



APPLICATION ACCEPTED: August 4, 2009
PLANNING COMMISSION: July 20, 2011
BOARD OF SUPERVISORS: Not yet scheduled

County of Fairfax, Virginia

July 6, 2011

STAFF REPORT
SPECIAL EXCEPTION APPLICATION SE 2009-BR-020
(Concurrent w/2232-B08-7 and in association with SPA 79-A-075-03)

BRADDOCK DISTRICT

APPLICANT: Commonwealth Swim Club, Inc. and T-Mobile Northeast LLC ("T-Mobile")

ZONING DISTRICT: R-2

PARCEL(S): 69-3 ((5)) B

ACREAGE: 5.49 acres

PLAN MAP: Private Recreation

SE CATEGORY: Category 1: Mobile and Land based Telecommunication Facilities

PROPOSAL: **2232:** The Applicant is requesting a Planning Commission determination that the proposed telecommunication facility satisfies the criteria of location, character and extent pursuant to Sect. 15.2-2232 of the Code of Virginia.

Special Exception: The Applicant is requesting approval of a telecommunications facility (120 foot tall tree-style monopole) at the Commonwealth Swim Club.

Miriam Bader

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/

Excellence * Innovation * Stewardship
Integrity * Teamwork * Public Service



STAFF RECOMMENDATIONS:

Staff recommends that the Planning Commission find that the proposed telecommunications facility submitted pursuant to application 2232-B08-7 by Commonwealth Swim Club, Inc. and T-Mobile Northeast, LLC to construct a 120-foot tall tree monopole and the associated antennas, equipment cabinets, equipment compound and site improvements located at 9800 Commonwealth Blvd., 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 2009-BR-020, subject to the proposed development conditions contained in Appendix 1 of this report.

Staff recommends reaffirmation of a previously approved modification of the transitional screening and barrier requirements to allow the existing vegetation to remain and in favor of the supplemental plantings depicted on the SE/SP 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.

O:\mbader\SE\Commonwealth Swim Club SE 2009-BR-020 SPA 79 075\Reports\Cover-Commonwealth Report Cover- SE 2009-BR-020.doc



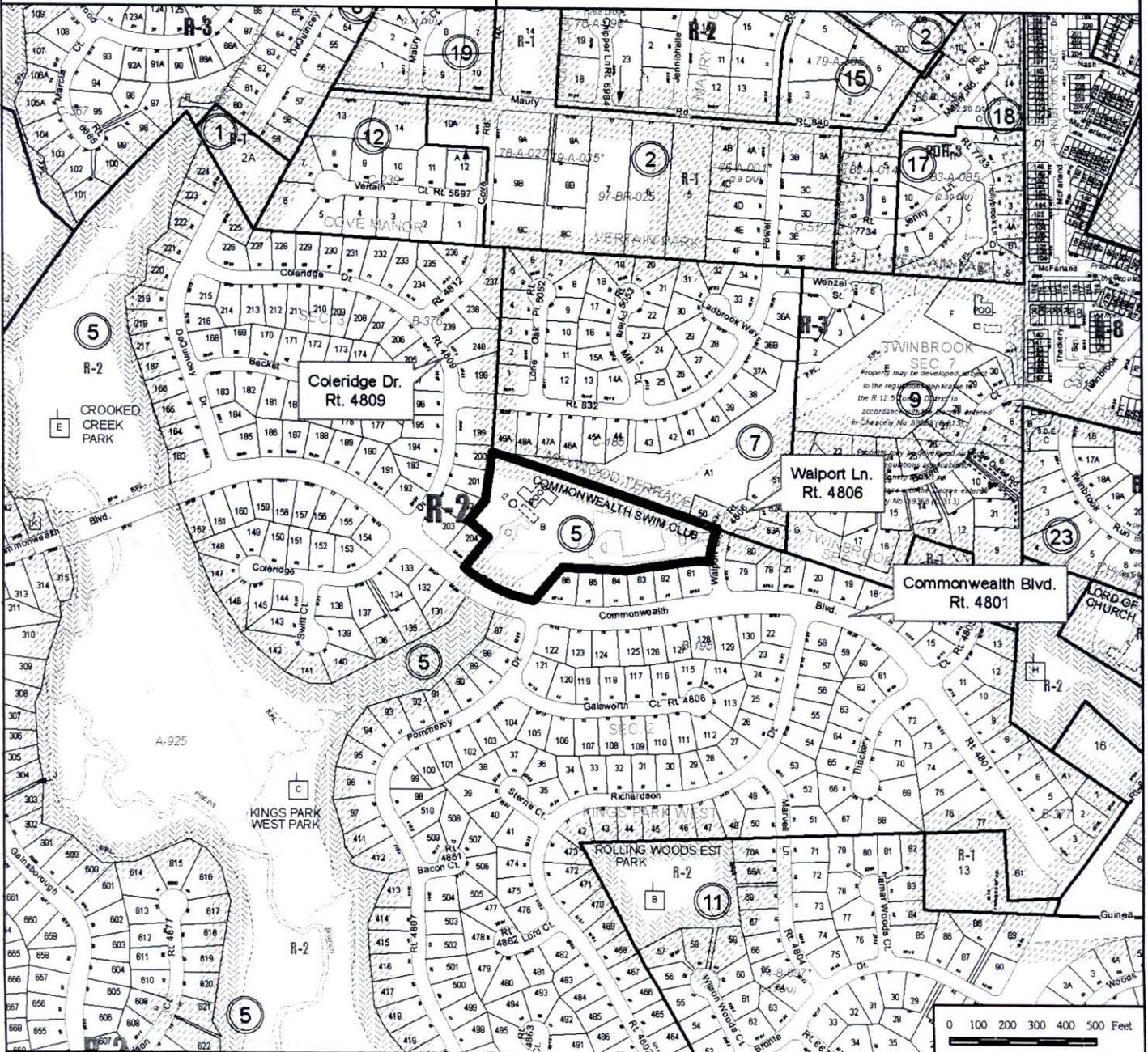
Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Exception

SE 2009-BR-020



Applicant: T-MOBILE NORTHEAST LLC & COMMONWEALTH SWIM CLUB, INC.
Accepted: 08/04/2009
Proposed: TELECOMMUNICATIONS FACILITY
Area: 5.49 AC OF LAND; DISTRICT - BRADDOCK
Zoning Dist Sect: 03-0204
Art 9 Group and Use: 1-08
Located: 9800 COMMONWEALTH BOULEVARD
Zoning: R- 2
Plan Area: 3,
Overlay Dist:
Map Ref Num: 069-3- /05/ / B





APPLICATION ACCEPTED: August 4, 2009
BOARD OF ZONING APPEALS: August 3, 2011
(Moved at Applicant's Request)
TIME: 9:00 a.m.

County of Fairfax, Virginia

July 6, 2011

STAFF REPORT
SPECIAL PERMIT APPLICATION SPA 79-A-075-03
(in association with SE 2009-BR-020)

BRADDOCK DISTRICT

APPLICANT/OWNER: Commonwealth Swim Club, Inc. and T-Mobile Northeast LLC ("T-Mobile")

STREET ADDRESS: 9800 Commonwealth Blvd.

TAX MAP REFERENCE: 69-3 ((5)) B

LOT SIZE: 5.49 acres

F.A.R.: 0.033

ZONING DISTRICT: R-2

ZONING ORDINANCE PROVISIONS: 8-401

PLAN MAP: Private Recreation

SPECIAL PERMIT PROPOSAL: Amend previously approved special permit for a community swimming pool and tennis courts to permit the addition of a telecommunication facility.

STAFF RECOMMENDATION:

Staff recommends approval of SPA 79-A-075-03, subject to the proposed development conditions contained in Appendix 2.

Miriam Bader

It should be noted that it is not the intent of staff to recommend that the Board of Zoning Appeals, 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 Zoning Appeals. A copy of the BZA's Resolution setting forth this decision will be mailed within five days after the decision becomes final.

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

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

O:\mbader\SE\Commonwealth Swim Club SE 2009-BR-020 SPA 79 075\Reports\Cover-Commonwealth Report Cover- SP 79-A-075-03.doc

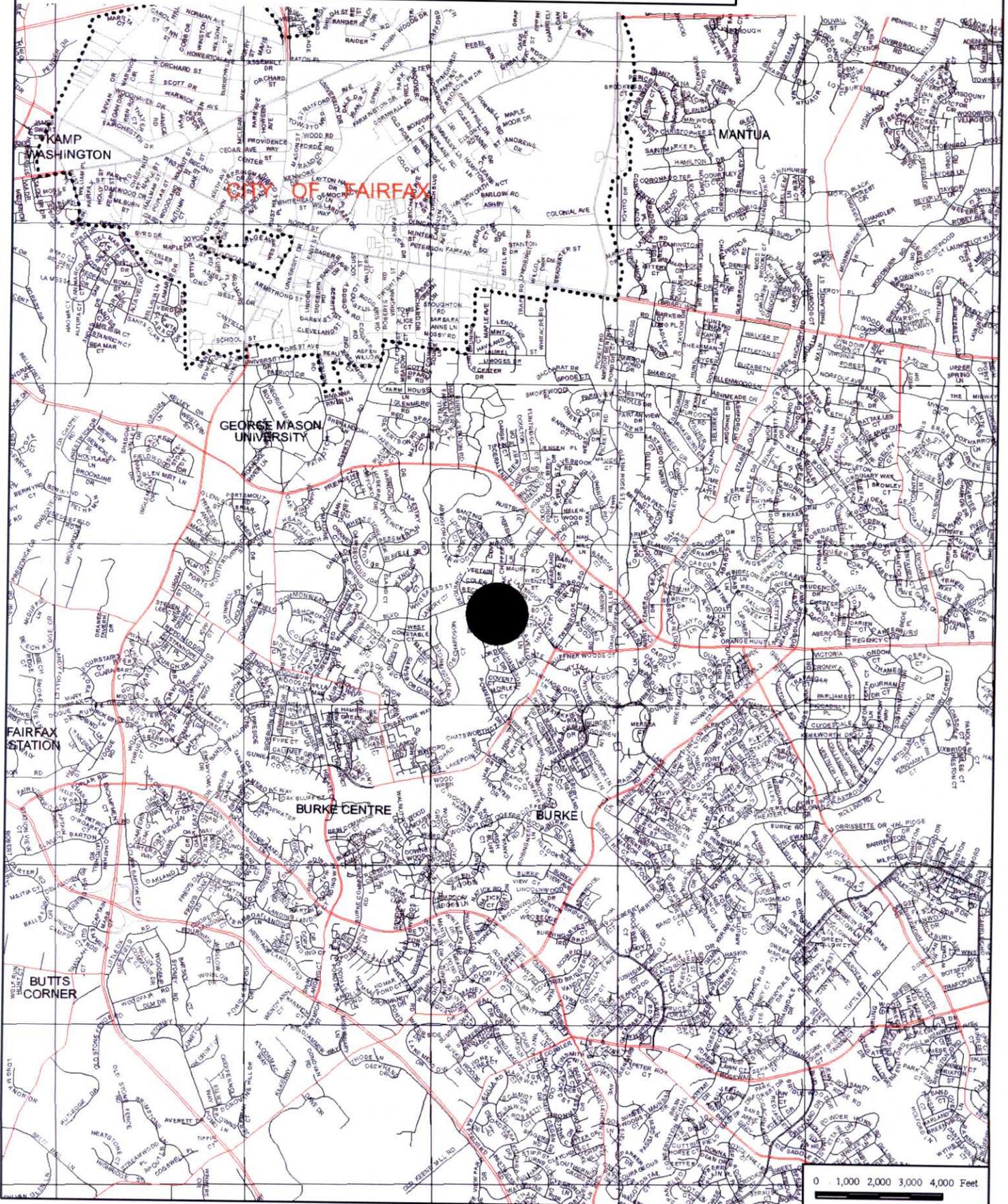


Americans with Disabilities Act (ADA): Reasonable accommodation is available upon 7 days advance notice. For additional information on ADA call (703) 324-1334 or TTY 711 (Virginia Relay Center).

Special Permit Amendment

SPA 79-A-075-03

T-MOBILE NORTHEAST LLC &
COMMONWEALTH SWIM CLUB, INC.

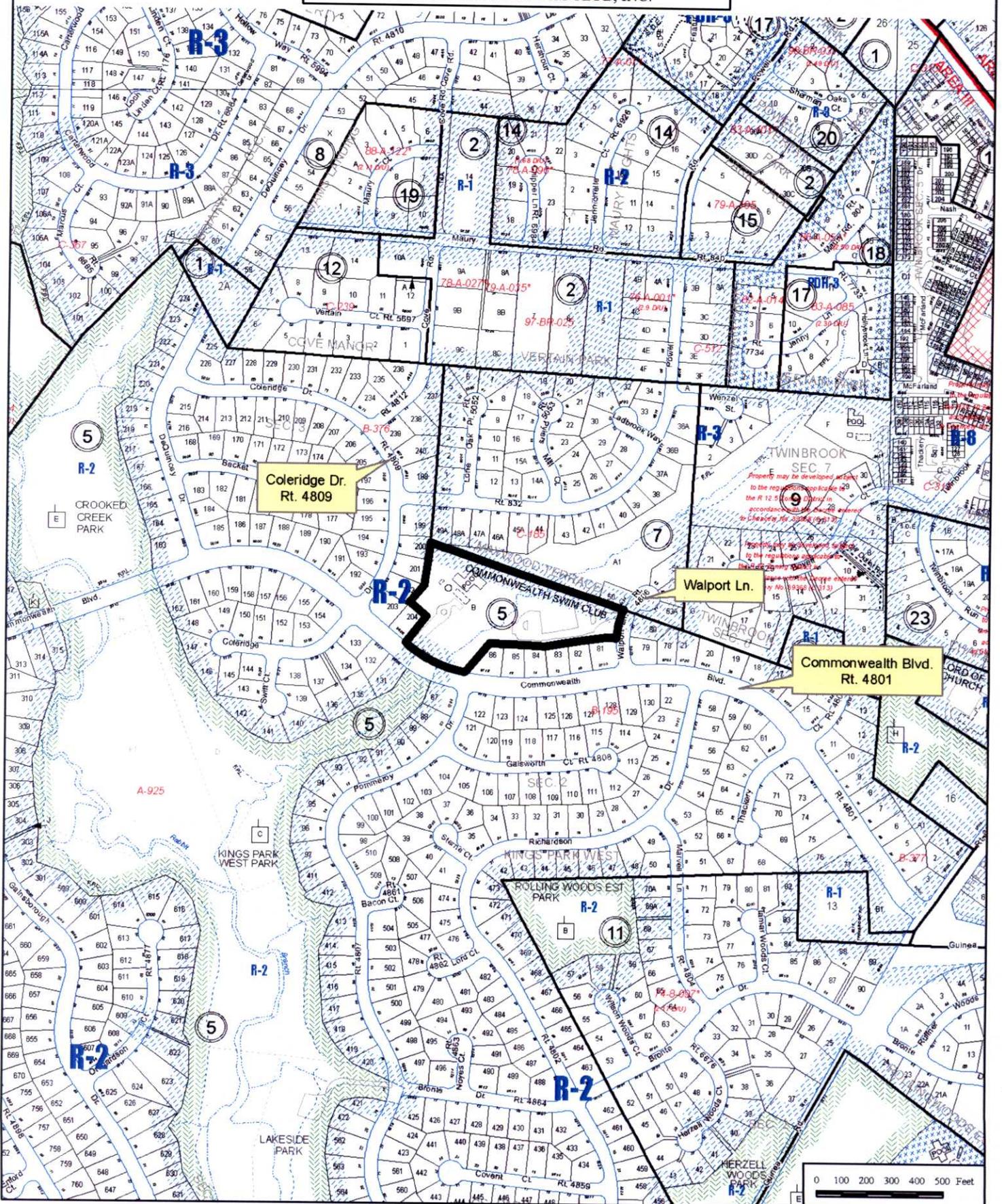


0 1,000 2,000 3,000 4,000 Feet

Special Permit Amendment

SPA 79-A-075-03

T-MOBILE NORTHEAST LLC &
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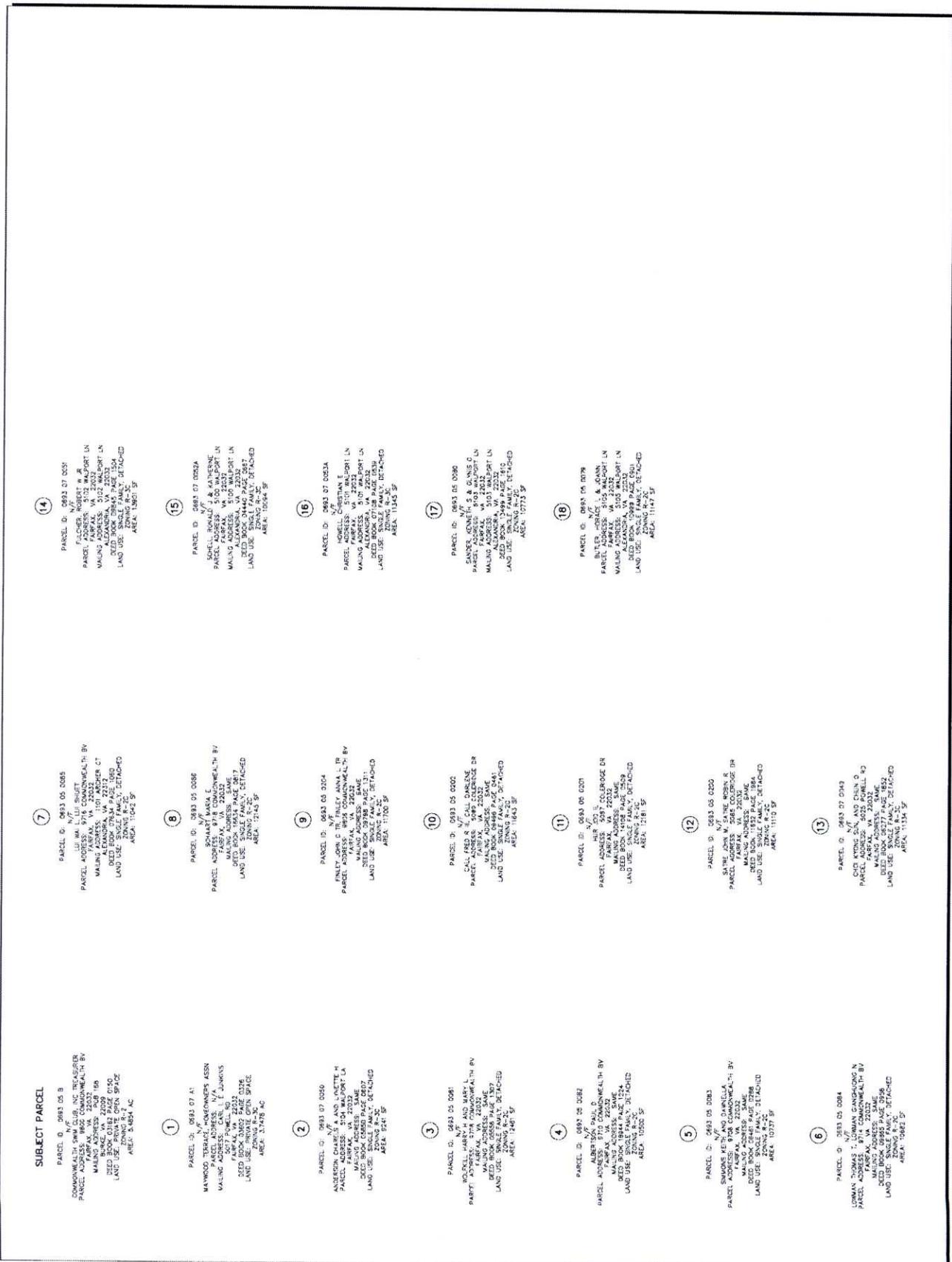
entrex
 COMMUNICATIONS SERVICES, INC.
 6600 Rockledge Drive, Suite 500
 Bethesda, MD 20817
 Phone: (301)948-0990
 Fax: (301)948-0981

DATE	DESCRIPTION	REV
08-18-07	ISSUE REVISION	1
11-13-07	ZONING	2
11-14-08	COUNTY COMMENTS	3
01-12-09	BY: CARRER & BOYD	4
08-12-09	COUNTY COMMENTS	5
08-14-09	BY: R. S. SUSTONE	6
08-14-09	BY: R. S. SUSTONE	7
08-14-09	BY: R. S. SUSTONE	8
08-14-09	BY: R. S. SUSTONE	9
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08-14-09	BY: R. S. SUSTONE	12
08-14-09	BY: R. S. SUSTONE	13
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08-14-09	BY: R. S. SUSTONE	98
08-14-09	BY: R. S. SUSTONE	99
08-14-09	BY: R. S. SUSTONE	100



T-MOBILE NORTHEAST LLC
 12039 BALTIMORE AVENUE
 BELTSVILLE MD 20705
 PHONE: (410) 284-6600

PROJECT NO: 10-2-160
 DESIGNER: R. S.
 ENGINEER: C. S.
 SCALE: 1/4" = 1'-0"
 GRAPHIC SCALE IN FEET
WAC247A
COMMONWEALTH
SWIM CLUB
9800 COMMONWEALTH
BOULEVARD
FAIRFAX, VA 22032
 TITLE:
ADJOINERS
LIST
 SHEET NUMBER: **Z-1A**



SUBJECT PARCEL

PARCEL ID: 0683 05 B
 N/T
 COMMONWEALTH SWIM CLUB
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 22029 PAGE 1450
 LAND USE: PRIVATE OPEN SPACE
 ZONING: R-3C
 AREA: 3.824 AC

1

PARCEL ID: 0683 07 A1
 N/T
 MANNING TERRAN
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 22029 PAGE 1450
 LAND USE: PRIVATE OPEN SPACE
 ZONING: R-3C
 AREA: 3.824 AC

2

PARCEL ID: 0683 07 0260
 N/T
 ANNEBERG CARLE
 PARCEL ADDRESS: 3141 BALFOUR LN
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: RESIDENTIAL
 ZONING: R-3C
 AREA: 0.247 SF

3

PARCEL ID: 0683 05 0081
 N/T
 HOELLER MARIE
 PARCEL ADDRESS: 3778 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0598 PAGE 0807
 LAND USE: RESIDENTIAL
 ZONING: R-3C
 AREA: 1.481 SF

4

PARCEL ID: 0683 05 0082
 N/T
 ALBERTIN PAUL D
 PARCEL ADDRESS: 3778 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0598 PAGE 0807
 LAND USE: RESIDENTIAL
 ZONING: R-3C
 AREA: 1.030 SF

5

PARCEL ID: 0683 05 0083
 N/T
 SHIMOKI KEIICHI
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: PRIVATE OPEN SPACE
 ZONING: R-3C
 AREA: 1.037 SF

6

PARCEL ID: 0683 05 0084
 N/T
 LOMAN THOMAS T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: PRIVATE OPEN SPACE
 ZONING: R-3C
 AREA: 1.032 SF

7

PARCEL ID: 0683 05 0085
 N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.032 SF

8

PARCEL ID: 0683 05 0086
 N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.745 SF

9

PARCEL ID: 0683 05 0084
 N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.700 SF

10

PARCEL ID: 0683 05 0080
 N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.643 SF

11

PARCEL ID: 0683 05 0201
 N/T
 PARCEL ADDRESS: 2017 COLEBROOK DR
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 1418 PAGE 2539
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.218 SF

12

PARCEL ID: 0683 05 0202
 N/T
 PARCEL ADDRESS: 2017 COLEBROOK DR
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 1418 PAGE 2539
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.110 SF

