

**MINUTES OF
PLANNING COMMISSION MEETING
NOVEMBER 9, 1995**

PRESENT: John R. Byers, Mount Vernon District
Carl A. S. Coan, Jr., Providence District
Judith W. Downer, Dranesville District
Suzanne F. Harsel, Braddock District
John W. Hunter, Commissioner At-Large
Ronald W. Koch, Sully District
Peter F. Murphy, Jr., Springfield District
Carl L. Sell, Jr., Lee District
Alvin L. Thomas, Commissioner At-Large

ABSENT: Janet R. Hall, Mason District
Robert v. L. Hartwell, Commissioner At-Large
John M. Palatiello, Hunter Mill District

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The meeting was called to order at 8:29 p.m. by Chairman Peter F. Murphy, Jr.

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COMMISSION MATTERS

Commissioner Byers announced that the Policy and Procedures Committee would meet on Wednesday, November 15, 1995, at 7:30 p.m. in the Board Conference Room to discuss procedures for late affidavits and that the County Attorney would be present to offer advice. He asked that anyone who was unable to attend but had a particular issue to discuss to please inform himself or Ms. Barbara Lippa, Deputy Executive Director, Planning Commission Office.

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Due to a scheduling conflict, Commissioner Byers announced his intent to defer the public hearing on SE-93-V-030, DBS General Partnership, from November 16 to November 30, 1995.

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Chairman Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON 456-S95-30, VOYTEN & ASSOCIATES, INC., TO A DATE CERTAIN OF DECEMBER 6, 1995.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Hall, Hartwell, and Palatiello absent from the meeting.

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In the temporary absence of Commissioner Downer, Chairman Murphy MOVED TO DEFER THE PUBLIC HEARING ON RZ-95-D-037, ALLAN H. GASNER & FRANK S. GORDON, TRUSTEE, TO A DATE CERTAIN OF DECEMBER 6, 1995.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Hall, Hartwell, and Palatiello absent from the meeting.

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Commissioner Coan MOVED (THAT THE PLANNING COMMISSION) DEFER THE PUBLIC HEARING ON RZ-95-P-030 AND FDP-95-P-030, EDGEMOORE HOMES, LLC, TO DECEMBER 7, 1995.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Hall, Hartwell, and Palatiello absent from the meeting.

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In order to resolve outstanding issues, Commissioner Coan MOVED THAT THE DECISION ONLY ON RZ-95-P-022, H. ANDREW AMAN & STEVEN R. ROSS, BE (FURTHER DEFERRED) TO DECEMBER 7, 1995.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Hall, Hartwell, and Palatiello absent from the meeting.

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Commissioner Coan MOVED THAT (THE DETERMINATION ON THE "FEATURE SHOWN" FOR BELL ATLANTIC MOBILE, TOWER ONE BUILDING, CIRCLE TOWERS APARTMENTS, AT 9411 LEE HIGHWAY), BE DEFERRED TO NOVEMBER 15, 1995.

Commissioner Byers seconded the motion which carried unanimously with Commissioners Downer and Thomas not present for the vote; Commissioners Hall, Hartwell, and Palatiello absent from the meeting.

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Commissioner Coan called the Commission's attention to the pending legislation before Congress on telecommunications, H.R. 1555 and S. 652, concerning the location of monopoles and preemption of local zoning authority. He suggested that the Commission urge the Board of Supervisors to reiterate its position to the Virginia delegation to change the preemption language while the legislation is in conference. Without objection, it was SO ORDERED.

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ORDER OF THE AGENDA ITEMS

Secretary Harsel established the following order for tonight's agenda items:

1. 456-L95-7 – American Personal Communications
2. RZ-95-P-029 – Edgemoore Homes, LLC
FDP-95-P-029 – Edgemoore Homes, LLC

This order was accepted without objection.

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456-L95-7 – AMERICAN PERSONAL COMMUNICATIONS
– Under provisions of Sec. 15.1-456 of the Code of Virginia, as amended, to construct a telecommunications facility on the site of the Kingstowne Fire Station No. 37 under construction at 7936 Telegraph Rd., Alexandria. The proposed facility will include a 170 ft. monopole w/nine panel antennas & two dish antennas, & two radio equipment cabinets on the ground. Tax Map 100-1 ((1))16. Area IV. LEE 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 stated that staff recommended approval.

Mr. Patrick Cruzen, Zoning Manager for the applicant, stated that a 150-foot monopole, placed strategically with adequate buffers of trees and distance, would be relatively unobtrusive to the surrounding community. He noted that the applicant had had numerous meetings with citizen groups to alleviate their concerns. Mr. Cruzen pointed out that the facility would be co-located to minimize proliferation of telecommunications facilities in the area.

Chairman Murphy called for speakers. Receiving no response, he noted that no rebuttal was necessary. There being no further questions or comments from the Commission or closing staff comments, he closed the public hearing and recognized Commissioner Sell for action on this application. (Verbatim excerpts are in the date file.)

