

**MINUTES OF
FAIRFAX COUNTY PLANNING COMMISSION
WEDNESDAY, MARCH 8, 2017**

PRESENT: Peter F. Murphy, Springfield District
Frank A. de la Fe, Hunter Mill District
James R. Hart, Commissioner At-Large
Timothy J. Sargeant, Commission At-Large
Ellen J. Hurley, Braddock District
John C. Ulfelder, Dranesville District
James T. Migliaccio, Lee District
Julie M. Strandlie, Mason District
Earl L. Flanagan, Mount Vernon District
Phillip A. Niedzielski-Eichner, Providence District
Karen A. Keys-Gamarra, Jr., Sully District
Janyce N. Hedetniemi, Commissioner At-Large

ABSENT: None

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The meeting was called to order at 8:22 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 Migliaccio stated that the Planning Commission's Land Use Process Review Committee had met earlier in the evening to discuss ongoing modernization efforts for the Zoning Ordinance. He then indicated that there would be multiple meetings on this topic at dates to be determined.

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Commissioner Hart announced that the Planning Commission minutes for September and October 2016 had been distributed to the Commission for review. He then requested that Commissioners submit final corrections to John W. Cooper, Clerk to the Planning Commission. In addition, he indicated that he would move to approve the aforementioned sets of minutes at the Commission's meeting on March 29, 2017.

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Chairman Murphy announced that on Thursday, March 9, 2017, the Planning Commission would conduct its annual workshop for the Capital Improvement Program (CIP) for Fiscal Years 2018 through 2022, with future fiscal years to 2027. He stated that the workshop would begin at 7:00 p.m. and would occur in the Board Auditorium of the Fairfax County Government Center. He added that a public hearing for the CIP would be conducted at the conclusion of the workshop.

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Commissioner Migliaccio MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR PCA 96-L-005-04/SEA 96-L-034-04/2232-L15-19, CELLCO PARTNERSHIP d/b/a VERIZON WIRELESS GREENSPRING VILLAGE INCORPORATED, TO A DATE CERTAIN OF APRIL 26, 2017.

Commissioner Hart seconded the motion, which carried by a vote of 12-0.

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Chairman Murphy MOVED THAT THE PLANNING COMMISSION DEFER THE PUBLIC HEARING FOR PA 2017-CW-1CP, COMPREHENSIVE PLAN AMENDMENT (MOBILE AND LAND BASED TELECOMMUNICATIONS POLICY PLAN), TO A DATE CERTAIN OF MARCH 29, 2017.

Commissioner Hart seconded the motion, which carried by a vote of 12-0.

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ORDER OF THE AGENDA

Secretary Hart established the following order of the agenda:

1. SEA 97-P-027 – KBSII WILLOW OAKS, LLC
2. SE 2016-DR-001 – SUNRISE DEVELOPMENT, INC.

This order was accepted without objection.

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SEA 97-P-027 – KBSII WILLOW OAKS, LLC – Appl. under Sect. 9-620 of the Zoning Ordinance to amend SE 97-P-027 previously approved for a waiver of certain sign regulations to permit additional signage and associated modifications to development conditions. Located at 8260, 8270 & 8280 Willow Oaks Corporate Dr., Fairfax, 22031 on approx. 11.41 ac of land zoned C-3. Tax Map 49-3 ((01)) 138, 139 and 140. PROVIDENCE DISTRICT. PUBLIC HEARING.

Inda Stagg, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC, reaffirmed the affidavit dated January 4, 2017.

Commissioner Hart disclosed that his law firm, Hart & Horan, PC, had multiple cases where attorneys in Ms. Stagg's firm were representing adverse parties. However, he noted that this matter and those parties were not related to these cases and there was no business or financial relationship; therefore, it would not affect his ability to participate in this joint public hearing.

Commissioner Niedzielski-Eichner asked that Chairman Murphy ascertain whether there were any speakers for this application. There being none, he asked that presentations by staff and the applicant be waived, and the public hearing closed. No objections were expressed; therefore, Chairman Murphy closed the public hearing and recognized Commissioner Niedzielski-Eichner for action on this case.

(Start Verbatim Transcript)

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Chairman Murphy: Without objection, the public hearing is closed and recognize Mr. Niedzielski-Eichner.

Commissioner Niedzielski-Eichner: Thank you, Mr. Chairman. Seeing that there is no one here to speak to this application, I'd like – I'd move that the applicant – well, first of all, the applicant – I ask the applicant if they would – if she would confirm, for the record, agreement to the development conditions.

Inda Stagg, Applicant's Agent, Walsh, Colucci, Lubeley & Walsh, PC: Yes. The client does agree to the conditions in the staff report.

Commissioner Niedzielski-Eichner: Thank you very much. Therefore, Chairman, I MOVE THAT THE PLANNING COMMISSION RECOMMEND TO THE BOARD OF SUPERVISORS APPROVAL OF SEA 97-P-027, SUBJECT TO DEVELOPMENT CONDITIONS DATED FEBRUARY 15TH, 2017.

Commissioners Hedetniemi and Sargeant: Second.

Chairman Murphy: Seconded by Mr. Sargeant and Ms. Hedetniemi. 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 97-P-027, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries. Thank you very much.

The motion carried by a vote of 12-0.

(End Verbatim Transcript)

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SE 2016-DR-001 – SUNRISE DEVELOPMENT, INC. – Appl.
under Sect. 3-304 of the Zoning Ordinance to permit a medical care facility. Located at 1988 Kirby Rd., McLean, 22101, on approx. 3.70 ac. of land zoned R-3. Tax Map 40-2 ((1)) 48.
DRANESVILLE DISTRICT. PUBLIC HEARING.

Stuart Mendelsohn, Applicant's Agent, Holland & Knight, LLP, reaffirmed the affidavit dated January 31, 2017.

There were no disclosures by Commission members.

Commissioner Ulfelder announced his intent to defer the decision only at the conclusion of the public hearing, with the record remaining open for written and electronic comments, to provide staff, the applicant, and the Commission additional time to review the public testimony and address outstanding issues. He added that the subject application would be subject to final approval by the Board of Supervisor, which would provide another opportunity for citizen input.

Bob Katai, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), presented the staff report, a copy of which is in the date file. He noted that staff recommended approval of SE 2016-DR-001.

