



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
May 16, 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, May 16, 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 Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Linda Q. Smyth, Providence District
- Supervisor Daniel G. Storck, Mount Vernon District

Others present during the meeting were Dave Rohrer, Deputy County Executive; Elizabeth Teare, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Denise A. Long, Chief Deputy Clerk to the Board of Supervisors; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:33 a.m.)

Supervisor Gross asked everyone to keep in thoughts the family of her 98 year old neighbor Ms. Valeria Owens, who died last week. She was a wonderful neighbor and will be sorely missed. Supervisor Gross said that she will be leaving the meeting later to attend her funeral.

Supervisor Foust asked everyone to keep in thoughts the family of Mr. Michael Zook, who died recently. He was a teacher and administrator in Fairfax County Public Schools for 26 years and served as Assistant Principal of McLean High School since 2010. He was also the brother of Jim Zook, former Director of the Department of Planning and Zoning.

Supervisor Foust asked everyone to keep in thoughts the family of Mr. Mark Turner, III, who died recently. His grandfather was a former Board Member and dairy farmer. His family owned the Turner Farm which was acquired by the Park Authority and is now known as Turner Farm Park. A few years ago Mr. Turner sold his home to the Park Authority and it became the first property entered into the Resident Curator Program.

Supervisor Hudgins asked everyone to keep in thoughts the family of Ms. Judith Azzara, former Principal of Louise Archer Elementary School, who died recently. Ms. Azzara oversaw the education of a generation of students in the 24 years she served the school. She is remembered for being a positive force and influencing the lives of students.

AGENDA ITEMS2. **PROCLAMATION DESIGNATING MAY 2017 AS "OLDER AMERICANS AND ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (9:38 a.m.)

Supervisor Herrity moved approval of the Proclamation designating May 2017 as "*Older Americans and Adult Abuse Prevention Month*" in Fairfax County and urged all residents to recognize the contributions made to the community by older adults and to be alert for the symptoms of abuse, neglect, and exploitation. Supervisor Foust seconded the motion.

Supervisor Herrity thanked and recognized Ms. Sharon Lynn for her years of service to the 50+ community in the County and congratulated her on her retirement.

Following discussion regarding aging and available resources in the County, the question was called on the motion and it carried by unanimous vote.

3. **CERTIFICATES OF RECOGNITION PRESENTED TO MR. BRENDAN GRAMMES, MR. AARON HOWELL, MR. TYLER MATHENY, AND MR. THOMAS MUKAI (BRADDOCK, DRANESVILLE, AND SPRINGFIELD DISTRICTS)** (9:48 a.m.)

Supervisor Cook moved approval of the Certificates of Recognition presented to Mr. Brendan Grammes, Mr. Aaron Howell, Mr. Tyler Matheny, and Mr. Thomas Mukai for winning the Virginia High School League 6A State wrestling championships. Supervisor Foust seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. MELANIE PINCUS (DRANESVILLE DISTRICT)** (10:01 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to Ms. Melanie Pincus of McLean High School for being named the Virginia Journalist of the Year by the Virginia Association of Journalism Teachers and Advisers. Supervisor Gross seconded the motion and it carried by unanimous vote.

5. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE McLEAN HIGH SCHOOL GYMNASTICS TEAM (DRANESVILLE DISTRICT)** (10:07 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to members of the McLean High School gymnastics team for winning the Virginia High School League 6A State championship, its second state championship in the past three years. Chairman Bulova seconded the motion and it carried by unanimous vote.

6. **PROCLAMATION DESIGNATING JUNE 19-25, 2017, AS “FAIRFAX COUNTY SHERIFF’S OFFICE WEEK” IN FAIRFAX COUNTY** (10:12 a.m.)

Supervisor McKay moved approval of the Proclamation designating June 19-25, 2017 as “*Fairfax County Sheriff’s Office Week*” in Fairfax County and urged all residents to recognize the commitment of the Sheriff’s Office to ensure and enhance the safety and well-being of County residents. This motion was multiply seconded and it carried by unanimous vote.

7. **CERTIFICATE OF RECOGNITION PRESENTED TO MS. DANIELLE SUH (SULLY DISTRICT)** (10:25 a.m.)

Supervisor K. Smith moved approval of the Certificate of Recognition presented to Ms. Danielle Suh of Westfield High School for winning the Virginia High School League Girls Golf Individual Open Championship. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

8. **CERTIFICATE OF RECOGNITION PRESENTED TO MEMBERS OF THE WESTFIELD HIGH SCHOOL FOOTBALL TEAM (SULLY DISTRICT)** (10:29 a.m.)

Supervisor K. Smith moved approval of the Certificate of Recognition presented to members of the Westfield High School football team for winning the Virginia High School League 6A State championship. Supervisor Gross seconded the motion and it carried by unanimous vote.

9. **PROCLAMATION DESIGNATING MAY 2017 AS "LYME DISEASE AWARENESS MONTH" IN FAIRFAX COUNTY**

AND

PROCLAMATION DESIGNATING JUNE 2017 AS "FIGHT THE BITE AWARENESS MONTH" IN FAIRFAX COUNTY (10:36 a.m.)

Supervisor Herrity moved approval of the Proclamations designating:

- May 2017 as "*Lyme Disease Awareness Month*" in Fairfax County and urged all residents to learn more about Lyme disease by visiting www.fairfaxcounty.gov/fightTheBite.
- June 2017 as "*Fight the Bite Awareness Month*" in Fairfax County and urged all residents to take action and protect against mosquito and tick-borne illness.

Chairman Bulova seconded the motions which carried by a vote of nine, Supervisor Gross being out of the room.

(NOTE: Later in the meeting, Supervisor Herrity presented a Board Matter on Lyme disease. See Clerk's Summary Item #24.)

10. **PROCLAMATION DESIGNATING MAY 21-27, 2017, AS "PUBLIC WORKS WEEK" IN FAIRFAX COUNTY** (10:51 a.m.)

Supervisor Foust moved approval of the Proclamation designating May 21-27, 2017, as "*Public Works Week*" in Fairfax County and urged all residents to acquaint themselves with the varied services and programs provided by the Department of Public Works and Environmental Services and to recognize the commitment exhibited by staff to the community's health, safety, and welfare. Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

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

(APPTS)
(BACs)

Supervisor McKay moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard May 16, 2017.” Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

The full list of Appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

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

ADVISORY SOCIAL SERVICES BOARD

Appointment of:

- Ms. Karen Darley as the Braddock District Representative

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

AFFORDABLE DWELLING UNIT ADVISORY BOARD

Reappointment of:

- Mr. James Scanlon as the Engineer/Architect/Planner #1 Representative

The Board deferred the appointment of the Builder (Multi-Family), 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

Reappointment of:

- Mr. Gregory Beckwith as the Dranesville District Principal Representative
- Mr. William C. Horrigan as the Dranesville District Alternate Representative

Appointment of:

- Mr. Mark Abbott as the Sully District Alternate Representative

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

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #4 and the Design Professional #3 Representatives.

