

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, SEPTEMBER 28, 2022**

PRESENT: Peter F. Murphy, Chairman, Springfield District
John C. Ulfelder, Vice Chairman, Dranesville District
Timothy J. Sargeant, Secretary, Commissioner At-Large
Julie M. Strandlie, Parliamentarian, Mason District
Mary D. Cortina, Braddock District
John A. Carter, Hunter Mill District
Daniel G. Lagana, Lee District
Walter C. Clarke, Mount Vernon District
Evelyn S. Spain, Sully District
Candice Bennett, Commissioner At-Large
Andres Jimenez, Commissioner At-Large

ABSENT: Phillip A. Niedzielski-Eichner, Providence District

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The meeting was called to order at 7:30 p.m., by Chairman Peter F. Murphy, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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COMMISSION MATTERS

SEA 93-Y-032-02 CONCURRENT WITH PCA 86-S-083-06 (RZPA 2021-SU-00035)
MCDONALD'S CORPORATION

Commissioner Spain MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON PCA 86-S-083-06 AND SEA 93-Y-032-02 TO A DATE CERTAIN OF DECEMBER 8, 2022.

Commissioner Ulfelder seconded the motion, which carried by a vote of 11-0. Commissioner Niedzielski-Eichner was absent from the meeting.

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SE 2022-MV-00002/PCA 89-V-038 (RZPA 2022-MV-00010)
PRAESUM HEALTHCARE SERVICES, LLC

(Decision Only) (Planning Commission hearing on this application was held on September 21, 2022)

Commissioner Clark MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS THE FOLLOWING ACTIONS:

- APPROVAL OF PCA 89-V-038, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED SEPTEMBER 15, 2022;

- APPROVAL OF SE 2022-MV-00002, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 6, 2022;
- APPROVAL OF PARKING REDUCTION REQUEST #8100-PKS-001 FOR 7665 LORTON ROAD, PURSUANT TO ARTICLE 6, SECTION 6100, OFF-STREET PARKING, SUBSECTION 6100.6.G OF THE ZONING ORDINANCE BASED ON THE CONDITIONS DATED MAY 25, 2022, AND CONTAINED IN APPENDIX 7; AND
- APPROVAL OF THE WAIVERS AND MODIFICATIONS AS SPECIFIED IN A HANDOUT DATED SEPTEMBER 28, 2022.

Commissioner Sargeant seconded the motions, which carried by a vote of 11-0. Commissioner Niedzielski-Eichner was absent from the meeting.

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MINUTES APPROVAL – MAY 2022

Commissioner Sargeant MOVED APPROVAL OF THE MEETING MINUTES FOR THE FOLLOWING MEETINGS:

- MAY 4, 2022;
- MAY 11, 2022;
- MAY 18, 2022; AND
- MAY 25, 2022.

Commissioner Ulfelder seconded the motion, which carried by a vote of 11-0. Commissioner Niedzielski-Eichner was absent from the meeting.

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Commissioner Sargeant announced his intent to move approval of the June 2022 meeting minutes at the October 12, 2022, Planning Commission meeting.

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Commissioner Lagana announced the opening of The Workforce Innovations Skills Hub (W.I.S.H.), located in the new Hybla Valley Community Center, 7950 Audubon Ave, Alexandria. Commissioner Lagana showcased his welding project and provided visuals of a steel placard he created. He encouraged a visit to the W.I.S.H. center to participate in their activities.

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Commissioner Carter announced that the Planning Commission would hold a workshop on Thursday, September 29, 2022, at 7:30 p.m. in Conference Room 11 of the Fairfax County

Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035, to discuss the Reston Comprehensive Plan Study, Plan Amendment 2020-III-UP1 (PA-2020-00023), the Reston area's community Task Force's recommended changes, and a staff presentation. Commissioner Carter added that attending community members would have an opportunity to provide feedback on the Plan. Chairman Murphy and Commissioner Niedzielski-Eichner voiced their support for the concept of a workshop before a public hearing. Commissioner Carter added that the workshop required a quorum of seven Planning Commission members. The workshop would be broadcasted live on the Department of Cable and Consumer Services website, Channel 16, and recorded for on-demand viewing. Commissioner Lagana announced his absence from the workshop.

