

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, APRIL 28, 2021**

PRESENT: Peter F. Murphy, Chairman, Springfield District
Timothy J. Sargeant, Secretary, Commissioner At-Large
John A. Carter, Hunter Mill District
Daniel G. Lagana, Lee District
Walter C. Clarke, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Evelyn S. Spain, Sully District
Candice Bennett, Commissioner At-Large
Andres Jimenez, Commissioner At-Large

ABSENT: John C. Ulfelder, Vice Chairman, Dranesville District
Julie M. Strandlie, Parliamentarian, Mason District
Mary D. Cortina, Braddock District

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The Planning Commission conducted a wholly electronic meeting using Fairfax County's videoconferencing system because the COVID-19 pandemic made it unsafe to physically assemble a quorum in one location or have the public present. The meeting was accessible to the public via Channel 16, live online video stream, and live audio. Testimony from the public could be provided through a phone call, recorded video, or submission of written testimony by mail or electronic means.

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The meeting was called to order at 7:30 p.m., by Chairman Peter F. Murphy.

The attending Commissioners attended the meeting from the following locations:

- Murphy Peter F. Murphy participated from Conference Room 11 of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035;
- Timothy J. Sargeant participated from his residence;
- John A. Carter participated from the Hunter Mill District office, 1801 Cameron Glen Drive, Reston, VA 20190;
- Daniel G. Lagana participated from the Lee District office, 6121 Franconia Road, Alexandria, VA 22310;
- Walter C. Clarke participated from the Mount Vernon District office, 2511 Parkers Lane, Mt. Vernon, VA 22306;

- Phillip A. Niedzielski-Eichner participated from the Providence District office, 3001 Vaden Drive, 2nd Floor, Fairfax, VA 22031;
- Evelyn S. Spain participated from the Sully District office, 4900 Stonecroft Boulevard, Chantilly, VA 20151;
- Andres Jimenez participated from his residence; and
- Candice Bennett participated from the Lee District office, 6121 Franconia Road, Alexandria, VA 22310.

Upon verifying the attendance of each Commissioner from their respective location, the meeting proceeded with Commission matters.

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COMMISSION MATTERS

Chairman Murphy relinquished duties of the virtual Chair and the virtual gavel to Secretary Sargeant.

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PRELIMINARY MOTIONS FOR CONDUCTING ELECTRONIC MEETING

Commissioner Murphy MOVED THE FOLLOWING:

- THE PLANNING COMMISSION CERTIFY FOR THE RECORD THAT EACH MEMBER'S VOICE MAY BE ADEQUATELY HEARD BY EACH OTHER MEMBER OF THIS COMMISSION;
- THE PLANNING COMMISSION CERTIFY THAT THE STATE OF EMERGENCY CAUSED BY THE COVID-19 PANDEMIC, MAKES IT UNSAFE FOR THE PLANNING COMMISSION TO PHYSICALLY ASSEMBLE AND UNSAFE FOR APPLICANTS, STAFF, AND THE PUBLIC TO PHYSICALLY ATTEND ANY SUCH MEETING IN PERSON. AND THAT AS SUCH, AN IN-PERSON MEETING CANNOT BE IMPLEMENTED SAFELY OR PRACTICALLY;
- THE PLANNING COMMISSION CONDUCT THIS MEETING ELECTRONICALLY THROUGH THE COUNTY'S VIDEO CONFERENCING SYSTEM AND THAT THE PUBLIC MAY ACCESS THIS MEETING BY WATCHING CHANNEL 16, OR ITS LIVE STREAM, MAY LISTENING TO LIVE AUDIO OF THIS MEETING AT 703-324-5300, AND MAY PARTICIPATE IN PUBLIC HEARINGS BY TELEPHONE, BY YOUTUBE, BY VIDEO SUBMISSION, OR BY WITTEN TESTIMONY; AND

- THE PLANNING COMMISSION CERTIFY THAT ALL MATTERS ADDRESSED ON TODAY'S AGENDA CONCERNING THE EMERGENCY ITSELF AND ARE NECESSARY FOR THE CONTINUITY IN FAIRFAX COUNTY GOVERNMENT UNDER THE ORDINANCE ADOPTED BY THE BOARD OF SUPERVISORS ON MAY 12, 2020 AND ARE WITHIN THE PREVUE OF AMENDMENT 28 TO HOUSE BILL 29, AS APPROVED BY THE GOVERNOR OF VIRGINIA ON APRIL 24, 2020.

Commissioner Niedzielski-Eichner seconded the motions, which carried by a vote of 9-0. Commissioners Cortina, Ulfelder, and Strandlie were absent from the meeting.

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Chairman Murphy resumed the duties of the virtual Chair and the virtual gavel.

