

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
THURSDAY, JUNE 12, 1997**

PRESENT: Walter L. Alcorn, Commissioner At-Large
John R. Byers, Mount Vernon District
Carl A. S. Coan, Jr., Providence District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Suzanne F. Harsel, Braddock District
John W. Hunter, Commissioner At-Large
John B. Kelso, Lee District
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:25 p.m. by Chairman Peter F. Murphy, Jr., in the Board Auditorium of the Fairfax County Government Center at 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

Chairman Murphy thanked everyone who volunteered at the Planning Commission's soft drink booth at the Fairfax Fair last weekend. He noted that the money raised would be used for scholarships at George Mason University.

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Chairman Murphy noted that the Commissioners' packets tonight contained directions and an agenda for the Planning Commission Seminar to be held on June 20, 21, and 22, 1997.

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Commissioner Harsel announced her intention to take action on S94-II-F2, Out-of-Turn Plan Amendment, on Wednesday, June 25, 1997. She noted that the public hearing on this item had been held on May 1, 1997 at which time the decision only had been deferred indefinitely.

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Commissioner Harsel MOVED THAT WE DEFER (THE PUBLIC HEARING ON) RZ-1997-BR-004, STEVEN R., WENDA G., AND DEBRA K. ROSS, TO A DATE TO BE DETERMINED IN JULY.

Commissioner Byers seconded the motion which carried unanimously.

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FS-D97-5 - AMERICAN PERSONAL COMMUNICATIONS, 11000 Leesburg Pike

Commissioner Downer (MOVED) THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE FACILITY PROPOSED BY AMERICAN PERSONAL COMMUNICATIONS FOR 11000 LEESBURG PIKE IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, APPLICATION FS-D97-5, AND SHOULD BE CONSIDERED A "FEATURE SHOWN", PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Thomas not present for the vote.

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FS-D97-32 - AMERICAN PERSONAL COMMUNICATIONS, Georgetown Pike and I-495

Commissioner Downer (MOVED) THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS BASE STATION FACILITY PROPOSED BY AMERICAN PERSONAL COMMUNICATIONS IN APPLICATION FS-D97-32, FOR AN EXISTING VIRGINIA POWER ELECTRICAL TRANSMISSION POLE LOCATED AT I-495 AND GEORGETOWN PIKE, IS IN CONFORMANCE WITH THE RECOMMENDATIONS OF THE COMPREHENSIVE PLAN, AND SHOULD BE CONSIDERED A "FEATURE SHOWN", PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Thomas not present for the vote.

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FS-D97-8 - AMERICAN PERSONAL COMMUNICATIONS, 6520 Georgetown Pike

Commissioner Downer (MOVED) THAT THE PLANNING COMMISSION CONCUR WITH THE DETERMINATION THAT THE TELECOMMUNICATIONS BASE STATION FACILITY PROPOSED BY AMERICAN PERSONAL COMMUNICATIONS FOR LANGLEY HIGH SCHOOL, FS-D97-8, IS IN CONFORMANCE WITH THE

RECOMMENDATIONS OF THE COMPREHENSIVE PLAN AND SHOULD BE CONSIDERED A "FEATURE SHOWN", PURSUANT TO SECTION 15.1-456 OF THE *CODE OF VIRGINIA*.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Thomas not present for the vote.

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#9128-SD-02 - VALLEY VIEW MANOR, SECTION TWO (Administrative Review)

Commissioner Kelso noted that a proffer associated with RZ-95-L-054, heard by the Planning Commission in May of 1996, directed that the subdivision plan for the project come back to the Commission for administrative review. He stated that the plan had been examined by staff of the Department of Environmental Management, the Lee District Land Use Advisory Committee, and himself and found to be in order. He therefore MOVED THAT THE PLANNING COMMISSION ACCEPT #9128-SD-02, AS SUBMITTED, FOR THE VALLEY VIEW MANOR SUBDIVISION, AND ASK THE STAFF TO INFORM THE DEPARTMENT OF ENVIRONMENTAL MANAGEMENT OF THIS ACTION.

Commissioners Alcorn and Byers seconded the motion which carried unanimously with Commissioner Thomas not present for the vote.

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PCA-C-448-15 - KINGSTOWNE SHOPPING CENTER I, L.P.

FDPA-C-448-5-2 - KINGSTOWNE SHOPPING CENTER I, L.P. (Decisions Only)

(The public hearing on these applications was held on May 29, 1997. A verbatim transcript of the decisions made is included in the date file.)

Prior to making his summary remarks and motions on these cases, Commissioner Kelso held a question and answer period during which Peter Braham, Zoning Evaluation Division, Office of Comprehensive Planning, and Antonio Calabrese, Esquire, with McGuire, Woods, Battle and Booth, the applicant's representative, responded to questions from Commissioners Coan, Hall, and Byers regarding these cases and the Kingstowne development in general.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF PCA-C-448-15, BY KINGSTOWNE SHOPPING CENTER I, L.P., SUBJECT TO EXECUTION OF THE PROFFERS CONSISTENT WITH THE DRAFT PROFFERS DATED MAY 12, 1997 AND ATTACHED TO THE STAFF REPORT.