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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. SE 2021-MA-032 – MCDONALD'S CORPORATION
2. SEA 2005-SU-007-02 – KOREAN CENTRAL PRESBYTERIAN CHURCH

This order was accepted without objection.

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SE 2021-MA-032 - MCDONALD'S CORPORATION – Appl. to permit a restaurant with drive through in a Highway Corridor Overlay district. Located at 6729 Arlington Blvd., Falls Church, 22042 on approx. 46,009 sq. ft. of land zoned C-8 and HC. Tax Map 50-4 ((17))
G. MASON DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

G. Evan Pritchard, Esq., Applicant's Agent, Cozen O'Conner PC, reaffirmed the affidavit dated March 1, 2022.

Tabatha Cole, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy is in the date file. She stated that staff recommended approval of SE 2021-MA-032.

Mr. Pritchard gave a presentation on the subject application.

There was a discussion with Ms. Cole; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; Brandy Mueller, Code Department and Compliance Division, Land Development Services; Marc Dreyfuss, Transportation and Planning Division, Fairfax County Department of Transportation; Mr. Pritchard; Rajesh Sanani, 42496 Flemming Drive, Chantilly, representing McDonald's Franchise Ownership; and multiple Commissioners regarding the following:

- Clarification on the existing parallel parking spaces along the west side of the building, that may jeopardize the safety of pedestrians and would hinder the drive-through's circulation;
- Staff's discussions with Land Development Services regarding amendments to the Plat;
- The applicant's agreement to work with staff to obtain a parking reduction of the two existing parking spaces, in favor of additional landscaping to the resource protection area;
- A request to provide data on the anticipated number of customers seeking parking, generated from the proposed restaurant during peak hours;
- A request to provide data on the expected number of cars generated from the restaurant's drive-through;
- Concerns regarding the circulation pattern at the site and the safety of pedestrians walking through the parking lot;
- Concerns with the conflict between the parallel parking space along the western side of the site that encroached into the crosswalk;
- A recommendation to incorporate artwork on crosswalks in areas where visibility was less prominent;
- The status of communications between the Virginia Department of Transportation (VDOT) and the Fairfax County Department of Transportation (FCDOT) on the applicant's proposal to make improvements along Arlington Boulevard, and the installation of a concrete median that would mitigate the traffic flow entering and exiting the site;
- A recommendation that FCDOT confer with VDOT regarding the recommendation to incorporate artwork on crosswalks in areas where visibility was less prominent;
- Clarification on whether the applicant was made aware of the requirements of the resource protection area under Article 3 of the Chesapeake Bay Preservation Ordinance, and whether those obligations satisfied the proffer requirement that would mitigate concerns regarding impervious area, assured adequate tree preservation and plantings, and that the landscaping requirements were met throughout the site;
- A revised Water Quality Impact Assessment by Land Development Services submitted by the applicant for approval, that would address the area of canopy planted for water quality;
- Clarification on the reasons for a revised Water Quality Impact Assessment and whether the issues that led to the revised submission was resolved;

- Clarification on whether the C-8 District was designed to accommodate uses that minimized interference with through traffic activities, and whether this generalization only applied to the traffic impact;
- The applicant addressed and mitigated staff's concerns surrounding the special exception use;
- Staff recommended the promotion and staffing aspects to assure all conditions were satisfied at the site;
- The fast-food restaurant incorporated a single lane drive-through which transitioned to two lanes, and transitioned back to a single lane;
- The total number of McDonald's restaurants within a three-mile radius of the proposed site;
- The applicant's plan for ongoing landscape maintenance at the site;
- A special exception condition for the preservation of the original McDonald's sign at the site;
- The applicant's plan to relocate and replace the current sign in the event relocation was required for future right-of-way movement;
- Clarification on whether staff recommended a historic designation of the original McDonald's sign;
- The applicant's plan for active traffic management at the site; and
- The applicant's plan to incorporate food delivery and pickup in the restaurant's circulation design, and whether the number of proposed parking spaces and trip data supported those efforts.

