



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
October 30, 2018**

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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, October 30, 2018, at 9:35 a.m., there were present:

- Chairman Sharon Bulova, presiding
- Supervisor John C. Cook, Braddock District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Catherine M. Hudgins, Hunter Mill District
- Supervisor Jeffrey C. McKay, Lee District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Linda Q. Smyth, Providence District
- Supervisor Daniel G. Storck, Mount Vernon District

Others present during the meeting were Bryan J. Hill, County Executive; Elizabeth Teare, County Attorney; Catherine A. Chianese, Assistant County Executive and Clerk to the Board of Supervisors; Angela Schauweker, Management Analyst II, Office of the County Executive; Ekuu Brew-Ewool, Kecia Kendall, and Dianne E. Tomasek, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTER1. **MOMENT OF SILENCE** (9:35 a.m.)

Chairman Bulova asked to keep in thoughts the victims and families of the tragedy in Pittsburgh. She noted that on Tuesday, October 30, at 7:30 p.m., an Interfaith Vigil will be held at Temple Rodef Shalom located at 2100 West Moreland Street in Falls Church. She invited the community and Board Members to attend.

AGENDA ITEMS2. **PRESENTATION TO FAIRFAX COUNTY PROGRAMS OF THE VIRGINIA ASSOCIATION OF COUNTIES (VACo) AWARDS FOR 2018** (9:40 a.m.)

Dean Lynch, Executive Director, VACo, gave a presentation regarding the VACo Awards for 2018. This year's recipients are as follows:

- The Next Generation Security Program – Department of Information Technology
- The Financial Exploitation Prevention Task Force – Department of Family Services
- The Revitalize, Restore, and Replant Program – Department of Public Works and Environmental Services

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE FIRE AND RESCUE DEPARTMENT (FRD) AND THE DEPARTMENT OF PUBLIC SAFETY COMMUNICATIONS** (9:51 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Certificate of Recognition presented to the FRD and the Department of Public Safety Communications for the successful 2018 Fill the Boot campaign. Supervisor McKay seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

4. **PROCLAMATION DESIGNATING NOVEMBER 2018 AS "AMERICAN INDIAN HERITAGE MONTH" IN FAIRFAX COUNTY** (10:05 a.m.)

Supervisor Cook moved approval of the Proclamation designating November 2018 as "*American Indian Heritage Month*" in Fairfax County and urged all residents to join in recognizing members of the American Indian and Native Alaskan community in the County and throughout the United States.

Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor K. Smith being out of the room.

5. **RESOLUTION OF RECOGNITION FOR THE ONE-HUNDREDTH ANNIVERSARY OF THE END OF WORLD WAR I** (10:10 a.m.)

Supervisor Cook moved approval of the Resolution of Recognition for the one-hundredth anniversary of the end of World War I and urged all residents of the County to remember those who served. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor K. Smith being out of the room.

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6. **10 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (10:22 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 October 30, 2018.” Chairman Bulova seconded the motion and it carried by unanimous vote.

The full list of appointments is as follows:

A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE

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

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the Dranesville District Representative.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

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

AIRPORTS ADVISORY COMMITTEE

Confirmation of:

- Mr. Matthew Dunne as the Federation of Citizens Associations’ Representative

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

ARCHITECTURAL REVIEW BOARD

Reappointment of:

- Ms. Kaye Orr as the Related Professional Group #1 Representative

The Board deferred the appointment of the Architect #1, Related Professional Group #3 and #4 Representatives.

ATHLETIC COUNCIL

Reappointment of:

- Mr. Clarke Gray as the Providence District Alternate Representative

The Board deferred the appointment of the Braddock District Alternate, Lee District Alternate, Mason District Alternate, and Women's Sports Alternate Representatives.

BARBARA A. VARON VOLUNTEER AWARD SELECTION COMMITTEE

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

BOARD OF BUILDING AND FIRE PREVENTION CODE OF APPEALS

The Board deferred the appointment of the Alternate #4 Representative.

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

Appointment of:

- Ms. Joan Marie Dec as the At-Large #2 Representative

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

Reappointment of:

- Ms. Anne S. Kanter as the At-Large #1 Representative

Appointment of:

- Ms. Amy Gould as the Braddock District Representative

The Board deferred the appointment of the Mason District Representative.

CHILD CARE ADVISORY COUNCIL

Reappointment of:

- Ms. Wynne Busman as the Mason District Representative

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

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

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

CIVIL SERVICE COMMISSION

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

COMMISSION FOR WOMEN

Reappointment of:

- Ms. Mattie Palmore as the At-Large Minority Representative
- Ms. Charlie Brown as the Braddock District Representative
- Ms. Nancy Hopkins as the Dranesville District Representative
- Ms. Helen Cole as the Hunter Mill District Representative

COMMISSION ON AGING

Appointment of:

- Ms. Gwenn Minton as the Hunter Mill District Representative

CONSUMER PROTECTION COMMISSION (CPC)

The Board deferred the appointment of the Fairfax County Resident #3 and #13 Representatives.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

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

**DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT
ADVISORY BOARD, PHASE I**

The Board deferred the appointment of the At-Large #5 Representative.

ECONOMIC ADVISORY COMMISSION

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

ENGINEERING STANDARDS REVIEW COMMITTEE

Confirmation of:

- Mr. Don Lacquement as the Land Development Services Representative

The Board deferred the appointment of the Citizen #4 Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

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

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING
COUNCIL**

Confirmation of:

- Ms. Linda McKoy Watkins as the Advocacy Organizations #2 Representative

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

Appointment of:

- Ms. Morgan Maravich as the Springfield District Representative

**FAIRFAX COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF
TRUSTEES**

Confirmation of:

- Mr. John Yeatman as the Retiree Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

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

HEALTH SYSTEMS AGENCY BOARD

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

HISTORY COMMISSION

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

HUMAN RIGHTS COMMISSION

The Board deferred the appointment of the At-Large #7 and #8 Representatives.

