



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
March 20, 2018**

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05-18

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, March 20, 2018, at 9:33 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; Angela Schauweker, Management Analyst II, Office of the County Executive; Ekua Brew-Ewool, Kecia Kendall, and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTERS**1. ANNOUNCEMENT REGARDING PARTICIPATION IN THE ANNUAL STATE-WIDE TORNADO DRILL (9:34 a.m.)**

Chairman Bulova announced that the County is participating in the annual State-wide tornado drill and provided basic safety tips to follow in the case of a future emergency situation.

2. MOMENT OF SILENCE (9:35 a.m.)

Chairman Bulova asked everyone to keep in thoughts the family of Mr. Dennis Mondoro, the brother of Chief Financial Officer, Joe Mondoro, who recently died. Mr. Dennis Mondoro was a former County employee.

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. Arthur Hill, who recently died. Mr. Hill was a former member of the Reston Planning and Zoning Committee and was appreciated for his work in the community for over 20 years.

Supervisor Gross asked everyone to keep in thoughts Ms. Virginia “Ginger” Shea as she is recovering from health complications.

AGENDA ITEMS**3. RESOLUTION OF RECOGNITION PRESENTED TO MR. FRANK DE LA FE (HUNTER MILL DISTRICT) (9:38 a.m.)**

Supervisor Hudgins moved approval of the Resolution of Recognition presented to Mr. Frank de la Fe for his years of enriching service to the County. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

4. RESOLUTION OF RECOGNITION PRESENTED TO DR. JAMES G. COLLIN (LEE DISTRICT) (9:50 a.m.)

Supervisor McKay moved approval of the Resolution of Recognition presented to Dr. James G. Collin for his years of distinguished and noteworthy service to the County. Chairman Bulova seconded the motion and it carried by unanimous vote.

5. PROCLAMATION DESIGNATING APRIL 2-8, 2018, AS “PUBLIC HEALTH WEEK” IN FAIRFAX COUNTY (9:57 a.m.)

Supervisor Gross moved approval of the Proclamation designating April 2-8, 2018, as "Public Health Week" in Fairfax County and urged all residents to work together to build healthier communities and, eventually, the healthiest nation. Supervisor

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

6. **RESOLUTION OF RECOGNITION PRESENTED TO THE PHILLIPS PROGRAMS FOR CHILDREN AND FAMILIES** (10:09 a.m.)

Supervisor Gross moved approval of the Resolution of Recognition presented to the Phillips Programs for Children and Families for its fiftieth anniversary and enduring commitment to service in the County. Supervisor Herrity seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING APRIL 2018 AS "FAIR HOUSING MONTH" IN FAIRFAX COUNTY** (10:21 a.m.)

Supervisor Hudgins moved approval of the Proclamation designating April 2018 as "*Fair Housing Month*" in Fairfax County and urged all residents to join in promoting equal housing opportunities in the County. Supervisor McKay seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING APRIL 2-6, 2018, AS "COMMUNITY DEVELOPMENT WEEK" IN FAIRFAX COUNTY** (10:33 a.m.)

Supervisor Cook moved approval of the Proclamation designating April 2-6, 2018, as "*Community Development Week*" in Fairfax County and urged all residents to recognize the importance and achievements of the Community Development Block Grant Program (CDBG) and the HOME Investment Partnerships Program in improving the quality of life in the County. Chairman Bulova and Supervisor Herrity jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

9. **PROCLAMATION DESIGNATING APRIL 8-14, 2018, AS "LIBRARY WEEK" IN FAIRFAX COUNTY** (10:41 a.m.)

Supervisor L. Smyth moved approval of the Proclamation designating April 8-14, 2018, as "*Library Week*" in Fairfax County and urged all residents to take advantage of the wonderful resources available at a library. Supervisor Gross seconded the motion and it carried by unanimous vote.

10. **10 A.M. – REPORT ON GENERAL ASSEMBLY (GA) ACTIVITIES** (10:50 a.m.)

Supervisor McKay, Chairman of the Board's Legislative Committee, presented the report on GA activities, noting the following:

- The regular session of the 2018 GA adjourned on Saturday, March 10, and Board Members received a draft final report. A final version of the report will be posted on the Board's web page later this week.
- Looking at the session by the numbers underscores the volume of bills that were considered this year by the GA and by the Board:
 - 3,722 bills and resolutions were introduced.
 - 2,192 bills were reviewed by County's operational and legal staff.
 - The Board took formal positions on 279 bills.
- The Board originally opposed or sought to amend 87 bills; at the end of the session, only 15 bills remained in that category. Of those 15, one was fixed the last week of the session and several are House and Senate versions of the same bill, so only nine discrete proposals that the County sought to oppose or amend remain.
- The GA did not pass its budget by the end of the regular session. Differences between the House and Senate budgets, particularly the inclusion of Medicaid expansion in the House budget, led to a budget impasse, which proved impossible to resolve before the regularly scheduled adjournment of the session. Governor Northam has called a special session to complete work on the State budget, set to convene April 11, 2018. The impact on many County priorities, including K-12 funding, public safety and human services will not be fully determined until the final budget is passed. Staff will continue to work with the delegation and update the Board as information becomes available.
- The Board did not see the usual onslaught of problematic tax bills this year. The most significant land use issue that arose during the 2018 Session related to the siting of wireless telecommunications infrastructure. Unlike last session, where local governments and the telecommunications industry negotiated and the GA passed compromise legislation, there was virtually no negotiation this year. Legislative staff will continue to work with other local government representatives, including the Virginia Association of Counties (VACo) and the Virginia Municipal League (VML), to appeal to Governor Northam for assistance. Board Members also received copies last week of the letter sent by the Chairman to the Governor on this topic.
- Another key issue during the 2018 GA session was funding and governance reforms for the Washington Metropolitan Area Transit

Authority (WMATA). The legislation passed by the GA includes \$154 million per year for WMATA, including \$30 million in Statewide revenues as well as other regional revenues and governance reforms. The passage of this legislation was a critical step in the right direction and the Board appreciates all the work put into this issue by members of the GA and the Northam Administration. This legislation shifts significantly more funding away from Northern Virginia Transportation Authority (NVTA) than the County has ever supported. The Board will discuss a draft letter to Governor Northam, detailing the County's perspective on these bills House Bill (HB) 1539 (Hugo)/Senate Bill (SB) 856 (Saslaw).

- Other significant measures passed by the GA include: the County's legislative initiative, SB 392 (Barker), which pertains to emergency mental health treatment for minors; bills that would set a regional gas tax floor; and legislation that would address the ongoing opioid epidemic.

Supervisor McKay moved that the Board adopt the 2018 General Assembly Final Legislative Report. Chairman Bulova seconded the motion and it carried by unanimous vote.

Next, the Board considered a draft letter addressed to Governor Northam regarding WMATA legislation.

- SB 856 (Saslaw) and HB 1539 (Hugo) passed the GA after numerous changes and a lot of hard work by all involved. Many members of the General Assembly and members of the Northam Administration spent a great deal of time on this issue this session. Legislation did pass, which continues to move this process forward. Because of the timing of the Session, the County's regional partners in Maryland and Washington, DC were watching closely to see if Virginia would take concrete steps towards real solutions, and passage of these bills makes it clear that ensuring the success of this crucial transit system is a top priority for the Commonwealth.
- The County is concerned by the sizable reallocation of \$102 million in funds from NVTA proposed in the final legislation, which represents approximately one-third of NVTA's revenues – this is in contrast to the \$61 million in NVTA revenues that was being discussed throughout most of the session. The effect of such a large diversion of funds could be to fix one of our regional transportation agencies while adversely impacting another. Based on the WMATA funding principles the Board adopted, the draft letter asks the Governor to reduce the amount of NVTA funding being redirected

to WMATA, in order to allow essential transportation projects to move forward and to protect current and future NVTA bonds. The letter also includes information about other items that could improve the legislation, in keeping with our principles and with the Northern Virginia Transportation Commission (NVTC) governance principles the Board adopted. The letter highlights the County's concerns with the coming shortfall in statewide transit funding, as well as transit formula changes also included in the WMATA legislation.