Responding to questions from Commissioner Ulfelder, Mr. Katai and Ariel Yang, Transportation Planning Division, Fairfax County Department of Transportation, explained the following:

- The subject property was zoned R-3 and approximately 3.7 acres in size, which permitted a by-right development of 11 single-family detached dwelling units;
- The by-right development of 11 single-family detached dwelling units would generate approximately 111 daily trips;
- The proposed medical care facility would generate approximately 249 trips per day, which had been calculated for a facility that housed 90 residents;
- The existing level of service at the intersection of Kirby Road and Westmoreland Street would be evaluated by staff during the deferral periods and subsequently provided to the Commission;
- The applicant had committed to organizing the schedule of the staff at the facility in a manner that would not significantly impact the intersection of Kirby Road and Westmoreland Street during peak traffic periods;
- The ingress/egress to the site was located on Westmoreland Street and this access would be a full-service intersection that permitted left turns in either direction;
- The intersection of Kirby Road and Westmoreland Street was subject to significant traffic congestion during morning peak-hour traffic periods;
- The issues regarding the sight distance at the access point to the site, which had been articulated in the memorandum from the Virginia Department of Transportation (VDOT) in Appendix 6 of the staff report, would be addressed during site plan review;

- The process of evaluating the sight lines for the access point involved determining whether vehicles entering or exiting the subject property had sufficient space to observe oncoming traffic;
- The applicant would be required to obtain the necessary easements from neighboring properties if staff determined that the sight lines for the access point were not adequate;
- The proposed facility would include approximately 60,000 square feet of gross floor area, with three floors consisting of 20,000 square feet each;
- The facility included floors that were classified as cellar space under the criteria articulated in the Zoning Ordinance and such space was not factored into the calculations for the floor area ratio (FAR);
- The total FAR of the proposed facility was 0.13, but the total FAR of the facility would be 0.37 if the cellar space were factored into the calculation, excluding the parking areas; and
- The cellar areas of the proposed facility would contain usable space that included units for residents, therapy areas, kitchens, and administrative offices.

Commissioner Ulfelder pointed out that the proposed facility would be constructed in a manner that would integrate the structure into the slope of the landscape, which also minimized the height of the structure. He also noted that the applicant would implement sufficient landscaping along Westmoreland Street to screen the site.

In response to questions from Commissioner Ulfelder, Mr. Katai and Catherine Lewis, ZED, DPZ, stated the following:

- The existing development on the subject property included a church, which was classified as an institutional use, and this church had approximately 4,100 square feet of gross floor area;
- The existing church on the site had previously operated a nursery school, which had been discontinued;
- The evaluation conducted by staff had factored the significant differences in the use of the existing church compared to the proposed medical care facility, despite both developments being classified as institutional uses;
- The proposed facility would operate on a 24/7 basis, but would utilize minimal operational provisions during evening hours;
- The proposed facility would include approximately 220 feet of frontage that would be visible from Westmoreland Street;

- The visibility of the proposed facility from Kirby Road had not been determined by staff, but would be evaluated during the deferral period;
- The County had waived the five-acre requirement for similar medical care facilities for other sites and some of those facilities were located in areas that were primarily surrounded by residential development; and
- The area surrounding the subject property included various institutional, public facility, and recreational uses that included schools, parks, religious facilities, athletic fields, trails, and other medical care facilities.

Referring to Figure 4 on page 6 of the staff report, Commissioner Flanagan asked for additional information on the visibility of the site from Kirby Road. Mr. Katai then pointed out that the adjacent site located along this road contained a residential dwelling unit and a utility pole. A discussion ensued between Commissioner Flanagan and Mr. Katai regarding the landscaping provisions included in the proposal, the extent to which the landscaping provisions would screen the proposed facility, the design of the building, and the extent to which each level of the building would be utilized wherein Mr. Katai and Ms. Lewis explained the following:

- The proposed facility would have two stories visible from Westmoreland Street and one story visible from Kirby Road because the facility would be integrated into the existing hillside on the site;
- The proposed facility would include a fourth-story attic, but such space would not contain residential dwelling areas or areas that would directly serve the residents; and
- The fourth-story attic would be utilized for storage and mechanical facilities.

Commissioner Flanagan noted that there would be landscaping installed along Westmoreland Street to screen the proposed facility from the neighboring residential areas. Mr. Katai concurred with this statement. Commissioner Flanagan also pointed out that the size of the facility was similar to that of the existing residential dwelling units throughout the area.

A discussion ensued between Commissioner Sargeant and Mr. Katai, with input from Ms. Lewis, regarding the status of the applicant's commitment to providing a traffic pre-emption device around to facilitate emergency vehicle access to the site, the applicant's provisions for accommodating such vehicles, and the policies utilized by other medical care facilities for these vehicles wherein Mr. Katai indicated that the applicant had not included such commitments in proposal and Ms. Lewis stated that staff would evaluate this issue during the deferral period.

Answering questions from Commissioner Hart, Mr. Katai, Ms. Lewis, and Jeffrey Herman, Transportation Planning Division, Fairfax County Department of Transportation, said the following:

- The speed limit on Westmoreland Street was 25 mile-per-hour;

- The memorandum from VDOT in Appendix 6 of the staff report articulated the need for verifying or providing sight distances for the access to the site and such provisions would be finalized at the time of site plan review;
- The evaluation conducted by staff regarding the sight distances for access point to the site concluded that the applicant's provisions were adequate;
- The cellar space for the proposed facility would include dwelling units for the residents;
- The use of the cellar space in the proposed facility was consistent with the Zoning Ordinance; and
- The Commission and the Board of Supervisors could consider the greater intensity that the cellar space would incur for the facility in determining whether the overall use was compatible with the surrounding neighborhood.

Mr. Mendelsohn stated that the proposal had been in development for approximately three years and the applicant had coordinated with numerous community organizations during the review process. He then gave a presentation wherein he explained the following:

- The existing level of service for the intersection of Kirby Road and Westmoreland Street was a C during non-peak hours and a D during peak hours;
- The applicant would organize the operation of the proposed medical care facility in a manner that would not generate a significant number of trips during peak hour traffic periods and such provisions would not be possible with a by-right residential development on the site;
- The applicant had studied the sight distances for the proposed access point to the site and concluded that such provisions were consistent with the necessary requirements;
- The proposed facility would contain 73 units and would accommodate approximately 90 residents;
- The applicant had operated similar facilities throughout the County and had an established reputation for providing quality assisted living services;
- The height of the original designs for the proposed facility had been approximately 40 feet, but had been subsequently reduced to approximately 22 feet, which was significantly lower than the 60-foot maximum permitted by the Zoning Ordinance;
- The height of the facility had been reduced to address community concerns regarding the visual impact of the facility;

