

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, FEBRUARY 19, 2020**

PRESENT: Peter F. Murphy, Chairman, Springfield District
John C. Ulfelder, Vice Chairman, Dranesville District
Timothy J. Sargeant, Secretary, Commission 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
Phillip A. Niedzielski-Eichner, Providence District
Evelyn S. Spain, Sully District
Candice Bennett, Commissioner At-Large
Andres Jimenez, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 7:32 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

Commissioner Clarke acknowledged all who offered condolences during his time of bereavement. Commission Clarke added that all their thoughts and prayers were appreciated.

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PCA 87-V-064-03/SEA 94-V-030 – MCDONALD’S USA, LLC

(Start Verbatim Transcript)

Commissioner Clarke: I do have an intent to defer. And Mr. Chairman, my motion is I WOULD LIKE TO ANNOUNCE MY INTENTIONS TO DEFER TO THE PUBLIC HEARING FOR PCA 87-V-064-03 AND SEA 94-V-030, FROM FEBRUARY 26TH, 2020 TO MARCH 4TH, 2020, DUE TO THE APPLICANT’S REQUEST FOR ADDITIONAL TIME TO REVIEW WITH STAFF.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. Discussion of the motion? All those in favor of the motion to defer the applications, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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SEA 81-M-058-03 - MCDONALD'S CORPORATION

(Decision Only) (Public Hearing on this application was held on February 12, 2020)

(Start Verbatim Transcript)

Commissioner Strandlie: Yes. We have a decision only in the McDonalds's Corporation case. Will the applicant come down to the podium?

G. Evan Pritchard, Esq., Applicant's Agent, Venable LLP: Sorry. I should have moved a little closer. Hi, Evan Pritchard from Venable, here on behalf of the applicant.

Commissioner Strandlie: Great. Thank you very much. So last week, we had a couple questions on the site plan. It was a little hard to see. We wanted to make sure that the parking was not going to be interfering – or the drive through was not gonna be interfering with the parking. That the building design was of what we were looking for and a couple of other questions. And, we sent around today the Plat that is – was much more descriptive of the land use. And, I definitely have a thing about making sure that the parking is not gonna be blocked by the drive through. So, Mr. Pritchard and I talked about that and followed up with Sharon, and I think we're good. I also understand that the Baileys Crossroads Seven Corners to Revitalization Corporation heard this application and they were favorable. According – and also, the Mason District Land Use Committee. So, with that Mr. Chairman, I request that the applicant confirm for the record their agreement to the development conditions dated February 4th, 2020.

Mr. Pritchard: Yes. We – we agree to those conditions. Thank you.

Commissioner Strandlie: Thank you. I MOVE THAT THE PLANNING COMMISSION RECOMMEND APPROVAL OF SEA 81-M-058-03 TO THE BOARD OF SUPERVISORS, SUBJECT TO THE DEVELOPMENT CONDITIONS DATED FEBRUARY 4TH, 2020.

Commissioner Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant. 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 81-M-058-03, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Ms. Cortina abstains.

Commissioner Strandlie: I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF THE WAIVERS AND MODIFICATIONS CONTAINED IN THE HANDOUT DATED FEBRUARY 7TH, 2020, WHICH WILL BE MADE PART OF THE RECORD.

Commissioner Sargeant: Second.

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

Commissioners: Aye.

Chairman Murphy: Opposed? Motions carries.

Each motion carried by a vote of 11-0-1. Commissioner Cortina abstained from the vote.

(End Verbatim Transcript)

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Chairman Murphy announced that the committee assignment selection process was complete, and the selection structure of the committees would be ratified at the end of the public hearing.

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ORDER OF THE AGENDA

Secretary Sargeant established the following order of the agenda:

1. RZ/FDP 2019-SP-014/PCA/CDPA/FDPA 2017-SP-017 – BRIGHTVIEW SENIOR LIVING DEVELOPMENT LLC

The order was accepted without objection.

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The first and only applications for the meeting were located in the Springfield District therefore, Chairman Murphy relinquished the Chair to Vice Chairman Ulfelder.

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RZ/FDP 2019-SP-014 – BRIGHTVIEW SENIOR LIVING DEVELOPMENT LLC – Appls. to rezone from R-1 and WS to PDH-4 and WS to permit additional land area for an independent living and assisted living facility with no increase in density or intensity and approval of the final development plan. Located on the S. side of Lee

Hwy. approx. 450 ft. W. of Summit Dr., on approx. 0.16 ac. of land. Comp. Plan Rec: Residential at 1-2 du/ac with an option for independent/assisted living at 4 du/ac. Springfield District. Tax Map 55-4 ((1)) 36B. (Concurrent with PCA/CDPA/FDPA 2017-SP-017).
SPRINGFIELD DISTRICT. PUBLIC HEARING.

PCA/CDPA/FDPA 2017-SP-017 – BRIGHTVIEW SENIOR LIVING DEVELOPMENT LLC – Appl(s). to amend the proffers, conceptual development plan, and second final development plan for RZ 2017-SP-017, previously approved for independent living and an assisted living facility, to permit independent living and an assisted living facility and associated modifications to proffers and site design at a density of 15.16 dwelling units per acre (du/ac) and a Floor Area Ratio (FAR) of 0.21. Located on the S. side of Lee Hwy. approx. 450 ft. W. of its intersection with Summit Dr., on approx. 5.62 ac. of land zoned PDH-4 and WS. Comp. Plan Rec: Residential at 1-2 du/ac with an option for independent/assisted living at 4 du/ac. Springfield District. Tax Map 55-4 ((1)) 31A. (Concurrent with RZ/FDP 2019-SP-014).
SPRINGFIELD DISTRICT. PUBLIC HEARING.

