



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
July 25, 2017**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, July 25, 2017, at 9:32 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 Catherine M. Hudgins, Hunter Mill District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Patrick S. Herrity, Springfield 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; Ekua Brew-Ewool, Kecia Kendall, and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:38 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of Dr. Sidney Steele, who died recently. Dr. Steele was the former Director of Planning for the County. He brought together multiple public and private entities to improve transportation in the Dulles Airport area through an organization that he founded, the Dulles Area Transportation Association (DATA). In addition to his work with DATA, Dr. Steele was also involved in the planning of the rail system to Dulles Airport from Washington, DC and the expansion of the Woodrow Wilson Bridge.

Supervisor L. Smyth asked everyone to keep in thoughts the family of Mrs. Exie Henderson, who died recently. She was a pillar of the James Lee community, serving for many years as president of the Second Baptist Ladies Auxiliary and as a member of the original Urbanites. Mrs. Henderson was also president of the James Lee Advisory Council for many years and in 2001 she was Lady Fairfax for the Providence District. Her loss is not only a loss to her family but to the whole James Lee community.

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. Jim Vance, who died recently. Mr. Vance was a strong supporter of community organizations and most importantly the youth. He was generous with his time and frequently attended and participated in both regional and local events. His voice and face will be missed in the media and we will miss him in the community.

AGENDA ITEMS2. **PRESENTATION OF THE SHERIFF'S OFFICE AND THE POLICE DEPARTMENT'S ACCREDITATION** (9:39 a.m.)

Louis Battle, Chief, Warrenton Police Department and a Commissioner on the Virginia Law Enforcement Professional Standards Commission, presented its accreditation to Stacey Kincaid, Sheriff, and Edwin Roessler, Chief of Police.

3. **PRESENTATION OF THE COX CONSERVES HERO AWARD TO MS. NANCY VEHR'S** (9:51 a.m.)

Kathryn Falk, Vice President and Market Leader, Cox Communications Virginia, presented the Cox Conserves Hero Award to Nancy Vehrs, former Clerk to the Board of Supervisors, Fairfax County.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LAKE BRADDOCK SECONDARY SCHOOL GIRLS' DISTANCE MEDLEY RELAY TEAM** (9:58 a.m.)

Supervisor Herrity moved approval of the Certificate of Recognition presented to the Girls' Distance Medley Relay Team for breaking the national indoor record at Liberty University in Lynchburg. Supervisor Cook seconded the motion and it carried by unanimous vote.

5. **CERTIFICATES OF RECOGNITION PRESENTED TO THE LAKE BRADDOCK SECONDARY SCHOOL TRACK TEAM AND INDIVIDUAL STATE CHAMPIONS** (10:01 a.m.)

Supervisor Cook moved approval of Certificates of Recognition presented to the Lake Braddock Secondary School Track Team and; individual State champions for their accomplishments:

- Kate Murphy – Virginia High School League State Champion, Girls' 3200 Meter Run
- Girls' 4x800 Meter Relay Team – Virginia High School League State Champions
- Boys' 4x800 Meter Relay Team – Virginia High School League State Champions

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

6. **CERTIFICATE OF RECOGNITION PRESENTED TO THE WOODSON HIGH SCHOOL BOYS' LACROSSE AND GIRLS' TENNIS TEAMS** (10:10 a.m.)

Supervisor Cook moved approval of Certificates of Recognition presented to the Woodson High School Boys' Lacrosse and Girls' Tennis Teams for their accomplishments:

- Boys' Lacrosse Team – Virginia 6A Boys' Lacrosse State Champions
- Lexi Merrill – Virginia High School League State Champion, Girls' Tennis Singles
- Girls' Tennis Doubles – Virginia High School League State Champions

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

7. **RESOLUTION OF RECOGNITION PRESENTED TO THE CLIFTON BETTERMENT ASSOCIATION (SPRINGFIELD DISTRICT)** (10:20 a.m.)

Supervisor Herrity moved approval of the Resolution of Recognition presented to the Clifton Betterment Association for its work to promote and improve Clifton. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

8. **INTRODUCTION OF DEVON MARLIN, BOY SCOUT, TROOP 1345 (SPRINGFIELD DISTRICT)** (10:28 a.m.)

Supervisor Herrity introduced Devon Marlin, Boy Scout, Troop 1345. He is earning his Citizenship badge today. Supervisor Herrity thanked the Boy Scouts for all they do in the community.

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

AGENDA ITEM

9. **PROCLAMATION DESIGNATING SEPTEMBER 2017 AS "FOOD SAFETY EDUCATION MONTH" IN FAIRFAX COUNTY** (10:29 a.m.)

Supervisor Storck moved approval of the Proclamation designating September 2017 as "*Food Safety Education Month*" in Fairfax County and urged all residents and restaurant owners and operators to promote safe food handling practices and procedures throughout the year. Supervisor Gross seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

10. **INTRODUCTION OF CALVIN KRIST, INTERN (SULLY DISTRICT)** (10:38 a.m.)

Supervisor K. Smith introduced Mr. Calvin Krist, a graduate of Oakton High, School who will be interning in the Sully District office this summer and attending the University of Virginia in the fall.

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

AGENDA ITEM**11. PRESENTATION OF THE VOLUNTEER FIRE COMMISSION (VFC) AWARDS (10:38 a.m.)**

Tim Fleming, Chairman, VFC, presented its annual report.

Jeffrey Katz, Volunteer Liaison, Fire and Rescue Department, presented the VFC awards to the following individuals:

- *Volunteer Firefighter* – Peyton Smith, Dunn Loring Volunteer Fire and Rescue Department
- *Volunteer Operational Officer* – John Hootman, McLean Volunteer Fire Department
- *Volunteer Rookie* – Sean Smith, Centreville Volunteer Fire Department
- *Volunteer EMS Provider* – Barry Brown, Burke Volunteer Fire and Rescue Department
- *Volunteer BLS Provider* – Katie Myers, Annandale Volunteer Fire Department
- *Volunteer ALS Provider* – Lynn Clancy, McLean Volunteer Fire Department
- *Administrative Officer* – Keith Edgemon, Dunn Loring Volunteer Fire and Rescue Department
- *Administrative Member* – Wanda Nelson, Franconia Volunteer Fire Department
- *Canteen Member* – Anthony Ruth, Annandale Volunteer Fire Department
- *Special Recognition Award* – Harry Chelpon, Burke Volunteer Fire and Rescue Department
- *Special Recognition Award* – Gerry Strider, Bailey's Crossroads Volunteer Fire Department
- *Special Recognition Award* – Homer Johns, Great Falls Volunteer Fire Department

- *Special Recognition Award* – Clyde Clark, McLean Volunteer Fire Department

ADDITIONAL BOARD MATTER

12. **REMEMBERING MR. JOHN RYAN** (10:55 a.m.)

Supervisor McKay asked everyone to continue to keep in thoughts the family of Mr. John Ryan. Mr. Ryan was a life member of the Greater Springfield Volunteer Fire Department (GSVFD), who died last month. He served 48 years and was the GSVFD president from 1978 – 2016. He is remembered today for his longevity of service and dedication to public safety.

AGENDA ITEMS

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13. **10:10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (10:56 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 25, 2017.” Supervisor Herrity and Supervisor Hudgins jointly seconded the motion.

Supervisor Foust asked to amend the motion to reappoint Mr. Darren T. Ewing as the Dranesville District Representative to the Library Board. This was accepted.

Supervisor Herrity announced his intent to appoint Mr. Tom Burger as the Springfield District Representative to the Fairfax-Falls Church Community Services Board.

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

The full list of Appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Appointment of:

- Mr. Clarke V. Slaymaker II as the Mount Vernon District Representative

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Engineer/Architect/Planner #2 and the Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

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

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Mason District Representative.

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Attorney Representative.

ATHLETIC COUNCIL

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Appointment of:

- Ms. Roberta Kelley Paul as the Mount Vernon District Representative

Reappointment of:

- Mr. Andrew R. Miller as the Braddock Representative
- Ms. Emilie F. Miller as the Providence District Representative
- Ms. Olga Hernandez as the Sully District Representative

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

Reappointment of:

- Mr. David A. Beale as the Design Professional #3 Representative

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CHILD CARE ADVISORY COUNCIL

The Board deferred the appointment of the Springfield District Representative.

COMMISSION ON AGING

The Board deferred the appointment of the Springfield District Representative.

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPLANTATION

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

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Appointment of:

- Mr. Adam Parnes as the Hunter Mill Representative

The Board deferred the appointment of the Lee District Representative.

CONSUMER PROTECTION COMMISSION

Reappointment of:

- Mr. Dirck A. Hargraves as the Fairfax County Resident #5 Representative

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

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

The Board deferred the appointment of the At-Large #5 Citizen Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

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

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Denise Hyater as the Long Term Care Provider #7 Representative
- Ms. May F. Barzinji as the Long Term Care Provider #9 Representative
- Ms. Alexandra “Sascha” Reed as the Long Term Care Provider #24 Representative
- Ms. Pam Wiener as the Long Term Care Provider #27 Representative

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

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

**FAIRFAX COUNTY EMPLOYEES RETIREMENT SYSTEM BOARD OF
TRUSTEES**

Confirmation of:

- Mr. Randy Creller as the Elected Fairfax County Employee Representative

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

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Nomination of:

- Mr. Tom Burger as the Springfield District Representative

(NOTE: The Board is scheduled to take action on this appointment on September 26, 2017.)

The Board deferred the appointment of the Providence District Representative.

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Dranesville District Representative.

HEALTH SYSTEMS AGENCY BOARD

Appointment of:

- Ms. Veronica C. Doran as the Provider #1 Representative

The Board deferred the appointment of the Consumer #1 Representative.

HISTORY COMMISSION

The Board deferred the appointment of the Historian #1 Representative.

HUMAN SERVICES COUNCIL

Reappointment of:

- Mr. Jeff Dannick as the Braddock District #1 Representative
- Ms. Alis Wang as the Mason District #2 Representative

- Mr. Jerrold L. Foltz as the Sully District #1 Representative

The Board deferred the appointment of the Providence District #2 Representative.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the At-Large Chairman's Representative.

