



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**TUESDAY  
September 25, 2012**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, September 25, 2012, at 9:21 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Edward L. Long Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise A. Long, Deputy Clerk to the Board of Supervisors; Dianne E. Tomasek and Ekua Brew-Ewool, Administrative Assistants, Office of Clerk to the Board of Supervisors.

**BOARD MATTERS**1. **WELCOME TO TURKISH DELEGATION** (9:21 a.m.)

On behalf of the Board, Chairman Bulova warmly welcomed members of the delegation from Sister City Kecioren, Turkey, to the Board Auditorium.

(NOTE: Later in the meeting, a Sister Jurisdiction partnership was signed. See Clerk's Summary Item #3.)

2. **MOMENT OF SILENCE** (9:22 a.m.)

Supervisor Herrity asked everyone to keep in thoughts the family of Dr. Edward J. Bentz, Jr., who died recently. Mr. Bentz was the longest serving County appointee who had been serving on the Wetlands Board since 1985. After receiving his Nuclear Physics Ph. D., he spent time in Denmark, Russia, France, Norway, Patagonia, East Africa, Egypt, and India.

Supervisor Herrity asked everyone to keep in thoughts and prayers Bill Miller, Public Information Officer, Office of Public Affairs, who is undergoing surgery and wished him well.

**AGENDA ITEMS**3. **SIGNING OF A SISTER JURISDICTION PARTNERSHIP WITH KECIOREN, TURKEY** (9:25 a.m.)

(NOTE: Earlier in the meeting, the Chairman welcomed the delegation. See Clerk's Summary Item #1.)

Chairman Bulova acknowledged the presence of Congressman Gerald Connolly, former Chairman of the Board, and warmly welcomed him to the Board Auditorium.

Chairman Bulova acknowledged the presence of her son, Delegate David Bulova, and warmly welcomed him to the Board Auditorium.

Congressman Connolly briefly addressed the Board and commended the Board for the relationship with the Sister City and the Turkish delegation.

Mustafa Ak, Mayor of Kecioren, and Professor Emrullah Isler, Parliamentarian and President of Islamic Convergence Parliamentary Union, addressed the Board and thanked them for a great visit.

Following the signing of the Sister Jurisdiction Partnership between Kecioren, Turkey and the County, the delegation presented gifts to Chairman Bulova and Congressman Connolly.

On behalf of the Board, Chairman Bulova thanked the American Turkish Friendship Association, the organizers of the trip and the initiators of the partnership between Kecioren and the County. She also thanked Barry Biggar, President and CEO of the Convention and Visitors Bureau, for preparing the itinerary and facilitating the trip.

4. **RECOGNITION OF COUNTY PROGRAMS THAT WON 2012 ACHIEVEMENT AWARDS FROM THE NATIONAL ASSOCIATION OF COUNTIES (NACo)** (9:53 a.m.)

Supervisor Gross recognized the following County programs and agencies who won 2012 Achievement Awards from NACo:

- *Stormy the Raindrop Educational Program* – Department of Public Works and Environmental Services, Stormwater Management
- *Digital Counties* – Department of Information Technology
- *Creation of the Department of Code Compliance* – Department of Code Compliance
- *Communications Toolkit* – Office of Public Affairs
- *Embracing E-Books* – Library
- *Feral Cats: Trap, Neuter, and Return Program* – Police Department, Animal Shelter
- *V-16: Volunteer Leave Initiative* – Office of Public Private Partnerships
- *PROGRESS Center* – Department of Housing and Community Development

5. **CERTIFICATE OF RECOGNITION PRESENTED TO THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (HCD)** (10:02 a.m.)

Supervisor Cook moved approval of the Certificate of Recognition presented to HCD for receiving awards from the National Association of Counties and the National Association of Housing and Redevelopment Officials. Supervisor Hyland and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF FAIRFAX PETS ON WHEELS** (10:09 a.m.)

Supervisor Frey moved approval of the Certificate of Recognition presented to members of Fairfax Pets on Wheels for 25 years of volunteer service to the organization and the community. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE BRADDOCK ROAD YOUTH CLUB (BRYC) '98 ELITE** (10:22 a.m.)

Supervisor Cook moved approval of the Certificate of Recognition presented to members of the BRYC '98 Elite for winning the 2012 Virginia Youth Soccer Association championship. Supervisor Hyland seconded the motion and it carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MR. GEORGE TOWERY** (10:30 a.m.)

Supervisor McKay moved approval of the Certificate of Recognition presented to Mr. George Towery for his years of service to the County. Supervisor Herrity and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING OCTOBER 2012 AS "BREAST CANCER AWARENESS MONTH" IN FAIRFAX COUNTY** (10:43 a.m.)

Supervisor Herrity moved approval of the Proclamation to designate October 2012 as "*Breast Cancer Awareness Month*" in Fairfax County. Supervisor McKay seconded the motion and it carried by unanimous vote.

10. **PROCLAMATION DESIGNATING OCTOBER 2012 AS "DISABILITY EMPLOYMENT AWARENESS MONTH" IN FAIRFAX COUNTY** (10:52 a.m.)

Supervisor Cook moved approval of the Proclamation to designate October 2012 as "*Disability Employment Awareness Month*" in Fairfax County. Supervisor Gross and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

11. **PROCLAMATION DESIGNATING OCTOBER 7-13, 2012, AS "FIRE PREVENTION WEEK" IN FAIRFAX COUNTY** (11:05 a.m.)

Supervisor Hyland moved approval of the Proclamation to designate October 7-13, 2012, as "*Fire Prevention Week*" in Fairfax County. Supervisor Gross seconded the motion. Discussion ensued, regarding fire safety in the County and continued education for fire prevention.

The question was called on the motion and it carried by unanimous vote.

12. **PROCLAMATION DESIGNATING OCTOBER 2012 AS "DOMESTIC VIOLENCE AWARENESS MONTH" IN FAIRFAX COUNTY** (11:19 a.m.)

Supervisor Foust moved approval of the Proclamation to designate October 2012 as "*Domestic Violence Awareness Month*" in Fairfax County. Supervisor Gross and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Frey announced that the Police Department Prevention Division sponsors the K-9 Crawl which will be held on October 13, 2012, and invited staff to provide information about the event.

Supervisor Frey asked unanimous consent that the Board direct the Office of Public Affairs to publicize the event. Without objection, it was so ordered.

13. **PROCLAMATION DESIGNATING SEPTEMBER 25–OCTOBER 2, 2012, AS "VOTER REGISTRATION WEEK" IN FAIRFAX COUNTY** (11:31 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate September 25–October 2, 2012, as "*Voter Registration Week*" in Fairfax County. Supervisor Gross and Supervisor Hyland jointly seconded the motion.

Discussion ensued regarding voter registration and efforts to educate citizens about the new polling stations.

Supervisor Herrity asked unanimous consent that the Board direct the Office of Public Affairs to help publicize the registration process. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

14. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:43 a.m.)

(APPTS)  
(BACs)

Supervisor Hyland moved approval of the appointments and reappointments of those individuals identified in the corrected final copy of "Appointments to be Heard September 25, 2012," as distributed around the dais. Supervisor Gross seconded the motion.

Supervisor Hyland asked to amend the motion to defer the appointment of the Mount Vernon District Representative to the Water Authority, and this was accepted.

The question was called on the motion, as amended, and it carried by a vote of nine, Supervisor McKay being out of the room.

Appointments are as follows:

**ADVISORY SOCIAL SERVICES BOARD**

Reappointment of:

- Ms. Kelsey Phipps as the Lee District Representative
- Mr. Robert Kyle McDaniel as the Springfield District Representative

The Board deferred the appointments of the At-Large Chairman's Representative, Hunter Mill, Mount Vernon, and Sully District Representatives.

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

The Board deferred the appointments of the Citizen and the Lending Institution Representatives.

**AIRPORTS ADVISORY COMMITTEE**

Confirmation of:

- Ms. Dianne Blais as the League of Women Voters Representative

The Board deferred the appointment of the Mason District Representative.

