



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
July 28, 2015**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, July 28, 2015, at 9:08 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; Elizabeth Teare, Deputy 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 ITEMS

1. **RESOLUTION OF RECOGNITION PRESENTED TO THE 2015 WORLD POLICE AND FIRE GAMES BOARD OF DIRECTORS AND ATHLETES**
(9:10 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognition presented to the Board of Directors and athletes of the 2015 World Police and Fire Games. This motion was multiply seconded.

Discussion ensued regarding the games and the great job done by staff, businesses, volunteers, sponsors, and everyone involved in hosting a successful World Police and Fire Games.

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

Bill Knight, President and CEO, 2015 World Police and Fire Games, presented the Board with a framed gold, silver, and bronze medal in acknowledgement of its support and commitment to the 2015 World Police and Fire Games.

Chairman Bulova announced that there will be a barbeque celebration on August 11, 2015, at the Government Center.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

2. **RESOLUTION OF RECOGNITION PRESENTED TO THE HONORABLE JIM SCOTT** (10:01 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and, jointly with Supervisor Smyth, moved approval of the Resolution of Recognition presented to the Honorable Jim Scott for his service as the Affordable Housing Advisory Committee co-chair and his career of advocacy for affordable housing. Supervisor Smyth seconded the motion.

Following discussion regarding Mr. Scott's contributions to the community, the question was called on the motion, and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

3. **RESOLUTION OF RECOGNITION RECOGNIZING THE TWENTY-FIFTH ANNIVERSARY OF THE AMERICANS WITH DISABILITIES ACT (ADA)** (10:16 a.m.)

Supervisor Foust moved approval of the Resolution of Recognition recognizing the twenty-fifth anniversary of the ADA. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

4. **PROCLAMATION DESIGNATING SEPTEMBER 2015 AS "CHILDHOOD CANCER AWARENESS MONTH" IN FAIRFAX COUNTY** (10:38 a.m.)

Supervisor Foust moved approval of the Proclamation to designate September 2015 as "*Childhood Cancer Awareness Month*" in Fairfax County. Supervisor Gross and Supervisor Hyland jointly seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

5. **PROCLAMATION DESIGNATING AUGUST 4, 2015, AS "NATIONAL NIGHT OUT" IN FAIRFAX COUNTY** (10:45 a.m.)

Supervisor Hudgins moved approval of the Proclamation to designate August 4, 2015, as "*National Night Out*" in Fairfax County. Supervisor Gross, Supervisor Herrity, and Supervisor Hyland jointly seconded the motion and it carried by unanimous vote.

6. **RESOLUTION OF RECOGNITION PRESENTED TO MS. SUE KEELER (MOUNT VERNON DISTRICT)** (10:59 a.m.)

Supervisor Hyland moved approval of the Resolution of Recognition presented to Ms. Sue Keeler for her accomplishments and service to Mount Vernon Estate and Gardens. Supervisor McKay seconded the motion and it carried by unanimous vote.

7. **CERTIFICATES OF RECOGNITION PRESENTED TO ELECTION OFFICERS** (11:10 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificates of Recognition presented to election officers who have served 20 or more elections. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

8. **RESOLUTION OF RECOGNITION RECOGNIZING THE TWENTY-FIFTH ANNIVERSARY OF HOMESTRETCH** (11:17 a.m.)

Supervisor Hudgins moved approval of the Resolution of Recognition recognizing the twenty-fifth anniversary of Homestretch for its service to children and families in the County. Supervisor Foust seconded the motion and it carried by unanimous vote.

ADDITIONAL AGENDA ITEM

9. **ADDENDUM TO BOARD AGENDA – ADDITIONAL ACTION ITEM**
(11:26 a.m.)

Chairman Bulova announced that Action Item 10 - Approval of a Memorandum of Understanding with the Commonwealth of Virginia and an Agreement with Fairfax 2015, Incorporated, Regarding Certain Funding to Support the 2015 World Police and Fire Games has been added to the Board Agenda.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #26.)

AGENDA ITEMS

10. **PROCLAMATION DESIGNATING SEPTEMBER 2015 AS "DIRECT SUPPORT PROFESSIONALS APPRECIATION MONTH" IN FAIRFAX COUNTY** (11:27 a.m.)

Supervisor Foust moved approval of the Proclamation to designate September 2015 as "*Direct Support Professionals Appreciation Month*" in Fairfax County. Supervisor Herrity seconded the motion and it carried by unanimous vote.

11. **PROCLAMATION DESIGNATING AUGUST 2015 AS "IMMUNIZATION AWARENESS MONTH" IN FAIRFAX COUNTY AND RECOGNITION OF CAPITAL AREA PEDIATRICS AND GEORGE MASON UNIVERSITY STUDENT HEALTH SERVICES FOR THEIR EFFORTS IN IMMUNIZATION** (11:36 a.m.)

Supervisor Gross moved approval of the Proclamation to designate August 2015 as "*Immunization Awareness Month*" in Fairfax County and recognition of Capital Area Pediatrics and George Mason University Student Health Services for their efforts in immunization. Supervisor McKay seconded the motion and it carried by unanimous vote.

12. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS** (11:47 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 July 28, 2015," as distributed around the dais. Chairman Bulova seconded the motion.

Supervisor Foust asked to amend the motion to reappoint Ms. Carole Herrick as the Dranesville District Representative to the History Commission. This was accepted.

Supervisor McKay noted that there is no vacancy for the Lee District Representative to the Fairfax County Convention and Visitors Corporation Board as listed on the final copy.

Chairman Bulova noted that she is appointing Mr. Walter Alcorn to replace Ms. Kala Quintana who has stepped down as the At-Large #2 Representative to the Park Authority and thanked Ms. Quintana for her work.

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

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

ADVISORY SOCIAL SERVICES BOARD

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

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of the Mason District Representative.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

The Board deferred the appointment of the At-Large #4 Representative.

ANIMAL SERVICES ADVISORY COMMISSION

The Board deferred the appointment of the Mason District Representative.

ARCHIECTURAL REVIEW BOARD

Appointment of:

- Mr. John C. Manganello as the Architect #2 Representative

ATHLETIC COUNCIL

The Board deferred the appointment of the Mason District Alternate Representative.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Reappointment of:

- Mr. Joshua Foley as the Springfield District Representative

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

Appointment of:

- Mr. Michael Grinnell as the Alternate #2 Representative

The Board deferred the appointment of the Alternate #3, #4, and Design Professional #2 Representatives.

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 and Mount Vernon District Representatives.

COMMISSION FOR WOMEN

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

COMMISSION ON AGING

Appointment of:

- Mr. Philip Ashmore as the At-Large Chairman's Representative

Reappointment of:

- Ms. Kay Larmer as the Dranesville District Representative
- Mr. Thomas Bash as the Springfield District 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)

The Board deferred the appointment of the Sully District Representative.

CONSUMER PROTECTION COMMISSION

Reappointment of:

- Mr. Harold Belkowitz as the Fairfax County Resident #8 Representative
- Mr. Scott Hine as the Fairfax County Resident #11 Representative

The Board deferred the appointment of the Fairfax County Resident #7, #12, and #13 Representatives.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the Braddock and Sully District Representatives.

ECONOMIC ADVISORY COMMISSION

The Board deferred the appointment of the Lee District Representative.

ENGINEERING STANDARDS REVIEW COMMITTEE

The Board deferred the appointment of the Citizen #2 Representative.

FAIRFAX AREA DISABILITY SERVICE

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

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD OF DIRECTORS

Reappointment of:

- Mr. Fouad Qreitem as the Springfield District Representative

Confirmation of:

- Mr. Claude Anderson as the Fairfax County Convention and Visitors Corporation #9 Representative
- Mr. Rajesh Khubchandani as the Fairfax County Convention and Visitors Corporation #3 Representative
- Mr. Scott McClinton as the Chamber of Commerce Representative

The Board deferred the appointment of the Sully District Representative.

FAIRFAX COUNTY EMPLOYEES RETIREMENT SYSTEM BOARD OF TRUSTEES

Confirmation of:

- Mr. David Swan as the Fairfax County Public Schools' Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

The Board deferred the appointment of the At-Large #1 Chairman's and Mason District Representatives.

HEALTH CARE ADVISORY BOARD

The Board deferred the appointment of the Sully District Representative.

HEALTH SYSTEMS AGENCY BOARD

Appointment of:

- Dr. Ananth Thyagarajan as the Provider #1 Representative

The Board deferred the appointment of the Consumer #3, #4, #5, #6, and the Provider #2 Representatives.

HISTORY COMMISSION

Reappointment of:

- Ms. Carole Herrick as the At-Large Representative

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

HUMAN SERVICES COUNCIL

Reappointment of:

- Ms. Jennifer Anne Bishop as the Braddock District #2 Representative

Appointment of:

- Ms. Michele Menapace as the Lee District #1 Representative

OVERSIGHT COMMITTEE ON DRINKING AND DRIVING

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

PARK AUTHORITY

Appointment of:

- Mr. Walter Alcorn as the At-Large #2 Representative

ROAD VIEWERS BOARD

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

SMALL BUSINESS COMMISSION

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #5, #7, and #8 Representatives.

TENANT LANDLORD COMMISSION

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

TRAILS AND SIDEWALKS COMMITTEE

Appointment of:

- Mr. Steve Descano as the Mason District Representative

TREE COMMISSION

The Board deferred the appointment of the Springfield District Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Residential Owners and HOA/Civic Association #1 Representative.

WETLANDS BOARD

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

DISTRICT COLUMBIA (DC) WATER AND SEWER AUTHORITY

Confirmation of:

- Mr. James Patteson, Director, Fairfax County Department of Public Works and Environmental Services (DPWES) as the Principal Representative
- Ms. Sarah Motsch, Wastewater Planning and Monitoring Division, DPWES as the Alternate Representative

BOARD MATTER**13. INTRODUCTION OF AN INTERN IN SUPERVISOR HUDGINS' OFFICE (HUNTER MILL DISTRICT) (11:49 a.m.)**

Supervisor Hudgins introduced Ms. Aleyah Wallace, a rising junior at South Lakes High School, who is interning in her office for the summer. She is an aspiring artist and is looking forward to majoring in fine arts and pharmaceuticals. She enjoys responding to the homeless issues that come to the office. One of her goals is to become a better citizen. On behalf of the Board, Supervisor Hudgins warmly welcomed her.

DET:det

AGENDA ITEMS**14. ADMINISTRATIVE ITEMS (11:51 a.m.)**

Supervisor Gross moved approval of the Administrative Items. Supervisor Hyland seconded the motion.

Supervisor Herrity called the Board's attention to Admin 16 – Authorization to Advertise a Public Hearing on the Interim Real Estate Exchange Agreement

(IREEA) between the Board and Inova Health Care Services (Inova) and discussion ensued concerning the following:

- A breakout of the \$1.5 million in fees that will be committed, with input from Andrew G. Miller, Project Coordinator, Building, Design, and Construction, Capital Facilities, Department of Public Works and Environmental Services, who noted that the fee information is located in Exhibit D of the Board Agenda Item dated July 28, 2015.
- Given the amount of commercial property available in the County, if consideration was given to a lease versus purchase proposal, with input from Robert Stalzer, Deputy County Executive, concerning: the potential for redevelopment of the properties north of Bowman Town Center Drive; the process; and affected properties.

Chairman Bulova called the Board's attention to Admin 18 – Authorization to Advertise a Public Hearing on the County and Schools' Fiscal Year (FY) 2015 Carryover Review to Amend the Appropriation Level in the FY 2016 Revised Budget Plan. She announced that there will be a Budget Committee meeting on September 11, which will provide an opportunity to go through the Carryover package in greater detail. Additionally, this "good news" package includes the following:

- The County is ending the previous fiscal year with a positive balance of \$46.91 million after FY 2015 commitments
- The County experienced a modest revenue increase of 0.87 percent
- There is a positive balance, thanks to County agencies' and departments' management initiatives, with a return of funds to the General Fund of approximately \$54.64 million
- The positive balance will enable the County to proceed with some of the priorities identified when the FY 2016 budget was adopted, this includes a commitment made at Carryover for capital funding of County schools in the amount of \$13.1 million
- The County has the opportunity to begin to build up its reserves with 40 percent going into the managed reserve and the revenue stabilization funds

Discussion ensued, with input from Joseph M. Mondoro, Chief Financial Officer, concerning the Crisis Intervention Team (CIT) and mobile crisis funding and whether there is funding for multiple coordinators as identified in the grant.

Discussion continued concerning funding needed to accomplish diversion and treatment programs for individuals who suffer from mental illness and otherwise could end up in the criminal justice system. Chairman Bulova stated that funding in this package will help the County to develop those programs and enhance its ability to apply for grant funding.

Supervisor Hudgins asked unanimous consent that the Board direct staff to provide additional information concerning agency contributions to the identified needs. Without objection, it was so ordered.

Noting agency contributions to the positive balance through maximizing efficiency, Supervisor Cook reminded the Board that part of the condition under which the Infrastructure Financing Committee recommended School capital funding was that the Schools would no longer use bond funding for the General Fund. He asked unanimous consent that the Board direct Mr. Mondoro to work with the Schools to that end and report to the Board that that money is, in fact, going for infrastructure. Without objection, it was so ordered.

Supervisor Gross called the Board's attention to a request by the firefighters to reduce their Social Security offset. She noted that this is not included in Carryover. New reporting rules require that all funding be included in the County's calculations and she asked unanimous consent that the Board direct staff to work on a strategy to further reduce the offset and present that information to the Board. Without objection, it was so ordered.

