



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
May 1, 2018**

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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, May 1, 2018, at 9:31 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 MATTER1. **MOMENT OF SILENCE** (9:31 a.m.)

Supervisor Hudgins asked everyone to keep in thoughts the family of Mr. David Bobzien, who is currently undergoing medical treatment. Mr. Bobzien was the former County Attorney and most recently, the president of the Reston Association.

AGENDA ITEMS2. **PERFORMANCE BY THE OSHER LIFELONG LEARNING INSTITUTE (OLLI) AT GEORGE MASON UNIVERSITY (GMU) PLAYERS****AND****PROCLAMATION DESIGNATING MAY 2018 AS "OLDER AMERICANS AND ADULT ABUSE PREVENTION MONTH" IN FAIRFAX COUNTY** (9:45 a.m.)

Kay Larmer, Chair of the Commission on Aging, announced that the theme of the 2018 Older Americans Month is "Engage at Every Age." Ms. Larmer introduced the OLLI Players of GMU, who performed three skits depicting scams commonly aimed at older adults.

Supervisor Herrity moved approval of the Proclamation designating May 2018 as "*Older Americans and Adult Abuse Prevention Month*" in Fairfax County and urged all residents to recognize the contributions made to the community by older adults and to be alert for the symptoms of abuse, neglect, and exploitation. Supervisor Cook seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LANGLEY HIGH SCHOOL BOYS SWIM AND DIVE TEAM** (9:56 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to the Langley High School Boys Swim and Dive team for its dedication, motivation, enthusiasm, and commitment resulting in winning the 2018 Virginia High School League 6A State championship. Supervisor K. Smith seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

4. **PROCLAMATION DESIGNATING MAY 7-11, 2018, AS "TEACHER APPRECIATION WEEK" IN FAIRFAX COUNTY** (10:01 a.m.)

Supervisor Herrity moved approval of the Proclamation designating May 7-11, 2018, as "*Teacher Appreciation Week*" in Fairfax County and thanked

and congratulated all teachers in County Public Schools for their excellent work. Supervisor K. Smith seconded the motion and it carried by unanimous vote.

5. **RECOGNITION OF MEMBERS OF THE HUTCHISON ELEMENTARY SCHOOL STUDENT COUNCIL** (10:12 a.m.)

Supervisor Foust recognized members of the Hutchison Elementary School Student Council Association, Ray Lonnett, Principal of Hutchison Elementary, and Suzan Mardis, music teacher and Student Council Association co-sponsor at Hutchison Elementary, and warmly welcomed them to the Board Auditorium.

6. **PROCLAMATION DESIGNATING MAY 6 – 12, 2018, AS “CHILD CARE PROFESSIONALS WEEK” IN FAIRFAX COUNTY** (10:12 a.m.)

Supervisor L. Smyth moved approval of the Proclamation designating May 6 -12, 2018, as "*Child Care Professionals Week*" in Fairfax County and urged all residents to recognize child care professionals for their important work in the community. Supervisor Gross and Supervisor Foust jointly seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING MAY 2018 AS “FOSTER CARE AWARENESS MONTH” IN FAIRFAX COUNTY** (10:26 a.m.)

Supervisor Storck moved approval of the Proclamation designating May 2018 as "*Foster Care Awareness Month*" in Fairfax County and urged all residents to volunteer their time and talents on behalf of children in foster care and to support and recognize the commitment of foster families and professional staff who work with these children and youth. Supervisor Gross seconded the motion and it carried by unanimous vote.

8. **PROCLAMATION DESIGNATING MAY 2018 AS “BREAK THE SILENCE ON OVARIAN CANCER MONTH” IN FAIRFAX COUNTY** (10:38 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating May 2018 as "*Break the Silence on Ovarian Cancer Month*" in Fairfax County and urged all residents to celebrate survivors of ovarian cancer and encouraged all women to be proactive in seeking healthcare, diagnosis, and treatment. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

EBE:ebe

9. **10 A.M. – BOARD ADOPTION OF THE FISCAL YEAR (FY) 2019 BUDGET PLAN** (10:46 a.m.)

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(ARs) (O)

Supervisor McKay, the Board’s Budget Chair, moved that the Board set the real property tax rate at \$1.15 per \$100 of assessed value. As a result of this action, the real property tax rate for calendar year 2018 will be increased \$0.02 from the present rate of \$1.13 per \$100 of assessed value. Chairman Bulova seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “**AYE**,” Supervisor Cook and Supervisor Herrity voting “**NAY**.”

Having established the real property rate at \$1.15 per \$100 of assessed value, Supervisor McKay moved approval of the FY 2019 Tax Rate Resolution adopting Tax Rates for Fairfax County, as detailed in Attachment II of the Board Agenda dated April 30, 2018. Supervisor Hudgins seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “**AYE**,” Supervisor Cook and Supervisor Herrity voting “**NAY**.”

Supervisor McKay moved Board approval of the FY 2019 Appropriation Resolution for County Agencies/Funds, the FY 2019 Appropriation Resolution for School Board Funds, and the FY 2019 Fiscal Planning Resolution as set forth in Attachments III, IV, and V of the Board Agenda dated April 30, 2018. Chairman Bulova seconded the motion and it **CARRIED** by a recorded vote of eight, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “**AYE**,” Supervisor Cook and Supervisor Herrity voting “**NAY**.”

As part of this year's budget process, an amendment to the sewer ordinance was proposed. The public hearing was advertised on March 9 and March 16, 2018, and held on April 10, 2018, at 3 p.m.

Therefore, Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, amending and readopting Chapter 67.1 (Sanitary Sewers and Sewage Disposal), Article 10 (Charges) as advertised. Chairman Bulova and Supervisor Hudgins jointly seconded the motion and it **CARRIED** by a recorded vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “**AYE**,” Supervisor Herrity voting “**NAY**.”

Chairman Bulova noted that while the Board had just approved the FY 2019 Budget, work has already begun on next year’s budget. The Lines of Business

(LOBs) initiative soon to be underway, to include community engagement, is an important first step. Chairman Bulova and Supervisor McKay thanked staff from the Department of Management and Budget, and the County Executive, for their excellent work on the budget.

