APPLICATION ACCEPTED: March 12, 2010
PLANNING COMMISSION: October 20, 2010
BOARD OF SUPERVISORS: Not Scheduled

County of Fairfax, Virginia

October 15, 2010

STAFF REPORT

SPECIAL EXCEPTION APPLICATION SE 2010-SP-003
(Concurrent w/ 2232-S08-20)

SPRINGFIELD DISTRICT

APPLICANT:	Trustees of the Accotink Unitarian Universalist Church, New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility
ZONING:	R-1
PARCEL(S):	87-2 ((1)) 26
ACREAGE:	9.34 acres
OPEN SPACE:	274,703 sq. ft. (6.31 acres)
PLAN MAP:	.2-.5 du/ac
SE CATEGORY:	Category 1: Mobile and Land Based Telecommunication Facilities Category 3: Existing Church with a Nursery School
PROPOSAL:	**2232:** Planning Commission determination that the proposed telecommunication facility satisfies the criteria of location, character and extent pursuant to Sect. 15-2232 of the Code of Virginia and requests approval of SE 2010-SP-003 to permit the construction 90' monopole, associated equipment, and associated site modifications. **Special Exception:** Approval of the proposed telecommunications facility on the existing church (maximum of 200 seats) and nursery school (maximum of 45 students) previously approved pursuant to SPA 85-S-083-3.

Christopher M. DeManche/Peter Braham

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 RECOMMENDATIONS:

Staff recommends that the Planning Commission find that the proposed telecommunications facility submitted pursuant to application 2232-S08-20 submitted by New Cingular Wireless, PCS, LLC and the Trustees of the Accotink Unitarian Universalist Church to construct a 92-foot tall flagpole monopole and the associated antennas, equipment cabinets, equipment compound and site improvements located at 10125 Lakehaven Court, Burke satisfies the criteria of location, character and extent as specified by Section 15.2-2232 of the *Code of Virginia* and is substantially in accord with the adopted Comprehensive Plan.

Staff recommends approval of SE 2010-SP-003, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of the requested modification of the transitional screening requirement along a portion of the eastern and western boundaries, and along the northern boundary in favor of that shown on the SE Plat.

Staff recommends approval of a waiver of the barrier requirement along each property boundary in favor of that shown on the SE Plat.

It should be noted that it is not the intent of staff to recommend that the Board, in adopting any conditions, 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 recommendation 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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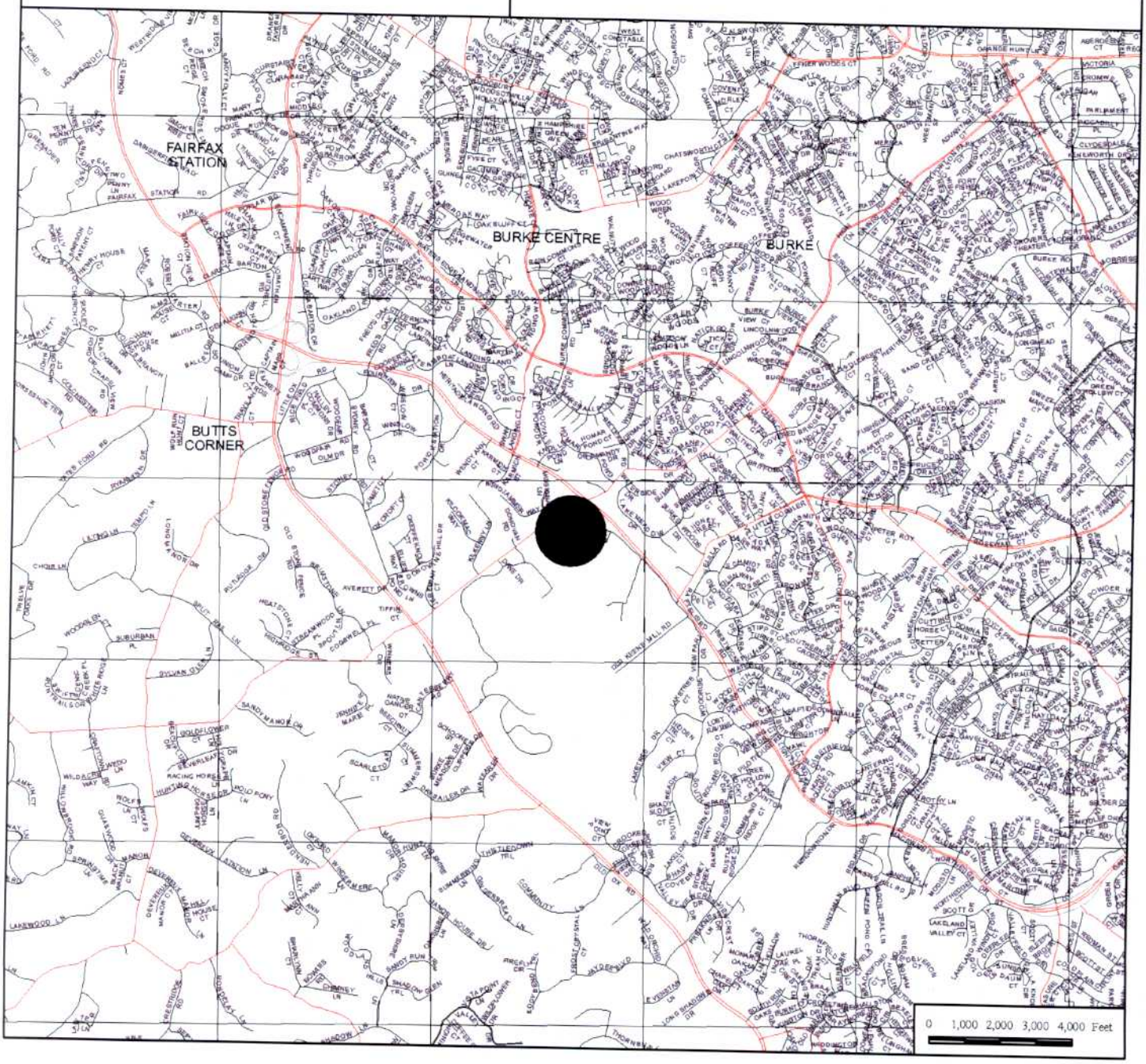
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2010-SP-003

Applicant:	TRUSTEES OF THE ACCOTINK UNITARIAN UNIVERSALIST CHURCH & NEW CINGULAR WIRELESS PCS, LLC D.B.A. AT&T MOBILITY
Accepted:	03/12/2010
Proposed:	CHURCH, NURSERY SCHOOL AND TELECOMMUNICATIONS FACILITY
Area:	9.34 AC OF LAND; DISTRICT - SPRINGFIELD
Zoning Dist Sect:	03-0104
Art 9 Group and Use:	3-15 1-08
Located:	10125 LAKEHAVEN COURT
Zoning:	R- 1
Plan Area:	3,
Overlay Dist:	
Map Ref Num:	087-2- /01/ /0026



Special Exception

SE 2010-SP-003

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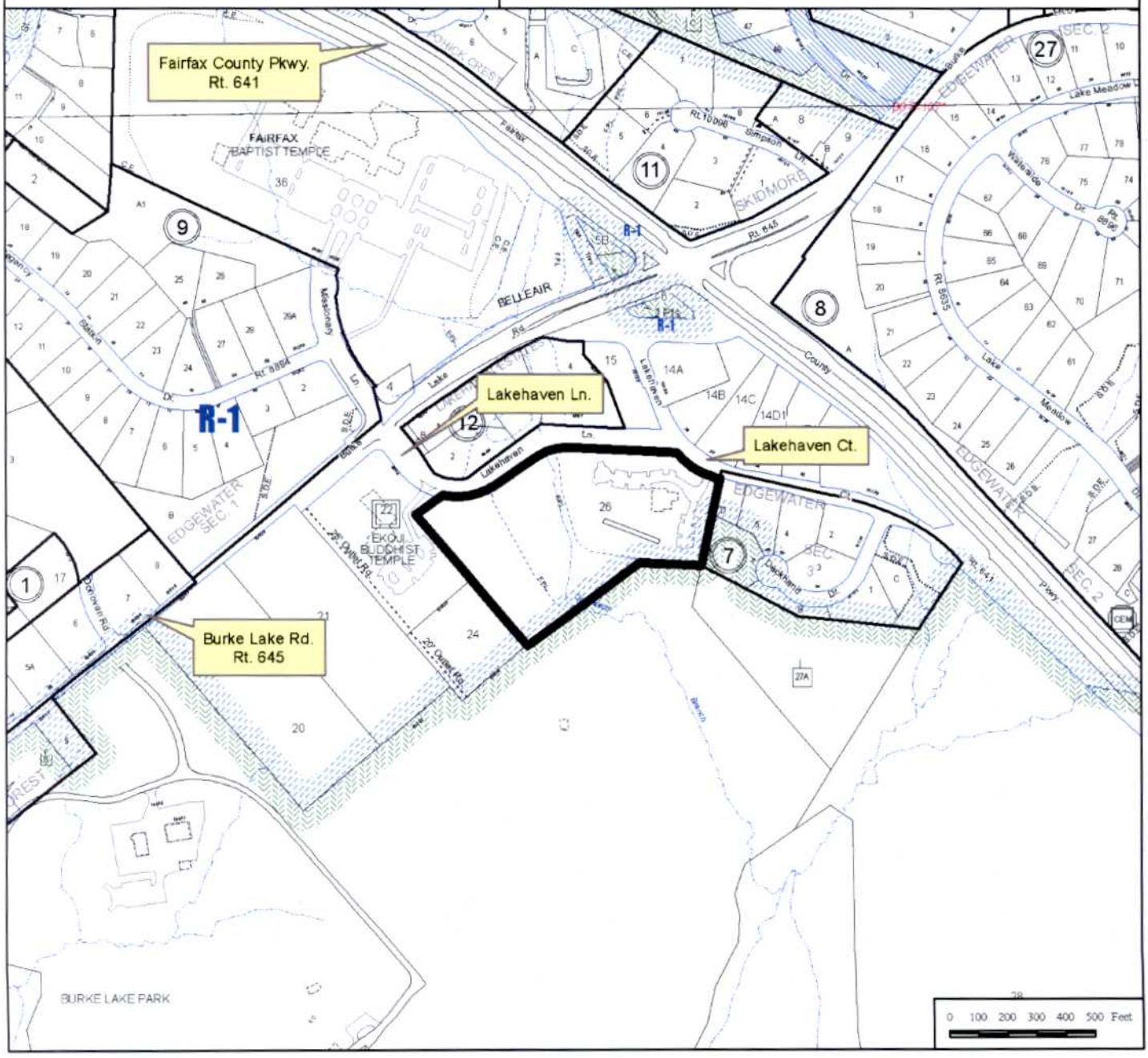

PROJECT DESCRIPTION

THIS PROPOSAL IS FOR AN UNMANNED WIRELESS COMMUNICATIONS FACILITY FOR NEW CINGULAR WIRELESS PCS, LLC (D.B.A. AT&T MOBILITY) CONSISTING OF THE INSTALLATION OF NINE (9) PANEL ANTENNAS AT CENTERLINE HEIGHTS OF 85'-0", 75'-0", AND 65'-0" AGL ON A PROPOSED 92' STEALTH FLAG POLE, WITH GOLD FINISHES FINIAL WITH 3 FIGURE CAMOUFLAGE, CONSISTING OF 3 PANEL ANTENNAS EACH AT ELEVATIONS OF 55'-0" AND 45'-0" AGL AND THE PLACEMENT OF RADIO EQUIPMENT CABINETS ON AN 11'-6" X 11'-6" CONCRETE SLAB-ON-GRADE AND ASSOCIATED APPURTENANCES WITHIN A NEW 50' X 50' FENCED COMPOUND.

PROJECT INFORMATION

APPLICANT NAME & ADDRESS:	NEW CINGULAR WIRELESS PCS, LLC D.B.A. AT&T MOBILITY 7150 STANDARD DRIVE HANOVER, MD. 21076
APPLICANT NAME & ADDRESS:	TRUSTEES OF THE ACCOTINK UNITARIAN UNIVERSALIST CHURCH 10125 LAKEHAVEN COURT BURKE, VA 22015
JURISDICTION:	FAIRFAX COUNTY
PROPERTY OWNER:	ACCOTINK UNITARIAN UNIVERSALIST CHURCH 10125 LAKEHAVEN COURT BURKE, VA 22015 MAP # 0872 01 0026
LAT/LDE:	N 38° 46' 25.4229" (NAD 29)
LONG/LDE:	W 77° 17' 49.2974" (NAD 29)
AMSL:	345.85' (NAVD 29)

RF DATA SHEET

DATE ISSUED: TBD VERSION: TBD

CODE ANALYSIS

APPLICABLE BUILDING CODE:	INTERNATIONAL BUILDING CODE 2006 (W/ LOCAL AMENDMENTS)
APPLICABLE ELECTRICAL CODE:	NEC 2006 (W/ LOCAL AMENDMENTS)

PROJECT CONTACTS

1. AT&T PROJECT MANAGER: PHONE:	CAROLYN MITCHELL 410-712-7754
2. SITE OWNER:	ACCOTINK UNITARIAN UNIVERSALIST CHURCH 10125 LAKEHAVEN COURT BURKE, VA 22015

DRAWING INDEX

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at&t MOBILITY

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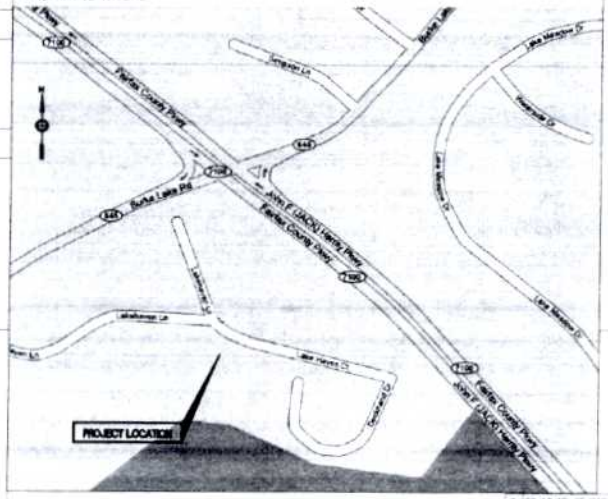
2232

SE 2010-SP-003 AND 2232-S08-20

VICINITY MAP

DIRECTION: (FROM AT&T HANOVER OFFICE) HEAD SOUTHWEST ON STANDARD DRIVE TOWARD PARKWAY DRIVE. TURN LEFT AT PARKWAY DRIVE. TURN RIGHT AT PARK CIRCLE DRIVE. TURN LEFT AT COCA-COLA DRIVE. TAKE THE RAMP ONTO MD-100 WEST. TAKE EXIT 5A-B TO MERGE ONTO I-95 SOUTH TOWARD WASHINGTON. TAKE EXIT 27 TO MERGE ONTO CAPITAL BELTWAY/I-495 WEST TOWARD SILVER SPRING. TAKE EXIT 54A-B FOR BRADDOCK ROAD/VA-620. TAKE EXIT 54A FOR BRADDOCK ROAD W/VA-620 SLIGHT RIGHT AT BRADDOCK ROAD/VA-620 WEST SLIGHT LEFT AT BURKE LAKE ROAD/VA-645 TURN LEFT AT LAKEHAVEN LANE SLIGHT RIGHT AT LAKEHAVEN COURT AND ARRIVE AT SITE.



NOT TO SCALE

GENERAL NOTES

1. THE SUBCONTRACTOR SHALL GIVE ALL NOTICES AND REGULATIONS AND LAWFUL ORDERS OF ANY PUBLIC AUTHORITY, MUNICIPAL AND UTILITY COMPANY SPECIFICATIONS, AND LOCAL AND STATE JURISDICTIONAL CODES BEARING ON THE PERFORMANCE OF THE WORK. THE WORK PERFORMED ON THE PROJECT AND THE MATERIALS INSTALLED SHALL BE IN STRICT ACCORDANCE WITH ALL APPLICABLE CODES, REGULATIONS, AND ORDINANCES.
2. THE ARCHITECT/ENGINEER HAVE MADE EVERY EFFORT TO SET FORTH IN THE CONSTRUCTION AND CONTRACT DOCUMENTS THE COMPLETE SCOPE OF WORK. THE SUBCONTRACTOR BIDDING THE JOB IS, NEVERTHELESS CAUTIONED THAT MINOR OMISSIONS OR ERRORS IN THE DRAWINGS AND OR SPECIFICATIONS SHALL NOT EXCUSE SAID SUBCONTRACTOR FROM COMPLETING THE PROJECT AND IMPROVEMENTS IN ACCORDANCE WITH THE INTENT OF THESE DOCUMENTS.
3. THE SUBCONTRACTOR OR BIDDER SHALL BEAR THE RESPONSIBILITY OF NOTIFYING (IN WRITING) THE AT&T REPRESENTATIVE (RECITED) OF ANY CONFLICTS, ERRORS OR OMISSIONS PRIOR TO THE SUBMISSION OF SUBCONTRACTOR'S PROPOSAL OR PERFORMANCE OF WORK. IN THE EVENT OF DISCREPANCIES, THE SUBCONTRACTOR SHALL PRICE THE MORE COSTLY OR EXTENSIVE WORK, UNLESS DIRECTED IN WRITING OTHERWISE.
4. THE SCOPE OF WORK SHALL INCLUDE FURNISHING ALL MATERIALS, EQUIPMENT, LABOR AND ALL OTHER MATERIALS AND LABOR DEEMED NECESSARY TO COMPLETE THE WORK/PROJECT AS DESCRIBED HEREIN.
5. THE SUBCONTRACTOR SHALL VISIT THE JOB SITE PRIOR TO THE SUBMISSION OF BIDS OR PERFORMING WORK TO FAMILIARIZE HIMSELF WITH THE FIELD CONDITIONS AND TO VERIFY THAT THE PROJECT CAN BE CONSTRUCTED IN ACCORDANCE WITH THE CONTRACT DOCUMENTS.
6. THE SUBCONTRACTOR SHALL OBTAIN AUTHORIZATION TO PROCEED WITH CONSTRUCTION PRIOR TO STARTING WORK ON ANY ITEM NOT CLEARLY DEFINED BY THE CONSTRUCTION DRAWINGS/CONTRACT DOCUMENTS.
7. THE SUBCONTRACTOR SHALL INSTALL ALL EQUIPMENT AND MATERIALS ACCORDING TO THE MANUFACTURERS/VENDORS SPECIFICATIONS UNLESS OTHERWISE OR WHERE LOCAL CODES OR ORDINANCES TAKE PRECEDENCE.
8. THE SUBCONTRACTOR SHALL PROVIDE A FULL SET OF CONSTRUCTION DOCUMENTS AT THE SITE, UPDATED WITH THE LATEST REVISIONS AND ADDENDUMS OR CLARIFICATIONS AVAILABLE FOR THE USE BY ALL PERSONNEL INVOLVED WITH THE PROJECT.
9. THE SUBCONTRACTOR SHALL SUPERVISE AND DIRECT THE PROJECT (N)SCHEDULE HEREIN. THE SUBCONTRACTOR SHALL BE SOLELY RESPONSIBLE FOR ALL THE CONSTRUCTION MEANS, METHODS, TECHNIQUES, SEQUENCES AND PROCEDURES AND FOR COORDINATING ALL PORTIONS OF THE WORK UNDER THE CONTRACT.
10. THE SUBCONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL PERMITS AND INSPECTIONS WHICH MAY BE REQUIRED FOR THE WORK BY THE ARCHITECT/ENGINEER, THE STATE, COUNTY OR LOCAL GOVERNMENT AUTHORITY.
11. THE SUBCONTRACTOR SHALL MAKE NECESSARY PROVISIONS TO PROTECT EXISTING IMPROVEMENTS, EASEMENTS, PAVEMENTS, CURBING ETC. DURING CONSTRUCTION. UPON COMPLETION OF WORK, THE SUBCONTRACTOR SHALL REPAIR ANY DAMAGE THAT MAY HAVE OCCURRED DUE TO CONSTRUCTION ON OR ABOUT THE PROPERTY.
12. THE SUBCONTRACTOR SHALL MAINTAIN THE GENERAL WORK AREA AS CLEAN AND HAZARD FREE DURING CONSTRUCTION AND DISPOSE OF ALL DIRT, DEBRIS, RUBBISH AND REMOVE EQUIPMENT NOT SPECIFIED AS REMAINING ON THE PROPERTY. PREMISES SHALL BE LEFT IN CLEAN CONDITION AND FREE FROM PAINT SPOTS, DUST, OR SMUDGES OF ANY NATURE.
13. THE SUBCONTRACTOR SHALL COMPLY WITH ALL OSHA REQUIREMENTS AS THEY APPLY TO THIS PROJECT.
14. THE SUBCONTRACTOR SHALL NOTIFY THE AT&T REPRESENTATIVE (RECITED) WHERE A CONFLICT OCCURS ON ANY OF THE CONTRACT DOCUMENTS. THE SUBCONTRACTOR IS NOT TO ORDER MATERIAL OR CONSTRUCT ANY PORTION OF THE WORK THAT IS IN CONFLICT UNTIL CONFLICT IS RESOLVED BY THE AT&T REPRESENTATIVE (RECITED).
15. THE SUBCONTRACTOR SHALL VERIFY ALL DIMENSIONS, ELEVATIONS, PROPERTY LINES, ETC. ON THE JOB.

AT&T CONSTRUCTION	DATE	AT&T RF	DATE
AT&T COMPLIANCE	DATE	AT&T REAL ESTATE	DATE

COMMONWEALTH OF VIRGINIA
NICHOLAS SEBASTIAN BERTE
Lic. No. 0402.042370
PROFESSIONAL ENGINEER

NO.	DATE	REVISIONS	BY
8	08/10/10	REVISED FOR COUNTY COMMENTS	SJW
7	08/01/10	REVISED FOR COUNTY COMMENTS	SJW
6	06/17/10	REVISED FOR MAJOR SITE PLAN REQ.	SJW
5	05/28/10	REVISED FOR COUNTY COMMENTS	SJW
4	02/26/10	REVISED FOR COUNTY COMMENTS	SJW
3	12/14/09	REVISED FOR COUNTY COMMENTS	SJW
2	10/22/09	ISSUED FOR ZONING	SJW
1	07/10/09	ISSUED FOR ZONING	CMA
0	06/11/08	ISSUED FOR ZONING	CMA

SCALE: AS SHOWN | DESIGNED BY: CMA | DRAWN BY: CMA | CHECKED BY: NICK S. BERTE, PROFESSIONAL ENGINEER, LICENSE NO. 0402.042370 | TITLE SHEET | PROJECT NUMBER: 10071647 | DRAWING NUMBER: T-01 | REV: 8

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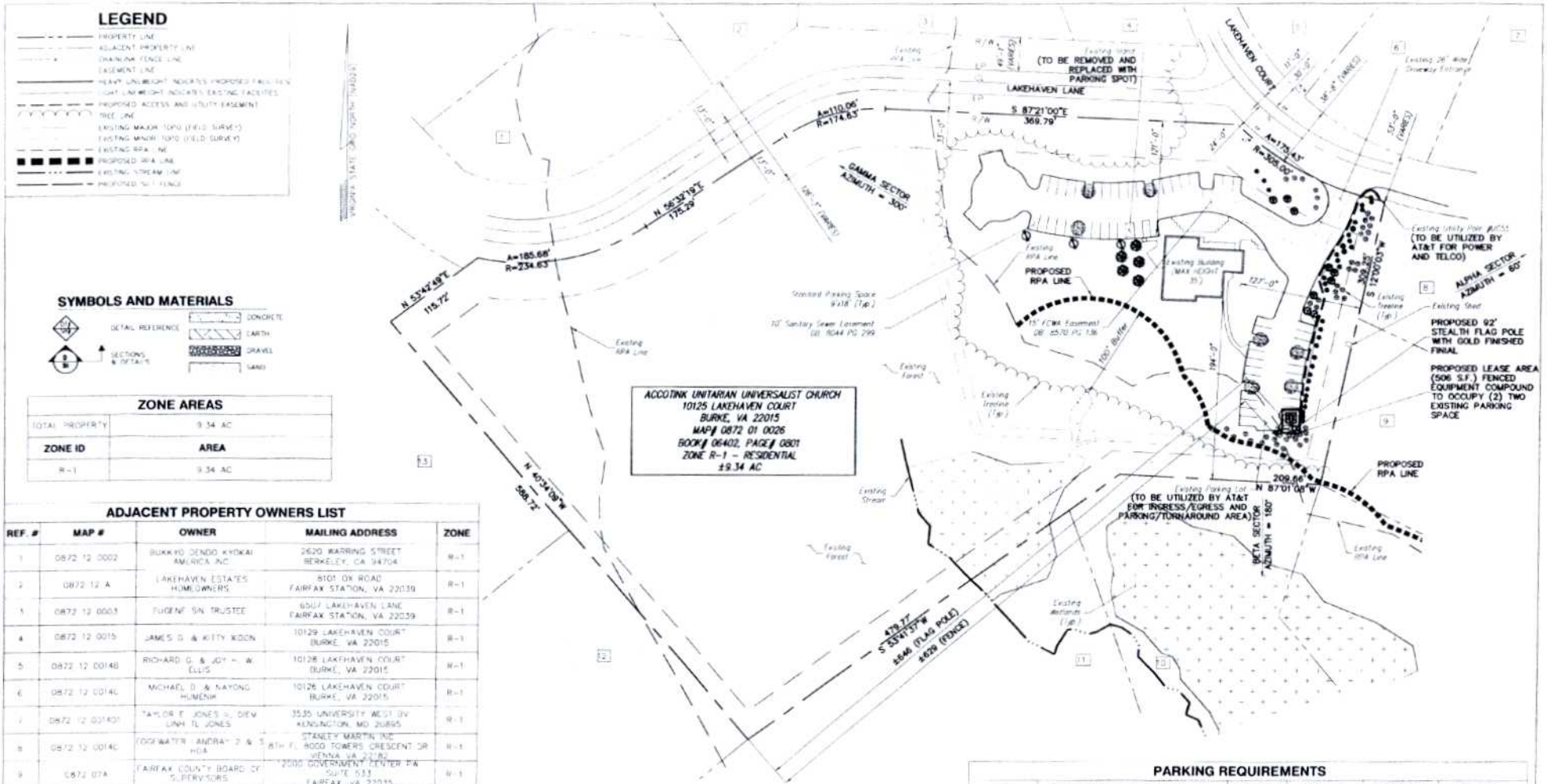

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7150 STANDARD DRIVE
HANOVER, MD 21076

GENERAL NOTES

1. SITE AND BOUNDARY INFORMATION OBTAINED FROM THE FOLLOWING:
   A. MIXED FIELD OBSERVATIONS PERFORMED BY DEWBERRY GOODKIND, INC. ON 04/17/08.
   B. SURVEY ENTITLED "TOPOGRAPHIC SURVEY" PERFORMED BY DEWBERRY & DAVIS LLC OF FAIRFAX, VA DATED ON 1/2/08.
   C. FAIRFAX COUNTY, VA WEBSITE (HTTP://GARE.FAIRFAXCOUNTY.GOV/MAP/HOME.ASPX)
   D. DRAWINGS TITLED "ACCOTINK UNITARIAN UNIVERSALIST CHURCH" PREPARED BY GANNETT FLEMING INC. OF CHANTILLY, VA LAST DATED 05/29/92.
2. THIS PROPOSAL IS FOR AN UNMANNED WIRELESS COMMUNICATIONS FACILITY FOR NEW CINGULAR WIRELESS PCS, LLC (D.B.A. "AT&T MOBILITY") CONSISTING OF THE INSTALLATION OF NINE (9) PANEL ANTENNAS AT CENTERLINE HEIGHTS OF 85'-0", 75'-0", AND 65'-0" AGL ON A PROPOSED 92' STEALTH FLAG POLE WITH GOLD FINISHED FINIAL WITH 3 FUTURE CARRIERS CONSISTING OF 3 PANEL ANTENNAS EACH AT ELEVATIONS OF 55'-0" AND 45'-0" AGL AND THE PLACEMENT OF RADIO EQUIPMENT CABINETS ON AN 11'-6" X 11' CONCRETE SLAB-ON-GRADE AND ASSOCIATED APPURTENANCES WITHIN A NEW 506 SF FENCED COMPOUND.
3. THE PROPOSED FACILITY IS UNMANNED AND IS NOT FOR HUMAN HABITATION (NO HANDICAP ACCESS IS REQUIRED).
4. NO NOISE, SMOKE, DUST, VAPORS OR ODOR WILL RESULT FROM THIS PROPOSAL.
5. EXTERIOR SIGNS ARE NOT PROPOSED EXCEPT AS REQUIRED BY THE FCC.
6. TOTAL AREA OF DISTURBANCE UNDER THIS PROPOSAL: ±7,980 S.F. TOTAL INCREASE IN IMPERVIOUS COVERAGE >500 S.F.
7. THE PROPOSED FACILITY WILL CAUSE ONLY AN INSIGNIFICANT ("DE MINIMUS") INCREASE IN STORMWATER RUNOFF. THEREFORE, NO DRAINAGE STRUCTURES ARE PROPOSED.
8. ALL CONSTRUCTION FOR SITE IMPROVEMENTS SHALL CONFORM TO APPLICABLE SPECIFICATIONS, STANDARDS, AND REQUIREMENTS OF THE GOVERNMENTAL OR UTILITY AUTHORITIES HAVING JURISDICTION.
9. IF NECESSARY, RUBBISH, STUMPS, DEBRIS, STICKS, STONES AND OTHER REFUSE SHALL BE REMOVED FROM THE SITE AND DISPOSED OF LEGALLY.
10. EROSION CONTROL MEASURES SHALL BE IN CONFORMANCE WITH THE LOCAL GUIDELINES FOR EROSION AND SEDIMENT CONTROL.
11. CONTRACTOR SHALL CONTACT THE VIRGINIA ONE CALL SYSTEM PRIOR TO CONSTRUCTION @ 1-800-552-7001.
12. ALL CONSTRUCTION AND DESIGN FOR THE PROPOSED ANTENNA MOUNTS SHALL CONFORM IN ACCORDANCE WITH THE CURRENT STRUCTURAL STANDARDS FOR STEEL ANTENNA TOWERS AND ANTENNA SUPPORTING STRUCTURES (TIA/EIA-222-G) REVISED, JANUARY 2006.
13. POWER TO THE FACILITY WILL BE MONITORED BY A SEPARATE METER.
14. THIS PROJECT WILL NOT REQUIRE STREETS ON PROPERTY TO BE DEDICATED FOR PUBLIC USE.
15. THIS PROJECT WILL NOT REQUIRE PERMANENT MONUMENTS.
16. ACCORDING TO THE FEMA FLOOD INSURANCE RATE MAP OF FAIRFAX COUNTY, VA COMMUNITY PANEL NUMBER 5155251 0035 D DATED MARCH 5, 1990, THE SITE IS LOCATED WITHIN ZONE C - AREAS TO BE DETERMINED TO BE OUTSIDE THE 500-YEAR FLOOD PLAIN.
17. NO STORMWATER MANAGEMENT CALCULATIONS WERE PREPARED SINCE OUR AREA OF DISTURBANCE IS LESS THAN 2,000 SF.
18. THIS SITE WAS BUILT IN 1992 (SEE NOTE 15).
19. THE PROPOSED FACILITY IS UNMANNED AND WILL NOT REQUIRE SANITARY SEWER OR WATER SERVICE.
20. THE FLOOR AREA RATION (FAR) OF THE EXISTING CHURCH IS 0.02 PER THE DRAWINGS TITLED "ACCOTINK UNITARIAN UNIVERSALIST CHURCH" PREPARED BY GANNETT FLEMING INC. OF CHANTILLY, VA LAST DATED 05/29/92.
21. THE PROPOSED PROJECT LOCATION WAS FIELD SURVEYED WITH THE REMAINDER OF THE PROPERTY TRACED FROM COUNTY FLOODPLAIN MAPS.
22. PER THE FAIRFAX COUNTY PARK AUTHORITY TRAIL COORDINATOR THERE ARE NO TRAILS CURRENTLY LOCATED ON THE PROPERTY.
23. NO EVIDENCE OF GRAVES OR BURIAL SITES WERE FOUND ON THIS SITE.
24. THE GROSS FLOOR AREA OF THE CHURCH IS ±7,254 SF.
25. THE GROSS FLOOR AREA OF THE DAYCARE FACILITY IS THE ENTIRE LOWER LEVEL OF THE CHURCH WITH A GROSS FLOOR AREA OF ±3,827 SF.
26. THE GROSS FLOOR AREA OF THE EXTERIOR PLAY AREA IS 7,000 SF.
27. CATEGORY 1 SPECIAL EXCEPTION REQUESTS SUCH AS THIS APPLICATION SHALL NOT HAVE TO COMPLY WITH THE LOT SIZE REQUIREMENTS ON THE BULK TABLES.