HUMAN SERVICES COUNCIL

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

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)

Confirmation of:

- Ms. Andrea Powell as the Fairfax County Public Schools Representative

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

The Board deferred the appointment of the Braddock, Dranesville, Hunter Mill, Mount Vernon, and Providence District Representatives.

POLICE CIVILIAN REVIEW PANEL

The Board deferred the appointment of the Seat #6 Representative.

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

Reappointment of:

- Mr. James E. Bitner as the Citizen At-Large #3 Representative

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

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

ROAD VIEWERS BOARD

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

SMALL BUSINESS COMMISSION, FAIRFAX COUNTY

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

SOUTHGATE COMMUNITY CENTER ADVISORY COUNCIL

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

TENANT LANDLORD COMMISSION

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

TRANSPORTATION ADVISORY COMMISSION

The Board deferred the appointment of the Providence District Representative.

TREE COMMISSION

The Board deferred the appointment of the Providence District Representative.

TREE COMMISSION

Reappointment of:

- Ms. Jeanne Kadet as the Braddock District Representative
- Mr. Dragan Momcilovic as the Hunter Mill District Representative
- Ms. Jessica M. Bowser as the Lee District Representative

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

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

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

WETLANDS BOARD

Reappointment of:

- Ms. Deana M. Crumbling as the Alternate #1 Representative

7. **ADMINISTRATIVE ITEMS** (10:23 a.m.)

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

Supervisor K. Smith called the Board's attention to Admin 6 – Authorization to Advertise a Public Hearing to Consider Proposed Amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Article 12 (Signs) Regarding Signs and Related Provisions and asked to amend the motion to consider this item separately, and this was accepted.

The question was called on the motion, as amended, and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

ADMIN 1 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 101 (SUBDIVISION ORDINANCE), CHAPTER 112 (ZONING ORDINANCE), CHAPTER 118 (CHESAPEAKE BAY PRESERVATION ORDINANCE), AND TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING CODIFYING THE DELINEATION OF BUILDABLE AREAS ON PLANS OF DEVELOPMENT, ADDING RUNNING BAMBOO TO NOXIOUS WEEDS, AND OTHER EDITORIAL CHANGES

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on December 5, 2018, and before the Board on **January 22, 2019, at 4:30 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 101 (Subdivision Ordinance), Chapter 112 (Zoning Ordinance), Chapter 118 (Chesapeake Bay Preservation Ordinance), and to the Public Facilities Manual (PFM) regarding codifying the delineation of buildable areas on plans of development, adding running bamboo to noxious weeds, and other editorial changes.

**ADMIN 2 - STREETS INTO THE SECONDARY SYSTEM
(PROVIDENCE DISTRICT)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Summer Hill Estates	Providence	Snowberry Court

**ADMIN 3 – RESOLUTION FOR ENDORSEMENT OF DEAD RUN DRIVE
AND CARPER STREET TO BE CONSIDERED FOR CUT-THROUGH
MEASURES AS PART OF THE RESIDENTIAL TRAFFIC
ADMINISTRATION PROGRAM (RTAP) (DRANESVILLE DISTRICT)**

- (R) Adopted the Resolution including Dead Run Drive and Carper Street, between Georgetown Pike and Churchill Road, into the RTAP for cut-through traffic.

**ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING
TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE
COUNTY OF FAIRFAX, CHAPTER 7 (ELECTIONS), SECTION 7-2-13
(GENERAL PROVISIONS)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **December 4, 2018, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 7 (Elections), Section 7-2-13 (General Provisions), to rename the Ravenwood precinct polling location in the Mason District, change the street address for the Belvoir precinct polling location in the Mount Vernon District, and relocate the polling locations for the Cedar Lake and Centerpointe precincts in the Springfield District.

**ADMIN 5 - AUTHORIZATION FOR THE DEPARTMENT OF FAMILY
SERVICES (DFS) TO APPLY FOR AND ACCEPT GRANT FUNDING
FROM THE U.S. DEPARTMENT OF HEALTH AND HUMAN SERVICES
(HHS) FOR SUPPLEMENTAL FUNDING ASSOCIATED WITH THE
EARLY HEAD START FAMILY CHILD CARE (FCC) PROGRAM**

Authorized:

- The DFS to apply for and accept grant funding, if received, from the U.S. HHS in the amount of \$66,166, including \$13,233 in Local Cash Match, to provide coaching and mentoring for Early Head Start FCC partners to support curriculum implementation and fidelity

- The Chairman of the Board, the County Executive and/or a designee appointed by the County Executive, to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County

ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), ARTICLE 12 (SIGNS) REGARDING SIGNS AND RELATED PROVISIONS

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See page 9.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #29.)

8. **A-1 – DELEGATION OF AUTHORITY TO ADMINISTER AND REGULATE THE SALE AND RENTAL OF WORKFORCE DWELLING UNITS (WDU) TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)** (10:25 a.m.)

On motion of Supervisor Hudgins, seconded jointly by Supervisor Gross and Supervisor McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and delegated authority to administer and regulate the sale and rental of WDUs, including its ability to acquire WDUs, to the FCRHA.

9. **A-2 – AUTHORIZATION TO ENTER INTO A THREE PARTY AGREEMENT WITH THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) AND MOTIVATE, INCORPORATED, FOR OPERATION OF CAPITAL BIKESHARE ON WMATA PROPERTY** (10:26 a.m.)

On motion of Supervisor Foust, seconded by Supervisor Hudgins, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the Director of the Department of Transportation (DOT) to execute the agreement, substantially in the form of Attachment 1 of the Board Agenda Item, and subsequent renewals of the agreement, in substantially the same form, with WMATA and Motivate, Incorporated, to locate and operate Capital Bikeshare stations on WMATA property in the County.