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 Mount Vernon, Springfield, and Sully District Representatives.

COMMISSION ON AGING

Re-appointment of:

- Ms. Catherine S. Cole as the At-Large Chairman's Representative
- Mr. Michael Perel as the Braddock District Representative

- Ms. Kay Larmer as the Dranesville District Representative
- Mr. Joseph Heastie as the Providence District Representative

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 At-Large, Lee, Providence, and Springfield District Representatives and the Religious Community Representative.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Confirmation of:

- Mr. Hasan Alkurdi as the Head Start Principal Fairfax County Representative
- Ms. Verena Y. Sample as the Central Target Area #1 Representative
- Mr. Abdalla M. Abdalla as the Central Target Area #2 Representative
- Ms. Dipti Pidikiti-Smith as the South Target Area #3 Representative

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

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II

Appointment of:

- Mr. Michael R. F. Rocks as the BOS At-Large #4 Representative

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. Phillip A. Niedzielski-Eichner as the At-Large #10 Representative
- Mr. David Diaz as the At-Large #11 Representative

ENGINEERING STANDARDS REVIEW COMMITTEE

Confirmation of:

- Mr. Robert Kohnke as the Northern Virginia Soil and Water Conservation District Representative

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the Mason District Representative.

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

Nomination of:

- Mr. Gary Ambrose as the At-Large #3 Representative
- Mr. Willard K. Ganes as the At-Large #4 Representative
- Ms. Jennifer Adeli as the Dranesville District Representative

(The Board is scheduled to take action on these appointments on June 20, 2017)

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

HEALTH SYSTEMS AGENCY BOARD

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

HISTORY COMMISSION

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

HUMAN SERVICES COUNCIL

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

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

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

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

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

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

Appointment of:

- Mr. James E. Bitner as the Citizen At-Large #3 Representative

REDEVELOPMENT AND HOUSING AUTHORITY

Reappointment of:

- Mr. Matthew J. Bell as the Mount Vernon District Representative

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

ROAD VIEWERS BOARD

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

SMALL BUSINESS COMMISSION

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Confirmation of:

- Ms. Syazana Durrani as the Reston Association #1 Representative

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

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Citizen Member #1, Condo Owner, and Tenant Member #3 Representatives.

TRAILS AND SIDEWALKS COMMITTEE

Confirmation of:

- Mr. Chris Maimone as the Washington Area Bicyclist Association 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.

WETLANDS BOARD

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

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12. **10:10 A.M. – PRESENTATION OF THE HISTORY COMMISSION ANNUAL REPORT** (11 a.m.)

Carole Herrick, Chairman of the History Commission, introduced the following members of the History Commission who were present in the Board Auditorium:

- Ms. Anne Stuntz, Vice-Chairman
- Ms. Lynne Garvey-Hodge
- Ms. Mary Lipsey
- Mr. Robert Beach

Ms. Herrick presented a summary of the History Commission's annual report, noting that the Commission had another outstanding year in preserving, promoting, and making the public aware of the County's fabulous heritage.

- Several commissioners gave lectures or presentations before various groups, many of which focused on newer residents within the County, seniors, and school-age youth.
- The financial arrangement of the Commission with the County changed – all funds are now maintained through the County's financial system.
- Three new roadside markers erected and dedicated: The Pines (Mason District); the Original Mount Vernon High School (Mount Vernon District); and Copperthite Racetrack (Springfield District). An additional tabletop marker was installed and dedicated at Riverbend Park commemorating the area's role during the War of 1812 (Dranesville District). In addition, two markers were refurbished: the Cross Farmhouse (Sully District) and Ivakota Farm (Springfield District).
- The twelfth annual History Conference delivered an outstanding event. The conference was titled "*Fairfax County's Founding Father – The Masons are Coming! The Masons are Coming.*" Three authors were presented awards for their contributions to the history of the County.

- Members represented the Commission on the Community Technical Advisory Committee which oversees the Resident Curator Program for historic properties.
- Members will be representing the Commission on the County's committee for the 275th celebration of the County, with the main event taking place on June 17, 2017.
- The Commission updated its bylaws, revised the County Inventory of Historic Sites, and expanded the Langley Fork Historic Overlay District to include the Mackall/Hall House.

Chairman Bulova commemorated Commissioner Jack Hiller who died unexpectedly in February of last year and noted that at the County's 275th anniversary celebration on June 17 the Board's Lord and Lady Fairfax honorees will be recognized. She also noted that a Lord Fairfax descendant, Nicholas Fairfax, and his wife, will be attending the celebration.

Supervisor L. Smyth suggested that the History Commission explore what types of mechanism or planning tools would be necessary to help the 50+ community preserve, protect, and/or maintain the nature of their homes or neighborhoods. A brief discussion ensued, with input from Ms. Herrick and Ms. Lipsey.

Supervisor Hudgins, noting that she served on the Monument Committee which was set up by the General Assembly, raised a question regarding whether the History Commission has received feedback from the Monument Committee regarding roles in the local community. A brief discussion ensued with input from Ms. Herrick and Ms. Lipsey.

13. **ADMINISTRATIVE ITEMS** (11:19 a.m.)

Chairman Bulova noted that Admin 6 – Authorization to Advertise Public Hearings on a Proposed Amendment to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Small Cell Facilities was revised.

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

Supervisor K. Smith asked to amend the motion to consider Admin 6 separately. This was accepted.

The question was called on the motion, as amended, to approve the Administrative Items, with the exception of Admin 6, and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor Gross being out of the room.

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 20, 2017, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to update portions of Section 82-1-6 (Adoption of State Law) which have been amended to reflect changes made to the Code of Virginia by the 2017 General Assembly.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTY AT 4100 CHAIN BRIDGE ROAD TO SOUTHWESTERN BELL MOBILE SERVICES, LLC (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **June 20, 2017, at 4 p.m.**, to lease County-owned property to Southwestern Bell Mobile Services, LLC (AT&T), for the continuation of telecommunications services for public use on the roof of the Massey Building located at 4100 Chain Bridge Road.