Supervisor McKay moved that the Board send the letter, under the Chairman's signature, to Governor Northam, conveying the County's concerns with HB 1539/SB 856. Chairman Bulova seconded the motion.

Discussion ensued, regarding edits to the organizational structure and the strength of the language of the letter.

Supervisor Herrity inquired if the letter addressed the shortfall in transit funding or "transit funding cliff." Noelle Dominguez, Legislation Liaison, Department of Transportation (DOT), explained that the legislation does not specifically address the funding cliff and; therefore, it was not included in the letter.

Supervisor L. Smyth questioned if the current legislation would have an impact on the Constrained Long Range Plan (CLRP). Tom Biesiadny, Director, DOT, explained that, in its current form, the legislation would have the effect of delaying some of the projects in the CLRP.

Discussion continued and staff was directed to edit the letter to strengthen the language regarding the Board's concerns with the following:

- Size of the reallocation of \$102 million in funds from NVTA to WMATA
- Change in the formula to distribute transit operating funds
- Shortfall in transit funding that is expected to occur in coming years

The question was called on the motion, including amending the organizational structure and strengthening the language of the letter, and it carried by unanimous vote.

EBE:ebe

11. **10:10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (11:12 a.m.)

(APPTS)
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard March 20, 2018.” Supervisor McKay seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Mr. Clifford L. Fields as the At-Large Chairman’s Representative

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

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Providence District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

Confirmation of:

- Mr. Donté Tanner as the Planning Commission Representative

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

ANIMAL SERVICES ADVISORY COMMISSION

Reappointment of:

- Ms. Diane D’Arcy as the Dranesville District Representative

The Board deferred the appointment of the Sully District Representative.

ARCHITECTURAL REVIEW BOARD

The Board deferred the appointment of the Attorney Representative.

ATHLETIC COUNCIL

Reappointment of:

- Ms. Katherine E. Quinn as the Member-At-Large Principal Representative

The Board deferred the appointment of the Lee District Alternate, Mason District Alternate, and Member-At-Large Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #4 and Design Professional #6 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

Appointment of:

- Mr. Edward W. Monroe, Jr. as the Dranesville District Representative

The Board deferred the appointment of the Mason District Representative.

CHILD CARE ADVISORY COUNCIL

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

CIVIL SERVICE COMMISSION

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

COMMISSION ON AGING

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

CONSUMER PROTECTION COMMISSION

The Board deferred the appointment of the Fairfax County Resident #7 Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Reappointment of:

- Mr. Ricardo Coleman as the Mason District Representative

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

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

Reappointment of:

- Mr. John E. Harrison as the At-Large #4 Representative

The Board deferred the appointment of the At-Large #5 and #6 Representatives.

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Mr. James Migliaccio as the Planning Commission Representative

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

ENGINEERING STANDARDS REVIEW COMMITTEE

Reappointment of:

- Mr. Paul Noursi as the Citizen #3 Representative

Confirmation of:

- Mr. Robert F. Scheller as the Washington Area Council Engineering Laboratories Representative
- Mr. Bruce E. Titus as the Fairfax Bar Association Representative

- Mr. Kevin Nelson as the Virginia Department of Transportation (VDOT) Representative
- Mr. Theodore D. Brit as the Northern Virginia Regional Council of Professional Engineers Representative
- Mr. James M. Clark as the Heavy Construction Contractors Association Representative

The Board deferred the appointment of the Citizen #1, #2, and #4 Representatives.

FAIRFAX AREA DISABILITY SERVICES BOARD

The Board deferred the appointment of the At-Large #2 Business Community and Providence District Representatives.

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Margaret A. O'Reilly as a Long Term Care Providers #10 Representative
- Ms. Ellyn L. Crawford as the Health Care Advisory Board Representative
- Ms. Nancy Cromwell Scott as the Fairfax-Falls Church Community Services Board Representative

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

The Board deferred the appointment of the Mason District Representative.

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Lee District Representative.

HEALTH SYSTEMS AGENCY BOARD

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

HISTORY COMMISSION

The Board deferred the appointment of the Citizen #10 and Historian #1 Representatives.

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #8 Representative.

HUMAN SERVICES COUNCIL

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

MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY

The Board deferred the appointment of the Developer 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.

PARK AUTHORITY

Appointment of:

- Dr. Abena A. Aidoo as the At-Large #2 Representative

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

PLANNING COMMISSION

Appointment of:

- Mr. Walter C. Clarke as the Mount Vernon District Representative (Effective April 1, 2018)

REDEVELOPMENT AND HOUSING AUTHORITY

Reappointment of:

- Mr. Robert Schwaninger as the Mason District Representative

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Residential Owners and HOA/Civic Association #1, #2, and #3, and Apartment or Rental Owner Associations Representatives.

ROAD VIEWERS BOARD

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

SMALL BUSINESS COMMISSION

Appointment of:

- Ms. Melody Thorson as the Mount Vernon District Representative

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Reappointment of:

- Ms. Janet E. Bradshaw as the Fairfax County #1 Representative
- Ms. Darlena Ricks as the Fairfax County #3 Representative
- Ms. Kathleen T. Jones as the Fairfax County #6 Representative
- Mr. Luis Ortiz Lopez as the Fairfax County #9 (Youth) Representative

Appointment of:

- Ms. Alexandra Rossi as the Fairfax County #8 Representative

The Board deferred the appointment of the Fairfax County #5 Representative.

TENANT LANDLORD COMMISSION

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

TRAILS AND SIDEWALKS COMMITTEE

Appointment of:

- Mr. James R. Klein as the Mount Vernon District Representative

The Board deferred the appointment of the Mason District Representative.

TREE COMMISSION

The Board deferred the appointment of the Providence District Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

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

WETLANDS BOARD

The Board deferred the appointment of the Alternate #1 and Mount Vernon District #1 Representatives.

EBE:ebe

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

Supervisor Gross moved approval of the Administrative Items. Chairman Bulova seconded the motion.

Supervisor Foust called the Board's attention to Admin 4 - Authorization to Advertise Public Hearings to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Short-Term Lodging Uses (Residential Owner/Renter Operated Dwelling Only) and a Proposed Amendment to the Code of the County of Fairfax, Chapter 4 (Taxation and Finance). Discussion ensued, with input from Lily Yegazu, Senior Assistant to the Zoning Administrator, Department of Planning and Zoning (DPZ), Sarah Hensley, Assistant County Attorney, Donna Pesto, Deputy Zoning Administrator, DPZ, and Leslie B. Johnson, Zoning Administrator, DPZ, regarding:

- The roles and responsibilities of the Authorized Agent
- Cost, in terms of dollars and time, for homeowners associations to amend their covenants and documents
- Parking impacts on neighborhoods
- Community input and outreach efforts
- Zoning Ordinance restrictions on the number of adults occupying a dwelling unit
- Enforcement procedures and costs

Supervisor Gross asked unanimous consent that the Board direct staff to provide a template for homeowners associations to use when amending their covenants and documents. Without objection, it was so ordered.

Supervisor McKay called the Board's attention to Admin 5 – Authorization to Advertise Public Hearings to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Regarding Articles 8, 10, 18, and Appendix 2 – Minimum Required Rear Yard Coverage Limitations for Single-Family Detached Dwellings. Discussion ensued, with input from Casey V. Judge, Senior Assistant to the Zoning Administrator, DPZ, and Ms. Johnson, regarding how lot coverage is to be calculated and exercising administrative flexibility in reviewing rear yard coverage requests.

Discussion continued and Supervisor McKay asked unanimous consent that the Board direct staff to revise the legal notice for the public hearing to permit administrative flexibility of 10 percent on coverage requests. Without objection it was so ordered.

Supervisor Foust called the Board's attention to Admin 7 – Authorization to Advertise a Public Hearing to Amend the Current Appropriation Level in the Fiscal Year (FY) 2018 Revised Budget Plan. Discussion ensued, with input from Joseph Mondoro, Chief Financial Officer, regarding the accumulated funding in the debt service fund and how the balance is spent as part of the Third Quarter review.