10. **A-3 – DELEGATION OF SIGNATURE AUTHORITY, AND APPROVAL OF A STANDARD STORMWATER (SW) DEVICE MAINTENANCE AGREEMENT BETWEEN FAIRFAX COUNTY AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT), FOR THE PURPOSE OF IDENTIFYING MAINTENANCE RESPONSIBILITY OF NEW STORMWATER MANAGEMENT DEVICES AND FACILITIES CONSTRUCTED IN STATE RIGHT-OF-WAYS RELATED TO TRANSPORTATION AND OTHER COUNTY CAPITAL IMPROVEMENT PROJECTS** (10:26 a.m.)

(R) Tom Biesiadny, Director, Department of Transportation (DOT) gave a brief presentation on the Maintenance Agreement.

Discussion ensued, with input from Mr. Biesiadny, regarding whether the agreement will address the I-66 project and stormwater management.

Supervisor Gross moved that the Board concur in the recommendation of staff and:

- Approve the Stormwater Device Maintenance Agreement in substantially the form of Attachment 1 of the Board Agenda Item
- Adopt the Resolution in substantially the form of Attachment 2 of the Board Agenda Item
- Authorize the Director of the Department of Transportation (DOT) and the Director of the Maintenance and Stormwater Management Division (MSMD) to execute the agreement for specific projects

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

11. **A-4 – AUTHORIZATION TO EXECUTE A PROJECT ADMINISTRATION AGREEMENT (PAA) WITH THE CITY OF FALLS CHURCH FOR THE CONSTRUCTION OF PEDESTRIAN ENHANCEMENTS AND SIGNAL IMPROVEMENTS ON NORTH WEST STREET (DRANESVILLE DISTRICT)** (10:31 a.m.)

(R) Supervisor Foust moved that the Board concur in the recommendation of staff and:

- Adopt the Resolution in substantially the form of Attachment I of the Board Agenda Item

- Authorize the Director of the Department of Transportation (DOT) to execute the PAA with the City of Falls Church for the County to administer construction of pedestrian enhancements and signal improvements on North West Street in the City of Falls Church and the County

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

12. **A-5 – ENDORSEMENT OF TRANSPORTATION PROJECTS AND AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR FUNDING FROM THE COMMONWEALTH OF VIRGINIA'S PEDESTRIAN SAFETY ACTION PLAN GRANT PROGRAM (BRADDOCK, MASON, HUNTER MILL, SULLY, LEE, AND MOUNT VERNON DISTRICTS)** (10:32 a.m.)

(R) Supervisor Gross moved, with a minor correction, that the Board concur in the recommendation of staff and:

- Authorize DOT to apply for funding in the amount of \$2,634,500 through the Virginia Department of Transportation (VDOT) Pedestrian Safety Action Plan Grant Program
- Adopt the Resolution in substantially the form of Attachment 1 of the Board Agenda Item, in support of the projects as contained in Attachment 2 of the Board Agenda Item

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

13. **A-6 – APPROVAL OF ISSUANCE BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) OF TAX-EXEMPT AND/OR TAXABLE BONDS AND AUTHORIZATION FOR THE FCRHA TO SUBMIT AN APPLICATION TO VIRGINIA DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (VADHCD) FOR TAX-EXEMPT BOND ALLOCATION AND MAKE A HOUSING BLUEPRINT LOAN TO PARKWOOD VENTURE LP, TO FINANCE THE ACQUISITION AND REHABILITATION OF THE PARKWOOD APARTMENTS, LOCATED AT 6034 VISTA DRIVE, FALLS CHURCH (MASON DISTRICT)** (10:34 a.m.)

(BONDS)

(R) On motion of Supervisor Gross, seconded by Supervisor Hudgins, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross,

Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and:

- Adopted the Resolution in substantially the form of Attachment 1 of the Board Agenda Item
- Approved the FCRHA’s issuance of private activity tax-exempt and/or taxable bonds in an amount not to exceed \$30 million for the acquisition and rehabilitation of the Parkwood Apartments
- Authorized the FCRHA to:
 - Submit an application to VADHCD for tax-exempt bond allocation for Parkwood Apartments acquisition and rehabilitation
 - Make a Housing Blueprint loan in the amount of \$2,545,923 to finance the rehabilitation of the current 221 units and the addition of 4 units of affordable multifamily housing

14. **A-7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTY (BUILDING W-2 AND W-2A) AT 9528 WORKHOUSE WAY TO THE WORKHOUSE ARTS FOUNDATION (MOUNT VERNON DISTRICT)** (10:35 a.m.)

- (A) On motion of Supervisor Storck, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the advertisement of a public hearing to be held before the Board on **November 20, 2018, at 4:30 p.m.**, to lease County-owned property at 9528 Workhouse Way to the Workhouse Arts Foundation.

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ADDITIONAL BOARD MATTERS

15. **PRESENTATION REQUESTS** (10:36 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to invite:

- Mr. Barry Feil to appear before the Board, at a future meeting, to be recognized for his work with Celebrate Fairfax!, Incorporated. Mr. Feil recently announced that he will be retiring following the next Celebrate Fairfax! celebration in June 2019. He has served as the Director of Operations for

Celebrate Fairfax! from 1998-2004 and later as the President/Chief Executive Officer from 2005 to the present.

- Representatives from the Park Authority to appear before the Board on December 4 to be recognized for receiving national accreditation from the Commission for Accreditation of Park and Recreation Agencies (CAPRA). CAPRA accreditation is the only national accreditation for park and recreation agencies and currently only 166 agencies across the United States hold this accreditation. The accreditation process requires that park agencies demonstrate and have met rigorous compliance, performance, and operations standards.

Without objection, it was so ordered.

