

Planning Commission Meeting
March 10, 2010
Verbatim Excerpt

RZ 2009-MA-013/SEA 83-M-102-03 – MCDONALD'S CORPORATION

After Close of the Public Hearing

Chairman Murphy: The public hearing is closed; recognize Ms. Hall.

Commissioner Hall: Thank you, Mr. Chairman. I'm sorry there were a few changes to the development conditions, but I have complete confidence in the staff to make the necessary revisions prior to sending this to the Board of Supervisors. So, I feel very comfortable moving this application this evening. The application enjoys the support of the Mason District Land Use Committee. And I hope I have addressed the – Mr. Bedsworth's concern about the trees. Regrettably, at some point, if they're in a water easement they're going to have to go. And that's what the staff is trying to protect. The fact that the new trees will be put outside of the easement – and there will be sufficient time for them to take root to lessen the impact on the community. Therefore, I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF REZONING 2009-MA-013, SUBJECT TO THE PROFFERS DATED MARCH 9TH, 2010.

Commissioner Lusk: Second.

Chairman Murphy: Seconded by Mr. Lusk. Excuse me. Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve RZ 2009-MA-013, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Hall.

Commissioner Hall: I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 83-M-102-03, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED MARCH 10TH, 2010, AND WITH THE FOLLOWING CONDITIONS MODIFIED THIS EVENING:

- ADD THE WORD "FLAG" TO NUMBER 8;
- ADD THE REPLACEMENT LANGUAGE TO NUMBER 15;
- ADD – excuse me – ADD THE NEW LANGUAGE ABOUT THE TREES IN THE WATER EASEMENT, THAT THEY CAN REMAIN FOR THREE YEARS;

And that will be sufficient, Mr. Chairman.

(NOTE: No second to this motion was made.)

Commissioner de la Fe: Mr. Chairman?

Chairman Murphy: Mr. de la Fe.

Commissioner de la Fe: Ms. Hall?

Commissioner Hall: Yes.

Commissioner de la Fe: You said on Number 15 “to add the new language.” Wouldn’t it be that you would “replace 15 with the new language” –

Commissioner Hall: Yes.

Commissioner de la Fe: – rather than add –

Commissioner de la Fe: Okay.

Commissioner Hall: REPLACE THE new language –

Commissioner de la Fe: No, replace –

Commissioner Hall: – THE EXISTING LANGUAGE WITH THE NEW LANGUAGE.

Commissioner de la Fe: Right. Thank you.

Commissioner Hall: To be written by staff.

Chairman Murphy: And, without objection, I’d like to add a friendly amendment to ADD A FINAL DEVELOPMENT CONDITION WHICH WOULD READ: “A COPY OF THE 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.” Is there a discussion of the motion? All those in favor of the motion to recommend to the Board of Supervisors that it approve SEA 83-M-102-03, with the development conditions dated March 10th – or the 9th?

Commissioner Hall: This is the 10th.

(NOTE: No second to this motion was made.)

Chairman Murphy: Tenth. Dated March 10th, and as amended this evening, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: I MOVE THAT THE TRANSITIONAL SCREENING REQUIREMENTS BE MODIFIED ALONG A PORTION OF THE NORTHERN AND WESTERN BOUNDARIES AND ALONG THE SOUTHERN BOUNDARY IN FAVOR OF THAT SHOWN ON THE GDP/SEA PLAT.

Commissioner Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: I MOVE THAT THE TRANSITIONAL SCREENING REQUIREMENT BE WAIVED ALONG A PORTION OF THE NORTHERN BOUNDARY IN FAVOR OF THAT SHOWN ON THE GDP/SEA PLAT.

Commissioner Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

Commissioner Hall: And finally, I MOVE that the – THAT THE BARRIER REQUIREMENT BE WAIVED ALONG A PORTION OF THE NORTHERN AND WESTERN BOUNDARIES AND ALONG THE SOUTHERN BOUNDARY IN FAVOR OF THAT SHOWN ON THE GDP/SEA PLAT.

Commissioner Lusk: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

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

JN