Discussion continued concerning:

- Commitments made by the Board to the Schools
- Providing a clear message to the public of the Board's priorities

Chairman Bulova, following a brief synopsis of the Carryover process, announced that the public hearing on the Carryover will be held on September 22 at 10:30 a.m. Prior to the public hearing, Carryover will be discussed in a Board Budget Committee meeting on September 11. The Schools have been invited to that meeting. In addition to consideration of the Carryover review pertaining to School capital funding, Lines of Business (LOB) review will also be discussed, including services and programs the County directly provides to the Schools, i.e. school nurses and resource officers, public health nurses, transportation, etc.

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."

ADMIN 1 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

- Reinstated the following individual, identified with her registration number, as a Plans Examiner:
 - Camylyn Lewis – #254 (Inactive on 7/21/2008)
- Designated the following individual, identified with his registration number, as a Plans Examiner:
 - John Anthony Cardenas – #311

ADMIN 2 – APPOINTMENT OF MEMBERS TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

(BACs)
(APPTS)

Reappointed the following individuals to the CPMT, for a term to expire on June 30, 2017:

- Ms. Sandy Porteous as a Provider Representative Member
- Ms. Staci Alexander as a Parent Representative Member
- Ms. Cristy Gallagher as a Parent Representative Member
- Mr. Jessie Georges as a Parent Representative Member
- Ms. Kelly Henderson as a Parent Representative Member

ADMIN 3 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (HUNTER MILL, BRADDOCK, AND PROVIDENCE DISTRICTS)

(R)

- Adopted a Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on the following roads:
 - Inverchapel Road from Braddock Road to Hatteras Lane (Braddock District)
 - New Providence Drive from Fairview Park Drive to Inversham Drive (Providence District)
- Endorsed the installation of “Watch for Children” signs on Francis Young Lane (Hunter Mill District)

- Directed the Department of Transportation to schedule the installation of the approved “Watch for Children” signs as soon as possible
- Directed staff to request the Virginia Department of Transportation (VDOT) to schedule installation of the approved “\$200 Additional Fine for Speeding” signs as soon as possible

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, APPENDIX G, TO ESTABLISH THE TYSONS WOODS TEMPORARY RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT T4 (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 22, 2015, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Appendix G, to establish the Tysons Woods Temporary RPPD. The temporary district includes the following streets: Betterton Court, Chestertown Drive, Connirae Lane, Craigo Court, Electric Avenue from the Navy Federal Credit Union eastern property boundaries to Woodford Road, Idylwood Road from Richelieu Drive to the end, Litwalton Court, Malraux Drive, Minerva Court, Richelieu Drive, and Woodford Road from Electric Avenue to the northern property boundary of 2136 Woodford Road; west side only. This excludes areas designated as “No Parking” by the Virginia Department of Transportation (VDOT).

ADMIN 5 – EXTENSION OF REVIEW PERIOD FOR PUBLIC FACILITIES 2232 APPLICATIONS (HUNTER MILL, PROVIDENCE, AND SULLY DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-H15-7	Metropolitan Washington Airports Authority, Virginia Department of Rail and Public Transportation, and Washington Metropolitan Area Transit Authority 12530 Sunrise Valley Drive Herndon, VA Hunter Mill District	August 2, 2015

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
FS-P15-10	Smartlink, LLC 7701 Shreve Road Falls Church, VA Providence District	October 16, 2015
FS-Y15-16	Cellco Partnership d/b/a Verizon Wireless 13560 McLearen Road Herndon, VA Sully District	November 6, 2015

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER APPROVAL OF AN AGREEMENT TO ADJUST THE COMMON BOUNDARY OF THE TOWN OF HERNDON AND THE COUNTY (DRANESVILLE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 22, 2015, at 3:30 p.m.**, to consider approval of an agreement to adjust the common boundary of the Town of Herndon and the County.

ADMIN 7 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2013-LE-005, FRANCONIA SQUARE LLC, D/B/A SHELL OIL COMPANY (LEE DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 2013-LE-005 to June 3, 2016, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 8 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2013-MV-011, KIMBERLY B. AND KELLY P. CAMPBELL (MOUNT VERNON DISTRICT)

- (AT) Approved the request for six months of additional time to commence construction for Special Exception Application SE 2013-MV-011 to November 13, 2015, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

ADMIN 9 – ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 2011-PR-007, PAGE ANNANDALE ROAD ASSOCIATES, LLC (PROVIDENCE DISTRICT)

- (AT) Approved the request for 12 months of additional time to commence construction for Special Exception Application SE 2011-PR-007 to July 10, 2016, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 10 – STREETS INTO THE SECONDARY SYSTEM
(PROVIDENCE AND SULLY DISTRICTS)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Shady Brook Section B, Lots 3 and 4 (Spring Street)	Providence	Spring Street
Fox Hill Estates	Sully	Bandol Lane
Timber Ridge at Discovery Square (Park Facility)	Sully	Wall Road

**ADMIN 11 – APPROVAL OF A PORTION OF A STREET NAME
CHANGE FROM LEESBURG PIKE (OUTLET ROAD) TO SERENITY
WOODS LANE (HUNTER MILL DISTRICT)**

Approved a portion of a street name change in the Official County Digital Property Map and the Master Addressing Repository from Leesburg Pike to Serenity Woods Lane on Tax Map 019-1, effective 30 days following Board approval, in accordance with the Code of the County of Fairfax, Chapter 102 (Streets and Sidewalks), Section 102-1-9.

**ADMIN 12 – AUTHORIZATION FOR THE DEPARTMENT OF FAMILY
SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING
FROM THE US DEPARTMENT OF HEALTH AND HUMAN SERVICES
OFFICE OF FAMILY ASSISTANCE, NEW PATHWAYS FOR FATHERS
AND FAMILIES PROGRAM**

Authorized DFS to apply for and accept funding, if received, from the US Department of Health and Human Services Office of Family Assistance. Funding in the amount of \$671,411 will increase access to supportive services for fathers and their families and infuse father engagement best practices across systems of care agencies in the County. No local cash match is required. There are seven full-time exempt (FTE) new grant positions associated with this award.

**ADMIN 13 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE
DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT
FUNDING FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF
JUSTICE PROGRAMS, EDWARD BYRNE MEMORIAL JUSTICE
ASSISTANCE GRANT**

Authorized FCPD to apply for and accept funding, if received, from the US Department of Justice, Office of Justice Programs, Edward Byrne Memorial

Justice Assistance Grant in the amount of \$116,813. Funding will be used to purchase a Night Vision Device for the K-9 Unit; Forward Infrared Hand-Held Devices for K-9; and a FARO Focus3D Laser Scanner X130 Mapping System for the Crash Reconstruction Unit. No new positions will be created with this grant and no local cash match is required.

ADMIN 14 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE US DEPARTMENT OF JUSTICE, OFFICE OF COMMUNITY POLICING SERVICES, COPS HIRING PROGRAM

Authorized FCPD to apply for and accept funding, if awarded, from the US Department of Justice, Office of Community Policing Services. Funding in the amount of \$1 million will be used to hire, train, and support eight full-time exempt (FTE) merit police officer positions currently included in the Public Safety Staffing Plan. One-time County funding of \$1,538,073 is required over the three-year grant period, for a total program cost of \$2,538,073. At the end of the three-year grant period, the County is required to retain the eight positions for an additional year. However, since these positions are included in the Public Safety Staffing Plan, it is intended that they will continue indefinitely at an estimated yearly cost of \$931,941.

ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 16025 FOR THE DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS (DPSC) TO ACCEPT GRANT FUNDING FROM THE COMMONWEALTH OF VIRGINIA E-911 SERVICES BOARD

(SAR) Approved SAR AS 16025 for DPSC to accept grant funding in the amount of \$650,000 from the Commonwealth of Virginia E-911 Services Board's Public Safety Answering Point (PSAP) Grant Program. These funds will be used to pay for technical consultative assistance in the NG9-1-1 GIS data evaluation and preparation effort and will also be used to offset costs associated with a new recording system for 9-1-1. No new positions will be created with this grant and no local cash match is required.

ADMIN 16 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE INTERIM REAL ESTATE EXCHANGE AGREEMENT (IREEA) BETWEEN THE BOARD AND INOVA HEALTH CARE SERVICES (INOVA) (HUNTER MILL DISTRICT)

(NOTE: Earlier in the meeting, this item was discussed. See page 11.)

(A) Authorized the advertisement of a public hearing to be held before the Board on **September 22, 2015, at 4 p.m.**, to consider an IREEA with Inova for the purposes of enabling Inova to pursue certain land use approvals for the Reston Town Center North area and facilitating negotiations toward a later comprehensive agreement with Inova.

ADMIN 17 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING FOR THE DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND/OR LEAF COLLECTION SERVICE (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 22, 2015, at 4 p.m.**, to consider the following change to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board’s adopted criteria for the creation/enlargement/withdrawal of Small or Local Sanitary Districts.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
Small District 1 Within Mount Vernon District (Martha’s Road Area)	De-create/Re-create	Refuse, Recycling, and Vacuum Leaf

ADMIN 18 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE COUNTY AND SCHOOLS’ FISCAL YEAR (FY) 2015 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2016 REVISED BUDGET PLAN

- (A) (NOTE: Earlier in the meeting, this item was discussed. See pages 11–12.)

Authorized the advertisement of a public hearing to be held before the Board on **September 22, 2015, at 10:30 a.m.**, regarding increasing the FY 2016 appropriation level. The advertisement encompasses both the County and the Schools’ FY 2015 Carryover Reviews. Section 15.2 – 2507 of the Code of Virginia requires that a public hearing be held prior to Board action.

15. **A-1 – APPROVAL OF A RESOLUTION AUTHORIZING EXECUTION OF A PROJECT FUNDING AGREEMENT WITH THE TOWN OF VIENNA FOR THE DESIGN OF PEDESTRIAN ENHANCEMENT IMPROVEMENTS ALONG OLD COURTHOUSE ROAD (HUNTER MILL DISTRICT)** (12:18 p.m.)

- (R) On motion of Supervisor Hudgins, seconded by Chairman Bulova, and 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,” the Board concurred in the recommendation of staff and adopted a Resolution authorizing the Director of the Department of Transportation to execute a project funding agreement, in substantial form, with the Town of Vienna for the design of pedestrian improvements along Old Courthouse Road in the Town of Vienna and the County to facilitate access to the Greensboro Metrorail Station.

16. **A-2 – APPROVAL OF THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES’ (NCS) FIELD ALLOCATION POLICY**
(12:18 p.m.)

(P) Chairman Bulova noted that this has been the subject of many community meetings as well as meetings and negotiations with the athletic community.

Supervisor Hudgins moved that the Board concur in the recommendation of staff and approve NCS’ proposed Field Allocation Policy. Supervisor Hyland seconded the motion and it carried by unanimous vote.

17. **A-3 – APPROVAL OF THE 2015 ZONING ORDINANCE AMENDMENT WORK PROGRAM** (12:20 p.m.)

Supervisor Frey moved that the Board concur in the recommendation of staff and approve the 2015 Zoning Ordinance Amendment Work Program. He noted that a public work session has been scheduled for September 11 at 10 a.m. to specifically discuss the noise ordinance. The motion was seconded by Supervisor McKay.

Discussion ensued, with input from Leslie Johnson, Director, Zoning Administration, Department of Planning and Zoning, concerning Draft 2015 Priority 1 #20 of the Board Agenda Item dated July 28, 2015, concerning the Reston per person population count: there are a limited number of planned residential community districts/zoning categories in the County and, as this is an old zoning tool, consideration is being given to a possible revision of the maximum allowable densities under this category.

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

18. **A-4 – APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF VIENNA AND THE COUNTY TO DESIGN AND CONSTRUCT A STREAM RESTORATION PROJECT ON WOLF TRAP CREEK (HUNTER MILL DISTRICT)** (12:22 p.m.)

Supervisor Hudgins moved that the Board concur in the recommendation of staff and authorize the County Executive or his designee to sign an agreement with the Town of Vienna (the Town) to provide funding to design and construct a stream restoration project on Wolf Trap Creek, which is located in the Town and the Difficult Run watershed. Supervisor Hyland and Chairman Bulova jointly seconded the motion and it carried by unanimous vote.

19. **A-5 – AUTHORIZATION FOR THE COUNTY EXECUTIVE TO EXECUTE THE NATIONAL CAPITAL REGION WATER AND WASTEWATER MUTUAL AID AGREEMENT** (12:23 p.m.)

On motion of Supervisor Gross, seconded by Supervisor Hudgins, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the County Executive to execute the National Capital Region Water and Wastewater Mutual Aid Agreement among the County and heads of the member utilities within

the National Capital Region for requesting assistance and providing such assistance during natural or man-made emergencies.

20. **A-6 – APPROVAL OF FISCAL YEAR (FY) 2015 YEAR-END PROCESSING** (12:24 p.m.)

On motion of Supervisor Gross, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized staff to process payment vouchers for items previously approved and appropriated in FY 2015 for the interim period from July 1 until the Board approves the FY 2015 Carryover Review, which is scheduled for action on September 22, 2015.

21. **A-7 – AUTHORIZATION FOR THE CHAIRMAN OF THE BOARD TO SIGN THE WORKFORCE INNOVATION AND OPPORTUNITY ACT (WIOA) TITLE I GRANT AWARD AGREEMENT BETWEEN THE VIRGINIA COMMUNITY COLLEGE SYSTEM AND LOCAL WORKFORCE DEVELOPMENT AREA 11** (12:24 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and authorize the Chairman to sign the Workforce Innovation and Opportunity Act (WIOA) Title I Grant Award Agreement between the Virginia Community College System and Local Workforce Development Area 11 so that the Northern Virginia Workforce Development Area 11 may continue to receive WIOA Title I funds for the purpose of improving job and career options for the area's workers and jobseekers. Supervisor Foust and Chairman Bulova jointly seconded the motion.