SYMBOLS AND MATERIALS

DETAIL REFERENCE

SECTIONS & DETAILS

CONCRETE

EARTH

GRAVEL

SAND

SECTION R-1 (RESIDENTIAL DISTRICT)
(REQUIRMENTS ARE NOT APPLICABLE-CATAGORY 1 SPECIAL EXCEPTION)

DESCRIPTION	REQUIRED	EXISTING	PROPOSED	REMARKS
MAXIMUM BUILDING HEIGHT	35 FEET	<35 FEET	<35 FEET	CONFORMING
OTHER STRUCTURES	60 FEET	<60 FEET	92 FEET	NON-CONFORMING
MAX. FLOOR AREA RATIO OTHER THAN RESIDENTIAL OR PUBLIC	.2%	N/A	.001%	CONFORMING
FRONT YARD SETBACK	40 FEET	121 FEET	237 FEET	CONFORMING
SIDE YARD SETBACK	20 FEET	127 FEET	34 FEET	CONFORMING
REAR YARD SETBACK	25 FEET	189 FEET	51 FEET	CONFORMING
FRONT YARD STRUCTURE SETBACK	CONTROLLED BY A 50° ANGLE OF BULK PLANE BUT NOT LESS THAN 40 FEET	121 FEET	274 FEET	107' REQUIRED CONFORMING
SIDE YARD STRUCTURE SETBACK	CONTROLLED BY A 45° ANGLE OF BULK PLANE BUT NOT LESS THAN 20 FEET	127 FEET	63 FEET	90' REQUIRED
REAR YARD STRUCTURE SETBACK	CONTROLLED BY A 45° ANGLE OF BULK PLANE BUT NOT LESS THAN 25 FEET	189 FEET	48 FEET	90' REQUIRED

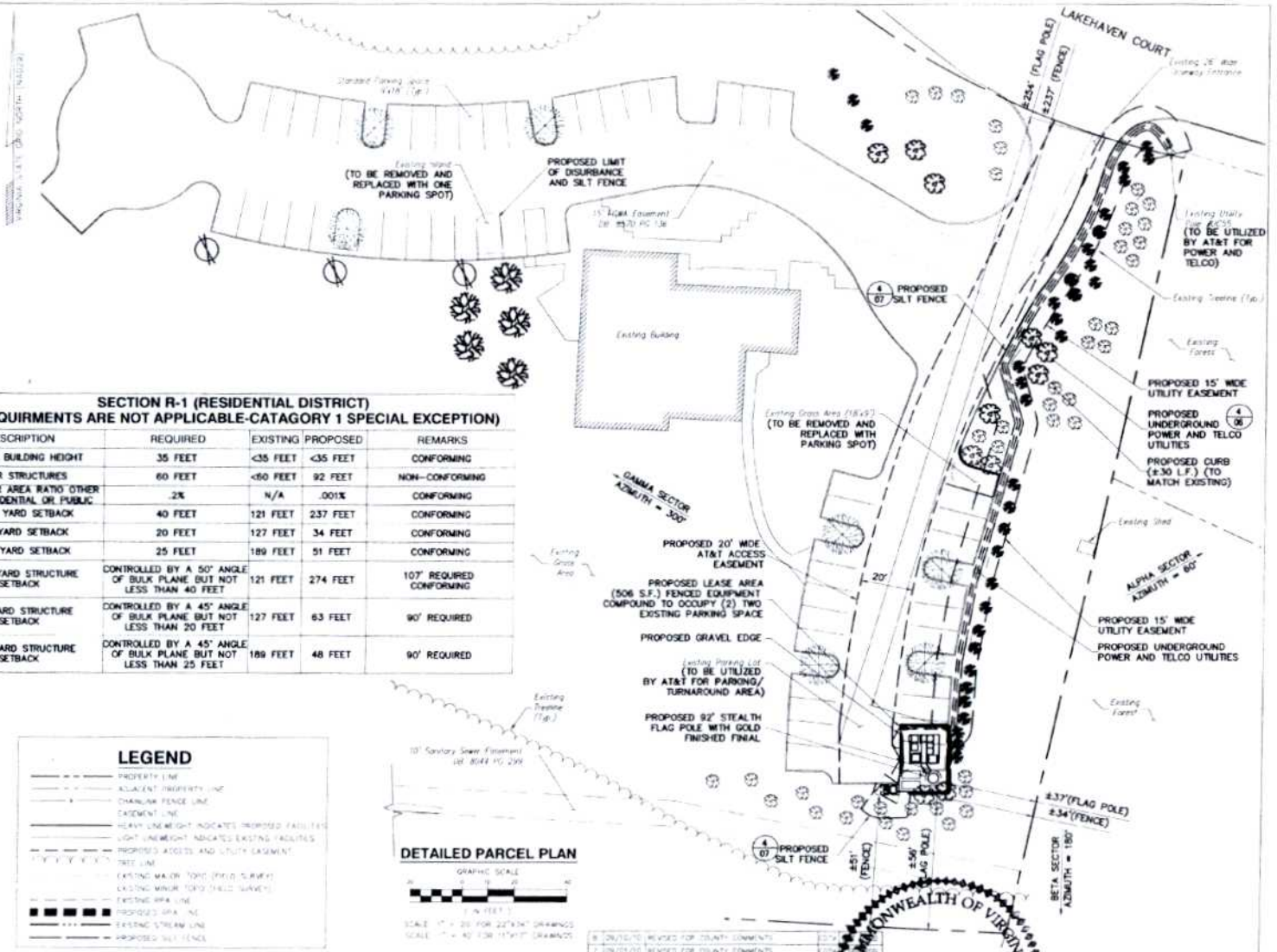
LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- CHAINLINK FENCE LINE
- EASEMENT LINE
- HEAVY LINEWEIGHT INDICATES PROPOSED FACILITIES
- LIGHT LINEWEIGHT INDICATES EXISTING FACILITIES
- PROPOSED ACCESS AND UTILITY EASEMENT
- TREE LINE
- EXISTING MAJOR TOPO (FIELD SURVEY)
- EXISTING MINOR TOPO (FIELD SURVEY)
- EXISTING RPA LINE
- PROPOSED RPA LINE
- EXISTING STREAM LINE
- PROPOSED SILT FENCE

DETAILED PARCEL PLAN

GRAPHIC SCALE

SCALE: 1" = 20' FOR 22"x34" DRAWINGS
SCALE: 1" = 40' FOR 11"x17" DRAWINGS



COMMONWEALTH OF VIRGINIA
NICHOLAS SEBASTIAN BERTE
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NO	DATE	REVISIONS	BY
6	08/31/10	REVISED FOR COUNTY COMMENTS	MW
5	08/01/10	REVISED FOR COUNTY COMMENTS	MW
4	06/17/10	REVISED FOR MINOR SITE PLAN REQ.	MW
3	05/28/10	REVISED FOR COUNTY COMMENTS	MW
4	02/26/10	REVISED FOR COUNTY COMMENTS	MW
3	12/14/09	REVISED FOR COUNTY COMMENTS	MW
2	10/22/09	ISSUED FOR ZONING	MW
1	2/16/09	ISSUED FOR ZONING	MW
0	08/01/08	ISSUED FOR ZONING	MW

SCALE: AS SHOWN | DESIGNED BY: DMA | DRAWN BY: DMA | CHECKED BY: NSB

TITLE: SITE PLAN, DETAILED PARCEL PLAN, AND GENERAL NOTES

PROJECT NUMBER: 50013647

DRAWING NUMBER: C-02 | REV: 6

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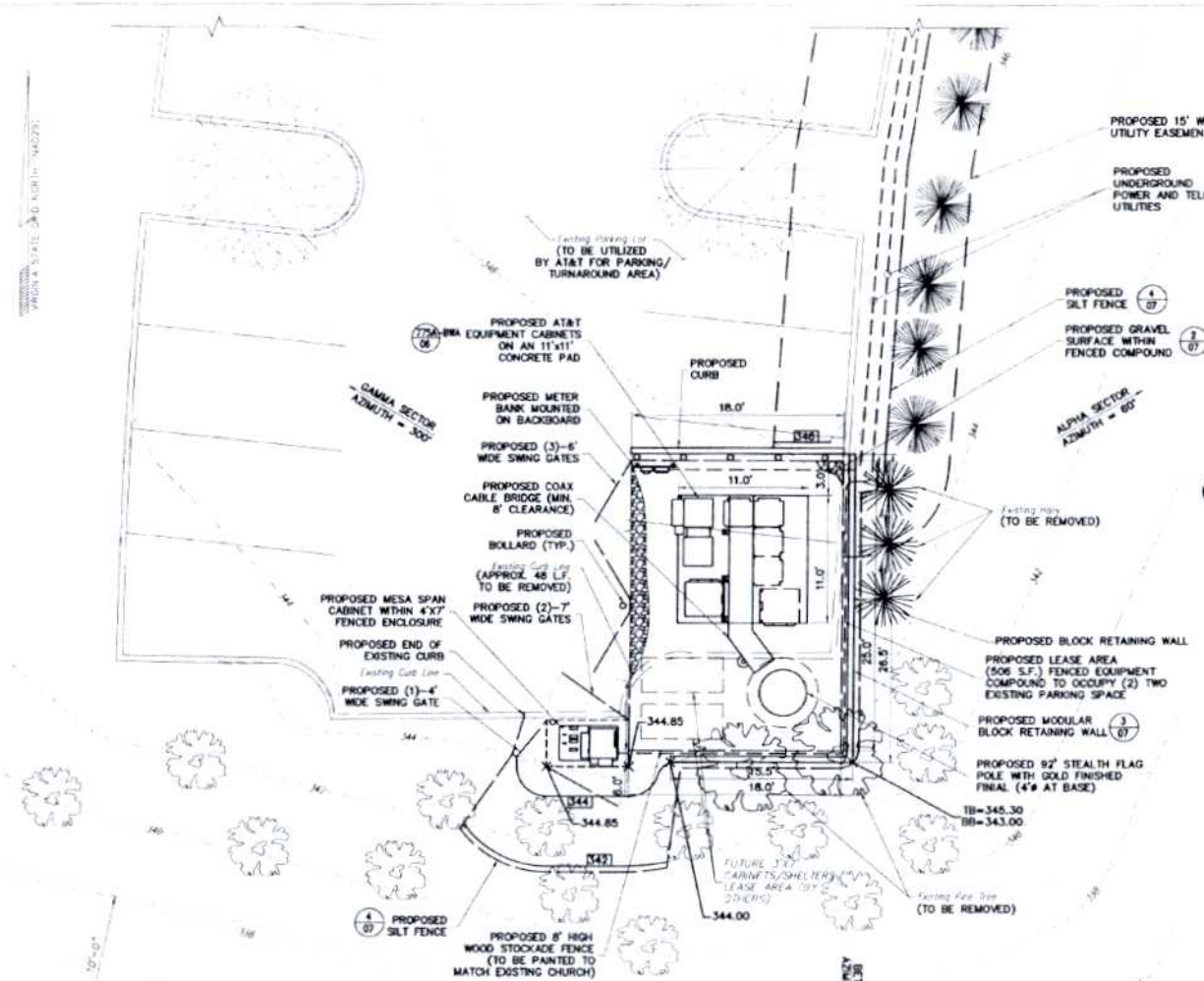
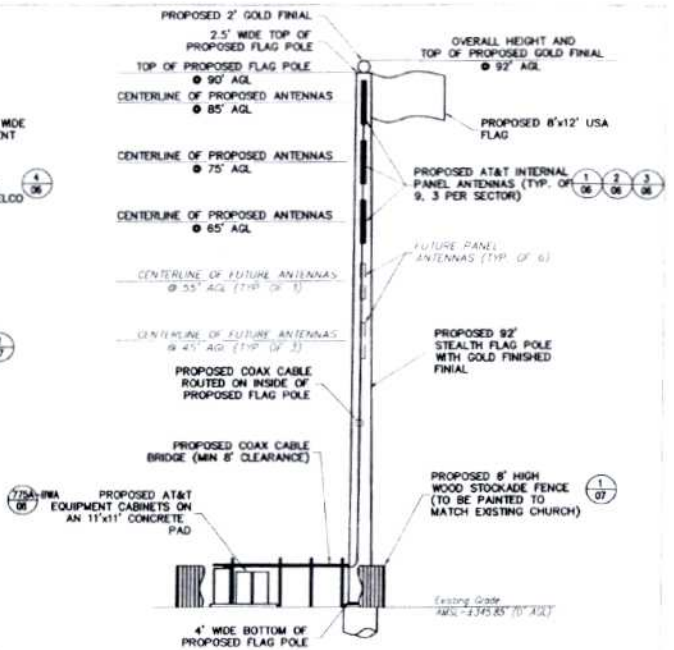


DETAILED SITE PLAN

GRAPHIC SCALE

(IN FEET)

SCALE: 1" = 5' FOR 22"X34" DRAWINGS
SCALE: 1" = 10' FOR 11"X17" DRAWINGS



ELEVATION VIEW

GRAPHIC SCALE

(IN FEET)

SCALE: 1" = 10' FOR 22"X34" DRAWINGS
SCALE: 1" = 20' FOR 11"X17" DRAWINGS

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- CHAIN LINK FENCE LINE
- EASEMENT LINE
- HEAVY LINEWEIGHT INDICATES PROPOSED FACILITIES
- LIGHT LINEWEIGHT INDICATES EXISTING FACILITIES
- PROPOSED ACCESS AND UTILITY EASEMENT
- EXISTING MAJOR TOPO (U.S.G.S. SURVEY)
- EXISTING MINOR TOPO (FIELD SURVEY)
- EXISTING RPA LINE
- PROPOSED RPA LINE
- EXISTING STREAM LINE
- PROPOSED SILT FENCE

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7150 STANDARD DRIVE
HANOVER, MD 21076

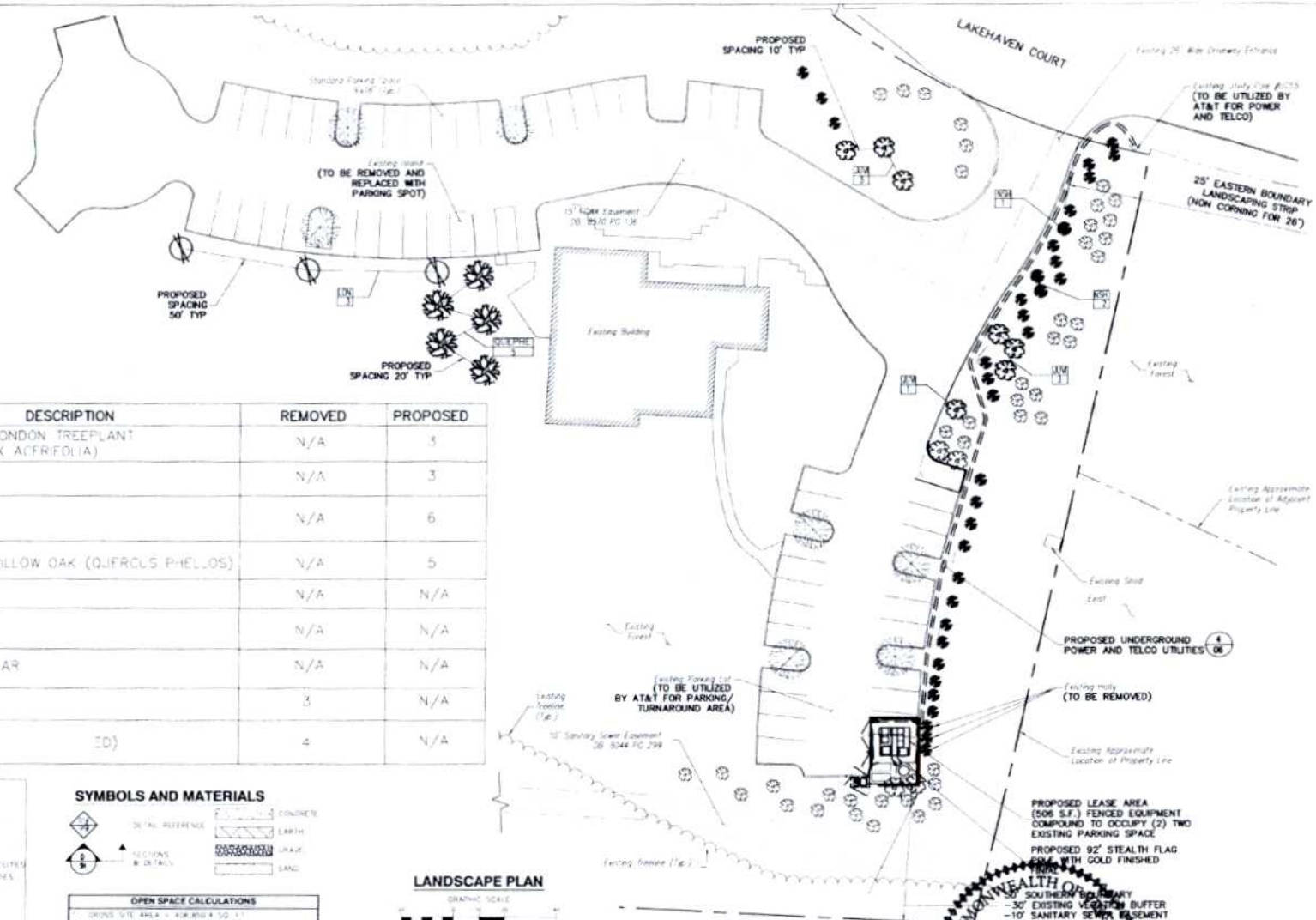
COMMONWEALTH OF VIRGINIA
NICHOLAS SEBASTIAN BERTE
Lic No 0402 042370
PROFESSIONAL ENGINEER

NO	DATE	REVISIONS	BY	CHK
A	03/12/10	REVISED FOR COUNTY COMMENTS	BSTN	NSB
7	03/03/10	REVISED FOR COUNTY COMMENTS	BSTN	NSB
6	08/17/10	REVISED FOR MINOR SITE PLAN REQ	MPS	NSB
5	11/28/10	REVISED FOR COUNTY COMMENTS	BSTN	NSB
4	11/28/10	REVISED FOR COUNTY COMMENTS	BSTN	NSB
3	12/14/09	REVISED FOR COUNTY COMMENTS	BSTN	NSB
2	10/22/09	ISSUED FOR ZONING	BSTN	NSB
1	07/16/09	ISSUED FOR ZONING	CWA	NSB
0	06/11/09	ISSUED FOR ZONING	CWA	NSB

SCALE: AS SHOWN | DESIGNED BY: CWA | DRAWN BY: CWA | DATE: 06/11/09 | PROJECT NUMBER: 25471-430

DETAILED SITE PLAN & ELEVATION VIEW

DRAWING NUMBER: C-03 | REV: 8



SYMBOL	ABBREVIATION	DESCRIPTION	REMOVED	PROPOSED
	LON	PROPOSED LONDON TREEPLANT (PLATANUS X ACERIFOLIA)	N/A	3
	NSH		N/A	3
	JUVI		N/A	6
	QUEPHE	PROPOSED WILLOW OAK (QUERCUS PHELLOS)	N/A	5
	NSH		N/A	N/A
	JUVI		N/A	N/A
	JC	REDSPIRE PEAR	N/A	N/A
	NSH		3	N/A
	JUVI	ED)	4	N/A

LEGEND

PROPERTY LINE
ADJACENT PROPERTY LINE
CHAINLINK FENCE LINE
EASEMENT LINE
HEAVY LINEWEIGHT INDICATES PROPOSED FACILITIES
LIGHT LINEWEIGHT INDICATES EXISTING FACILITIES
PROPOSED ACCESS AND UTILITY EASEMENT
TREE LINE
EXISTING MAJOR TOPO (FIELD SURVEY)
EXISTING MINOR TOPO (FIELD SURVEY)
PROPOSED RPA LINE
EXISTING STEAM LINE
PROPOSED SILT FENCE

SYMBOLS AND MATERIALS

DETAIL REFERENCE
SECTIONS & DETAILS
CONCRETE
EARTH
GRAVEL
SAND

OPEN SPACE CALCULATIONS

1. GROSS SITE AREA = 408,858.4 SQ. FT.
2. BUILDING FOOT PRINT = 4,350 SQ. FT.
3. PROPOSED TELECOM FACILITY = 424 SQ. FT.
4. EXISTING TREE COVERAGE = 214,703 SQ. FT.
OPEN SPACE = ITEMS #1-(#2+4) = 127,319.4 SQ. FT.

LANDSCAPE PLAN

GRAPHIC SCALE
(IN FEET)
SCALE: 1" = 20' FOR 22"x34" DRAWINGS
SCALE: 1" = 40' FOR 11"x17" DRAWINGS

NO	DATE	REVISIONS	BY	CHK	APP
8	09/15/10	REVISED FOR COUNTY COMMENTS	EDTV		
7	09/01/10	REVISED FOR COUNTY COMMENTS	EDTV		
6	08/17/10	REVISED FOR MINOR SITE PLAN REQ	MAC		
5	05/28/10	REVISED FOR COUNTY COMMENTS	EDTV		
4	02/26/10	REVISED FOR COUNTY COMMENTS	EDTV		
3	12/14/09	REVISED FOR COUNTY COMMENTS	EDTV		
2	10/22/09	ISSUED FOR ZONING	EDTV		
1	07/18/09	ISSUED FOR ZONING	TMA		
0	08/11/09	ISSUED FOR ZONING	TMA		

COMMONWEALTH OF VIRGINIA
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ANCILLARY PLAN
PROJECT NUMBER: 50013647

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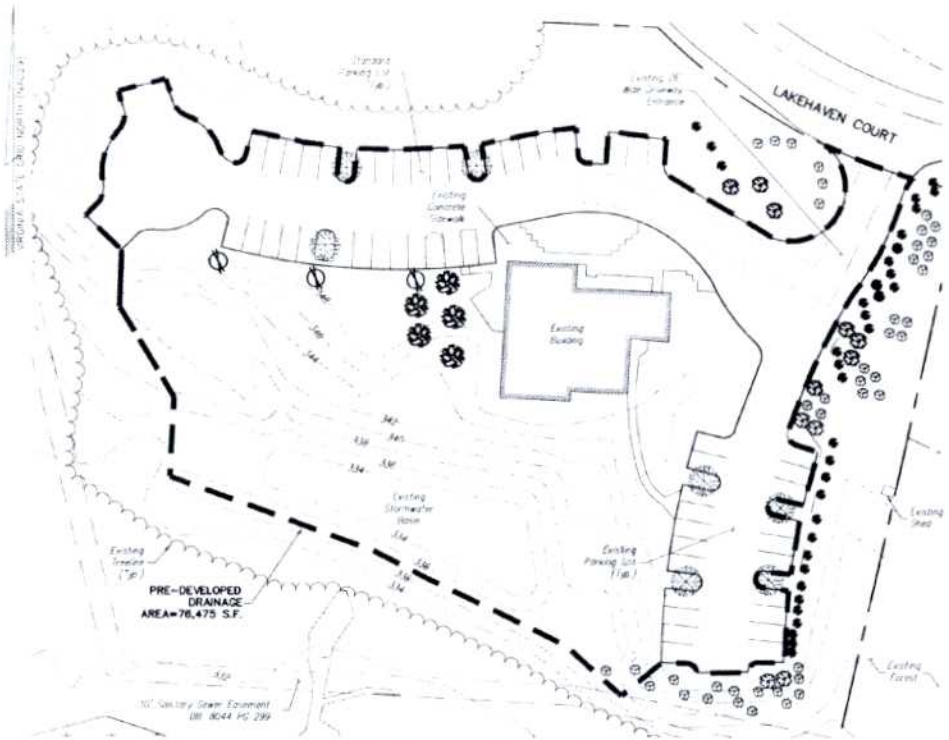
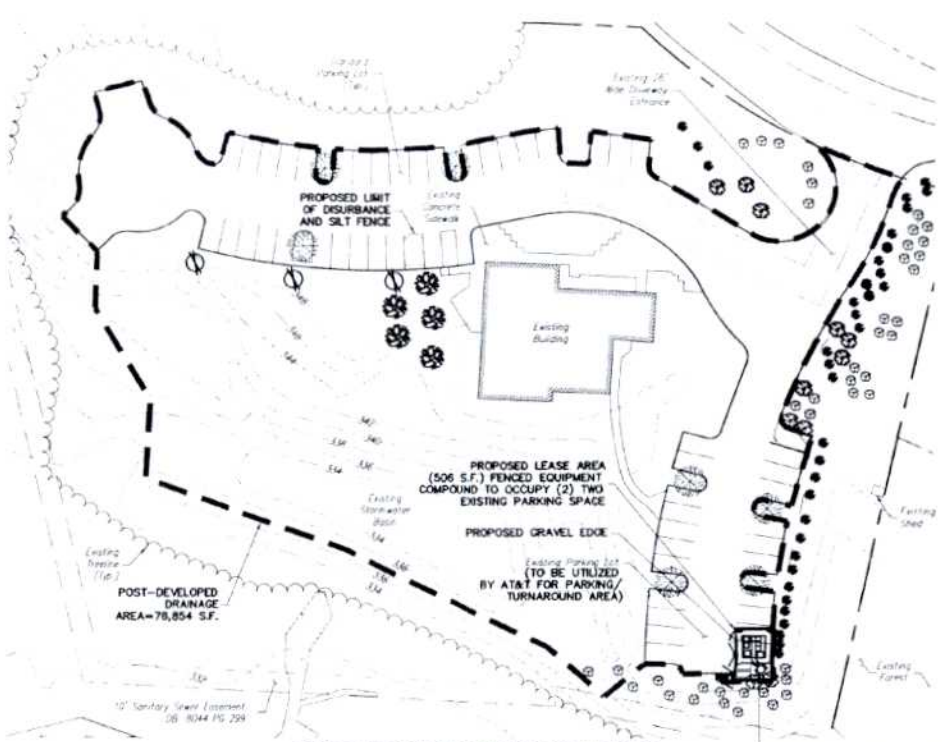
SCALE: AS SHOWN | DESIGNED BY: CMA | DRAWN BY: TMA | DATE: | 25471 430 | DRAWING NUMBER: C 04 | REV: 8



PRE-DEVELOPED DRAINAGE CONDITIONS

GRAPHIC SCALE
(IN FEET)
SCALE: 1" = 30' FOR 22"x34" DRAWINGS
SCALE: 1" = 60' FOR 11"x17" DRAWINGS



POST-DEVELOPED DRAINAGE CONDITIONS

GRAPHIC SCALE
(IN FEET)
SCALE: 1" = 30' FOR 22"x34" DRAWINGS
SCALE: 1" = 60' FOR 11"x17" DRAWINGS

LEGEND

- PROPERTY LINE
- ADJACENT PROPERTY LINE
- CHAIN LINK FENCE LINE
- EASEMENT LINE
- HEAVY LINEWEIGHT INDICATES PROPOSED FACILITIES
- LIGHT LINEWEIGHT INDICATES EXISTING FACILITIES
- PROPOSED ACCESS AND UTILITY EASEMENT
- TREE LINE
- EXISTING MAJOR TOPO (FIELD SURVEY)
- EXISTING MINOR TOPO (FIELD SURVEY)
- PROPOSED SWM LINE
- EXISTING STORM LINE
- PROPOSED SILT FENCE

CALCULATING C:

PRE-DEVELOPED CONDITION

COVER TYPE	C	AREA (ACRES)
IMPERVIOUS AREA	0.90	±0.81 ACRES
GRASS AREA	0.35	±0.94 ACRES

C (PRE-DEVELOPED CONDITION) = ((0.90)(0.81)+(.35)(0.94)/1.75 = 0.605

POST-DEVELOPED CONDITION

COVER TYPE	C	AREA (ACRES)
IMPERVIOUS AREA	0.90	±0.82 ACRES
GRASS AREA	0.35	±0.94 ACRES

C (PRE-DEVELOPED CONDITION) = ((0.90)(0.82)+(.35)(0.94)/1.76 = 0.606

NARRATIVE:

THE PROPOSED DEVELOPMENT HAS INCREASED THE OVERALL DRAINAGE AREA AND IMPERVIOUS AREA GOING TO THE EXISTING STORMWATER DRAINAGE SYSTEM BY ±.01 ACRES AND INCREASED THE RUNOFF COEFFICIENT BY ±.01. THIS SMALL INCREASE IS CONSIDERED DE MINIMUS AND THUS A WAIVER FOR STORMWATER CALCULATIONS AND BMPS IS BEING REQUESTED.

