



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
July 26, 2016**

This does not represent a verbatim transcript of the Board Meeting and is subject to minor change. For the most up-to-date version, check the website <http://www.fairfaxcounty.gov/bosclerk/main.htm>. This document will be made available in an alternative format upon request. Please call 703-324-3151 (VOICE), 711 (TTY).

15-16

DET:det

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, July 26, 2016, at 9:36 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Linda Q. Smyth, Providence District
- Supervisor Daniel G. Storck, Mount Vernon District

Others present during the meeting were Edward L. Long Jr., County Executive; Elizabeth Teare, 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; Denise A. Long, Chief Deputy Clerk to the Board of Supervisors; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:36 a.m.)

Chairman Bulova asked everyone to keep in thoughts the families of Mr. John Adair, who previously served as Auditor to the Board, and Ms. Joan Rogers, both residents of Springfield, who died recently.

Supervisor Herrity stated that Mr. Adair served as the Board's Auditor for 12 years. During that time he identified and resolved many issues and problems. He was known as a hard worker, a friend, and a person of truly high integrity.

Supervisor Herrity noted that Ms. Rogers served as the president of Fairfax Railroad Station Museum, an important meeting place and a focal point for the community. Ms. Rogers also devoted her time to the Girl Scouts, the General Federation of Women's Clubs, and many other local community organizations.

Supervisor Hudgins asked everyone to keep in thoughts the family and co-workers of Ms. Heidi Merkel, a wonderful County staff member, who died recently. Ms. Merkel was with the County since 1995 in the Department of Planning and Zoning; she was especially endeared to the Hunter Mill District Office for her involvement in many of its planning efforts. Supervisor Hudgins noted Ms. Merkel's ability to work with citizens and to be a good listener and asked that she be remembered for her wonderful spirit, her brilliance in land-use planning, and the contributions she made to better the community.

Supervisor Gross asked everyone to keep in thoughts the family of Mr. Joe Montano, who managed the Manassas Office of Senator Tim Kaine and lived in the Mason District. Mr. Montano was known not only for his political expertise but also for his constituent service abilities. He died last evening and arrangements are underway. Supervisor Gross noted that this was a stunning blow to those who knew him and are following the current political process.

Supervisor McKay added that Mr. Montano was well-known long before his work for Senator Kaine, but in working for the Senator, he attended every imaginable event. He noted that Mr. Montano was very active in the Filipino community, a pleasure to work with, politically astute, and always made a positive contribution to the community.

AGENDA ITEMS2. **PRESENTATION OF A RESOLUTION OF RECOGNITION AND THE 2016 VIRGINIA COX CONSERVES HERO AWARD TO MR. ALAN FORD** (9:42 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to Mr. Alan Ford for receiving the 2016 Virginia Cox Conserves Hero Award and thanked him for his significant work. Supervisor Foust seconded the motion.

Chairman Bulova noted that because of Mr. Ford's efforts, the County is the recipient of a gift from Cox.

Supervisor Foust stated that he has worked with Mr. Ford for many years, that he is a resident of the Dranesville District, and thanked him for his efforts.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Chairman Bulova recognized Kathryn Falk, Vice President, Cox Communications, for presentation of the 2016 Virginia Cox Conserves Hero Award to Mr. Ford.

3. **RESOLUTION OF RECOGNITION PRESENTED TO THE KOINONIA FOUNDATION** (9:51 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to the Koinonia Foundation for its noteworthy and dedicated service in the County and extended congratulations on its fiftieth anniversary. Supervisor Herrity and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

4. **RESOLUTION OF RECOGNITION PRESENTED TO MS. EDYTHE KELLEHER** (10:02 a.m.)

Chairman Bulova announced that this resolution was jointly requested by Supervisor McKay, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor Storck, and herself.

Supervisor McKay moved approval of the Resolution of Recognition presented to Ms. Edythe Kelleher for 14 years of distinguished and noteworthy service on the Vienna Town Council. Supervisor Gross and Supervisor Hudgins jointly seconded the motion.

Chairman Bulova noted Ms. Kelleher's many contributions to the County, as contained in the resolution, and recognized Mayor Laurie A. DiRocco of the Town of Vienna and warmly welcomed her to the Board Auditorium.

Following accolades from several Board Members, the question was called on the motion and it carried by unanimous vote.

EBE:ebe

5. **10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (10:20 a.m.)

(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard July 26, 2016," as distributed. Chairman Bulova seconded the motion.

Supervisor Hudgins announced that Beatrice Malone, the Hunter Mill District Representative to the Small Business Commission, passed away last month.

Supervisor Gross announced that Stephanie Mensh, the Mason District Representative to the Human Services Council, has resigned.

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

The full list of Appointments is as follows:

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Braddock, Lee, and Springfield District Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Single Family), Engineer/Architect/ Planner #2, and the Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Dranesville District, the Mount Vernon Business, and the Providence District Representatives.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

The Board deferred the appointment of the At-Large #2 and #3 Representatives.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Mason and Mount Vernon District Representatives.

ATHLETIC COUNCIL

The Board deferred the appointment of the Mason District Alternate Representative.

AUDIT COMMITTEE

The Board deferred the appointment of the At-Large #1 Representative.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Reappointment of:

- Hon. Emilie Miller as the Providence District Representative
- Ms. Olga Hernandez as the Sully District Representative

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #4 Representative.

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

The Board deferred the appointment of the At-Large #3 Representative.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Lee and Providence District Representatives.

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Lee and Mount Vernon District Representatives.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

Appointment of:

- Ms. Jade Harberg as the At-Large Chairman's District Representative

Reappointment of:

- Mr. Jonathan Kiell as the Mount Vernon District Representative

The Board deferred the appointment of the Hunter Mill, Providence, and Sully District Representatives.

COMMISSION FOR WOMEN

Appointment of:

- Ms. Reena T. Desai as the Hunter Mill District Representative

COMMISSION ON AGING

Appointment of:

- Mr. Michael Perel as the Braddock District Representative

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

Appointment of:

- Mr. William J. Murphy as the Braddock District Representative

The Board deferred the appointment of the Lee and Springfield District Representatives.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Confirmation of:

- Mr. Morgan Jameson as the Federation of Citizens Association's Representative

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

CONSUMER PROTECTION COMMISSION

Reappointment of:

- Ms. Jacqueline G. Rosier as the Fairfax County Resident #1 Representative
- Mr. Dennis D. Kirk as the Fairfax County Resident #4 Representative

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the At-Large, Mason, Mount Vernon, and Springfield District Representatives.

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

Appointment of:

- Ms. Linnie Haynesworth as the At-Large #5 Citizen Representative
- Ms. Esther Lee as the At-Large #6 Citizen Representative

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

The Board deferred the appointment of the Sully District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the At-Large Fairfax County and Mason District Representatives.

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Appointment of:

- Mr. Robert Shenk as the Mount Vernon District Representative

FAIRFAX COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

Reappointment of:

- Mr. Thomas M. Stanners as the At-Large #3 Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

The Board deferred the appointment of the At-Large #1 Chairman's, Mount Vernon, and Providence District Representatives.

HEALTH SYSTEMS AGENCY BOARD

Reappointment of:

- Ms. Sally Patterson as the Consumer #3 Representative

The Board deferred the appointment of the Consumer #2 and Provider #1 Representatives.

HISTORY COMMISSION

The Board deferred the appointment of the At-Large #2 and Citizen #7 Representatives.

HUMAN SERVICES COUNCIL

Reappointment of:

- Mr. Gerald V. Poje as the Hunter Mill District #2 Representative

The Board deferred the appointment of the At-Large #2 Chairman's, Dranesville District #2, Mason District #2, Mount Vernon District #1, and Springfield District #1 Representatives.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

Confirmation of:

- Ms. Anne Kanter as the League of Women Voters' Representative

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Appointment of:

- Mr. Alan M. Schuman as the Dranesville District Representative

The Board deferred the appointment of the Lee and Providence District Representatives.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

Reappointment of:

- Ms. Leslie A. Dey as the Springfield District Representative

The Board deferred the appointment of the Braddock, Dranesville, Hunter Mill, Lee, Mason, Mount Vernon, and Providence District Representatives.

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

The Board deferred the appointment of the Citizen At-Large Representative.

REDEVELOPMENT AND HOUSING AUTHORITY

The Board deferred the appointment of the Sully District Representative.

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #1 and #4 Representatives.

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #2, #5, #7, #8, and #9(Youth) Representatives.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Condo Owner and the Tenant Member #2 and #3 Representatives.

TRANSPORTATION ADVISORY COMMISSION

Reappointment of:

- Mr. Micah Himmel as the Providence District Representative
- Mr. Eric Thiel as the Springfield District Representative

TREE COMMISSION

Reappointment of:

- Ms. Karen Campblin as the Sully District Representative

The Board deferred the appointment of the Mason District Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Residential Owners and HOA/Civic Association #1 Representative.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

Appointment of:

- Ms. Maria Teresa Valenzuela as the Citizen appointed by BOS #4 Representative

Confirmation of:

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

The Board deferred the appointment of the Citizen appointed by BOS #3 Representative.

WATER AUTHORITY

Reappointment of:

- Mr. Richard Dotson as the Providence District Representative

WETLANDS BOARD

The Board deferred the appointment of the At-Large #1 Representative.

DET:det

6. **ADMINISTRATIVE ITEMS** (10:21 a.m.)

Supervisor Gross moved approval of the Administrative Items, the second to which was inaudible.

Chairman Bulova called the Board's attention to Admin 6 – Authorization to Advertise a Public Hearing on the County and Schools' Fiscal Year (FY) 2016 Carryover Review to Amend the Appropriation Level in the FY 2017 Revised Budget Plan and provided a brief summation.

Supervisor Herrity called the Board's attention to Admin 3 – Authorization to Advertise a Public Hearing on Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Reference Citations for Nursery Schools, Child Care Centers, and Veterinary Hospitals; Special Permit Submission Requirements; Variance Standards; and Clarification of the Definition of Public Use.

Discussion ensued, concerning the cost of the certified plat that would be required for home child care and home office permit applications, with input from Leslie B. Johnson, Zoning Administrator, Department of Planning and Zoning (DPZ), concerning plats and floor plans.

Discussion continued, concerning waivers and advertising language, with additional input from Ms. Johnson and Andrew Hushour, Deputy Zoning Administrator, DPZ.

Discussion continued regarding standards applied to granting waivers of submission requirements.

Following a query by Supervisor Foust concerning home offices, with input from Ms. Johnson concerning the difference between home occupation and home professional office permits and submission requirements, discussion continued regarding written requirements in lieu of waivers.

Discussion continued, with additional input from Ms. Johnson, concerning advertisement language.

Chairman Bulova asked to amend the motion to defer Admin 3 until later in the meeting, and this was accepted.

Supervisor Storck called the Board's attention to Admin 8 – Additional Time to Commence Construction for Special Exception SE 2013-MV-011, Kimberly B. And Kelly P. Campbell (Mount Vernon District) and Admin 12 – Additional Time to Obtain a Non-Residential Use Permit (Non-RUP) for Special Exception Amendment SEA 2012-MV-001, Woodlawn Hospitality, LLC (Mount Vernon District). Supervisor Storck stated that this will be the last time the Board will consider Special Exception SE 2013-MV-011 for additional time and thanked staff for the expeditious handling of Special Exception Amendment SEA 2012-MV-001. Supervisor Gross noted the need for more discussion with staff concerning requests for additional time.