The discussion resulted in a request for additional time to mitigate the issues of concern that would result in a consensus on a favorable recommendation.

Chairman Murphy called the first listed speaker and recited rules for testimony.

Clyde Miller, 3436 Skyview Terrace, Falls Church, addressed concerns with the proposed McDonald's restaurant. A copy of Mr. Miller's statement is in the date file.

Mr. Miller's testimony was followed by a discussion between Ms. Cole, Mr. O'Donnell, Mr. Pritchard, and multiple Commissioners regarding the following:

- Staff's response to Mr. Miller's testimony regarding the number of stacking spaces required by the Zoning Ordinance;
- Staff's response to Mr. Miller's testimony regarding parking conflicts, the drive-through's circulation system, and pedestrian safety at the site;
- Clarification on whether Gorove/Slade Associates, Inc., the Applicant's Traffic Engineer/Agent, conducted an analysis of the vehicular stacking issue at the site; and
- The applicant's agreement to provide the Commission with data on the stacking issue for the site.

Denise Meister, 3028 Westlawn Place, Falls Church, addressed concerns about the recorded number of crashes by VDOT within the vicinity of the proposed site and Arlington Boulevard, and whether there were plans to mitigate those concerns. Ms. Meister stated that the community opposed the drive-through 30 years ago. She suggested the reason why some in the community now supported the drive-through was because the COVID-19 pandemic required the option for contactless curbside food pickup and delivery orders. Ms. Meister added that there were ongoing issues with stream restoration and a walking trail on the Providence District and Mason District side of Tripps Run. She also addressed concerns with the traffic impact on U.S. Route 50/U.S. Highway 50, as a result of the I-66 Express Lane (inside the Beltway) Tolling. Ms. Meister supported the renovation of the restaurant and suggested the community's concerns should be addressed before the project moved forward.

Ms. Meister's testimony was followed by a discussion between Ms. Cole, Mr. O'Donnell, Mr. Dreyfuss, and multiple Commissioners regarding the following:

- Westbound left turns on Arlington Boulevard would be redirected to allow for visual clearance for eastbound right turns exiting route U.S. Route 50/U.S. Highway 50;
- Redirected left turns on Arlington Boulevard would limit the number of movements, allow for less conflict points, and mitigate the number of accidents in that area;
- FCDOT examined the crash history in the area and determined the number of crashes was as a result of vehicles attempting to cross over the median traveling westbound;
- A reference was made to a Chick-fil-A located at 7130 Little River Turnpike, Annandale, VA, that remained closed until the changes to the median was completed;
- A suggestion was made to keep the restaurant's drive-through closed until the traffic improvements were completed;
- An agreement to include a development condition, subject to VDOT's approval, that before the applicant could obtain their Nonresidential Use Permit for the modifications, the drive-through remained closed;
- Clarification on whether turning left into the service lane was allowed;

- A suggestion was made to revisit policies, procedures, and recommendations for better management and the efficiency of traffic flow within drive-through facilities to better improve safety on future applications; and
- Staff's concerns regarding the design of the drive-through, where orders were placed and received on the driver's side.

Chairman Murphy called for a rebuttal from Mr. Pritchard who declined.

There being no further speakers, no speakers from the public, no comments or questions from the Commission, and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Strandlie for action on this application.

