



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
January 27, 2015**

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DET:det

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, January 27, 2015, at 9:36 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Michael Frey, Sully District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Gerald W. Hyland, Mount Vernon District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Linda Q. Smyth, Providence District

Others present during the meeting were Edward L. Long Jr., County Executive; David P. Bobzien, 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; Patti M. Hicks, Chief Deputy Clerk to the Board of Supervisors; Denise A. Long, Deputy Clerk to the Board of Supervisors; Ekua Brew-Ewool and Dianne E. Tomasek, Administrative Assistants, Office of Clerk to the Board of Supervisors.

AGENDA ITEMS1. **PRESENTATION OF A CHECK TO THE COUNTY** (9:37 a.m.)

The United Way of the National Capital Area presented the County with a check in the amount of \$167,512, payable to Fairfax-Falls Church Community Impact Grantees, representing the amount that was contributed through the Fairfax-Falls Church Community Impact Fund in 2014.

2. **CERTIFICATES OF RECOGNITION PRESENTED TO MS. TAWNY HAMMOND AND OFFICER ENNA LUGO** (9:44 a.m.)

Chairman Bulova announced that dogs Biscuit (a former stray) and Snowball (rescued through the efforts of the International Humane Society) were also present in the Auditorium and noted that later in the meeting there would be a Board Matter concerning “adopt a fire hydrant.”

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of certificates of recognition presented to:

- Animal Control Officer Enna Lugo for her initiative, tenacity, and extraordinary efforts to rescue animals in the County
- Tawny Hammond, Director, County Animal Shelter, for her extraordinary leadership, overseeing a major construction and renovation project, increasing adoptions, re-launching the website and the expansion of the volunteer program

Officer Lugo and Ms. Hammond each received Animal Services awards from the Washington Metropolitan Council of Governments (COG) in recognition of their work.

Following discussion concerning national recognition of the shelter, adoption rates, and the creativity and hard work of staff and volunteers, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

(NOTE: Later in the meeting, Supervisor Gross presented a Board Matter on “adopt a fire hydrant.” See Clerk’s Summary Item #26.)

3. **PROCLAMATION DESIGNATING FEBRUARY 2015 AS "TEEN DATING VIOLENCE AWARENESS MONTH" IN FAIRFAX COUNTY** (10:03 a.m.)

Supervisor Gross moved approval of the Proclamation designating February 2015 as "*Teen Dating Violence Awareness Month*" in Fairfax County and urged all residents to become better informed about this matter, promote healthy

relationships, and encourage those experiencing violence to seek help. Supervisor Cook seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING FEBRUARY 2015 AS "AFRICAN-AMERICAN HISTORY MONTH" IN FAIRFAX COUNTY** (10:13 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate February 2015 as "*African-American History Month*" in Fairfax County and urged all residents to join in recognizing members of the African-American community in the County, the United States, and throughout the world. Supervisor Foust, Supervisor Herrity, and Supervisor McKay jointly seconded the motion.

Discussion ensued concerning:

- Tinner Hill and year-round recognition
- The Cast the Net project

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

5. **RESOLUTION TO CONGRATULATE STAFF FROM THE NOMAN M. COLE JR. POLLUTION CONTROL PLANT** (10:26 a.m.)

In recognition of its receipt of 16 consecutive Platinum Peak Performance Awards from the National Association of Clean Water Agencies, Supervisor Hyland moved approval of the Resolution to congratulate and applaud the Department of Public Works and Environmental Services staff at the Noman M. Cole Jr. Pollution Control Plant for their outstanding work and unsurpassed services to County residents. Supervisor Foust seconded the motion and it carried by unanimous vote.

BOARD MATTER

6. **INTRODUCTIONS** (10:36 a.m.)

Chairman Bulova introduced the following students who are interning in her office and warmly welcomed them to the Auditorium:

- Mr. Jack Connors, a junior at the University of Delaware, majoring in Political Science and Criminal Justice with a concentration in American Politics
- Ms. Hamna Ahmad, a freshman at George Mason University, majoring in Government and International Politics, minoring in Spanish

Supervisor McKay, noting that there was no school today, announced that his first-grade daughter was with him.

AGENDA ITEMS

7. **10:30 A.M. – PRESENTATION OF THE DON SMITH AWARD**
(10:37 a.m.)

Randy R. Creller, Chairperson, Employee Advisory Council (EAC), presented the history of the Don Smith Award.

The Don Smith Award was presented to:

- Ms. Irene N. Nantamu, Department of Finance

Following the presentation, discussion ensued concerning Mr. Smith and the naming of the award.

8. **10:35 A.M. – PRESENTATION OF THE BOARD'S STRATEGIC PLAN TO FACILITATE THE ECONOMIC SUCCESS OF THE COUNTY**
(10:46 a.m.)

Chairman Bulova announced that:

- This is the work of the Economic Advisory Commission (EAC), particularly a subset of that, the Implementation Committee.
- Although the presentation is being made today, the Board will act to adopt the plan at its March 3 meeting.
- The EAC was chaired by Supervisor Foust and the Vice-Chair was Supervisor Herrity.
- An excellent effort was made to identify ways to ensure that the County is the best place that businesses want to locate and stay, as well as to flourish and be successful.

Robert A. Stalzer, Deputy County Executive, made an introductory statement which included an outline of the plan's four areas of focus: people; places; employment; and governance. He said that those fundamental strategies, coupled with six goal areas that he would later identify, capture the essence of what economic success means to the County.

The plan is premised on economic success and is a clear leadership statement by the Board recognizing the critical importance of economic success for the County's present and future. It invites all community partners: businesses; residents; academia; the Economic Development Authority (EDA); County staff;

as well as regional partners in Northern Virginia, Maryland, the District of Columbia; and others; to pull together in the same direction to be successful now and in the future.

Mr. Stalzer stated that the region's economy is undergoing a major transformation and the Board's long-standing adopted priorities involving a quality education system; safe neighborhoods; a clean environment; livable, caring and affordable communities; a vibrant economy; efficient transportation network; recreational and cultural opportunities; and affordable taxes will not be realized without an awareness of the County's evolving economic needs and opportunities and, most importantly, the ability to capitalize on them.

Mr. Stalzer presented a brief Power Point presentation which included a summary of the County's journey to date; the need for a renewed focus; an overview of the vision and fundamental themes; fundamental strategies; and the following goals:

- Further diversify the economy
- Create places where people want to be
- Improve the speed, consistency, and predictability of the development review process
- Invest in natural and physical infrastructure
- Achieve economic success through education and social equity
- Increase agility of County government

Following the presentation, discussion ensued, with input from Mr. Stalzer, concerning:

- Priorities adopted by the Board in 2009 which were reconfirmed and shared with the School Board at a joint retreat in 2012
- Creating the best possible product for marketing by the EDA to existing and new employers
- Regionalism – the next step
- Recognizing that the County's future economic success is not guaranteed
- Implementation and prioritization of the recommendations
- The need for further discussion regarding a proposed conference center

- County economic success stories
- Contributing factors to economic success
- The need to revisit the 20-year vision on environmental excellence adopted by the Board in 2004
- Implementation strategies
- The importance of international travel/relationships to the County's economic success and, in particular, the significance of Dulles airport
- The importance and impact of tourism
- The County being a center of risk-taking, entrepreneurship, and a place to start a business, not just a place to come to after that business has been established
- Fostering business opportunities which do not require a college education and connecting the education system for training and workforce development for those opportunities
- The difference between social equality and social equity
- Working in partnership with the towns in Fairfax

Chairman Bulova thanked Mr. Stalzer for his presentation. The adoption of the plan will be before the Board at its March 3 meeting and will include a work program to ensure that the Board has given clear direction to staff and the community of what will happen next and what the priorities will be.

