



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

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

**TUESDAY  
February 6, 2018**

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

---

**02-18**

---

**GMA:gma**

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, February 6, 2018, 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 Bryan J. Hill, County Executive; Elizabeth Teare, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors, Ekua Brew-Ewool, Kecia Kendall, and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

**BOARD MATTERS**1. **MOMENT OF SILENCE** (9:33 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of Mr. Gordon Jarratt, who recently died. Mr. Jarratt was the Director of Enterprise Systems of the Department of Information Technology who retired in December due to a serious illness.

Chairman Bulova asked everyone to keep in thoughts the family of Ms. Barbara Berlin, who recently died. Ms. Berlin, formerly the Director of the Zoning Evaluation Division of the Department of Planning and Zoning, served as the Director of Comprehensive Planning for the Department of Neighborhood and Community Services.

Supervisor Smyth asked everyone to keep in thoughts the family of Ms. Cathy Lewis, Department of Planning and Zoning, whose father recently died. He worked on Capitol Hill for a number of years including the Office of Senator Eagleton.

Supervisor McKay asked everyone to keep in thoughts the family of Mr. Clarence Devers, who recently died. Mr. Devers was a long- time member of the Franconia Volunteer Fire Department and had an instrumental role in the opening of the Franconia Museum.

Supervisor McKay asked everyone to keep in thoughts the family of Mr. Sam McAllister, who recently died. Mr. McAllister was a United States Army Ranger who was an outstanding soldier and died on a training mission doing what he loved.

**AGENDA ITEMS**2. **PROCLAMATION DESIGNATING FEBRUARY AS "AFRICAN AMERICAN HISTORY MONTH" IN FAIRFAX COUNTY** (9:37 a.m.)

Chairman Bulova relinquished the gavel to Vice-Chairman Gross and moved approval of the Proclamation designating February as "*African American History Month*" in Fairfax County and urged all residents to join in recognizing members of the African-American community in the County, the United States, and throughout the world. Supervisor McKay and Supervisor Hudgins jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

3. **RESOLUTION OF RECOGNITION PRESENTED TO THE NATIONAL ASSOCIATION FOR THE ADVANCEMENT OF COLORED PEOPLE (NAACP), FAIRFAX CHAPTER** (9:56 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition presented to the Fairfax County branch of the NAACP for its service and one-hundredth year in the County. The motion was multiply seconded and it carried by unanimous vote.

4. **10 A.M. – PRESENTATION OF THE DON SMITH AWARD** (10:15a.m.)

Vicki Kammerude, Chairperson, Employee Advisory Council (EAC), presented the history of the Don Smith Award.

Ms. Kammerude announced that 19 nominations were received, and, in an earlier ceremony, runner-up awards were presented to Ms. Lavola Applewhite, Department of Family Services (DFS), Private First Class Brooks Gillingham, Fairfax County Police Department (FCPD), and Master Police Officer Kirk McNickle, FCPD.

An Honorable Mention Award was presented to Ms. Patricia Tippet, Department of Housing and Community Development, Mr. Jeff Hermann, Department of Transportation, Ms. Penny Talley, DFS, and Ms. Carolyn Ricks, Fairfax-Falls Church Community Services Board.

Ms. Kammerude presented the 2017 Don Smith Award to Tracy Davis, Management Analyst II, Department of Administration for Human Services.

5. **10:10 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES**  
(10:24 a.m.)

Chairman Bulova noted that the Board's Legislative Committee met on Friday, February 2.

Supervisor McKay, Chairman of the Board's Legislative Committee, also noted that the Legislative Committee met on Friday, January 26, 2018, and referred to the updated Committee report which was distributed to the Board.

Supervisor McKay presented the Report on the General Assembly activities, noting the following:

- The Legislative Committee reviewed several budget amendments from members of the Fairfax County delegation that address key County priorities, including K-12 funding, Washington Area Metropolitan Transit Authority (WMATA) and other transportation funding, developmental disability waivers, and proceeds from the sale of the Northern Virginia Training Center, among others. The entire County delegation signed on as co-patrons to amendments

patroned by Delegate Sickles and Senator Howell that would restore full funding for the Cost of Competing Adjustment for K-12 support positions.

