design, location and appearance.

Applicant's Response: The proposed structure will be located in an area close to existing trees on the Property. Applicants also propose to install a board on board fence, approximately 8' high. Likewise, the visual impact of the Site is reduced by designing the structure as a flag pole and placement close to trees.

CONCLUSION:

The growing utilization of wireless technology cannot be doubted. Wireless communication not only facilitates economic growth but is also invaluable in providing emergency and other service to the users. In light of the foregoing the applicant, respectfully requests approval of its application for Special Exception to accommodate the proposed telecommunications facility, as described herein. Applicant's request is in compliance with the Fairfax County Comprehensive Plan and Fairfax County Zoning Ordinance. Granting applicant's request will, therefore, be appropriate and in the best interest of Fairfax County.

SPRINGFIELD SWIMMING AND RACQUET CLUB, INC.

R E S O L U T I O N

Appendix 6

Mr. DiGiulian made the following motion:

WHEREAS, Application No. S-81-S-017 by SPRINGFIELD SWIMMING & RACQUET CLUB under Section 3-303 of the Fairfax County Zoning Ordinance to permit construction of admissions control booth and closing of entrance to parking lot on property located at 7401 Highland Street, tax map reference 80-1((5))(52)1, County of Fairfax, Virginia, has been properly filed in accordance with all applicable requirements; and

WHEREAS, following proper notice to the public and a public hearing by the Board of Zoning Appeals held on June 2, 1981; and

WHEREAS, the Board has made the following findings of fact:

1. That the owner of the subject property is the applicant.
2. That the present zoning is R-3.
3. That the area of the lot is 3.7492 acres.
4. That compliance with the Site Plan Ordinance is required.

AND, WHEREAS, the Board has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with Standards for Special Permit Uses in R Districts as contained in Section 8-006 of the Zoning Ordinance, and

NOW, THEREFORE BE IT RESOLVED that the subject application is GRANTED IN PART (to allow construction of admissions control booth and to deny the closing of the entrance to the parking lot from Amelia Street) with the following limitations:

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.
2. This special permit shall expire eighteen months from this date unless construction has started and is diligently pursued or unless renewed by action of this Board prior to any expiration. A request for an extension shall be filed in writing thirty (30) days before the expiration date and the permit shall remain valid until the request for extension is acted upon by the BZA.
3. This approval is granted for the buildings and uses indicated on the plans submitted with this application. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board (other than minor engineering details) whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes (other than minor engineering details) without this Board's approval, shall constitute a violation of the conditions of this Special Permit.
4. This granting does not constitute an exemption from the legal and procedural requirements of this County and State. THIS SPECIAL PERMIT IS NOT VALID UNTIL A NON-RESIDENTIAL USE PERMIT IS OBTAINED.
5. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
6. Landscaping and screening may be required in accordance with Article 13 of the Zoning Ordinance at the discretion of the Director of Environmental Management.
7. All other requirements of previous use permits shall remain in effect.
8. Unless otherwise qualified herein, extended-hours for parties or other activities of outdoor community swim clubs or recreation associations shall be governed by the following:
 - (A) Limited to six (6) per season.
 - (B) Limited to Friday, Saturday and pre-holiday evenings.
 - (C) Shall not extend beyond 12:00 midnight.
 - (D) Shall request at least 10 days in advance and receive prior written permission from the Zoning Administrator for each individual party.
 - (E) Requests shall be approved for only one (1) such party at a time, and such requests will be approved only after the successful conclusion of a previous extended-hour party or for the first one at the beginning of a swim season.
 - (F) Requests shall be approved only if there are no pending violations of the conditions of the Special Permit.
 - (G) Any substantiated complaints shall be cause for denying any future requests for extended-hour parties for that season; or, should such complaints occur during the end of the swim season, then this penalty shall extend to the next calendar year.

Mr. Yaremchuk seconded the motion.

The motion passed by a vote of 5 to 0.

COUNTY OF FAIRFAX, VIRGINIA

MEMORANDUM

TO: Regina Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: David B. Marshall, Chief 
Facilities Planning Branch, Planning Division
Department of Planning and Zoning

SUBJECT: Section 15.2-2232 Review
Application 2232-L08-25
Concurrent with SE 2009-LE-016 and SPA 81-S-017
T-Mobile Northeast, LLC and Springfield Swim and Racquet Club,
Incorporated
7400 Highland Street, Springfield, VA 22150
TAX MAP: 80-1 ((5)) (52) 1

DATE: February 16, 2010

In accordance with the Standard Operating Procedures approved by the Board of Supervisors on July 25, 1994, which provide guidance to Department of Planning and Zoning (“DPZ”) staff regarding the review of public facilities projects pursuant to Va. Code Sec. 15.2-2232, the Facilities Planning Branch of the Planning Division offers the following comments on the proposed telecommunication facility (concurrent with Special Exception, SE 2009-LE-016 and SPA 81-S-017.)

PROJECT DESCRIPTION

(Attachment A)

Applicants, T-Mobile Northeast, LLC (“T-Mobile”) and Springfield Swim and Racquet Club, Incorporated (“Springfield Swim Club”) propose to construct a telecommunications facility consisting of a 130-foot flagpole monopole and related equipment compound on the site (“the subject property”) owned by the Springfield Swim and Racquet Club at 7400 Highland Street, Springfield (Tax Map Parcel 80-1 ((5)) (52) 1) 20A).

PROPOSAL: Construct a telecommunications facility consisting of a 130-foot flagpole monopole and related equipment (“the facility”).

Location and Size: Proposed facility is located in the southwest quadrant of the intersection of Highland Street and Amelia Street, in the northern portion of the Springfield subdivision. Specifically, the proposed facility is located on the southern half of parcel 1, west of the entrance to the pool club house in a clearing which is surrounded by trees to the south and west. The area of the subject parcel is 3.75 acres and the telecommunications compound has an area of 1,600 square feet (limits of disturbance – 2,475 square feet).

Site Features: The subject property is a parcel with a rising hill. The lower elevation of the parcel is along Highland Street to the north and the parcel rises to the southern portion of the property. Tennis courts, racquet ball courts and parking are located along the northern portion of the site. The southern portion of the site contains the pool club house, concession building and the swimming and wading pools. Trees are located throughout the property specifically along the western side of the parcel and along the eastern side of the pool and western side of the parking area adjacent to the tennis and racquet ball courts. The subject property is surrounded by single family detached residential development with mature trees and shrubs. Access to the Springfield Swim Club is from Highland Street onto the parking area.

PROPOSED USE:

T-Mobile proposes to construct a 130-foot flagpole monopole and initially install two internal panel antenna levels with 3 internal panel antennas each (total of six internal panel antennas). The applicants' facility plan shows that three carriers may collocate on the monopole. The proposed antenna color for this site is gray and the flagpole monopole will be colored white with a gold finial. T-Mobile's three (3) equipment cabinets will be located in a compound at the bottom of the flagpole monopole. (Lease area is 40-feet long by 40-foot wide; 1,600 square feet.) Two future carriers may locate on the flagpole monopole.

Project Justification:

According to the applicants, the proposed facility will be an important part of an area-wide wireless communications network. Radio frequency coverage maps depicting the applicants' coverage in the area presently and the improvement anticipated after installation at the proposed monopole are included in the attached 2232 application. As demonstrated by these maps, the applicants' coverage objectives is to provide coverage to an existing gap along I-495 between Braddock Road and Backlick Road and eliminate the coverage gap in the neighborhoods between I-495 and Accotink Park Road.

Proposed Facility: Will include the following (all dimensions are approximate):

Structure – The proposed flagpole monopole will be 130-feet in height, composed of steel, white in color with a gold finial at the top. The diameter of the monopole is approximately 41 inches at the base and 30 inches at the top. It is located in the center of the proposed equipment compound.

Antennas – 6 internal panel antennas (each antenna: 59 inches high x 11.9 inches wide x 6.3 inches depth) with three internal antennas at the 127-foot centerline above ground level (AGL) and three internal antennas at the 117-foot centerline AGL of the proposed 130-foot flagpole monopole. Antennas are colored grey and composed of fiberglass, while antenna mounting is composed of fabricated metal. The two future carriers will be able to locate internal panel antennas at the 107-foot centerline AGL and 97-foot centerline.

Equipment – Three equipment cabinets, each measuring 63.5 inches height by 51.2 inches width by 37 inches depth will be located on a 10' long by 12' wide pad site. According to the applicant, the cabinets will consist of prefabricated metal. There are two pad sites (20' long by 10' wide for both

pad sites) for the equipment cabinets of the two future carriers.

Compound – Located in the central portion of the area west of the pool club house the southern part of the subject property surrounded with trees along the western side of the proposed compound. This area measures approximately 38 feet wide by 35 feet long (1,330 square feet in area). According to the applicant, the equipment structure will be enclosed by an 8-foot high board-on-board fence with a 6-foot wide swing access gates.

Access – Access to the compound is from the cleared area located on the east side of the compound which leads to the parking area.

Operations – The facility will operate automatically and will not require personnel or hours of attendance. It will operate twenty-four (24) hours a day, three hundred and sixty-five days a year. Maintenance personnel will visit the site periodically and occasionally for repairs or modifications to the facility.

Site and Off-site Impacts: The applicant states that the facility will have no impact as to traffic, noise, light pollution, air quality, water quality or radiation on adjoining properties. The applicants state this facility will be located on a non-residential use parcel. Applicants indicate that because there are no suitable existing structures in this area that allow for collocation of facilities, T-Mobile chose the subject parcel because of its use as a swim club. Furthermore, by utilizing the stealth flagpole design, the visual impact to the area will be minimal. T-Mobile further states that the antennas will not be visible because of their location inside the flagpole and the proposed equipment will be screened by an 8-foot board-on-board fence.

ALTERNATIVE SITES

Applicants provided the following information on alternative sites that they examined prior to choosing the selected site:

1. **7700 Southern Drive:** T-Mobile was approved by the Planning Commission under application 2232-L06-19, for a 150' monopole at this property on July 11, 2007. However, after approval, the property owner informed T-Mobile that it was unwilling to allow the facility in the location that was ultimately approved. After many months of negotiation, it became clear that this impasse was irresolvable.
2. **Cox Cable Facility at Southern Drive Industrial Park:** T-Mobile approached Cox Communications and entered into preliminary negotiations for the lease of space. However, after significant negotiation, the two sides were unable to reach an agreement.
3. **Budget Self Storage:** T-Mobile also entered into preliminary negotiations for the lease of space at this self storage facility located at 7331 Steele Mill Drive. However, after significant negotiation, the two sides were unable to reach an agreement.
4. **Lake Accotink Park:** This candidate is a Fairfax County Park. It was ruled out because, per Fairfax County Parks Policy 303, before a public utility can be placed on parkland, a determination shall be made that there is no feasible and prudent alternative to the use of parkland. Since the

Southern Industrial Park, which is directly adjacent to Lake Accotink Park, is a viable candidate, the Fairfax County Parks was not interested in leasing their property for this facility.

5. Crown Monopole located at 7920 Woodruff Court: This monopole is not a viable candidate to meet this coverage objective because it is located too close to an existing T-Mobile site, which is located on the Washington Post building on Wimsatt Road.

6. North Springfield Elementary School: This public school was not a viable candidate as it does not meet the telecommunication policies of the Fairfax County Public Schools.

PLANNING ANALYSIS

The subject property is located on the southwest quadrant of the intersection of Highland and Amelia Streets. It is surrounded by single family detached residences on the east, south and west side and the Highland Business Park to the north. The single family detached residences are planned for residential use at 2-3 dwelling units per acre and zoned R-3. The property to the north is planned for residential use at 5-8 dwelling units per acre and zoned I-3. The subject property is located in the S-2 Crestwood Community Planning Sector of the Springfield Planning District in Area IV.

There is no site specific text which applies to the subject property. The subject property is planned for private recreation according to the Comprehensive Plan Map.

Policy Plan:

Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition; Public Facilities, as amended through January 10, 2005; **MOBILE AND LAND-BASED TELECOMMUNICATION SERVICES, GENERAL GUIDELINES**, pages 37 + 39:

“Objective 42: In order to provide for the mobile and land based telecommunication network for wireless telecommunication systems licensed by the Federal Communications Commission, and in order to achieve opportunities for the collocation of related facilities and the reduction of their visual impact, locate the network’s necessary support facilities which include antennas, monopoles, lattice towers and equipment buildings in accordance with the following policies. ...

Policy a. Avoid the construction of new structures by locating mobile and land- based telecommunication facilities on available existing structures . . . when the telecommunication facilities can be placed inconspicuously to blend with such existing structures.

Policy b. Locate new structures that are required to support telecommunication antennas on properties that provide the greatest opportunity to conceal the telecommunication facilities and minimize their visual impact on surrounding

areas.

- Policy c. Subject to the availability and feasibility of a public site, when multiple sites have equal opportunity to minimize impacts, consider public lands as the preferred location for new structures. . . .
- Policy e. Locate mobile and land-based telecommunication facilities operated by different service providers on single sites and/or structures whenever appropriate. . . .
- Policy f. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.
- Policy g. Ensure that the use of public property by mobile and land based telecommunication facilities does not interfere with the existing or planned operational requirements of the public use.
- Policy h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of the property and surrounding areas. Demonstrate the appropriateness of the design through facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.
- Policy i. Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public way. Analyze the potential impacts from other vantage points in the area to illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility.
- Policy j. Mitigate the visual impact of proposed telecommunication structures, and their antennas and ancillary equipment, using effective design options appropriate to the site such as:
- blending facilities with an existing pattern of tall structures;
 - obscuring or blocking the views of facilities with other existing structures, vegetation, treecover, . . . to the maximum extent feasible;
 - increasing the height of or replacing existing structures to reduce the need for another structure when such height increases or structure replacements are appropriate to the site and the surrounding area.

Objective 43: Design telecommunication facilities to mitigate their visual presence and prominence, particularly when located in residential areas, by concealing their intended purpose in a way that is consistent with the character of the surrounding area. . . .

- Policy a. Disguise and camouflage the appearance of telecommunication facilities so as to resemble other man-made structures and natural features (such as flagpoles, bell towers, and trees) that are typically found in a similar context and belong to the setting where placed;
- Policy b. Design telecommunications facilities that are disguised and camouflaged to be of a bulk, mass and height typical of and similar to the feature selected;
- Policy c. Use appropriately other new and existing structures and vegetation of comparable form and style to establish a grouping that complements a camouflaged telecommunication facility and supports its design, location and appearance.”

STAFF ANALYSIS:

Department of Planning and Zoning

Visual impact assessment

On January 9, 2009, the applicant conducted a balloon test to evaluate the visual impact of the proposed 130-foot high flagpole monopole upon the surrounding residential development. Views from the Springfield subdivision along Highland Street, Amelia Road, and Atteentee Road and Springfield Park subdivision along Heming Avenue were examined. Observations at the test revealed that the proposed flagpole monopole was substantially screened by the existing trees of the subject property and mature vegetation in the surrounding residential subdivision. Only the very top part of the flagpole monopole would be visible in a limited area along Atteentee Street and Amelia Street, north of Grace Street. The views from the homes that are located on Amelia Street and immediately adjacent to the Springfield Swim Club have a mature tree canopy that combined with the existing trees on the subject property, screen most of the flagpole monopole view. Views of the flagpole monopole from Heming Avenue consisted of only the top quarter of the flagpole monopole above the tree canopy. Due to the existing vegetation of the subject property and the mature tree canopy of the residential development, the public way, Highland Street, Atteentee Street, Amelia Street are not visually impacted by the proposed 130-foot flagpole monopole. In order to assure the screening of the flagpole monopole and equipment compound, the applicant was requested to provide additional tree plantings along the southern and western sides of the proposed equipment compound. A condition to preserve all existing trees on the subject property will be included in the development conditions. These measures will assure that the flagpole monopole is visually mitigated by tall tree vegetation in the future.

ZONING REVIEW

The property is zoned R-3 District. Special Exception approval and special permit amendment application are required for the proposed telecommunications proposal along with the 2232 application. The site is subject to SP-81-S-017.

TRANSPORTATION REVIEW

(Attachment B)

The Fairfax County Department of Transportation (FCDOT) and Virginia Department of Transportation (VDOT) staff provided the following comments:

FCDOT has no transportation issues with this application. VDOT states that the entrance should be designed and constructed in accordance with VDOT's *Minimum Standards of Entrances to State Highways*.

URBAN FORESTRY

(Attachment C)

Staff of the Urban Forestry Division of the Department of Public Works and Environmental Services reviewed the proposed development and provided the following comments:

- 1. Comment:** The new Public Facilities Manual (PFM) requirements for tree conservation, Section 12, became effective on January 1, 2009. Since this SE has not been approved by the Board of Supervisors, it is not grandfathered and is subject to the new PFM and Zoning Ordinance requirements.