13

PARCEL ID: 0683 07 0043
 N/T
 PARCEL ADDRESS: 2018 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0677 PAGE 1632
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.134 SF

14

PARCEL ID: 0683 07 0057
 N/T
 PARCEL ADDRESS: 2018 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.061 SF

15

PARCEL ID: 0683 07 0058
 N/T
 PARCEL ADDRESS: 2018 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.064 SF

16

PARCEL ID: 0683 07 0059
 N/T
 PARCEL ADDRESS: 2018 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.145 SF

17

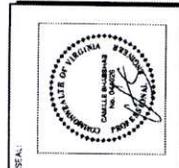
PARCEL ID: 0683 05 0089
 N/T
 PARCEL ADDRESS: 2018 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.071 SF

18

PARCEL ID: 0683 05 0079
 N/T
 PARCEL ADDRESS: 2018 COMMONWEALTH BV
 FAIRFAX, VA 22032
 MAKING ADDRESS: 2018 160
 DEED BOOK: 0680 PAGE 0817
 LAND USE: SINGLE FAMILY DETACHED
 ZONING: R-3C
 AREA: 1.119 SF

entrex
 COMMERCIAL SERVICES, INC.
 6600 Rockledge Drive, Suite 506
 Bethesda, MD 20817
 Phone: (301) 268-6960
 Fax: (301) 268-6961

DATE	DESCRIPTION	BY
08-18-07	ISSUES REVIEW	A
11-13-07	ISSUES	0
11-16-08	ISSUES COMMENTS	1
09-22-09	ISSUES COMMENTS	2
09-22-09	ISSUES COMMENTS	3
10-15-09	ISSUES COMMENTS	4
10-15-09	ISSUES COMMENTS	5
10-15-09	ISSUES COMMENTS	6
10-15-09	ISSUES COMMENTS	7
10-15-09	ISSUES COMMENTS	8

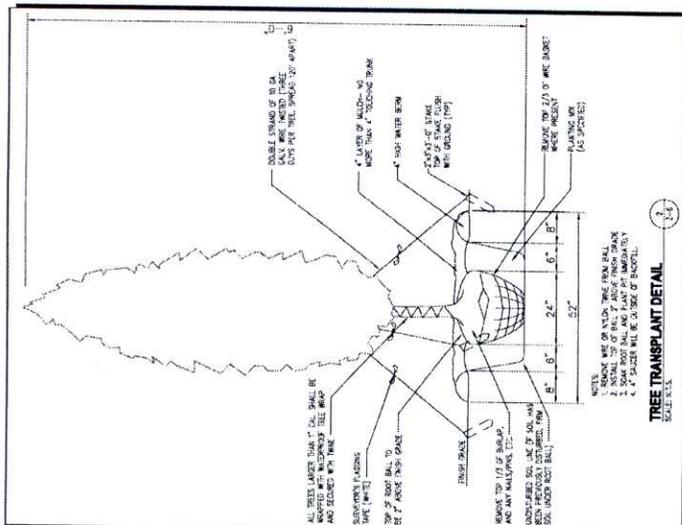


T-MOBILE NORTHEAST LLC
 19209 BALTIMORE AVENUE
 BELTSVILLE, MD 20705
 PHONE: (410) 384-4800

PROJECT NO: 1042462
 DESIGNER: J.C.S.
 ENGINEER: C.S.
 SCALE:
 GRAPHIC SCALE IN INCHES

**WAC247A
 COMMONWEALTH
 SWIM CLUB
 9800 COMMONWEALTH
 BOULEVARD
 FAIRFAX, VA 22032**

TITLE:
**LANDSCAPING
 PLAN**
 SHEET NUMBER:
Z-6

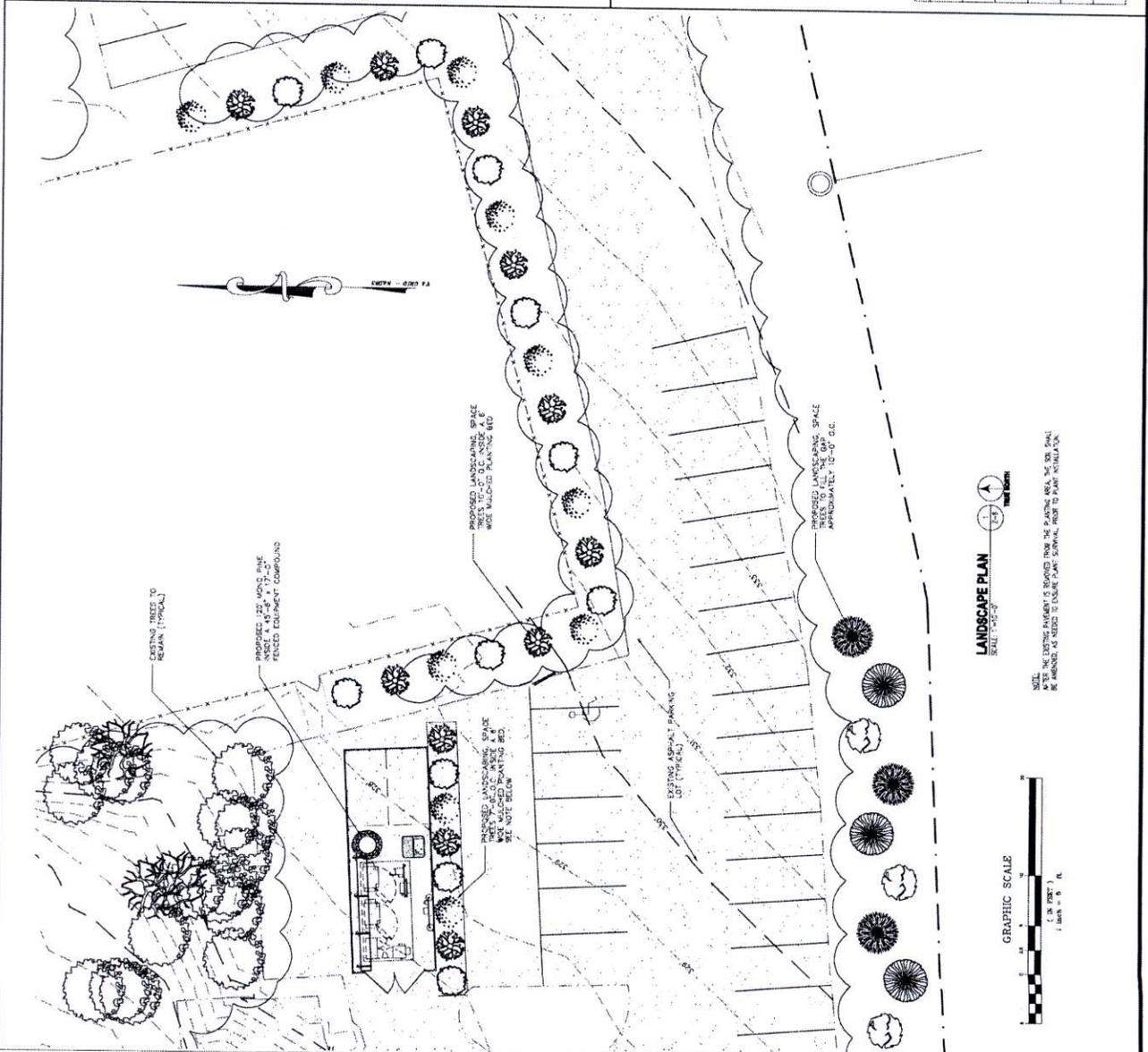


GENERAL PLANTING NOTES:

1. ALL PLANTS SHALL BE HEALTHY ACCORDING TO THE TREE CODE AND SPECIFICATIONS.
2. ALL PLANTS SHALL BE CONTAINER-GROWN OR Balled and Burlapped.
3. ALL TREES SHALL BE STRAIGHT TRUNKED FULL HEADED.
4. BRANCHES SHALL BE WELL DEVELOPED AND WELL SPACED.
5. DURING AND AFTER INSTALLATION, BRANCHES OF THE CRANE'S REPRESENTATIVE BEING.
6. ALL PLANTS AND PLANTING MEDIA SHALL BE COMPLETELY MATURED.
7. PROPER CONSTRUCTION OF CONTAINERS SHALL BE RESPONSIBLE FOR LOCATING ALL PLANTS TO THE CORRECT LOCATION AND DEPTH AS SPECIFIED ON THE DRAWINGS.
8. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY SUPPLIES FOR THE WORK.
9. NOT LATER THAN 14 DAYS BEFORE THE START DATE OF THE WORK, THE CONTRACTOR SHALL SUBMIT TO THE OWNER A DETAILED LIST OF ALL PLANTS TO BE PLANTED, INCLUDING SPECIFICATIONS, CULTIVATION, AND PLANTING MEDIA AND JUNKS.
10. MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE TREE CODE.
11. AFTER BEING PLANTED, THE UNBURNED SAMPLES OF TREES IN LEAF SHALL BE ACCURATELY TAGGED AND IDENTIFIED TO THE CONTRACTOR'S RECORDS.
12. ANY PLANTS DAMAGED BY THE CONTRACTOR OR BY OTHERS SHALL BE REPLACED WITHIN 30 DAYS OF THE DATE OF DAMAGE.
13. BRANCHES SHALL BE TRIMMED TO THE CORRECT HEIGHT AND SPACING AS SPECIFIED ON THE DRAWINGS.
14. CONSTRUCTION TO WATER AND MAINTAIN TREES FOR 1 YEAR.

PLANT LIST

SYMBOL	QTY.	COMMON NAME	SIZE/REMARKS	NATURE HEIGHT
	11	GASTON HEDICHA	HEALTHY STRAIGHT TRUNK, WELL BRANCHED SEE DETAIL 277-4 6' PLANTING HEIGHT AT PLANTING	30'
	11	AMERICAN BIRCH	HEALTHY STRAIGHT TRUNK, WELL BRANCHED SEE DETAIL 277-4 6' PLANTING HEIGHT AT PLANTING	30'
	10	FOREST HEMLOCK	HEALTHY STRAIGHT TRUNK, WELL BRANCHED SEE DETAIL 277-4 6' PLANTING HEIGHT AT PLANTING	30'
	3	SOUTHERN HEMLOCK	HEALTHY STRAIGHT TRUNK, WELL BRANCHED SEE DETAIL 277-4 6' PLANTING HEIGHT AT PLANTING	30'
	3	WHITE PINE	HEALTHY STRAIGHT TRUNK, WELL BRANCHED SEE DETAIL 277-4 6' PLANTING HEIGHT AT PLANTING	30'
	3	WYOMING PINE	HEALTHY STRAIGHT TRUNK, WELL BRANCHED SEE DETAIL 277-4 6' PLANTING HEIGHT AT PLANTING	30'



LANDSCAPE PLAN
 SCALE: 1"=40'-0"

GRAPHIC SCALE
 (IN FEET)
 1 inch = 40 feet

NOTE: ALL TREES AND PLANTS TO BE PLANTED SHALL BE HEALTHY ACCORDING TO THE TREE CODE AND SPECIFICATIONS. BRANCHES SHALL BE WELL DEVELOPED AND WELL SPACED. DURING AND AFTER INSTALLATION, BRANCHES OF THE CRANE'S REPRESENTATIVE BEING. ALL PLANTS AND PLANTING MEDIA SHALL BE COMPLETELY MATURED. PROPER CONSTRUCTION OF CONTAINERS SHALL BE RESPONSIBLE FOR LOCATING ALL PLANTS TO THE CORRECT LOCATION AND DEPTH AS SPECIFIED ON THE DRAWINGS. THE CONTRACTOR IS RESPONSIBLE FOR PROVIDING ALL NECESSARY SUPPLIES FOR THE WORK. NOT LATER THAN 14 DAYS BEFORE THE START DATE OF THE WORK, THE CONTRACTOR SHALL SUBMIT TO THE OWNER A DETAILED LIST OF ALL PLANTS TO BE PLANTED, INCLUDING SPECIFICATIONS, CULTIVATION, AND PLANTING MEDIA AND JUNKS. MATERIALS SHALL BE INSTALLED IN ACCORDANCE WITH THE TREE CODE. AFTER BEING PLANTED, THE UNBURNED SAMPLES OF TREES IN LEAF SHALL BE ACCURATELY TAGGED AND IDENTIFIED TO THE CONTRACTOR'S RECORDS. ANY PLANTS DAMAGED BY THE CONTRACTOR OR BY OTHERS SHALL BE REPLACED WITHIN 30 DAYS OF THE DATE OF DAMAGE. BRANCHES SHALL BE TRIMMED TO THE CORRECT HEIGHT AND SPACING AS SPECIFIED ON THE DRAWINGS. CONSTRUCTION TO WATER AND MAINTAIN TREES FOR 1 YEAR.

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

DESCRIPTION OF THE APPLICATIONS

Proposal:

The applicants, Commonwealth Swim Club, Inc. and T-Mobile Northeast LLC ("T-Mobile") are requesting a special exception (SE 2009-BR-020) concurrent with 2232-B08-7 and associated with a special permit amendment (SPA 79-A-075-03) to allow for the installation of a wireless telecommunications facility, consisting of a 120-foot tall tree-style monopole and associated equipment at an existing swim and racquet club. The 2232 application, 2232-B08-7, has been filed concurrently to request a Planning Commission determination as to whether the proposed telecommunication facility satisfies the criteria of location, character and extent pursuant to Sect. 15.2-2232 and Sect. 15.2-2204 of the *Code of Virginia*, and, therefore, may be determined to be in substantial conformance with the Comprehensive Plan.

The special permit application has been filed to permit the addition of a telecommunications facility on the property of the existing swim club under SPA 79-A-075-02. The only changes proposed to the special permit are a reduction in the number of parking spaces and memberships and the updating of the condition relating to parties.

Requested Waivers and Modifications:

- Modification of the transitional screening and barrier requirements to allow the existing vegetation to remain and in favor of the supplemental plantings depicted on the SE/SP plat.

LOCATION AND CHARACTER

Site Description:

The 5.49 acre site is located at 9800 Commonwealth Blvd. on property owned and operated by the Commonwealth Swim and Racquet Club. The swim club is located in a single-family detached neighborhood. The site contains a bath house, two swimming pools (one is a small children's pool), two tennis courts, and related parking area with 72 spaces. Heavy, mature vegetation is interspersed throughout the site. A stream splits the site into an upper level that can be accessed off of Commonwealth Blvd. and a lower level which can be accessed off of Walport Lane. One can travel between the upper and lower level on foot along a trail, using stairs and crossing a wooden bridge. Vehicles cannot travel between the upper and lower areas. The pool is located on the upper lot while the tennis courts and the majority of the parking area are located on the lower lot.

Surrounding Area Description:

The chart below provides the land use, zoning and current plan for surrounding properties.

SURROUNDING AREA DESCRIPTION			
Direction	Use	Zoning	Plan
North	Single Family Detached Dwellings (Maywood Terrace subdivision)	R-3	Residential, 2-3 du/ac
South/Southwest	Single Family Detached Dwellings (Kings Park West subdivision)	R-2	Residential; 1-2 du/ac; Public Park (Crooked Creek Stream Valley Park-located southwest of site)
East	Single Family Detached Dwellings (Twinbrook subdivision, Kings Park West)	R-3, R-2	Residential; 2-3 du/ac (Twinbrook area), 1-2 du/ac (Kings Park West area)
West	Single Family Detached Dwellings (Kings Park West subdivision)	R-2	Residential; 1-2 du/ac

BACKGROUND

On October 8, 1968, the Board of Zoning Appeals (BZA) approved special permit S-958-68 to permit the erection and operation of a community recreation facility.

On June 5, 1979, the BZA approved special permit S-75-79 to allow the addition of two tennis courts with lights, reduce the required parking spaces from 117 to 80, and change the hours of operation for the tennis courts.

On November 27, 1979, the BZA approved an amendment to special permit S-958-68 to revise the development condition regarding after hour parties.

On November 17, 1983, the BZA approved special permit SPA-79-S-075-1 to permit an increase in membership from 350 to 425 members.

On July 23, 1985, the BZA approved special permit SPA-79-A-075-2 to permit the addition of an existing metal shed, and rearrangement of parking spaces.

A copy of the approved special permit resolution and conditions associated with SPA 79-A-075-2 is attached as Appendix 7.

COMPREHENSIVE PLAN PROVISIONS (Included in Appendix 8)

Plan Area: Area III
Planning District: Pohick Planning District
Planning Sector: Main Branch Community Planning Sector (P-2)
Plan Map: Private Recreation

Comprehensive Plan Language: No site specific text; relevant excerpts of the Plan may be found in Appendix 8.

ANALYSIS

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

Title of SE/SPA Plat: WAC247A Commonwealth Swim Club
Prepared By: Entrex Communication Services, Inc.
Original and Revision Dates: September 18, 2007 as revised through May 20, 2011.

The Special Exception/Special Permit Amendment Plat consists of eight sheets.

Description of Proposal

The design of this monopole is a 120-foot tall simulated evergreen tree. T-Mobile proposes installation of up to nine wireless telecommunication panel antennas at a centerline of 112 feet; and up to seven related ground equipment cabinets to be located on a 10' x 20' concrete pad within a 45'-6" x 17'-0" (773.5 sq. ft.) leased equipment area. The antennas measure approximately 6" X 2' x 1' or less. In addition, T-Mobile is proposing two future antenna platforms at centerlines of 92' and 102'. Each of these platforms may have up to twelve antennas on them, for a total of 24 future panel antennas. The total number of panel antennas will not exceed 33 (nine designated for T-Mobile at the top platform and a maximum of 24 future antennas at the other two platform locations). All proposed panel antennas will be hidden within the "tree branches."

The wireless telecommunication tree monopole and equipment compound will be located in the northwest portion of the site's existing lower parking lot, to the west of the existing tennis courts. The ground equipment will be located in the equipment compound surrounded by an eight foot high board on board fence. Access to the telecom facility will be from Walport Lane.

Land Use/2232 Analysis (Appendix 8)

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

- Location

Plan guidelines support the location of telecommunication uses on an existing private recreation site in a predominately residential area when other, more suitable land uses, such as public property or commercial or industrial properties are not available and the telecommunications facility is located to blend with its surroundings. The applicant states that a number of other sites in the surrounding vicinity were evaluated as a possible alternative location. No available commercial or industrial properties were present in the vicinity of the area to be served. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines to consider public, commercial or industrial land as preferred locations.

The subject property includes existing tall trees around the site's perimeter except for within the parking area, pool and tennis facility. While the density of growth varies throughout the site, staff concludes that these existing trees will screen views of the facility from adjoining nearby residential land uses based on the balloon test evaluation. Furthermore, the applicant has proposed additional landscaping around the equipment compound and along the southern boundary as well as around the existing tennis courts to mitigate existing and future visual impacts of the proposed tree monopole and equipment compound upon the surrounding residential development.

The proposed facility will be central to service an existing void in the radio frequency transmission coverage area and will be designed to accommodate at least 3 telecommunications service providers, in accordance with Plan recommendations for collocation. The proposed telecommunications facility is located within a Resource Protection Area in a disturbed area (paved parking lot). The equipment compound and tree monopole were located away from the edge of the parking area to assure no encroachment into the nearby Environmental Quality Corridor and the undisturbed portion of the Resource Protection Area located immediately to the north of the parking area.

- Character

The proposed tree monopole will be designed to appear as an evergreen tree with brown bark limbs and branches with green pine needles. In combination with existing and proposed landscaping, this design should mitigate its visual impact and help the facility to blend with its surroundings.

The proposed tree monopole will be screened by the existing trees located on the subject property and supplemental tree landscaping along the southern boundary and around the existing tennis courts to the east of the equipment compound. At the base of the tree monopole, supplemental trees will be planted along the southern side of the

equipment compound. The combination of existing and proposed tree landscaping should further mitigate any visual impact of the tree monopole into the future.

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

- Extent

The 5.49-acre subject property is a wooded parcel where a swim club is located. The tree monopole and the equipment compound (approximately 45 feet 6 inches long by 17 feet wide (773.5 square feet in area) accounts for less than one percent of the total area of the subject property. The property's size permits substantial setbacks of the facility. Therefore, staff concludes that the proposed unmanned facility will not have an adverse impact on the use of the existing site or on the existing or possible future development of the surrounding area, in accordance with the Plan guidelines.

Transportation Analysis (Fairfax County Department of Transportation and Virginia Department of Transportation)

Urban Forestry Analysis (Department of Public Works and Environmental Services)

Stormwater Management Analysis (Department of Public Works and Environmental Services)

Fairfax County Park Authority

A review of this application by the agencies listed above raised some minor issues (see Appendix 8), but the applicant revised their submittal to address these issues. There are no outstanding issues; therefore, the aforementioned departments do not object to the approval of this application.

ZONING ORDINANCE PROVISIONS

The site is zoned R-2 (Residential). The proposed monopole is permitted as a Special Exception, Category 1-Light Public Utility Use and as such is exempt from the bulk requirements of the Zoning Ordinance. Other than the telecommunications facility, no changes are proposed to the site and all existing structures continue to satisfy the bulk requirements of the R-2 District.

Special Exception Requirements (Appendix 9)

General Special Exception Standards (Sect. 9-006)

These standards require that the proposed use be in harmony with the adopted Comprehensive Plan and the general purpose and intent of applicable zoning district regulations. Staff believes that these standards have been satisfied.

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

These standards state that a light public utility use is not subject to the bulk requirements of the R-2 Zoning District. This application satisfies the Standard for all Category 1 Uses set forth in Sect. 9-104 of the Zoning Ordinance, which requires that there be no other alternative site available within a commercial or industrial zoning district within 500 feet of the proposed location.

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, the applicant proposes to construct a 120-foot tall simulated evergreen tree monopole. All proposed panel antennas will be hidden within the "tree branches." In addition, an artificial brown bark will cover the bottom 25 feet of the "trunk" and branches will be installed with simulated evergreen needles. Therefore, staff believes 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. The applicant has not proposed any advertising or signs on the proposed tree 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 use of the telecommunication facility. Therefore, with the implementation of this development condition, staff believes that this standard has been satisfied.

Standard 3 requires any additions, changes or modifications to the monopole conform to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code, as proven through engineering and structural data. The applicant will be required to meet all building code requirements.

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

Standard 5 recommends that all antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are abandoned. Staff recommends a development condition that requires conformance with this standard; therefore, this standard has been satisfied.

Special Permit Requirements (Appendix 10)

General Special Permit Standards (Sect. 8-006)

Group 4 Standards (Sect. 8-403)

Staff has reviewed the above referenced standards and has determined that the proposal satisfies all applicable regulations. No changes are proposed related specifically to the Swim Club except for the provision of the telecom facility. All proposed site modifications relate to the proposed telecommunication facility which will be governed by the standards for Special Exceptions.

WAIVERS/MODIFICATIONS:

- The applicant is requesting modification of the transitional screening and barrier requirements to allow the existing vegetation to remain as approved under SPA 79-A-075-02 and in favor of the supplemental plantings depicted on the SE/SPA plat.

Existing on-site buffering and screening consists of:

Northern boundary: the tree buffer in the vicinity of the proposed monopole is 117 feet wide; Eastern boundary: the tree buffer north and south of the access lane from Walport Lane is 25-75 feet wide;

Southern boundary: the vegetative buffer along the southern boundary varies from 75 feet near Walport Lane to 25 feet near the stream valley to the west;

Western boundary: the tree buffer surrounding the stream valley is approximately 175 feet and the tree buffer along the western boundary ranges from 50 feet to 75 feet.

Transitional screening and barriers are required along all lot lines except in the location where the lot line is adjacent to parkland.

