

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, JANUARY 19, 2011**

PRESENT: Walter L. Alcorn, Commissioner At-Large
Frank A. de la Fe, Hunter Mill District
Jay P. Donahue, Dranesville District
Earl L. Flanagan, Mount Vernon District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
James R. Hart, Commissioner At-Large
Kenneth A. Lawrence, Providence District
John L. Litzenberger, Jr., Sully District
James T. Migliaccio, Lee District
Peter F. Murphy, Jr., Springfield District

ABSENT: Timothy J. Sargeant, Commissioner At-Large

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The meeting was called to order at 8:22 p.m., by Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Commissioner Hart announced that the Planning Commission's Environment Committee had met earlier this evening and received a presentation from staff on green building energy monitoring and data collection. He announced that the Committee would again meet at 7:00 p.m. in the Board Conference Room of the Government Center, on the following dates, and said that everyone would be welcome to attend.

- Thursday, February 3, 2011 – Continue discussion with staff regarding stormwater management;
- Thursday, February 24, 2011 – Line-by-line review of Green Building Policy strawman document.

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Commissioner Alcorn announced that he would be serving on the 2011 Advisory Citizen Reapportionment Committee that would consider possible redistricting plans and recommend options to the Board of Supervisors. He added that the committee had held its first meeting on Tuesday, January 18, 2011, and that suggestions were welcome.

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Commissioner Harsel announced that application 2232-B10-16, Fairfax County Public Schools, regarding the Woodson High School bus parking lot, had been withdrawn.

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FS-Y10-58 – CLEARWIRE, 14280 Park Meadow Drive

Commissioner Litzenberger MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE “FEATURE SHOWN” DETERMINATION IN FS-Y10-58, CLEARWIRE, FOR THE ADDITION OF THREE PANEL AND THREE DISH ANTENNAS BEHIND AN EXISTING SCREEN WALL ON TOP OF AN 84-FOOT BUILDING, LOCATED AT 14280 PARK MEADOW DRIVE IN THE WESTFIELDS OFFICE PARK IN CHANTILLY.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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FS-M10-65 – AT&T MOBILITY, 7001 Cindy Lane

Commissioner Hall MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FS-M10-65, AT&T MOBILITY AT 7001 CINDY LANE, IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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FS-P10-64 – T-MOBILE, NORTHEAST, LLC – I-66/Nutley Street/VDOT Right-of-Way

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY COLLOCATION PROPOSED BY T-MOBILE AND LOCATED IN THE VDOT RIGHT-OF-WAY AT I-66 AND NUTLEY STREET IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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FS-P10-52 – CLEARWIRE, 7500 Magarity Road

Commissioner Lawrence MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS FACILITY COLLOCATION PROPOSED BY CLEARWIRE AND LOCATED AT 7500 MAGARITY ROAD IS SUBSTANTIALLY IN ACCORD WITH THE RECOMMENDATIONS OF THE ADOPTED COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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FSA-71-4 – AT&T MOBILITY, 7171 Wimsatt Road

Commissioner Harsel MOVED THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT FSA-71-4, AT&T MOBILITY, 7171 WIMSATT ROAD, IS IN CONFORMANCE WITH THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A “FEATURE SHOWN” PURSUANT TO *VIRGINIA CODE* SECTION 15.2-2232, AS AMENDED.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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FSA-Y03-32-1 – VERIZON WIRELESS, 15000 Conference Center Drive

FS-H10-62 – CLEARWIRE, 2100 Reston Parkway

FSA-M96-40-2 – AT&T MOBILITY, 2946 Sleepy Hollow Road

FSA-V96-11-2 – AT&T MOBILITY, 6040 Richmond Highway

2232A-D00-4-5 – AT&T MOBILITY, I-495 & Old Dominion Drive

Chairman Murphy MOVED APPROVAL OF THE FOLLOWING CONSENT AGENDA ITEMS: FSA-Y03-32-1, VERIZON WIRELESS, 15000 CONFERENCE CENTER DRIVE; FS-H10-62, CLEARWIRE, 2100 RESTON PARKWAY; FSA-M96-40-2, AT&T WIRELESS, 2946 SLEEPY HOLLOW ROAD; FSA-V96-11-2, AT&T MOBILITY, 6040 RICHMOND HIGHWAY; AND 2232A-D00-4-5, AT&T MOBILITY, I-495 AND OLD DOMINION DRIVE.