Recommendation: In cases of this nature where the existing vegetation is in fair to good condition, and the impact on the existing vegetation is minimal, the Board of Supervisors may direct staff from the Urban Forest Management Division (UFMD) to modify the required Tree Conservation Plan elements of the Public Facilities Manual and Chapter 122 of the Fairfax County Code, to that shown on the Special Exception plat.
- 2. Comment:** Existing vegetation adjacent to the proposed carrier equipment area consists of two mature white oaks, two 5-inch diameter hickories, and a mature American beech. These trees appear to be in fair to good condition and should also be considered for preservation.

Recommendation: Provisional Tree Conservation Elements including the Tree Inventory and Condition Analysis (PFM 12-0502.1A) should be provided for the existing trees adjacent to the proposed limits of clearing and grading adjacent to the proposed carrier equipment area.
- 3. Comment:** The planting of one species of tree identified in the proposed landscape screening chart is not diverse.

Recommendation: To curtail the spread of disease or insect infestation in a plant species, the landscape plan should be revised to show a mix of evergreen trees to be planted for screening purposes. A mix of eastern red cedar, American holly, and Japanese cryptomeria is suitable for this environment.

4. **Comment:** Existing vegetation along the northern and western portions of the site appears to be a sub-climax upland forest consisting primarily of white oak, tulip tree, red maple, and American beech. These trees appear to be in fair to good condition and should be considered a priority for preservation.

Recommendation: A tree save area or areas should be provided along the northern and western property boundaries to preserve the trees and vegetation in these areas. In addition, the following development condition should be recommended to ensure adequate tree protection:

Tree Preservation Fencing: "All trees proposed for preservation shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets.

All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES."

ENVIRONMENTAL AND SITE REVIEW DIVISION (Attachment D)
DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area on the property. The limits of disturbance must be shown 10 feet from the proposed construction (LTI 09-05). Without an approved waiver, water quality controls are required for this redevelopment project since more than 2,500 square feet of the Resource Management Area will be disturbed (PFM 6-0401.2B). No water quality controls are shown on the plat.

Floodplain

There is no regulated floodplain on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

The applicant intends to pursue a detention waiver. Adequate outfall meeting PFM requirements

must be demonstrated for approval of such a waiver request.

Site Outfall

A site outfall narrative has not yet been provided.

PARKS

(Attachment E)

Fairfax County Park Authority (FCPA) staff reviewed the application and determined that the application bears no adverse impact on land or resources of the Park Authority.

HISTORIC PRESERVATION

(Attachment F)

DPZ Historic Preservation staff review:

Findings: Staff finds the proposal in-keeping with the Policy Plan text cited above and finds that no known historic properties will be affected by the project.

Recommendations:

1. The applicant comply with Section 106 of the National Historic Preservation Act of 1966, as amended, as may be necessary. If federal licensing for the installation of the antenna is required, this may be considered an undertaking that requires Section 106 review. Applicant should contact the Virginia Department of Historic Resources for guidance.
2. The applicant provide to the Department of Planning and Zoning, Planning Division documentation as to whether or not Section 106 review is required in order to be reviewed and included in the staff report for the 2232 and SE/SPA applications. If Section 106 review is required, the applicant provide a copy of the completed Section 106 study to the Department of Planning and Zoning, Planning Division in order to be reviewed and included in the staff report for the 2232 and SE/SPA applications.

Note: The applicant provided a “½ Mile Radius SHPO Screen” indicating no historic properties.

CONFORMANCE WITH THE COMPREHENSIVE PLAN

Section 15.2-2232 of the *Code of Virginia*, as amended, charges the Planning Commission with the determination whether the general location or approximate location, character, and extent of the proposed facility are substantially in accord with the adopted Comprehensive Plan.

- Location

Plan guidelines support the location of telecommunication uses on an existing private recreation site in a predominately residential area when other, more suitable land uses, such as public property or commercial or industrial properties are not available and the telecommunications facility is located to blend with its surroundings. The applicant states that a number of other sites in the surrounding vicinity were evaluated as a possible alternative location. No available commercial or industrial properties were present in the vicinity of the area to be served. These sites as well as other sites did not meet coverage objectives due to lack of acceptance of the

property owners. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines to consider public, commercial or industrial land as preferred locations.

The subject property includes existing tall trees throughout except for within the parking area. While the density of growth varies throughout the site, staff concludes that these existing trees will screen views of the facility from adjoining nearby residential land uses based on the balloon test evaluation. Furthermore, the applicant has proposed additional landscaping to mitigate existing and future visual impact of the proposed flagpole monopole and equipment compound.

The proposed facility will be central to service an existing void in the radio frequency transmission coverage area and will be designed to accommodate at least 3 telecommunications service providers, in accordance with Plan recommendations for collocation. Finally, the proposed telecommunications facility is not located within a flood plain or other environmentally sensitive area, in accordance with the Plan Guidelines.

- Character

The proposed flagpole monopole will be designed to appear as a white flagpole with a gold finial. In order to minimize its visual impact to the surrounding area, the facility will use a 4-foot by 6-foot flag with an automatic halyard to raise and lower the flag everyday so that there will be no need to light of the flagpole monopole. This type of flagpole design will minimize the visual impact and is an acceptable stealth design. In combination with existing and proposed landscaping this design should mitigate its visual impact and help the facility to blend with its surroundings.

The proposed flagpole monopole will be screened by the existing trees located on the subject property and supplemental tree landscaping along the eastern and southern sides of the equipment compound. The combination of existing and proposed tree landscaping should further mitigate any visual impact of the flagpole monopole into the future.

Staff concludes that the proposed flagpole monopole design, narrow silhouette, concealed antennas and surrounding supplemental and existing trees will effectively mitigate the facility's visual impact on adjacent residential development. Therefore, the proposed flagpole monopole will be compatible with the wooded open space of the Springfield Swim Club and the trees in the surrounding residential areas. In staff's opinion, the proposed facility should not have a negative visual impact on the overall character of the surrounding area which is consistent with Plan objectives.

- Extent

The 3.75-acre subject property is a wooded parcel where a swim club is located. The flagpole monopole and the equipment compound (approximately 38 feet by 35 feet) will occupy 1,330 square feet which accounts for less than one percent of the total area of the subject property. The property's size permits substantial setbacks of the facility. Therefore, staff concludes that

the proposed unmanned facility will not have an adverse impact on the use of the existing site or on the possible future development of the surrounding area, in accordance with the Plan guidelines.

CONCLUSIONS AND RECOMMENDATIONS

Staff concludes that the subject proposal, Application 2232-L08-25, T-Mobile Northeast, LLC and Springfield Swim and Racquet Club, Incorporated to construct a 130-foot high flagpole monopole, antennas, equipment shelters and compound and site improvements located at 7400 Highland Street, Springfield, satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and recommends that the Planning Commission find the proposal substantially in accord with provisions of the adopted Comprehensive Plan.

COUNTY OF FAIRFAX, VIRGINIA

**APPLICATION FOR DETERMINATION *
PURSUANT TO
SECTION 15.2-2232 OF THE CODE OF VIRGINIA**

Application Number: 2232-L08-25
(assigned by staff)

The application contains three parts: I. Application Summary; II. Statement of Justification; and III. Telecommunication Proposal Details.

(Please Type or Print All Requested Information)

PART I: APPLICATION SUMMARY

ADDRESS OF PROPOSED USE

Street Address 7400 Highland Street

City/Town Springfield Zip Code VA

APPLICANT(S)

Name of Applicant T-Mobile Northeast LLC

Street Address 12050 Baltimore Ave.

City/Town Beltsville State MD Zip Code 20705

Telephone Number: Work (240) 264-8600 Fax (240) 264-8640

E-mail Address amy.bird3@t-mobile.com

Name of Applicant's Agent/Contact (if applicable) Amy Bird

Agent's Street Address 12050 Baltimore Ave.

City/Town Beltsville State MD Zip Code 20705

Telephone: Work (240) 264-8616 Fax (240) 264-8604

PROPOSED USE

Street Address 7400 Highland Street, Springfield, VA 22150

Fairfax Co. Tax Map and Parcel Number(s) 0801 05520001

Brief Description of Proposed Use _____

T-Mobile proposes to install a 130' telecommunications flagpole with six antennas mounted inside the antenna at the 127' and 117' level at the Springfield Swim Club. The equipment cabinets will be located at the base of the facility, which will be screened by an 8 foot tall board on board fence.

Total Area of Subject Parcel(s) 3.75 acres (acres or square feet)

Portion of Site Occupied by Proposed Use .057 (acres or square feet)

Fairfax County Supervisor District Lee

Planned Use of Subject Property (according to Fairfax County Comprehensive Plan)
R-3

Zoning of Subject Property _____

List all applicable Proffer Conditions, Development Plans, Special Exceptions, Special Permits or Variances previously approved and related to this site

SP-81-S-017

PROPERTY OWNER(S) OF RECORD

Owner Springfield Swimming Club

Street Address PO Box 5

City/Town Springfield Swimming Club State VA Zip Code 22150

PART II, entitled "Statement of Justification," pages 4 through 6, shall be completed by all applicants and included as part of the application. **PART III**, entitled "Telecommunication Proposal Details," pages 7 through 9, also shall be completed and included for all proposed telecommunication uses.

Name of Applicant or Agent Amy Bird, Agent for T-Mobile Northeast LLC

Signature of Applicant or Agent *Amy Bird*

Date 1/29/10

Submit completed application to:

**Fairfax County
Department of Planning and Zoning, Planning Division
Herrity Building
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035**

Please do not staple, bind or hole-punch this application. Please provide at least one copy of all pages, including maps and drawings, on 8.5 x 11 inch paper.

FOR STAFF USE ONLY
Date application received: <u>1/29/10</u>
By: <u><i>[Signature]</i></u>
Additional information requested to complete application: _____ _____ _____
Date application accepted: <u>1/29/10</u>
By: <u><i>[Signature]</i></u>

[Handwritten notes]

PART II: STATEMENT OF JUSTIFICATION

Please provide a separate written statement of justification describing the proposed use, its requirements and any potential impacts as set forth in items 1 through 8 of this section. For telecommunication uses, please also complete Application PART III, "Telecommunication Proposal Details," pages 7 through 9. Information in the Statement of Justification shall include, but need not be limited to, the following listed items:

1. DESCRIPTION OF PROPOSED USE

Describe the nature of the proposed facility and provide information related to the character and extent of the use such as:

- Type of operation or facility
- Dimensions of all buildings and structures including maximum building and structure heights
- Materials, color, or finish of buildings or structures
- Hours and days of operation
- Estimated number of employees and facility users (patrons, visitors, students etc.) expected daily
- Service area of the proposed use
- Maintenance requirements and frequency

2. REQUIREMENT FOR PROPOSED USE

Describe the requirements for the use at the location selected:

- Why the new or expanded facility is needed
- Why the proposed location is the best location for the proposed use
- Why the proposed location and type of facility is the least disruptive alternative
- Relevant standards/criteria supporting the facility and location
- Vicinity or general area to be served by proposed use

3. ANTICIPATED IMPACTS ON ADJOINING PROPERTIES AND ON- AND OFF-SITE ENVIRONMENTAL FEATURES

Describe any anticipated impacts the proposed use will have on adjoining properties and environmental and transportation features as may relate to the following:

- Traffic impacts, including maximum expected trip generation, and its distribution by mode and time of day
- Noise and light impacts
- Impacts on environmental features of site
- Impacts on air and water quality
- Visual impacts

4. ALTERNATIVE SITES CONSIDERED FOR THE PROPOSAL

Provide information on other sites evaluated and considered for the proposed use. Please describe the sites and highlight the following:

- Other publicly-owned properties in vicinity
- Other privately-owned properties in vicinity
- Other locations on the subject property
- Applicants reasons for rejecting each alternative site

5. PROPERTY IDENTIFICATION MAP(S) AT A SCALE OF 1"=500' IDENTIFYING THE PROPOSED SITE FOR THE FACILITY OR USE

- Highlight subject property and center on Fairfax County Tax Map or equivalent

6. PROPOSED FACILITY PLAN (AT A SCALE OF 1"= NOT MORE THAN 50')

Provide a plan to show, as relevant to the specific application, 1) the plan view and 2) the elevation of the proposed use showing its relation to existing site features and existing or proposed facilities. Include the following information as appropriate for the proposed use and activity:

- Subject and adjoining property boundaries
- Public right(s)-of-way and names
- Countywide trails required by the Comprehensive Plan
- Scale and north arrow
- Zoning district
- Locations, dimensions, and maximum heights of all existing and proposed structures
- All required minimum yards (front, rear, side) and transitional yards
- Distance of proposed structures to lot lines
- Proposed access from a public street to the proposed use
- Location and number of existing and proposed parking spaces
- Notation stating area of subject property, area of disturbed site, area of existing and proposed structures
- Notation stating whether the property is served by public water and sewer and other public utilities

- Existing topography with a maximum contour interval of five (5) feet
- Existing vegetation, proposed limits of clearing, and proposed landscaping and screening as required by the Fairfax County Zoning Ordinance
- Delineation of any floodplain designated by the Federal Insurance Administration, United States Geological Survey, or Fairfax County, and delineation of any Resource Protection Areas
- Location and width of all existing overhead or underground utility easements
- Any features of the proposed use, such as emergency access, fencing, exterior lighting, loudspeakers, etc., as may be applicable or requested

The plan shall be reproduced as a blueprint (maximum 24"x36") with a measurable scale. A minimum of three (3) copies of the plan shall be submitted by the applicant to the 2232 Review coordinator.

7. REDUCED COPY OF PLANS

- 8-1/2" x 11" black-and-white reduction (1 copy)

8. OTHER INFORMATION AS MAY BE DEEMED APPROPRIATE BY THE 2232 REVIEW COORDINATOR

At the request of the staff coordinator, other information may be requested, such as:

- Photos of subject property showing existing structures, terrain, and vegetation
- Photo- or computer-simulation of proposed use and relationship to existing structures
- Perspective rendering of proposed use
- Statement from property owner, if other than applicant, confirming that applicant has or will have the right to use the property as proposed
- On-site height test (such as a balloon test) to simulate the extent of the proposed structure's visibility from surrounding properties

PART III: TELECOMMUNICATION PROPOSAL DETAILS

Please complete and provide all requested information. If question is not applicable to the proposed use, please indicate with N/A.

PROPOSED TELECOMMUNICATION USE

Use is (check one):

- New structure (monopole, tower or camouflaged facility)
- Replacement of existing pole or tower at same location with another pole or tower
- Antenna placement on building or penthouse facade
- Antenna placement on building or penthouse rooftop
- Collocation on other existing telecommunications structure (monopole or tower)
- Collocation on other non-telecommunications structure (such as an electric transmission tower/pole, utility pole, water tower, etc.)
- Modification to telecommunications facility previously approved for same applicant:
Prior 2232 Review application number: _____
Date of Planning Commission approval: _____

PROJECT DETAILS

1. ANTENNA

Number and Type: 9 Andrews TMBXX-6516-R2M antennas
Dimensions: height 59" width 11.9" depth 6.3" diameter _____
Location / Placement: _____
Wattage: 300W
Material and Color: Grey Fiberglass
Material and Color of the Antenna Mounting: Prefabricated Metal
Height Above Ground: 127', 117', top height of 130'

2. EQUIPMENT

Number and Type of Cabinets or Structures: 3 Ericsson RBS 2106 cabinets
Cabinet / Structure Dimensions: height 63.5" width 51.2" depth 37"
Height of equipment platforms, if any: N/A
Material and Color: Prefabricated Metal
Location: base of tower
Method of Screening: 8' board on board wooden fence

3. STRUCTURE ON WHICH ANTENNAS WILL BE MOUNTED

Maximum Height: 130'
Material: galvanized metal
Color: painted white
If structure is within a utility right-of-way, state right-of-way width:

If the proposed structure will replace an existing pole or tower, provide dimensions of the existing structure:

Height of Structure to be Replaced: _____

Diameter or Overall Footprint of Structure to be Replaced: _____

4. ADDITIONAL INFORMATION

The following information, as relevant to the proposal, shall be included:

A. ELEVATIONS: Structural elevation drawings showing the placement of the antenna and the related equipment on the existing or proposed structure;

B. ANTENNA: Details showing the antenna and antenna mountings and the location of the antenna on the building or structure;

C. BUILDING ROOF PLAN AND CALCULATION: If located on a building rooftop, provide a roof plan at a scale of 1"= not more than 20' showing all existing penthouses, structures and mechanical equipment on the roof and the location of the proposed antenna and related telecommunications equipment. Include a calculation stating 1) the percentage of the roof which is covered by all existing structures, and 2) the percentage that will be covered by all existing structures plus the proposed antennas, equipment cabinets and shelters;

D. SCREENING: Details of screening for the equipment structure and/or antenna structure showing type of screening material, dimensions and placement; if landscaping is provided, list the height of the landscaping at time of planting and the ultimate height;

E. PROPERTY PLAT: A plat of the property prepared by a certified engineer showing the location of the proposed ground equipment structure and antenna, the relationship to other structures on site, with measured distances from all property boundaries or easement lines if the structure or antenna is placed in an easement;

F. PHOTOGRAPHS: For collocations on existing buildings or other structures such as power poles or towers, provide photographs of the building or structure showing the proposed placement of the antenna and related equipment;

G. PHOTOGRAPHIC SURVEY: For proposed structures, provide a photographic survey of the project site. Photographs should be taken from the subject property boundaries at four or more locations to show on- and off-site views of the subject property and to identify the proposed location of the facility on the site. The number of photos submitted will vary according to site size but should be adequate to view the entire site;

H. PHOTO SIMULATIONS: Provide photo simulations illustrating the proposed facility, antennas and equipment. Include enough photo simulations to accurately depict the proposed facility. For new structures, the photo simulations should depict the appearance of all proposed structures and equipment as viewed from the subject site and adjoining properties and show the relationship to existing site features such as building, trees and other physical features. For rooftop or structure installations, the photo simulations should depict the appearance of the antennas and equipment when installed. Photo simulations may be submitted to Fairfax County as part of the application. For new structures the simulations may be submitted following completion of an on-site height test.