9. **10:40 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES**
(11:38 a.m.)

Supervisor McKay, Chairman of the Board's Legislative Committee, presented a report on General Assembly activities as of January 24. He noted that 2,270 bills and resolutions have been introduced by the 2015 General Assembly, many of which were discussed at the Committee's last meeting. The Committee's position on specific bills are outlined in the memorandum and tracking chart included in the report.

A wide spectrum of bills has been introduced including a number that would reduce County revenue sources or change how services are provided to County residents. Supervisor McKay noted the following:

- Legislation requiring that all child and family day homes be licensed by the State
- K-12 funding which has been significantly reduced in recent years
- An omnibus transportation bill that increases transit funding and changes the way State transportation funding is allocated

The next meeting of the Legislative Committee will be held on Friday, January 30, at 4:30 p.m., in Conference Rooms 9/10 of the Government Center. The meeting will end at 6 p.m. Supervisor McKay reminded the Board that the annual reception in Richmond, which provides an opportunity for productive conversations with the delegation, will be on Wednesday, February 11, at 5:30 p.m. Governor McAuliffe, Attorney General Mark Herring, and others have confirmed their attendance.

Supervisor McKay moved that the Board adopt Legislative Committee Report Number One. Supervisor Gross and Supervisor Hyland jointly seconded the motion. Discussion ensued concerning inclusion of a Good Samaritan law to assist with snow removal and ensuing liability issues. The question was called on the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

Explore other areas in need of revitalizations to explore what might be done.

EBE:ebe

10. **10:50 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:44 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 January 27, 2015,” as distributed around the dais. Supervisor McKay seconded the motion.

Supervisor Foust asked to amend the motion to reappoint Mr. Mark Zetts as the Dranesville District Representative to the Tysons Transportation Service District Advisory Board. This was accepted.

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

Appointments are as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

Reappointment of:

- Mr. Clifford L. Fields as the At-Large Chairman's Representative
- Ms. Jane Gwinn as the Braddock District Representative
- Ms. Kerrie Wilson as the Dranesville District Representative
- Mr. Ronald Copeland as the Hunter Mill District Representative
- Mr. John Blackwell as the Lee District Representative
- Ms. Eileen Garnett as the Mason District Representative
- Ms. Ernestine Heastie as the Providence District Representative
- Mr. Philip E. Rosenthal as the Springfield District Representative

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

ADVISORY SOCIAL SERVICES BOARD

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

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Single Family) and Lending Institution Representatives.

AIRPORTS ADVISORY COMMITTEE

Reappointment of:

- Ms. Sherri Jordan as the Mount Vernon District Representative
- Mr. Brian Elson as the Mount Vernon District Business Representative

The Board deferred the appointment of the At-Large Chairman's, Mason, and Sully Business District Representatives.

ATHLETIC COUNCIL

Appointment of:

- Ms. Rachel Huhn as the Braddock District Alternate Representative

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Appointment of:

- Mr. Andrew Miller as the Braddock District Alternate Representative

The Board deferred the appointment of the Lee District Representative.

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #2 and #4 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS

Reappointment of:

- Mr. Thomas Parr as the At-Large #1 Representative

Appointment of:

- Ms. Sandy Pompelli as the Professional #6 Representative

The Board deferred the appointment of At-Large #3 Representative.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

The Board deferred the appointment of the Sully District Representative.

CHILD CARE ADVISORY COUNCIL

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

CITIZEN CORPS COUNCIL

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

COMMISSION FOR WOMEN

Appointment of:

- Ms. Robin Brown as the Braddock District Representative

COMMISSION ON AGING

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

COMMISSION ON ORGAN AND TISSUE DONATION AND TRANSPORTATION

The Board deferred the appointment of the At-Large, Lee, Mount Vernon, and Springfield District Representatives.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

Confirmation of:

- Ms. Ann G. Macpherson as the AARP Representative

ECONOMIC ADVISORY COMMISSION

Confirmation of:

- Hon. Grace H. Wolf as the Herndon Town Council Representative

The Board deferred the appointment of the Lee District Representative.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

The Board deferred the appointment of the Mason District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

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

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Sonia Gow as a Long Term Care Providers Representative
- Mr. Michael Toobin as a Community/Religious Leaders Representative
- Ms. Tena Bluhm as the COA Representative
- Mr. Paul Wexler as a Long Term Care Providers Representative

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

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

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative.

HEALTH SYSTEMS AGENCY BOARD

The Board deferred the appointment of the Consumer #4 and #6, and the Provider #1 Representatives.

HISTORY COMMISSION

Appointment of:

- Ms. Carrie Ann Alford as the At-Large #2 Representative

The Board deferred the appointment of the Citizen #10 Representative.

HUMAN SERVICES COUNCIL

The Board deferred the appointment of the Lee District #1 Representative.

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE

Confirmation of:

- Mr. Robert Lehman as the Chamber of Commerce Representative

The Board deferred the appointment of the Springfield District Representative.

**JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS
ADVISORY COUNCIL**

Reappointment of:

- Mr. John Herold as the At-Large Chairman's Representative
- Ms. Patricia Smith-Solan as the Hunter Mill District Representative
- Ms. Joleane Dutzman as the Mount Vernon District Representative

- Ms. Caroline Kerns as the Sully District Representative

The Board deferred the appointment of the Braddock District Representative.

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

The Board deferred the appointment of the At-Large Chairman's, Dranesville, Hunter Mill, Lee, and Providence District Representatives.

ROAD VIEWERS BOARD

Reappointment of:

- Mr. Micah D. Himmel as the At-Large #5 Representative

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

SMALL BUSINESS COMMISSION

Reappointment of:

- Mr. Koorosh C. Sobhani as the Dranesville District Representative

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

Appointment of:

- Ms. Morsel Osman as the Fairfax County #9 (Youth) Representative

Confirmation of:

- Ms. Carol Ann Bradley as the Reston Association #4 Representative

The Board deferred the appointment of the Fairfax County #5 and #7 Representatives.

TENANT LANDLORD COMMISSION

Reappointment of:

- Ms. Angelina Panettieri as the Tenant Member #1 Representative

The Board deferred the appointment of the Citizen Member #3, Condo Owner, and the Tenant Member #2 and #3 Representatives.

TRAILS AND SIDEWALKS COMMITTEE

The Board deferred the appointment of the Mason District Representative.

TRANSPORTATION ADVISORY COMMISSION

Appointment of:

- Mr. Micah D. Himmel as the Providence District Representative

WETLANDS BOARD

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

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

Reappointment of:

- Ms. Sally Horn as the Adjacent Community Member #2 Representative
- Mr. Jim Policaro as the Commercial or Retail Ownership #1 Representative
- Mr. Mark Zetts as the Dranesville District Representative
- Mr. Jay Klug as the Hunter Mill District #1 Representative
- Mr. Raymond Baxter as the Hunter Mill District #2 Representative
- Ms. Molly Peacock as the Providence District #2 Representative
- Mr. Ron Parson as the Residential Owners and HOA/Civic Association #2 Representative
- Ms. Claudia Diamond as the Residential Owners and HOA/Civic Association #3 Representative

Confirmation of:

- Mr. Terrence Miller as the Tysons Partnership #1 Representative
- Mr. Aaron Georgelas as the Tysons Partnership #2 Representative
- Hon. Stuart Mendelsohn as the Chamber of Commerce Lessees of Non-Residential Space Representative

The Board deferred the appointment of the Adjacent Community Member #1, Commercial or Retail Ownership #2 and #3, Providence District #1, and Residential Owners and HOA/Civic Association #1 Representatives.

11. **ADMINISTRATIVE ITEMS** (11:44 a.m.)

Supervisor Gross moved approval of the Administrative Items with the exception of Admin 5. Supervisor McKay seconded the motion.