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD**

Appointment of:

- Mr. Jeremy M. Schottler as the At-Large #4 Representative

**ARCHITECTURAL REVIEW BOARD**

Re-appointment of:

- Ms. Joy Marshall Ortiz as the Architect #2 Representative
- Mr. Robert Mobley as the Related Professional Group #1 Representative
- Mr. Jason D. Sutphin as the Related Professional Group #6 Representative

The Board deferred the appointment of the Related Professional Group #3 Representative.

**ATHLETIC COUNCIL**

Confirmations of:

- Mr. Jerry Klemm as the Baseball Council Representative
- Mr. Dave Vennergrund as the Basketball Council Representative
- Mr. Bill Bush as the Volleyball Council Representative

The Board deferred the appointments of the Dranesville District Principal Representative, Providence District Alternate Representative, and the Women's Sports Alternate Representative.

**BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE**

The Board deferred the appointments of the Hunter Mill, Mason, Mount Vernon, and Springfield District Representatives.

**CELEBRATE FAIRFAX, INCORPORATED BOARD OF DIRECTORS**

Reappointments of:

- Mr. Steve Sherman as the At-Large #1 Representative
- Mr. Jason M. Chung as the At-Large #3 Representative
- Ms. Jill Patrick as the At-Large #3 Representative

The Board deferred the appointment of the At-Large #4 Representative.

**CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

The Board deferred the appointment of the Sully District Representative.

**CHILD CARE ADVISORY COUNCIL**

Reappointments of:

- Ms. Monica Jackson as the Braddock District Representative
- Ms. Ann Aoki as the Dranesville District Representative
- Ms. Courtney Park as the Hunter Mill District Representative

- Mr. Hugh Mac Cannon as the Springfield District Representative

The Board deferred the appointments of the Lee, Mason, Mount Vernon, and Providence District Representatives.

#### **CITIZEN CORPS COUNCIL**

The Board deferred the appointment of the Providence District Representative.

#### **COMMISSION ON AGING**

Confirmation of:

- Mr. Daniel Henderson as the City of Falls Church Representative

#### **COMMUNITY ACTION ADVISORY BOARD (CAAB)**

Confirmations of:

- Mr. Mauricio Barraza as the Head Start Principal Representative
- Mr. Abdalla M. Abdalla as the Elected Central Target Area #2 Representative
- Mr. Virgil Bodeen as the Community Ministry Representative
- Ms. Margaret Thaxton as the Federation of Citizens Associations Representative
- Dr. Paul Clark as the George Mason University Representative

#### **COMMUNITY REVITALIZATION AND REINVESTMENT ADVISORY GROUP**

Appointment of:

- Mr. Sylvester Berdux as the the Mount Vernon District Representative

#### **CONSUMER PROTECTION COMMISSION**

Reappointment of:

- Mr. Scott Hine as the Fairfax County Resident #11 Representative

The Board deferred the appointment of the Fairfax County Resident #3 and #7 Representatives.

**CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

Reappointment of:

- Mr. A. Joseph Jay as the Springfield District Representative

The Board deferred the appointments of the At-Large Representative, Braddock, Hunter Mill, Mason, and Providence District Representatives.

**ECONOMIC ADVISORY COMMISSION**

Appointment of:

- Mr. Stephen Keat as the Mount Vernon District Representative

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

The Board deferred the appointments of the Hunter Mill and Providence District Representatives.

**FAIRFAX AREA DISABILITY SERVICES BOARD**

The Board deferred the appointment of the Sully District Representative.

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**

Confirmations of:

- Ms. Gracie Ortiz as the Community/Religious Leader Representative
- Ms. Mary Jayne Panek as a Long Term Care Representative
- Mr. Barry Wickersham as a Community Religious Leader Representative

**FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS**

Appointment of:

- Mr. Fouad Oreitem as the Springfield District Representative

**FAIRFAX –FALLS CHURCH COMMUNITY SERVICES BOARD**

Appointment of:

- Ms. Suzette Kern as the Lee District Representative

Nomination of:

- Mr. Juan Pablo Segura as the Dranesville District Representative

(The Board is scheduled to take action on this appointment on October 30, 2012.)

**HEALTH CARE ADVISORY BOARD**

Appointment of:

- Dr. Judith Beattie as the Sully District Representative

**HEALTH SYSTEMS AGENCY BOARD**

The Board deferred the appointments of the Consumer #1, and #6 Representatives and the Provider #1 and #3 Representatives.

**HUMAN RIGHTS COMMISSION**

Reappointment of:

- Ms. Amy Sanborn Owen as the At-Large #10 Representative

The Board deferred the appointments of the At-Large #1 and #3 Representatives.

**HUMAN SERVICES COUNCIL**

Reappointment of:

- Mr. William Kogler as the Springfield District #1 Representative

The Board deferred the appointment of the Mount Vernon District #1 Representative.

**LIBRARY BOARD**

The Board deferred the appointment of the Hunter Mill District Representative.

**OVERSIGHT COMMITTEE ON DRINKING AND DRIVING**

The Board deferred the appointment of the Hunter Mill District Representative.

**SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL**

Reappointment of:

- Ms. Lilia Jimenez-Siuhengalu as the Fairfax County #3 Representative

The Board deferred the appointment of the Fairfax County #2 Representative.

**TENANT LANDLORD COMMISSION**

The Board deferred the appointment of the Tenant Member #3 Representative.

**TRANSPORTATION ADVISORY COMMISSION**

Appointment of:

- Mr. Chad Quinn as the Dranesville District Representative

Confirmation of:

- Ms. Ann Pimley as the Fairfax Area Disability Services Board Representative

**TREE COMMISSION**

Appointment of:

- Mr. James W. Bill Schoonmaker as the Sully District Representative

Confirmations of:

- Mr. Everett Loughry as the Park Authority Representative
- Mr. Jeff Allcroft as the Environmental Quality Advisory Council Representative

**TRESPASS TOWING ADVISORY BOARD**

The Board deferred the appointment of the Citizen Alternate Representative.

**UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES**

Confirmation of:

- Captain John Niemiec as the Fire and Rescue Department #1 Representative

**WATER AUTHORITY**

The Board deferred the appointment of the Mount Vernon District Representative.

**WETLANDS BOARD**

Reappointment of:

- Mr. Michael Fuelling as the Alternate #1 Representative

The Board deferred the appointment of the Springfield District Representative.

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15. **10:40 A.M. – PRESENTATION OF THE ENVIRONMENTAL EXCELLENCE AWARDS** (11:44 a.m.)

(BACs) Stella Koch, Chairman, Environmental Quality Advisory Council, gave a presentation on the history of the awards which are divided into the following categories: resident; business; organization; and County employee. She then presented the Environmental Excellence Awards to:

- *County Resident* – Elaine Tholen
- *County Resident* – Betsy Washington
- *Organization* – Service Source
- *Business* – Walker's Grille
- *County Employee* – Ronald Tuttle, Department of Public Works and Environmental Services, Stormwater Management

16. **ADMINISTRATIVE ITEMS** (11:57 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland seconded the motion.

Supervisor Foust called the Board's attention to Admin 3 – Authorization to Advertise a Public Hearing to Convey a Portion of County-Owned Property to the

Virginia Department of Transportation (VDOT) for the Leesburg Pike Widening Project (Dranesville District) and noted that it was in the Hunter Mill District, not the Dranesville District.

Supervisor Gross called the Board's attention to Admin 11 – Addition of Right-of-Way (South Kings Highway / Route 633) to the Secondary System of State Highways (Lee District) and Admin 12 – Changes to the Secondary System Resulting from Road Improvements and Realignment (Hampton Road / Route 647) (Springfield District) and noted that these items had been revised to reflect a District change.