LIBRARY BOARD

Reappointment of:

- Mr. Michael S. Donovan as the Braddock District Representative
- Mr. Darren T. Ewing as the Dranesville District Representative
- Ms. Frances E. Millhouser as the Mason District Representative
- Mr. Gary Russell as the Mount Vernon District Representative
- Ms. Miriam Smolen as the Providence District Representative

The Board deferred the appointment of the Springfield District Representative.

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

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

REDEVELOPMENT AND HOUSING AUTHORITY

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

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the:

- Dranesville District Representative
- Hunter Mill District #1 and #2 Representatives
- Residential Owners and HOA/Civic Association #1, #2, and #3 Representatives

- Apartment or Rental Owner Association, Commercial or Retail Ownership #1, #2, and #3 Representatives
- Reston Chamber of Commerce Lessees of Non-Residential Space Representative
- Reston Association Representative
- Reston Town Center Association Representative
- Homeowner Member from the Reston Town Center Association Representative

ROAD VIEWERS BOARD

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

SMALL BUSINESS COMMISSION

Appointment of:

- Ms. Carmen L. Powell as the Hunter Mill District Representative

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #6 and #8 Representatives.

TENANT LANDLORD COMMISSION

Appointment of:

- Ms. Jade Harberg as the Tenant Member #3 Representative

The Board deferred the appointment of the Citizen Member #1 and Condo Owner Representatives.

TRAILS AND SIDEWALKS COMMITTEE

The Board deferred the appointment of the Mason District Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Commercial or Retail Ownership #2 and the Providence District #2 Representatives.

WATER AUTHORITY

Reappointment of:

- Mr. Burton Jay Rubin as the Springfield District Representative

VOLUNTEER FIRE COMMISSION

Confirmation of:

- Ms. Camilla Morrison as the At-Large Representative
- Mr. Shawn Stokes as the Volunteer Fire and Rescue Association #2 Representative
- Mr. Robert Mizer as the Zone III Representative
- Mr. Michael J. Masciola as the Zone IV Representative

WETLANDS BOARD

The Board deferred the appointment of the Alternate #1 Representative.

14. **ADMINISTRATIVE ITEMS** (10:58 a.m.)

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

Chairman Bulova called the Board's attention to Admin 1 - Authorization to Advertise a Public Hearing on the County and Schools' Fiscal Year (FY) 2017 Carryover Review to Amend the Appropriation Level in the FY 2018 Revised Budget Plan and provided a brief summary.

Joseph M. Mondoro, Chief Financial Officer and Director, Department of Management and Budget (DMB), made a brief presentation.

Following discussion, regarding difficulties funding summer concert series, Supervisor Cook asked unanimous consent that the Board direct the County Executive to consider establishing a \$50,000 Arts Reserve that could be used for the summer concert series and or other arts projects. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that the Board direct staff to also look at who would make the decision for the use of those funds. Without objection, it was so ordered.

Supervisor Herrity asked unanimous consent that the Board direct staff to invest additional resources to address the opioid public health crisis and the gang issue. Without objection, it was so ordered.

Regarding the special election to fill the vacant School Board seat, Supervisor McKay noted that the Board of Supervisors did not select the date of the election or determine the budget costs.

Following additional discussion regarding the Carryover Budget, the question was called on the motion to approve Administrative Items 1-10, 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.”

ADMIN 1 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE COUNTY AND SCHOOLS’ FISCAL YEAR (FY) 2017 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2018 REVISED BUDGET PLAN

- (A) (NOTE: Earlier in the meeting, this item was discussed. See pages #12-13.)

Authorized the advertisement of a public hearing to be held before the Board on **September 12, 2017, at 10:30 a.m.**, on the County and Schools’ FY 2017 Carryover Review to amend the appropriation level in the FY 2018 Revised Budget Plan.

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF SUNRISE VALLEY DRIVE SIDEWALK – NORTH SIDE FROM SOAPSTONE DRIVE TO SOUTH LAKES DRIVE (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 26, 2017, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Project 1400074-2012, Sunrise Valley Drive Sidewalk – North Side from Soapstone Drive to South Lakes Drive, Fund 50000, Federal-State Grant Fund.

ADMIN 3 – APPROVAL OF TRAFFIC CALMING MEASURES AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (DRANESVILLE, HUNTER MILL, LEE, AND MOUNT VERNON DISTRICTS)

- Endorsed the following traffic calming measures for Lorraine Avenue and Franklin Avenue consisting of the following:

- One speed hump on Lorraine Avenue (Dranesville District)
- Two speed humps on Franklin Avenue (Dranesville District)
- Approved the installation of “Watch for Children” signs on the following roads:
 - Pinecrest Road (Hunter Mill District)
 - Essex Avenue (Lee District)
 - Cavendish Drive (Mount Vernon District)
- Directed the Fairfax County Department of Transportation (FCDOT) to schedule the installation of the approved traffic calming measures and “Watch for Children” signs as soon as possible.

ADMIN 4 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ESTABLISH PARKING RESTRICTIONS ON GOVERNMENT CENTER PARKWAY (BRADDOCK DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 12, 2017, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, recreational vehicles, and all trailers, as defined in the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), from parking on the north side of Government Center Parkway, from Waples Mill Road to the Fairfax Court Shopping Center driveway, from 7 p.m. until 7 a.m. seven days per week.

ADMIN 5 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO EXPAND THE LONDON TOWNE COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 12, 2017, at 4 p.m.**, to consider adoption of an amendment to the Code of the County of Fairfax, Appendix M, to expand the London Town CPD.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AN EDITORIAL AMENDMENT TO THE WEST SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 7 (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 12, 2017, at 4 p.m.**, to consider an editorial amendment to the Code of the County of Fairfax, Appendix G, to include Louis Edmund Court in its entirety in the West Springfield RPPD, District 7.

ADMIN 7 - APPOINTMENT OF PARENT REPRESENTATIVE MEMBERS TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

Authorized the re-appointment of the following for additional two-year terms as Parent Representatives to the Community Policy and Management Team:

- Ms. Kelly Henderson
- Ms. Staci Jones Alexander
- Mr. Jessie Georges

ADMIN 8 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO APPROVE PARKING RESTRICTIONS ON COMMERCIAL DRIVE (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 12, 2017, at 4 p.m.**, regarding a proposed amendment to the Code of the County of Fairfax, Appendix R, to approve parking restrictions on Commercial Drive in the Mason District.

ADMIN 9 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) FOR SUPPLEMENTAL FUNDING ASSOCIATED WITH THE HEAD START, EARLY HEAD START, AND EARLY HEAD START CHILD CARE PARTNERSHIP AND EXPANSION GRANTS

Authorized DFS to apply for and accept grant funding, if received, from HHS, Administration for Children and Families, Office of Head Start, in the amount of \$108,064, including \$21,613 in local cash match. Funding is specifically being provided by the grantor to support a cost-of-living adjustment of 1.0 percent and to offset higher operating costs for the Head Start, Early Head Start, and Early Head Start Child Care Partnership and Expansion grants. The grant period is July 1, 2017, to June 30, 2018. The total required non-Federal resources will be

met through local cash match. No new grant positions are being requested with this funding.

ADMIN 10 - AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE (DOJ), OFFICE OF COMMUNITY POLICING SERVICES (COPS) HIRING PROGRAM

Authorized the FCPD to apply for funding in the amount of \$500,000 from the US DOJ COPS. The County will need to contribute \$904,167 in order to meet the local cash match requirements as well as costs not covered by the grant. The total cost of the program over the 3-year period is \$1,404,167. Funding will support 4/4.0 full time employee (FTE) new merit police officer positions that will be assigned to the Computer Forensics Unit of the Investigative Support Division. At the end of the 3-year grant period, the County is required to retain the 4 positions for an additional year; however, since these positions are included in the Public Safety Staffing plan, it is intended that they will continue indefinitely.

15. **A-1 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF REVENUE BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR THE BENEFIT OF THE MADEIRA SCHOOL, INCORPORATED (DRANESVILLE DISTRICT)** (11:14 a.m.)

Bonds
(R)

Supervisor Foust moved that the Board concur in the recommendation of staff and adopt a Resolution for the EDA to issue up to \$21,000,000 in revenue bonds for the benefit of the Madeira School, Incorporated. Supervisor K. Smith seconded the motion.

Discussion ensued, with input from Thomas O. Lawson, Counsel to the EDA, regarding the use of the proposed single family housing by members of faculty and senior class members.

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.”

16. **A-2 – APPROVAL OF A PARKING REDUCTION FOR WOODLAND PARK WATERVIEW (DRANESVILLE DISTRICT)** (11:16 a.m.)

On motion of Supervisor Foust, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a parking reduction of up to 12.5 percent, or 59 fewer spaces of the required parking, for Woodland Park Waterview, Tax Map Numbers 016-3-01-0029D and 0029E (“property”), Dranesville District, subject to the conditions outlined in the Board Agenda Item.

17. **A-3 - APPROVAL OF A JOINT FUNDING AGREEMENT – FAIRFAX COUNTY PARTNERSHIP WITH THE UNITED STATES GEOLOGICAL SURVEY (USGS) FOR THE CONTINUATION OF THE WATER RESOURCES MONITORING NETWORK AND PUBLICATION OF SCIENTIFIC INVESTIGATIONS REPORTS** (11:17 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to sign a Joint Funding Agreement (JFA) to fund:

- \$361,500 for the continuation of the water resources monitoring network established in 2007. At the County’s option, the agreement may be extended annually through 2022 to continue the monitoring with an inflation rate of 2.5 percent for the subsequent four years. The breakdown of the costs and a detailed explanation of the network can be found in Attachment 1 of the Board Agenda Item.
- The publication of two Scientific Investigations Reports (SIR) in the amount of \$225,000. This amount will be paid as work completed over the course of the five year agreement. Further discussion of the costs and the intent of the reports can be found in Attachment 2 of the Board Agenda Item.