ADMIN 3 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING THE PLANNED RESIDENTIAL MIXED USE (PRM) DISTRICT – USE LIMITATIONS FOR SUBMISSION OF FINAL DEVELOPMENT PLAN

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on June 21, 2017, at 8:15 p.m. and before the Board on **July 11, 2017, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding the PRM District – Use Limitations for Submission of Final Development Plan.

ADMIN 4 – EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATION (DRANESVILLE DISTRICT)

Authorized the extension of review period for the following Public Facility (2232) Review Application to the date noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-D17-2	Fairfax County Public Schools Clearview Elementary School 12635 Builders Road Herndon, VA Dranesville District	July 5, 2017

ADMIN 5 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MASON DISTRICT)

- Endorsed traffic calming plans for Magnolia Lane and Elmdale Road consisting of the following:
 - One speed hump on Magnolia Lane (Mason District)
 - Three speed humps on Elmdale Road (Mason District)
- Directed staff to schedule the installation of the approved traffic calming measures as soon as possible.

ADMIN 6 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING SMALL CELL FACILITIES

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See page 12.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #14.)

ADMIN 7 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING PUBLIC FACILITIES AND MODIFICATIONS TO EXISTING TELECOMMUNICATIONS FACILITIES

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on June 15, 2017, at 8:15 p.m., and before the Board on **June 20, 2017, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding public facilities and modifications to existing telecommunications facilities.

14. **ADMIN 6 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING SMALL CELL FACILITIES** (11:19 a.m.)

- (A) (R) (NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item #13.)

Supervisor K. Smith moved adoption of the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on

June 15, 2017, at 8:15 p.m., and before the Board on **June 20, 2017, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding small cell facilities, based on text consistent with the proposed amendment distributed May 16, 2017, and to include the four alternatives for Article 7 as enclosed in the distributed materials. Chairman Bulova seconded the motion.

A brief discussion ensued regarding the four alternatives, and Supervisor K. Smith noted that at the Board's Development Process Committee meeting there was discussion regarding the Architectural Review Board and its ability to review small cell facility applications.

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

15. **A-1 – ENDORSEMENT OF THE RECOMMENDED LIST OF POTENTIAL IMPROVEMENTS FOR CONSIDERATION FOR THE TRANSFORM I-66 OUTSIDE THE BELTWAY PROJECT (BRADDOCK, HUNTER MILL, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (11:21 a.m.)

Tom Biesiadny, Director, Department of Transportation, gave a brief summation of the revised Board Item.

Supervisor Foust moved that the Board concur in the recommendation of staff and endorse the recommended list for potential improvement projects in the County to be considered for implementation from a portion of the Concession Fee of \$500 million being paid by Express Mobility Partners. The project list and the planning level estimates are contained in the letter to Aubrey L. Layne, Jr., Secretary of Transportation (Attachment One of the Board Agenda Item, as revised). Supervisor Herrity and Supervisor L. Smyth jointly seconded the motion.

Following a brief discussion regarding the recommended list of projects, the question was called on the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

16. **A-2 – APPROVAL OF RESOLUTION REGARDING I-66 EXPRESS LANES ACCESS POINTS EAST OF US ROUTE 50 (PROVIDENCE AND HUNTER MILL DISTRICTS)** (11:24 a.m.)

- (R) Supervisor L. Smyth moved that the Board concur in the recommendation of staff and adopt the Resolution regarding I-66 Express Lanes access points east of US Route 50, as contained in Attachment One of the Board Item. Supervisor Foust and Chairman Bulova jointly seconded the motion.

Supervisor L. Smyth asked unanimous consent that the Board direct staff to prepare a letter to be sent to Aubrey L. Layne, Jr., Secretary of Transportation, and State representatives, outlining issues of concern regarding the redesign timeline and the release of information to the public. Following discussion, with input from Tom Biesiadny, Director, Department of Transportation, without objection, it was so ordered.

Supervisor L. Smyth expressed her concern regarding the construction timeline for the proposed changes, particularly when information is available to the public.

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

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ADDITIONAL BOARD MATTERS

17. **REQUEST TO RENAME THE EXCEPTIONAL DESIGN AWARDS PROGRAM** (11:36 a.m.)

Chairman Bulova relinquished the Chair to Acting-Chairman McKay and announced that former Supervisor and State Representative James M. Scott was a strong advocate for many quality-of-life issues during his 15-year tenure, January 5, 1972 - December 14, 1987, as the Providence District Supervisor. As a Supervisor in the mid 1980's, he recognized the importance of high quality architecture to the County's rapidly growing and evolving future and was a strong advocate for the establishment of the County's Exceptional Design Awards Program. He had the foresight to work with the Board and planning and zoning staff to make the program a reality in 1984, just as construction and development in the County was poised to take off.

The Program honors exemplary works of residential, commercial, and institutional architecture and design within the context of the surrounding landscape. To date, the Program has honored over 200 projects and stands as a distinctive platform for recognizing the County's exceptional architectural, planning, and design efforts.

Mr. Scott's vision and leadership to establish the Exceptional Design Awards Program, now in its third decade, has literally raised the bar for design excellence in the County.

The staff team that implements the Exceptional Design Awards Program has suggested that the design awards program be renamed in his honor and Chairman Bulova stated that this is not only a great idea but also a fitting way to honor Mr. Scott.

Therefore, Chairman Bulova moved that the Board:

- Authorize the renaming of the design awards program as the "James M. Scott Exceptional Design Awards"
- Direct staff to invite his family to this year's awards program which is scheduled for later this year

Supervisor L. Smyth seconded the motion. Discussion ensued concerning the formal name of the award.

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

Acting-Chairman McKay returned the gavel to Chairman Bulova.

18. **NATIONAL GUN VIOLENCE AWARENESS DAY IN FAIRFAX COUNTY** (11:40 a.m.)

Supervisor Foust noted that Supervisor Hudgins had a similar Board Matter and asked unanimous consent that her Proclamation, which was attached to her written Board Matter, be incorporated into this item as a joint Board Matter. Without objection, it was so ordered.

Supervisor Foust said that gun violence in society is an epidemic and touches all of us. Each day, 93 Americans are killed by gun violence. Americans are 25 times more likely to be killed by guns than people in other developed countries. In a fraction of a second, lives can be tragically altered, not only for victims but for the loved ones left behind to cope with their loss. One such tragedy occurred in Chicago in January 2013. Ms. Hadiya Pendleton, a college-bound high school honors student marched with her high school band in the parade for President Obama's second inauguration in Washington D.C. Tragically, just one week later, Ms. Pendleton, an innocent bystander, was shot and killed. To honor Ms. Pendleton, many of her friends decided to wear orange on June 2, 2013, her birthday, as part of a Wear Orange for Gun Safety campaign. The color orange was chosen because it is the color that hunters use to make themselves seen to other hunters when out in the woods; it also symbolizes the value of human life.