10. **ADMINISTRATIVE ITEMS** (10:54 a.m.)

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

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (PROVIDENCE DISTRICT)

(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>
The Reserve at Waples Mill	Providence	Verna Drive Waples Glen Court Pine Tree Drive Embree Court

ADMIN 2 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (MASON, MOUNT VERNON, SULLY, AND HUNTER MILL DISTRICTS)

(R) Authorized the installation of “\$200 Additional Fine for Speeding” signs on the following roads:

- Valley Lane from Nicholson Street to Sleepy Hollow Road (Mason District)
- Potomac Avenue from Belle Haven Road to Belle View Road (Mount Vernon District)
- West Ox Road from Fairfax County Parkway to Lawyers Road (Sully and Hunter Mill Districts)

11. **A-1 – AUTHORIZATION OF ECONOMIC DEVELOPMENT SUPPORT FUNDING (EDSF) FOR THE SPRINGFIELD BRANDING PROJECT (LEE DISTRICT)** (10:55 a.m.)

Supervisor McKay moved that the Board concur in the recommendation of staff and authorized the use of \$100,000 from the EDSF for implementation of the Springfield Branding Project. Supervisor Foust seconded the motion.

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

12. **A-2 – AUTHORIZATION OF ECONOMIC DEVELOPMENT SUPPORT FUNDING (EDSF) FOR IMPLEMENTATION OF THE ECONOMIC SUCCESS STRATEGIC PLAN (ESSP)** (11:01 a.m.)

On motion of Supervisor Foust, seconded by Chairman Bulova, and carried by a vote of nine, Supervisor Herrity being out of the room, the Board concurred in the recommendation of staff and authorized the use of \$200,000 from the EDSF for implementation of the ESSP.

13. **A-3 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE AN AMENDMENT TO THE SALE, DELIVERY, AND USE OF RECLAIMED WATER AGREEMENT BETWEEN FAIRFAX COUNTY AND THE FAIRFAX COUNTY PARK AUTHORITY (PARK AUTHORITY)** (11:02 a.m.)

On motion of Supervisor Gross, jointly seconded by Supervisor Foust and Supervisor Storek, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute an amendment to the Reuse Agreement, substantially in the form of Attachment 1 of the Board Agenda Item, between the County and the Park Authority for the delivery and use of reclaimed water from the Noman M. Cole, Jr. Pollution Control Plant at the Laurel Hill Golf Course.

14. **A-4 – APPROVAL OF COMMENTS ON THE SCOPE FOR THE MARYLAND DEPARTMENT OF TRANSPORTATION ENVIRONMENTAL IMPACT FOR THE CAPITAL BELTWAY (I-495) MANAGED LANES STUDY** (11:05 a.m.)

Supervisor Foust moved that the Board concur in the recommendation of staff and approved the letter, substantially in the form of Attachment 1 of the Board Agenda Item, with comments on the scope of Maryland's Capital Beltway Environmental Impact Study for the Capital Beltway (I-495) Managed Lanes Study. Chairman Bulova and Supervisor Gross jointly seconded the motion.

Discussion ensued regarding the increasing congestion on interstates and local roads in Northern Virginia.

Supervisor Cook asked to amend the motion and include additional language in the letter about the positive impacts that the I-495 express lanes have had on reducing traffic congestion in Northern Virginia. This was accepted.

Following discussion regarding the increase in congestion caused by non-local commuters and the need to work cooperatively with Maryland on region-wide transportation improvements, the question was called on the motion, as amended, and it carried by unanimous vote.

15. **I-1 – CONTRACT AWARDS – CONSOLIDATED COMMUNITY FUNDING POOL FOR FISCAL YEARS (FYS) 2019 AND 2020** (11:16 a.m.)

The Board next considered an item contained in the Board Agenda, announcing that the Purchasing Agent will proceed to award contracts, as detailed in Table A of the Board Agenda Item. The contract term will begin on July 1, 2018, and terminate on June 30, 2020.

Karla Bruce, Deputy Director, Department of Neighborhood and Community Services, gave a brief presentation on the funding pool process.

Discussion ensued regarding the selection advisory committee process and funding cycle priorities.

Supervisor McKay asked unanimous consent that the Board direct staff to provide information on the United Community Ministries - Forward Steps Program which is not funded. Without objection, it was so ordered.

Supervisor Herrity asked unanimous consent that the Board direct staff to provide information on the lack of funding for Northern Virginia Family Services gang initiatives. Without objection, it was so ordered.

Supervisor Cook stated that, on the advice of the County Attorney, he would recuse himself from any discussion over the selection process.

Discussion continued regarding:

- Membership and diversity on the selection advisory committee
- Unfunded programs and impacts on service providers and programs
- Equitably applying the criteria for selection, utilizing the One Fairfax Policy
- The process for setting funding cycle priorities

- Early notification to organizations that their proposals are not recommended for funding
- Additional funding of the Community Funding Pool
- Building capacity among the county's non-profits

Supervisor L. Smyth asked unanimous consent that the Board direct staff to provide information on total funding, to include such items as rent, that non-profits receive from the County. Without objection, it was so ordered.

The Board is scheduled to discuss the Community Funding Pool process at its Health, Housing and Human Services Committee meeting on June 26.

BOARD MATTERS

DET:det

16. **PRESENTATION REQUESTS** (11:38.a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to process the presentation requests contained in her Board Matter titled "May 1, 2018, Presentations." Without objection, it was so ordered.

Following are the presentation requests:

- Invite representatives from the Salvation Army to appear before the Board on May 15 to designate May 14-20, 2018, as "*Salvation Army Week*" in Fairfax County.
- Invite representatives from the Office of Public Private Partnerships, the Fire and Rescue Department, the American Heart Association, and Celebrate Fairfax! to appear before the Board on June 5 to designate June 1-7, 2018, as "*CPR/AED Awareness Week*" in Fairfax County and highlight their partnership and the new techniques and methods of "hands only" CPR. The groups collectively will also host flash mobs, demonstrations, and exhibits at Celebrate Fairfax! and other festivals to increase awareness.
- Direct the Office of Public Affairs to prepare and send a proclamation to Ms. Athena Hunt, a third grader and County resident, designating May 13-19, 2018, as "*Food Allergy Awareness Week*" in Fairfax County. Food allergies affect approximately 15 million Americans with nearly 6 million of those being children under the age of 18. Miss Hunt is one of the many children who

have life-threatening allergies and is doing her part to raise awareness. She will be participating in an upcoming food allergy awareness walk to raise funds for the nonprofit, Food Allergy Research Education (FARE).