- The Legislative Committee received an update on the Board's County initiative, which was reported out of Senate Courts of Justice. The bill will next be considered by the full Senate. Legislative staff will continue to provide updates to the Board on the bill's progress.
- The Legislative Committee also received an update on wireless telecommunications legislation that has been of significant concern to localities throughout the State. The House versions of two legislative proposals that the County opposes – one that would alter the application process for zoning approvals of certain wireless support structures by removing public input, and another that would establish wireless support structure public rights-of-way use fees – were reported out of both House and Senate Commerce and Labor Committees. Both proposals await further consideration in the full House and Senate. Legislative staff will provide updates to the Board as additional information becomes available.
- Legislative staff will continue to monitor legislation that would provide funding for WMATA and Statewide transit. The Legislative Committee approved Fairfax County Principles for WMATA Funding on January 26, and revised them on February 2 to incorporate items endorsed by the Metropolitan Washington Council of Governments and the Northern Virginia Transportation Authority. The principles also reiterate support for NVTC's Principles for WMATA Reform adopted in September 2017.
- The "crossover" date of the 2018 General Assembly is scheduled for February 13. "Crossover" is the deadline for bills to pass their originating chamber and "crossover" to the opposite chamber. Following crossover, both chambers will continue work on their individual revenue bills, as well as the state budget. The 2018-2020 biennium budget will be a key area of focus during the latter half of the session.

Supervisor McKay moved: adoption of the *Fairfax County Principles for WMATA Funding*, the revised principles are contained on handwritten pages 110 to 111 of Legislative Report Number Two; and, directed staff to distribute copies to members of the County delegation to the General Assembly.

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

Supervisor McKay moved adoption of the Legislative Committee Report Number Two. Chairman Bulova seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Herrity abstaining.

Supervisor McKay noted that the:

- Annual Reception in Richmond, for General Assembly Members, is Thursday, February 15, 2018, at 5:30 p.m., at the Credit Union House of Virginia
- Next Legislative Committee meeting is scheduled for Friday, February 9, 2018, at 4 p.m., in Conference Room 11 of the Government Center

**EBE:ebe**

6. **ADMINISTRATIVE ITEMS** (10:31 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor McKay 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.”

**ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2019**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 20, 2018, at 4:00 p.m.**, to consider the proposed Consolidated Plan One-Year Action Plan for FY 2019.

**ADMIN 2 – EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (DISTRICT)**

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-L17-18	Department of Public Works and Environmental Services Springfield Community Business Center Commuter Parking Garage 7039 Old Keene Mill Road Springfield, VA	November 8, 2018

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
	Lee District Accepted June 9, 2017 First Extension to February 8, 2018	
2232-D17-39	Fairfax County Park Authority Riverbend Park 8700 Potomac Hills Street Great Falls, VA Dranesville District Accepted December 11, 2017	November 9, 2018

**ADMIN 3 – STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE, BRADDOCK, SULLY, MASON, AND HUNTER MILL DISTRICTS)**

- (R) Approved the request that the streets listed below be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Leonard Adler Parcels 47 & 51 (Agape House)	Braddock	Frontage Road (FR-1023) Transfer to Secondary System Service Drive for Lee Highway
Bittersweet Farms	Dranesville	Seneca Farm Way
Hillbrook Springs	Mason	Winter Lane
McLearen Road Property – Education Drive	Sully	Education Drive
Maymont Section 1	Hunter Mill	Maymont Drive Verrier Court Newcombs Farm Road Carnot Way

7. **A-1 – BOARD APPROVAL OF THE FIRST INTERIM AGREEMENT: MASTER DEVELOPMENT PLAN BETWEEN THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, AND THE ALEXANDER COMPANY AND ELM STREET DEVELOPMENT (MOUNT VERNON DISTRICT)** (10:31 a.m.)

Following comments, Supervisor Storck moved that the Board concur in the recommendation of staff and approve the First Interim Agreement: Master Development Plan between the Board of Supervisors of Fairfax County, Virginia, and the Alexander Company and Elm Street Development. Supervisor McKay seconded the motion and it carried by unanimous vote.

8. **A-2 – APPROVAL OF REVISIONS TO CHAPTERS 2, 9, 10, AND 17 OF THE PERSONNEL REGULATIONS TO ALIGN DEFINITIONS, CORRECT TYPOGRAPHICAL ERRORS, ALIGN PRACTICE WITH POLICY, AND PROVIDE ADMINISTRATIVE CLARIFICATION** (10:37 a.m.)

On motion of Supervisor Gross, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the proposed revisions to Chapters 2, 9, 10, and 17 of the Personnel Regulations.

9. **C-1 – PROFFER INTERPRETATION APPEAL ASSOCIATED WITH THE RESERVE AT TYSONS CORNER RELATED TO PROFFERS ACCEPTED FOR REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2003-PR-008 (PROVIDENCE DISTRICT)** (10:38 a.m.)

Following an update, Supervisor L. Smyth moved to defer the appeal of proffer interpretation for Rezoning/Final Development Plan Application RZ/FDP 2003-PR-008 until February 20, 2018. Chairman Bulova seconded the motion and it carried by unanimous vote.

#### **ADDITIONAL BOARD MATTERS**

EBE:ebe

10. **REQUEST FOR RECOGNITIONS** (10:40 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite representatives from the following organizations to appear before the Board to be recognized:

- The Office for Children on May 1, 2018, to designate May 6-12, 2018, as “*Child Care Professionals Week*” in Fairfax County.
- The Department of Family Services on May 1, 2018, to designate May 2018 as “*Foster Care Awareness Month*” in Fairfax County.
- The Office of Human Rights and Equity Programs and the Student Human Rights Commission at a future meeting to recognize the recipients of this year’s student Fair Housing Art and Writing Contest. A flyer with more information regarding the contest is attached to the Chairman’s written Board Matter.