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Commissioner Strandlie MOVED THAT THE PLANNING COMMISSION DEFER THE DECISION ONLY ON SE 2021-MA-032, MCDONALD'S CORPORATION, TO A DATE CERTAIN OF OCTOBER 12, 2022, WITH THE RECORD REMAINING OPEN FOR WRITTEN AND ELECTRONIC COMMENTS.

Commissioner Cortina seconded the motion, which carried by a vote of 11-0. Commissioner Niedzielski-Eichner was absent from the meeting.

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SEA 2005-SU-007-02 – KOREAN CENTRAL PRESBYTERIAN CHURCH - Appl. to amend SE 2005-SU-007 previously approved for a place of worship, child care center and private school of general education, to add land area and to permit associated modifications to site design and development conditions. Located at 15451 Lee Hwy., Centreville, 20121 on approx. 83.77 ac. of land zoned R-C and WS. Tax Map 64-1 ((1)) 8, 9, 25, 26 and 27; 64-1 ((3)) 16 and 17; 64-2 ((3)) 18; 64-2 ((5)) 1, 2 and 3. SULLY DISTRICT. PUBLIC HEARING.

There were no disclosures by Commission members.

David S. Houston, Applicant's Agent, Bean Kinney & Korman, P.C., reaffirmed the affidavit dated August 24, 2022.

Sharon Williams, Zoning Evaluation Division, Department of Planning and Development presented the staff report, a copy is in the date file. She stated that staff recommended denial of SEA 2005-SU-007-02.

Mr. Houston gave a presentation on the subject application.

There was a discussion with Mr. Williams; William O'Donnell, Zoning Evaluation Division, Department of Planning and Development; John C. Levtoy, IMEG Corp., d/b/a Christopher Consultants, Ltd.; and multiple Commissioners regarding the following:

- The number of existing access points to the site from U.S. Route 29/U.S. 29;
- The main entrance to the site was a signalized entrance with a double left turn into the church;
- Off-duty police officers were assigned to the site on Sundays to assist with traffic management on U.S. Route 29/U.S. 29 before and after church services, together with forty members of the congregation who managed the interior traffic circulation;
- No access changes were proposed to the site;
- Parcel 17 contained a single-family home with a driveway, which could be used as a fourth entrance to the site. The applicant planned to keep that driveway for the church's rectory that housed their religious leader;
- Clarification on the term jellyfish filter and the purpose of that use;
- Clarification on the discrepancies between C000-Cover Sheet, which provided visuals of trees that were not on the parking spaces but located between them, versus C501-BMP Coverage Map that referenced permeable pavement;
- Whether the applicant satisfied the site's parking lot landscaping requirements, as specified in the Zoning Ordinance;
- The percentage of new parking spaces designated for electric vehicles; and
- A recommendation was made to modify the development conditions, adding language that specified the type of electric vehicle spaces would be a minimum of Level 2.

The discussion resulted in a change to Development Condition Number 40 that specified a minimum of Level 2 electric vehicle spaces.

There were no listed speakers, no speakers from the public, no rebuttal from the applicant, no comments or questions from the Commission, and staff had no closing remarks; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Spain for actions on this application.

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Commissioner Spain MOVED THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE FOLLOWING ACTIONS:

- APPROVAL OF SEA 2005-SU-007-02, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED SEPTEMBER 14, 2022, WITH A MODIFICATION TO CONDITION 40 TO SPECIFY A MINIMUM OF LEVEL 2 ELECTRIC VEHICLE CHARGING STATIONS; AND
- APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DATED SEPTEMBER 22, 2022, WHICH WILL BE MADE PART OF THE RECORD.

Commissioner Lagana seconded the motions, which carried by a vote of 11-0. Commissioner Niedzielski-Eichner was absent from the meeting.

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The meeting was adjourned at 9:26 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: November 16, 2022

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 21 day of November 2022, by

[Handwritten Signature]

Signature of Notary

Notary registration number: 7114113

Commission expiration: January 31, 2024