18. **A-4 - AUTHORIZATION TO: 1) APPROVE ISSUANCE BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF TAX-EXEMPT AND/OR TAXABLE BONDS IN AN AMOUNT NOT TO EXCEED \$20,000,000; AND 2) FOR THE FCRHA TO SUBMIT AN APPLICATION TO THE VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (VADHCD) FOR TAX-EXEMPT AND/OR TAXABLE BOND ALLOCATION FOR MURRAYGATE VILLAGE APARTMENTS (LEE DISTRICT)** (11:17 a.m.)

BONDS

(R)

On motion of Supervisor McKay, seconded jointly by Supervisor Gross 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 the Resolution:

- Approving FCRHA’s issuance of private activity tax-exempt and/or taxable bonds in an amount not to exceed \$20 million for the rehabilitation of Murraygate Village Apartments
- Authorizing the FCRHA to submit an application to VADHCD for tax-exempt and/or taxable bond allocation for Murraygate Village Apartments rehabilitation, as part of the overall financing for the renovation of the property

19. **A-5 - APPROVAL OF THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2018** (11:19 a.m.)

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

- Adopt the proposed *Consolidated Plan One-Year Action Plan for FY 2018* as issued by the Consolidated Community Funding Advisory Committee (CCFAC) with funding allocations as outlined in the Board Agenda Item dated July 25, 2017
- Authorize signature of the Consolidated Plan Certifications and Federal funding application forms (SF424s) required by the US Department of Housing and Urban Development (HUD) by August 12, 2017

Supervisor Gross seconded the motion.

Following a brief discussion, it was noted that the Attachment included with the Board Agenda Item provides an excellent highlight of County services and programs.

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

20. **A-6 - APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE FAIRFAX COUNTY BOARD OF SUPERVISORS AND THE FAIRFAX COUNTY SCHOOL BOARD REGARDING IMPLEMENTATION OF A JOINT MUNICIPAL SEPARATE STORM SEWER SYSTEM (MS4) PROGRAM** (11:21 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the MOU between the Board and the County School Board and authorize the County Executive to sign the MOU. Implementation of a Joint MS4 program will improve program efficiency and simplify permit compliance. The MOU defines the roles and responsibilities of each entity for implementation of a Joint MS4 program. Supervisor McKay seconded the motion.

Discussion ensued, with input from Randy Bartlett, Deputy Director, Department of Public Works and Environmental Services, regarding the permit process, cost of installation, and funding sources.

Supervisor Cook asked unanimous consent that the Board direct staff to include the MS4 program in the list of programs and services the County handles on behalf of the Fairfax County Public Schools (FCPS) during the budget process. Without objection it was so ordered.

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

21. **A-7 - APPROVAL OF A PLAIN LANGUAGE EXPLANATION FOR THE 2017 BOND REFERENDUM FOR IMPROVEMENTS TO PUBLIC SCHOOLS** (11:26 a.m.)

BONDS

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

- Approve the plain language explanation for the 2017 bond referendum for improvements to public schools
- Authorize staff to translate it, post it online, and print sufficient copies to make it available at County absentee voting sites and polling places

Supervisor McKay seconded the motion.

Discussion ensued, with input from Erin C. Ward, Senior Assistant County Attorney, and Edward L. Long Jr., County Executive, regarding the Virginia Code limitation on the number of words of the proposed ballot question.

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

22. **A-8 – ADOPTION OF A RESOLUTION AUTHORIZING EXECUTION OF A PROJECT LAND RIGHTS ACQUISITION ADMINISTRATION AGREEMENT WITH THE CITY OF FALLS CHURCH FOR THE ACQUISITION OF LAND RIGHTS NEEDED FOR PEDESTRIAN ENHANCEMENT AND SIGNAL IMPROVEMENTS ON NORTH WEST STREET (DRANESVILLE DISTRICT)** (11:32 a.m.)

(R) On motion of Supervisor Foust, seconded by Supervisor L. Smyth, 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 authorizing the Director of the Department of Transportation to execute a project land rights acquisition administration agreement in substantially the form of Attachment II of the Board Agenda Item.

23. **A-9 - APPROVAL OF THE COUNTY’S TITLE VI PROGRAM UPDATE FOR 2017-2019 FOR THE FEDERAL TRANSIT ADMINISTRATION (FTA)** (11:32 a.m.)

On motion of Supervisor Foust, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved

the County's Title VI Program Update for 2017-2019 in substantially the form contained in Attachment I of the Board Agenda Item.

24. **A-10 - ENDORSEMENT OF THE LITTLE RIVER TURNPIKE BICYCLE CORRIDOR STUDY AND RECOMMENDED PROJECTS (BRADDOCK, MASON, AND PROVIDENCE DISTRICTS)** (11:33 a.m.)

On motion of Supervisor Gross, seconded jointly by Supervisor Cook and Supervisor L. Smyth, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the list of Little River Turnpike recommended bicycle and pedestrian transportation improvement projects, as found in Attachment I of the Board Agenda Item, to be funded from the County's Fiscal Year (FY) 2015 – FY 2020 Transportation Project Priorities (TPP) as approved by the Board on January 28, 2014.

25. **A-11 - APPROVAL OF A DRAFT BOARD MEETING SCHEDULE FOR CALENDAR YEAR 2018** (11:34 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 a draft meeting schedule for January through December, 2018.

26. **A-12 - APPROVAL OF A RESOLUTION AND PROJECT ADMINISTRATION AGREEMENT WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) REGARDING THE CONSTRUCTION OF THE EDSALL ROAD WALKWAY OVER INTERSTATE 395 (I-395) FROM CHEROKEE AVENUE TO 200 FEET NORTH OF BERYL ROAD (MASON DISTRICT)** (11:35 a.m.)

(R) On motion of Supervisor Gross, 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 adopted a Resolution in substantially the form of Attachment I of the Board Agenda Item authorizing the Director of the Department of Transportation to execute a project administration agreement, in substantially the form of Attachment II of the Board Agenda Item, with VDOT for the construction of the Edsall Road Walkway on the north side of Edsall Road over I-395 from Cherokee Avenue to 200 feet north of Beryl Road. This project is associated with the I-395 Express Lanes project.

27. **A-13 - APPROVAL OF FISCAL YEAR (FY) 2017 YEAR-END PROCESSING** (11:36 a.m.)

On motion of Supervisor Gross, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred in the recommendation of the County Executive and authorized staff to process payment vouchers for items previously

approved and appropriated in FY 2017 for the interim period from July 1 until the Board approves the *FY 2017 Carryover Review* which is scheduled for action on September 12, 2017.

28. **A-14 – APPROVAL OF REVISIONS TO CHAPTERS 2, 4, 16, AND 17 OF THE PERSONNEL REGULATIONS TO ALIGN DEFINITIONS, ALIGN PRACTICE WITH POLICY, AND PROVIDE ADMINISTRATIVE CLARIFICATION** (11:36 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of the County Executive and approve the proposed revisions to Chapters 2, 4, 16, and 17 of the Personnel Regulations, as specified in the Board Agenda Item. Supervisor L. Smyth seconded the motion.

Discussion ensued regarding the fact that the revisions include a definition of workplace bullying.

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

29. **I-1 - CONTRACT AWARD – HIV/AIDS MEDICAL SERVICES FOR INDIGENT RESIDENTS** (11:38 a.m.)

The Board next considered an item contained in the Board Agenda announcing that the County's Purchasing Agent will proceed to award this contract to Inova Health Care Services. This contract will begin on September 1, 2017, and terminate on August 31, 2022. The total estimated amount of this contract of the entire life of the contract will be approximately \$622,500.

Discussion ensued, with input from Michelle Milgram, Health Department, and Cathy Muse, Director, Department of Procurement and Material Management, regarding funding sources for the program.

Supervisor Cook asked unanimous consent that the Board direct staff to provide information on the differences between the Ryan White Program and the County's Program. Without objection, it was so ordered.

ADDITIONAL BOARD MATTERS

DET:det

30. **REQUEST FOR RECOGNITION** (11:42 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite the staff of the Office of Emergency Management to appear before the Board on September 12 to:

- Present plaques of appreciation to its community and business partners

- Accept a proclamation declaring September 2017 as “*Emergency Preparedness Month*” in Fairfax County

Without objection, it was so ordered.

31. **UTILIZATION OF ECONOMIC DEVELOPMENT SUPPORT FUND (EDSF) FOR STATE GRANT PROGRAM** (11:42 a.m.)

In a joint Board Matter with Supervisor Foust, Chairman Bulova noted that she has been a strong supporter of Farmer’s Markets, agricultural development, and agritourism uses throughout Fairfax. There are a number of actions that the Board has underway to support agriculture.

On June 20 the Board approved the 2017 Zoning Ordinance Amendment Work Program. One of the First Tier amendments being developed is to address agritourism uses, as well as community gardens and urban agriculture. These uses support the County’s Live Healthy Fairfax, Partnership for a Healthier Fairfax, and Fairfax Food Council initiatives.

Chairman Bulova said that the Building Repositioning Workgroup identified urban agriculture as an emerging trend that may provide opportunities for existing vacant commercial buildings. Vertical farming, or indoor farming, allows for food production to happen within urban areas, providing additional ‘eat local’ opportunities for residents. She added that the Board directed the Department of Planning and Zoning to incorporate policies related to repurposing and repositioning office buildings into the Comprehensive Plan.

Chairman Bulova said that last week, Governor McAuliffe announced Virginia’s agriculture and forestry industries had a \$91 billion economic impact in 2015, up from \$70 billion in 2011. The County, the City of Fairfax, and the City of Falls Church combined are the fourth largest agricultural employers in the State with 6,201 agriculture-related jobs and \$945 million in output in 2015.

The EDSF provides another opportunity for the County to support these activities. The Commonwealth’s Governor’s Agriculture and Forestry Industries Development (AFID) Fund is a performance-based economic development incentive to encourage investment in agriculture and forestry value-added or processing plants. AFID Facility Grants are awarded by the Commonwealth for the benefit of a company and there is a local jurisdiction match aspect for these awards.

In addition, AFID Planning Grants are available to encourage local governments to develop a strategic plan and develop local policies to better support agriculture.