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SEA 83-D-030-09 - THE MADEIRA SCHOOL, INC.

Commissioner Bennett MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR SEA 83-D-030-09 TO A DATE CERTAIN OF MAY 19, 2021.

Commissioner Lagana seconded the first motion, which carried by a vote of 9-0. Commissioners Cortina, Ulfelder, and Strandlie were absent from the meeting.

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SEA 2009-SU-002 CONCURRENT WITH FDPA 81-S-058-08-01/2232 Y20-6 - NEW CINGULAR WIRELESS PCS LLC (D/B/A AT&T MOBILITY) TRUSTEES OF THE CENTREVILLE UNITED METHODIST

Commissioner Spain MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING OF FDPA 81-S-058-08-01, SEA 2009-SU-002, AND 2232-Y20-6, TO A CERTAIN DATE OF JUNE 16, 2021.

Commissioner Bennett seconded the motion, which carried by a vote of 9-0. Commissioners Cortina, Ulfelder, and Strandlie were absent from the meeting.

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PA 2018-II-M1 - MCLEAN COMMUNITY BUSINESS CENTER (CBC) STUDY

Commissioner Sargeant MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR THE MCLEAN COMMUNITY BUSINESS CENTER, CBC STUDY, PLAN AMENDMENT 2018-II-M1, TO A DATE CERTAIN OF MAY 26, 2021, WITH THE RECORD TO REMAIN OPEN FOR PUBLIC COMMENT.

Commissioner Niedzielski-Eichner seconded the motion, which carried by a vote of 9-0. Commissioners Cortina, Ulfelder, and Strandlie were absent from the meeting.

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Commissioner Sargeant announced the intent to defer, at the Wednesday, May 12, 2021, Planning Commission meeting, PCA 78-D-060-02 concurrent with SE 2020-DR-019, and 2232-D20-2, Milestone Tower Limited partnership IV and Fairfax County BOS, from May 12, 2021 to May 26, 2021.

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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. SE 2020-SP-021/2232-S20-4 - MILESTONE TOWER LIMITED PARTNERSHIP IV AND TRUSTEES OF THE VIRGINIA KOREAN BAPTIST CHURCH

This order was accepted without objection.

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This application was located in the Springfield District; therefore, Chairman Murphy relinquished the Chair to Secretary Sargeant.

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SE 2020-SP-021 - MILESTONE TOWER LIMITED PARTNERSHIP IV AND TRUSTEES OF THE VIRGINIA KOREAN BAPTIST CHURCH – Appl. under Sect. 3-0C04 of the Zoning Ordinance to permit a telecommunication facility (monopole). Located at 7200 Ox Rd., Fairfax Station, 22039 on approx. 13.54 ac. of land zoned R-C and WS. Tax Map 87-4 ((1)) 1A. (Concurrent with 2232-S20-4 and Assoc. with SPA 80-S-043-03). SPRINGFIELD DISTRICT. PUBLIC HEARING.

2232-S20-4 - MILESTONE TOWER LIMITED PARTNERSHIP IV AND TRUSTEES OF THE VIRGINIA KOREAN BAPTIST CHURCH – Appl. under Sect(s). 15.2-2204 and 15.2-2232 of the Code of Virginia to permit a telecommunication facility (monopole). Located at 7200 Ox Rd., Fairfax Station, 22039 on approx. 13.54 ac. of land zoned R-C and WS. Tax Map 87-4 ((1)) 1A. (Concurrent with SE 2020-SP-021 and Assoc. with SPA 80-S-043-03). SPRINGFIELD DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

Tracy L. Themak, Applicant's Agent, Donohue & Stearns, PLC, reaffirmed the affidavit dated March 25, 2021.

MILESTONE TOWER LIMITED PARTNERSHIP IV AND TRUSTEES OF THE VIRGINIA
KOREAN BAPTIST CHURCH

Emma Estes, Zoning Evaluation Division, Department of Planning and Development, presented the staff report, a copy is in the date file. She recommended approval of SE 2020-SP-021 and 2232-S20-4.

Ms. Themak gave a presentation on the subject application.

Secretary Sargeant called the first listed speaker and recited rules for testimony.

Amarjit Riat, 7250 Ox Road, Fairfax, representing the Sikh Foundation of Virginia did not oppose the applications, but rather addressed the following concerns:

- The impact on human health from the electromagnetic and radio frequency waves as a result of the installation of the monopole; and
- The applicant's lack of outreach to the Sikh Foundation of Virginia.