COMMONWEALTH OF VIRGINIA
NICHOLAS SEBASTIAN BERTE
Lic. No. 0402 042370
PROFESSIONAL ENGINEER

NO	DATE	REVISIONS	BY
8	04/15/10	REVISED FOR COUNTY COMMENTS	EDTV
7	03/01/10	REVISED FOR COUNTY COMMENTS	EDTV
6	08/17/09	REVISED FOR MINOR SITE PLAN REV.	MPC
5	05/29/09	REVISED FOR COUNTY COMMENTS	EDTV
4	02/26/09	REVISED FOR COUNTY COMMENTS	EDTV
3	12/14/09	REVISED FOR COUNTY COMMENTS	EDTV
2	10/02/09	ISSUED FOR ZONING	EDTV
1	01/16/09	ISSUED FOR ZONING	DMA
0	08/11/08	ISSUED FOR ZONING	DMA

SCALE: AS SHOWN | DESIGNED BY: DMA | DRAWN BY: DMA | DATE: 08-19-08

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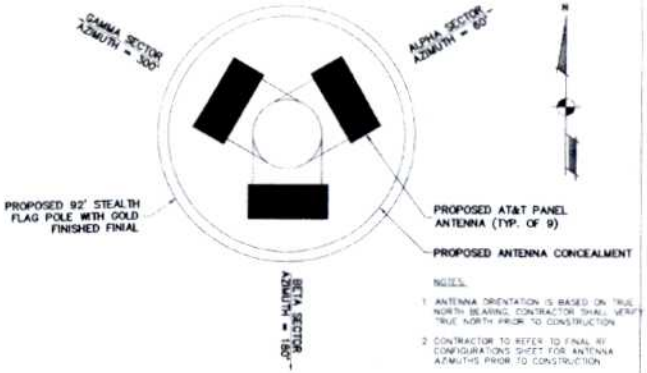
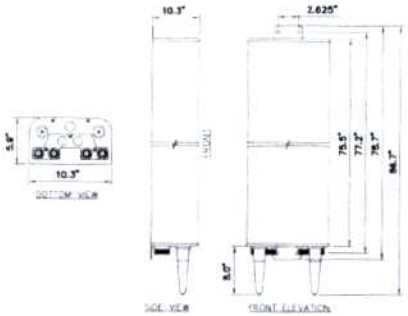
STORMWATER WAIVER CALCULATIONS

PROJECT NUMBER: 10012647

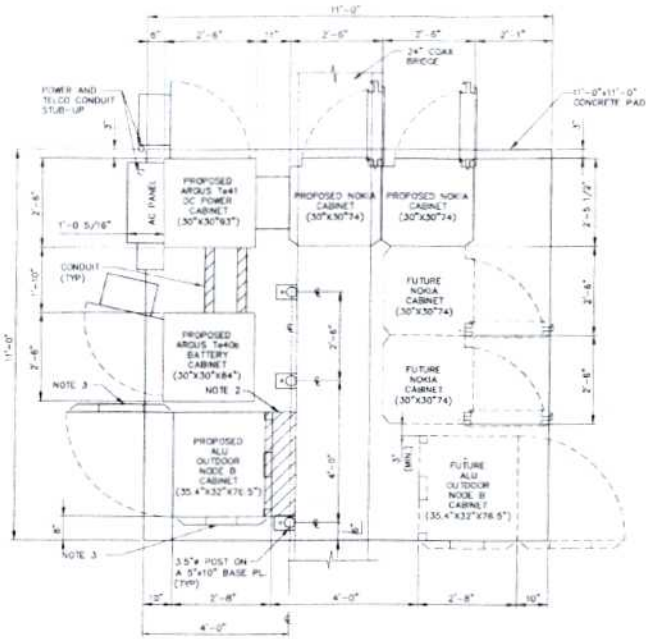
25471-410 | C-05



ANTENNA MOUNTING AND ORIENTATION DETAIL (1)
NOT TO SCALE



PANEL ANTENNA DETAILS (2)
NOT TO SCALE

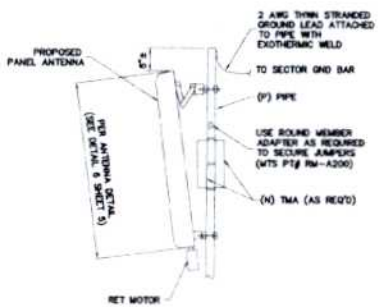


NOTES:
1. DELETED
2. INSTALL 10" WIDE BRIDGE EXTENSION (GALV. CHANNEL OR PLATE) OVER BACK OF LUCENT CABINET.
3. SOLAR SHIELD MOUNTED TO RIGHT SIDE AND DOOR

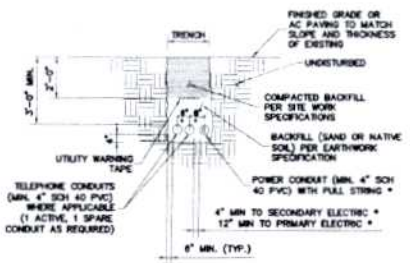
(W" x D" x H") (TYP.)

EQUIPMENT LAYOUT ON CONCRETE PAD
TYPE 1 (PREFERRED)

DETAIL 775A-BWA



ANTENNA/TMA MOUNTING DETAIL (3)
NOT TO SCALE



SEPARATION DIMENSION TO BE VERIFIED WITH LOCAL UTILITY COMPANY REQUIREMENTS

JOINT SERVICE TRENCH
BURIED CONDUIT (ELECT/TELEPHONE) (4)
NOT TO SCALE

NO.	DATE	REVISIONS	BY	CHK APP'D
8	09/15/10	REVISED FOR COUNTY COMMENTS	EDTV	
7	08/31/10	REVISED FOR COUNTY COMMENTS	EDTV	
6	08/17/10	REVISED FOR MINOR SITE PLAN REV	EDTV	
5	05/28/10	REVISED FOR COUNTY COMMENTS	EDTV	
4	03/26/10	REVISED FOR COUNTY COMMENTS	EDTV	
3	02/24/10	REVISED FOR COUNTY COMMENTS	EDTV	
2	10/22/09	ISSUED FOR ZONING	CMA	
1	07/15/09	ISSUED FOR ZONING	CMA	
0	06/01/09	ISSUED FOR ZONING	CMA	

SCALE: AS SHOWN | DESIGNED BY: CMA | DRAWN BY: CMA | DATE: 254.71-4.10 | DRAWING NUMBER: C-06 | REV: 8

COMMONWEALTH OF VIRGINIA
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PROJECT NUMBER: 10012647

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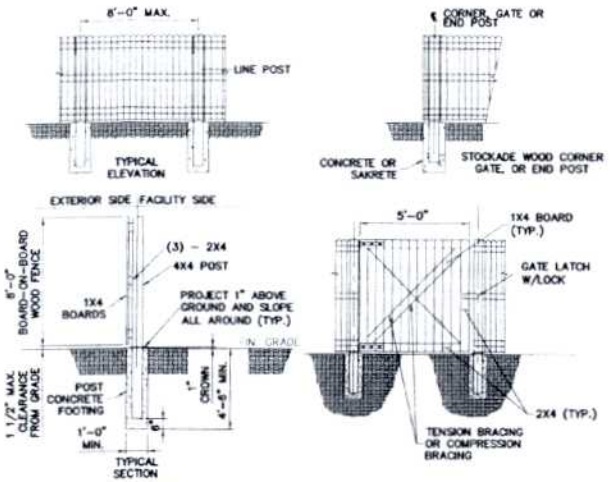
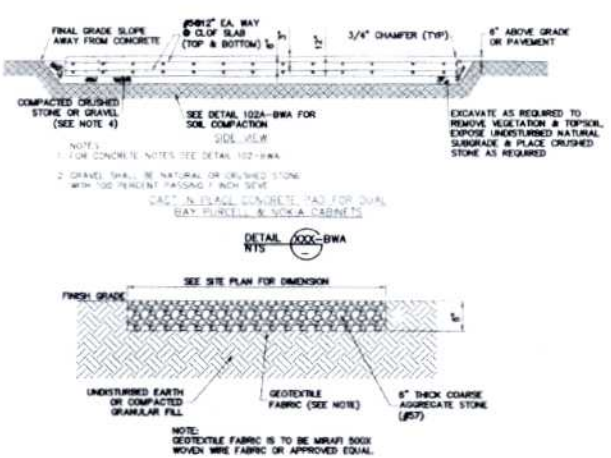


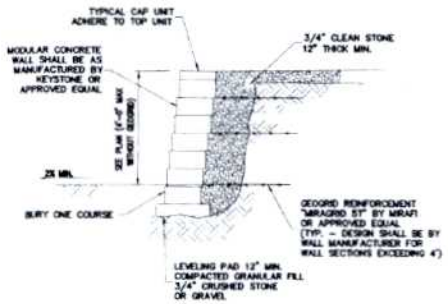
BOARD-ON-BOARD FENCE DETAIL 1

NOT TO SCALE



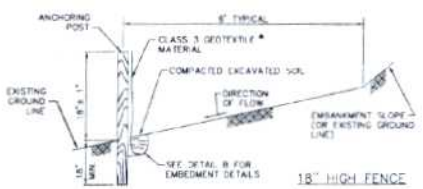
GRAVEL COMPOUND DETAIL 2

NOT TO SCALE



MODULAR BLOCK RETAINING WALL 3

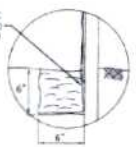
NOT TO SCALE



SILT BARRIER FENCE INSTALLATION:

1. A TRENCH WILL BE PLOWED OR OTHERWISE EXCAVATED TO THE REQUIRED DEPTH (SEE FIGURE) WITH LITTLE, IF ANY, DISTURBANCE TO THE DOWNSLOPE SIDE OF THE TRENCH. THE BOTTOM OF THE TRENCH AND THE FENCE TOP WILL BE PLACED ON A LEVEL GRADE. WHEN IT IS NECESSARY TO CROSS SMALL DEPRESSIONS, THE TRENCH BOTTOM AND FENCE TOP EDGE MAY DEVIATE SLIGHTLY FROM THE LEVEL GRADE. GRADES IN SUCH SECTIONS WILL NOT EXCEED ONE PERCENT (1%), NOR WILL THE DEVIATION EXTEND FOR MORE THAN 25 FEET.
2. SUPPORT STAKES WILL BE DRIVEN TO THE REQUIRED DEPTH (AS SHOWN) BELOW THE EXISTING GROUND SURFACE, AT SPECIFIED INTERVALS.
3. STRETCH AND FASTEN FABRIC TO THE UPSLOPE SIDE OF THE SUPPORT STAKES (IF A REINFORCED SECTION, FASTEN REINFORCEMENT MESH PRIOR TO FASTENING THE FABRIC).
4. WHERE ENDS OF FABRIC COME TOGETHER, THEY WILL BE OVERLAPPED/FOLDED AND STAPLED TO PREVENT SEDIMENT BYPASS.
5. THE EMBEDMENT TRENCH WILL BE BACKFILLED AND COMPACTED TO A DENSITY EQUAL TO SURROUNDING SOILS.
6. SILT BARRIER FENCE MUST BE INSTALLED AT LEVEL GRADE. BOTH ENDS OF EACH FENCE SECTION MUST EXTEND AT LEAST 10 FT UPSLOPE AT 45 DEGREES TO THE MAIN FENCE ALIGNMENT.
7. ANY FENCE SECTION WHICH HAS BEEN UNDERMINED OR TORPED MUST BE IMMEDIATELY REPLACED WITH A ROCK FILTER OUTLET.
8. INSTALL SILT BARRIER FENCE IN ACCORDANCE WITH DESIGN STANDARDS STIPULATED IN THE EROSION AND SEDIMENT POLLUTION CONTROL PROGRAM MANUAL, LATEST EDITION.

JOINING FENCE SECTIONS



DETAIL B

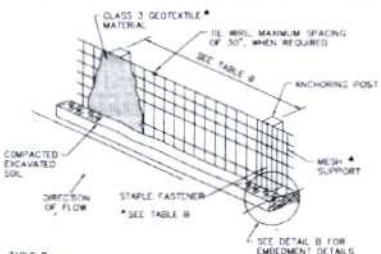


TABLE B
SILT BARRIER FENCE GEOTEXTILE SELECTION

TYPE OF CLASS 3 GEOTEXTILE MATERIAL	NOMINAL FABRIC HEIGHT	MAX. POST SPACING WITHOUT MESH SUPPORT	MAX. POST SPACING WITH MESH SUPPORT
34	18"	8'-0"	NA
36	18"	4'-0"	NA

SILT BARRIER FENCE MAINTENANCE:

1. THE FENCE INSTALLATION SHOULD BE INSPECTED AFTER EVERY PRECIPITATION EVENT. ANY NECESSARY REPAIRS WILL BE MADE IMMEDIATELY.
2. ACCUMULATED SEDIMENTS WILL BE REMOVED AS REQUIRED TO KEEP THE FENCE FUNCTIONAL. IN ALL CASES REMOVE DEPOSITS WHERE ACCUMULATIONS REACH 1/2 THE ABOVE GROUND HEIGHT OF THE FENCE.
3. ALL UNDERCUTTING OR EROSION OF THE EMBEDMENT TRENCH WILL BE REPAIRED IMMEDIATELY WITH COMPACTED BACKFILL MATERIALS.
4. [illegible] TO ANY MANUFACTURER'S RECOMMENDATIONS [illegible] SILT BARRIER FILTER FABRIC FENCE DUE TO [illegible]

SILT CONTROL FENCE 4

NOT TO SCALE

MINIMUM STORMWATER INFORMATION FOR REZONING, SPECIAL EXCEPTION, SPECIAL PERMIT AND DEVELOPMENT PLAN APPLICATIONS

The following information is required to be shown or provided in all zoning applications, or a waiver request of the submission requirement with justification shall be attached. Note: Waivers will be acted upon separately. Failure to adequately address the required submission information may result on a delay in processing this application.

This information is required under the Zoning Ordinance paragraphs:

Special Permits (9-011 2J & 2L)	Special Exceptions (9-011 2J & 2L)
Cluster Subdivision (9-615 1G) & 1N)	Commercial Revitalization Districts (9-622 2A (12 & 14))
Development Plans PRC District (16-302 2 & 4L)	PRC Plan (16-303 1E & 10)
FOD P Districts (except PRC) 916-502 1F & 1Q)	Amendments (18-202 10F & 10I)

1. Plat is at a maximum scale of 1"=50' (unless it is depicted on one sheet with a maximum scale of 1"=100).
2. A graphic depicting the stormwater management facility(ies) and limits of clearing and grading accommodate the stormwater management facility(ies), storm drainage pipe systems and outlet protection, pond spillways, access roads, site outfalls, energy dissipation devices, and stream stabilization measures as shown on Sheet 03.
3. Provide:

Facility Name: Type & No.	On-Site area served (acres)	Off-Site area served (acres)	Drainage area (acres)	Footprint area (sf.)	Storage Volume (sf.)	If pond, dam height (ft.)
N/A	N/A	N/A	N/A	N/A	N/A	N/A
					Totals	

4. Onsite drainage channels, outfalls and pipe systems are shown on Sheet N/A.
5. Maintenance accesses (road) to stormwater management facility(ies) are shown on Sheet N/A.
6. Landscaping and tree preservation shown in and near the stormwater management facility is shown on Sheet N/A.
7. A "stormwater management narrative" which contains a description of how detention and best management practices requirements will be met is provided on Sheet N/A.
8. A description of the existing conditions of each mentioned site outfall extended downstream from the site to a point which is at least 100 [illegible] the site area or which has a drainage area of at least one square mile (640 acres) is provided on Sheet N/A.
9. A description of how the outfall requirements, including contributing drainage areas of the Public Facilities Manual will be satisfied is provided on Sheet N/A.
10. Existing topography with maximum contour intervals of two (2) feet and a note as to whether it is an air survey or field run is provided on Sheets 02.
11. A submission waiver is requested for N/A.
12. Stormwater management is not required because The net increase in disturbed area (2,277 S.F.) does not significantly increase the water quantity volume.

NO.	DATE	REVISIONS	BY	CHK
8	09/10/10	REVISED FOR COUNTY COMMENTS	EDV	NSB
7	08/01/10	REVISED FOR COUNTY COMMENTS	EDV	NSB
6	06/17/10	REVISED FOR MINOR SITE PLAN REQ.	WPC	NSB
5	05/28/10	REVISED FOR COUNTY COMMENTS	EDV	NSB
4	02/26/10	REVISED FOR COUNTY COMMENTS	EDV	NSB
3	01/14/10	REVISED FOR COUNTY COMMENTS	EDV	NSB
2	10/22/09	ISSUED FOR ZONING	EDV	NSB
1	07/16/09	ISSUED FOR ZONING	MA	NSB
0	06/01/09	ISSUED FOR ZONING	MA	NSB

SCALE: AS SHOWN | DESIGNED BY: CMA | DRAWN BY: CMA | CHECKED BY: NSB

COMMONWEALTH OF VIRGINIA
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Lic. No. 0402 042370
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NICK S. BERTE
PROFESSIONAL ENGINEER

DETAILS - 2
PROJECT NUMBER: 50013647
DRAWING NUMBER: C 07
REV: 8

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25471-450

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

DESCRIPTION OF THE APPLICATION

The applicants, Trustees of the Accotink Unitarian Universalist Church and New Cingular Wireless PCS, LLC, d.b.a. AT&T Mobility, are seeking approvals to allow a new telecommunications facility, consisting of a 92-foot tall flagpole-style monopole, associated equipment, at an existing church that includes a nursery school. The 2232 application, 2232-S08-20, has been filed to request a Planning Commission determination as to whether the proposed telecommunication facility satisfies the criteria of location, character and extent pursuant to Sect. 15-2232 of the Code of Virginia, and, therefore, may be determined to be in substantial conformance with the Comprehensive Plan. The applicants are also requesting approval of a special exception to allow the proposed telecommunication facility at the existing church and nursery school. No changes are proposed to the church and nursery school, except to add the telecommunications facility. Rather than amending the current special permit approval, SPA 85-S-083-3, the applicant has included the existing church in the pending special exception which seeks to allow the telecommunications facility.

The proposed telecommunications facility includes the 92' tall flagpole-style monopole (including the proposed 2-foot tall gold finial on top of the pole) and the associated equipment cabinets. An eight by twelve foot flag is proposed for the flagpole monopole. A total of nine panel antennas are proposed by New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility at heights of 85', 75' and 65' above grade, with locations for future carriers located at 55' and 45', respectively. The existing church use includes 200 seats and the existing nursery school has up to 45 students with up to 15 staff.

Requested Waivers and Modifications:

- Modification of transitional screening requirement along the northern boundary, and portions of the eastern and western boundaries.

- Waiver of the barrier requirements along all property boundaries.

These requirements were waived and modified pursuant to the previous special permit approval of the church and nursery school by the Board of Zoning Appeals.

LOCATION AND CHARACTER

The application property is located at 10125 Lakehaven Court, Tax Map 87-2 ((1)) 26, which is on the south side of Lakehaven Court and southwest of the intersection at Burke Lake Road and Fairfax County Parkway. The 9.34 acre parcel is developed with an existing place of worship and a nursery school that operates in the basement of the church. The site is accessed by a driveway from Lakehaven Court and has two asphalt parking areas containing a total of 51 parking spaces. The eastern two-thirds

of the application property is largely wooded and includes the Resource Protection Area (RPA) associated with Oppossum Branch, which flows into Burke Lake.

SURROUNDING AREA DESCRIPTION			
Direction	**Use**	**Zoning**	**Plan Map**
North	SF Detached Dwellings (Lakehaven Estates)	R-1	Residential; .2-.5 du/ac
South	Burke Lake Park	R-1	Public Park
East	SF Detached Dwellings (Edgewater, Sec. 3)	R-1	Residential; .2-.5 du/ac
West	Ekoji Buddhist Temple & a SFD on a Large Lot	R-1	Residential; .2-.5 du/ac

BACKGROUND

On June 3, 1986, the Board of Zoning Appeals (BZA) approved SP 85-S-083 to permit a 200-seat church and related facilities.

On August 4, 1992, the BZA approved SPA 85-S-083-1 to permit the church to change the building footprint, building location and parking on the site.

On August 25, 1998, the BZA approved SPA 85-S-083-2 to permit a nursery school with a maximum daily enrollment of 40 children and a maximum of 10 employees for the nursery school on the site with the previously approved church.

On May 5, 2009, the BZA approved SPA 85-S-083-3 to permit an increase in the maximum daily enrollment from 40 to 45 children and to increase the maximum number of employees from 10 to 15 employees for the nursery school. A copy of the development conditions and plat approved in conjunction with SPA 85-S-083-3 is included in Appendix 4.

On October 6, 2009, parking reduction 8250 PKS-002-1 was approved by the Code Analysis Division of Department of Public Works and Environmental Services (DPWES) to allow 51 spaces in lieu of the 59 required spaces for both the church and nursery school uses of the based on the differing hours of operation of the two uses (See Appendix 6).

COMPREHENSIVE PLAN PROVISIONS (Appendix 5)

Plan Area: III

Planning Sector: Burke Lake Community Planning Sector (P-07)

Plan Map: Residential; .2-.5 du/ac

In the Fairfax County Comprehensive Plan 2007 edition, Area III, Pohick Planning District, amended through 3-9-2010, P-7 Burke Lake Community Planning Sector, under Recommendations, Land Use; pg. 85; the Plan states:

> 4. Segment including Burke Lake Park and the South Run Headwaters Located Upstream of Burke Lake. The segment is dominated by Burke Lake Park, and development should be sensitive to the ecological and recreational resources of this park. The majority of this segment is planned for residential use at .2-.5 dwelling unit per acre…"

The Comprehensive Plan text outlining the policies associated with telecommunications facilities is contained in Appendix 6.

ANALYSIS

Special Exception Plan (Copy at front of staff report)

Title of SE Plat:	SYDENSTRICKER_AUUC
Prepared By:	Dewberry-Goodkind
Original and Revision Dates:	August 11, 2008 as revised through September 10, 2010.

The Special Exception Plat consists of seven (7) sheets showing the following information:

Special Exception Plat: SYDENSTRICKER_AUUC		
Sheet #	Title	Description of Sheet
T-01	Title Sheet	Title sheet providing sheet index, vicinity map, project information and general notes.
C-02	Parcel Plan	Details of overall site, site access, and surrounding properties.
C-03	Detailed Parcel Plan	Detailed plan of proposed site improvements.
C-04	Detailed Site Plan	Detailed plan of telecom facility compound and monopole elevation.
C-05	Landscaping Plan	Details of existing and proposed supplemental plantings.
C-06	Details -1	Details of equipment layout for compound and proposed panel antennas.
C-07	Details - 2	Details of proposed perimeter fence/silt fence

Existing Site Development: The existing church and nursery school uses are located in a single 7,254 sq. ft. building, which was constructed in 1992 on the easternmost third of the application property. The western two-thirds of the property are wooded and include the Resource Protection Area (RPA) along Opossum Branch. The nursery school is located in the lower floor of the church building. Parking is provided in an L-shaped parking lot with the access to the property from Lakehaven Lane at the junction of the two arms of the L. The existing church building is located in the interior of the angle of the L- shaped parking lot. Stormwater management for this site is provided by an existing stormwater pond located behind or south of the church building. This facility is not shown on the submitted SE Plat, which does not propose an increase in

impervious area beyond that required for the construction two parking spaces, as discussed in detail below.

Proposed Telecommunication Facility: The proposed telecommunications facility is to be located in the southeastern corner of the application property, at the southern end of the arm of the parking lot located along the easternmost boundary of the subject property. The proposed location will displace two of the existing parking spaces. The displaced parking spaces will be relocated elsewhere within the existing parking lot. One space will be added along the parking row where the displaced parking spaces are located and the second will be recovered by removing an existing landscape island located adjacent to the handicapped parking spaces. The resulting row of 13 spaces includes another landscape island, which will remain. The proposed 92-foot tall flagpole-style monopole is proposed to include a total of three internal antenna platforms located at 65, 75 and 85 feet above grade. These platforms will accommodate the nine antennas proposed by New Cingular Wireless. Two additional carriers may be located at the 45 and 55 foot levels. The 506 sq. ft. lease area includes an equipment compound enclosed by an eight-foot tall board-on-board fence is proposed at the base of the monopole to accommodate the equipment cabinets for New Cingular Wireless. The equipment compound is proposed to house up to eight equipment cabinets for use by the applicant and other carriers.

Land Use/2232 Analysis (Appendix 6)

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

The proposed telecommunications facility will be located on the property of an existing church, Accotink Unitarian Universalist Church. Plan guidelines support the location of telecommunication uses on institutional property near residential areas when other, more suitable land uses, such as public property or commercial and industrial properties are not available and the telecommunications facility is specifically located to blend with its surroundings. While, the applicant investigated commercial sites in the area as the location for the facility, they were not available for lease. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines.