Therefore, Chairman Bulova moved that the Board:

- Direct the County Executive to prepare an Initial Project Evaluation for the potential use of up to \$500,000 from the EDSF to provide the local match

- Direct the County Executive to develop a process to advertise, solicit, and review AFID applications for Board review
- Direct the County Executive that no investment from the EDSF will be made until the Board has approved the use of those funds
- Encourage the County Executive to submit the AFID Planning Grant to seek up to \$25,000 to aid Fairfax in adding urban agriculture and agritourism to the Economic Success Strategic Plan and support the County's policy and ordinance reviews underway

Supervisor Foust seconded the motion.

Discussion ensued concerning:

- Potential environmental issues associated with this proposal
- Product availability to local markets and restaurants
- Information available from the Building Repositioning working group presentation
- The ability to convert old buildings into greenhouses/indoor farms
- Nutritional benefits of producing food in close proximity to consumers

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

32. **RECOGNIZING SINEAD EKSTEEN, STATE SWIMMING CHAMPION (DRANESVILLE DISTRICT)** (11:49 a.m.)

Supervisor Foust congratulated Ms. Sinead Eksteen for her swimming achievements. At the 6A State championship held this past February, she won both the 100 and 200 freestyle and established a new State record in both events. Her performance over the season resulted in three new school records, a team MVP award, and three All-American swims. Her season-long excellence concluded with her recognition as the *Washington Post's* All-Met Female Swimmer of the Year. Ms. Eksteen is a rising senior at McLean High School.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite Ms. Eksteen, her coaches, and school officials to appear before the Board on September 26, 2017, to be recognized for her outstanding achievement. Without objection, it was so ordered.

33. **CONCURRENT PROCESSING – SSL DEVELOPMENT COMPANY, LLC,
– FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA
2003-PR-022 (PROVIDENCE DISTRICT)** (11:50 a.m.)

Supervisor L. Smyth said that SSL Development Company, LLC (the "applicant") recently submitted a final development plan amendment application for property located in MetroWest. Final Development Plan Amendment Application FDPA 2003-PR-022 has been accepted by the County. The applicant proposes to construct an assisted living building which is categorized by the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), as a medical care facility. Since the applicant is interested in pursuing construction as soon as possible, they have asked for consideration of concurrent processing of the site plan review process.

Therefore, Supervisor L. Smyth moved that the Board direct the Director of Land Development Services to accept for concurrent and simultaneous review a site plan, architectural drawings, and any other plans or drawings as may be necessary in conjunction with Final Development Plan Amendment Application FDPA 2003-PR-022. This motion should not be construed as a favorable recommendation by the Board or the Planning Commission on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and adopted standards. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

34. **MOTION TO RESCIND PLAN AMENDMENT APPLICATION 2013-II-F1
– FLINT HILL SUBURBAN CENTER (PROVIDENCE DISTRICT)** (11:52 a.m.)

Supervisor L. Smyth said that on July 9, 2013, the Board authorized the Flint Hill Suburban Center Plan Amendment 2013-II-F1 with the adoption of the 2013 Comprehensive Plan Amendment Work Program. The amendment would consider whether the area still meets the criteria as a Suburban Center and area-wide editorial revisions. The area-wide study has not begun. The North County Site-Specific Plan Amendment process will commence with an open nomination period anticipated in September 2017. The nomination period will allow anyone to propose land use plan changes in the eligible areas. Rescinding Plan Amendment 2013-II-F1 would allow for this suburban center to be eligible for the process and nominations to be collected in the area.

Therefore, Supervisor L. Smyth moved that the Board rescind consideration of Plan Amendment 2013-II-F1, Flint Hill Suburban Center, and that it be removed from the 2013 Comprehensive Plan Amendment Work Program. Supervisor K. Smith seconded the motion and it carried by unanimous vote.

35. **INTRODUCTION OF GUESTS TO THE BOARD AUDITORIUM (MOUNT
VERNON DISTRICT)** (11:54 a.m.)

Supervisor Storck introduced Mr. Ben Morin and Mr. Chase Morin, the sons of his Chief of Staff Christine Morin, and warmly welcomed them to the Board Auditorium. They are rising South County High School sophomores.

36. **ACQUISITION OF THE QUANDER PROPERTY (MOUNT VERNON DISTRICT)** (11:55 a.m.)

Supervisor Storck announced that the County acquired 2.32 acres of land located at 6318 Quander Road in the Mount Vernon District. This property has been in the ownership of the Quander Family for over 100 years and carries with it the legacy of the Quanders as a pre-eminent family in the history of the County. The Quander family is believed to be one of the oldest documented families of African ancestry in present day America, some of whom are descendants of slaves of George Washington.

The Quander property is adjacent to the County-owned Fairchild property and provides access to the land from Quander Road. Both the Quander and the Fairchild properties are undergoing County-funded stream restoration and, once completed, would serve to provide a green network of new public parks, green spaces, and recreation facilities connected to natural resources.

This network also supports the community's efforts, through the Embark planning initiative, to re-envision revitalization along the Richmond Highway Corridor, augment the new transportation system and provide a welcome opportunity to honor both the County's history, which the Quander family adequately and fully represents, as well as the County's future planning efforts to increase green space and to further improve the Richmond Highway Corridor.

37. **WORKHOUSE BREWFEST (MOUNT VERNON DISTRICT)** (11:57 a.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Storck referred to his written Board Matter and announced that on August 12, the Workhouse Arts Center will host the Second Annual Workhouse Brewfest. There will be 12 bands and vinters and distillers of beer, wine, and other spirits. The event was very successful last year, its inaugural, and he predicted that the weather will not be as hot as last year. He invited Members of the Board to attend as part of the festivities.

38. **REQUEST FOR A PROCLAMATION ON THE FIFTIETH ANNIVERSARY OF THE FOUNDING OF THE WESSYNTON COMMUNITY (MOUNT VERNON DISTRICT)** (11:58 a.m.)

Supervisor Storck said that Wessynton is a community of 156 single family homes located on a 65 acre parcel that once was part of George Washington's Mansion House Farm at Mount Vernon. Founded in 1967, Wessynton was the first planned development in the County for Miller and Smith, which went on to build nearly 17,000 homes across Northern Virginia and Maryland, including Kingstowne. Wessynton was designed by Deigert and Yerkes and Associates, a firm that was among the area's leading proponents of mid-twentieth-century modern design, with notable commissions including the Madeira School Theater and Student Building and the National Arboretum Headquarters, Washington, DC (listed on the National Register of Historic Places).

The Virginia Society of the American Institute of Architects bestowed its "Test of Time" award to recognize the lasting value and preservation of Wessynton's

original architectural design, upon its twenty-fifth anniversary. Now 25 years later, Wessynton continues to uphold its design principles and preserve its bucolic environment, which George Washington would have appreciated when he surveyed the "heavily wooded" land at age 17.

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to prepare a proclamation commending and congratulating the Wessynton Homes Association on the occasion of its fiftieth anniversary. Without objection, it was so ordered.

39. **REQUEST TO INITIATE A PLAN LANGUAGE AMENDMENT FOR SKY VIEW DRIVE PROPERTIES (MOUNT VERNON DISTRICT)** (12 noon)

Supervisor Storck said that this motion relates to Tax Map 101-3 ((10)) 6A and 7A. These two lots are located on Sky View Drive and are completely surrounded on the north, east, and south sides by the Skyview Park townhouse community. These lots were not part of the original rezoning that created Skyview Park in 2002 and this represents the classic scenario of infill development coming, in this case, 15 years after the original development. The purpose of this motion is to initiate a Plan amendment to evaluate the impacts of Plan language for these properties to match the density of the Skyview Park subdivision which surrounds them on three sides.

Therefore, Supervisor Storck moved that the Board authorize the consideration of an amendment to the Comprehensive Plan for Tax Map parcels 101-3 ((10)) 6A and 7A that is otherwise consistent with this motion which may be considered concurrently with a rezoning application for the subject properties. This motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, adopted standards, or proffers. This action in no way prejudices the substantive review of the application. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

40. **REQUEST FOR CONCURRENT PROCESSING AND EXPEDITED BOARD PUBLIC HEARING (COMBINED NOTICE) FOR REZONING APPLICATION RZ 2015-MV-015, L&F BOCK FARM, LLC (MOUNT VERNON DISTRICT)** (12:02 p.m.)

Supervisor Storck said that pending Rezoning Application RZ 2015-MV-015 is a request to develop 35 single family attached homes on a portion of what is known as Bock Farm. This application has spent an extensive amount of time being reviewed by the community and has received a recommendation of support from the Environment and Recreation Committee, the Transportation Committee, and the Planning and Zoning Committee of the Mount Vernon Council of Citizens Association.

The applicant has submitted its final plan addressing staff comments. The Planning Commission (PC) public hearing is scheduled for September 14, 2017. In light of these circumstances, the applicant has requested permission to begin concurrent processing of the site plan. The applicant has also asked for an expedited Board public hearing date to be scheduled as soon after the PC public hearing as possible and for the ability to provide the public hearing notice required under the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance) Section 18-110 for the PC and Board public hearings in a single notification to the property owners required to be notified under Section 18-110.

Therefore, Supervisor Storck moved that the Board authorize:

- The Department of Land Development Services to concurrently process the site plan and other engineering approvals associated with this pending application
- A combined public notice for the PC and for the Board hearings for purposes of meeting the requirements of Zoning Ordinance Section 18-110

This motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, adopted standards, or proffers. This action in no way prejudices the substantive review of the application. Supervisor Foust seconded the motion and it carried by unanimous vote.

41. **REQUEST TO SCHEDULE A PUBLIC HEARING FOR PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-V-003 AND REQUEST FOR CONCURRENT PROCESSING OF THE MINOR SITE PLAN (MOUNT VERNON DISTRICT)** (12:04 p.m.)