The question was called on the motion, as amended, with the exception of Admin 3, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

(NOTE: Later in the meeting, action was taken regarding Admin 3. See Clerk's Summary Item #59.)

ADMIN 1 – AUTHORIZATION FOR THE HEALTH DEPARTMENT TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF EMERGENCY MANAGEMENT (VDEM) TO ENHANCE REGIONAL MEDICAL COUNTERMEASURE DISPENSING CAPABILITIES

Authorized the Health Department to apply for and accept grant funding, if received, from VDEM in the amount of \$225,353 to support the acquisition of equipment and medical supplies needed to enhance the region's ability to conduct mass dispensing operations in the event of a large-scale public health emergency. There is no local cash match required.

ADMIN 2 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO CHAPTER 4 (GEOTECHNICAL GUIDELINES) OF THE PUBLIC FACILITIES MANUAL (PFM) REGARDING EXPANSIVE SOILS AND SLOPE STABILITY

- (A) Authorized the advertisement of a public hearing to be held before the Planning Commission at 8:15 p.m. on September 15, 2016, and before the Board on **November 1, 2016, at 4 p.m.**, to consider proposed amendments to the PFM, Chapter 4 (Geotechnical Guidelines), regarding expansive soils and slope stability.

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING REFERENCE CITATIONS FOR NURSERY SCHOOLS, CHILD CARE CENTERS, AND VETERINARY HOSPITALS; SPECIAL PERMIT SUBMISSION REQUIREMENTS; VARIANCE STANDARDS; AND CLARIFICATION OF THE DEFINITION OF PUBLIC USE

(NOTE: Earlier in the meeting, this item was discussed and action was deferred until later in the meeting. See pages 10–11.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk’s Summary Item #59.)

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 33 (PAWNBROKERS AND PRECIOUS METALS AND GEMS DEALERS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 18, 2016, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 33 (Pawnbrokers and Precious Metals and Gem Dealers). If adopted, this ordinance would become effective on November 1, 2016.

ADMIN 5 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATIONS (PROVIDENCE 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>
2232-P16-3	Crown Castle, Inc. 1750 Tysons Boulevard Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-P16-4	Crown Castle, Inc. 1901 Chain Bridge Road Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-5	Crown Castle, Inc. 1601 Spring Gate Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-6	Crown Castle, Inc. 8300 Greensboro Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-7	Crown Castle, Inc. 1861 International Drive McLean, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-8	Crown Castle, Inc. 7900 Westpark Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-9	Crown Castle, Inc. 8200 Jones Branch Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-10	Crown Castle, Inc. 2214 International Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-P16-11	Crown Castle, Inc. 8400 Westpark Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-12	Crown Castle, Inc. 7553 Colshire Drive Falls Church, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-13	Crown Castle, Inc. 8221 Greensboro Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-14	Crown Castle, Inc. Intersection Tysons Blvd/ Park Run Drive McLean, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-15	Crown Castle, Inc. 1650 International Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-16	Crown Castle, Inc. 1500 Cornerside Boulevard Vienna, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-17	Crown Castle, Inc. 1650 Tysons Boulevard McLean, VA Providence District Accepted: May 3, 2016	September 30, 2016

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-P16-18	Crown Castle, Inc. 1576 Spring Hill Road Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-19	Crown Castle, Inc. 8027 Leesburg Pike Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-20	Crown Castle, Inc. 8293 Westpark Drive Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016
2232-P16-21	Crown Castle, Inc. 8517 Leesburg Pike Tysons, VA Providence District Accepted: May 3, 2016	September 30, 2016

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE COUNTY AND SCHOOLS’ FISCAL YEAR (FY) 2016 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2017 REVISED BUDGET PLAN

(A) (NOTE: Earlier in the meeting, this item was discussed. See page 10.)

Authorized the advertisement of a public hearing to be held before the Board on **September 20, 2016, at 10:30 a.m.**, on the County and Schools’ FY 2016 Carryover Review to Amend the Appropriation Level in the FY 2017 Revised Budget Plan.

ADMIN 7 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE (DOJ), OFFICE OF JUSTICE PROGRAMS, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT

Authorized the FCPD to apply for and accept grant funding, if received, from the US DOJ, Office of Justice Programs, Edward Byrne Memorial Justice Assistance

Grant in the amount of \$127,737. Funding will be used to purchase 33 Forward Infrared LS-X Compact Thermal Night Vision Monocular Devices for patrol operations and two forensic multimedia evidence work stations for the Special Investigations Unit to analyze audio/video evidence. No new positions will be created with this grant and no local cash match is required.

ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION SE 2013-MV-011, KIMBERLY B. AND KELLY P. CAMPBELL (MOUNT VERNON DISTRICT)

(AT) (NOTE: Earlier in the meeting, this item was discussed. See page 11.)

Approved the request for six months of additional time to commence construction for Special Exception SE 2013-MV-011 to November 13, 2016, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 9 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION SE 2011-PR-007, PAGE ANNANDALE ROAD ASSOCIATES, LLC (PROVIDENCE DISTRICT)

(AT) Approved the request for six months of additional time to commence construction for Special Exception SE 2011-PR-007 to January 19, 2017, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 10 – ADDITIONAL TIME TO OBTAIN A NON RESIDENTIAL USE PERMIT (NON-RUP) FOR SPECIAL EXCEPTION SE 2013-MA-002, TD BANK, N.A. (MASON DISTRICT)

(AT) Approved the request for 12 months of additional time to obtain a Non-RUP for Special Exception SE 2013-MA-002 to November 13, 2017, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 11 – ADDITIONAL TIME TO OBTAIN A NON-RESIDENTIAL USE PERMIT (NON-RUP) FOR SPECIAL EXCEPTION SE 2013-PR-021, TRUSTEES OF BRUEN CHAPEL UNITED METHODIST CHURCH AND MONTESSORI SCHOOL OF CEDAR LANE, INC. (PROVIDENCE DISTRICT)

(AT) Approved the request for 12 months of additional time to obtain a Non-RUP for Special Exception SE 2013-PR-021 to June 17, 2017, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 12 – ADDITIONAL TIME TO OBTAIN A NON-RESIDENTIAL USE PERMIT (NON-RUP) FOR SPECIAL EXCEPTION AMENDMENT SEA 2012-MV-001, WOODLAWN HOSPITALITY, LLC (MOUNT VERNON DISTRICT)

(AT) (NOTE: Earlier in the meeting, this item was discussed. See page 11.)

Approved the request for six months of additional time to obtain a Non-RUP for Special Exception Amendment SEA 2012-MV-001 to October 25, 2016, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

DAL:dal

7. **A-1 – APPROVAL OF A PARKING REDUCTION FOR RESTON EXCELSIOR (HUNTER MILL DISTRICT)** (10:49 a.m.)

On motion of Supervisor Hudgins, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 16.4 percent for the proposed use at Reston Excelsior pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Section 11-102, Paragraph 5, based on an analysis of the parking requirements for the site's proposed use, Parking Study #9523-PKS-001-1. The requested reduction is subject to the conditions outlined in the Board Agenda Item.

8. **A-2 – APPROVAL OF STANDARD MAINTENANCE AGREEMENTS FOR STORMWATER MANAGEMENT FACILITIES** (10:50 a.m.)

On motion of Supervisor Gross, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the standard maintenance agreements for stormwater management facilities.

9. **A-3 – AUTHORIZATION TO EXECUTE AN AMENDMENT TO THE DEED OF GROUND LEASE BETWEEN THE BOARD OF SUPERVISORS (BOARD) AND THE NORTHERN VIRGINIA REGIONAL PARK AUTHORITY (NVRPA) (MOUNT VERNON DISTRICT)** (10:50 a.m.)

On motion of Supervisor Storck, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute an amendment, as contained in Attachment 2 of the Board Agenda Item, to the Deed of Ground Lease Board of Supervisors of Fairfax County and the Northern Virginia Regional Park Authority dated December 22, 2010.

10. **A-4 – GRANT AGREEMENT STORMWATER LOCAL ASSISTANCE FUND (SLAF) 15-05 AMENDMENT NUMBER 1 BETWEEN THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (VDEQ) AND THE COUNTY FOR THE PINECREST GOLF COURSE – TURKEYCOCK RUN STREAM RESTORATION PROJECT (MASON DISTRICT)** (10:51 a.m.)

On motion of Supervisor Gross, jointly seconded by Supervisor Foust and Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive or his designee to sign the Grant Agreement SLAF 15-05 Amendment Number One with VDEQ to provide SLAF grant funds to the County for the design and construction of the Pinecrest Golf Course – Turkeycock Run Stream Restoration project.

11. **A-5 – APPROVAL OF AN AMENDED PARKING REDUCTION FOR THE ROLLING-FULLERTON PHASE 4, LOT G WAREHOUSES (MOUNT VERNON DISTRICT)** (10:52 a.m.)

On motion of Supervisor Storck, seconded by Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of 39.2 percent (78 fewer spaces) for the Springs Montessori School located at the Rolling-Fullerton Phase 4, Lot G Warehouses, 7719 Fullerton Road, pursuant to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Section 11-102, Paragraph 4(B), based on an analysis of the parking requirements for each use on the site and a parking study, #2505-PKS-004, of the hourly parking accumulation characteristics, on the conditions as outlined in the Board Agenda Item.

12. **A-6 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF REVENUE REFUNDING BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR THE BENEFIT OF BURGUNDY FARM COUNTRY DAY SCHOOL, INCORPORATED (LEE DISTRICT)** (10:53 a.m.)

- (R) On motion of Supervisor McKay, jointly seconded by Supervisor Foust and Chairman Bulova, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted a Resolution for the EDA to issue up to \$10.5 million in bonds for the benefit of Burgundy Farm Country Day School, Incorporated.

13. **A-7 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF REVENUE REFUNDING BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR THE BENEFIT OF GOODWIN HOUSE INCORPORATED (MASON DISTRICT)** (10:53 a.m.)

(R) On motion of Supervisor Gross, seconded by Supervisor Foust, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted a Resolution for the EDA to issue up to \$150 million in revenue bonds for the benefit of Goodwin House Incorporated.

14. **A-8 – APPROVAL OF FISCAL YEAR (FY) 2016 YEAR-END PROCESSING** (10:54 a.m.)

(SAR) On motion of Supervisor McKay, seconded by Chairman Bulova, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and:

- Authorized staff to process payment vouchers for items previously approved and appropriated in FY 2016 for the interim period from July 1 until the Board approves the FY 2016 Carryover Review, which is scheduled for action on September 20, 2016.
- Approved Supplemental Appropriation Resolution AS 16290 for one County fund requiring an additional appropriation for FY 2016.

15. **A-9 – APPROVAL OF THE DISTRIBUTION OF PLAIN LANGUAGE EXPLANATIONS FOR THE 2016 REFERENDUM ON A MEALS TAX AND THE 2016 BOND REFERENDA FOR TRANSPORTATION, PARKS AND PARK FACILITIES, AND HUMAN SERVICES AND COMMUNITY DEVELOPMENT** (10:55 a.m.)

Supervisor McKay moved that the Board concur in the recommendation of staff and approve the plain language explanations for each of the four referendum elections and authorize the translation, printing, and distribution of all four, so the explanations can be made available online and then distributed at County absentee voting sites prior to Election Day and at all polling places on November 8, 2016. Chairman Bulova seconded the motion.

