



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
July 16, 2019**

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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 16, 2019, 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; Dottie Steele, Chief Deputy Clerk to the Board of Supervisors; Ekua Brew-Ewool and Kecia Kendall, Administrative Assistants, Office of the Clerk to the Board of Supervisors.

BOARD MATTERS1. **MOMENT OF SILENCE** (9:36 a.m.)

The Board asked everyone to keep in thoughts the family and friends of Mr. John Casagrande, who died recently.

2. **INTRODUCTION OF INTERNS** (9:39 a.m.)

Supervisor Cook introduced Ms. Sophia Celentano, with the Fairfax County Youth Leadership Program and a rising senior at Robinson High School.

Supervisor McKay introduced Mr. Anthony Cruz, with the Fairfax County Youth Leadership Program and a rising senior at Edison High School.

Supervisor Gross introduced Victoria Puck Karam, with the Fairfax County Youth Leadership Program and a rising senior at Woodson High School.

On behalf of the Board, Chairman Bulova warmly welcomed them to the Board Auditorium.

3. **INTRODUCTION OF MR. VICTOR HOSKINS** (9:42 a.m.)

Chairman Bulova recognized Catherine Lange, Chairman of the Fairfax County Economic Development Authority (FCEDA) who introduced Victor Hoskins, the new President and Chief Executive Director of the FCEDA.

On behalf of the Board, Chairman Bulova warmly welcomed him.

AGENDA ITEMS4. **PROCLAMATION DESIGNATING AUGUST 2019 AS "IMMUNIZATION AWARENESS MONTH" IN FAIRFAX COUNTY** (10:01 a.m.)

Supervisor Gross moved approval of the Proclamation designating August 2019 as "*Immunization Awareness Month*" in Fairfax County and urged all residents to promote a healthy community by keeping up to date with their vaccinations. Chairman Bulova seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING AUGUST 2019 AS "GASTROPARESIS AWARENESS MONTH" IN FAIRFAX COUNTY** (10:10 a.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved approval of the Proclamation designating August 2019 as "*Gastroparesis Awareness Month*" in Fairfax County and urged all residents to learn more about this medical condition. Supervisor Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

6. **PRESENTATION OF THE VOLUNTEER FIRE COMMISSION (VFC) AWARDS AND ANNUAL REPORT** (10:17 a.m.)

Shawn Stokes, Secretary, Volunteer Fire Commission, presented the annual report.

Dana Powers, Assistant Volunteer Liaison, Fire and Rescue Department, presented the VFC awards to the following individuals:

- *Volunteer Firefighter* - Mr. Cody Collins, Greater Springfield Volunteer Fire Department (VFD)
- *Volunteer Operational Officer* – Mr. Michael Wendt, Centreville VFD
- *Volunteer Rookie* – Ms. Neggin Assadi, Dunn Loring Volunteer Fire and Rescue Department (VFRD)
- *Volunteer EMS Provider* – Mr. Richard McNally, Dunn Loring VFRD
- *Volunteer BLS Provider* – Mr. Robert Ferretti, Great Falls VFD
- *Volunteer ALS Provider* – Ms. Lynn Clancy, McLean VFD
- *Administrative Officer* – Ms. Reagan Clyne, Vienna VFD
- *Administrative Member* – Mr. Matthew Lannon, Centreville VFD
- *CERT Member* – Mr. James Sobecke, Braddock District
- *Special Recognition Award* – Mr. Sean Jolliff, Vienna VFD
- *Special Recognition Award* – Mr. Gary Gaal, Franconia VFD
- *Fire Chief's Award* – Ms. Camilla Morrison, Fair Oaks VFRD

7. **ADMINISTRATIVE ITEMS** (10:47 a.m.)

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

ADMIN 1 - APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (RTAP) (HUNTER MILL AND PROVIDENCE DISTRICTS)

- Endorsed the following traffic calming measures:
 - Four speed humps on Rosedown Drive (Hunter Mill District)
 - Three speed humps on Beverly Drive (Providence District)
- Directed the Department of Transportation (DOT) to schedule the installation of the approved traffic calming measures as soon as possible

ADMIN 2 - EXTENSION OF REVIEW PERIODS FOR 2232 PUBLIC FACILITY REVIEW APPLICATIONS (SULLY DISTRICT)

Authorized the extension of review period for the following Public Facility (2232) Review Application to the date noted:

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-Y19-4	New Cingular Wireless PCS, LLC (dba AT&T Mobility) 6400 Old Centreville Road Centreville, VA Sully District Accepted June 3, 2019	Extend to October 31, 2019

ADMIN 3 - STREETS INTO THE SECONDARY SYSTEM (DRANESVILLE 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>
The Estates at Leigh Mill Road	Dranesville	Perkins Farm Lane