Additional Board Matter

Fiscal Year (FY) 2018 Third Quarter Review Consideration Item: Turning Point Suffragist Memorial (11:54 a.m.)

Supervisor Foust said that on February 6, 2018, the Board unanimously adopted a Board Matter that directed staff to prepare an Initial Project Evaluation (IPE) for review of possible funding in the amount of \$200,000 from the Economic Development Support Fund (EDSF). During discussion of that Board Matter, and in consideration of the significant merits of the proposed memorial, it was suggested by multiple Board Members that it might be appropriate to fund the project from another source and not pursue the multi-step evaluation process for EDSF funding.

Assuming the Board approves staff's recommendations for use of the available funds identified in the FY 2018 Third Quarter Review, Supervisor Foust noted there will remain an available balance of almost \$.5 million for the Board to address additional one-time expenditures.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to consider using \$200,000 or more of the available balance at FY 2018 Third Quarter Review to contribute to the cost of constructing the Turning Point Suffragist Memorial as described in the February 6 Board Matter. Without objection, it was so ordered.

Supervisor Herrity asked unanimous consent that the Board direct staff to provide information on sources of funding for school safety enhancements. Without objection, it was so ordered.

Supervisor McKay asked unanimous consent that the Board direct staff to provide information on the \$196,657 spending adjustment from the Office of Elections to cover the County's cost for the August School Board special election. Without objection, it was so ordered.

The question was called on the motion to approve Administrative Items 1–7 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 FOR THE DEPARTMENT OF FAMILY SERVICES TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE CONTINUATION OF FUNDING ASSOCIATED WITH THE EARLY HEAD START CHILD CARE PARTNERSHIP AND EXPANSION GRANT

Authorized the Department of Family Services to apply for and accept grant funding from the US Department of Health and Human Services, in the amount of \$980,677, including \$172,827 in Local Cash Match. Funding will be used to continue to provide services through the County's Early Head Start Child Care Partnership and Expansion programs.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE EXPANDING THE SUNSET MANOR RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 18 (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **May 1, 2018, at 4 p.m.** regarding the adoption of an ordinance expanding the Sunset Manor RPPD, District 18.

ADMIN 3 - STREETS INTO THE SECONDARY SYSTEM (MASON AND PROVIDENCE 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>
Granberry Estates	Mason	Granberry Way
Willow Oaks	Providence	Valley Road Sarah Harper Way

ADMIN 4 - AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING SHORT-TERM LODGING USES (RESIDENTIAL OWNER/RENTER OPERATED DWELLING ONLY) AND CHAPTER 4 (TAXATION AND FINANCE)

(A) (R) (NOTE: Earlier in the meeting, this item was discussed. See page #13.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on May 3 at 7:30 p.m., and before the Board on **June 19 at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax:

- Chapter 112 (Zoning Ordinance), regarding short-term lodging uses (residential owner/renter operated dwelling only)
- Chapter 4 (Taxation and Finance)

ADMIN 5 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), REGARDING ARTICLES 8, 10, 18, AND APPENDIX 2 – MINIMUM REQUIRED REAR YARD COVERAGE LIMITATIONS FOR SINGLE-FAMILY DETACHED DWELLINGS

(A) (R) (NOTE: Earlier in the meeting, this item was discussed. See page #14.)

Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on April 18, 2018, at 7:30 p.m., and before the Board on **May 15, 2018, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding Articles 8,

10, 18, and Appendix 2 regarding minimum required rear yard coverage limitations for single-family detached dwellings.

ADMIN 6 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY SERVICES TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES FOR THE CONTINUATION OF FUNDING ASSOCIATED WITH THE HEAD START AND EARLY HEAD START GRANT

Authorized the Department of Family Services to apply for and accept grant funding from the U.S. Department of Health and Human Services, in the amount of \$9,132,055, including \$1,063,319 in Local Cash Match. Funding will be used to continue to provide services through the County's Head Start and Early Head Start programs.

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE CURRENT APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2018 REVISED BUDGET PLAN

(A) (NOTE: Earlier in the meeting, this item was discussed. See page #14.)

Authorized the advertisement of the proposed public hearings on **April 10 at 4 p.m.**, and **April 11-12 at 1 p.m.** to consider adjusting the FY 2018 appropriation level.

13. **A-1 – APPROVAL OF A GRANT AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AND THE COUNTY FOR THE POHICK CREEK TRIBUTARY AT GREENTREE VILLAGE PARK STREAM RESTORATION PROJECT (SPRINGFIELD DISTRICT)** (12:03 p.m.)

Supervisor Herrity moved that the Board concur in the recommendation of staff and authorized the County Executive, or his designee, to sign the agreement with the Virginia DEQ to provide Stormwater Local Assistance Funds to the County for the design and construction of the Pohick Creek Tributary at Greentree Village Park. Chairman Bulova seconded the motion.

Discussion ensued, with input from Craig Carinci, Director, Stormwater Planning Division, Department of Public Works and Environmental Services, regarding funding sources.

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

14. **A-2 – APPROVAL OF AN AMENDED PARKING MODIFICATION FOR RESTON TOWN CENTER URBAN CORE – PHASE I (HUNTER MILL DISTRICT)** (12:05 p.m.)

On motion of Supervisor Hudgins, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved an amendment of the parking reduction request 7067-PKS-014-1 for a change in the mix of uses and the minimum number of required spaces of the shared parking for Reston Town Center - Phase I subject to the conditions set forth in the Board Agenda Item dated March 20, 2018.

15. **A-3 – ADOPTION OF A RESOLUTION OF SUPPORT FOR AN ADJUSTMENT/BREAK OF THE LIMITED ACCESS LINE ADJACENT TO ROUTE 123 (CHAIN BRIDGE ROAD) AND OLD MEADOW ROAD (PROVIDENCE DISTRICT)** (12:06 p.m.)

(R) On motion of Supervisor L. Smyth, seconded by Supervisor Foust, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted the Resolution supporting a lateral shift of the limited access line adjacent to Chain Bridge Road and Old Meadow Road.

16. **A-4 – REAUTHORIZATION TO: 1) APPROVE ISSUANCE BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF TAX-EXEMPT AND/OR TAXABLE BONDS AND 2) FOR THE FCRHA TO SUBMIT AN APPLICATION TO VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (VADHCD) FOR TAX-EXEMPT AND/OR TAXABLE BOND ALLOCATION FOR MURRAYGATE VILLAGE APARTMENTS (LEE DISTRICT)** (12:06 p.m.)

(Bonds)

(R) On motion of Supervisor McKay, seconded jointly by Supervisor Gross and Supervisor Storck, and carried by unanimous vote, the Board concurred in the recommendation of staff and reapproved the FCHRA’s issuance of private activity tax-exempt and/or taxable bonds in an amount not to exceed \$20 million for the rehabilitation of Murraygate Village Apartments and reauthorized the FCRHA to submit an application to VADHCD for tax-exempt and/or taxable bond allocation for the Murraygate Village Apartments rehabilitation, as part of the overall financing for the renovation of the property.

17. **A-5 – ADOPTION OF A RESOLUTION APPROVING THE ISSUANCE OF REVENUE FUNDING BONDS BY THE ECONOMIC DEVELOPMENT AUTHORITY (EDA) FOR THE BENEFIT OF CONGRESSIONAL SCHOOL, INCORPORATED (MASON DISTRICT)** (12:06 p.m.)

(Bonds)

(R) On motion of Supervisor Gross, seconded jointly by Supervisor Foust and Supervisor Herrity, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted the Resolution authorizing the EDA to issue up to \$11,000,000 revenue bonds for the benefit of Congressional School, Incorporated.

18. **A-6 – ADOPTION OF A RESOLUTION IN RESPONSE TO APPLICATION OF VIRGINIA ELECTRIC AND POWER COMPANY FOR APPROVAL AND CERTIFICATION OF ELECTRIC FACILITIES PUR-2017-00143 VIRGINIA STATE CORPORATION COMMISSION (SCC)** (12:07 p.m.)