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.



11. **ADDITION OF BOARD-OWNED LAND, FINAL DEVELOPMENT PLAN APPLICATION FDP 2011-PR-001-05 (PROVIDENCE DISTRICT)**  
(10:41 a.m.)

Supervisor L. Smyth announced that City Line has submitted Final Development Plan Application FDP 2011-PR-001-05 to permit the development of a hotel in Scotts Run South in Tysons. The proposed realignment of Colshire Drive with this application would create an irregular street frontage because of three small residual unconsolidated parcels that were part of the old right-of-way. The applicant proposes to include these Board-owned parcels in the zoning application and to vacate and abandon the parcels to create a consistent street frontage and an improved building footprint.

The Zoning Ordinance requires that applications on property owned by a party other than the applicant require the endorsement of the property owner before such an application can be heard. Since the Board owns the underlying right-of-way, the applicant is requesting Board concurrence in adding this land area into the filing of the pending FDP application.

Therefore, Supervisor L. Smyth moved that the Board:

- Indicate its concurrence of the inclusion of the total of 1,019 square feet of excess right-of-way as depicted on the attachment to her written Board Matter to be included in the pending Final Development Plan Application FDP 2011-PR-011-05
- Designate the County Executive as the Board's agent for Final Development Plan Application FDP 2011-PR-011-05

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

12. **RESOLUTION TO SUPPORT LIMITED ACCESS LINE BREAK ON ROUTE 123 - OLD MEADOW HOLDINGS REZONING APPLICATION RZ-2015-PR-014 (PROVIDENCE DISTRICT)** (10:43 a.m.)

- (R) Supervisor L. Smyth stated that the applicant for the pending Old Meadow Holdings, Rezoning Application RZ-2015-PR-014, proposes to develop an office building at Old Meadow Road and Route 123, has requested that the Virginia Department of Transportation (VDOT) and the Commonwealth Transportation Board (CTB) shift the limited access line closer to Route 123 to accommodate the integrated construction of sidewalks, streetscape, and undergrounding of utilities. Before initiating the formal review process, VDOT and the CTB require that the

Board approve a resolution supporting the proposed shift and break in the limited access line.

To that end, Supervisor L. Smyth moved that the Board support the proposed break and shift in the limited access line, as depicted in the attached exhibit to her written Board Matter. 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 Foust and Supervisor Herrity jointly seconded the motion.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation (DOT), regarding the anticipated start and completion dates for the project.

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."

13. **MOUNT VERNON DISTRICT'S ANNUAL TOWN HALL MEETING**  
(10:48 a.m.)

Supervisor McKay congratulated Supervisor Storck on an outstanding Town Hall meeting on Saturday and noted that it was the biggest crowd ever of engaged citizens and thanked him for an excellent job.

Chairman Bulova noted that it was well organized and said that it was nice to see former Board Chairman and Congressman Gerry Connolly and former Mount Vernon District Supervisor Gerry Hyland at the event.

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Item #21.)

**KK:kk**

14. **PROFFERED CONDITION AMENDMENT APPLICATION PCA 2009-HM-019-02 AND CONCEPTUAL DEVELOPMENT PLAN AMENDMENT CDPA 2009-HM-019 - COMSTOCK RESTON STATION HOLDINGS, LC, AND REZONING APPLICATION RZ 2016-HM-035 AND PROFFERED CONDITION AMENDMENT APPLICATION PCA 2009-HM-019 - CRS SUNSET HILLS, LC (HUNTER MILL DISTRICT)** (10:50 a.m.)

Supervisor Hudgins said that Comstock Reston Station Holdings, LC, and CRS Sunset Hills, LC, have filed 4 concurrent rezoning applications (Proffered Condition Amendment Application PCA 2009-HM-019-02, Conceptual

Development Plan Amendment Application CDPA 2009-HM-019, Rezoning Application RZ 2016-HM-035, and Proffered Condition Amendment Application PCA 2009-HM-019, to permit 2 mixed-use transit-oriented developments located within a quarter mile of the Wiehle-Reston East Metrorail Station. The proposals include approximately 9 acres of County-owned land and approximately 11 acres of private property. Comstock Reston Station proposes a moderate increase in gross floor area to the previously-approved Reston Station Development which integrated County-owned Metrorail facilities at the Wiehle-Reston East Station with private office, retail, hotel, and residential uses. CRS Sunset Hills proposes to consolidate a significant portion of land located immediately to the north of the Reston Station Development and redevelop it as a transit-oriented development consisting of a mix of uses, additional public amenities, and a much-needed extension of a multimodal street network in the area. The Planning Commission (PC) public hearings are scheduled for March 22, 2018; however, due to the nature of these cases, as they relate to future time-sensitive deadlines, the applicants are requesting an expedited Board public hearing.