With regard to the 2016 Bond Referenda for Transportation, Supervisor Cook asked to amend the motion, after the identification of the Washington Metropolitan Area Transit Authority, to include the word “Metro” in parentheses. This was accepted.

To ensure consistency with the language, Supervisor McKay asked that the word “Metro” be included throughout the entire Bond.

Supervisor Foust called the Board's attention to Attachment Two of the Board Agenda Item, regarding the meals tax, the first sentence of the last paragraph, and asked to change the word "will" to "would," and discussion ensued.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked to amend the motion to change the word "will" to "may." This was accepted.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

With regard to revenue generation, Supervisor L. Smyth raised a question regarding the dollar amount to be included in the plain language explanation pamphlet; discussion ensued, with input from Joseph Mondoro, Chief Financial Officer.

Supervisor Herrity noted that Prince William County and Loudoun County currently do not have a meals tax and raised a question regarding inclusion of that information in the pamphlet, and discussion ensued.

Following discussion, with input from Erin Ward, Senior Assistant County Attorney, Supervisor Herrity asked to amend the motion to include in the pamphlet that Prince William and Loudoun Counties do not have a meals tax. Supervisor Cook seconded the motion and it **FAILED** by a recorded vote of seven, Supervisor Cook, Supervisor Herrity, and Supervisor L. Smyth voting "AYE."

Following additional discussion, the question was called on the main motion and it **CARRIED** by a recorded vote of nine, Supervisor Herrity voting "NAY."

16. **A-10 – BOARD APPROVAL OF THE BOND PAMPHLET FOR THE 2016 REFERENDUM ON A MEALS TAX** (11:08)

(BONDS) Supervisor McKay moved that the Board concur in the recommendation of staff and approve the pamphlet for the Meals Tax referendum to be held in conjunction with the General Election on November 8, 2016, and authorized staff to mail it to all County households. Supervisor Hudgins seconded the motion.

Discussion ensued, regarding language in the bond pamphlet, with input from Joseph Mondoro, Chief Financial Officer, Department of Management and Budget.

Supervisor L. Smyth called the Board's attention to the section of the pamphlet titled *What is a Meals Tax?* and asked to amend the motion to rearrange the wording and group the items that the meals tax would apply to versus the items it does not apply to, so that they are not interspersed. Following discussion, with input from Mr. Mondoro, this was accepted.

Supervisor Herrity called the Board's attention to the section of the pamphlet titled *Many Local Jurisdictions Have a Meals Tax*, and asked to amend the motion to make two columns in that section and title it Meals Taxes in Neighborhood Jurisdictions and indicate that Loudoun and Prince Williams County do not have a meals tax. Following discussion, with input from Erin Ward, Senior Assistant County Attorney, this was not accepted.

Supervisor Herrity called the Board's attention to the section of the pamphlet titled *Why a Meals Tax Now*, item number four, and moved to amend the motion to revise the second sentence by removing the word "core," before the word "County," so that the sentence reads: "...reduce spending on County services,..." Supervisor Cook seconded the motion. Following discussion, the question was called on the amendment to the motion and it **FAILED** by a recorded vote of seven, Supervisor Cook, Supervisor Herrity, and Supervisor L. Smyth voting "AYE."

Supervisor Gross called the Board's attention to the section of the pamphlet titled *Exceptions to the Meals Tax Include*, the last bulleted item regarding nonprofits and organizations that serve meals as a fundraising activity, and asked unanimous consent that the Board direct staff to provide information regarding the limits to this exception. Following discussion, with input from Ms. Ward, without objection, it was so ordered.

The question was called on the main motion, as amended, and it **CARRIED** by a recorded vote of nine, Supervisor Herrity voting "NAY."

17. **A-11 – APPROVAL OF A DRAFT BOARD MEETING SCHEDULE FOR CALENDAR YEAR (CY) 2017** (11:24 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the Board's draft meeting schedule for January through December, 2017. Supervisor Foust seconded the motion.

Following discussion regarding the draft meeting schedule, Supervisor Gross asked unanimous consent that the Board direct the Clerk to the Board to provide a calendar of proposed 2017 committee meeting dates. Without objection, it was so ordered.

Chairman Bulova noted that this is a draft meeting schedule and will be brought before the Board for approval at its first meeting in January and some of the meeting dates are subject to change.

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

18. **A-12 – SUPPORT EFFORTS TO MODIFY FLIGHT PATHS SOUTH OF RONALD REAGAN WASHINGTON NATIONAL AIRPORT** (11:39 a.m.)

Following a summation of the item by Chairman Bulova, Supervisor Storck moved that the Board concur in the recommendation of staff and:

- Support efforts to modify flight paths south of Ronald Reagan Washington National Airport to keep aircraft more centered over the Potomac River on departures as well as modify waypoints to move departing aircraft farther down the Potomac River before turning east or west to reduce the impact of aircraft noise on County residents.
- Encourage that outreach efforts be undertaken by the Federal Aviation Administration (FAA) or other implementing agencies to any potentially impacted neighborhoods and stakeholders during the consideration of the change to these flight paths or any flight paths in the future. Notice of this action will be conveyed to the Reagan National Airport Community Working Group, the Metropolitan Washington Airports Authority, the FAA, and other stakeholders who may express interest.

Following a brief discussion, the question was called on the motion and it carried by unanimous vote.

19. **I-1 – CONTRACT AWARD – MEDICAL DETOXIFICATION SERVICES** (11:43 a.m.)

The Board next considered an item contained in the Board Agenda announcing that staff is awarding contracts to Inova Comprehensive Addictions Treatment Services (CATS) and to Prince William Hospital d/b/a Novant Health. The contract term will begin on August 1, 2016, and terminate on June 30, 2019, with the option to renew for an additional two year period.

20. **I-2 – BELLE VIEW/NEW ALEXANDRIA COMMUNITY FLOODING AND AMENDMENT FOUR OF THE BELLE HAVEN WATERSHED FLOOD DAMAGE REDUCTION STUDY AGREEMENT BETWEEN THE COUNTY AND THE US ARMY CORPS OF ENGINEERS (MOUNT VERNON DISTRICT)** (11:43 a.m.)

The Board next considered an item contained in the Board Agenda announcing that the County Executive, on behalf of the County, will execute amendment number four to the Letter Agreement between the United States of America and Fairfax County, Virginia, for the Belle Haven Watershed Flood Damage Reduction Study to extend the effective date of the agreement to December 31, 2020.

ADDITIONAL BOARD MATTER21. **MOTION TO AUTHORIZE AN AMENDMENT TO THE TYSONS URBAN CENTER COMPREHENSIVE PLAN TO REVISE WORKFORCE DWELLING UNIT (WDU) RECOMMENDATIONS FOR-SALE HIGH-RISE CONDOMINIUM DEVELOPMENTS** (11:45 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and, in a joint Board Matter with Supervisor Foust and Supervisor L. Smyth, said that the Arbor Row development application (Proffered Condition Amendment/Conceptual Development Plan Amendment Application PCA/CDPA 2011-PR-023 and Final Development Plan Application FDP 2011-PR-023-04) was the first zoning case since the adoption of the new Tysons Comprehensive Plan in 2011 to include high-rise, for-sale condominiums. The case raised several issues related to workforce housing recommendations in the Tysons Plan. The Tysons Plan recommends providing 20 percent of all new housing as WDUs which may not be attainable in certain instances due to construction costs in high-rise condominium buildings (with high condo fees) such as Arbor Row. In March 2016, County staff formed the Tysons High-Rise Condominium WDU Advisory Committee to evaluate the existing WDU policy for high-rise condominiums and to develop recommendations to promote affordable home-ownership in Tysons. The Committee was chaired by former Planning Commissioner Walter Alcorn and included members of the Tysons Partnership, landowner developers in Tysons, and affordable housing providers and advocates. The Committee met six times to review the current for-sale provision of the Tysons Plan and consider possible changes. Regional experts presented a range of approaches to the Committee such as the inclusion of a payment to the Housing Trust Fund in-lieu-of providing WDUs. Critical points of the Committee's recommendations, which apply only to high-rise condominium projects in Tysons, are included with the written Board Matter.

To further consideration and implementation of these WDU Advisory Committee recommendations, an amendment to the Comprehensive Plan is required.

Therefore, Chairman Bulova moved that the Board authorize consideration of a Plan amendment to consider changes to the WDU recommendations in the Tysons Plan as they apply to high-rise condominium developments as recommended by the Tysons High-Rise Condominium WDU Advisory Committee. Supervisor L. Smyth seconded the motion.

Discussion ensued, regarding WDUs, with input from Fred Selden, Director, Department of Planning and Zoning.

Supervisor McKay asked unanimous consent that the Board direct staff to circulate the report regarding WDUs. Without objection, it was so ordered.

The question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Hudgins voting “NAY.”

22. **REQUEST FOR STAFF TO CONSIDER A COMPREHENSIVE PLAN AMENDMENT FOR HIGHER FLOOR AREA RATIO (FAR) IN CERTAIN INDUSTRIAL USE AREAS** (11:56 a.m.)

Chairman Bulova said that locating uses such as data centers and self-storage facilities in areas planned for industrial use can pose a particular challenge, even though these types of uses often are compatible with the County's overall Comprehensive Plan policies and support the goals of the County's Economic Success Plan. These uses tend to need higher building intensities, resulting in a conflict with the Comprehensive Plan FAR limitations for areas planned for industrial use. If these types of uses were to be reviewed from the perspective of Countywide Comprehensive Plan guidance rather than site specific guidance alone, the need for the Board to authorize and approve individual amendments to the Comprehensive Plan would be diminished. Creating such guidance would also be consistent with Goal 3 of the Economic Success Plan: to "improve the speed, consistency, and predictability of the development review process."

Therefore, Chairman Bulova moved that the Board authorize staff to draft a Policy Plan amendment that considers approaches to support higher FAR for proposed uses in areas planned for industrial use that meet certain criteria, such as, but not limited to, the following:

- Generate less traffic than the base Plan recommendation
- Avoid creating undesirable noise, environmental, and other impacts on surrounding non-residential [*sic*] areas
- Provide improvements to circulation or access, parking, landscaping, stormwater management, site or building design

Supervisor McKay seconded the motion.

Following a brief discussion, Chairman Bulova clarified the second bulleted item as follows:

- Avoid creating undesirable noise, environmental and other impacts on surrounding non-industrial areas

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

23. **REQUEST THAT COUNTY AGENCIES HAVE ACCESSIBLE OPTIONS FOR CITIZENS REGISTERING TO VOTE ONLINE** (11:58 a.m.)

Chairman Bulova said that in accordance with the National Voter Registration Act (NVRA), many County agencies, such as the Department of Family Services, the Community Services Board, and Libraries are required to offer customers an

opportunity to register to vote. Currently they are doing so by offering a paper voter registration application, which the applicant must take with them, fill out and mail in, or fill out there and leave to be submitted to the Elections Office.

Chairman Bulova noted that there is an opportunity for County Government to streamline and expand access to voter registration and to make it more efficient for those who have a Virginia Driver's license by providing them a way to register or update their registration online via the Department of Elections website.