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Commissioner Sell MOVED THAT THE PLANNING COMMISSION, IN ACCORDANCE WITH SECTION 15.1-456 OF THE CODE OF VIRGINIA, FIND THAT THE PROPOSAL BY AMERICAN PERSONAL COMMUNICATIONS, AS AMENDED, FOR A TELECOMMUNICATIONS BASE STATION FACILITY TO BE LOCATED AT THE KINGSTOWNE FIRE STATION, NUMBER 37, BE FOUND IN SUBSTANTIAL ACCORD WITH THE PROVISIONS OF THE ADOPTED COMPREHENSIVE PLAN.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Thomas not present for the vote; Commissioners Hall, Hartwell, and Palatiello absent from the meeting.

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RZ-95-P-029 – EDGEMOORE HOMES, L.L.C. – Appl. to rezone approx. 2.49 ac. located on the W. side of Edgelea Rd., approx. 450 ft. N. of Blake Lane & at the S. terminus of Strathaven Pl. from R-2 to PDH-4 to permit residential development at a density of 3.20 du/ac. & approval of the CDP. Comp. Plan Rec: 3-4 du/ac. Tax Map 48-1((1))134. (Concurrent with FDP-95-P-029.) PROVIDENCE DISTRICT.

FDP-95-P-029 – EDGEMOORE HOMES, L.L.C. – Appl. to approve the FDP for RZ-95-P-029 to permit residential development on property located on the W. side of Edgelea Rd., approx. 450 ft. N. of Blake Ln. & at the S. terminus of Strathaven Pl. on approx. 2.49 ac. zoned PDH-4. Tax Map 48-1((1))134. (Concurrent with RZ-95-P-029.) PROVIDENCE DISTRICT. JOINT PUBLIC HEARING.

Michael Horwatt, Esquire, representing the applicant, reaffirmed the affidavit dated November 9, 1995. There were no disclosures by Commission members.

Ms. Donna McNeally, Zoning Evaluation Division, Office of Comprehensive Planning, presented the staff report, a copy of which is contained in the date file. She stated that the application had not satisfied the residential density criteria for development above the base line nor had it satisfied all development criteria under the PDH District regulations. She noted the

lack of consolidated access through the development to the north and pointed out that revised proffers, dated November 9, 1995, had been distributed to the Commission without comment or analysis from staff. Ms. McNeally stated that staff recommended denial of the applications as submitted.

Mr. Horwatt explained that the applications sought the Commission's approval to add 2.49 acres and eight more units to the existing subdivision. He noted that there was a provision for annexation in the deed of dedication. He pointed out that the new development was designed to be architecturally compatible with the existing subdivision in virtually all aspects. Mr. Horwatt affirmed that Strathaven Place should not be extended through to Blake Lane.

In response to Commissioner Byers' question, Mr. John Gattuso, landscape architect for the applicant, explained that County regulations mandated an emergency vehicle turn around area.

In response to Commissioner Byers' query, Mr. Horwatt explained that the new section would not have interparcel access to the older section and in order to provide open space, to permit eight units, and to protect environmentally sensitive land.

Chairman Murphy called the first speaker and outlined the Planning Commission's rules.

Mr. Peter Montanino, 2920 Gray Street, Vienna, supported the development, but was opposed to the extension of Strathaven Place. He noted the uniqueness of his community and its need to be protected from cut-through traffic.

Mr. Carl Schellenberg, 9955 Leamoore Lane, Vienna, representing the Edgemoore Homeowners Association, voiced his strong opposition to the extension of Strathaven Place being extended and objected to staffs recommendation that it be extended. He noted that their present quality of life would be ruined if cut-through traffic were allowed. He clarified for Commissioner Coan that his homeowners association was strongly opposed to any extension of Strathaven Place whether it be to Blake Lane or Edgelea or even within the subdivisions.

Commissioner Coan pointed out that when Mr. Schellenberg's community was developed Strathaven Place was designed to be extended at some future date.

To clarify for Commissioner Thomas, Mr. Schellenberg stated that his association supported the development but not the extension of Strathaven Place. He also requested that the Edgemoore community be included in planning for a tot lot on the subject property.

There being no further speakers, Chairman Murphy called upon Mr. Horwatt for rebuttal.

Mr. Horwatt clarified for Commissioner Harsel that an R-4 zoning designation would not work due to its side yard requirements which precluded a viable design configuration. He pointed out

how important the provision of open space was; that the surrounding communities were in favor of the development; and that it was a good application with a good design. He assured Commissioner Coan that he would be provided with a document stipulating the declarant's rights for annexation and the process through which it would be done.

There being no further questions or comments from the Commission, or closing staff comments, Chairman Murphy closed the public hearing and recognized Commissioner Coan for a motion on the case. (Verbatim excerpts are in the date file.)

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Commissioner Coan MOVED (THAT THE PLANNING COMMISSION) DEFER (THE DECISION ONLY ON RZ-95-P-029 AND FDP-95-P-030) TO DECEMBER 7, 1995.

Commissioner Byers seconded the motion which carried unanimously with Commissioner Sell not present for the vote; Commissioners Hall, Hartwell, and Palatiello absent from the meeting.

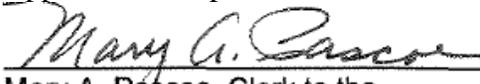
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The meeting was adjourned at 9:42 p.m.
Peter F. Murphy, Jr., Chairman
Suzanne F. Harsel, Secretary

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

Minutes by: Paula A. McFarland

Approved on: April 16, 1997


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