Supervisor Storck said that the Sumner Crossing Homeowners Association (HOA), a planned community in Lorton of 45 homes, is proposing to expand their off-street parking to meet the demand for additional resident and visitor parking for their large community. Due to a defect in its operating documents, garage owners are permitted to use the parking spaces originally planned for non-garage owners, as a result the homeowners association (HOA) is proposing to construct additional off-street parking to address this problem. However, due to a reduction in open space below the originally proffered amount, a proffered condition amendment application (PCA) was required. Further, due to the amount of time and the serial process for the minor site plan and site permit required for construction, combined with the need for this type of project to be constructed prior to the less-than-favorable and unpredictable weather periods of November and December, the (HOA) is requesting the first available Board public hearing date on their PCA application and expeditious and concurrent processing of the required minor site plan and site permit.

These type of improvements in townhome communities reduce the demand on the County's public streets for townhouse visitor parking and would be appropriately convenient and well used by the community they would serve. The Planning Commission has also recommended the project for approval.

Therefore, Supervisor Storck moved that the Board direct:

- Staff to schedule a public hearing for Proffered Condition Amendment Application PCA 91-V-003 for September 12
- The Director of Department of Public Works and Environmental Services to expedite and concurrently process the minor site plan, paperwork, and applications which are necessary to obtain a site permit for the expansion of the off-street parking for the Sumner Crossing HOA

This motion should not be construed as a favorable recommendation on the application by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, adopted standards, or proffers. This action in no way prejudices the substantive review of the application. Supervisor Foust seconded the motion and it carried by unanimous vote.

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42. **OPIOID CRISIS** (12:06 p.m.)

Supervisor Herrity pointed out that there is work to be done on the continuing opioid crisis. He noted that the Community Services Board (CSB) is having a positive impact in the community but there are two areas of concern: there is not a good list of places to go for help; and, there are limited residential treatment options in Northern Virginia.

Therefore, Supervisor Herrity moved that the Board:

- Direct the Opioid Task Force to determine what can be done to help people find treatment and also to determine if there are barriers to residential treatment programs in Northern Virginia and how can these issues be addressed
- Direct staff to review the Chesterfield County model to determine if it has applicability to the County

Discussion ensued and the Board asked unanimous consent that staff be directed to report with the following information:

- The increase in the cost to administer Narcan

- The number of people entering the County jail with significant opioid or other abusive addictions and opportunities to partner with the Sheriff
- The role that Opportunities, Alternatives, and Resources (OAR) plays in preparing individuals to get back into the community

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

43. **LANGSTON HUGHES MIDDLE SCHOOL - REQUEST FOR CONCURRENT SITE PLAN PROCESSING (HUNTER MILL DISTRICT)**
(12:12 p.m.)

Supervisor Hudgins said that the School Board has filed Planned Residential Community Application PRC 76-C-111 to allow the construction of building additions and minor site modifications for Langston Hughes Middle School in Reston. Design funds were allocated for the renovation and capacity enhancements at Langston Hughes with the 2015 School Bond referendum. The proposed building additions to the school will increase the total gross floor area of the school from approximately 132,000 square feet to approximately 200,000 square feet, which reflects an increase of approximately 68,000 square feet.

Due to the need to expeditiously complete these improvements, the applicant has requested authorization to process the site plan for this project concurrently with the PRC plan application. The application is in conformance with the Comprehensive Plan and applicable provisions of the Zoning Ordinance.

Therefore, Supervisor Hudgins moved that the Board direct the Department of Public Works and Environmental Services to accept the associated site plan for processing concurrently with Planned Residential Community Application PRC 76-C-111 for Langston Hughes Middle School. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from complying with the provisions of all applicable ordinances, regulations or adopted standards in any way. Supervisor McKay seconded the motion and it carried by unanimous vote.

44. **REQUEST BY THE COUNTY SCHOOL BOARD TO AUTHORIZE THE FILING OF PROFFERED CONDITION AMENDMENT APPLICATIONS FOR MCNAIR ELEMENTARY SCHOOL WITH CONCURRENT AND EXPEDITED PROCESSING OF THE SITE PLAN (HUNTER MILL DISTRICT)** (12:14 p.m.)

Supervisor Hudgins said that the School Board has requested authorization to file Proffered Condition Amendment/Final Development Plan Amendment (PCA/FDPA) Applications FDPA 87-C-060 and PCA 93-H-045 (the "applications") to allow the construction of a new elementary school building

(Northwest County Elementary School), and site modifications on the property of the existing McNair Elementary School, located at 2499 Thomas Jefferson Drive [Tax Map 16-3((1)) parcel 41], and an adjacent 1.36-acre parcel which was previously dedicated to the Board for public school and park use.

The McNair Elementary School is significantly overcrowded and the proposed school building will provide capacity relief. At this time, it is anticipated that the existing school building will serve grades K-3 with grades 4-6 in the proposed new school building, subject to approval by the School Board. The new school will be a multi-level building (3-stories) and will include community-oriented spaces.

This project was approved for design funding in the 2015 School Bond referendum. The proposed elementary school will consist of a gross floor area of approximately 130,000 square feet which, in addition to the existing McNair Elementary School which consists of approximately 98,625 square feet, will result in a total gross floor area of approximately 228,625 square feet on the property.

Due to the need to expeditiously complete these improvements, the applicant has also requested authorization to process and expedite the site plan for this project concurrently with the applications. The applications are in conformance with the Comprehensive Plan and applicable provisions of the Zoning Ordinance. She added that the Board is the title owner of these two parcels. Supervisor Hudgins noted that the Board must consent to and authorize the filing of these applications on the property as its owner.

Therefore, Supervisor Hudgins moved that the Board:

- Consent to and authorize the filing of the applications by the School Board on this property, including any necessary determinations under Section 15.2-2232 of the Code of Virginia
- Direct the Department of Public Works and Environmental Services to accept the associated site plan for processing concurrently and expeditiously with applications Proffered Condition Amendment/Final Development Plan Applications PCA/FDPA 87-C-060 and PCA 93-H-045
- Direct staff to expedite processing of the public hearings on the applications

This motion should not be construed to prejudice substantive review of the applications or 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. Supervisor McKay seconded the motion and it carried by unanimous vote.

45. **PLAN AMENDMENT 2016-III-UP1 – PINECREST ROAD (HUNTER MILL DISTRICT)** (12:19 p.m.)

Supervisor Hudgins said that on October 18, 2016, the Board authorized the consideration of a Comprehensive Plan amendment for the north side of Pinecrest Road, south of Brown Fox Way [Tax Map parcels 26-1 ((1)) 5B and 6] in the Upper Potomac Planning District.

The adopted Plan for this area recommends low intensity light industrial/research and development uses at a maximum intensity of .25 floor area ratio (FAR). The Board directed that staff consider an option for residential use at 4-5 dwelling units per acre (du/ac) for the subject property; however, this amendment is no longer being pursued.

Therefore, Supervisor Hudgins moved that the Board rescind consideration of Plan Amendment 2016-III-UP1, Pinecrest Road, and that it be removed from the Plan amendment work program. Chairman Bulova seconded the motion and it carried by unanimous vote.

46. **FIRST BAPTIST CHURCH OF VIENNA (HUNTER MILL DISTRICT)** (12:20 p.m.)

Supervisor Hudgins said that the First Baptist Church of Vienna was organized in 1867 and currently is celebrating its 150th anniversary. According to the church's history, it is the first and oldest church in Vienna, Virginia, founded by several African Americans working on a Vienna farm owned by Major O. E. Hine. Major Hine later provided land in Vienna for education and religious purposes.

Previously located at 315 Lawyers Road, the church later moved to its current location at 450 Orchard Street, N.W. For over a century and a half, it has been a faith community that modeled the best in service and support to the congregation and the community.

In addition to focusing on Christian worship, First Baptist Church of Vienna has evangelized, provided community service, and Christian education. It has worked with other churches to provide missionary activities such as funding for tsunami relief in Asia and Africa; the community Coalition for Haiti earthquake relief; and assisted with funding to build a college in Zimbabwe, East Africa.

Through those many years of service, the Church has enriched the lives of its church family and the entire community. The Hunter Mill District is grateful for all acts of kindness and service, large and small, by the Church and its members.

Therefore, Supervisor Hudgins asked unanimous consent that the Board applaud this historic milestone and issue a resolution signed by the Chair and the Hunter Mill District Supervisor to be presented to Reverend Dr. Vernon C. Walton, Senior Pastor, at the Anniversary Gala on November 10, 2017. Without objection, it was

so ordered.

47. **SICKLE CELL AWARENESS MONTH** (12:22 p.m.)

Supervisor Hudgins announced that September is National Sickle Cell Awareness month. Sickle Cell Disease is the most common inherited blood disorder. In the United States, more than 100,000 African Americans and persons of Hispanic, Mediterranean, and Middle Eastern descent suffer from this debilitating illness. An additional two million African Americans are carriers of the sickle-cell trait. Though the trait usually does not have clinical symptoms, it is very important for people to know their status because of the genetic transmission of sickle cell disease.

In the area, the Heart of Gold Sickle Cell Foundation of Northern Virginia strives to educate, mentor, and support those that battle with sickle cell disease.

Supervisor Hudgins asked unanimous consent that the Board:

- Proclaim September as “*Sickle Cell Awareness Month*” in Fairfax County
- Direct the Office of Public Affairs to help publicize this event
- Direct staff to invite representatives from the Heart of Gold Sickle Cell Foundation of Northern Virginia to appear before the Board at its September 12 meeting to receive the proclamation

Without objection, it was so ordered.

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48. **VULCAN MATERIALS CONCURRENT PROCESSING (MASON DISTRICT)** (12:24 p.m.)