I. On-site Height Test: For proposed poles or towers, the applicant should conduct an on-site height demonstration, such as a balloon or crane test, to simulate the extent of the proposed structure's visibility from surrounding properties. Such test should be coordinated with the staff coordinator.

END OF APPLICATION

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October 30, 2008

**Mr. James P. Zook, Director
Fairfax County Office of Comprehensive Planning
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5505**

**RE: Request for determination under Virginia Code sec. 15.2-2232
T-Mobile Northeast, LLC
Site WAC123
Tax Map No. 0801 05520001**

Dear Mr. Zook:

T-Mobile Northeast, LLC ("T-Mobile"), an FCC licensed E-Block digital PCS service provider, respectfully requests that the Planning Commission of Fairfax County, Virginia make a determination pursuant to sec. 15.2-2232 of the Code of Virginia that T-Mobile's proposed telecommunication facility is substantially in accord with the Fairfax County Comprehensive Land Use Plan. T-Mobile's FCC license covers the Greater Washington and Baltimore Metropolitan areas, including Fairfax County and other areas of Northern Virginia.

APPLICANT:

**T-Mobile Northeast, LLC ("T-Mobile")
12050 Baltimore Avenue
Beltsville, MD 20705
Tel: 240-264-8616
Fax: 240-264-8604**

SITE LOCATION:

**Address: 7400 Highland Street, Springfield, Virginia 22150
Tax Map #: 0801 05520001
Zoning District: R-3
Use: Private Open Space (not planned develop)
Supervisor District: Lee**

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DESCRIPTION OF PROPOSED USE:

T-Mobile proposes to install an unmanned wireless telecommunications link, which will consist of six sectors of antennas (with one antenna per sector) mounted inside a new 130' telecommunications stealth flagpole, located at 7400 Highland Street in Springfield, VA. T-Mobile's antennas will be mounted inside the stealth flagpole to provide an approximate antenna centerline of 127 and 117 feet. In addition to the antennas and stealth flagpole, T-Mobile will install three proposed ancillary equipment cabinets in a compound at the base of the flagpole. The 63.5-inch by 51.2-inch by 37-inch (height by width by depth) ancillary equipment cabinets will be located in the proposed compound and screened by an 8' board-on-board fence. This facility is sought to fill a much-needed gap in T-Mobile's wireless coverage around I-495 between Braddock Road and Backlick Road and eliminate the coverage gap in the neighborhoods between I-495 and Accotink Park Road.

The facility will operate automatically and will not require personnel or hours of attendance. It will operate twenty-four (24) hours a day, three hundred and sixty-five days a year. Maintenance personnel will visit the site periodically and occasionally for repairs or modifications to the facility.

REQUIREMENT FOR PROPOSED USE:

The proposed facility is a vital part of T-Mobile's area wide wireless communications network. As part of that network, T-Mobile requires a wireless communications facility in order to provide coverage to a rather large area, including the area around I-495 between Braddock Road and Backlick Road. This area at present is inadequately served by the Applicant due to the absence of a wireless communications facility in this area. This results in dropped calls or an inability of subscribers to access T-Mobile's network. Such a "gap" in service is, at best, an inconvenience to T-Mobile's subscribers who live, work or travel through the area and, at worst, is a disservice to those who rely on wireless communications as their only telephone service or who rely on it for peace of mind and safety. This proposed facility will also provide excellent coverage in the areas surrounding the proposed site and improved handoff to T-Mobile's surrounding sites.

Telecommunications carriers must locate antenna sites according to a network design within relatively limited geographic parameters in order to provide uninterrupted coverage. When carriers cannot locate a site within these geographic parameters, network users will pass through an area where the lost signal results in interrupted or "dropped" calls. This poses a significant safety problem, both from the standpoint of lack of coverage in emergencies and because an interrupted call may mean a dangerous distraction to drivers. In addition, an incomplete system is inconsistent with T-Mobile's legal requirements to provide continuous coverage and to provide coverage to a percentage of the population within specific time parameters as required by its FCC license.



This site offers both an excellent land-use and visual solution to T-Mobile's coverage objective within the narrow placement parameters of this particular search area. T-Mobile's analysis of its network indicates that there are significant coverage problems in the neighborhoods around I-495 in this part of Fairfax County. Because there are no suitable existing structures in this area that allow for co-location of facilities, T-Mobile has selected the subject parcel because of its use as a swim club. In addition, by utilizing the stealth flagpole design, the visual impact to the area will be minimal. The antennas will not be visible because of their location inside the flagpole and the proposed equipment will be screened by an 8' board-on-board fence. Consequently, this facility will be the least disruptive means to provide the needed coverage in the area.

ANTICIPATED IMPACTS ON ADJOINING PROPERTIES

The proposed facility will have no impact as to traffic, noise, light pollution, air quality, water quality, or radiation on adjoining properties. This facility would be located on a large commercially used parcel. Because of the stealth design of this facility there will be little to no adverse visual impact on surrounding properties.

RELATIONSHIP OF THE PROPOSAL TO THE COMPREHENSIVE PLAN

The proposed facility is consistent with and furthers the transcendent goals of the Fairfax County Comprehensive Land Use Plan ("Plan") as well as the applicable objectives.

The location, character and extent of the application should be found to be in substantial accord with the Comprehensive Plan. In terms of location, this stealth flagpole would be located on a sizable, well-treed, non-residential parcel, which is a preferred siting location for monopoles by the Comprehensive Plan. Regarding the character of the proposal, the facility would be disguised as a flagpole, which might be typically found at a swim club. Moreover, the extent of the proposed facility should be found to be in substantial accord with the plan as well. The proposed facility poses no encroachment on any existing easements or services, and as the included RF propagation maps and cover letter show, the height is the minimum needed to serve the facility's goals for the applicant.

The instant application is consistent with the objectives found under the Policy Plan of the Comprehensive Plan concerning "Mobile and Land-Based Telecommunication Services." Under the "General Guidelines" section, it states:

Objective 42: In order to provide for the multiple and land-based telecommunication network for wireless telecommunication systems licensed by the Federal Communications Commission, and in order to achieve opportunities for the collocation of related facilities and the reduction of their visual impact, locate the network's

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necessary support facilities which include antennas, monopoles, lattice towers and equipment building in accordance with the following policies:

Policy b. Locate new structures that are required to support telecommunication antenna on properties that provide the greatest opportunity to conceal the telecommunications facilities and minimize their visual impact on surrounding areas.

T-Mobile would argue that, by placing this stealth flagpole on a non-residentially used parcel, which is used as a swim club, they have furthered this objective of the Comprehensive Plan.

Policy e. Locate mobile and land-based telecommunication facilities operated by different service providers on single sites and/or structures whenever appropriate. Locate single-use structures on a property when a collocation structure for multiple service providers is not desirable or feasible due to site limitations or visual impact concerns.

T-Mobile would argue that by building this stealth flagpole with ample, desirable space for future carriers to collocate to, they have furthered this objective of the Comprehensive Plan.

Policy f. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.

The coverage objective sought to be fulfilled by this telecommunications facility consists of both residential neighborhoods and providing seamless coverage along I-495. As the included RF propagation maps indicate, the requested height is the minimum height necessary to provide the much needed in-building coverage to the surrounding residential neighborhoods. Additionally, by utilizing a stealth design this facility will blend into the existing use of the property which will minimize the visual impact to the surrounding residential parcels.

Policy h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of the property and surrounding areas. Demonstrate the appropriateness of the design through facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.

As previously mentioned, by utilizing a stealth design this facility will blend into the existing use of the property, which will minimize the visual

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impact to the surrounding residential parcels. To demonstrate this, please reference the submitted photo simulations under Exhibit E.

Policy i. *Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public way. Analyze the potential impacts from other vantage points in the area to illustrate the visual impact of the proposed facility.*

See the discussion of Policy h above.

Policy j. *Mitigate the visual impact of proposed telecommunication structures, and their antennas and ancillary equipment, using effective design options appropriate to the site such as:*

- *locating facilities near to or within areas...which, when viewed in context, considering perspective views, relative topography and other factors, mitigate their visual presence and prominence.*

See previous discussions of Policies f, h, and i.

Policy k. *Locate telecommunication facilities to ensure the protection of historically significant landscapes. The views of and vistas from architecturally and/or historically significant structures should not be impaired or diminished by the placement of telecommunication facilities.*

T-Mobile will submit that before any construction occurs on the proposal in question, a full engineering study will be completed demonstrating compliance with all NEPA regulations, including sec. 106 which deals directly with impact on historic structures.

Policy l. *Site proposed facilities to avoid areas of environmental sensitivity.*

(See description of compliance with Policy k.)

ALTERNATIVE SITES CONSIDERED FOR THIS PROPOSAL

A memorandum discussing the alternative locations for this facility has been submitted with this application packet.

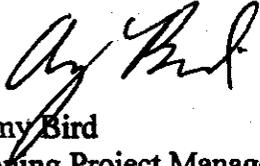
The applicant, T-Mobile Northeast, LLC, respectfully submits to the Planning Commission that the proposed facility is consistent with the Comprehensive Plan as to

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character, location, and extent, and requests that the Planning Commission make such a finding.

Please contact me if you have any questions with reference to this submission.

Sincerely,



Amy Bird
Zoning Project Manager
Network Building & Consulting, LLC
Consultant for T-Mobile Northeast LLC

Exhibit A – Tax Map

Exhibit B – Aerial Map

HIGHWAY BUSINESS

7317-7327

7370-7364

7300

7301

7304

7306

7308

7400

5800

7416

7409

22

5803

05

30

19

18

17

16

15

5815

5813

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5812

5819

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5802

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5812

5819

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5806

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5812

5814

5819

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SPRINGFIELD

5811

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5800

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7416

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9

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7403

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7402

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15

21

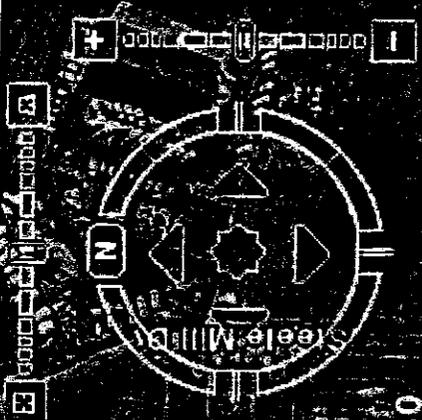
22

7416

17

19

60



7400 Highland St, Springfield, VA 22150

Accotink Park Rd

Amelia St

Accotink St

Florida St

Alton Rd

© 2008 Tele Atlas/Mapbox
© 2006 Commonwealth of Virginia

Google

Exhibit C – Antenna Specifications



TMBXX-6516-R2M

±45° Dual Band Quad Antenna

Decibel®
Base Station Antennas

- Patented cross dipole and feed system
- Rugged, reliable design with excellent EMI suppression
- Includes factory installed A)SEA REF actuator
- Fully compatible with Andrew Teletilt® remote control antenna system

ELECTRICAL

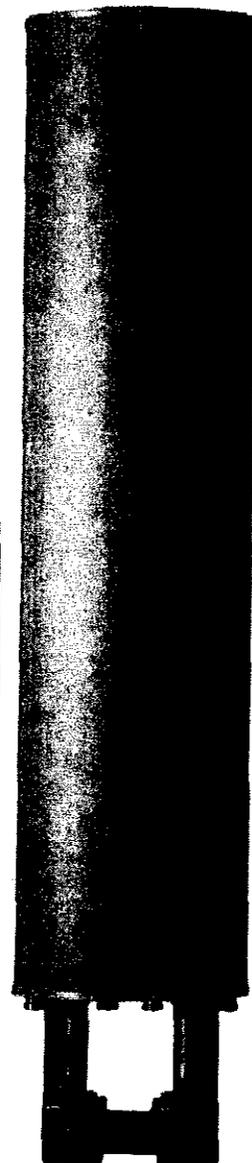
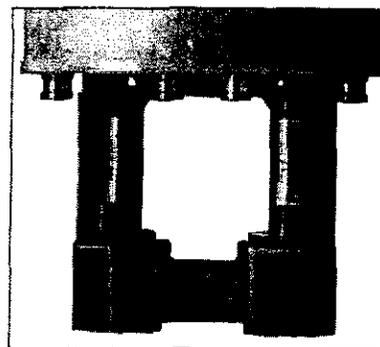
Frequency Range (MHz):	1710-2155
Characteristic Impedance (Ohms):	50
Azimuth BW (Deg):	64.5 ± 8
Elevation BW (Deg):	7.2 ± 1.2
Gain (dBI) :	17.5 ± 8
Polarization:	±45°
Front-to-Back Ratio (dB)	
Copol, 180° ± 30°:	>24 >24 >24 >24 >24
Total Power, 180° ± 30°:	>24 >23 >22 >23 >23
Upper Sidelobe (dB)	
Main Beam to +20°:	>18 >17 >15 >14 >11
VSWR / Return Loss (dB):	1.35:1 / 16.5
Port-to-Port Isolation (dB):	>30
Electrical Tilt Range (Deg):	2-10
Electrical Downtilt Accuracy (Deg):	± 0.9
Cross-pol (dBc)	
3 dB Beamwidth:	>13 >13 >12 >12 >12
Intermodulation Products (dBc)	
3rd Order, 2 x 20 Watts:	155
Max. Input Power (Watts):	250
Lightning Protection:	DC Ground

PERFORMANCE TRACKING

Gain Variation (dB) (between UL and DL frequency pair):	1.3
Electrical Tilt Accuracy (Deg) (between UL and DL frequency pair within 0.5°):	<0.55
Azimuth HPBW (Deg) (between UL and DL frequency pair):	11.5

MECHANICAL

Net Weight (kg / lbs):	15.7 / 34.6
Dimensions-LxWxD: (with actuator)	1499 x 302 x 160 mm 59 x 11.9 x 6.3 inch
Max. Wind Area (m² / ft²):	0.27 / 2.9
Max. Wind Load (N / lbf):	729.4 / 164
Max. Wind Speed (km/h / mph):	241 / 150
Hardware Material:	Hot Dip Galvanized
Connector Type:	7-16 DIN, Female (4)
Color:	Off White
Standard Mounting Hardware:	TM600899A-2



Andrew Corporation
2601 Telecom Parkway
Richardson, Texas U.S.A. 755082-3521
Tel: 214.631.0310

Fax: 214.688.0089
Toll Free Tel: 1.800.676.5342
Fax: 1.800.229.4706
www.andrew.com