- The facility would include three usable floors, but since certain areas were classified as cellar space under the Zoning Ordinance, such areas would not be included into the calculation for FAR;
- The FAR for the proposed facility was consistent with the guidelines for an R-3 District;
- The topography of the site included significant slopes;
- The original design for the facility included an access on Kirby Road, but the design had been modified to address community concerns regarding the visual impact of the facility and integrate the structure into the slope of the site;
- The mass of the proposed facility was similar to a by-right residential development on the site, but the proposal would also incorporate open space and significant screening provisions;
- The neighboring residential development near the site contained existing screening that would supplement the provisions for the facility;
- The height of the proposed facility would be similar to that of the existing church on the site and less than that of a by-right residential development;
- The applicant had modified the designs to ensure that the character of the facility would be consistent with that of the surrounding residential community;
- The proposed facility would include significant landscaping, open space, and buffer provisions that were not required for a by-right residential development on the site;
- The landscaping and screening provisions would mitigate the visual impact of the facility from Kirby Road and Westmoreland Street;
- The applicant's landscaping and screening provisions would utilize evergreen trees to provide year-round screening;
- The proposed facility would generate fewer peak-hour trips compared to a by-right residential development on the site;
- The facility would utilize a shuttle service to further reduce the number of trips generated by the site;
- The applicant had committed to installing approximately 1,100 feet of bicycle lanes and 700 feet of sidewalk around the perimeter of the site, which would improve pedestrian safety;
- The proposal included a commitment to extend the right-turn lane from Westmoreland Street onto Kirby Road to improve the flow of traffic at the intersection;

- The applicant would dedicate right-of-way to accommodate a future widening of Westmoreland Street;
- The proposed ingress/egress point for the site located on Westmoreland Street would not conflict with the entrance to the existing L'Ambiance and Youngblood residential developments;
- The proposed facility would not incur an impact on the local school system;
- The five-acre requirement for a medical care facility, similar the one proposed, had been waived for similar facilities throughout the County;
- The proposal did not include requests for waivers of setback or screening requirements;
- The surrounding community contained numerous institutional uses and the proposed facility be consistent with such uses;
- The existing County policies for medical care facilities that specialized in assisted living services favored locating such facilities near residential areas;
- The existing demographics of the County and the McLean area indicated an increase in the population of senior citizens;
- The Fairfax County Health Care Advisory Board (HCAB) had reviewed the proposed and expressed support for the subject application;
- The review conducted by HCAB for the proposal had concluded that demand for the services provided by the proposed facility was significant; and
- The proposed facility was consistent with the provisions of the Zoning Ordinance and County's policy for providing appropriate services for senior populations.

Mr. Mendelsohn also stated that the applicant had received multiple letters of support, which had been submitted into the record. (Copies of Mr. Mendelsohn's presentation and the letters of support from the public are in the date file.)

A discussion ensued between Commissioner Ulfelder and Mr. Mendelsohn regarding the impact that additional cellar space would incur on the FAR of the proposed facility, the manner in which each level of the facility would be utilized, the amount of institutional uses that were appropriate for residential area, and the location of the site in relation to the surrounding residential development wherein Mr. Mendelsohn indicated that each level of the facility would have living space for residents, with most of the units being located on the top level, and reiterated that the facility would be adequately screened.

In reply to questions from Commissioner Strandlie, Mr. Mendelsohn said that approximately 40 percent of the units within the proposed facility would be utilized for memory care. In addition,

he indicated that there were other memory care services in the area, but noted that the availability of such services was limited.

A discussion ensued between Commissioner Migliaccio and Mr. Mendelsohn regarding the status of the proposed traffic pre-emption device for emergency vehicles accessing the site wherein Mr. Mendelsohn indicated that such a device was not necessary for the proposed facility, but the applicant would continue coordinating with staff on this issue.

Referring to Development Condition Number 9 in Appendix 1 of the staff report, which articulated that approval of the subject application did not grant approval of signage depicted on the plat, Commissioner Flanagan asked for additional information regarding the signage that would be utilized at the access point to the site. Mr. Mendelsohn indicated that the applicant would utilize signage that was consistent with the Zoning Ordinance and no additional signage would be requested. A discussion ensued between Commissioner Flanagan and Mr. Mendelsohn regarding the location and design of the signs wherein Mr. Mendelsohn reiterated that the signage for the facility would comply with the recommendations prescribed by the Zoning Ordinance and the designs for such signage had not been finalized.

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

Lili Van Gilder, 6702 Pinecreek Court, McLean, spoke in support of the proposal because it would improve the character of the surrounding community and enhance the surrounding landscape. She also indicated that the applicant had coordinated with the community to address outstanding concerns. Ms. Van Gilder also pointed out that her property was located near the site and the proposed facility would be visible from her residence. She adding that she supported the provisions to limit the number of trips generated by the proposed facility during peak traffic periods, noting that the majority of the traffic congestion near the site occurred during these periods. In addition, Ms. Van Gilder commended the applicant's commitment to providing quality landscaping on the site, which would subsequently improve the environmental features of the area. She also expressed concern regarding the potential loss of trees that would be incurred by a by-right development on the site.

Russel Jones, 2001 Mayfair McLean Court, Falls Church, Representing Mayfair of McLean Homeowners Association (MMHOA), voiced opposition to the application because the proposed facility was a commercial operation and such an operation was not consistent with the residential character of the surrounding community. He then gave a brief presentation wherein he explained the following:

- The area around the subject property was residential and while there were various community-serving uses, there were no commercial, for-profit uses, such as the proposed facility;
- The Comprehensive Plan recommended preserving the character of existing residential communities and the proposal was not consistent with such a recommendation because the facility was not a local-serving institution, such as a school, a religious structure, or a park;

- The size and design of the proposed facility was not consistent with that of the neighboring residential structures;
- The proposed facility was not consistent with the criteria prescribed by the Zoning Ordinance, which recommended that such facilities be located on sites no less than five acres in size;
- The staffing requirements for the proposed medical care facility were not consistent with the existing institutional, local-serving in the surrounding area;
- The Long-Term Care Coordinating Council of the Fairfax County Health Department had reviewed the subject application and did not support the proposal;
- The proposed facility did not contain sufficient provisions to accommodate low-income residents; and
- The subject application was opposed by a coalition of homeowners associations and community organizations, including the McLean Citizens Association (MCA);

In conclusion, Mr. Jones reiterated that the proposed facility was not compatible with the surrounding community and was not consistent with the guidelines prescribed by the Zoning Ordinance for such facilities. (A copy of Mr. Jones' presentation is in the date file.)

When Commissioner Hurley asked Mr. Jones to provide additional information on his concerns regarding the proposal's impact on providing assisted living services to low-income residents, Mr. Jones explained that since the applicant operated as a for-profit enterprise, there would be no provisions for providing subsidized services.

