

**MINUTES OF
PLANNING COMMISSION MEETING
OCTOBER 17, 1996**

PRESENT: John R. Byers, Mount Vernon District
Judith W. Downer, Dranesville District
Janet R. Hall, Mason District
Robert v. L. Hartwell, Commissioner At-Large
John W. Hunter, Commissioner At-Large
John B. Kelso, Lee District
Ronald W. Koch, Sully District
John M. Palatiello, Hunter Mill District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Carl A. S. Coan, Jr., Providence District
Suzanne F. Harsel, Braddock District
Peter F. Murphy, Jr., Springfield District

//

The meeting was called to order at 8:15 p.m. by Vice Chairman John R. Byers.

//

COMMISSION MATTERS

Commissioner Hartwell announced that the Environment Committee would hold its next meeting on Wednesday, November 13, 1996 at 7:30 p.m. in the Board Conference Room. He noted that the public was invited.

//

Commissioner Hartwell announced that he would be handling a rezoning application and a special exception application in the Lee District since Commissioner Kelso had a conflict of interest and had recused himself. He then **MOVED THAT THE PUBLIC HEARING ON APPLICATIONS RZ-96-L-008 AND SE-96-L-014, STEVEN P. MEHR, BE DEFERRED TO A DATE CERTAIN OF OCTOBER 30, 1996.**

Commissioner Koch seconded the motion which carried by a vote of 8-0-1 with Commissioner Kelso abstaining, Commissioners Coan, Harsel and Murphy absent from the meeting.

//

ORDER OF THE AGENDA ITEMS

In Secretary Harsel's absence, Vice Chairman Byers established the following order for the agenda items:

1. SEA-92-L-039 – ACTION RENT-A-CAR & TRUCKS, INC.
T/A ACTION AUTOMOTIVE, INC.
2. 456-M96-14 – FAIRFAX COUNTY DEPARTMENT OF
HOUSING AND COMMUNITY DEVELOPMENT
3. SEA-80-D-045-3 – WIRELESS PCS, INC., D/B/A AT&T WIRELESS SERVICES

This order was accepted without objection.

//

SEA-92-L-039 – ACTION RENT-A-CAR & TRUCKS, INC., T/A ACTION AUTOMOTIVE, INC. – Appl. under Sec. 4-804 of the Zoning Ord. to amend SE-92-L-039 for a vehicle sales, rental & ancillary service establishment & vehicle light service establishment to permit a waiver of peripheral parking lot landscaping on property located at 8150 Richmond Hwy. on approx. 1.47 ac. zoned C-8 & HC. Tax Map 101-2((5)}(1)1. LEE DISTRICT. PUBLIC HEARING.

Robert Lawrence, Esquire, Hazel and Thomas, reaffirmed the affidavit dated June 20, 1996. There were no disclosures by Commission members.

Commissioner Kelso requested that Vice Chairman Byers ask if there was anyone present to speak on this application. Vice Chairman Byers called for speakers, but received no response. Commissioner Kelso then asked that the presentations by staff and the applicant be waived and that the public hearing be closed. There being no objection, it was so ordered.

Vice Chairman Byers then closed the public hearing and recognized Commissioner Kelso for action on this case. (Verbatim excerpts are in the date file.)

//

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-92-L-039, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS IN APPENDIX 1 OF THE STAFF REPORT.

Commissioner Palatiello seconded the motion which carried by a vote of 8-0-1 with Commissioner Hartwell abstaining; Commissioners Coan, Harsel and Murphy absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS MODIFICATION OF TRANSITIONAL SCREENING REQUIREMENTS ALONG THE NORTHERN AND EASTERN PROPERTY BOUNDARIES.

Commissioner Palatiello seconded the motion which carried by a vote of 7-1-1 with Commissioner Hartwell opposed; Commissioner Hall abstaining; Commissioners Coan, Harsel and Murphy absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS TO APPROVE A WAIVER OF THE PERIPHERAL PARKING LOT LANDSCAPING REQUIREMENT.

Commissioner Palatiello seconded the motion which carried by a vote of 5-2-2 with Commissioners Byers and Hartwell opposed; Commissioners Downer and Hall abstaining; Commissioners Coan, Harsel and Murphy absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS APPROVE THE WAIVER OF THE BARRIER IN FAVOR OF THE DEVELOPMENT CONDITION #5.

Commissioner Palatiello seconded the motion which carried by a vote of 7-1-1 with Commissioner Hartwell opposed; Commissioner Hall abstaining; Commissioners Coan, Harsel and Murphy absent from the meeting.

Commissioner Kelso MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE APPROVAL OF MODIFICATION OF ADDITIONAL STANDARDS FOR VEHICLE SALES, RENTAL, AND ANCILLARY SERVICE ESTABLISHMENTS, PARAGRAPH 3 OF SECTION 9-518, TO PERMIT PARKING SPACES CLOSER THAN 10 FEET FROM THE FRONT PROPERTY LINE.