Discussion ensued concerning affected communities, with input from Aimee Brobst, Self-Sufficiency Division, Department of Family Services regarding the affected population: very low-income adults, individuals who have been laid off, and out-of-school youth. Supervisor Hudgins asked unanimous consent that the Board direct staff to provide additional information regarding the under-employed. Without objection, it was so ordered.

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

22. **A-8 – EXPANSION OF THE APPROVED SEWER SERVICE AREA (ASSA) TO INCLUDE A PORTION OF THE HICKORY COMMUNITY PLANNING SECTOR (DRANESVILLE DISTRICT)** (12:27 p.m.)

This item was deferred until after the 4:30 p.m. public hearing on Proposed Plan Amendment 2015-III-UP1.

(NOTE: Later in the meeting this item was considered. See Clerk's Summary Item #60.)

23. **A-9 – APPROVAL OF A DRAFT BOARD MEETING SCHEDULE FOR CALENDAR YEAR 2016** (12:28 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the draft Board meeting schedule for January through December, 2016. Chairman Bulova seconded the motion.

Discussion ensued concerning the proposed schedule as it relates to budget consideration, with input from Catherine A. Chianese, Assistant County Executive and Clerk to the Board, concerning the scheduling process. It was noted that the Board will not formally adopt its meeting schedule until the first meeting in January 2016.

Discussion continued concerning the proposed meeting date of February 16, with input from Edward L. Long Jr., County Executive, regarding the impact on determination of the recommended effective tax rate.

Chairman Bulova noted the Board's desire to build-in additional committee meeting time.

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

24. **I-1 – PLANNING COMMISSION (PC) ACTION ON PUBLIC FACILITIES APPLICATION 2232-H15-8, METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA)/ VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) / WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)** (12:34 p.m.)

The Board next considered an item contained in the Board Agenda dated July 28, 2015, announcing the PC's approval of Public Facilities Application 2232-H15-8, noting that it met the criteria of character, location, and extent, and was in conformance with Section 15.2-2232 of the Code of Virginia. The application sought approval for the construction of Traction Powered Substation Number 13, located at 12530 Sunrise Valley Drive in Herndon.

25. **I-2 – CERTIFICATE OF EXCELLENCE IN ASSESSMENT ADMINISTRATION (CEAA) FROM THE INTERNATIONAL ASSOCIATION OF ASSESSING OFFICERS AWARDED TO THE DEPARTMENT OF TAX ADMINISTRATION (DTA)** (12:34 p.m.)

The Board next considered an item contained in the Board Agenda dated July 28, 2015, announcing that DTA was awarded the prestigious CEAA. The County is only the fourth jurisdiction, and the first county government, in the Commonwealth of Virginia to win this recognition. Only 28 jurisdictions in the United States have been awarded this certification.

26. **A-10 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE COMMONWEALTH OF VIRGINIA AND AN AGREEMENT WITH FAIRFAX 2015, INCORPORATED, REGARDING CERTAIN FUNDING TO SUPPORT THE 2015 WORLD POLICE AND FIRE GAMES** (12:35 p.m.)

Supervisor Frey moved that the Board approve:

- A MOU accepting one million dollars appropriated from the Commonwealth's General Fund to the County in Fiscal Year (FY) 2016 to support efforts to host the 2015 World Police and Fire Games in the County
- An Agreement with Fairfax 2015, Inc., a Virginia non-stock nonprofit corporation, to disburse the funds in accordance with the MOU

Supervisor Hudgins seconded the motion and it carried by a vote of eight, Supervisor Cook and Supervisor Herryty being out of the room.

ADDITIONAL BOARD MATTERS

27. **ORDERS OF THE DAY** (12:36 p.m.)

Chairman Bulova, after consultation with Elizabeth Teare, Deputy County Attorney, regarding the amount of time needed for closed session, announced that, for the present, the Board would proceed with Board Matters.

28. **IMPROVEMENTS TO THE AMERICAN LEGION BRIDGE** (12:37 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and stated that the American Legion Bridge is an important regional conduit for both travel and economic activity between Virginia and Maryland. A study of "Potomac River Crossing Conditions" was recently presented to the Commonwealth Transportation Board by the Virginia Department of Transportation, confirming the County's position that the Legion Bridge suffers from the worst congestion of all Potomac River crossings while serving the most vehicles. Commuting movements in the National Capital Region have become more complicated than in the past requiring support for north and south travel as well as east and west. The conclusion of this study recommended extending high occupancy transit (HOT) lanes across the bridge to the 1-270 spur in order to address western Potomac River crossing concerns, many of which start or end in the County. HOT lanes have been a success in Virginia and extending the lanes north would allow single passenger, carpool, and transit vehicles a new travel option.

Therefore, Chairman Bulova moved that the Board join her in asking the County's Department of Transportation to prepare a letter supporting

improvements to the American Legion Bridge as outlined in the VDOT study. Supervisor Herrity and Supervisor McKay jointly seconded the motion.

Discussion ensued concerning:

- Maryland's ownership of the bridge and the need for a joint effort between Virginia and Maryland to make improvements to the bridge and that the timing may be right for such discussions
- Clarification of the urgent need for a northern crossing

Supervisor Foust noted the McLean Citizens' Association Transportation Committee's discussion concerning additional capacity construction of a parallel facility which would then provide a means to cross the Potomac when it is time to replace the bridge, and asked to amend the motion to broaden the scope over VDOT's recommendation. This was accepted.

Discussion continued concerning the consideration of additional short-term solutions such as shoulder usage and bus service.

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

29. **"CHILDHOOD CANCER AWARENESS MONTH" IN FAIRFAX COUNTY**
(12:45 p.m.)

Chairman Bulova asked unanimous consent that the Board:

- Direct staff to prepare a proclamation to be sent to the American Cancer Fund for Children and Kids Cancer Connection
- Proclaim September 2015 as "*Childhood Cancer Awareness Month*" in Fairfax County

Without objection, it was so ordered.

30. **AFFORDABLE DWELLING UNIT (ADU) PROGRAM – JULY 28, 2014**
(12:46 p.m.)

Chairman Bulova, noting that the Board had just celebrated the work of former State Delegate and Providence District Supervisor Jim Scott, asked unanimous consent that the Board designate July 31, 2015 — 25 years to the day since the ADU program started — as "*Fairfax County ADU Day*" in honor of the great accomplishments and positive impact made by the County's ADU program. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

31. **DUNN LORING WOODS CIVIC ASSOCIATION'S FIFTIETH ANNIVERSARY (PROVIDENCE DISTRICT)** (12:46 p.m.)

Supervisor Smyth, referring to her written Board Matter, stated that Dunn Loring Woods is a great neighborhood that will be celebrating its Fiftieth Anniversary on Saturday, September 26, 2015. She asked unanimous consent that the Board proclaim Saturday, September 26, 2015, "*Dunn Loring Woods Day*" in Fairfax County and support a proclamation to be signed by the Chairman and Providence District Supervisor and read at the celebration. Without objection, it was so ordered.

32. **TYSONS CORNER CENTER – PROFFERED CONDITION AMENDMENT/CONCEPTUAL DEVELOPMENT PLAN AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATIONS PCA/CDPA/FDPA 2004-PR-044-2 (PROVIDENCE DISTRICT)** (12:47 p.m.)

Supervisor Smyth, referring to her written Board Matter, announced that Macerich, the owner of Tysons Corner Center, has Proffered Condition Amendment/Conceptual Development Amendment/Final Development Plan Amendment applications, PCA/CDPA/FDPA 2004-PR-004-2, coming before the Board and has requested a date certain for the public hearing.

Therefore, Supervisor Smyth moved that the Board direct the Director of the Zoning Evaluation Division to schedule the Board public hearing for October 6, 2015. This motion should not be construed as a favorable recommendation by the Board or the Planning Commission on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations and adopted standards. Chairman Bulova seconded the motion and it carried by unanimous vote.

33. **BOARD AUTHORIZATION FOR FILING OF A FINAL DEVELOPMENT PLAN AMENDMENT (FDPA) APPLICATION FOR THE COUNTY COURTHOUSE AND PUBLIC SAFETY CENTER** (12:47 p.m.)

Supervisor Smyth said that it has come to her attention that the Facilities Management Department (FMD) is preparing to submit a Final Development Plan Amendment (FDPA) to allow for the demolition of the workout building at the County Courthouse and Public Safety Center. The most recent iteration of the FDPA plan depicts the workout building as a structure to remain as part of the Courthouse Complex. The FDPA would remove this designation.

Supervisor Smyth, referring her written Board Matter explaining the "why," moved that the Board:

- Concur with the filing of this FDPA by FMD

- Authorize the County Executive, or his designee, to act as the agent of the Board for all matters concerning this amendment

The applicant understands that this motion will not prejudice the consideration of the application in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

34. **RECOGNIZING THE McLEAN LITTLE LEAGUE 10-11 SOFTBALL ALL-STARS FOR WINNING THE SOFTBALL STATE CHAMPIONSHIP (DRANESVILLE DISTRICT)** (12:49 p.m.)

Supervisor Foust, referring to his written Board Matter recognizing the McLean Little League 10-11 Softball All-Stars for winning the softball State championship, asked unanimous consent that the Board direct staff to invite the team, its coaches, manager, and volunteers to appear before the Board and be recognized for their outstanding achievement. Without objection, it was so ordered.

35. **RECOGNIZING THE LANGLEY HIGH SCHOOL BOYS' SOCCER TEAM FOR THE 2015 STATE CHAMPIONSHIP (DRANESVILLE DISTRICT)** (12:49 p.m.)

Supervisor Foust, referring to his written Board Matter recognizing the Langley High School Boys' Soccer Team for the 2015 State Championship, asked unanimous consent that the Board direct staff to invite the Langley Soccer Team, their coaches and school officials to appear before the Board on October 6 to be recognized for their outstanding achievement. Without objection, it was so ordered.

36. **RECOGNIZING THE ALL DULLES AREA MUSLIM SOCIETY (ADAMS) FOR ITS CONTRIBUTIONS TO THE COMMUNITY** (12:49 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Foust said that the ADAMS Center was founded in 1983 and is now the largest Mosque and Muslim community in Virginia and the third largest in the USA. ADAMS serves the areas of Sterling, Ashburn, Centreville, Chantilly, Gainesville, Great Falls, Herndon, Leesburg, McLean, and Reston, with the main campus located in Sterling on the Loudoun-Fairfax border; two of its branches are co-located with local synagogues (Reston and Ashburn) and one in a church (Washington DC).

ADAMS defines its mission as providing “religious, social, and educational services to enable the Muslim community to fulfill its responsibilities and contribute to the betterment of society by embodying and exemplifying leadership and excellence and fostering peace.” Through its programs of civic engagement, social welfare, interfaith activities, and youth programs, ADAMS has made and continues to make significant contributions to the relationships between diverse

ethnic and religious groups in Northern Virginia as well as to the welfare and quality of life in the Fairfax and surrounding communities.

Supervisor Foust referred to his written Board which outlined ADAMS services with respect to civic engagement, social services and health care, interfaith activities, and youth programs. He asked unanimous consent that the Board direct staff to invite Imam Magid and other leaders and members of the ADAMS to appear before the Board on October 6, 2015, to be recognized for the many outstanding contributions they make to the community. Without objection, it was so ordered.

37. **JULY 2015 QUARTERLY REPORT OF THE AUDITOR OF THE BOARD**
(12:51 p.m.)

Supervisor Foust announced that the Board has received the Auditor of the Board's Quarterly Report for July 2015. The report includes recommendations in several study areas, including the following:

- Department of Tax Administration (DTA) Tax Revenue and Recovery Collections
 - That DTA incorporate utilizing matching of unique identifiers to enhance the speed of reviewing taxpayers' files
 - That DTA have tax auditors and business tax specialists verify the Federal Information Processing Standards (FIPS) code when conducting onsite visit
- Housing Choice Voucher Compliance and Collections
 - That consideration be given to developing a reporting mechanism for landlords to communicate late and non-payment of tenants' portion of rent
 - That aging report be further stratified to include both 181 to 365 days and greater than 365 days

Supervisor Foust moved that the Board adopt the Auditor of the Board's July 2015 Quarterly Report, and approve the attached Audit Committee Work Plan for the upcoming quarter. Supervisor Herrity seconded the motion and it carried by unanimous vote.

Chairman Bulova thanked Jim Shelton, Auditor of the Board, and his staff for their efforts.

38. **INNOVATION CENTER APPLICATIONS: EXPEDITED PROCESSING (DRANESVILLE DISTRICT)** (12:54 p.m.)

Supervisor Foust said that the Metropolitan Washington Airports Authority (MWAA), is presently constructing Phase 2 of the Silver Line Metrorail Project, a 23.1-mile extension in the Dulles Toll Road Corridor.

Phase 2 of the Silver Line will include six new stations including the Innovation Center, which will have some facilities on land to be owned by the County.

Innovation Center will have two entrances. The South Entrance will have an entrance pavilion with a pedestrian bridge connection to the Metrorail platform located on land subject to a Real Estate Exchange Agreement between Nugget Joint Venture, LC, and the Board, which was negotiated as part of a transit oriented development approved in Rezoning Application RZ 2009-HM-017 on July 29, 2014. The entrance pavilion and pedestrian bridge connection design require approval of a special exception application and a 2232 application, and the applicant has filed these applications. To help facilitate the construction of the transit station facilities, Special Exception Application SE 2015-DR-016 and Public Facilities Application 2232-D15-6 should move forward as soon as possible.