Without objection, the motion carried unanimously with Commissioner Sargeant absent from the meeting.

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2232-L10-17 – WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY SE 2010-LE-017 – ISKALO CBR, LLC (The public hearing on these applications was held on January 13, 2011. A verbatim transcript of the decisions made is in the date file.)

Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION DEFER THE DECISIONS ONLY FOR SE 2010-LE-017 AND 2232-L10-17 TO A DATE CERTAIN OF FEBRUARY 3, 2011, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Lawrence seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

Commissioner Migliaccio MOVED THAT THE BOARD OF SUPERVISORS DEFER ITS PUBLIC HEARING TO A DATE FOLLOWING THE PLANNING COMMISSION'S DECISIONS FOR 2232-L10-17 AND SE 2010-LE-017.

Commissioner Flanagan seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. RZ 2009-BR-015/PCA C-083-02/SEA 87-A-086-2 – COLLEGE TOWN ASSOCIATES, LP
2. 2232-B09-31 – T-MOBILE NORTHEAST, LLC

This order was accepted without objection.

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RZ 2009-BR-015 – COLLEGE TOWN ASSOCIATES, LP – Appl. to rezone from R-1 to C-6 to consolidate 0.16 ac. with 19.74 ac. of land zoned C-6 to permit commercial development associated with PCA C-083-02 with an overall Floor Area Ratio (FAR) of 0.24. Located on the E. side of Ox Road approx. 400 ft. S. of its intersection with Braddock Road on approx. 0.16 ac. of land (6,795 sq. ft.). Comp. Plan Rec: Retail. Tax Map 68-1 (91) 9A. (Concurrent with PCA C-083-02 and SEA 87-A-086-02.) BRADDOCK DISTRICT.

PCA C-083-02 – COLLEGE TOWN ASSOCIATES, LP – Appl. to amend the proffers for RZ C-83 previously approved for commercial development to permit modifications to proffers and site development with an overall Floor Area Ratio (FAR) of 0.24. Located in the S.E. quadrant of the intersection of Ox Road and Braddock Road on approx. 18.64 ac. of land zoned C-6 and 1.1 ac. of land zoned R-1. Comp. Plan Rec: Retail. Tax Map 68-1 ((1)) 9. (Concurrent with RZ 2009-BR-015 and SEA 87-A-086-02.)
BRADDOCK DISTRICT.

SEA 87-A-086-02 – COLLEGE TOWN ASSOCIATES – Appl. under Sects. 4-604 and 9-607 of the Zoning Ordinance to amend SE 87-A-086-02 previously approved for drive-in financial institution to permit a childcare center, fast-food restaurant, drive-in financial institution, service station with mini-mart, an increase in building height from 40 ft. up to a maximum of 75 ft., and associated modifications to site design and development conditions. Located at 10697 Braddock Road on approx. 18.8 ac. of land zoned C-6. Tax Map 68-1 ((1)) 9A and 9 pt. (Concurrent with RZ 2009-PR-015 and PCA-C-083-02.) BRADDOCK DISTRICT. JOINT PUBLIC HEARING.

Keith C. Martin, Esquire, Sack, Harris, and Martin, PC, reaffirmed the affidavits dated November 30, 2010. There were no disclosures by Commission members.

William O'Donnell, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the applications.

In response to a question from Commissioner Harsel, Mr. O'Donnell said the revised Proffers and Development Conditions, dated January 19, 2011, a copy of which are in the date file, contained minor editorial changes and explained that the applicant had submitted new plans depicting the removal of the drive-in vehicle stacking simulation graphic from Sheets 5, 6, 7, 16A, and 16B.

Commissioner Hart said that Proffer Number 39, Food Odor, should be modified to state that all trash removal should occur between 7:00 a.m. and 9:00 p.m. He added that “performances” in the next to last line of the proffer should be singular. Additionally, he noted that Development Condition Number 10 was incomplete.