The subject property includes trees along its northern, eastern and southern boundaries. The western portion is wooded along the Oppossum Branch. While the density of growth varies throughout the site, staff concludes that these existing trees will screen views of the flagpole monopole and equipment compound from adjacent residential uses as well as planned uses, as recommended by the Plan. Furthermore, the applicant has proposed additional landscaping to mitigate existing and future visual impacts of the proposed flagpole monopole and equipment compound along the eastern and northern boundaries of the site.

The proposed facility will be central to servicing an existing void area and will be designed to accommodate at least three (3) telecommunications service providers, in accordance with Plan recommendations for co-location. Finally, the proposed telecommunications facility is not located within a floodplain or other environmentally sensitive area, in accordance with the Plan Guidelines.

- Character

The structure will be designed to appear as a flagpole which is of a white color with a gold finial. In order to minimize its visual impact to the surrounding area in the evening, the facility will display a flag with an auto halyard, eliminating the need to light the flagpole monopole at night. This type of flagpole design has minimized the visual impact and is an acceptable stealth design. This flagpole monopole design in combination with existing and proposed landscaping should mitigate its visual impact and help the facility to blend with its surroundings.

A visual impact analysis was conducted to determine the maximum mitigation of the visual impact of the proposed structure; a balloon test was done during May of this year. At a height of 92 feet, views from the immediately abutting residential parcels are from an oblique angle and/or blended with the existing trees near the proposed monopole which vary in height from 40 feet to 75 feet and would obscure ground level views of the proposed flagpole monopole. Therefore, once constructed, the proposed flagpole monopole should be in harmony and effectively blend with the wooded, residential character to the north, east and west, the wooded Burke Lake Park to the south and the Fairfax County Parkway and Burke Lake Road.

To further mitigate the visual impact to the residences to the north and east, the applicant will provide supplemental plantings along the eastern side of the eastern parking area near the vehicle entrance to Lakehaven Court. The equipment compound will be screened by a board-on- board fence which will be painted to match the church building.

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 development. Therefore, the proposed flagpole monopole will be compatible with the wooded open space of the Accotink Unitarian Church 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 Accotink Church property is a 9.34-acre area with a church structure, several accessory buildings and landscaped open space. The flagpole monopole and the equipment compound (approximately 506 square feet) will occupy 0.001% of the total area of the subject property. The proposed facility will not cause the loss of parking spaces and it will be located in an open-lawn area. Therefore, staff

concludes that the extent of 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 site, in accordance with the Plan guidelines.

Environmental Analysis

Issue: RPA Delineation Boundary

Resolution:

The applicant has completed an RPA boundary delineation study for the subject property. This study has been reviewed and approved by DPWES confirming that the proposed telecommunications facility is located entirely outside of the RPA. Staff considers this issue to be resolved.

Transportation Analysis

No transportation issues were identified during the review of this application.

ZONING ORDINANCE PROVISIONS

Waivers/Modifications

• Modification of the transitional screening requirement

A modification of the transitional screening requirement has been requested along a portion of the eastern and western boundaries, and along the northern boundary to allow for existing mature vegetation and proposed supplemental plantings to be utilized for screening purposes. The uses along these boundaries are single family detached dwelling units. The proposed telecommunication facility (pursuant to Section 13-303 of the Zoning Ordinance) requires Transitional Screening Yard 3 along each property boundary. Transitional Screening #3 requires a fifty-foot wide unbroken strip of open space planted with a mixture of large and medium-sized evergreen trees and large deciduous trees. The existing church and nursery school require Transitional Screening Yard 2, which is twenty-five feet in depth. The property to the south is Burke Lake Park and transitional screening is not required along that boundary. The northern and eastern boundaries include existing landscaping planted with the construction of the church in 1992. The SE Plat includes additional supplemental plantings consisting of deciduous trees, evergreen trees and shrubbery are proposed along the northern and eastern portions of the site to provide additional mitigation for the single family detached dwelling located along the eastern boundary and across Lakehaven Lane to the north. The site is heavily wooded within its western two-thirds, where the Oppossum Branch stream valley is located. Staff supports the modification of the transitional screening requirement along each of the noted property boundaries to that shown on the SE Plat.

• Waiver of the barrier requirement

A waiver of the barrier requirement has been requested along each boundary line to allow existing mature vegetation and the proposed supplemental plantings to serve in lieu of a formal barrier around the perimeter of the property. Sect. 13-303 of the Zoning Ordinance requires one of three types of barrier to be provided along the boundary either: Barrier D, a 42-48 inch chain link fence; Barrier E, a six-foot wall; brick or architectural block faced wall; or Barrier F, a six-foot high solid wood or otherwise architecturally solid fence. The construction of the barrier would result in the loss of existing mature landscaping located along each boundary line. The depth of existing landscaping along each property boundary and the addition of supplemental plantings around the proposed telecommunication facility ensures adequate buffering for the site and mitigates the visual impact of the facility on adjoining parcels. Staff supports the waiver of the barrier requirement along each property boundary.

Special Exception Requirements (Appendix 7)

General Special Exception Standards (Sect. 9-006)

General Standard #1 requires that the proposed use be in harmony with the adopted Comprehensive Plan. The Comprehensive Plan map shows the site planned for residential uses at .2-.5 du/ac per acre. This application is in harmony with the Comprehensive Plan because the request is for a light public utility use which is an allowed use in areas of the county planned for low density residential development by special exception approval. As outlined in the 2232 analysis above, the proposed telecommunication facility is in conformance with Plan policies for co-location of such facilities; therefore, this standard has been met. Similarly, the existing church and nursery school are consistent with the recommendations of the Comprehensive Plan.

General Standard #2 requires the proposed use to be in harmony with the general purpose and intent of the applicable zoning district regulations. Section 3-101 of the Zoning Ordinance states that the purpose of the R-1 Zoning District is "provide for single family detached dwellings; and to allow other selected uses which are compatible with the low density residential character of the district." The proposal includes the construction of a telecommunication facility (92' flagpole-style monopole), with an equipment compound for associated equipment. Further, the existing church and nursery school are also consistent with the purpose and intent of the R-1 Zoning District. It should also be noted that the Fairfax Baptist Temple and the Ekoji Buddhist Temple are located within 750 feet of the existing church building. Staff has concluded that this standard has been satisfied.

General Standard #3 states that proposed special exception uses should not adversely impact the use or development of neighboring properties. The subject property is heavily vegetated with existing mature landscaping. As described above, the site includes existing vegetation and the SE Plat delineates additional supplemental plantings to further buffer the existing uses on the site and the proposed telecommunication facility from the adjoining single family detached dwellings. Staff has concluded that this standard has been satisfied.

General Standard #4 requires that pedestrian and vehicular traffic associated with the site be neither hazardous nor conflict with existing or anticipated traffic in the neighborhood. The proposed telecommunication facility will have minimal trips associated with the use because the site would be unstaffed, requiring only one or two trips per month by each carrier for routine maintenance. Access to the site would be through the existing parking lot for the church. The existing church has adequate access from Lakehaven Court, which connects to Burke Lake Road. Staff has concluded this standard has been satisfied.

General Standard #5 requires compliance with Article 13 which contains the screening and barrier provisions of the Zoning Ordinance. As outlined above, the application property is landscaped along each boundary line with mature trees, ensuring that adequate buffering is provided between the proposed facilities and adjoining parcels. Proposed supplemental plantings along the perimeter of the telecommunications facility and along the northern and eastern boundaries ensures adequate buffering will be provided for the site. Staff considers this standard to be satisfied.

General Standard #7 requires that adequate parking, loading and other facilities be provided in accordance with Article 11 of the Zoning Ordinance. The parking requirements for the proposed unmanned telecommunication facility will be provided within the existing parking lot for the church and nursery school. Fifty-nine parking spaces would be required for the church and nursery school, when these uses are considered as individual uses. The church had previously sought a parking reduction based on the differing hours of operation between the church and nursery school. Accordingly, fifty-one parking spaces are located on the property as approved through a parking reduction (8250 PKS-002-1) previously approved by the DPWES. As noted above, the two parking spaces that would be displaced by the construction of the monopole and associated equipment enclosure are to be replaced by the construction of two spaces elsewhere on the site. It should be noted that the parking tab on the SE Plat incorrectly refers to 51 spaces as the parking requirement for the site. While that accurately reflects the requirement based on the previously granted parking reduction, the tabulation does not reference that approval.

General Standard #8 notes that signs are regulated by Article 12 of the Zoning Ordinance. Signage has been proposed for the proposed telecommunication facility. Pursuant to Article 12, Signs, flags flown by religious organizations and other civic organizations or service clubs would not be considered signs; however, a flag for any of the carriers located at this site would be considered a sign (Par. 2E of Sect. 12-103). In addition, the additional standards for a telecommunications facility (Sect. 9-105, see below) prohibit commercial advertising with the telecommunications facility. Any signage associated with the church and nursery school would have to meet the sign provisions for those uses and the sign permits have been granted for the existing signage for those two uses.

Category 1 Special Exception Standards (Sect. 9-104)

These standards state that a light public utility use is not subject to the bulk requirements of the R-C District. The proposed telecommunications facility is subject

to Article 17, Site Plans; therefore, approval of a site plan or a minor site plan is required prior to construction or operation of the proposed telecommunications facility.

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

Standard 1 requires that 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. As previously stated, applicant proposes to construct a 92' flagpole-style monopole with a total of five internal antenna platforms; the applicant does not propose any exterior mounted antennas. Therefore, with the implementation of the proposed development conditions, this standard has been satisfied.

Standard 2 requires 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. As noted above, flags, including those of the United States of America, the Commonwealth of Virginia, religious groups, as well as civic organizations and service clubs, among others are allowed on a flagpole. The applicant has not proposed any advertising or signs on the proposed monopole or the equipment compound area. A development condition has been included prohibiting signs, including advertising flags, on the subject property for the advertisement of the users of the telecommunication facility. Therefore, with the implementation of this development condition, staff believes that this standard has been satisfied.

Standard 3 requires that 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. A development condition has been included that would require conformance with this standard should any modification be made to the proposed telecommunication facility. Therefore, with the implementation of this development condition, staff believes that this standard has been satisfied.

Standard 4 requires that 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. A development condition has been included to preclude any lighting except that required by the Federal Aviation Administration (FAA). Therefore, with the implementation of this development condition, staff believes that this standard has been satisfied.

Standard 5 requires 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. A development condition requiring conformance with this standard has been included. Therefore, this standard has been satisfied.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

Staff concludes that the subject proposal, Application 2232-S08-20, for New Cingular Wireless, PCS, LLC and Trustees of the Accotink Unitarian Universalist Church to construct a 92-foot tall flagpole monopole, antennas, equipment cabinets and compound and other site improvements at an existing church and nursery school located at 10125 Lakehaven Court, Burke, 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.

Based upon the above analysis and with the adoption of the proposed development conditions, the special exception is in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

Recommendations

Staff recommends that the Planning Commission find that the proposed telecommunications facility submitted pursuant to application 2232-S08-20 submitted by New Cingular Wireless, PCS, LLC and the Trustees of the Accotink Unitarian Universalist Church to construct a 92-tall flagpole monopole and the associated antennas, equipment cabinets, equipment compound and site improvements located at 10125 Lakehaven Court, Burke, satisfies the criteria of location, character and extent as specified by Section 15.2-2232 of the *Code of Virginia* and is substantially in accord with the adopted Comprehensive Plan.

Staff recommends approval of SE 2010-SP-003, subject to the proposed development conditions contained in Appendix 1.

Staff recommends approval of the requested modification of the transitional screening requirement along a portion of the eastern and western boundaries, and along the northern boundary in favor of that shown on the SE Plat.

Staff recommends approval of a waiver of the barrier requirement along each property boundary in favor of that shown on the SE 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
2. Affidavit
3. Statement of Justification
4. Approved Conditions & Plat (SPA 85-S-083-3)
5. Land Use Analysis/ 2232 Analysis including Attachments
   a. 2232 Application
   b. Comments of the Zoning Administration Division, DPZ
   c. Environmental Assessment
   d. Heritage Resource Analysis
   e. Transportation Impact
   f. Comments of the Forest Conservation Branch, DPWES
   g. Comments of the Fairfax County Water Authority
   h. Comments of the Fairfax County Park Authority
   i. Chesapeake Bay Preservation and Stormwater Analysis
   j. Sanitary Sewer Analysis
6. Parking Reduction dated October 6, 2009
7. Applicable Zoning Ordinance Provisions
8. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SE 2010-SP-003

October 15, 2010

If it is the intent of the Board of Supervisors to approve SE 2010-SP-003 located at 10125 Lake, Burke, Virginia (Tax Map Parcel 87-2 ((1)) 26) to permit the construction of a telecommunication facility and associated equipment pursuant to Sect. 3-104 of the Fairfax County Zoning Ordinance at an existing church and nursery school, 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 the application, as qualified by these development conditions. Other by-right special permit and/or special exception uses may be permitted on the Application Property without the approval of a Special Exception Amendment if such uses do not affect this Special Exception.

3. 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 shall be in substantial conformance with the approved Special Exception Plat entitled SYDENSTRICKER_AUUC, prepared by Dewberry-Goodkind, Inc., and dated August 11, 2008, as revised through September 1, 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. A copy of this Special Exception Amendment SHALL BE POSTED in a conspicuous place on the property along with the Non-Residential Use Permit of the use and be made available to all Departments of the County of Fairfax during hours of operation of the permitted use.

5. The telecommunication facility shall be limited as follows:

   a. The telecommunications facility shall be limited to a flagpole-style monopole and the associated equipment enclosure. The flagpole-style monopole shall not exceed 92 feet in height excluding lightning rods. The flagpole-style monopole shall include an auto-halyard to ensure that the flags are lowered at sunset. The flags shall not be lighted.

   b. The equipment compound located at the base of the monopole shall be limited to a maximum of 506 square feet as depicted on the SE Plat. An eight-foot high, board-on-board fence shall completely enclose the equipment compound.

   c. The equipment compound may include equipment shelters, cabinets, electrical panels, telephone panels and other improvements necessary and/or required for the operation of the telecommunication facility. Equipment shelter/cabinets shall have a maximum height

of twelve (12) feet and shall be located within the fenced equipment compound as shown on the SE Plat.

d. The antenna platforms shall be limited to five

e. . The number of antennas shall be limited to a total of 15 antennas. All antenna platforms and antennas shall be located inside the flagpole monopole. Available space on the monopole shall be made available for lease by other telecommunications providers, including but not limited to Fairfax County.

f. There shall be no outdoor storage of materials, equipment, or vehicles within the equipment compound of the telecommunication facility.

g. The telecommunications facility shall be operated as an unstaffed facility with the exception of periodic maintenance inspections and repairs by each of the companies with installations on the monopole tower. Access to the telecommunications facility shall be restricted to routine maintenance visits and emergency situations.

h. No signals or lights or illumination shall be permitted on the monopole unless required by the Federal Communications Commission (FCC), the Federal Aviation Administration (FAA), or Fairfax County. 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 of police and emergency helicopters.

i. Should the need arise to alter the monopole from that shown on the SE Plat, the applicant shall submit engineering and structural data to DPWES and the Department of Planning and Zoning (DPZ) affirming that said alterations conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code and are in substantial conformance with the SE Plat.

j. No signs shall be permitted on the subject property for the advertisement of the users of the telecommunication facility. No commercial advertising, whether installed as signs or flags, shall be allowed on the flagpole monopole, antennas, antenna support structures or related equipment cabinets or structures.

k. Any component(s) of the telecommunication facility shall be removed within 120 days after such component(s), including, but not limited to the telecommunications facility and the monopole, are no longer in use.

6. The following conditions shall apply to the church and nursery school located on the application property. (Those marked with an asterisk (*) are carried forward from the previous approval of SPA 85-S-083-03).

a. *The seating capacity within the main area of worship shall not exceed 200.

b. The maximum enrollment of the nursery school shall not exceed 45 students.

c. *The maximum number of employees for the nursery school shall be limited to 15.

d. *The maximum hours of operation for the nursery school shall be limited to 9:00 am to 1:30pm, Monday through Friday.

e. *Parking shall be provided as depicted on the SE Plat, and shall consist of a minimum of 51 parking spaces.

7. The following conditions shall apply to the entire application property.

a. Landscaping shall be provided as shown on the SE Plat.

b. Landscaping planted as part of the previous approvals for the church and nursery school that is dead, dying, had been previously removed or is of such a condition to warrant replacement as determined by the Urban Forestry Division, DPWES shall be replaced prior to the issuance of the Non-Residential Use Permit for the telecommunications facility.

c. The additional landscaping depicted on the SE Plat shall be planted prior to the issuance of a Non-Residential Use Permit for the telecommunications facility, unless it is determined by the Urban Forestry Division that it is inappropriate to plant the landscaping due to the season of the year. If a delay in planting said landscaping is approved by the Urban Forestry Division, Planting shall occur during to the next planting season and all landscaping shall be in place prior to final bond release.

d. All signage for the three uses allowed on the property shall conform with the requirements of Article 12, Signs and these development conditions.

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

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

Pursuant to Section 9-015 of the Zoning Ordinance, this special exception shall automatically expire, without notice, thirty (30) months after the date of approval unless 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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 14, 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 10706v

in Application No.(s): SE 2010-SP-003
(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)
New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility	7150 Standard Dr., Hanover, MD, 21076	Applicant/Lessee
Trustees of the Accotink Unitarian Universalist Church	10125 Lakehaven Ct., Burke VA 22015	Applicant/ Title Owner/Lessor
Douglas E. McCusker	10125 Lakehaven Ct., Burke VA 22015	Trustee/Agent
Mary D. Kringer	10125 Lakehaven Ct., Burke VA 22015	Trustee/Agent
Peter T. Akers	10125 Lakehaven Ct., Burke VA 22015	Trustee/Agent
James R. Michal	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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(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) New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility
7150 Standard Dr., 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 SHAREHOLDERS: (enter first name, middle initial and last name)
Cingular Wireless II, LLC

(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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Cingular Wireless II, LLC
5565 Glenridge Connector
Atlanta, GA 30342

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)
Cingular Wireless, LLC
New Cingular Wireless Services, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
New Cingular Wireless Services, Inc.
5565 Glenridge Connector
Atlanta, GA 30342

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)
Cingular Wireless, LLC

(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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Cingular Wireless, LLC
5565 Glenridge Connector
Atlanta, GA 30342

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)
SBC Long Distance, Inc.
SBC Alloy Holdings, Inc.
Cingular Wireless Corporation
BLS Cingular Holdings, LLC
Bell South Mobile Data, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SBC Long Distance, Inc.
175 East Houston St.
San Antonio, TX 78205

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)
SBC Telecom, Inc.

(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: September 14, 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

1078065

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SBC Telecom, Inc.
175 East Houston St.
San Antonio, TX 78205

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)
SBC Teleholdings, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SBC Teleholdings, Inc.
175 East Houston St.
San Antonio, TX 78205

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)
SBC Communications, Inc.

(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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SBC Communications, Inc.
175 East Houston St.
San Antonio, TX 78205

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)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SBC Alloy Holdings, Inc.
175 East Houston St.
San Antonio, TX 78205

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)

SBC Teleholdings, Inc.
New Southwestern Bell Mobile Systems, Inc.
AWACS, Inc.
Southern New England Telecommunications Corporation
New SBC Wireless, Inc.
Pacific Telesis Group, Inc.
SBC Services, Inc.
SBC Management Services, LP

(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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
New Southwestern Bell Mobile Systems, Inc.
175 East Houston St.,
San Antonio, TX 78205

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)
SBC Communications, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Bell South Mobile Data, Inc.
115 Peachtree Street, NE
Atlanta, GA 30309

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)
Bell South Mobile Systems, Inc.

(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: September 14, 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

1078064

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
AWACS, Inc.
175 East Houston St.
San Antonio, TX 78205

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)
SBC Communications, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Southern New England Telecommunications Corporation
175 East Houston St.
San Antonio, TX 78205

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)
SBC Communications, Inc.

(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: September 14, 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

107806

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
New SBC Wireless, Inc.
175 East Houston St.
San Antonio, TX 78205

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)
SBC Communications, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Pacific Telesis Group, Inc.
175 East Houston St.
San Antonio, TX 78205

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)
SBC Communications, Inc.

(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: September 14, 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

1078066

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SBC Services, Inc.
175 East Houston St.
San Antonio, TX 78205

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)
SBC Communications, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Cingular Wireless Corporation
5565 Glenridge Connector
Atlanta, GA 30342

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)
SBC Communications, Inc.
Bell South Corporation

(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)

1078615

DATE: September 14, 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Bell South Corporation
1155 Peachtree Street, NE
Atlanta, GA 30309

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)

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
BLS Cingular Holdings, LLC
5565 Glenridge Connector
Atlanta, GA 30342

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)
AB Cellular Holding, LLC
Wireless Telecommunications Investment
Company, LLC

(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: September 14, 2010
(enter date affidavit is notarized)

1078065

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
AB Cellular Holding, LLC
5565 Glenridge Connector
Atlanta, GA 30432

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)
Bell South Mobile Data, Inc.
RAM Broadcasting Corporation

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Wireless Telecommunications Investment Company, LLC
1155 Peachtree Street, NE
Atlanta, GA 30309

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)
Bell South Mobile Data, Inc.

(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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Bell South Mobile Systems, Inc.
1155 Peachtree Street, NE
Atlanta, GA 30309

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)
Bell South Corporation

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
RAM Broadcasting Corporation
1155 Peachtree Street, NE
Atlanta, GA 30309

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)
Bell South Mobile Data, Inc.

(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)

1078065

DATE: September 14, 2010
(enter date affidavit is notarized)

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
SBC-MSI, LLC
175 East Houston Street
San Antonio, TX 78205

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)
Southwestern Bell Texas Holdings, Inc.

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

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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(enter County-assigned application number (s))

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Southwestern Bell Texas Holdings, Inc.
175 East Houston Street
San Antonio, TX 78205

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)
SBC Communications, Inc.

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Jackson & Campbell, P.C.
1120 20th Street, 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 Exception Attachment to Par. 1(b)" form.

SPECIAL EXCEPTION AFFIDAVIT

DATE: September 14, 2010
(enter date affidavit is notarized)

107806

for Application No. (s): SE 2010-SP-003
(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)
SBC Management Services, L.P.
175 East Houston St., San Antonio, TX 78205

(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**)
SBC-MSI, LLC
General Partner

Southwestern Bell Texas Holdings, Inc.
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: September 14, 2010
(enter date affidavit is notarized)

1078066

for Application No. (s): SE 2010-SP-003
(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): SE 2010-SP-003

(county-assigned application number(s), to be entered by County Staff)

SPECIAL EXCEPTION AFFIDAVIT

1078066

DATE: September 14, 2010

(enter date affidavit is notarized)

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.)

James R. Michal, listed in paragraph 1(a) as the Attorney/Agent for the Lessee, made a contribution in excess of $100 to Pat Herrity for Congress within the twelve-month period prior to the public hearing.

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:

(check one) [ ] Applicant [✓] 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 14 day of September 20 10, in the State/Comm. of District of Columbia, County/City of Washington.

Notary Public

My commission expires: March 14, 2014

RECEIVED
Department of Planning & Zoning
MAY 18 2009
Zoning Evaluation Division

EXHIBIT A

STATEMENT OF JUSTIFICATION IN SUPPORT OF APPLICATION FOR SPECIAL EXCEPTION AND WAIVER OF SCREENING AND BARRIER REQUIREMENTS

Applicant(s):	**New Cingular Wireless PCS, LLC, d.ba. AT&T Mobility & Trustees of the Accotink Unitarian Universalist Church**
Site Name:	**Sydenstricker**
Property Address:	**10125 Lakehaven Ct., Burke VA 22015 (Fairfax County)**
District:	**Springfield**
Parcel Id No.:	**0872-01-0026**
Zoning Classification:	**R-1 (Residential 1 DU/AC)**
Property Owner:	**Trustees of the Accotink Unitarian Universalist Church**

Applicants, Trustees of the Accotink Unitarian Universalist Church ("Owner") and New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility ("AT&T Mobility"), request a Special Exception to allow the construction and operation of a wireless telecommunication facility consisting of a 90' high monopole designed as a Flag Pole ("Flag Pole"). Related ground equipment to be located within a 18' x 18' compound surrounded by a 7' high Board on Board fence. The Flag Pole will be able to collocate up to 9 wireless panel antennas. The facility requires approximately 2 monthly maintenance visits hence, there will no impact to existing traffic patterns.

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 is a 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. ***Applicants also request to incorporate all of the existing Special Permit conditions, SP 85-S-03-03, into the here requested Special Exception Application***. *See current conditions on property below.* 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.

CURRENT IMPROVEMENTS ON AND DESCRIPTION OF SUBJECT PROPERTY

The subject property is composed of approximately 9.3362 acres, according to information located at Fairfax County Real Estate webpage (see *http://icare.fairfaxcounty.gov/Forms/Datalets.aspx?mode=profileall&taxyear=2010&ownseq=1&roll=REAL&jur=000&sIndex=0&idx=1&pin=&card=1&item=1&State=1&items=-1*) and is zoned R-1. It adjoins properties also zoned R-1 and houses the Church and related parking spaces ("Property").

The Property is owned by Trustees of the Accotink Unitarian Universalist Church. AT&T Mobility entered into a lease agreement with Owner, pursuant to which AT&T Mobility is authorized to install a wireless telecommunications facility on the Property. The Property Owner has authorized AT&T Mobility to seek all required County authorizations. A copy of AT&T Mobility'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 Church and related 51 parking spaces. Access to the property is via an access drive off of Lakehaven Ct, which is connected to the existing parking lot on the property. The property abuts the Burk Lake Park (888 acres, including a 218 acre lake) to the south which is heavily wooded. A copy of site drawings/plats are 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 Church offers worship services and religious education on Sunday commencing at 8:30 am until 1:00pm. The preschool ("Nursery") operates Monday thru Friday from 9:00 am to 1:30pm. Other Church and religious activities are held during the week, times and dates vary, from 8:00am - 12:00pm.

The Church counts with 5 full time employees and seats no more than 200 church members. The Nursery has been approved up to 15 part time employees and 4 volunteers and up to 45 children per SPA 85-S-083-03, Board of Zoning Appeals Resolution, May 5, 2009.

DESCRIPTION OF THE PROPOSED TELECOMMUNICATIONS SITE

Applicants request a Special Exception for the installation of a 90' 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 (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 and ground equipment will be located within a compound measuring approximately 1,080 sq. ft. The compound will be enclosed by an 7' high board on board fence. Access to the Site will be via the existing access drive on the subject property.

The Site will be setback approximately as follows:
934' from the western property line;
63' from the eastern property line;
274' from the northern property line;
48' from the southern property line;
260' closest residence off site.

The monopole will be designed to accommodate a minimum of two (2) wireless telecommunications carriers, including applicant AT&T Mobility.

AT&T Mobility will install up to six (6) antennae at a RAD center of 85' and 75' within the structure. AT&T Mobility's antennae measure approximately 10.3"x5.9"x80" or less. AT&T Mobility will also install 7 equipment cabinets measuring 82"(h) x 60".5 (w) x 31"(d) or less on a metal platform to be elevated 3' above flood level within a 18' x 18' square feet enclosed lease area.

The installation proposed by AT&T Mobility 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, AT&T Mobility 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 AT&T Mobility's coverage objectives in the area. 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.

Radio frequency coverage maps depicting AT&T Mobility'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, AT&T Mobility's coverage objective is to provide coverage along *Fairfax County Parkway, Burke Lake Rd, Burke Center Parkway, Old Keene Mill Road, Roberts Parkway and Ox Road* where existing coverage is substantially deficient or nonexistent.

There are no existing structures feasible for collocation. The following alternative locations were evaluated but for the reasons explained below were rejected by the landlord or by AT&T Mobility.

CANDIDATE 1 – KAISER PERMANENTE BUILDING

This candidate is a 4 story medical facility located at 5999 Burke Commons Road owned by Kaiser Permanente. In the interest of following County Code with regard to Wireless Communications Carriers collocating on existing structures, this option was the first explored. It was determined upon further investigation that the highest Radiation Center AT&T's antennas could be placed, on the roof of the building, was 65'. This candidate was rejected by AT&T's Radio Frequency Engineers on the grounds that a 65' RAD Center would not meet the coverage objectives for this particular project.

CANDIDATE 2 – BURKE CENTER TOWN CENTER

This candidate is a 3 story office building located at 6035 Burke Center Parkway. While trying to conform to Fairfax County code regarding Wireless Communications Carriers collocating on existing structures, this property was the second option explored. The maximum allowable Radiation Center that AT&T could achieve by mounting their antennas to the roof is 45'. This candidate was rejected by AT&T's Radio

Frequency Engineers on the grounds that a 45' RAD Center would not meet the coverage objectives for this particular project.

CANDIDATE 3 – CHURCH OF THE NATIVITY

This candidate is a religious facility located at 6400 Nativity Lane and owned by the Catholic Church Diocese of Arlington County. This was a proposed raw land build in the form of a stealth monopine or flagpole. The church is located on a 10 acre lot. The representatives of the church had no interest in entering into an agreement with AT&T.