17. **APPOINTMENT TO THE POLICE CIVILIAN REVIEW PANEL**
(11:40 a.m.)

(BAC) Chairman Bulova announced that following the Civilian Review Panel's April meeting, Ms. Jean Senseman stepped down from her appointment to the Panel. The Chairman remarked that Ms. Senseman had been a wonderful addition to the Panel and wished her all the best in her move to be closer to her family.

The Board is not scheduled to hear appointments to Boards, Authorities, and Commissions until May 15, 2018. However, the next Civilian Review Panel meeting is on May 3.

Therefore, Chairman Bulova moved the appointment of Ms. Anna Northcutt to fill this vacancy effective immediately. Her resume is attached to Chairman Bulova's written Board Matter and was circulated in advance of this meeting. Supervisor Cook seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

18. **COMMENT LETTER FOR THE DRAFT VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FISCAL YEARS (FYS) 2019-2024 SIX-YEAR IMPROVEMENT PROGRAM (SYIP) (DRANESVILLE DISTRICT)**
(11:41 a.m.)

Supervisor Foust stated that on April 16 VDOT released its Draft Six-Year Interstate, Urban, Primary, and Transit Improvement Program for FYs 2019-2024. By law, the Commonwealth Transportation Board (CTB) has the responsibility to hold public hearings and adopt a final program based on the official revenue forecast by July 1, 2018. For Northern Virginia, the public hearing was held on Monday, April 30 at VDOT's Northern Virginia District Office. VDOT will be accepting comments on the program until May 30.

Supervisor Foust said that the schedule for State transportation funding provides that allocations for Smart Scale are made every other year, the most recent being in 2017. In even-numbered years, the CTB allocates funding for the Transportation Alternatives Set-Aside and Revenue Sharing programs. Additionally, some programs are allocated annually, including the Congestion Mitigation and Air Quality/Regional Surface Transportation Program (CMAQ/RSTP) and State of Good Repair; however, there is not as much flexibility with annually-allocated funds. The Board has generally provided testimony and substantial comments in support of projects that were being considered for Smart Scale. However, as the

CTB will be considering smaller programs this year, staff is, instead, recommending that the Board provide a letter.

Therefore, Supervisor Foust moved that the Board approve the letter dated May 1, 2018, which is attached to his written Board Matter, providing comments on VDOT's Draft FYs 2019-2024 SYIP. The letter is to be forwarded to the Virginia Secretary of Transportation as part of the public comments record for the County. Chairman Bulova seconded the motion and it carried by unanimous vote.

19. **RESOLUTION PROCLAIMING JUNE 2018 AS “LESBIAN, GAY, BISEXUAL AND TRANSGENDER PRIDE MONTH” IN FAIRFAX COUNTY**
(11:43 a.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Foust announced that, in celebration of the County's richly diverse population, the Board has repeatedly affirmed its commitment to promoting a culture of openness, inclusiveness, and acceptance for all persons in the County and has recognized that embracing and celebrating individual identities makes this a better County.

In April 2017, the Board adopted a *Resolution of Diversity and Inclusion* and espoused that the County exemplifies values of respect and acceptance and welcomes and celebrates one another's differences and cultural backgrounds.

In June of last year, the County amended its employment policies to explicitly state, among other things, that County employees, volunteers, and vendors are prohibited from engaging in harassment, retaliation, and other forms of discrimination based on sexual orientation and gender identity.

In November 2017, the Board adopted One Fairfax, a joint social and racial equity policy of the County's Board of Supervisors and School Board. The policy commits the County and schools to intentionally consider equity when making policies or delivering programs and services. One Fairfax is a declaration that all residents deserve an equitable opportunity to succeed if they work hard, regardless of race, color, sex, nationality, sexual orientation, income, or where they live.

Significant achievements in gay rights have been made in this country since the Stonewall Riots in New York City in June 1969, including the historic Supreme Court ruling in June 2015 that gay marriage was a right guaranteed by the constitution. Every year since the Stonewall Riots, June has been celebrated as LGBT Pride Month across the country.

But, despite changes in laws and social attitudes, subtle and overt prejudice continues against people who identify as LGBTQ+ around the world and in the Commonwealth, making it imperative for the County to continue to stand up, speak out, and show support for all our citizens who are affected by that prejudice.

Embracing and celebrating individual identities helps build a society based on inclusiveness and acceptance.

Therefore, Supervisor Foust moved that the Board direct staff to invite representatives of the LGBTQ+ community, and its supporters, to appear before the Board on June 5 in proclamation of June 2018 as “*LGBT Pride Month*” in Fairfax County. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

20. **TWENTY-FIFTH ANNIVERSARY OF FRIENDS OF GREEN SPRINGS (FROGS) (MASON DISTRICT)** (11:47 a.m.)

Supervisor Gross said that FROGS is a 501(c) (3) membership organization that provides financial and volunteer support to Green Spring Gardens. Since its founding in 1993, FROGS has donated over \$1.9 million to support Green Spring Gardens operations and special projects. She noted that 2018 marks the twenty-fifth anniversary of the founding of FROGS.

Therefore, Supervisor Gross asked unanimous consent that the Board applaud FROGS for 25 years of dedicated and outstanding service and direct staff to prepare a Certificate of Recognition, to be jointly signed by the Chairman and the Mason District Supervisor, for presentation at its Summer Concert on June 26. Without objection, it was so ordered.

21. **“GIVE AN HOUR” PROJECT (MASON DISTRICT)** (11:47 a.m.)