Commissioner Koch seconded the motion which carried by a vote of 10-0-2 with Commissioners Byers and Downer abstaining.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENTS IN FAVOR OF THOSE INDICATED IN THE FINAL DEVELOPMENT PLAN AS AMENDED, SUBJECT TO THE EXECUTION OF PROFFERS.

Commissioner Koch seconded the motion which carried by a vote of 10-0-2 with Commissioners Byers and Downer abstaining.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION APPROVE FDPA-C-448-5-2, SUBJECT TO THE BOARD OF SUPERVISORS' APPROVAL OF PCA-C-448-15 AND SUBJECT TO THE FINAL DEVELOPMENT PLAN CONDITIONS AS REVISED DATED JUNE 11, 1997 AND DISTRIBUTED TONIGHT.

Commissioner Koch seconded the motion which carried by a vote of 10-0-2 with Commissioners Byers and Downer abstaining.

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ORDER OF THE AGENDA

Secretary Harsel established the following order of the agenda:

1. S97-CW-1CP - OUT-OF-TURN PLAN AMENDMENT
2. PCA-81-C-005 -CATHOLIC DIOCESE OF ARLINGTON
PCA-78-C-024 - CATHOLIC DIOCESE OF ARLINGTON
SE-97-Y-006 - CATHOLIC DIOCESE OF ARLINGTON

This order was accepted without objection.

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S97-CW-1CP - OUT-OF-TURN PLAN AMENDMENT - To amend the Comp. Plan to provide additional policy guidance for locating & establishing mobile & land based telecommunication facilities; & to add new objectives & policies to the Public Facilities element of the Policy Plan for evaluating the appropriate location, character, & extent of such facilities. COUNTYWIDE. PUBLIC HEARING.

David Marshall, Planning Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of the amendment as outlined on pages 5 through 12 of the staff report. He introduced Susan Notkins, Chairman of the Design Subcommittee of the Telecommunications Task Force. Ms. Notkins explained how and why the Task Force was formed. She presented background information on

the process involved in developing this proposed Plan Amendment and provided details for the concept and language proposed in the staff report.

Ms. Notkins responded to questions from Commissioner Coan regarding the acreage requirements.

Chairman Murphy explained the Planning Commission's role in the process. Commissioner Coan expressed his concern that staff would be making decisions prior to the Planning Commission's involvement.

Mr. Marshall responded to questions from Commissioners Hall and Downer regarding the process, specifically how citizens in the area would be made aware of telecommunications proposals.

Mr. Marshall and Ms. Notkins responded to further questions from Commissioner Coan regarding Comprehensive Plan policies and objectives and how they related to this proposed Plan Amendment. They also discussed how existing towers and poles would be evaluated if a request for additional equipment was received. Commissioner Coan objected to additional equipment being allowed on existing structures through a grandfathering procedure.

Mr. Marshall and Commissioners Harsel and Coan discussed existing poles and what would be allowed if a structure needed to be replaced.

Ms. Notkins explained how this proposed Plan Amendment met Objective 46 as outlined in the Plan.

Mr. Marshall responded to questions from Commissioner Hall regarding the "feature shown" process and to questions from Commissioner Byers concerning landscaping and screening.

In reply to questions from Commissioner Harsel, Mr. Marshall explained that all new telecommunications facilities would be reviewed in some manner, through either the "feature shown" process or the 456 process.

There being no further comments or questions from the Commission, Chairman Murphy called for speakers from the audience, but received no response. Mr. Marshall had no closing staff comments; therefore, Chairman Murphy closed the public hearing. (A verbatim excerpt is in the date file.)

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Commissioner Murphy MOVED THAT THE PLANNING COMMISSION DEFER DECISION ON S97-CW-1CP TO A DATE CERTAIN OF JUNE 19, 1997, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENTS.

Commissioner Byers seconded the motion which carried unanimously.

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The Commission went into recess at 10:05 p.m. and reconvened in the Board Auditorium at 10:15 p.m.

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PCA-81-C-005 - CATHOLIC DIOCESE OF ARLINGTON - Appl. to delete land area from the property subject to RZ-81-C-005, w/an overall FAR subject to the provisions of the I-5 District on property located on the W side of Centreville Rd., approx. 1,000 ft., S of Barnsfield Rd. on approx. 16.33 ac. zoned I-5, HD, & WS. Comp. Plan Rec: Office & industrial/flex up to 0.35 FAR. Tax Map 34-2 ((1)) 22, 24, pt. 25, and pt. 26. (Concurrent with PCA-78-C-024 and SE-97-Y-006.) SULLY DISTRICT.

PCA-78-C-024 - CATHOLIC DIOCESE OF ARLINGTON - Appl. to delete land area from the property subject to RZ-78-C-024, w/an overall FAR subject to the provisions of the I-5 District on property located on the W side of Centreville Rd., approx. 1,000 ft. S of Barnsfield Rd. on approx. 3.66 ac. zoned I-5, HD, & WS. Comp. Plan Rec: Office & industrial/flex up to 0.35 FAR. Tax Map 34-2 ((1)) pt. 10. (Concurrent with PCA-81-C-005 and SE-97-Y-006.) SULLY DISTRICT.