11/27/2006
Page 1 of 3
dbtech@andrew.com



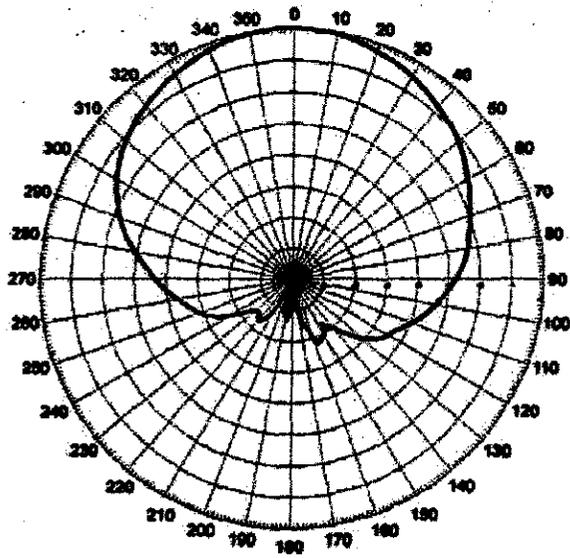
TMBXX-6516-R2M

±45° Dual Band Quad Antenna

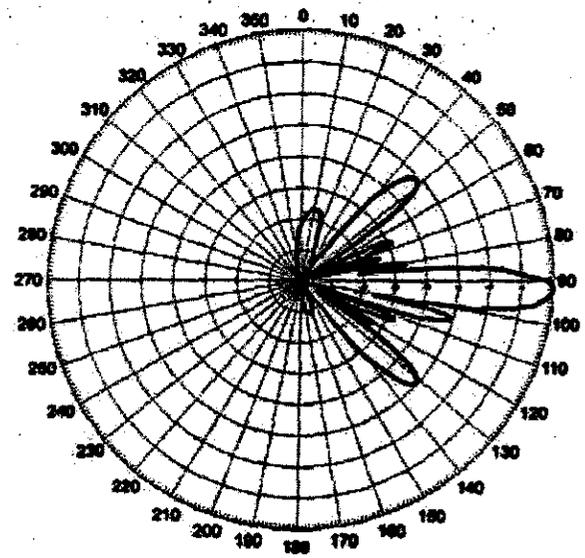
Decibel®
Base Station Antennas

AZIMUTH PATTERN

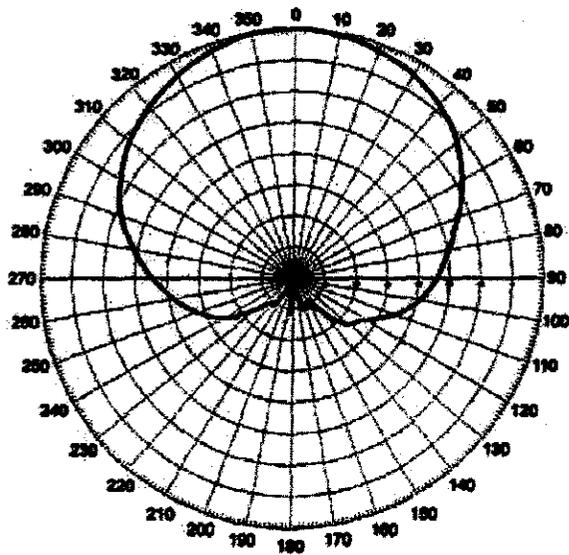
ELEVATION PATTERN



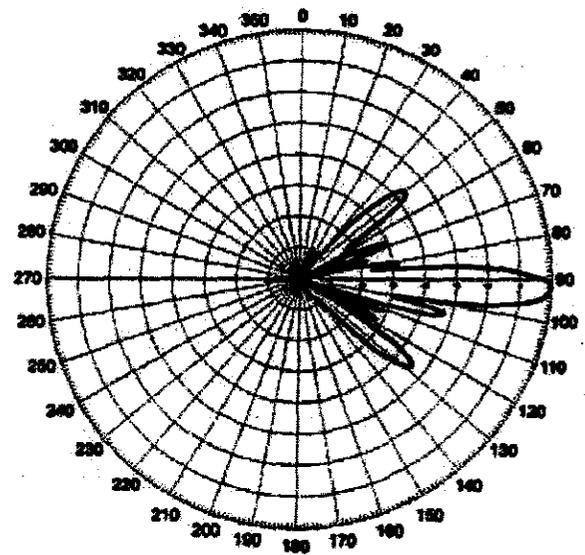
1732 MHz, Tilt: 2°



1732 MHz, Tilt: 2°



1880 MHz, Tilt: 2°



1880 MHz, Tilt: 2°

Note: Scale 5 dB per division.

Andrew Corporation
2801 Telecom Parkway
Richardson, Texas U.S.A. 75082-3521
Tel: 214.631.0310

Fax: 214.688.0089
Toll Free Tel: 1.800.676.5342
Fax: 1.800.229.4706
www.andrew.com

11/27/2006
Page 2 of 3
dbtech@andrew.com

Information correct at date of issue but may be subject to change without notice.

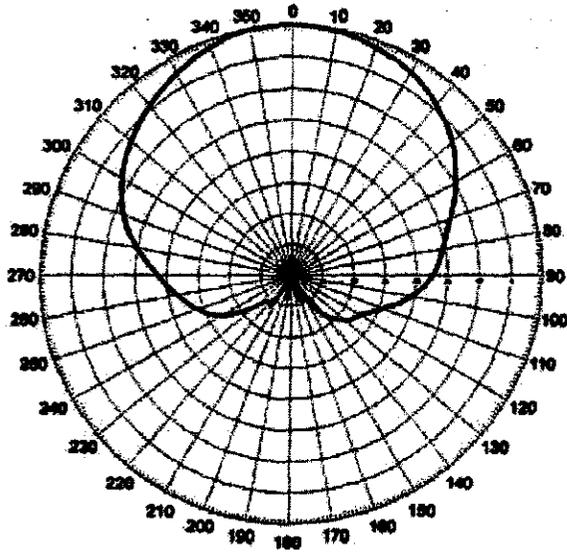


TMBXX-6516-R2M
±45° Dual Band Quad Antenna

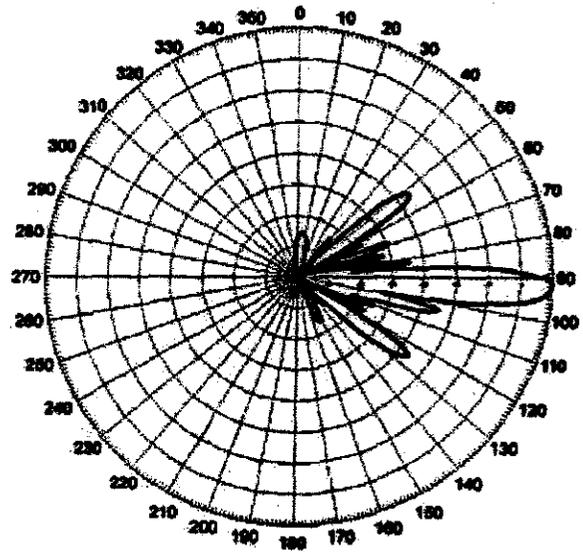
Decibel®
Base Station Antennas

AZIMUTH PATTERN

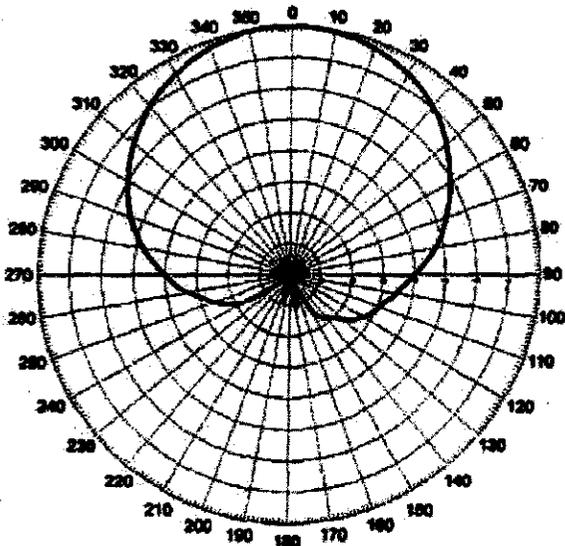
ELEVATION PATTERN



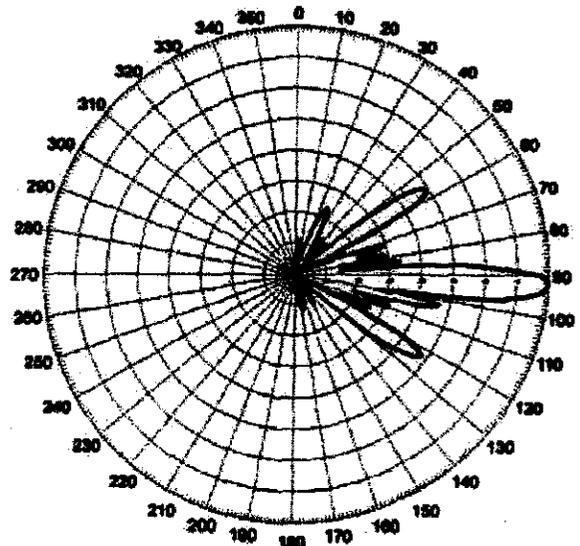
1960 MHz, Tilt: 2°



1960 MHz, Tilt: 2°



2132 MHz, Tilt: 2°



2132 MHz, Tilt: 2°

Note: Scale 5 dB per division.

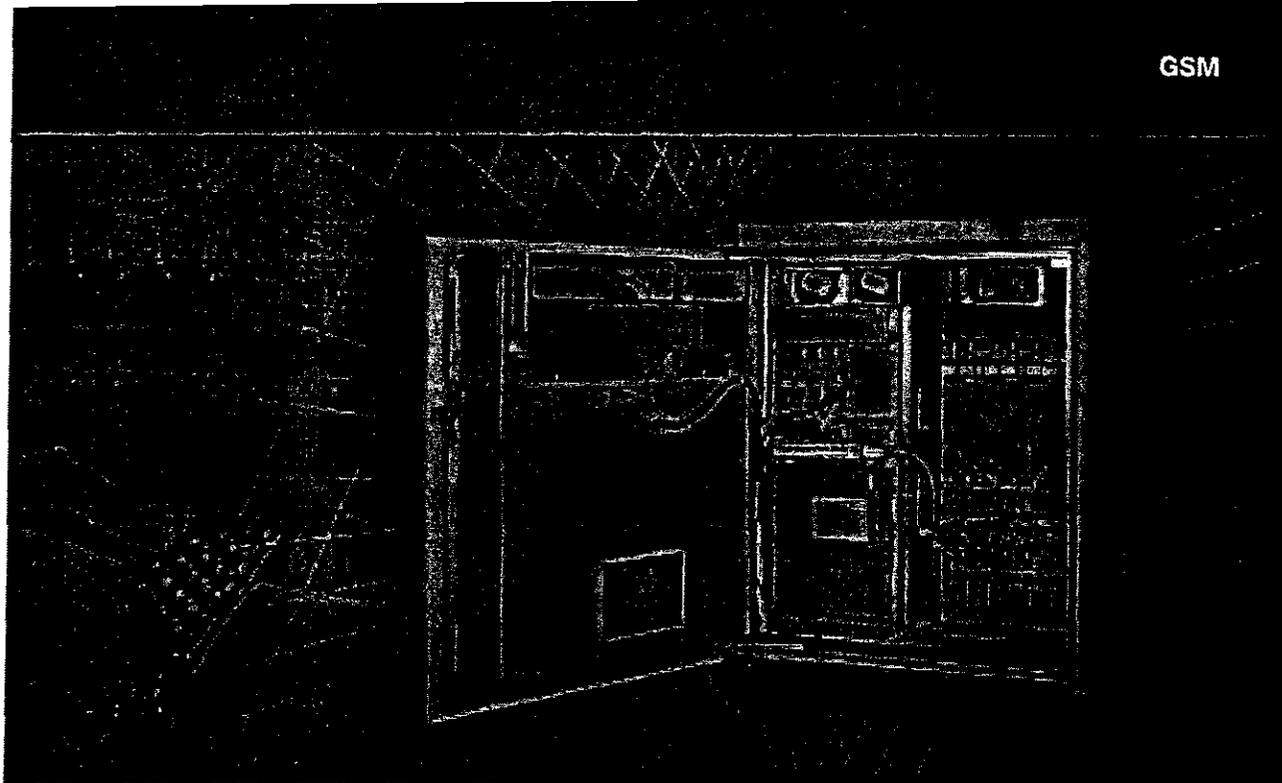
Andrew Corporation
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Information correct at date of issue but may be subject to change without notice.

Exhibit D – Equipment Specifications

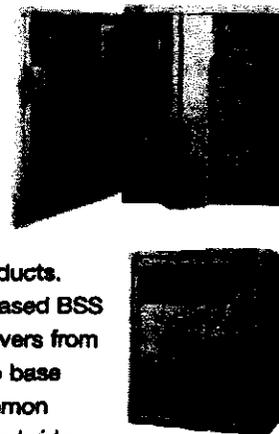


RBS 2106

RBS 2106 is a high capacity, outdoor macro base station supporting up to twelve transceivers per cabinet. It is possible to build one, two and three sector configurations including dual band GSM 900/GSM 1800, in one cabinet. The RBS 2106 supports Enhanced Data rates for Global Evolution (EDGE) and Wideband Code Division Multiple Access (WCDMA) through plug-in units.

The RBS 2106 is a member of the highly successful radio base station family RBS 2000. The RBS 2000 family supports a wide range of applications ranging from extreme coverage to extreme capacity.

Being a RBS 2000 member guarantees coexistence with the installed base of RBS 200 and RBS 2000 products. Ericsson's synchronization based BSS features ensure that transceivers from different generations of radio base stations can easily form common cells. Operators can therefore bridge the past with the future. By making existing sites futureproof, investments are protected while migrating to 3G.



Part of the grow-on-site concept

Since it is becoming increasingly difficult to find new base station sites, it is of great interest to remain on existing sites as long as possible. Site space is often a limiting factor for capacity growth. The powerful RBS 2106, included in Ericsson's grow-on-site toolbox, addresses this problem.

On many sites, two or more existing cabinets can be replaced by one RBS 2106, thereby solving the site space problem by making room for another cabinet. This is of major importance, since it makes it possible to reuse and collocate GSM and WCDMA equipment. Furthermore, the plug-in WCDMA transceiver unit (W-TRU) can later be directly housed in the RBS 2106.

Doubled capacity

- superior performance - same footprint

The 12-transceiver RBS 2106 cabinet has the same footprint as RBS 2102 but has doubled capacity, thanks to new double-capacity transceivers and combiners.

The double transceiver unit (dTRU) has some powerful features. The RBS 2106 has better output power than current RBS 2000 products, which are the best on the market today. The improved radio performances mean increased site-to-site distance, and therefore, fewer sites. Another example of a cost saving feature is 121 km Extended Range.

The RBS 2106 comes with two new, extremely flexible combiners. Examples of configurations for 900 and 1800 MHz, supported by the filter combiner (CDU-F), are 3x4, 2x6, 1x12 and dual band 8+4 or 4+8 in one cabinet. CDU-F supports up to 12 transceivers. The other combiner (CDU-G) for 900, 1800 and 1900 MHz can be configured in two modes: capacity mode and coverage mode, making it very flexible. In coverage mode, the output power from the CDU-G is increased, making it perfect for rural sites or when fast rollout is required at a minimum cost. To build a 3x4 configuration, one RBS 2106 cabinet is equipped with three CDU-Gs.

Prepared for the future

The RBS 2000 family is prepared for GSM data services, including General Packet Radio Service (GPRS), High Speed Circuit Switched Data (HSCSD) and 14.4 kbit/s timeslots.

To meet the operators' need for faster datacom solutions, RBS 2106 supports EDGE. A powerful Distribution Switch Unit (DXU) and fast internal buses guarantee full EDGE support. This new DXU is also prepared for IP based Abis transmission.

With the optional BSS feature RBS 2000 synchronization, it is possible to have up to 32 transceivers in one cell. With the optional BSS feature RBS 200 and RBS 2000 in the same cell, it is possible to expand an existing RBS 200 cell with RBS 2106, and thereby introduce EDGE and WCDMA through plug-in units.