Supervisor Gross called the Board's attention to Admin 5 – Authorization to Advertise a Public Hearing on a Proposal to Prohibit Through Truck Traffic on Ravensworth Road and noted that the item is being deferred to give residents near the road the opportunity to weigh in on what this means for their neighborhood.

The question was called on the motion to approve the Administrative Items, with the exception of Admin 5, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE GRAHAM RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 34 (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 17, 2015, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Graham RPPD, District 34 (Providence District). The proposed District expansion includes Elmwood Drive (Route 1780), from Lawrence Drive to Stuart Drive.

ADMIN 2 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING 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)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 17, 2015, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Sunset Manor RPPD, District 18 (Mason District). The proposed District expansion includes Bouffant Boulevard (Route 3436):
- From Dowden Terrace Park boundary to the eastern property boundary of 5600 Bouffant Boulevard (north side only)
 - From Dowden Terrace Park boundary to Paul Street (south side only)

ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX M, TO ESTABLISH THE CARDINAL FOREST II COMMUNITY PARKING DISTRICT (CPD) (BRADDOCK DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **February 17, 2015, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix M, to establish the Cardinal Forest II CPD (Braddock District). The proposed District includes the following streets:

- Dominican Drive (Route 4139), from Sherborn Lane to Roxbury Avenue
- Grigsby Drive (Route 4179), from Sherborn Lane to Roxbury Avenue
- Roxbury Avenue (Route 4136), from Sherborn Lane to Winslow Avenue
- Sherborn Lane (Route 4137), from Forrester Boulevard to Roxbury Avenue

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO EXPAND THE SPRINGDALE RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 33 (MASON DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **February 17, 2015, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the Springdale RPPD, District 33 (Mason District). The proposed District expansion includes:

- Arnet Street (Route 1845): from Munson Road to Lacy Boulevard, and from Lacy Boulevard to the eastern cul-de-sac end (south side only)
- Munson Road (Route 795): from Arnet Street to Summers Lane, and from Arnet Street to Reservoir Heights Avenue (east side only)

ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON RAVENSWORTH ROAD (MASON DISTRICT)

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

ADMIN 6 – APPROVAL OF TRAFFIC CALMING MEASURES AND “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (SULLY DISTRICT)

- (R)
- Endorsed the traffic calming plan for Misty Creek Lane consisting of the following:
 - One Speed Hump on Misty Creek Lane (Sully District)
 - Adopted a Resolution authorizing installation of “\$200 Additional Fine for Speeding” signs on the following road:
 - Folkstone Drive from West Ox Road/Lawyers Road to Fox Mill Road (Sully District)
 - Directed staff to:
 - Schedule the installation of the approved traffic calming measure as soon as possible.
 - Request the Virginia Department of Transportation (VDOT) to schedule the installation of the approved signs as soon as possible.

ADMIN 7 – DISCONTINUANCE OF A PORTION OF ROUTE 4882 (SMALLWOOD COURT) FROM THE SECONDARY SYSTEM OF STATE HIGHWAYS (SULLY DISTRICT)

- (R) Adopted a Resolution requesting that a portion of Route 4882 (Smallwood Court) be discontinued from the Secondary System of State Highways.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR APPROVAL OF THE UPDATE TO THE COUNTY’S SOLID WASTE MANAGEMENT PLAN

- (A) Authorized the advertisement of a public hearing to be held before the Board on **March 3, 2015, at 4 p.m.**, to consider approval of the update to the County’s Solid Waste Management Plan

ADMIN 9 – STREETS INTO THE SECONDARY SYSTEM (SULLY DISTRICT)

- (R) Approved the request that the following street be accepted into the State Secondary System:

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Faircrest Outlot B – Metro Road	Sully	Ralph Jackson Drive

ADMIN 10 – APPOINTMENT OF MEMBERS TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM

(BACs)
(APPTS)

Approved the reappointment of:

- Mr. Rick Leichtweis, of INOVA Kellar Center, as a Provider Representative Member to the CPMT, for a term to expire on June 30, 2016
- Ms. Sandy Porteous, of Phillips Programs in Annandale, as a Provider Representative Member to the CPMT, for a term to expire on June 30, 2015

ADMIN 11 – AUTHORIZATION OF A PUBLIC HEARING ON A PROPOSAL TO VACATE, ABANDON, AND DISCONTINUE ANDERSON LANE (MOUNT VERNON DISTRICT)

(A) Authorized the advertisement of a public hearing to be held before the Board on **March 3, 2015, at 4 p.m.**, to consider the vacation and abandonment of the subject right-of-way and the discontinuance of the remaining portion of Anderson Lane.

12. **A-1 – RENEWAL OF THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD AND THE SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION, INCORPORATED (LEE AND MOUNT VERNON DISTRICTS)** (11:46 a.m.)

Jointly with Supervisor McKay, Supervisor Hyland moved that the Board concur in the recommendation of staff and:

- Approve the MOU with the Southeast Fairfax Development Corporation for the period of July 1, 2015, through June 30, 2019
- Authorize the County Executive to sign the MOU on behalf of the Board

Chairman Bulova seconded the motion.

Supervisor Gross asked unanimous consent that the Board direct staff to provide information on what would be required for other revitalization areas to enter into similar MOUs. Without objection, it was so ordered.

Discussion ensued regarding exploring other areas in need of revitalization, how to assist these organizations to become self-supporting, while being aware of the financial implications.

Supervisor Smyth asked unanimous consent that the Board direct staff to provide information on what different approaches to revitalization have worked or not worked. Without objection, it was so ordered.

Discussion ensued regarding the challenges of raising private funds, criteria used and key elements considered; and, steps used to identify areas beginning to experience decline.

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

13. **A-2 – APPROVAL OF A PARKING REDUCTION FOR LAKE ANNE VILLAGE CENTER (HUNTER MILL DISTRICT)** (11:53 a.m.)

Supervisor Hudgins moved to defer action on this item until February 17, 2015. Supervisor Foust seconded the motion and it carried by unanimous vote.

14. **I-1 – NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVTA) FISCAL YEAR (FY) 2014 PROGRAM UPDATE** (11:54 a.m.)

The Board next considered an item contained in the Board Agenda dated January 27, 2015, regarding the NVTA FY 2014 Program Update.

DET:det

ADDITIONAL BOARD MATTERS

15. **REQUEST FOR PRESENTATIONS** (11:55 a.m.)

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

- Commission for Women to receive a proclamation recognizing March 2015 as “*Women's History Month*”
- Fairfax-Falls Church Community Services Board to receive a proclamation recognizing March 2015 as “*Including People with Intellectual and Developmental Disabilities Month*”
- Office for Women and Domestic and Sexual Violence Services to receive a proclamation recognizing April 2015 as “*Sexual Assault Awareness Month*”

- Health Department to receive proclamations recognizing:
 - April 6-12, 2015, as “*Public Health Week*”
 - June 2015 as “*Fight the Bite Awareness Month*”
 - September 2015 as “*Direct Support Professionals Appreciation Month*”
 - August 2015 as “*Immunization Awareness Month*”
 - “*HIV/AIDS Awareness Day*”
- Human Rights and Equity Programs to receive proclamations recognizing:
 - “*Holocaust Remembrance Day*”
 - April 2015 as “*Fair Housing Month*”
 - May 2015 as “*Asian/Pacific American Heritage Month*”
 - September 2015 as “*Hispanic Heritage Month*”
 - October 2015 as “*Disability Employment Awareness Month*”
 - November 2015 as “*American Indian Heritage Month*”

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

16. **SENIOR SAFETY SUMMIT PLANNED FOR THE GREAT FALLS AND McLEAN AREAS** (11:57 a.m.)