The question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (BRADDOCK AND PROVIDENCE DISTRICTS)**

(R) Approved the request that the following streets be accepted into the State System:

<b><u>Subdivision</u></b>	<b><u>District</u></b>	<b><u>Street</u></b>
Morrisons Way Village	Braddock	Lee Highway (Route 29) [Additional Right-of-Way (ROW) Only]
		Stevenson Street (Route 1028) (Additional ROW Only)
Williamsburg Commons	Providence	Courthouse Road (Route 673) (Additional ROW Only)

**ADMIN 2 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MOUNT VERNON AND SPRINGFIELD DISTRICTS)**

- Endorsed traffic calming plans for Potomac View Boulevard and Autumn Willow Drive consisting of the following:
  - Two Speed Tables on Potomac View Boulevard (Mount Vernon District)
  - Two Speed Humps on Autumn Willow Drive (Springfield District)
- Directed staff to schedule the installation of the approved measures as soon as possible.

**ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONVEY A PORTION OF COUNTY-OWNED PROPERTY TO THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE LEESBURG PIKE WIDENING PROJECT (HUNTER MILL DISTRICT)**

- (A) (NOTE: Earlier in the meeting, the Board noted that this item is in the Hunter Mill District, not the Dranesville District. See page 12.)

Authorized the advertisement of a public hearing to be held before the Board on **October 30, 2012, at 4 p.m.** to consider conveying a portion of County-owned property to VDOT for the Leesburg Pike Widening Project.

**ADMIN 4 – EXTENSION OF REVIEW PERIOD FOR A 2232 REVIEW APPLICATION (MASON DISTRICT)**

Authorized the extension of review periods for the following Public Facility (2232) Review Applications to the dates noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-M12-20	Department of Public Works and Environmental Services Library renovation and expansion 6101 Knollwood Drive, Falls Church Mason District	April 2, 2013

**ADMIN 5 – ADDITION OF OAKTON ROAD / ROUTE 664 TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (PROVIDENCE DISTRICT)**

- (R) Adopted the Resolution approving the addition of a portion of Oakton Road/Route 664 to the Secondary System of State Highways.

**ADMIN 6 – ROAD IMPROVEMENTS AND ADDITION OF RIGHT-OF-WAY (BURKE LAKE ROAD / ROUTE 645 AND INTERSECTING ROADWAYS) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (BRADDOCK AND SPRINGFIELD DISTRICTS)**

- (R) Adopted the Resolution approving the addition of right-of-way (Burke Lake Road/Route 645 and intersecting roadways) to the Secondary System of State Highways.

**ADMIN 7 – ADDITION OF RIGHT-OF-WAY (HUNTINGTON AVENUE/ ROUTE 1332 AND FORT HUNT ROAD / ROUTE 629) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (MOUNT VERNON DISTRICT)**

- (R) Adopted the Resolution approving the addition of right-of-way (Huntington Avenue/Route 1332 and Fort Hunt Road/Route 629) to the Secondary System of State Highways.

**ADMIN 8 – ADDITION OF RIGHT-OF-WAY (BEULAH STREET / ROUTE 613 AND FLEET DRIVE / ROUTE 635) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (LEE DISTRICT)**

- (R) Adopted the Resolution approving the addition of right-of-way (Beulah Street/Route 613 and Fleet Drive/Route 635) to the Secondary System of State Highways.

**ADMIN 9 – CHANGES TO THE SECONDARY SYSTEM OF STATE HIGHWAYS ASSOCIATED WITH THE WEST OX ROAD WIDENING PROJECT (SULLY DISTRICT)**

- (R) Adopted the Resolution approving the addition and discontinuance of portions of West Ox Road/Route 608 to the Secondary System of State Highways.

**ADMIN 10 – ADDITIONS AND DISCONTINUANCES OF RIGHT OF WAY ASSOCIATED WITH THE CONSTRUCTION OF IMPROVEMENTS TO WEST OX ROAD / ROUTE 608 AND WAPLES MILL ROAD / ROUTE 664 (SULLY DISTRICT)**

- (R) Adopted the Resolution approving the addition and discontinuance of portions of West Ox Road/Route 608 and Waples Mill Road/Route 664 to the Secondary System of State Highways.

**ADMIN 11 – ADDITION OF RIGHT-OF-WAY (SOUTH KINGS HIGHWAY / ROUTE 633) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (LEE DISTRICT)**

- (R) (NOTE: Earlier in the meeting, the Board briefly discussed this item, noting that it had been revised to reflect the correct District. See page 13.)

Adopted the Resolution approving the addition of right-of-way (South Kings Highway/Route 633) to the Secondary System of State Highways.

**ADMIN 12 – CHANGES TO THE SECONDARY SYSTEM RESULTING FROM ROAD IMPROVEMENTS AND REALIGNMENTS (HAMPTON ROAD / ROUTE 647) (SPRINGFIELD DISTRICT)**

- (R) (NOTE: Earlier in the meeting, the Board briefly discussed this item, noting that it had been revised to reflect the correct District. See page 13.)

Adopted the Resolution approving the addition and discontinuance of portions of Hampton Road/Route 647 to the Secondary System of State Highways.

**ADMIN 13 – ROAD IMPROVEMENTS AND ADDITION OF RIGHT-OF-WAY ASSOCIATED WITH THE ROUTE 123 WIDENING PROJECT TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (MOUNT VERNON DISTRICT)**

- (R) Adopted the Resolution approving the request that the identified portions of Lorton Road/Route 642 and Ox Road/Route 123 be added to the Secondary System of State Highways.

**ADMIN 14 – ADDITION OF LITTLE OX ROAD / ROUTE 8475 AND AVERETT DRIVE / ROUTE 8511 AND DISCONTINUANCE OF A FORMER SEGMENT OF AVERETT DRIVE FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (SPRINGFIELD DISTRICT)**

- (R) Adopted the Resolution approving the request that the identified portions of Little Ox Road/Route 8475 and Averett Drive/Route 8511 be added and discontinued from the Secondary System of State Highways.

**ADMIN 15 – ADDITION OF RIGHT-OF-WAY (HENDERSON ROAD / ROUTE 643) TO THE SECONDARY SYSTEM OF STATE HIGHWAYS (SPRINGFIELD DISTRICT)**

- (R) Adopted the Resolution approving the addition of right-of-way (Henderson Road/Route 643) to the Secondary System of State Highways.

**ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 84.1 (PUBLIC TRANSPORTATION), PERTAINING TO TAXICAB RATES**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 16, 2012, at 4 p.m.** to consider proposed amendments to the Code of the County of Fairfax, Chapter 84.1 (Public Transportation), pertaining to taxicab rates.

17. **A-1 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO SIGN THE PROGRAMMATIC AGREEMENT (PA) RELATIVE TO THE WIDENING OF US ROUTE 1 (RICHMOND HIGHWAY) FROM TELEGRAPH ROAD TO MOUNT VERNON MEMORIAL HIGHWAY (MOUNT VERNON DISTRICT)** (11:59 a.m.)

On motion of Supervisor Hyland, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and:

- Authorized the County Executive to sign the PA among the Federal Highway Administration; US Army Garrison, Fort Belvoir; Virginia Department of Transportation; Catawba Indian Nation; National Trust for Historic Preservation; Advisory Council on Historic Preservation; Virginia State Historic Preservation Officer; and the County, relative to the widening of US Route 1 (Richmond Highway), substantially as shown in Attachment 1 of the Board Agenda Item dated September 25, 2012.
- If the PA is revised, the Board authorizes the County Executive to sign the revised PA, provided that the revisions do not increase County obligations and responsibilities beyond those currently stipulated. If the PA revisions increase the County's obligations and responsibilities, the document will not be signed by the County Executive and will be returned to the Board for authorization to sign. The County Attorney's office has reviewed the document and will review all modifications, if proposed, prior to execution by the County Executive.

18. **A-2 – AUTHORIZATION TO MAKE A LOAN TO MVH PARTNERS, LP FROM HOUSING BLUEPRINT FUNDS FOR THE ACQUISITION AND REHABILITATION OF MOUNT VERNON HOUSE (MOUNT VERNON DISTRICT)** (12 noon)

On motion of Supervisor Hyland, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized funding in an amount not to exceed \$3,900,000 from Housing Blueprint Funds for the Acquisition and Rehabilitation of Mount Vernon House.

19. **A-3 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR THE FISCAL YEAR (FY) 2014 VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REVENUE SHARING PROGRAM FUNDS (PROVIDENCE DISTRICT)** (12:01 p.m.)