Therefore, Supervisor Hudgins moved that Board direct staff to expedite the scheduling of the Board's public hearing for Proffered Condition Amendment Application PCA 2009-HM-019-02, Conceptual Development Plan Amendment Application CDPA 2009-HM-019, Rezoning Application RZ 2016-HM-035, and Proffered Condition Amendment Application PCA 2009-HM-019, to April 10, 2018.

This motion should not be construed 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, or adopted standards in anyway.

Supervisor McKay and Supervisor Herrity jointly seconded the motion.

Discussion ensued, concerning the timing of the PC decisions relative to the scheduled Board's public hearing date. Oftentimes, the PC recommendation is not available until as late as the day before the Board public hearing date, giving the Board and the public little time to review the PC information. It was noted that it would be helpful to convey to the PC that it not routinely defer decisions to the Wednesday/Thursday prior to the scheduled Board meeting.

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

15. **BOSTON PROPERTIES LIMITED PARTNERSHIP (PROPOSED RESTON GATEWAY) CONCURRENT PROCESSING REQUEST (HUNTER MILL DISTRICT)** (10:54 a.m.)

Supervisor Hudgins said that Boston Properties Limited Partnership (the "Boston Properties") has filed Proffered Condition Amendment Application PCA-86-C-119-07, Planned Residential Community Application PRC – 86-C-119-02 and

Development Plan Amendment Application DPA 86-C-119-03 for property on County Tax Map 17-3 ((01)) 29A, 17-3 ((01)) 29B, 17-3 ((01)) 5H1, and 17-3 ((01)) 0005 (collectively the “Property”) with an integrated mix of office, restaurant, hotel, and residential uses. The proposed DPA, PCA, and PRC applications will facilitate the extension of the existing Town Center Urban Core and will help achieve the County’s long-term vision of a high-density, transit-oriented development adjacent to the new Metrorail service opening in 2020.

The Property is bound to the north by the W&OD Trail, to the south by Sunset Hills Road, to the east by Reston Parkway, and to the west by Town Center Parkway. The Property is currently zoned Planned Residential Community (the “PRC District”) under the County Zoning Ordinance (ZO). The approximately 33.13-acre Property is currently developed with approximately 181,000 square feet of office uses in the Discovery Square 1 Building, approximately 195,080 square feet of office use in the Discovery Square 2 Building, 2 low-rise office buildings consisting of approximately 261,000 square feet, associated parking garages, a surface parking lot containing 613 spaces, and a stormwater management pond – much of which will remain unchanged with these applications. Boston Properties intends to file its site plan next month and is requesting concurrent processing of its site plan for Reston Gateway with the DPA, PCA, and PRC applications.

Therefore, Supervisor Hudgins moved that the Board authorize the concurrent processing of the site plan for Boston Properties Reston Gateway with Proffered Condition Amendment Application PCA 86-C-119-07, Development Plan Amendment Application DPA 86-C-119-03, and Planned Residential Community Application PRC 86-C-119-02.

This motion should not be construed as a favorable recommendation by the Board of Supervisors on the proposed applications and does not relieve the applicant from compliance with the provisions of all application ordinances, regulations, or adopted standards in anyway.

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

16. **INTENT TO DEFER PUBLIC HEARINGS (HUNTER MILL DISTRICT)**  
(10:58 a.m.)

Supervisor Hudgins announced her intent, later in the meeting at the appropriate time, to defer decision on Planned Residential Community Application PRC-C-378 and Special Exception Application SE 2016-HM-024 until February 20, 2018.

(NOTE: Later in the meeting, these items were formally deferred. See Clerk’s Summary Item CL#28.)

17. **OAKWOOD SERVICES INTERNATIONAL 7210 BRADDOCK ROAD MOTION FOR AUTHORIZATION FOR PLAN AMENDMENT (MASON DISTRICT)** (10:59 a.m.)

Supervisor Gross announced that Oakwood Services International has successfully operated a non-profit private school at 7210 Braddock Road since 1981 and is also approved under Special Exception SE 96-M-037. This north side of Braddock Road, from Backlick Road on the east to the Backlick Run Stream Valley on the west, features educational and institutional uses, including the Phillips School, Arden Courts, Leewood Healthcare, and the Oakwood School.

The school has acquired an additional lot, Parcel 14, to the west which is currently developed with a single-family home, zoned R-1. Oakwood School has submitted a special exception amendment and companion Rezoning Application, RZ 2017-MA-016, for the newly acquired property, seeking a rezoning to R-3, consistent with the existing school site parcels (Parcels 12 and 13). As shown on the Comprehensive Plan map, the existing school site has split planned uses, shown as public facilities, governmental, and institutional; Parcel 14, is shown as residential at .5-1 dwelling units per acre (DU/AC). To support the rezoning for Parcel 14 to the R-3 District, the underlying Plan map should align with the Plan map designation for the existing school property, which is planned for public facilities, governmental, and institutional uses.

