Planning Commission Meeting
December 5, 2012
Verbatim Excerpt

FDPA 82-P-069-09-09 – THE SHOPS AT FAIR LAKES LP

Decision Only During Commission Matters
(Public Hearing held on November 29, 2012)

Commissioner Murphy: Mr. Chairman, I have a decision only for an application we heard last night [*sic*]. It's FDPA 82-P-069-09-09 for a CVS to be located on a land bay in Fair Lakes. One thing is for sure and it's a very important thing for me, is the fact that there is no discussion or debate that this FDPA is in conformance with the CDPA which, in my opinion, is one of the key factors in an application of this type. But the staff found reasons to recommend denial and I did not support that recommendation, and I'm going to move to approve tonight. I will concentrate brief remarks on three areas that I think we need to discuss because questions were raised at the public hearing. And because of that we have a new set of development conditions this evening dated December 4th, 2012. And I believe that everybody received them either electronically or this evening when they came to the Planning Commission. First, there was some discussion about the architecture and does it fit in with the surrounding - - surrounding situation. There is a Development Condition 16, which actually articulates what the building is going to look like, what kind of materials and color the pharmacy will be. It is also subjected to the Fair Lakes League design standards. And I think there was a great explanation by the applicant that this particular drugstore does look good and it's going to blend in very well with the surrounding strip shopping center behind it. I don't see anybody saying, "I'm not going to go to CVS because it doesn't look good, as opposed to the Blue Iguana." You know, I just don't see that happening. I mean, I know a lot of this is in the eye of the beholder, and I think the architecture on this building for a drugstore of this type is superior. Also, we had a lot of discussion about the trees. And there is a Development Condition Number 6; there is an addition to that development condition which explains a lot about the buffer enhancement entitlements. What we talked about was putting more trees on the site, or somewhere in Fair Lakes, or somewhere in Fairfax County. And it seemed to me that the best place to plant more trees was on a site that had already been approved. And that site is where the McDonald's is and the gas station which, if you saw the slides that the applicant showed, those applications were approved with minimum screening along Fair Lakes Drive [*sic*] – Fair Lakes Boulevard. And I think the best place to put plantings of a low nature so it won't disturb the view of the buildings – the McDonald's or the gas station – is the best way to do that kind of thing. Also, on - - in the development conditions, there is a Development Condition 18, talking about the preservation of the trees already on-site. And if you - I'm not into math - but if you count the pages, there's almost five pages of one development condition that talks about preserving the trees. Another issue, and the third one which I will speak to, was transportation, and there are three additions to development conditions. Development Condition 11 talks about something that I insisted on - - and I do on all these kinds of applications - - where we have drive-in facilities. The drive-in facility will not function very well unless there's signage telling the people what the drive-in facility is all about, if there are hours of operation – when it's closed or open. I think Mr. Lawrence brought in some valuable points that we need drive-in facilities like this. Some comments were made – maybe we only

need one drive-in. There are two. One is to pick up prescriptions and one - - and that's the one that's in the building – the drive-in that's closest to the building. The second drive-in is with that pressure thing – like you do in a bank – that sends your prescriptions up and into the store. If you cut it down to one, there will be more stacking on the site, I think. It won't break it up, the pick-up and drop-off. And that's like - - at a gas station in our neighborhood, a couple weeks ago two of their pumps broke down. And everyone thought, well maybe that's going to, you know, help the flow internally and the crowding. It didn't. It made it worse because everybody was stacking up at the other six pumps waiting to get gasoline when they couldn't get it at the two that were out of service. So I'm not sure there's a perfect solution to this. There are always situations where you sort of cross your fingers and say, "I think it's going to work." And I think this is going to work. I crossed my fingers once before in Fair Lakes when we did the BJ's with their gas station. I was a little hesitant where it was going to located. Come to find out that, as a random sample of somebody who goes to Fair Lakes, it's working extremely well. Also in Number 13, and I believe there was diagram that was furnished, the applicant will put additional painted directional arrows and striping will be provided in order to improve circulation between the pharmacy and the service station as shown on the exhibit entitled "Fair Lakes Shops Proposed Circulation". And also on Development Condition 14, we talk about striping and crosswalks with -- if additional striping is required by VDOT at the time of site plan. I might also add – and I think we noticed this when we looked at the application – that the car wash and the service bays that are now there and part of the gas station are going to be removed, so that's going to give some extra - extra room on the site. I want to thank Billy O'Donnell, who was the staff person on this application. He did a very thorough job, and although I don't agree with his conclusions, he gave his opinion as he saw it and as the staff saw it. He was kind enough to come to our land use committee out here at Fairfax Center. And it was a close call, but the citizens – and they have been – they're sort of pioneers out here – they've been with us a long time and they know the area and they know what an application is and they certainly know how to analyze it. And it was a close call but they voted three to two to support the application. So with that, Mr. Chairman, I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA 82-P-069-09-09, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED DECEMBER 4TH, 2012.

Commissioner Migliaccio: Second.

Vice Chairman Alcorn: Seconded by Commissioner Migliaccio. Any discussion of that motion?

Commissioner Lawrence: Mr. Chairman?

Vice Chairman Alcorn: Mr. Lawrence.

Commissioner Lawrence: Thank you, Mr. Chairman. Sadly, I cannot support this motion. Let me say why. Why: is the confluence of people with different purposes at the corner of the site where the lanes accessing the pharmacy and the lanes accessing the gas station. All are very close together. I checked to see whether, for example, a solution like necking down the access lanes to the pharmacy to one and then broadening out to two so that two separate lanes could be used for

drop-off and pick-up was considered, and apparently it was not. There's a second barrel to this issue, and it is that it's the width of these lanes that's causing some design problems in fitting the thing into the site. I did not share staff's concern about the other issues and I feel they were substantially mitigated, but I cannot go along with what seems to me to be adding risk to almost everybody who uses this site for the sake of added convenience for a very few people on a given day. Thank you, Mr. Chairman.

Vice Chairman Alcorn: Thank you, Mr. Lawrence. Any additional discussion? All those in favor of supporting the motion to approve FDPA 82-P-069-09-09, subject to the development conditions dated December 4th, 2012, please say aye.

Commissioners: Aye.

Vice Chairman Alcorn: All opposed?

Commissioner Lawrence: No.

Vice Chairman Alcorn: That motion carries with Mr. Lawrence voting no.

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(The motion carried by a vote of 11-1, with Commissioner Lawrence opposed.)

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