Supervisor Foust announced that on December 5, 2014, he and Supervisor Hudgins sponsored the Senior Summit: "Safety in Our Community - Preventing the 911 Call" to share important safety information with seniors and their caregivers in the Herndon and Reston areas. Today, he shared information about an upcoming Senior Summit for residents in Great Falls and McLean. The event will be held at the McLean Community Center on February 6, from 10 a.m. to 12 noon.

As with the previous event, representatives from his staff and the following County offices will make presentations:

- Police Department
- Sheriff's Office
- Consumer Affairs Branch of the Department of Cable and Consumer Services
- Health Department
- Office of Emergency Management

Attendees will learn about safety topics such as fire and injury/fall prevention, home and personal safety, Project Lifesaver (keeping at-risk residents safer and reducing caregiver anxiety), File of Life, disaster preparedness, and defense against scams and other frauds.

Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to distribute information publicizing this event including County offices, libraries, and community groups. Without objection, it was so ordered.

EBE:ebe

17. **CENTREVILLE FOOTBALL TEAM IN STATE CHAMPIONSHIP (SULLY DISTRICT)** (11:59 a.m.)

Jointly with Supervisor Herrity, Supervisor Frey said that the Centreville High School football team earned its way to the State Championship this past season. With everyone's busy schedule, the Board has not had the chance to acknowledge the team not only for its outstanding season, but also for the wonderful contributions it makes to the community.

Therefore, Supervisor Frey asked unanimous consent that the Board direct staff to invite the players, coaches, and parents to appear before the Board on March 3, for recognition of this excellent accomplishment. Without objection, it was so ordered.

18. **REQUEST FOR CONCURRENT PROCESSING – TIMBER RIDGE LAND UNIT D-3 OF THE DULLES SUBURBAN CENTER** (12:01 p.m.)

Supervisor Frey said that Timber Ridge is located on the west side of Centreville Road, north of Wall Road, and east of the EDS campus. The property is located in Land Unit D-3 of the Dulles Suburban Center section of the Comprehensive Plan.

The Plan recommendations and the approved development plan for the Timber Ridge site is for a mix of uses, and includes residential, office, and retail components at an intensity of .70 floor area ratio (FAR). The approved

development plan includes three office buildings as part of the mixed-use development, to be located along Air and Space Museum Parkway, a new connector road completed as part of the development. The applicant is proposing to replace the approved office use with residential uses - specifically townhomes. This will require a Comprehensive Plan amendment to revise the recommended land use mix. Supervisor Frey stated his belief that locating a senior center, youth sports facility, or other County facility at this site may also be appropriate.

Therefore, Supervisor Frey moved that the Board:

- Authorize staff to consider an amendment to the Comprehensive Plan for Tax Map Parcel 24-4 ((1)) 6B4 to support up to approximately 150 residential townhomes
- Direct staff to consider inclusion of a County senior center or other County facility, pending further discussions with County staff, and a youth sports facility on the site
- Direct staff to accept for concurrent and expedited processing with the Comprehensive Plan Amendment any zoning and site plan applications necessary to implement this proposal

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

Following a brief discussion on considerations for co-locating County facilities, the question was called on the motion and it carried by unanimous vote.

19. **REQUEST FOR CONCURRENT PROCESSING – FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION FDPA 2002-MV-040-02 (MOUNT VERNON DISTRICT)** (12:05 p.m.)

Supervisor Hyland said Lorton AL Investors, LLC (the applicant) is processing a final development plan amendment that proposes an assisted living building in lieu of a previously approved independent living facility at Spring Hill Senior Campus. This modification was contemplated as a possibility during the rezoning of the property in 2003. The applicant's proposal includes several site modifications while largely maintaining the building footprint of the approved independent living building. The proposed use ensures a continuum of care at this location as originally envisioned for the residents of Spring Hill Senior Campus. The applicant has received favorable consideration from the Spring Hill Community Association and preliminary approval from the County's Architectural Review Board. In addition, the applicant has taken numerous steps to ensure that the proposal will meet the procedural requirements of the proffers

associated with the property. A Planning Commission hearing date for the application has not yet been scheduled. Given the time already invested in this proposal by the applicant, it hopes to begin construction as soon as possible and has requested concurrent processing.

Therefore, Supervisor Hyland moved that the Board direct the Director of the Department of Public Works and Environmental Services to accept for current and simultaneous processing any site plans, architectural drawings or other materials as may be necessary for construction of the improvements proposed in conjunction with Final Development Plan Amendment Application FDPA 2002-MV-040-02. Approval of this motion shall in no way prejudice or affect any ongoing review and should not be construed as support for this application by the Board. Chairman Bulova seconded the motion and it carried by unanimous vote.

20. **MOUNT VERNON'S TWENTY-EIGHTH ANNUAL TOWN MEETING**
(12:07 p.m.)

Supervisor Hyland said that this Saturday, colleagues, staff and members of the community are invited to attend the Mount Vernon's Twenty-Eighth Annual Town meeting. Every year the Chairman and County Executive grace them with their attendance to update them on where the County is and where it is heading. Mount Vernon District School Board Member Dan Storck and Garrison Commander Colonel Mitchell will also be part of the agenda to inform everyone about issues confronting the schools and Fort Belvoir. Supervisor Hyland said that he looks forward to taking everyone on a virtual bus tour of the District to show how the District is changing and hear the concerns and issues that should be addressed in the coming year.

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

PMH:pmh

21. **NO BOARD MATTERS FOR SUPERVISOR HERRITY (SPRINGFIELD DISTRICT)** (12:09 p.m.)

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

22. **I-66 MEETINGS** (12:09 p.m.)

Supervisor Smyth announced that the first of the I-66 meetings had been scheduled for Monday, January 26, 2015, at Oakton High School. She noted that schools were closed for afternoon activities and the new date is Tuesday, February 3, 2015, from 6 p.m. until 8:30 p.m.

Therefore, Supervisor Smyth asked unanimous consent that the Board direct the Office of Public Affairs (OPA) to publicize the new date. Without objection, it was so ordered.

Supervisor Herrity announced that tonight's I-66 meeting has been cancelled and he asked unanimous consent that the Board direct OPA to publicize the new date. Without objection, it was so ordered.

23. **MOTION TO RESCIND CONSIDERATION FOR PLAN AMENDMENT - SINGH DEVELOPMENT 10819 LEESBURG PIKE (HUNTER MILL DISTRICT)** (12:10 p.m.)

Supervisor Hudgins said that on July 29, 2014, the Board authorized the Department of Planning and Zoning (DPZ) to consider an Out-of-Turn Plan Amendment for 10819 Leesburg Pike – Tax Map 12-3 ((1)) Parcel 4 – that would include 150 independent living facilities and up to 100 assisted living/memory care units, exclusive of any affordable dwelling units.

Preliminary analysis by DPZ determined the proposed amendment that would increase the density from R-1 Residential District to R-3 Residential District. The increase would be too massive and the facility would not be compatible with the existing community.

Supervisor Hudgins said that it is her understanding that SINGH Development LLC (SINGH) is now reconsidering its proposal and exploring a “Memory Care and Assisted Living” facility that is permitted in the R-1 District with a special exception. SINGH is in the early stages of this concept and she expressed her hope that it will take into consideration the concerns of staff and the community.

Therefore, Supervisor Hudgins moved that the Board rescind consideration for an Out-of-Turn Plan Amendment for 10819 Leesburg Pike, as requested by SINGH Development LLC. Supervisor Foust seconded the motion and it carried by unanimous vote.

24. **CHURCH OF JESUS CHRIST OF LATTER - DAY SAINTS (HUNTER MILL DISTRICT)** (12:12 p.m.)