Supervisor Gross said that in an effort to resolve inconsistencies in the land use designations shown on the Plan map and to ensure that existing uses that wish to remain and continue to serve the Mason District can do so, and moved that the Board:

- Authorize a Comprehensive Plan amendment for consideration of a map change only for Tax Map parcels 71-3 ((8)) 12, 13, and 14 in the Annandale Planning District to public facilities, governmental, and institutional uses
- Direct the Director of the Department of Planning and Zoning to expedite and complete the review and processing of this Plan amendment to coincide with the processing and review of the concurrent Rezoning Application RZ 2017-MA-016 and companion Special Exception Amendment Application SEA 96-M-037

This motion should not be construed as a favorable recommendation for a potential Plan amendment or any subsequent rezoning or other application and does not relieve the applicant from complying with all regulations, ordinances, or adopted standards, and will not prejudice the consideration of this application in any way. Supervisor McKay seconded the motion and it carried by unanimous vote.

18. **RECOGNIZING THE FALLS CHURCH-McLEAN CHILDREN'S CENTER ON ITS FIFTIETH ANNIVERSARY (DRANESVILLE DISTRICT)**

(11:02 a.m.)

Supervisor Foust announced that he wanted to take the opportunity to congratulate the Falls Church-McLean Children's Center ("Center") on its fiftieth anniversary.

In 1967, in response to news articles which highlighted the lack of affordable child care around the country and the existence of day care programs with dangerous environments where children were neglected, volunteers from over 20 area faith groups decided to take action.

The group's mission was to create a center that would "enrich and develop the whole personality of the child." They established the Center with the mission of providing high-quality early childhood education that would be affordable to low-income working families.

On October 10, 1968, the Center opened its doors with an enrollment of 15 children in the basement of Chesterbrook Presbyterian Church in Falls Church. From these humble beginnings, the Center has grown to its current enrollment of over 70 children.

In 2003, the Center moved from the church basement to its current location, a dedicated wing of Lemon Road Elementary School, built for the Center by the County.

In recognition of its outstanding service, the Falls Church-McLean Children's Center has been honored by the Virginia General Assembly, the County Board of Supervisors, the County Public School System, and other local faith and community groups for its outstanding service. In 2016, the McLean Chamber of Commerce named the Children's Center the "Non-profit of the Year."

Supervisor Foust asked unanimous consent that the Board direct staff to prepare a resolution, to be signed by the Chairman and the Dranesville District Supervisor, recognizing the Falls Church-McLean Children's Center for 50 years of service to the community to be presented at the Center's Founder's Breakfast to be held on April 11, 2018. Without objection, it was so ordered.

19. **ECONOMIC DEVELOPMENT SUPPORT FUND (EDSF) TURNING POINT SUFFRAGIST MEMORIAL** (11:04 a.m.)

In a joint Board Matter with Supervisor Cook, Supervisor Gross, Supervisor Herry, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Dan Storck, and Chairman Bulova, Supervisor Foust referenced his written Board Matter and announced that the Turning Point Suffragist Memorial Association ("Association") is a non-profit 501(c)(3) organization, led by volunteers, committed to raising funds to build a national

memorial to honor the 5 million suffragists who fought for and won a woman's right to vote, granted by the Nineteenth Amendment to the Constitution on August 26, 1920. No such memorial exists in the country today, and only 8 percent of all memorials in the US honor women. The mission of the Association is to educate, inspire, and empower present and future generations to remain vigilant in the quest for equal rights.

School history books rarely mention that the suffragist movement lasted 72 years, beginning in 1848 at Seneca Falls, New York, or include the story of the scores of suffragists who were incarcerated in the now historic prison grounds in Lorton in 1917 for picketing the White House, demanding the right to vote. These women, aged 19-73, were arrested, tried, convicted, and imprisoned for up to 7 months, ostensibly for blocking traffic on the sidewalk. The reports of inhumane conditions, beatings, and forced feedings electrified the county and became a major "turning point" in the struggle for voting rights for women and led President Wilson to ask Congress to consider a constitutional amendment.

In the words of Eleanor Clift, author of Founding Sisters and the Nineteenth Amendment: "The suffragists engineered the greatest expansion of democracy on a single day the world had ever seen, and yet...the leaders built no monuments to themselves, and too many of their names have been lost to history."

The Association is actively soliciting funding for the \$2,000,000 project. To date, it has received over a half million dollars of in-kind donations and has raised \$250,000. The Association has requested that the County provide construction cost funding of \$200,000.