Therefore, Chairman Bulova moved that the County Executive request every agency or office in County government that has an information desk, an intake desk, or other public serving desk, and has a computer with internet access easily available for public use, to make it available for voter registration, as well as actively ask all clients or applicants to register. From these computers, a customer with a Virginia driver's license could use the State Board of Elections on-line voter registration form to register or change their address. Agencies currently required to provide voter registration services under the NVRA are requested to incorporate on-line voter registration into their registration procedures in compliance with the NVRA.

Chairman Bulova noted that making this opportunity available to the public does not require special equipment and it reduces mistakes by ensuring that the information is entered directly into the system by the voter.

If this motion is approved, the Office of Elections will develop an information sheet for participating agencies. Interested agencies should contact Cameron Sasnett, Director of the Office of Elections, by phone at 703-324-4715 or by email at cameron.sasnett@fairfaxcounty.gov. Supervisor McKay seconded the motion.

Discussion ensued, regarding the distinction between "request" and "requirement," with input from Edward L. Long Jr., County Executive.

Discussion continued regarding the guidance and information to be conveyed to potential voters.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

Supervisor Gross asked unanimous consent that the Board direct staff to distribute the informational elections brochure to each magisterial district office. Without objection, it was so ordered.

24. **MOTION TO EXPEDITE AND CONCURRENTLY PROCESS DOMINION POWER APPLICATION (SPRINGFIELD DISTRICT)** (12:09 p.m.)

Supervisor Herrity said that Dominion Power recently submitted an application to construct a security fence 15 to 20 feet in height replacing the existing fence at approximately the same location around the perimeter of an existing substation facility, known as the Ox Substation. The property is located at 8234 Roseland Drive. The applicant is hoping to begin construction in March 2018 after securing all necessary permits.

To facilitate their timeline to construction, the expeditious review of the application is necessary to permit the applicant to get up and running at this location, Supervisor Herrity moved that the Board direct:

- Staff to expedite processing for the special exception application for the security fence located at 8234 Roseland Drive.
- The Director of the Department of Public Works and Environmental Services to concurrently process the site plan and all other necessary plans.

The applicant is aware that this action should not be construed to prejudice the consideration of this application in any way. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor K. Smith being out of the room.

25. **2016 SPRINGFIELD DISTRICT EVENTS** (12:11 p.m.)

Supervisor Herrity said that last week, his office participated in Supervisor K. Smith and Sully District Police Station's very successful "Sully Pokéthon." This was a great community event where residents came together to play Pokémon and learn safety tips from the Fairfax County Police Department (FCPD). Next week, Supervisor Herrity and the West Springfield District Station are hosting "Pokémon in the Park" at Burke Lake Park on August 5 from noon to 5 p.m. County residents may come enjoy the beautiful scenery, learn tips to help play the game safely from the FCPD, and enjoy the game.

Supervisor Herrity also said he will be hosting a Zika Virus Informational Town Hall meeting, co-sponsored by the County Health Department, at the West Springfield Government Center on August 18 at 7 p.m. Residents can learn more about the Zika virus and how to prevent infection and transmission.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct the Office of Public Affairs to help publicize the "Pokémon in the Park" community gathering and the Zika Virus Informational Town Hall. Without objection, it was so ordered.

(NOTE: Later in the meeting, Supervisor K. Smith presented a Board Matter regarding the Sully Pokéthon event. See Clerk's Summary Item #47.)

26. **REVIEW OF PENSION SYSTEMS** (12:12 p.m.)

Supervisor Herrity noted that in 2010, he asked for a review of pensions and the Board agreed and undertook a study that concluded that the Board could not change away from a defined benefit plan because State law required it to provide a pension equal or greater than the Virginia Retirement System (VRS). Fast forward six years and State requirements have now changed as VRS has converted to a hybrid plan. Additionally, many other local governments across the country are rethinking their approach to pension benefits. Now that the State has changed, Supervisor Herrity expressed his belief that it is time to look at the County's plan and consider a change to a more hybrid plan much like the Fairfax County Public Schools (FCPS) and other jurisdictions have done.

The review in 2010 was requested based on several concerns including the diminished appeal of pensions in recruiting today's workforce and sustainability of the benefits that are offered. These concerns are even more pronounced today. There is a new generation of employees that look at benefits/pensions much differently than they did years ago when entering the work force. A new workforce, where the actual salary offered, not the promise of long term benefits, is a driving factor when making employment decisions. Trends also show today's workforce are looking for benefits that are portable.

Pensions and pre-social security benefits have become even more expensive as people are living and working longer. In addition, as the rate the County is adding new employees slows as it is getting closer to a point where the County will be paying more for pensions of people no longer employed than for employees employed by the County. Local jurisdictions across the country have had well-publicized issues with the sustainability and affordability of their pension plans.

Over the last few years, Supervisor Herrity said that he has also relayed his concerns to the Board, schools and the public about pre-Social Security Benefits for both FCPS and County employees. No surrounding jurisdiction offers a pre-Social Security benefit like the County. Citizens are typically astonished by the fact that it is offered. The benefit comes at a significant cost – about five percent for each labor dollar. This cost competes with dollars for salary increases and other general fund expenditures and is of little value in attracting new employees. He expressed his belief that eliminating this practice for new employees could save the County significantly in the future. Although the County would not see the savings immediately, the long term benefits in this rapidly changing world would be significant and not have any impact on current employees.

Therefore, Supervisor Herrity moved that the Board direct the County Executive to secure a consultant to:

- Provide the Board with a review of changes made to the Commonwealths retirement plans and provide recommendations

on potential options the Board could consider for optional or hybrid-defined contribution programs for future employees.

- Review the costs and benefits of the Pre-Social Security Benefits and present options the Board could consider for changing or eliminating this benefit for future hires.

These analyses and recommendations should be discussed at an upcoming Personnel Committee meeting. Supervisor Cook seconded the motion.

Supervisor Gross stated that she would not support the motion and asked to amend the motion to direct staff to gather appropriate information for Board review at a future Personnel Committee meeting, prior to Board discussion regarding whether to engage a consultant.

Following discussion, with input from Edward L. Long Jr., County Executive, regarding the motion, Supervisor Herrity accepted Supervisor Gross' amendment, with the understanding that the issue be added to a Personnel Committee meeting by the end of October.

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

27. **JERMANTOWN ROAD BRIDGE OVER INTERSTATE I-66
(PROVIDENCE AND SPRINGFIELD DISTRICTS)** (12:33 p.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor L. Smyth said that some Board Members attended a joint Board meeting with the City Council of Fairfax. One of the topics that the City Council raised was that with the forthcoming Transform66 outside the Beltway Project, we are looking at replacing all the bridges which cross I-66.

Supervisor L. Smyth referred to her written Board Matter and said the City's concern is its improvement to Jermantown Road on I-66 and widening it to four lanes. On the County side, Jermantown Road is built to its ultimate four lane configuration. The bridge itself is located in the County. The County's Comprehensive Plan for transportation shows the bridge at two lanes and the Virginia Department of Transportation (VDOT) will not replace the bridge at four lanes unless it is in the Comprehensive Plan.

Therefore, Supervisor L. Smyth moved that the Board:

- Authorize an amendment to the County's Comprehensive Plan to show the Jermantown Road Bridge as a four lane bridge
- Direct staff to advance this Plan Amendment as rapidly as possible

- Approve sending a letter, co-signed with the City, to VDOT supporting rebuilding this bridge as a four lane bridge and indicating that the County is in the process of amending the Comprehensive Plan to show a four lane bridge

Supervisor Herrity and Chairman Bulova jointly seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

EBE:ebe

28. **PERMANENT COMMUNITY SHELTER FOR THE HOMELESS (MASON DISTRICT)** (12:35 p.m.)

Supervisor Gross said that the recent decision of the Board to purchase land for a permanent community shelter for the homeless, is the first step in making the vision of a new facility a reality. The property, located at 5914 Seminary Road in Falls Church, south of the intersection of Columbia Pike and Route 7, is less than half-a-mile from the shelter's current location on Moncure Avenue. While the site is currently zoned for commercial use, an amendment to the Comprehensive Plan is necessary to determine how the new shelter might best be integrated into this area and to invite community review.

Therefore, Supervisor Gross moved that the Board direct staff to conduct an analysis of the Comprehensive Plan to consider Tax Map 061-2 20 0007 and a 15-foot strip of land dedicated as a Virginia Department of Transportation (VDOT) public right-of-way for Seminary Road adjacent to the northern boundary that is expected to be vacated and abandoned for public facilities use at an intensity up to .70 floor area ratio (FAR) as a community shelter. The new shelter will provide emergency beds, including medical respite beds and permanent supportive housing units, to reflect the County's Housing First strategy. This motion should not be construed as a favorable recommendation for a potential Plan amendment or any subsequent rezoning or other applications and does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and will not prejudice the consideration of this application in any way. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

29. **NEW DOCUMENTARY ENTITLED "RESILIENCE"** (12:37 p.m.)

Supervisor Gross said that at the National Association of Counties' (NACo) annual conference over the weekend, she attended a special screening of a new documentary entitled "Resilience." The movie delves into the science of Adverse Childhood Experiences (ACEs) and a new movement to treat and prevent what is referred to as "toxic stress." The many County officials, including Deputy County Executive Patricia Harrison and Community Services Board (CSB) Director Tisha Deeghan, who viewed the movie, agreed that it is very powerful and should be required viewing by elected officials, staff, and the community.

The film is not yet commercially available, but the producer, James Redford, said that there will be a three-month period this fall where arrangements can be made for a one-time community screening.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to facilitate such a screening, perhaps at the Government Center, and take the necessary steps to advertise the event, along with opportunities for a community discussion following the screening. Without objection, it was so ordered.

Discussion ensued regarding the movie and the effects of adverse childhood experiences.

30. **NATIONAL ASSOCIATION OF COUNTIES (NACO) AWARDS – DIGITAL COUNTIES SURVEY** (12:41 p.m.)

Supervisor Gross announced that the County took second place in the 2016 Digital County Survey in the population category of 500,000 people and a certificate was presented to the County.

31. **INTRODUCTION OF INTERNS (HUNTER MILL DISTRICT)** (12:43 p.m.)

Supervisor Hudgins introduced the following individuals who are interning in her office for the summer:

- Diana Cabrera, a rising senior at West Virginia University
- Tessa Hawley, a rising senior at South Lakes High School

On behalf of the Board, Chairman Bulova warmly welcomed them to the Board Auditorium.

32. **NATIONAL NIGHT OUT (HUNTER MILL DISTRICT)** (12:43 p.m.)

Supervisor Hudgins said that on August 2, National Night Out will be held in communities all over the United States. County residents are asked to turn on their porch lights and join with their neighbors and local police in a variety of activities. Throughout the County there will be crime prevention block parties, cookouts, ice cream socials, flashlight walks, safety fairs, and neighborhood meetings.

- National Night Out is designed to:
- Heighten awareness of crime prevention, drugs and violence

- Generate support for and participation in local crime-fighting programs
- Strengthen neighborhood spirit and police-community partnerships
- Send a message to criminals letting them know that neighborhoods are organized and fighting back

Over the last few weeks, community angst has been heightened by disturbing events around law enforcement members. This evening provides an opportunity for the community to interact with the Fairfax County's Police Department (FCPD). These interactions between neighborhoods and their local law enforcement officers will help build a stronger relationship and support a greater level of trust. Supervisor Hudgins suggested that communities think about hosting a National Night Out event this year. FCPD has made it simple for groups to participate with a new on-line registration form on its website.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff from the Office of Public Affairs to assist the FCPD publicizing National Night Out through County government outreach tools. Without objection, it was so ordered.