Supervisor Gross noted that Vulcan Materials Company, LLC, acquired a large 100 acre plus tract of land located in the southwest quadrant of Edsall Road and I-395 with the intent of continuing the existing concrete/asphalt batching plant/aggregate sales yard which has operated on the property in one form or another since at least the 1940s. The time has come for Vulcan to upgrade the current facilities and to replace and/or modernize its existing operations. The property is largely zoned I-6, but also contains a small area of commercial and R-2 zoning; there is also a significant buffer area along the Edsall Park neighborhood to the west, which is zoned R-2, and is not part of the current special exception request but will be included with the overall site plan. To achieve the upgrades it has envisioned, Vulcan has filed Rezoning Application RZ 2017-MA-013 on 0.945 acres of land currently zoned R-2 and C-8. To rezone it to the I-6 District, consistent with the remainder of the operation, Vulcan has filed Special Exception Application SE 2017-MA-009 on 93.73 acres to permit approval of the concrete and asphalt

mixing/batching plant and an increase in building height to permit two concrete silos at a height of 135 feet. The applicant is also seeking an abandonment of a portion of Carolina Place that is within its property and is requesting concurrent site plan review to allow staff and the applicant to work out the various environmental and technical concerns raised by the applications in as expeditious a manner as possible. This site is extremely well-located for this use and has served the needs of development in the County for over 80 years; the upgrading of this facility not only keeps this important use viable and productive, but provides an opportunity to further improve environmental conditions, buffers, and transportation facilities impacted by the use.

Therefore, to ensure that these applications are able to move forward in as efficient a manner as possible, Supervisor Gross moved that the Board direct the Directors of the Department of Planning and Zoning and Land Development Services to review and concurrently process the special exception, rezoning, right-of-way abandonment and site plans for the Vulcan Materials Company, LLC, site located at 5640 Industrial Road. 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. Supervisor Foust seconded the motion and it carried by unanimous vote.

49. **SCHOOL BUS CAMERA LEGISLATION AND IMPLEMENTATION EFFORTS** (12:27 p.m.)

Jointly with Supervisor Foust, Supervisor McKay said that it has been six years since the General Assembly (GA) enacted legislation to allow localities to authorize its local school divisions to install and operate video-monitoring systems on school buses in order to catch violators who pass the vehicles when the red “Stop” arm is displayed.

The Board worked with the GA in 2016 to address obstacles that the initial legislation created for localities which ultimately led to the passage of House Bill (HB)168 and Senate Bill (SB)120. Both of these bills were supported by the Board and the School Board.

Since the 2016 change to the legislation, however, the School Board has yet to take action to install cameras on any buses in the school system’s fleet. He referred to the timeline included in his written Board Matter which shows that much work has been done over the last six years to accommodate such a system in the County. It is not to raise revenue but rather to ensure the safety of the children.

Supervisor McKay said he recently learned of another company serving school systems in Manassas City and Richmond City at no cost. There is no reason why Fairfax County Public Schools (FCPS) should not join these localities and improve the safety of children.

Therefore, Supervisor McKay moved that the Board direct staff to work with FCPS leadership to determine the status of the installation program and receive a detailed timeline of when these cameras will be installed. Supervisor Foust seconded the motion.

Following a brief discussion regarding the status and obstacles of the program, the question was called on the motion and it carried by unanimous vote.

50. **ECUMENICAL COMMUNITY HELPING OTHERS (ECHO), INCORPORATED (LEE DISTRICT)** (12:36 p.m.)

Supervisor McKay said that ECHO, Incorporated, is a non-profit charitable organization that provides critical support to those who suffer the effects of long-term poverty as well as people who are experiencing emergency need. At the May 2, 2017, Board meeting, he made a motion to waive the fees associated with the special exception amendment application. The applicant recently filed to expand the parking lot and the building located at 7209 Old Keene Mill Road. The Board passed the motion and the special exception amendment application has successfully been filed.

At staff's request, ECHO, Incorporated, is also filing a related application for a proffered condition amendment. ECHO, Incorporated's property was previously rezoned and is subject to proffers associated with that rezoning. The proffered condition amendment application is necessary to permit the development of the property in accordance with the new plans for the property that include a new parking area and expanded building.

Therefore, Supervisor McKay moved that the Board waive the fees associated with the proffered condition amendment application. Supervisor Herrity seconded the motion and it carried by unanimous vote.

51. **SPRINGFIELD COMMUNITY BRIDGEWALK 2017 (LEE DISTRICT)** (12:37 p.m.)

Supervisor McKay said that on Tuesday, August 29, 2017, at 7 p.m., members of the Springfield community will once again march over Veterans Bridge in the heart of the Springfield Commercial Revitalization District and hold a community celebration at the American Legion end of the bridge. The celebration will feature music, food from local restaurants, and prizes from sponsors.

This year's BridgeWalk which is the sixteenth, will continue the tradition of renewing the Army/Community covenant signing that began in 2009. The covenant is an affirmation of support by the State and local communities to active, guard, and reserve service members and their families.

Supervisor McKay said that local elementary schools have always been enthusiastic participants of this event and looks forward to their participation again this year.

The BridgeWalk is a community building event that began 16 years ago to mark the installation of new lighting on Veteran's Bridge in central Springfield. Veterans Bridge (also known as the Amherst Avenue Bridge) crosses over Old Keene Mill Road and links both sides of Springfield's Commercial Revitalization District. The bridge is a gateway to central Springfield. With its acorn lights, wide sidewalks, pedestrian stairway, and attractive façade, it dovetails nicely with the community's vision for a revitalized Springfield and is an attractive gateway to the central business district.

Supervisor McKay invited Board Members to join him on August 29 and experience how community is celebrated in Lee District.

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

52. **SULLY DISTRICT RESTAURANTS AND SIGNS ZONING ORDINANCE AMENDMENTS AUTHORIZATION (SULLY DISTRICT)** (12:39 p.m.)

Supervisor K. Smith stated that at the Board's July 18 Development Process Committee meeting, the Board was briefed on proposed Zoning Ordinance (ZO) amendments to update the definitions and regulations for restaurants and to revise the sign ordinance in a content-neutral manner. These proposed amendments are part of the ZO Modernization (or zMOD) project. The restaurant amendment represents a first step in creating more generic definitions to accommodate current and future trends. The current definitions and regulations for these uses were adopted as long as 36 years ago and do not reflect current trends. As such, a comprehensive review of the provisions of the ZO relating to restaurant uses should be conducted in light of the trends in retail and food establishments as well as County experience with permitting and enforcement. The sign amendment is needed to comply with a recent Supreme Court case and to create a more user-friendly format.

Therefore, Supervisor K. Smith moved that the Board direct staff to:

- Process these amendments
- Undertake appropriate community outreach to engage citizens in these efforts
- Report this fall with proposed amendment text for the authorization of public hearings, consistent with the schedules presented to the Board on July 18

Supervisor Foust and Chairman Bulova jointly seconded the motion.

Following discussion regarding digital signs, the question was called on the motion and it carried by unanimous vote.

53. **PLAN AMENDMENT 2013-III-BR1, CENTREVILLE SUBURBAN CENTER (SULLY DISTRICT)** (12:41 p.m.)

Supervisor K. Smith stated that on July 9, 2013, the Board authorized the Centreville Suburban Center Plan Amendment 2013-III-BR1 with the adoption of the 2013 Comprehensive Plan Amendment Work Program. The amendment would consider an areawide editorial update. The areawide study has not begun. The North County Site-Specific Plan Amendment process will commence with an open nomination period anticipated in September 2017. The nomination period will allow anyone to propose land use plan changes in the eligible areas. Rescinding Plan Amendment 2013-II-BR1 would allow for this suburban center to be eligible for the process and for nominations to be collected in the area

Therefore, Supervisor K. Smith moved that the Board rescind consideration of Plan Amendment 2013-III-BR1, Centreville Suburban Center, and that it be removed from the Plan amendment work program. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

54. **SULLY LOOP TRAIL AND BULL RUN LOOP TRAIL (SULLY DISTRICT)** (12:42 p.m.)

Supervisor K. Smith said that recently she met with Mr. Bill Niedringhaus, Ms. Karen Jones, Maggie Godbold, Sully Park Authority Representative, and Nora Perry, Sully Trails Representative, regarding the concept of a Sully Loop Trail and Bull Run Loop Trail. These trails would provide long scenic wooded trail loops which are fairly rare in the County. They would be similar in scope to the Gerry Connolly Cross County Trail (GCCCT) and the West County Trail (with which they share segments).

Therefore, Supervisor K. Smith moved that the Board direct staff to identify the ultimate route and add this to the County Trails Plan for the Board's approval. Chairman Bulova seconded the motion and it carried by unanimous vote.

55. **STARLIGHT CINEMA EVENT (SULLY DISTRICT)** (12:44 p.m.)

Supervisor K. Smith said that the Park Authority's Starlight Cinema event has occurred every Saturday night in August at the Trinity Centre in Centreville for several years. This event has been a great success for over a decade, providing the County with the wonderful experience of free drive-in-movies. She noted that this year the Park Authority will be screening fantastic films including "Moana," "Finding Dory," "Zootopia," and "Storks." The gates at the Trinity Centre will open at 6 p.m. and the movies will begin at dark. While the Park Authority has already begun to advertise for Starlight Cinema, the County can continue to assist its goal of informing the public of this event.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct the Office of Public Affairs to use existing channels of communication to advertise Starlight Cinema to the public and raise awareness for this event. Without objection, it was so ordered.

56. **YOUTH RAIL SAFETY EDUCATION CAMPAIGN (BRADDOCK DISTRICT)** (12:45 p.m.)

Jointly with Supervisor McKay, Supervisor Cook said that again last month a young woman died while walking along the train tracks in the Clifton area. She was hit by a Virginia Railway Express (VRE) train while crossing a bridge. Last year, a young woman was hit by a train in the Burke area under similar circumstances - while walking along the tracks. These are not isolated incidents.

Supervisor Cook referred to his written Board Matter which outlined the problems with trains and train tracks.

Unfortunately, youth often do not think about these risks. Youth social media abound with communications about meeting and/or walking on train tracks. The allure of trains is made stronger via the sharing of experiences through social media and the stronger allure means the danger is increasing.

VRE and other railroads have always urged caution near train tracks. VRE has a number of communications dealing with the subject, and continues to work with the Police Department to get this message out.