Supervisor Hudgins said that the Corporation of the Presiding Bishop of the Church of Jesus Christ of Latter – Day Saints has filed a Planned Residential Community Application PRC 80-C-111, for expansion of the existing parking for their church at 1515 Poplar Grove Drive, Reston. The improvements will expand the southern end of the parking lot from 121 to 160 spaces and replace an existing shed. No other changes are being proposed. The applicant is requesting concurrent processing of the site plan and any other associated plans concurrently with the PRC.

Therefore, Supervisor Hudgins moved that the Board direct the Director of the Department of Public Works and Environmental Services to process the site plan

and other associated plans concurrently with Planned Residential Community Application PRC 80-C-111. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from complying with the provisions of all applicable ordinances, regulations or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

25. **HUNTER MILL DISTRICT COMMUNITY SUMMIT** (12:14 p.m.)

Supervisor Hudgins invited Board Members to join her on Saturday, February 28, 2015, at the 2015 Hunter Mill District Community Summit.

Supervisor Hudgins said that the day promises to be spectacular and, of course, the meeting site, Frying Pan Park, is a splendid opportunity to showcase one of the County's wonderful facilities. Among those who will address area residents will be:

- Sharon Bulova, Chairman, Board of Supervisors
- Pat Hynes, School Board Representative, Hunter Mill District
- Edward L. Long Jr., County Executive
- Additional community representatives

Supervisor Hudgins said that she is looking forward to a well-attended event and expressed her hope that residents join in the dialogue regarding the upcoming budget, and explore current and future human service needs. Completing the sense of connection and community will be a Hunter Mill District Human Services Virtual Field Trip.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs and Neighborhood and Community Services to assist in publicizing the 2015 Hunter Mill District Community Summit. Without objection, it was so ordered.

26. **ADOPT-A-HYDRANT PILOT PROGRAM** (12:15 p.m.)

Supervisor Gross said that fire hydrants are critically important to the safety of any community, and for the First Responders who answer the call for emergency help. In some neighborhoods, fire hydrants are so common that they blend into the landscape, arousing concern only when someone parks too close to one. However, especially during weather events, when calls for emergency services may increase, the location of fire hydrants may be obscured by snow, or by parked vehicles nearby, making the job of the First Responders a bit harder.

Supervisor Gross noted that at last week's Northern Virginia Regional Commission meeting, she learned about a new on-line program, developed by a private sector partner, that allows citizens, via a customized on-line map, to adopt the fire hydrant located in front of or near their residence. By adopting the hydrant, the resident is volunteering to ensure that the hydrant is cleared during snow events, so that it is readily available for use during a fire emergency.

The annual cost of the program is approximately \$500 for the server, additional hydrants being added to the system, et cetera. The locality also would purchase, or arrange with the contractor to purchase, a domain name. In some communities, the resident also is given the opportunity to paint the hydrant, with the locality providing the appropriate paint and instructions. Cost savings for this program could be considerable over time.

Therefore, Supervisor Gross asked unanimous consent that the Board direct the County Executive to explore the feasibility of offering an Adopt-a-Hydrant program in the County, and report with his findings about steps needed to implement such a program, either across the County or in selected neighborhoods as a pilot. Without objection, it was so ordered.

A brief discussion ensued regarding the request.

27. **GRAHAM PARK PLAZA COMPREHENSIVE PLAN AMENDMENT
AUTHORIZATION (MASON DISTRICT)** (12:18 p.m.)

Supervisor Gross said that Graham Park Plaza is a shopping center on the south side of Arlington Boulevard in the Falls Church area of the County. This shopping center was better known by the name of Loehmann's Plaza; however, Loehmann's filed for bankruptcy and is now closed, and the shopping center's name has reflected the change in anchor. The decline of Loehmann's and other tenants in this shopping center has instigated the desire to repurpose this property beyond the name of the shopping center into a new neighborhood destination and center.

To facilitate the re-planning effort of this site, Supervisor Gross moved that the Board authorize an amendment to the Comprehensive Plan for tax map parcels 50-3 ((1)) 5, 5A, 5E, and 5G to consider a mixture of residential and nonresidential uses at an intensity up to .50 floor area ratio (FAR). The Plan analysis should provide attention to transportation while planning for a high quality design on this large parcel. Chairman Bulova seconded the motion.

Following discussion concerning the Giant Food Store located in the shopping center, and whether it was to be included in the Plan amendment, the question was called on the motion and it carried by unanimous vote.

28. **RETIREMENT OF MS. JANET HUBBEL** (12:21 p.m.)

Supervisor Gross announced that Ms. Janet Hubbel will be retiring in March after more than 20 years of outstanding service to County residents. She added that Ms. Hubbel began her career in the County in 1993 as a part-time Volunteer Services Coordinator with the Office for Women.

Supervisor Gross referred to her written Board Matter and outlined the many accomplishments of Ms. Hubbel. She asked unanimous consent that the Board direct staff to invite Ms. Hubbel to appear before the Board to receive its thanks and good wishes for a job very well done. Without objection, it was so ordered.

29. **LEE DISTRICT OPEN HOUSE** (12:23 p.m.)

Supervisor McKay expressed his appreciation to the following for publicizing and contributing to the Lee District open house:

- The Office of Public Affairs
- The Franconia Museum
- The Springfield Art Guild
- Chairman Bulova

30. **RECOGNIZING APRIL AS “CHILD ABUSE AWARENESS MONTH”**
(12:24 p.m.)

Supervisor Cook announced that April is a time to acknowledge the importance of families and communities working together to prevent child abuse. Every year more than three million reports of child abuse are made in the US involving more than 6 million children. The County hotline received 18,376 calls last year.

Supervisor Cook noted that the majority of child abuse cases stem from situations and conditions that are preventable when community programs and systems are engaged and supportive. A community that cares about early childhood development, parental support, and maternal mental health, is more likely to foster nurturing families and healthy children and the County is that type of a community.

Therefore, Supervisor Cook asked unanimous consent that the Board:

- Declare April as “*Child Abuse Awareness Month*,” in Fairfax County
- Recognize the dedication and work of three great organizations, Stop Child Abuse Now (SCAN), Court Appointed Special Advocates (CASA), and SafeSpot Children’s Advocacy Center of Fairfax County

Without objection, it was so ordered.

31. **CHAPEL SQUARE CELEBRATES ITS FIFTIETH ANNIVERSARY (BRADDOCK DISTRICT)** (12:25 p.m.)

Supervisor Cook announced that Chapel Square, a beautiful community of 167 homes, will be celebrating its fiftieth anniversary this year. The celebration will begin with a reception in February at Kilroy's restaurant, and will continue later this year with special activities at the civic association's annual meeting, a picnic this summer, and the forty-ninth Annual Chapel Square Halloween Parade.

Supervisor Cook referred to his written Board Matter and outlined the history of the Chapel Square community. He asked unanimous consent that the Board offer its congratulations to Chapel Square Civic Association and authorize a certificate to be presented at the community's fiftieth anniversary celebration on February 21, 2015. Without objection, it was so ordered.

32. **HONORING VETERANS ON THE SEVENTIETH ANNIVERSARY OF THE END OF WORLD WAR II** (12:26 p.m.)

Supervisor Cook said that this summer marks the seventieth anniversary of the end of World War II, a time in which nearly 16 million Americans bravely served from the beaches of Normandy to the islands of Okinawa.

Therefore, to honor the County's World War II veterans and to commemorate their service, Supervisor Cook asked unanimous consent that the Board direct staff to invite the County's World War II veterans to appear before the Board at a June Board meeting to be recognized for their heroic sacrifice. Without objection, it was so ordered.

33. **IMPLEMENTATION OF A SMART911 SYSTEM** (12:27 p.m.)

Supervisor Cook said that there are thousands of people with disabilities living in the County and, for health or behavioral reasons, they are statistically more likely to interact with the 911 system. Since many people with disabilities often have a limited ability to communicate, they are left especially vulnerable in emergency situations. The implementation of a Smart911 system, or a system with similar capabilities, would allow safer emergency responses for both people with disabilities and law enforcement officers.