16. **2018 FAIRFAX COUNTY DESIGN AND ENVIRONMENTAL ACHIEVEMENT AWARDS** (10:38 a.m.)

Chairman Bulova announced that on October 23, Members of the Board gathered at the Government Center to recognize the recipients of the Friends of Tree Awards, the County's Environmental Excellence Awards, and the James M. Scott Exceptional Design Awards. It was a wonderful evening and she said she was honored to meet this year's award recipients who are working hard behind the scenes to promote the environment and sustainable design.

This ceremony and reception would not be possible without the dedicated efforts of the organizers: Ms. Marsha Collins, Mr. Noel Kaplan, and Mr. Keith Kline who worked closely with Ms. Lindsey Doane and Ms. Christina Fullmer in the Chairman's office to ensure a successful evening. With their vision and support, as well as the support of multiple staff members from the Department of Planning and Zoning, the Department of Public Works and Environmental Services, Channel 16, Meeting Space Management, the County Executive's office, and facilities staff, the County successfully honored the businesses, organizations, and residents that are bettering the community. She also thanked Mr. Chase Suddith, who served as the master of ceremonies for this event.

17. **JOINT MEETING WITH THE FAIRFAX COUNTY PUBLIC SCHOOLS (FCPS) CONCERNING ENERGY AND THE ENVIRONMENT** (10:40 a.m.)

Chairman Bulova announced that on October 11, the County's School Board adopted a resolution, which is attached to her written Board Matter, calling on State and Federal lawmakers to act to address climate change. She stated that she agreed with that call and believed that the two Boards can holistically work together to act locally while thinking globally. The Board of Supervisors has already taken a strong position on reducing impacts on the environment through the adoption of its Environmental Vision, its commitment to Cool Counties, the

recent adoption of the Operational Energy Strategy, and multiple environmental positions in its legislative agenda. The Board is also engaged regionally through the Council of Governments (COG) and the Northern Virginia Regional Commission (NVRC). By collaborating further on all matters regarding the environment, the County and the Schools can make a lasting impact and effect real change in the County.

Therefore, Chairman Bulova moved that the Board direct the County Executive to compile information relative to the County's commitments to energy and the environment to share with the School Board to be presented at a joint meeting in early 2019. An emphasis should be placed on potential areas for cooperation with FCPS. The purpose of this meeting will be to discuss joint energy and environmental strategies and goals and to look for areas of collaboration to further the County's efforts in energy efficiency and environmental sustainability. Supervisor Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross relinquished the Chair to Acting-Chairman McKay and asked unanimous consent that the Board direct staff to provide additional information concerning solar energy. Without objection, it was so ordered.

Acting-Chairman McKay returned the gavel to Chairman Bulova.

18. **CONCURRENT PROCESSING AND SCHEDULING OF PUBLIC HEARINGS ON THE REFORMED THEOLOGICAL SEMINARY SPECIAL EXCEPTION APPLICATION SE 2018-PR-018 (PROVIDENCE DISTRICT)** (10:45 a.m.)

Supervisor L. Smyth announced that the Reformed Theological Seminary has submitted a special exception application to the County proposing to operate a college/university use on the third floor of an existing office building. The applicant is hoping to begin operation of the college/university in the spring of 2019 and has requested expedited and concurrent processing of Special Exception Application SE 2018-PR-018.

Therefore, Supervisor L. Smyth moved that the Board direct the:

- Director of the Department of Planning and Zoning to schedule a public hearing to be held before the Planning Commission (PC) on January 16, 2019, and before the Board on January 22, 2019, regarding Special Exception Application SE 2018-PR-018
- Director of Land Development Services to accept for concurrent and simultaneous processing any permits, plans, or other applications as may be necessary in conjunction with SE 2018-PR-018

This motion should not be construed as a favorable recommendation by the Board or the PC on the proposed application and does not relieve the applicant from

compliance with the provisions of all applicable ordinances, regulations, and adopted standards. Supervisor Foust seconded the motion.

Following discussion, concerning the need for the Board to review processing of adaptive reuses and repurposing of office building space in lieu of requiring special exception applications, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to formally consider this issue. Without objection, it was so ordered.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

19. **CONCURRENT AND EXPEDITED PROCESSING OF PRINCE TOWN, LLC (HUNTER MILL DISTRICT)** (10:47 a.m.)

Supervisor Hudgins announced that Prince Towne, LLC, has filed Proffered Condition Amendment Application PCA 84-C-048 to amend the proffers approved pursuant to Rezoning Application RZ 84-C-048 to permit the development of residential housing at a density of 1.84 dwelling units per acre (du/ac). The property is located at 2925, 2927, and 2929 West Ox Road, on Tax Map 25-4 ((14)) parcels 85, 86, and 87. The plan proposes a nine-lot subdivision to integrate with the Franklin Oaks subdivision. The applicant is requesting an expedited Board public hearing and concurrent processing of the site plan while the application is moving through the review process.

Therefore, Supervisor Hudgins moved that the Board direct staff:

- To expedite the scheduling of its public hearing for Prince Towne, LLC – Proffer Condition Amendment Application PCA 84-C-048
- From the Office of Land Development Services to concurrently process the applicant's site plan while the zoning applications remain pending

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 application ordinances, regulations, or adopted standards in anyway. Chairman Bulova seconded the motion and it carried by unanimous vote.

20. **"TREE-MENDOUS" TREE FORUM (HUNTER MILL DISTRICT)** (10:49 a.m.)

Supervisor Hudgins stated that residents are invited to learn about the County's "tree-mendous" trees at the Hunter Mill District Tree Forum. This joint program

with County agencies, the Town of Vienna, and the Reston Association will be held on Wednesday, November 7, beginning at 7 p.m., at the Vienna Town Hall, 127 Center Street South.