Supervisor Gross stated that Healthy Minds Fairfax, the Fairfax-Falls Church Community Services Board’s (CSB) Behavioral Health System of Care office, has been working to provide equitable and easy access to behavioral health care services for the County’s children, youth, and families; develop a continuum of quality, integrated, and coordinated behavioral health services; and promote resiliency. Nationally, one in five children will be in need of mental health services during their young lives. Currently, the County’s CSB and Comprehensive Services Act (CSA) programs provide mental health services that reach 3000 children each year. But the cost of private health insurance, with high deductibles and co-pays, make it expensive for the average family to afford these services.

The “Give An Hour” project, a national effort to change direction and build capacity for mental health services, offers *pro bono* therapy services, by licensed mental health providers, to income-eligible residents (including both children and veterans), similar to *pro bono* legal services offered by local lawyers. The County’s CSB staff hopes to have a “Give An Hour” program in the County by mid-July.

Therefore, Supervisor Gross asked unanimous consent that the Board direct staff to invite CSB staff from Healthy Minds Fairfax to appear before the Board at its

July 10 meeting to receive a proclamation and tell the Board more about the program and how it can serve County residents. Without objection, it was so ordered.

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22. **NO BOARD MATTERS FOR SUPERVISOR L. SMYTH (PROVIDENCE DISTRICT)** (11:49 a.m.)

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

23. **ONE RESTON CRESCENT COMPANY LLC AND TWO RESTON CRESCENT COMPANY LLC (HUNTER MILL DISTRICT)** (11:49 a.m.)

Supervisor Hudgins stated that One Reston Crescent Company LLC and Two Reston Crescent Company LLC (the “Applicant”) have filed Rezoning/Conceptual Development Plan Applications RZ/CDP 2016-HM-007 and Final Development Plan Application FDP 2016-HM-007 for the property identified as Tax Map 17-3 ((8)) 1A1 and 1B to permit a mixed-use development that includes office, residential, hotel, and retail uses and features a national grocer of critical acclaim. The project includes eight redevelopment blocks across 36-acres of property on the south side of the Dulles Toll Road, immediately south of the future Reston Town Center Metrorail Station.

The applicant is prepared to initiate the first two phases of its longer-term plan: in the first phase, the surface parking will be temporarily relocated so as to make available a redevelopment site for the first new building associated with the project; in the second phase, the applicant will construct that building, a highly-amenitized mid-rise residential building with the featured grocer, high-quality retail, and ancillary service uses on the ground-floors, together with the grid of streets and interim streetscape and pedestrian improvements necessary to serve the founding members of the Reston Crescent community.

As the applicant has a signed letter of intent with the grocer, and is subject to time-sensitive deadlines under its contract, it is imperative that the case move forward as soon as possible.

Therefore, Supervisor Hudgins moved that the Board direct staff to expedite the scheduling of the Board’s public hearing for Rezoning/Conceptual Development Plan Applications RZ/CDP 2016-HM-007 to July 31, 2018, at 3 p.m. 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 any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

24. **RECOGNITION OF THE STONY BROOK JUNIOR VOLUNTEERS (LEE DISTRICT)** (11:53 a.m.)

Supervisor McKay stated that on March 28, 55 members of the Stony Brook community spent hours of their time cleaning a portion of Little Hunting Creek between Janna Lee Avenue and Richmond Highway. What is particularly noteworthy is the fact that the group, known as the Stony Brook Junior Volunteers, was comprised of 42 children and 13 adults.

The Stony Brook Junior Volunteers removed a substantial amount of debris that added up to 70 garbage bags. Not only is this group setting an example of environmental stewardship, it also created a clean, more welcoming, and aesthetically pleasing place for those who call this area home.

Supervisor McKay noted that, in recent years, the group has been incredibly active in the community. Since 2012, 175 youth have volunteered for a combined 7,500 hours, and 17 of those youth have earned a combined 31 Presidential Volunteer Service Awards.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a certificate, to be jointly signed by the Chairman and the Lee District Supervisor, for presentation to the Stony Brook Junior Volunteers outside of the Board Auditorium. Without objection, it was so ordered.

25. **RECOGNITION OF ROBERT E LEE HIGH SCHOOL (HS) AS THE AMERICAN ASSOCIATION OF SCHOOL LIBRARIANS (AASL) NATIONAL SCHOOL LIBRARY PROGRAM OF THE YEAR (NSLPY) (LEE DISTRICT)** (11:54 a.m.)

Supervisor McKay announced that, in 1963, The National School Library Program of the Year Award (NSLPY) was established, which honors school libraries that meet the needs of changing school environments and is fully integrated into the school's curriculum.

This year, Robert E. Lee HS was named the AASL NSLPY. The school will receive an award symbolizing school excellence and \$10,000 toward its library program.

The Lee HS library lives up to its values in its mission statement to ensure that students and staff are effective and ethical users of ideas and information. Students are empowered to be critical thinkers, enthusiastic readers, and skillful thinkers. Lee HS is also an accredited International Baccalaureate (IBO) World School that serves more than 1,700 students.

Supervisor McKay noted that the Lee library and school librarians, Ms. Mimi Marquet and Ms. Lisa Koch, are critical to the student's success and support of the curriculum.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a proclamation, to be jointly signed by the Chairman and the Lee District Supervisor, to the librarians and the principal of Lee HS, Deirdre Lavery, at a future date. Without objection, it was so ordered.

26. **LAND UNIT U OF THE FRANCONIA SPRINGFIELD TRANSIT STATION AREA (LEE DISTRICT)** (11:55 a.m.)

Supervisor McKay stated that this matter concerns Tax Map Numbers 91-1-((4)), Parcels 1 through 11, 13-25, 500, and 501 in Land Unit U of the Franconia-Springfield Transit Station Area. This 13.45-acre area was rezoned to PDC in 2010, by Rezoning Application RZ 2010-LE-009, to allow a total of five office buildings and support retail, with an option for one of the buildings to be developed with a hotel at an overall intensity of 1.5 floor area ratio (FAR). The entire site remains vacant to date.