33. **150TH ANNIVERSARY OF MOUNT PLEASANT BAPTIST CHURCH (HUNTER MILL DISTRICT)** (12:45 p.m.)

Supervisor Hudgins noted that this year Reverend Doctor Kevin E. Donalson and the members of Mount Pleasant Baptist Church will commemorate 150 years of service, worship, and outreach. Originally organized in 1866, Mount Pleasant Baptist Church began in the Old Floris School in the Herndon area and is among the many historic African-American churches in the County.

The church has been a steadfast member of the community providing a meaningful impact through its works and dedication to service.

In the last decade, its works have expanded to the international theater with mission efforts in Liberia, Kenya, Russia, and other countries.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a proclamation for delivery at the anniversary celebration to recognize the long history and many contributions of Mount Pleasant Baptist Church. Without objection, it was so ordered.

34. **EXPANSION OF THE BOUNDARIES OF THE LANGLEY FORK HISTORIC OVERLAY DISTRICT (DRANESVILLE DISTRICT)**
(12:46 p.m.)

Supervisor Foust said that on April 5, 2016, he introduced a Board Matter containing a series of motions relating to the possible expansion to the Langley Fork Historic Overlay District. On April 26, 2016, he amended that Board Matter to clarify the location of the two subject parcels. Both Board Matters were unanimously approved.

Pursuant to those Board Matters, staff was directed to initiate the Board's own rezoning to adjust the boundaries of the overlay district if recommended. To initiate the rezoning, it is necessary to authorize an agent to act as the Board's representative to file the application.

Therefore, Supervisor Foust moved that the Board authorize the County Executive to act as the Board's representative agent for the County for all matters concerning the rezoning application. He added that his other motions dated April 5, 2016, and April 26, 2016, are unchanged. This motion should not be construed as a favorable recommendation on any application by the Board, and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This action in no way prejudices the substantive review of the application. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

35. **AMENDMENT TO SENECA CORNER ASSOCIATES, LLC – SPECIAL EXCEPTION APPLICATION SE 2016-DR-009 (DRANESVILLE DISTRICT)** (12:47 p.m.)

Supervisor Foust said that Seneca Corner Associates, LLC, has submitted Special Exception Application SE 2016-DR-009 to allow a drive-thru window in conjunction with a pharmacy, located at 1020 Seneca Road, Great Falls.

Supervisor Foust explained that the applicant proposes to amend the application to include 6,174 square feet of right-of-way that was not part of the original application. This change would allow the applicant to vacate a portion of right-of-way previously dedicated, but never constructed, to shift building further away from the adjacent residential community. The applicant must include the right-of-way within the special exception application for this vacation to be considered.

Therefore, Supervisor Foust moved that the Board authorize the inclusion of approximately 6,174 square feet of right-of-way in the application referenced as Special Exception Application SE 2016-DR-009. This motion should not be construed as a favorable recommendation by the Board and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

36. **NOTIFICATION REQUIREMENT FOR INFILL DEVELOPMENT**

(12:49 p.m.)

Supervisor Foust said that many parts of the Dranesville District continue to experience significant infill development. While reinvestment in the community is welcome, such development can often be disruptive to established neighborhoods.

Supervisor Foust noted that this past year he sponsored several community meetings to discuss infill development. Participants included the McLean Citizens Association, several homeowner and civic associations, and County staff from the County Executive's Office, the Department of Public Works and Environmental Services, and the County Attorney. Delegate Rip Sullivan and Senator Barbara Favola also participated in discussions.

One recommendation from the group was the need for neighbors to be able to review and comment on a proposed plan before it is approved. While County Code Section 101-2-1 requires a notification for subdivisions, there is no notification requirement for infill development of one single-family home. As a result, in many instances, the first-time neighbors become aware of an infill project is when the bulldozers arrive to begin clearing a lot.

Legislation that was proposed by Senator Favola and Delegate Sullivan and adopted by the General Assembly, amended the Code of Virginia to fill this gap. State Code Section 15.2-961.2 provides the enabling authority for a local tree conservation ordinance to allow a locality to post signs on a property notifying the public that an infill lot grading plan is pending review by the locality. The legislation does not require the applicant to be responsible for such posting and the failure to post a notice cannot be a reason for denial of a grading plan. Such notice would afford adjacent neighbors an opportunity to alert County staff about the impact of the development on such items including the removal, preservation, and replacement of trees.

Therefore, Supervisor Foust moved that the Board direct staff to study the enabling legislation, identify the requisite amendments to the County Code, and present a proposal for implementation to the Development Process Committee for further consideration. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

37. **WELL WISHES TO FORMER SULLY DISTRICT SUPERVISOR
MICHAEL FREY** (12:52 p.m.)

Supervisor Foust asked everyone to keep in thoughts Supervisor Michael Frey, former Sully District Supervisor, who had surgery on his shoulder yesterday and wished him a speedy recovery.

DET:det

38. **REQUESTING MORE FREQUENT ROADSIDE GRASS MOWING FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)** (12:53 p.m.)

Supervisor Cook said that VDOT owns most of the roads in the Commonwealth and is responsible for maintaining most of the County's roads and the surrounding landscape. Unfortunately, VDOT has failed to adequately meet this responsibility, especially as it relates to mowing the roadside grass. Years ago, VDOT was forced to cut back its mowing operations in the County from six times per year to three times per year to meet budget constraints.

Supervisor Cook noted that high grass on medians makes the County look shabby and unkempt and lowers the property values of nearby homes. High grass near roadways is also a serious safety issue for motorists. Mowing these medians only three times per year is not enough to prevent safety and appearance problems. Mowing this grass more frequently would help make the County look well-maintained, heighten motorist safety, and raise residence value.

Fortunately, VDOT has recently been granted higher levels of funding in its maintenance and operations budget and it should allocate some of these funds in next year's maintenance plan to permit mowing at least six times per year.

In addition, VDOT owns trails that run adjacent to major highways. Many of these trails have become dangerous to bicyclists due to uneven pavement, large deposits of salt and sand from winter plowing, and overgrowth of plants. VDOT needs to provide better trail maintenance to correct these issues.

Therefore, Supervisor Cook moved that the Board authorize the Chairman to send a letter, a copy of which is attached to his written Board Matter, to VDOT on behalf of the Board requesting that it allocate adequate funding to mow roadside and median grass at least six times per year in the County and provide better trail maintenance. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

39. **CREATING AND IMPLEMENTING A TOURIST PROMOTION AND ENHANCEMENT STRATEGY** (12:57 p.m.)

Supervisor Cook noted that the County lies in the backyard of Washington D.C. and, because of this close proximity, tourism presents itself as one of the many lucrative economic development opportunities that the County should pursue. He added that tourism is a proven economic boon and all necessary steps should be taken to help facilitate its benefits to County residents and businesses.

Tourism promotion is an important component of the Strategic Economic Success Plan and the Board should continue to support tourism promotion efforts to fully

take advantage of the opportunity. Visit Fairfax has played an instrumental role in promoting tourism within the County and has conducted a thorough study on tourism that made certain recommendations as to how to support international and domestic travel to the area. A summary of these recommendations is included with his Board Matter. He noted that Visit Fairfax has highlighted vital statistics relating to tourism in the County and recommends taking necessary steps to improve the flow of visitors and capital to the County.

This study presented strong ideas on how the Board can achieve its economic goals and, to fully capitalize on these proposals, the County should create and implement a Tourist Promotion and Enhancement Strategy. The formulation of this strategy would include County staff reviewing the recommendations made by Visit Fairfax within the larger scope of the economic success plan priorities. This would help identify ways in which the Board can help the County's tourism sector thrive.

Therefore, Supervisor Cook moved that the Board direct staff to:

- Review the tourism promotion proposals made by Visit Fairfax in consideration of the larger Economic Strategic Success Plan priorities
- Develop those recommendations into the Tourist Promotion and draft Enhancement Strategy and present it to the Economic Advisory Commission for review

Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

40. **BRADDOCK ROAD YOUTH CLUB (BRYC) CELEBRATES ITS FIFTIETH ANNIVERSARY (BRADDOCK DISTRICT)** (12:59 p.m.)

Supervisor Cook, referring to his written Board Matter, said that the BRYC is celebrating its fiftieth anniversary; it offers soccer, football, flag-football, basketball, cheer, volleyball, and softball. It also has been a significant financial partner in bringing turf fields to the Braddock District.

Supervisor Cook asked unanimous consent that the Board direct staff to prepare a proclamation congratulating the BRYC to be presented this Saturday at its anniversary celebration. Without objection, it was so ordered.

41. **COUNTY EMAIL ISSUES** (12:59 p.m.)

Supervisor Cook expressed concern about recent problems with the County's email system.

Following questions, Edward L. Long Jr., County Executive, provided a brief explanation of the problem and noted that it would continue to be monitored.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to provide a more detailed explanation of the situation. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

42. **ORDERS OF THE DAY** (1:03 p.m.)

Chairman Bulova announced that the Board would need two hours for closed session.

43. **FUNDING FOR K-12 EDUCATION** (1:03 p.m.)

Supervisor McKay, referring to his written Board Matter, said that funding for K-12 education has been a top priority in the Legislative Program for many years with movement on that front in the State's adopted budget. However, part of the State funding was a two percent salary increase for teachers and support staff which, unfortunately, was tied to Fiscal Year (FY) 2016 revenue projections.

Supervisor McKay moved that:

- The letter attached to his written Board Matter be prepared for the Chairman's signature and sent to the Governor requesting that the Commonwealth find solutions allowing the funding for salary increases for teachers and State-supported local employees included in the 2016-2018 biennium budget to proceed
- Staff send copies of the letter to the members of the County's General Assembly delegation

He noted that there are major financial implications to the County if this funding does not occur.

Chairman Bulova seconded the motion and it carried by unanimous vote.

44. **OUT-OF-STATE VEHICLES** (1:05 p.m.)

Supervisor McKay noted there is a growing problem with out-of-state vehicles being housed in the County. Unless they are exempt, as members of the military or attendees of schools in the area, it could mean that some residents are not paying their personal property taxes.

In April of last year, Supervisor McKay presented a Board Matter that asked legislative staff to draft corrective language for a proposed State Code amendment

to ensure that the penalty for not paying property taxes is levied each year as long as a resident vehicle with out-of-state plates is not in compliance with Virginia registration requirements.

In an effort to expand and streamline the County's TARGET program, which allows residents to report potential offenders online, Supervisor McKay met with representatives from the Fairfax County Police Department (FCPD), the Sheriff's Office, and the Department of Tax Administration (DTA) for the last several months. Together, the collective idea was that as Sheriff's deputies and parking enforcement officers were out in the community performing their regular duties, why not write down a few out-of-state tags along the way?

The idea has proven to be a shot in the arm for the program and has already yielded positive results in the first few months since implementation. As of June 30, 1,892 vehicles have been added to DTA'S tax records; approximately \$600,000 will be due in October.

Therefore, Supervisor McKay expressed his appreciation to DTA, the Sheriff's Office, and FCPD, for their flexibility, hard work, and creative efforts in streamlining and bolstering this important program.