The north entrance is proposed to have similar Metrorail facilities on a portion of land, located along the south side of Innovation Avenue, close to its intersection with Rock Hill Road. A special exception and 2232 application will be filed for this area and should move forward as soon as possible.

Therefore, Supervisor Foust moved that the Board:

- Authorize MWAA to include the Board as a co-applicant on Special Exception Application SE 2015-DR-016 and Public Facilities Application 2232-D15-6, which is filed on a 0.15 acre parcel (Tax Map 15-2 ((1)) 13A pt.) owned by Nugget Joint Venture, LC, and subject to a Real Estate Exchange Agreement with the County
- Direct staff to expedite the processing of this application and schedule a public hearing on a date certain of October 20, 2015
- Authorize MWAA to include a portion of a 2.49-acre area, to be owned by the County, of the overall 14.62-acre parcel identified as Tax Map 15-2 ((1)) 17 in a Special Exception application and 2232 Public Facility Determination application for the north entrance of Innovation Center, and to include the Board as a co-applicant on the applications
- Direct staff to expedite the processing of the applications when filed

This motion should not be construed as a favorable recommendation by the Board on the merits of either application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, development conditions or adopted standards. Supervisor Hyland seconded the motion and it carried by unanimous vote.

39. **RECESS/CLOSED SESSION** (12:58 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. *Eric S. Clark v. The County of Fairfax, Virginia, John Spata, John H. Kim, T. B. Smith*, Case No. 15-1705 (U.S. Ct. of App. for the Fourth Cir.)
 2. *Ross A. Fiorani v. Fairfax County Police, Navy Federal Credit Union, Robert Berger, Karen Compher, SIA, and Thema Scott*, Civil Action No. 1:15-cv-667 (E.D. Va.)
 3. *Dora E. Caudle v. Christopher D. Colandene, David P. Bobzien, the Fairfax County Retirement Administration Agency, and Does 1 through 20*, Case No. 5:140cv00031 (W.D. Va.)
 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. *Kaveh Sari v. Board of Supervisors of Fairfax County, Jack Weyant, Bijan Sistani, and Cynthia McNeal*, Case No. CL-2015-0002378 (Fx. Co. Cir. Ct.) (Mount Vernon District)
6. *In Re: April 15, 2015, Decision of the Fairfax County Board of Zoning Appeals in BZA Appeal No. A 2012-HM-020*, Case No. CL-2015-0006478 (Fx. Co. Cir. Ct.) (Hunter Mill District)
7. *Catherine Bloch and Scott Bloch, on behalf of themselves and all others similarly situated v. Briarwood Trace Homeowners Association, Inc. (HOA) and County of Fairfax, Virginia*, Case No. CL-2014-11736 (Fx. Co. Cir. Ct.) (Providence District)
8. *Ian Smith v. Major Thomas Ryan, Lance Guckenberger and John Doe II*, Record No. (No Number Assigned) (Va. Sup. Ct.) (Fx. Co. Cir. Ct. No. CL-2014-0001347)
9. *Betty Whilden v. Juan Romero and County of Fairfax*, Case No. CL-2015-0004778 (Fx. Co. Cir. Ct.)
10. *Robert E. Snyder v. Jose Comayagua, Jr., Larry Stephens, David Davis, Jeff Coleman, Ronald Shillingburg, Thomas Wray, Steven P. Ma, Rickey G. Garrison, Clarinda Castillo-Radulfo, Donnie Cornwell, Jose Garcia, John Hanks, Remigio Isip, Jeffrey LeBlanc, Darwin R. Tipan, Jack Wynes, Emory H. Hutt, Jeffrey W. Stewart, James A. Taylor, Joseph Flood, Dale L. Willingham, John A. Peyton, Herb Frisbie, Joel Thompson, Bob Palmer, Mark Parsons, Gary S. Scales, Jeffrey R. Johnson, Vicente Lagunas Calderon, Allen F. Tritesch, Michael Flood, Rommel Custode, Philip D. Semahah, and David W. Valentine*, Case No. CL-2015-0007668 (Fx. Co. Cir. Ct.)
11. *Francis Philip Wiafe v. Bruce Patrick*, Case No. CL-2015-0006119 (Fx. Co. Cir. Ct.)
12. *Francis Philip Wiafe v. OFC G.S Roberts # 315348*, Case No. CL-2015-0005874 (Fx. Co. Cir. Ct.)
13. *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)

14. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Paul Chau*, Case No. CL-2014-0011502 (Fx. Co. Cir. Ct.) (Lee District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Steven C. Bryant*, Case No. CL-2009-0005546 (Fx. Co. Cir. Ct.) (Sully District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Tuan Huy Thai Ha and Trang Thuy T. Pho*, Case No. CL-2009-0010199 (Fx. Co. Cir. Ct.) (Mason District)
17. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Shawn A. Internicola*, Case No. CL-2015-0003224 (Fx. Co. Cir. Ct.) (Lee District)
18. *James W. Patteson, Director of the Fairfax County Department of Public Works and Environmental Services and Brian J. Foley, Fairfax County Building Official v. David J. Laux and Tara K. Laux, a/k/a Tara K. Long*, Case No. CL-2015-0007970 (Fx. Co. Cir. Ct.) (Mason District)
19. *David J. Laux and Tara K. Laux, a/k/a Tara K. Long v. Brian J. Foley, Fairfax County Building Official*, Appeal No. 150611.0AP (Fx. Co. Bd. of Bldg. Code App.) (Mason District)
20. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Robinson Socrates Nunn and Glanetta Miller*, Case No. CL-2015-0003878 (Fx. Co. Cir. Ct.) (Hunter Mill District)
21. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Christopher D. Schoonmaker and Brandi Lyn Trijo*, Case No. CL-2015-0007440 (Fx. Co. Cir. Ct.) (Lee District)
22. *Board of Supervisors of Fairfax County and James W. Patteson, Director of the Fairfax County Department of Public Works and Environmental Services v. Nirmaladevi Jayanthan and Jayanthan Balasubram, a/k/a Balasubram Jayanthan, Jayanthan Bala, Bala Jayanthan, and Jay Bala*, Case

No. CL-2015-0008179 (Fx. Co. Cir. Ct.) (Dranesville District)

23. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mohsen N. Raeisia and Susan Nourbakhsh*, Case No. CL-2015-0008353 (Fx. Co. Cir. Ct.) (Dranesville District)
24. *Leslie B. Johnson, Fairfax County Zoning Administrator and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Timothy V. Lefler*, Case No. CL-2015-0008786 (Fx. Co. Cir. Ct.) (Lee District)
25. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Abateneh Mulugeta and Genet Chala*, Case No. CL-2015-0008843 (Fx. Co. Cir. Ct.) (Mason District)
26. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ivan Ramos and Yuvis R. Alvarado*, Case No. GV15-004525 (Fx. Co. Gen. Dist. Ct.) (Mason District)
27. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Hassan I. El-Badaoui*, Case Nos. GV15-010575 and GV15-010577 (Fx. Co. Gen. Dist. Ct.) (Lee District)
28. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Daniel Minchew*, Case Nos. GV15-005741, GV15-006057, and GV15-006072 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
29. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Daniel Minchew*, Case Nos. GV15-006056, GV15-006058, and GV15-006073 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
30. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Andrew W. Arntson and Caron F. Arntson*, Case No. GV15-010994 (Fx. Co. Gen. Dist. Ct.) (Lee District)
31. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Andrew W. Arntson and Caron F. Arntson*, Case No. GV15-010992 (Fx. Co. Gen. Dist. Ct.) (Lee District)

32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ara Kim*, Case No. GV15-010995 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
33. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Chanwit Uriyapongsan and Panta Chokratanacharoen*, Case No. GV15-011542 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Pen-Lin Yin and Huey-Er Hwang*, Case No. GV15-011587 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
35. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Hanh T. Huynh and Sinh Nhan Ha*, Case No. GV15-001679 (Fx. Co. Gen. Dist. Ct.) (Mason District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gurpreet Kaur*, Case No. GV15-011678 (Fx. Co. Gen. Dist. Ct.) (Mason District)
37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Barbara A. Rojas*, Case No. GV15-011749 (Fx. Co. Gen. Dist. Ct.) (Lee District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Luba Morales, Jose Luis Astorga, and Maria Valentina Castro Quiroz*, Case No. GV15-013927 (Fx. Co. Gen. Dist. Ct.) (Lee District)
39. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Luba Morales, Jose Luis Astorga, and Maria Valentina Castro Quiroz*, Case No. GV15-013927 (Fx. Co. Gen. Dist. Ct.) (Lee District)

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

At 3:24 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

40. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:24 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 Hyland 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."

41. **AUTHORIZATION FOR ACQUISITION OF CERTAIN REAL PROPERTY LOCATED IN FAIRFAX COUNTY, VIRGINIA** (3:25 p.m.)

Supervisor Gross moved that the Board authorize the acquisition of certain real property located in Fairfax County, Virginia, and the related actions necessary thereto, for stormwater purposes, on such terms and conditions as outlined by staff in closed session. Supervisor Hyland and Supervisor McKay jointly seconded the motion and it carried by unanimous vote.

42. **AUTHORIZATION FOR THE PURCHASE OF A PARCEL OF REAL PROPERTY LOCATED IN ALEXANDRIA, VIRGINIA** (3:25 p.m.)

Supervisor McKay moved that the Board authorize the purchase of a parcel of real property located at 6015 Telegraph Road, Alexandria, Virginia, Tax Map Number 82-4 ((1)) Parcel 42, on the terms and conditions outlined by the County Attorney in closed session. Supervisor Hyland seconded the motion and it carried by unanimous vote.

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AGENDA ITEMS

43. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-SU-009 (LAIBA SHEIKH / LAIBA'S FAMILY DAY CARE) (SULLY DISTRICT)** (3:26 p.m.)

The application property is located at 5723 Triplett Drive, Centreville, 20120, Tax Map 54-3 ((10)) 15.

Ms. Laiba Sheikh reaffirmed the validity of the affidavit for the record.

William O'Donnell, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Ms. Sheikh 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.

Following the public hearing, Mr. O'Donnell presented the staff and Planning Commission recommendations.

Following a query by Supervisor Frey, Ms. Sheikh confirmed, for the record, that she was in agreement with the proposed development conditions dated July 14, 2015.

Supervisor Frey moved approval of Special Exception Application SE 2015-SU-009, subject to the development conditions dated July 14, 2015. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor McKay being out of the room.

44. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-SP-012 (MACY'S RETAIL HOLDINGS, INCORPORATED) (SPRINGFIELD DISTRICT)** (3:31 p.m.)

The application property is located at 11700 Lee Jackson Memorial Highway, Tax Map 46-3 ((8)) 5.

Ms. Inda Stagg reaffirmed the validity of the affidavit for the record.

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

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

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

Following a query by Supervisor Herrity, Ms. Stagg confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 8, 2015.

Supervisor Herrity moved approval of Special Exception Application SE 2015-SP-012, subject to the development conditions dated July 8, 2015. Supervisor Smyth seconded the motion and it carried by unanimous vote.

45. **3 P.M. – PH ON REZONING APPLICATION RZ 2014-SP-015 (SUNRISE DEVELOPMENT, INCORPORATED) (SPRINGFIELD DISTRICT)**

AND

PH ON SPECIAL EXCEPTION APPLICATION SE 2014-SP-060 (SUNRISE DEVELOPMENT, INCORPORATED) (SPRINGFIELD DISTRICT) (3:36 p.m.)

- (O) The Rezoning Application RZ 2014-SP-015 property is located on the east side of Burke Lake Road, south of its intersection with Shiplett Boulevard, Tax Map 78-3 ((1)) 4.

The Special Exception Application SE 2014-SP-060 property is located at 9617 Burke Lake Road, Burke, 22015, Tax Map 78-3 ((1)) 4.

Ms. Sara Mariska reaffirmed the validity of the affidavits for the record.

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

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

Following a query by Supervisor Cook, Ms. Mariska confirmed, for the record, that the applicant will construct a permanent building foundation for the Burke Post Office.

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

Following remarks by Supervisor Herrity regarding the application, Ms. Mariska confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 8, 2015.

Supervisor Herrity moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-SP-015, from the R-1 District to the R-3 District, and approval of the Generalized Development Plan, subject to the proffers dated June 8, 2015.
- Approval of Special Exception Application SE 2014-SP-060, subject to the development conditions dated July 8, 2015.

- Modification of Paragraph 5 of Section 9-308 of the Zoning Ordinance to permit a medical care facility to be located 28-feet from the northern property line and 75-feet from the eastern property line, in lieu of the required 100-foot setback
- Modification of Paragraph 6 of Section 9-308 of the Zoning Ordinance to permit a medical care facility to be located on a lot containing 4.96 acres of land, in lieu of the required 5 acres.
- Modification of Sections 13-303 and 13-304 of the Zoning Ordinance on the transitional screening and barrier requirements along all boundaries of the property as shown on the Generalized Development Plan/Special Exception Plat.

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, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE.”

46. **3 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-MV-003 (FIRST YEARS LEARNING CENTER LLC / CLAUDIA TRAMONTANA) (MOUNT VERNON DISTRICT)** (3:53 p.m.)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 2015-MV-003 until **September 22, 2015, at 3 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

47. **3 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 91-S-031 (MILESTONE TOWER LIMITED PARTNERSHIP III CELLCO PARTNERSHIP D/B/A VERIZON WIRELESS AND VIRGINIA ELECTRIC AND POWER COMPANY D/B/A DOMINION VIRGINIA POWER) (SPRINGFIELD DISTRICT)** (3:54 p.m.)

