

**Board of Supervisors Public Hearing
Board Matter
December 21, 2009**

**SEA 85-M-101-3
(T-Mobile Northeast LLC)**

**MOTION TO RECONSIDER THE T-MOBILE NORTHEAST LLC
SPECIAL EXCEPTION AMENDMENT (SEA 85-M-101-3)**

On December 7, 2009, the Board of Supervisors approved a special exception amendment filed by T-Mobile Northeast LLC to permit the addition of a telecommunications facility and associated equipment cabinets on the property of the Phillips School. It has come to my attention that there was an error in the first motion that referenced the wrong application number. The application number should be SEA 85-M-101-3 instead of SEA 85-M-103-3 mentioned in the motion.

Therefore, I move that the Board of Supervisors approve SEA 85-M-101-3, subject to the development conditions dated November 23, 2009 and to carry forward the other four motions approved at the December 7, 2009 hearing.

Board Agenda Item
December 7, 2009

3:30 p.m.

Public Hearing on SEA 85-M-101-03 (T-Mobile Northeast LLC) to Amend SE 85-M-101 Previously Approved for a Private School of Special Education to Permit a Telecommunications Facility and Associated Modifications to Site Design, Located on Approximately 8.27 Acres Zoned R-1 and R-5, Mason District

The application property is located at 7010 Braddock Road, Tax Map 71-3 ((8)) 5, 71-4 ((20)) 1 and 4.

PLANNING COMMISSION RECOMMENDATION:

On Thursday, November 5, 2009, the Planning Commission voted unanimously (Commissioners Hall and Hart absent from the meeting) to recommend the following actions to the Board of Supervisors:

- Approval of SEA 85-M-101-03, subject to the Development Conditions dated October 22, 2009, with the following modifications:
 - Revise Condition 8, which required construction of a sidewalk along the property's frontage on Backlick Road, to reflect the pending Virginia Department of Transportation projects for sidewalk and road improvements on the northwest corner at the intersection of Backlick and Braddock Roads;
 - Revise Condition 29 to require that measurements be monitored or conducted following construction to verify that radio frequency emissions conformed with applicable safety standards; and
 - Revise Condition 30 to allow the display of flags on the flagpole monopole.
- Waiver of the requirement to construct an on-road bike lane along the frontage of Backlick Road, fronting parcels 71-4 ((20)) 1 and 4, in favor of the right-of-way dedications shown on the SEA Plat;
- Waiver of the requirement to construct a major paved trail along the frontage of Braddock Road, fronting parcel 71-4 ((20)) 4, in favor of the right-of-way dedication shown in the SEA Plat; and
- Modification of the transitional screening and barrier requirements along the property lines, in favor of the landscaping and barriers shown on the SEA Plat.

In a related action, the Planning Commission voted unanimously (Commissioners Hall and Hart absent from the meeting) to approve 2232-M06-18 by T-Mobile Northeast LLC. The

Planning Commission Meeting
November 5, 2009
Verbatim Excerpt

2232-M06-18 – T-MOBILE NORTHEAST LLC
SEA 85-M-101-03 – T-MOBILE NORTHEAST LLC

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Alcorn.

Commissioner Alcorn: Thank you, Mr. Chairman. Commissioner Hall did ask me to handle this case, assured me that it was a "slam dunk" all the way. So, at this point, I'd inquire if anyone would have any objection moving forward at - - on this case, with this Special Exception conditions being modified on the way to the Board. Anybody have any objection to that? Okay. All right. Then, Mr. Chairman, I would MOVE THAT THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-M06-18 SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner de la Fe: Second.

Chairman Murphy: Seconded by Mr. de la Fe. Is there a discussion of the motion? All those in favor of the motion to approve 2232-M06-18, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Alcorn.

Commissioner Alcorn: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 85-M-101-3, SUBJECT TO THE DEVELOPMENT CONDITIONS CONSISTENT WITH THOSE DATED OCTOBER 22, 2009, WITH THE MODIFICATIONS AS DISCUSSED WITH STAFF, IN PARTICULAR CONCERNING MONITORING OR CHECKING EMISSIONS LEVELS AFTER CONSTRUCTION.

Commissioner de la Fe: Mr. Chairman?

Chairman Murphy: Yes. Is there a second?

Commissioner de la Fe: I would second it.

Chairman Murphy: Okay. Seconded by Mr. de la Fe.

Commissioner de la Fe: But, I have a - -

CONSTRUCT AN ON-ROAD BIKE LANE ALONG THE FRONTAGE OF BACKLICK ROAD, FRONTING PARCELS 71-4 ((20)) 1 AND 4, IN FAVOR OF THE RIGHT-OF-WAY DEDICATIONS SHOWN ON THE SEA PLAT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Is there a discussion of that motion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Alcorn: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A WAIVER OF THE REQUIREMENTS TO CONSTRUCT A MAJOR PAVED TRAIL ALONG THE FRONTAGE OF BRADDOCK ROAD, FRONTING PARCEL 71-4 ((20)) 4, IN FAVOR OF THE RIGHT-OF-WAY DEDICATION SHOWN ON THE SEA PLAT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Alcorn: And finally, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING AND BARRIER REQUIREMENTS ALONG THE PROPERTY LINES, IN FAVOR OF THE LANDSCAPING AND BARRIERS SHOWN ON THE SEA PLAT.

Commissioner Flanagan: Second.

Chairman Murphy: Seconded by Mr. Flanagan. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

Commissioner Alcorn: Thank you.