This motions seeks to initiate a Comprehensive Plan amendment to consider development of one of the approved office buildings as residential use. An increase in intensity is not proposed. Allowing the introduction of residential use in this land unit will better balance traffic flow and help address challenges in the office market while creating the opportunity for a viable mixed-use community where people live closer to work.

Therefore, Supervisor McKay moved that the Board authorize staff to evaluate the conversion of one unbuilt office building for up to 300,000 square feet to residential use with ground floor retail. No other changes to the plan text are proposed, including density or additional design criteria. Approval of this motion shall in no way prejudice or affect any ongoing review and should not be construed as support by the Board for the Comprehensive Plan amendment or rezoning. Chairman Bulova seconded the motion and it carried by unanimous vote.

27. **FIFTIETH ANNIVERSARY OF CLERMONT ELEMENTARY SCHOOL (ES) (LEE DISTRICT)** (11:57 a.m.)

Supervisor McKay said that this year marks the fiftieth anniversary of the opening of Clermont ES in the Lee District community. Since opening its doors in 1968, Clermont has been a key part of the area. A feeder school to Twain Middle School and Edison High School, Clermont ES focuses on academic excellence in conjunction with social skills as it prepares its students to be productive twenty-first century citizens.

At Clermont, all students practice the character traits of cooperation, acceptance, responsibility, and effort, through the school's character education program. These behaviors foster a positive school climate in which all students can reach their highest level of academic performance and continue in Clermont's tradition of excellence in education for all.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a certificate, to be jointly signed by the Chairman and the Lee District Supervisor, for presentation to Principal Anne Stokowski and the Clermont ES community outside of the Board Auditorium. Without objection, it was so ordered.

28. **COMMUNITY SURVEY OF OLDER ADULTS IN THE COUNTY**
(11:58 a.m.)

Supervisor Herrity reminded the Board that four years ago it adopted the Fairfax County 50+ Community Action Plan. This plan includes 31 initiatives regarding housing, transportation, community engagement, services, safety and health, and long-range planning. The long-range planning initiative involves conducting a study of Federal, State, and local economic and demographic data related to the 50+ population in the County. While the data gathered currently provides a point-in-time view of the County's economic and demographic data, it is limited as it does not gather direct input from the older adult population.

In order to better support this initiative, a comprehensive Countywide survey is needed. Similar to the annual County Youth Survey, it would gather key data elements and solicit information on the current and future needs of older adults in the community. The County is fortunate to have such robust direct input from its youth on a continuing basis and there is a need to have similar input from the County's older adults as well. As with the Youth Survey, this effort will be a vital planning tool for all County agencies who serve this population and will help staff understand the needs of all older adults in the community, not just those who currently receive services. Lastly, data from this survey would also help to inform and guide the next iteration of the 50+ Community Action Plan.

Therefore, Supervisor Herrity moved that the Board direct staff to pilot a comprehensive community-wide survey of the older adult population in the County and, where feasible, benchmark County data with other jurisdictions. Survey results should be reported at a future 50+ Committee meeting. Staff should report to the Board with any requirements for making this survey happen. Supervisor Cook seconded the motion.

Discussion ensued, with input from the County Executive, regarding:

- The cost of conducting such a survey and where funding would be identified
- If this is to be a sample or a survey
- Since the term "older adults" covers a wide spectrum of individuals, how will a survey be administered

Supervisor Herrity amended his motion to direct staff to provide information to the Board on the parameters of a comprehensive community-wide survey of the older

adult population in the County, to include such items as cost for administering, survey methodology, and best practices from other communities. The requested information should come back to the Board in a memorandum with an Action Item to follow.

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

EBE:ebe

29. **REQUEST FOR A PROCLAMATION ON THE 185TH ANNIVERSARY OF THE ESTABLISHMENT OF GUM SPRINGS (MOUNT VERNON DISTRICT)** (12:10 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Storck said that Gum Springs established in 1833, is the oldest African American community in Fairfax, Virginia. Founded by slaves, freed after the passing of Martha Washington and under the leadership of freed slave West Ford, the community of Free Blacks was constructed along the banks of the Potomac River near Alexandria and Mount Vernon. Gum Springs soon became a refuge and home to other freed and runaway slaves and its economy thrived with assistance from neighboring Quakers.

Today, Gum Springs remains a cohesive and predominantly black community of more than 2,500 residents, with as many as 500 descendants of the original families. The Gum Springs Historical Society's Museum and Cultural Center was founded to celebrate and preserve this historic community's artifacts, photographs, and information on the residents and founding families of Gum Springs.

Supervisor Storck noted that Gum Springs is within walking distance of shopping, Sherwood Regional Library, INOVA Mount Vernon Hospital, the Mount Vernon Governmental Center and churches of various denominations to include Bethlehem Baptist Church, Harvest Assembly Baptist Church, Saint John Baptist Church, Woodlawn-Faith UMC, Cornerstone Church of Christ, Greater Morning Star Apostolic Church and Mount Vernon Kingdom Hall of Jehovah's Witnesses.

Gum Springs will celebrate 185 years of its founding on Saturday, June 16, with the Gum Springs community day and parade.

Therefore, Supervisor Storck moved that the Board direct the Office of Public Affairs to prepare a proclamation commending and congratulating the citizens of Gum Springs on its 185th anniversary. Chairman Bulova seconded the motion and it carried by unanimous vote.

30. **RECOGNIZING THE FAIRFAX FALCONS JUNIOR PREP WHEELCHAIR BASKETBALL TEAM FOR ITS PERFORMANCE AT THE NATIONAL CHAMPIONSHIPS (BRADDOCK DISTRICT)** (12:12 p.m.)

Supervisor Cook said that sports have a unique ability to teach life's great lessons through action. Virtues such as teamwork, skill, justice, competition, and perseverance are gained by time on the court and field. The Fairfax Falcons Paralympic Sports, a Neighborhood and Community Services Board partnership program, gives young people with physical disabilities the chance to play a wide range of sports and compete nationally. The Fairfax Falcons Wheelchair Basketball Junior Prep team has shown incredible skill in qualifying for the National Wheelchair Basketball Association Championship and placing fifth overall on April 15 in Kentucky.