Commissioner Palatiello seconded the motion which carried by a vote of 7-1-1 with Commissioner Hartwell opposed; Commissioner Hall abstaining; Commissioners Coan, Harsel and Murphy absent from the meeting.

//

456-M96-14 – FAIRFAX COUNTY DEPARTMENT OF HOUSING & COMMUNITY DEVELOPMENT – Under the provisions of Sect. 15.1-456 of the Code of VA, as amended, to expand the Baileys Community Center & the Higher Horizons Day Care Center at 5920 Summers Lane, Baileys Crossroads. Tax Map 61-4((1))42. Area I. MASON DISTRICT. PUBLIC HEARING.

Mr. David Jillson, 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 application.

Commissioner Hall requested that Vice Chairman Byers ask if there was anyone present to speak to this application. Vice Chairman Byers called for speakers, but received no response. Commissioner Hall then asked that the presentations by staff and the applicant be waived and that the public hearing be closed. There being no objection, it was so ordered.

Vice Chairman Byers then closed the public hearing and recognized Commissioner Hall for action on this case. (Verbatim excerpts are in the date file.)

//

Commissioner Hall MOVED THAT THE PLANNING COMMISSION FIND APPLICATION 456-M96-14 IN ACCORDANCE WITH SECTION 15.1-456 OF THE CODE OF VIRGINIA AND THAT THE PROPOSAL BY THE FAIRFAX COUNTY DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT TO EXPAND THE BAILEYS COMMUNITY CENTER AND HIGHER HORIZONS DAY CARE CENTER, LOCATED AT 5920 SUMMERS LANE IN BAILEYS CROSSROADS, BE FOUND IN SUBSTANTIAL ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Thomas seconded the motion which carried unanimously with Commissioners Coan, Harsel and Murphy absent from the meeting.

//

SEA-80-D-045-4 – WIRELESS PCS, INC., D/B/A AT&T
WIRELESS SERVICES – Appl. under Sec. 3-204 of the Zoning Ord. to amend SE-80-D-045 for housing for the elderly & a tele-communications facility to permit a base station on property located at 6251 Old Dominion Dr. on approx. 12.99 ac. zoned R-2. Tax Map 31-3((1))83. DRANESVILLE DISTRICT. PUBLIC HEARING.

Edward Donohue, Esquire, with Margolius, Mallios, Davis, Rider and Tomar, reaffirmed the affidavit dated September 30, 1996.

Commissioner Hartwell recused himself from participation in the public hearing on this application, citing his involvement in the long term health care industry.

Vice Chairman Byers announced for the record that he was the owner of 30 shares of AT&T stock. He did not feel this small investment precluded his participation in the public hearing, but noted that he would abstain from voting.

Ms. Ina Stagg, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is in the date file. She noted that staff recommended approval of the application.

Mr. Donohue concurred with staff's evaluation of the application. He added that this proposal was an excellent example of the colocation policy recommended in the Comprehensive Plan. He noted that a change was needed to Condition #8 to clarify the frequencies used for transmitting and receiving.

Vice Chairman Byers called for speakers from the audience for this application, but received no response. He noted that no rebuttal was necessary. Ms. Stagg had no closing staff comments; therefore Vice Chairman Byers closed the public hearing and recognized Commissioner Downer for action on this case. (Verbatim excerpts are in the date file.)

//

Commissioner Downer MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA-80-D-045-4, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS IN APPENDIX 1 OF THE STAFF REPORT, WITH THE FOLLOWING CHANGES TO (THE BEGINNING OF CONDITION) #8:

"THE TRANSMITTING ANTENNAS SHALL OPERATE AT FREQUENCY RANGES OF 1950 TO 1965 MHz (TO RECEIVE) AND 1870 TO 1885 MHz (FOR TRANSMIT). THE SYSTEM WOULD OPERATE AT A POWER REQUIREMENT OF LESS THAN 500 WATTS..."

Commissioner Thomas seconded the motion which carried by a vote of 7-0-1 with Commissioner Byers abstaining; Commissioner Hartwell not present for the vote; Commissioners Coan, Harsel, and Murphy absent from the meeting.

//

The meeting was adjourned at 8:47 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

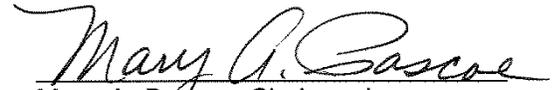
For a verbatim record of this meeting, reference may be made to the audio and video recordings which may be found in the Office of the Planning Commission of Fairfax County, Virginia.

APPROVALS

October 17, 1996

Minutes by: Gloria L. Watkins

Approved on: May 13, 1998


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