Staff has no objection to the modification of the screening and barrier requirements to allow the existing vegetation and barriers to remain provided the existing barriers and vegetation are maintained. In addition, the applicant is proposing to supplement the vegetation as shown in the SE/SP Plat, sheet Z-6, Landscaping Plan. A development condition has been written requesting that a formal landscape plan to be submitted as part of the site plan review process to be reviewed and approved by Urban Forestry.

Modification To Previously Approved Development Condition (SPA 79-A-075-02)

Based on the Zoning Ordinance standard for this use, 46 parking spaces are required (see table on sheet Z-1 for specific calculations); as a condition of the original approval, the BZA required 117 parking spaces. By a subsequent amendment (S-75-79), the

BZA reduced this number to 80. The applicant is providing 72 parking spaces on the SE/SP Plat: seven of these spaces are located on the upper lot; a handicapped accessible parking space is located next to the pool; and the remaining 64 parking spaces will be relocated to the main parking area (including two more handicapped accessible parking spaces). The applicant states in the justification statement that the current total swim club membership is 200, which is much less than the limit established through a special permit granted in 1983 (425 memberships). The applicant requests that the Board of Zoning Appeals grant a reduction to the number of parking spaces required from 80 to 70, based on the current membership number. The swim club, since its inception, has never reached the number of memberships established in the 1983 special permit; or does the swim club expect to realistically reach the number of family memberships specified in the special permit in the future. As stated previously, the applicant proposes to provide 72 parking spaces, including three handicapped accessible spaces, which is 26 parking spaces over what the Zoning Ordinance requires. Staff recommends that with the reduction of parking spaces, the family membership maximum also be dropped from 425 family members back to the original 350 family members. With this additional modification to the special permit development conditions, Staff has no objection to this request.

CONCLUSIONS AND RECOMMENDATIONS

Staff Conclusions

The addition of a tree monopole and compound on the site of a community swim club should not impact the site or neighboring properties negatively. The proposed monopole and compound will be located in an existing parking lot. Existing mature trees and proposed landscaping will help camouflage the monopole and the compound. The compound will be fenced and landscaped, and most of the existing vegetation on the site will be preserved.

Staff concludes that 2232-B08-7, for T-Mobile Northeast, LLC and Commonwealth Swim Club, Inc. to construct a 120-foot tall tree-style monopole, antennas, equipment cabinets and compound at an existing swim and racquet club, 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 staff's analysis and with the adoption of the proposed development conditions, both the proposed special exception application and special permit amendment application are determined to be in harmony with the Comprehensive Plan and in conformance with all applicable Zoning Ordinance provisions.

Staff Recommendations

Staff recommends that the Planning Commission find that the proposed telecommunications facility submitted pursuant to application 2232-B08-7 by Commonwealth Swim Club, Inc. and T-Mobile Northeast, LLC to construct a 120-foot tall tree monopole and the associated antennas, equipment cabinets, equipment compound and site improvements located at 9800 Commonwealth Blvd., 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 2009-BR-020, subject to the proposed development conditions contained in Appendix 1 of this report.

Staff recommends reaffirmation of a previously approved modification of the transitional screening and barrier requirements to allow the existing vegetation to remain and in favor of the supplemental plantings depicted on the SE/SP plat.

Staff recommends that the Board of Zoning Appeals approve SPA 79-A-075-03 subject to the development conditions contained in Appendix 2.

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/special permit 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 or the Board of Zoning Appeals.

APPENDICES

1. Proposed Development Conditions for SE 2009-BR-020
2. Proposed Development Conditions for SPA 79-A-075-03
3. Affidavit for SE 2009-BR-020
4. Affidavit for SPA 79-A-075-03
5. Statement of Justification for SE 2009-BR-020
6. Statement of Justification for SPA 79-A-075-03
7. Previous Approval (SPA 79-A-075-02)
8. Land Use Analysis/ 2232 Analysis including Attachments
 - 2232 Application (Attachment A)
 - Transportation Review (Attachment B)
 - Urban Forestry (Attachment C)
 - Environmental and Site Review Division (Attachment D)
 - Parks (Attachment E)
 - Historic Preservation (Attachment F)
9. Applicable Special Exception Zoning Ordinance Provisions
10. Applicable Special Permit Zoning Ordinance Provisions
11. Glossary of Terms

PROPOSED DEVELOPMENT CONDITIONS

SE 2009-BR-020

July 6, 2011

If it is the intent of the Board of Supervisors to approve SE 2009-BR-020 located at 9800 Commonwealth Blvd., Tax Map 69-3 ((5)) B, to permit the construction of a telecommunication facility (tree-style monopole) and associated equipment, staff recommends that the Board condition the approval by requiring conformance with the following development conditions which supersede all previous conditions for the subject property.

1. This Special Exception is granted for and runs with the land indicated in this application and Special Exception Plat and is not transferable to other land.
2. This Special Exception is granted only for the purpose, structures and uses indicated on the Special Exception Plat approved with this application, as qualified by these development conditions.
3. A copy of this Special Exception and the Non-Residential Use Permit SHALL BE POSTED at the pool house on the property and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. This Special Exception is subject to the provisions of Article 17. Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Exception shall be in substantial conformance with the approved Special Exception Plat entitled "Commonwealth Swim Club", prepared by Entrex Communication Services, Inc. consisting of eight sheets dated September 18, 2007, last amended May 20, 2011, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Sect. 9-004 of the Zoning Ordinance.
5. The tree-style monopole shall be in substantial conformance with the elevations in the SE Plat and shall be limited to a maximum height of 120 feet (inclusive of all appurtenances).
6. A formal landscape plan in substantial conformance with Sheet Z-6 shall be submitted as part of the site plan review process to be reviewed and approved by the Urban Forestry Management Division (UFMD) to ensure that adequate screening to adjacent residences is provided.
7. The pole of the monopole from the ground to a height of 25 feet should imitate natural tree bark as closely as possible in texture and color (brown). The antennas, mounts and exposed cables shall be painted to match the color of the proposed artificial green pine needles as indicated on the SE plat.

8. The monopole and all associated equipment shelters/cabinets shall be enclosed by an eight-foot high solid board-on-board fence as shown on the SE Plat. The telecommunications 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 seven and a half feet and shall be located within the 773.5 square foot fenced equipment compound as generally shown on the SE Plat. Equipment shelter/cabinets shall not be visible from outside the fence.
9. The number of antennas shall be limited to a total of 33, to be located on three elevations, as depicted on the SE plat. All antenna platforms and antennas shall be located within the branch structures of the tree-style monopole.
10. The tree-style monopole shall not be lighted or illuminated unless required by the Federal Aviation Administration (FAA), the Federal Communications Commission (FCC), or the County. A steady marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the State or local Police Department that such marker light is not necessary for the flight safety of police and emergency helicopters.
11. The project shall conform to National Electric and Safety Code Standards and the regulations of the Federal Communications Commission with respect to electromagnetic radiation.
12. The tree-style monopole and accessory facility may be subject to periodic inspections by DPWES. If any additions, changes or modifications are to be made to the monopole or its related facilities, the Director of DPWES shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change or modification conforms to all structural and all other requirements of the Virginia Uniform Statewide Building Code. In the event that the results of any monitoring indicate alterations or damage exists to the approved equipment or structures in excess of the extent deemed acceptable by applicable codes and standards, immediate action shall be taken as deemed necessary and as approved by DPWES and DIT, to comply with the applicable codes and agreements.
13. An approved RPA Delineation Study, Water Quality Impact Assessment, and Flood Plain Study shall be required to be approved by DPWES before site plan approval.
14. Space on the tree-style monopole and within the equipment compound shall be made available for lease for telecommunications purposes to other telecommunications operators, including but not limited to Fairfax County, subject to reasonable industry standard lease terms and fair market rent.
15. There shall be no storage of materials, equipment, or vehicles outside the telecommunications facility compound.
16. No signs shall be permitted on the subject property for the advertisement of the telecommunications facility or any other use. Only identification signs shall be permitted in accordance with Article 12 of the Zoning Ordinance.
17. Any component(s) of the telecommunications facility shall be removed within 120 days after such component(s) are no longer in use.

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, 30 months after the date of approval unless the use has been established or construction has commenced and been diligently prosecuted. The Board of Supervisors may grant additional time to establish the use or to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special exception. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

PROPOSED DEVELOPMENT CONDITIONS

SPA 79-A-075-03

July 6, 2011

If it is the intent of the Board of Zoning Appeals to approve SPA 79-A-075-03 located at 9800 Commonwealth Blvd. (Tax Map 069-3 ((5)) B), to amend S-75-79 previously approved for a community swim and tennis club, to permit the construction of a telecommunication facility (tree-style monopole) and associated equipment compound pursuant to Sect. 8-401 of the Fairfax County Zoning Ordinance, staff recommends that the BZA condition the approval by requiring conformance with the following development conditions. Conditions carried forward from the previous special permit are marked with an asterisk. Minor modifications to previous development conditions have been underlined.

1. This approval is granted to the applicant Commonwealth Swim Club, Inc. and T-Mobile Northeast, LLC only, and is not transferable without further action of this Board, and is for the location indicated on the application, 9800 Commonwealth Blvd., and is not transferable to other land.
2. This special permit amendment is granted only for the purpose(s), structure(s) and/or use(s) indicated on the special permit plat prepared by Entrex Communication Services, Inc., dated September 18, 2007, last amended May 20, 2011.
3. A copy of this special permit amendment 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(s).*
4. This special permit amendment is subject to the provisions of Article 17. Site Plans, as may be determined by the Director, Department of Public Works and Environmental Services (DPWES). Any plan submitted pursuant to this Special Permit shall be in substantial conformance with the approved Special Permit Plat entitled "Commonwealth Swim Club", prepared by Entrex Communication Services, Inc. consisting of eight sheets dated September 18, 2007, last amended May 20, 2011, and these conditions. Minor modifications to the approved Special Exception may be permitted pursuant to Paragraph 4 of Sect. 8-004 of the Zoning Ordinance.
5. Memberships shall be limited to a maximum of 350.*
6. Seventy parking spaces shall be provided on-site.*
7. The maximum daily hours of operation shall be as follows:
 - Swimming Pool – 9:00 am to 9:00 pm.
 - Tennis Courts – 7:00 am to 10:00 pm.
 - Basketball Courts – 7:00 am to 9:00 pm*

8. After-hour parties for the swimming pool and tennis courts facility shall be governed by the following:
 - o Limited to six per season.
 - o Limited to Friday, Saturday and pre-holiday evenings.
 - o Shall not extend beyond 12:00 midnight.*
9. The transitional screening and barrier requirements shall be modified provided the existing vegetation and barriers are retained and provided the supplemental landscaping is planted as depicted on the SE/SPA Plat. The size, type and number of plantings shall be subject to Urban Forest Management Division (UFMD) review and approval.
10. Light standards shall not exceed twelve feet in height and shall be located as close as possible to the edge of pavement of the driveway. All lighting shall be in conformance with Part 9 of Article 14 of the Zoning Ordinance.*

These development conditions incorporate and supersede all previous development conditions. The 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 Section 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, 30 months after the date of approval unless construction has commenced and been diligently pursued. The Board of Zoning Appeals may grant additional time to commence construction if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested and an explanation of why additional time is required.

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 31, 2011
 (enter date affidavit is notarized)

I, James R. Michal, Authorized Agent, 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 **105586 c**

in Application No.(s): SE 2009-BR-020
 (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)
• Commonwealth Swim Club, Inc.	9800 Commonwealth Blvd., Fairfax, VA 22032	Applicant/Title Owner/Lessor
Charles F. Hyland, Jr.	9800 Commonwealth Blvd., Fairfax, VA 22032	Former President/Agent
Robert Fisher	9800 Commonwealth Blvd., Fairfax, VA 22032	President/Agent
Daniel O. Joyce	9800 Commonwealth Blvd., Fairfax, VA 22032	Vice-President/Agent
• T-Mobile Northeast, LLC	12050 Baltimore Ave., Beltsville, MD 20705	Applicant/Tower Owner/Lessee
Amy Bird	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
Paul D. Ellington	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
Carmen K. Charalambous	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Former Agent for Lessee
• Network Building and Consulting, LLC	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
James R. Michal, Esq.	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee
Nelson Figueroa-Vélez	1120 20th St., NW Suite 300, Washington, DC 20036	Agent for Lessee
• Jackson & Campbell, PC	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(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) Commonwealth Swim Club, Inc.
9800 Commonwealth Blvd., Fairfax, VA 22032

NOT FOR PROFIT- DOES NOT APPLY

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

Special Exception Attachment to Par. 1(b)

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

T-Mobile USA, Inc.

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

T-Mobile Global Holding GmbH

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

Special Exception Attachment to Par. 1(b)

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

T-Mobile International AG

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

T-Mobile International AG
Kennedyallee 1-5, 53175 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Deutsche Telekom AG

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

Special Exception Attachment to Par. 1(b)

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Kreditanstalt fuer Wiederaufbau

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

GOVERNMENT OF GERMANY, THERE
ARE NO SHAREHOLDERS

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

Special Exception Attachment to Par. 1(b)

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Special Exception Attachment to Par. 1(b)

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(enter County-assigned application number (s))

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Network Building and Consulting Newco,
LLC

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Thomas P. Kane

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(enter County-assigned application number(s))

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

PARTNERSHIP INFORMATION

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

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

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

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

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

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

for Application No. (s): SE 2009-BR-020
(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.

SPECIAL EXCEPTION AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

105586c

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 Herry 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.

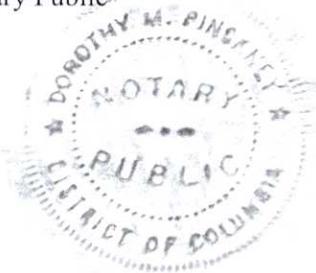
WITNESS the following signature:

(check one) [] Applicant [x] Applicant's Authorized Agent
James R. Michal, Authorized Agent
(type or print first name, middle initial, last name, and & title of signer)

Subscribed and sworn before me this 31 day of May 20 11, in the State/Comm. of District of Columbia, County/City of Washington

Dorothy M. Pingree
Notary Public

My commission expires: March 14, 2014



Application No.(s): SPA 79-A-075-03
 (county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 31, 2011
 (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 1052986

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

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

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

NAME (enter first name, middle initial, and last name)	ADDRESS (enter number, street, city, state, and zip code)	RELATIONSHIP(S) (enter applicable relationships listed in BOLD above)
• Commonwealth Swim Club, Inc.	9800 Commonwealth Blvd., Fairfax, VA 22032	Applicant/Title Owner/Lessor
Charles F. Hyland, Jr.	9800 Commonwealth Blvd., Fairfax, VA 22032	Former President/Agent
Robert Fisher	9800 Commonwealth Blvd., Fairfax, VA 22032	President/Agent
Daniel O. Joyce	9800 Commonwealth Blvd., Fairfax, VA 22032	Vice-President/Agent
• T-Mobile Northeast, LLC	12050 Baltimore Ave., Beltsville, MD 20705	Applicant/Tower Owner/Lessee
Amy Bird	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
Paul D. Ellington	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
Carmen K. Charalambous	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Former Agent for Lessee
• Network Building and Consulting, LLC	7380 Coca Cola Dr., Suite 106 Hanover, MD 21076	Agent for Lessee
James R. Michal, Esq.	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee
Nelson Figueroa-Vélez	1120 20th St., NW Suite 300, Washington, DC 20036	Agent for Lessee
• Jackson & Campbell, PC	1120 20th St., NW Suite 300, Washington, DC 20036	Attorney/Agent for Lessee

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

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

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

105298

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

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

CORPORATION INFORMATION

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Commonwealth Swim Club, Inc.
9800 Commonwealth Blvd., Fairfax, VA 22032

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

Page 1 of 5

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

DATE: May 31, 2011
(enter date affidavit is notarized)

1052986

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

T-Mobile USA, Inc.

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

T-Mobile Global Holding GmbH

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

Page 2 of 5

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

DATE: May 31, 2011
(enter date affidavit is notarized)

1052984

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

T-Mobile International AG

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

T-Mobile International AG
Kennedyallee 1-5,
53175 Bonn, Germany

DESCRIPTION OF CORPORATION: (check one statement)

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

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

Deutsche Telekom AG

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

Page 3 of 5

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

DATE: May 31, 2011
(enter date affidavit is notarized)

1052986

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Kreditanstalt fuer Wiederaufbau

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

NOT APPLICABLE: GOVERNMENT OF
GERMANY. NO SHAREHOLDERS

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

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

DATE: May 31, 2011
(enter date affidavit is notarized)

1052986

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

Kreditanstalt fuer Wiederaufbau
Palmengartenstrasse 5-9
60325 Frankfurt am Main

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

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

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

DESCRIPTION OF CORPORATION: (check one statement)

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

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

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

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

DATE: May 31, 2011
(enter date affidavit is notarized)

1052980

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Network Building and Consulting, LLC
7380 Coca Cola Dr., Suite 106
Hanover, MD 21076

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Network Building and Consulting Newco,
LLC

NAME & ADDRESS OF CORPORATION: (enter complete name, number, street, city, state, and zip code)
Network Building and Consulting Newco, LLC
7380 Coca Cola Dr., Suite 106
Hanover, MD 21076

DESCRIPTION OF CORPORATION: (check one statement)
 There are 10 or less shareholders, and all of the shareholders are listed below.
 There are more than 10 shareholders, and all of the shareholders owning 10% or more of any class of stock issued by said corporation are listed below.
 There are more than 10 shareholders, but no shareholder owns 10% or more of any class of stock issued by said corporation, and no shareholders are listed below.

NAMES OF THE SHAREHOLDERS: (enter first name, middle initial, and last name)
Thomas P. Kane

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

Application No.(s): SPA-79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

1052980

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

PARTNERSHIP INFORMATION

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

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

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

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

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

Page Four

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

1052986

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

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

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

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

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

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

Application No.(s): SPA 79-A-075-03
(county-assigned application number(s), to be entered by County Staff)

SPECIAL PERMIT/VARIANCE AFFIDAVIT

DATE: May 31, 2011
(enter date affidavit is notarized)

1052986

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

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

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

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

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

WITNESS the following signature:

(check one) Applicant Applicant's Authorized Agent
James R. Michal
(type or print first name, middle initial, last name, and title of signee)

Subscribed and sworn to before me this 31 day of May, 2011, in the State/Comm. of District of Columbia, County/City of Washington.

Dorothy M. Pincney
Notary Public

My commission expires: March 14, 2014



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

Applicant(s): T-Mobile Northeast, LLC and Commonwealth
Swim Club, Inc.
Site Name: WAC247A - Commonwealth
Property Address: 9800 Commonwealth Boulevard, Fairfax, VA
22032
(Fairfax County)
District: Braddock
Parcel Id No.: 0693-05 B
Zoning Classification: R-2
Property Owner: Commonwealth Swim Club, Inc.

Applicants, Commonwealth Swim Club, Inc. ("Owner") and T-Mobile Northeast, LLC (T-Mobile), together known as "Applicants" request a Special Exception to allow the construction and operation of a wireless telecommunication facility consisting of a 120' high monopole, including a 5' high tree canopy, designed as "tree pole" ("Pole") install thereupon up to twelve panel antennas and, related ground equipment to be located within a 45'-6" x 17'-0" leased area. The Pole and the ground equipment will be surrounded by a 8' board on board fence. The Pole will be able to collocate up to 33 wireless panel antennas that will be hidden within the branches of the Pole.

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

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

CURRENT IMPROVEMENTS ON AND DESCRIPTION OF SUBJECT PROPERTY

The subject property is composed of approximately 5.4854 acres and is zoned R-2. It adjoins properties also zoned R-2.

RECEIVED
Department of Planning & Zoning
MAY 10 2011
Zoning Evaluation Division

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

The subject property is improved with a building, two swimming pools, two tennis courts, basketball courts and related parking spaces. Access to the property is via an access drive off of Walport LN, which is connected to the existing parking lot on the property. A copy of site drawings/plat is attached hereto. Photographs of the Property, attached hereto provide further information about the Property. Finally, a copy of a recent County Zoning Map is enclosed herein and depicts the location of the subject property and neighborhood. The facilities hours are as follow, per Special Permit S-75-79:

Swimming pool 9:00 am to 9:00pm
Tennis Courts 7:00am to 10:00pm
Basketball Courts 7:00am to 9:00pm

After hour parties are limited to six per season
Limited to Friday, Saturday and pre-holiday seasons
Not extend beyond 12:00 am
All requests for parties shall be done with 10 days of anticipation
Only one request at a time.

The current membership (200) of the Swim Club is less than limit established by the existing Special Permit, 425 family membership.

DESCRIPTION OF THE PROPOSED TELECOMMUNICATIONS SITE

Applicant requests a Special Exception for the installation of a 120' high monopole, including a 5' high tree canopy, designed as a tree pole on the subject property and location of related ground equipment on a near the base of the monopole ("Site"). The monopole will be situated at a considerable distance from the existing structures on the property. The monopole will be placed within a 45'-6" x 17'-0" leased area. Access to the Site will be via the existing access drive on the subject property.

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

T-Mobile will install up to nine antennae at a RAD center of 112' on the structure. T-Mobile's antennae measure approximately 8.5'x2'x1' or less. T-Mobile will also install up to 7 (5 initially) equipment cabinets measuring 82"(h) x 60".5 (w) x 31"(d) or less.

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

NEED FOR THE WIRELESS TELECOMMUNICATIONS FACILITY

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

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

Radio frequency coverage maps depicting T-Mobile's coverage in the area presently and the improvement anticipated after installation at the proposed monopole are enclosed with this application. As demonstrated by these maps, T-Mobile's objective of this site is to provide seamless coverage in the Braddock area, while providing much needed coverage around Twinbrook and Braddock

Road and furthermore the coverage will be beneficial to commuters as well as to residential and commercial entities in the area. Furthermore, the proposed site was chosen for its particular suitability to the site, including its location, satisfaction of T-Mobile's coverage objectives, and the nature of the existing use of the property. Installation of T-Mobile's antennae on the proposed monopole will satisfy this objective, providing wireless telecommunications coverage to T-Mobile's clients in the area.

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

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

a. T-Mobile's Installation at RAD Center of 112'

Applicant, T-Mobile has expressed an interest in locating its antennae and equipment at the Site. T-Mobile will install of up to 9 wireless telecommunications antennae, measuring 8.5'x2'x1' or less, at a RAD center of 112' on the Pole and install equipment cabinets within the proposed compound to contain its telecommunications equipment.

b. Future Wireless Telecommunication Carrier Installation at RAD Center of 102'

Applicants seek to include in their application for special exception, installation of up to 12 wireless telecommunications antennae measuring 8.5'x2'x1' or less by a future second carrier, anticipated to occupy a RAD center of 102' on the Pole. Related equipment will be placed in the compound near the base of the Pole.

c. Future Wireless Telecommunication Carrier Installation at RAD Center of 92'

Applicants seek to include in their application for special exception, installation of up to 12 wireless telecommunications antennae measuring 8.5'x2'x1' or less by a future third carrier, anticipated to occupy a RAD center of 92' on the Pole. Related equipment will be placed in the compound near the base of the Pole.

APPLICABLE LEGAL STANDARDS

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

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

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

COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE ZONING ORDINANCE REGULATIONS

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

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

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

Applicants' Response: The construction of a 120' wireless communication structure designed as a Tree Pole, including a 5' tree canopy, which will locate up to 33 antennae hidden within the branches (painted green) of the structure and the addition of related ground equipment near the base of the structure shall be in harmony with the adopted comprehensive plan.