Responding to questions from Commissioner Harsel, Mr. O'Donnell clarified that the terminology for Building G on the site plan was incorrect and would be modified to show “fast-food establishment with a drive-in use.” He noted that the loading spaces had been mentioned in

the tabulations on Sheet 2, but were not depicted on the plans. He described their location and explained that the applicant would be required to file a Special Exception Amendment (SEA) application to provide the interparcel access shown on the site plan. Mr. O'Donnell also described the proposed expansion for each building. Additionally, he explained that although the applicant had proffered to reserve land for construction easements, staff would be unable to determine how much land would be required for the grade-separated interchange until the final engineering stage. Referring to Chart 1 on page 3 of the staff report, Mr. O'Donnell stated that the total proposed gross square footage was 206,338 and confirmed that the site would have two points of access.

Answering additional questions from Commissioner Harsel, Martha Coello, Fairfax County Department of Transportation, confirmed that sufficient space would be available to accommodate the proposed construction easements. She added that the access requirements had been met for the new entrance at the southern border.

In reply to a question from Commissioner Lawrence, Mr. O'Donnell said the proposed on-site telecommunications facilities could also support WiMAX equipment. Commissioner Harsel also noted that there were two telecommunications facilities in the vicinity that could support additional carriers.

Mr. Martin noted that the applicant had worked with Fairfax County staff, the Virginia Department of Transportation (VDOT), and nearby residents for three years on these applications. He stated that delays caused by VDOT involved transportation improvements culminating in the final design of the grade-separated interchange at Ox and Braddock Roads, which would occur in three phases, the first of which was fully funded. Mr. Martin pointed out that although University Mall was dated, it remained quite popular as a community meeting center, which also served George Mason University. He described the project and noted the increase in proposed square footage. He concluded with a presentation of the proposed renovations, a copy of which is in the date file.

Responding to questions from Commissioner Harsel, Mr. Martin stated that he was confident that the applicant would obtain all of the required signatures for the amended covenant, as noted in Appendix 10 of the staff report. He noted, however, that legal steps would be considered if full agreement still could not be reached after all of the landowners' concerns had been addressed.

Commissioner Harsel said she had met with several of the landowners and was told that none of them had been contacted after the initial meetings. Mr. Martin disagreed, pointing out that the applicant had invited property owners to several community meetings held during the fall of 2010. He added that Richard C. Wolff, President and Chief Executive Officer of George H. Rucker Realty, had individually met with property owners. Mr. Martin explained that these outreach efforts would result in a Final Development Plan that staff and the Planning Commission could support; hence, the subsequent amended covenant could be finalized and sent to the owners for signatures.

Answering questions from Commissioners Flanagan and Harsel, Mr. Martin confirmed that the applicant had proffered to provide a 1,000-square-foot community room. Mr. Martin said the location of the room had not been specified in the proffers and agreed to add the words, “above grade,” to the proffer upon request by Commissioner Flanagan.

In reply to questions from Commissioner Hart, Mr. Martin explained that the SEA would be valid without the signed covenant; however, the site plan could not be approved until the covenant was signed by all of the property owners. He added that the County Attorney had stated that the amended covenant only needed to be signed by the owners of the original 10 lots.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Cliff Keenan, Vice President, Country Club View Civic Association, 5207 Lindsay Street, Fairfax, discussed University Mall’s original design and described the area growth since he had moved to his community in 1978. He stated that residents had initially met to discuss plans to renovate the mall in 2007 and were shown plans similar to those proposed this evening. He said no communication had occurred again between the residents and the developer until October 5, 2010, when Rucker Realty held a meeting on the final plans for the University Mall renovation. Mr. Keenan noted that residents had expressed the following concerns:

- A road originating at the proposed entrance from Ox Road to the south appeared to provide a cut-through for commuters attempting to avoid the intersection at Route 123 and Braddock Road;
- The number of parking spaces would be inadequate and would need to increase proportionally as more buildings were erected;
- There was insufficient information as to the management and location of the trash receptacles and dumpsters;
- The plan contained very little information on stormwater management;
- The location of the playground appeared to be close to the proposed new cut-off road;
- The tower heights were excessive and their function was not explained; and
- References to the existing service station in the Generalized Development Plan (GDP), were very confusing.