(R) On motion of Supervisor L. Smyth, seconded by Supervisor Foust, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted the Resolution, substantially in the form of Attachment 1 of the Board Agenda Item, approving a list of key objectives in siting the electrical facilities that will serve the best interests of the County and its residents.

19. **C-1 – APPROVAL OF THE AMENDMENTS TO THE BYLAWS FOR THE FAIRFAX COUNTY ANIMAL SERVICES ADVISORY COMMISSION (ASAC)** (12:09 p.m.)

(BACs) The Board next considered an item contained in the Board Agenda regarding approval of the amended bylaws for ASAC.

Supervisor Gross moved that the Board approve the proposed amended bylaws for ASAC. Supervisor McKay seconded the motion and it carried by unanimous vote.

20. **I-1 – FAIRFAX COUNTY TRANSPORTATION STATUS REPORT** (12:10 p.m.)

The Board next considered an item contained in the Board Agenda dated March 20, 2018, regarding the biannual status report on the Board’s Transportation program.

Following a presentation by Tom Biesiadny, Director, Department of Transportation, on the status report, a brief discussion ensued regarding sources of funding for transportation projects.

BOARD MATTERS

DET:det

21. **PRESENTATION REQUESTS** (12:13 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to process the presentation request contained in her Board Matter titled “March 20, 2018, Presentations.” Without objection, it was so ordered.

Following is the presentation request:

- Invite representatives from the County Police Department and Sheriff’s Office to appear before the Board on May 15, 2018, to designate May 15, 2018, as “*Peace Officers Memorial Day*” and May 13-19, 2018, as “*Police Week*” in Fairfax County

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

22. **NO BOARD MATTERS FOR SUPERVISOR HUDGINS (HUNTER MILL DISTRICT)** (12:13 p.m.)

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

23. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (12:13 p.m.)

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

KK:kk

24. **LYME DISEASE AND FIGHT THE BITE AWARENESS MONTH** (12:14 p.m.)

Supervisor Herrity referenced his written Board Matter, and noted that tick and mosquito season will be soon be here. Lyme disease, Zika virus, West Nile virus, and other vector-borne diseases can have severe health impacts on County residents.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to invite the Monte Skall from NatCapLyne and representatives from the County Health Department to appear before the Board on April 10 to receive a resolution to declaring May 2018 as “*Lyme Disease & Fight the Bite Awareness Month*” in Fairfax County. Without objection, it was so ordered.

25. **TEACHER APPRECIATION WEEK 2018** (12:15 p.m.)

Supervisor Herrity referenced his written Board Matter and announced that County schools are consistently ranked as some of the best in the nation. This is due, in a large part, to the many outstanding teachers who work tirelessly with children to set them on a path of excellence towards college or the workforce.

Therefore, Supervisor Herrity asked unanimous consent that the Board:

- Declare May 7-11, 2018, as “*Teacher Appreciation Week*” in Fairfax County
- Direct the Office of Public Affairs to disseminate information on the declaration and the positive impact teachers have on the County’s school system and students
- Direct staff to invite Superintendent Dr. Scott Brabrand to appear before the Board on May 1 to receive a resolution declaring the week of May 7 as “*Teacher Appreciation Week*” in Fairfax County

Without objection, it was so ordered.

26. **EXPEDITED AND CONCURRENT SCHEDULING OF THE PUBLIC HEARING FOR FLINT HILL SCHOOL – SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-P-105-04 (PROVIDENCE DISTRICT)** (12:16 p.m.)

Supervisor L. Smyth said that Flint Hill School has pending Special Exception Amendment Application SEA 99-P-046-02, that proposes to relocate the Middle School (grades 7 and 8) from the East Campus, located in the northeastern quadrant of the intersection of Chain Bridge Road and Jermantown Road, to the West Campus, located in the northwest corner of the intersection of Jermantown Road and Oakton Road in the Providence District.

To reconcile the proposed relocation of the Middle School to the West Campus, with the zoning approvals of the East Campus, the applicant has proposed to amend the approved Special Exception Amendment Application SEA 84-P-105-03 for the East Campus. The East Campus application proposes to reduce the maximum total daily enrollment on that campus from 700 to 500 students to reflect the proposed

relocation of grades 7 and 8 to the West Campus. These applications need to be concurrently processed and scheduled for public hearings.

Therefore, Supervisor L. Smyth moved that the Board:

- Direct staff to expedite the review of Special Exception Amendment Application SEA 84-P-105-04 and to concurrently schedule public hearings before the Planning Commission (PC) and Board regarding Special Exception Amendment Application SEA 99-P-046-02
- Authorize the inclusion in Special Exception Amendment Application SEA 84-P-105-04 the 0.32 acre portion of the Academic Drive public right-of-way to be vacated and/or abandoned that was previously included within Special Exception Amendment Application SEA 84-P-105-03

This motion should not be construed as a favorable recommendation by the Board or the PC on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations and adopted. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

27. **WANDA GIBSON, CHIEF TECHNOLOGY OFFICER, SELECTED TO JOIN TOP WOMEN IN TECHNOLOGY 2018** (12:18 p.m.)

Supervisor Gross announced that Wanda Gibson, Chief Technology Officer, has been selected to join a distinguished group of incredible women: StateScoop's Top Women in Technology 2018. This is an elite group of the women across the State and local government community who are constantly working to improve government and the lives of those governed. Ms. Gibson was selected for her innovative spirit, leadership, service to the public sector community, and the impact she has had on the use of technology in government.

Therefore, Supervisor Gross asked unanimous consent that the Board congratulate Ms. Gibson for this distinguished honor. Without objection, it was so ordered.

28. **BAILEY'S CROSSROADS COMMUNITY SHELTER AND SUPPORTIVE HOUSING GROUNDBREAKING CEREMONY (MASON DISTRICT)** (12:19 p.m.)

Supervisor Gross referenced her written Board Matter and announced that the Board and the Office to Prevent and End Homelessness cordially invites the public to the groundbreaking ceremony for the Bailey's Crossroads Community Shelter and Supportive Housing. Supervisor Gross noted that once completed, this modern facility will provide an innovative approach for housing homeless residents and

help them transition into permanent housing. The groundbreaking will be held on Thursday, April 5 at 2 p.m. located at 5914 Seminary Road in Bailey's Crossroads.

Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs to coordinate with the Office to Prevent to Prevent and End Homelessness to publicize this event. Without objection, it was so ordered.

29. **2018 CULMORE MULTICULTURAL DAY (MASON DISTRICT)**
(12:20 p.m.)

Supervisor Gross referenced her written Board Matter and announced that Culmore Multicultural Day was originally started over ten years ago by the global community of the Bailey's Crossroads/Culmore area to meet and celebrate the diversity of the surrounding community. It quickly evolved into an annual event of recreational activities designed to create a strong and connected multicultural community. Today, it is a well-attended community event with well over 500 people attending.

This year's Culmore Multicultural Day 2018 "Healthy Environment, Healthy Community," will be held on Saturday, April 7, 2018, from 10 a.m. until 2 p.m., in the parking lot of the Woodrow Wilson Library, 6101 Knollwood Drive, Falls Church, VA 22041.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the Office of Public Affairs, in coordination with the Park Authority, to publicize this event. Without objection, it was so ordered.

30. **PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-S-032-03**
- STERLING CENTER, LC (SULLY DISTRICT) (12:20 p.m.)

Supervisor K. Smith announced that the applicant, Sterling Center, LC, requests approval to amend approved Rezoning Application RZ 82-S-032, to permit by-right, 1-6 uses on the subject property. The subject property is located at 14399 and 14401 Penrose Place on Tax Map Numbers 34-3 ((1)) 30A and 30B. The applicant has a formal public hearing scheduled before the Planning Commission on April 19 and this case should move forward as soon as possible.

Therefore, Supervisor K. Smith moved that the Board direct the Director of the Department of Land Development Services to accept, for concurrent and simultaneous review a site plan, architectural drawings, building permits, and/or other plans and permits as may be necessary to implement the improvements contemplated by the applicant with this application. 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. Chairman Bulova seconded the motion and it carried by unanimous vote.