A discussion between Commissioner Flanagan and Mr. Jones regarding the extent to which residents located near the subject property supported the proposal, the location of the Mayfair of McLean community, and the number of residents who were members of the MMHOA.

Commissioner Hedetniemi noted her personal experience with assisted living facilities.

Robert Brogan, 1916 Autumn Chase Court, Falls Church, spoke in opposition to the subject application for the following reasons:

- The proposed facility was not consistent with the Zoning Ordinance or the Comprehensive Plan;
- The facility would generate a significant traffic impact on the surrounding area;
- The facility was not consistent with the residential character of the surrounding neighborhood; and
- The majority of the residents opposed the proposed facility.

In addition, Mr. Brogan stated that the MCA had voted on multiple occasions to oppose the proposed facility because of its size and lack of consistent with the necessary Zoning Ordinance requirements for medical care facilities. He then indicated that he concurred with the MCA's statement. (A copy of Mr. Brogan's statement is in the date file.)

A discussion ensued between Mr. Ulfelder and Mr. Brogan regarding the operation of the proposed facility, the for-profit nature of the facility, the extent to which the community supported for-profit uses versus non-profit uses, and the development the community preferred for the site wherein Commissioner Ulfelder pointed out that the facility would be classified as an institutional use, which was permitted in residential districts if such a facility complied with the necessary criteria.

Joseph Davoli, 1918 Autumn Chase Court, Falls Church, representing Autumn Chase Townhouse Homeowners Association, spoke in opposition to the subject application because the proposed facility was not compatible with the surrounding community, would negatively impact the character of the community, and would generate a significant traffic impact. He described the Autumn Chase community. He then noted that the community had been subject to overflow parking and cut-through traffic, adding that the subject application would exacerbate these conditions. Mr. Davoli also expressed concern regarding the safety impact that the additional traffic and staff at the facility would generate. He then indicated that he favored developing the site with residential dwelling units. In addition, he said that the parking provisions at the facility were insufficient, citing instances at other facilities operated by the applicant where vehicles did not have the necessary parking accommodations. Mr. Davoli said that the applicant had not sufficiently justified the need for a medical care facility in the area. He also expressed concern regarding the design of the facility. In addition, he stated that he favored constructing the facility at an alternative site, citing another property in McLean that contained an existing medical facility. (A copy of Mr. Davoli's statement is in the date file.)

Commissioner Hurley recommended that Mr. Davoli coordinate with Fairfax County Public Schools to address issues regarding overflow parking in the Autumn Chase community that was generated by the nearby school bus stop.

Commissioner Strandlie addressed Mr. Davoli's concerns regarding the safety impact that would be generated by the staff of the proposed facility, noting her personal experience with the staff utilized at other facilities operated by the applicant. A discussion ensued between Commissioner Strandlie and Mr. Davoli regarding the quality of the staff utilized by the applicant at medical care facilities, the impact this staff would incur on the surrounding community, and the benefits of locating facilities offering memory care services in residential neighborhoods.

Katherine Alexander, 6660 Avignon Boulevard, Falls Church, spoke in opposition to the subject application because the commercial character of the facility was not consistent with the surrounding residential community. She also indicated that the applicant had not sufficiently justified the need for the facility in the area. Ms. Alexander added that she favored constructing the facility at an alternative site and approval of the subject application would establish a precedent for permitting similar facilities in other residential areas. (A copy of Ms. Alexander's statement is in the date file.)

Chairman Murphy pointed out that consideration of alternative sites for the proposed facility was beyond the scope of subject application and the Commission could not consider such factors when rendering a decision.

John Neumann, 1921 Poole Lane, McLean, voiced opposition to the subject application because the proposed facility was not compatible with the surrounding community and did not adequately comply with the required criteria to warrant approval, as prescribed by the Zoning Ordinance. He added that facility was not consistent with the Comprehensive Plan, which favored preserving the existing residential character of the surrounding neighborhood and developing the site with single-family detached dwelling units. Mr. Neumann also pointed out that there were numerous existing institutional uses throughout the community and adding another institutional use would negatively impact the character of the community. He then said he favored locating the facility on a site that was consistent with the five-acre minimum requirement for such facilities prescribed by the Zoning Ordinance, adding that the applicant had not sufficiently justified granting a waiver of this requirement. In addition, Mr. Neumann noted that while such a waiver had been granted for similar facilities at other sites, he indicated that such sites were not surrounded by significant residential development. He then expressed concern regarding the traffic and safety impact generated by the proposed facility. He also stated that the size, design, and density of the proposed facility was incompatible with the surrounding community, adding that he favored developing the site with a by-right residential development. (A copy of Mr. Neumann's statement is in the date file.)

Nina Un, 6653 Avignon Boulevard, Falls Church, representing L'Ambiance of McLean Homeowners Association (LMHOA), spoke in opposition to the subject application for the following reasons:

- The facility was not consistent with the character of the surrounding community;
- The facility would incur a negative impact on the safety and traffic of the surrounding area, which was already subject to significant traffic congestion during peak traffic periods;
- The proposal did not sufficiently meet the criteria to warrant, as prescribed by the Zoning Ordinance;
- The applicant had not adequately demonstrated the need for the facility and there were other existing facilities in operation that provided similar care located throughout the area;
- The size and design of the facility was not consistent with the surrounding residential development;
- The design of the ingress/egress for the site would compound existing traffic and safety concerns for other residential communities, including L'Ambiance of McLean; and

- The facility would add another institutional use into an existing community in which there was a significant amount of such uses.

Ms. Un described the prevalence and growth of existing institutional uses throughout the surrounding neighborhood, noting the traffic impact of such uses and the impact that the proposed facility would generate. In addition, she noted that the facility was not located near existing commercial development, which would generate additional traffic by the residents and staff at the facility. Ms. Un also stated that the applicant's provisions to minimize the traffic impact of the facility by organizing the staffing schedule in a manner that would not conflict with peak traffic periods was not adequate. She added that the applicant's traffic provisions would not sufficiently address the safety concerns from the community. In addition, Ms. Un said the existing medical care facilities in the area were sufficient. (A copy of Ms. Un's statement is in the date file.)

A discussion ensued between Commissioner Flanagan and Ms. Un regarding the size of the LMHOA, the number of residents from the L'Ambiance of McLean community that had testified against the proposal, the number of residence from the L'Ambiance of McLean community that intended to testify against the proposal, and the final vote the LMHOA rendered for the proposal wherein Ms. Un indicated that the LMHOA had voted 42 to 45 in opposition of the proposal with three members abstaining from the vote.