Key features

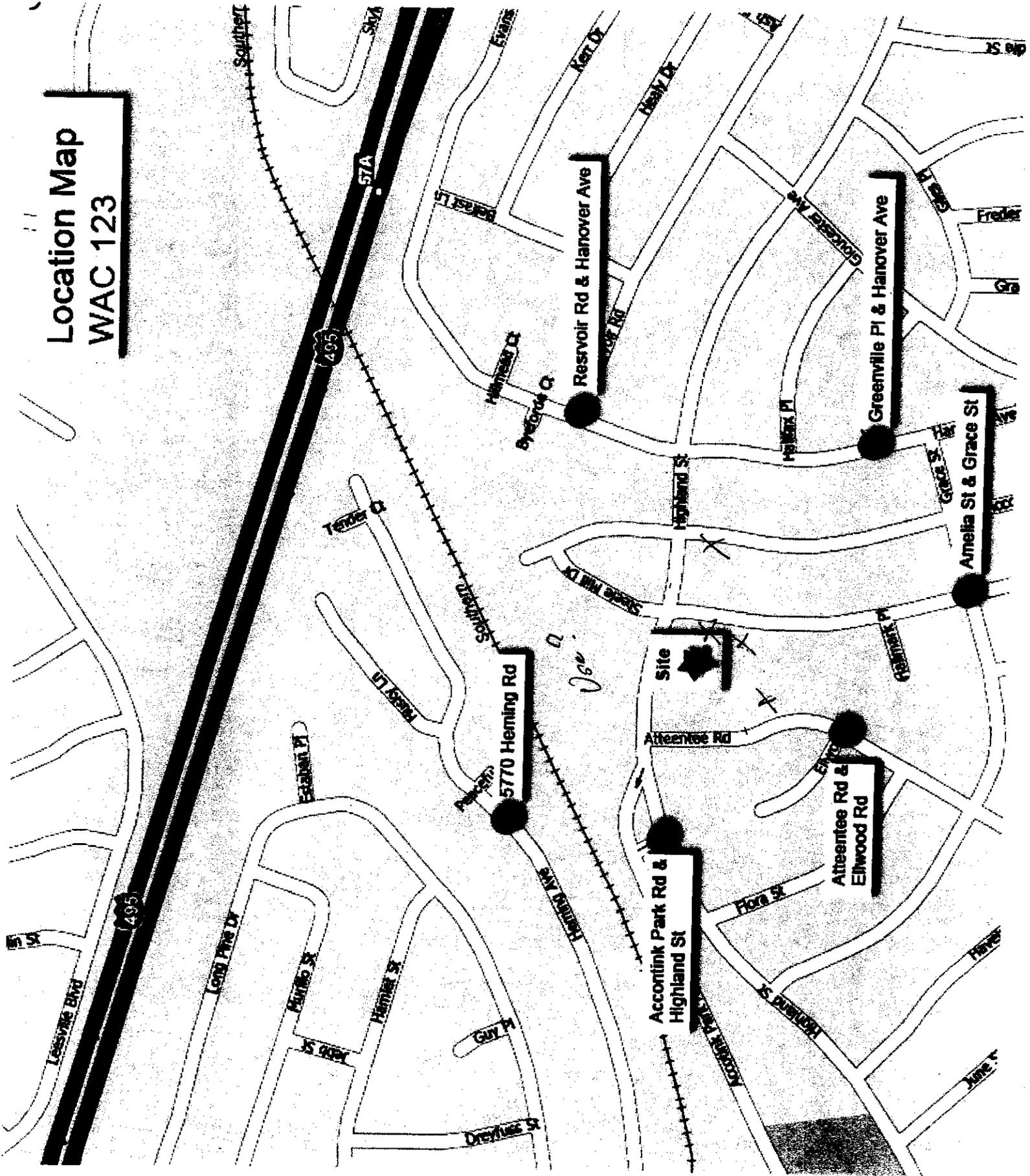
- Six double transceiver units (dTRU), that is, 12 transceivers
- Filter and hybrid combining one, two, or three sectors in one cabinet
- Improved radio performance
- Synthesized and baseband frequency hopping
- Supports 12 transceiver EDGE on all timeslots
- Supports 900, 1800 MHz and 1900 MHz
- Extended Range 121 km
- Duplexer and TMA support for all configurations
- Four transmission ports supporting up to 8 Mbit/s
- Optional built-in transmission equipment
- Prepared for IP based Abis transmission
- Prepared for GPS assisted positioning services
- Internal and external battery back-up

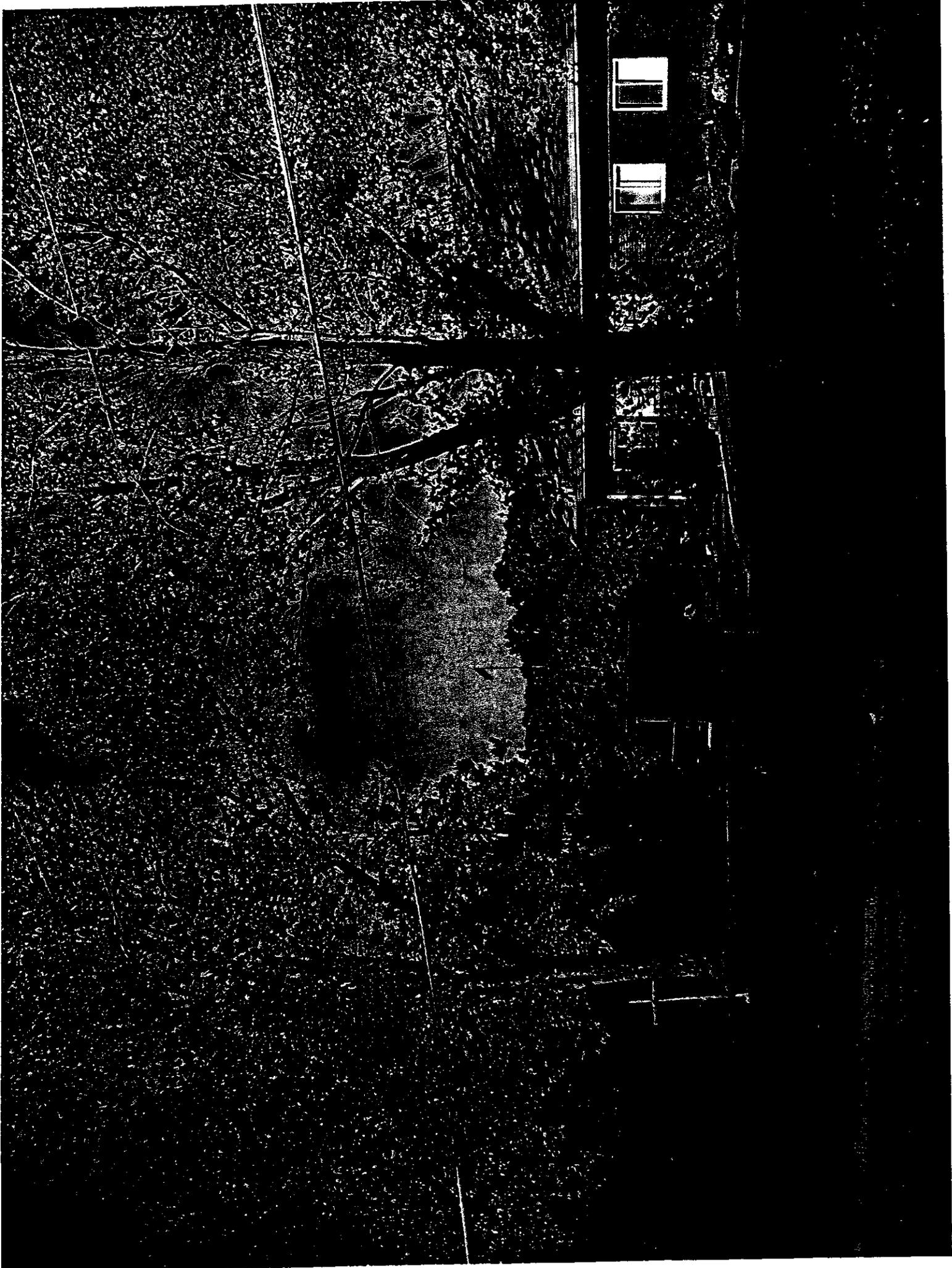
Technical specifications for RBS 2106

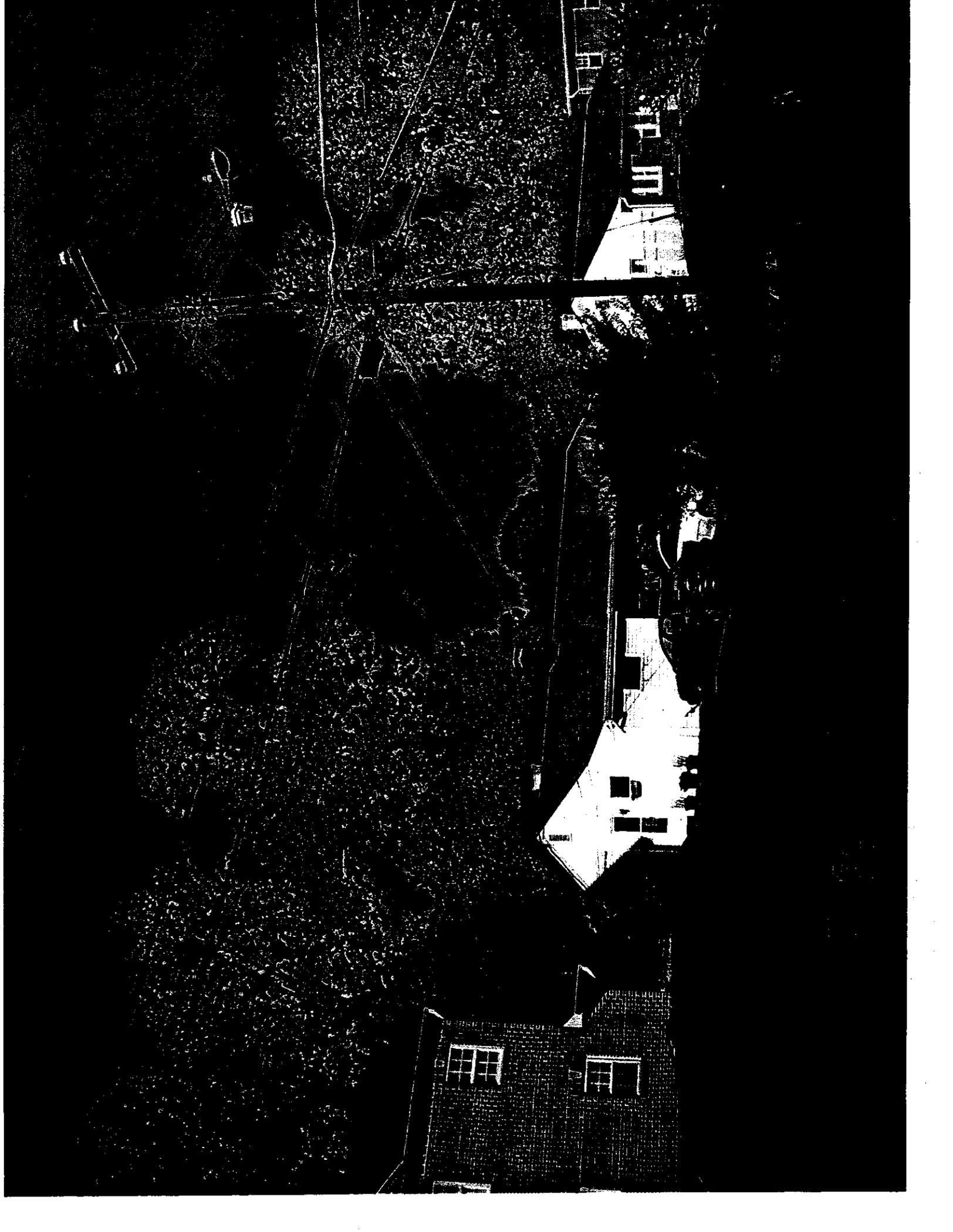
Frequency band:	E-GSM 900, GSM 1800, GSM 1900
Tx:	925-960, 1805-1880, 1930-1990 MHz
Rx:	880-915, 1710-1785, 1850-1910 MHz
Number of transceivers:	2-12
Number of sectors:	1-3
Transmission interface:	1.5 Mbit/s (T1), 2 Mbit/s (E1)
Footprint (H x W x D):	1614 x 1300 x 710 mm including installation frame (63 1/2 x 51 1/8 x 28 in.)
Dimension (H x W x D):	1614 x 1300 x 940 mm (63 1/2 x 51 1/8 x 37 in.)
Weight without batteries:	550 kg (1211 lbs.)
Power into antenna feeder:	33 W / 45.2 dBm (GSM 900) 25 W / 44.0 dBm (GSM 1800 / 1900)
Receiver sensitivity:	-110 dBm (without TMA)
Power supply:	200-250V AC, 50 / 60 Hz
Integrated battery back-up:	Typical 1 hour (fully equipped)
External battery back-up:	Optional 2 hours
Operating temperature:	-33°C - +45°C (-27°F - +113°F)
Weatherproofing:	Min level IP55 in IEC 529