Lori Greenlief, Applicant's Agent, McGuire Woods, LLP, reaffirmed the affidavits dated January 16, 2020.

There were no disclosures by Commission members.

Kelly Atkinson, Zoning Administration Division, Department of Planning and Development, presented the staff report, a copy of which is in the date file. She stated that staff recommended approval of RZ 2019-SP-014, FDP 2019-SP-014, PCA 2017-SP-017, CDPA 2017-SP-017, and FDPA 2017-SP-017.

Ms. Greenlief gave a presentation on the subject applications.

There was a discussion between Ms. Greenlief and Commissioner Sargeant regarding the acquisition status of all properties associated with the outlet road, the quitclaim of access rights associated with the road, and a required connectivity waiver. Ms. Greenlief confirmed that those issues were resolved. Ms. Greenlief also confirmed the water quality control measure calculations were revisited and satisfied the necessary stormwater review process.

The discussion resulted in no changes to the application.

There being no listed speakers, Vice Chairman Ulfelder called for speakers from the audience, but received no response; therefore, he noted that a rebuttal statement was not necessary. There were no further comments or questions from the Commission and staff had no closing remarks; therefore, Vice Chairman Ulfelder closed the public hearing and recognized Commissioner Murphy for action on these applications.

(Start Verbatim Transcript)

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Commissioner Murphy: Thank you. I – I believe this a very straightforward application. And it would be a great asset to this neighborhood since the rezoning – initial rezoning has already been approved. This particular application improves on the initial rezoning and I'll give you a – a summary of that when I do make the motion. Unfortunately, we have to defer decision on this application. So, I MOVE THE PLANNING COMMISSION DEFER THE DECISION ONLY FOR RZ 2019-SP-014 AND ITS ASSOCIATED CDP 2019-SP-014, AND FDP 2019-SP-014...

Commissioner Sargeant: 2017.

Commissioner Murphy: To a...

Commissioner Sargeant: FDPA.

Commissioner Murphy: Is it FDPA?

Kelly Atkinson, Zoning Evaluation Division, Department of Planning and Development: No. The first motion you're making is for the rezoning...

Commissioner Sargeant: Okay.

Ms. Atkinson: The CDP and the FDP.

Commissioner Sargeant: Okay. Excuse me.

Ms. Atkinson: And on the next page is the PCA, CDPA, FDPA.

Commissioner Sargeant: Alright.

Commissioner Murphy: TO A DATE CERTAIN OF FEBRUARY 26TH, WITH THE RECORD REMAINING OPEN FOR WRITTEN COMMENT.

Commissioner Sargeant: Second.

Vice Chairman Ulfelder: Been made – the motion's been made and seconded to defer this combined – these combined applications to a date of February 22nd, 2020.

Commissioner Sargeant: 26th.

Commissioner Murphy: 26th.

Vice Chairman Ulfelder: 26th to 2020. All in favor, say aye.

Commissioners: Aye.

Vice Chairman Ulfelder: Any opposed? Motion carries.

Commissioner Murphy: Thank you all for coming out this evening...

Ms. Atkinson: Oh, hold on. Chairman Murphy?

Commissioner Murphy: Yes.

Ms. Atkinson: I think you have to move on the PCA, CDPA, FDPA. Turn the – second page.

Commissioner Sargeant: Yeah.

Commissioner Murphy: I don't have the...

Commissioner Sargeant: You can just say CDPA, FDPA...

Vice Chairman Ulfelder: What is the question?

Commissioner Murphy: I don't have that in the draft motions.

Commissioner Sargeant: Also needs to move on the CDPA, FDPA 2017-SP-...

Commissioner Murphy: Alright. I MOVE THAT THE WE DEFER CDPA AND FDPA 2017-SP-017 TO THE SAME DATE, FEBRUARY 26TH, WITH THE RECORD REMAINING OPEN FOR COMMENT.

Commissioner Sargeant: Second.

Vice Chairman Ulfelder: Let the record reflect that.

Commissioner Sargeant: All in favor?

Vice Chairman Ulfelder: There is no further business. I turn it back over...

Commissioner Murphy: All in favor?

Vice Chairman Ulfelder: All in favor, say aye.

Commissioners: Aye.

Vice Chairman Ulfelder: Opposed? Motion carries.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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Chairman Murphy resumed duties of the Chair.

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RATIFICATION OF THE 2020 COMMITTEE APPOINTMENTS

Chairman Murphy announced that selections for committee assignments were completed and asked whether there were any membership additions or issues to discuss. Commission Niedzielski-Eichner stated he served on the Economic Advisory Commission as an at-large member. He noted the Board of Supervisors' Economic Advisory Commission was vacant and expressed interest to serve on that commission, provided there were no conflicts of interest. Commissioner Niedzielski-Eichner stated he did not understand the distinction between a committee and a commission and asked staff to research that issue and provide guidance.

Chairman Murphy MOVED TO APPROVE THE RATIFICATION OF THE PLANNING COMMISSION'S COMMITTEE APPOINTMENTS FOR 2020.

Commissioners Niedzielski-Eichner, Clarke, Ulfelder, and Sargeant seconded the motion, which carried by a vote of 12-0.

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CLOSING

February 19, 2020

The meeting was adjourned at 7:47 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: May 20, 2020

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 15 day of June 2020, by
Jacob Caporaletti.

Dorothy M. Steele

Signature of Notary

Notary Seal



Notary registration number: 7114113

Commission expiration: January 31, 2024