Tara Emory, 1919 Freedom Lane, Falls Church, the Marlborough Nantucket Citizens Association (MNCA), pointed out the location of the Marlborough Nantucket community, noting its close proximity to the subject property. She also described the existing traffic congestion and safety concerns around the intersection at Kirby Road and Westmoreland Street. In addition, she provided a photograph to the Commission that depicted the traffic congestion at this intersection during peak traffic periods. Ms. Emory stated that the MNCA had conducted a meeting on the subject application and had subsequently rendered a vote in opposition for the following reasons:

- The proposed facility would generate additional traffic congestion on the surrounding roads;
- The applicant's provision to limit the traffic impact the organizing the shifts of the staff in a manner that would not coincide with peak traffic periods was inadequate;
- The operation of the facility would incur additional trips by emergency vehicles, which would generate a significant noise impact;
- The facility was not consistent with the residential character of the surrounding neighborhood;
- The community could not coordinate with the applicant on the operation of the facility as efficiently as other institutional uses throughout the area because the applicant would be operating the facility as a for-profit enterprise;
- The applicant's landscaping provisions for screening the facility were insufficient.

In addition, Ms. Emory aligned herself with previous speakers regarding her preference for a by-right residential development on the site. She also stated that granting the applicant a waiver of the five-acre minimum requirement for a medical care facility was warranted. (A copy of Ms. Emory's photograph is in the date file.)

Dwaine Darrah, 1988 Kirby Road, McLean, representing the Surge Community Church (SCC), spoke in support of the subject property because the proposed facility would provide a needed service for assisted living in the community, noting that the changing demographics of the County would subsequently increase the demand for such services. He then stated that SCC had been the previous owner of the subject property and then explained that SCC had coordinated with the applicant and Supervisor Foust to determine an appropriate use for the site. Mr. Darrah indicated that a medical care facility on the site would be consistent with the County's Aging in Place initiative, which was intended to provide elder populations with living opportunities within existing residential neighborhoods. He also described the process SCC utilized to sell the subject property to the applicant and noted the extent of the review process that had been conducted for the facility. Mr. Darrah noted the challenges associated with the proposal, but stated that staff had coordinated with the applicant to address the necessary concerns raised by the community. He added that the proposed facility met the appropriate guidelines for a medical care facility and would not negatively impact the traffic, safety, or character of the surrounding area. Mr. Darrah addressed concerns raised by neighboring residents regarding the proposal, stating that the facility would improve the character of the surrounding community. In addition, he noted that the applicant's provisions for landscaping and tree-preservation were greater than those that would occur under a by-right development on the site. He also indicated that the facility would improve the overall property values of the surrounding area.

Michael Sullivan, 6445 El Nido Drive, McLean, representing the El Nido Civic Association, spoke in opposition to the subject application. He described the location, character, and history of the El Nido community, noting the size of the lots and the density of the residential development in these communities. He then stated that these communities were subject to numerous constraints due to existing traffic patterns and safety issues with ingress/egress. Mr. Sullivan indicated that the size, design, and location of the proposed facility was not adequate to warrant approval and did not comply with the appropriate guidelines, as prescribed by the Zoning Ordinance. In addition, he expressed concern regarding the precedent that approval of the subject application would incur on similar future applications. Mr. Sullivan also aligned himself with concerns from previous speakers regarding the proposal's impact on the character of the surrounding community. He also expressed concern regarding the truck traffic that the facility would generate and the safety impact such traffic would incur when entering or exiting onto Westmoreland Street, adding that the applicant's provisions to limit trip-generation to non-peak traffic periods was not sufficiently enforceable. Mr. Sullivan noted that there were similar facilities in operation throughout the community and the proposed facility was not necessary.

Wallace Sansone, 1962 Virginia Avenue, McLean, representing the Franklin Area Citizens Association (FACA), voiced opposition to the subject application. He described the location and size of the Franklin community. He then explained that the FACA opposed the proposal for the following reasons:

- The proposed facility was not compatible with the character of the surrounding neighborhood;
- The size of the subject property did not meet the requirements prescribed by the Zoning Ordinance to accommodate a medical care facility;
- The surrounding community included multiple institutional facilities that provided adequate assisted care such as that which would be provided by the proposed facility;
- The size, density, and design of the facility was not compatible with the residential character of the surrounding neighborhood;
- The conclusions rendered by staff in the staff report were not consistent with the standards prescribed for medical care facilities, as articulated in the Zoning Ordinance and the Comprehensive Plan;
- The proposed facility would generate a greater traffic impact compared to a by-right residential development; and
- The applicant's traffic-mitigation provisions would not sufficiently alleviate the congestion at the intersection of Kirby Road and Westmoreland Street.

In conclusion, Mr. Sansone stated that FACA favored developing the subject property with a residential development.

Janet Weatherbee, 6670 Abignon Boulevard, Falls Church, spoke in opposition to the proposal. She pointed out that her residence was located in close proximity to the subject property and expressed concern regarding the proposed facility's impact on traffic, noise generation, and visual aesthetics on the surrounding community. Ms. Weatherbee then echoed remarks from previous speakers in opposition to the proposal as follows:

- The proposed facility would generate significant traffic and safety hazards at the intersection of Kirby Road and Westmoreland Street during peak traffic periods;
- The subject property did not comply with the size requirements for a medical care facility, as prescribed by the Zoning Ordinance;
- The surrounding community contained multiple facilities that provided adequate assisted living services and the installation of the proposed facility was not necessary;
- The applicant's provisions to organize staff shifts in a manner that would not conflict with peak-hour traffic periods was not adequate;
- The proposed facility did not provide sufficient opportunities for low-income residents; and

- The facility would generate significant traffic from emergency vehicles and would negatively impact the ability for such vehicles to serve the surrounding area.

In conclusion, Ms. Weatherbee noted the significant community opposition for the subject application.

A discussion ensued between Commissioner Flanagan and Ms. Weatherbee regarding the previous efforts by the surrounding community to oppose development on the subject property, the efforts of the community to oppose various types of development at other sites throughout the area, and the extent to which the community supported development on the subject property.

A discussion ensued between Commissioner Hurley and Ms. Weatherbee regarding the extent to which staffing operations at medical care facilities were determined by County policy, the ability of the applicant to organize staffing around non-peak traffic periods, and the feasibility of the applicant's staffing provisions.

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The Commission went into recess at 11:06 p.m. and reconvened in the Board Auditorium at 11:23 p.m.