The Fairfax Falcons Sports program is open to those aged 4 to 22 who have not graduated high school and who have an irreversible lower extremity disability. In addition to wheelchair basketball, the Falcons also offer wheelchair track and field, tennis, and golf. This program has become a staple in the County and continues to promote inclusion in the community at large.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to invite the Fairfax Falcons Junior Prep Wheelchair Basketball Team to appear before the Board on June 5 to be recognized for its remarkable performance at the National Wheelchair Basketball Association Championships. Without objection, it was so ordered.

31. **PUBLIC MEETINGS FOR ZONING ORDINANCE MODERNIZATION PROJECT (ZMOD) AND ZONING OPEN HOUSES** (12:14 p.m.)

Supervisor K. Smith announced that staff and the County's consultant, Clarion Associates, are proceeding with the work to modernize the Zoning Ordinance (ZO). The next milestone in the process will include community meetings on May 8 and 10 where Clarion will present its proposed structure for the ordinance to make it more user friendly as well as national trends in zoning ordinances. The May 8 meeting will be held at George C. Marshall High School and the May 10 meeting will be at the South County Government Center; both meetings will begin at 7 p.m. Clarion will also discuss this information with the Planning Commission on May 9 and the work session will be televised live on Channel 16; because it is a committee meeting, there will be no opportunity for public comment.

In addition to the zMOD public meetings, the Zoning Administration Division will hold three public open house meetings to present zMOD and other pending ZO amendments, including community gardens/urban agriculture, older adult accommodations, small-scale production establishments, signs, and short-term lodging. The open houses will provide an opportunity to learn about the proposed amendments, provide comments, and ask questions about the amendments or other general zoning topics. The first meeting will be on May 21 at Colvin Run Elementary School, the second is scheduled for May 23 and will

be held either at the Herrity Building or Chantilly High School, pending confirmation, and the third will be on June 4 at the South County High School.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct their respective offices and the Office of Public Affairs to advertise the zMOD public meetings and the zoning open house meetings on various communications platforms. Without objection, it was so ordered.

32. **NATIONAL HOMEOWNERSHIP MONTH — JUNE 2018** (12:16 p.m.)

Supervisor K. Smith stated that June is National Homeownership Month, a time to recognize the value of homeownership to individuals, families, and communities. Homeownership builds wealth, provides security for individuals and families, strengthens communities, and is fundamental to the health of the local and national economy.

Since 1988, the County's Department of Housing and Community Development (HCD) has helped over 2,000 first-time homebuyers and currently nearly 3,800 family members own a home through HCD's First-Time Homebuyers Program; helping to contribute to a homeownership rate of 67.5 percent in the County, higher than the national average of 64.2 percent. The average income of First-Time Homebuyers Program purchasers in Fiscal Year 2017 was just under \$50,000 per year.

During National Homeownership Month, the County commits to ensuring that more residents in the County can reach for this fundamental piece of the American dream.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite representatives from HCD and its partners to appear before the Board on June 19 to receive a proclamation recognizing National Homeownership Month. Without objection, it was so ordered.

33. **SULLY DISTRICT SUMMER OPEN HOUSE (SULLY DISTRICT)**
(12:17 p.m.)

Supervisor K. Smith announced that she wanted to inform the community of an upcoming event at the Sully Governmental Center in partnership with a great non-profit organization in the Sully District, Western Fairfax Christian Ministries (WFCM).

The summer season will be upon us soon — schools will be out of session and for many it will be a time to enjoy the outdoors and family vacations. Unfortunately, for many, it will be a time of scarcity. Food pantries like WFCM often don't receive consistent donations in the summer to serve the most vulnerable. Therefore, the Sully District office is partnering with WFCM to encourage the community to lend a hand and donate during the WFCM summer food drive.

Members of the Sully community can donate to the WFCM food drive at the Sully District Open House on Saturday June 2, between 10 a.m. and 2 p.m.

In addition to the food drive, Supervisor K. Smith said her office is happy to partner with the County Park Authority, the Clean Fairfax Council, the Health Department and others to highlight ways to enjoy and protect natural resources and stay safe outdoors during the summer months. One of the activities, for example, will be a walking educational tour of a nearby stream valley park.

Supervisor K. Smith said she and her staff are excited to welcome the community to the open house. It will be a great time for all ages and she hopes to see everyone there.

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

AGENDA ITEMS

EBE:ebe

34. **RECESS/CLOSED SESSION** (12:19 p.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly-held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).

1. *Joseph A. Glean v. Fairfax County Government and Michael J. McGrath*, Case No. 2018-0004976 (Fx. Co. Cir. Ct.)

2. *Sally McCrory v. Enrique A. Ruiz*, Case No. CL-2018-0003152 (Fx. Co. Cir. Ct.)
3. *Lynn Gaines-Oliver v. Iva Robertson*, Case No. GV18-004461 (Fx. Gen. Dist. Ct.)
4. *Andrea Infante v. James Harvey Doswell*, Case No. GV18-000366 (Fx. Co. Gen. Dist. Ct.)
5. *Armando Iraheta-Ortiz, by Allstate Insurance Company, Subrogee v. John Doe*, Case No. GV17-010235 (Fx. Co. Gen. Dist. Ct.)
6. *Erica M. Allen Winslow v. Ramona Simmons*, Case No. GV18-005771 (Fx. Co. Gen. Dist. Ct., Small Claims Division)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. FW VA – Kings Park Shopping Center, LLC, and Exxon Mobil Oil Corporation*, Case No. CL-2018-0005345 (Fx. Co. Cir. Ct.) (Braddock District)
8. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. James Scott Ballenger and Catherine E. McCall*, Case Nos. GV17-013661 and GV17-013662 (Fx. Co. Gen. Dis. Ct.) (Dranesville District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan Carlos Aranibar Chinchilla, Rossemary Jeanneth Arnez Villarroel, and A&A Investment, LLC*, Case No. CL-2016-0006961 (Fx. Co. Cir. Ct.) (Lee District)
10. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael Woolfrey*, Case Nos. GV18-006008 and GV18-006009 (Fx. Co. Gen. Dist. Ct.) (Lee District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nina Catherine Ford and Aubrey L. Lane*, Case No. CL-2009-0015972 (Fx. Co. Cir. Ct.) (Mason District)