31. **BUILDING SAFETY MONTH — MAY 2018** (12:22 p.m.)

Supervisor K. Smith said that all residents should recognize the importance of modern construction safety codes and the vital contributions rendered by the dedicated individuals promoting building and construction safety. The County, working together with other jurisdictions, enforces the Uniform Statewide Building Code (USBC) that ensures those safety codes are followed.

Therefore, Supervisor K. Smith asked unanimous consent that the Board:

- Designate May as "*Building Safety Month*" in Fairfax County
- Direct staff to prepare a resolution, to be presented to the Building Safety Month Planning Committee members, along with Mr. Brian Foley, Mr. John Walser, and Ms. Elizabeth Perry, at the May 15 Board meeting.

Without objection, it was so ordered.

32. **CHANTILLY HIGH SCHOOL AND MCLEAN HIGH SCHOOL — 2018 FIRST AMENDMENT PRESS FREEDOM AWARD** (12:23 p.m.)

Supervisor K. Smith announced that the Journalism Education Association (JEA), with representatives from the National Scholastic Press Association (NSPA) and the Quill and Scroll International Honorary Society, recently named Chantilly High School and McLean High School recipients of the 2018 First Amendment Press Freedom Award. The two schools are among 11 high schools from across the United States to receive this award and this is the fourth consecutive year that Chantilly received this recognition and the second award for McLean High School.

The award recognizes public high schools that actively support, teach, and protect First Amendment rights and responsibilities of students and teachers with an emphasis on student-run media where students make all final decisions of content.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite representatives from Chantilly High School and McLean High School and the journalism students from the respective schools to appear before the Board to be acknowledged for this superior achievement. Without objection, it was so ordered.

EBE:ebe

33. **AUTHORIZATION FOR EXPEDITED AND CONCURRENT PROCESSING OF THE REZONING APPLICATION AND SITE PLAN FOR THE WOODLAWN FIRE STATION (MOUNT VERNON DISTRICT)**
(12:24 p.m.)

Supervisor Storck announced that the Department of Public Works and Environmental Services (DPWES) is currently working on construction plans for the replacement of the existing Woodlawn Fire Station. The existing building/systems are well beyond the end of their life cycle and no longer meet the current and future operational needs of the County Fire and Rescue Department.

The Woodlawn Fire Station is located on a one-acre parcel, currently zoned R-20, at 8701 Lukens Lane in Alexandria [Tax Map 110-1 ((1)) 28A]. The adjacent 0.5 acre parcel, currently zoned R-2, located at 8707 Lukens Lane [Tax Map 110-1 ((1)) 29], was purchased by the Board in 2013 with the intent of using it for future expansion of the station.

The project will build a new station adjacent to the east side of the existing station, maintain operations at the existing station during construction, and completely demolish the existing station after relocating operations to the new facility. The parcel at 8707 Lukens Lane will be rezoned to R-20 to match the zoning of the existing station and provide the same zoning requirements for the entire site. For this project to proceed on schedule it will be necessary to expedite and concurrently process the site plan while the 2232 application is being processed.

Therefore, Supervisor Storck moved that the Board:

- Authorize and concur in the filing of any and all necessary zoning applications/permits, including the determination under Section 15.2-2232 of the Code of Virginia, to facilitate the construction of the new facilities and expedite and concurrently process the rezoning and site plans associated with this site
- Designate staff from DPWES, to act on behalf of the Board as its representative agent, to file and process these applications with the Department of Planning and Zoning
- Authorize County Executive Bryan J. Hill to act as its representative agent to sign any proffers on behalf of the Board

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

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

34. **REQUEST FOR A PROCLAMATION ON THE SEVENTY-FIFTH ANNIVERSARY OF THE ESTABLISHMENT OF HOLLIN HALL VILLAGE (MOUNT VERNON DISTRICT)** (12:26 p.m.)

Supervisor Storck referenced his written Board Matter and said that Hollin Hall Village, established in 1943, is a community of approximately 650 single family homes and has been home to thousands of Mount Vernon District residents who have enjoyed the community's small town feel and quality of life. He noted that families remain in Hollin Hall Village for multiple generations.

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to prepare a proclamation commending and congratulating the citizens of Hollin Hall Village on its seventy-fifth anniversary. Without objection, it was so ordered.

35. **RECOGNITION FOR THE SOUTH COUNTY BOYS VARSITY BASKETBALL TEAM, VIRGINIA HIGH SCHOOL LEAGUE (VHSL) CLASS 6 STATE CHAMPIONS (MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (12:27 p.m.)

In a joint Board Matter with Supervisor Herrity, Supervisor Storck said that the South County High School Boys Varsity Basketball team finished the 2017-2018 season with a 27-3 record. It made school history by being the first boys' team to win a District, Region, and State title in the same season. It clinched the number one seed in the District with a 75-72 win over Lake Braddock at the end of the regular season and then captured the Patriot District title on February 16 when it defeated Fairfax High School 45-27. The team went on to defeat Annandale, Woodbridge, and finally Hayfield, 74-54, in the Occoquan Region Championship game at Robinson.

The win against Hayfield gave the team a birth to the programs' first State Championship Tournament. In the State quarter-finals and semi-finals, it won two hard fought games against Madison High school, 41-40 in regulation, and Battlefield High School, 63-54 in regulation. The State Championship game was played at Virginia Commonwealth University (VCU) on March 8 against Western Branch High School. The team earned its first VHSL Class 6 State title with a 63-47 win over the Bruins.

Therefore, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to invite the South County Boys Varsity Basketball Team to appear before the Board to be recognized for its achievement on June 5. Without objection, it was so ordered.

36. **RECOGNITION OF EARL FLANAGAN, MOUNT VERNON DISTRICT PLANNING COMMISSION REPRESENTATIVE (MOUNT VERNON DISTRICT)** (12:32 p.m.)

Supervisor Storck announced that Commissioner Flanagan was appointed to the Planning Commission in December 2006 and has wisely served the Mount Vernon District and the County for 11 years. He referenced his written Board that described Mr. Flanagan's numerous accomplishments. Supervisor Storck said he is extremely grateful for Commissioner Flanagan's service to the Mount Vernon District, the County, and the Country.

Therefore, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a proclamation, to be signed by the Chairman and himself, to recognize Commissioner Flanagan for his many accomplishments to be presented at a future Board meeting. Without objection, it was so ordered.

37. **THE THIRD IDES OF BARK - A HOWLING SUCCESS! (MOUNT VERNON DISTRICT)** (12:29 p.m.)

Supervisor Storck said that on March 18, more than 400 dogs and 1000 of their human companions attended the Ides of Bark event at Grist Mill Park in the Mount Vernon District. The Ides of Bark is a dog festival that Supervisor Hyland started with hopes that his successor would continue the tradition. As someone who appreciates the joy that a dog can bring, and understanding the importance of community gatherings, he will continue to celebrate the Ides of Bark and the attendance continues to grow.

This year, participants received many treats from local canine businesses, watched demonstrations by the County's Police Canine Unit, learned pet care and pet CPR from pet technicians, and even had the opportunity to participate in a canine obstacle course. Supervisor Storck noted that this amazing community event could not have happened without the incredible support of the Park Authority, the Police Department, the Department of Tax Administration, the Fire Department, local dog park groups, and wonderful vendors.

Supervisor Storck extended his sincerest appreciation to everyone who helped make this a successful event and encouraged other Board Members to do the same in their districts.

38. **NO BOARD MATTERS FOR SUPERVISOR COOK (BRADDOCK DISTRICT)** (12:31 p.m.)

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

39. **BANGLADESHI-AMERICAN HISTORY MONTH** (12:31 p.m.)

Supervisor McKay announced that there are over 20,000 Bangladeshi-Americans living in Northern Virginia, with many making their home in the County. They are represented in every area of day-to-day life with prominent Bangladeshi-Americans in financial sectors, fine arts, and government and they bring with them a rich tapestry of culture adding to the great American melting pot in their own unique way.