On hand will be tree experts who not only know how to care for trees, but staff who work on policy and regulations that govern trees in the County's communities. Attendees are invited to bring questions on caring, protecting, and planning for trees for panelists and presenters to address. Additional topics for the forum include:

- Benefits of Trees: Why Do We Care About Trees
- Trees and Development: How Neighborhoods Are Changing
- Utility Line Tree Pruning
- Pest and Diseases Affecting Our Trees
- Importance of Native Trees

Partners in the Hunter Mill District Tree Forum include the County's Tree Commission, the Vienna Community Enhancement Committee, the Vienna Department of Parks and Recreation, the County's Urban Forest Division, the County's Health Department, the Reston Association, the Virginia Department of Forestry, Dominion Energy, and the Office of Supervisor Hudgins.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct the Office of Public Affairs to assist in advertising this forum. Without objection, it was so ordered.

Supervisor Cook noted that a similar, and very popular, event has been held in the Braddock District for the past several years and commended County staff and the Soil and Water Conservation District staff for their work.

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21. **2019 BOARD OF SUPERVISORS MEETING SCHEDULE** (10:51 a.m.)

Supervisor Foust referred to his written Board Matter regarding the Draft 2019 Schedule of Board and Committee meetings. He noted that three of the meeting dates are scheduled on the day after a Monday County and School holiday. Supervisor Foust asked that the Board consider switching those three Board meetings before the schedule is finalized.

Discussion ensued, regarding the schedule, and no further action was taken.

22. **REQUEST TO PROCLAIM NOVEMBER AS “VETERANS AND MILITARY FAMILIES MONTH” IN FAIRFAX COUNTY** (10:58 a.m.)

In a joint Board Matter with Chairman Bulova and Supervisor Storck, Supervisor McKay announced that Veteran's Day is observed in remembrance of those who have served in honor of their country and their loved ones. Also reflected on are those who continue to dedicate their lives to work in the name of service. Supervisor McKay noted that Fort Belvoir is the largest employer in the County employing over 50,000 men and women. Military families make sacrifices and endure hardships every day to keep the country safe and secure.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a proclamation, to be signed by the Chairman, Supervisor Storck, and himself, for presentation at the Board meeting scheduled for November 20, to representatives from Fort Belvoir, officially designating November as “*Veterans and Military Families Month*,” in Fairfax County. Without objection, it was so ordered.

23. **RECOGNITION OF JOE BLACKWELL, CHAIRMAN, BOARD OF EQUALIZATION (BOE)** (10:59 a.m.)

Supervisor McKay announced that Joe Blackwell, Chairman, BOE, will be stepping down as Chairman. Mr. Blackwell is the Lee District appointee and has served as Chairman for the past 11 years.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a Certificate of Recognition, to be signed by Chairman Bulova and himself, to be presented at the November 14, 2018, BOE meeting. Without objection, it was so ordered.

24. **NO BOARD MATTERS FOR SUPERVISOR COOK (BRADDOCK DISTRICT)** (11:01 a.m.)

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

25. **NO BOARD MATTERS FOR SUPERVISOR HERRITY (SPRINGFIELD DISTRICT)** (11:01 a.m.)

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

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26. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)** (11:01 a.m.)

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

27. **ESTABLISHING GUIDING PRINCIPLES TO PROMOTE THE FUTURE VITALITY OF THE WORKHOUSE ARTS CENTER CAMPUS (MOUNT VERNON DISTRICT)** (11:01 a.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Storck said that in 2002, as part of a land exchange with the Federal government, the County acquired the property known today as the Workhouse Arts Center and referred to herein as the “Workhouse Campus.” Supervisor Storck said that the Board is committed to the continued vitality of the Workhouse Campus and now will take action to build on the success of this important County asset to ensure success for the next decade and beyond.

Therefore, Supervisor Storck, referencing information in his written Board Matter, moved that the Board:

- Direct the County Executive to collaborate with the Workhouse Arts Foundation (WAF), to establish a steering committee, comprised of representatives from the County and WAF, that is charged with making recommendations consistent with the interests of both entities in the development and operation of the Workhouse Campus for the benefit of the public. The steering committee will maintain the priority of bringing success to the Workhouse Campus in harmony with the vision and intent of the Workhouse Campus as an arts center.
- Direct the steering committee to develop a plan consistent with other strategic priorities of the County for the future success of the Workhouse Campus and deliver a report to the Board by the third quarter of 2019, followed by annual reports thereafter. The plan should include:
 - Recognition that the County is the owner of the entire Workhouse Campus and will, at all times, maintain final authority over the Workhouse Campus and operations
 - Clarification and identification of roles and responsibilities of the County and WAF and a process for decision-making regarding the development, management, and operation of the Workhouse Campus
 - Creation of a funding plan that will attract and allow for contributions from the public sector, non-profit and philanthropic organizations, and other private sector investments to support the Workhouse Campus, reflecting the Board’s strong

belief that both public and private investment in the Workhouse Campus is critical in generating economic success (this will include an out-year capital improvement and land use program with corresponding budget impacts to provide a sustainable foundation for the future)

- Identification of existing barriers to and opportunities for achieving the vision of the Workhouse Campus and a commitment to return to the Board with recommendations for approaches to eliminate or mitigate those barriers and ways to realize those opportunities; the barriers to be addressed may be wide-ranging and include issues such as those involving proffers, development agreements, lease and use agreements, and regulatory review processes
- Development of innovative, flexible, and creative solutions to achieve the goals of the steering committee and accomplish the vision for the Workhouse Campus

Supervisor Herrity seconded the motion.

Discussion ensued, regarding the composition, scope, and defining the role of the steering committee.

Supervisor L. Smyth asked unanimous consent that the Board to direct the County Executive to provide a list of WAF members and their resumes. Without objection, it was so ordered.