There was a discussion between Ms. Themak and Commissioner Murphy regarding the applicant's outreach to the Sikh community. Ms. Themak confirmed there were 366 residents within the community, including include the Sikh Foundation of Virginia, within close proximity to the development and all were included in the mailing. Correspondence was sent to 7250 Ox Road, Fairfax. The applicant also had a list of the addresses that were notified. The district staff also spoke with the foundation. Ms. Themak added the applicant was willing to provide additional information and resources on radio frequency submissions. She concluded the applicant was within the Federal Communications Commission's mandate for the maximum permissible exposure limits at the proposed site.

Mr. Riat stated his appreciation for the feedback and welcomed the applicant to meet with members of the Sikh Foundation of Virginia.

Commissioner Murphy announced that because there were no objections to the proposed applications, his intent was to move to recommend approval. Commissioner Murphy added that the applications would be heard by the Board of Zoning Appeals on Wednesday, May 5, 2021, and the Board of Supervisors on Tuesday, May 18, 2021.

Secretary Sargeant had connectivity issues; therefore, as the most senior member of the Planning Commission, Commissioner Phillip Niedzielski-Eichner acted in the capacity of Chair.

Commissioner Niedzielski-Eichner called for virtual speakers.

Gladys Commons, 10613 Canterbury Road, Fairfax Station, opposed the development and stated the following:

- There were conversations with staff regarding the reasons why Burke Lake Park was not chosen as a location for the installation of the monopole;

MILESTONE TOWER LIMITED PARTNERSHIP IV AND TRUSTEES OF THE VIRGINIA
KOREAN BAPTIST CHURCH

- The reasons why Fairfax County Park Authority denied Burke Lake Park as one of the applicant's chosen sites for the monopole;
- The reasons why the Fairfax County Park Authority turned down a source of revenue generated from leases from the monopole that would alleviate the burden from the Fairfax County tax payers; and
- Opposition to the height of the monopole.

In response to Ms. Commons' testimony, Commissioner Murphy stated the Fairfax County Park Authority was an independent authority and had the right to deny the installation of a monopole on its property. Commissioner Murphy acknowledged there were many parks in the County that welcomed the installation of a monopole on their property for some of the reasons Ms. Commons articulated. He stated that the Planning Commission made a judgement on the application based on the proposed location. Commissioner Murphy added he was not privy to the reasons why the Park Authority denied the installation of the monopole on their site.

Secretary Sargeant rejoined the meeting.

There being no further speakers, Commissioner Niedzielski-Eichner called for rebuttal statement from Ms. Themak who stated the following:

- The reasons why Burke Lake Park was not a preferred option for the installation of the monopole; and
- The applicant's awareness of concerns regarding the negative line of sight of the monopole.

There were no further comments or questions from the Commission, and staff had no closing remarks; therefore, Commissioner Niedzielski-Eichner closed the public hearing and recognized Commissioner Murphy for actions on these applications.

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Commissioner Murphy MOVED THE FOLLOWING:

- THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SE 2020-SP-021, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED APRIL 14, 2021; AND
- THE PLANNING COMMISSION FIND THAT THE FACILITY PROPOSED UNDER 2232-S20-4, SATISFY THE CHARACTER OF LOCATION, CHARACTER, EXTENT, AS SPECIFIED IN SECTION 15.15-2.2232 OF THE *CODE OF VIRGINIA* AND THEREFORE IS SUBSTANTIALLY IN ACCORD WITH THE PROVISIONS OF THE COMPREHENSIVE PLAN.

MILESTONE TOWER LIMITED PARTNERSHIP IV AND TRUSTEES OF THE VIRGINIA
KOREAN BAPTIST CHURCH

Commissioner Bennett seconded the first motions, which carried by a vote of 9-0.
Commissioners Cortina, Ulfelder, and Strandlie were absent from the meeting.

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The meeting was adjourned at 8:09 p.m.
Peter F. Murphy, Chairman
Timothy J. Sargeant, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office,
12000 Government Center Parkway, Suite 552, Fairfax, VA 22035.

Minutes by: Samantha Lawrence

Approved on: September 29, 2021

Jacob Caporaletti

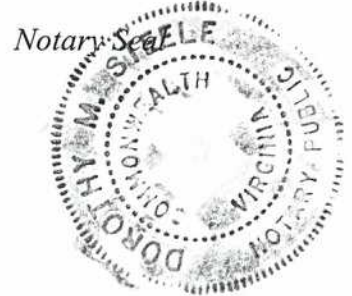
Jacob L. Caporaletti, Clerk to the
Fairfax County Planning Commission

County of Fairfax
Commonwealth of Virginia

The foregoing instrument was acknowledged before me this 12 day of October 2021, by
Jacob Caporaletti.

Dorothy M. Steele

Signature of Notary



Notary registration number: 7114113

Commission expiration: January 31, 2024