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Gordon Hay, 2004 Powhatan Street, Falls Church, spoke in support of the proposal because the proposed facility would provide a needed service for the surrounding community. He then commended the applicant for coordinating with the surrounding community throughout the review process of the subject application and noted the quality of care provided at similar facilities throughout the County. Mr. Hay addressed concerns from previous speakers regarding the traffic impact of the proposed facility, noting that the existing traffic congestion was generated primarily by the nearby school facilities and recreation areas. He added that the applicant's traffic mitigation provisions for the facility would be sufficient.

Bill Corbett, 6704 Pine Creek Court, McLean, voiced support for the proposal, aligning himself with previous remarks from Ms. Van Glider. He added that he did not support a by-right residential development on the site because such a development would not include adequate landscaping, tree-preservation, and screening provisions. In addition, he noted that such a development would likely include large single-family detached dwelling units that would generate a greater visual impact than the proposed facility. Mr. Corbett echoed remarks from previous speakers regarding the traffic congestion on the surrounding roads during peak traffic periods, but suggested that the applicant utilize a record of peak hour trips to ensure enforcement of the traffic-mitigation provisions outlined in the development conditions. In addition, he echoed remarks from Mr. Hay regarding the existing traffic congestion during peak traffic periods being generated by nearby schools and recreation facilities, adding that such congestion was not present during non-peak periods. Mr. Corbett also indicated that a by-right residential development at the site would generate significantly greater peak-hour traffic compared to the proposed facility.

Patricia Matheson, 6726 Pine Creek Court, McLean, spoke in support of the subject application, aligning herself with previous speakers regarding the need for providing assisted living services and the greater benefits provided by the proposed facility compared to a by-right residential development on the site. She pointed out that a by-right residential development would not be subject to a public hearing, would not include adequate screening provisions, would not provide sufficient setbacks, and would not preserve the existing trees on the site. Ms. Matheson acknowledged the existing traffic congestion in the surrounding area, but indicated that the impact of a by-right residential development on the site would be greater than that incurred by the proposed facility. In addition, she expressed support for the applicant's provisions for tree preservation, pedestrian path enhancements, and preservation of environmental features. Ms. Matheson added that the proposed facility and associated enhancements would improve property values throughout the area.

Shawn Bogdanoff, 6809 Montivideo Square Court, Falls Church, spoke in support of the proposal, echoing remarks from previous speakers regarding the importance of providing assisted living services and the benefits of the proposed facility compared to a by-right residential development. He also commended the applicant for coordinating with the surrounding community and incorporating appropriate provisions to mitigate the impact of the facility. Mr. Bogdanoff also noted that a by-right residential development on the site would incur a greater visual impact on the surrounding community and would not provide the amount of open space that would be included with the proposal. He added that the proposal included adequate screening provisions to minimize the visual impact of the facility. In addition, he indicated that the design of the facility would be consistent with the character of the surrounding residential development.

Nina Cohn, 7016 Green Oak Drive, McLean, voiced support for the subject application. She echoed remarks from previous speakers regarding the existing traffic congestion in the area, pointing out that a majority of the traffic was generated by a nearby school facility and recreation areas. She also stated that the proposed facility would not incur a significant impact on the local school system, improve the demographics in the community, and provide opportunities for senior residents to remain within a residential community. In addition, Ms. Cohn said that the transportation improvements included in the proposal would mitigate the existing traffic congestion at the intersection of Kirby Road and Westmoreland Street.

A discussion ensued between Commissioner Hurley and Ms. Cohn regarding the presence of senior living services in the McLean area, the extent to which these services were appropriately licensed, the availability of these services, and the type of service that would be provided by the proposed facility wherein Ms. Cohn noted the need for assisted living services.

Elizabeth Gardner, 6533 Hitt Avenue, McLean, spoke in support of the subject application because the proposed facility would improve the character of the surrounding community, pointing out that the facility would provide additional opportunities for community involvement.

Chris Gardner, 6533 Hitt Avenue, McLean, voiced support for the proposal, echoing remarks from previous speakers regarding the importance of providing assisted living services, the benefits the proposed facility would incur on the character of the surrounding community, and

the additional opportunities the facility would provide for community involvement. In addition, he cited the effectiveness of similar facilities in other parts of the County.

Peter Hirsch, 6900 Southridge Drive, McLean, spoke in support for the subject application, echoing remarks from previous speakers regarding the importance of providing assisted living services, the benefits the proposed facility would provide compared to a by-right residential development on the site, and the benefits the facility would incur on the surrounding community. He then commended the applicant's provisions for the design of the facility, the amount of landscaping that would be included, and the traffic mitigation measures that would be implemented. In addition, Mr. Hirsch echoed remarks from previous speakers regarding the existing traffic congestion in the area, pointing out that the majority of the traffic was generated by the local school and recreation facilities in the area. He added that the improvements to Westmoreland Street included in the proposal would mitigate traffic congestion. He also expressed support for the applicant's provisions to organize the staff schedules at the facility in a manner that would not impact peak-hour traffic periods.

Mark Meiss, 13712 Cabell's Mill Drive, Centreville, spoke in support of the proposal, echoing remarks from previous speakers regarding the importance of providing assisted living services and the benefits that the proposed facility would generate for the surrounding community, noting the importance locating such facilities in residential areas. He also commended the applicant for the quality of service provided at other facilities.

Gregory Johnson, 5109 Woodmere Drive Apartment 103, Centreville, voiced support for the proposal. He echoed remarks from previous speakers regarding the existing traffic congestion in the area, expressing support for the applicant's provisions for road and pedestrian path improvements. Mr. Johnson described the community services provided by the existing church on the site and indicated that the proposed facility would be consistent with the community-serving character established by the church.

Eric Reiss, 1988 Kirby Road, McLean, spoke in support of the proposal. He acknowledged the concerns raised by other speakers, but stated that such concerns did not warrant denial of the subject application, pointing out that those whose residences were located in close proximity to the site primarily supported the proposed facility. He also expressed support for the conclusions rendered by staff and articulated in the staff report. In addition, Mr. Reiss commended the quality of service provided by the applicant and the benefit that such service would generate for the surrounding facility.

Christian Gomez, 1919 Youngblood Street, McLean, spoke in opposition of the subject application because the proposed facility would increase the traffic congestion on the surrounding area and contribute to outstanding overflow parking issues in the surrounding community. He also described the existing traffic congestion and parking issues in the area, noting the parking issues generated by nearby school facilities. In addition, Mr. Gomez expressed concern regarding the impact of the increase in commercial vehicle traffic that would be generated by the proposed facility, noting that the community did not have sufficient parking provisions to accommodate such vehicles. He also aligned himself with concerns from previous speakers regarding the noise and visual impact that would be generated by the proposed facility.