Therefore, Supervisor Cook moved that the Board direct:

- The Office of Public Affairs and the Police Department to invite Fairfax County Public Schools (FCPS), VRE, and other rail organizations to join them in the development, and promulgation of an enhanced public education campaign. It would be directed toward youth: to educate them on the significant dangers presented by rapidly moving trains and convince them not to engage in any activity near train tracks
- Staff to work with the police and railroads to explore potential options for fencing and other safety infrastructure to be constructed in areas known to be traversed most by youth

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

57. **CRACKING DOWN ON UNDERAGE DRINKING AT PARTIES** (12:48 p.m.)

Supervisor Cook noted that soon school will begin after the summer holidays. With school comes a lot of things, one of them is the return of large, alcohol-serving

parties in private homes, attended by dozens, sometimes hundreds, of underage youth. These parties are not just kids being kids or having some fun. When youth drink large amounts of alcohol it is only a matter of time until the Fire and Rescue Department is responding to a fatal car accident or the police are taking statements regarding a sexual assault allegation. If the County is "lucky," the result is more minor, perhaps kids getting sick in the bushes.

The police work hard to shut down these dangerous, illegal events. Groups such as MADD - Mothers Against Drunk Driving-continually urge restraint in drinking. The Board passes the "Parents Who Host Lose the Most" proclamation every Spring, yet the parties continue, along with the deadly consequences.

Supervisor Cook said as a parent of three teenagers, he knows large parties involving youth occur most weekends in the fall, and alcohol is served. He said as Chair of the Public Safety Committee of this Board, he believes it is time to redouble efforts to combat dangerous, illegal underage alcohol parties in private homes.

Therefore, Supervisor Cook moved that the Board direct:

- The Chief of Police to continue and expand if possible, current efforts to combat underage drinking of alcohol
- Staff to publicize widely arrests made of parents who serve alcohol to youth, to deter others from this dangerous activity
- The Office of Public Affairs and the Police Department to develop a targeted public education effort to ask homeowners to call the police non-emergency number, 703-691-2131, to report parties where it appears alcohol is being served to youth

Supervisor Cook asked that Board Members assist in distributing the developed messaging through the County's various communication networks. Homeowners and Civic Associations are encouraged to push their members to report illegal parties.

Supervisor Cook further moved that the Board endorse this effort to maximize the already significant efforts the County makes to combat youth drinking of alcohol. Supervisor Gross seconded the motion.

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

EBE:ebe

58. **RECESS/CLOSED SESSION** (12:52 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. Update on State Tax Commissioner's Ruling With Respect to Appeal of Determination by the Fairfax County DTA Regarding the Out-Of-State Deduction for BPOL Receipts
 - 2. U.S. Securities and Exchange Commission Municipalities Continuing Disclosure Cooperation Initiative.
 - 3. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Maliheh S. Hajabbassi and Ali A. Hajabbassi*, Case No. CL-2016-0017518 (Fx. Co. Cir. Ct.) (Dranesville District)
 - 4. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eaton Drive, LLC*, Case No. CL-2017-0005818 (Fx. Co. Cir. Ct.) (Dranesville District)

5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mary K. Devers, Trustee and Kenneth R. Arnold*, Case No. CL-2017-0004536 (Fx. Co. Cir. Ct.) (Hunter Mill District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Srinivas Akella and Krishna N. Kidambi*, Case No. CL-2017-0008936 (Fx. Co. Cir. Ct.) (Hunter Mill District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Sandy Ying-Tang Cheng and Yuk Yee Cheng*, Case No. CL-2017-0008718 (Fx. Co. Cir. Ct.) (Lee District)
8. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. George Parker and Michele Parker*, Case Nos. GV17-010146 and GV17-010147 (Fx. Co. Gen. Dist. Ct.) (Lee District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Michael J. Hayes and Donna R. Boatman*, Case No. GV17-013665 (Fx. Co. Gen. Dist. Ct.) (Lee District)
10. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Shaikh Aftab, Raheela Aftab, and Aamir Aftab*, Case No. GV17-007274 (Fx. Co. Gen. Dist. Ct.) (Mason District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Arlington Motors, Inc., and Yasmin Khoshnevis*, Case Nos. GV17-010670 and GV17-010671 (Fx. Co. Gen. Dist. Ct.) (Mason District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tirumal Kumar Pappu and Venkata V. Oruganti Naga*, Case Nos. GV17-010667 and GV17-010668 (Fx. Co. Gen. Dist. Ct.) (Providence District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John D. Moses and Katrina M. H. Waljeski-Moses*, Case No. GV17-013663 (Fx. Co. Gen. Dist. Ct.) (Providence District)

15. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. John D. Moses and Katrina M. H. Waljeski-Moses*, Case No. GV17-013664 (Fx. Co. Gen. Dist. Ct.) (Providence District)
16. *Board of Supervisors of Fairfax County v. G&C Multiservices, Inc.*, Case No. GV17-013049 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill, Mason, Providence, and Springfield Districts)

And in addition:

- Legal analysis associated with Internal Revenue Service Audit
- *Trinity Lutheran Church of Columbia, Incorporated v. Comer, Director, Missouri Department of Natural Resources*, Case Number 12-577 (United States Supreme Court June 26, 2017)
- Legal requirements for Prospective Appointments to the Civil Service Commission
- In Re: March 1, 2017, Decision of the Board of Zoning Appeals of Fairfax County, Virginia: Fairfax County Circuit Court Case Number CL-2017-0004596
- *Board of Supervisors v. Bruce and Tanya and Associates*, Fairfax County Circuit Court Case Number CL-2016-0016846

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

DET:det/EBE:ebe

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

59. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:50 p.m.)
Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor

Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

60. **MOTION AUTHORIZING APPEAL OF CIRCUIT COURT ORDER REVERSING MARCH 1, 2017, DECISION OF THE BOARD OF ZONING APPEALS (BZA)** (3:51 p.m.)

Supervisor Foust moved that the Board authorize and direct the County Attorney to appeal the Fairfax County Circuit Court Order reversing the March 1, 2017, decision of the BZA. This appeal will be submitted to the Virginia Supreme Court based on the grounds discussed with the County Attorney in closed session. Chairman Bulova seconded the motion and it carried by unanimous vote.

61. **APPOINTMENT OF MR. KIRK KINCANNON AS ACTING COUNTY EXECUTIVE** (3:52 p.m.)

Supervisor Gross said that County Executive Edward L. Long Jr. has announced his retirement on September 15, 2017. The Board is undertaking a search for a new County Executive until the position is filled.

Therefore, Supervisor Gross moved the appointment of Kirk Kincannon, as Acting County Executive effective September 16, 2017, at an annual salary of \$264,000. Supervisor Herrity and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

On behalf of the Board, Chairman Bulova congratulated Mr. Kincannon on his appointment and warmly welcomed him to the Board Auditorium.

AGENDA ITEMS

62. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2015-PR-006 (INTERNATIONAL PLACE AT TYSONS LLC) AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN (PROVIDENCE DISTRICT)** (3:54 p.m.)

- (O) The application property is located on the south side of Leesburg Pike, west of Gallows Road, north side of Boone Boulevard, Tax Map Number 39-1 ((6)) 38, 39-2 ((2)) 39.

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

Ms. Baker 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. Katai presented the staff and Planning Commission recommendations.

Supervisor L. Smyth moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2015-PR-006, from the C-8, SC, and HC Districts to the PTC, SC, and HC Districts, subject to the proffers dated July 13, 2017
- Approval of the waivers and modifications as listed in the handout distributed and dated July 13, 2017, which shall be made a part of the record, as follows:
 - Waiver of Section 2-505 of the ZO to permit structures and vegetation on a corner lot as shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP)
 - Modification of Section 2-506 of the ZO to allow for a parapet wall, cornice, or similar projection to exceed the established height limit by more than 3 feet but not more than 12 feet to screen mechanical equipment, as may be indicated on an FDP
 - Waiver of Section 6-506 of the ZO, which requires a minimum district size of 10 acres
 - Modification of Section 11-201 of the ZO to permit reduction of the required number of loading spaces to that shown on the CDP/FDP
 - Waiver of Section 17-201 of the ZO, to not require provision of a service road along Route 7
 - Modification of Section 17-201 of the ZO to permit the streetscape and on-road bike lane system shown on the CDP/FDP in place of any trails and bike trails shown for the subject property on the Comprehensive Plan
 - Waiver of Paragraph 3 of Section 17-201 of the ZO to provide any additional interparcel connections to

adjacent parcels beyond that shown on the CDP/FDP and as proffered

- Waiver of Paragraph 4 of Section 17-201 of the ZO to not require further dedication, construction, or widening of existing roads beyond that which is indicated on the CDP/FDP and proffers
- Waiver of Paragraph 7 of Section 17-201 of the ZO to permit installation of "No Parking" signs along travel ways at intervals greater than 50 feet with parking control signage to be determined at final site plan with approval of the Director of the Department of Public Works and Environmental Services
- Modification of Section 12-0508 of the Public Facilities Manual (PFM) to allow for tree preservation target deviations as justified by PFM 12-0508.3A(1) and 3A(3)
- Modification of Section 12-0510 of the PFM to permit trees located in rights-of-way and easements to count toward the 10-year tree canopy requirement subject to the proffered replacement provisions

Supervisor Foust seconded the motion and it carried by a 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: On July 13, 2017, the PC approved Final Development Plan Application FDP 2015-PR-006, subject to the development conditions dated July 13, 2017.)

63. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-LE-006 (DVA TELEGRAPH - 7710, LLC) (LEE DISTRICT)** (4:02 p.m.)

Supervisor McKay moved to defer the public hearing on Special Exception Application SE 2017-LE-006 until **September 12, 2017, at 4:30 p.m.** Supervisor Hudgins seconded the motion and it carried by unanimous vote.

64. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2014-MA-023 (COLUMBIA CROSSROADS LP) AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN (MASON DISTRICT)** (4:02 p.m.)

- (O) The application property is located on the east side of Moncure Avenue and on the south side of Columbia Pike approximately 500 feet southwest of the interchange with Leesburg Pike, Tax Map Number 61-2 ((19)) 5A and 11A, and 61-4 ((30)) 15

and 17, and 61-2 ((1)) 112A, 113, 113A, 113C, and 114 and Columbia Pike public right-of-way to be vacated and/or abandoned.