CANDIDATE 4 – CALVARY CHRISTIAN CHURCH

This candidate is a religious facility located at 9800 Old Keene Mill Road. This also was a proposed raw land monopole in the form of a stealth monotree or flagpole. The church is located on a 4.4 acre lot. The church had no interest in entering an agreement with AT&T.

Furthermore, the proposed site was chosen for its particular suitability to the site, including its location, satisfaction of AT&T Mobility'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, AT&T Mobility's needs in the area cannot be satisfied without the installation of the proposed Site. Installation of AT&T Mobility's antennae on the proposed monopole will satisfy this objective, providing wireless telecommunications coverage to AT&T Mobility'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, AT&T Mobility will be unable to provide reliable coverage to its users in the area.

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 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: There will be no changes to the existing SP except for the construction of a 90' wireless communication structure designed as a Flag Pole, which will locate up to 9 panel antennas hidden within the proposed structure and the addition of related ground equipment near the base of the structure.

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-1 zone. The expressed purpose and intent of the R-1 District is, inter alia, is established to provide for single family detached dwellings; ***to allow other selected uses which are compatible with the low density***

residential character of the district; *and otherwise to implement the stated purpose and intent of this Ordinance. The subject site is used as a religious church and for other community related purposes. The property adjoins a large parcel of County-owned land to the south which is heavily wooded known as the Burke Lake Park. This 888 acre park contains a 218-acre lake with fishing, boating, rowboat rental, camping, a miniature train, a carousel, outdoor volleyball courts, open fields, an 18-hole par 3 golf course, clubhouse with snack bar and driving range, disk golf, horse shoe pits, an ice cream parlor, picnic areas with grills, 3 playgrounds, trails, amphitheater, and a brand new miniature golf course. The proposed Facility will provide a vital communication artery, which is nonexistent for AT&T subscribers, for the visitors and overnight campers of the Burke Lake Park and for Emergency Response Personnel that are subscribers of AT&T Mobility.*

While single-family detached dwellings are located on adjacent properties, the location of the proposed site on the property is such that it will be at a considerable distance from these homes, the closest off-site dwelling being approximately 260' feet from the proposed monopole. 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: 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 pedestrian or vehicular 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 of the Zoning Ordinance.

Applicants' Response: The proposed structure will be situated to the south of the property and will surrounded to the south, east and west, with a heavily dense wooded 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 of the Zoning Ordinance.

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 of the Zoning Ordinance; 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 AT&T Mobility installation at a RAD center of 85' and 75', which will permit this Facility to connect to existing AT&T Mobility 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 AT&T Mobility'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-1.

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 located hidden within the structure in order to camouflage the panel antennas, hence no antennas will be visible.

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 panel antennas by AT&T Mobility promotes the needs of agriculture, housing, industry and business because theses 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 AT&T Mobility, 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 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: 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 Flag Pole and placing it on community used property, in proximity to existing vegetation on the Property and at considerable distance from neighboring residences. 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 residences are all 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: As demonstrated by the RF maps submitted hereto, the Property is particularly suitable to the installation of the Site because placement of the monopole on the Property satisfies applicant's coverage objectives. Furthermore, the Property is of a substantial size, thereby allowing for generous setbacks from

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: As evidenced by the Site Plans attached hereto, the proposed structure is designed to accommodate up to two 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, AT&T Mobility's coverage objectives are satisfied by installation at a RAD center of 85' and 75'. Thus, the proposed 90' monopole is no greater than the need in the area. Visual impact concerns are significantly reduced by the location of the pole, the design as a Flag Pole 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 dwellings 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 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 and its placement on a community-used property, in proximity to existing woods on the Property and at considerable distance from neighboring dwellings are all factors that demonstrate the applicant's compliance with the above policy. As shown on site plans the monopole will be situated approximately 260' from the closest dwelling off site. The existence of woods on the Property also add to the low visual impact of the monopole, which will be situated in proximity to the trees on the Property. 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 surrounded by mature vegetation and trees on the Property, a flag pole design, 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 two 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: Since the Site is placed approximately 290' from the entrance of Lakehaven Ct. 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 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 90' 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 in an area surrounded by the existing mature vegetation on the Property. Likewise, the visual impact of the Site is reduced by designing the pole as a flag pole and placement within existing mature vegetation.

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 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 Flag Pole and its placement on the community-used property, in proximity to existing woods on the Property and at considerable distance from neighboring dwellings demonstrates the use of appropriate architectural techniques to minimize adverse visual impact on neighboring properties. Furthermore, the monopole will be situated approximately 240' from Lakehaven Ct. and 260' from the closest dwelling off site. These distances facilitate the minimization of visual impact of the pole on neighboring properties. The existence of woods on the Property, and heavy woods on the County-owned property abutting the subject Property to the south, also add to the low impact of the monopole, which will be situated in proximity to the trees on the 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' solid wood 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.

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

ACCOTINK UNITARIAN UNIVERSALIST CHURCH, SPA 85-S-083-03 Appl. under Sect(s). 3-103 of the Zoning Ordinance to amend SP 85-S-083 previously approved for church with nursery school to permit an increase in enrollment and staff. Located at 10125 Lakehaven Ct. on approx. 10.78 ac. of land zoned R-1. Springfield District. Tax Map 87-2 ((1)) 26. Mr. Smith moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on May 5, 2009; and

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

1. The applicant is the owner of the land.
2. This is a large lot and a modest change to the application.
3. The staff's rationale in the staff report, which includes a recommendation for approval, is adopted.

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

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant only, Accotink Unitarian Universalist Church, and is not transferable without further action of this Board, and is for the location indicated on the application, 10125 Lakehaven Court, and is not transferable to other land.

2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit amendment plat prepared by H. Aubrey Hawkins Associates, Ltd., dated May 29, 1992, as revised through March 23, 1994.

3. A copy of this Special Permit and the Non-Residential Use Permit (Non-RUP) 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 the approved special permit plat and 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 seating capacity in the main area of worship shall not exceed 200.

6. The total maximum daily enrollment of children in the nursery school shall not exceed 45.

7. The maximum number of employees for the nursery school shall be limited to 15.

8. The maximum hours of operation for the nursery school shall be limited to 9:00 am to 1:30 pm, Monday through Friday.

9. Parking shall be provided as depicted on the special permit amendment plat, and shall consist of a minimum of 51 parking spaces. All parking shall be on site as depicted on the special permit amendment plat.

10. The applicant shall obtain approval of a parking reduction through the Department of Public Works and Environmental Services (DPWES) as required by Sect. 11-106.3 of the Zoning Ordinance, prior to the issuance of a new Non-RUP for the church and nursery school uses. If approval of a parking reduction is not obtained, the number of seats in the worship area and/or the number of children in the nursery school shall be reduced to meet parking requirements as determined by DPWES.

11. Transitional screening shall be modified along the northern and eastern lot lines to permit existing vegetation to satisfy the requirements. The existing vegetation shall be maintained and preserved as depicted on the special permit amendment plat to satisfy the transitional screening requirements. Dead or dying plant material shall be replaced to maintain the transitional screening as outlined above, as approved by the Urban Forest Management Division (UFMD), DPWES.

12. The barrier requirement shall be waived along all lot lines.

13. All signs on the property shall be provided in accordance with the requirements of Article 12 of the Zoning Ordinance.

14. The 150 foot-wide Open Space Easement to the Board of Supervisors that was recorded among the land records of Fairfax County shall run with the life of this special permit.

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.

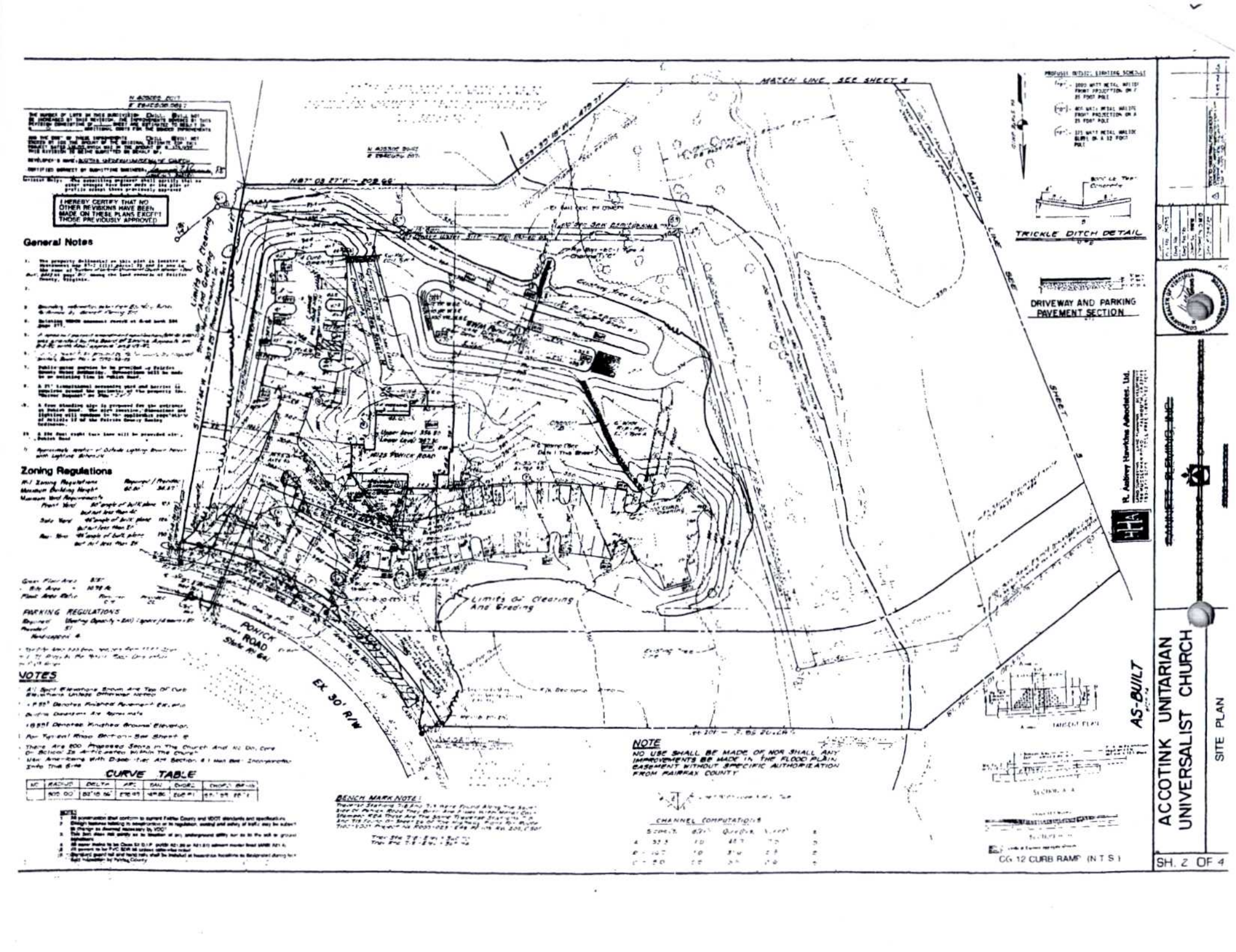
Pursuant to Sect.8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has

been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use 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.

Ms. Gibb seconded the motion, which carried by a vote of 5-0. Mr. Hammack was not present for the vote. Mr. Beard was absent from the meeting.

A Copy Teste:

Paula A. McFarland, Deputy Clerk
Board of Zoning Appeals


I HEREBY CERTIFY THAT NO OTHER REVISIONS HAVE BEEN MADE ON THESE PLANS EXCEPT THOSE PREVIOUSLY APPROVED
General Notes
Zoning Regulations
PARKING REGULATIONS
NOTES
CURVE TABLE
Limits Of Clearing And Grading
POHICK ROAD
EX 30' R/W
MATCH LINE SEE SHEET 3
MATCH LINE SEE SHEET 5
TRICKLE DITCH DETAIL
DRIVEWAY AND PARKING PAVEMENT SECTION
NOTE
NO USE SHALL BE MADE OF NOR SHALL ANY IMPROVEMENTS BE MADE IN THE FLOOD PLAIN EASEMENT WITHOUT SPECIFIC AUTHORIZATION FROM FAIRFAX COUNTY
BENCH MARK NOTE:
CHANNEL COMPUTATIONS
CG 12 CURB RAMP (N T S)
AS-BUILT
ACCOTINK UNITARIAN UNIVERSALIST CHURCH
SITE PLAN
SH. 2 OF 4

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-S08-20
New Cingular Wireless PCS, LLC, d.ba. AT&T Mobility & Trustees of the Accotink Unitarian Universalist Church
Concurrent with SE 2010-SP-003
TAX MAP: 87-2 ((2)) 26

REFERENCE: 2232-S08-20 and SE 2010-SP-003
New Cingular Wireless PCS, LLC, d.ba. AT&T Mobility & Trustees of the Accotink Unitarian Universalist Church
10125 Lakehaven Court, Burke, VA

DATE: September 3, 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 2010-SP-003).

PROJECT DESCRIPTION (Attachment A)

New Cingular Wireless PCS, LLC, ("New Cingular") proposes to construct a telecommunications facility consisting of a 92-foot tall stealth flagpole monopole (subsequently referred to as flagpole monopole) and related equipment compound on a portion of the 9.34 acre site of the Accotink Unitarian Universalist Church ("the subject property") at 10125 Lakehaven Court, Burke. The subject property includes a church building, play area with equipment, large parking area and landscaping that includes grass lawn, deciduous and evergreen trees along the perimeter of the site with woods on the southwestern side of the site. There is one entrance on Lakehaven Court. The site is characterized by flat terrain in the northern and eastern portion which slopes steeply to a stream bed along the western and southern side.

The proposed flagpole monopole will be located near the southeast corner of the parking area located near the eastern boundary of the subject property, 254 feet from the northern property boundary, 37 feet from the eastern property boundary, 56 feet from the southern property boundary, and 875 feet from the western boundary of the subject property. The equipment compound, which

contains the flagpole monopole, is 237 feet from the northern property boundary, 34 feet from the eastern property boundary, 51 feet from the southern property boundary and 865 feet from the western property boundary.

New Cingular's amended Application 2232-S08-20, under which the proposed facility will include the following (all areas and dimensions are approximate):

Location: northeast portion of the property along the northeastern property boundary of parcel 1, within an open space area of evergreen and deciduous trees along the eastern property boundary of parcel 1. The facility lease area is 506 square feet.

Structure: 92-foot flagpole monopole, which will resemble a white flagpole with a gold finial. A 8-foot by 12-foot flag will be displayed on the structure which will be raised and lowered by an automatic halyard.

Antennas: New Cingular will have a total of 9 internal panel antennas (86.7 inches long x 10.3 inches wide and 5.9 inches deep). Three of these internal panel antennas will be located at the centerline of 65-foot, 75-foot, and 85-foot AGL. Two additional telecommunication carriers may locate within the flagpole at the 45-foot and 55-foot AGL, respectively.

Equipment: Eight equipment cabinets are proposed for New Cingular vary in size from 30 inches L x 30 inches W x 93 inches H to 35.4 inches L x 32 inches W x 74 inches H. These cabinets along with other ancillary equipment will be located on 11-foot L by 11-foot W concrete pad. A 4-foot W by 7-foot L fenced mesa cabinet will be located adjacent to the 18-foot W by 25-foot L equipment compound that contains the other equipment cabinets. Two future providers equipment cabinets/shelters will be located on two 3-foot W by 7-foot L concrete pads, respectively.

Compound: The compound's dimensions are 18 feet W by 25 feet L plus a 4 feet W by 7 feet L enclosed area which results in a total area lease area of 506 square feet. The compound will contain the flagpole monopole, eight New Cingular equipment cabinets, and two future equipment shelter locations. A 4-foot W by 7-foot L fenced equipment cabinet will be attached to the equipment compound at its southwestern corner. An 8-foot high board-on-board wooden fence is proposed around the perimeter of the compound with two access gates along the western side of the compound. The attached fenced mesa cabinet will have three wide swing gates to the north, west and south that vary in size from 4 feet W to 7 feet L. The fence enclosure will be painted the same color as the church structure. Two parking spaces that are taken by the location of the equipment compound will be relocated in other parking areas on the subject property.

Compound Screening: The equipment compound is screened by an 8-foot high wood stockade fence painted to match the church building. Seventeen evergreen trees are proposed to be planted along the eastern boundary near the access entrance, along the northern side of the driveway entrance and to the west of the church building. This will compensate for the 7 trees that will be removed as part of the construction of the facility.

Utilities: All utilities needed for the proposed facility are available. A 15-foot utility easement for the AT&T easement for power and telephone lines is located in proximity to the

proposed facility along the eastern boundary.

Access: From the northeast entrance to the eastern parking lot, access occurs through gates located along the western side of the equipment compound.

Operations: Unmanned; operational 24 hours/day; routine maintenance may occur once or twice a month by a service technician using a standard sized vehicle.

Screening: The equipment compound is screened by an 8-foot high wood stockade fence painted to match the church building. Seventeen evergreen trees are proposed to be planted along the eastern boundary near the access entrance, along the northern side of the driveway entrance and to the west of the church building. This will compensate for the 7 trees that will be removed as part of the construction of the facility.

The applicant states that there are no existing nearby structures tall enough on which to collocate antennas in order to fill a gap in service in this area of the County. According to the applicant there will be no harmful or objectionable fumes, noise, vibration, odors, dust, glare or other activity from the proposed wireless telecommunications facility. The applicant has indicated that the proposed flagpole monopole will have collocation capability for up to two (2) additional service providers.

On- and Off-site Considerations

On- and Off-site impacts anticipated by the applicant are summarized below:

- *Traffic* – The applicant has indicated that the proposed facility will have a limited number of site visits required to maintain the telecommunications equipment at the unmanned site, no impacts relating to traffic are anticipated. There is no parking proposed for the telecommunications site; the existing parking spaces adjacent to the site are available for use by visitors to the site.

- *Noise control* – Due to the unmanned nature of the site and the limited equipment installed, no impacts relating to noise are anticipated.

- *Light pollution* – The proposed facility will not be lighted. An automatic halyard will raise and lower the 8-foot by 12 foot flag so that it will not be lighted in the evening.

- *Air quality* – No impacts relating to air quality are anticipated.

- *Visual impact* – New Cingular has chosen to install its antennas using a flagpole design, which might be an accessory to a church, and provides the best opportunity for concealing a telecommunications facility. In addition, the location of the proposed facility is appropriately setback from the surrounding property lines. The use of the flagpole design will minimize visual impact of the facility. All ground equipment will be screened by a solid wood fence which will match the church structure.

- *Water Supply and Water quality* –The site is served by public water supply, however it is not required to support the proposed facility. This project has a total disturbed area of 506 square feet.

PLANNING ANALYSIS

The subject property is located on the southwest quadrant of the intersection of Lakehaven Lane and Lakehaven Court; planned for public park use (northwestern portion of parcel) and residential use at .2-.5 dwelling unit per acre (southeastern portion of parcel) according to the Comprehensive Plan Map; and zoned R-1. It is bordered by single family detached homes to the north and east which are planned for residential use at .2-.5 dwelling unit per acre and public park use and zoned R-1. To the west a church and several homes are planned for residential use at .2-.5 dwelling unit per acre and zoned R-1. Burke Lake Park is located to the south, planned for public park use and zoned R-1. The subject property is located in the P7-Burke Lake Community Planning Sector of the Pohick Planning District in Area III.

In the Fairfax County Comprehensive Plan 2007 edition, Area III, Pohick Planning District, amended through 3-9-2010, P-7 Burke Lake Community Planning Sector, under Recommendations, Land Use; pg. 85; the Plan states:

4. Segment including Burke Lake Park and the South Run Headwaters Located Upstream of Burke Lake. The segment is dominated by Burke Lake Park, and development should be sensitive to the ecological and recreational resources of this park. The majority of this segment is planned for residential use at .2-.5 dwelling unit per acre…"

Fairfax County Comprehensive Plan, Policy Plan, 2003 Edition; Public Facilities, as amended through January 10, 2005; **MOBILE AND LAND-BASED TELECOMMUNICATION SERVICES, GENERAL GUIDELINES**, pages 38 and 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 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 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 h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of 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:

- 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; …

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."

ZONING REVIEW (Attachment B)

Staff of the Zoning Administration Division (ZAD in the Department of Planning and Zoning (DPZ) reviewed the application and noted that:

Special Exception approval is required for the proposed monopole. Special Exception application SE 2010-SP-003 is being reviewed concurrently with this 2232.

ENVIRONMENTAL REVIEW (Attachment C)

The staff of the Environment and Development Review Branch, Planning Division in DPZ reviewed the application and noted the following issues:

Resource Protection Area (RPA)/Environmental Quality Corridor (EQC)

Issue:

The western portion of the subject area includes a portion of Opossum Branch. The original plans for the proposed telecommunications facilities indicated that there would be some disturbance within the RPA in order to develop this site and the proposed enclosure. The applicant was asked to submit an RPA boundary delineation which clearly defined this area as being entirely outside of the RPA, or to find an alternate location for the proposed facilities on this site.

Resolution:

The applicant has completed an RPA boundary delineation study for the subject property. This study has been reviewed and approved by DPWES confirming that the proposed telecommunications facility is located entirely outside of the RPA. Staff feels that this issue has been fully resolved.

HISTORIC RESOURCES (Attachment D)

The Historic Resources staff of the Planning Division of DPZ concluded the following:

Finding: The 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. There are no properties in the immediate vicinity of the parcel which is the subject of this application that are within the boundaries of a Fairfax County Historic Overlay District, listed on the Fairfax County Inventory of Historic Sites or the National Register of Historic Places or documented in the historic structures survey file that would be negatively impacted by the installation of the monopole and equipment compound. The Belle Aire School was located in the immediate vicinity at tax map parcel # 87-2 ((1)) 14A and listed on the County's Inventory of Historic Sites. The structure has been demolished and removed from the inventory listing. The site is now part of a residential subdivision.

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 prior to the Planning

Commission public hearing. 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 prior to the Planning Commission public hearing.

Note: The applicant provided the consultant's determination of no effect on historic properties.

TRANSPORTATION REVIEW (Attachment E)

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

FCDOT does not object to the approval of this application.

The Virginia Department of Transportation (VDOT) staff review indicated that they have no objection to the approval of this plan.

URBAN FORESTRY (Attachment F)

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 plan proposes underground power and telephone utilities and a 15-foot wide Dominion VA Power utility easement between the existing driveway/parking area and the adjacent residential property on the eastern boundary of the site. A 25-foot transitional screening yard is required along this property boundary. It appears that the proposed easement conflicts with the screening yard between the driveway and the property line. Maintenance of utilities could require clearing at least a portion of the screening yard.

   Recommendation: Ensure that the required 25-foot transitional screening yard is maintained between the church site and the adjacent residential property to the east, free of conflicts with utilities and potential maintenance.

2. **Comment:** The plan proposes five Eastern red cedar on the west side of the existing church building. To contribute to energy conservation, these trees should be large shade trees located 20-35 feet from the building.

   Recommendation: Require that the plan show trees proposed on the west side of the existing church building be large deciduous trees such as willow oak (Quercus phellos) or American Beech (Fagus Americana). Ensure that these trees are shown to be planted 20-35 feet from the west side of the building to be in a position to contribute to energy conservation.

3. **Comment:** Three Eastern red cedars are proposed along the southern boundary of the parking lot. These trees were requested to contribute to parking lot landscaping to shade the paved area. Eastern red cedar is a 30-40 foot tall tree with a relatively narrow crown spread

and not an appropriate species for maximum shade.

Recommendation: Require a large deciduous trees such as London planetree (Plantous acerifolia) or Ginkgo (Ginkgo biloba) be indicated at these sites to more effectively shade the paved surface of the parking lot.

4. **Comment:** All tree canopies (existing and proposed) are represented by symbols that are drawn too small to accurately show the existing or 10-year project crown spread of the species indicated.

   Recommendation: Require that all symbols representing proposed and existing trees be drawn to scale to accurately reflect the 10-year projected crown spread of the species indicated.

WATER SUPPLY (Attachment G)

The Fairfax County Water Authority staff has reviewed the subject application and provided the following comments:

1. Please note that Fairfax Water has an existing 8-inch transmission main located on the site as shown on the map attached to Attachment H.
2. Any encroachments into the existing water main easement for construction of the monopole and its associated appurtenances will not be allowed without obtaining prior written approval from Fairfax Water.

PARK AUTHORITY (Attachment H)

Park Authority staff has reviewed the proposed plan and provides the following comments:

Application bears no adverse impact on land or resources of the Park Authority.

ENVIRONMENTAL AND SITE REVIEW DIVISION (Attachment I)
DEPARMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

Chesapeake Bay Preservation Ordinance (CBPO)
The revised site-specific RPA delineation plan was submitted on June 4, 2010 and was approved on June 14, 2010. The revised submission of the RPA plan adequately addresses the first submission comments and the proposed location of the work is outside the site specific RPA. Therefore, RPA exception is not required for this work if the limits of clearing and grading is maintained outside the site specific RPA.

If the new structures are outside of the RPA and the limits of disturbance continues to be fewer than 2500 square feet, no controls area required. No controls are located on the plat.

The area of disturbance must include the area required for construction access to the site (VESCH

Chapter 3).

Floodplain Regulations
There is a minor floodplain on the property. The construction is not proposed within the floodplain boundaries.

Downstream Drainage Complaints
There are no downsteam drainage complaints on file.

Storm Water Management
Detention is required, if not waived (PFM 6-0301.3). It appears that the applicant will pursue a waiver. A waiver is likely to be approved provided that adequate outfall exists.

Site Outfall
No outfall statement has been provided (ZO 9-011.2.J(2)(c)).

WASTEWATER PLANNING & MONITORING (Attachment J)
DEPARMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES

The proposed installation of monopole wireless facility has no impact on the sanitary sewer system.

ALTERNATIVE LOCATIONS

According to the applicant, there are no existing structures feasible for collocation. The following alternative locations were evaluated but for the reasons explained below were rejected by the landlord or by AT&T Mobility.

1 – KAISER PERMANENTE BUILDING

This candidate is a 4 story medical facility located at 5999 Burke Commons Road owned by Kaiser Permanente. This option was the first explored. It was determined upon further investigation that the highest Radiation Center AT&T's antennas could be placed, on the roof of the building, was 65'. This candidate was rejected by AT&T's Radio Frequency Engineers on the grounds that a 65' RAD Center would not meet the coverage objectives for this particular project.

2 – BURKE CENTER TOWN CENTER

This candidate is a 3 story office building located at 6035 Burke Center Parkway. This property was the second option explored. The maximum allowable Radiation Center that AT&T could achieve by mounting their antennas to the roof is 45'. This candidate was rejected by AT&T's Radio Frequency Engineers on the grounds that a 45' RAD Center would not meet the coverage objectives for this particular project.

3 – CHURCH OF THE NATIVITY

This candidate is a religious facility located at 6400 Nativity Lane and owned by the Catholic Church Diocese of Arlington County. This was a proposed raw land build in the form of a stealth monopine or flagpole. The church is located on a 10 acre lot. The representatives of the church had no interest in entering into an agreement with AT&T.

4 – CALVARY CHRISTIAN CHURCH

This candidate is a religious facility located at 9800 Old Keene Mill Road. This also was a proposed raw land monopole in the form of a stealth monotree or flagpole. The church is located on a 4.4 acre lot. The church had no interest in entering an agreement with AT&T.

ON-SITE MONOPOLE HEIGHT TEST

On June 19, 2010, the applicant conducted a balloon test to evaluate the visual impact of the proposed 92-foot high flagpole monopole upon the surrounding area, particularly those of a residential character. Staff and the community attended the test.

Observations at the test revealed that the surrounding on-site stands of trees, located on the subject property to the north, east, south and west, provided adequate mitigation of the visual impact of the proposed 90-foot monopole upon development to the north (residences), east (residences), south (Burke Lake Park) and west (church and residences) The observations from the Fairfax County Parkway heading south and north at its intersection with Burke Lake Road, to the north and east of the proposed flagpole monopole location adequately screened the view from the public way.

As proposed, the diameter of flagpole monopole is 42 inches at the base of the pole and 27 inches at the top of the pole. At 92-foot height, views of the structure from the immediately abutting residential parcels are from an oblique angle and/or blended with the significant tree cover located on the residential properties and on the church site.

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

The proposed telecommunications facility will be located on the property of an existing church, Accotink Unitarian Universalist Church. Plan guidelines support the location of telecommunication uses on institutional property near residential areas when other, more suitable land uses, such as public property or commercial and industrial properties are not available and the telecommunications facility is specifically located to blend with its

surroundings. While, the applicant investigated commercial sites in the area as the location for the facility, they were not available for lease. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines to consider public lands or commercial and industrial land use as preferred locations.

