



**COUNTY OF FAIRFAX
PLANNING COMMISSION OFFICE**

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2002 PLANNING COMMISSION

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Clerk to the Commission

May 3, 2002

Ben Tompkins, Esquire
Reed, Smith, Hazel & Thomas
3110 Fairview Park Drive; Suite 1400
Falls Church, VA 22042

RE: FDPA-84-D-049-7
Tysons II Land Company LLC
Providence District

Dear Mr. Tompkins:

The purpose of this letter is to formally advise you, as the agent for the applicant on the above referenced case, that on Thursday, May 2, 2002, the Planning Commission voted 8-0-2 (Commissioners Byers and Murphy abstaining; Commissioners Alcorn and Wilson not present for the vote) to approve FDPA-84-D-049-7, subject to the development conditions dated May 1, 2002, as attached.

Also attached for your records is a copy of a verbatim transcript of the Commission's action. If you need additional information, please let me know.

Sincerely,

Barbara J. Lipka
Executive Director
Planning Commission Office

Attachments (a/s)

cc: Linda Smyth, Providence District Planning Commissioner
Peter Braham, Zoning Evaluation Division, DPZ
5/2/02 Date File
Y-2 File

Planning Commission Meeting
May 2, 2002
Verbatim Excerpt

FDPA-84-D-049-7 - TYSONS II LAND COMPANY LLC

Decision Only During Commission Matters
(Public Hearing was held on April 18, 2002)

Commissioner Smyth: I have a decision only tonight that I think we'd like to take care of promptly here. If the attorney for the applicant would come down to the podium please.

Ben Tompkins, Esquire: My name is Ben Tompkins, Reed, Smith, Hazel and Thomas. I represent the applicant, Tysons II Land LLC.

Commissioner Smyth: Mr. Tompkins, just for the record, we do have new conditions dated May 1st. Does your applicant indeed agree with these conditions?

Mr. Tompkins: I believe they do, although I think they may be dated May 2nd? May 1st? We do indeed agree to the development conditions dated May 1, 2002.

Commissioner Smyth: Thank you, Mr. Tompkins. Mr. Chairman, these conditions were distributed by e-mail yesterday to everyone. We have a hard copy that was distributed this evening along with a reduction of the plans. The conditions were changed only in some minor ways, including things like the date of the latest revision to the plan and the provision about the outdoor eating space with the fast food restaurant, if that should be changed in a future PCA. So, Mr. Chairman, I would like to move on this. I MOVE THAT THE PLANNING COMMISSION APPROVE FDPA-84-D-049-7, SUBJECT TO THE DRAFT DEVELOPMENT CONDITIONS DATED MAY 1, 2002.

Commissioner DuBois: Second.

Chairman Murphy: Seconded by Ms. DuBois. Is there discussion of the motion? All those in favor of the motion to approve FDPA-84-D-049-7, say aye.

Commissioners: Aye.

Chairman Murphy: Opposed?

Commissioner Byers: Abstain, not present for the public hearing.

Chairman Murphy: Motion carries. Mr. Byers abstains and the Chair abstains, not present for the public hearing.

Commissioner Smyth: Thank you. And I would certainly like to thank everyone involved for taking care of all the details. And Mr. Braham, thank you for all your patience.

Mr. Tompkins: Thank you as well.

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(The motion carried by a vote of 8-0-2 with Commissioner Byers and Murphy abstaining; Commissioners Alcorn and Wilson not present for the vote.)

GLW