(NOTE: On June 23, 2015, the Board deferred this public hearing until July 28, 2015.)

The application property is located at 12895 Clifton Creek Drive, Clifton, 20124. Tax Map 75-3 ((1)) 10.

Mr. Frank W. Stearns reaffirmed the validity of the affidavit for the record. Chairman Bulova disclosed that she had received a campaign contribution in excess of \$100 from the following:

- Dominion Resources Employees PAC

Supervisor Cook disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Frank W. Stearns, Esquire, a partner in the law firm of Donohue and Stearns, PLC

Supervisor Smyth disclosed that she had received a campaign contribution in excess of \$100 from the following:

- Leonard Forkas Jr., Milestone Tower Limited Partnership III

Supervisor Herrity disclosed that he had received campaign contributions in excess of \$100 from the following:

- Frank W. Stearns, Esquire, a partner in the law firm of Donohue and Stearns, PLC
- Leonard Forkas Jr., Milestone Tower Limited Partnership III

Supervisor McKay disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Leonard Forkas Jr., Milestone Tower Limited Partnership III

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

ADDITIONAL BOARD MATTER

INTRODUCTION OF BOY SCOUT TROOP 1140 (4 p.m.)

Chairman Bulova recognized and introduced Boy Scout Troop 1140 of the Springfield area, chartered to Kirkwood Presbyterian Church. Boy Scout Troop 1140 members are working on achieving their Citizenship in the Community Merit Badge. On behalf of the Board, she warmly welcomed them to the Board Auditorium.

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

Following the public hearing, Ms. Tsai presented the staff and Planning Commission (PC) recommendations.

Following a query by Supervisor Herrity, Mr. Stearns confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 11, 2015.

Supervisor Herrity moved:

- Approval of Special Exception Amendment Application SEA 91-S-031, subject to the development conditions dated June 11, 2015.
- Modification of Section 13-303 of the Zoning Ordinance for the transitional screening requirement, in favor of the existing vegetation on the site, the landscape plantings shown on the Special Exception Amendment Plat, and the development conditions.
- Waiver of Section 13-304 of the Zoning Ordinance for the barrier requirement along all the property lines.

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

(NOTE: On June 17, 2015, the PC approved Public Facilities Application 2232-S14-9, noting that it was substantially in accord with the provisions of the adopted Comprehensive Plan.)

48. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-DR-005 (FATEMEH BATMANGHELIDJ D/B/A CHILDREN’S GARDEN) (DRANESVILLE DISTRICT) (4:06 p.m.)**

The application property is located at 1214 Rowland Drive, Herndon, 20170, Tax Map 11-1 ((10)) 101.

Ms. Fatemeh Batmanghelidj reaffirmed the validity of the affidavit for the record.

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

Ms. Fatemeh Batmanghelidj 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.

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

Following a query by Supervisor Foust, Ms. Batmanghelidj confirmed, for the record, that she was in agreement with the proposed development conditions dated June 26, 2015.

Supervisor Foust moved approval of Special Exception Application SE 2015-DR-005, subject to the development conditions dated June 26, 2015. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

49. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-074 (CARLA McNEIL SEAY / CARLA’S WEECARE HOME DAYCARE) (MOUNT VERNON DISTRICT)** (4:10 p.m.)

Supervisor Hyland moved to defer the public hearing on Special Exception Application SE 2014-MV-074 until **September 22, 2015, at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Smyth being out of the room.

50. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-L-004 (4203 BUCKMAN, LLC) (LEE DISTRICT)** (4:11 p.m.)

- (O) The application property is located in the northeast quadrant of the intersection of Buckman Road and Main Street, Tax Map 101-3 ((1)) 15B.

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

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

Ms. 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. Ms. Strobel submitted photographed copies of the property for the record.

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

Supervisor McKay moved:

- Approval of Proffered Condition Amendment Application PCA 94-L-004, subject to the proffers dated July 16, 2015.
- Modification of the western transitional screening yard planting requirements in accordance with Paragraph 2 of Section 13-305 of

the Zoning Ordinance in lieu of that shown on Sheet 3 of the Generalized Development Plan (GDP).

- Waiver of the western barrier requirement in accordance with Paragraph 2 of Section 13-305 of the Zoning Ordinance.
- Waiver of the minor paved trail requirement per Paragraph 2 of Section 17-201 of the Zoning Ordinance along Buckman Road in lieu of the proposed five-foot wide sidewalk shown on Sheet 3 of the GDP.
- To direct the Director of the Department of Public Works and Environmental Services to approve a deviation from the tree preservation target requirement identified in Section 12-0508 of the Public Facilities Manual.

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

51. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2015-HM-006 [METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA) AND THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (VDRPT) ON BEHALF OF THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA)] (HUNTER MILL DISTRICT)** (4:25 p.m.)

The application property is located at 12530 Sunrise Valley Drive, Herndon, 20191, Tax Map 16-4 ((1)) 27 (pt.).

Mr. John McBride reaffirmed the validity of the affidavit for the record.

Supervisor Hudgins disclosed that she is a Principal Director serving on the WMATA Board of Directors.

Supervisor Cook disclosed that Donald King of Oden, Feldman and Pittleman, PC, is a Bankruptcy Trustee in a matter in which he is a Creditor.

Supervisor Foust disclosed that he had received campaign contributions in excess of \$100 from the following:

- Dexter Odin of Odin, Feldman and Pittleman, PC

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

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

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

Following a query by Supervisor Hudgins, Mr. McBride confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 8, 2015.

Supervisor Hudgins moved approval of Special Exception Application SE 2015-HM-006, subject to the development conditions dated July 8, 2015. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

52. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-LE-050 (SANDRA SCRUGGS BUILDING BLOCKS CHILD CARE) (LEE DISTRICT)** (4:32 p.m.)

The application property is located at 6076 Joust Lane, Alexandria, 22315, Tax Map 91-4 ((9)) (24) 40.

Ms. Sandra Scruggs reaffirmed the validity of the affidavit for the record.

Suzanne Wright, Planner, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

Supervisor McKay noted that the photographs included in the staff report circulated to the Board were of poor quality and stated that there needed to be some level of consistency in the quality.

Supervisor McKay raised a question regarding the development conditions, with input from Ms. Wright and Catherine E. Lewis, Branch Chief, ZED, DPZ.

Ms. Scruggs 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.

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

Supervisor McKay moved approval of Special Exception Application SE 2014-LE-050, subject to the development conditions dated June 22, 2015. Chairman Bulova seconded the motion.

Following a brief discussion, with input from Ms. Wright, Supervisor McKay queried Ms. Scruggs who confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 22, 2015.

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

53. **4 P.M. – PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC 80-C-111 (CORPORATION OF THE PRESIDING BISHOP OF THE CHURCH OF JESUS CHRIST OF LATTER-DAY SAINTS) (HUNTER MILL DISTRICT)** (4:41 p.m.)

The application property is located on the south side of Lake Newport Road and east side of Fairfax County Parkway, Tax Map 11-3 ((13)) 1.

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

Mr. Andrew Yeagle, agent for the applicant, gave a presentation, noting that concerns regarding the application have been addressed.

Following the public hearing, Supervisor Hudgins submitted items for the record.

Ms. Bishop presented the staff and Planning Commission recommendations.

Following a query by Supervisor Hudgins, Mr. Yeagle confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 30, 2015.

Supervisor Hudgins moved:

- Approval of Planned Residential Community Application PRC 80-C-111, subject to the development conditions dated June 30, 2015.
- Modification of the transitional screening to permit the landscaping as shown on the PRC Plan.
- Waiver of the barrier requirements.

Supervisor Hyland seconded the motion.

Supervisor Hudgins asked unanimous consent that the Board direct staff to report with information regarding the schools' approval process for usage of its property/parking lot by a church group. Without objection, it was so ordered.

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

54. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2015-III-DS2, LOCATED SOUTH OF EDS DRIVE, NORTH OF WALL ROAD, AND WEST OF AIR AND SPACE MUSEUM PARKWAY (SULLY DISTRICT)**
(4:49 p.m.)

Leanna O'Donnell, Planner, Policy and Plan Development Branch, Planning Division, Department of Planning and Zoning, presented the staff report.

Following the public hearing, which included testimony by two speakers, Ms. O'Donnell presented the staff and Planning Commission recommendations.

Following comments, Supervisor Frey moved approval of Plan Amendment 2015-III-DS2, as recommended by the Planning Commission, with one minor revision. The Plan amendment would modify the Plan language for Tax Map Parcel 24-4 ((1)) 6B4 to allow for the development of up to 150 residential townhouse units, with new conditions related to land dedication for a use such as a community center and related to mitigation of school impacts. He proposed one minor revision to the Plan language as reflected in italics in the handout dated July 28, 2015, which adds the word "office." Supervisor Herrity and Chairman Bulova jointly seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

55. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2014-MV-073 (SUPERIOR CONCRETE MATERIALS, INCORPORATED) (MOUNT VERNON DISTRICT)** (5 p.m.)

The application property is located at 8420 Terminal Road, Lorton, 22079, Tax Map 99-3 ((1)) 16A.

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

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

Supervisor Hyland raised a question regarding the number of trucks and other vehicles which will travel Terminal Road daily, with input from Ms. Tsai.

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

Discussion continued regarding the number of vehicles that will travel Terminal Road daily, with input from Mr. Painter and Ms. Tsai.

Following the public hearing, which included testimony by one speaker, Supervisor McKay asked Cynthia Smith, the speaker, to provide a copy of her written testimony to review issues she raised.

Supervisor Hyland stated that he received the following items:

- A statement from the South County Federation, which is in support of the application
- A letter, signed by the applicant, regarding Lorton Road and truck traffic

Mr. Painter presented rebuttal.

Ms. Tsai presented the staff and Planning Commission recommendations.

Supervisor Hyland stated that he had items for the record.

Supervisor Hyland moved:

- That the Board direct the Department of Transportation to work with the Virginia Department of Transportation and return, prior to the next Board meeting, with recommendations regarding:
 - What can and should be done to alleviate problems at the intersection
 - The timing of improvements to the intersection, and if the timing is long-term, explore whether it should be advanced
- To defer decision on Special Exception Application SE 2014-MV-073 until **September 22, 2015, at 3 p.m.**

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

56. **4 P.M. – PH ON REZONING APPLICATION RZ 2013-DR-017 (JLB DULLES TECH LLC) (DRANESVILLE DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-C-037-07 (JLB DULLES TECH LLC) (DRANESVILLE DISTRICT)

AND

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA 2002-HM-043 (JLB DULLES TECH LLC / FAIRFAX COUNTY
PARK AUTHORITY) (DRANESVILLE DISTRICT)**

AND

**PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2002-
HM-046-02 (JLB DULLES TECH LLC / FAIRFAX COUNTY PARK
AUTHORITY) (DRANESVILLE DISTRICT)**

AND

**PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 85-
C-119 (JLB DULLES TECH LLC / FAIRFAX COUNTY PARK
AUTHORITY) (DRANESVILLE DISTRICT)** (5:20 p.m.)

- (O) (NOTE: On June 23, 2015, the Board deferred this public hearing until July 28, 2015.)

The Rezoning Application RZ 2013-DR-017 property is located on the south side of Dulles Technology Drive approximately 450 feet east of its Intersection with River Birch Road, Tax Map 16-3 ((1)) 4 M.

The Proffered Condition Amendment Application PCA 79-C-037-07 property is located on the south side of Dulles Technology Drive approximately 450 feet east of its intersection with River Birch Road, Tax Map 16-3 ((1)) 4 M.

The Proffered Condition Amendment Application PCA 2002-HM-043 property is located in the southwest quadrant of the intersection of Sunrise Valley Drive and Centreville Road, Tax Map 16-3 ((1)) 5 D.

The Special Exception Amendment Application SEA 2002-HM-046-02 property is located in the southwest quadrant of the intersection of Sunrise Valley Drive and Centreville Road approximately 450 feet east of its intersection with River Birch Road, Tax Map 16-3 ((1)) 5 D.

The Special Exception Amendment Application SEA 85-C-119 property is located on the south side of Dulles Technology Drive approximately 450 feet east of its intersection with River Birch Road, Tax Map 16-3 ((1)) 4 M and 5 D.

Mr. Mark Looney reaffirmed the validity of the affidavits for the record.

Supervisor Foust disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Richard C. Sullivan, Jr., former Fairfax County Park Authority Board Member

- William G. Bouie, Fairfax County Park Authority Board Member
- Grace Wolf for Herndon Town Council
- Grace Han Wolf, Fairfax County Park Authority Board Member

Supervisor Hyland disclosed that he had received a campaign contribution in excess of \$100 from the following:

- Lynwood Gorham, Fairfax County Park Authority Board Member

Joe Gorney, Planner, Zoning Evaluation Division (ZED), Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

Mr. Looney 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, which included testimony by four speakers, Mr. Looney presented rebuttal.

Discussion ensued, with input from Elizabeth Iannetta, Transportation Planner, Department of Transportation, and Mr. Gorney regarding:

- Alignment of the McNair Farms Drive extension and impact on adjacent properties
- Sizing of the road to address comprehensive plan recommendations
- Resource Protection Area (RPA) and floodplain constraints on the road alignment

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

Following comments, Supervisor Foust moved:

- Approval of Proffered Condition Amendment Application PCA 79-C-037-07, subject to the proffers dated July 27, 2015.
- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2013-DR-017, from the I-4 District to the PRM District, subject to the proffers dated July 27, 2015.