The subject property includes trees along its northern, eastern, southern and western boundaries. While the density of growth varies throughout the site, staff concludes that these existing trees will screen views of the flagpole monopole and equipment compound from adjacent residential uses as well as planned land uses, as recommended by the Plan. Furthermore, the applicant has proposed additional landscaping to mitigate existing and future visual impact of the proposed flagpole monopole and equipment along the eastern boundary and northern boundary.

The proposed facility will be central to servicing an existing void area and will be designed to accommodate at least three (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 structure will be designed to appear as a flagpole which is of a white color with a gold finial. In order to minimize its visual impact to the surrounding area in the evening, the facility will display a flag with an auto halyard so that will be no lighting of the flagpole monopole at night. This type of flagpole design has minimized the visual impact and is an acceptable stealth design. This flagpole monopole design in combination with existing and proposed landscaping should mitigate its visual impact and help the facility to blend with its surroundings.

A visual impact analysis was conducted to determine the maximum mitigation of the visual impact of the proposed structure. At a height of 92 feet, views from the immediately abutting residential parcels are from an oblique angle and/or blended with the trees which vary in height from 40 feet to 75 feet. Therefore the proposed flagpole monopole is in harmony with and should effectively blend with the wooded, residential character to the north, east and west, the wooded Burke Lake Park to the south and the Fairfax County Parkway and Burke Lake Road.

To further mitigate the visual impact to the residences to the north and east the applicant will provide supplemental plantings along the eastern side of the eastern parking area near the vehicle entrance to Lakehaven Court. The equipment compound will be screened by a board on board fence which will be painted to match the church building.

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 development. Therefore, the proposed flagpole monopole will be compatible with the wooded open space of the Accotink Unitarian Church 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 Accotink Church property is a 9.34-acre area with a church structure, several accessory buildings and landscaped open space. The flagpole monopole and the equipment compound (approximately 506 square feet) will occupy 0.001% of the total area of the subject property. The proposed facility will not cause the loss of parking spaces and it will be located in an open-lawn area. Therefore, staff concludes that the extent of 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 site, in accordance with the Plan guidelines.

CONCLUSIONS AND RECOMMENDATIONS

Staff concludes that the subject proposal, Application 2232-S08-20, for New Cingular Wireless, PCS, LLC and Trustees of the Accotink Unitarian Universalist Church to construct a 92-foot tall flagpole monopole, antennas, equipment cabinets and compound and site improvements located at 10125 Lakehaven Court, Burke 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.

Attachment C – Appendix ?

Attachment D – Appendix ?

Attachment E – Appendix ?

Attachment F – Appendix ?

Attachment G – Appendix ?

Attachment H – Appendix ?

Attachment I – Appendix ?

2232 Attachment A

COUNTY OF FAIRFAX, VIRGINIA

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

Application Number: 2232-S08-20
(assigned by staff)

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

(Please Type or Print All Requested Information)

PART I: APPLICATION SUMMARY

ADDRESS OF PROPOSED USE

Street Address 10125 Lakehaven Ct.

City/Town Burke Zip Code 22015

APPLICANT(S) Trustees of the Accotink Unitarian Universalist Church

Name of Applicant New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility &

Street Address 7150 Standard Dr.

City/Town Hanover State MD Zip Code 21076

Telephone Number: Work (202) 457-1652 Fax (202) 457-1678

E-mail Address jmichal@jackscamp.com

Name of Applicant's Agent/Contact (if applicable) James R. Michal

Agent's Street Address 1120 20th St., NW, South Tower, Suite 300

City/Town Washington State DC Zip Code 20036

Telephone: Work (202) 457-1652 Fax (___) 202-457-1678

PROPOSED USE

Street Address 10125 Lakehaven Ct.

Fairfax Co. Tax Map and Parcel Number(s) 0872 01 0026

Brief Description of Proposed Use

Construct a 90' high stealth monopole, designed as a flag pole. Install thereupon up to 15 internal panel antennas, including 9 for AT&T Mobility; which will be hidden from plain sight by being located within the flag pole. Related ground equipment to be located near the bottom of the flag pole within a 478 square foot compound area surrounded by an 8' high board on board fence. The proposed flag will measure approximately 8' x 12'. The facility will be landscaped for screening of the equipment purposes.

Total Area of Subject Parcel(s) 9.3362 (acres or square feet)

Portion of Site Occupied by Proposed Use 478 square feet (acres or square feet)

Fairfax County Supervisor District Springfield

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

Zoning of Subject Property R-1 (Residential 1 DU/AC)

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

SP 85-S-03

PROPERTY OWNER(s) OF RECORD

Owner Trustees of the Accotink Unitarian Universalist Church

Street Address 10125 Lakehaven Ct

City/Town Burke State VA Zip Code 22015

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 James R. Michal, Authorized Agent

Signature of Applicant or Agent James R. Michal, Agent

Date September 2, 2010

****

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.

Submit completed application to:

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

****

FOR STAFF USE ONLY

Date application received: 9/1/10

By: A. Copper

Additional information requested to complete application:

Date application accepted: 9/1/10

By: A. Copper

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 Internal Pannel (not visible)
Dimensions: height 78.7" width 10.3" depth 5.9" diameter _____
Location / Placement: 85', 75' and 65'
Wattage: 250 watts
Material and Color: metal/plastic/white
Material and Color of the Antenna Mounting: steel/metalic color
Height Above Ground: 85', 75' and 65'

2. EQUIPMENT

Number and Type of Cabinets or Structures: 8 including battery/ALU cabinets
Cabinet / Structure Dimensions: height 93" width 30" depth 32"
Height of equipment platforms, if any: 1' Concrete slab
Material and Color: metal/grey
Location: within screened compound
Method of Screening: 8' high board on board fence and landscaping

3. STRUCTURE ON WHICH ANTENNAS WILL BE MOUNTED

Maximum Height: 90'
Material: Metal/Fiberglass
Color: White
If structure is within a utility right-of-way, state right-of-way width:
not applicable

EXHIBIT A

Statement of Justification in Support of Application for Approval of Wireless Telecommunications Site Pursuant to Section 15.2.2232 of the Code of Virginia

Applicant(s):	**New Cingular Wireless PCS, LLC, d.ba. AT&T Mobility & Trustees of the Accotink Unitarian Universalist Church**
Site Name:	**Sydenstricker**
Property Address:	**10125 Lakehaven Ct., Burke VA 22015 (Fairfax County)**
District:	**Springfield**
Parcel Id No.:	**0872-01-0026**
Zoning Classification:	**R-1 (Residential 1 DU/AC)**
Property Owner:	**Trustees of the Accotink Unitarian Universalist Church**

Applicants, Trustees of the Accotink Unitarian Universalist Church ("Owner") and New Cingular Wireless PCS, LLC d.b.a. AT&T Mobility ("AT&T Mobility"), request approval of their 15.2.2232 Application to allow the construction and operation of a wireless telecommunication facility consisting of a90' high monopole designed as a Flag Pole ("Flag Pole"). Related ground equipment to be located within a 11' x 11' compound surrounded by a 8' high Board on Board fence. The Flag Pole will be able to collocate up to 15 wireless panel antennas. The facility requires approximately 1 monthly maintenance visit hence, there will no impact to existing traffic patterns.

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 is a statement of justification is submitted in support of the applicants' aforementioned requests. Applicants submit that the proposed wireless facility is in accord with the Fairfax County Comprehensive Plan as to location, character and extent.

CURRENT IMPROVEMENTS ON AND DESCRIPTION OF SUBJECT PROPERTY

The subject property is composed of approximately 9.3362 acres, according to information located at Fairfax County Real Estate webpage (see *http://icare.fairfaxcounty.gov/Forms/Datalets.aspx?mode=profileall&taxyear=2010&ownseq=1&roll=REAL&jur=000&sIndex=0&idx=1&pin=&card=1&item=1&State=1&items=-1*) and is zoned R-1. It adjoins properties also zoned R-1 and houses the Church and related parking spaces ("Property").

The Property is owned by Trustees of the Accotink Unitarian Universalist Church. AT&T Mobility entered into a lease agreement with Owner, pursuant to which AT&T Mobility is authorized to install a wireless telecommunications facility on the Property. The Property Owner has authorized AT&T Mobility to seek all required County authorizations.

The subject property is improved with Church and related 51 parking spaces. Access to the property is via an access drive off of Lakehaven Ct, which is connected to the existing parking lot on the property. The property abuts the Burk Lake Park (888 acres, including a 218 acre lake) to the south which is heavily wooded. A copy of site drawings/plats are 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 Church offers worship services and religious education on Sunday commencing at 8:30 am until 1:00pm. The preschool ("Nursery") operates Monday thru Friday from 9:00 am to 1:30pm. Other Church and religious activities are held during the week, times and dates vary, from 8:00am - 12:00pm.

The Church counts with 5 full time employees and seats no more than 200 church members. The Nursery has been approved up to 15 part time employees and 4 volunteers and up to 45 children per SPA 85-S-083-03, Board of Zoning Appeals Resolution, May 5, 2009.

DESCRIPTION OF THE PROPOSED TELECOMMUNICATIONS SITE

Applicants request for the installation of a 90' 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 (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 and ground equipment will be located within a compound measuring approximately 1,080 sq. ft. The compound will be enclosed by an 8' high board on board fence. Access to the Site will be via the existing access drive on the subject property.

The Site will be setback approximately as follows:
934' from the western property line;
63' from the eastern property line;
274' from the northern property line;
48' from the southern property line;
260' closest residence off site.

The monopole will be designed to accommodate a minimum of two (2) wireless telecommunications carriers, including applicant AT&T Mobility.

AT&T Mobility will install up to nine (9) antennae at a RAD center of 85', 75' and 65' within the structure. AT&T Mobility's antennae measure approximately 78.7" x 10.3" x 5.9" or less. AT&T Mobility will also install 8 equipment cabinets (including batter and ALU cabinets measuring 93"(h) x 30" (w) x 32"(d) or less on a concrete pad.

The installation proposed by AT&T Mobility 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, AT&T Mobility 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 AT&T Mobility's coverage objectives in the area.

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.

Radio frequency coverage maps depicting AT&T Mobility'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, AT&T Mobility's coverage objective is to provide coverage along *Fairfax County Parkway, Burke Lake Rd, Burke Center Parkway, Old Keene Mill Road, Roberts Parkway and Ox Road* where existing coverage is substantially deficient or nonexistent.

There are no existing structures feasible for collocation. The following alternative locations were evaluated but for the reasons explained below were rejected by the landlord or by AT&T Mobility.

CANDIDATE 1 – KAISER PERMANENTE BUILDING

This candidate is a 4 story medical facility located at 5999 Burke Commons Road owned by Kaiser Permanente. In the interest of following County Code with regard to Wireless Communications Carriers collocating on existing structures, this option was the first explored. It was determined upon further investigation that the highest Radiation Center AT&T's antennas could be placed, on the roof of the building, was 65'. This candidate was rejected by AT&T's Radio Frequency Engineers on the grounds that a 65' RAD Center would not meet the coverage objectives for this particular project.

CANDIDATE 2 – BURKE CENTER TOWN CENTER

This candidate is a 3 story office building located at 6035 Burke Center Parkway. While trying to conform to Fairfax County code regarding Wireless Communications Carriers collocating on existing structures, this property was the second option explored. The maximum allowable Radiation Center that AT&T could achieve by mounting their antennas to the roof is 45'. This candidate was rejected by AT&T's Radio Frequency Engineers on the grounds that a 45' RAD Center would not meet the coverage objectives for this particular project.

CANDIDATE 3 – CHURCH OF THE NATIVITY

This candidate is a religious facility located at 6400 Nativity Lane and owned by the Catholic Church Diocese of Arlington County. This was a proposed raw land build in the form of a stealth monopine or flagpole. The church is located on a 10 acre lot. The representatives of the church had no interest in entering into an agreement with AT&T.

CANDIDATE 4 – CALVARY CHRISTIAN CHURCH

This candidate is a religious facility located at 9800 Old Keene Mill Road. This also was a proposed raw land monopole in the form of a stealth monotree or flagpole. The church is located on a 4.4 acre lot. The church had no interest in entering an agreement with AT&T.

Furthermore, the proposed site was chosen for its particular suitability to the site, including its location, satisfaction of AT&T Mobility'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, AT&T Mobility's needs in the area cannot be satisfied without the installation of the proposed Site. Installation of AT&T Mobility's antennae on the proposed monopole will satisfy this objective, providing wireless telecommunications coverage to AT&T Mobility'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, AT&T Mobility will be unable to provide reliable coverage to its users in the area.

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.

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

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 explained above, 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 Flag Pole and placing it on community used property, in proximity to existing vegetation on the Property and at considerable distance from neighboring residences. 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 residences are all 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: As demonstrated by the RF maps submitted hereto, the Property is particularly suitable to the installation of the Site because placement of the monopole on the Property satisfies applicant's coverage objectives. Furthermore, the Property is of a substantial size, thereby allowing for generous setbacks from 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: As evidenced by the Site Plans, the proposed structure is designed to accommodate up to two 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, AT&T Mobility's coverage objectives are satisfied by installation at a RAD center of 85', 75' and 65'. Thus, the proposed 90' monopole is no greater than the need in the area. Visual impact concerns are significantly reduced by the location of the pole, the design as a Flag Pole 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 dwellings 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 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 (eliminates any and possible view of the panel antennas) and its placement on a community-used property, in proximity to existing woods on the Property and at considerable distance from neighboring dwellings are all factors that demonstrate the applicant's compliance with the above policy. As shown on site plans the monopole will be situated approximately 260' from the closest dwelling off site. The existence of woods on the Property also add to the low visual impact of the monopole, which will be situated in proximity to the trees on the Property. 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 surrounded by mature vegetation and trees on the Property, a flag pole design, 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 two 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: Since the Site is placed approximately 290' from the entrance of Lakehaven Ct. 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 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;

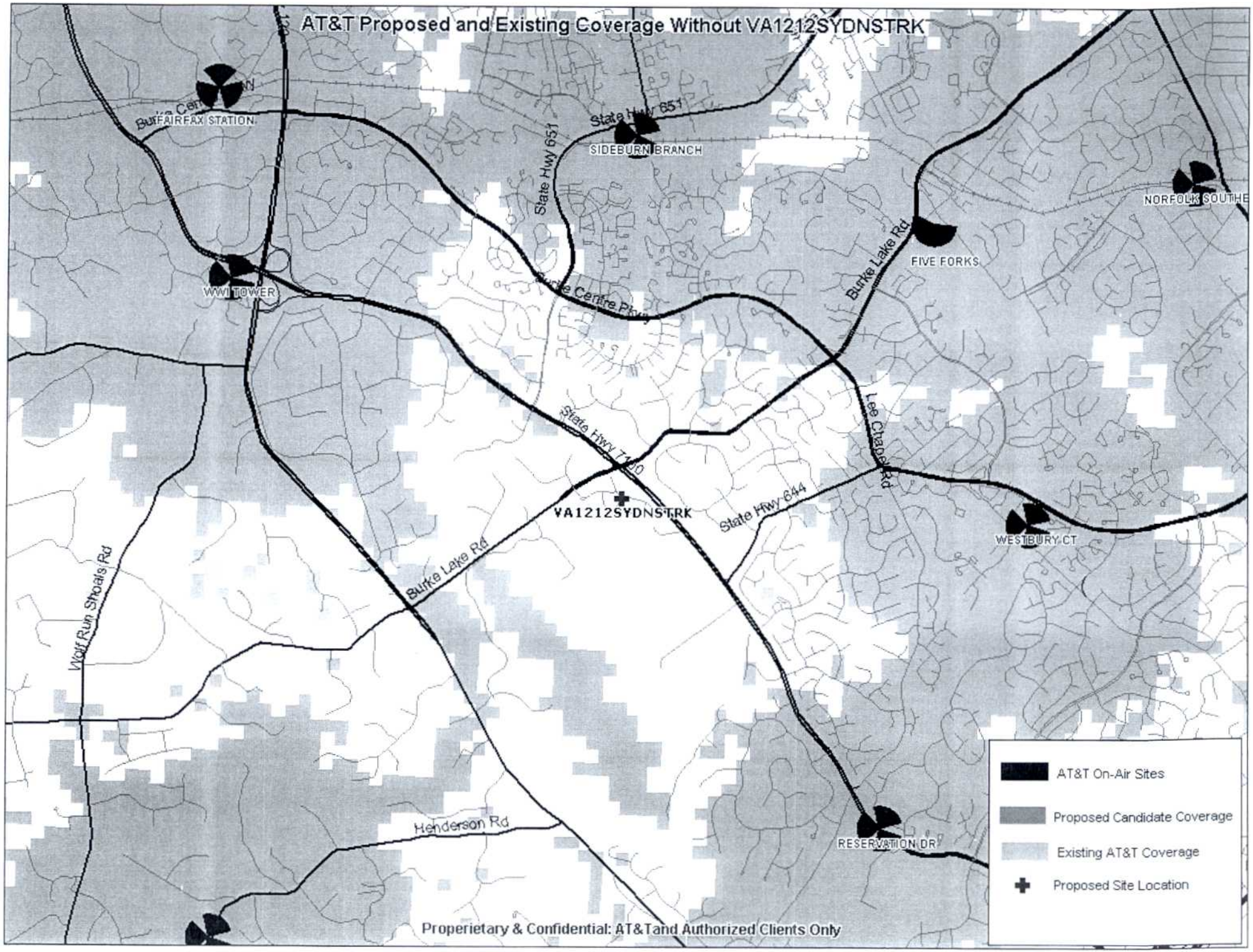
Applicant's Response: The proposed structure will be located in an area close to existing trees on the Property. The height of 90' is requested due to the coverage needs in the area, as demonstrated by the RF plots attached hereto. A structure of lower height will not satisfy the coverage objectives and thus render the proposed Site less productive, with the possibility of a continued need for additional wireless telecommunications poles in the area.

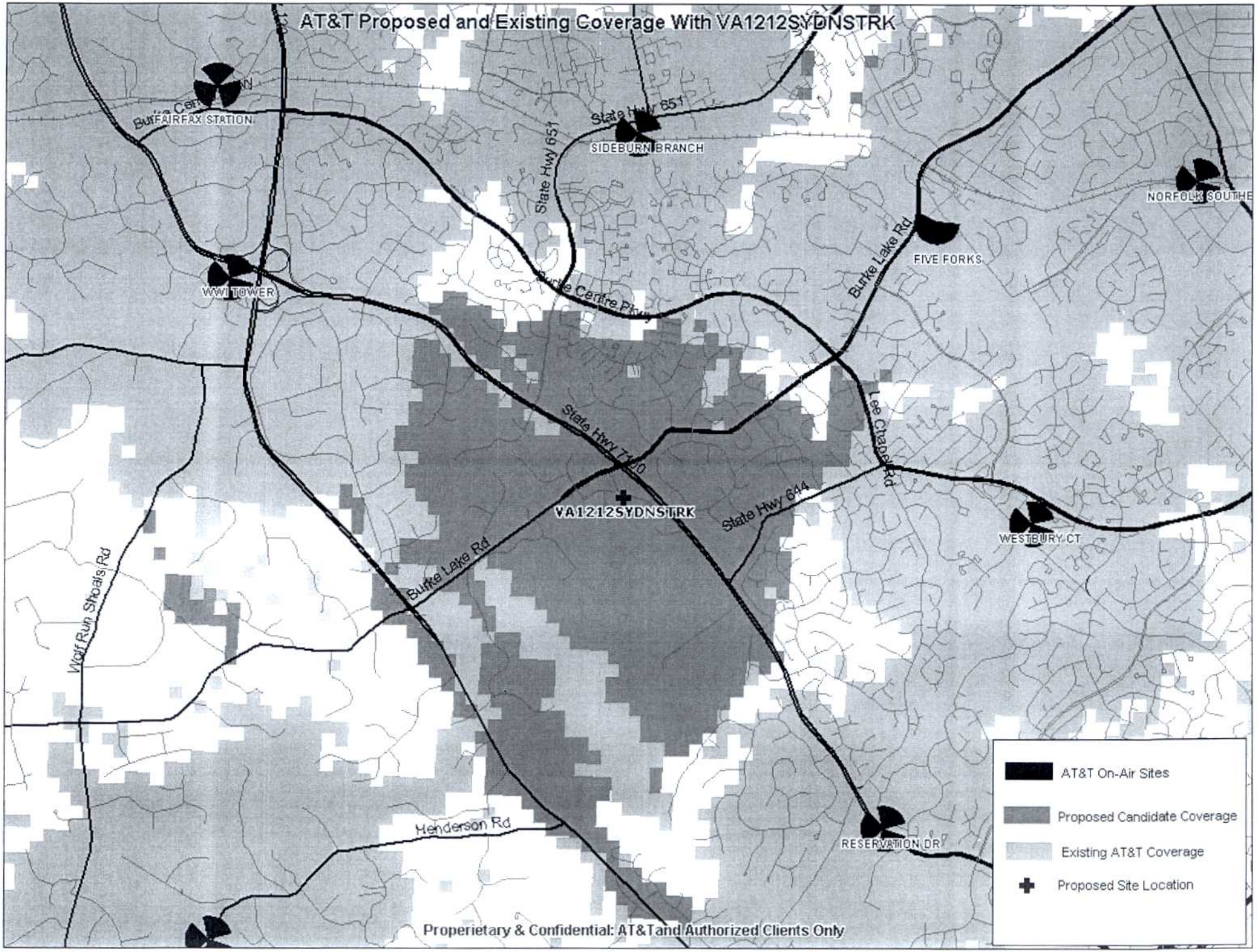
Policy c. Use appropriately other new and existing structures and vegetation of comparable form and style to establish a grouping that complements a camouflaged telecommunication facility and supports its design, location and appearance.

Applicant's Response: The proposed structure will be located in an area surrounded by the existing mature vegetation on the Property. Likewise, the visual impact of the Site is reduced by designing the pole as a flag pole and placement within existing mature vegetation.

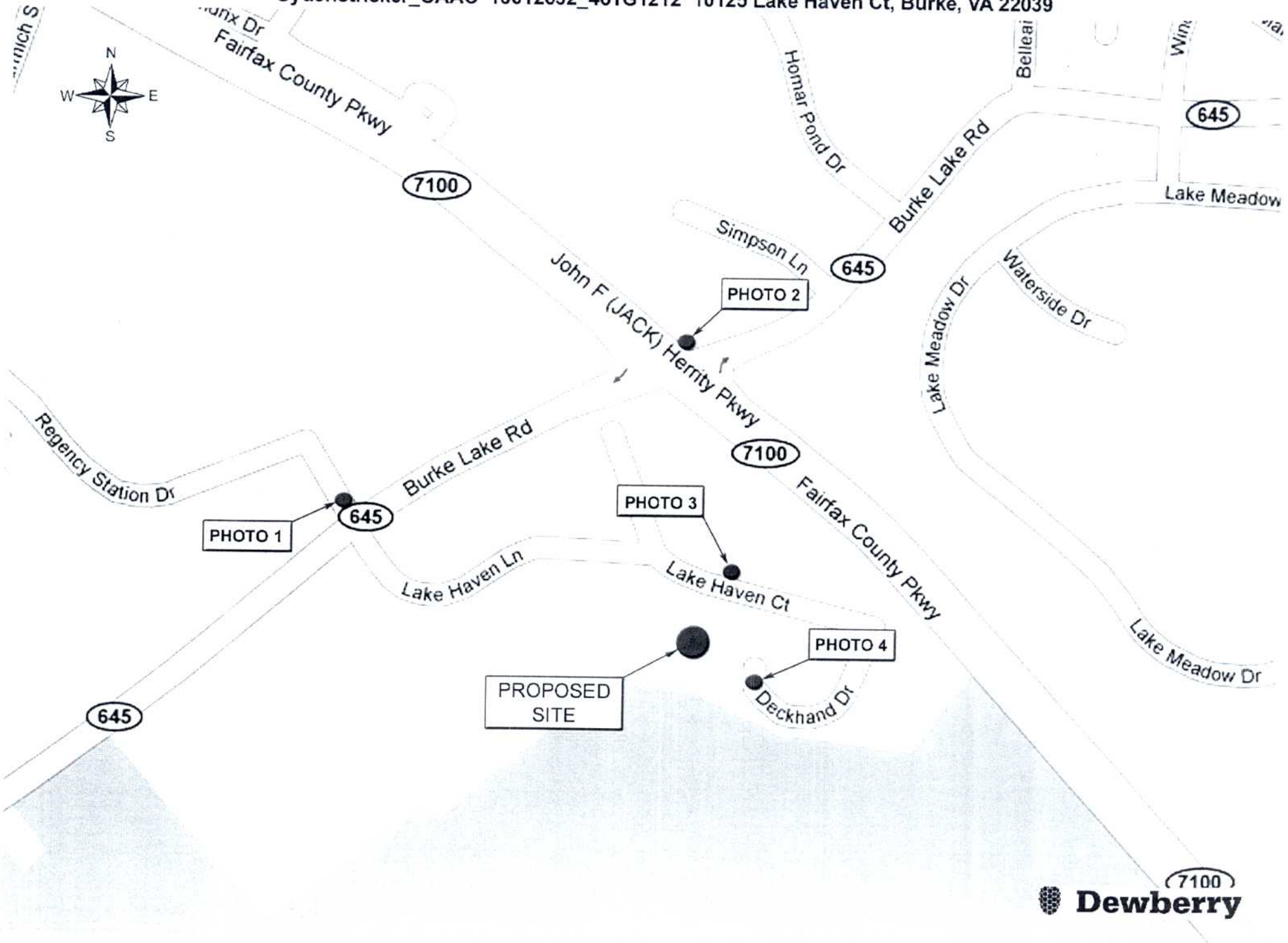
CONCLUSION:

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 15.2.2232 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.