Supervisor McKay asked unanimous consent that the Board direct the Office of Public Affairs to:

- Publicize this success
- Remind the public of the requirements for vehicle registration in Virginia and the County

Without objection, it was so ordered.

45. **HUNTLEY MEADOWS PARK (LEE DISTRICT)** (1:07 p.m.)

Supervisor McKay said that this past weekend the wetlands restoration project at Huntley Meadows Park was honored as a winner of a National Association of County Park and Recreation Officials (NACPRO) Environmental/Conservation Award.

Huntley Meadows is the largest non-tidal wetland in Northern Virginia and is home to some of the country's rarest wildlife and has been thriving since the completion of the restoration in 2013. Originally thought to take three years to see the results and success of the project, just one week of rain in October 2013 caused a remarkable return of birds and other wetland creatures.

The goal of the project was to expand the wetland and improve management capabilities of the water levels at Lee District's crown jewel. Huntley Meadows

has become even more of a haven for wildlife, wildlife watchers, visitors, and other park professionals from all around the country.

The NACPRO Environmental/Conservation Award is just a small recognition of the great work and stewardship that was done and is continuing to manifest at Huntley Meadows.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a certificate to be jointly signed by the Chairman and the Lee District Supervisor for presentation to the staff of Huntley Meadows as well as those involved with the Huntley Meadows Restoration Project at a future Board meeting. Without objection, it was so ordered.

46. **THE BRIDGEWALK (LEE DISTRICT)** (1:08 p.m.)

Supervisor McKay, referring to his written Board Matter, said that on Tuesday, August 30 at 7 p.m., Springfield will host its annual Veterans' BridgeWalk in central Springfield celebrating its revitalization district and partners in the military. This will be the fifteenth event and will renew the Army community covenant signing that was begun in 2009. Local elementary schools have been enthusiastic participants and will again participate this year. This is an important civic building event and a show of support for both the military and the central Springfield business community.

Supervisor McKay invited Board Members to join him on August 30 and asked unanimous consent that the Board direct the Office of Public Affairs to advertise this event. Without objection, it was so ordered.

47. **POKÉTHON** (1:09 p.m.)

(NOTE: Earlier in the meeting, Supervisor Herrity presented a Board Matter and mentioned this event. See Clerk's Summary Item #25.)

Supervisor K Smith said that last Wednesday the Sully District office had a Pokéthon event that hundreds of people attended. There were food trucks, adoption opportunities for shelter animals, and she and Supervisor Herrity led Pokéwalks. She noted that the most important part of the event was the partnership with the police who conducted Pokéthon training sessions throughout the day and thanked them for their involvement.

48. **SPECIAL EXCEPTION APPLICATION SE 2015-SU-034 (PDG DALY DRIVE) (SULLY DISTRICT)** (1:10 p.m.)

Supervisor K Smith said that County staff is currently processing Special Exception Application SE 2015-SU-034 for an office park off of Willard Road to allow certain special exception uses to occupy the first floor of an office building in the park. The application has been reviewed by the Sully District Council and

the Western Fairfax County Citizens Association with no issues. The Planning Commission date for this application is October 5, 2016.

Therefore, Supervisor K. Smith moved that the Board direct staff to schedule an expedited public hearing date for Special Exception Application SE 2015-SU-034 for October 18, 2016, and appropriately advertise the same. This motion shall 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 any applicable ordinances, regulations, or adopted standards. Supervisor Herrity seconded the motion and it carried by unanimous vote.

49. **CONCURRENT PROCESSING OF PROFFERED CONDITION AMENDMENT APPLICATION PCA 95-Y-016-06 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 95-Y-024-06 (COSTCO WHOLESALE CORPORATION) (SULLY DISTRICT)** (1:10 p.m.)

Supervisor K Smith said that Proffered Condition Amendment Application PCA 95-Y-016-06 and Special Exception Amendment Application SEA 95-Y-024-06 were submitted by Costco Wholesale Corporation to obtain approval for a gas facility at its existing warehouse location at the Chantilly Crossing Shopping Center. The applications are currently scheduled for the September 21, 2016, Planning Commission meeting. The applicant has discussed the request with County staff, the Sully District Council, and the Western Fairfax County Citizens Association and has received support throughout the process.

On that basis, the applicant has requested concurrent processing of its site plan. Allowing Costco to submit its site plan at this time will ensure site plan approval and completion of construction before the 2017 holiday season which will minimize disruption to the parking field and benefit the community as a whole.

Therefore, Supervisor K. Smith moved that the Board authorize concurrent processing of the site plan. This motion shall 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 any applicable ordinances, regulations, or adopted standards. Supervisor Foust seconded the motion and it carried by unanimous vote.

50. **INAUGURAL BREWFEST (MOUNT VERNON DISTRICT)** (1:13 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Storck said that in partnership with Celebrate Fairfax, Fairfax County Parks and Recreations, and County Government, the Workhouse is presenting its inaugural BrewFest. This event will feature more than 100 craft brews by 40 breweries. He added that many local brewers will be highlighted. The day will feature a dozen bands performing on three stages, numerous food trucks, lawn games, and of course, artists will be in their galleries, which will be open to explore. This event will be

held on Saturday, August 13, from 10 a.m. until 6 p.m. at the Workhouse Arts Center in Lorton.

Supervisor Storck invited Board Members, staff, and all County residents to attend the Workhouse Brewfest.

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

51. **RECESS/CLOSED SESSION AND INTENT TO DEFER A PUBLIC HEARING** (1:17 p.m.)

Supervisor Gross 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. *Eric S. Clark v. The County of Fairfax, Virginia, John H. Kim, T. B. Smith, and John Spata*, Case No. 15-1109 (U.S. Sup. Ct.)
 2. *Michael Moravitz v. Officer Richard Anderson*, Case No. 1:15-cv-506 (E.D. Va.)
 3. *Professional Foreclosure Corporation of Virginia, Substitute Trustee, and Wells Fargo Bank, N.A. v. Fairfax County Redevelopment and Housing Authority, the Board of Supervisors of Fairfax County, and Peace Asinugo*, Case No. CL-2016-0007631 (Fx. Co. Cir. Ct.) (Sully District)

4. *Fairfax County Redevelopment and Housing Authority v. Sheila Renee Allen*, Case No. CL-2016-0009828 (Fx. Co. Cir. Ct.) (Lee District)
5. *Board of Supervisors of Fairfax County and James W. Patteson, Director, Fairfax County Department of Public Works and Environmental Services v. David J. Laux and Tara K. Laux, a/k/a Tara K. Long*, Case No. CL-2014-0013597 (Fx. Co. Cir. Ct.) (Mason District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Bogle Telegraph Road Associates, LP, and Reserved Barking, LLC*, Case No. CL-2015-0009594 (Fx. Co. Cir. Ct.) (Lee District)
7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ron Decesare, Jr. and Jean M. Petruccio*, Case No. CL-2016-0001187 (Fx. Co. Cir. Ct.) (Mason District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Raul Rojas, Luis Sanchez, and Marcelino G. Loayza*, Case No. CL-2016-0006521 (Fx. Co. Cir. Ct.) (Mason District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jennifer L. Audibert and Joseph G. Henry*, Case No. CL-2016-0006163 (Fx. Co. Cir. Ct.) (Dranesville District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Giuseppe Pansini and Antonietta Pansini*, Case No. GV16-012829 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
11. *Board of Supervisors of Fairfax County, Virginia v. Gunston Center, LLC and Lexon Insurance Company*, Case No. CL-2016-0009596 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Beverly K. Lester*, Case No. CL-2016-0009115 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. 7601 LLC*, Case No. CL-2016-0009265 (Fx. Co. Cir. Ct.) (Mason District)

14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Randa Hatem*, Case No. GV16-012591 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Brian Lucas*, Case No. GV16-013184 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sandy Ying-Tang Cheng and Yuk Yee Cheng*, Case Nos. GV-16-011340, GV16-011341, GV16-011342, and GV16-011343 (Fx. Co. Gen. Dist. Ct.) (Lee District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Larry M. Kirkpatrick*, Case Nos. GV16-012827 and GV16-012828 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
18. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Maria Mateus and Sareena Corporation*, Case Nos. GV16-012825 and GV16-012826 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
19. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. LaHoussaine Amajoud and Fatima Amajoud*, Case Nos. GV16-011297, GV16-011298, GV16-011299, GV16-011338, and GV16-011339 (Fx. Co. Gen. Dist. Ct.) (Lee District)

And in addition:

- *Gerard Morrison, et al. v. County of Fairfax, Virginia*, United States Court of Appeals for the Fourth Circuit, Case No. 14-2308
- *Adrienne Y. Hall v. Fairfax County, Virginia*, US District Court for the Eastern District of Virginia, Case Number 1:16-cv-6
- A claim relating to 7204 Harrison Lane
- The Virginia Conflict of Interests Act
- Legal issues relating to Rezoning Application/Final Development Plan Amendment RZ/FPD 2016-HM-012 and DPA HM-117

Chairman Bulova seconded the motion.

Supervisor Storck announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Application SE 2015-MV-019 (Charles County Sand and Gravel Company, Incorporated).

(NOTE: Later in the meeting, this public hearing was deferred. See Clerk's Summary Item #60.)

Elizabeth Teare, County Attorney, clarified the second item listed in the "And in addition" part of the motion.

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

DAL:dal

At 3:53 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

52. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:53 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. Chairman Bulova seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

53. **AUTHORIZATION OF SETTLEMENT – ADRIANNE HALL V. FAIRFAX COUNTY, VIRGINIA, CASE NUMBER 1:16-CV-6** (3:54 p.m.)

Supervisor Gross moved that the Board authorize settlement of *Adrienne Hall v. Fairfax County, Virginia*, Case Number 1:16-cv-6, according to the terms and conditions outlined by the County Attorney in closed session. Chairman Bulova seconded the motion and it carried by unanimous vote.

54. **AUTHORIZATION FOR THE ACQUISITION OF CERTAIN REAL PROPERTY LOCATED IN THE MASON DISTRICT** (3:54 p.m.)

Supervisor Gross moved that the Board authorize the acquisition of certain real property located in the Mason District of Fairfax County, Virginia, and the related actions necessary thereto, on the terms and conditions as outlined by the County

Attorney in closed session. Chairman Bulova seconded the motion and it carried by unanimous vote.

55. **APPOINTMENT OF MR. JAYDEEP DOSHI TO THE POSITION OF DIRECTOR, TAX ADMINISTRATION** (3:55 p.m.)

Supervisor Gross moved the appointment of Mr. Jaydeep Doshi to the position of Director, Tax Administration, Grade E-12, with a starting salary of \$165,000 effective September 6, 2016. Chairman Bulova seconded the motion and it carried by unanimous vote.

56. **APPOINTMENT OF MR. SEAMUS MOONEY TO THE POSITION OF EMERGENCY MANAGEMENT COORDINATOR** (3:55 p.m.)

Supervisor Gross moved the appointment of Mr. Seamus Mooney to the position of Emergency Management Coordinator, Grade E-9, with a starting salary of \$145,000 effective September 3, 2016. Chairman Bulova seconded the motion and it carried by unanimous vote.

57. **SETTLEMENT OF CLAIM – MOTHER NURTURE COMPANY DOING BUSINESS AS (D/B/A) FROG POND EARLY LEARNING CENTER** (3:56 p.m.)