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

28. **MS. EMMA SEETOO – GIRLS TRACK LONG JUMP INDIVIDUAL VIRGINIA HIGH SCHOOL LEAGUE (VHSL) STATE CHAMPION (SULLY DISTRICT)** (11:18 a.m.)

Supervisor K. Smith recognized Ms. Emma Seetoo of Westfield High School for winning the VHSL Girls Class 6 Long Jump State championship. Ms. Seetoo won the girls individual State championship on June 2, 2018, at Todd Stadium in Newport News.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to invite Ms. Seetoo to appear before the Board to be acknowledged for her superior achievement. Without objection, it was so ordered.

AGENDA ITEMS

29. **ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE), ARTICLE 12 (SIGNS) REGARDING SIGNS AND RELATED PROVISIONS** (11:19 a.m.)

(A)(R) (NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item #7.)

Supervisor K. Smith moved:

- Adoption of the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission (PC) on December 5, 2018, and before the Board on **February 5, 2019, at 4 p.m.**, to consider proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), Article 12 (Signs), regarding signs and general provisions
- That the legal ads for the public hearing include language that affords the PC and the Board the opportunity to consider, as part of the public process, an option to exclude all public uses from the proposed sign ordinance
- Regarding the specific issue of minor signs for all non-residential land uses found in proposed Paragraph 5 of Section 12-105, that appropriate language be added to the legal ads that will allow for a range of options for the types, heights, sizes, and number of minor signs that are allowed, with a maximum upper limit of 60 square feet of total area for such signage

Chairman Bulova seconded the motion.

Discussion ensued, with input from Andrew Hushour, Deputy Zoning Administrator, and Leslie B. Johnson, Director, Department of Planning and Zoning. Supervisor L. Smyth asked to amend the motion, to include a required minimum distance from a roadway edge to a vehicle sign, and this was accepted.

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

30. **RECESS/CLOSED SESSION** (11:37 a.m.)

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

- (a) Discussion or consideration of personnel matters pursuant to Virginia Code § 2.2-3711(A) (1).
- (b) Discussion or consideration of the acquisition of real property for a public purpose, or of the disposition of publicly held real property, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy of the public body, pursuant to Virginia Code § 2.2-3711(A) (3).
- (c) Consultation with legal counsel and briefings by staff members or consultants pertaining to actual or probable litigation, and consultation with legal counsel regarding specific legal matters requiring the provision of legal advice by such counsel pursuant to Virginia Code § 2.2-3711(A) (7).
 - 1. *Andrew Cooper, et al. v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2018-0012818 (Fx. Co. Cir. Ct.)
 - 2. *Romina Gentica Farkas v. Fairfax County Department of Family Services*; Record No. 2042-17-4 (Va. Ct. App.)
 - 3. *Randon Millir v. Virginia Department of Social Services and Fairfax County Department of Family Services*, Case No. CL-2018-0013656 (Fx. Co. Cir. Ct.)
 - 4. *Zhihua He v. George Robbins*, Case No. CL-2018-0011920 (Fx. Co. Cir. Ct.)
 - 5. *Robert Lee v. PFC C.M. Lincoln*, Case No.: GV17-015635 (Fx. Co. Gen. Dist. Ct.)
 - 6. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Kiet Tuan Nguyen and Jenny Nguyen*, Case No. GV18-020123 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
 - 7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Arthur B. Hough and Anita S. Hough*, Case No. GV18-009878 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 - 8. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Nicholas A.*

- Nikzad and Pamela L. Nikzad*, Case No. GV18-019772 (Fx. Co. Gen. Dist. Ct.) (Town of Vienna; Hunter Mill District)
9. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ragheb Aburish*, Case No. CL-2017-0015519 (Fx. Co. Cir. Ct.) (Mason District)
 10. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jonathan Clark and Carolyn Clark*, Case No. CL-2017-0016073 (Fx. Co. Cir. Ct.) (Mason District)
 11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jean Marie Maria*, Case No. CL-2018-0014161 (Fx. Co. Cir. Ct.) (Mason District)
 12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Rockley L. Miller and Susan B. Miller*, Case No. CL-2017-0010524 (Fx. Co. Cir. Ct.) (Mason District)
 13. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Hugh Weathers and Phillip Weathers*, Case No. CL-2018-0014154 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 14. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Hua Xu, a/k/a Eileen Hua Xu*, Case No. CL-2017-0014132 (Fx. Co. Cir. Ct.) (Mount Vernon District)
 15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard L. McEntee and Virginia L. McEntee*, Case No. GV18-014956 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
 16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. New Horizon Food, Inc., Sana U. Choudhry, and Shaquia S. Choudhry*; Case No. GV18-018969 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

17. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Yung Chi Yung*, Case No. CL-2017-0004961 (Fx. Co. Cir. Ct.) (Springfield District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Frank A. March*, Case No. GV18-020124 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
19. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Chom Sun Cholihan and Sidney Harris*, Case No. CL-2017-0009711 (Fx. Co. Cir. Ct.) (Sully District)
20. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Wilfred Ibanez and Teresa Ibanez*, Case No. CL-2018-0008401 (Fx. Co. Cir. Ct.) (Sully District)
21. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Zachary L. Faley and Maureen E. Faley*, Case No. GV18-019809 (Fx. Co. Gen. Dist. Ct.) (Sully District)
22. *Board of Supervisors of Fairfax County v. Cava Development, LLC*, Case No. GV18-020696 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(8), legal analysis regarding the following:
 1. Publication of information relating to Police Department arrests
 2. Virginia Code Section 15.2-2303.4
 3. Existing State legislation regarding animal welfare
 4. Legal aspects of possible Economic Development Support Funding (EDSF) expenditures, as discussed at the most recent Budget Committee meeting

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

DET:det

At 4:07 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

31. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (4:07 p.m.)