The event grew into National Gun Violence Awareness Day, sponsored by Moms Demand Action for Gun Sense and other organizations. June 2 marks the fourth anniversary of the event and would be Ms. Pendleton's 20th birthday.

All of us have a responsibility to do all we can to raise awareness about gun violence, keep firearms out of the wrong hands, and encourage responsible gun ownership. We all have a right to live a life free from gun violence.

Therefore, jointly with Supervisor Hudgins, Supervisor Foust asked unanimous consent that the Board show its solidarity for families and communities torn apart by gun violence by:

- Proclaiming June 2, 2017, as “*National Gun Violence Awareness Day*” in Fairfax County
- Directing the Office of Public Affairs to distribute information publicizing this event and encourage the wearing of orange on June 2

Discussion ensued concerning personalizing the proclamation by including reference to gun violence in Virginia and the role of organizations in promoting gun safety. Without objection, it was so ordered.

19. **RECOGNIZING LONGFELLOW MIDDLE SCHOOL FOR WINNING FIRST PLACE AT THE VIRGINIA STATE SCIENCE OLYMPIAD TOURNAMENT (DRANESVILLE DISTRICT)** (11:45 a.m.)

Supervisor Foust congratulated Longfellow Middle School for winning first place at the Virginia State Science Olympiad tournament, held on March 25 at the University of Virginia. The team will represent Virginia at the National Science Olympiad Tournament to be held on May 20 at Wright State University in Ohio.

Supervisor Foust noted that the Science Olympiad is an academic competition for middle and high school students that tests their knowledge in a variety of active, hands-on group events in the Science, Technology, Engineering, and Mathematics (STEM) disciplines of genetics, earth science, chemistry, anatomy, physics, geology, mechanical engineering and technology. Science Olympiad has been dedicated to improving the quality of K-12 science education for the last 33 years, providing rigorous, standards-based challenges to over 7,600 teams in 50 states through the Science Olympiad tournaments, incorporating Science Olympiad into classroom curriculum, and attending professional development workshops.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a certificate, signed by the Chairman and himself, to be presented to the Longfellow Middle School Olympiad team at an event to be held on June 21, 2017, congratulating its excellent academic achievement. Without objection, it was so ordered.

20. **ORDERS OF THE DAY** (11:47 a.m.)

Chairman Bulova announced that Supervisor Gross was attending a funeral. Discussion ensued concerning the presentation of her Board Matter.

21. **FIRE STATION SPRINKLERS** (11:48 a.m.)

Supervisor McKay, noting the fire at the fire station on Edsall Road, asked unanimous consent that the Board direct staff to provide information concerning the status of sprinkler systems in the County's fire stations. Without objection, it was so ordered.

Supervisor Cook asked unanimous consent that the Board direct staff to provide the information in time for Carry-over decisions. Without objection, it was so ordered.

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22. **ARCLAND PROPERTIES (MASON DISTRICT)** (11:49 a.m.)

- (A) On behalf of Supervisor Gross, Supervisor McKay said that Rezoning Application RZ 2016-MA-029 and Special Exception Application SE 2016-MA-023 are concurrent applications originally filed on two parcels of land located in Land Unit C of the Beltway South Industrial Area in the southwestern quadrant of the interchange of Edsall Road and I-395. The applicant, Arcland Property Company, is seeking to rezone a small residual strip of residentially zoned land to I-6, consistent with the surrounding properties and to receive approval of a special exception application to increase the maximum floor area ratio (FAR) from 0.50 to 1.0 to permit the development of a three-story mini-warehouse facility, with a cellar, on property zoned R-2 and I-6. During the review of these applications, a number of technical issues arose, many of which centered around the applicant's failure (at that time) to consolidate a third parcel of land to the immediate west of the application property which, due to its small size and location at the intersection of Edsall Road and Industrial Drive, required significant modifications to the applicant's proposed development to ensure that the unconsolidated parcel would be able to develop in the future. Although the applicant had tried unsuccessfully in the past to consolidate this parcel, on April 20, 2017, the applicant requested that the applications be deferred indefinitely to allow time for the applicant to attempt to consolidate and resolve the outstanding issues. He noted that the applicant has succeeded in consolidating this parcel and has just submitted the revised applications, now for all three parcels, to staff for final review. As this application was already significantly far along in the review process, and the applicant has used the deferral time to consolidate the missing parcel and address the major outstanding issues, the applicant has requested that its application be re-activated and scheduled in a timeframe which would permit the Board to hear the applications prior to the August recess, and has also requested that the Board approve concurrent processing of the site plans to permit this project to commence without further delay. Although staff just received the revised plans and has not completed the final review, he has been assured that it is the intent of the applicant to address the issues previously identified by staff.

Therefore, Supervisor McKay moved that the Board direct:

- Staff to schedule Rezoning Application RZ 2016-MA-029 and Special Exception Application SE 2016-MA-023 for a public hearing by the Planning Commission on July 19, 2017, and a public hearing by the Board on **July 25, 2017, at 4 p.m.**
- The Director of the Department of Public Works and Environmental Services (DPWES) to concurrently process any site plans submitted in association with these applications.

The approval of this motion does not in any way relieve the participants from compliance with the provisions of all applicable ordinances, regulations, or adopted standards, nor does it prejudice in any way the Board's consideration of the pending applications. Chairman Bulova and Supervisor Hudgins jointly seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

23. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)** (11:52 a.m.)

Supervisor L. Smyth announced that she had no Board Matters to present today.

24. **LYME DISEASE PREVENTION STUDY** (11:53 a.m.)

(NOTE: Earlier in the meeting the Board proclaimed May as “*Lyme Disease Awareness Month*” in Fairfax County. See Clerk’ Summary Item #9.)