- To direct the Director of the Department of Public Works and Environmental Services to approve the following:
 - Modification of the tree planting width from eight-feet to six-feet along the public roadway frontage and private driveway, in favor of structural planting cells, or other methods as coordinated with the Urban Forestry Management Division, when necessary due to the placement of utilities.
 - Modification of the interior parking lot landscaping, in favor of the alternatives as shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) and as conditioned.
 - Modification of the number of loading spaces from six to two, in favor of the alternatives as shown on the CDP/FDP and as conditioned.
- Approval of Proffered Condition Amendment Application PCA 2002-HM-043, subject to the proffers dated July 27, 2015.
- Approval of Special Exception Amendment Application SEA 2002-HM-046-02, subject to the development conditions dated June 17, 2015.
- Approval of Special Exception Amendment Application SEA 85-C-119, subject to the development conditions dated June 17, 2015.

Supervisor Smyth seconded the motion.

Following a query by Supervisor Foust, Mr. Looney confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 27, 2015.

Supervisor Gross raised a question regarding structural planting cells, with input from Mr. Gorney and Kris Abrahamson, Branch Chief, ZED, DPZ.

Supervisor Herrity asked for clarification of the PC vote on this application, with input from Mr. Gorney.

The question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hudgins, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “**AYE**,” Supervisor Herrity abstaining.

(NOTE: On June 18, 2015, the PC approved Final Development Plan Application FDP 2013-DR-017 and Final Development Plan Amendment Application FDPA 2002-HM-043-02, subject to the proposed development conditions dated June 17, 2015.)

57. **4 P.M. – PH ON REZONING APPLICATION RZ 2014-PR-018 (THE EVERGREENE COMPANIES, LLC) (PROVIDENCE DISTRICT)**
(6:13 p.m.)

- (O) The application property is located on the south side of Chain Bridge Road, in the southwest quadrant of its intersection with Sutton Road, Tax Map 48 1 ((1)) 50.

Mr. Scott Adams reaffirmed the validity of the affidavit for the record.

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

Mr. Adams 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, which included testimony by one speaker, Mr. Adams presented rebuttal.

Ms. Wright presented the staff and Planning Commission (PC) recommendations.

Chairman Bulova asked staff to clarify the PC vote on this application, with input from Ms. Wright.

Supervisor Smyth moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-PR-018, from the R-1 District to the R-4 District, subject to the proffers dated July 24, 2015.
- To direct the Director of the Department of Public Works and Environmental Services to approve a deviation of the tree preservation requirements in favor of that shown on the GDP.

Supervisor Foust seconded the motion. Following a brief discussion regarding the application, the question was called on the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Frey, Supervisor Hyland, and Supervisor McKay being out of the room.

58. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-P-037 (INTERNATIONAL PLACE AT TYSONS LLC) (PROVIDENCE DISTRICT)** (6:25 p.m.)

(O) The application property is located south of Leesburg Pike, north of Boone Boulevard, and west of Gallows Road, Tax Maps 39-1 ((6)) 38 and 39-2 ((2)) 39.

Ms. Jill Parks reaffirmed the validity of the affidavit for the record.

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

Ms. Parks 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. Katai presented the staff and Planning Commission recommendations.

Supervisor Smyth moved approval of Proffered Condition Amendment Application PCA 85-P-037, subject to the proffers dated June 5, 2015. Supervisor Foust seconded the motion and it carried by a vote of six, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Cook, Supervisor Frey, Supervisor Gross, and Supervisor Hyland being out of the room.

59. **4:30 P.M. – PH ON PROPOSED PLAN AMENDMENT 2015-III-UP1, LOCATED EAST OF UTTERBACK STORE ROAD AND NORTH OF STATE ROUTE 7, LEESBURG PIKE (DRANESVILLE DISTRICT)** (6:30 p.m.)

Doug Hansen, Senior Planner, Facilities Planning Branch, Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report.

Discussion ensued, with input from Mr. Hansen, and Chris Caperton, Project Coordinator, PD, DPZ, regarding:

- The existing service, and whether it is entirely gravity flow
- The expansion and whether the 400-foot rule applies

Following the public hearing, Mr. Hansen presented the staff and Planning Commission (PC) recommendations.

Supervisor Foust moved approval of Plan Amendment 2015-III-UP1, as recommended by the PC, as shown on pages 4–5 of the staff report dated June 10, 2015, as revised and shown in his handout dated July 28, 2015. The amendment would modify the plan language for Tax Map Parcels 12-1 ((1)) 45A, 12-1 ((1)) 45, and 12-1 ((1)) 35 to permit a limited expansion of the Approved Sewer Service Area (ASSA) strictly to support public sewer service for Forestville Elementary School and Great Falls Nike Park.

Supervisor Foust stated that his intent of this modification is to emphasize the limited purpose and unique circumstance of the expansion and that the 400-foot rule does not apply.

Supervisor Herrity seconded the motion. Following discussion regarding the application, the question was called on the motion and it **CARRIED** by a recorded vote of seven, Supervisor Frey voting “NAY,” Supervisor Cook and Supervisor Hyland being out of the room.

60. **A-8 – EXPANSION OF THE APPROVED SEWER SERVICE AREA (ASSA) TO INCLUDE A PORTION OF THE HICKORY COMMUNITY PLANNING SECTOR (DRANESVILLE DISTRICT)** (6:49 p.m.)

(NOTE: Earlier in the meeting, the Board deferred action regarding this item. See Clerk’s Summary Item #22.)

Supervisor Foust moved that the Board concur in the recommendation of staff and authorize expansion of the ASSA as shown on the map in Attachment 1 of the Board Agenda Item dated July 28, 2015, to include Tax Map Number 12-1 ((1)) 45A, Forestville Elementary School, and Tax Map Numbers 12-1 ((1)) 45 and 35, Great Falls Nike Park, a limited portion of Tax Map Number 12-1 ((1)) 36, Washington Gas Light Company is also to be included in the ASSA expansion for easement purposes only. The exact boundary of which will be determined after the easement is determined. The 400-foot rule does not apply to this ASSA expansion and shall be so notated in the County’s official ASSA map. Chairman Bulova seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Frey voting “NAY,” Supervisor Cook and Supervisor Hyland being out of the room.

61. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2008-LE-015-02 (SPRINGFIELD METRO CENTER II, LLC) (LEE DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-LE-064-03 (SPRINGFIELD PARCEL C, LLC) (LEE DISTRICT)

AND

**PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA 2011-LE-022 (SPRINGFIELD METRO CENTER II, LLC AND
SPRINGFIELD 6601, LLC) (LEE DISTRICT) (6:51 p.m.)**

(Os) The Proffered Condition Amendment Application PCA 2008-LE-015-02 property is located on the west side of Springfield Center Drive, southwest of Springfield Metro Center, Tax Map 90-4 ((1)) 11B pt.

The Proffered Condition Amendment Application PCA 1998-LE-064-03 property is located at the terminus of Metropolitan Center Drive, southwest of Springfield Metro Center, Tax Map 90-2 ((1)) 56C pt.

The Proffered Condition Amendment Application PCA 2011-LE-022 property is located on the west side of Springfield Center Drive, southwest of Springfield Metro Center, Tax Map 90-2 ((1)) 56C pt., 58D, and 90-4 ((1)) 11B pt.

Ms. Sara Mariska reaffirmed the validity of the affidavits for the record.

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

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

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

Supervisor McKay moved:

- Approval of Proffered Condition Amendment Applications PCA 1998-LE-064-03 and PCA 2008-LE-015-02, subject to the proffers dated July 21, 2015.
- Reaffirmation of the previously approved waiver of the rear yard requirement in accordance with Section 2-418 of the Zoning Ordinance, in favor of that depicted on the Generalized Development Plan (GDP).
- Reaffirmation of a waiver of the barrier requirement and modification of the transitional screening yard requirement to the west in accordance with Paragraphs 3 and 5 of Section 13-305 of the Zoning Ordinance, as depicted on the GDP.

- Waiver of the maximum height of a fence in a front yard per Paragraph 3B of Section 10-104 of the Zoning Ordinance, to permit an 8-foot high security fence in the front yard, as depicted on the GDP and in the proffers.
- Directive to the Director of the Department of Public Works and Environmental Services for a deviation from the tree preservation target requirement identified in Section 12-0508 of the Public Facilities Manual, in favor of what is shown on the GDP.
- Approval of Proffered Condition Amendment Application PCA 2011-LE-022, subject to the proffers dated July 14, 2015.
- Reaffirmation of the previously approved modification of the loading space requirement to allow four spaces instead of the required five spaces by Paragraph 15 of Section 11-202 of the Zoning Ordinance, as depicted on the Conceptual Development Plan Amendment/Final Development Plan Amendment (CDPA/FDPA).
- Reaffirmation of an increase in the maximum floor area ratio from 1.5 to 1.89 for the previously approved Option 1 to be retained, in accordance with Section 6-208 of the Zoning Ordinance, as depicted on the CDPA/FDPA.
- Reaffirmation of a previously approved waiver of the barrier requirement and modification of the transitional screening yard requirement for the eastern portion of the site in accordance with Paragraph 11 of Section 13-305 of the Zoning Ordinance, as depicted on the CDPA/FDPA.
- Directive to the Director of the Department of Public Works and Environmental Services for a deviation from the tree preservation target requirement identified in Section 12-0508 of the Public Facilities Manual in favor of what is shown on the CDPA/FDPA.

Supervisor Foust seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McKay, and Chairman Bulova voting “AYE,” Supervisor Herrity, Supervisor Hudgins, and Supervisor Smyth being out of the room.

62. **ORDERS OF THE DAY** (7 p.m.)

Chairman Bulova said that, after the next public hearing, there is a public hearing scheduled on the agenda regarding Seven Corners, with 29 speakers who signed up in

advance. Following that public hearing are several public hearings that do not have any speakers, or only one or two signed up. She announced that those cases would be considered prior to the Seven Corners public hearing.

63. **4:30 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 30 (MINIMUM PRIVATE SCHOOL AND CHILD CARE FACILITY STANDARDS), ARTICLE 3 (HOME CHILD CARE FACILITIES)** (7:01 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 July 10 and July 17, 2015.

Anne-Marie Twohie, Director, Office for Children, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor McKay moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 30 (Minimum Private School and Child Care Facility Standards), Article 3 (Home Child Care Facilities). The amendments will align background check requirements for the County's Home Child Care Facilities Ordinance with the background check requirements found in the Virginia statutes that govern child care facilities licensed and regulated by the State. It also deletes language from Sections 30-3-4 and 30-3-6, which set forth time deadlines that have expired and serve no further purpose. Supervisor Foust and Supervisor Hyland jointly seconded the motion.

Following discussion regarding the background check requirements, Supervisor Gross noted that earlier in the meeting the Board approved the Department of Neighborhood and Community Services' Field Allocation Policy which also requires background checks for any adult acting in any capacity. (NOTE: See Clerk's Summary Item #16.)

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

64. **4:30 P.M. – PH ON PROPOSED COMPREHENSIVE PLAN AMENDMENT APPLICATION 2013-I-B2, SEVEN CORNERS COMMUNITY BUSINESS CENTER (MASON AND PROVIDENCE DISTRICTS)**

(NOTE: Later in the meeting this public hearing was held. See Clerk's Summary Item #70.)

65. 5 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 78-S-063-07 (WESTFIELDS VENTURE LP)

AND

PH ON REZONING APPLICATION RZ 2014-SU-016 (WESTFIELDS VENTURE LP) (SULLY DISTRICT) (7:08 p.m.)

(Os) The Proffered Condition Amendment Application PCA 78-S-063-07 property is located in the northwest quadrant of the intersection of Westfields Boulevard and Stonecroft Boulevard, Tax Map 44-3 ((1)) 15.

The Rezoning Application RZ 2014-SU-016 property is located on the northwest quadrant of the intersection of Westfields Boulevard and Stonecroft Boulevard, Tax Map 44-3 ((1)) 15.

Also, under the Board's consideration will be the applicant's Water Quality Impact Assessment Request #6179-WQ-004-1 and a Resource Protection Area Encroachment Exception Request #6179-WRPA-007-1 under Section 118-6-9 (Chesapeake Bay Preservation Ordinance) of Chapter 118 of the Code of the County of Fairfax to permit the encroachment within a Resource Protection Area (RPA) for the purpose of constructing amenities.

Mr. Greg Riegle reaffirmed the validity of the affidavit for the record.

William O'Donnell, Planner, Zoning Evaluation Division, Department of Planning and Zoning, gave a PowerPoint slide presentation depicting the application and site location.

Discussion ensued, with input from Mr. O'Donnell, regarding stormwater pond access and amenities.

Mr. Riegle 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. O'Donnell presented the staff and Planning Commission (PC) recommendations.

Following comments, Supervisor Frey moved:

- Amendment of the Zoning Ordinance, as it applies to the property which is the subject of Rezoning Application RZ 2014-SU-016, from the I-3 and WS Districts to the PRM and WS Districts, and approval of the associated Conceptual Development Plan, subject to the proffers dated July 14, 2015.