ADMIN 4 – DESIGNATION OF PLANS EXAMINER STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following individuals, identified with a registration number, as Plans Examiners:

- Joshua Thomas Reynolds (334)
- Bel Bahadur Pachhai (335)
- Behnaz Bagherian (336)

8. **A-1 – APPROVAL OF A VACATION OF A PARKING REDUCTION FOR HUNTER MILL PLAZA (PROVIDENCE DISTRICT) (10:48 a.m.)**

On motion of Supervisor L. Smyth, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and vacated the previously approved parking reduction of 6.9 percent (21 fewer spaces) for the Hunter Mill Plaza Shopping Center and terminated the associated parking reduction agreement.

9. **A-2 – ADOPTION OF PROPOSED MODIFICATIONS TO THE COMPREHENSIVE PLAN AMENDMENT WORK PROGRAM AND ENDORSEMENT OF THE 2019-2020 SOUTH COUNTY SITE-SPECIFIC PLAN AMENDMENT (SSPA) PROCESS (10:49 a.m.)**

On motion of Supervisor K. Smith, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted the revised Comprehensive Plan Amendment Work Program and endorsed the revised 2019-2020 SSPA process, as contained in the Board Agenda Item.

10. **A-3 – ENDORSEMENT OF THE WORK ON THE ZONING ORDINANCE MODERNIZATION (zMOD) CONSOLIDATED DRAFT OF USE REGULATIONS DATED JULY 1, 2019 (10:49 a.m.)**

(R) On motion of Supervisor K. Smith, seconded by Supervisor Foust, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff to:

- Adopt the resolution included as Attachment 1 of this item for endorsement of the work that has gone into zMOD to produce the Consolidated Draft of Use Regulations dated July 1, 2019
- Direct staff to proceed with further processing of zMOD related amendments to the Zoning Ordinance

11. **A-4 – APPROVAL OF CHANGES TO THE FAIRFAX COUNTY PURCHASING RESOLUTION** (10:52 a.m.)

- (R) On motion of Supervisor Gross, jointly seconded by Supervisor Foust and Chairman Bulova, 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 approved the changes as contained in the Board Agenda Item, to become effective on July 16, 2019.

12. **A-5 – APPROVAL OF A RESOLUTION REQUESTING THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO ISSUE REVENUE REFUNDING BONDS SERIES 2019A FOR THE WEDGEWOOD APARTMENTS AND OTHER NECESSARY DOCUMENTS (MASON DISTRICT)** (10:52 a.m.)

- (R) On motion of Supervisor Gross, seconded by Supervisor McKay, and carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” the Board concurred in the recommendation of staff and adopted the Resolution, substantially in the form of Attachment 1 of the Board Agenda Item, relating to the issuance of FCRHA Revenue Refunding Bonds Series 2019A for the Wedgewood Apartments as contained in the Board Agenda Item, to become effective on July 16, 2019.

13. **A-6 – APPROVAL OF A RESOLUTION TO REQUEST AUTHORIZATION OF THE SALE OF FAIRFAX COUNTY ECONOMIC DEVELOPMENT AUTHORITY (EDA) REVENUE REFUNDING BONDS SERIES 2020 FOR THE WIEHLE-RESTON EAST METRORAIL STATION PARKING GARAGE AND OTHER NECESSARY DOCUMENTS (HUNTER MILL DISTRICT)** (10:54 a.m.)

- (R) On motion of Supervisor Hudgins and seconded by Supervisor McKay, 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:

- Adopt the Resolution, substantially in the form of Attachment 1 of the Board Agenda Item, directing the EDA to issue revenue refunding bonds for the purpose of achieving debt service savings associated with the outstanding debt on the Wiehle-Reston East Metrorail Station Parking Garage
- Approve the form of the Second Supplemental Trust Agreement, Bond Purchase Agreement, Preliminary Official Statement, Continuing Disclosure Agreement, Escrow Deposit Agreement, Supplement to the Installment Purchase Contract
- Authorize the execution and delivery of the documents and authorize the Chairman, Vice Chairman, the County Executive or the Chief Financial Officer to determine and approve certain details of the transaction

14. **A-7 – APPROVAL OF AND AUTHORIZATION TO EXECUTE A STANDARD PROJECT ADMINISTRATION AGREEMENT (PAA) WITH LOUDOUN COUNTY, THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY (MWAA), THE TOLL ROAD INVESTORS PARTNERSHIP II, L.P. AND THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE IMPLEMENTATION OF A STUDY OF ROUTE 28 AND DULLES TOLL ROAD/GREENWAY (DRANESVILLE DISTRICT)** (10:54 a.m.)