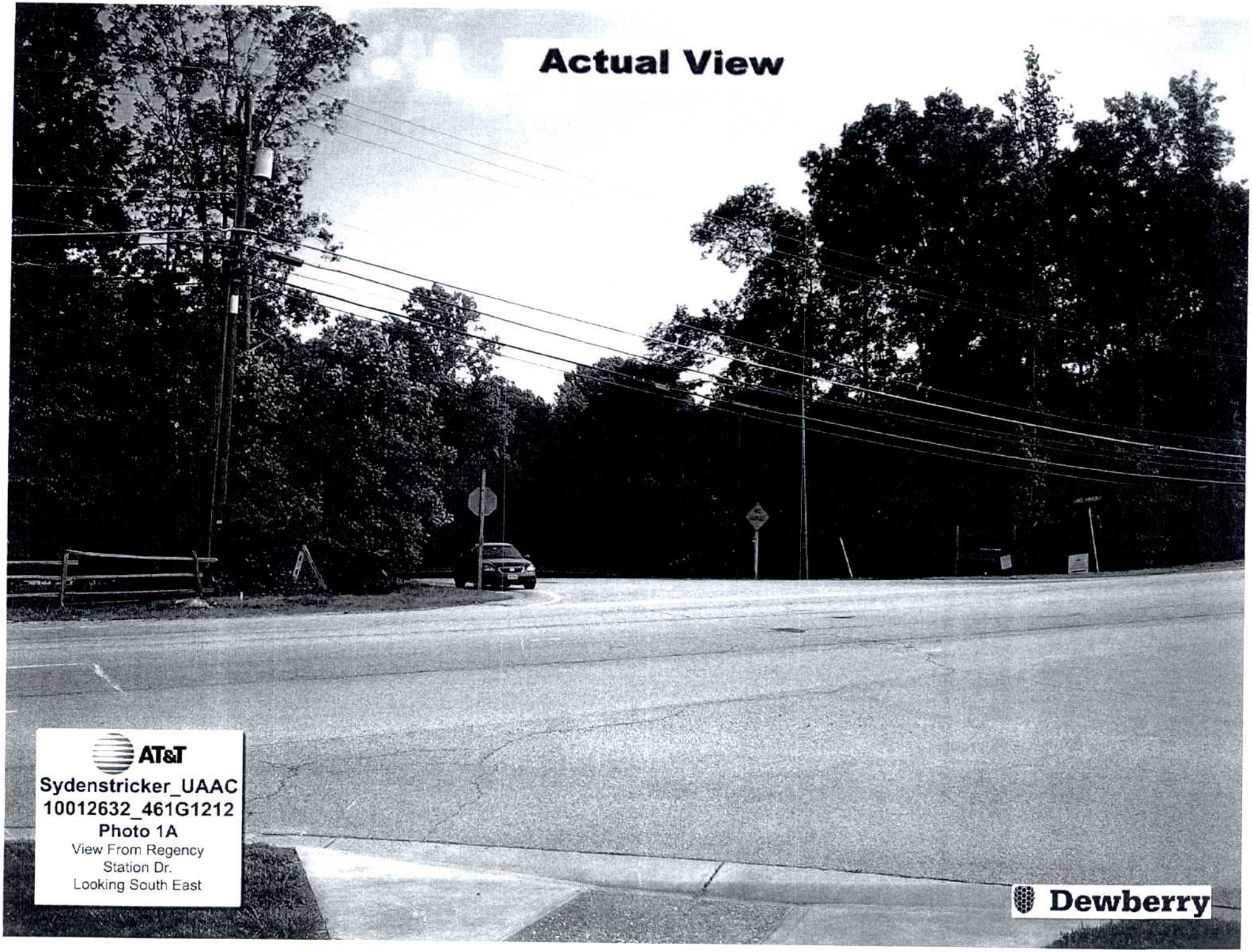

AT&T Proposed and Existing Coverage Without VA1212SYDNSTRK
FAIRFAX STATION
SIDEBURN BRANCH
State Hwy 651
State Hwy 651
NORFOLK SOUTHE
FIVE FORKS
Burke Lake Rd
WWI TOWER
State Hwy 7100
Lee Chapel Rd
VA1212SYDNSTRK
State Hwy 644
WESTBURY CT
Burke Lake Rd
Wolf Run Shoals Rd
Henderson Rd
RESERVATION DR
AT&T On-Air Sites
Proposed Candidate Coverage
Existing AT&T Coverage
Proposed Site Location
Proprietary & Confidential: AT&T and Authorized Clients Only

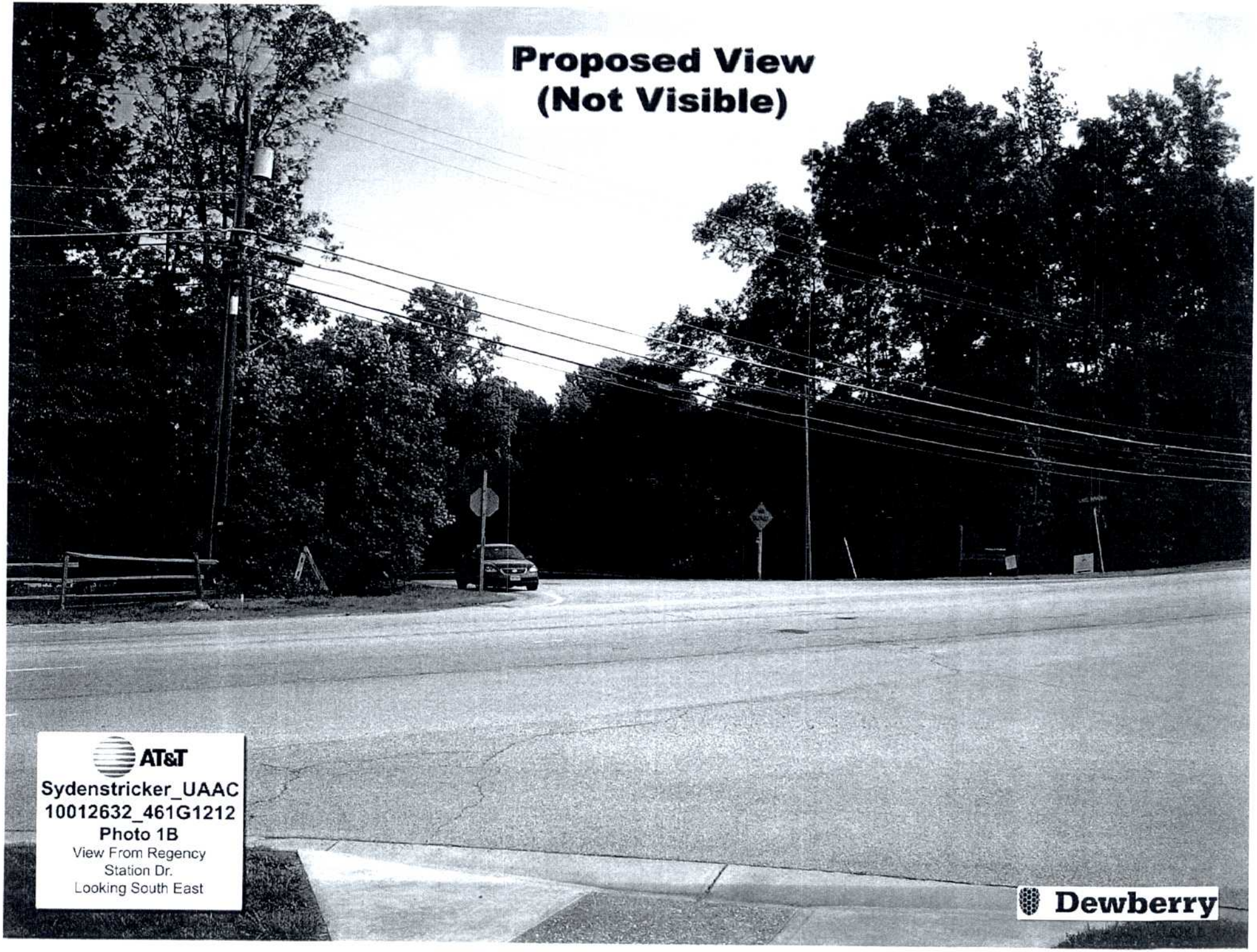

AT&T Proposed and Existing Coverage With VA1212SYDNSTRK
FAIRFAX STATION
SIDEBURN BRANCH
FIVE FORKS
WWI TOWER
VA1212SYDNSTRK
WESTBURY CT
RESERVATION DR
State Hwy 651
Burke Lake Rd
State Hwy 7100
State Hwy 644
Lee Chapel Rd
Wolf Run Shoals Rd
Henderson Rd
AT&T On-Air Sites
Proposed Candidate Coverage
Existing AT&T Coverage
Proposed Site Location
Properietary & Confidential: AT&Tand Authorized Clients Only

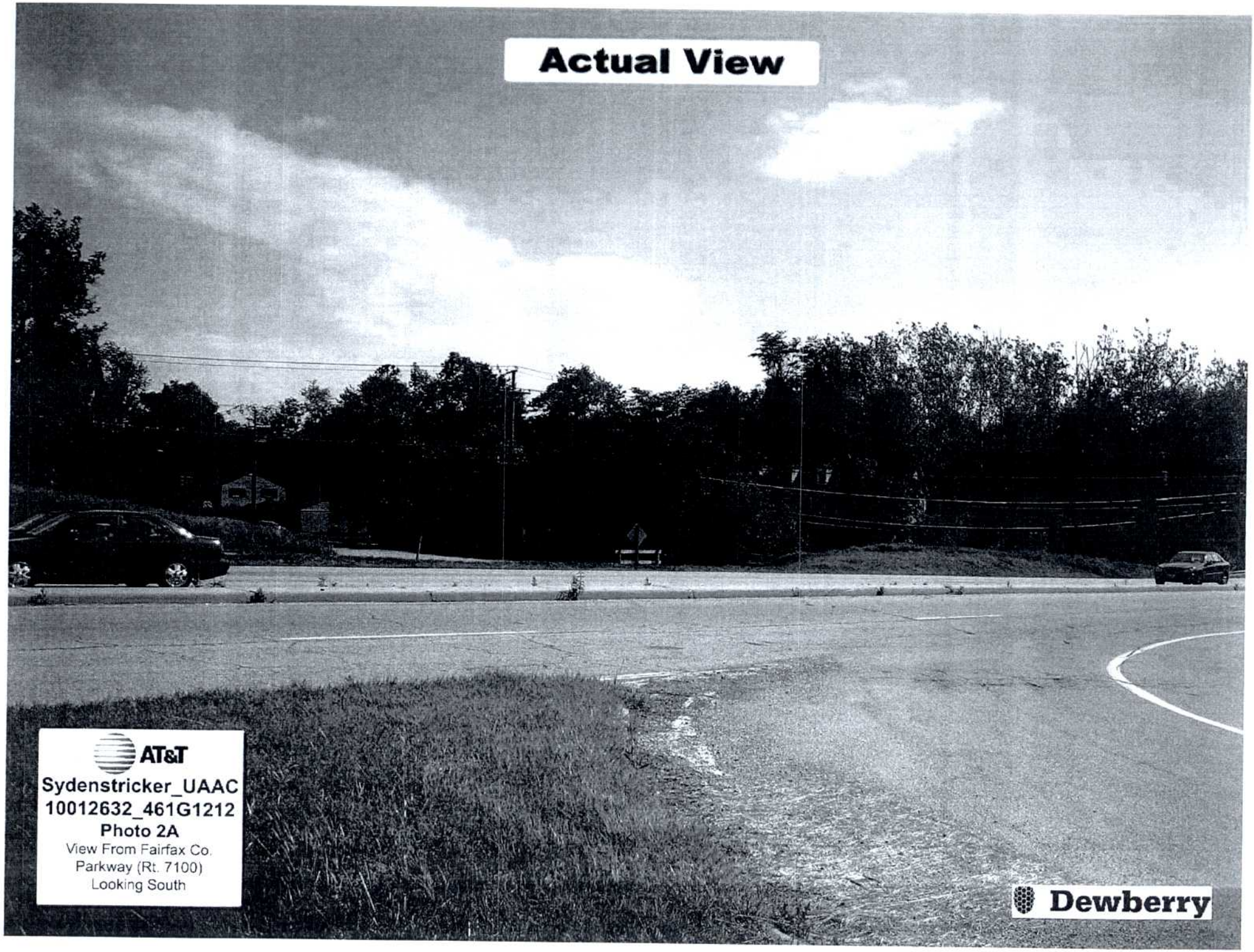
Sydenstricker_UAAC 10012632_461G1212 10125 Lake Haven Ct, Burke, VA 22039

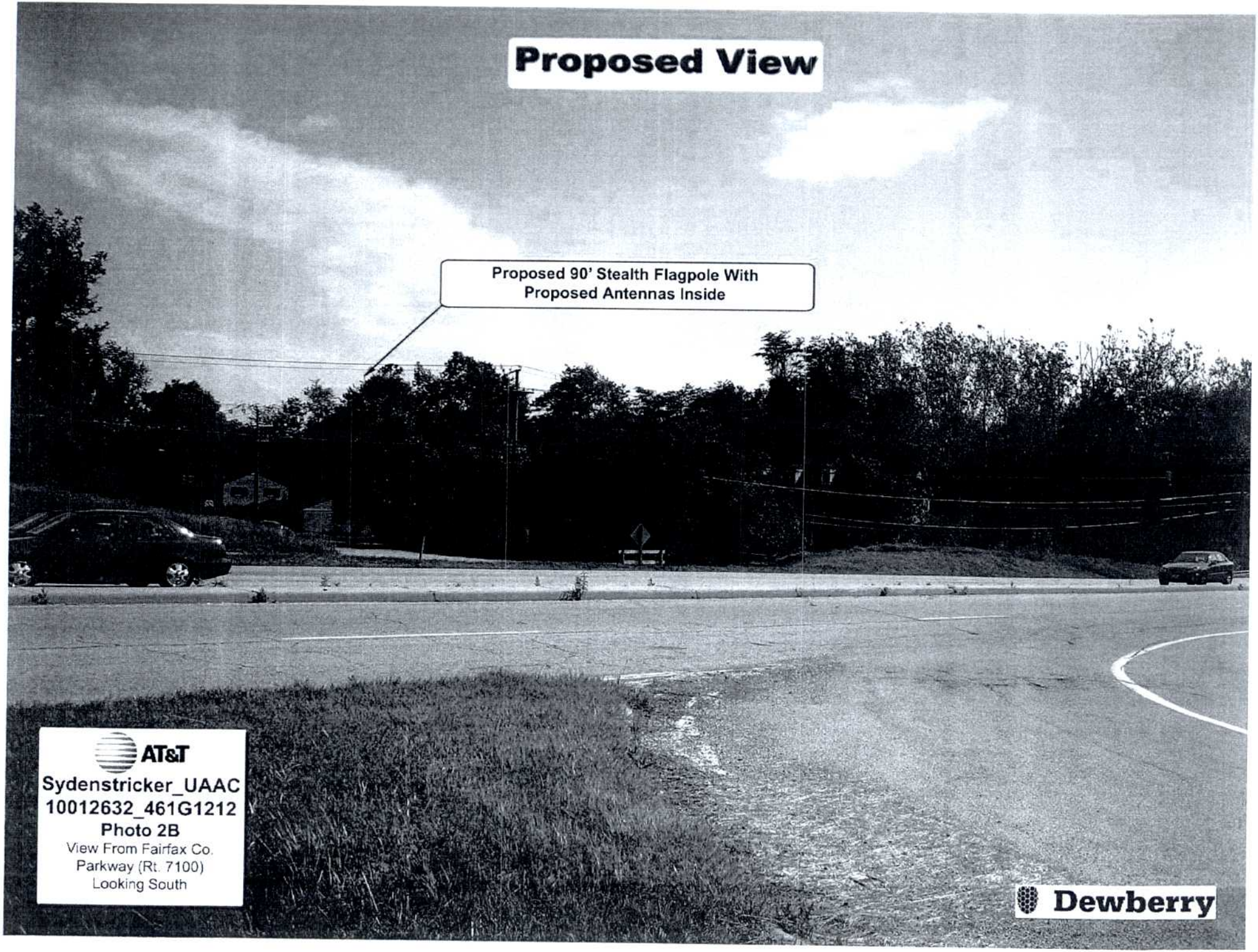


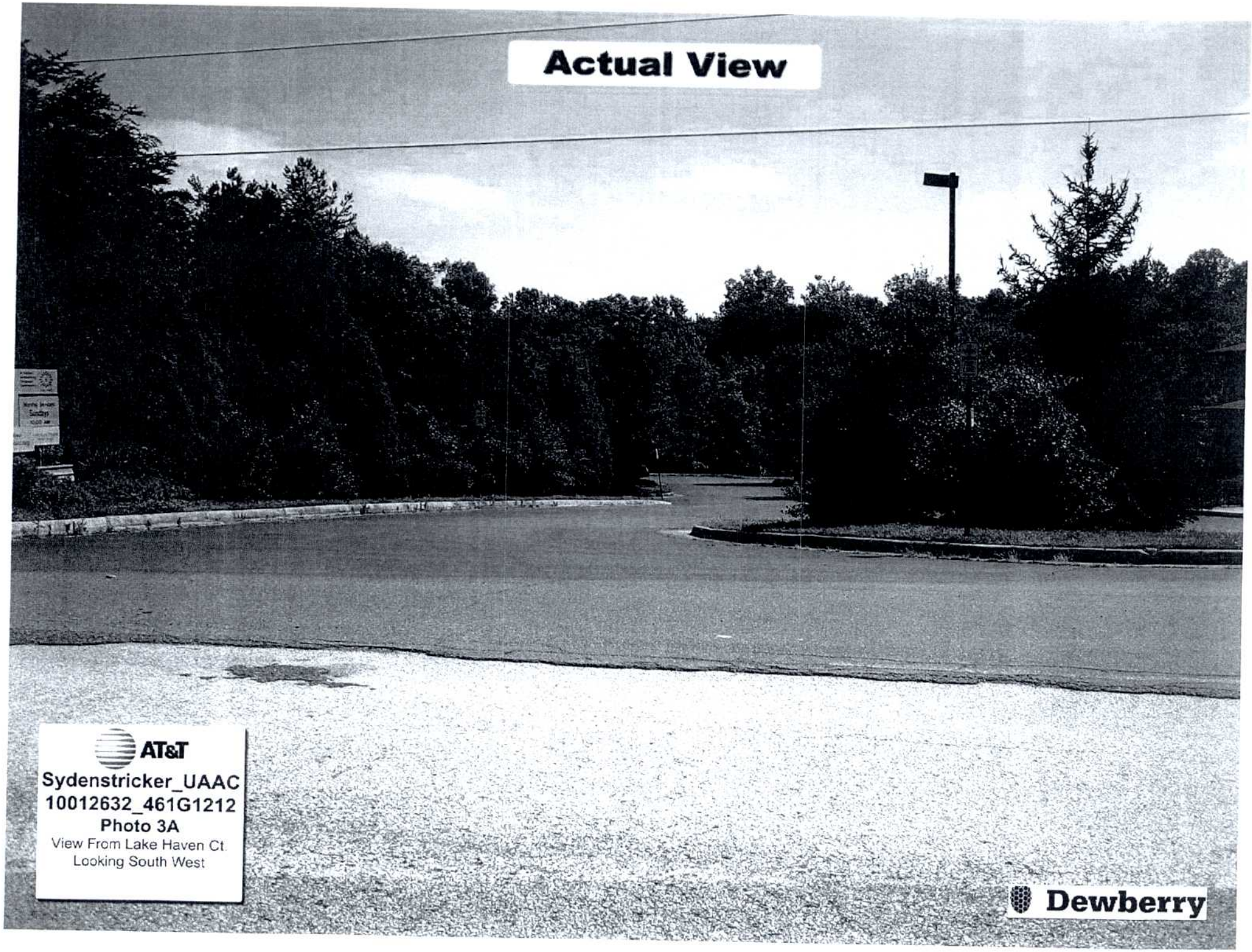
Dewberry

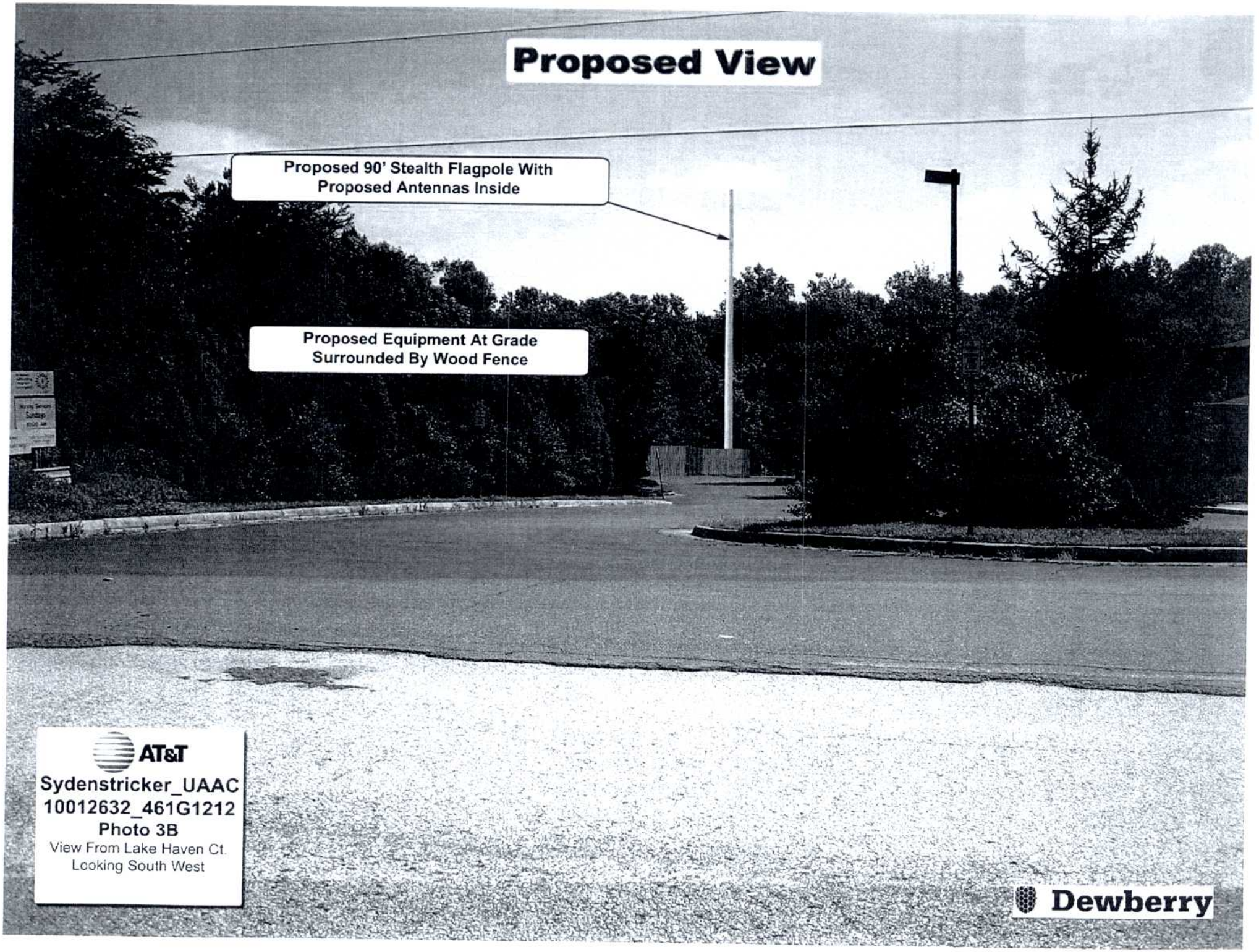

Actual View
AT&T
Sydenstricker_UAAC
10012632_461G1212
Photo 1A
View From Regency
Station Dr.
Looking South East
Dewberry


Proposed View
(Not Visible)
AT&T
Sydenstricker_UAAC
10012632_461G1212
Photo 1B
View From Regency
Station Dr.
Looking South East
Dewberry

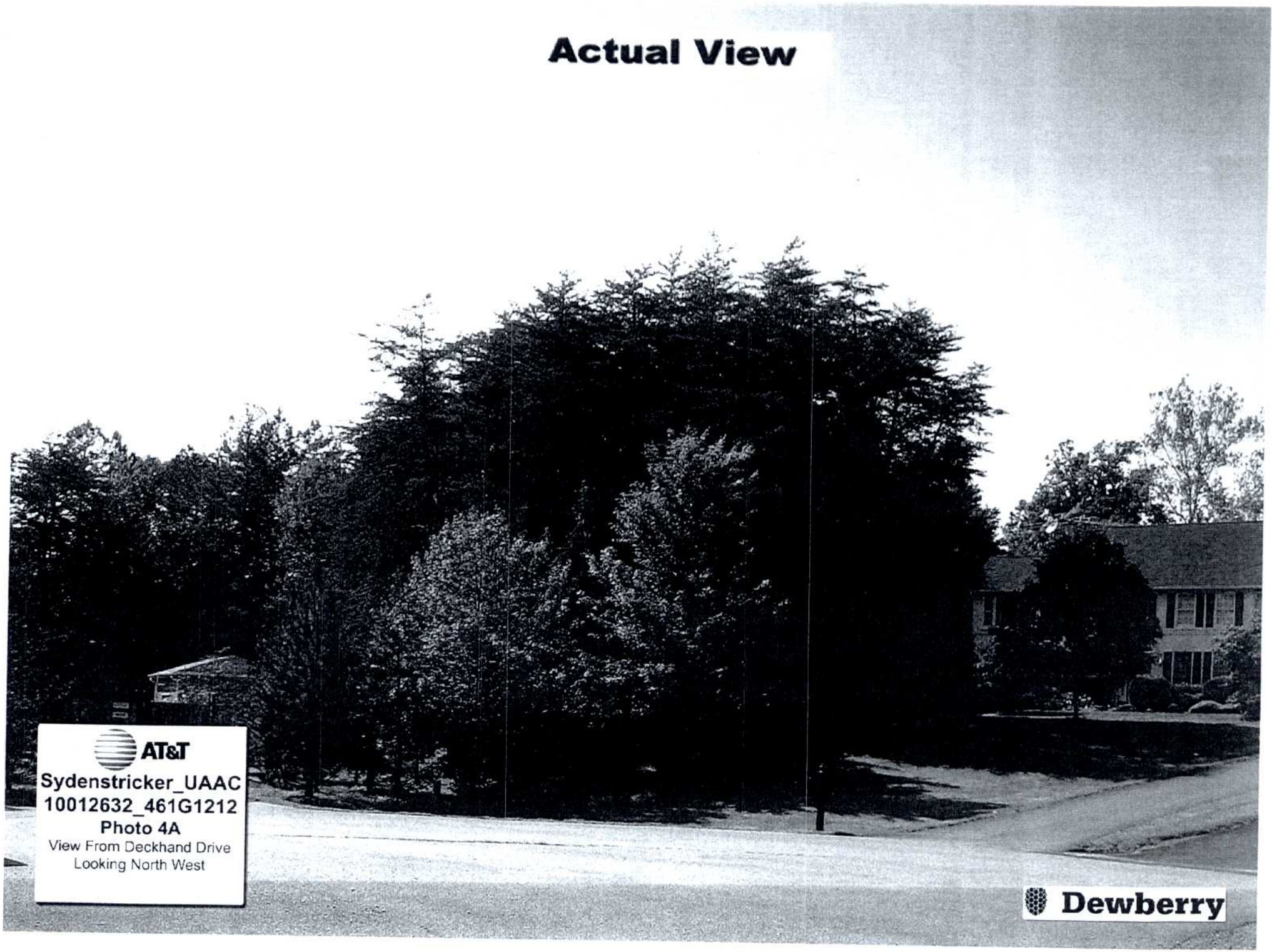

Actual View
AT&T
Sydenstricker_UAAC
10012632_461G1212
Photo 2A
View From Fairfax Co.
Parkway (Rt. 7100)
Looking South
Dewberry


Proposed View
Proposed 90' Stealth Flagpole With
Proposed Antennas Inside
AT&T
Sydenstricker_UAAC
10012632_461G1212
Photo 2B
View From Fairfax Co.
Parkway (Rt. 7100)
Looking South
Dewberry

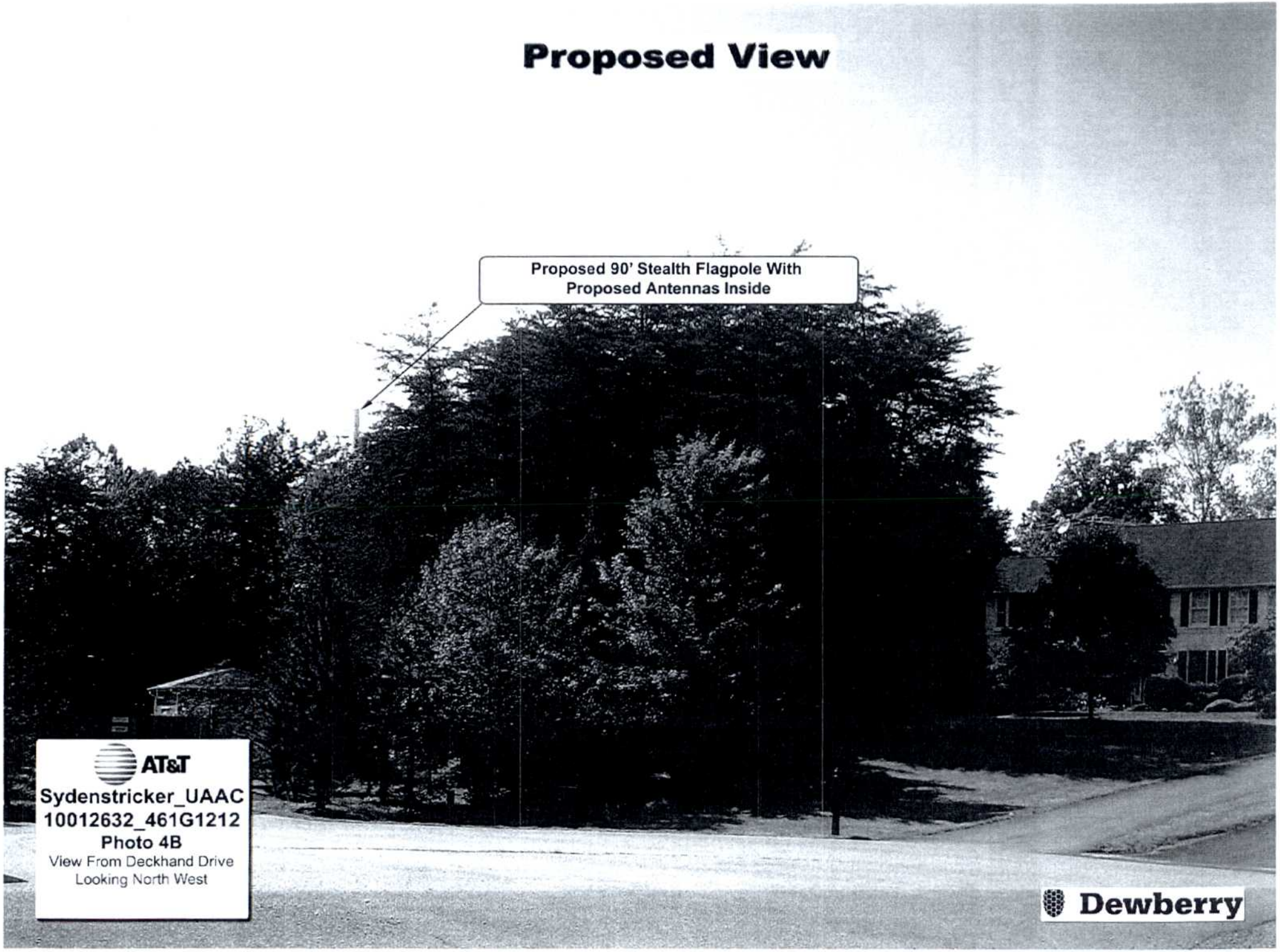

Actual View
AT&T
Sydenstricker_UAAC
10012632_461G1212
Photo 3A
View From Lake Haven Ct.
Looking South West
Dewberry


Proposed View
Proposed 90' Stealth Flagpole With
Proposed Antennas Inside
Proposed Equipment At Grade
Surrounded By Wood Fence
AT&T
Sydenstricker_UAAC
10012632_461G1212
Photo 3B
View From Lake Haven Ct.
Looking South West
Dewberry

Actual View


AT&T
Sydenstricker_UAAC
10012632_461G1212
Photo 4A
View From Deckhand Drive
Looking North West
Dewberry

Proposed View



AT&T

Sydenstricker_UAAC
10012632_461G1212
Photo 4B
View From Deckhand Drive
Looking North West

Dewberry

Attachment B

MEMORANDUM

Fairfax County Department of Planning and Zoning
Planning Division, Suite 730
12055 Government Center Parkway, Fairfax, Virginia 22035-5505

TO: Distribution Below **DATE: March 9, 2009**
FROM: David B. Marshall, Chief
Facilities Planning Branch, Planning Division, DPZ

FAIRFAX COUNTY
RECEIVED
MAR 11 2009
2009-0113
DIVISION OF
ZONING ADMINISTRATION

SUBJECT: 2232 Review Application
Application No.: 2232-S08-20 TAX MAP: 87-2 ((1)) 26

Attached for your Review and Comment is a 2232 Review Application submitted by New Cingular Wireless, PCS, LLC requesting that the Fairfax County Planning Commission make a determination, pursuant to Va. Code Section 15.2-2232, whether this proposal to construct a 90-foot stealth monopole (plain pole with internal antennas) with related equipment at 10125 Lakehaven Court, Burke is substantially in accord with provisions of the adopted Comprehensive Plan. To be considered in the staff analysis, **send, fax (703-324-3056), or e-mail (anita.capps@fairfaxcounty.gov) your comments to Anita Capps (tel. 703-324-1357 by March 27, 2009.**

Distribution:

- ❑ **DIT** / Technology Infrastructure Div.
- ❑ **DOT** / Transportation Planning Div.