Supervisor McKay moved that the Board authorize the County Attorney to settle the claim of Mother Nurture Company d/b/a Frog Pond Early Learning Center, relating to property located at 7204 Harrison Lane, in accordance with the terms and conditions outlined by the County Attorney in closed session. Chairman Bulova seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

58. **3 P.M. – SOLID WASTE AUTHORITY MEETING** (3:57 p.m.)

(BACs) At 3:57 p.m., a special meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Bulova.

Supervisor Gross moved the appointment of Elizabeth Teare as the Attorney of the Solid Waste Authority. Chairman Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross moved approval of the minutes from the January 12, 2016, meeting of the Solid Waste Authority. Chairman Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross moved to adjourn the special meeting of the Fairfax County Solid Waste Authority. Chairman Bulova seconded the motion and it carried by unanimous vote.

At 3:58 p.m., the special meeting of the Fairfax County Solid Waste Authority was adjourned.

59. **ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING REFERENCE CITATIONS FOR NURSERY SCHOOLS, CHILD CARE CENTERS, AND VETERINARY HOSPITALS; SPECIAL PERMIT SUBMISSION REQUIREMENTS; VARIANCE STANDARDS; AND CLARIFICATION OF THE DEFINITION OF PUBLIC USE** (3:59 p.m.)

- (A) (R) (NOTE: Earlier in the meeting, the Board deferred action regarding this item. See Clerk's Summary Item #6.)

Supervisor K. Smith moved adoption of the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on September 22, 2016, at 8:15 p.m., and before the Board on **October 18, 2016, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding reference citations for nursery schools, child care centers, and veterinary hospitals; special permit submission requirements; variance standards; and clarification of the definition of public use. Supervisor Herrity seconded the motion and it carried by unanimous vote.

60. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-MV-019 (CHARLES COUNTY SAND AND GRAVEL COMPANY) (MOUNT VERNON DISTRICT)** (4:01 p.m.)

Supervisor Storck moved to defer the public hearing on Special Exception Application SE 2015-MV-019 until **September 20, 2016, at 3:30 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

61. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-MV-032 (ARTIS SENIOR LIVING, LLC) (MOUNT VERNON DISTRICT)**

AND

PH ON REZONING APPLICATION RZ 2016-MV-011 (ARTIS SENIOR LIVING, LLC) (MOUNT VERNON DISTRICT) (4:02 p.m.)

- (O) The Special Exception Application SE 2015-MV-032 property is located at 8911 Ox Road, Lorton, 22079, Tax Map 106-2 ((1)) 8.

The Rezoning Application RZ 2016-MV-011 property is located on the north side of Ox Road (Route 123) approximately 400 feet east of its intersection with Blue Steel Way, Tax Map 106-2 ((1)) 8.

Mr. G. Evan Pritchard reaffirmed the validity of the affidavit for the record.

Laura Arseneau, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Mr. Pritchard 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, which included testimony by one speaker, Ms. Arseneau presented the staff and Planning Commission recommendations.

Supervisor Storck stated that the South County Federation submitted a resolution regarding this application for the record.

Following a query by Supervisor Storck, Mr. Pritchard confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 1, 2016.

Supervisor Storck moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2016-MV-011, from the R-1 District to the R-2 District, and approval of the Generalized Development Plan (GDP), subject to the proffers dated June 24, 2016.
- Approval of Special Exception Application SE 2015-MV-032, subject to the development conditions dated June 1, 2016.
- Approval of the modifications and waivers listed in the handout dated July 26, 2016, as follows:
 - Waiver of Section 9-308 (3) of the Zoning Ordinance for the provision of a side or rear service entrance for service vehicles.
 - Waiver of Section 9-308 (4) of the Zoning Ordinance for direct access from an arterial street.

- Modification of Section 9-308 (5) of the Zoning Ordinance to permit a medical care building 61.6 feet from the north property line.
- Modification of Section 10-104 of the Zoning Ordinance to increase the maximum permitted fence height to eight feet.
- Modification of the transitional screening and barrier requirements of Sections 13-303 and 13-304 of the Zoning Ordinance in favor of the landscaping shown on the GDP/SE plat.
- Waiver of the service drive requirement of Section 17-201 of the Zoning Ordinance.
- Waiver for the loading space requirements of Section 11-203 of the Zoning Ordinance.

Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor L. Smyth being out of the room.

62. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-S-077-08 (WILLARD ROAD MART, INCORPORATED) (SULLY DISTRICT)** (4:16 p.m.)

The application property is located at 4475 Daly Drive, Chantilly, 20151, Tax Map 44-1 ((9)) 9(part) and 10.

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

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

- Mr. Robert F. Pence of Golden Brook, LLC, the title owner/
ground lessor

William O'Donnell, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting 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. O'Donnell presented the staff and Planning Commission recommendations.

Following a query by Supervisor K. Smith, Ms. Mariska confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 15, 2016.

Supervisor K. Smith moved approval of Special Exception Amendment Application SEA 88-S-077-08, subject to the development conditions dated June 15, 2016. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

63. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 83-S-008-04 (CAROL C. MATTUSCH AND RICHARD S. MASON) (SPRINGFIELD DISTRICT) (4:20 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 8 and July 15, 2016.

The application property is located at 12301 Fairfax Station Road, Clifton, 20124, Tax Map 76-3 ((1)) 4Z and 24Z.

Michael Lynskey, Planner, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff report.

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

Supervisor Herrity moved approval of Agricultural Renewal Application AR 83-S-008-04, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Popes Head Local Agricultural and Forestal District, with an additional eight-year term, subject to the ordinance provisions dated June 29, 2016, which are contained in the staff report. Chairman Bulova seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

64. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2016-SU-003 (CARRHOMES LLC) (SULLY DISTRICT) (4:25 p.m.)**

- (O) The application property is located in the southwest quadrant of the intersection of Vernon Street and Elmwood Street, Tax Maps 34-4 ((6)) 49, 68, 69, 70, and A2.

Mr. Robert Brant reaffirmed the validity of the affidavit for the record.

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

- Mr. James Eckert, a trustee of Chantilly Wesleyan Church, the title owner of the property

Carmen Bishop, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Mr. Brant 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, Ms. Bishop presented the staff and Planning Commission recommendations.

Supervisor K. Smith moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2016-SU-003, from the R-1, WS, and HC Districts to the R-12, WS, and HC Districts, subject to the proffers dated July 14, 2016.
- Approval of the modifications and waivers listed in the handout dated July 26, 2016, as follows:
 - Waiver of the minimum district size of four acres, pursuant to Section 3-1206 of the Zoning Ordinance, to permit a district size of 2.34 acres.
 - To direct the Director of the Department of Public Works and Environmental Services (DPWES) to permit a deviation from the tree preservation target pursuant to Section 12-0508 of the Public Facilities Manual (PFM).
 - Modification of the maximum private street length of 600 feet as required by Section 11-302 of the Zoning Ordinance, to permit a private street of approximately 645 feet as shown on the Generalized Development Plan (GDP).

- To direct the Director of DPWES to allow an alternative method of underground stormwater detention as depicted on the GDP pursuant to Section 6-0303.6B of the PFM.
- Approval of an increase in fence height above four feet in a front yard pursuant to Section 10-104 (3)(H) of the Zoning Ordinance to permit a wall/fence up to seven feet in height as shown on the GDP.

Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

65. **3:30 P.M. – PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC-C-020 (TALL OAKS DEVELOPMENT COMPANY, LLC AND TALL OAKS COMMERCIAL CENTER LLC) (HUNTER MILL DISTRICT)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2016-HM-012 (TALL OAKS DEVELOPMENT COMPANY, LLC AND TALL OAKS COMMERCIAL CENTER LLC) (HUNTER MILL DISTRICT) (4:32 p.m.)

The Planned Residential Community Application PRC-C-020 property is located east of Wiehle Avenue, north and west of North Shore Drive, Tax Map 18-1 ((5)) 8 A1 and 8 A2.

The Special Exception Application SE 2016-HM-012 property is located at 12000 and 12054 North Shore Drive, Reston, 20190, Tax Map 18-1 ((5)) 8 A1 and 8 A2.

Mr. Mark Looney 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.

Mary Ann Tsai, Planner, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

Mr. Looney 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, which included testimony by three speakers, Supervisor Hudgins submitted items for the record.

Mr. Looney presented rebuttal and discussion ensued regarding transportation,

Discussion continued, with input from Ms. Tsai and Vanessa Holt, staff, Transportation Planning Division, Department of Transportation, regarding access onto Wiehle Avenue and school impact.

Ms. Tsai presented the staff and Planning Commission recommendations.

Following remarks and a query by Supervisor Hudgins, Mr. Looney confirmed, for the record, that the applicant was in agreement with the proposed PRC development conditions dated July 25, 2016, and the proposed SE development conditions dated July 20, 2016.

Supervisor Hudgins moved:

- Approval of Planned Residential Community Application PRC-C-020, subject to the development conditions dated July 25, 2016.
- Approval of Special Exception Application SE 2016-HM-012, subject to the development conditions dated July 20, 2016.
- Approval of the waivers and modifications listed in the handout dated July 2016, [*sic*] as follows:
 - Modification of Paragraph 2 of Section 6-306 of the Zoning Ordinance for the 200-square foot privacy yard requirement for single-family attached dwelling unit lots to that shown on the PRC Plan/SE Plat.
 - Waiver of Paragraph 10 of Section 11-102 of the Zoning Ordinance to permit tandem parking for the two-over-two dwelling units to count towards the off-street parking requirement for multi-family dwelling units.
 - Modification of Section 11-203 of the Zoning Ordinance for the required number of loading spaces to that shown on the PRC Plan/SE Plat.
 - Modification of Sections 13-303 and 13-304 of the Zoning Ordinance for the transitional screening and barrier requirements to that shown on the PRC Plan/SE Plat.

Supervisor McKay seconded the motion. Following a brief discussion, with input from Barbara Berlin, Director, ZED, DPZ, Supervisor Hudgins clarified that the modifications and waivers handout is dated July 26, 2016.

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

66. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-P-040-03 (PENTAGON FEDERAL CREDIT UNION) (PROVIDENCE DISTRICT) (5:15 p.m.)**

The application property is located at 7940 Jones Branch Drive, Tysons, 22102, Tax Maps 29-2 ((15)) 5, 6, and 7; and 29-4 ((15)) 1 and 2.

Mr. Mark Viani reaffirmed the validity of the affidavit for the record.

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

- Mr. Jerry W. Boykin of Bean, Kinney and Korman PC

Supervisor Gross disclosed that she had received a campaign contribution in excess of \$100 from:

- Mr. Frederick R. Taylor of Bean, Kinney and Korman PC

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

- Mr. Jerry W. Boykin of Bean, Kinney and Korman PC

Casey Gresham, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Mr. Viani 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, Ms. Gresham presented the staff and Planning Commission recommendations.

Following a query by Supervisor L. Smyth, Mr. Viani confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 6, 2016.

Supervisor L. Smyth moved approval of Special Exception Amendment Application SEA 94-P-040-03, subject to the development conditions dated

July 6, 2016. Supervisor Foust and Supervisor Herrity jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Supervisor Gross raised a question regarding whether the application was Pentagon Federal Credit Union's corporate headquarters, with input from Ms. Gresham and Mr. Viani.