Supervisor Herrity said that Lyme disease affects approximately 200 families in the County with the number of diagnoses increasing every year. It has been discovered that the exploding population of white-footed mice are now the most popular hosts for black-legged ticks, the main carrier of Lyme disease. With more mice, ticks can more easily find a host body on which to live and later reproduce, passing down Lyme disease to the nymphs. The nymphs have the highest rate of transmitting the disease because they are incredibly difficult to notice, being about the size of a poppy seed. Moreover, black-legged ticks have increased their range by 20 percent from 1998 and are now found in 50 percent of US counties. One way to combat Lyme is rodent-targeted tick control using a tick tube. This rodent-targeted tick control may reduce black-legged tick loads on small mammals in a highly populated suburban environment, such as the County. The tubes are a method of host-based tick control that focus on treating white-footed mice. The tubes are short, open-ended, biodegradable, cardboard tubes filled with cotton balls that are treated with the insecticide permethrin. Mice collect the cotton to use in their burrows as nesting material where the permethrin is spread to their fur. A preliminary conversation with the Budget Office indicates there may be funding for such a study in Fund 40080, the Disease Carrying Insect Program.

Therefore, Supervisor Herrity moved that the Board direct the County Executive to explore the feasibility to conduct a research study on the use of these tubes to reduce the tick loads on small animals and report to the Board. Chairman Bulova seconded the motion.

Following a brief discussion regarding the motion, Supervisor L. Smyth asked to amend the motion to make more information available to the public. This was accepted.

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

25. **FIVE OAKS PROPERTIES – REQUEST TO EXPEDITE CONCURRENT PROCESSING** (11:57 a.m.)

Supervisor Herrity said that on April 7, 2017, and May 10, 2017, applications for a Final Development Plan Amendment (FDPA) and a Conceptual Development Plan Amendment (CDPA) were accepted for review and comment by the County. The applicant, Five Oaks Properties, LLC, requests approval to amend an approved FDPA and CDPA to permit a college or university as a secondary use in the existing building. No changes are proposed to the building or site. The applicant is also seeking a waiver of Paragraph 5 of Section 6-206 of the Zoning Ordinance to permit the gross floor area of all other secondary uses to exceed 25 percent of the gross floor area of all principal uses. The subject property is located at 4375 Fair Lakes Court, Tax Map Number 45-4 ((1)) 25D. The applicant has a formal public hearing scheduled before the Planning Commission on July 27, 2017. The applicant has requested authorization to process a concurrent site and building plans for the project in advance of that hearing and has asked for a date certain for a hearing before the Board.

Therefore, Supervisor Herrity moved that the Board direct the:

- Director of the Department of Public Works and Environmental Services to accept for concurrent and simultaneous review a site plan, architectural drawings, building permits and other plans as may be necessary to implement the improvements contemplated by the applicant with the FDPA and CDPA applications.
- Clerk to the Board schedule this application for a public hearing before the Board on September 12, 2017.

The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/or adopted standards, nor does it prejudice, in any way, the Board's consideration of this pending application. Supervisor L. Smyth seconded

the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

26. **MOBILE AND LAND BASED TELECOMMUNICATIONS POLICY PLAN AMENDMENT** (11:59 a.m.)

Supervisor Herrity said that in February 2012, Section 6409(a) of the Spectrum Act (codified at 47 USC Section 1455) was enacted to govern state and local government review of requests to modify existing telecommunications facilities. Section 6409(a) prohibits a state or local government from denying, and requires the approval of, any request for collection, removal, or replacement of an existing wireless tower or base station that does not substantially change its physical dimensions.

On January 24, 2017, Supervisor Herrity offered a motion to authorize staff to prepare a Mobile and Land Based Telecommunications Policy Plan amendment incorporating the telecommunications review process of Section 6409(a) of the Spectrum Act. The motion was carried by unanimous vote. In the 2017 Virginia General Assembly Session, Senate Bill 1282, which is related to the Wireless Communications Infrastructure, was proposed to provide a uniform procedure for the way in which localities review and approve small cell facilities on existing structures. As enacted, the new law requires the Virginia Department of Transportation to grant access to wireless service provider and wireless infrastructure provider applicants to install and maintain small cell facilities on existing structures in public rights-of-way and limits localities' ability to regulate such uses of public rights-of-way. The zoning approval process prescribed in the new law supersedes the 2232 review process with respect to small cell facilities. Today, the Board authorized amendments to the Zoning Ordinance (ZO) to address Senate Bill 1282 and the Spectrum Act.

Therefore, in response to this legislation and to the proposed ZO amendments, Supervisor Herrity moved that the Board authorize staff to prepare a Mobile and Land Based Telecommunications Policy Plan amendment. This amendment will be directed at modifying the Policy Plan language to bring it current in light of the telecommunications review process of Section 6409(a) of the Spectrum Act (codified at 47 USC Section 1455) and the ZO amendments authorized today implementing Senate Bill 1282 relating to Wireless Communications Infrastructure. Supervisor Cook seconded the motion.

Discussion ensued, with input from Chris Caperton, Assistant Director, Department of Planning and Zoning, regarding simplifying the Policy Plan language.

Supervisor L. Smyth asked to amend the motion to simplify the Policy Plan to cover future updates to prevent frequent amendments. This was accepted.

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

27. **CLIFTON DAY (SPRINGFIELD DISTRICT)** (12:05 p.m.)

Supervisor Herrity referred to his written Board Matter and said that every year the Clifton Betterment Association (CBA) hosts "Clifton Day" with this year being its fiftieth anniversary on Sunday, October 8, 2017. He urged all Board Members to stop by and see what this enchanting part of the County has to offer.

In recognition of the contribution to the community spirit this event brings, Supervisor Herrity asked unanimous consent that the Board direct staff to invite Ms. Michelle Stein of the CBA to appear before the Board to accept a proclamation congratulating the CBA on its hard work and fiftieth anniversary. Without objection, it was so ordered.

28. **RECOGNIZING THE FIFTIETH ANNIVERSARY OF VILLAGE WEST POOL** (12:06 p.m.)

Supervisor Herrity referred to his written Board Matter and said that Village West Pool has been serving the West Springfield community for the past 50 years.

Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a proclamation with dual signatures recognizing Village West's fiftieth anniversary to be presented at its celebration on June 3, 2017. Without objection, it was so ordered.

29. **RECOGNIZING NORTHERN VIRGINIA TRANSPORTATION ALLIANCE'S THIRTIETH ANNIVERSARY** (12:07 p.m.)

Supervisor Herrity referred to his written Board Matter and said that the Northern Virginia Transportation Alliance (NVTA) marks its thirtieth anniversary on June 7, 2017.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution honoring NVTA for its 30 years of service to be presented at its Thirtieth Anniversary celebration scheduled for June 7, 2017. Without objection, it was so ordered.

30. **PAKISTANI FESTIVAL USA 2017** (12:07 p.m.)