Supervisor McKay said that he recently spoke at a meeting of the Bangladeshi Association of America and learned a great deal about their unique culture and contributions to the Lee District and the County.

Therefore, Supervisor McKay asked unanimous consent that the Board:

- Designate April as “*Bangladeshi American History Month*” in Fairfax County
- Direct staff to prepare a certificate, to be signed jointly by the Chairman and himself, to be presented to the Bangladeshi American community leadership outside of the Board Auditorium

Without objection, it was so ordered.

40. **FAIRFAX COUNTY TARGET PROGRAM** (12:32 p.m.)

Supervisor McKay said that nothing seems to irritate County residents more than seeing out-of-state, particularly Maryland-tagged vehicles, housed in County neighborhoods. It is a complaint that the Lee District office receives on a daily basis.

Supervisor McKay referred to his previous Board Matter from July 2016 requesting that the Police Department and the Office of the Sheriff work alongside the Department of Tax Administration to bolster the County’s Target Program which focuses on assessing these vehicles so that those who store vehicles in the County will pay their fair share of personal property taxes.

Supervisor McKay noted that the idea has proven to be a shot in the arm for the Target Program yielding very positive results. In fact, as the table below suggests, during fiscal year (FY) 2016, the first fiscal year with the Sheriff and Police’s involvement, the Target Program added over \$2 million in personal property taxes.

Agency	Amount Added	% of total
DTA	\$915,635	45%
Public	\$605,121	30%
Sheriff	\$425,239	21%
Police	\$97,144	5%
Total	\$2,043,139	100%

Of this amount, over \$520,000 was directly attributable to the Sheriff and Police. Still, there are a lot of vehicles skirting the law and remaining unassessed.

Though the Target program has certainly benefitted from the additional efforts provided by the Police and Sheriff's Office, the complaints still roll in on a consistent basis. Supervisor McKay said that it is also his understanding that the other Board offices are hearing the same concerns as well.

Therefore, Supervisor McKay moved that the Board direct the County Executive to work on a plan to further the County's Target Program, incorporating all appropriate agencies. Chairman Bulova seconded the motion.

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

41. **RECESS/CLOSED SESSION** (12:36 p.m.)

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

- Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- 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).
- 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. *Elton Cansler v. Alan A. Hanks, Edwin C. Roessler, Jr., and Fairfax County*, Case No. 18-1196 (U.S. Ct. of App. for the Fourth Cir.)

2. *Magaly Hernandez v. Fairfax County, Virginia*, Case No. 1:16-cv-502 (E.D. Va.)
3. *Rachel Watson v. Fairfax County, Virginia*, Case No. 1:17-cv-694 (E.D. Va.)
4. *Louella F. Benson v. Penelope A. Gross, et al.*, Case No. CL-2018-0000333 (Fx. Co. Cir. Ct.)
5. *Wajma Sataryar v. James Jones*, Case No. CL17003834 (Alex. Cir. Ct.)
6. *Saba Ishan v. James Jones*, Case No. CL17003539 (Alex. Cir. Ct.)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Lillian F. Graf and Steven F. Graf*, Case No. CL-2017-0015518 (Fx. Co. Cir. Ct.) (Braddock District)
8. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Shepherd Scott and Marquette J. Scott*, Case No. CL 2016-0007733 (Fx. Co. Cir. Ct.) (Braddock District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Patricia A. Springer*, Case No. GV17-021747 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
10. *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)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Edward B. Meyers and Beulah P. Meyers*, Case No. GV17-028264 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Edward B. Meyers and Beulah*

- P. Meyers*, Case No. GV17-028265 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rashard A. Meyers*, Case No. GV17-027804 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Eldrige T. Meyers*, Case No. GV17-027806 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rashard A. Meyers, d/b/a RAM Lawn Services*, Case No. GV17-027805 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 16. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Arthur B. Hough and Anita S. Hough*, Case No. GV17-021746 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 17. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Martina Simpkins and Anthony Simpkins*, Case No. CL-2018-0002496 (Fx. Co. Cir. Ct.) (Lee District)
 18. *In re: January 10, 2018, Decision of the Board of Zoning Appeals of Fairfax County, Virginia*; Case No. CL-2018-0002104 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 19. *Gregory Shawn Mercer v. Fairfax County Child Protective Services, Alicia Wasklewicz, Tanya E. Powers, Fairfax County Department of Code Compliance, Elizabeth Perry, Jack Blair, LaTycia Tanks, Kerry S. Allander, Kenneth S. Houtz, Kathleen H. MacKay, Walter S. Felton, Jr., Larry G. Elder, Elizabeth A. McClanahan, Leroy R. Hassell, Sr., Barbara M. Keenan, Lawrence L. Koontz, Donald W. Lemons, Leroy F. Millette, S. Bernard Goodwyn, and Cynthia D. Kinser*; Case No. 17-6071 (U.S. Sup. Ct.) (Providence District)
 20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. H&K Consulting, LLC*, Case No. CL 2018-0003277 (Fx. Co. Cir. Ct.) (Providence District)

21. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Raj K. Chaudhry*, Case No. GV18-000508 (Fx. Co. Gen. Dist. Ct.) (Providence District)
22. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Chom Sun Cholihan and Sidney Harris*, Case No. CL-2017-0009711 (Fx. Co. Cir. Ct.) (Sully District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yuan Yao, Yuan Yao, Trustee of the Yuan Yao and Dachun Bao Revocable Living Trust, and Dachun Bao, Trustee of the Yuan Yao and Dachun Bao Revocable Living Trust*, Case No. CL-2016-0016196 (Fx. Co. Cir. Ct.) (Sully District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Issa M. Bannourah and Parastou Bannourah*, Case No. CL-2018-0002959 (Fx. Co. Cir. Ct.) (Sully District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harry Martin*, Case No. CL-2008-0008078 (Fx. Co. Cir. Ct.) (Sully District)
26. *Board of Supervisors of Fairfax County v. Virginia Academy of Fencing, Inc.*, Case No. GV18-003792 (Fx. Co. Gen. Dist. Ct.) (Lee and Sully Districts)
27. *Board of Supervisors of Fairfax County v. Solution Towing, Inc.*, Case No. GV18-002037 (Fx. Co. Gen. Dist. Ct.) (Lee, Mount Vernon, and Sully Districts)

And in addition:

- *Hernandez v. Fairfax County*, Case No. 1:16-cv-502 (U.S. District Court for the Eastern District of Virginia), 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)

- Potential acquisition of real property in the Mount Vernon District for a public purpose, as permitted by Virginia Code Section 2.23711(A)(3)
- Legal analysis regarding *City of Alexandria v. Purdue Pharma, L.P.*, et al, Case No. CL18-1627 (Circuit Court for the City of Alexandria, Virginia), 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 3:28 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

42. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:28 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."

43. **AUTHORIZATION OF SETTLEMENT IN *HERNANDEZ V. FAIRFAX COUNTY CIVIL ACTION NUMBER 1:16-CV-502 (E.D. Va.)*** (3:29 p.m.)

Supervisor Gross moved that the Board authorize a settlement in *Magaly Hernandez v. Fairfax County*, Civil Action No. 1:16-cv-502 (US District Court for the Eastern District of Virginia), according to the terms and conditions outlined by the County Attorney in Closed Session. Chairman Bulova seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

44. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2011-PR-011-02 (CITYLINE PARTNERS, LLC) (PROVIDENCE DISTRICT)** (3:24 p.m.)

Supervisor L. Smyth moved to defer the public hearing on Proffered Condition Amendment Application PCA 2011-PR-011-02 to **May 1 at 4:30 p.m.** Supervisor Foust seconded the motion and it carried by unanimous vote.

45. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-BR-023 (DANIEL AND MATTHEW INVESTMENTS LP) (BRADDOCK DISTRICT)** (3:30 p.m.)

The application property is located at 11909 and 11917 Lee Highway, and 4613 Holly Avenue, Fairfax, 22030. Tax Map 56-1 ((7)) 2, 3, 8, and 8A.