- Approval of Proffered Condition Amendment Application PCA 78-S-063-07.
- Approval of Resource Protection Area Encroachment Exception RPAE #6179-WRPA-007-1 and Water Quality Impact Assessment WQIA #6179-WQ-004-1, subject to the development conditions dated July 10, 2015, and as proffered.
- Modification of the 200 square foot minimum privacy yard requirement for single-family attached dwellings in favor of that shown on the CDP/FDP.
- Modification of the loading space requirements for multi-family dwelling units and retail space in favor of that depicted on the CDP/FDP.
- Modification of the private street limitations of Section 11-302 of the Zoning Ordinance.
- Modification of the peripheral parking lot landscaping requirement and the transitional screening and barrier requirements between uses in the PRM District in favor of that shown on the CDP/FDP as proffered.
- Modification of the proposed on-road bike lanes along Stonecroft Boulevard and Route 28 shown on the Comprehensive Plan Trails Map in favor of the multi-use trail shown on the CDP/FDP.
- Modification of PFM Standards 12-0510 4E(5) and 12-0601.1B to permit a reduction of the minimum planting width requirement from eight-feet to six-feet as shown on the CDP/FDP and described in the proffers.
- Waiver of the service drive requirement along Route 28 (Sully Road)
- Modification of Section 7-0802 of the PFM to permit 22-foot-wide residential alley streets shown on the CDP/FDP.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, and Chairman Bulova voting “AYE,” Supervisor Foust, Supervisor Hudgins, and Supervisor Smyth being out of the room.

(NOTE: On July 8, 2015, the PC approved Final Development Plan Application FDP 2014-SU-016.)

66. **5 P.M. – PH ON A PROPOSAL TO VACATE AND ABANDON JASPER LANE (LEE DISTRICT)** (7:28 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 July 10 and July 17, 2015.

Donald Stephens, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Foust moved adoption of the Ordinance and Order vacating and abandoning Jasper Lane. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Foust and Supervisor Hudgins being out of the room.

67. **5 P.M. – PH ON A PROPOSAL TO ABANDON PART OF WILLARD ROAD (SULLY DISTRICT)** (7:30 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 July 10 and July 17, 2015.

Donald Stephens, Department of Transportation, presented the staff report.

Following the public hearing, Supervisor Frey moved adoption of the Order abandoning a part of Willard Road. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor McKay, Supervisor Smyth, and Chairman Bulova voting “AYE,” Supervisor Foust and Supervisor Hudgins being out of the room.

68. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM), REGARDING SIDEWALK MODIFICATIONS AND WAIVERS** (7:31 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 July 10 and July 17, 2015.

John Matusik, Engineer, Site Code Research and Development Branch, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved adoption of the proposed amendments to the PFM, regarding sidewalk modifications and waivers, as recommended by the Planning

Commission. The proposed amendments become effective at 12:01 a.m. on July 29, 2015, and the revised provision shall be applicable to any submissions on or after this date. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hyland, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor Hudgins and Supervisor McKay being out of the room.

69. **5 P.M. – PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTIONS 3-2-26, 3-3-27 AND 3-7-25** (7:36 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 10 and July 17, 2015.

Jeffrey Weiler, Executive Director to the Retirement Boards, presented the staff report.

Following the public hearing, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 3 (County Employees), Sections 3-2-26, 3-3-27, and 3-7-25, modifying the methodology for determining the annual employer contribution rates for the Employees', Police Officers, and Uniformed Retirement Systems. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Frey, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor Hyland, Supervisor Smyth, and Chairman Bulova voting "AYE," Supervisor McKay being out of the room.

PMH:pmh/CAC

70. **4:30 P.M. – PH ON PROPOSED COMPREHENSIVE PLAN AMENDMENT APPLICATION 2013-I-B2, SEVEN CORNERS COMMUNITY BUSINESS CENTER (MASON AND PROVIDENCE DISTRICTS)** (7:40 p.m.)

Bernard Suchicital, Planner II, Department of Planning and Zoning (DPZ) presented the staff report.

Following statements by John Thillmann Co-Chair, Seven Corners Land Use and Transportation Task Force and Karl Moritz, Task Force Member, with input from Edward L. Long Jr., County Executive, and Tom Biesiadny, Director, Department of Transportation (DOT), discussion ensued regarding:

- How task force members were chosen
- Letter to Planning Commissioner Julie M. Strandlie, signed by Mr. Long and Karen Garza, Superintendent of Fairfax County

Public Schools, dated July 14, 2015, regarding the future use of the Willston Multicultural Center ite

- On-going discussions between County and Schools regarding building urban elementary schools and a building to house certain community services
- Community uses appropriate to collocate in a school
- The balance between flexibility and specificity of Plan language
- Transportation improvements to serve Plan densities, to be provided by both the public and private sectors

Following the public hearing, which included testimony by 37 speakers, Mr. Suchicital presented the staff and Planning Commission (PC) recommendations.

Supervisor Gross stated that she had items to submit for the record. She also commented on the status of Shadeland Drive to remain closed; stormwater management requirements that are being met; requests to defer the decision; and, the long-term nature of the Plan Amendment.

Supervisor Gross read into the record the letter signed by Mr. Long and Ms. Garza.

Discussion ensued, with input from Mr. Suchicital and Mr. Biesiadny, regarding Plan language and transportation.

Following comments, Supervisor Gross moved adoption of:

- Plan Amendment 2013-I-B2 as noted on pages 23 to 97 of the staff report dated April 3, 2015, as modified by the Planning Commission (PC) and shown in Attachments 2 of the Board Agenda Item dated July 28, 2015
- The follow-on motions recommended by the PC, also shown as Attachment 2, dated July 15, 2015, with her modification to Motion #4, which is highlighted on her handout dated July 28, 2015

Supervisor Gross read into the record follow-on motion #4, with an addition (as underlined):

"4. The Board directs staff to conduct a phasing analysis and develop a funding plan for the transportation improvements recommended in the Seven Corners Comprehensive Plan. This effort would result in the following:

- Cost estimates for road and other transportation improvements recommended in the Plan
- Recommendations on the projected order in which transportation improvements should be implemented to maintain a balance between the future development of Seven Corners and the associated transportation infrastructure over time
- Conceptual plans for phased implementation of the road improvements, including the entire ring road network, with time duration and estimated costs of each project
- Descriptions of funding sources and estimates of funds available from each source, based on similar experience elsewhere in the County

DOT should engage stakeholders and the community in the preparation of this funding plan and phasing analysis. When completed, the analysis should be published online."

Supervisor Hudgins and Supervisor McKay jointly seconded the motion.

Following discussion, with input from Mr. Biesiadny, regarding:

- Timeframe for accomplishing follow-on motions for addressing transportation
- Comprehensive review of milestones for the entire transportation plan

Supervisor Gross amended the motion to include with follow-on motion #4 an additional bullet:

- That the Board direct staff to provide milestones for each of updates or milestones provided to the Board – particularly the interchange.

This was accepted.

Discussion continued, with Fred Selden, Director, DPZ, and Mr. Biesiadny regarding:

- Development of the Willston Multicultural Center
- Approved densities of the redevelopment areas throughout the County
- Adequacy of the Transportation plan to serve the Plan densities

Discussion ensued, with input from Mr. Suchicital, Mr. Selden, and Charlene Fuhrman-Schulz, Development Officer, Department of Housing and Community Development (DHCD), Design Development Division, regarding Affordable Dwelling Units (ADUs).

Supervisor Cook asked to amend the motion as follows:

- Notwithstanding any other provision herein the Plan provides for the building of an elementary school sufficient to meet the areas needs whether it Willston or elsewhere within the area unless the Fairfax County Public Schools (FCPS) advises such a school is not necessary

This was accepted.

Supervisor Gross further moved to amend the motion to include:

- In Sub-units A-1 and A-2, a 1:1 replacement of existing affordable residential units at or below 60 percent AMI within the development area is expected

Discussion ensued regarding the proposed amendment, with input from Ms. Fuhrman-Schulz and Barbara A. Byron, Director, Office of Community Revitalization.

This amendment was accepted.

The question was called on the main motion, as amended, and it **CARRIED** by a recorded vote of eight, Supervisor Herrity voting “NAY,” Supervisor Frey being out of the room.

DAL:dal

71. **6 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (12:03 a.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of July 10 and July 17, 2015.

Citizens and businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of ten speakers will be heard. Speakers may address the Board only once during a six month period.

Chairman Bulova noted that Ms. Taehee Kim registered to provide comments but, due to the lateness of the hour, was unable to stay. However, she left a written copy of her proposed comments.

Chairman Bulova stated that her office will prepare a written response addressing Ms. Kim's concerns.

ADDITIONAL BOARD MATTERS

72. **KINGS CROSSING COMPREHENSIVE PLAN AMENDMENT
(MOUNT VERNON DISTRICT)** (12:03 a.m.)

Supervisor Hyland said that Novus Property Holdings LLC is the contract purchaser of property identified as Tax Map Reference 83-3 ((1)) 18, 19, and 20. Novus Property Holdings LLC is seeking a Comprehensive Plan Amendment to permit the revitalization and redevelopment of an existing, aging retail development as a multifamily building. Novus Property Holdings LLC has been working with the Spring Bank Community, which is supportive of the proposed Plan amendment, as well as the Mount Vernon Council of Citizens Association (MVCCA). On April 27, 2015, the MVCCA voted to support a concurrent Plan amendment and rezoning of the subject property.

Therefore, Supervisor Hyland moved that the Board direct the Department of Planning and Zoning to:

- Expediently review the Plan amendment proposal for the subject property which is located in Land Unit G within the Penn Daw Community Business Center of the current Comprehensive Plan. The review should consider the appropriateness of the subject property redeveloping as a multifamily building with up to 375 dwelling units and/or live/work units, and up to 7,500 square feet of retail use
- Concurrently process this Plan amendment along with any rezonings, development plans, or site plans filed with respect to the subject property

This motion should not be construed as a favorable recommendation for this proposed Plan amendment or any subsequent rezoning or other applications. Chairman Bulova seconded the motion and it carried by unanimous vote.

73. **NEWINGTON ROAD COMPREHENSIVE PLAN AMENDMENT
(MOUNT VERNON DISTRICT)** (12:05 a.m.)

Supervisor Hyland said that the Newington Civic Association and the Newberry Station Homeowners Association are requesting a transportation Comprehensive Plan amendment. These communities overwhelmingly do not support any road

improvements including, but not limited to widening, improving, adding sidewalks, or straightening Newington Road.

Supervisor Hyland referred to his written Board Matter which includes the Newington Civic Association's memorandum detailing the reasons for requesting that Newington Road improvements be deleted from all documents, including the Comprehensive Plans and policy documents.

Therefore, Supervisor Hyland asked unanimous consent that the Board direct staff to review and report with its recommendation, which could be a draft of a Comprehensive Plan amendment that will remove all improvements identified in the Comprehensive Plans and policy documents.

He called the Board's attention to the Newington Civic Association resolution, attached to his written Board Matter, which outlines the sensitivity of Newington Road which is the subject of a "No Through Trucks" division for 20 years.

Supervisor McKay asked to amend the request and direct staff to also provide an analysis of where traffic would go, if it does not use Newington Road.

Chairman Bulova clarified that the request is for staff to:

- Evaluate the request from the Newberry Station Homeowner Association and the Newington Civic Association resolution and report with its recommendation for addressing issues of concern.
- Should changes be made to the Comprehensive Plan, what results it would have on the network of roads within the area.

Without objection, the request, as amended, was so ordered.

74. **THANK-YOU COMMENTS FROM SUPERVISOR GROSS (MASON DISTRICT)** (12:10 a.m.)

Supervisor Gross said she forgot to make thank-you comments after the public hearing on Proposed Comprehensive Plan Amendment Application 2013-I-B2, Seven Corners Community Business Center. Therefore, she provided the Clerk of the Board with her thank you note to incorporate into the summary, which reads as follows:

“There are so many people to thank in this more than three-year journey. Rather than thank each person by name, let me just mention County staff – Planning and Zoning, Office of Community Revitalization, Transportation, the Park Authority – the Seven Corners Visioning Task Force, the Connectivity and Quality of Life work groups, the Special Working Group for the Sears site, the independent community work group, the city of

Falls Church staff, the Planning Commission, and especially my new Planning Commissioner Julie Strandlie, who got her *baptism by fire* on this one, School Board member Sandy Evan, and especially my land use aides – Aaron Frank and Ervin Uriarte.”

75. **REZONING APPLICATION RZ 2014-MA-011 AND SPECIAL EXCEPTION APPLICATION SE 2014-MA-013 (SPECTRUM DEVELOPMENT, LLC) (MASON DISTRICT)** (12:10 a.m.)

Supervisor Gross said that on February 12, 2015, the Planning Commission recommended approval of Rezoning Application RZ 2014-MA-011 and Special Exception Application SE 2014-MA-013 for Spectrum Development, LLC. The Board held a public hearing on March 3, 2015, with the decision being deferred to March 24, 2015. On that date, the decision was indefinitely deferred. The applicant is continuing to work with staff and the community on revisions to the plans and proffers.

Therefore, Supervisor Gross moved that the Board direct staff to schedule a public hearing for Rezoning Application RZ 2014-MA-011 and Special Exception Application SE 2014-MA-013 for a date certain of **October 6, 2015 at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Smyth being out of the room.

76. **ACCOTINK CREEK COMMENT LETTER (MASON DISTRICT)** (12:11 a.m.)

Supervisor Gross said that the Virginia Department of Environmental Quality released its draft Stressor Analysis Report on July 6, and will receive comments for 30 days from that date. Due to the timing of the report and deadlines, there has not been an opportunity for the Board to review the report or discuss it in a regularly scheduled Environmental Committee meeting.

She said staff has prepared a draft comment letter for the Chairman to send on the Board's behalf, and it is included with her written Board Matter. She noted that a public meeting was held at the Kings Park Library on July 6, which she attended.

Therefore, Supervisor Gross moved approval of the draft letter for the Chairman's signature. Chairman Bulova seconded the motion.

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

77. **PAYROLL WEEK IN THE COUNTY** (12:13 a.m.)