(R) On motion of Supervisor Foust and 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 to:

- Adopt the Resolution, substantially in the form of Attachment 1 of the Board Agenda Item, authorizing the Director of the Department of Transportation to execute a PAA with Loudoun County, MWAA, the Toll Road Investors Partnership II, L.P. and VDOT, substantially in the form of Attachment 2 of the Board Agenda Item, for the implementation of the Route 28 and Dulles Toll Road/Greenway Study
- Approve funding in the amount of \$100,000 for the project

15. **C-1 – APPEAL OF A NOTICE OF VIOLATION (NOV) OF THE CHESAPEAKE BAY PRESERVATION ORDINANCE (CBPO) FOR 10622 BELMONT BOULEVARD (MOUNT VERNON DISTRICT)** (10:55 a.m.)

Supervisor Gross moved to defer the appeal of the Notice of Violation until July 30, 2019. Chairman Bulova seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #44.)

ADDITIONAL BOARD MATTERS

16. **NO BOARD MATTERS FOR CHAIRMAN BULOVA** (10:56 a.m.)

Chairman Bulova announced that she had no Board Matters to present today.

17. **VINSON HALL RETIREMENT COMMUNITY'S FIFTIETH ANNIVERSARY (DRANESVILLE DISTRICT)** (10:57 a.m.)

Supervisor Foust congratulated the Vinson Hall Retirement Community for 50 years of providing high-quality, compassionate care and companionship to its residents. From its beginnings in 1969 as a home for Navy widows, Vinson Hall has expanded to include assisted living, nursing and short-term rehabilitation services at the Arleigh Burke Pavilion; a memory support facility at the Sylvestery and a new independent living facility. Because of Vinson Hall, seniors who need differing levels of care can find a welcoming, safe and vibrant home.

Vinson Hall does more than provide high-quality and compassionate care for seniors. For example, it has the Wounded Warrior Transitional Housing program, which provides housing for wounded, ill, or injured veterans who have been discharged from inpatient treatment and are attempting to reintegrate into the community. There is also its work with local universities to provide clinical rotation opportunities and internships to young people who will one day make up the next generation of health care workers. Vinson Hall also has partnerships with local grade schools and volunteer groups provide moral support for deployed troops. The work done by Vinson Hall has enhanced the quality of life for those living within its walls. It has also contributed to the entire community through its partnerships and outreach.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to prepare a resolution, signed by the Chairman and the Dranesville District Supervisor, recognizing the Vinson Hall Retirement Community for 50 years of contributions to the community, to be presented at the Anniversary Gala on September 21, 2019. Without objection, it was so ordered.

18. **COUNTY RESPONSE TO STORM OF JULY 8, 2019** (10:59 a.m.)

Supervisor Foust stated that the horrendous rainstorm on the morning of Monday, July 8, 2019, turned out to be one for the record books. According to *The Washington Post*, the region experienced the heaviest one-hour total rainfall since

at least 1936. In just one hour, about one month's worth of rain drenched the area, flooding roads, homes, businesses, public facilities and stranding motorists in their vehicles. The McLean-Falls Church area was particularly hard hit. Today, more than a week later, there are roads in the County that remain closed with no estimated date for reopening.

Fortunately, despite the intensity of the storm, no one was severely injured or worse. The Office of Emergency Management (OEM) and the County's public safety and public works staffs were great. He commended them for reacting promptly and very professionally to emergencies that occurred throughout the County.

Since the storm, his office has received dozens of emails and phone calls from residents who experienced devastating damage to their property. Many residents had several feet of water and mud in their basements. Others experienced even worse damage. Some residents have estimated the cost to repair the damage will be as high as six figures.

OEM asked residents and businesses to file damage reports so that the County can evaluate whether it will pursue federal disaster aid. Residents are aware that Arlington County and the City of Falls Church have already declared a State of Emergency. They are anxiously inquiring whether Fairfax County will do the same. They also need to know what federal aid might be available to them if a federal disaster is declared.

Residents are also learning that their property insurance may not cover their damages. Some residents believe that a lack of adequate infrastructure to convey some or all the stormwater contributed to the damage they suffered. Some have inquired about filing potential claims against the County and/or the Virginia Department of Transportation.

Therefore, Supervisor Foust moved that the Board direct the County Executive to provide the Board with the following:

- The status and timing of the process of determining whether the County will submit a federal disaster declaration
- Information in the form of a flyer or brochure that can be shared with constituents regarding the requirements for submitting damage claims to the County and/or VDOT
- A list of County services and resources, including contact numbers, that may be available to assist residents who experienced storm damage

Chairman Bulova seconded the motion.