Last week, Neli Latson, a young man with autism, was granted a conditional pardon after being in prison for over a year. In August 2013, Mr. Latson was incarcerated due to an incident that occurred outside a Stafford, Virginia public library where he stood waiting for it to open. Responding to a report of a suspicious person, a police officer arrived at the scene, and the situation escalated. As a result, Mr. Latson was later incarcerated. His case should serve as a reminder of just how important it is that officers are properly trained on how to respond to individuals with disabilities.

By implementing a system like Smart911, incidents like what happened with Mr. Latson can be avoided. While some County officers have received training on how to respond to individuals with autism, the training's usefulness is minimized if the officer is unaware that the individual even has a disability. With a system like Smart911, residents could create secure profiles at no cost containing photographs and critical health information, including how best to respond to that particular person, that could be seen by any 9-1-1 operator or first responder receiving a call. Having such personalized information on file to be used at such critical times like these could save lives, and could provide law enforcement with the tools they need to respond more safely and effectively.

Therefore, Supervisor Cook asked unanimous consent that this topic be referred to the Human Services Committee for further discussion. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct the County Attorney to address privacy concerns. Without objection, it was so ordered.

34. **REQUEST FOR CONCURRENT AND SIMULTANEOUS REVIEW OF REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2014-BR-019 (BRADDOCK DISTRICT)** (12:32 p.m.)

Supervisor Cook said that on September 17, 2014, an application for Rezoning and Final Development Plan Application RZ/FDP 2014-BR-019 was accepted for review and comment by the County. The applicant, Christopher at Kenilworth, LLC, proposes to construct nine single family homes on a 3.59 acre parcel known as the Hardy property, located at 9725 Braddock Road in Braddock District. On February 11, 2014, a community information meeting was held on the project which received a generally positive response from the community. It has also been recommended for approval by the Braddock District Land Use and Environment Committee.

Supervisor Cook noted that the applicant has a public hearing scheduled before the Planning Commission on February 11, 2015. The applicant has requested authorization to process a concurrent site plan for the project in advance of that hearing and has asked for a date certain for a hearing before the Board.

Therefore, Supervisor Cook moved that the Board direct the:

- Director of the Department of Public Works and Environmental Services to accept for concurrent and simultaneous review a site plan, architectural drawings and other plans as may be necessary to implement the improvements contemplated by the applicant with this rezoning application.
- Clerk to the Board to schedule this application for a public hearing before the Board on March 3, 2015.

The applicant is aware that this motion should not be considered as a favorable recommendation by the Board on the proposed applications and does not relieve the

applicant from compliance with the provisions of all applicable ordinances, regulations and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor Hyland seconded the motion and it carried by unanimous vote.

35. **INTENT TO DEFER PUBLIC HEARINGS (HUNTER MILL, MASON AND SULLY DISTRICTS)** (12:34 p.m.)

Supervisor Hudgins announced her intent to defer the following public hearings:

- Proffered Condition Amendment Application PCA A-502
- Development Plan Amendment Application A-502-07
- Planned Residential Community Application PRC A-502-03

Supervisor Frey announced his intent to defer the following public hearing:

- Special Exception Application SE 2014-SU-059

Supervisor Gross announced her intent to defer the following public hearings:

- Rezoning Application RZ 2014-MA-011
- Special Exception Application SE 2014-MA-013

(NOTE: Later in the meeting the public hearings were formally deferred. See Clerk's Summary Items #44-46.)

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

Supervisor Smyth 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. *Board of Supervisors of Fairfax County v. Sina Corporation d/b/a Sign and Print*
2. *Fairfield Crossing LLC v. Board of Supervisors of Fairfax County, Virginia*, Case No. 2013-0019129 (Fx. Co. Cir. Ct.) (Providence District)
3. *Kohl's Department Stores, Inc. and Rocks Dulles, LC v. Board of Supervisors of Fairfax County, Virginia, and Fairfax County, Virginia*, Case No. 2012-0019486 (Fx. Co. Cir. Ct.) (Dranesville District)
4. *Cellco Partnership d/b/a Verizon Wireless and CWS VII, LLC v. Fairfax County, Virginia, and The Board of Supervisors of Fairfax County, Virginia*, Civil Action No. 1:15cv2 (E.D. Va.) (Dranesville District)
5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. George Daamash*, Case No. CL-2011-0000818 (Fx. Co. Cir. Ct.) (Mount Vernon District)
6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Duane S. Whitney, Edward N. Whitney, Arthur M. Whitney, Pamela V. Whitney, Rhonda L. Whitney, Candace Alexander, and Jeanette Alexander*, Case No. CL-2007-0005644 (Fx. Co. Cir. Ct.) (Providence District)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Judy V. Marshall*, Case No. CL-2014-0000688 (Fx. Co. Cir. Ct.) (Providence District)
8. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Enrique Lopez*, Case No. CL-2006-0004984 (Fx. Co. Cir. Ct.) (Mount Vernon District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hillbrook Real Estate Holdings, LLC*, Case No. CL-2010-0013770 (Fx. Co. Cir. Ct.) (Mason District)
10. *Eileen M. McLane, Fairfax County Zoning Administrator v. Mery Raquel Vilcapoma Inga, Hung Nguyen, and Hiep Nguyen*, Case No. CL-2008-0006906 (Fx. Co. Cir. Ct.) (Mason District)

11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Donald O. Bussard, Jr.*, Case No. CL-2009-0006891 (Fx. Co. Cir. Ct.) (Mount Vernon District)
12. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Anthony T. Satterwhite and Sheilah Miller Satterwhite*, Case No. CL-2014-0013474 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Young Bong Cho and Young Soo Cho*, Case No. CL-2014-0012410 (Fx. Co. Cir. Ct.) (Springfield District)
14. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Karl A. Eickmeyer*, Case No. CL-2014-0014976 (Fx. Co. Cir. Ct.) (Braddock District)
15. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jerry A. Demoney and Vicki L. Demoney*, Case No. CL-2014-0014975 (Fx. Co. Cir. Ct.) (Springfield District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kwang Woo Kim and Eun Sook Kim*, Case No. CL-2014-0006957 (Fx. Co. Cir. Ct.) (Mason District)
17. *Leslie Carper v. Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia* (State Building Code Technical Review Board) (Mount Vernon District)
18. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Zina Theresa Bleck*, Case No. CL-2015-0000047 (Fx. Co. Cir. Ct.) (Hunter Mill District)
19. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Kenneth E. Reppart and Edna M.*

Reppart, Case No. CL-2015-0000262 (Fx. Co. Cir. Ct.) (Mason District)

20. *Leslie B. Johnson, Fairfax County Zoning Administrator, v. Retta H. Hall*, Case Nos. GV14-026144 and GV14-026145 (Fx. Co. Gen. Dist. Ct.) (Mason District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Magin A. Jaimes*, Case No. GV14-026373 (Fx. Co. Gen. Dist. Ct.) (Mason District)
22. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Milton H. Hamilton, Jr. and Courtenay B. Hamilton*, Case No. GV14-027181 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
23. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kay F. Walkinshaw*, Case No. GV14-026373 (Fx. Co. Gen. Dist. Ct.) (Springfield District)

And in addition:

- *Maura Harrington v. Colonel Edwin C. Roessler Jr., et al.*, Case Number 2014-11477
- Virginia Code Section 15.2-2302

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

DAL:dal

At 3:49 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

37. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:49 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 Smyth seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting "AYE."

38. **AUTHORIZATION TO FILE LEGAL ACTION IN THE MATTER OF BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA V. SINA CORPORATION D/B/A SIGN AND PRINT** (3:50 p.m.)

