

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MAY 17, 2023**

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

ABSENT: John C. Ulfelder, Parliamentarian, Dranesville District

OTHERS: William O'Donnell, Zoning Evaluation Division
Department of Planning and Development
Teresa DeSantis, Department of Clerk Services (DCS)
Samantha Lawrence, DCS

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The meeting was called to order at 7:30 p.m., by Chairman Phillip A. Niedzielski-Eichner, in the Board Auditorium of the Fairfax County Government Center, 12000 Government Center Parkway, Fairfax, Virginia 22035.

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Chairman Niedzielski-Eichner announced that the Planning Commission would go into closed session for a legal briefing regarding proposed changes to the Sign Ordinance, which included potential changes to the Comprehensive Sign Plan approval process. He added that after the closed session, the Commission would return to the dais to certify that only public business matters lawfully exempted from the open meeting requirements were discussed.

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Commissioner Cortina announced that the Planning Commission's Transportation Committee and the Urban Development and Placemaking Committee held a joint meeting on Thursday, May 11, 2023 at 7:30 p.m. in Conference Room 11 of the Fairfax County Government Center for a presentation from staff on the Route 7 Bus Rapid Transit Plan Amendment.

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Commissioner Spain disclosed that she also attended a work session in Falls Church on the Route 7 Bus Rapid Transit Plan and encouraged review of the plan.

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Commissioner Carter announced that the Policy and Procedure Committee would meet on a date to be determined to discuss changes to the bylaws. He requested that any changes be submitted to him.

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SEA 95-M-029-02 – MCDONALD’S CORPORATION

(Decision Only) (The public hearing on this application was held on February 8, 2023)

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

- APPROVAL OF SEA 95-M-029-02, SUBJECT TO THE PROPOSED DEVELOPMENT CONDITIONS DATED MAY 15, 2023; AND
- APPROVAL OF THE WAIVERS AND MODIFICATIONS INCLUDED IN THE STATEMENT DATED MAY 17, 2023.

Commissioners Jimenez and Clarke seconded the motions, which was carried by a vote of 11-0. Commissioner Ulfelder was absent from the meeting.

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RZ/FDP 2022-LE-00012 – BEAZER HOMES, LLC

(Decision Only) (The public hearing on these applications was held on May 10, 2023)

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

- APPROVAL OF RZ 2022-LE-00012, SUBJECT TO THE EXECUTION OF PROFFERED CONDITIONS CONSISTENT WITH THOSE DATED MAY 1, 2023;
- APPROVAL OF FDP 2022-LE-00012, SUBJECT TO THE FDP CONDITIONS DATED MAY 16, 2023 AND THE BOARD’S APPROVAL OF RZ 2022-LE-00012; AND
- MODIFICATION OF THE TRANSITIONAL SCREENING AND WAIVER OF THE BARRIER REQUIREMENT ALONG THE SOUTHERN PROPERTY LINE TO THAT SHOWN ON THE CDP/FDP, AS FURTHER DETAILED IN FDP CONDITIONS.

Commissioner Murphy seconded the motions, which was carried by a vote of 11-0. Commissioner Ulfelder was absent from the meeting.

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RZ/FDP 2022-PR-00017 – MADISON INVESTMENT PORTFOLIO LLC

Commissioner Niedzielski-Eichner MOVED THE PLANNING COMMISSION DEFER THE PUBLIC HEARING ON RZ/FDP 2022-PR-00017 TO A DATE CERTAIN OF JUNE 7, 2023.

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

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Chairman Niedzielski-Eichner announced that the Planning Commission would go into closed session. He added that the Commission would return to the dias to confirm what was discussed.

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CLOSED SESSION MOTION

Chairman Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION RECESS AND GO INTO CLOSED SESSION FOR A LEGAL BRIEFING REGARDING PROPOSED CHANGES TO THE SIGN ORDINANCE, INCLUDING POTENTIAL CHANGES TO THE COMPREHENSIVE SIGN PLAN APPROVAL PROCESS, AS PERMITTED BY *VIRGINIA CODE* SECTION 2.2 3711(A)(8).

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

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CLEANSING MOTION

Chairman Niedzielski-Eichner MOVED THAT THE PLANNING COMMISSION CERTIFY THAT, TO THE BEST OF EACH MEMBER'S KNOWLEDGE, ONLY PUBLIC BUSINESS MATTERS LAWFULLY EXEMPTED FROM THE OPEN MEETING REQUIREMENTS BY VIRTUE OF *VIRGINIA CODE* SECTION 2.2 3711, AND ONLY SUCH PUBLIC BUSINESS MATTERS AS WERE IDENTIFIED IN THE MOTION BY WHICH CLOSED SESSION WAS CONVENED, WERE HEARD, DISCUSSED, OR CONSIDERED BY THE PLANNING COMMISSION DURING THE CLOSED SESSION.

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

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The meeting was adjourned at 8:14 p.m.
Phillip A. Niedzielski-Eichner, Chairman
Evelyn S. Spain, 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: July 26, 2023

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 4 day of August 20 23, by

[Handwritten Signature]

Signature of Notary

Notary



Notary registration number: 7114113

Commission expiration: January 31, 2024