Supervisor Herrity referred to his written Board Matter and said that Pakistan's Independence Day festival will be held at Bull Run Park on Sunday, August 27, 2017.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution recognizing August 14, 2017, as "*Pakistani-American*

Day” in Fairfax County to be presented at this year's festival. Without objection, it was so ordered.

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31. **LIBERTY DAY – A COMMUNITY EVENT (MOUNT VERNON DISTRICT)** (12:07 p.m.)

Supervisor Storck announced that Liberty Day will be held on Saturday, May 20, 11 a.m. – 3 p.m., at the former Lorton Reformatory, 8400 Lorton Road, Lorton, VA. The ribbon cutting ceremony will be held on Thursday, May 18. Liberty is the adaptive reuse project that transformed the historic Lorton Reformatory. He invited everyone to attend.

32. **EAGLE FESTIVAL (MOUNT VERNON DISTRICT)** (12:09 p.m.)

Supervisor Storck announced that the Eagle Festival will be held Saturday, May 20, 11 a.m. – 6 p.m., at Mason Neck State Park, 7301 High Point Road, Lorton, VA. There will be presentations about conservation, natural history, and eagles. He invited everyone to attend.

33. **LORTON COMMUNITY ACTION CENTER’S HOPE AND HEALTH FESTIVAL (MOUNT VERNON DISTRICT)** (12:09 p.m.)

Supervisor Storck announced that the Lorton Community Action Center’s Hope and Health Festival will be held on Saturday, May 20, 11 a.m. – 2 p.m., behind the Lorton Library, 9520 Richmond Highway, Lorton, VA. It is a family-friendly day of health screenings, games, barbeque, and more. He invited everyone to attend.

34. **REQUEST FOR CONCURRENT PROCESSING AND SIMULTANEOUS REVIEW OF SPECIAL PERMIT AMENDMENT APPLICATION SPA 78-S-276-02 (BRADDOCK DISTRICT)** (12:09 p.m.)

Supervisor Cook said that the Most Reverend Michael F. Burbidge, Bishop of the Catholic Diocese of Arlington, Virginia, and his Successor in the Office, has recently submitted Special Permit Amendment Application SPA 78-S-276-02 for property located at 7600 Old Keene Mill Road that is developed as Saint Bernadette Catholic Church and school. The applicant proposes several minor additions to existing facilities without increasing the number of sanctuary seats or children in the private school of general education or nursery school. To commence the site plan review process, the applicant has asked for consideration of concurrent processing.

Therefore, Supervisor Cook moved that the Board direct staff to accept for concurrent processing and simultaneous review of a site plan, architectural drawings, and any other plans or drawings as may be necessary. This motion should not be construed as a favorable recommendation by the Board on the

proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Herrity and Supervisor McKay jointly seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

35. **REQUESTING ADDITIONAL ROADSIDE GRASS MOWING FROM THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT)**
(12:11 p.m.)

Supervisor Cook reminded the Board that at its meeting of June 16, 2016, he requested that the Board send a letter to the Virginia Secretary of Transportation, Aubrey Layne, requesting additional roadside grass mowing from VDOT. The letter asked that VDOT increase the frequency of grass mowing from three times per year to six.

Supervisor Cook referred to his written Board Matter regarding the issue and moved that Board direct staff to send a letter to Secretary Layne urging VDOT to reallocate remaining balances from its snow removal operations to its grass mowing operations. Supervisor Hudgins and Chairman Bulova jointly seconded the motion.

Discussion ensued regarding the motion.

Supervisor L. Smyth suggested that the letter include a suggestion to VDOT to explore the option of reinstating wildflower planting.

Supervisor Herrity suggested that the Board reach out to VDOT to improve the process of granting approval to residents and businesses to maintain medians.

Following additional discussion, the question was called on the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

36. **REQUEST TO PROCLAIM "FATHERHOOD AWARENESS MONTH" IN FAIRFAX COUNTY** (12:19 p.m.)

Supervisor Hudgins announced that Father's Day observation is Sunday, June 18. Fathers play an integral part in the successful lives of our children. Research has demonstrated that the psychological and emotional development, health, and well-being of children are significantly rooted in the continued presence, commitment, and nurturing of fathers and father-figures. Fathers who are actively engaged in the lives of their children reduce the risks of childhood poverty, child mental illness, juvenile delinquency, youth sexual activity, teenage pregnancy, substance abuse, and failure to complete high school. Moreover, fathers who are actively engaged in the lives of their children enhance the chances of success in social skills, academic performance, adult careers, employment goals, and involved parenting skills for their future families.

Through programs such as Healthy Families Fairfax, the Head Start Policy Council, the Department of Family Services Father Engagement and Parent Education programs, and other County human services and community-based agencies, fathers gain parenting skills and economic self-sufficiency.

The County's private and public sectors are joining together to raise public awareness of the importance of fatherhood and the impact of a father's engagement with his children and family. It is important to celebrate those supportive roles that fathers have for their children.

Therefore, Supervisor Hudgins asked unanimous consent that the Board:

- Proclaim June 2017 as "*Fatherhood Awareness Month*" in Fairfax County
- Direct staff to prepare a proclamation to be presented to the Department of Family Services at the Board meeting on June 6, 2017

Without objection, it was so ordered.

37. **RESTON TOWN CENTER NORTH REDEVELOPMENT – PHASE 1 BOARD'S OWN MOTION APPLICATIONS – AUTHORIZATION, CONCURRENT AND EXPEDITED PROCESSING (HUNTER MILL DISTRICT)** (12:21 p.m.)

Supervisor Hudgins said the Board, together with Inova Health Services, Incorporated, is pursuing the redevelopment of the approximately 47-acre Reston Town Center North site. Currently, the site is comprised of a number of irregularly shaped parcels owned by the Board or by Inova. Specifically, the Board owns Tax Map Number 17-1 ((1)), parcels 3F, 12, 13, 14B, 14C, 14D, and Tax Map Number 17-1 ((17)), parcel 5A, while Inova owns Tax Map Number 17-1 ((1)), parcels 14A, 14E, and 14F.

The Comprehensive Plan envisions that the Reston Town Center North area will be redeveloped into an urban mixed-use development site with a grid of streets and walkable blocks consistent with those in the Urban Core of Reston Town Center. To that end, in 2015 the Board approved and executed an interim agreement with Inova, which committed the Board to jointly seek, with Inova, an initial, "Phase 1" zoning action to consolidate the entire Reston Town Center North site area under a unified development plan to create the grid of streets and developable blocks, as reflected in the Comprehensive Plan. If the initial Phase 1 zoning actions are approved, the Board and Inova, or their respective successors, as applicable, would subsequently seek additional land use approvals for the detailed site design and mix of uses on a block-by-block basis.