Mr. Keenan pointed out that without the opportunity to address the above issues, in addition to questions raised this evening regarding Dominion Virginia power poles, it would be inappropriate to recommend approval of the applications.

In response to questions from Commissioner Harsel, Mr. Keenan confirmed that he had signed the original covenant, which held that future development impacting University Mall and the nearby land would require the concurrence of all of the property owners listed in the covenant.

Answering questions from Commissioner Hall, Mr. Keenan reiterated that the applicant had not met with the residents or provided responses for their questions. Commissioner Hall expressed

concern that he had so many unanswered questions during the public hearing because it showed an apparent disconnect between the applicant and the citizens.

Daniel Hartmann, 5100 Portsmouth Road, Fairfax, supported the proposed mall improvements; however, he had several concerns with the proposal, citing the following in the proffers:

- Paragraph 6, Signage, indicated monument-type signage, but did not specify the parameters of “monument-type” signage;
- Paragraphs 24 and 25, Stormwater Management (SWM) Facilities and Interim SWM Facilities, respectively, did not address maintenance and repair procedures;
- Paragraph 26, Landscaping and Landscaped Open Space, did not include residents in the tree preservation walk-through with an arborist; and,
- Paragraph 37, Pedestrian Elements, discussed new sidewalk construction but failed to mention the maintenance.

In addition, he noted the following concerns in the staff report:

- Of the three potential uses cited on page 3 for proposed Building E, a restaurant would have the most negative impact on the neighborhood because of the noise it would generate;
- The proposed increase in height allowing the accent towers would directly impact his residence since the tallest tower, at 75 feet, would stand directly in front of his bedroom;
- The parameters for the tower lighting were not clearly defined; and
- The transitional screening requirements were unclear.

Responding to questions from Commissioner Harsel, Mr. Hartmann confirmed that the amended covenant had erroneously stated the number of feet the stormwater detention facility would intrude into the R-1 buffer. He confirmed that he had discussed the matter with Mr. Wolff and did not sign the covenant.

In reply to questions from Commissioner Hart, Mr. Hartmann described the location of his property in relation to the other covenant property owners. He also noted the locations of the nearby road and sidewalks.

Answering an additional question from Commissioner Hart, Kristen Abrahamson, ZED, DPZ, indicated the location and height of the 75-foot tower.

Raymond Bernero, 5040 Portsmouth Road, Fairfax, stated that he owned one of the adjacent lots and was a signatory on the original covenant. He requested a determination of the date of the proffers and said it was unclear if the amended proffers could be approved without the unanimous consent of the covenant signatories. He explained that the applicant had presented an amended covenant to the property owners in October 2010, but failed to obtain all of the

required signatures. He added that the amended covenant had not been included in the current staff report, and said that all of the signatures should be required prior to final approval of the applications. Mr. Bernero expressed concern about the accent towers and asked if similar towers existed in the area for community members to visit. He echoed Mr. Hartmann's remarks regarding the tower lighting and sought answers regarding the center's new frontage and permanent signage. He added that the site plan depicted a free-standing veterinary clinic but did not list any provisions for exercise or waste pickup. Mr. Bernero requested a security camera be installed to monitor the southeast entrance to University Mall at Gadsen Drive because of recent vandalism and drug activity.

Commissioner de la Fe and Chairman Murphy remarked that clock towers and tower buildings existed throughout Fairfax County, citing the tower buildings in the Reston Town Center Urban Core and the Clocktower Shopping Center in Herndon as comparable examples.

Norbert Stingle, 5042 Portsmouth Road, Fairfax, echoed similar remarks made by the previous speakers with regard to the veterinary clinic, dumpsters, and towers. He added the following remarks:

- There was nothing in the proposal to ensure that the pedestrian walkways remained clear of animal waste;
- Standards should be set for the trash receptacles and made accessible to citizens; and
- The existing Giant Food store could no longer accommodate the local community and therefore should be considered for expansion.

In reply to questions from Commissioner Flanagan, Mr. Stingle confirmed that he was a signatory on the original covenant and confirmed that he would not sign the amended covenant until the homeowners received responses to their questions.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Martin.

