Planning Commission Meeting
March 10, 2010
Verbatim Excerpt

SE 2009-SP-012 – MCDONALD'S CORPORATION

After Close of the Public Hearing

Parliamentarian de la Fe: I will close the public hearing, because we have heard everything there is to be heard about McDonald's Corporation.

Commissioner Murphy: And we all deserve a break today. Thank you, Mr. Chairman. This McDonald's on Route 50 is the subject of a Special Exception application to rebuild, renovate, and create a new vision of McDonald's in this east shopping center. It is in conformance with the Plan and with the Zoning Ordinance. And so I would therefore MOVE, Mr. Chairman, THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE SE 2009-SP-012, SUBJECT TO DEVELOPMENT CONDITIONS DATED MARCH 10TH, 2010, WITH THE FOLLOWING AMENDMENTS:

- ON DEVELOPMENT CONDITION 8, ADD THE WORD "FLAGS," SO IT WOULD READ: "BALLOONS, FLAGS, AND PENNANTS."

We've already talked to death the underlying portion of "however, upon demonstration" to get a clearer development condition here before Board time. And I WOULD ALSO ADD A NEW DEVELOPMENT CONDITION, which would be - I guess would be, Number 13, Chris, or 12?

Parliamentarian de la Fe: Fourteen.

Commissioner Murphy: FOURTEEN? Okay, WHICH WOULD READ:

- "A COPY OF THIS SPECIAL EXCEPTION AND THE NON-RESIDENTIAL USE PERMIT SHALL BE POSTED IN A CONSPICUOUS PLACE ON THE PROPERTY OF THE USE AND BE MADE AVAILABLE TO ALL DEPARTMENTS OF THE COUNTY OF FAIRFAX DURING HOURS OF OPERATION OF THE PERMITTED USE."

Commissioner Litzenberger: Second.

Parliamentarian de la Fe: Seconded by Mr. Litzenberger. Any discussion? All those in favor of the motion as articulated by Commissioner Murphy, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? Motion carries. Mr. –

Commissioner Murphy: Thank you. I have several waivers and modifications coming up. These are all reaffirmations of waivers and modifications and were made on another Special Exception on that particular site. So I'm going to do them all together. I MOVE THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THAT IT APPROVE THE WAIVER OF THE ON-ROAD BIKE LANE REQUIREMENT ON ROUTE 50; RECOMMEND APPROVAL OF THE MODIFICATION OF THE TRAIL REQUIREMENT ON ROUTE 50; RECOMMEND APPROVAL OF A MODIFICATION OF THE TRANSITIONAL SCREENING REQUIREMENT IN FAVOR OF THAT SHOWN ON THE SE PLAT; AND RECOMMEND APPROVAL OF THE WAIVER OF THE BARRIER REQUIREMENT IN FAVOR OF THAT SHOWN ON THE SE PLAT; AND RECOMMEND APPROVAL OF THE PERIPHERAL PARKING LOT LANDSCAPE REQUIREMENT IN FAVOR OF THAT SHOWN ON THE SE PLAT.

Commissioners Hall and Litzenberger: Second.

Parliamentarian de la Fe: Seconded by Mr. Litzenberger and Ms. Hall. Is there any discussion? All those in – did you –

Inda Stagg: Before you call the next case, I just really wanted to thank both Kelli Mae Goddard.

Parliamentarian de la Fe: We haven't – yet. All those –

Commissioner Hall: Let's have a discussion.

Parliamentarian de la Fe: All those in favor, please signify by saying aye.

Commissioners: Aye.

Parliamentarian de la Fe: Opposed? The motion carries.

Ms. Stagg: Sorry. I just wanted to thank Kelli Mae Goddard-Sobers and Chris DeManche because they worked very hard on all of these conditions which have changed at the last minute. So I just want to appreciate their time.

Commissioner Murphy: I just – thank you very much. I also want to thank the staff, Chris, great job. Thank you. We appreciate it. Are you Mr. Eidberger?

John A. Eidberger, Agent for McDonald's: Yes, I am.

Commissioner Murphy: You're the top McDonald's man in this area of the County and of the world, right?

Mr. Eidberger: I'll take that –

Commissioner Murphy: Let me just, let me just add a couple comments here as to why I suggested to my fellow Commissioners – and I'll also suggest to Mr. Flanagan when he makes the motion – of the last development condition I added about posting these development conditions of the non-RUP permits. I personally, and I think other members of the Commission have danced with the McDonald's they have many times, and we're very happy to have McDonald's in Fairfax County. We hope you prosper because that increases our tax base and we love that. But there have been occasions after McDonald's have been approved that there have been violations and the development conditions were completely left out in the cold, especially a couple in the Springfield District which we had to go back and fix. I would appreciate your leadership in this and make sure that the development conditions, when approved by the Board of Supervisors, are adhered to by your stores. Because we love to have you but we want you to do it right. And the second thing is – Ms. Lewis, is she still here?

Commissioner de la Fe: No, she left.

Commissioner Murphy: Mr. DeManche? Just one other thing: I don't know how my other Commissioners feel about this, but I would like to see the language on the posting of the development conditions as a standard development condition on all Special Exception applications. Would you bring that back to Ms. Coyle? I think it's something that we need to put out there so that in the stores, in the banks, wherever… so in case there's a problem we can point to it and say, this is what you agreed to. Would you please take that back to her?

Mr. DeManche: I certainly will.

Commissioner Murphy: Okay, thank you very much.

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(The motions carried unanimously with Commissioners Alcorn, Donahue, and Harsel absent from the meeting.)

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