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

Applicants' Response: The proposed use is located in an R-2 zone. The expressed purpose and intent of the R-2 District is, inter alia, to provide for single family detached dwellings at a density not to exceed two (2) dwelling units per acre; to provide for affordable dwelling unit developments at a density not to exceed two and four-tenths (2.4) dwelling units per acre; to allow other selected uses which are compatible with the low density residential character of the district. As demonstrated by the drawings, site photographs and photo simulations, due to its location the proposed use will have minimal visual impact on the adjoining properties. As further demonstrated below, Applicant's proposed use is in compliance with each of the aforementioned sections of the Zoning Ordinance. It is, therefore, in compliance with General Standard 2 stated above.

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

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

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

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

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

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

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

Applicants' Response: Not applicable.

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

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

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

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

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

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

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

Applicants' Response: Attached are radio frequency propagation maps that depict the relationship of the proposed Site to the existing or proposed sites in the vicinity. These maps show that the proposed T-Mobile installation at a RAD center of 112' which will permit this Facility to connect to existing T-Mobile sites, thereby facilitating improved coverage in the area. Furthermore, a certified statement by Applicants' site acquisition staff, pursuant to Section 9-104(3) of the Ordinance and enclosed herein, provides additional information about the absence of feasible collocation opportunities in the area and the utility of the proposed site to Applicants' network. The foregoing statements and the RF maps together demonstrate the "utility system" of which the proposed Site will be an integral part and satisfy the foregoing submission requirement.

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

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

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

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

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

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

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

Applicants' Response: No response required.

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

Applicants' Response: Not applicable.

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

Applicants' Response: There are no C or I districts within 500 feet of the propose location as shown by zoning map, all surrounding properties are zoned R-2, except properties to the northeast, zoned R-3.

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

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

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

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

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

2. Except for a tree mounted on a tree pole 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 9 antennas by T-Mobile promotes the needs of agriculture, housing, industry and business because these areas will be equipped with adequate wireless telecommunication services. It is, therefore, in furtherance of the County's above-referenced purpose to approve the proposed facility.

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

Applicants' Response: The proposed wireless structure will allow collocation by T-Mobile of its panel antennas and ground equipment allowing additional collocation opportunities for 2 additional wireless carriers.

The availability of adequate wireless telecommunication services for individuals and businesses users, and for essential emergency response personnel promote the creation and expansion of land uses. 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.

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

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

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

Applicant requests a waiver or modification of transitional screening requirements of the Ordinance to all sides of the Property and regarding the Facility based on the design and placement of the Site and the existing conditions on the Property and its surrounding neighborhood. Specifically, the design of the new monopole designed as a tree, hiding the antennas (painted green) within the proposed tree branches, including a 5' tree canopy and its placement on the community-used property. Thus, adverse visual impact of the Site is substantially reduced by the aforementioned factors. Applicant also proposes to enclose the Site compound with an 8' high board on board fence.

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

CONCLUSION:

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

Zoning Ordinance. Granting applicant's request will, therefore, be appropriate and in the best interest of Fairfax County and its Citizens.

EXHIBIT A

STATEMENT OF JUSTIFICATION IN SUPPORT OF
APPLICATION FOR SPECIAL PERMIT AMENDMENT AND REQUEST FOR WAIVER OF
PARKING SPACE

Applicant(s): T-Mobile Northeast, LLC and Commonwealth Swim Club, Inc.
Site Name WAC247A-Commonwealth
Property Address: 9800 Commonwealth Boulevard, Fairfax, VA 22032
(Fairfax County)
District: Braddock
Parcel Id No.: 0693-05 B
Zoning Classification: R-2
Property Area 5.4854 Acres
Property Owner: Commonwealth Swim Club, Inc.

Applicants, Commonwealth Swim Club, Inc. ("Owner") and T-Mobile Northeast, LLC (T-Mobile), together known as "Applicants" request a Special Permit Amendment to allow the construction and operation of a wireless telecommunication facility consisting of a 120' high monopole, including a 5' high tree canopy, designed as "tree pole" ("Pole") install thereupon up to 9 panel antennas and related ground equipment to be located within a 45'-6" x 17'-0" leased area. The Pole and the ground equipment will be surrounded by a 8' board on board fence. The Pole will be able to collocate up to 33 wireless panel antennas that will be hidden within the branches of the Pole.

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

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

CURRENT IMPROVEMENTS ON AND DESCRIPTION OF SUBJECT PROPERTY

The subject property is composed of approximately 5.4854 acres and is zoned R-2. It is owned by Commonwealth Swim Club, Inc. T-Mobile entered

into a lease agreement with Owner, pursuant to which T-Mobile will install and operate a wireless telecommunications facility on the Property. The Property Owner has authorized T-Mobile to seek all required County authorizations for the installation and operation of a wireless telecommunication facility on the swim club property. A copy of T-Mobile's Special Permit Amendment affidavit, which list in detail information related to ownership and other interest in the Property is attached hereto.

The subject property is improved with a building, two swimming pools, two tennis courts, basketball courts and related parking spaces. Access to the property is via an access drive off of Walport LN, which is connected to the existing parking lot on the property. A copy of site drawings/plat is attached hereto. Photographs of the Property, attached hereto provide further information about the Property. Finally, a copy of a recent County Zoning Map is enclosed herein and depicts the location of the subject property and neighborhood. The facility's hours are as follow, per Special Permit S-75-79:

Swimming pool 9:00 am to 9:00pm
Tennis Courts 7:00am to 10:00pm
Basketball Courts 7:00am to 9:00pm

After hour parties are limited to six per season
Limited to Friday, Saturday and pre-holiday seasons
Not extend beyond 12:00 am
All requests for parties shall be done with 10 days of anticipation
Only one request at a time.

PARKING MODIFICATION REQUEST OR ELIMINATION OF S-75-79 DEVELOPMENT CONDITION
NUMBER 8 PARKING REQUIREMENTS CONDITIONS

Applicant, Swim Club, requests that the Board of Zoning Appeal eliminate the existing parking development conditions per Special Permit S-75-79, to allow the Swim Club meet the current parking zoning requirements according to Article 11, Section 11-106 (19) and (20), Minimum Required Spaces for Other Uses. Which states: Swimming Pool, Community:

"One (1) space for every seven (7) persons lawfully permitted in the pool at one time, plus one (1) space per employee..." Regarding the tennis court parking requirements, "Four (4) spaces per court."

According to the current zoning ordinance, Applicant Swim Club will require a total of 46 parking spaces. The authorized pool load is $239 / 7 = 35$ parking spaces; plus 8 parking spaces for the 2 tennis courts (2 tennis courts x 4 parking spaces per each court), plus 3 parking spaces for each employee (1 parking space per each employee, 3 employees).

In the alternative, applicants request a modification of the current conditions established in SP 75-79 to lower the required parking space development condition. The current Swim Club membership is 200, much less than limit established by the existing Special Permit, 425 family membership. Applicants request that Board of Zoning Appeals grant a reduction to the current existing number of parking spaces required, 80 to 70, based on the current membership number, and due to the fact that the Swim Club, since its inception, has never reached the number of memberships established in the current Special Permit. Nor does the Swim Club expect to have the number of family membership required by the current Special Permit in the future. Applicants will provide 72 parking spaces which include 3 handicapped accessible spaces. Applicants also highlight, that the Swim Club meets and exceeds current zoning ordinance requirements as related to required parking spaces.

DESCRIPTION OF THE PROPOSED TELECOMMUNICATIONS SITE

Applicant requests a Special Permit Amendment for the installation of a 120' high monopole, including a 5' high tree canopy, designed as a tree pole on the subject property and location of related ground equipment on a near the base of the monopole ("Site"). The monopole will be situated at a considerable distance from the existing structures on the property. The monopole will be placed within a 45'-6" x 17'-0" leased area. Access to the Site will be via the existing access drive on the subject property.

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

T-Mobile will install up to nine antennae at a RAD center of 112' on the structure. T-Mobile's antennae measure approximately 8.5'x2'x1' or less. T-Mobile will also install up to 7 (5 initially) equipment cabinets measuring 82"(h) x 60".5 (w) x 31"(d) or less.

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

NEED FOR THE WIRELESS TELECOMMUNICATIONS FACILITY

As FCC licensees, T-Mobile is committed to providing seamless telecommunications service to their users. The proposed Site will assist in the creation of a seamless, state-of-the-art all-digital wireless network. This requires

the installation of a network of telecommunications antenna and equipment facilities so as to allow each facility to transmit and receive radio signals within a strictly limited radio frequency range to each wireless user in the vicinity of the facility. Moreover, each facility must be able to pass the user's signal to an adjacent facility as each user travels out of the coverage area and into an adjacent coverage area. Each facility is capable of covering only a limited area, generally determined by the height of the antennas, the local topography and terrain, as well as obstructions.

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

Radio frequency coverage maps depicting T-Mobile's coverage in the area presently and the improvement anticipated after installation at the proposed monopole are enclosed with this application. As demonstrated by these maps, T-Mobile's objective of this site is to provide seamless coverage in the Braddock area, while providing much needed coverage around Twinbrook and Braddock Road and furthermore the coverage will be beneficial to commuters as well as to residential and commercial entities in the area. Furthermore, the proposed site was chosen for its particular suitability to the site, including its location, satisfaction of T-Mobile's coverage objectives, and the nature of the existing use of the property. Installation of T-Mobile's antennae on the proposed monopole will satisfy this objective, providing wireless telecommunications coverage to T-Mobile's clients in the area.

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

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

a. T-Mobile’s Installation at RAD Center of 112’

Applicant, T-Mobile has expressed an interest in locating its antennae and equipment at the Site. T-Mobile will install of up to 12 wireless telecommunications antennae, measuring 8.5’x2’x1’ or less, at a RAD center of 112’ on the Pole and install equipment cabinets within the proposed compound to contain its telecommunications equipment.

b. Future Wireless Telecommunication Carrier Installation at RAD Center of 102’

Applicants seek to include in their application for special permit, installation of up to 3 wireless telecommunications antennae measuring 8.5’x2’x1’ or less by a future second carrier, anticipated to occupy a RAD center of 102’ on the Pole. Related equipment will be placed in the compound near the base of the Pole.

c. Future Wireless Telecommunication Carrier Installation at RAD Center of 92’

Applicants seek to include in their application for special permit, installation of up to 3 wireless telecommunications antennae measuring 8.5’x2’x1’ or less by a future third carrier, anticipated to occupy a RAD center of 92’ on the Pole. Related equipment will be placed in the compound near the base of the Pole.

APPLICABLE LEGAL STANDARDS

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

The Fairfax County Zoning Ordinance, Section 9-101 designates wireless telecommunications facilities as Category 1, Light Public Utility Uses and Sections 9-102 and 304 et. al. allow the installation of such facilities on the subject property, via approval of a special permit. 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 applicable to its special permit application below. The Fairfax County regulations are stated in boldface; Applicant's responses immediately follow.

COMPLIANCE WITH THE APPLICABLE SECTIONS OF THE ZONING ORDINANCE REGULATIONS

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

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

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

Applicants' Response: The Facility shall comply and meet the criteria to be considered and processed based on the following:

The Facility has no material adverse impact on the visual quality or character of the general proposed area and would not require the removal of any trees and keep the existing natural screening of the tree line intact.

- The Facility siting is proposed and designed to blend with the existing surroundings by building a monopole designed a tree, and hiding the panel antennas within the tree branches. In addition, the panel antennas will be painted green in order to allow additional blending of the panel antennas with the current surroundings.*
- The Facility will be appropriately screened and placed in an area to minimize visibility from surrounding properties.*
- Access to the Facility for maintenance shall have no material adverse impact on adjoining properties or current traffic patterns. Maintenance visits would not likely take place more than once or twice per month.*
- No noise or impacts to the air or water quality will occur from the Facility.*
- No visual impacts, as noted before, will be adverse.*

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-2 zone. The expressed purpose and intent of the R-2 District is, inter alia, established to provide for single family detached dwellings at a density not to exceed two (2) dwelling units per acre; to provide for affordable dwelling unit developments at a density not to exceed two and four-tenths (2.4) dwelling units per acre; 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 property is used as a community swim and tennis club, and it is also used for community activities. The location of the proposed wireless facility on the property is such that it will be located to the east of the existing swimming pools, screening adjoining residences with the existing mature vegetation. As demonstrated by the drawings, site photographs and photo simulations, due to the pole design, location and the existing tree coverage in the area, the proposed use will have minimal visual impact on the adjoining properties. The nearest offsite dwelling is located approximately 172 feet away from the proposed structure. As further demonstrated below, Applicants' proposed use is in compliance with each of the aforementioned sections of the Zoning Ordinance. It is, therefore, in compliance with General Standard 2.

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: See response to General Standard 2 above.

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 facility will be unmanned with few maintenance visits per year (an average of 1 visit per month). There is no potential, therefore, for pedestrian or vehicular traffic emerging in conflict with the existing or anticipated traffic in the neighborhood.

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

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

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

Applicants' Response: Not applicable.

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

Applicants' Response: The proposed facility will be unmanned with few maintenance visits per year. There is no need, therefore, for parking and loading provisions. The facility requires utilities to the extent telephone land lines 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. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

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

II. SECTION 8-303 STANDARD FOR ALL GROUP 3 USES

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

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

Applicants' Response: No response required.

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

Applicants' Response: Applicant will comply with this standard.

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 comply with the provisions in Article 17.

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: It cannot be disputed that wireless telecommunications are an integral part of our social and economic life. It is a matter of great importance, therefore, that the allowing of these facilities in our communities be facilitated provided that they be designed to be in harmony with our environment, such as the proposed structure. Applicants have demonstrated above the importance of the site to its coverage objectives, the potential for collocation by an additional carriers, the existing conditions on the property, and how the nature of the existing use combine to minimize the visual impact of the facility upon adjacent properties and further the principles of harmony enumerated above. Approving Applicants' request will, therefore, further the above-referenced purpose.

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: The proposed facility is unmanned with only, on average, one monthly maintenance visit. It will not produce any noise,

vibrations, odors or fumes. Further, it does not require water or sewer facilities. The included photo simulation pictures demonstrate the minimal visual impact of the Site on the subject and adjacent properties. The above purpose is significantly facilitated by permitting Applicants' request.

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

Applicants' Response: The growing significance of wireless telecommunications warrants that the County promote the same within its borders so as to provide for its economic growth and maintain its competitive edge with the growth of neighboring counties and elsewhere. To this end, the proposed facility provides for the growth of the County and efficient and economic use of its monies.

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

Applicants' Response: See response to paragraph number 3 above.

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 use 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: Applicants' facility will provide invaluable public service to the surrounding residential areas, thereby promoting healthy surroundings for family life. The utility of wireless communications to family life is significantly apparent from the use of such services by family members.

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

Applicants' Response: Applicants submit that the proposed Site and Swim Club do not infringe upon any historic areas.

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

Applicants' Response: The proposed Facility encourages economic development by providing seamless and reliable wireless communication service in the area.

9. to promote the conservation of natural resources;

Applicants' Response: The proposed Facility does not infringe upon any natural resource. Equipment related to the Site will be located within the board on board fence near the base of the structure. The existing access drive off of Walport Ln. will be utilized for the Site. In this regard, Applicants' Site promotes the conservation of natural resources while simultaneously providing a valuable public service.

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

Applicants' Response: See response 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: The proposed Facility is designed and located so as to reduce its visual impact, and is unmanned, requiring few maintenance visits per year, approximately one visit per month. It will not produce any noise, vibrations, odors or fumes. Further, it does not require water or sewer facilities. Therefore, the proposed utility is unobtrusive, and carries no potential for overcrowding of land, increased intensity of noise, pollution, traffic, health hazards, etc. At the same time the facility will provide valuable services to its recipients. The above purpose is, therefore, facilitated by an approval of Applicants' request.

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: The proposed Facility will not interfere with the above purpose.

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: The proposed Facility will 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.

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: The proposed Facility will not be inconsistent with State water quality standards.

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: The proposed Facility will comply with all required Codes.

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 Permit Amendment 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.

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

In Application No. SPA 79-A-075-2 by COMMONWEALTH SWIM CLUB, INC. under Section 3-203 of the Zoning Ordinance to amend S-75-79 for community swim & tennis club to permit addition to site plan of existing metal shed, and rearrangement of parking spaces, on property located at 9800 Commonwealth Boulevard, tax map reference 69-3((5))B, County of Fairfax, Virginia, Mrs. Day 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 July 23, 1985; and

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

- 1. That the owner of the subject property is the applicant.
- 2. The present zoning is R-2.
- 3. The area of the lot is 5.4854 acres.

The existing metal shed has been on site for many years, although not included in special permit plat. It is recommended that the shed remain on site and approval is granted for building uses subject to plat, with notations on Development Conditions 2 & 4 regarding additional buildings and uses; and Development Condition #11 shall be deleted in its entirety.

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 and the additional standards for this use as contained in Sections 8-006 and 8-403 of the Zoning Ordinance, and total agreement with the Development Conditions, excluding No. 11, of the Staff Report.

NOW, THEREFORE, BE IT RESOLVED that the subject application is GRANTED IN PART with the following limitations:

1. This approval is granted to the applicant only and is not transferable without further action of this Board, and is for the location indicated on the application and is not transferable to other land.

2. This approval is granted for the buildings and uses indicated on the plat submitted with this application, except as qualified below. Any additional structures of any kind, changes in use, additional uses, or changes in the plans approved by this Board, other than minor engineering details, whether or not these additional uses or changes require a Special Permit, shall require approval of this Board. It shall be the duty of the Permittee to apply to this Board for such approval. Any changes, other than minor engineering details, without this Board's approval, shall constitute a violation of the conditions of this Special Permit.

3. A copy of this Special Permit and the Non-Residential Use Permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.

4. Since a building permit is not required for any of the uses proposed, this use shall not be subject to the provisions set forth in Article 17, Site Plans. However, a planting plan shall be submitted to Department of Environmental Management, DEM, for approval indicating the planting proposed along the northwest lot line adjacent to the driveway.

5. Family membership shall be limited to 425.

6. Eighty (80) parking spaces shall be provided.

7. The maximum hours of operation shall be as follows:

Swimming Pool - 9 A.M. to 9 P.M.

Tennis Courts - 7 A.M. to 10 P.M.

Basketball Courts - 7 A.M. to 9 P.M.

8. After-hour parties for the swimming pool and tennis courts facility shall be governed by the following:

- o Limited to six (6) per season;
- o Limited to Friday, Saturday and pre-holiday evenings;
- o Shall not extend beyond 12:00 midnight;
- o Shall request at least ten (10) days in advance and receive prior written permission from the Zoning Administrator for each individual party or activity;
- o Requests shall be approved for only one (1) such party at a time of such requests shall be approved only after the successful conclusion of a previous after-hour party.

9. The transitional screening and barrier requirements shall be modified provided the existing vegetation and barriers remain and provided evergreen trees are planted along the northwestern lot line between the driveway and the adjacent lot 204 to screen the driveway and the proposed parking lot light from the adjacent property. The size, type and number of plantings shall be approved by the Director, Department of Environmental Management.

10. All lighting shall be directed on site. The light standard shall not exceed twelve (12) feet in height and if necessary shall be shielded to prevent glare from projecting onto adjacent property. The light standard shall be located as close as possible to the edge of pavement of the driveway.

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 new Non-Residential Use Permit through established procedures, and this special permit shall not be valid until this has been accomplished.

Under Sect. 8-015 of the Zoning Ordinance, this Special Permit shall automatically expire, without notice, eighteen (18) months after the approval date of the Special Permit unless the activity authorized in this special permit amendment has been established and a new Non-Residential Use Permit has

been approved, or unless construction has started and is diligently pursued, or unless additional time is approved by the Board of Zoning Appeals because of occurrence of conditions unforeseen at the time of the approval of this Special Permit. A request for additional time shall be justified in writing, and must be filed with the Zoning Administrator prior to the expiration date.

Mr. Ribble seconded the motion.

The motion passed by a vote of 5 to 0 (Mary Thonen absent from meeting, Paul Hammack absent from this public hearing).

A COPY TESTE:


CHRISTINE McCLAUGHERTY, DEPUTY CLERK
BOARD OF ZONING APPEALS

7/23/85

COUNTY OF FAIRFAX, VIRGINIA

MEMORANDUM

TO: Barbara Berlin, Director
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Chris Caperton, Chief
Facilities Planning Branch, Planning Division
Department of Planning and Zoning

SUBJECT: Section 15.2-2232 Review
Application 2232-B08-7
Concurrent with SE 2009-BR-020 and SPA 79-A-075-03
T-Mobile Northeast, LLC at Commonwealth Swim Club, Inc.
9800 Commonwealth Blvd., Fairfax, VA
TAX MAP: 69-3 ((5)) B

DATE: June 23, 2011

In accordance with the Standard Operating Procedures approved by the Board of Supervisors on July 25, 1994, which provide guidance to Department of Planning and Zoning ("DPZ") staff regarding the review of public facilities projects pursuant to Va. Code Sec. 15.2-2232, the Facilities Planning Branch of the Planning Division offers the following comments on the proposed telecommunication facility (concurrent with Special Exception, SE 2009-BR-020 and Special Permit Amendment, SPA 79-A-075-03).

PROJECT DESCRIPTION

(Attachment A)

Applicants, T-Mobile Northeast, LLC ("T-Mobile") and Commonwealth Swim Club, Inc. ("Commonwealth Swim Club) propose to construct a telecommunications facility consisting of a 120-foot tree monopole, related equipment and site improvements on the site ("the subject property") owned by the Commonwealth Swim Club at 9800 Commonwealth Blvd., Fairfax (Tax Map Parcel 69-3 ((5)) B).

PROPOSAL: Construct a telecommunications facility consisting of a 120-foot simulated evergreen tree monopole, related equipment and site improvements ("the facility").

Location and Size: Proposed facility is located along the north of Commonwealth Boulevard at its intersection between Walport Lane to the east and Coleridge Drive to the west. Access is from Commonwealth Blvd. to the pool, related structures and parking in the western portion of the site. Access to the eastern portion of the site (parking and tennis courts) is from Walport Lane. The subject property is abutted by residences in the Kings Park and Twinbrook

subdivisions. Specifically, the proposed facility is located in the central eastern portion of the site in the parking lot, due west of the tennis courts. Trees surround the perimeter of the subject property. The Commonwealth Swim Club parcel is 5.48 acres and the telecommunications compound has an area of 773.5 square feet (limits of disturbance – 1,375 square feet). The proposed tree monopole is located 145.7' from the northern property boundary, 335.5' from the eastern boundary, 115' from the southern boundary and 427.5' from the western boundary. The equipment compound is 136.1' from the northern boundary, 314' from the eastern boundary, 101.9' from the southern boundary, and 401.1' from the western boundary.

Site Features: The subject property is a parcel with a pool and tennis facility (pool, kids pool, bath house, two sheds, and tennis courts) and 73 parking spaces. The site is transected by a stream from the northeast to the southwest. The surface of the pool portion of the site (west) slopes from the west to the east, while the larger parking area and tennis courts slopes from the southeast to the northwest. The perimeter of the site is lined with trees with varying widths with the widest stands of trees along the stream. Single family detached residential development (Kings Park West and Twinbrook subdivisions) with mature trees abut the subject property on all boundaries

PROPOSED USE:

T-Mobile proposes to construct a 120-foot tree monopole and initially install an antenna platform with up to 9 wireless telecommunications panel antennas at a centerline of 112 feet above ground level (AGL) and up to 4 (2 initially) related ground equipment cabinets within an equipment compound with an 8-foot high board on board fence. This equipment compound enclosure is to be located 19' 8" to the south of the northern edge of the parking area to limit encroachment upon the surrounding undisturbed Environmental Quality Corridor and Resource Protection Area immediately adjacent to the northwest portion of the eastern parking area. Two additional future carriers may locate onto future antenna platform locations at 102 feet AGL and 92 feet AGL. The applicant indicates that the panel antenna dimension will not exceed 6 feet in height, 2 feet in width and 1 foot depth. The maximum number of antennas proposed for the tree monopole is 33 antennas. Two future lease areas for two future carrier shelter/cabinets are proposed to be located within the T-Mobile equipment compound. The total lease area for each of the two future carriers is 15 feet 6 inches long by 8 feet 6 inches wide, each with a total area of 131.75 square feet.