(R) On motion of Supervisor Smyth, seconded jointly by Supervisor Foust and Supervisor Herrity, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE," the Board concurred in the recommendation of staff and:

- Authorized DOT to apply for FY 2014 VDOT Revenue Sharing Funds.

- Adopted a Resolution designating a maximum of \$10 million in FY 2014 VDOT Revenue Sharing Program funds for the Jones Branch Connector extension project.

A local cash match of \$10 million is required for these funds. The project currently has over \$10 million in local funding allocated that will satisfy the local cash match requirement.

20. **A-4 – APPROVAL OF THE FISCAL YEAR (FY) 2013-14 STATE PERFORMANCE CONTRACT BETWEEN THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) AND THE VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES (VDBHDS)** (12:01 p.m.)

On motion of Supervisor Hudgins, seconded jointly by Supervisor Foust and Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the FY 2013-14 State Performance Contract between the CSB and VDBHDS and the associated acceptance of funds.

21. **A-5 – AUTHORIZATION TO SIGN DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) PROJECT FUNDING AGREEMENTS** (12:02 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and:

- Approve the execution of three Project Agreements between DRPT and the County for funding for the County and the Washington Metropolitan Area Transit Authority Capital and Operations Projects.
- Authorize the County Executive or his designee to execute the project agreements in substantial form, and to execute DRPT's form Agent Authorization Letters to designate the Northern Virginia Transportation Commission (NVTC) as the County's agent for purposes of financial grants administration for these funds.
- Authorize the County Executive or his designee to execute a Project Agreement related to NVTC administrative operations funding, if the County Executive and the County Attorney agree that it is substantially similar to the Project Agreements now before the Board for its approval. Otherwise, this agreement will be returned to the Board for its consideration.

Supervisor Foust seconded the motion.

Supervisor Hudgins noted that this is a process change, in which the transfer of funds from the State to the NVTC were reallocated.

Supervisor Frey called the Board's attention to page 261 and noted that the project is the **Stringfellow** Road Facility, instead of the Springfellow Road Facility.

Supervisor Herrity expressed his concerns regarding the subsidy allocation model and a brief discussion ensued.

The question was called on the motion and it carried by unanimous vote.

22. **A-6 – APPROVAL OF THE DISTRIBUTION OF PLAIN ENGLISH INFORMATION STATEMENTS FOR THE NOVEMBER 2012 COUNTY REFERENDA ON ISSUING BONDS FOR IMPROVEMENTS TO PARK, PUBLIC SAFETY, PUBLIC LIBRARY, AND STORM DRAINAGE FACILITIES** (12:10 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and authorize the preparation and printing of the four plain English statements for these County bond referenda. Supervisor Foust seconded the motion.

Supervisor Gross called the Board's attention to page 296, Public Safety Facilities Improvement Bond, under the explanation, and raised a question regarding the Bailey's Crossroads Volunteer Fire Station, and whether that was still the official name since the building is now under County ownership.

Discussion ensued, with input from Michael H. Long, Deputy County Attorney, who noted that staff would verify the name and remove the word "volunteer," if it is no longer called by that name.

Supervisor Gross asked unanimous consent that the Board direct staff to remove the word "volunteer" if it is not the official name. Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

23. **I-1 – SERVICE ADJUSTMENTS FOR FAIRFAX CONNECTOR BUS SERVICE EFFECTIVE OCTOBER 2012** (12:13 p.m.)

The Board next considered an item contained in the Board Agenda dated September 25, 2012, announcing that, unless otherwise directed by the Board, the Department of Transportation will implement service changes on October 13, 2012, and the first quarter of Fiscal Year 2013.

The staff was directed administratively to proceed as proposed.

**ADDITIONAL BOARD MATTERS**24. **REFERRAL TO AUDIT COMMITTEE WORK PLAN – PARK AUTHORITY REDUCTIONS** (12:13 p.m.)

Chairman Bulova said that in response to the County Executive's request to all County agencies and departments to submit recommendations for how a five percent reduction could be achieved, the Park Authority staff released a list of potential cuts to members of the Park Authority Board. The deadline for reductions to be submitted to the County Executive is September 28.

Chairman Bulova said that at its meeting on September 12, the Park Authority Board voted unanimously to request that the Board of Supervisors enlist the help of its Office of Financial and Program Audit (Auditor to the Board) to review that list of potential cuts and to identify other potential strategies or alternative recommendations to reduce General Fund support, without impacting citizen utilization of programs, facilities, and services. This study should include a review of reserves that could assist in finding savings/reductions.

Therefore, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board of Supervisors direct the Board's Audit Committee to include this review on its work plan and that results and any interim reports be shared with the Board and the Park Authority Board as development of the Fiscal Year 2014 Budget continues. Vice-Chairman Gross seconded the motion.

Supervisor Herrity asked to amend the motion to include a review of the revenue fund, as well as the general fund.

Following discussion regarding the amendment, Chairman Bulova clarified that the review is to look for recommendations to reduce general fund support, which means to look at the entire Park Authority budget, including the revenue.

Following further discussion regarding the Park Authority budget, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

25. **REQUEST TO RECOGNIZE THE PUBLIC-PRIVATE PARTNERSHIP ON LUKENS LANE (MOUNT VERNON DISTRICT)** (12:19 p.m.)

Supervisor Hyland said that the Department of Code Compliance (DCC) served a notice of violation to a constituent on Lukens Lane for excessive outdoor storage. The constituent was financially unable to remediate the violation himself. Rather than taking a hardline stance against the offender, staff in DCC and the Department of Public Works and Environmental Services, Division of Solid Waste (DSW) worked cooperatively with him to hold the violation in abeyance and provide dumpsters and other materials to assist him with the cleanup provided that progress was being made. Then, in what can only be described as "A Miracle on Lukens Lane," several neighbors provided their time and energy to help the

elderly neighbor with the cleanup efforts. Supervisor Hyland noted that Mr. Robert Beggan of Lukens Lane primarily led the charge to contact his office and County staff to get help. Area non-profits, Good Shepherd Housing and Habitat for Humanity, stepped in to provide assistance and labor to bring the site into compliance.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct the Office of Public Affairs to invite Lukens Lane residents Mr. Beggan, Ms. Donna Granahan, Mr. Gary and Ms. Jackie Carpenter; Jack Blair and LaTycia Tanks, DCC; Robert Scott and Janet Simek; DSW; the Office of the County Attorney; Ms. Shannon Steene of Good Shepherd Housing; and representatives from Habitat for Humanity to appear before the Board to be recognized for their service to their neighbor and for exemplifying the best of community service. Without objection, it was so ordered.

26. **RENAMING A PORTION OF MULLIGAN ROAD FROM RICHMOND HIGHWAY TO POLE ROAD (MOUNT VERNON DISTRICT)** (12:21 p.m.)

Supervisor Hyland said that a year ago, Mount Vernon lost a giant in the community. Mr. Jeff Todd's death was mourned not just by his family, but by the entire community. He referred to his written Board Matter which outlined Mr. Todd's accomplishments.

Therefore, Supervisor Hyland moved that the Board direct staff to officially rename the portion of Route 235 between Richmond Highway and Pole Road as Jeff Todd Way. Supervisor McKay seconded the motion and it carried by unanimous vote.

**EBE:ebe**

27. **REQUEST TO DECLARE NOVEMBER 1, 2012, AS "GOVERNMENT CONTRACTING DAY," IN FAIRFAX COUNTY (SPRINGFIELD DISTRICT)** (12:22 p.m.)

Supervisor Herrity said that the County has one of the most dynamic and vibrant economies in the world. The main driver of this economic success is the presence of a large number of successful government contracting firms which are either headquartered in Fairfax or have a large presence in the County. According to the US Census Bureau, the County was first among all US counties in the value of federal contracts performed locally. And since the County is the economic engine of Virginia, these companies are essential to the economic vitality of the Commonwealth as a whole as well.