Supervisor Foust moved that the Board authorize the Fairfax County Department of Tax Administration to file a legal action in the Circuit Court in the matter of *Board of Supervisors of Fairfax County, Virginia v. Sina Corporation d/b/a Sign and Print*, as outlined by the County Attorney in closed session. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

39. **3 P.M. – ANNUAL MEETING OF THE SOLID WASTE AUTHORITY**
(3:51 p.m.)

At 3:51 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman Bulova in accordance with Article III, Section I of the bylaws.

Supervisor Hyland moved that the Board appoint the following officers and officials to the Fairfax County Solid Waste Authority:

OFFICERS

Sharon Bulova Chairman, Fairfax County Board of Supervisors	– Chairman
Penelope A. Gross Vice-Chairman, Fairfax County Board of Supervisors	– Vice-Chairman
Catherine A. Chianese Clerk to the Fairfax County Board of Supervisors	– Secretary
Christopher Pietsch Director, Department of Finance	– Treasurer
David P. Bobzien County Attorney	– Attorney
Edward L. Long Jr. County Executive	– Executive Director

John Kellas – Authority Representative
Director, Solid Waste Management
Program Operations Division,
Department of Public Works and
Environmental Services (DPWES)

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

Supervisor Gross moved approval of the minutes from the January 28, 2014, meeting of the Fairfax County Solid Waste Authority. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor Gross moved approval of the financial statements for the Authority. Supervisor Hyland seconded the motion and it carried by unanimous vote.

Supervisor Gross moved to adjourn the Annual meeting of the Fairfax County Solid Waste Authority. Supervisor Hyland seconded the motion and it carried by unanimous vote.

At 3:53 p.m., the Annual meeting of the Fairfax County Solid Waste Authority was adjourned.

Supervisor Gross explained, for individuals who might be viewing the meeting, that this is an annual formality. All of the details were presented in the Board Package and have been vetted by staff.

40. **3:30 P.M. – PH ON PROPOSED COMPENSATION ADJUSTMENTS TO \$95,000 FOR MEMBERS OF THE BOARD AND TO \$100,000 FOR THE CHAIRMAN, EFFECTIVE JANUARY 1, 2016** (3:54 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 issue of January 16, 2015.

Chairman Bulova explained the compensation adjustment process, noting that:

- State law prescribes when and how Board salaries can be adjusted
- The vote on compensation can only take place once every four years and must be taken within an election year, no later than April 15
- Board salaries were last adjusted in January 2008
- If approved, the salaries would become effective January 1, 2016, when the newly-elected Board takes office

- If no adjustment is made now, the next opportunity would be 2019, with an effective date of January 1, 2020

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

Supervisor Frey moved approval of the proposed compensation adjustments for the next Board, beginning January 1, 2016, with an annual salary of \$95,000 for Board Members and \$100,000 for the Chairman. Supervisor Hyland and Supervisor McKay jointly seconded the motion.

Following comments, Supervisor Smyth stated that she would not support the motion.

Supervisor Herrity stated that when this issue was announced the public was informed that the record would remain open until March 3. Therefore, he moved a substitute motion to defer decision until March 3, 2015. Supervisor Gross seconded the motion.

Following a brief discussion regarding constituent feedback received to date, Supervisor Frey withdrew his motion, and the substitute motion became the main motion.

Following additional discussion with Board Members expressing their views and concerns, the question was called on the motion and it carried by unanimous vote.

41. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-026 (SHAZIA YOUNIS D/B/A CHILDRENZONE HOME CHILD CARE) (MOUNT VERNON DISTRICT)** (4:12 p.m.)

The application property is located at 8121 Gilroy Drive, Lorton, 22079, Tax Map 107-2 ((12)) 111.

Ms. Shazia Younis reaffirmed the validity of the affidavit for the record.

Carmen Bishop, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Ms. Younis 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, Ms. Bishop presented the staff and Planning Commission recommendations.

Supervisor Hyland moved approval of Special Exception Application SE 2014-MV-026, subject to the development conditions dated January 21, 2015. Chairman Bulova seconded the motion. Following a brief discussion regarding the application the question was called on the motion and it carried by unanimous vote.

42. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-041 (NORTHERN VIRGINIA RADIO CONTROL CLUB) (MOUNT VERNON DISTRICT)** (4:17 p.m.)

The application property is located at 9850 Furnace Road, Lorton, 22079, Tax Map 113-1 ((1)) 14.

Mr. Robert M. Freas reaffirmed the validity of the affidavit for the record.

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

Mr. Freas 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. Freas introduced Joseph Szczur, a ninth grade student at Chantilly High School, who gave a brief presentation regarding the aviation and model aircraft program, noting that he is a member of the Chantilly Robotics Team 612.

Following the public hearing, Supervisor Gross raised a question regarding the difference between model aircrafts and drones, with input from Mr. Freas, who explained the safety guidelines.

Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor McKay seconded the motion and it carried by unanimous vote.

Following a query by Supervisor Hyland, Mr. Freas confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 9, 2015.

Supervisor Hyland moved:

- Approval of Special Exception Application SE 2014-MV-041, subject to the development conditions dated January 9, 2015.
- Waiver of Paragraph 1 of Section 13-202 of the Zoning Ordinance for interior parking lot landscaping.

- To direct the Director of the Department of Public Works and Environmental Services to approve a waiver of the dustless surface requirement, pursuant to Paragraph 11 of Section 11-102 of the Zoning Ordinance.

Supervisor Frey and Supervisor Herrity jointly seconded the motion.

A brief discussion ensued regarding how long the applicant has been searching for a site, with input from Joyce Doughty, Assistant Director, Solid Waste Management, Department of Public Works and Environmental Services.

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

43. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-045 (ZAHIDA BABAR D/B/A AZEEM DAY CARE HOME) (MOUNT VERNON DISTRICT)** (4:36 p.m.)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 2014-MV-045 until **February 17, 2015, at 3:30 p.m.** Supervisor Herrity seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

44. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-SU-059 (CHANTILLY PLAZA LLC) (SULLY DISTRICT)** (4:37 p.m.)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 2014-SU-059 until **February 17, 2015, at 3 p.m.** This motion, the second to which was inaudible, carried by a vote of nine, Supervisor Cook being out of the room.

45. **4 P.M. – PH ON REZONING APPLICATION RZ 2014-MA-011 (SPECTRUM DEVELOPMENT, LLC) (MASON DISTRICT)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MA-013 (SPECTRUM DEVELOPMENT, LLC) (MASON DISTRICT) (4:39 p.m.)

Supervisor Gross moved to defer the public hearing on Rezoning Application RZ 2014-MA-011 and Special Exception Application SE 2014-MA-013 until **February 17, 2015, at 4 p.m.** Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

46. **4 P.M. – PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION
DPA A-502-07 (LAKE ANNE DEVELOPMENT PARTNERS LLC)
(HUNTER MILL DISTRICT)**

AND

**PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION
PRC A-502-03 (LAKE ANNE DEVELOPMENT PARTNERS LLC)
(HUNTER MILL DISTRICT)**

AND

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA A-502 (LAKE ANNE DEVELOPMENT PARTNERS LLC) (HUNTER
MILL DISTRICT)** (4:40 p.m.)

Supervisor Hudgins moved to defer the public hearing on Proffered Condition Amendment Application PCA A-502, Development Plan Amendment Application A-502-07, and Planned Residential Community Application PRC A-502-03 until **February 17, 2015, at 3 p.m.** Supervisor Frey seconded the motion and it carried by a vote of nine, Supervisor Cook being out of the room.

47. **4 P.M. – PH TO AMEND THE DEED OF LEASE WITH INOVA HEALTH
CARE SERVICES FOR 8221 WILLOW OAKS CORPORATE DRIVE
(PROVIDENCE DISTRICT)** (4:41 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 issue of January 16, 2015.