Mr. Martin stated that he would gladly meet with the covenant holders and community members to resolve the issues brought up during tonight's hearing. He said the towers had been consistently depicted in the plans and was unaware of the opposition to them. However, he was confident that all outstanding issues would be resolved once the applicant and residents began working together.

In response to questions from Commissioner Harsel, Mr. Martin confirmed that he would address all of the concerns regarding the covenant. He pointed out that although the County Attorney might not require a fully-signed covenant prior to the Board of Supervisors' public hearing, he intended to obtain all of the signatures. However, he added that the fully-signed covenant would be required prior to site plan review.

Commissioner Harsel and Mr. Martin discussed the stormwater management and continuing communications with the residents to resolve ongoing issues.

Commissioner Hall recommended documenting issues and discussions to ensure that all of the items mentioned were resolved.

Answering questions from Commissioner Hall, Ms. Abrahamson acknowledged that the covenant was a private agreement the County could not enforce; however, it had been referenced in the proffers as a required item. Commissioner Hall said that it would be preferable if the covenant were fully endorsed prior to the Board of Supervisors' public hearing.

Further discussion ensued with input from Chairman Murphy, who remarked that having the signed covenant would expedite the approval process.

Commissioner Lawrence noted that the towers had been a common concern among the speakers and suggested that the applicant meet with residents and perhaps visit similar sites in the County.

Commissioner Hart remarked that it would be reasonable to recommend approval without the signed covenant as long as the approval of the site plan was conditioned on the covenant holders' consent. However, he expressed concern that lots depicted in the drawings might have erroneously been omitted from the covenant.

Further discussion ensued regarding the proposed veterinary clinic, with Commissioners Hart and Harsel stating that the existing information was indecisive and vague.

Responding to questions from Commissioner Harsel, Mr. O'Donnell explained that County staff would require approximately two months to review all documentation from the applicant and citizens and prepare an addendum for a decision date.

There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Harsel for action on these applications. (A verbatim excerpt is in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION DEFER THE DECISIONS ONLY FOR RZ 2009-BR-015, PCA C-083-02, AND SEA 87-A-086-2, COLLEGE TOWN ASSOCIATES, LP, TO A DATE CERTAIN OF APRIL 6, 2011, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Alcorn seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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2232-B09-31 – T-MOBILE NORTHEAST, LLC – Appl. under Sects. 15.2-2204 and 15.2-2232 of the *Code of Virginia* to develop a telecommunication facility and related equipment located at 5797-5801 Burke Centre Parkway, Burke. Tax Map: 77-1 ((1)) 74A. Area III. BRADDOCK DISTRICT. PUBLIC HEARING.

Anita Capps, Planning Division, Department of Planning and Zoning, presented the staff report, a copy of which is in the date file. She noted that staff recommended that the Planning Commission find the proposal substantially in accord with the provisions of the adopted Comprehensive Plan.

In response to questions from Commissioner Harsel, Ms. Capps confirmed that corrections would be made in reference to errors on page 3 as follows: both Verizon and T-Mobile would provide equipment cabinets, not just Verizon, as was stated in the first sentence; and, the reference to Port Road under “Description of Surrounding Area,” would be deleted.

Mr. Stearns showed propagation maps depicting the current and additional coverage and said that Verizon and T-Mobile were confident the proposed site would substantially improve coverage in the vicinity. He explained that a large number of smaller telecommunications installations would be required near residential areas to accommodate the demand for greater bandwidth from mobile communications devices and provide the robust signal necessary to receive reliable data transmissions.

Commissioner Harsel said she had met with residents from both Fairfax Club Estates and Burke Centre, noting that the latter supported the application. She noted that the Fairfax Club Estates residents had expressed concern about the restoration of the Pohick Stream Valley taking place concurrently with T-Mobile’s construction. She noted that Fred Rose, Chief, Watershed Planning and Assessment Branch, Stormwater Planning Division, Department of Public Works and Environmental Services (DPWES), said there were no immediate plans for the restoration and that an extensive coordinated effort would occur between landowners, County agencies, and interested parties prior to implementation. Commissioner Harsel commended staff and the applicant for their work, adding that the tree pole’s height reduction would enable a consistent blend with the surroundings.