DPWES /
- ❑ Environment & Facilities Review Div.
- ❑ Urban Forestry Div.
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DPZ /
- ❑ Planning Div. - Env. & Dev. Review Branch
- ❑ Planning Div. - Historic Preservation
- ❑ Zoning Administration Div.
- ❑ Zoning Evaluation Div.

- ❑ **FCPA** / Planning & Development Div.
- ❑ **FCPS** / Design and Construction Svcs.
- ❑ **FCWA** / Planning & Engineering Div.
- ❑ **Fire & Rescue** / Strategic Planning
- ❑ **VDOT** / Resident Engineer
- ❑ _____
- ❑ _____
- ❑ _____

****

☑ **ZAD (for proposed telecommunications facilities):** ~~**Permitted in accordance with and subject to the provisions of Zoning Ordinance Section 2-514**~~ Special Exception approval is required for the proposed monopole. The site is subject to SPA 85-S-083-02 and SPA 85-S-083-03. is pending and is scheduled for a B2A public hearing on May 5, 2009. A special exception application for the proposed monopole was submitted on 1-23-09

Attachment C

County of Fairfax, Virginia

MEMORANDUM

DATE: July 14, 2010

TO: Regina Coyle, Director
Zoning Evaluation Division, DPZ

David B. Marshall, Chief
Facilities Planning Branch, DPZ

FROM: Pamela G. Nee, Chief
Environment and Development Review Branch, DPZ

SUBJECT: **ENVIRONMENTAL ASSESSMENT** for: **SE 2010-SP-003/2232-S08-20**
Accotink Unitarian Univeralist Church w/ New Cingular Wireless and AT & T

This memorandum, prepared by John R. Bell, includes citations from the Comprehensive Plan that provide guidance for the evaluation of the above referenced special exception plat dated February 26, 2010. Possible solutions to remedy identified environmental impacts are suggested. Other solutions may be acceptable, provided that they achieve the desired degree of mitigation and are also compatible with Plan policies.

COMPREHENSIVE PLAN CITATIONS:

The Comprehensive Plan is the basis for the evaluation of this application. The assessment of the proposal for conformity with the environmental recommendations of the Comprehensive Plan is guided by the following citations from the Plan:

In the Fairfax County Comprehensive Plan, Policy Plan, 2007 Edition, Environment section as amended through February 25, 2008, on page 7 through 15, the Plan states:

"**Objective 2:** **Prevent and reduce pollution of surface and groundwater resources. Protect and restore the ecological integrity of streams in Fairfax County. . . .**

Policy d. Preserve the integrity and the scenic and recreational value of stream valley EQCs when locating and designing storm water detention and BMP facilities. In general, such facilities should not be provided within stream valley EQCs unless they are designed to provide regional benefit or unless

Department of Planning and Zoning
Planning Division
12055 Government Center Parkway, Suite730
Fairfax, Virginia 22035-5509
Phone 703-324-1380
Fax 703-324-3056
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DEPARTMENT OF PLANNING & ZONING

> the EQCs have been significantly degraded. When facilities within the EQC are appropriate, encourage the construction of facilities that minimize clearing and grading, such as embankment-only ponds, or facilities that areotherwise designed to maximize pollutant removal while protecting, enhancing, and/or restoring the ecological integrity of the EQC. . . .

In order to protect the Chesapeake Bay and other waters of Virginia from degradation resulting from runoff pollution, the Commonwealth has enacted regulations requiring localities within Tidewater Virginia (including Fairfax County) to designate "Chesapeake Bay Preservation Areas". Within which land uses are either restricted or water quality measures must be provided. Fairfax County has adopted a Chesapeake Bay Preservation Ordinance pursuant to these regulations.

The more restrictive type of Chesapeake Bay Preservation Area is known as the "Resource Protection Area (RPA)." With a few exceptions (e.g. water wells, recreation, infrastructure improvements, "water dependent" activities, and redevelopment), new development is prohibited in these areas. In Fairfax County, RPAs include the following features:

- water bodies with perennial flow;
- tidal wetlands;
- tidal shores;
- nontidal wetlands contiguous with and connected by surface flow to tidal wetlands or water bodies with perennial flow;
- a buffer area not less than 100 feet in width around the above features; and
- as part of the buffer area, any land within a major floodplain.

The other, less sensitive category of land in the Preservation Areas is called the "Resource Management Area (RMA)." Development is permitted in RMAs as long as it meets water quality goals and performance criteria for these areas. These goals and criteria include stormwater management standards, maintenance requirements and reserve capacity for on-site sewage disposal facilities, erosion and sediment control requirements, demonstration of attainment of wetlands permits, and conservation plans for agricultural activities. In Fairfax County, RMAs include any area that is not designated as an RPA. . . .

Objective 3: **Protect the Potomac Estuary and the Chesapeake Bay from the avoidable impacts of land use activities in Fairfax County.**

Policy a. Ensure that new development and redevelopment complies with the County's Chesapeake Bay Preservation Ordinance. . . .

Objective 9: **Identify, protect and enhance an integrated network of ecologically valuable land and surface waters for present and future residents of Fairfax County.**

Policy a: For ecological resource conservation, identify, protect and restore an Environmental Quality Corridor system (EQC). . . Lands may be included within the EQC system if they can achieve any of the following purposes:

- Habitat Quality: The land has a desirable or scarce habitat type, or one could be readily restored, or the land hosts a species of special interest.

- "Connectedness": This segment of open space could become a part of a corridor to facilitate the movement of wildlife.

- Aesthetics: This land could become part of a green belt separating land uses, providing passive recreational opportunities to people.

- Pollution Reduction Capabilities: Preservation of this land would result in significant reductions to non-point source water pollution, and/or, micro climate control, and/or reductions in noise.

The core of the EQC system will be the County's stream valleys. Additions to the stream valleys should be selected to augment the habitats and buffers provided by the stream valleys, and to add representative elements of the landscapes that are not represented within stream valleys. The stream valley component of the EQC system shall include the following elements.

- All 100 year flood plains as defined by the Zoning Ordinance;

- All areas of 15% or greater slopes adjacent to the flood plain, or if no flood plain is present, 15% or greater slopes that begin within 50 feet of the stream channel;

- All wetlands connected to the stream valleys; and

- All the land within a corridor defined by a boundary line which is 50 feet plus 4 additional feet for each % slope measured perpendicular to the stream bank. The % slope used in the calculation will be the average slope measured within 110 feet of a stream channel or, if a flood plain is present, between the flood

plain boundary and a point fifty feet up slope from the flood plain. This measurement should be taken at fifty foot intervals beginning at the downstream boundary of any stream valley on or adjacent to a property under evaluation."

ENVIRONMENTAL ANALYSIS:

This section characterizes the environmental concerns raised by an evaluation of this site and the proposed land use. Solutions are suggested to remedy the concerns that have been identified by staff. There may be other acceptable solutions.

Resource Protection Area (RPA)/Environmental Quality Corridor (EQC)

Issue:

The western portion of the subject area includes a portion of Opossum Branch stream valley. The original plans for the proposed telecommunications facilities indicated that there would be some disturbance within the RPA in order to develop this site and the proposed enclosure. The applicant was asked to submit an RPA boundary delineation which clearly defined this area as being entirely outside of the RPA, or to find an alternate location for the proposed facilities on this site.

Resolution:

The applicant has completed an RPA boundary delineation study for the subject property. This study has been reviewed and approved by DPWES confirming that the proposed telecommunications facility is located entirely outside of the RPA. Staff feels that this issue has been fully resolved.

PGN:JRB

Attachment D

County of Fairfax, Virginia

MEMORANDUM

DATE: 9 April 2009

TO: Anita Capps, Senior Planner

FROM: Linda Cornish Blank, Historic Preservation Planner

SUBJECT: **2232-S08-20**, New Cingular Wireless PCS, LLC; proposal to install a 90' stealth monopole for internal antennas and related equipment compound at 10125 Lakehaven Court, tax map 87-2 ((1)) 26.

Planning Location: Fairfax County Comprehensive Plan, 2007 Edition, Area III, Pohick Planning District, Amended through 1-26-2009, Overview, Heritage Resources, page 8 & P7-Burke Lake Community Planning Sector, page 86:

"Heritage Resources

The Pohick Planning District contains both known and potential heritage resources. A list of those heritage resources included in Fairfax County's Inventory of Historic Sites as of October 2008 is shown on Figure 4, and a map of those resources is shown on Figure 5. The Inventory is open-ended and continues to grow. For information about these and other historic sites, consult the Fairfax County Department of Planning and Zoning. Identified heritage resources include:

- Hope Park Mill and Miller's House – This gristmill complex served local farmers until 1906. Also known as Roby's Mill, it is listed in the National Register of Historic Places and is protected by a County Historic Overlay District.

- Clifton Historic District – This National Register Historic District encompasses a small village which developed in the late 19th century as a commercial and supply center where grain and dairy farming was prevalent. A local Historic Overlay District is administered by the Town of Clifton.

- St. Mary's Roman Catholic Church – Built in 1858, the first Roman Catholic Church in Fairfax County was used by Clara Barton as a hospital after the Civil War battles of Second Manassas and Chantilly. The church is listed in the National Register of Historic Places and is protected by a County Historic Overlay District.

Large portions of the Pohick Planning District have not been surveyed to determine the presence or absence of heritage resources. It is desirable that these areas be examined before they are developed and appropriate action taken to record, preserve and/or recover significant heritage resources.

There are several historic family cemeteries located within the Pohick Planning District. Development plans must provide for their preservation in accordance with State and County statutes and ordinances.

Department of Planning and Zoning
Planning Division
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Fairfax, Virginia 22035-5509
Phone 703-324-1380
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DEPARTMENT OF PLANNING & ZONING

Other heritage resources including those protected by Historic Overlay Districts, or listed in the National or Virginia Landmarks Register are also shown on Figure 4, and may be identified in the text and recommendations section.

The Fairfax County Inventory of Historic Sites, the Virginia Landmarks Register, the National Register of Historic Places, and Historic Overlay Districts promote the recognition of sites with historic, architectural and archaeological significance. Designation confers public recognition and can offer incentives for preservation to the property owner. . . . "

"Heritage Resources

Any development or ground disturbance in this sector, both on private and public land, should be preceded by heritage resource studies, and alternatives should be explored for the avoidance, preservation or recovery of significant heritage resources that are found. In those areas where significant heritage resources have been recorded, an effort should be made to preserve them. If preservation is not feasible, then, in accordance with countywide objectives and policies as cited in the Heritage Resources section of the Policy Plan, the threatened resource should be thoroughly recorded and in the case of archaeological resources, the artifacts recovered.

Policy Plan: Fairfax County Comprehensive Plan, 2007 Edition, Policy Plan, Amended through 1-10-2005, Public Facilities, page 38:

"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."

Finding: The 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. There are no properties in the immediate vicinity of the parcel which is the subject of this application that are within the boundaries of a Fairfax County Historic Overlay District, listed on the Fairfax County Inventory of Historic Sites or the National Register of Historic Places or documented in the historic structures survey file that would be negatively impacted by the installation of the monopole and equipment compound. The Belle Aire School was located in the immediate vicinity at tax map parcel # 87-2 ((1)) 14A and listed on the County's Inventory of Historic Sites. The structure has been demolished and removed from the inventory listing. The site is now part of a residential subdivision.

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 prior to the Planning Commission public hearing. 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 prior to the Planning Commission public hearing.

Attachment E

County of Fairfax, Virginia

MEMORANDUM

DATE: July 17, 2010

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 2010-SP-003)

SUBJECT: Transportation Impact

REFERENCE: SE 2010-SP-003
Accotink Unitarian Universalist Church & AT&T Mobility
Traffic Zone: 1584
Land Identification Map: 87-2 ((1)) 26

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 August 11, 2008, and revised through February 26, 2010. The applicant wishes to install a 90-foot monopole designed as a flag pole with ability to accommodate up to 9 wireless panel antennas. Related ground equipment will be located within an 18-foot by 18-foot fenced compound.

This department does not object to the approval of this application.

AKR/LAH/lah

Fairfax County Department of Transportation
4050 Legato Road, Suite 400
Fairfax, VA 22033-2895
Phone: (703) 877-5600 TTY: 711
Fax: (703) 877 5723
www.fairfaxcounty.gov/fcdot

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COMMONWEALTH of VIRGINIA

DEPARTMENT OF TRANSPORTATION

GREGORY A. WHIRLEY
ACTING COMMISSIONER

14685 Avion Parkway
Chantilly, VA 20151
(703) 383-VDOT (8368)

April 22, 2010

To: Ms. Regina Coyle
Director, Zoning Evaluation Division

From: Alex Faghri
Virginia Department of Transportation – Land Development Section
703-383-2058

Subject: Accotink Unitarian Church & New Cingular Wireless
Fairfax County Plan No.: SE 10-SP-003

All submittals subsequent to the first submittal shall provide a response letter to the previous VDOT comments. Submittals without comment response letters are considered incomplete and will be returned without review.

Dear Ms. Coyle,

I have reviewed the referenced plan and have no objection to the approval. If you have any questions, please contact me at (703) 383-2058.

Sincerely,

Alex Faghri
Senior Transportation Engineer

Cc: Ms. D.A. Purvis

County of Fairfax, Virginia

MEMORANDUM

June 15, 2010

TO: Chris Demanche, Staff Coordinator
Zoning Evaluation Division, DPZ

FROM: Hugh Whitehead, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Accotink Unitarian Universalist Church - ATT Mobility, SE 2010-SP-003

I have reviewed the above referenced Special Exception, stamped as received by the Zoning Evaluation Division on March 28, 2010. The following comments are based on this review and a site visit conducted during review of the previous submission of this application.

1. **Comment:** The plan proposes five Eastern redcedar on the west side of the existing church building. To contribute to energy conservation, these trees should be large shade trees located 20-35 feet from the building.

   Recommendation: Require that the plan show trees proposed on the west side of the existing church building be large deciduous trees such as willow oak (*Quercus phellos*) or American beech (*Fagus americana*). Ensure that these trees are shown to be planted 20-35 feet from the west side of the building to be in a position to contribute to energy conservation.

2. **Comment:** Three Eastern redcedars are proposed along the southern boundary of the parking lot. These trees were requested to contribute to parking lot landscaping to shade the paved area. Eastern redcedar is a 30-40 foot tall tree with a relatively narrow crown spread and not an appropriate species for maximum shade.

   Recommendation: Require that large deciduous trees such as London planetree (*Platanus acerifolia*) of Ginkgo (*Ginkgo biloba*) be indicated at these sites to more effectively shade the paved surface of the parking lot.

3. **Comment:** All tree canopies (existing and proposed) are represented by symbols that are drawn too small to accurately show the existing or 10-year project crown spread of the species indicated.

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division
12055 Government Center Parkway, Suite 518
Fairfax, Virginia 22035-5503
Phone 703-324-1770, TTY: 703-324-1877, Fax: 703-803-7769
www.fairfaxcounty.gov/dpwes

Recommendation: Require that all symbols representing proposed and existing trees be drawn to scale to accurately reflect the 10-year projected crown spread of the species indicated.

If there are any questions, please contact me at (703)324-1770.

HCW/
UFMID #: 149023

cc: RA File
DPZ 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: 703-324-1877, Fax: 703-324-8359
www.fairfaxcounty.gov/dpwes

Attachment G

FAIRFAX COUNTY WATER AUTHORITY
8560 Arlington Boulevard, Fairfax, Virginia 22031
www.fairfaxwater.org

PLANNING & ENGINEERING DIVISION
Jamie Bain Hedges, P.E.
Director
(703) 289-6325
Fax (703) 289-6382

April 6, 2009

Mr. David B. Marshall
Chief Facilities Planning Branch
Fairfax County Department of Planning & Zoning
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035

Re: Application No. 2232-S08-20

Dear Mr. Marshall:

The following information is submitted in response to your request for comments on the above referenced application:

1. Please note that Fairfax Water has an existing 8-inch transmission main located on the site as shown on the attached map.

2. Any encroachments into the existing water main easement for construction of the monopole and its associated appurtenances will not be allowed without obtaining prior writing approval from Fairfax Water.

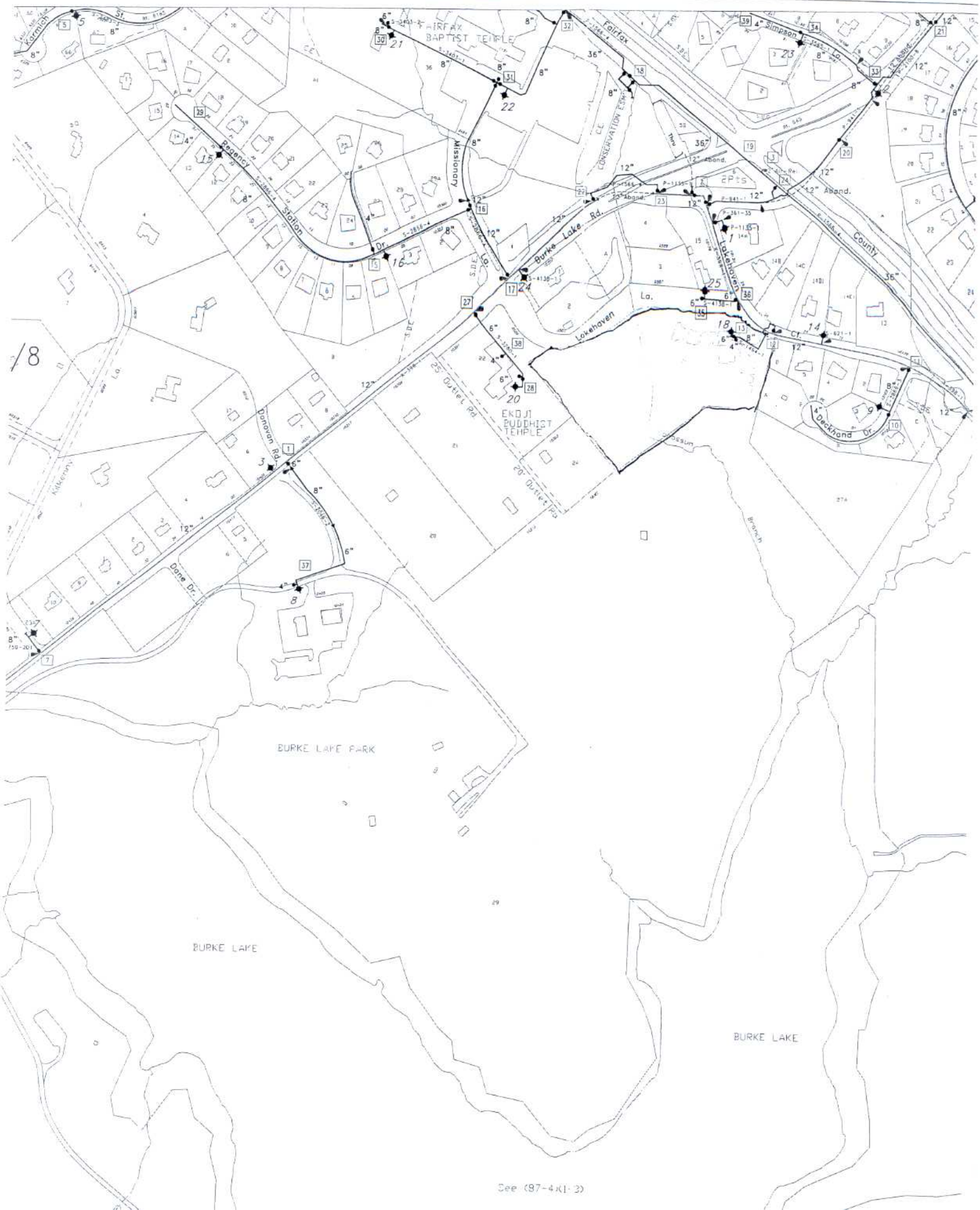
If you have any questions regarding this information please contact Dave Guerra at (703) 289-6343.

Sincerely,

Traci K. Goldberg

Traci K. Goldberg, P.E.
Manager, Planning Department

Enclosure


FAIRFAX BAPTIST TEMPLE
Fairfax
Simpson La.
Karmich St.
Regency Station Dr.
Missionary La.
Burke Lake Rd.
Lakehaven La.
Lakehaven Cr.
County
Deckhand Dr.
Donovan Rd.
Dane Dr.
Kilkenny La.
25' Outlet Rd.
20' Outlet Rd.
EKOJI BUDDHIST TEMPLE
CONSERVATION ESM'T
12" Aband.
2 Pts
BURKE LAKE PARK
BURKE LAKE
BURKE LAKE
See (87-4)(1-3)

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

DATE: April 19, 2010

SUBJECT: SE 2010-SP-003, New Singular Wireless
Tax Map Number: 87-2((1))0026

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: Chris Demanche

Copy: Cindy Walsh, Director, Resource Management Division
Chron Binder
File Copy

County of Fairfax, Virginia

MEMORANDUM

DATE: June 15, 2010

TO: Chris DeManche, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Sharad Regmi, Stormwater Engineer
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception Application #SE 2010-SP-003, Cingular at Accotink Unitarian Universalist Church, Plat dated May 28, 2010, LDS Project #8250-ZONA-001-2, Tax Map #87-2-01-0026, Springfield District

We have reviewed the subject application and offer the following stormwater management comments.

Chesapeake Bay Preservation Ordinance (CBPO)
A revised site-specific RPA delineation plan was submmited on June 4, 2010 and was approved on June , 14, 2010. The revised submission of the RPA plan adequately addresses the first submission comments and the proposed location of the work is outside the site specific RPA. Therefore, RPA exception is not required for this work if the limits of clearing and grading is maintained outside the site specific RPA.

If the new structures are outside of the RPA and the limits of disturbance continues to be fewer than 2500 square feet, no controls are required. No controls are located on the plat.

The area of disturbance must include the area required for construction access to the site (VESCH Chapter 3).

Floodplain
There is minor floodplain on the property. The construction is not proposed within the floodplain boundaries.

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

Downstream Drainage Complaints
There are no downstream drainage complaints on file.

Stormwater Detention
Detention is required, if not waived (PFM 6-0301.3). It appears that the applicant will pursue a waiver. A waiver is likely to be approved provided that adequate outfall exists.

Site Outfall
No outfall statement has been provided (ZO 9-011.2.J(2)(c)).

Please contact me at 703-324-1720 if you require additional information.

SR/tg

cc: Craig Carinci, Director, Stormwater Planning Division, DPWES
Jeremiah Stonefield, Chief, Stormwater & Geotechnical Section, ESRD, DPWES
Beth Forbes, Stormwater Engineer, Stormwater and Geotechnical Section, ESRD
Zoning Application File

County of Fairfax, Virginia

MEMORANDU

DATE: June 17, 2010

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. SE2010-SP-003

Tax Map No. 087-2-/01/ /0026

The proposed installation of monopole wireless facility has no impact on the sanitary sewer system. Please contact me at the number above if you have any questions.

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

County of Fairfax, Virginia

To protect and enrich the quality of life for the people, neighborhoods and diverse communities of Fairfax County

October 6, 2009

Rev. Scott Sammler-Michael
Accotink Unitarian Church
10125 Lakehaven Court
Burke, VA 22015

Subject: Parking Reduction for Accotink Unitarian Universalist Church and Spring-Mar Preschool; Parking Study #8250 PKS-002-1, Tax Map #087-2((1)) 0026 Special Permit # SP- 85-5-083-2; Mason District

Reference: Your letter dated May 17, 2009

Dear Rev. Sammler-Michael:

In response to the referenced letter, the associated parking study and the amended information submitted with your parking reduction request have been reviewed. The basis of your request is different hours of operation between the church and school. This request is hereby granted, pursuant to Paragraph 3, Section 11-106 of Chapter 112 (Zoning Ordinance) of the County Code, based on an analysis of the parking requirements for each use on the site and the submitted information, subject to the following conditions:

- A minimum of 51 parking spaces shall be provided on site.
- This approval letter shall be incorporated into all plan submissions to Fairfax County for church use and school use.
- The number of seats for the church and the number of individuals enrolled in the weekday activities must not exceed the approved limit set by the Board of Zoning Appeals in accordance with Special Permit LSP 85-5-083-2.

If you have any questions regarding this matter, please contact Richard B. Hays at 703-324-1752.

Sincerely,

John A. Friedman

John A. Friedman, P.E.
Director

cc: Diane Johnson-Quinn, Deputy Zoning Administrator, Department of Planning and Zoning
Richard B. Hayes, Engineer III, Code Analysis, DPWES

Department of Public Works and Environmental Services
Land Development Services, Code Analysis Division
12055 Government Center Parkway, Suite 608
Fairfax, VA 22035-5506
Phone: 703-324-1720 TTY: 711 Fax: 703-324-5365
www.fairfaxcounty.gov/dpwes

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 s 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 be 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 staggared 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
ADU	Affordable Dwelling Unit
ARB	Architectural Review Board
BMP	Best Management Practices
BOS	Board of Supervisors
BZA	Board of Zoning Appeals
COG	Council of Governments
CBC	Community Business Center
CDP	Conceptual Development Plan
CRD	Commercial Revitalization District
DOT	Department of Transportation
DP	Development Plan
DPWES	Department of Public Works and Environmental Services
DPZ	Department of Planning and Zoning
DU/AC	Dwelling Units Per Acre
EQC	Environmental Quality Corridor
FAR	Floor Area Ratio
FDP	Final Development Plan
GDP	Generalized Development Plan
GFA	Gross Floor Area
HC	Highway Corridor Overlay District
HCD	Housing and Community Development
LOS	Level of Service
Non-RUP	Non-Residential Use Permit
OSDS	Office of Site Development Services, DPWES
PCA	Proffered Condition Amendment
PD	Planning Division
PDC	Planned Development Commercial
PDH	Planned Development Housing
PFM	Public Facilities Manual
PRC	Planned Residential Community
RC	Residential-Conservation
RE	Residential Estate
RMA	Resource Management Area
RPA	Resource Protection Area
RUP	Residential Use Permit
RZ	Rezoning
SE	Special Exception
SEA	Special Exception Amendment
SP	Special Permit
TDM	Transportation Demand Management
TMA	Transportation Management Association
TSA	Transit Station Area
TSM	Transportation System Management
UP & DD	Utilities Planning and Design Division, DPWES
VC	Variance
VDOT	Virginia Dept. of Transportation
VPD	Vehicles Per Day
VPH	Vehicles per Hour
WMATA	Washington Metropolitan Area Transit Authority
WS	Water Supply Protection Overlay District
ZAD	Zoning Administration Division, DPZ
ZED	Zoning Evaluation Division, DPZ
ZPRB	Zoning Permit Review Branch