12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Balbir K. Bhuller*, Case No. CL-2017-0014359 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Shahriar Salartash*, Case No. CL-2017-0015868 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Roger M. Firestone*, Case No. CL-2017-0012653 (Fx. Co. Cir. Ct.) (Providence District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Victor R. Espinoza and Maria M. Espinoza*, Case No. GV18-007489 (Fx. Co. Gen. Dist. Ct.) (Providence District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Charles Alan Little*, Case No. CL-2018-0002070 (Fx. Co. Cir. Ct.) (Springfield District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Lee Business Center, LLC, and Focus Fairfax, Inc., d/b/a IMP Fitness*, Case No. CL-2017-0014650 (Fx. Co. Cir. Ct.) (Sully District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Roberta Couver*, Case No. CL-2011-0007717 (Fx. Co. Cir. Ct.) (Sully District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nicholas A. Nikzad and Pamela L. Nikzad*, Case No. GV17-023487 (Fx. Co. Gen. Dist. Ct.) (Sully District)

And in addition:

- Response to Reston Town Center North RFP, as permitted by Virginia Code Sections 2.2-3711(A)(8) and (29)

- Discussion of proprietary information relating to a grant proposal for a project in the Sully District, as permitted by Virginia Code Section 2.2-3711(A)(39)
- Legal analysis regarding (i) Virginia Code Section 15.22303.4; (ii) City of Alexandria v. Purdue Pharma, L.P., et al., Case No. CL-18-1627 (Circuit Court for the City of Alexandria, Virginia); and (iii) Neal v. Fairfax County Police Department, Virginia Supreme Court Record No. 170247, all as permitted by Virginia Code Sections 2.23711(A)(7) and (8)

Chairman Bulova seconded the motion.

Supervisor Herrity announced his intent, later in the meeting at the appropriate time, to defer the public hearing on Rezoning Application RZ 2017-SP-029.

Supervisor Gross announced her intent, later in the meeting at the appropriate time, to defer the public hearing on Special Exception Application SE 2017-MA-032.

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

DET:det

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

ACTIONS FROM CLOSED SESSION

35. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:50 p.m.)

Supervisor Gross moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from open meeting requirements and only such public business matters as were identified in the motion by which closed session was convened were heard, discussed, or considered by the Board during the closed session. Chairman Bulova seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

AGENDA ITEMS

36. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-HM-031 (FR PIKE 7 LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)**
(3:51 p.m.)

The application property is located at 8361, 8365, 8371, and 8399 Leesburg Pike, Vienna, 22180. Tax Map 29-3 ((1)) 36A2, 36B, 36C2, and 36D.

Mr. Nicholas V. Cumings reaffirmed the validity of the affidavit for the record.

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

Mr. Cumings 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. Mr. Cumings also confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 6, 2018.

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

Supervisor Hudgins, noting that Mr. Cumings had earlier confirmed that the applicant was in agreement with the proposed development conditions, moved approval of Special Exception Application SE 2017-HM-031, subject to the development conditions dated March 6, 2018. Supervisor McKay seconded the motion and it carried by unanimous vote.

37. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-MA-032 (SHIRLEY INVESTORS, LLC) (MASON DISTRICT)**
(3:59 p.m.)

Supervisor Gross, noting a pending decision by the Planning Commission on related Public Facilities Application 2232-M17-43, moved to defer the public hearing on Special Exception Application SE 2017-MA-032 to **June 5, 2018, at 4 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

38. **ORDERS OF THE DAY** (4:01 p.m.)

Chairman Bulova announced that the Board would next hold the public hearing on Plan Amendment 2018-I-A1 followed by the public hearing on Rezoning Application RZ 2017-MA-016 and Special Exception Amendment Application SEA 96-M-037.

39. **3:30 P.M. – PH ON PROPOSED PLAN AMENDMENT 2018-I-A1, OAKWOOD SERVICES INTERNATIONAL, LOCATED AT 7210 BRADDOCK ROAD (MASON DISTRICT)** (4:01 p.m.)

Anita Bentley, Planner III, Planning Division, Department of Planning and Zoning, presented the staff report.

Robert D. Brant, agent for the applicant, made brief remarks concerning the Plan Amendment.

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

Supervisor Gross presented background on the Plan Amendment then moved approval of Plan Amendment 2018-I-A1, as recommended by the Planning Commission. Chairman Bulova seconded the motion and it carried by unanimous vote

40. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2017-MA-016 (OAKWOOD SERVICES INTERNATIONAL) (MASON DISTRICT)**

AND

3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 96-M-037 (OAKWOOD SERVICES INTERNATIONAL) (MASON DISTRICT) (4:06 p.m.)

(O) The application property is located at 7200, 7210, and 7218 Braddock Road, Annandale, 22003. Tax Map 71-3 ((8)) 12, 13, and 14.

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

Harold Ellis, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location. He noted that an amended Generalized Development Plan/Special Exception Application (GDP/SE) plat dated May 1, 2018, had been distributed; the revision reflects a minor change illustrating the location of an existing dumpster and proposed enclosure.

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

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

Supervisor Gross presented background on the applications. Following a query to the applicant's agent, Mr. Brant confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated April 12, 2018, and the proffers dated April 9, 2018.

Supervisor Gross moved approval of:

- The Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2017-MA-016, be amended from the R-1 and R-3 Districts to the R-3 District, subject to the proffers dated April 9, 2018
- Special Exception Amendment Application SEA 96-M-037, subject to the development conditions dated April 12, 2018, which reflect the revised GDP/SEA dated March 26, 2018, as distributed today
- A modification of the transitional screening requirements along the north and south property lines pursuant to Section 13-303 (3) of the ZO in favor of transitional screening as shown on the GDP/SE plat
- A waiver of the barrier requirements along the south property line pursuant to Section 13-304 of the ZO in favor of the barrier shown on the GDP/SE plat

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."