Ms. Inda E. Stagg 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.

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

Following the public hearing, which included testimony by two speakers, Supervisor Cook submitted items for the record.

Ms. Atkinson presented the staff and Planning Commission recommendations.

Following a query by Supervisor Cook, Ms. Stagg confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 12, 2018.

Following remarks concerning traffic impacts, a service drive, and sewer connection, Supervisor Cook moved approval of:

- Special Exception Application SE 2017-BR-023, subject to the development conditions dated March 12, 2018
- The waivers and modifications for Special Exception Application SE 2017-BR-023 and listed in the handout dated and distributed March 20, 2018, which shall be made a part of the record, as follows:

- Waiver of Paragraph 18 of Section 11-203 of the Zoning Ordinance (ZO) to waive the requirement for a loading space
- Modification of Paragraph 3A of Section 13-303 and Paragraph 4 of Section 13-304 of the ZO to permit the transitional screening and barriers as shown on the SE Plat along the southern boundary
- Modification of Paragraph 3A of Section 13-303 and Paragraph 4 of Section 13-304 of the ZO to permit the transitional screening and barrier as shown on the SE Plat on Parcel 8A extending to the east
- Modification of Paragraph 2 of Section 17-201 of the ZO to permit the shared use path and sidewalk as shown on the SE Plat
- Modification of Paragraph 3 of Section 17-201 of the ZO to permit the service drive construction and right-of-way dedication as shown on the SE Plat

Supervisor Herrity seconded the motion.

Following an inquiry, with input from Ms. Stagg, concerning consideration of an interim condition regarding a lower intermediate cap on the number of children and trips, the question was called on the motion and it carried by unanimous vote.

46. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-MA-001 (BYCJJ, LLC) (MASON DISTRICT) (3:51 p.m.)**

(NOTE: On February 6, 2018, the Board deferred this public hearing until March 20, 2018.)

The application property is located at 4311 Ravensworth Road and 7233 and 7243 Little River Turnpike, Annandale, 22003. Tax Map 71-1 ((1)) 83, 84, and 85.

Mr. Ilryong Moon 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.

Following an inquiry from Supervisor Cook, with input from Ms. Atkinson concerning future development of John Marr Drive, Mr. Moon had filed the

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

Discussion ensued, concerning State licensing requirements, with input from Mr. Moon.

Following the public hearing, which included testimony by one speaker, Supervisor Gross submitted items for the record.

Mr. Moon presented rebuttal.

Discussion ensued, concerning past noise and parking issues at the current site, with input from Ms. Atkinson regarding use of the banquet hall.

Ms. Atkinson presented the staff and Planning Commission recommendations.

Following a query by Supervisor Gross, Mr. Moon confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 8, 2018.

Following remarks, Supervisor Gross moved approval of:

- Special Exception Application SE 2017-MA-001, subject to the development conditions dated March 8, 2018
- The waivers and/or modifications for Special Exception Application SE 2017-MA-001 as shown on page 3 of the staff report which shall be made a part of the record, as follows:
 - Proposed Parcel 84A:
 - Modification of Paragraph 4 of Section 11-102 of the Zoning Ordinance (ZO) (amount of right-of-way dedication along Ravensworth Road and requirement that the total number of parking spaces equal the sum of the spaces required for each use)
 - Modification of Paragraph 8 of Section 11-102 of the ZO to permit parking less than 10' from right-of-way
 - Modification and waiver of Paragraphs 2, 3, and 12 of Section 17-201 of the ZO (peripheral parking lot landscaping requirements, trail requirement along Ravensworth Road in lieu of proposed sidewalk and

existing bicycle lane, and requirement to provide interparcel access to the east)

- Modification of Paragraph 1 of Section 9-309 of the ZO (provide 100 square feet of usable outdoor recreation area for each client that may use the space at any one time)
- Proposed Parcel Parcel 85 A
 - Modification of Paragraph 1A and 1D of Section 9-622 of the ZO (15 percent open space requirement and minimum lot width standard in the C-8 District)
 - Modification and waiver of Paragraphs 2, 3A, 4, and 12 of Section 17-201 of the ZO (bike lane requirement along Little River Turnpike in lieu of the existing sidewalk, trail requirement along Little River Turnpike in lieu of the existing sidewalk, service drive construction, right-of-way dedication and construction of improvements, interior parking lot landscaping requirements, peripheral parking lot landscaping requirements, and interparcel access requirement to the east)
 - Modification of Paragraph 8 of Section 11-102 of the ZO (permit parking less than 10 feet from right-of-way)
 - Waiver of Paragraph 2 of Section 17-201 (waive trail requirement along Ravensworth Road in lieu of proposed sidewalk and existing bicycle lane)

Supervisor Herrity seconded the motion.

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

Supervisor Gross moved the following follow-on motion:

- That the Board approve Parking Reduction Request and Study #6226-PKS-001-1, pursuant to Paragraph 4B of Section 11-102 of the ZO, to allow for a parking reduction of up to 32.8 percent (39 fewer spaces) for the proposed adult day care center and banquet hall based on the sum of the hourly parking demand of the two uses (shared parking), as recommended in the memorandum from Land

Development Services dated January 3, 2018, in Appendix 12 of the staff report with the following change:

- Delete the restriction in Condition 2 that the banquet hall may not open for business prior to 1 p.m. on Saturdays; that restriction is no longer needed because the day care facility will not be operating on Saturdays

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

47. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2016-HM-034 (RENAISSANCE CENTRO 1801, LLC) (HUNTER MILL DISTRICT)**
(4:15 p.m.)

- (O) The application property is located on the west side of Old Reston Avenue, south side of Temporary Road and east side of Reston Parkway. Tax Map 17-2 ((1)) 20B and 20C.

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

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

Mr. Painter had filed the necessary notices showing that at least 25 adjacent and/or interested parties had been notified of the date and hour of this public hearing and he proceeded to present his case. Discussion ensued, concerning proffers for schools and playing fields, with input from Mr. Painter.

Following the public hearing, which included testimony by four speakers, Supervisor Hudgins submitted items for the record.

Mr. Painter provided rebuttal.

Discussion ensued, with input from Ms. Tsai, concerning whether the PRM District requires a mix of uses.

Ms. Tsai presented the staff and Planning Commission recommendations.

Discussion continued, with input from Ms. Tsai, concerning compatibility with surrounding development, and the scale, height, building footprint, with input from Mr. Painter.

Following remarks, Supervisor Hudgins moved approval of:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2016-HM-034 and the associated Conceptual Development Plan, from the C-3 District to the PRM District, subject to the proffers dated February 1, 2018
- Modification of Paragraph 1 of Section 6-407 of the ZO to permit a reduction of the minimum district size requirement from 2 to 1.51 acres
- Modification of Paragraph 4 of Section 11-203 of the ZO to permit a reduction in the number of required loading spaces from three to two

Chairman Bulova seconded the motion.

Following additional discussion, regarding the application and the need for quality condominium buildings in the Tysons and Reston areas, 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.”

48. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-DR-027 (MAHLON A. BURNETTE, III AND MARY H. BURNETTE) (DRANESVILLE DISTRICT)** (4:56 p.m.)

(NOTE: On January 23, 2018, the Board deferred this public hearing until February 20, 2018. On February 20, 2018, the Board deferred this public hearing until March 20, 2018.)

Supervisor Foust moved to indefinitely defer the public hearing on Special Exception Application SE 2015-DR-027 with the record remaining open for written or electronic comment. Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

49. **4 P.M. – PH ON SUBMISSION DSC-D1-1 (MIDDLETON FARMS) OF PLAN AMENDMENT PA 2013-III-DS1 (DULLES SUBURBAN CENTER STUDY), LOCATED SOUTH OF FRYING PAN ROAD, EAST OF ROUTE 28 (SULLY AND DRANESVILLE DISTRICTS)** (4:57 p.m.)

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

Following the public hearing, which included testimony by two speakers, Supervisor Hudgins had submitted items for the record.

Mr. Dindyal presented the staff and Planning Commission recommendations.