Supervisor Gross asked unanimous consent that the Board proclaim the week of September 1, 2015, as “*Payroll Week*,” in Fairfax County. The proclamation will be presented at a separate event. She noted that her written Board Matter includes language for the proclamation. Without objection, it was so ordered.

PMH:pmh

78. **TOLLING INTERSTATE I-66 INSIDE THE BELTWAY** (12:14 a.m.)

Supervisor Herrity said that on March 12 Aubrey Lane, Virginia Secretary of Transportation, announced a plan to ease congestion on the traffic-clogged I-66 that states it will move more people, enhance connectivity, and provide new travel options on I-66, from I-495 to US Route 29 in Rosslyn. He added that his office has received several emails from constituents expressing concerns with this plan. Tolling the interstate, inside the beltway, without adding any capacity beyond what is already in place, does not solve the congestion crisis, and it may exacerbate it.

Supervisor Herrity said that this project was discussed at the last Transportation Committee meeting and the fact that the Board has not taken a position on the project. At the Board Transportation Committee meeting, some major concerns were expressed.

Therefore, Supervisor Herrity moved that the Board refer this issue to the Transportation Committee meeting scheduled for September 11 at which time a draft letter will be discussed. Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

79. **SULLY DISTRICT LAND USE APPLICATIONS** (12:21 a.m.)

On behalf of Supervisor Frey, Supervisor Cook moved that the Board direct staff to expedite the scheduling of the following public hearings and schedule them as soon as possible following Planning Commission action, but not later than October 20:

- Rezoning/Final Development Plan Applications RZ/FDP 2015-SU-002, Proffered Condition Amendment Application PCA 86-S-071-04 - JLB Realty LLC (Trinity Center)
- Proffered Condition Amendment/Final Development Plan Amendment Applications PCA/FDPA 2006-SU-025-02, Conceptual Development Plan Amendment Application CDPA 2006-SU-025 - Regency Centers Acquisition (Wegman’s)
- Special Exception Amendment Application SEA 97-Y-002-02 Chantilly Associates, Incorporated

- Special Exception Application SE 2015-SU-018 - Chantilly Autocare Center, LLC
- Special Exception Application SE 2015-SU-017 - BBCN Bank

This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in anyway. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

80. **CELEBRATING NORTHERN VIRGINIA COMMUNITY COLLEGE'S (NVCC) 50 YEARS OF SERVING THE COMMUNITY** (12:23 a.m.)

In a joint Board Matter with Supervisor Herrity and Chairman Bulova, Supervisor Cook recognized NVCC which was first established in 1964 under the name of Northern Virginia Technical College. When it opened in the fall of 1965, 761 students attended classes in a single building in Bailey's Crossroads, in 1966, to accommodate the growing student population, the college purchased 78 acres of land in Annandale which created the first campus site.

Supervisor Cook referred to his written Board Matter, which outlined the history of NVCC, and asked unanimous consent that the Board direct staff to invite representatives from NVCC to appear before the Board on October 20 to be recognized for the immense contributions it has made to the County. Without objection, it was so ordered.

81. **HONORING MR. STEVE PRICE (BRADDOCK DISTRICT)** (12:24 a.m.)

Supervisor Cook announced that after 40 years, Mr. Steve Price has decided to retire as the head lacrosse coach at Lake Braddock Secondary School. Supervisor Cook referred to his written Board which outlined Mr. Price's accomplishments.

Therefore, Supervisor Cook asked unanimous consent that the Board direct staff to prepare a proclamation to recognize Coach Steve Price for his ceaseless dedication to the sport of lacrosse and the invaluable contributions he has made to the County. Without objection, it was so ordered.

82. **EXPEDITED PROCESSING FOR SPECIAL EXCEPTION APPLICATION SE 2015-BR-011 (BRADDOCK DISTRICT)** (12:24 a.m.)

Supervisor Cook moved that the Board direct staff to expedite the processing of Special Exception Application SE 2015-BR-011 and schedule a public hearing to be held before the Board on **October 6, 2015, at 3:30 p.m.** This motion should not be construed as a favorable recommendation by the Board on the proposed application and does not relieve the applicant from compliance with

the provisions of all applicable ordinances, regulations, or adopted standards in any way. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

83. **BRAZILIAN INSPECTOR CARLOS SILVA** (12:26 a.m.)

Supervisor McKay referred to his written Board Matter and noted the death of Brazilian Inspector Carlos Silva to a tragic bicycle accident during the World Police and Fire Games earlier this month. As unfortunate as this terrible accident was, it was heartwarming to see how many people and businesses in the community stepped up to support Inspector Silva's colleagues and family.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to invite Mr. Steve Wooddell, Mr. Kevin Reynolds, and Mr. Tom Lowe to appear before the Board to be recognized for their humanitarian support for Inspector Silva, his family, and his colleagues. Without objection, it was so ordered.

84. **CONSIDERATION ITEM – MURRAYGATE APARTMENTS (LEE DISTRICT)** (12:27 a.m.)

Supervisor McKay said that the renovation of the Murraygate Apartments by the County Housing and Community Development (HCD) Department has generated a time-sensitive and unique partnering opportunity with the adjoining community to provide a public athletic field facility in this underserved area of the Route 1 corridor. This rare opportunity to build a strategically located, public-use field will benefit not only the families in HCD housing but all residents in the surrounding communities.

The residential area surrounding Murraygate has a projected deficit of 11.5 rectangular athletic fields. In addition, Richmond Highway is a barrier for these communities that depend on pedestrian access to public facilities. Installing an athletic field in the community will support the tremendous needs of the neighborhoods in the Hybla Valley area. This area, dominated by high density apartments, trailers, and many low-income families with limited access to recreational amenities, has been targeted by the Partnership for Healthier Fairfax to provide ways for children to recreate and lead healthy lives.

After consultation with staff from Housing, the Park Authority, Neighborhood and Community Services, and Deputy County Executive Rob Stalzer, it has been determined that funding is needed for a parking analysis, feasibility study, and preliminary design for a community athletic field.

Therefore, Supervisor McKay moved that the Board direct staff to add a \$100,000 Consideration Item for this request to the Carryover package. Supervisor Hyland seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

85. **BURGUNDY VILLAGE OPERATIONS BOARD PREFERENCE POLL (LEE DISTRICT)** (12:29 a.m.)

(APPTS) Supervisor McKay said that each year since 1998, residents and homeowners in the Burgundy Village community have elected candidates to the Burgundy Village Community Center Operations Board by means of a preference poll. As directed in its bylaws, the Operations Board holds its elections with assistance from the Department of Neighborhood and Community Services and the League of Women Voters of the Fairfax Area.

In accordance with the results of the preference poll, Supervisor McKay moved that the Board confirm the following appointments, all of which are for five-year (*sic*) terms:

- Ms. Eleanor “Joyce” Hearst
- Mr. Robert Reece
- Ms. Violeta Imperio

Chairman Bulova and Supervisor Foust jointly seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

(NOTE: The appointments are all **four** year terms.)

86. **REQUEST FOR PROCLAMATION TO HONOR MS. KARI WARREN** (12:29 a.m.)

Supervisor McKay noted that Kari Warren is the Executive Director of Beth El house, a model transitional housing program for formerly homeless mothers and their children. As Executive Director, Ms. Warren has guided this organization since 2007.

Supervisor McKay referred to his written Board Matter which outlined Ms. Warren’s accomplishments and asked unanimous consent that a proclamation honoring Ms. Warren for her work be prepared for presentation to her at her August 7 farewell dinner. The proclamation should be signed by Chairman Bulova, Supervisor Hyland, and Supervisor McKay. Without objection, it was so ordered.

87. **SPRINGFIELD COMMUNITY CELEBRATION (LEE DISTRICT)** (12:31 a.m.)

Supervisor McKay said that on Tuesday, September 1, at 7:30 p.m., members of the Springfield community will march over Veteran’s Bridge in the heart of the Springfield revitalization district and hold a community celebration at the American Legion end of the bridge. The celebration will feature music, food from local restaurants, and remarks by community leaders.

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

88. **CAR-SHARING PROGRAMS** (12:31 a.m.)

Supervisor McKay said that car sharing is a popular form of transportation that allows residents, many of whom do not own vehicles, to become members in a service that allows them to rent a car online or via cell phone for a fee to travel to locations too far to walk or bus.

Once a vehicle has been reserved, users are directed to where they can pick up the car; when the time comes to return the vehicle, users park it back in the reserved spot where it was picked up.

This program has caught on in the District, where many cars are available for use through both on-street parking and in private lots where many cars are stored. However, here in the County, reserved parking spots are only permitted on private property, such as apartment parking decks and Metro surface lots, because “reserved” or “designated” on-street parking spaces cannot be provided.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to evaluate if legislative action is needed to allow car-sharing programs to reserve parking spots on public roadways and to report before the next General Assembly session. Without objection, it was so ordered.

89. **REQUEST FOR CONCURRENT PROCESSING REGARDING SOUTH LAKES HIGH SCHOOL (HUNTER MILL DISTRICT)** (12:32 a.m.)

Supervisor Hudgins said that the School Board has filed Planned Residential Community PRC Application PRC 76-C-111 to allow the construction of a building addition and minor site modifications for South Lakes High School.

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 PRC Application PRC 76-C-111. This motion should not be construed as a favorable recommendation by the Board of Supervisors on the proposed applications and does not relieve the Applicant from complying with the provisions of all applicable ordinances, regulations or adopted standards in any way. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

90. **REQUEST FOR BOARD CONSENT TO ALLOW THE FILING OF SPECIAL EXCEPTION APPLICATION AND PUBLIC FACILITY APPLICATION – RESTON TOWN CENTER METRORAIL STATION (HUNTER MILL DISTRICT)** (12:33 a.m.)

Supervisor Hudgins said that the Metropolitan Washington Airports Authority (MWAA), in cooperation with the Washington Metropolitan Area Transit Authority (WMATA), the Virginia Department of Rail and Public Transportation (VDRPT), the County, the Town of Herndon and Loudoun County, are designing

and constructing the Silver Line Metrorail Project, a 23.1-mile extension of WMATA's Metrorail system in the Dulles Toll Road Corridor. MWAA is constructing this extension in two phases.

Therefore, Supervisor Hudgins moved that the Board:

- Authorize MWAA to include the 1.69 acre site previously identified as part of Tax Map Number 0173((01))-35B in a special exception application and a 2232 Public Facility Determination application
- Expedite the processing of these applications to allow the Silver Line Metrorail improvements
- Consent to being listed as a co-applicant in these applications

These motions should not be construed as a favorable recommendation by the Board on the merits of either application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, development conditions or adopted standards. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

91. **TEMPORARY RESTON NAME CHANGE (HUNTER MILL DISTRICT)**
(12:35 a.m.)

Supervisor Hudgins noted that Fairfax County is home to the Washington West International Film Festival, headquartered in Reston, which celebrates its five-year film anniversary this October.

Therefore, Supervisor Hudgins moved that the Board adopt a Resolution (a copy of which was attached to her written Board Matter) to change the name of Reston for the entire Film Festival starting on October 21, 2015, through October 25, 2015, to 'Hill Valley', the hometown name of Marty and Doc in *Back To The Future*. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

92. **NATIONAL NIGHT OUT ANNOUNCEMENT** (12:37 a.m.)

Supervisor Hudgins referred to her written Board Matter detailing the National Night Out on August 4. She noted that neighbors still have an opportunity to plan an event and register with their local police station. For more information visit www.fairfaxcounty.gov/police or www.natw.org.

93. **BEES** (12:38 a.m.)

Supervisor Hudgins referred to her written Board Matter noting the importance of bees and that they are vital to the environment and help the economy. Without bees, food crops will decline.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to:

- Investigate the planting of bee-friendly vegetation on County-controlled property. Furthermore, to work collaboratively with Fairfax County Public Schools to promote bee-decline awareness and to investigate planting bee-friendly greenery with the student community.
- Report on actions to be taken by the first Board meeting in January 2016.

Without objection, it was so ordered.

94. **EXPEDITED PROCESSING FOR RESTON TOWN CENTER, BLOCK 4 (HUNTER MILL DISTRICT)** (12:37 a.m.)

Supervisor Hudgins referenced her written Board Matter and moved that the Board direct the Department of Planning and Zoning to schedule a public hearing to be held before the Board on Proffered Condition Amendment Application PCA 85-C-088-10, Development Plan Amendment Application DPA 85-C-088-08, and Planned Residential Community Amendment Application PRCA 85-C-088-03 on October 6, 2015. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in anyway. Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Frey being out of the room.

95. **FAREWELL TO MR. R. KYLE McDANIEL (SPRINGFIELD DISTRICT)** (12:39 a.m.)

Supervisor Herrity announced that R. Kyle McDaniel, Staff Member, Springfield District office, will be leaving his staff at the end of the month. He expressed his appreciation to Mr. McDaniel for his outstanding service.

96. **BOARD ADJOURNMENT** (12:40 a.m.)

At 12:40 a.m., July 29, 2015, the Board adjourned.

Index

AGENDA ITEM	Page
Presentations: Certificates/Awards	2-4
Appointments to Citizen Boards, Authorities, Commissions and Advisory Groups	4-10
Items Presented by the County Executive	
Administrative Items	10-18
Action Items	18-22
Information Items	21
Board Matters	
Chairman Bulova	22-23, 65
Supervisor Cook	65-66
Supervisor Foust	25-28
Supervisor Frey	64-65
Supervisor Gross	62-64
Supervisor Herrity	64-65
Supervisor Hudgins	68-70
Supervisor Hyland	61-62
Supervisor McKay	66-68
Supervisor Smyth	24-25
Actions from Closed Session	33
Public Hearings	33-61