Following remarks by Supervisor Gross concerning the playground, Mr. Brant noted that the playground and at least two large trees would be preserved.

KK:kk

41. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2017-IV-MV1, LOCATED AT 8419 AND 8423 SKY VIEW DRIVE (MOUNT VERNON DISTRICT)** (4:17 p.m.)

Michael Lynskey, Planner II, Policy and Plan Development Branch, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by one speaker, Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor Storck moved adoption of the Planning Commission recommendation for Plan Amendment 2017-IV-MV1, presented in Attachment 1 of the Board Agenda Item. The recommendation supports the staff recommendation to add an

option on the subject property for residential use up to 13 dwelling units per acre (du/ac), as found on pages 9 and 10 of the staff report dated November 20, 2017. Supervisor McKay seconded the motion and it carried by unanimous vote.

42. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE SUNSET MANOR RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 18 (MASON DISTRICT)** (4:24 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of April 13 and April 20, 2018.

Charisse Padilla, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix G, expanding the Sunset Manor RPPD, District 18. 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. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX R, TO CONSIDER PARKING RESTRICTIONS ON DULLES TECHNOLOGY DRIVE (DRANESVILLE DISTRICT)** (4:27 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 April 13 and April 20, 2018.

Charisse Padilla, Transportation Planner, Department of Transportation, presented the staff report.

Following the public hearing, which included testimony by two speakers, Supervisor Foust moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix R, establishing parking restrictions on Dulles Technology Drive. Supervisor Gross 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.”

44. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX AND TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING THE INTERPRETATION OF THE PFM, HYDRAULIC GRADE LINES, DEBRIS CONTROL DEVICES, NEW FEES FOR MODIFICATIONS AND APPEALS, AND OTHER EDITS** (4:32 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 April 13 and April 20, 2018.

Thakur Dhakal, Site Code Research and Development Branch, Land Development Services, presented the staff report.

Following the public hearing, Supervisor K. Smith moved adoption of the proposed amendments to the Code of the County of Fairfax and the PFM. 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.”

45. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2017-CW-5CP, OFFICE BUILDING REPURPOSING OUTSIDE OF ACTIVITY CENTERS** (4:39 p.m.)

Aaron Klibaner, Planner II, Policy and Plan Development Branch, Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued with input from Mr. Klibaner, Meghan Van Dam, Branch Chief, Planning Division (PD), DPZ, and Marianne Gardner, Director, PD, DPZ, regarding the criteria used to determine how vacancies qualify for repurposing and how the term “underutilized” is defined.

Following the public hearing, which included testimony by one speaker, discussion continued concerning the utilization of the County’s LISTSERV to include notification of repurposing and rezoning cases.

Following the testimony of Mr. Clyde Miller (Speaker #1), Supervisor Gross asked unanimous consent that the Board direct the County Executive to provide an update on the proposed online email service discussed by Fred Selden, Director, DPZ at the December 5, 2017, Board meeting. Without objection, it was so ordered.

Mr. Klibaner presented the staff and Planning Commission (PC) recommendations.

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved adoption of the PC recommendation for Plan Amendment 2017-CW-5CP presented in Attachments 1 and 2 of the Board Agenda Item. Supervisor Herrity seconded the motion and it carried by unanimous vote.

Chairman Bulova asked unanimous consent that the Board direct staff to:

- Expand opportunities for the public throughout the County to be informed when repurposing is being proposed
- Ensure that the LISTSERV includes repurposing information
- Remind the public of the existence of the LISTSERV

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

DET:det

46. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2017-SP-029 (CRISTOPHER LAND, LLC) (SPRINGFIELD DISTRICT) (5:07 p.m.)**

Supervisor Herrity moved to defer the public hearing on Rezoning Application RZ 2017-SP-029 to **May 15, 2018, at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

47. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2017-HM-019 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT)**

AND

- 4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-C-090-02 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT)**

AND

- 4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 91-H-001 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT)**

AND

- 4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-HM-016 (TH HOLDING COMPANY LLC) (HUNTER MILL DISTRICT) (5:08 p.m.)**

Supervisor Hudgins moved to defer the public hearing on Proffered Condition Amendment Applications PCA 79-C-090-02, PCA 91-H-001, Rezoning Application RZ 2017-HM-019, and Special Exception Application SE 2017-HM-

016 until **May 15, 2018, at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

48. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2011-PR-011-02 (CITYLINE PARTNERS, LLC) (PROVIDENCE DISTRICT)** (5:10 p.m.)

(O) (NOTE: On July 11, 2017, the Board deferred this public hearing until October 24, 2017. On October 24, 2017, the Board deferred this public hearing until January 23, 2018. On January 23, 2018, the Board deferred this public hearing until March 20, 2018. On March 20, 2018, the Board deferred this public hearing until May 1, 2018, at 4:30 p.m.)

The application property is located in the southeast quadrant of the intersection of Colshire Drive and Dolley Madison Boulevard. Tax Map 30-3 ((01)) 6D, 6E, and 30-3 ((28)) 4B (pt.) 4D, 4E (pt.).

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

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

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

Following the public hearing, Mr. Gardner presented the staff and Planning Commission (PC) recommendations. Mr. Gardner noted that there had been a number of deferrals due primarily to market conditions.

Supervisor L. Smyth moved:

- Approval of Proffered Condition Amendment Application PCA 2011-PR-011-02 and its associated Comprehensive Development Plan (CDP), subject to the executed proffers consistent with those contained in Appendix 1 of the staff report dated April 17, 2018.
- Reaffirmation of all previously approved waivers and modifications

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.”

(NOTE: On January 26, 2017, the PC approved Final Development Plan Application FDP 2011-PR-011-04, subject to the development conditions dated November 22, 2016.)

49. **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)
(5:21 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 May 1, 2018.)

Following remarks, Supervisor Gross moved to defer the public hearing on Rezoning Application RZ 2017-MA-013 and Special Exception Application SE 2017-MA-009 until **July 10, 2018, at 4:30 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

50. **BOARD ADJOURNMENT** (5:22 p.m.)

The Board adjourned.