Katayoon Shaya, Chief, Public Private Partnerships Branch, Building Design and Construction Division, Department of Public Works and Environmental Services reaffirmed the validity of the affidavit, as it pertains to the Board of Supervisors, for the record.

Mr. John L. McBride, agent for the applicant, reaffirmed the validity of the affidavit, as it pertains to the applicant, Columbia Crossroads, LLP, for the record.

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

- Mr. John H. Thillmann, listed as an agent on the application for 5827 Columbia Pike Associates, LLC, the former owner of parcel of 112A. That parcel is now owned by the Board and was purchased on July 19, 2017. Even though that entity no longer has an interest in the application, the contribution was still being disclosed.

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

- Mr. John H. Thillmann, listed as an agent on the application for 5827 Columbia Pike Associates, LLC, which was the former owner of parcel of 112A until the Board purchased it on July 19, 2017. Although 5827 Columbia Pike Associates has no current interest in the application, the contribution was still being disclosed.

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

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, had been filed.

Mr. McBride presented the case.

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

Supervisor Gross moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2014-MA-023, from the R-3, C-8, C-3, CRD, SC, and HC Districts to the PDC, CRD, SC, and HC Districts, and associated

Conceptual Development Plan (CDP), subject to the proffers dated July 17, 2017

- Approval of a waiver of the service drive in accordance with Section 7-0104.1 of the Public Facilities Manual
- Approval of a modification of the use limitation in Section 6-206(5) of the ZO, limiting secondary uses up to 50 percent of gross floor area of the development's principal uses to be increased to 70 percent
- Approval of waivers and modifications of the Planned Development Community (PDC) District standards and transitional screening requirements in accordance with the Commercial Revitalization District (CRD) standards, in favor of that shown on the CDP and in concert with the proffered performance standards

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

65. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2016-MV-002 (NOVUS PROPERTY HOLDINGS LLC) AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN (MOUNT VERNON DISTRICT)** (4:18 p.m.)

- (O) The application property is located in the northeast quadrant of the intersection of Richmond Highway (Route 1) and Fairview Drive (Route 1409), Tax Map Number 83-3 ((1)) 18, 19, and 20.

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

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

Discussion ensued, regarding access to the Walmart shopping center, with input from Ms. Suder and Michael W. Garcia, Transportation Planner II, Department of Transportation.

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, which included testimony by five speakers, Supervisor Storck announced that items had been submitted for the record.

Ms. Suder presented the staff and Planning Commission (PC) recommendations.

Following remarks, concerning the application being a critical element to the area's revitalization, Supervisor Storck moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property, which is the subject of Rezoning Application RZ 2016-MV-002, from the C-8, R-4, CRD, and HC Districts to the PRM, CRD, and HC Districts, subject to the proffers dated July 19, 2017
- Approval of the waivers and modifications to the ZO, as listed in the handout distributed July 25, 2017, and dated July 13, 2017, which shall be made a part of the record, as follows:
 - Modification of Sections 13-303 and 13-304 for the transitional screening and barrier requirements to permit the landscaping and barriers as shown on the Conceptual Development Plan/Final Development Plan (FDP)
 - Modification of Sections 11-202 and 11-203 to provide the number of loading spaces in the location shown on the CDP/FDP
 - Modification of Paragraph 1 of Section 13-202 to provide interior parking lot landscaping as shown on the CDP/FDP

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."

(NOTE: On July 19, 2017, the PC approved Final Development Plan Application FDP 2016-MV-002 subject to the development conditions dated July 19, 2017.)

66. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT PA 2017-I-B1, LOCATED NORTH OF ARLINGTON BOULEVARD, WEST OF MEETING STREET, AND SOUTH OF THE ARLINGTON COUNTY BORDER (MASON DISTRICT) (4:52 p.m.)**

Katrina Z. Newton, Planner II, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff report. Following the public hearing, which included testimony by two speakers concerning access to the shopping center and tree preservation, Ms. Newton presented the staff and Planning Commission (PC) recommendations.

Supervisor Gross, noting discussions concerning community concerns, moved approval of Plan Amendment PA 2017-I-B1, as recommended by the PC and found in Attachment 1 of the Board Agenda Item. The amendment would add an option for residential use of up to 12 dwelling units per acre (du/ac) on the property provided that the guidance found under the redevelopment option for opportunity area is met. Supervisor Foust seconded the motion and it carried by unanimous vote.

67. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT PA 2017-CW-1CP, MOBILE AND LAND-BASED TELECOMMUNICATIONS POLICY PLAN (COUNTYWIDE)** (5:01 p.m.)

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

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

Supervisor Herrity moved approval of Plan Amendment PA 2017-CW-1CP as recommended by the Planning Commission and as shown in the staff report dated March 15, 2017, and as revised by proposed Plan language contained in the addendum to the staff report dated June 7, 2017. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

68. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE REHABILITATION OF THE DIFFICULT RUN FORCE MAIN (HUNTER MILL AND DRANESVILLE DISTRICTS)** (5:08 p.m.)

Supervisor Hudgins moved that this item be withdrawn because the land rights necessary for the rehabilitation of the Difficult Run Force Main had been acquired. Supervisor Foust seconded the motion and it carried by unanimous vote.

69. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2016-MA-023 (ARCLAND PROPERTY COMPANY, LCC) (MASON DISTRICT)**

AND

4 PM – PH ON REZONING APPLICATION RZ 2016-MA-029 (ARCLAND PROPERTY COMPANY, LLC (MASON DISTRICT) (5:08 p.m.)

- (O) The application property is located at 5407, 5411, and 5415 Industrial Drive, Springfield, 22151, Tax Map Number 80-2 ((1)) 53 and 54 and 80-2 ((3)) 20.

Mr. Andrew Painter reaffirmed the validity of the affidavit for the record.

Kris Abrahamson, Branch Chief, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), introduced Jay Rodenbeck, Planner, ZED, DPZ, who gave a PowerPoint slide presentation depicting the application and site location.

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

Mr. Painter 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 comment on this case.

Following a query by Supervisor Gross, Mr. Painter confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 11, 2017.

Supervisor Gross moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2016-MA-029, from the I-6 and R2 Districts to the I-6 District, subject to the proffers dated July 20, 2017
- Approval of Special Exception Application SE 2016-MA-023, subject to the development conditions dated July 11, 2017
- Approval of a waiver of Section 17-201(2) of the ZO for the construction of a major regional trail
- Approval of a waiver of Section 17-201(2) of the ZO for the construction of a major paved trail

Supervisor L. Smyth 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.”

70. **4:30 PM – PH ON REZONING APPLICATION RZ 2017-DR-014 (JLB DULLES TECH LLC) AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN (DRANESVILLE DISTRICT)** (5:23 p.m.)

- (O) The application property is located on the South side of Dulles Technology Drive approximately 450 feet east of its intersection with River Birch Road and Sunrise Valley Drive, Tax Map Number 16-3 ((1)) 4M.

Mr. Mark C. Looney 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.

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, Mr. Looney presented rebuttal.

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

Following remarks, Supervisor Foust moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2017-DR-014, from the I-4 to the PRM District, and the associated Conceptual Development Plan (CDP), subject to the proffers dated June 30, 2017
- Approval of the waivers and modifications to the ZO, discussed in the staff report, and as distributed around the dais today, dated July 25, 2017, which will be made a part of the record, as follows:
 - Modification of the tree planting width from eight feet to six feet along the public roadway frontage and private driveway in favor of structural planting cells or other methods as coordinated with the Urban Forest Management Division when necessary, due to the placement of utilities
 - Modification of the interior parking lot landscaping in favor of the alternatives shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) and as conditioned
 - Modification of the number of loading spaces from six to two, in favor of the alternatives, as shown on the CDP/FDP and as conditioned

Supervisor L. Smyth seconded the motion.

Discussion ensued, concerning current and future roadway alignments affecting nearby property, with input from Elizabeth A. Iannetta, Senior Planner, Department

of Transportation, regarding road configuration in the County's Comprehensive Plan.

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."

(NOTE: On July 19 2017, the PC approved Final Development Plan Application FDP 2017-DR-014 subject to the development conditions dated July 5, 2017.)

71. **4:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 86-M-023-04 (LANDMARK HHH, LLC) (MASON DISTRICT)**
(5:50 p.m.)

The application property is located at 6244 Little River Turnpike, Annandale, 22312, Tax Map Number 72-4 ((1)) 3.

Mr. David R. Gill reaffirmed the validity of the affidavit for the record.

Kelly Atkinson, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location. Discussion ensued, concerning sign size, with input from Ms. Atkinson.

Mr. Gill 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. Atkinson presented the staff and Planning Commission recommendations.

Following a query by Supervisor Gross, Mr. Gill confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 7, 2017.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 86-M-023-04, subject to the development conditions dated July 7, 2017
- Approval of the waivers and modifications to the ZO, as distributed at the dais today, dated July 25, 2017, which will be made a part of the record, as follows:
 - Reaffirmation of a:
 - Waiver of the minimum open space requirement

- Modification of the transitional screening requirement along the northern boundary
 - Waiver of the barrier requirement along the northern boundary
 - Modification of the interior and peripheral parking lot landscaping
- Approval of a waiver of the major paved trail requirement along Little River Turnpike and waiver of the sharrow requirement along Beauregard Street

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

72. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:58 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 7 and 14, 2017.

Public comment was held and included the following individuals:

- Ms. Michelle Evans, regarding access to public documents by citizens
- Ms. Rachel Rudo, regarding health reform (legalization of marijuana)
- Mr. Devon Grodkiewicz, regarding law reform and public health policy (legalization of marijuana)
- Ms. Irma Corado, regarding the County's Adult Detention Center and the Sheriff's Department

Following the presentation by Ms. Rudo (Speaker 2), Chairman Bulova, noting that the County was bound by Virginia's Dillon Rule, relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to provide Ms. Rudo with contact information for members of the Virginia General Assembly. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

73. **BOARD ADJOURNMENT** (6:12 p.m.)

The Board adjourned.

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