Project Justification:

According to the applicants, the proposed facility will be an important part of an area-wide wireless communications network. Propagation maps or radio frequency coverage maps depicting T-Mobile's present coverage in the area and the improvement anticipated after installation at the proposed monopole is found in Attachment A. The radio frequency prediction, as depicted on the radio frequency maps attached hereto, show a gap of service. T-Mobile indicates that this facility will fill a gap in T-Mobile's wireless coverage and capacity in the residential neighborhoods that surround Commonwealth Swim Club.

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

Structure – The proposed tree monopole will be 120-feet in height, composed of steel with a brown bark covered pole for the trunk for the first 25 feet AGL of the trunk and brown painted trunk for the remainder of the tree monopole. Brown bark branches and limbs with simulated evergreen needles that are green in color are located above the 25 feet AGL for the remainder of the tree. The diameter of the monopole is approximately 4 feet at the base and 2 feet at the top. It is located in a 45 feet 6 inches long by 17 feet wide equipment compound surrounded by an eight-foot high board on board fence with a 12-foot wide access gate on the south side of the enclosure. It is located in the northern portion of the eastern parking area.

Antennas – 9 wireless telecommunications panel antennas at a centerline of 112 foot centerline above ground level (AGL) (each antenna: maximum of 6' high x 2' wide and 1' depth). Antennas are colored green to blend with the simulated evergreen needles of the tree monopole. The two future carriers will be able to locate panel antennas at the 102-foot centerline AGL and 92-foot centerline AGL.

Equipment – T-Mobile proposes four equipment cabinets (two initially constructed). The first two equipment cabinets measure 5' 9.5" high x 4' 3.25" wide x 2' 4" deep) will be located on a 20' long by 10' wide pad site. According to the applicant, the cabinets will consist of prefabricated metal. There are two lease areas (8' 6" long by 15' 6" wide for each lease area) for the equipment cabinets of the two future carriers.

Equipment Compound – An equipment compound will be located in the northeast portion of the site's parking area near the tennis courts in the eastern portion of the site. This area measures approximately 45 feet 6 inches long by 17 feet wide (773.5 square feet in area). According to the applicant, the equipment compound will be surrounded by an 8-foot high board on board structure. Foundation plantings which grow to 30 feet in height will be planted along the southern side of the equipment compound.

Access – Access to the tree monopole enclosure is an 12-foot wide gate located on the west side of the enclosure in the eastern parking area.

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

Site and Off-site Impacts: The applicant states that the facility will have no impact to traffic, noise, light pollution, air quality, water quality or radiation on adjoining properties. The applicants state this facility will be located on a non-residential use parcel. Applicants indicate that because there are no suitable existing structures in this area that allow for collocation of facilities, T-Mobile chose the subject parcel because of its use as a swim club. Furthermore, by utilizing the stealth tree monopole design, the visual impact to the area will be minimal. The tree monopole and equipment compound is located toward the northern part of the eastern parking area. The surrounding trees will screen the tree monopole's visibility to surrounding residences. T-Mobile further states that the antennas will not be visible because of their location inside the tree monopole.

ALTERNATIVE SITES

T-Mobile indicated that the closest facilities to the coverage area were already in use by T-Mobile and that there were no additional existing structures. The applicant analyzed the following alternate locations:

- 1) VA State Police Braddock, 9801 Braddock Road - T-Mobile is currently collocated on this self-support tower. The facility only covers the area around Braddock Road and Burke Station Road and will not cover T-Mobile's objective in the residential communities surrounding Commonwealth Blvd.
- 2) Lord of Life Church, 5116 Twinbrook Road - T-Mobile is collocated on this 45' high steeple at this church. This proposed facility will only provide coverage to the Braddock Road area between Twinbrook Road and Guinea Road. The facility will not provide coverage to the residences around the Commonwealth Blvd. area.

PLANNING ANALYSIS

The subject property is located north of a row of residences along the north of Commonwealth Boulevard between its intersection with Walport Lane to the east and Coleridge Drive to the west. It is planned for private recreation use and zoned R-2. The subject property is abutted by single family detached residences in the Kings Park subdivision (south and west), Maywood subdivision (north) and Twinbrook (east) subdivision.

The surrounding Kings West subdivision is planned for residential use at 1-2 dwelling units per acre and zoned R-2 to the south, west and immediately to the east. Maywood subdivision to the north is planned for residential use at 2-3 dwelling units per acre and zoned R-3. Twinbrook subdivision to the east is planned for residential use at 2-3 dwelling units per acre and zoned R-2 and R-3. The Crooked Creek Stream Valley Park is located across Commonwealth Boulevard to the southwest, planned for public park use and zoned R-2. The subject property is located in the Main Branch Community Planning Sector (P2) of the Pohick Planning District in Area III.

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

Policy Plan:

Fairfax County Comprehensive Plan, Policy Plan, 2011 Edition; Public Facilities, as amended through January 10, 2005; **MOBILE AND LAND-BASED TELECOMMUNICATION SERVICES, GENERAL GUIDELINES**, pages 37 – 39:

“Objective 42: In order to provide for the mobile and land based telecommunication network for wireless telecommunication systems licensed by the Federal Communications Commission, and in order to achieve

opportunities for the collocation of related facilities and the reduction of their visual impact, locate the network's necessary support facilities which include antennas, monopoles, lattice towers and equipment buildings in accordance with the following policies. ...

- Policy a. Avoid the construction of new structures by locating mobile and land-based telecommunication facilities on available existing structures . . . when the telecommunication facilities can be placed inconspicuously to blend with such existing structures.
- Policy b. Locate new structures that are required to support telecommunication antennas on properties that provide the greatest opportunity to conceal the telecommunication facilities and minimize their visual impact on surrounding areas.
- Policy c. Subject to the availability and feasibility of a public site, when multiple sites have equal opportunity to minimize impacts, consider public lands as the preferred location for new structures. . . .
- Policy e. Locate mobile and land-based telecommunication facilities operated by different service providers on single sites and/or structures whenever appropriate. . . .
- Policy f. Ensure that the height of towers and monopoles has the least visual impact and is no greater than required to achieve service area requirements and potential collocation, when visually appropriate.
- Policy g. Ensure that the use of public property by mobile and land based telecommunication facilities does not interfere with the existing or planned operational requirements of the public use.
- Policy h. Design, site and/or landscape mobile and land-based telecommunication facilities to minimize impacts on the character of the property and surrounding areas. Demonstrate the appropriateness of the design through facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.
- Policy i. Demonstrate that the selected site for a new monopole and tower provides the least visual impact on residential areas and the public way. Analyze the potential impacts from other vantage points in the area to illustrate that the selected site provides the best opportunity to minimize the visual impact of the proposed facility.

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

- blending facilities with an existing pattern of tall structures;
- obscuring or blocking the views of facilities with other existing structures, vegetation, treecover, . . . to the maximum extent feasible;
- increasing the height of or replacing existing structures to reduce the need for another structure when such height increases or structure replacements are appropriate to the site and the surrounding area.

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

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

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

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

STAFF ANALYSIS:

Department of Planning and Zoning

Visual impact assessment

T-Mobile originally proposed a 150-foot high tree monopole on the treed open space area and asphalt paved area near the northwest corner of the parking area near the tennis courts in the parking area which is located in the eastern portion of the Commonwealth Swim Club, accessible from Walport Lane. This telecommunication facility was originally proposed with a T-Mobile

antenna platform at 147'6" centerline with 9 antennas and two future provider antenna platforms at 137'6" centerline and 127'6" centerline. An equipment compound (30 feet long and 20 feet wide) was proposed to contain the equipment shelters/cabinets for T-Mobile and the two future providers and the monopole surrounded by an 8-foot high board on board fence.

On September 13, 2008 between 1:00 and 3:00 pm, a balloon test was conducted for the community around the Commonwealth Swim Club where the 150-foot high monopole is proposed. Several citizens commented on how they could view the balloon from their homes while others observed how the surrounding trees screened other views of the balloon. The upper quarter of the monopole as represented by the balloon and anchor rope, could be viewed from Commonwealth Boulevard (to the south) and Powell Road at Wenzel Street (to the north and east). The view was screened by the surrounding trees in other areas.

After the balloon test on September 13, 2008, the applicant's agent agreed to: 1) reduce the height of the tree monopole to 120-foot after they checked the radio frequency (broadcast) requirements of the proposed antennas; and 2) reposition the equipment compound and the monopole on the parking lot asphalt area due west of the tennis court and south of the northern edge of the parking area and tree vegetation in the stream valley. A second balloon test confirmed that the reduced height of the proposed monopole would result in minimal visual impact to the surrounding residences.

Context: The subject property is abutted by single family detached residences in the Kings Park subdivision (south and west), Maywood subdivision (north) and Twinbrook (east) subdivision.

Existing on-site buffering and screening consists of 1) along the northern boundary the tree buffer in the vicinity of the proposed monopole is 117 feet wide; 2) along the eastern boundary, the tree buffer north and south of the access lane from Walport Lane is 25-75 feet wide; 3) the vegetative buffer along the southern boundary varies from 75 feet near Walport Lane to 25 feet near the stream valley to the west; 4) to the west the tree buffer surrounding the stream valley is approximately 175 feet and the tree buffer along the western boundary ranges from 50 feet to 75 feet.

The visual impact analysis is broken down by the surrounding neighborhoods that may view the proposed facility:

North

The substantial tree buffer to the north of the proposed tree monopole and equipment compounds provides adequate buffering of the visual impact to the residences located to the north. There is a distant view of the top of the proposed tree monopole on Powell Road near Wenzel Street.

East

The proposed tree monopole is only partially visible to residences along Walport Lane because of the existing tall evergreen trees that surround the access to the Commonwealth Swim Club parking area. In addition, the applicant will provide supplemental evergreen trees to be planted

around the perimeter of the existing tennis courts which will further mitigate the view of the equipment compound and the lower part of the tree monopole as seen from residences located to the east.

South

The mature tree canopy of the homes and the proposed trees/plantings along the southern boundary of the subject property will provide natural screening that the proposed tree monopole will blend with. The applicant will provide supplemental trees along the southern side of the equipment compound, the southern boundary adjacent to the equipment compound and the perimeter of the existing tennis courts to screen the lower portion of the tree monopole and the equipment compound.

West

The treed stream valley and treed buffer along the western boundary of the subject property will mitigate the possible visual impact of the tree monopole and equipment compound upon residences to the west.

ZONING REVIEW

The property is zoned R-2 District. Special Exception approval and special permit amendment application are required for the proposed telecommunications proposal along with the 2232 application. Special Exception, SE 2009-BR-020 and Special Permit Amendment, SPA 79-A-075-03 have been submitted for review.

TRANSPORTATION REVIEW

(Attachment B)

Fairfax County Department of Transportation indicated no transportation issues for this application. Virginia Department of Transportation staff indicated that all previously approved conditions should be carried forward with this application.

URBAN FORESTRY

(Attachment C)

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

1. **Comment:** The proposed location of the cell phone tower and equipment is within a Resource Protection Area (RPA) not just a Resource Management Area (RMA) as seems to be indicated on the plan (sheet Z-4). RPAs are environmentally sensitive areas and the proposed tower might have an adverse impact on the stream and RPA. The RPA has been shown incorrectly on the plan. It is also not clear if telecommunication monopoles are allowed to be located within a RPA as it is not a "water dependent" use.

Recommendation: Applicant should show the Resource Protection Area on all the plan sheets. UFMD recommends that the storm water review branch of the Environmental Site Review Division be contacted to make sure that this application is in conformance with all

the requirements of the Chesapeake Bay Ordinance.

2. **Comment:** These plans, including the tree protection details and tree protection notes are not in conformance with the Tree Conservation Ordinance and Public facilities manual in effect January 1, 2009. Many of the things mentioned in the notes and details are not applicable to this site or outdated.

Recommendation: Submit a plan that is in conformance with the requirements of the Tree Conservation Ordinance and Public Facilities Manual that went into effect January 1, 2009. Submit tree protection notes and tree protection details that are in conformance with the Public Facilities Manual. Remove superfluous details if they are not applicable such as tunneling, fertilization, pruning, staking and armoring.

3. **Comment:** There are mature tulip poplars and one Virginia pine very close to the edge of pavement where the tower and equipment structure are proposed. The plan does not show the canopy of these trees accurately as the canopies completely overhang the existing parking spaces and more trees are likely to interfere with the tower and structure. The present plan does not remove any trees, but it appears unlikely that all trees close to the edge of pavement can be preserved since they are leaning and overhanging the parking spaces.

Recommendation: Applicant should accurately display all existing canopy (by their critical root zone) within 25 feet of the limits of clearing for the tower and equipment structure. Individual trees that are proposed to be removed should be identified by species and marked on the plan as "to be removed."

4. **Comment:** Tree protection fencing is shown off-set from the limits of clearing on Sheet Z-2. Tree protection fencing shall be installed at the disturbed side of the limits of clearing.

Recommendation: Applicant should show the tree protection fencing at the limits of the clearing. Tree protection fencing shall be installed at the disturbed side of the limits of clearing.

5. **Comment:** The fencing and armoring detail and tree protection fencing detail on Sheet Z-6 is outdated and some of the displaying methods do not provide adequate protection of trees. Notes 1 and 2 are also outdated and boxing is not used in Fairfax County as a tree protection measure.

Recommendation: Applicant should specify 14 gauge welded wire tree protection fencing, remove the fencing and armoring details and provide a detail for 14 gauge welded wire tree protection fencing with signage in conformance with the PFM.

6. **Comment:** The Tree Protection Notes are outdated and incorrect.

Recommendation: Update notes to be in conformance with updated standards and the Public

Facilities Manual and to only reflect what is proposed on this site.

Note: The Urban Forestry memo dated June 3, 2011, indicates that the applicant has adequately addressed the outstanding issues.

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

Chesapeake Bay Preservation Ordinance (CBPO)

The entire project is located in a Resource Protection Area (RPA). A site specific RPA boundary is shown on the plat; the delineation study for this boundary has not yet been submitted to DPWES for review. An approved RPA Delineation Study will be required before site plan approval (LTI 08-12). Even though this project is located on an existing asphalt surface, because it is within an RPA, an approved Water Quality Impact Assessment will be required for approval of a site plan (CBPO 4). Any trees removed from the RPA must be replaced (CBPO 118-3-3(d)).

Water quality controls will be required for the construction proposed within the RPA (CBPO 118-3-3(c)), notwithstanding NOE E on Sheet Z-2. No water quality control facilities are depicted on the plat. The applicant has proposed to dedicate a floodplain and storm drainage easement with the site plan. If this is perpetually undisturbed, the easement can be used for open space credit (PFM Table 6.3).

Floodplain

There are regulated floodplains on the property. A minor floodplain on this property has not yet been mapped. The approximate floodplain boundary is depicted. The floodplain seems to be about 30 feet from the proposed tree monopole, notwithstanding the Floodplain Note on Sheet Z-1.

A floodplain study will be required for approval of the site plan. The project may be within a minor floodplain. Should the project be located within the floodplain, a floodplain determination would also be a requirement of site plan approval (ZO 2-903).

Downstream Drainage Complaints

There are no relevant downstream drainage complaints on file.

Stormwater Detention

The stormwater detention requirement can be met if no new impervious areas are proposed and the site's outfall is shown to be adequate, the stormwater detention note on Sheet -2 notwithstanding.

Site Outfall

An outfall statement is provided, however, it does not mention the condition of the outfall. A narrative meeting PFM 6-0204 will be required at site plan.

PARKS

(Attachment E)

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

HISTORIC PRESERVATION

(Attachment F)

The Department of Historic Resources has confirmed that no historic properties will be affected by the project (Memorandum #2009-1777 dated December 8, 2009).

CONFORMANCE WITH THE COMPREHENSIVE PLAN

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

- Location

Plan guidelines support the location of telecommunication uses on an existing private recreation site in a predominately residential area when other, more suitable land uses, such as public property or commercial or industrial properties are not available and the telecommunications facility is located to blend with its surroundings. The applicant states that a number of other sites in the surrounding vicinity were evaluated as a possible alternative location. No available commercial or industrial properties were present in the vicinity of the area to be served. The proposed location has been determined ideal for adequate service for this facility consistent with the Plan guidelines to consider public, commercial or industrial land as preferred locations.

The subject property includes existing tall trees around the site's perimeter except for within the parking area, pool and tennis facility. While the density of growth varies throughout the site, staff concludes that these existing trees will screen views of the facility from adjoining nearby residential land uses based on the balloon test evaluation. Furthermore, the applicant has proposed additional landscaping around the equipment compound and along the southern boundary as well as around the existing tennis courts to mitigate existing and future visual impact of the proposed tree monopole and equipment compound upon surrounding residential development.

The proposed facility will be central to service an existing void in the radio frequency transmission coverage area and will be designed to accommodate at least 3 telecommunications service providers, in accordance with Plan recommendations for collocation. The proposed telecommunications facility is located within a Resource Protection Area in a disturbed area (paved parking lot). The equipment compound and tree monopole were located away from the edge of the parking area to assure no encroachment to

the nearby Environmental Quality Corridor and the undisturbed portion of the Resource Protection Area located immediately to the north of the parking area.

- Character

The proposed tree monopole will be designed to appear as an evergreen tree with brown bark limbs and branches with green pine needles. In order to minimize its visual impact to the surrounding area, this type of tree monopole design will minimize the visual impact and is an acceptable stealth design. In combination with existing and proposed landscaping this design should mitigate its visual impact and help the facility to blend with its surroundings.

The proposed tree monopole will be screened by the existing trees located on the subject property and supplemental tree landscaping along the southern boundary and around the existing tennis courts to the east of the equipment compound. At the base of the tree monopole, supplemental trees will be planted along the southern side of the equipment compound. The combination of existing and proposed tree landscaping should further mitigate any visual impact of the tree monopole into the future.

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

- Extent

The 5.49-acre subject property is a wooded parcel where a swim club is located. The tree monopole and the equipment compound (approximately 45 feet 6 inches long by 17 feet wide (773.5 square feet in area)) which accounts for less than one percent of the total area of the subject property. The property's size permits substantial setbacks of the facility. Therefore, staff concludes that the proposed unmanned facility will not have an adverse impact on the use of the existing site or on the possible future development of the surrounding area, in accordance with the Plan guidelines.

Barbara Berlin, Director
2232-B08-7 T-Mobile and
Commonwealth Swim Club
Page 13

CONCLUSIONS AND RECOMMENDATIONS

Staff concludes that the subject proposal, Application 2232-B08-7, T-Mobile Northeast, LLC and Commonwealth Swim Club, Inc. to construct a 120-foot high tree monopole, antennas, equipment shelters, compound and site improvements located at 9800 Commonwealth Boulevard, Fairfax, satisfies the criteria of location, character, and extent as specified in Section 15.2-2232 of the *Code of Virginia*, and recommends that the Planning Commission find the proposal substantially in accord with provisions of the adopted Comprehensive Plan.

COUNTY OF FAIRFAX, VIRGINIA
APPLICATION FOR DETERMINATION
PURSUANT TO
SECTION 15.2-2232 OF THE CODE OF VIRGINIA

Application Number: 2232-308-7
(assigned by staff)

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

(Please Type or Print All Requested Information)

PART I: APPLICATION SUMMARY

ADDRESS OF PROPOSED USE

Street Address 9800 Commonwealth Blvd.

City/Town Fairfax Zip Code 22032

APPLICANT(S)

Name of Applicant T-Mobile Northeast LLC

Street Address 12050 Baltimore Ave.

City/Town Beltsville State MD Zip Code 20705

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

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

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

Agent's Street Address 7380 Coca Cola Drive, Suite 106

City/Town Hanover State MD Zip Code 21076

Telephone: Work (410) 712-7092 Fax ()

PROPOSED USE

Street Address 9800 Commonwealth Blvd

Fairfax Co. Tax Map and Parcel Number(s) 0693 05 B

Brief Description of Proposed Use _____

An unmanned wireless telecommunication tree monopole consisting of the installation of up to thirty-three (33) panel antennas, including T-Mobile's. T-Mobile proposes to install nine (9) panel antennas on the proposed 120' structure and the placement of up to four (two present) equipment cabinets on a concrete slab with associated appurtenances within a board on board fenced 17' x 45.6' compound. The telecommunication facility will be able to expand to accommodate two future carriers.

Total Area of Subject Parcel(s) 5.4845 acres (acres or square feet)

Portion of Site Occupied by Proposed Use 1375 sq. ft. (acres or square feet)

Fairfax County Supervisor District Braddock

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

Zoning of Subject Property R2

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

SPA79-A-075-3

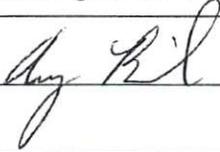
PROPERTY OWNER(S) OF RECORD

Owner Commonwealth Swim Club Inc.

