PROPOSED DEVELOPMENT CONDITIONS

SEA 85-L-022-03

January 21, 2010

If it is the intent of the Board of Supervisors to approve SEA 85-L-022-03 located at Tax Map 81-1 ((9)) A, previously approved for radio, television broadcasting facilities, microwave facility and satellite earth station, to permit a building addition and site modifications, pursuant to Sect. 5-504 of the Fairfax County Zoning Ordinance, the staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supersede all previous development conditions; conditions carried forward unchanged from previous approvals are marked with an asterisk (*):

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

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

3. This Special Exception Amendment 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 shall be in substantial conformance with the approved Special Exception Amendment plat entitled "PBS Special Exception Amendment Plat" prepared by Walter L. Phillips, Inc. and dated June 2, 2009 as revised through January 11, 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.

4. Satellite dishes shall be permitted as depicted on the SEA plat. The tower structure shall not exceed 200 feet in height, excluding the lightning rod.*

5. The final location of antennae is subject to minor modification. Any change in the location of the existing and proposed satellite dish antennae shall be reviewed and approved by the Technology Infrastructure Division of the Fairfax County Department of Information Technology.*

6. All satellite dish antennae on the site shall be enclosed within a fenced area. The fence area shall be posted with RF radiation hazard warning signs as determined appropriate by the Technology Infrastructure Division of the Fairfax County Department of Information Technology.*

7. Typical non-specialized fixtures within the new building addition, such as ceiling fans, ventilation fans (including kitchen and bathroom fans), light fixtures, exit signs, programmable thermostats, windows and doors, skylights, computers, monitors, printers, lap tops, fax machines, copiers, mailing machines, scanners, kitchen appliances and other such equipment shall be ENERGY STAR qualified. Best efforts shall be used to incorporate energy star qualified equipment into specialized broadcast facilities and electrical equipment.

Prior to issuance of the Non-RUP, the Applicant shall submit to the Environmental and Development Review Branch of DPZ, certification of compliance with this commitment for all of the fixtures identified herein. Records of compliance shall be maintained for review and inspection by County staff.

8. Architectural elevations, including materials for the building addition, shall be in substantial conformance with those shown on the SEA plat, except as modified by these conditions. The proposed building addition and associated roof-top equipment shall be of a color that matches the existing satellite operations center. Rooftop screening may be provided.

9. All existing and proposed vegetation identified on the SEA plat shall be maintained in good condition and replaced as necessary.

10. Stormwater Management (SWM) and Best Management Practices (BMP) shall be provided as deemed appropriate by DPWES, in substantial conformance with the SEA plat.*

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception amendment 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.