Responding to a question from Chairman Murphy, Don Chang, Radio Frequency (RF) Engineer for T-Mobile, described the location of two nearby T-Mobile facilities.

In response to questions from Commissioner Flanagan, Mr. Stearns explained that the lowest branches on the tree pole would be approximately 15 feet off the ground. In addition, he said that the tree pole in Image Number 14 had erroneously been placed in the photograph and should instead blend into the surroundings.

Answering questions from Commissioner Lawrence, Mr. Stearns confirmed that strategically locating a few taller structures could prove quite beneficial by significantly reducing the number of facilities required in residential areas.

Chairman Murphy called the first listed speaker and recited the rules for public testimony.

Stephen Jewett, 10603 Goldeneye Lane, Fairfax, spoke in opposition to the facility because it would not provide coverage to the residents. He explained that his current cell phone coverage was sufficient and said alternate options, such as land lines and cable, were readily available. He added that the facility would not be a major benefit to residents or commuters since neither Burke Centre Parkway nor Zion Drive was a major commuter route. In addition, he expressed concern about property depreciation resulting from the proposed facility. Mr. Jewett acknowledged the Federal Communication Commission's prohibition of denial of telecommunication facilities on the basis of health concerns, but pointed out that similar statements had once been made about tobacco, asbestos, and lead-based paints. He said that such statements should not provide grounds for the dismissal of citizens' concerns.

Chairman Murphy disagreed with Mr. Jewett and pointed out that the connection between the Burke Centre Parkway and the Fairfax County Parkway had been built to provide easier access for commuters. He added that no definitive study had proven that property values diminished concurrently with the construction of a telecommunications facility. He further added that the tower at the West Springfield Governmental Center property, located at 6140 Rolling Road, had been built prior to the adjacent residences and had no adverse impact on their sales.

Responding to a question from Commissioner Flanagan, Mr. Jewett said his wife had attended the balloon test and said that it was visible from their residence. Commissioner Flanagan pointed out that Image Number 13 in the staff report showed the facility from Mr. Jewett's neighborhood and demonstrated that it blended in with the surrounding trees.

Commissioner Hall explained to Mr. Jewett that the proposed monopole might at first seem to be blight but that in time would blend into the landscape.

In response to questions from Commissioner Harsel, Mr. Jewett confirmed that he had attended a meeting hosted by the applicant at Bonnie Brae School and said that he would test his home for radio-frequency emissions if the facility was approved.

Christopher Bellomy, 10638 John Ayres Drive, Fairfax, objected to the application because it did not conform to the Comprehensive Plan. Specifically, he noted that statements throughout the staff report describing the facility as substantially screened by surrounding trees were incorrect

and misleading. He said the trees were very slender and fragile and had few leaves. He also expressed concern that property values would decrease with such a facility nearby. Mr. Bellomy stated that the applicant's reasons for rejecting the alternate sites should apply to the proposed site as well, and noted that he experienced no problems with his cell phone coverage. He further noted that if the facility were approved, then the surrounding area should be reforested prior to construction.

Commissioner Harsel told Mr. Bellomy that public utility applications could be judged only on the merits of character, location, and extent, and asked him how the application did not conform to the Comprehensive Plan. Mr. Bellomy said that the lack of surrounding vegetation made the facility clearly visible to the surrounding residents and reiterated that the area should be reforested.

Responding to questions from Commissioner Hall, Ms. Capps said that Mr. Bellomy's residence was approximately 600 feet from the facility.

Commissioner Hall pointed out that planting trees and vegetation at the proposed site would not be a County function. She added that the proposed facility would be built in an area that had a railroad track and storage units; therefore, it was in conformance with the Comprehensive Plan since it was an industrial district. She also pointed out that townhomes in her district that had been built next to a fire station and monopole had not only sold quickly, but rather handsomely.

Discussion ensued between Commissioners Hall and Flanagan and Mr. Bellomy regarding the existing trees on the site and the remarks in the staff report. Commissioner Hall suggested that Mr. Bellomy visit the telecommunications facility on Sleepy Hollow Road.