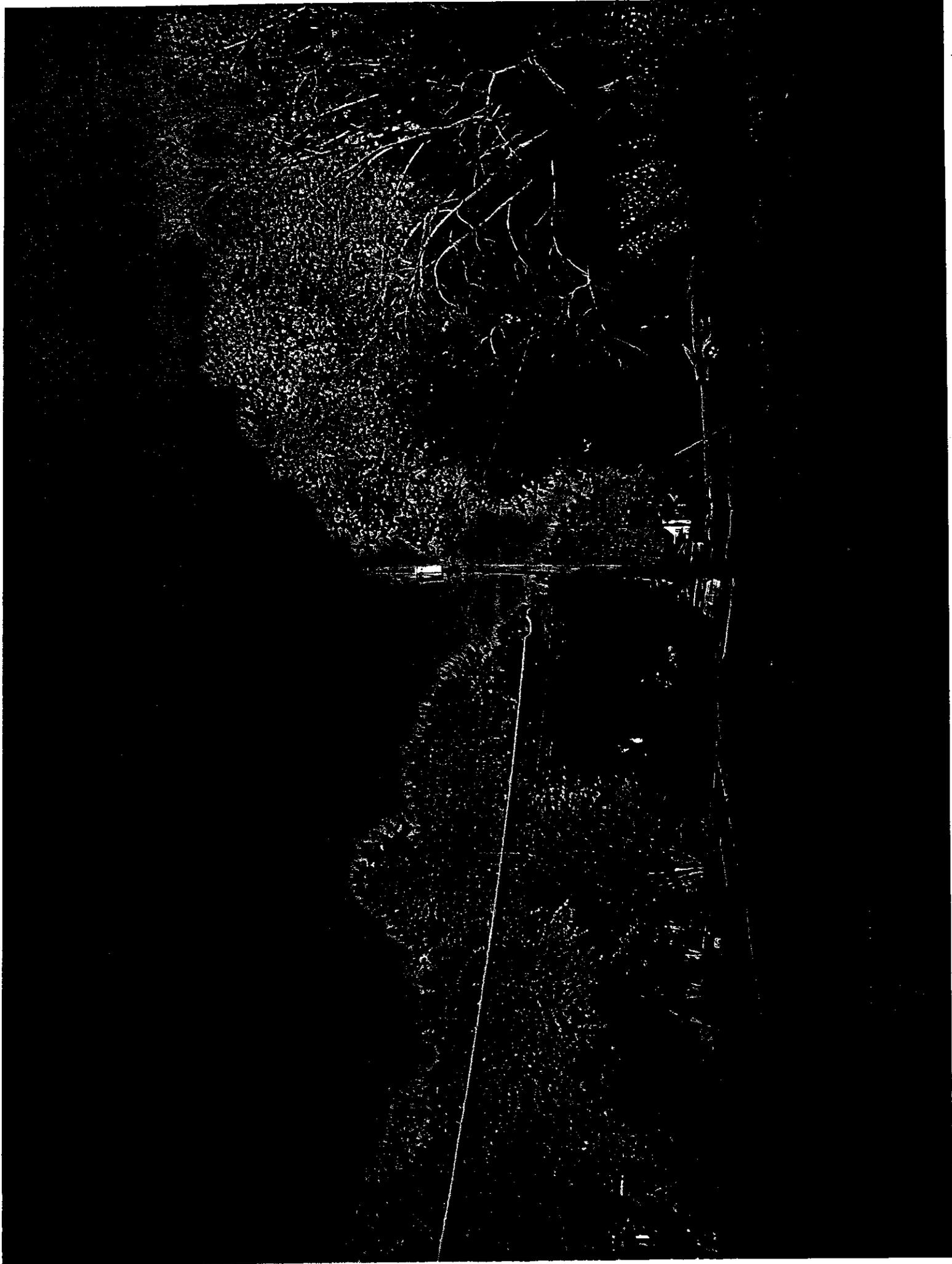
Exhibit E – Photo Simulations

Location Map WAC 123









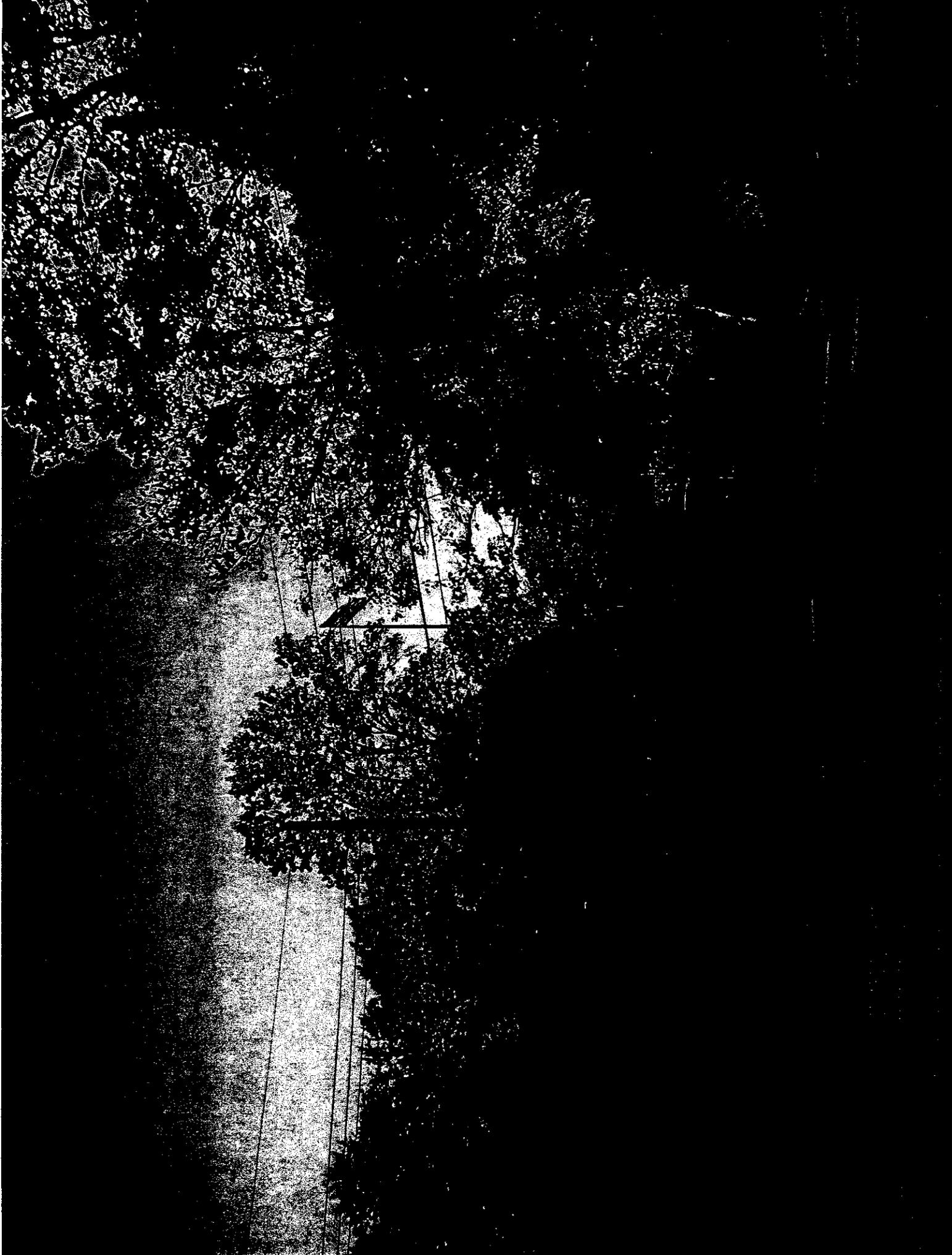
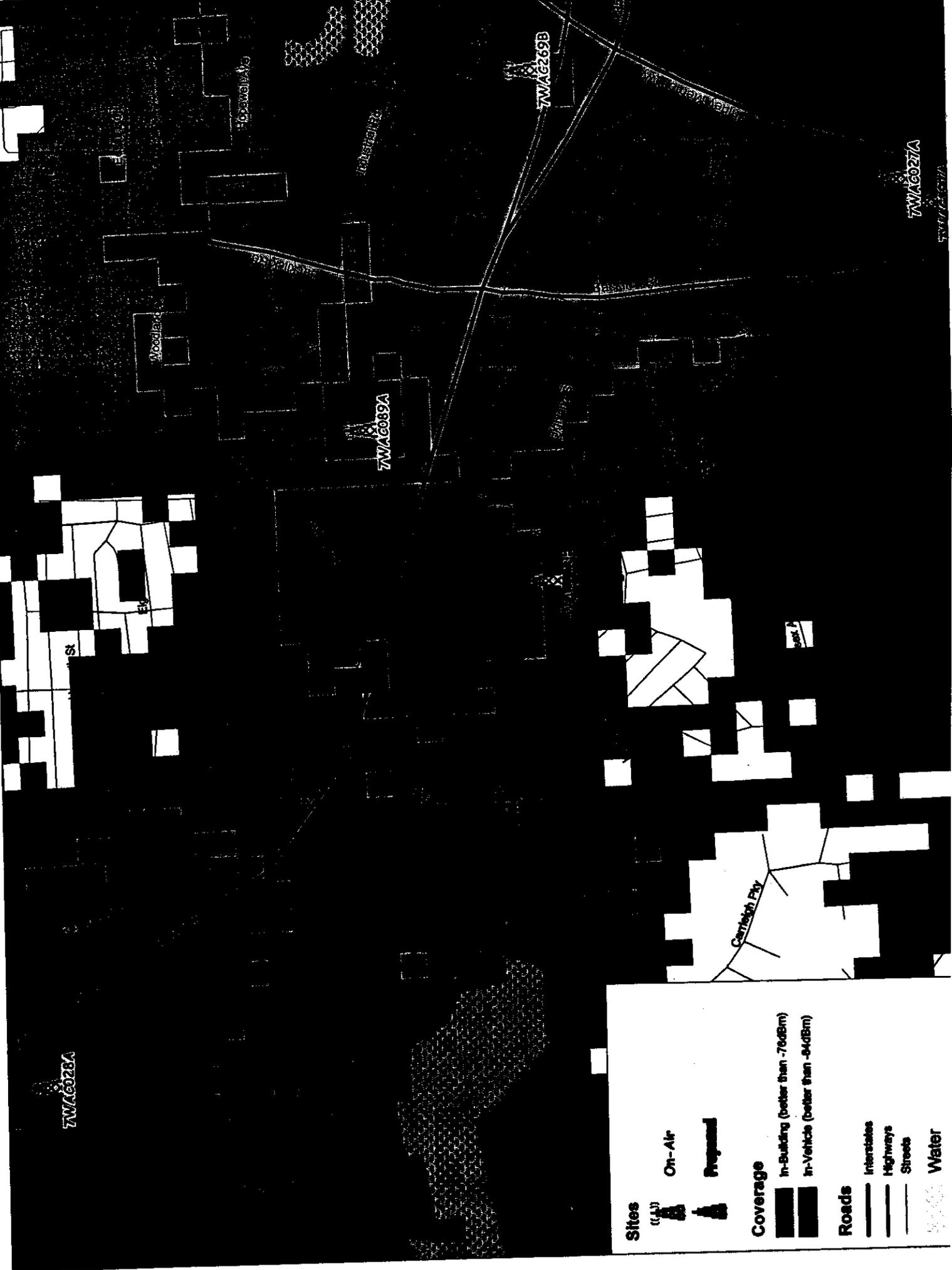






Exhibit F – Propagation Studies

Current Coverage of On-Air Sites without Proposed Site WAC123E



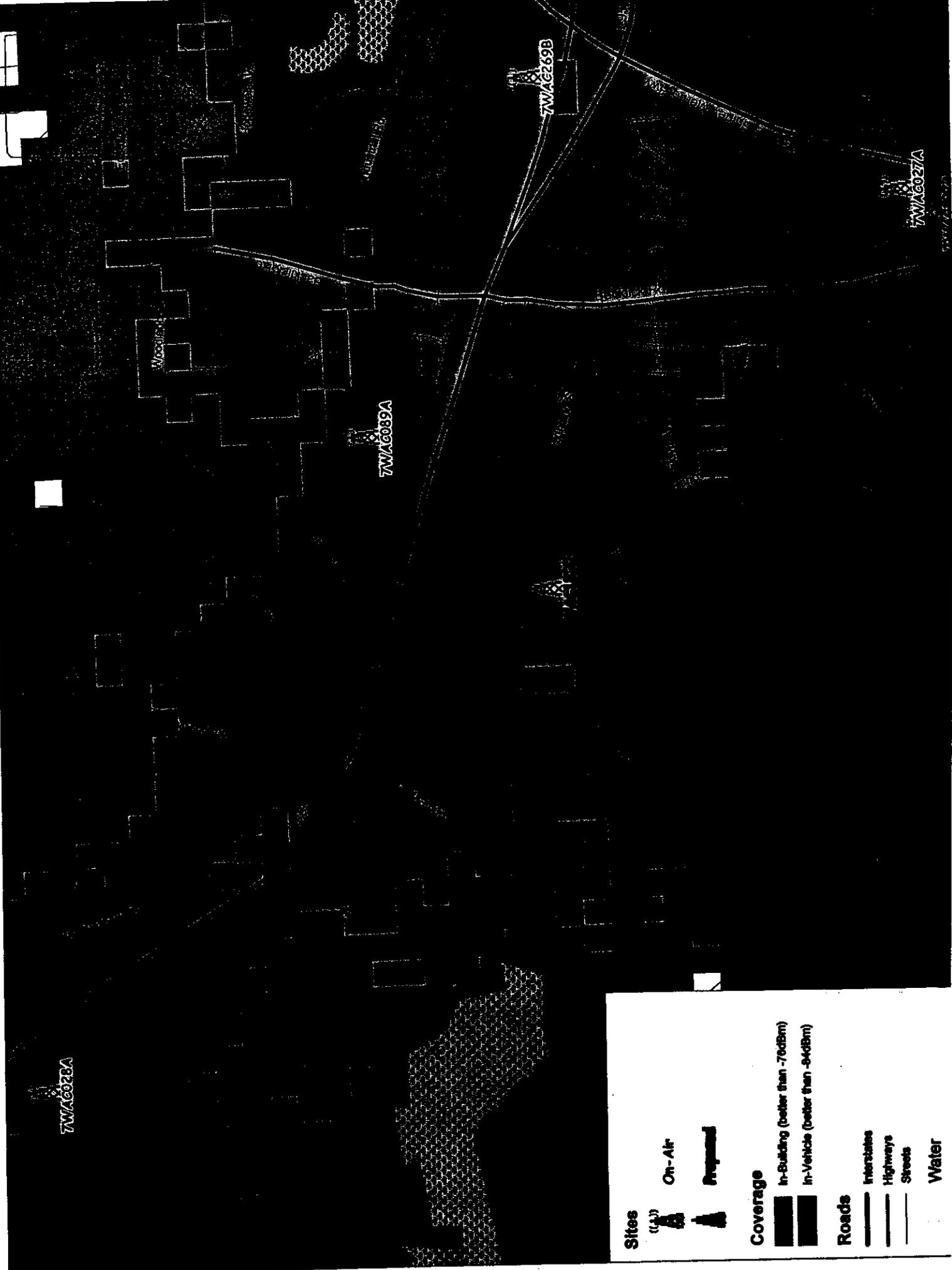
Sites
 (L) On-Air
 Proposed

Coverage
 In-Building (better than -76dBm)
 In-Vehicle (better than -84dBm)

Roads
 Interstates
 Highways
 Streets

Water
 Water

Future Coverage of On-Air Sites with Proposed Site WAC-123E @127'



Sites

(127)

On-Air

Proposed

Coverage

In-Building (better than -70dBm)

In-Vehicle (better than -84dBm)

Roads

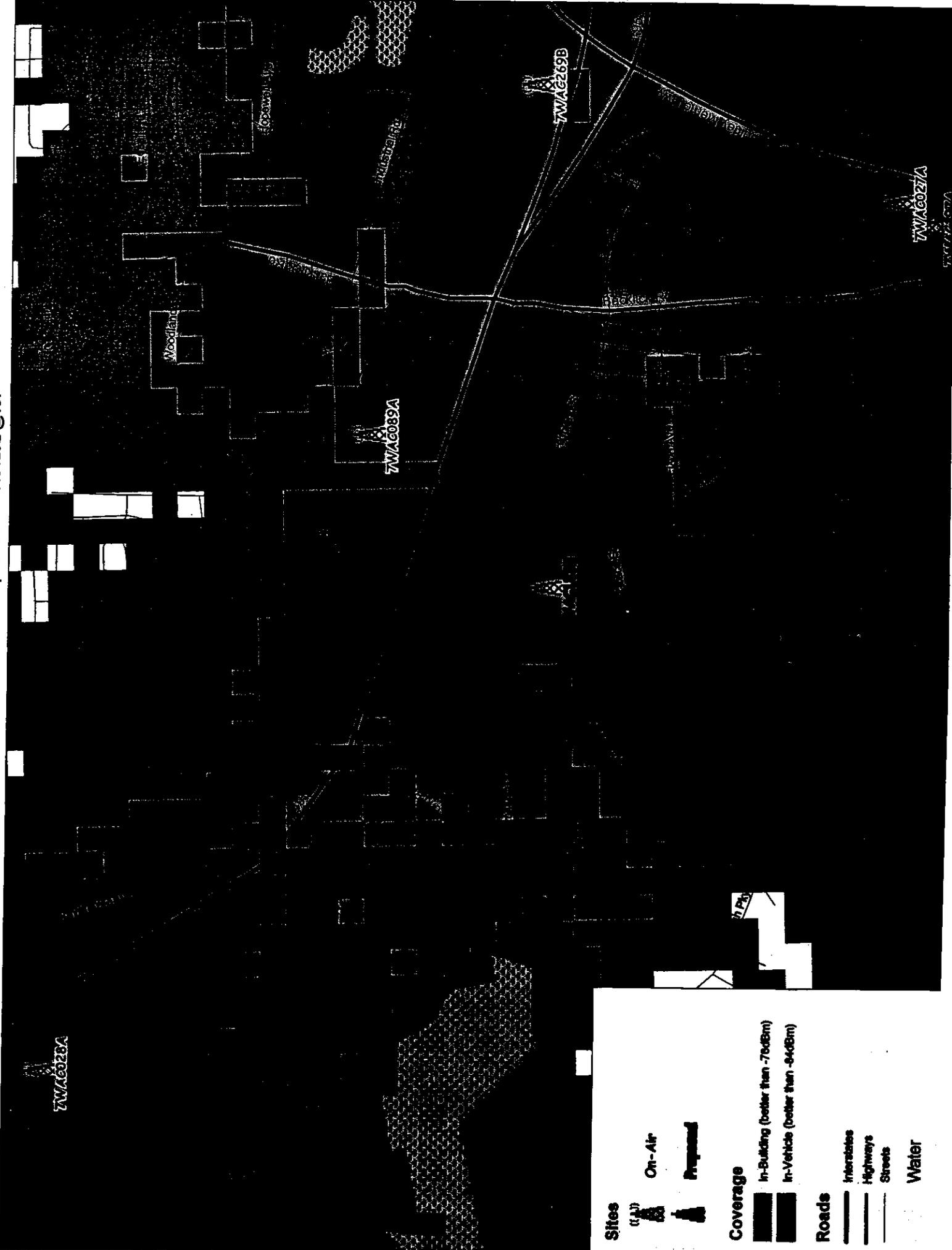
Interstates

Highways

Streets

Water

Future Coverage of On-Air Sites with Proposed Site WAC123E @107'



Sites

(A) On-Air

Proposed

Coverage

In-Building (better than -76dBm)

In-Vehicle (better than -84dBm)

Roads

Interstates

Highways

Streets

Water

Exhibit G – Alternatives Memo

Exhibit G – Alternatives Memo

· · T · · Mobile ·

October 30, 2008

**RE: Alternative Locations Reviewed for WAC123, 7400 Highland Street
T-Mobile Northeast, LLC**

T-Mobile's coverage objective for this site is to reduce dropped calls along I-495 between Braddock Road and Backlick Road and eliminate the coverage gap in the neighborhoods between I-495 and Accotink Park Road. The following four alternative candidates were considered and ruled out:

7700 Southern Drive: T-Mobile was approved for a 150' monopole at this property on July 11, 2007. However, after approval, the property owner informed T-Mobile that it was unwilling to allow a facility in the location that was ultimately approved. After many months of negotiation, it became clear that this impasse was irresolvable.

Cox Cable Facility at Southern Drive Industrial Park: T-Mobile approached Cox Communications and entered into preliminary negotiations for the lease of space. However, after significant negotiation, the two sides were unable to reach an agreement.

Budget Self Storage: T-Mobile also entered into preliminary negotiations for the lease of space at this self storage facility, located at 7331 Steele Mill Drive. However, after significant negotiation, the two sides were unable to reach an agreement.

Lake Accotink Park: This candidate is a Fairfax County Park. It was ruled out because, per the Fairfax County Parks Policy 303, before a public utility can be placed on parkland, a determination shall be made that there is no feasible and prudent alternative to the use of parkland. Since the Southern Industrial Park, which is directly adjacent to Lake Accotink Park, is a viable candidate, Fairfax County Parks was not interested in leasing their property for this facility.

Crown Monopole Located at 7920 Woodruff Court: This monopole is not a viable candidate to meet this coverage objective because it is located too close to an existing T-Mobile site, which is located near the intersection of Braddock Road and I-495.

Robinson Terminal: This industrial parcel is also not a viable candidate to meet this coverage objective because it is located too close to an existing T-Mobile site, which is located on the Washington Post building on Wimsatt Road.

North Springfield Elementary School: This public school was not a viable candidate because Fairfax County Public Schools have the policy of only entertaining wireless providers' proposals for County high schools and declining those on elementary and middle schools.

.. T .. Mobile.

In addition, there are no utility transmission towers, utility distribution poles of sufficient height, or additional commercial or industrial property in the area that would be suitable for collocation.