The proposed Reston Town Center North redevelopment would establish a large Central Green park feature as well as new public facilities, including the redevelopment of the Reston Regional Library and the Embry Rucker Community Shelter. Over the past several years, County and Inova staff have been developing and refining the proposal as a result of extensive community outreach. Staff will also brief each Board Member on the project in the coming weeks. Staff has scheduled a further community information meeting to be held on May 31, 2017.

Supervisor Hudgins stated her understanding that County staff and Inova intend to file the necessary zoning applications to establish the Reston Town Center North overall development plan with the grid of streets, streetscape, and development blocks in the near future.

Therefore, Supervisor Hudgins moved that the Board:

- Authorize and concur in the filing of all necessary zoning applications to implement Phase 1 of the Reston Town Center North redevelopment, including any determinations, as applicable, under Section 15.2-2232 of the Code of Virginia
- Designate staff from the Department of Public Works and Environmental Services (DPWES) – specifically, James Patteson, Director; Ron Kirkpatrick, Deputy Director; Carey Needham, Director of the Building Design and Construction Division; Katayoon Shaya, Branch Chief, Public Private Partnerships; and Joan Beacham, Project Coordinator – to act on behalf of the Board as its representative agent to expeditiously file and process, together with Inova, these applications with the Department of Planning and Zoning (DPZ)
- Authorize the County Executive to execute any proffers that may be required with such applications
- Authorize the Director of the Zoning Evaluation Division, DPZ, to expeditiously process the zoning applications and schedule the public hearings before the Planning Commission and the Board
- Authorize the Director of Land Development Services (LDS) to concurrently process any related land development review actions

This motion should not be construed as a favorable recommendation on the applications by the Board and does not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations, or adopted standards. This action in no way prejudices the substantive review of the applications. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

38. **VIENNA TOWN COUNCIL** (12:26 p.m.)

Supervisor Hudgins congratulated the newly elected members of the Town of Vienna Council:

- Mr. Carey Sienicki
- Mr. Howard Springsteen
- Ms. Tara Voigt

Supervisor Hudgins asked unanimous consent that the Board direct the Clerk to the Board to schedule a joint meeting between the Board and the Town Council as soon as possible. Without objection, it was so ordered.

39. **PROFFERED CONDITION AMENDMENT APPLICATION PCA 2012-SU-010 (SULLY DISTRICT)** (12:27 p.m.)

Supervisor K. Smith said that on March 7, 2017, an application for Proffered Condition Amendment PCA 2012-SU-010 was accepted for review and comment. The applicant NVHI I and Chantilly AL Investors LLC, requests approval to amend an approved rezoning application, previously approved to permit a 166-bed skilled nursing facility and a separate 100-unit independent and 66-bed assisted living facility per Rezoning/Final Development Plan Application RZ/FDP 2012-SU-010, to modify Proffer 17 to eliminate the covered walkway between the two buildings. This is the only item being addressed with this PCA. The subject property is located at 2978 and 2980 Centreville Road, Tax Map 24-4 ((1)) 11C and 11D.

The applicant has a formal public hearing scheduled before the Planning Commission on June 29, 2017. The applicant has requested authorization to process a concurrent site plan for the project in advance of that hearing and asked for a date certain for a hearing before the Board.

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

- Director of the Department of Public Works and Environmental Services to accept for concurrent and simultaneous review a site plan, architectural drawings, and other plans as may be necessary to implement the improvements contemplated by the applicant with this proffered condition amendment application.
- Clerk to the Board schedule this application for a public hearing before the Board on July 11, 2017.

The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, and/or adopted standards nor does it prejudice in any way the Board's consideration of this pending application. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

40. **REQUEST FOR EXPEDITED PROCESSING – VERIZON WIRELESS AND MILESTONE COMMUNICATIONS (SULLY DISTRICT)**
(12:30 p.m.)

Supervisor K. Smith said that on December 4, 2014, Verizon Wireless and Milestone Communications received Planning Commission approval for public facilities application 2232-Y-14-7, to permit the construction of a new telecommunications facility (monopole) in the northern corner of the Northern Virginia Electric Company (NOVEC) property identified as 6309T Bull Run Post Office Road, Tax Map 52-2 ((1)) 11E. This approval was for what was then a by-right facility in the Residential-Conservation (R-C) District. However, since the approval of the application two significant changes have occurred:

- NOVEC has made improvements to its approved substation on the site which encroach into the area which was originally planned to be used by the applicants for the monopole, thereby resulting in the delay of its construction.
- The Board approved Zoning Ordinance Amendment ZO-16-453, effective June 22, 2016, which changed the approval process for monopoles and telecommunication towers. This amendment established a requirement for special exception approval by the Board of Supervisors, prior to the installation of any monopole or tower which would have formerly been permitted by-right. This amendment affects the RC zoned property which was the subject of the previous 2232 approval and consequently the proposed facility is no longer allowed by-right and requires the approval of a special exception.

Due to the improvements made by NOVEC to its facility, the applicants (Verizon Wireless and Milestone Communications) are now seeking to relocate the proposed telecommunications facility to the southern limit of the subject property, and are seeking approval of a 2232 and a special exception.

Consequently, as there has already been significant delay in constructing this facility, the applicants are requesting expedited processing of the necessary requirements to ensure that this project move forward without further delay.

Therefore, Supervisor K. Smith moved that the Board direct that the concurrent 2232 public facilities application and the special exception application be expeditiously processed and scheduled for public hearing by the Board as soon as practicable, and that any additional plans and permits needed to permit the construction of the telecommunications facility also be granted concurrent processing. The approval of this motion does not in any way relieve the participants from compliance with the provisions of all applicable ordinances, regulations, or adopted standards nor does it prejudice in any way the Board's consideration of the pending applications. Supervisor Foust and Supervisor Herrity jointly second the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

41. **UNITED COMMUNITY MINISTRIES (UCM) PRESENTED NEWLY CREATED GERALD W. HYLAND HUMANITARIAN AWARD (MOUNT VERNON DISTRICT)** (12:33 p.m.)

Supervisor Storck announced that he and Supervisor McKay attended an event on Saturday where they had the pleasure of honoring former Mount Vernon District Supervisor Gerald Hyland.