Supervisor Herrity noted that some of the larger contracting firms with headquarters in the County are Booz Allen Hamilton, Computer Sciences Corporation (CSC), General Dynamics, ManTech International Corporation, Bearing Point, SRA International, Northrop Grumman and Science Applications International Corporation (SAIC). Lockheed Martin, and Raytheon also have a

large presence in the County. In addition to these larger companies there are numerous small and mid-size firms that provide essential services to the Federal Government while also providing jobs to County citizens and the tax base needed to fund the services provided to County citizens.

The importance to this industry was recently reiterated by a George Mason University study of the impact of sequestration. All of these government contracting firms are a key part of the future success in the County.

To honor these companies, the Tenth Annual Government Contractor Awards will be held on November 1. This is the region's premier event honoring the best of the government contracting industry and it is presented by the County Chamber of Commerce, the Professional Services Council, and *Washington Technology* magazine.

Therefore, Supervisor Herrity moved that the Board:

- Declare November 1, 2012, as "*Government Contracting Day*," in Fairfax County.
- Direct the Office of Public Affairs to publicize "Government Contracting Day" and its importance to the County.
- Direct staff to invite representatives from the industry to appear before the Board in October to receive a resolution on the declaration of Government Contracting Day.

Supervisor McKay seconded the motion and it carried by unanimous vote.

28. **RESCHEDULED TOWN HALL MEETING ON THE FAIRFAX COUNTY PARKWAY (SPRINGFIELD DISTRICT) (12:25 p.m.)**

Supervisor Herrity said that in January he shared with the Board his plans to host a Town Hall meeting on the Fairfax County Parkway and its future. At that time, he had scheduled a Town Hall meeting for March but it was postponed.

Supervisor Herrity said that the Town Hall meeting will be held at Robinson Secondary School, at 7 p.m. on October 23, 2012. He added that the Virginia Department of Transportation (VDOT) and the Department of Transportation will share information on the history of the Parkway and discuss what is currently underway and planned for the Parkway, and to gather input on what vision the residents have for the Parkway.

Supervisor Herrity noted that the largest section of the Parkway is in the Springfield District but it traverses many Supervisors' districts, and he invited them to participate or provide suggestions.

Therefore, Supervisor Herry asked unanimous consent that the Board direct the Office of Public Affairs to publicize the Town Hall meeting. Without objection, it was so ordered.

A brief discussion ensued regarding traffic on the Fairfax County Parkway and the ongoing construction on the Parkway.

29. **POLITICAL SIGNS** (12:27 p.m.)

Supervisor Herry recognized and thanked the Fairfax County Democratic Committee, Congressman Gerald Connolly, Congressman Jim Moran, Former Governor Tim Kane, Candidate for the 10<sup>th</sup> District Kristin Cabral, and their campaigns, as well as their Republican counterparts, Fairfax County Republican Committee, Former Governor George Allen, Congressman Frank Wolf, Candidate for the 11<sup>th</sup> District Chris Perkins, and Candidate for the 8<sup>th</sup> District Patrick Murray, on the enforcement and display of political signs in the County.

30. **TYSONS WEST RESIDENTIAL, LLC (HUNTER MILL DISTRICT)** (12:30 p.m.)

Supervisor Hudgins said that Tysons West Residential, LLC is the owner of property identified as Tax Map references 29-3 ((1)) 1 B and 29-3 ((20)) C1 that is zoned to the C-7 District. Special Exception Application SE 2012-HM-006, requests a waiver of certain sign regulations.

Therefore, Supervisor Hudgins moved that the Board direct staff to schedule a public hearing to be held before the Board on Special Exception Application SE 2012-HM-006 on October 30, 2012. This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

31. **WALK FOR HOMELESS HIGH SCHOOLS CHALLENGE (HUNTER MILL DISTRICT)** (12:31 p.m.)

Jointly with Supervisor Foust, Supervisor Hudgins said that on Friday September 7, 2012, she and a representative from the Dranesville Supervisor's Office met on the 50 yard line at the South Lakes-Herndon High School varsity football game. She said that along with Principal Retzer of South Lakes and Principal Bates of Herndon High and School Board Representatives, they issued a challenge to the students and families of both schools to support Reston Interfaith's Help the Homeless Program.

The goal is to register 4,000 walkers for the community Walk for the Homeless events to qualify Reston Interfaith for \$100,000 in challenge grants to end homelessness in the communities. The high school challenge will culminate

during homecoming week, however, everyone is welcome to join us for community, neighborhood, and school walks happening now through November.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite representatives from Reston Interfaith along with the Herndon High School and South Lake High School walk teams to appear before the Board to be recognized for their efforts to end homelessness in the communities. Without objection, it was so ordered.

32. **RECOGNITION OF INITIATIVE FOR PUBLIC ART - RESTON (IPAR)**  
**(HUNTER MILL DISTRICT)** (12:32 p.m.)

Supervisor Hudgins said that Reston's tradition of making art and culture an everyday part of life in the community took a bold step in December 2008.

A group of Reston civic and community organizations and leaders joined to develop a vision and plan, for cultivating a new generation of public artworks throughout the community. From its community-wide adopted master plan for public art grew the IPAR.

Supervisor Hudgins explained that IPAR's mission is to inspire an ongoing commitment to public art and create a new generation of artworks in Reston. Its master plan follows Reston's long tradition of internationally recognized planning excellence. IPAR imagines public art, throughout Reston, that is world-renowned, and inspires the community, as it engages the mind and senses.

Together with the Reston Historic Trust and Museum, IPAR is currently sponsoring an exhibit, "Reston: The Art of Community," which showcases Reston's history as an innovative planned community and its on-going dedication to art for everyone.

This exhibition is part of the goals established in Reston's Public Art Master Plan, adopted by IPAR in 2008.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite representatives from IPAR the Reston Historic Trust to the Board to be recognized for its vision and efforts to celebrate the story of community through public art. Without objection, it was so ordered.

A brief discussion ensued, regarding the art book that was distributed to Board Members.

PMH:pmh

33. **LETTER REGARDING THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) BOARD OF DIRECTORS**  
(12:36 p.m.)

Supervisor McKay referred to a draft letter discussed by the Board at the Legislative Committee regarding MWAA reforms. He moved that the Board authorize Chairman Bulova to sign the letter, on behalf of the Board and circulate it to the Congressional Delegation. Chairman Bulova seconded the motion.

Supervisor Gross asked unanimous consent that the Board direct staff to correct the second line of the first sentence to read: "for your efforts to reform the . . ." instead of: "for your efforts reform to the . . ." Without objection, it was so ordered.

The question was called on the motion and it carried by unanimous vote.

34. **WAKEFIELD RUN STREAM RESTORATION PROJECT: A PARTNERSHIP TO RESTORE A TRIBUTARY OF ACCOTINK CREEK (BRADDOCK DISTRICT)** (12:38 p.m.)

Supervisor Cook said that the Fairfax County Park Authority approached the Northern Virginia Soil and Water Conservation District to design and install a natural channel restoration project for a small, highly degraded, unnamed stream in Wakefield Park. Its bed and banks were eroding, and sediment flowed into Accotink Creek. Using \$75,000 the Park Authority had received from the express lanes, this project was originally designed for only the first 340 feet of the stream, starting from where it entered the park from a culvert under the Beltway. Subsequently, the Department of Public Works and Environmental Services provided an additional \$300,000 to extend the project another 400 feet to where a cross-County trail bridge crosses the stream, just before it joins Accotink Creek.

Dominion Virginia Power has also has joined this partnership and will provide \$35,000 in support of the restoration project, helping to extend it all the way to Accotink Creek, and underwriting the cost of the multi-use stream crossing within its easement. The crossing had also been deteriorating and was severely damaged by Tropical Storm Lee. The newly stabilized crossing will be used by hikers, runners, mountain bikers and service vehicles.

Supervisor Cook said that the proposed design will include creating meanders and gentle slopes, stabilizing and planting the banks, replacing a large rip-rapped culvert outfall with a shorter, more effective outfall including micropools, and reconstruction of the stream crossing. When completed, the project will restore the stream to a stable condition and improve water quality in Accotink Creek.