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

32. **APPOINTMENT OF MR. ROY L. OLIVER** (4:08 p.m.)

Supervisor Gross moved the appointment of Mr. Roy L. Oliver to the position of Director of the Department of Public Safety Communications, Grade E-10, with a starting salary of \$151,700.02 effective immediately. Chairman Bulova seconded the motion and it carried by unanimous vote.

Chairman Bulova recognized Mr. Oliver, in the Auditorium, and congratulated him on his appointment.

33. **APPOINTMENT OF MR. RANDY BARTLETT** (4:09 p.m.)

Supervisor Gross moved the appointment of Mr. Randy Bartlett to the position of Director of the Department of Public Works and Environmental Services, Grade E-13, with a starting salary of \$201,822.40 effective pay period 24. Chairman Bulova seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

34. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2017-DR-023 (TRADITION HOMES, LLC) (DRANESVILLE DISTRICT)** (4:10 p.m.)

(O) The application property is located on the east side of Dranesville Road approximately 960 feet south of its intersection with Wiehle Avenue. Tax Map 10-2 ((1)) 5.

Mr. Shane M. Murphy reaffirmed the validity of the affidavit for the record.

Catherine E. Lewis, Branch Chief, Rezoning and Special Exception Branch, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), gave a PowerPoint slide presentation depicting the application and site location.

Mr. Murphy 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.

Supervisor L. Smyth inquired about the salvage and repurposing of materials from the home and the barn in the event of demolition, with input from Mr. Murphy.

Chairman Bulova made the following preliminary comments prior to the public hearing:

The Board is here for a public hearing on a rezoning application filed by Tradition Homes, LLC, Rezoning Application RZ 2017-DR-023. This application is subject to certain restrictions, contained in Virginia Code Section 15.2-2303.4, which the Virginia General Assembly enacted in 2016. This law significantly restricts the ability of a locality to discuss possible proffers in certain residential re-zonings such as this. Any such discussion could violate the statute and subject the County to significant liability.

So, in an abundance of caution, the Board will discuss and consider only what the applicant has already proposed and the impacts of any potential development. Nothing in the Board's discussion should be construed as a request, suggestion, or requirement for any proffer.

The Board will listen to the applicant's suggestions about how to mitigate impacts of its proposed development and discuss those mitigation measures to the extent possible. But, due to the new legislation and the uncertainty over its application, the Board's discussion of certain issues may be more constrained than has been the case historically. In the past, the County has had open, collaborative discussions with applicants. Unfortunately, the new statute discourages such an open dialogue.

Finally, Chairman Bulova reiterated, for the record, that testimony and comments from the public represent the views of the individuals only and not the view of any Board Member or the locality.

Following the public hearing, which included testimony by two speakers, Mr. Murphy presented rebuttal.

Supervisor Foust made the following inquiries of Mr. Murphy:

- Has the locality or anyone acting on its behalf suggested, requested, or required any proffer with regard to this application? Mr. Murphy replied no.
- Do all the proffers included in this application conform to the requirements of Virginia Code Section 15-2.-2303.4. Mr. Murphy replied yes.

Ms. Lewis presented the staff and Planning Commission recommendations.

Following comments by Supervisor Foust, concerning the roadway connection, he stated that the decision on the application should be deferred to allow counsel to review the record of the public hearing under the proffer statute. He noted that this was only the second rezoning application to come before the Board under the new proffer statute and the first in the Dranesville District, and it also includes some unique issues. Due to the constraints of the proffer statute, he added that he wanted to be certain that the Board had the opportunity to review the entire record before deciding on the application.

Therefore, Supervisor Foust moved that the Board defer the decision only for Rezoning Application RZ 2017-DR-023 until **November 20, 2018, at 3:30 p.m.**, and that the record remain open for written testimony. Chairman Bulova seconded the motion and it carried by unanimous vote.

35. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 97-Y-050 (ARLINGTON FAIRFAX CHAPTER, INCORPORATED OF THE IZAAK WALTON LEAGUE OF AMERICA) (SULLY DISTRICT)** (4:43 p.m.)

The application property is located at 14620 and 14708 Mount Olive Road, Centreville, 20122. Tax Map 64-2 ((1)) 20 and 65-1 ((1)) 25B.

Ms. Pamela A. Meara reaffirmed the validity of the affidavit for the record.

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

Ms. Meara 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. Fountain presented the staff and Planning Commission recommendations.

Following a query by Supervisor K. Smith, Ms. Meara confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated September 25, 2018.

Supervisor K. Smith moved approval of:

- Special Exception Amendment Application SEA 97-Y-050, subject to the development conditions dated September 25, 2018
- The following waivers and modifications, as contained in the handout dated October 30, 2018, which will be made part of the record:
 - Waiver of Paragraph 2 of Section 17-201 of the Zoning Ordinance (ZO) to require a major regional paved trail requirement on I-66
 - Waiver of Paragraph 4 of Section 13-304 of the ZO to waive the barrier requirement for the southeastern and northeastern boundaries in favor of existing vegetation as depicted on the SEA plat
 - Modification of Paragraph 2 of Section 17-201 of the ZO for construction of a major paved trail along Mount Olive Road in favor of an option to construct or escrow funds with the County equivalent to the construction costs when the education and training facility is implemented, as conditioned
 - Modification of the transitional screening requirement in Paragraph 3B of Section 13-303 of the ZO in favor of the existing vegetation as shown on the SEA plat along the southwestern, southeastern, and northeastern boundaries

Supervisor Herrity and Supervisor L. Smyth jointly seconded the motion.

Following remarks by Supervisor K. Smith, the question was called on the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTER36. **RETIREMENT OF MS. KRIS ABRAHAMSON** (4:52 p.m.)