Street Address PO Box 168

City/Town Burke State VA Zip Code 22009

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

Name of Applicant or Agent Amy Bird, Agent for T-Mobile Northeast LLC
Signature of Applicant or Agent 
Date 5/9/11

Submit completed application to:

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

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

FOR STAFF USE ONLY

Date application received: ___/___/___

By: _____

Additional information requested to complete application:

Date application accepted: ___/___/___

By: _____

PART II: STATEMENT OF JUSTIFICATION

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

1. DESCRIPTION OF PROPOSED USE

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

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

2. REQUIREMENT FOR PROPOSED USE

Describe the requirements for the use at the location selected:

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

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

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

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

4. ALTERNATIVE SITES CONSIDERED FOR THE PROPOSAL

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

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

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

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

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

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

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

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

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

7. REDUCED COPY OF PLANS

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

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

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

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

PART III: TELECOMMUNICATION PROPOSAL DETAILS

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

PROPOSED TELECOMMUNICATION USE

Use is (check one):

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

PROJECT DETAILS

1. ANTENNA

Number and Type: 9 Andrews TMBXX-6516-R2M antennas
Dimensions: height 59" width 11.9" depth 6.3" diameter _____
Location / Placement: 112' centerline on proposed tree monopole, 115' to top
Wattage: 300W
Material and Color: fiberglass, painted green to match treepole
Material and Color of the Antenna Mounting: Prefabricated Metal
Height Above Ground: top height of 115'

2. EQUIPMENT

Number and Type of Cabinets or Structures: 2 Ericsson RBS 3106 cabinets
Cabinet / Structure Dimensions: height 69.5" width 51.25" depth 37"
Height of equipment platforms, if any: N/A
Material and Color: Prefabricated Metal
Location: inside compound
Method of Screening: 8' board on board wooden fence

3. STRUCTURE ON WHICH ANTENNAS WILL BE MOUNTED

Maximum Height: 120'
Material: brown metal(pole) first 20' bark, and fiberglass (branches and foliage)
Color: brown pole and branches, green leaves
If structure is within a utility right-of-way, state right-of-way width:
n/a

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

Height of Structure to be Replaced: _____

Diameter or Overall Footprint of Structure to be Replaced: _____

4. ADDITIONAL INFORMATION

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

- A. ELEVATIONS: Structural elevation drawings showing the placement of the antenna and the related equipment on the existing or proposed structure;
- B. ANTENNA: Details showing the antenna and antenna mountings and the location of the antenna on the building or structure;
- C. BUILDING ROOF PLAN AND CALCULATION: If located on a building rooftop, provide a roof plan at a scale of 1"= not more than 20' showing all existing penthouses, structures and mechanical equipment on the roof and the location of the proposed antenna and related telecommunications equipment. Include a calculation stating 1) the percentage of the roof which is covered by all existing structures, and 2) the percentage that will be covered by all existing structures plus the proposed antennas, equipment cabinets and shelters;
- D. SCREENING: Details of screening for the equipment structure and/or antenna structure showing type of screening material, dimensions and placement; if landscaping is provided, list the height of the landscaping at time of planting and the ultimate height;
- E. PROPERTY PLAT: A plat of the property prepared by a certified engineer showing the location of the proposed ground equipment structure and antenna, the relationship to other structures on site, with measured distances from all property boundaries or easement lines if the structure or antenna is placed in an easement;
- F. PHOTOGRAPHS: For collocations on existing buildings or other structures such as power poles or towers, provide photographs of the building or structure showing the proposed placement of the antenna and related equipment;
- G. PHOTOGRAPHIC SURVEY: For proposed structures, provide a photographic survey of the project site. Photographs should be taken from the subject property boundaries at four or more locations to show on- and off-site views of the subject property and to identify the proposed location of the facility on the site. The number of photos submitted will vary according to site size but should be adequate to view the entire site;

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

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

END OF APPLICATION



May 9, 2011

Ms. Anita Capps
Fairfax County Office of Comprehensive Planning
12055 Government Center Parkway, Suite 730
Fairfax, Virginia 22035-5505

RE: Request for determination under Virginia Code sec. 15.2-2232
T-Mobile Northeast, LLC
Site WAC247A
Tax Map No. 0693 05 B

Dear Ms. Capps:

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

APPLICANT:

T-Mobile Northeast, LLC ("T-Mobile")
12050 Baltimore Avenue
Beltsville, MD 20705
Tel: 240-264-8675
Fax: 240-264-8604

SITE LOCATION:

Address: 9800 Commonwealth Blvd, Fairfax, VA
Tax Map #: 0693 05 B
Zoning District: R-2
Use: Private Open Space
Supervisor District: Braddock

DESCRIPTION OF PROPOSED USE:

T-Mobile proposes to install an unmanned wireless telecommunications facility, which will consist of three sectors of antennas (with three antennas per sector) mounted to the top of a new telecommunications tree monopole at Commonwealth Swim Club, located at 9800 Commonwealth Blvd in Fairfax, Virginia. T-Mobile's antennas will be mounted to



provide an approximate antenna centerline of 112". In addition to the antennas and a monopole designed as a tree ("Tree Monopole"), T-Mobile will install four proposed ancillary equipment cabinets in a compound at the base of the Tree Monopole, which will be screened inside a 17' x 45.6' compound by an 8' high board-on-board fence. This facility is sought to fill a much-needed gap in T-Mobile's wireless coverage and capacity in the residential neighborhoods that surround Commonwealth Swim Club.

The antennas will be mounted at the top of the proposed 120' telecommunications Tree Monopole to provide for an antenna centerline of 112". The 69.5-inch by 51.25-inch by 37-inch (height by width by depth) ancillary equipment cabinets will be located in the proposed compound and screened by an 8' board-on-board fence. The monopole, designed a tree, will be able to collocate 3 wireless carriers including T-Mobile at the following RAD Centers:

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

a. T-Mobile's Installation at RAD Center of 112'

Applicant, T-Mobile has expressed an interest in locating its antennae and equipment at the Site. T-Mobile will install of up to 9 wireless telecommunications antennae, measuring 8.5'x2'x1' or less, at a RAD center of 112' on the Tree Monopole and install equipment cabinets within the proposed compound to contain its telecommunications equipment.

b. Future Wireless Telecommunication Carrier Installation at RAD Center of 102'

Applicants seek to include in their application for special exception, installation of up to 12 wireless telecommunications antennae measuring 8.5'x2'x1' or less by a future second carrier, anticipated to occupy a RAD center of 102' on the Tree Monopole. Related equipment will be placed in the compound near the base of the Tree Monopole.

c. Future Wireless Telecommunication Carrier Installation at RAD Center of 92'

Applicants seek to include in their application for special exception, installation of up to 12 wireless telecommunications antennae measuring 8.5'x2'x1' or less by a future third carrier, anticipated to occupy a RAD center of 92' on the Tree Monopole. Related equipment will be placed in the compound near the base of the Tree Monopole.

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

None of the aforementioned installations will interfere with radio, television or telephone reception and the emissions comply with all applicable EPA and FCC emission



requirements. 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. Furthermore, neither the antennae nor the related equipment will produce any noise, fumes, dust, odors, lights, glare or vibrations and will only require one or two monthly maintenance visits.

REQUIREMENT FOR PROPOSED USE:

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

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

This site offers both an excellent land-use and visual solution to T-Mobile's coverage objective within the narrow placement parameters of this particular search area. T-Mobile's analysis of its network indicates that there are significant coverage problems in the residential areas of this part of Fairfax County. Because there are no suitable existing structures in this area that allow for co-location of facilities, T-Mobile has selected the subject parcel because of its size and opportunities for screening. Consequently, this facility will be the least disruptive means to provide the needed coverage in the area.

ANTICIPATED IMPACTS ON ADJOINING PROPERTIES

The proposed facility will have no impact as to traffic, noise, light pollution, air quality, water quality, or radiation on adjoining properties. This facility would be located on a large, non-residential use parcel and will be screened by the tall, densely populated tree cover that this parcel provides. In addition, the facility will be strategically located on the parcel. Because of the location of this facility on this large, well screened parcel, there will be little to no adverse visual impact on surrounding properties.



RELATIONSHIP OF THE PROPOSAL TO THE COMPREHENSIVE PLAN

The proposed facility is consistent with and furthers the transcendent goals of the Fairfax County Comprehensive Land Use Plan ("Plan") as well as the applicable objectives found under the Policy Plan of the Comprehensive Plan concerning "Mobile and Land-Based Telecommunication Services." Under the "General Guidelines" section, it states:

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

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

T-Mobile would argue that, by placing this tree monopole in a strategical location on a large parcel with significant screening, they have furthered this objective of the Comprehensive Plan.

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

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

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

The coverage objective sought to be fulfilled by this telecommunications facility consists of a large, residential neighborhood. As the included RF propagation maps indicate, the requested height is the minimum height necessary to meet this objective and thus prevent the need for an additional free-standing facility in this area.

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

T-Mobile

facility schematics and plans which detail the type, location, height, and material of the proposed structures and their relationship to other structures on the property and surrounding areas.

As previously mentioned, by placing this facility on a large, well screened parcel, this will minimize the visual impact to the surrounding residential parcels. To demonstrate this, please reference the submitted photo simulations under Exhibit E and the special exception drawings under Exhibit F.

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

See the discussion of Policy h above.

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

- *locating facilities near to or within areas...which, when viewed in context, considering perspective views, relative topography and other factors, mitigate their visual presence and prominence;*
- *obscuring or blocking the views of facilities with other existing structures, vegetation, tree cover, or topographic features to the maximum extent feasible;*

See previous discussions of Policies f, h, and i.

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

T-Mobile will submit that before any construction occurs on the proposal in question, a full engineering study will be completed demonstrating compliance with all NEPA regulations, including Sec. 106 which deals directly with impact on historic structures.

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

(See description of compliance with Policy k.)



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;

T-Mobile's argument: That the monopole, designed as a tree, shall be substantially similar to that of its surroundings, located on a 5.4 acre lot used a community pool and tennis club, and will be surrounded by a 8' high board on board fence. Thus, the above policy is fully adhered to in this application.

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;

T-Mobile's argument: That the proposed monopole shall be designed as a tree and shall be substantially be of a bulk, mass and height typical of and similar to the feature selected. The height of 120' (including a 5' high tree canopy) is requested due to the coverage needs in the area. A monopole of lower height will not satisfy the coverage objectives and thus render the proposed Facility 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.

T-Mobile's argument: The proposed tree monopole shall be substantially similar to that of its surroundings. Camouflage of the monopole is obtained by its design, discussed above, which will blend with the current swim club facilities.

ALTERNATIVE SITES CONSIDERED FOR THIS PROPOSAL

The closest nearby existing facilities are already in use by T-Mobile and there are no additional existing structures available. Those structures are:

· · T · · Mobile ·

	<u>Site</u>	<u>Address</u>	<u>Zoning</u>
1.	VA State Police-Braddock	9801 Braddock Road	R-1
	T-Mobile is currently collocated on this self-support tower. This facility only covers the area around Braddock Road and Burke Station Road and will not cover T-Mobile's objective in the residential communities surrounding Commonwealth Blvd.		
2.	Lord of Life Church	5116 Twinbrook Road	R-1
	T-Mobile is also collocated on this a steeple at this 45' tall Church. This proposed facility will only provide coverage to the Braddock Road area between Twinbrook Road and Guinea Road. The facility will not provide coverage to the residence around the Commonwealth Blvd. area.		

The applicant, T-Mobile Northeast, LLC, respectfully submits to the Planning Commission that the proposed facility is consistent with the Comprehensive Plan as to character, location, and extent, and requests that the Planning Commission make such a finding.

Please contact me if you have any questions with reference to this submission.

Sincerely,



Amy Bird
Senior Zoning Manager
Network Building & Consulting, LLC
Consultant for T-Mobile Northeast LLC

SUBJECT PARCEL

PARCEL ID: 0883 05 0085
 COMMONWEALTH SWIM CLUB, INC. TRUSTEES
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0086
 WAYWOOD TERRACE HOMEOWNERS ASSN
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0087
 ANDERSON CHARLES A AND UNETTE H
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0088
 METZELL HARRY M AND MARY
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0089
 ALBERTSON PAUL D
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0090
 SHERMAN KEITH AND DANIELLA
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0091
 USMAN SHERMAN T, N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0092
 USMAN SHERMAN T, N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0093
 SCHALLER N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0094
 FINLEY JOHN C, N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0095
 CALL FRED W, N/T
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0096
 HUR JOE L
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0097
 SATRE JOHN W, SATRE RUBY F
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0098
 CHOI KYONG SUN, AND CHOI O
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0099
 OLIVER ROBERT W, JR
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0100
 SCHELL RONALD J & KATHERINE
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0101
 HOWELL CHRISTINE E
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0102
 SHERMAN KEITH AND DANIELLA
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0103
 BUTLER MONTY L, JR
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0104
 SATRE JOHN W, SATRE RUBY F
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

PARCEL ID: 0883 05 0105
 CHOI KYONG SUN, AND CHOI O
 PARCEL ADDRESS: 9716 COMMONWEALTH BV
 MAILING ADDRESS: 1007 WALDPORT LN
 ALEXANDRIA, VA 22302
 DEED BOOK 0845 PAGE 150
 LAND USE: SINGLE FAMILY, DETACHED
 AREA: 11,942 SF

entrex
 communication services, inc.
 6600 Rockledge Drive, Suite 500
 Fairfax, VA 22032
 Phone: (703) 248-0900
 Fax: (703) 248-0901

REV	DATE	DESCRIPTION
1	11-13-07	ISSUE REVIEW
2	11-18-08	FINAL COMMENTS
3	08-12-09	FUT. CARRIERS & REGOT
4	08-10-09	COUNTY COMMENTS
5	08-10-09	BY & SELL AGREEMENT
6	03-09-11	COMPOND RELOCATION
7	03-09-11	ADD LANSKIPING
8	03-09-11	ADD LANSKIPING
9	05-20-11	ADD LANSKIPING



T-MOBILE NORTHEAST LLC
 12050 BALTIMORE AVENUE
 BELTSVILLE, MD 20705
 PHONE: (240) 264-8800

PROJECT NO: 1042.450
 DESIGNER: R. S.
 ENGINEER: C. S.

SCALE: 1" = 100'
 GRAPHIC SCALE IN INCHES
WAC247A
COMMONWEALTH
SWIM CLUB
9800 COMMONWEALTH
BOULEVARD
FAIRFAX, VA 22032

TITLE:
ADJOINERS
LIST
 SHEET NUMBER:
Z-1A

entrex
communication services, Inc.

6600 Rockledge Drive, Suite 550
Phone: (202) 462-0900
Fax: (202) 462-0981

DATE	DESCRIPTION	BY
08-14-07	ZONING REVIEW	0
11-13-07	ZONING	1
11-14-08	COUNTY COMMENTS	1
01-21-09	EUT COMMENTS & EDIT	2
08-02-09	COUNTY COMMENTS	3
08-18-10	BYA & SITE MAINTENANCE	4
10-18-11	CONDOMINIUM REGULATION	5
05-08-11	COUNTY COMMENTS	6
05-20-11	ADD LAYOUT	7



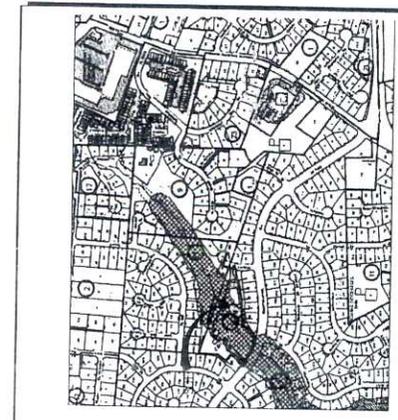
T-MOBILE NORTHEAST LLC
12050 BALTIMORE AVENUE
BELTSVILLE, MD 20705
PHONE: (410) 244-8800

PROJECT NO: 1042-450
DESIGNER: P. S.
ENGINEER: C. S.
SCALE:
GRAPHIC SCALE IN INCHES

**WAC247A
COMMONWEALTH
SWIM CLUB
9800 COMMONWEALTH
BOULEVARD
FAIRFAX, VA 22032**

TITLE:
CIVIL MAPS

SHEET NUMBER:
Z-4



RESOURCE MANAGEMENT MAP
SCALE: 1" = 200'

SOURCE:
FAIRFAX COUNTY COMPREHENSIVE PLANS

NOTES:
THE PROJECT SITE IS LOCATED WITHIN THE RESOURCE MANAGEMENT MAP SECTION 1B-3 AS ALL LAND WITHIN THE RESOURCE PROTECTION AREA.



SOILS MAP
SCALE: 1" = 200'

SOURCE:
COUNTY MAP SECTION 1B-3

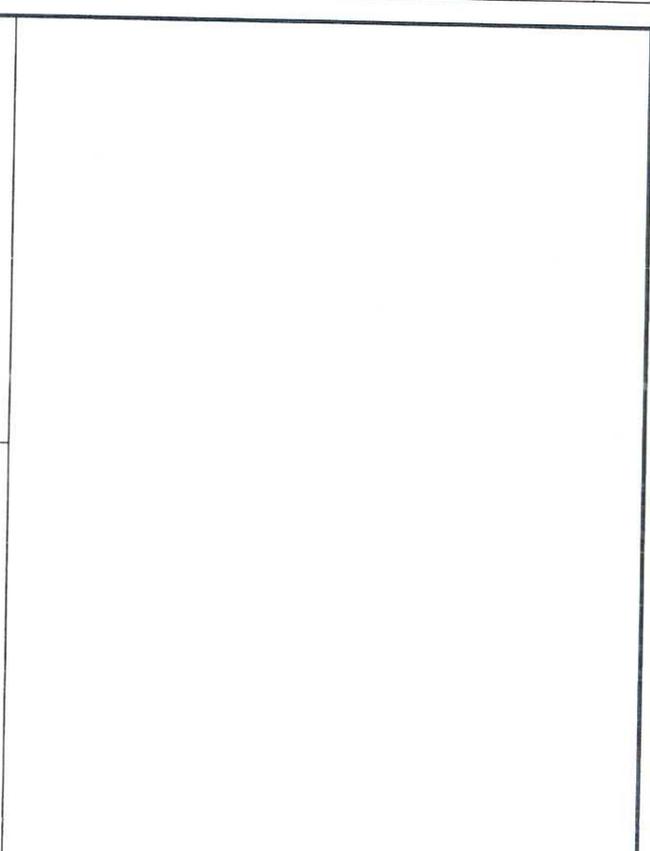
NOTES:
SOILS ARE CLASSIFIED AS 10B+ AND 10B-1.



TRAIL MAP
SCALE: 1" = 1000'

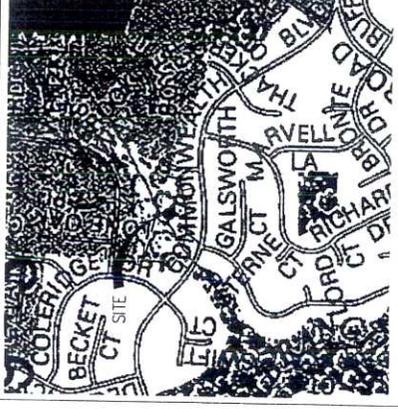
SOURCE:
FAIRFAX COUNTY COMPREHENSIVE PLAN

NOTES:
THERE IS ONE BROWN ALBERT WHOLE SALES TRAIL ALONG COMMONWEALTH BLVD.



ZONING MAP
SCALE: 1" = 200'

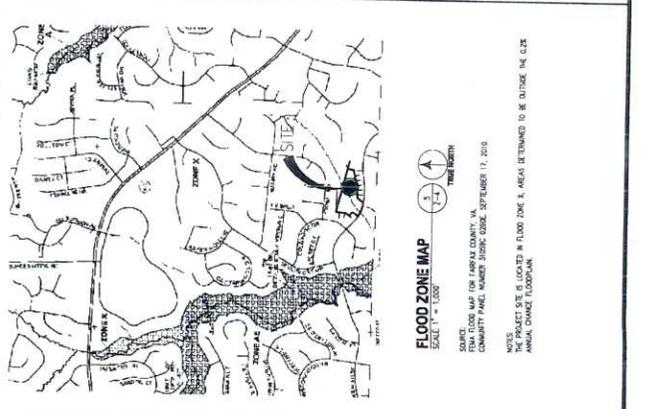
SOURCE:
FAIRFAX COUNTY COMPREHENSIVE PLANS



COMPREHENSIVE LAND USE MAP
SCALE: 1" = 200'

SOURCE:
FAIRFAX COUNTY COMPREHENSIVE PLAN

NOTES:
THE PROJECT SITE IS CLASSIFIED AS A QUALITY CORRIDOR (PARKS CORRIDOR) IN THE HIGHEST ENVIRONMENTAL QUALITY CORRIDOR (PARKS CORRIDOR).



FLOOD ZONE MAP
SCALE: 1" = 200'

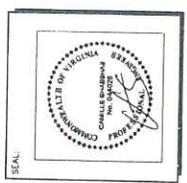
SOURCE:
COUNTY MAP FOR FAIRFAX COUNTY, VA. COMMUNITY PLANS, NUMBER 22000, ISSUE: SEPTEMBER 17, 2010

NOTES:
THE PROJECT SITE IS LOCATED IN FLOOD ZONE X. AREAS DETERMINED TO BE OUTSIDE THE CLZE ARE SHOWN IN LIGHT GRAY.

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communication services, Inc.

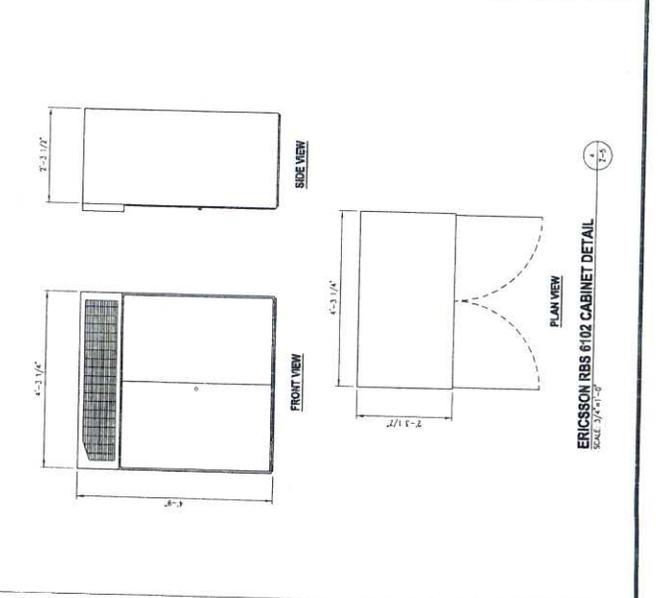
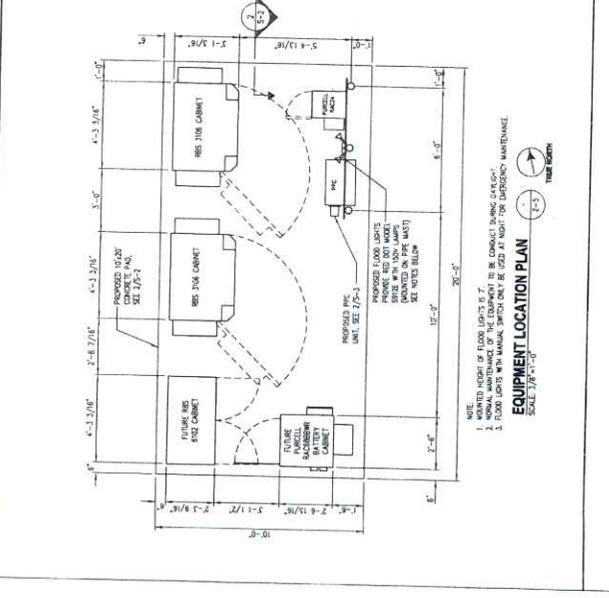
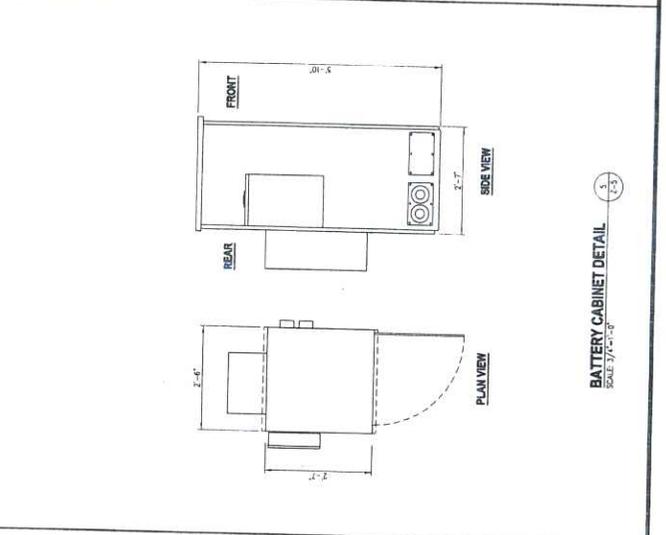
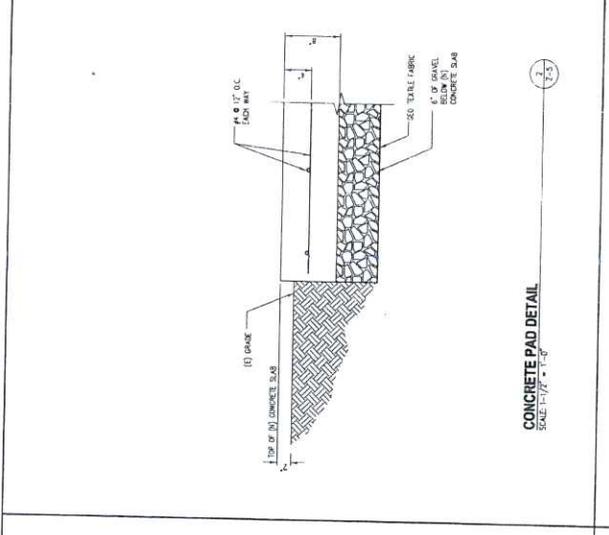
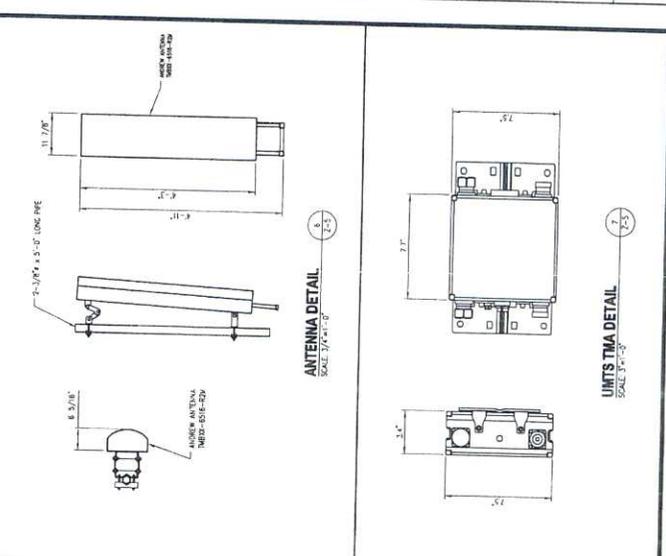
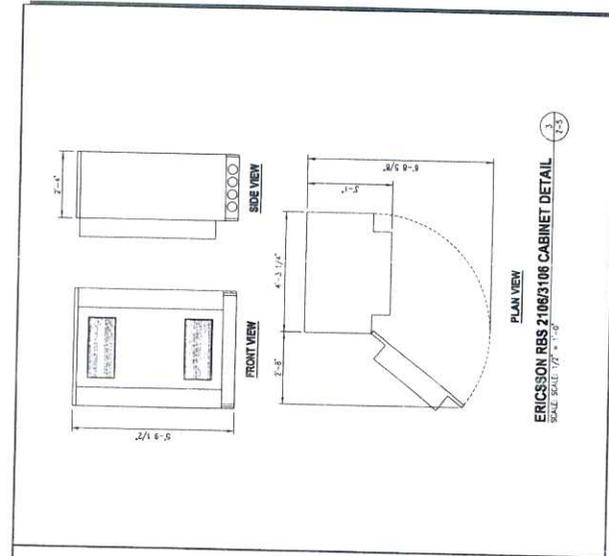
6600 Rockledge Drive, Suite 500
Bethesda, MD 20817
Tel: (301) 440-9600
Fax: (301) 440-9661