Supervisor Gross, noting that she represents the County on the Inova Board of Trustees, raised a question regarding whether she could vote on this issue, with input from Alan Weiss, Assistant County Attorney, who stated that she could participate.

Marguerite Guarino, Assistant Director, Real Estate Division, Facilities Management Department, presented the staff report and recommendation.

Following the public hearing, which included testimony by six speakers, Supervisor Smyth moved to amend the deed of lease with Inova Health Care Services for 8221 Willow Oaks Corporate Drive. Supervisor Gross seconded the motion.

Following a brief discussion regarding the new location, the question was called on the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Herrity being out of the room.

48. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-020 (KAUSAR MIRZA D/B/A FUNLAND MINI CENTER) (MOUNT VERNON DISTRICT)** (5:10 p.m.)

The application property is located at 9078 Furey Road, Lorton, 22079, Tax Map 107-2 ((12)) 228 A.

Ms. Kausar Mirza reaffirmed the validity of the affidavit for the record.

Megan Duca, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Ms. Mirza 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, Ms. Duca presented the staff and Planning Commission recommendations.

Following a query by Supervisor Hyland, Ms. Mirza confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 22, 2015.

Supervisor Hyland moved approval of Special Exception Application SE 2014-MV-020, subject to the development conditions dated January 22, 2015. Supervisor Foust and Supervisor Herrity jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

49. **4:30 P.M. – PH ON A PROPOSED AMENDMENT TO THE PUBLIC FACILITIES MANUAL (PFM), REGARDING STORM DRAINAGE PRO RATA SHARE PROVISIONS, CHAPTER 6 (STORM DRAINAGE) AND PROPOSED REVISIONS TO THE PRO RATA SHARE AGREEMENT FORM** (5:14 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 9 and January 16, 2015.

Craig Carinci, Director, Stormwater Planning Division, Department of Public Works and Environmental Services, presented the staff report and the Planning Commission (PC) recommendation.

Following the public hearing, Supervisor Frey raised a question regarding whether the proposed amendment has been vetted with industry groups, with input from Mr. Carinci.

Supervisor Frey moved:

- Adoption of the proposed amendments to the PFM and the Pro Rata Share Agreement form as recommended by the PC.
- That the proposed amendment and agreement form shall become effective at 12:01 a.m. on July 1, 2015.

Supervisor Gross seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

50. **4:30 P.M. – PH PERTAINING TO THE CONVEYANCE OF BOARD-OWNED PROPERTY AND TO CONSIDER A PROPOSED COMPREHENSIVE AGREEMENT AMONG THE BOARD, LAKE ANNE DEVELOPMENT PARTNERS, LLC, AND COMMUNITY PRESERVATION AND DEVELOPMENT CORPORATION FOR THE REDEVELOPMENT OF THE CRESCENT PROPERTY AND OTHER PARCELS IN THE LAKE ANN VILLAGE CENTER (HUNTER MILL DISTRICT)** (5:19 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 issue of January 16, 2015.

Barbara A. Byron, Director, Office of Community Revitalization, presented the staff report.

Following the public hearing, which included testimony by one speaker, Chairman Bulova announced that the record will remain open until March 3, 2015.

Supervisor Hudgins noted that the Public Private Education Facilities and Infrastructure Act of 2002 (PPEA), as amended to date, requires that the public hearing on the PPEA be held at least 30 days before entering into such agreement.

Therefore, Supervisor Hudgins moved to defer decision on the proposed Conveyance of Board-Owned Property and a Proposed Comprehensive Agreement among the Board, Lake Anne Development Partners, LLC, and Community Preservation and Development Corporation for the redevelopment of the Crescent Property and Other Parcels in Lake Anne Village Center until March 3, 2015, as an Action Item. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

51. **4:30 P.M. – PH ON THE CONVEYANCE OF BOARD-OWNED PROPERTY AND TO CONSIDER A PROPOSED COMPREHENSIVE AGREEMENT WITH WESLEY HAMEL LEWINSVILLE LLC FOR THE REDEVELOPMENT OF THE LEWINSVILLE SENIOR CENTER AND DAYCARE PROPERTY (DRANESVILLE DISTRICT)** (5:36 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 issue of January 16, 2015.

Hossein Malayeri, Deputy Director, Real Estate, Department of Housing and Community Development, presented the staff report and recommendation.

Following the public hearing, Chairman Bulova announced that the record will remain open until March 3, 2015.

Supervisor Foust moved to defer decision on the proposed Conveyance of Board-owned Property and the Comprehensive Agreement with Wesley Hamel Lewinsville, LLC for the redevelopment of the Lewinsville Senior Center and Daycare Property until March 3, 2015, as an Action Item. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

52. **4:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MA-015 (AFGHAN ACADEMY INCORPORATED) (MASON DISTRICT)** (5:42 p.m.)

The application property is located at 6839 Braddock Road, Annandale, 22003, Tax Map 71-4 ((1)) 34.

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

Joseph Gorney, Staff Coordinator, 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.

A brief discussion ensued, with input from Mr. Martin, regarding the community recommendation.

Following the public hearing, which included testimony by three speakers, Mr. Gorney presented the staff and Planning Commission recommendations.

Following comments, Supervisor Gross queried Mr. Martin, who confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated January 27, 2015.

Supervisor Gross moved:

- Approval of Special Exception Application SE 2014-MA-015, subject to the development conditions dated January 27, 2015.
- Waiver of the provision of a service drive, in lieu of the internal travel aisle.
- Modification of the 40-foot building setback from any lot line that abuts an R-A through R-4 District, to permit the building to be located 35.8 feet from the northern lot line and 25.5 feet from the eastern lot line, in favor of the transitional screening and architectural treatment, as shown on the proposed plat and as conditioned.
- Modification of the barrier requirement along the eastern lot line, to allow welded metal fencing as a barrier material.

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

53. **5 P.M. – PH ON REZONING APPLICATION RZ 2012-MV-015 (McSHAY COMMUNITIES, INCORPORATED) (MOUNT VERNON DISTRICT)**
(6:02 p.m.)

- (O) The application property is located on the north side of Richmond Highway, approximately 600 feet south of Dutchman Drive, Tax Map 107-4 ((1)) 40A.

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

Nicholas Rogers, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

A brief discussion ensued, with input from Mr. Rogers, regarding the proffers.

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, Mr. Rogers presented the staff and Planning Commission recommendations.

Supervisor Hyland moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2012-MV-015, from the R-1 District to the R-12 District, subject to the proffers dated January 22, 2015.
- Approval of the following waivers and modifications of Section 17-201 of the Zoning Ordinance:
 - Waiver of the service drive requirement along Richmond Highway, in favor of that shown on the Generalized Development Plan (GDP).
 - Waiver of the on-road bike lane requirement along Richmond Highway, in favor of that shown on the GDP.
 - Waiver of the major trail requirement along Richmond Highway, in favor of that shown on the GDP.

Supervisor McKay seconded the motion. Following a brief discussion regarding the left turn lane into the development, the question was called on the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

ADDITIONAL BOARD MATTER

54. **POSSIBLE CLOSED SESSION ON FEBRUARY 3, 2015** (6:12 p.m.)

Chairman Bulova said that earlier in the meeting during closed session there were some legal issues discussed. Noting that the Board will be having Committee meetings all day on February 3, 2015, and should the Board want to have further discussion about those legal issues, Chairman Bulova queried David P. Bobzien, County Attorney, regarding whether today’s meeting should be recessed or adjourned.

Mr. Bobzien noted that if the Board does have a need for closed session on February 3, 2015, today’s meeting is to be adjourned and on February 3, 2015, the Board would need to convene in open session prior to making a motion to go into closed session.

55. **BOARD ADJOURNMENT** (6:14 p.m.)

The Board adjourned.

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