SE-97-Y-006 - CATHOLIC DIOCESE OF ARLINGTON - Appl. under Sect. 5-504 of the Zoning Ord. to permit a place of worship w/a private school of general education w/an enrollment of more than 100 students daily & a nursery school on property located at 3227 Centreville Rd. on approx. 19.99 ac. zoned I-5, HD, and WS. Tax Map 34-2 ((1)) pt. 10, 22, 24, pt. 25, and 26. (Concurrent with PCA-81-C-005 and PCA-78-C-024.) SULLY DISTRICT. JOINT PUBLIC HEARING.

David Lause, Esquire, with Fadoul and Associates, reaffirmed the affidavit dated May 23, 1997. There were no disclosures by Commission members.

Leslie Johnson, Zoning Evaluation Division (ZED), Office of Comprehensive Planning (OCP), presented the staff report, a copy of which is in the date file. She noted that staff recommended denial of the application because of the applicant's failure to fulfill an original proffered commitment to provide interparcel access.

In response to questions from Commissioner Byers, Kristen Abrahamson, ZED, OCP, stated that Centreview Road to the south of the subject property did connect to Centreville Road, but would not serve as access to the rest of the land bay and therefore would not serve as interparcel access.

In reply to a question from Commissioner Koch, Ms. Abrahamson acknowledged that there was a possibility of a connection to Barnsfield Road when the property north of the subject property was developed. She added, however, that the connection was not guaranteed and therefore staff could not rely on it to relieve the applicant of its obligation to provide interparcel access.

Ms. Abrahamson and Ms. Johnson responded to questions from Commissioner Downer regarding the access issue.

Mr. Lause stated that the access problem was the only issue remaining. He explained that the proffer referred to by staff was more than 15 years old and that other development in the area had made the proffer obsolete. He added that the applicant was seeking to remove the subject property from the provisions of proffers associated with the previous rezoning applications. Mr. Lause referred to a letter from the property owner to the north indicating his willingness to provide interparcel access.

When questioned about this letter by Chairman Murphy, Ms. Abrahamson stated that she had seen the letter, but that it was unenforceable from a legal standpoint. Mr. Lause maintained that his client should not be held to the commitment to provide interparcel access.

Commissioner Koch suggested that some sort of compromise was needed to meet at least the intent of the proffer and announced that he would defer decision on these applications to allow time for further discussion between staff and the applicant's representatives. He noted that the proposed connection was no longer shown on the Comprehensive Plan and asked for comment from Office of Transportation staff.

Angela Rodeheaver, Office of Transportation, explained that the road was still on the Plan, but in a different configuration than originally planned. Commissioner Koch, Ms. Abrahamson, and Ms. Rodeheaver discussed the proposed connection as currently outlined in the Comprehensive Plan. Ms. Abrahamson explained that the road depicted on staff's maps was not an engineered plan and therefore subject to change.

In response to questions from Commissioner Koch, Ms. Abrahamson again concurred that an interparcel connection through the northern property was possible, but not guaranteed. She added that the southern property was not part of the original rezoning and could not be used to fulfill the proffer.

Mr. Lause presented a plan showing how the connection could be made on the northern property without impacting his client's proposal. He agreed to continue to work with staff on this

outstanding issue. He said that perhaps a public or private access easement agreement could be worked out which would resolve the problem.

In response to questions from Commissioner Hall, Ms. Abrahamson stated that a proffer by the applicant for an easement, whether it was public or private, was not the same as a recorded easement. She added that the status of the remaining proffers was still in question.

In reply to a question from Commissioner Koch, Mr. Lause explained that the applicant did not have the resources or the need to acquire the northern parcel. Ms. Abrahamson explained that the owner of the northern property had chosen not to be a party to the applicant's proposal out of concern for outstanding proffers regarding road improvements.

In reply to Commissioner Byers' question, Ms. Johnson stated that proposed Condition 11 would fulfill the interparcel access proffer. Commissioner Byers commented that it didn't make sense to provide an access that didn't connect to anything. Ms. Abrahamson said that a proffered condition amendment for the entire land bay would be necessary to remove the proffer.

There being no further comments or questions from the Commission, Chairman Murphy called for speakers from the audience, but received no response. There were no closing staff comments; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Koch for a deferral motion. (A verbatim excerpt is in the date file.)

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Commissioner Koch MOVED THAT (THE DECISIONS ONLY ON) APPLICATION SE-97-Y-005, CONCURRENT WITH PCA-74-C-024 AND PCA-81-C-005 BE DEFERRED UNTIL JUNE 25, 1997, LEAVING THE RECORD OPEN FOR WRITTEN COMMENTS.

Commissioner Byers seconded the motion which carried unanimously.

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The meeting was adjourned at 10:44 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

CLOSING

June 12, 1997

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: Gloria L. Watkins

Approved on: December 6, 1998

A handwritten signature in cursive script, reading "Mary A. Pascoe". The signature is written in black ink and is positioned above a horizontal line.

Mary A. Pascoe, Clerk to the
Fairfax County Planning Commission