A discussion ensued between Commissioner Niedzielski-Eichner and Mr. Gomez, with input from Mr. Herman, regarding the extent to which the proposed enhancements to Westmoreland Street would improve the traffic condition in the area and the safety concerns for pedestrians wherein Mr. Herman stated that the right-turn lane on Westmoreland Street would be extended under the proposal and staff had concluded that such an extension would alleviate the traffic congestion at the intersection of Westmoreland Street and Kirby Road.

Michael Moriarty, 6032 Franklin Park Road, McLean, voiced support for the subject application. He described the extent to which the surrounding community had changed over the years, noting the impacts of road expansions, Metrorail stations, and expansions to local school facilities. He echoed remarks from previous speakers regarding the existing traffic congestion in the area and the impact that a by-right residential development on the site would incur compared to the proposed facility, noting that the traffic generated by the facility would be less than that generated by a by-right development. In addition, Mr. Moriarty said that the design of the proposed facility would be consistent with the character of the surrounding community.

Larry Rouvelas, 6612 Orland Street, Falls Church, spoke in support of the proposal, echoing remarks from previous speakers regarding the importance of providing assisted living care and the growing demand for such services. He stated that he worked for an organization that evaluated the need for assisted living services and indicated that his organization had coordinated with the applicant on the proposal. Referring to a handout that was distributed to the Commission prior to the public hearing, Mr. Rouvelas described the existing facilities in the area that provided assisted living care services and pointed out the lack of availability for such services in the area. He also noted the projected growth in demand for assisted living services and the limited availability of five-acre lots in the County on which to construct the necessary facilities. (A copy of Mr. Rouvelas' handout is in the date file.)

A discussion ensued between Commissioner Hurley and Mr. Rouvelas regarding the availability of assisted living services for individuals at lower income levels and the methods for evaluating the assisted living needs of such populations.

Rebecca Neumann, 1921 Poole Lane, McLean, voiced opposition to the subject application, echoing remarks from previous speakers regarding the traffic impact that would be generated by the proposed facility, noting that the applicant's provision to extend the right-turn lane on Westmoreland Street would not sufficiently mitigate traffic in the area. She also indicated that the design of the proposed facility was not compatible with the character of the surrounding community and that the applicant had not sufficiently justified approval of the subject application in the Statement of Justification. In addition, Ms. Neumann said that the facility was not consistent with the Comprehensive Plan recommendations that the site be developed in a manner that was compatible with the existing residential development in the area. She added that the proposal was not consistent with the provisions in the Zoning Ordinance that were intended to preserve established residential communities. Ms. Neumann also stated that the proposed facility was not consistent with the County's "Aging in Place" initiative.

Thomas Mooers, 1915 Westmoreland Street, McLean, spoke in opposition to the proposal, echoing remarks from previous speakers regarding the proposed facility's impact the traffic congestion, overflow parking, and overall character on the surrounding neighborhood. He also

expressed concern regarding the visual impact the facility would incur on surrounding residential properties and the precedent that approval of the subject application would establish for permitting similar facilities in other residential neighborhoods. In addition, Mr. Mooers noted that the parking provisions for the proposed facility were not sufficient to accommodate the necessary staffing requirements, which would contribute to overflow parking in the surrounding neighborhood. He also said that the design and character of the facility was not consistent with the residential character of the surrounding community. In addition, Mr. Mooers expressed concern that the extension of the right-turn lane on Westmoreland Street would increase vehicle speeds at the intersection with Kirby Road, which would create safety concerns for pedestrians.

Michael Hart, 1923 Poole Lane, McLean, voiced opposition to the subject application, aligning himself with remarks from previous speakers regarding the proposed facility's impact on traffic congestion in the area and the expected impact on the character of the surrounding community. He added that the applicant's traffic mitigation provisions were not sufficient and would potentially compound the existing conditions, noting the extent of the existing traffic congestion at the intersection of Kirby Road and Westmoreland Street. Mr. Hart also said that the facility was not consistent with the residential development of the surrounding community, noting the size and design of the proposed facility. In addition, he expressed concern regarding the access point that would be installed along Westmoreland Street, noting that such an access would generate safety concerns due to the limited sight lines of the area.

Paul Tertell, 1871 Kirby Road, McLean, spoke in support of the proposal, aligning himself with remarks from previous speakers regarding the extent to which the proposed facility would improve the character of the surrounding community and contribute to the economic base of the area. He also stated that he supported staff's conclusions, as articulated in the staff report.

Ron Bleeker, 8017 Greenwich Woods Drive, McLean, representing the MCA, spoke in opposition to the subject application. He gave a presentation wherein he explained the following:

- The MCA had conducted multiple meetings on the subject application and had voted unanimously to oppose its approval;
- The MCA had concluded that the proposed facility, despite multiple revisions during the review process, was not compatible with the character of the surrounding development;
- The MCA supported locating medical care facilities, such as the one proposed by the applicant, on sites that were no less than five acres in size, as prescribed by the Zoning Ordinance;
- The proposal did not adequately meet the criteria to warrant waiving the five-acre minimum requirement for a medical care facility;
- The size and design of the facility, despite the multiple revisions that had been incorporated during the review process, did not sufficiently address community concerns regarding the visual impact of the facility;

- The location of the access point for the proposed facility along Westmoreland Street did not include sufficient provisions for sight lines to address safety concerns;
- The vehicular speeds at the intersection of Kirby Road and Westmoreland Street frequently exceeded the 25 miles-per-hour speed limit, which created safety hazards due to the limited sight lines of the area;
- The use of the cellar space at the proposed facility was not consistent with the standards and guidelines prescribed by the Zoning Ordinance;
- The size and design of the facility would incur a significant visual impact for residents located along Kirby Road;
- The proposed facility would incur a significant traffic impact for pedestrians and residential communities located near the site;
- The applicant's provisions for mitigating the traffic impact of the proposed facility was not sufficient;
- The applicant's evaluation on the traffic impact of the proposal did not adequately factor the impact generated by residents or family of residents at the facility; and
- The proposal did not include sufficient provisions to address the impact of emergency vehicles accessing the site.

In conclusion, Mr. Bleeker reiterated that the applicant had not adequately met the requirements to warrant approval of the subject application. (A copy of the MCA's resolution is in the date file.)

Daniel Bell, 7305 Burroughs Lane, Falls Church, spoke in support of the subject application, echoing remarks from previous speakers regarding the importance of providing assisted living services. He also described his experience with assisted living services in the area, noting the difficulty of securing such services and the benefits of locating such services in residential areas.