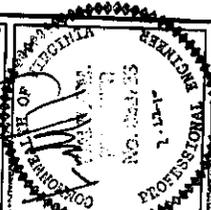


Amy Bird
Zoning Manager
T-Mobile Northeast

Exhibit H – Zoning Drawings



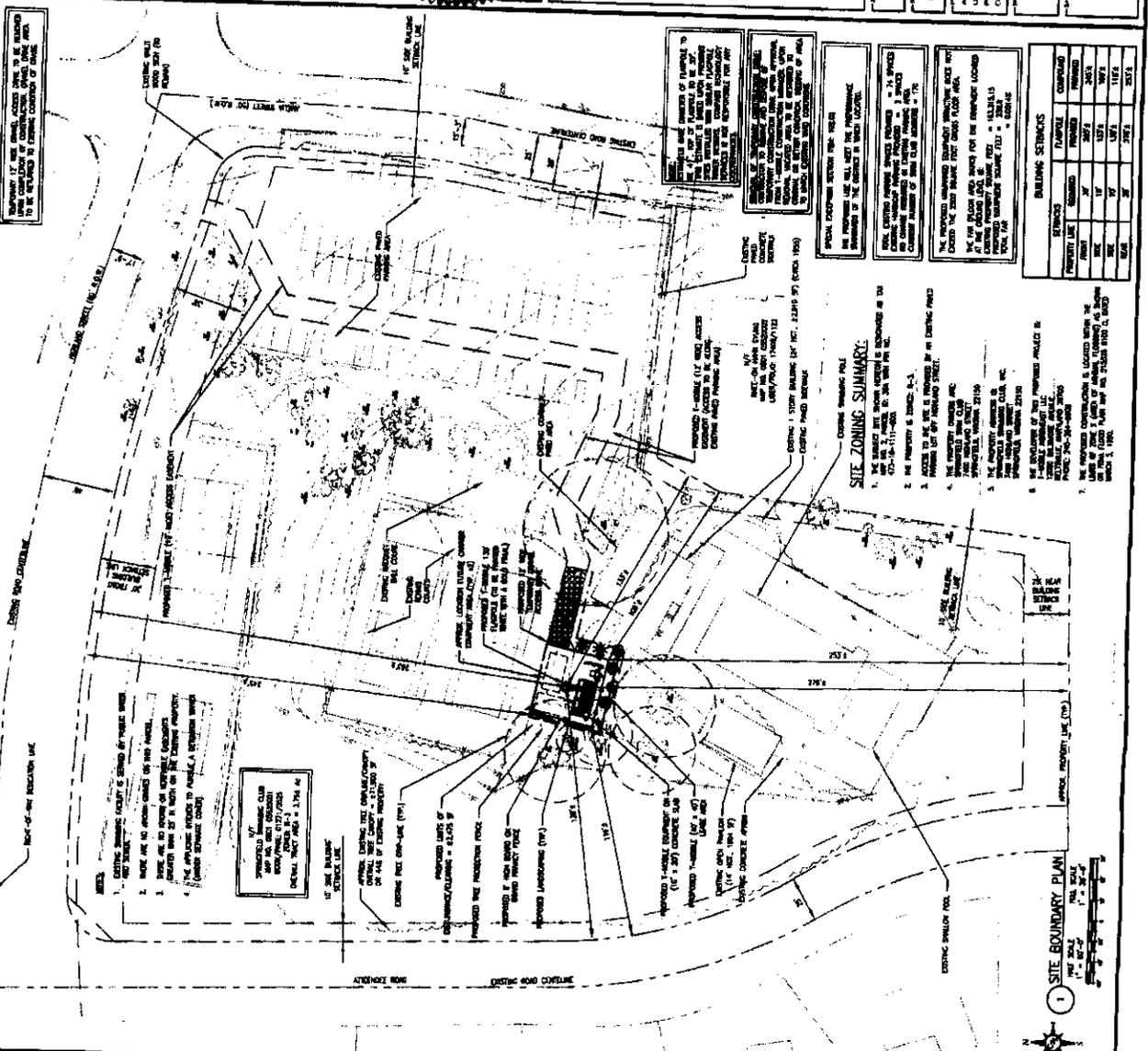
COMPASS Techno Services
 1000 W. 10th Street, Suite 100
 Lincoln, NE 68502
 Phone: (402) 441-1111
 Fax: (402) 441-1112



T. Mobile
 Northeast LLC
 1950 S. 14th Street, Suite 200
 Lincoln, NE 68502
 Phone: (402) 254-8000
 Fax: (402) 254-8004

PROJECT NO: WAC123E
 PROJECT NAME: SPRINGFIELD SWIM CLUB
 APPROVED BY: [Signature]
 PROJECT NO: 000000
 DATE: 10/03/10

SITE BOUNDARY PLAN
 C-1
 2/25/2010



- CONSTRUCTION NOTES:**
1. SHOWN TO ALL PARTIES AND ACCESS AREAS AND PROPERTY OF OTHERS OBTAINED FROM CONSTRUCTION SHALL BE RETURNED TO THE ORIGINAL OWNER OF THE PROPERTY AT THE COMPLETION OF THE WORK.
 2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.
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- GENERAL NOTES AND SPECIFICATIONS:**
1. ALL CIVIL AND UTILITIES SHALL BE AS SHOWN.
 2. ALL CONSTRUCTION SHALL BE IN ACCORDANCE WITH THE LATEST EDITIONS OF THE NEBRASKA CONSTRUCTION CODES AND SPECIFICATIONS.
 3. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL UTILITIES AND STRUCTURES EXISTING ON THE SITE.
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NOTICE: The drawings and design shown herein are the property of Compass Techno Services, Inc. The production, copying, or use of these drawings without written consent is prohibited and any reproduction, copying, or use of these drawings without written consent is prohibited and any reproduction, copying, or use of these drawings without written consent is prohibited.

NOT FOR CONSTRUCTION
 DRAWINGS PLOTTED TO SCALE ON 24x36 SHEETS



GENERAL NOTES

1. THIS SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1954 AND THE SURVEYING REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, VIRGINIA.
2. THE PROPERTY IS LOCATED IN FAIRFAX COUNTY, VIRGINIA.
3. THE PROPERTY IS BOUND BY HIGHLAND STREET TO THE WEST AND AMELIA STREET TO THE NORTH.
4. THE PROPERTY IS BOUND BY THE 1954 SURVEY TO THE EAST AND SOUTH.
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SURVEYORS CERTIFICATE

THIS IS TO CERTIFY THAT THIS PLAN AND THE SURVEY ON WHICH IT IS BASED WAS PREPARED WITHOUT THE ASSISTANCE OF A PROFESSIONAL SURVEYOR OR OTHER PERSON WHOSE DUTY IT IS TO ASSIST IN THE SURVEYING OF LAND. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO EVIDENCE OF ANY UNRECORDED EASEMENTS OR OTHER INTERESTS IN THE PROPERTY.

DATE: _____
 SURVEYOR: _____

LEGAL DESCRIPTION OF A PORTION OF THE SPRINGFIELD SWIM CLUB, INC. UNRECORDED PROPERTY, FAIRFAX COUNTY, VIRGINIA

BEING THE PORTION OF A TRACT OF LAND LOCATED IN THE CITY OF SPRINGFIELD, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

A TRACT OF LAND LOCATED IN THE CITY OF SPRINGFIELD, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEING THE PORTION OF A TRACT OF LAND LOCATED IN THE CITY OF SPRINGFIELD, VIRGINIA, AND MORE PARTICULARLY DESCRIBED AS FOLLOWS:

ACCESS EASEMENT METERS & BOUNDS

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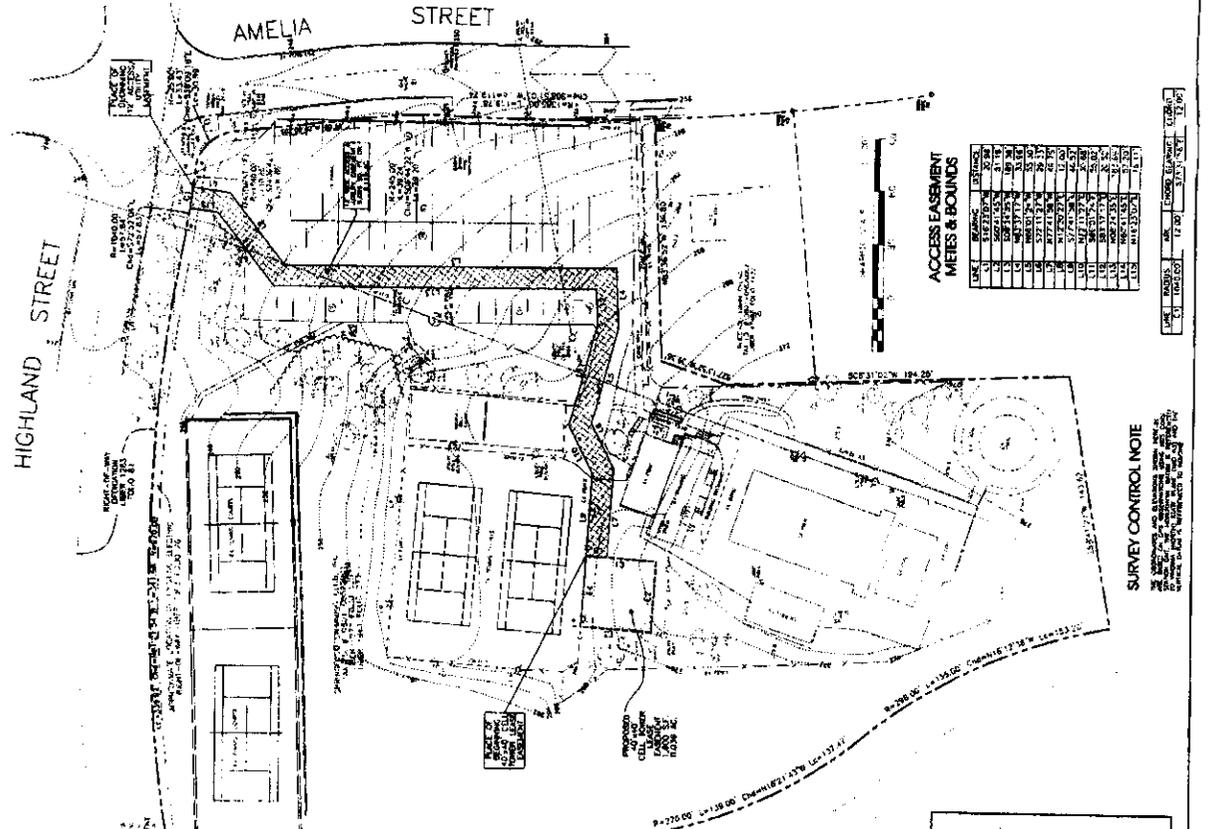
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SURVEY CONTROL NOTE

THE SURVEY WAS CONTROLLED BY THE NATIONAL BUREAU OF SURVEYING AND MAPPING, VIRGINIA. THE SURVEY WAS CONDUCTED IN ACCORDANCE WITH THE SURVEYING ACT OF 1954 AND THE SURVEYING REGULATIONS OF THE BOARD OF SURVEYING AND MAPPING, VIRGINIA.





MEMORANDUM

DATE: September 17, 2009

TO: Regina Coyle
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Angela Kadar Rodeheaver
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2009-J.E-016)

SUBJECT: Transportation Impact

REFERENCE: SE 2009-LE-016
T-Mobile Northeast LLC & Springfield Swimming & Racquet Club, Inc.
Traffic Zone: 1495
Land Identification Map: 80-1 ((5)) (52) 1

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated September 18, 2007, and revised through June 2, 2009. The applicant wishes to install a 130-foot flag pole monopole structure for up to four wireless carriers and related ground equipment within a fenced compound. The monopole will be able to accommodate up to 12 wireless panel antennas including those of T-Mobile (6) that will be hidden within the structure.

This department has no transportation issues with this application.

AKR/LAH/lah



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

October 13, 2009

Ms. Regina Coyle
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: SE 2009-LE-016 conc. w/ SPA 81-S-017, T-Mobile Northeast LLC
Tax Map No.: 080-1 /05/ /52/ /0001

Dear Ms. Coyle,

This office has reviewed the special exception plat relative to the above-mentioned applications and offers the following comments.

The application has been filed for a telecommunications facility.

The entrance should be designed and constructed in accordance with VDOT's *Minimum Standards of Entrances to State Highways*.

Sincerely,

A handwritten signature in black ink, appearing to read "Noreen H. Maloney".

Noreen H. Maloney
Transportation Engineer

cc: Ms. A. Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

January 6, 2010

TO: Brenda J. Cho, Planner II
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II 
Forest Conservation Branch, DPWES

SUBJECT: Springfield Swim and Racquet Club (T-Mobile); SE 2009-LE-016

RE: Request for assistance dated December 30, 2009

This review is based on the Special Exception Plat (SE) 2009-LE-016 stamped "Received, Department of Planning and Zoning, December 30, 2009." A site visit was conducted on August 8, 2009, as part of a review of the SE stamped "Received, Department of Planning and Zoning, June 30, 2009."

General Comment: Comments of the previously submitted SE were provided to you in my memo dated September 14, 2009. The comments contained in that memo are still valid for this latest SE submission and the following comments and recommendations are provided for clarification of the September 14, 2009, comments.

- 1. Comment:** The new Public Facilities Manual (PFM) requirements for tree conservation, Section 12, became effective on January 1, 2009. In general, proffered conditions, approved development plans, special exception plats, and special permit plats approved prior to January 1, 2009, have been grandfathered by the Board of Supervisors. However, any proffered conditions, development plans, special exception plats, and special permit plats submitted for this site after January 1, 2009, or any proffered conditions, development plans, special exception plats, and special permit plats submitted prior to January 1, 2009, but not approved prior to January 1, 2009, must meet the new Section 12 requirements. Since this SE has not been approved by the Board of Supervisors, it is not grandfathered and is subject to the new PFM and Zoning Ordinance requirements.

Recommendation: In cases of this nature where the existing vegetation is in fair to good condition, and the impact on the existing vegetation is minimal, the Applicant should submit a request to modify the required Tree Conservation Plan elements of the Public Facilities Manual and Chapter 122 of the Fairfax County Code, to that shown on the Special Exception plat.



In addition, development condition language containing a directive from the Board of Supervisors to the Urban Forest Management Division, DPWES, or Director of DPWES to permit a modification of the required Tree Conservation Plan elements of the Public Facilities Manual and Chapter 122 of the Fairfax County Code should be provided.

2. **Comment:** Existing vegetation adjacent to the proposed carrier equipment area consists of two mature white oaks, two 5-inch diameter hickories, and a mature American beech. These trees appear to be in fair to good condition and should also be considered for preservation. It is unclear how these trees will be protected during construction activities.

Recommendation: Provisional Tree Conservation Elements including the Tree Inventory and Condition Analysis (PFM 12-0502.1A and PFM 12-0506), prepared by a Certified Arborist or Registered Consulting Arborist, should be provided for the existing trees adjacent to the proposed limits of clearing and grading adjacent to the proposed carrier equipment area.

3. **Comment:** The 50-inch height specification proposed for the evergreen trees will not provide screening above six feet.

Recommendation: Evergreen trees with a height specification of 6 to 8 feet in height should be provided to screen the proposed facility.

4. **Comment:** Existing vegetation along the northern and western portions of the site appears to be a sub-climax upland forest consisting primarily of white oak, tulip tree, red maple, and American beech. These trees appear to be in fair to good condition and should be considered a priority for preservation.

Recommendation: A tree save area or areas should be provided along the northern and western property boundaries to preserve the trees and vegetation in these areas. In addition, the following development condition should be recommended to ensure adequate tree protection:

Tree Preservation Fencing: "All trees proposed for preservation shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets.

All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall

be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES.”

Please contact me at 703-324-1770 if you have any questions.

TLN/
UFMID #: 147084

cc: RA File
DPZ File



County of Fairfax, Virginia

MEMORANDUM

September 14, 2009

TO: Brenda J. Cho, Planner II
Zoning Evaluation Division, DPZ

FROM: Todd Nelson, Urban Forester II, 
Forest Conservation Branch, DPWES

SUBJECT: Springfield Swim and Racquet Club (T-Mobil); SE 2009-LE-016

RE: Request for assistance dated August 20, 2009

This review is based on the Special Exception Plat (SE) 2009-LE-016 stamped "Received, Department of Planning and Zoning, June 30, 2009." A site visit was conducted on August 8, 2009.

Site Description: This site is developed with a 1-story building, two swimming pools, tennis courts, racquet courts, and an associated asphalt parking lot. Existing vegetation along the northern and western portions of the site appears to be a sub-climax upland forest consisting primarily of white oak, tulip tree, red maple, and American beech. These trees appear to be in fair to good condition and should be considered a priority for preservation. Existing vegetation adjacent to the proposed carrier equipment area consists of two mature white oaks, two 5-inch diameter hickories, and a mature American beech. These trees appear to be in fair to good condition and should also be considered for preservation.

- 1. Comment:** The new Public Facilities Manual (PFM) requirements for tree conservation, Section 12, became effective on January 1, 2009. In general, proffered conditions, approved development plans, special exception plats, and special permit plats approved prior to January 1, 2009, have been grandfathered by the Board of Supervisors. However, any proffered conditions, development plans, special exception plats, and special permit plats submitted for this site after January 1, 2009, or any proffered conditions, development plans, special exception plats, and special permit plats submitted prior to January 1, 2009, but not approved prior to January 1, 2009, must meet the new Section 12 requirements. Since this SE has not been approved by the Board of Supervisors, it is not grandfathered and is subject to the new PFM and Zoning Ordinance requirements.