Chairman Murphy pointed out that the Comprehensive Plan language was a guide. He added that the applicant had proposed to erect a tree pole that would blend in with the surrounding vegetation in an area that had been zoned for industrial use. He pointed out that Mr. Bellomy's property sat 600 feet from the application site, which also contained a railroad and storage facility. He acknowledged Mr. Bellomy's interpretation of the Plan language and said that he felt that the buffer surrounding the facility was sufficient.

Commissioner Flanagan reassured Mr. Bellomy that Commissioners listened to the citizens' concerns and did not always approve facilities. When asked about a photosimulation of the facility as depicted from a location proximate to his residence, Mr. Bellomy reiterated his concerns. Commissioner Flanagan and Mr. Bellomy discussed earlier remarks about the vegetation surrounding the tree pole and the trees between Mr. Bellomy's residence and the facility.

Answering a question from Chairman Murphy, Mr. Stearns explained that he had met the Bellomys' at the balloon test and requested their permission to photograph the facility from their rear yard and was denied.

Commissioner Lawrence explained the importance of creating an infrastructure that could handle current technology and serve the future by providing necessary broadband to provide reliable access to citizens. He acknowledged that the facility would be noticeable to nearby residents. He noted that emergency vehicles might use Burke Centre Parkway and pointed out that wireless equipment was now able to transmit information en route to the hospital; however, a robust infrastructure was necessary for such services.

In reply to a question from Commissioner Hart, Mr. Bellomy described the trees and their location in relation to his residence. Commissioner Hart echoed remarks made earlier by Commissioners Hall and Flanagan and reiterated the suggestion to visit the sites of other facilities.

Commissioner Harsel suggested that Mr. Bellomy contact the Virginia Department of Forestry for information and assistance with the trees near his residence.

Marshall Chapman, 10606 Barn Swallow Court, Fairfax, objected to the monopole, echoing some of the remarks made by the previous speakers regarding the unsightliness of the facility and possible health risks.

Commissioner Hall and Mr. Chapman discussed the facility's visual impact on the community, whereupon Commissioner Hall pointed out that utility equipment was far more pervasive than believed and assured Mr. Chapman that the proposed facility would blend in with the existing landscape. She suggested that he visit the facility on Sleepy Hollow Road to see how well a tree pole could blend in.

Answering a question from Commissioner Alcorn, Mr. Chapman indicated the location of his property.

Caroline Anderson, 10601 Goldeneye Lane, Fairfax, also spoke against the application, echoing concerns similar to the previous speakers. She added that she was concerned about the environmental impacts the facility would have on existing wildlife and pets.

Responding to a question from Commissioner Hart, Ms. Anderson described the location of her home and said that it was approximately 800 feet away from the proposal site.

There being no more speakers, Chairman Murphy called for a rebuttal statement from Mr. Stearns.

Mr. Stearns said that he had met with the residents from Fairfax Club Estates and expressed regret that health concerns continued to be an issue, particularly given the wealth of information to the contrary. He added that the facility would provide coverage for customers requesting service from the Burke Conservancy to Ox Road. He stated that a memorandum dated October 14, 2010, from Chief, Environment and Development Review Branch, DPZ, a copy of which is in Attachment C of the staff report, had stated that this proposal raised no significant environmental concerns.

After a brief discussion with Commissioner Flanagan, Mr. Stearns explained that the facility would provide more coverage and increase the current in-building capacity.

Commissioner Lawrence urged Mr. Stearns to work with industry colleagues on vehicle safety measures such as deactivating the texting function on the wireless device of the person sitting in the driver's seat.

There were no further comments or questions from the Commission, and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Harsel for action on this item. (A verbatim excerpt is in the date file.)

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Commissioner Harsel MOVED THAT THE PLANNING COMMISSION FIND THE PROPOSAL BY T-MOBILE NORTHEAST, LLC, FOR A 137-FOOT TREE POLE TELECOMMUNICATIONS FACILITY AT SHURGARD STORAGE, IN CONFORMANCE WITH THE COMPREHENSIVE PLAN.

Commissioner Hall seconded the motion which carried unanimously with Commissioner Sargeant absent from the meeting.

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The meeting was adjourned at 12:11 a.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jeanette Nord

Approved on: April 18, 2012

Kara A. DeArrastia, Clerk to the
Fairfax County Planning Commission