To bring more attention to this project, this summer, County residents were invited to suggest a name for this "unnamed tributary." Two additional partners,

the *Friends of Accotink Creek* and Supervisor Cook's office, worked to help get the word out about this initiative. Twenty-seven suggestions were received and the *Friends* ultimately selected the nomination made by Don Waye, who grew up in Braddock District, calling this stream "Wakefield Run."

To highlight the importance of such public private partnerships and to encourage other organizations to support efforts to improve our streams, Supervisor Cook asked unanimous consent that the Board direct staff to invite the partners to appear before the Board for a ceremonial presentation of the check from Virginia Dominion Power and to recognize the partners for their efforts to restore this stream. Without objection, it was so ordered.

35. **CELEBRATING THE OAK HILL MANSION OPEN HOUSE (BRADDOCK DISTRICT)** (12:40 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Cook announced that the Board will be co-sponsoring the Oak Hill History Day.

Supervisor Cook noted that Oak Hill, a privately owned eighteenth century Georgian-style home, is all that remains of the Ravensworth Tract - totaling more than 22,000 acres - dating from the 1670's. As part of the agreement, the owners may be requested to open the property and the first floor of the home four times a year for public use.

This free program, a celebration of local history, will be held this Saturday, September 29, from noon to 4 p.m. at the historic Oak Hill Mansion, located at 4716 Wakefield Chapel Road in Annandale. Parking will be offsite at 4414 Holborn Avenue at the Nancy Sprague Technology Center in Annandale. A free shuttle bus service will provide visitors with convenient transportation. On this day, the Oak Hill owners invite the public into see the first floor of their home and the beautiful surrounding grounds.

The theme this year is Celebrating Fairfax County History and its historians. Local Historians will have fascinating exhibits and will be selling their books. There will also be farm exhibits and animals from Frying Pan Park, a Civil War re-enactor, free refreshments, and self-guided tours of the grounds.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff of the:

- Office of Public Affairs and the Park Authority to publicize this event
- Park Authority to provide support and assistance in running this program

Without objection, it was so ordered.

36. **GEORGE C. MARSHALL HIGH SCHOOL CELEBRATES ITS FIFTIETH ANNIVERSARY (PROVIDENCE DISTRICT)** (12:43 p.m.)

In a joint Board Matter with Supervisor Foust and Supervisor Hudgins, Supervisor Smyth said that George C. Marshall High School in Falls Church was recently recognized by *US News and World Reports* for its outstanding academic achievements will be celebrating its fiftieth anniversary in November.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct staff to invite representatives of George C. Marshall High School to appear before the Board at its meeting on October 16 to receive a proclamation declaring November 9 as "George C. Marshall High School Day" in Fairfax County. Without objection, it was so ordered.

37. **WAIVER OF CONTIGUOUS SPACES REQUIREMENT FOR RESIDENTIAL PERMIT PARKING DISTRICT (RPPD) PROGRAM (BRADDOCK DISTRICT)** (12:43 p.m.)

Supervisor Smyth said that in Providence District, a recent development has had a tremendous impact on her constituents' quality of life. Specifically, there have been safety and parking issues associated with over-parking of non-resident vehicles in the Pine Spring community. The Defense Health Headquarters (DHHQ) has relocated to the old Raytheon facility adjoining Pine Spring. In effect, the move has been a below-the-radar BRAC action without the same level of scrutiny or federal planning and assistance that has been attendant with BRAC at Fort Belvoir and the Mark Center. The result is sudden and unmitigated non-resident parking that is displacing residents, limiting pedestrian and vehicular sight lines, and bringing in many new motorists without a vested interest in the public safety of the adjoining residential community.

The newly arisen circumstances are unique to this situation: a civilian defense installation with a large staff, contract employees and service for large numbers of individuals. Unfortunately, since these are public roads owned by the Virginia Department of Transportation (VDOT), there are only a few options open to the citizenry. The one deemed most responsive by the community and County Department of Transportation staff is the RPPD, but the Pine Spring community is unable to meet the threshold of a minimum of 100 contiguous parking spaces.

Therefore, Supervisor Smyth moved approval of a waiver of the 100 contiguous parking spaces requirement for the Pine Spring community's request for acceptance into the RPPD program. She added that the community must still meet the requirement that at least 50 percent of parked vehicles are non-resident. This motion, the second to which was inaudible, carried by unanimous vote.

38. **SKATE ANNANDALE (MASON DISTRICT)** (12:47 p.m.)

Supervisor Gross said that she has partnered with American Inline to host "Skate Annandale," a community event that will offer a mobile skate park at the Annandale Volunteer Fire Department parking lot, located at 7128 Columbia Pike

in Annandale. This free event will be held in downtown Annandale on October 6 from 2:30 p.m. until 5 p.m., and will feature games and fun all afternoon, in addition to the skateboarding rails, ramps, jumps, quarter pipes and the mini half-pipe provided. Residents of all ages are invited to attend and enjoy the skate facilities for one afternoon only, and participants are reminded to provide their own, safety equipment

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event. She added that residents interested in more information may contact her office by e-mail at [mason@fairfaxcounty.gov](mailto:mason@fairfaxcounty.gov), or call 703-256-7717.

39. **MASON DISTRICT OPEN HOUSE** (12:48 p.m.)

Supervisor Gross said that she will be co-hosting with Captain Gun Lee, commander of the Mason District Station, a Mason District Open House on Saturday, October 13 from 10 a.m. until 2 p.m. Residents are encouraged to bring their families and join their neighbors at the Mason District Governmental Center, 6507 Columbia Pike in Annandale. The event will showcase activities for children, police safety demonstrations, great food, and everyone can meet McGruff the Crime Dog and his friends on the Canine Unit. Supervisor Gross noted that residents also can learn about neighborhood services, and get information about available community-based and County resources.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to publicize this event. Community groups interested in participating may contact Supervisor Gross' office by e-mail, at [mason@fairfaxcounty.gov](mailto:mason@fairfaxcounty.gov), or call 703-256-7717. Without objection, it was so ordered.

40. **NO BOARD MATTERS FOR SUPERVISOR JOHN FOUST (DRANESVILLE DISTRICT)** (12:49 p.m.)

Supervisor Foust announced that he had no Board Matters to present today.

41. **NO BOARD MATTERS FOR SUPERVISOR MICHAEL FREY (SULLY DISTRICT)** (12:49 p.m.)

Supervisor Frey announced that he had no Board Matters to present today.

42. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2012-MA-004 (JOOAN PEACE, INCORPORATED) (MASON DISTRICT)** (12:51 p.m.)

Supervisor Gross announced her intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Application SE 2012-MA-004.

(Later in the meeting, the public hearing was deferred. See Clerk's Summary Item #46.)

43. RECESS/CLOSED SESSION (12:51 p.m.)

Supervisor Smyth moved that the Board recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section (§) 2.2-3711 and listed in the agenda for this meeting as follows:

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
  1. *Kathryn T. Hollis v. Schaefer Pyrotechnics, Inc., et al.*, Case No. CL-2011-0001605 (Fx. Co. Cir. Ct.)
  2. *Shirley Brown-Cuffee v. Fairfax County, Virginia*, Case No. CL-2012-0012579 (Fx. Co. Cir. Ct.)
  3. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Shifflett, Sr.*, Case No. CL-2012-0003389 (Fx. Co. Cir. Ct.) (Mount Vernon District)
  4. *Eileen M. McLane, Fairfax County Zoning Administrator v. James M. Shifflett, Sr., et al.*, Case No. CL-2009-0014727 (Fx. Co. Cir. Ct.) (Mount Vernon District)
  5. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bao T. Nguyen and Ninh T. Nguyen*, Case No. CL-2012-0008795 (Fx. Co. Cir. Ct.) (Mason District)
  6. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tesfaye Negussie*, Case No. CL-2012-0005771 (Fx. Co. Cir. Ct.) (Lee District)