DATE	DESCRIPTION	REV
08-15-07	ZONE REVIEW	4
08-15-07	COUNTY COMMENTS	0
08-15-07	FUT. CARRIES & HEIGHT	2
08-22-09	COUNTY COMMENTS	3
08-15-10	SPA. & SITE ADJUSTMENT	4
03-16-11	COMPASS RELATION	5
03-16-11	ADD LANDSCAPING	6
03-16-11	ADD COMMENTS	7
03-29-11	ADD COMMENTS	8

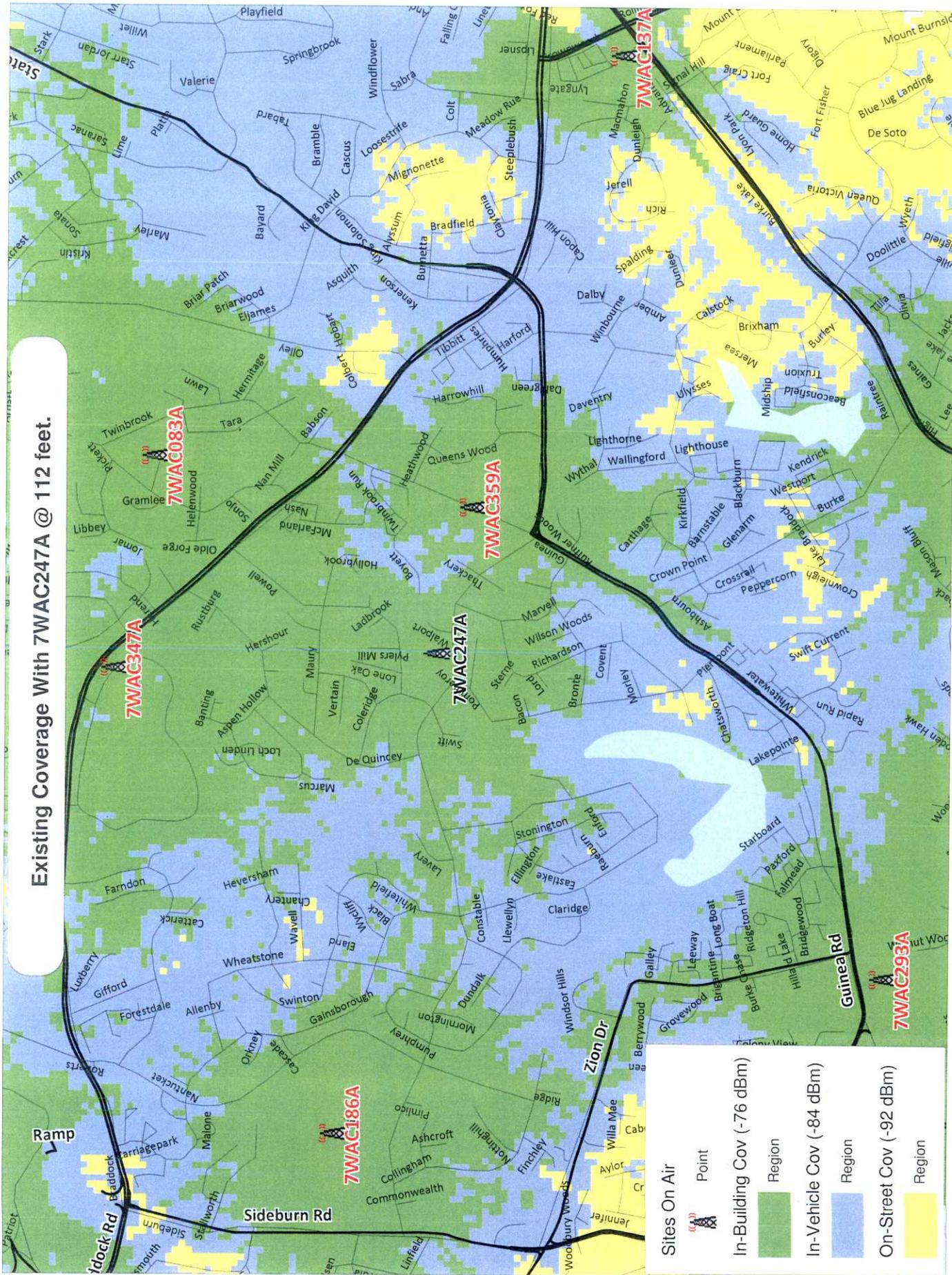


T-MOBILE NORTHEAST LLC
12009 BALTIMORE AVENUE
BELTSVILLE, MD 20705
PHONE: (240) 284-0800

PROJECT NO. 1042-460
DESIGNER: R. K.
ENGINEER: C. S.
SCALE: 0 = 1/2"
GRAPHIC SCALE IN INCHES
WAC247A
COMMONWEALTH SWIM CLUB
9800 COMMONWEALTH BOULEVARD
FAIRFAX, VA 22032
TITLE: EQUIPMENT DETAILS
SHEET NUMBER: Z-5



Existing Coverage With 7WAC247A @ 112 feet.



Sites On Air

- Point

In-Building Cov (-76 dBm)

- Region

In-Vehicle Cov (-84 dBm)

- Region

On-Street Cov (-92 dBm)

- Region

T-MOBILE NORTHEAST LLC

WAC247A

COMMONWEALTH SWIM CLUB

9800 Commonwealth Boulevard

Fairfax, VA 22032

Aerial View



T-MOBILE NORTHEAST LLC

WAC247A

COMMONWEALTH SWIM CLUB

9800 Commonwealth Boulevard
Fairfax, VA 22032

**P1-View Looking South From
Powell Road (Not Visible)**



T-MOBILE NORTHEAST LLC

WAC247A

COMMONWEALTH SWIM CLUB

9800 Commonwealth Boulevard
Fairfax, VA 22032

**P2-View Looking Southwest
From Wenzel Street**

PROPOSED T-MOBILE 120' TREEPOLE



T-MOBILE NORTHEAST LLC

WAC247A

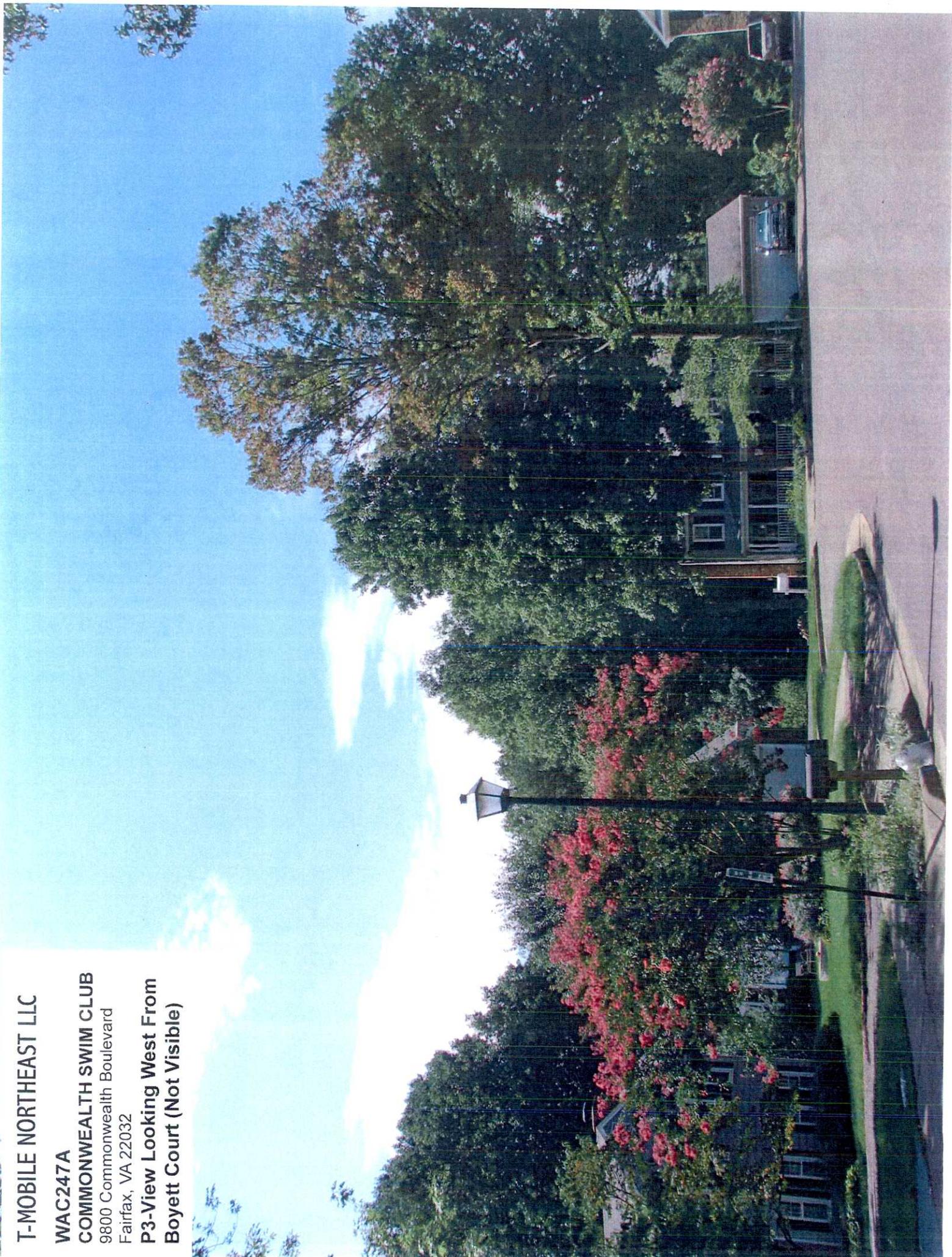
COMMONWEALTH SWIM CLUB

9800 Commonwealth Boulevard

Fairfax, VA 22032

P3-View Looking West From

Boyett Court (Not Visible)



T-MOBILE NORTHEAST LLC

WAC247A

COMMONWEALTH SWIM CLUB

9800 Commonwealth Boulevard

Fairfax, VA 22032

P4-View Looking Northwest

From Commonwealth Blvd

(Not Visible)



T-MOBILE NORTHEAST LLC

WAC247A

COMMONWEALTH SWIM CLUB

9800 Commonwealth Boulevard

Fairfax, VA 22032

P5-View Looking Northeast

From Pommeroy Drive

(Not Visible)





Wenzel St

Ladonck Way

Pylers Mill Cr

Powell Rd

Commonwealth Blvd

Coleridge Rd

Swire Ct

9800 Commonwealth Blvd, Fairfax, VA 22032

Image © 2009 Commonwealth of Virginia

© 2009 Tele Atlas

Galsworth Ct

77°17'00.15" W

elev. 320 ft

Feb 1, 2007

Eye alt



COMMONWEALTH of VIRGINIA

DAVID S. EKERN, P.E.
COMMISSIONER

DEPARTMENT OF TRANSPORTATION

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

October 2, 2009

Ms. Regina Coyle
Director of Zoning Evaluation
Department of Planning and Zoning
12055 Government Center Parkway, Suite 801
Fairfax, Virginia 22035-5511

Re: T-Mobile Northeast LLC & Commonwealth
Swim Club, Inc.
SE 2009-BR-020/SPA 79-A-075-03
Tax Map No.: 69-3((5))B

Dear Ms. Coyle:

We have reviewed the referenced plan as requested and offer the following comment:

- All previously approved conditions should be carried forward with this application.

If you have any questions, please call me at (703) 383-2059.

Sincerely,

A handwritten signature in black ink, appearing to read "Peter K. Gerner".

Peter K. Gerner, P.E.
Transportation Engineer

cc: Ms. Angela Rodeheaver



County of Fairfax, Virginia

MEMORANDUM

DATE: September 17, 2009

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

FROM: Angela Kadar Rodeheaver
Site Analysis Section
Department of Transportation

FILE: 3-5 (SE 2009-BR-020)

SUBJECT: Transportation Impact

REFERENCE: SE 2009-BR-020
T-Mobile Northeast LLC & Commonwealth Swim Club, Inc.
Traffic Zone: 1593
Land Identification Map: 69-3 ((5)) B

Transmitted herewith are the comments from the Department of Transportation with respect to the referenced application. These comments are based on plats made available to this office dated September 18, 2007, and revised through June 2, 2009. The applicant wishes to install a 120-foot monopole tree structure for up to 12 panel antennas per carrier and related ground equipment within a fenced compound. The monopole will be able to accommodate up to 148 wireless panel antennas hidden within the branches of the structure.

This department has no transportation issues with this application.

AKR/LAH/lah



County of Fairfax, Virginia

MEMORANDUM

August 18, 2009

TO: Tracy Strunk, Staff Coordinator
Department of Planning and Zoning, Zoning Evaluation Division

FROM: Ineke Dickman, Urban Forester II
Forest Conservation Branch, DPWES

SUBJECT: Commonwealth Swim Club, SE 2009-BR-020,
Associated with SPA 79-A-075-03

Urban Forest Management Division staff has reviewed the above referenced Special Exception plan (SPA plan) stamped as received by the Department of Planning and Zoning, Zoning Evaluation Division on, June 30, 2009. A site visit was performed on August 19, 2009.

1. **Comment:** The proposed location of the cell phone tower and equipment is within a Resource Protection Area (RPA). This is an environmentally sensitive area and the proposed tower might have an adverse impact on the stream and the RPA. The RPA has not been shown on the plan. It is also not clear if cell phone towers are allowed to be located within an RPA as it is not a "water dependent" use.

Recommendation: Applicant should show the Resource Protection Area on all the plan sheets. UFMD recommends that the storm water review branch of the Environmental Site Review Division be contacted to make sure that this application is in conformance with all the requirements of the Chesapeake Bay Ordinance.

2. **Comment:** This plan, as well as all the tree planting notes, tree preservation notes, tree protection notes and all of the accompanying details are not in conformance with the Tree Conservation Ordinance and Public Facilities Manual in effect January 1, 2009. Many of the things mentioned in these notes are not applicable to this site or outdated.

Recommendation: Submit a plan that is in conformance with the requirements of the Tree Conservation Ordinance and Public Facilities Manual that went into effect January 1, 2009. Submit tree preservation notes, tree protection notes, tree planting notes and details that are in conformance with the Public Facilities Manual. Remove superfluous details if they are not applicable such as tunneling, fertilization, pruning, planting, staking etc.

3. **Comment:** There are mature tulip poplars and one Virginia pine very close to the edge of pavement where the tower and equipment structure are proposed. The plan does not show the canopy of these trees accurately as the canopies completely overhang the existing parking spaces and more trees are likely to interfere with the tower and

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



structure. Two trees are shown to be removed but it is unclear which trees they are as they are not identified. It also appears unlikely that other trees close to the edge of pavement can be preserved since they are leaning and overhanging the parking spaces.

Recommendation: Applicant should accurately display all existing canopy (by their critical root zone) within 25 feet of the limits of clearing for the tower and equipment structure. Individual trees that are proposed to be removed should be identified by species and marked on the plan as "to be removed".

4. **Comment:** Tree protection fencing is shown off-set from the limits of clearing on Sheet Z-2 and Note 2 on sheet Z-6 states tree protection fencing shall be placed two feet outside the silt fence marking the limits of disturbance. Tree protection fencing and silt fence shall be placed at the limits of clearing, and tree protection fencing shall not be off-set two feet. Super silt fence may be used instead of 14-gauge welded wire tree protection fencing.

Recommendation: Applicant should change note 2 on sheet Z-6 so that it states that tree protection fencing shall be placed at the limits of clearing. The note should also specify that either 14 gauge welded wire or super silt fence shall be used along the northern and western limits of clearing for the construction of the cell tower enclosure. The plan should be updated accordingly.

5. **Comment:** Note 1 on Sheet Z-6 states that tree protection fencing shall be installed under the supervision of the urban forester. Note 3 states that final species of trees and shrubs shall be determined with the urban planner. These notes are both incorrect as our office does not supervise tree protection fencing installation; no trees or shrubs are proposed and the urban planner does not have any authority over selection of species.

Recommendation: Update notes to be in conformance with the Public Facilities Manual and to only reflect what is proposed on the site.

6. **Comment:** The tree preservation notes are confusing and incorrect. Paragraph 1 and 2 of the notes refer to white and red oaks 10-30 feet from the proposed PAD. There are only tulip poplars in the immediate vicinity of the proposed PAD and they are within a foot of the edge of pavement and therefore the PAD.

Recommendation: Take reference to oaks out of the tree preservation notes. In general update the tree preservation notes to reflect this site.

7. **Comment:** The Trenching paragraph of the tree preservation notes is not clear. No immediate backfill of the trench is proposed and leaving a trench open for any amount of time would severely damage and dry out any of the exposed tree roots. Additionally it appears as though the tower and enclosure will be built in an area that presently has

Department of Public Works and Environmental Services
Land Development Services, Urban Forest Management Division

12055 Government Center Parkway, Suite 518

Fairfax, Virginia 22035-5503

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asphalt, which would make installation of a trench difficult on the eastern and southern boundary. The description of where the trench would be located is therefore incorrect.

Recommendation: The applicant should add a sentence to this note stating that any trench, whether it be for root pruning or silt fence installation shall be immediately backfilled to cover any exposed roots. Update the note to reflect where the trenching will take place on this site.

8. **Comment:** The fencing and armoring detail and tree protection fencing detail on sheets Z-6 and Z-7 are outdated as some of the displayed methods do not provide adequate protection of trees.

Recommendation: Applicant should specify 14 gauge welded wire tree protection fencing, remove the fencing and armoring details and provide a detail for 14 gauge welded wire tree protection fencing with signage in conformance with the PFM.

Please call if you have any questions.

AID/

UFMID #: 147040





County of Fairfax, Virginia

MEMORANDUM

June 3, 2011

TO: Miriam H. Bader AICP, Staff Coordinator
Department of Planning and Zoning, ZED

FROM: Ineke Dickman, Urban Forester II *AID*
Forest Conservation Branch, DPWES

SUBJECT: Commonwealth Swim Club, SE 2009-BR-020

Urban Forest Management Division staff has reviewed the above referenced SE stamped as received by the Department of Planning and Zoning, Zoning Evaluation Division on May 27, 2011.

All Urban Forest Management Division's concerns have been adequately addressed and UFMD does not have any new comments.

Please let me know if you have any questions.

AID/
UFMID #: 147040

cc: RA File
DPZ File





County of Fairfax, Virginia

MEMORANDUM

DATE: November 15, 2010

TO: Miriam Bader, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception #SE 2009-BR-020 & Special Permit Amendment #SPA 79-A-075-03, T-Mobile & Commonwealth Swim Club, Plat dated August 16, 2010, LDS Project #16534-ZONA-001-2, Tax Map #69-3-05-B, Braddock District

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

Chesapeake Bay Preservation Ordinance (CBPO)

This project is located in a Resource Protection Area (RPA). Since this project is located on an existing asphalt surface, a Water Quality Impact Assessment will be required for approval of a site plan (CBPO 4). Any trees removed from the RPA must be replaced (CBPO 118-3-3(d)).

Water quality controls will be required for the construction proposed within the RPA (CBPO 118-3-3(c)). No controls are shown on the plat.

Floodplain

There are regulated floodplains on the property. An approximate floodplain boundary must be shown on the plat (ZO 9-011.2.N). A floodplain study will be required for approval of the site plan. The project may be within a minor floodplain. Should the project be located within the floodplain, a floodplain determination would also be a requirement of site plan approval (ZO 2-903).

Downstream Drainage Complaints

There are no relevant downstream drainage complaints on file.

Stormwater Detention

The stormwater detention requirement can be met if no new impervious areas are proposed and the site's outfall is shown to be adequate.

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



Miriam Bader, Staff Coordinator
Special Exception #SE 2009-BR-020 & Special Permit Amendment #SPA 79-A-075-03
T-Mobile & Commonwealth Swim Club
November 15, 2010
Page 2 of 2

Site Outfall

No outfall statement is provided. A narrative meeting PFM 6-0204 will be required at site plan.

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

BF/

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



County of Fairfax, Virginia

MEMORANDUM

DATE: June 7, 2011

TO: Miriam Bader, Staff Coordinator
Zoning Evaluation Division
Department of Planning and Zoning

FROM: Beth Forbes, Stormwater Engineer *BF*
Environmental and Site Review Division
Department of Public Works and Environmental Services

SUBJECT: Special Exception #SE 2009-BR-020 & Special Permit Amendment #SPA 79-A-075-03, T-Mobile & Commonwealth Swim Club, Plat dated May 20, 2011, LDS Project #16534-ZONA-001-4, Tax Map #69-3-05-B, Braddock District

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

Chesapeake Bay Preservation Ordinance (CBPO)

This entire project is located in a Resource Protection Area (RPA). A site-specific RPA boundary is shown on the plat; the delineation study for this boundary has not yet been submitted to DPWES for review. An approved RPA Delineation Study will be required before site plan approval (LTI 08-12). Even though this project is located on an existing asphalt surface, because it is within an RPA, an approved Water Quality Impact Assessment will be required for approval of a site plan (CBPO 4). Any trees removed from the RPA must be replaced (CBPO 118-3-3(d)).

Water quality controls will be required for the construction proposed within the RPA (CBPO 118-3-3(c)), notwithstanding Note E on Sheet Z-2. No water quality control facilities are depicted on the plat. The applicant has proposed to dedicate a floodplain and storm drainage easement with the site plan. If this area is perpetually undisturbed, the easement can be used for open space credit (PFM Table 6.3).