Supervisor Gross asked unanimous consent that the Board direct staff to provide a list of credit unions that have corporate headquarters located in the County. Without objection, it was so ordered.

DET:det

67. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2006-PR-027 (WM/OLAYAN HOLDINGS, LLC) (PROVIDENCE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 00-P-050-02 (WM/OLAYAN HOLDINGS, LLC - FAIR RIDGE) (PROVIDENCE DISTRICT) (5:24 p.m.)

Supervisor L. Smyth asked to defer this public hearing until later in the meeting, and this was accepted.

(NOTE: Later in the meeting, this public hearing was held. See Clerk's Summary Item #71.)

68. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO EXPAND THE LITTLE ROCKY RUN COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)** (5:24 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 8 and July 15, 2016.

Charisse Padilla, Transportation Planner, Department of Transportation, made a presentation.

Following the public hearing, which included testimony by three speakers, Ms. Padilla presented the staff recommendation.

Supervisor K. Smith moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, expanding the Little Rocky Run CPD, in accordance with current CPD restrictions. The proposed district expansion includes the following streets:

- Braddock Road (Route 7759), from Old Centreville Road to the eastern property boundary of parcel 54-4((01))(00)83B, south side only
- Old Centreville Road (Route 858), from the northern property boundary of parcel 65-2(04)B to the southern property boundary of parcel 65-2(04)A, east side only

Supervisor McKay seconded the motion.

Following discussion concerning safety issues, the question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE.”

69. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2014-III-FC2, LOCATED WEST OF WEST OX ROAD BETWEEN MONUMENT DRIVE AND LEE-JACKSON MEMORIAL HIGHWAY (ROUTE 50) (SPRINGFIELD DISTRICT)** (5:31 p.m.)

Kenneth Sorenson, Planner II, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff report.

Discussion ensued, with input from Mr. Sorenson, concerning the proposed parking structure.

Following the public hearing, which included testimony by one speaker, Mr. Sorenson presented the staff and Planning Commission (PC) recommendations.

Supervisor Herrity moved approval of the PC alternative for Plan Amendment PA 2014-III-FC2, as shown in Attachment II of the Board Agenda Item dated July 26, 2016. The recommendation would modify the Plan language for Tax Map Parcel 46-3 ((1)) 24A to recommend a new option at the overlay level for mixed-use redevelopment on the subject property for an up to 0.8 floor area ratio (FAR) that may include multi-family residential, retail/commercial, hotel, and/or office uses. Supervisor Foust seconded the motion and it carried by unanimous vote.

70. **4:30 P.M. – PH TO LEASE COUNTY-OWNED PROPERTY TO CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS (LEE DISTRICT)** (5:41 p.m.)

- (R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 8 and July 15, 2016.

Michael Lambert, Assistant Director of Real Estate Services, Facilities Management Department, presented the staff report. Discussion ensued concerning Exhibit B1 and B2 relative to the existing structures.

Following the public hearing, Supervisor McKay moved adoption of the Resolution authorizing staff to lease County-owned property at 7936 Telegraph Road to Verizon Wireless for the installation of telecommunications equipment for public use at the existing monopole at the Kingstowne Fire Station located at 7936 Telegraph Road. Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

71. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2006-PR-027 (WM/OLAYAN HOLDINGS, LLC) (PROVIDENCE DISTRICT)**

AND

PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 00-P-050-02 (WM/OLAYAN HOLDINGS, LLC - FAIR RIDGE) (PROVIDENCE DISTRICT) (5:46 p.m.)

(O) (NOTE: Earlier in the meeting, this public hearing was deferred. See Clerk's Summary Item #67.)

The Proffered Condition Amendment Application PCA 2006-PR-027 property is located in the northwest quadrant of Fairfax Ridge Road and Waples Mill Road, Tax Map 56-2 ((1)) 18A.

The Special Exception Amendment Application SEA 00-P-050-02 property is located at 3887 Fairfax Ridge Road, Fairfax, 22030, Tax Map 56-2 ((1)) 18A.

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

William O'Donnell, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting 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.

Discussion ensued, with input from Laura Gori, Senior Assistant County Attorney, regarding the agreement in principle with the homeowners association.

Following the public hearing, Supervisor L. Smyth noted that the County Attorney's Office had numerous items for the record.

Mr. O'Donnell presented the staff and Planning Commission recommendations.

Following a query by Supervisor L. Smyth, Ms. Strobel confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 6, 2016.

Supervisor L. Smyth moved:

- Approval of Proffered Condition Amendment Application PCA 2006-PR-027, subject to the proffers dated July 26, 2016.
- Approval of Special Exception Amendment Application SEA 00-P-050-02, subject to the development conditions dated July 6, 2016.
- That the Board reaffirm the previously approved modifications and waivers. A summary list of the modifications and waivers dated July 26, 2016, was provided and will be made a part of the record of this case. They are as follows:
 - Waiver of the loading space requirement for Land Bay A only
 - Modification of transitional screening requirements and waiver of the barrier requirements along I-66
 - Waiver of the barrier requirement along Route 50 and I-66
 - Waiver of the on-site stormwater management requirement in favor of the regional pond constructed on Land Bay A
 - Waiver of Open Space to that shown on the Conceptual Development Plan (CDP)/Final Development Plan (FDP)

Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

Supervisor L. Smyth thanked the County Attorney's office for its efforts.

EBE:ebe

72. 4:30 P.M. – PH ON REZONING APPLICATION RZ 2014-DR-022 (BASHEER/EDGEMOORE-BROOKS, LLC) (DRANESVILLE DISTRICT)
(5:58 p.m.)

(O) The application property is located approximately 600 feet east of Springvale Road and north of Parkerhouse Drive, Tax Map 7-2 ((1)) 17 and 23.

Mr. Greg Riegle reaffirmed the validity of the affidavit for the record.

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

- Mr. Michael Kitchen, Christopher Consultants

Bob Katai, Planner, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

Mr. Riegle 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 testimony of Mr. James M. Trent (Speaker 3), discussion ensued with input from Mr. Katai, regarding the existing farm pond and the stormwater flow into Walker Lake.

Following the testimony of Mr. William Canis (Speaker 4), discussion ensued regarding creating a better mechanism for people to learn about the land use process, engage, and possibly influencing changes.

Following the public hearing, which included testimony by nine speakers, Mr. Katai presented the staff and Planning Commission recommendations.

Supervisor Foust submitted items for the record.

Following comments, Supervisor Foust moved that the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-DR-022, be amended from the R-A and R-E Districts to the R-E District, subject to the proffers dated July 22, 2016. Supervisor Herrity seconded the motion.

Discussion ensued, with input from Mr. Katai, Mr. Riegle, and Catherine Lewis, Branch Chief, ZED, DPZ, regarding concerns raised by citizens, such as removal of trees, pasture land, construction, tree preservation, stormwater requirements, and the layout of the project.

The question was called on the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor L. Smyth being out of the room.

73. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2015-HM-012 (SEKAS HOMES, LTD) (HUNTER MILL DISTRICT)**

AND

PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA-HM-117 (SEKAS HOMES, LTD) (HUNTER MILL DISTRICT)
(7:08 p.m.)

- (O) The Rezoning Application RZ 2015-HM-012 property is located in the northeast quadrant of the intersection of Sunrise Valley Drive and Roland Clarke Place, Tax Map 17-4 ((14)) 1B1 and 2.

The Development Plan Amendment Application DPA-HM-117 property is located on the east side of Roland Clarke Place, 400 feet north of its intersection with Sunrise Valley Drive, Tax Map 17-4 ((14)) 1B1.

Mr. Greg Riegle reaffirmed the validity of the affidavit for the record.

Laura Arseneau, Planner, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

Mr. Riegle 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.

Discussion ensued, with input from Fred Selden, Director, DPZ, Linda Blank, Planning Division, DPZ, and Ms. Arseneau, regarding when the Comprehensive Plan was revised for the area, a review of the historical sites survey, and plan submission.

Following the public hearing, which included testimony by 23 speakers, and discussion regarding historical buildings registry and land development guidelines, Supervisor Hudgins submitted items for the record.

Ms. Arseneau presented the staff and Planning Commission recommendations.

Following comments, Supervisor Hudgins moved:

- Approval of Development Plan Amendment Application DPA-HM-117.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2015-HM-012, from the I-5, PRC, and R-E Districts to the PDH-12 District, and approval of the Final Development Plan Application FDP 2015-HM-012 subject to the proffers dated July 11, 2016.
- Waiver of Paragraph 2 of Section 6-107 of the Zoning Ordinance, which requires a 200 square foot minimum privacy yard area of single family attached dwellings.
- Waiver of Paragraph 3 of Section 13-203 of the Zoning Ordinance, to provide peripheral parking lot landscaping.
- Waiver of Section 11-203 of the Zoning Ordinance, to provide loading spaces.

Supervisor McKay seconded the motion. Following a brief discussion, with input from Elizabeth Teare, County Attorney, Supervisor Hudgins amended her motion to include approval of the Conceptual Development Plan (CDP). This was accepted.

Following a query by Supervisor Hudgins, Mr. Riegler confirmed for the record, that the applicant was in agreement with the proposed proffers dated July 11, 2016.

The question was called on the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor L. Smyth being out of the room.

Supervisor Hudgins, noting that the Comprehensive Plan review did not include the analysis, moved that the Board direct the Department of Planning and Zoning to go back and conduct a review of the corridor for any historic items. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

74.

5 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN (9:11 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of July 8 and July 15, 2016.

Citizens and businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

Public comment was held and included the following individuals:

- Mr. Phillip Niedzielski-Eichner, regarding the Ad Hoc Police Practices Review Commission recommendations
- Mr. Leroy Acosta, regarding excessive litter on the streets adjacent to Mount Vernon Middle School

Discussion ensued regarding efforts being made to identify community resources to improve the area and implement parking restrictions.

- Ms. Gina Haynes, regarding the Fairfax-Falls Church Community Services Board (CSB)

Following discussion, Supervisor Gross asked unanimous consent that the Board direct staff to provide information regarding health benefits for Peer Specialists. Without objection, it was so ordered.

Chairman Bulova clarified that the Community Readiness Support Program is not slated to be closed as is being rumored.

- Mr. Xavier McKethan, regarding closing of the Community Readiness and Support Group Program (CSB)
- Mr. Robert Snyder, regarding the Fairfax Connector
- Ms. Maria Horsey, regarding the Fairfax-Falls Church CSB

Discussion ensued regarding the unfilled and unfunded position of Director of the Office of Consumer and Family Affairs.

75. **BOARD ADJOURNMENT** (9:40 p.m.)

The Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-3
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	3-10
Items Presented by the County Executive	
Administrative Items	10-17, 45
Action Items	17-22
Information Items	22
Board Matters	
Chairman Bulova	2, 23-25, 39-40
Supervisor Cook	34-36
Supervisor Foust	32-33
Supervisor Gross	2, 29-30
Supervisor Herrity	2, 26-29
Supervisor Hudgins	2, 30-31
Supervisor McKay	36-38
Supervisor K. Smith	38-39
Supervisor L. Smyth	28-29
Supervisor Storck	39-40
Actions from Closed Session	43-44
Solid Waste Authority Meeting	44
Public Hearings	45-60