It is anticipated that the Turning Point Suffragist Memorial will have a positive impact on the County's tourism and hospitality industries. National organizations, representing millions of women, have endorsed the memorial. While the memorial will be a stand-alone tourist attraction in its own right, its location near other sites, such as River View, the Workhouse Arts Center, and the Constitution Trail (including the Memorial, Gunston Hall, Mount Vernon, and Montpelier), will only enhance the interest among residents and tourists to visit this important historical and cultural area of the County. Occoquan Regional Park will become a destination site for guests, tourists, scholars, students, and historians.

Therefore, Supervisor Foust moved that the Board:

- Direct the County Executive to prepare an Initial Project Evaluation (IPE) to review this project under the guidelines adopted for the EDSF
- Direct the County Executive to evaluate the Turning Point Suffragist Memorial's impact to furthering the goals of the Economic Success Strategic Plan (ESSP) and make recommendations for the Board to consider regarding allocating EDSFs to this capital project

- Direct the County Executive that no investment from the EDSF will be made in the Turning Point Suffragist Memorial unless and until the Board has approved the use of the funds for that purpose

Chairman Bulova and Supervisor Gross jointly seconded the motion.

Discussion ensued regarding: whether funding for the Memorial meets the criteria to be considered for the EDSF; whether it would be more appropriately funded as a budget consideration item for the Contributory Fund; and, the Memorial's importance to celebrating the history of the County and country and its potential boon to tourism.

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

20. **INTRODUCTION OF A NEW STAFF MEMBER IN THE SPRINGFIELD DISTRICT OFFICE** (11:17 a.m.)

Supervisor Herrity introduced a new staff member. Ms. Kara Caldwell is a US Army veteran and a small business owner. Her primary responsibility will be the budget. On behalf of the Board, he warmly welcomed her to the Board Auditorium.

**DET:det**

21. **THANK YOU TO COUNTY STAFF FOR PARTICIPATING IN THE THIRTY-FIRST ANNUAL MOUNT VERNON TOWN MEETING (MOUNT VERNON DISTRICT)** (11:18 a.m.)

On February 3, 2018, Supervisor Storck hosted the thirty-first annual Mount Vernon Town meeting at Mount Vernon High School. At 7:45 a.m., the doors opened to the exhibit hall where 75 County agencies, non-profits, organizations, and other groups were able to connect with and answer questions from Mount Vernon District residents. This year, the town meeting theme was "Community Engagement - Resolve to Get Involved," and the focus was on how to better connect residents to each other, to available services, current events in Mount Vernon, and also help constituents understand the importance of community engagement.

Supervisor Storck thanked all the agencies that were able to attend and who continue to make this tradition so successful as well as Chairman Bulova, County Executive Bryan Hill, Mount Vernon District School Board Member Karen Corbett Sanders, Congressman Gerry Connolly, and School Superintendent Dr. Scott Brabrand for their willingness to participate on Super Bowl Saturday and for providing residents updates on key issues affecting the Mount Vernon District, the County, and the nation.



Supervisor Storck gave special thanks to individuals from the County's:

- Communications Productions Division, Channel 16 (Director Donna Monacci, Producer Sara Mingo, Chief Engineer Greg Smalfelt, Mr. John Graham, Mr. Josh Bass, Mr. Kenneth Gilbert, Mr. Patrick Balsamo, Mr. Albee Sinayoko, Mr. Sean Metzger, Ms. Laurie Campbell, Mr. Steve Adams, Mr. Ali A1 Taweel, Mr. Bill Krumpelman, Mr. Patrick Battle, and Mr. Dave Hall; with their assistance and through social media, this was the most viewed town meeting in 31 years!
- Department of Information Technology, including Mr. Joey Taguding and Mr. Mark Leonard
- Geographic Information Systems, Mr. Matt Miller, who worked with his staff to help fine-tune the virtual flying tour of the district which utilized the same technology that is available to residents at Virtual Fairfax on the County's website

The town meeting will air play on Cox Cable channel 16 at 8 p.m. on the following dates: February 11, February 17, and February 26. Supervisor Storck added that it is also available on the channel 16 website and on the Mount Vernon Facebook page. DVD copies are also available at Mount Vernon District libraries.

22. **BURKE VOLUNTEER FIRE AND RESCUE DEPARTMENT CELEBRATES ITS SEVENTIETH ANNIVERSARY (SPRINGFIELD DISTRICT)** (11:23 a.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor Cook announced that on January 29, 2018, the Burke Volunteer Fire and Rescue Department celebrated the seventieth anniversary of its incorporation. What is now a busy and suburban fire station started as a small group of concerned citizens who wanted to make their farming community safer.

Like most volunteer fire departments, Burke Volunteer Fire and Rescue serves as a testament to the spirit of service in the community. Its first fire truck was purchased by the Burke Civic Association for \$500 and the old fire station was paid for by generous members of the Burke community.

A lot has changed in the technology, structure, and operations of the fire department since the department's founding. However, the Burke Volunteer Fire and Rescue Department has never stopped bringing the community together with the dedicated service of its members.

