

Planning Commission Meeting
September 24, 2009
Verbatim Excerpt

2232-V08-6 and SE 2008-MV-031 – TRUSTEES FOR MOUNT VERNON LODGE #219,
ANCIENT, FREE AND ACCEPTED MASONS, NEW CINGULAR WIRELESS PCS, LLC
D.B.A. AT&T MOBILITY AND T-MOBILE NORTHEAST, LLC

After Close of the Public Hearing

Chairman Murphy: Public hearing is closed; recognize Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I think you heard from the testimony this evening that there's been extensive changes to this particular application that's been responsive to the various concerns that have preceded the tree tower. Originally, it was a flagpole and then the flagpole, the flag was moved - - removed. The people were objecting to the flapping of the flag in a residential neighborhood and maybe the possibility of having to shine a light on it. And so consequently, the flag was removed and it was just a pole. And through the good work of Mr. Michal's and his cooperation with the community members that were most directly involved, they were eventually able to come up with the tree proposal. And the tree proposal was even revised once. Originally, it was going to be a pine tree and now it's more of a - - if you've seen the drawing, it's a nice evergreen where the branches go all the way down to the ground. I think that's probably the most expensive evergreen tree that is being provided by these cell phone providers. So, based upon the endorsement of the Mount Vernon Land Use Committee earlier and the Mount Vernon Council last night and the majority of the landowners adjacent to this particular site, I don't have any trouble myself with this application any longer. So, I MOVE THAT THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-V08-6, SATISFIES THE CRITERIA OF LOCATION, CHARACTER, AND EXTENT AS SPECIFIED IN SECTION 15.2-2232 OF THE *CODE OF VIRGINIA*, AND IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion? All those in favor of the motion to approve 2232-V08-6, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: I have five other motions in this regard since this is both a SE. By the way, this is a SE, not a SEA. This was originally - - this site was approved as a Special Permit by the BZA, and this time around they went the Special Exception route.

Commissioner Lawrence: Mr. Chairman?

Chairman Murphy: Mr. Lawrence.

Commissioner Lawrence: Mr. Flanagan, would you permit a question, please?

Commissioner Flanagan: Sure.

Commissioner Lawrence: Are we voting on the conditions as amended by the comments we had tonight?

Commissioner Flanagan: I thought that that was agreed. Was it not, the applicant?

James Michal, Esquire: No objection here, Mr. Chairman.

Cathy Lewis: And we can make sure all those edits are incorporated before the Board.

Commissioner Flanagan: Yes. Most of which were editorial. Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2008-MV-031, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED SEPTEMBER 23, 2009, AS AMENDED BY THE MEMBERS OF THE COMMISSION THIS EVENING.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Is there a discussion of the motion?

Commissioner Harsel: Let's say it's agreed upon by the applicant also.

Chairman Murphy: Well, it's a Special Exception. He doesn't have to agree.

Commissioner Harsel: I know it is, but it's - -

Chairman Murphy: All those in favor of the motion to recommend to the Board of Supervisors that it approve SE 2008-MV-031 with the development conditions as amended this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Mr. Flanagan.

Commissioner Flanagan: Thank you, Mr. Chairman. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE NORTHERN AND WESTERN PROPERTY LINES.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENTS ALONG THE SOUTHERN AND EASTERN PROPERTY LINES, IN FAVOR OF THE VEGETATION SHOWN ON THE SE PLAT, AND AS CONTAINED IN THE DEVELOPMENT CONDITIONS.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A WAIVER OF THE BARRIER REQUIREMENTS ALONG THE NORTHERN AND WESTERN PROPERTY LINES.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Discussion? All those in favor, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Finally, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF A MODIFICATION OF THE BARRIER REQUIREMENTS ALONG THE SOUTHERN AND EASTERN PROPERTY LINES, IN FAVOR OF THAT SHOWN ON THE SE PLAT, AND AS CONTAINED IN THE DEVELOPMENT CONDITIONS.

Commissioner Litzenberger: Second.

Chairman Murphy: Seconded by Mr. Litzenberger. Discussion? All those in favor of the motion, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Flanagan: Yes, Mr. Chairman. That was my last motion. Is there anything - - one thing I would like to do though is to thank Kelli for her - - the work that she did on this particular application. Originally, the staff was not in favor of the treepole application, but with the revisions that were provided, they eventually did change their recommendation before this evening.

Chairman Murphy: Thank you very much.

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(The motions carried unanimously with Commissioners Alcorn and Hall not present for the votes.)

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