Supervisor Storck said UCM created the Gerald W. Hyland Humanitarian Award and it was presented to Mr. Hyland by UCM Chairman Ken Disselkoen, Supervisor McKay, and himself.

42. **RECESS/CLOSED SESSION** (12:35 p.m.)

Supervisor Foust 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. *Vincent Dennis Randazzo, Administrator of Estate of Michael Vincent Randazzo v. Sandra Mauldin*, Case No. CL-2016-0009634 (Fx. Co. Cir. Ct.)
2. *Justin C. Cuffee v. Fairfax County*, Case No. 1:16-cv-584 (E.D. Va.)
3. *Elton Cansler v. Alan A. Hanks, Edwin C. Roessler, Jr., and Fairfax County*, Case No. 1:16-cv-1589 (E.D. Va.)
4. *Lenir Richardson v. Officer O.J. Faulk*, Record No. 16-8651 (U.S. Sup. Ct.)
5. *Eric Todd Demoulin v. Detective Stephen M. Augustine*, Case No. 1:16-cv-01325 (E.D. Va.)
6. *Tristan di Montenegro v. National Security Agency, Fairfax County Police Department, et al.*, Case No. 1:16-cv-1608 (E.D. Va.)
7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Beverly K. Lester*, Case No. CL-2016-0009115 (Fx. Co. Cir. Ct.) (Braddock District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yung C. Yung*, Case No. CL-2016-0017111 (Fx. Co. Cir. Ct.) (Braddock District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. David W. Pratt, II*, Case No. GV17-008395 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eaton Drive, LLC*, Case No. CL-2017-0005818 (Fx. Co. Cir. Ct.) (Dranesville District)
11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Olga Selvaggi, Individually and as heir of Phillip S. Selvaggi and the Phillip S. Selvaggi Living Trust, and Nina Selvaggi, Individually and as heir of Phillip S. Selvaggi and the Phillip S. Selvaggi Living Trust*, Case No(s). GV17-006686 and GV17-006893 (Fx. Co. Gen. Dis. Ct.) (Hunter Mill District)

12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tunc Aydogdu*, Case No. GV17-008407 (Fx. Co. Gen. Dist. Ct.) (Mason District)
13. *Board of Supervisors of Fairfax County, Virginia v. Gunston Center, LLC and Lexon Insurance Company*, Case No. CL-2016-0009596 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
15. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Darrell Davis Poe*, Case No. GV16-020746 (Fx. Co. Gen. Dist. Ct.) (Town of Clifton; Springfield District)

And in addition:

- Briefing by Law Enforcement Officials and Discussion Regarding Plans and Actions Taken to Protect Public Safety and the Security of Governmental Structures, as Permitted by Virginia Code Section 2.2-3711(A)(19)
- Potential Acquisition of Real Property in the Mount Vernon District, as Permitted by Virginia Code Section 2.2-3711(A)(3)
- Legal Analysis Regarding Local Zoning Regulation and the Fair Housing Act, as Permitted by Virginia Code Section 2.2-3711(A)(7)

Supervisor K. Smith seconded the motion and it carried by a vote of nine, Supervisor Gross being out of the room.

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At 3:58 p.m., the Board reconvened in the Board Auditorium with all Members, except Supervisor Herrity, being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

43. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:59 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."

AGENDA ITEMS

44. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2016-SU-022 (COPT STONECROFT, LLC) (SULLY DISTRICT)** (3:59 p.m.)

The application property is located at 4850 Stonecroft Boulevard, Chantilly, 20151, Tax Map 43-2 ((2)) 39C.

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

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

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

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

Following a query by Supervisor K. Smith, Mr. Brant confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated April 19, 2017.

Supervisor K. Smith moved approval of Special Exception Application SE 2016-SU-022, subject to the development conditions dated April 19, 2017. Supervisor Foust seconded the motion and it carried by unanimous vote.

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-DR-002 (BDC DULLES CORPORATE, LLC) (DRANESVILLE DISTRICT)** (4:05 p.m.)

The application property is located at 13755 Sunrise Valley Drive, Herndon, 20171, Tax Map 15-2 ((1)) 14.

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

Daniel Creed, Planner, Zoning Evaluation Division, Department of Planning and Zoning, presented a PowerPoint slide presentation depicting the application and site location.

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

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

Following a query by Supervisor Foust, Ms. Mariska confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated May 4, 2017.

Supervisor Foust moved approval of Special Exception Application SE 2017-DR-002, subject to the development conditions dated May 4, 2017. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

46. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 87-P-041 (CHANTILLY AUTO CARE CENTER, LLC) (SPRINGFIELD DISTRICT) (4:10 p.m.)**

The application property is located at 13001 Lee Jackson Memorial Highway, Chantilly, 22033, Tax Map 45-1 ((1)) 13.

Mr. Keith C. Martin 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.

Mr. Martin 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 Herrity, Mr. Martin confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated May 16, 2017.

Supervisor Herrity moved:

- Approval of Special Exception Amendment Application SEA 87-P-041, subject to the development conditions dated May 16, 2017.
- Modification of the transitional screening requirement along Lee Jackson Memorial Highway and Majestic Lane.

- Waiver of the barrier requirement along Lee Jackson Memorial Highway and Majestic Lane.
- Waiver of the shared-use path and major regional trail along Lee Jackson Memorial Highway.

Supervisor K. Smith seconded the motion and it carried by unanimous vote.

47. **4 P.M. – PH ON PROPOSED MODIFICATIONS TO THE COMPREHENSIVE PLAN AMENDMENT PROCESS** (4:16 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved to defer the public hearing on Proposed Modifications to the Comprehensive Plan Amendment Process until **June 20, 2017, at 3:30 p.m.** Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

48. **4 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE SUNRISE VALLEY DRIVE WALKWAY – RIVER BIRCH ROAD TO LEGACY CIRCLE (DRANESVILLE DISTRICT)** (4:17 p.m.)

Supervisor Foust moved to defer the public hearing on the acquisition of certain land rights necessary for the construction of the Sunrise Valley Drive Walkway – River Birch Road to Legacy Circle until **September 12, 2017, at 4 p.m.** Supervisor Gross seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER

49. **RECOGNITION OF CHIEF DEPUTY CLERK DENISE A. LONG UPON HER RETIREMENT** (4:18 p.m.)

Supervisor Gross recognized Denise A. Long, Chief Deputy Clerk to the Board, thanking her for many years of excellent work on behalf of the Board, the organization, and the public and wished her well as she begins her next chapter.

50. **BOARD ADJOURNMENT** (4:21 p.m.)

The Board adjourned.

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