Supervisor Cook asked unanimous consent that the Board:

- Offer its congratulations to the Burke Volunteer Fire and Rescue Department
- Direct staff to prepare a certificate in honor of its seventieth anniversary to be presented to the Department at its annual awards banquet on March 10, 2018

Without objection, it was so ordered.

23. **NO BOARD MATTERS FOR SUPERVISOR K. SMITH (SULLY DISTRICT)** (11:25 a.m.)

Supervisor K. Smith announced that she had no Board Matters to present today.

24. **INTENT TO DEFER A PUBLIC HEARING (LEE DISTRICT)** (11:26 a.m.)

Supervisor McKay announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Amendment Application SEA 96-L-034-05 (Greenspring Village, Incorporated), until February 20, 2018, because of a technical filing issue.

(Note: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item #33.)

25. **ORDERS OF THE DAY** (11:26 a.m.)

Chairman Bulova announced that the Board would require three hours for closed session. Following discussion, with input from Elizabeth Teare, County Attorney, Chairman Bulova stated that the Board would recess and go into closed session at 12:30 p.m.

26. **RECESS/CLOSED SESSION** (11:28 a.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. *Vincent Dennis Randazzo, Administrator of the Estate of Michael Vincent Randazzo, Deceased v. Sandra Mauldin*, Case No. CL-2016-0009634 (Fx. Co. Cir. Ct.)

2. *Glen M. Sylvester v. Brian C. Geschke*, Case No. CL-2017-0006382 (Fx. Co. Cir. Ct.)

3. *David Park and Susan Park v. Constance Morris*, Case No. CL-2017-0011280 (Fx. Co. Cir. Ct.)

4. *Yeily Sandoval Rios v. Fairfax County Department of Family Services*, Record No. 0385-16-4 (Va. Ct. App.)

5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kha Nguyen and Quilan Tran*, Case No. CL-2018-0000561 (Fx. Co. Cir. Ct.) (Braddock District)

6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harvey Ray Williams, Jr., and Jason Williams*, Case No. CL-2017-0013586 (Fx. Co. Cir. Ct.) (Braddock District)

7. *Board of Supervisors of Fairfax County and James W. Patteson, Director of the Fairfax County Department of Public Works and Environmental Services v. Nirmaladevi Jayanthan and Jayanthan Balasubram, a/k/a Balasubram Jayanthan, Jayanthan Bala, Bala Jayanthan, and Jay Bala*, Case No. CL-2015-0008179 (Fx. Co. Cir. Ct.) (Dranesville District)

8. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Lucy W. Berkebile*, Case No. CL-2018-0000961 (Fx. Co. Cir. Ct.) (Dranesville District)

9. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Hsing-Cheng Chen and Marina L. Chen*, Case No. CL-2016-0014720 (Fx. Co. Cir. Ct.) (Dranesville District)

10. *Elizabeth Perry, Property Maintenance Code Official v. C. Shannon Roberts*, Case No. GV17-025110 (Fx. Co. General Dist. Ct.) (Dranesville District)

11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Steve O. Akinbileje*, Case No. GV17-000779 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

12. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Thomas V. Lefler*, Case No. CL-2015-0015223 (Fx. Co. Cir. Ct.) (Lee District)

13. *Eileen M. McLane, Fairfax County Zoning Administrator v. Robert Lord*, Case No. CL-2009-0006752 (Fx. Co. Cir. Ct.) (Lee District)

14. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Darul Huda Corp.*, Case No. GV18-000428 (Fx. Co. Gen. Dist. Ct.) (Lee District)

15. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Woolfrey*, Case Nos. GV17-018110 and GV17-018111 (Fx. Co. Gen. Dist. Ct.) (Lee District).

16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ernestina P. Urquieta*, Case No. GV17-026318 (Fx. Co. Gen. Dist. Ct.) (Lee District)

17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Oscar Maravilla*, Case No. CL-2018-000825 (Fx. Co. Cir. Ct.) (Mason District)

18. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Daniel Minchew*, Case No. CL-2017-0004962 (Fx. Co. Cir. Ct.) (Mount Vernon District)

19. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property*

*Maintenance Code Official for Fairfax County, Virginia v. Rex Coker Winter*, Case No. CL-2017-0014915 (Fx. Co. Cir. Ct.) (Providence District)

20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duane S. Whitney, Edward N. Whitney, Arthur M. Whitney, Pamela V. Whitney, Rhonda L. Whitney, Candace Alexander, and Jeanette Alexander*, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)

21. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Raj K. Chaudhry*, Case No. GV18-000508 (Fx. Co. Gen. Dist. Ct.) (Providence District)

22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. 8621 Properties LLC*, Case No. GV18-001138 (Fx. Co. Gen. Dist. Ct.) (Providence District)

23. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Lloyd G. Strickland*, Case No. CL-2018-0000410 (Fx. Co. Cir. Ct.) (Springfield District)