7. *Eileen M. McLane, Fairfax County Zoning Administrator v. Sparrowen, LLC*, Case No. CL-2011-0013081 (Fx. Co. Cir. Ct.) (Mount Vernon District)
8. *Eileen M. McLane, Fairfax County Zoning Administrator v. Stephanie D. Clark and David A. Wilkey*, Case No. CL-2012-0007065 (Fx. Co. Cir. Ct.) (Providence District)
9. *Eileen M. McLane, Fairfax County Zoning Administrator v. Ali Abd-Allah Darab and Samila E. Darab*, Case No. CL-2012-0005050 (Fx. Co. Cir. Ct.) (Providence District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Stephen L. Spitz and Marie Pierre Menu-Orsinger*, Case No. CL-2012-0010797 (Fx. Co. Cir. Ct.) (Mason District)
11. *Eileen M. McLane, Fairfax County Zoning Administrator v. Bryce A. Schwarzmann*, Case No. 2012-0006422 (Fx. Co. Cir. Ct.) (Mason District)
12. *Eileen M. McLane, Fairfax County Zoning Administrator v. Aaron Samson and Mary Samson*, Case No. CL-2012-0008508 (Fx. Co. Cir. Ct.) (Mason District)
13. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Richard A. Haynes, Trustee, Joelle A. MacDonald, Trustee, and Harold N. Haynes Residential Trust*, Case No. CL-2012-0008644 (Fx. Co. Cir. Ct.) (Mason District)
14. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Memorial Venture, LLC*, Case No. CL-2012-0008505 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Sang Jin Hwang and Myung Sook Hwang*, Case No. CL-2012-0010800 (Fx. Co. Cir. Ct.) (Mount Vernon District)

16. *Eileen M. McLane, Fairfax County Zoning Administrator v. Antoniel F. Deleon and Estela C. Barrios*, Case No. CL-2012-0010803 (Fx. Co. Cir. Ct.) (Mason District)
17. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Tri Le and Nancy Thai*, Case No. CL-2012-0010804 (Fx. Co. Cir. Ct.) (Mason District)
18. *Eileen M. McLane, Fairfax County Zoning Administrator v. MY Leesburg Pike, LLC*, Case No. CL-2012-0011300 (Fx. Co. Cir. Ct.) (Mason District)
19. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Carlos Eduardo Perdomo*, Case No. CL-2012-0011298 (Fx. Co. Cir. Ct.) (Springfield District)
20. *Eileen M. McLane, Fairfax County Zoning Administrator v. Washington Gastroenterology, PLLC*, Case No. CL-2012-0011301 (Fx. Co. Cir. Ct.) (Mason District)
21. *Eileen M. McLane, Fairfax County Zoning Administrator v. Stuart H. McIntyre, Hispanos Multiservice, and Air Club Travel*, Case No. CL-2012-0011302 (Fx. Co. Cir. Ct.) (Mason District)
22. *Eileen M. McLane, Fairfax County Zoning Administrator v. Gregory L. Kinzelman*, Case No. CL-2012-0012264 (Fx. Co. Cir. Ct.) (Mason District)
23. *Eileen M. McLane, Fairfax County Zoning Administrator v. Orlando Camacho and Yolanda Camacho*, Case No. CL-2012-0012541 (Fx. Co. Cir. Ct.) (Lee District)

24. *Eileen M. McLane, Fairfax County Zoning Administrator and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Michelle Sotiropoulos*, Case No. CL-2012-0012540 (Fx. Co. Cir. Ct.) (Dranesville District)
25. *Eileen M. McLane, Fairfax County Zoning Administrator, and Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. John V. Kearney*, Case No. CL-2012-0012916 (Fx. Co. Cir. Ct.) (Lee District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ruben R. Nunez and Lucila N. Nunez*, Case No. CL-2012-0013470 (Fx. Co. Cir. Ct.) (Braddock District)
27. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ida Medina and Jesus Medina*, Case No. CL-2012-0013482 (Fx. Co. Cir. Ct.) (Lee District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kim Living Trust, Hie C. Kim, Trustee, Hea J. Kim, Trustee, and Best Therapeutics, Inc.*, Case No. CL-2012-0013484 (Fx. Co. Cir. Ct.) (Sully District)
29. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John Hicks, Betty Pearson-Pavone, Dallas Hicks, Harold E. Pearson, Alice Hicks, and Edward Hicks*, Case No. CL-2012-0013536 (Fx. Co. Cir. Ct.) (Providence District)
30. *Eileen M. McLane, Fairfax County Zoning Administrator v. Rafael Antonio Trejo Nolasco*, Case Nos. GV12-017057 and GV12-017060 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
31. *Eileen M. McLane, Fairfax County Zoning Administrator v. Cory A. Miller*, Case No. GV12-019326 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

32. *Eileen M. McLane, Fairfax County Zoning Administrator v. Frank R. Tacaraya, Anthony R. Tacaraya, Richard Tacaraya, and Carlos Marin*, Case No. GV12-019320 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
33. *Michael R. Congleton, Property Maintenance Code Official for Fairfax County, Virginia v. Robert J. Stalker*, Case No. GV12-020651 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District/Town of Vienna)
34. *Eileen M. McLane, Fairfax County Zoning Administrator v. Hever Joel Rosales and Margarita Rosales*, Case No. GV12-019429 (Fx. Co. Gen. Dist. Ct.) (Lee District)
35. *Eileen M. McLane, Fairfax County Zoning Administrator v. Daniel Flores-Alvarez and Leonor Flores-Alvarez*, Case No. GV12-019430 (Fx. Co. Gen. Dist. Ct.) (Mason District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eagle Tattoo, Ltd., Giovan V. Nguyen, and Nhat T. Nguyen*, Case No. GV12-021957 (Fx. Co. Gen. Dist. Ct.) (Mason District)

And in addition:

- *Virginia Department of Transportation, et al. v. United States Environmental Protection Agency, et al., 1:12cv775*

Supervisor Foust seconded the motion and it carried by unanimous vote.

**DET:det**

At 3:22 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

#### **ACTIONS FROM CLOSED SESSION**

44. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:22 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements 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 Board during the closed session. Supervisor Foust seconded the motion and it carried by

unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

45. **APPOINTMENT OF MR. DAVID ROHRER AS DEPUTY COUNTY EXECUTIVE** (3:23 p.m.)

Supervisor Gross moved the appointment of David Rohrer, Chief of Police, to the position of Deputy County Executive with responsibility for public safety functions, with an annual salary of \$191,168, effective October 20, 2012. Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Supervisor Gross announced that Deputy County Executive Rob Stalzer's new title would be Deputy County Executive for Planning, Development and Transportation.

Chairman Bulova announced that Mr. Rohrer was in the auditorium and asked that he stand and be recognized.

The question was called on the motion and it carried by unanimous vote.

**AGENDA ITEMS**

46. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2012-MA-004 (JOOAN PEACE, INCORPORATED) (MASON DISTRICT)** (3:25 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 2012-MA-004 until **October 16, 2012, at 3:30 p.m.** Supervisor McKay and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

47. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-S-077-05 (BROOKFIELD-BEVERLY ROAD ASSOCIATES, LIMITED PARTNERSHIP) (SULLY DISTRICT)** (3:26 p.m.)

The application property is located at 4320, 4335, and 4368 Chantilly Shopping Center, Chantilly, 20151, Tax Map 44-1 ((9)) A, B, C, D1, E2, F2 and F3.

Mr. Francis A. McDermott reaffirmed the validity of the affidavit for the record.

Supervisor Herrity disclosed that he had received campaign contributions in excess of \$100 from the following:

- Robert Frank Pence, Agent for the Applicant
- Francis A. McDermott, Attorney for the Applicant

Supervisor Frey disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Robert Frank Pence, Agent for the Applicant, on behalf of Pence-Friedel Developers, Incorporated, now known as The Pence Group, and on behalf of The Pence Group, neither of which corporation is a party to this application

Brent Krasner, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Mr. McDermott had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Following the public hearing, Mr. Krasner presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of Special Exception Amendment Application SEA 88-S-077-05, subject to the development conditions dated July 30, 2012. Supervisor Herrity and Supervisor McKay seconded the motion and it carried by unanimous vote.

48. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 90-L-050-03 (SUNOCO, INCORPORATED (R&M))**

**AND**

**PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 90-L-045-03 (SUNOCO, INCORPORATED (R&M) (LEE DISTRICT))** (3:34 p.m.)

- (O) The Proffered Condition Amendment Application PCA 90-L-050-03 property is located in the Southwest quadrant of the intersection of Old Keene Mill Road and Springfield Boulevard, Tax Map 80-4 ((1)) 11 and 11A1.

The Special Exception Amendment Application SEA 90-L-045-03 property is located at 7025 and 7037 Old Keene Mill Road, Springfield, 22150, Tax Map 80-4 ((1)) 11 and 11A1.

Ms. Sara V. Mariska reaffirmed the validity of the affidavit for the record.

St. Clair Williams, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Mariska had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Mr. Williams presented the staff and Planning Commission recommendations.

Supervisor McKay moved:

- Approval of Proffered Condition Amendment Application PCA 90-L-050-03 subject to proffers consistent with those dated September 20, 2012.
- Approval of Special Exception Amendment Application SEA 90-L-045-03, subject to the development conditions dated September 24, 2012.
- Modification of the minimum rear yard requirement to permit a rear yard of 10.4 feet.
- Approval of a parking reduction, as permitted in a commercial revitalization district (CRD).

Supervisor Foust seconded the motion and it carried by unanimous vote.

49. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-A-001-02 (BOARD OF SUPERVISOR’S OWN MOTION)**

**AND**

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 87-A-011-02 (BOARD OF SUPERVISOR’S OWN MOTION) (BRADDOCK DISTRICT)** (3:41 p.m.)

(O’s) The application property is located in the southeast quadrant of the intersection of Little River Turnpike and Olley Lane, Tax Map 58-4 ((1)) 47A1, 47A2 and 47L, and Tax Map 58-4 ((1)) 41A.

Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning reaffirmed the validity of the affidavit for the record.

Chairman Bulova disclosed that she had received contributions in excess of \$100 from the following:

- Stephen M. Cumbie, Chairman and Trustee on the Inova Health System Foundation Board
- Supervisor Penelope A. Gross, a Member of the Board and a Trustee on the Inova Health System Foundation Board

- Mary Agee, a Trustee on the Inova Health System Foundation Board

Supervisor Herrity disclosed that he had received contributions in excess of \$100 from the following:

- Jon Peterson, a Trustee on the Inova Health Care Services Board
- Todd A. Stottlemyer, A Trustee on the Inova Health System Foundation Board

Supervisor Foust disclosed that he attended, with his spouse, the Inova Health System Foundation's 2011 Annual Gala with complimentary tickets having a face value in excess of \$100 each

Supervisor Gross disclosed that she:

- Is a Trustee on the Inova Health System Foundation's Board
- Attended with her spouse the Inova Health System Foundation's 2011 Annual Gala with complimentary tickets having a face value in excess of \$100 each

Supervisor Frey disclosed that he:

- Received a contribution in excess of \$100 from Todd A. Stottlemyer, a Trustee on the Inova Health System Foundation Board
- Is a Trustee on the Inova Health Care Services Board

Supervisor Cook disclosed that he had received contributions in excess of \$100 from the following:

- Supervisor Michael R. Frey, a member of the Board and a Trustee on the Inova Health Care Services Board
- Todd A. Stottlemyer, a Trustee on the Inova Health System Foundation Board

Supervisor Hyland disclosed that he is a Trustee on the Inova Health Care Services Board.

Laura Gumkowski, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Abrahamson had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Chairman Bulova noted that earlier today the Board recognized the Olley Glen campus.

Following the public hearing, Ms. Gumkowski presented the staff and Planning Commission recommendations.

Supervisor Cook moved:

- Approval of Proffered Condition Amendment Applications PCA 87-A-011-02 and PCA 89-A-001-02, subject to the proffers dated May 4, 2012.
- Reaffirmation of the waiver of the service drive.
- Reaffirmation of the modification of screening and waivers of barriers in favor of that provided on the Generalized Development Plan/Special Exception Amendment plat and proffered conditions.

Supervisor Foust seconded the motion and it carried by unanimous vote.

50. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 92-H-015 (GBI CORPORATION) (DRANESVILLE DISTRICT)** (3:51 p.m.)

(O) The application property is located in the Northeast quadrant of the intersection of Sunrise Valley Drive and Dulles Town Boulevard, Tax Map 15-4 ((1)) 3E.

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

Kris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Ms. Strobel had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and she proceeded to present her case.

Following the public hearing, Ms. Abrahamson presented the staff and Planning Commission (PC) recommendations.

Supervisor Foust moved:

- Approval of Proffered Condition Amendment Application PCA 92-H-015, subject to the proffers dated June 13, 2012.

- Modification of the barrier requirement between the proposed child care center and the adjacent multi-family development to the south.
- Modification of the peripheral parking lot landscaping requirement.
- Modification of the ten-year tree canopy requirement.

Supervisor Hyland and Supervisor Smyth jointly seconded the motion and it carried by unanimous vote.

(NOTE: On September 13, 2012, the PC approved Final Development Plan Amendment Application FDPA 92-H-015, subject to the development conditions dated June 28, 2012.)

51. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2010-PR-021 [CAPITAL ONE BANK (USA) NA]**

**AND**

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 92-P-001-08 [CAPITAL ONE BANK (USA) NA] (PROVIDENCE DISTRICT) (3:57 p.m.)**

(O's) The Rezoning Application RZ 2010-PR-021 property is located east of I-495, north of Route 123, and southwest of Scotts Crossing Road, Tax Map 29-4 ((5)) A2.

The Proffered Condition Amendment Application PCA 92-P-001-08 property is located east of I-495, north of Route 123, and southwest of Scotts Crossing Road, less and except the vacated portions of Old Springhouse Road, Tax Map 29-4 ((5)) A2 pt.

Mr. Antonio J. Calabrese reaffirmed the validity of the affidavit for the record.

Supervisor Gross disclosed that she had received an in-kind contribution in excess of \$100 from the following:

- John J. Lavoie, Cooley LLP

Supervisor Frey disclosed that he had received a contribution in excess of \$100 from the following:

- 4501 Daly L.P., although 4501 Daly L.P. is not associated with this application, its General Partner, William H. Gordon, is also a shareholder of William H. Gordon Associates, Incorporated, which corporation is an agent of the applicant listed in Paragraph 1(a)

Suzanne Lin, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a brief description of the application and site location.

Mr. Calabrese had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case.

Chairman Bulova noted that the first speaker, Mr. Clark Tyler, was chair of the committee which worked on the vision of Tysons Corner.

Following the public hearing, which included testimony by two speakers, Supervisor Foust and Chairman Bulova submitted items for the record.

Ms. Lin presented the staff and Planning Commission recommendations.

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2010-PR-021, from the C-3 and HC Districts to the PTC and HC Districts, subject to the proffers dated September 21, 2012.
- Approval of Proffered Condition Amendment Application PCA 92-P-001-08.

Supervisor Smyth also moved the following series of modification and waiver requests which apply to Rezoning Application RZ 2010-PR-021:

- Modification of Section 2-414B of the Zoning Ordinance requiring a 75-foot setback of commercial buildings from I-495 to that shown on the Conceptual Development Plan (CDP).
- Deviation from the tree preservation target to allow tree canopy to be provided through new tree planting as depicted on the plan.
- Waiver to allow the use of underground stormwater management and Best Management Practices in a residential development, subject to waiver #6835-WPFM-001-1.
- Modification of the Public Facilities Manual (PFM) requirements to allow a reduced planting width from eight feet to four feet with structural planting cells.
- Waiver of the Countywide Trails Plan requirement to provide a regional trail alongside I-495 in favor of sidewalks shown on the CDP.

Supervisor Foust seconded the motion.

Following discussion concerning the vision of Tysons, the substantial proffer package and its precedent, Capitol One's investment in the County, and the importance of the Jones Branch Connector to make Tysons work, the question was called on the motion and it carried by unanimous vote.

52. **BOARD ADJOURNMENT** (4:36 p.m.)

The Board adjourned.

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