Lee Herring, 1917 Youngblood Street, McLean, voiced opposition to the subject application, echoing remarks from previous speakers regarding the proposed facility's impact on traffic and safety in the surrounding area. He described the ongoing traffic issues around his community and indicated that the proposal would compound these issues. Mr. Herring added that the applicant's traffic mitigation provisions were not sufficient to alleviate such issues. In addition, he said that the traffic analysis conducted by the applicant was not adequate and this analysis had not sufficiently accounted for the impact of additional commercial vehicles that would be generated by the proposed facility. Mr. Herring also echoed remarks from previous speakers regarding the traffic and parking issues generated by the schools in the area during peak traffic periods, adding that the facility would compound these issues.

Pleasant Brodnax, 1625 International Drive, Suite 301, McLean, spoke in support of the proposal, echoing remarks from previous speakers regarding the quality of the service provided by the applicant. He also described his experience with the applicant at similar medical care facilities.

Betty Garneau, 7203 Parkveiw Avenue, Falls Church, voiced support for the subject application, echoing remarks from previous speakers regarding the quality of the service provided by the applicant and the need for such services in the surrounding area. She also addressed the concerns raised by other speakers regarding the traffic impact of the proposed facility, pointing out that the majority of the traffic along Westmoreland Street and Kirby Road was generated by the local school and recreation facilities. Ms. Barneau added that the traffic congestion on these roads was significantly reduced during non-peak traffic periods. She then said that the applicant's provisions to organize the staff schedules around non-peak periods would adequately mitigate the facility's traffic impact. In addition, she said that the proposed facility would improve the character of the surrounding community.

Christina Young, 6605 Byrnes Drive, McLean, spoke in opposition to the proposal, echoing remarks from previous speakers regarding the proposed facility's impact on traffic congestion and pedestrian safety in the surrounding area. She described the existing traffic conditions at the intersection of Westmoreland Street and Kirby Road and indicated that the applicant's proposed extension to the right-turn lane along Westmoreland Street would not sufficiently mitigate such conditions. In addition, Ms. Young said that she favored locating medical care facilities on sites that were consistent with the requirements prescribed by the Zoning Ordinance.

Leo Rydzewski, 1929 Poole Lane, McLean, voiced opposition to the subject application, aligning himself with remarks from previous speakers regarding the proposed facility's impact on the traffic congestion in the area, the safety of pedestrians, and the residential character of the surrounding neighborhood. He then described his experience with assisted living services in the area and stated that the proposed medical care facility was not consistent with the guidelines prescribed by the Zoning Ordinance or Comprehensive Plan. Mr. Rydzewski pointed out that while similar facilities had been permitted at other sites throughout the County, such sites were located near existing commercial development and there was no such development near the subject property. In addition, he noted the visual impact that the facility would incur, adding that the design of the structure and the use of the cellar space was not consistent with the character of the surrounding residential development. Mr. Rydzewski also said that the traffic impact of the proposed facility would be greater than that of a by-right residential development.

David Fiske, 1537 Forest Villa Lane, McLean, spoke in opposition to the proposal, echoing remarks from previous speakers regarding the applicant's lack of compliance with the requirements to warrant approval of the subject application and the precedent that approval would establish for locating similar facilities in residential neighborhoods. He also pointed out that a variance might be necessary to approve the loading dock for the proposed facility and the location of the front entrance to the facility was not sufficiently defined in the designs shown on the plat. Mr. Fiske acknowledged the benefits of the proposed facility, but stated that the facility were not consistent with the provisions prescribed by the Zoning Ordinance, citing the use of the cellar space as one such example.

Chairman Murphy called for speakers from the audience, but received no response; therefore, he asked for a rebuttal statement from Mr. Mendelsohn, who stated the following:

- The applicant acknowledged the existing traffic conditions around the site during peak-hour traffic periods, but the impact of the proposed facility on such conditions would be less than that of a by-right residential development on the site;
- The design of the proposed facility had been modified to address community concerns regarding the visual impact of the structure;
- The massing of the facility would be screened by significant landscaping provisions;
- The intensity of the proposed facility was less than that of other previously-approved redevelopments located near the site;
- The parking provisions for the proposed facility were sufficient and exceeded the necessary requirements of similar facilities;
- The Zoning Ordinance contained guidelines that permitted the construction of a medical care facility on a site less than five acres in size if the facility complied with certain requirements and the proposal was consistent with these requirements;
- The Comprehensive Plan identified medical care facilities that provided assisted living services as a residential use and the design of the proposed facility was consistent with such use;
- The applicant acknowledged the citizen opposition to the proposal, but such opposition was not representative of the sentiment of the overall community; and
- The demand for assisted living services, like that provided by the proposed facility, was growing throughout the area and the proposal would contribute towards meeting that demand.

A discussion ensued between Commissioner Niedzielski-Eichner and Chairman Murphy, with input from Commissioner Hart, regarding the scope of the subject application, the factors that the Commission could consider when rendering a decision, and the extent to which potential alternative development on the site could be considered.

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

(Start Verbatim Transcript)

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Chairman Murphy: Public hearing is closed. Mr. Ulfelder.

Commissioner Ulfelder: Thank you, Mr. Chairman. As I mentioned at the beginning, yesterday, that...

Chairman Murphy: You were waiting a long time actually.

Commissioner Ulfelder: ...that I plan to defer this. I was going to defer it for three weeks, but it's now two weeks and six days. Therefore, Mr. Chairman, I MOVE THAT WE DEFER THE DECISION ONLY FOR SE 2016-DR-001, SUNRISE DEVELOPMENT, INC., TO A DATE CERTAIN OF MARCH 29TH, 2017, WITH THE RECORD REMAINING OPEN FOR THE SUBMISSION OF WRITTEN – FURTHER WRITTEN COMMENTS.

Commissioner Hart: Second.

Chairman Murphy: Seconded by Mr. Hart. Is there a discussion of the motion? All those in favor of the motion to defer decision only on SE 2016-DR-001 to a date certain of March 29th, with the record remaining open for comments, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed? Motion carries.

The motion carried by a vote of 10-0. Commissioners Hedetniemi and Keys-Gamarra were not present for the vote.

(End Verbatim Transcript)

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The meeting was adjourned at 1:33 a.m.

Peter F. Murphy, Chairman

James R. Hart, Secretary

Audio and video recordings of this meeting are available at the Planning Commission Office, 12000 Government Center Parkway, Suite 330, Fairfax, Virginia 22035.

Minutes by: Jacob Caporaletti

Approved on: July 27, 2017



John W. Cooper, Clerk to the
Fairfax County Planning Commission