Floodplain

There are regulated floodplains on the property. The minor floodplain on this property has not yet been mapped. An approximate floodplain boundary is depicted. The floodplain seems to be about 30 feet from the proposed cell tower, notwithstanding the Floodplain Note on Sheet Z-1.



Miriam Bader, Staff Coordinator
Special Exception #SE 2009-BR-020 & Special Permit Amendment #SPA 79-A-075-03
T-Mobile & Commonwealth Swim Club
June 7, 2011
Page 2 of 2

A floodplain study will be required for approval of the site plan. The project may be within a minor floodplain. Should the project be located within the floodplain, a floodplain use determination would also be a requirement of site plan approval (ZO 2-903).

Downstream Drainage Complaints

There are no relevant downstream drainage complaints on file.

Stormwater Detention

The stormwater detention requirement can be met if no new impervious areas are proposed and the site's outfall is shown to be adequate, the stormwater detention note on Sheet Z-2 notwithstanding.

Site Outfall

An outfall statement is provided, however, it does not mention the condition of the outfall. A narrative meeting PFM 6-0204 will be required at site plan.

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

BF/

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



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: September 11, 2009

SUBJECT: SE 2009-BR-020 w/SPA 79-A-075-03, T-Mobile NE, LLC & Commonwealth
Swim Club, Inc.
Tax map: 69-3 ((5)) B

The Park Authority staff has reviewed the above referenced plan. Based on that review, staff has determined that this application bears no adverse impact on land or resources of the Park Authority.

FCPA Reviewer: Andy Galusha
DPZ Coordinator: Kelli-Mae Goddard-Sobers

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



COMMONWEALTH of VIRGINIA

I. Preston Bryant, Jr.
Secretary of Natural Resources

Department of Historic Resources
2801 Kensington Avenue, Richmond, Virginia 23221

Kathleen S. Kilpatrick
Director

Tel: (804) 367-2323
Fax: (804) 367-2391
TDD: (804) 367-2386
www.dhr.virginia.gov

MEMORANDUM

DATE: December 8, 2009 **DHR File #** 2009-1777

TO: Aaron Levinthal
Advantage Environmental Consultants, Inc.

FROM: Christopher V. Novelli, Architectural Historian (804) 367-2323, Ext. 100
Office of Preservation Incentives

PROJECT: New 125-foot stealth treepole cell tower
9800 Commonwealth Boulevard, Fairfax Co., Virginia

- This project will have an effect on historic resources. Based on the information provided, the effect will not be adverse.
- This project will have an adverse effect on historic properties. Further consultation with DHR is needed under Section 106 of the NHPA.
- Additional information is needed before we will be able to determine the effect of the project on historic resources. **Please see attached sheet.**
- No further identification efforts are warranted. No historic properties will be affected by the project. Should unidentified historic properties be discovered during implementation of the project, please notify DHR.
- We have previously reviewed this project. Attached is a copy of our correspondence.
- Other (Please see comments below)

COMMENTS:

Please contact Marc Holma, (804) 367-2323, ext. 114 with questions about this review.

Administrative Services
10 Courthouse Avenue
Petersburg, VA 23803
Tel: (804) 863-1624
Fax: (804) 862-6196

Capital Region Office
2801 Kensington Ave
Richmond, VA 23221
Tel: (804) 367-2323
Fax: (804) 367-2391

Tidewater Region Office
14415 Old Courthouse Way, 2nd Floor
Newport News, VA 23608
Tel: (757) 886-2807
Fax: (757) 886-2808

Roanoke Region Office
1030 Penmar Ave., SE
Roanoke, VA 24013
Tel: (540) 857-7585
Fax: (540) 857-7588

Northern Region Office
5357 Main Street
PO Box 519
Stephens City, VA 22653
Tel: (540) 868-7031
Fax: (540) 868-7033

9-006 General Standards

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular category or use, the Board shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the Board may impose more strict requirements for a given use than those set forth in this Ordinance.



9-104 Standards for all Category 1 Uses

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

1. Category 1 special exception uses shall not have to comply with the lot size requirements or the bulk regulations set forth for the zoning district in which located.
2. No land or building in any district other than the I-5 and I-6 District shall be used for the storage of materials or equipment, or for the repair or servicing of vehicles or equipment, or for the parking of vehicles except those needed by employees connected with the operation of the immediate facility.
3. If the proposed location of a Category 1 use is in an R district, there shall be a finding that there is no alternative site available for such use in a C or I district within 500 feet of the proposed location; except that in the case of electric transformer stations and telecommunication central offices, there shall be a finding that there is no alternative site available in a C or I district within a distance of one (1) mile, unless there is a substantial showing that it is impossible for satisfactory service to be rendered from an available location in such C or I district.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.



Additional Standards for Mobile and Land Based Telecommunication Facilities

1. Except for antennas completely enclosed within a structure, all antennas and their supporting mounts shall be of a material or color that closely matches and blends with the structure on which it is mounted.
2. Except for a flag mounted on a flagpole as permitted under the provisions of Par. 2 of Sect. 12-203, no commercial advertising or signs shall be allowed on any monopole, tower, antenna, antenna support structure, or related equipment cabinet or structure.
3. If any additions, changes or modifications are to be made to monopoles or towers, the Director shall have the authority to require proof, through the submission of engineering and structural data, that the addition, change, or modifications conforms to structural wind load and all other requirements of the Virginia Uniform Statewide Building Code.
4. No signals, lights or illumination shall be permitted on an antenna unless required by the Federal Communications Commission, the Federal Aviation Administration or the County, provided, however, that on all antenna structures which exceed 100 feet in height, a steady red marker light shall be installed and operated at all times, unless the Zoning Administrator waives the red marker light requirement upon a determination by the Police Department that such marker light is not necessary for flight safety requirements for police and emergency helicopter operations. All such lights shall be shielded to prevent the downward transmission of light.
5. All antennas and related equipment cabinets or structures shall be removed within 120 days after such antennas or related equipment cabinets or structures are no longer in use.

8-006 General Standards

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

1. The proposed use at the specified location shall be in harmony with the adopted comprehensive plan.
2. The proposed use shall be in harmony with the general purpose and intent of the applicable zoning district regulations.
3. The proposed use shall be such that it will be harmonious with and will not adversely affect the use or development of neighboring properties in accordance with the applicable zoning district regulations and the adopted comprehensive plan. The location, size and height of buildings, structures, walls and fences, and the nature and extent of screening, buffering and landscaping shall be such that the use will not hinder or discourage the appropriate development and use of adjacent or nearby land and/or buildings or impair the value thereof.
4. The proposed use shall be such that pedestrian and vehicular traffic associated with such use will not be hazardous or conflict with the existing and anticipated traffic in the neighborhood.
5. In addition to the standards which may be set forth in this Article for a particular group or use, the BZA shall require landscaping and screening in accordance with the provisions of Article 13.
6. Open space shall be provided in an amount equivalent to that specified for the zoning district in which the proposed use is located.
7. Adequate utility, drainage, parking, loading and other necessary facilities to serve the proposed use shall be provided. Parking and loading requirements shall be in accordance with the provisions of Article 11.
8. Signs shall be regulated by the provisions of Article 12; however, the BZA, under the authority presented in Sect. 007 below, may impose more strict requirements for a given use than those set forth in this Ordinance.

Standards for all Group 4 Uses

1. Except for Use 2 set forth in Sect. 401 above, all uses and their related facilities shall be under the control and direction of a board of managers composed, at least in part, of the residents of the area intended to be served by the facility. Further, no Group 4 use shall be operated on a profit-making basis, and the owner of the facility shall be a nonprofit organization where membership thereto is limited to residents of nearby residential areas.
2. All uses shall comply with the bulk regulations of the zoning district in which located.
3. All uses shall comply with the performance standards specified for the zoning district in which located, including the submission of a sports illumination plan as may be required by Part 9 of Article 14.
4. Before establishment, all uses, including modifications or alterations to existing uses, shall be subject to the provisions of Article 17, Site Plans.

GLOSSARY

This Glossary is provided to assist the public in understanding the staff evaluation and analysis of development proposals. It should not be construed as representing legal definitions. Refer to the Fairfax County Zoning Ordinance, Comprehensive Plan or Public Facilities Manual for additional information.

ABANDONMENT: Refers to road or street abandonment, an action taken by the Board of Supervisors, usually through the public hearing process, to abolish the public's right-of-passage over a road or road right-of way. Upon abandonment, the right-of-way automatically reverts to the underlying fee owners. If the fee to the owner is unknown, Virginia law presumes that fee to the roadbed rests with the adjacent property owners if there is no evidence to the contrary.

ACCESSORY DWELLING UNIT (OR APARTMENT): A secondary dwelling unit established in conjunction with and clearly subordinate to a single family detached dwelling unit. An accessory dwelling unit may be allowed if a special permit is granted by the Board of Zoning Appeals (BZA). Refer to Sect. 8-918 of the Zoning Ordinance.

AFFORDABLE DWELLING UNIT (ADU) DEVELOPMENT: Residential development to assist in the provision of affordable housing for persons of low and moderate income in accordance with the affordable dwelling unit program and in accordance with Zoning Ordinance regulations. Residential development which provides affordable dwelling units may result in a density bonus (see below) permitting the construction of additional housing units. See Part 8 of Article 2 of the Zoning Ordinance.

AGRICULTURAL AND FORESTAL DISTRICTS: A land use classification created under Chapter 114 or 115 of the Fairfax County Code for the purpose of qualifying landowners who wish to retain their property for agricultural or forestal use for use/value taxation pursuant to Chapter 58 of the Fairfax County Code.

BARRIER: A wall, fence, earthen berm, or plant materials which may be used to provide a physical separation between land uses. Refer to Article 13 of the Zoning Ordinance for specific barrier requirements.

BEST MANAGEMENT PRACTICES (BMPs): Stormwater management techniques or land use practices that are determined to be the most effective, practicable means of preventing and/or reducing the amount of pollution generated by nonpoint sources in order to improve water quality.

BUFFER: Graduated mix of land uses, building heights or intensities designed to mitigate potential conflicts between different types or intensities of land uses; may also provide for a transition between uses. A landscaped buffer may be an area of open, undeveloped land and may include a combination of fences, walls, berms, open space and/or landscape plantings. A buffer is not necessarily coincident with transitional screening.

CHESAPEAKE BAY PRESERVATION ORDINANCE: Regulations which the State has mandated must be adopted to protect the Chesapeake Bay and its tributaries. These regulations must be incorporated into the comprehensive plans, zoning ordinances and subdivision ordinances of the affected localities. Refer to Chesapeake Bay Preservation Act, Va. Code Section 10.1-2100 et seq and VR 173-02-01, Chesapeake Bay Preservation Area Designation and Management Regulations.

CLUSTER DEVELOPMENT: Residential development in which the lots are clustered on a portion of a site so that significant environmental/historical/cultural resources may be preserved or recreational amenities provided. While smaller lot sizes are permitted in a cluster subdivision to preserve open space, the overall density cannot exceed that permitted by the applicable zoning district. See Sect. 2-421 and Sect. 9-615 of the Zoning Ordinance.

COUNTY 2232 REVIEW PROCESS: A public hearing process pursuant to Sect. 15.2-2232 (Formerly Sect. 15.1-456) of the Virginia Code which is used to determine if a proposed public facility not shown on the adopted Comprehensive Plan is in substantial accord with the plan. Specifically, this process is used to determine if the general or approximate location, character and extent of a proposed facility is in substantial accord with the Plan.

dBA: The momentary magnitude of sound weighted to approximate the sensitivity of the human ear to certain frequencies; the dBA value describes a sound at a given instant, a maximum sound level or a steady state value. See also Ldn.

DENSITY: Number of dwelling units (du) divided by the gross acreage (ac) of a site being developed in residential use; or, the number of dwelling units per acre (du/ac) except in the PRC District when density refers to the number of persons per acre.

DENSITY BONUS: An increase in the density otherwise allowed in a given zoning district which may be granted under specific provisions of the Zoning Ordinance when a developer provides excess open space, recreation facilities, or affordable dwelling units (ADUs), etc.

DEVELOPMENT CONDITIONS: Terms or conditions imposed on a development by the Board of Supervisors (BOS) or the Board of Zoning Appeals (BZA) in connection with approval of a special exception, special permit or variance application or rezoning application in a "P" district. Conditions may be imposed to mitigate adverse impacts associated with a development as well as secure compliance with the Zoning Ordinance and/or conformance with the Comprehensive Plan. For example, development conditions may regulate hours of operation, number of employees, height of buildings, and intensity of development.

DEVELOPMENT PLAN: A graphic representation which depicts the nature and character of the development proposed for a specific land area; information such as topography, location and size of proposed structures, location of streets trails, utilities, and storm drainage are generally included on a development plan. A development plan is a submission requirement for rezoning to the PRC District. A **GENERALIZED DEVELOPMENT PLAN (GDP)** is a submission requirement for a rezoning application for all conventional zoning districts other than a P District. A development plan submitted in connection with a special exception (SE) or special permit (SP) is generally referred to as an SE or SP plat. A **CONCEPTUAL DEVELOPMENT PLAN (CDP)** is a submission requirement when filing a rezoning application for a P District other than the PRC District; a CDP characterizes in a general way the planned development of the site. A **FINAL DEVELOPMENT PLAN (FDP)** is a submission requirement following the approval of a conceptual development plan and rezoning application for a P District other than the PRC District; an FDP further details the planned development of the site. See Article 16 of the Zoning Ordinance.

EASEMENT: A right to or interest in property owned by another for a specific and limited purpose. Examples: access easement, utility easement, construction easement, etc. Easements may be for public or private purposes.

ENVIRONMENTAL QUALITY CORRIDORS (EQCs): An open space system designed to link and preserve natural resource areas, provide passive recreation and protect wildlife habitat. The system includes stream valleys, steep slopes and wetlands. For a complete definition of EQCs, refer to the Environmental section of the Policy Plan for Fairfax County contained in Vol. 1 of the Comprehensive Plan.

ERODIBLE SOILS: Soils that wash away easily, especially under conditions where stormwater runoff is inadequately controlled. Silt and sediment are washed into nearby streams, thereby degrading water quality.

FLOODPLAIN: Those land areas in and adjacent to streams and watercourses subject to periodic flooding; usually associated with environmental quality corridors. The 100 year floodplain drains 70 acres or more of land and has a one percent chance of flood occurrence in any given year.

FLOOR AREA RATIO (FAR): An expression of the amount of development intensity (typically, non-residential uses) on a specific parcel of land. FAR is determined by dividing the total square footage of gross floor area of buildings on a site by the total square footage of the site itself.

FUNCTIONAL CLASSIFICATION: A system for classifying roads in terms of the character of service that individual facilities are providing or are intended to provide, ranging from travel mobility to land access. Roadway system functional classification elements include Freeways or Expressways which are limited access highways, Other Principal (or Major) Arterials, Minor Arterials, Collector Streets, and Local Streets. Principal arterials are designed to accommodate travel; access to adjacent properties is discouraged. Minor arterials are designed to serve both through traffic and local trips. Collector roads and streets link local streets and properties with the arterial network. Local streets provide access to adjacent properties.

GEOTECHNICAL REVIEW: An engineering study of the geology and soils of a site which is submitted to determine the suitability of a site for development and recommends construction techniques designed to overcome development on problem soils, e.g., marine clay soils.

HYDROCARBON RUNOFF: Petroleum products, such as motor oil, gasoline or transmission fluid deposited by motor vehicles which are carried into the local storm sewer system with the stormwater runoff, and ultimately, into receiving streams; a major source of non-point source pollution. An oil-grit separator is a common hydrocarbon runoff reduction method.

IMPERVIOUS SURFACE: Any land area covered by buildings or paved with a hard surface such that water cannot seep through the surface into the ground.

INFILL: Development on vacant or underutilized sites within an area which is already mostly developed in an established development pattern or neighborhood.

INTENSITY: The magnitude of development usually measured in such terms as density, floor area ratio, building height, percentage of impervious surface, traffic generation, etc. Intensity is also based on a comparison of the development proposal against environmental constraints or other conditions which determine the carrying capacity of a specific land area to accommodate development without adverse impacts.

Ldn: Day night average sound level. It is the twenty-four hour average sound level expressed in A-weighted decibels; the measurement assigns a "penalty" to night time noise to account for night time sensitivity. Ldn represents the total noise environment which varies over time and correlates with the effects of noise on the public health, safety and welfare.

LEVEL OF SERVICE (LOS): An estimate of the effectiveness of a roadway to carry traffic, usually under anticipated peak traffic conditions. Level of Service efficiency is generally characterized by the letters A through F, with LOS-A describing free flow traffic conditions and LOS-F describing jammed or grid-lock conditions.

MARINE CLAY SOILS: Soils that occur in widespread areas of the County generally east of Interstate 95. Because of the abundance of shrink-swell clays in these soils, they tend to be highly unstable. Many areas of slope failure are evident on natural slopes. Construction on these soils may initiate or accelerate slope movement or slope failure. The shrink-swell soils can cause movement in structures, even in areas of flat topography, from dry to wet seasons resulting in cracked foundations, etc. Also known as slippage soils.

OPEN SPACE: That portion of a site which generally is not covered by buildings, streets, or parking areas. Open space is intended to provide light and air; open space may function as a buffer between land uses or for scenic, environmental, or recreational purposes.

OPEN SPACE EASEMENT: An easement usually granted to the Board of Supervisors which preserves a tract of land in open space for some public benefit in perpetuity or for a specified period of time. Open space easements may be accepted by the Board of Supervisors, upon request of the land owner, after evaluation under criteria established by the Board. See Open Space Land Act, Code of Virginia, Sections 10.1-1700, et seq.

P DISTRICT: A "P" district refers to land that is planned and/or developed as a Planned Development Housing (PDH) District, a Planned Development Commercial (PDC) District or a Planned Residential Community (PRC) District. The PDH, PDC and PRC Zoning Districts are established to encourage innovative and creative design for land development; to provide ample and efficient use of open space; to promote a balance in the mix of land uses, housing types, and intensity of development; and to allow maximum flexibility in order to achieve excellence in physical, social and economic planning and development of a site. Refer to Articles 6 and 16 of the Zoning Ordinance.

PROFFER: A written condition, which, when offered voluntarily by a property owner and accepted by the Board of Supervisors in a rezoning action, becomes a legally binding condition which is in addition to the zoning district regulations applicable to a specific property. Proffers are submitted and signed by an owner prior to the Board of Supervisors public hearing on a rezoning application and run with the land. Once accepted by the Board, proffers may be modified only by a proffered condition amendment (PCA) application or other zoning action of the Board and the hearing process required for a rezoning application applies. See Sect. 15.2-2303 (formerly 15.1-491) of the Code of Virginia.

PUBLIC FACILITIES MANUAL (PFM): A technical text approved by the Board of Supervisors containing guidelines and standards which govern the design and construction of site improvements incorporating applicable Federal, State and County Codes, specific standards of the Virginia Department of Transportation and the County's Department of Public Works and Environmental Services.

RESOURCE MANAGEMENT AREA (RMA): That component of the Chesapeake Bay Preservation Area comprised of lands that, if improperly used or developed, have a potential for causing significant water quality degradation or for diminishing the functional value of the Resource Protection Area. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

RESOURCE PROTECTION AREA (RPA): That component of the Chesapeake Bay Preservation Area comprised of lands at or near the shoreline or water's edge that have an intrinsic water quality value due to the ecological and biological processes they perform or are sensitive to impacts which may result in significant degradation of the quality of state waters. In their natural condition, these lands provide for the removal, reduction or assimilation of sediments from runoff entering the Bay and its tributaries, and minimize the adverse effects of human activities on state waters and aquatic resources. New development is generally discouraged in an RPA. See Fairfax County Code, Ch. 118, Chesapeake Bay Preservation Ordinance.

SITE PLAN: A detailed engineering plan, to scale, depicting the development of a parcel of land and containing all information required by Article 17 of the Zoning Ordinance. Generally, submission of a site plan to DPWES for review and approval is required for all residential, commercial and industrial development except for development of single family detached dwellings. The site plan is required to assure that development complies with the Zoning Ordinance.

SPECIAL EXCEPTION (SE) / SPECIAL PERMIT (SP): Uses, which by their nature, can have an undue impact upon or can be incompatible with other land uses and therefore need a site specific review. After review, such uses may be allowed to locate within given designated zoning districts if appropriate and only under special controls, limitations, and regulations. A special exception is subject to public hearings by the Planning Commission and Board of Supervisors with approval by the Board of Supervisors; a special permit requires a public hearing and approval by the Board of Zoning Appeals. Unlike proffers which are voluntary, the Board of Supervisors or BZA may impose reasonable conditions to assure, for example, compatibility and safety. See Article 8, Special Permits and Article 9, Special Exceptions, of the Zoning Ordinance.

STORMWATER MANAGEMENT: Engineering practices that are incorporated into the design of a development in order to mitigate or abate adverse water quantity and water quality impacts resulting from development. Stormwater management systems are designed to slow down or retain runoff to re-create, as nearly as possible, the pre-development flow conditions.

SUBDIVISION PLAT: The engineering plan for a subdivision of land submitted to DPWES for review and approved pursuant to Chapter 101 of the County Code.

TRANSPORTATION DEMAND MANAGEMENT (TDM): Actions taken to reduce single occupant vehicle automobile trips or actions taken to manage or reduce overall transportation demand in a particular area.

TRANSPORTATION SYSTEM MANAGEMENT (TSM) PROGRAMS: This term is used to describe a full spectrum of actions that may be applied to improve the overall efficiency of the transportation network. TSM programs usually consist of low-cost alternatives to major capital expenditures, and may include parking management measures, ridesharing programs, flexible or staggered work hours, transit promotion or operational improvements to the existing roadway system. TSM includes Transportation Demand Management (TDM) measures as well as H.O.V. use and other strategies associated with the operation of the street and transit systems.

URBAN DESIGN: An aspect of urban or suburban planning that focuses on creating a desirable environment in which to live, work and play. A well-designed urban or suburban environment demonstrates the four generally accepted principles of design: clearly identifiable function for the area; easily understood order; distinctive identity; and visual appeal.

VACATION: Refers to vacation of street or road as an action taken by the Board of Supervisors in order to abolish the public's right-of-passage over a road or road right-of-way dedicated by a plat of subdivision. Upon vacation, title to the road right-of-way transfers by operation of law to the owner(s) of the adjacent properties within the subdivision from whence the road/road right-of-way originated.

VARIANCE: An application to the Board of Zoning Appeals which seeks relief from a specific zoning regulation such as lot width, building height, or minimum yard requirements, among others. A variance may only be granted by the Board of Zoning Appeals through the public hearing process and upon a finding by the BZA that the variance application meets the required Standards for a Variance set forth in Sect. 18-404 of the Zoning Ordinance.

WETLANDS: Land characterized by wetness for a portion of the growing season. Wetlands are generally delineated on the basis of physical characteristics such as soil properties indicative of wetness, the presence of vegetation with an affinity for water, and the presence or evidence of surface wetness or soil saturation. Wetland environments provide water quality improvement benefits and are ecologically valuable. Development activity in wetlands is subject to permitting processes administered by the U.S. Army Corps of Engineers

TIDAL WETLANDS: Vegetated and nonvegetated wetlands as defined in Chapter 116 Wetlands Ordinance of the Fairfax County Code: includes tidal shores and tidally influenced embayments, creeks, and tributaries to the Occoquan and Potomac Rivers. Development activity in tidal wetlands may require approval from the Fairfax County Wetlands Board.

Abbreviations Commonly Used in Staff Reports

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