Chairman Bulova announced that Kris Abrahamson, Branch Chief, Rezoning and Special Exception Branch, Zoning Evaluation Division, Department of Planning and Zoning will be retiring in December. She noted that Ms. Abrahamson has been with the County for 31 years and congratulated her on her retirement and thanked her for her years of service to the County.

AGENDA ITEMS37. **3:30 P.M. – PH ON PLANNED RESIDENTIAL COMMUNITY AMENDMENT APPLICATION PRC-B-846-05 (WOODFIELD ACQUISITIONS, LLC) (HUNTER MILL DISTRICT)**

(AND)

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA B-846-04 (WOODFIELD ACQUISITIONS, LLC) (HUNTER MILL DISTRICT)

(AND)

PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA-HM-117-03 (WOODFIELD ACQUISITIONS, LLC) (HUNTER MILL DISTRICT) (4:54 p.m.)

Supervisor Hudgins moved to defer the public hearings on Planned Residential Community Amendment Application PRC-B-846-05, Proffered Condition Amendment Application PCA-B-846-04, and Development Plan Amendment Application DPA-HM-117-03, until **November 20, 2018, at 3:30 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

38. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2002-LE-005 (ALWADI, LLC) (LEE DISTRICT)** (4:55 p.m.)

Following input from Tracy Strunk, Director, Zoning Evaluation Division, Department of Planning and Zoning, concerning the application, Supervisor McKay moved to defer the public hearing on Proffered Condition Amendment Application PCA 2002-LE-005, until **January 22, 2019, at 5 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

39. **4 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2017-DR-027 (PETER J. FITZGERALD, JR.) (DRANESVILLE DISTRICT)** (4:56 p.m.)

The application property is located at 7327 Georgetown Pike, McLean, 22102. Tax Map 21-3 ((1)) 23 and 23A; 021-3 ((16)) A, 1 and 2.

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

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

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

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

Mr. Katai presented the staff and Planning Commission recommendations.

Following comments from Supervisor Foust, concerning funding and construction of the trail along Georgetown Pike, with input from Mr. Katai, discussion ensued concerning parking issues. Discussion continued, with input from Mr. Martin, regarding proffered contributions and the contingency fund for walkways/trails.

Following input from Tracy Strunk Director, ZED, DPZ, Mr. Martin confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 29, 2018, following a query from Supervisor Foust.

Supervisor Foust moved approval of:

- Special Exception Application SE 2017-DR-027, subject to the development conditions dated October 29, 2018
- The following waiver and modification as contained in the handout dated October 29, 2018:
 - Waiver of Paragraph 1 of Section 3-106 of the Zoning Ordinance (ZO) to allow a minimum district size of 5.39 acres
 - Modification of Section 17-201 of the ZO, to permit a minor paved trail along Saigon Road as shown on the Special Exception plat in place of any trails shown from the subject property along Saigon Road on the Comprehensive Plan

Supervisor L. Smyth seconded the motion and it carried by unanimous vote.

40. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT 2017-CW-6CP, NON-OFFICE BUILDING REPURPOSING** (5:09 p.m.)

Michael Lynskey, Planner II, Policy and Plan Development Branch (PPDB), Planning Division (PD), Department of Planning and Zoning (DPZ), presented the staff report.

Following the public hearing, which included testimony by one speaker. Tracy Strunk, Director, ZED, DPZ, addressed concerns raised by the speaker concerning DPZ providing timely information to the public regarding rezoning applications.

Mr. Lynskey presented the staff and Planning Commission recommendations.

Supervisor K. Smith moved approval of the staff recommendation presented on pages 5-21 [*sic*] of the staff report for Plan Amendment PA 2017-CW-6CP, dated September 13, 2018. Supervisor McKay seconded the motion.

Following input from Mr. Lynskey, Supervisor K. Smith restated the motion as follows: approval of the staff recommendation presented on pages 15-21 of the staff report for Plan Amendment PA 2017-CW-6CP, dated September 13, 2018. Supervisor McKay reaffirmed his second. The question was called on the motion, as corrected, and it carried by unanimous vote.

KK:kk

41. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-P-007-04 [CENTERPOINTE (FAIRFAX) HOLDINGS, LLC] (SPRINGFIELD DISTRICT)** (5:23 p.m.)

(O) The application property is located on the north and west side of Legato Road and east side of West Ox Road. Tax Map 46-3 ((1)) 41B and 41C.

Mr. Matthew G. Roberts reaffirmed the validity of the affidavit for the record.

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

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

Supervisor Herrity moved:

- Approval of Proffered Condition Amendment Application PCA 84-P-007-04, subject to the proffers dated September 26, 2018
- Vacation of the parking reduction for Centrepointe Fairfax Holdings, LLC, previously approved on June 29, 1987

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

(NOTE: On October 18, 2018, the PC approved Final Development Plan Amendment Application FDPA 84-P-007-05 subject to the development conditions dated October 3, 2018.)

42. **4:30 P.M. – PH ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING ZONING FOR WIRELESS TELECOMMUNICATIONS INFRASTRUCTURE** (5:33 p.m.)

Chairman Bulova announced that the above-referenced public hearing has been cancelled.

43. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:33 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of October 12 and October 19, 2018.

Public comment was held and included the following individuals:

- Mr. Robert Doss, concerning homelessness
- Ms. Margarita Brown, concerning the Fairfax For All ordinance
- Ms. Dianne Holland, concerning the Fairfax For All ordinance
- Ms. Ruth Maul, concerning immigration
- Ms. Marcella Levine, concerning immigration
- Mr. Steven Yoo, concerning immigration

- Ms. Mary Supley, concerning immigration
- Ms. Jen Healey, concerning immigration
- Ms. Yolanda Corado Cendejas, concerning immigration
- Reverend Alexis Kassim, concerning immigrant rights

44. **BOARD ADJOURNMENT** (6:10 p.m.)

The Board adjourned.