Recommendation: In cases of this nature where the existing vegetation is in fair to good condition, and the impact on the existing vegetation is minimal, the Board of Supervisors may direct staff from the Urban Forest Management Division (UFMD) to modify the



required Tree Conservation Plan elements of the Public Facilities Manual and Chapter 122 of the Fairfax County Code, to that shown on the Special Exception plat.

- 2. Comment:** Existing vegetation adjacent to the proposed carrier equipment area consists of two mature white oaks, two 5-inch diameter hickories, and a mature American beech. These trees appear to be in fair to good condition and should also be considered for preservation.

Recommendation: Provisional Tree Conservation Elements including the Tree Inventory and Condition Analysis (PFM 12-0502.1A) should be provided for the existing trees adjacent to the proposed limits of clearing and grading adjacent to the proposed carrier equipment area.

- 3. Comment:** The planting of one species of tree identified in the proposed landscape screening chart is not diverse.

Recommendation: To curtail the spread of disease or insect infestation in a plant species, the landscape plan should be revised to show a mix of evergreen trees to be planted for screening purposes. A mix of eastern redcedar, American holly, and Japanese cryptomeria is suitable for this environment.

- 4. Comment:** Existing vegetation along the northern and western portions of the site appears to be a sub-climax upland forest consisting primarily of white oak, tulip tree, red maple, and American beech. These trees appear to be in fair to good condition and should be considered a priority for preservation.

Recommendation: A tree save area or areas should be provided along the northern and western property boundaries to preserve the trees and vegetation in these areas. In addition, the following development condition should be recommended to ensure adequate tree protection:

Tree Preservation Fencing: "All trees proposed for preservation shall be protected by tree protection fence. Tree protection fencing in the form of four (4) foot high, fourteen (14) gauge welded wire attached to six (6) foot steel posts driven eighteen (18) inches into the ground and placed no further than ten (10) feet apart or, super silt fence to the extent that required trenching for super silt fence does not sever or wound compression roots which can lead to structural failure and/or uprooting of trees shall be erected at the limits of clearing and grading as shown on the demolition, and phase I & II erosion and sediment control sheets.

All tree protection fencing shall be installed prior to any clearing and grading activities, including the demolition of any existing structures. The installation of all tree protection fencing shall be performed under the direct supervision of a certified arborist, and accomplished in a manner that does not harm existing vegetation that is to be preserved. Three (3) days prior to the commencement of any clearing, grading or demolition activities, but subsequent to the installation of the tree protection devices, the UFMD, DPWES, shall

be notified and given the opportunity to inspect the site to ensure that all tree protection devices have been correctly installed. If it is determined that the fencing has not been installed correctly, no grading or construction activities shall occur until the fencing is installed correctly, as determined by the UFMD, DPWES."

Please contact me at 703-324-1770 if you have any questions.

TLN/

UFMID #: 147084

cc: RA File
DPZ File



County of Fairfax, Virginia

MEMORANDUM

DATE: February 1, 2010

TO: Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2009-LE-016, T-Mobile at Springfield Swimming & Racquet Club, Special Exception Plat dated January 27, 2010, LDS Project #25217-ZONAV-001-A-1, Tax Map #80-1-05-52-0001, Lee District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. The limits of disturbance must be shown 10 feet from the proposed construction (LTI 09-05). Without an approved waiver, water quality controls will be required for this redevelopment project since more than 2500 square feet of the Resource Management Area will be disturbed (PFM 6-0401.2B). No water quality controls are shown on the plat.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

The applicant intends to pursue a detention waiver. Adequate outfall meeting PFM requirements must be demonstrated before a waiver request can be approved.

Site Outfall

A site outfall narrative has not been provided.

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File

Department of Public Works and Environmental Services
Land Development Services, Environmental and Site Review Division
12055 Government Center Parkway, Suite 535
Fairfax, Virginia 22035-5503
Phone 703-324-1720 • TTY 711 • FAX 703-324-8359





MEMORANDUM

DATE: October 15, 2009

TO: Brenda Cho, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2009-LE-016, T-Mobile at Springfield
Swimming & Racquet Club, Special Exception Plat dated June 22, 2009, LDS.
Project #25217-ZONA-001-1, Tax Map #80-1-05-52-0001, Lee District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)

There is no Resource Protection Area (RPA) on this site. The limits of disturbance must be shown 10 feet from the proposed construction (LTI 09-05). Without an approved waiver, water quality controls are required for this redevelopment project since more than 2500 square feet of the Resource Management Area will be disturbed (PFM 6-0401.2B). No water quality controls are shown on the plat.

Floodplain

There are no regulated floodplains on the property.

Downstream Drainage Complaints

There are no downstream drainage complaints on file.

Stormwater Detention

The applicant intends to pursue a detention waiver. Adequate outfall meeting PFM requirements must be demonstrated for approval of such a waiver request.

Site Outfall

A site outfall narrative has been provided. At the site plan submission, it will be necessary to provide calculations and a narrative description demonstrating adequate outfall meeting the PFM requirements (PFM 6-0203 & 6-0204).

Please contact me at 703-324-1720 if you require additional information.

BF/

cc: Craig Carinci, Director, Stormwater Planning Division
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Zoning Application File





FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Regina M. Coyle, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sandy Stallman, Manager,
Park Planning Branch, PDD *SS*

DATE: September 11, 2009

SUBJECT: SE 2009-LE-016 w/SPA 81-S-017, T-Mobile NE, LLC & Springfield Swimming
& Racquet Club, Inc.
Tax map 80-1 ((5)) (52) 1

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Kelli-Mae Goddard-Sobers

Copy: Cindy Walsh, Director, Resource Management Division
Chron Binder
File Copy



County of Fairfax, Virginia

MEMORANDUM

DATE: 11 January 2010

TO: Anita Capps, Senior Planner

FROM: Linda Cornish Blank, Historic Preservation Planner

SUBJECT: 2232-L08-25, Cursory review, draft notes

Policy Plan: Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Amended through 1-10-2005, Public Facilities, page 36:

"Policy k. Locate telecommunication facilities to ensure the protection of historically significant landscapes. The views of and vistas from architecturally and/or historically significant structures should not be impaired or diminished by the placement of telecommunication facilities."

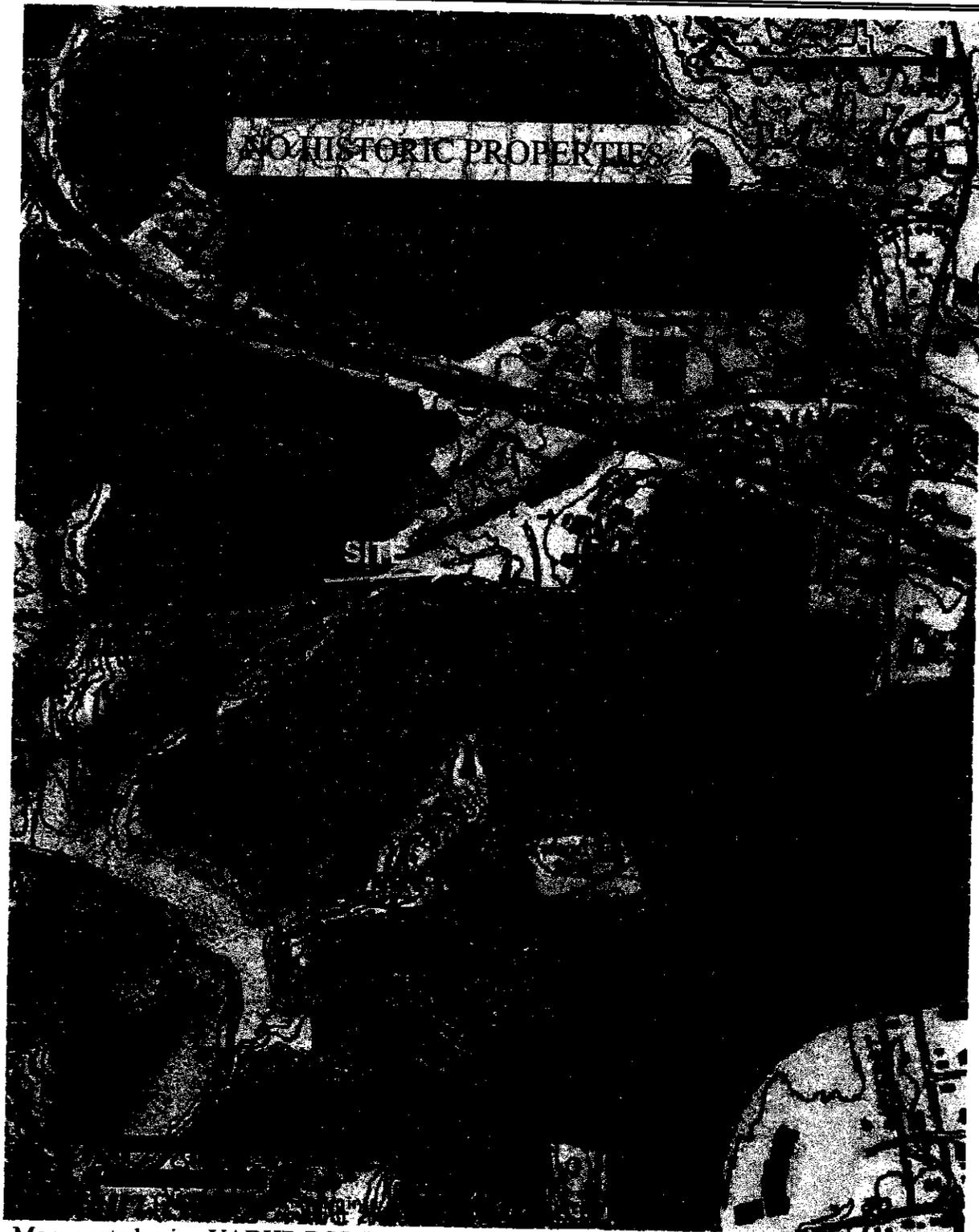
Background: This subject parcel is not included within the boundaries of a Fairfax County Historic Overlay District, is not listed on the Fairfax County Inventory of Historic Sites or the National Register of Historic Places or documented in the historic structures survey file. No heritage resources have been identified or documented as being adjacent to the property which is the subject of this application.

Findings:

1. Staff finds the proposal in-keeping with the Policy Plan text cited above and finds that no known historic properties will be affected by the project.

Recommendations:

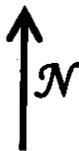
1. The applicant comply with Section 106 of the National Historic Preservation Act of 1966, as amended, as may be necessary. If federal licensing for the installation of the antenna is required, this may be considered an undertaking that requires Section 106 review. Applicant should contact the Virginia Department of Historic Resources for guidance.
2. The applicant provide to the Department of Planning and Zoning, Planning Division documentation as to whether or not Section 106 review is required in order to be reviewed and included in the staff report for the 2232 and SE/SPA applications. If Section 106 review is required, the applicant provide a copy of the completed Section 106 study to the Department of Planning and Zoning, Planning Division in order to be reviewed and included in the staff report for the 2232 and SE/SPA applications.



Map created using VADHR DSS (<http://www.hrdss.state.va.us>)

ADVANTAGE
ENVIRONMENTAL
CONSULTANTS, LLC

8610 Baltimore Washington Boulevard, Suite 217
Kemp, VA 22089
Phone: 703-776-6600 Fax: 703-776-1123



WAC 123E SHPO Screen
Annandale, VA, 7.5" Topographic Quad
7400 Highland Street,
Springfield, VA 22150

Work Order No.:
CMP-08-040

Report Date:
10/2008

Drawn By:
CSY

WAC 123E - 1/2-Mile Radius SHPO Screen

Site ID	Description	Distance from Proposed Site (feet)	Determination of Eligibility Completed?	National Register?
NO HISTORIC PROPERTIES				



County of Fairfax, Virginia

MEMORANDUM

DATE: October 9, 2009

TO: Staff Coordinator
Zoning Evaluation Division
Department of Planning & Zoning

FROM: Lana Tran (Tel: 703 324-5008)
Wastewater Planning & Monitoring Division
Department of Public Works & Environmental Services

SUBJECT: Sanitary Sewer Analysis Report

REFERENCE: Application No. SE2009-LE-016
Tax Map No. 080-1-/05/52/0001

The proposed application (telecommunication facility) has no impact on the sanitary sewer system. Please contact me at the number above if you have any questions or comments.

Department of Public Works and Environmental Services
Wastewater Planning & Monitoring Division
12000 Government Center Parkway, Suite 358
Fairfax, VA 22035-0052
Phone: 703-324-5030, Fax: 703-324-3946



Article 9, Special Exceptions

Part 9-000 General Provisions

9-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special exception uses, all such uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.

9-100 Category 1 Light Public Utility Uses

9-104 Standards for all Category 1 Uses

In addition to the general standards set forth in Sect. 006 above, all Category 1 special exception uses shall satisfy the following standards:

1. Category 1 special exception uses shall not have to comply with the lot size requirements or the bulk regulations set forth for the zoning district in which located.
2. No land or building in any district other than the I-5 and I-6 District shall be used for the storage of materials or equipment, or for the repair or servicing of vehicles or equipment, or for the parking of vehicles except those needed by employees connected with the operation of the immediate facility.
3. If the proposed location of a Category 1 use is in an R district, there shall be a finding that there is no alternative site available for such use in a C or I district within 500 feet of the proposed location; except that in the case of electric transformer stations and telecommunication central offices, there shall be a finding that there is no alternative site available in a C or I district within a distance of one (1) mile, unless there is a substantial showing that it is impossible for satisfactory service to be rendered from an available location in such C or I district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

9-105 Additional Standards for Mobile and Land Based Telecommunication Facilities

1. Except for antennas completely enclosed within a structure, all antennas and their supporting mounts shall be of a material or color that closely matches and blends with the structure on which it is mounted.
2. Except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure.
3. If any additions, changes or modifications are to be made to monopoles or towers, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change, or

modifications conforms to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.

4. No signals, lights or illumination shall be permitted on an antenna unless required by the Federal Communications Commission, the Federal Aviation Administration or the County, provided, however, that on all antenna structures which exceed 100 feet in height, a steady red marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Police Department that such marker light is not necessary for flight safety requirements for police and emergency helicopter operations. All such lights shall be shielded to prevent the downward transmission of light.

5. All antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use.

Article 8, Special Permits

Part 8-000 General Provisions

8-006 General Standards

In addition to the specific standards set forth hereinafter with regard to particular special permit uses, all special permit uses shall satisfy the following general standards:

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

8-403 Standards for all Group 4 Uses

1. Except for Use 2 set forth in Sect. 401 above, all uses and their related facilities shall be under the control and direction of a board of managers composed, at least in part, of the residents of the area intended to be served by the facility. Further, no Group 4 use shall be operated on a profit-making basis, and the owner of the facility shall be a nonprofit organization where membership thereto is limited to residents of nearby residential areas.
2. All uses shall comply with the bulk regulations of the zoning district in which located.
3. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area: information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

A&F	Agricultural & Forestal District	PDH	Planned Development Housing
ADU	Affordable Dwelling Unit	PFM	Public Facilities Manual
ARB	Architectural Review Board	PRC	Planned Residential Community
BMP	Best Management Practices	RC	Residential-Conservation
BOS	Board of Supervisors	RE	Residential Estate
BZA	Board of Zoning Appeals	RMA	Resource Management Area
COG	Council of Governments	RPA	Resource Protection Area
CBC	Community Business Center	RUP	Residential Use Permit
CDP	Conceptual Development Plan	RZ	Rezoning
CRD	Commercial Revitalization District	SE	Special Exception
DOT	Department of Transportation	SEA	Special Exception Amendment
DP	Development Plan	SP	Special Permit
DPWES	Department of Public Works and Environmental Services	TDM	Transportation Demand Management
DPZ	Department of Planning and Zoning	TMA	Transportation Management Association
DU/AC	Dwelling Units Per Acre	TSA	Transit Station Area
EQC	Environmental Quality Corridor	TSM	Transportation System Management
FAR	Floor Area Ratio	UP & DD	Utilities Planning and Design Division, DPWES
FDP	Final Development Plan	VC	Variance
GDP	Generalized Development Plan	VDOT	Virginia Dept. of Transportation
GFA	Gross Floor Area	VPD	Vehicles Per Day
HC	Highway Corridor Overlay District	VPH	Vehicles per Hour
HCD	Housing and Community Development	WMATA	Washington Metropolitan Area Transit Authority
LOS	Level of Service	WS	Water Supply Protection Overlay District
Non-RUP	Non-Residential Use Permit	ZAD	Zoning Administration Division, DPZ
OSDS	Office of Site Development Services, DPWES	ZED	Zoning Evaluation Division, DPZ
PCA	Proffered Condition Amendment	ZPRB	Zoning Permit Review Branch
PD	Planning Division		
PDC	Planned Development Commercial		