Following remarks, concerning the Dulles Community Center Study Advisory Group's work on the Plan amendment, Supervisor K. Smith moved approval of Plan Amendment PA 2013-III-DS1, as recommended by the Planning Commission. Supervisor Foust seconded the motion.

Following additional discussion, concerning the submission and issues raised during the public hearing, the question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

50. **ORDERS OF THE DAY** (5:15 p.m.)

Chairman Bulova announced that, because public hearings scheduled later in the day had a number of speakers, the following public hearings would be held following the next scheduled public hearing:

- Special Exception Application SE 2011-MV-006
- Amendment to The Code of the County of Fairfax, Virginia, Chapter 4 (Taxation and Finance)

KK:kk

51. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS) REGARDING ELECTION PRECINCTS (HUNTER MILL DISTRICT)** (5:16 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 March 9 and March 16, 2018.

Cameron Sasnett, Director of Elections, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections) regarding election precincts. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor Hudgins being out of the room.

DET:det

52. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2011-MV-006 (HAMDI H. ESLAQUIT D/B/A HAMDI'S CHILD CARE/SELIM M. ESLAQUIT) (MOUNT VERNON DISTRICT)** (5:19 p.m.)

The application property is located at 6606 Winstead Manor Court, Lorton, 22079. Tax Map 99-2 ((17)) 31.

Mr. Keith C. Martin reaffirmed the validity of the affidavit for the record.

Mary Ann Tsai, 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. Tsai presented the staff and Planning Commission recommendations.

Following a query by Supervisor Storck, Mr. Martin confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated February 1, 2018.

Supervisor Storck moved approval of Special Exception Application SE 2011-MV-006, subject to the development conditions dated February 1, 2018. Supervisor Herry and Chairman Bulova jointly seconded the motion and it carried by a vote of eight, Supervisor Hudgins and Supervisor McKay being out of the room.

KK:kk

53. **4:30 P.M. – PH ON PROPOSED ON AN AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 4 (TAXATION AND FINANCE) TO ADD A NEW ARTICLE 28 TO PROVIDE A REAL ESTATE TAX EXEMPTION FOR SURVIVING SPOUSES OF CERTAIN PERSONS KILLED IN THE LINE OF DUTY** (5:25 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 March 9 and March 16, 2018.

Jay Doshi, Director, Department of Tax Administration, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Herrity moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 4.

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

DET:det

54. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2017-MA-013 (VULCAN MATERIALS COMPANY, LLC) (MASON DISTRICT)**

AND

4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-MA-009 (VULCAN MATERIALS COMPANY, LLC) (MASON DISTRICT)
(5:36 p.m.)

(NOTE: On February 6, 2018, the Board deferred this public hearing until March 6, 2018. On March 6, 2018, the Board deferred this public hearing until March 20, 2018.)

Supervisor Gross moved to defer the public hearing on Rezoning Application RZ 2017-MA-013 and Special Exception Application SE 2017-MA-009 until **May 1 at 4:30 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

KK:kk

55. **4 P.M. – PH TO LEASE COUNTY-OWNED PROPERTY AT 6140 ROLLING ROAD TO NEW CINGULAR WIRELESS PCS, LLC (SPRINGFIELD DISTRICT)** (5:37 p.m.)

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 March 9 and March 16, 2018.

Michael Lambert, Assistant Director, Real Estate Services, Facilities Management Department, presented the staff report.

Following the public hearing, Mr. Lambert presented the staff recommendations.

Supervisor Herrity moved that the Board authorize staff to prepare and execute all documentation necessary to lease County-owned property at 6140 Rolling Road to New Cingular Wireless PCS, LLC, d/b/a AT&T.

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

56. **4 P.M. – PH ON THE PROPOSED CONSOLIDATED PLAN ONE-YEAR ACTION PLAN FOR FISCAL YEAR (FY) 2019** (5:40 p.m.)

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 March 9 and March 16, 2018.

Chairman Bulova stated that the Board will vote on this matter on May 1, 2018.

Laura Lazo, Associate Director, Real Estate Finance and Grants Management Division, Department of Housing and Community Development (HCD), presented the staff report.

The public hearing was held and included testimony by 12 speakers.

Chairman Bulova directed that the comments received on the proposed Consolidated Plan One Year Action Plan for FY 2019 be forwarded to the Consolidated Community Funding Advisory Committee for consideration before making its final recommendations to the Board for action on May 1, 2018.

DET:det

57. **4 P.M. – PH ON PROPOSED COMPREHENSIVE PLAN AMENDMENT PA 2015-IV-MV1, LOCATED ALONG THE RICHMOND HIGHWAY CORRIDOR (LEE AND MOUNT VERNON DISTRICTS)** (5:36 p.m.)

Following an inquiry from Meghan Van Dam, Chief, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, Chairman Bulova announced that following a presentation by Supervisor Storck, Ms. Van Dam would present the staff report followed by remarks from the Co-Chairs of the Embark Richmond Highway Advisory Group: Mr. Richard Knapp and Mr. Walter Clarke.

Supervisor Storck presented an extensive virtual tour of the planned development of the Embark Richmond Highway corridor followed by a Powerpoint slide presentation depicting the Plan amendment by Ms. Van Dam.

Chairman Bulova introduced the Co-Chairs of the Advisory Group and Mr. Clarke proceeded to make a presentation followed by remarks from Mr. Knapp.

Supervisor Storck announced that Mr. Clarke had, earlier in the meeting, been appointed as the Mount Vernon District Planning Commission Representative.

Following the public hearing, which included testimony by six speakers, Ms. Van Dam presented the staff and Planning Commission recommendations.

Following extensive remarks, Supervisor McKay, jointly with Supervisor Storck, moved approval of Plan Amendment PA 2015-IV-MV1, as recommended by the Planning Commission (PC), with the following modifications as shown on the handout dated March 20, 2018:

- Retain the adopted Comprehensive Plan for the Lower Potomac Planning District with limited changes to show the proposed bus rapid transit (BRT) system terminating at Accotink Village
- Revised the stormwater management and parks guidance based on public comment reviewed following the PC decision-only meeting

This action will also rescind Plan Amendment 2014-IV-MV2 and direct staff to complete ten follow-on efforts, as shown in the PC verbatim in Attachment 1 of the Board Agenda Item. In regards to the follow-on motion number nine, the study of the Metrorail influence on the Beacon/Groveton and Hybla Valley/Gum Springs areas should include an examination of the interim BRT phase and should be completed by the end of 2020.

Finally, staff will be allowed to make editorial, factual, and graphic corrections to the Plan guidance which include consistently depicting the building height recommendation and ensuring the boundary lines reflect the adopted Central Business Centers (CBCs).

Chairman Bulova seconded the motion.

Discussion ensued, concerning connectivity and internet capacity, BRT expansion to Prince William County, underground utilities, and incentives to attract business.

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

Supervisor McKay, jointly with Supervisor Storck, moved a second follow-on motion to guide implementation of the Embark Comprehensive Plan by directing staff to:

- Be flexible when reviewing projects that include minor deviations from a strict conformance with the Plan if such projects further the vision of the Plan

- Exhibit excellence in urban design and meet the environmental, transportation, and public facilities of the Plan

Given that many aspects of this Plan are unique, Supervisor McKay and Supervisor Storck further moved that the:

- Interdepartmental core team that was involved in the development of the Plan remain intact for the evaluation of planning and zoning actions related to the Richmond Highway Corridor

This team understands the background and history of Embark and is best positioned to understand the inter-relations among all issues that may arise and to address them in an integrated manner.

Lastly, Supervisor McKay and Supervisor Storck jointly moved that the:

- Interdepartmental Steering Committee that was formed initially to address policy issues in Tysons and that has since been expanded to other areas be used as the forum to discuss and resolve policy or site specific issues related to development along the Richmond Highway Corridor

Chairman Bulova seconded the motion.

Following recognition of staff and community partners efforts in this endeavor by the Chairman and Mr. Biesiadny, the question was called on the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

58. **BOARD ADJOURNMENT** (7:44 p.m.)

The Board adjourned.