24. *Eileen M. McLane, Fairfax County Zoning Administrator v. Roberta Couver*, Case No. CL-2011-0007717 (Fx. Co. Cir. Ct.) (Sully District)

25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. HCA Model Fund 2015-8 Northeast, LLC*, Case No. CL-2018-0000842 (Fx. Co. Cir. Ct.) (Sully District)

And in addition:

- Legal briefing regarding *Hernandez v. Fairfax County*, Fourth Circuit Appeal Number 17-1152, as permitted by Virginia Code Section 2.2-3711(A)(7)
- Discussion or consideration of potential terms of agreement relating to a competitive economic development opportunity in the Dranesville District, as permitted by Virginia Code Sections 2.2-3711(A)(6), (8), and (39)

- Legal analysis regarding *Reed v. Town of Gilbert*, 135 Supreme Court 2218 (2015), as permitted by Virginia Code Section 2.2-3711(A)(8)

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

**DET:det**

At 3:33 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

### **ACTIONS FROM CLOSED SESSION**

27. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:33 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**

28. **3:30 P.M. – DECISION ONLY ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC-C-378 (KENSINGTON SENIOR DEVELOPMENT, LLC) (HUNTER MILL DISTRICT)**

**AND**

**DECISION ONLY ON SPECIAL EXCEPTION APPLICATION SE 2016-HM-024 (KENSINGTON SENIOR DEVELOPMENT, LLC) (HUNTER MILL DISTRICT)** (3:34 p.m.)

(NOTE: On January 23, 2018, the Board held a public hearing regarding these items and deferred decision until February 6, 2018.)

Supervisor Hudgins moved to defer decision on Planned Residential Community Application PRC-C-378 and Special Exception Application SE 2016-HM-024, until **February 20, 2018, at 3:30 p.m.** with the record to remain open. Supervisor Gross seconded the motion and it carried by unanimous vote.

29. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-MA-001 (BYCJJ, LLC) (MASON DISTRICT)** (3:35 p.m.)

Supervisor Gross moved to defer the public hearing on Special Exception Application SE 2017-MA-001 until **March 20, 2018, at 3:30 p.m.** Supervisor Foust seconded the motion and it carried by unanimous vote.

30. **3:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX F, LOCAL AGRICULTURAL AND FORESTAL DISTRICTS, AGRICULTURAL RENEWAL APPLICATION AR 91-D-004-03 (TARRY A. FARIES) (DRANESVILLE DISTRICT)** (3:36 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 19 and January 26, 2018.

The application property is located on the south side of Georgetown Pike and north side of Old Dominion Drive, west of Bellview Road. Tax Map 20-1 ((1)) 33Z, 34Z, 35Z, 36Z, 58Z, and 77Z.

Harvey Clark, Planner, Zoning Division, Department of Planning and Zoning, presented the staff report.

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

Supervisor Foust moved approval of Agricultural Renewal Application AR 91-D-004-03, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Orchid Spring Nursery Local Agricultural and Forestal District for an additional eight-year term, subject to the Ordinance provisions dated December 11, 2017. Supervisor K. Smith and Supervisor L. Smyth jointly 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.”

31. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-M-093-02 (7231 ARLINGTON BOULEVARD, LLC) (MASON DISTRICT)** (3:40 p.m.)

The application property is located at 7231 Arlington Boulevard, Falls Church, 22042. Tax Map 50-3 ((4)) 260A.

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

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

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

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

Following a query by Supervisor Gross, Mr. Viani confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 12, 2018.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 82-M-093-02, and a waiver of open space subject to the development conditions dated January 12, 2018
- Approval of a waiver of the loading space requirement per section 11-200 of the Zoning Ordinance

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

32. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2017-MA-013 (VULCAN MATERIALS COMPANY, LLC) (MASON DISTRICT)**

**AND**

**3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-MA-009 (VULCAN MATERIALS COMPANY, LLC) (MASON DISTRICT)**  
(3:47 p.m.)

Supervisor Gross moved to defer the public hearing on Rezoning Application RZ 2017-MA-013 and Special Exception Application SE 2017-MA-009 until **March 6, 2018, at 3:30 p.m.** Supervisor Foust and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

33. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 96-L-034-05 (GREENSPRING VILLAGE, INCORPORATED) (LEE DISTRICT)** (3:48 p.m.)

(NOTE: On January 23, 2018, the Board deferred this public hearing until February 6, 2018.)



(NOTE: Earlier in the meeting, Supervisor McKay announced his intent to defer SEA 96-L-034-05. See Clerk's Summary Item #24.)

Supervisor McKay moved to defer the public hearing on Special Exception Amendment Application SEA 96-L-034-05 until **February 20, 2018**. Supervisor Gross and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

34. **BOARD ADJOURNMENT** (3:49 p.m.)

The Board adjourned.