Following discussion regarding the flooding activities that occurred in other districts, possible ways to mitigate damage, and the need for additional communication with the community regarding next steps, Supervisor L. Smyth moved to amend the motion to add nonprofits to the list of County services and resources, and this was accepted.

Following discussion regarding upcoming meetings to discuss the storm's impact further and the possibility of waiving the permit fees for those affected, the question was called on the motion, as amended, and it carried by unanimous vote.

(NOTE: Later in the meeting, action was taken regarding this issue. See Clerk's Summary Item #60.)

19. **HOUSE RESOLUTION 343, ALERTING COUNTY RESIDENTS ABOUT TRAVELING TO THE PEOPLE'S REPUBLIC OF CHINA FOR ORGAN TRANSPLANTS** (11:18 a.m.)

In a joint Board Matter with Chairman Bulova, Supervisors Foust and Herrity, Supervisor Cook announced that on June 13, 2016, the U.S. House of Representatives, on a bipartisan basis, with all Northern Virginia Representatives in support, unanimously expressed its concern regarding reports that the communist government of the People's Republic of China was harvesting for sale human organs from prisoners of conscience, including Falun Gong practitioners. He stated that a copy of the Congressional Resolution was attached to his Board Matter. He expressed concern, as are local Falun Gong practitioners, that people who go to China for organ transplants, which are much more available in China than in the U.S., do not know that the organs they receive may be from Falun Gong practitioners, or other political prisoners, who are murdered so the communist government may benefit from the sale of their organs.

Therefore, Supervisor Cook, jointly with Chairman Bulova, Supervisor Foust and Supervisor Herrity, moved that the Board direct staff to inform its residents of this issue so they may be properly informed before deciding to travel to China for a transplant. Chairman Bulova seconded the motion.

Following discussion regarding the need to inform the community of this issue, Supervisor McKay moved to amend the motion to include a letter of support be sent to the Congressional Delegation on behalf of the Board, and this was accepted.

Chairman Bulova suggested that the information also be shared with the County hospitals.

Supervisor Herrity moved to amend the motion to direct staff to place this matter on the County's legislative agenda for the State to adopt a similar position, and this was accepted.

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

20. **CURB-TO-CURB SAFETY ORDINANCE** (11:26 a.m.)

In a joint Board Matter with Supervisor Cook, Supervisor Herrity stated that in the past two years, there has been a noticeable increase in panhandling on medians and intersections throughout the County. While there are some who panhandle because they need to, many more take advantage of the generosity of our residents through panhandling rings. Investigation into these rings has proven that many panhandlers in the County are coming from outside the County and even outside of the State, attracted by the wealth and generosity of residents.

The Board has sought to help those panhandlers in need by committing a significant portion of the County budget to providing services for those residents who are down on their luck. The Board has encouraged residents to direct panhandlers to these County resources including shelters, food banks, health and job matching services, instead of giving small amounts of money. It is vitally important that we connect those in need with the right services and disincentivize panhandling.

Although homelessness in the County is shrinking, panhandling by roadways is becoming more and more prevalent. In 2017 alone, the County Police department received over 2,100 calls related to panhandling and many more have been received by district offices. These calls detailed traffic issues, concerns about panhandler safety, and fears about a suspicious person at an intersection. The County devotes significant resources to helping its residents in need and to keeping all residents safe. Since the last discussion on panhandling, several other Virginia jurisdictions, including the City of Winchester, Clarke County, and Frederick County have responded to this public safety issue through local ordinances that prohibit any direct engagement with cars "curb to curb" while on medians and intersections. Both those in the restricted area and motorists can be charged under these ordinances. The proposed ordinance would regulate curb to curb. It would not restrict sidewalks in any way. The County's youth advertising car washes etc. would not be affected. People would still have the opportunity to exercise their First Amendment rights on sidewalks.

Therefore, Supervisor Herrity moved that the Board direct:

- Staff to prepare a draft ordinance for curb-to-curb safety, prohibiting any engagement of pedestrians with cars while on medians or intersections to be discussed by the Board at the next Public Safety Committee meeting on September 17
- The Office of Public Affairs to once again reaffirm the Board's commitment to helping the neediest residents through resources that help them and their families for the long term, not just for the

day as panhandling might and encourage all County residents who are looking for ways to help those in need to pass along the County hotline number and contribute their donations to not for profits that can help those truly in need

Supervisor Cook seconded the motion.

Following discussion regarding providing clarity pertaining to possible implications with VDOT and with the Fill-the-Boot campaign, the question was called on the motion and it carried by unanimous vote.

21. **MOTION TO EXPEDITE FAIRFAX WATER MAINTENANCE FACILITY SPECIAL EXCEPTION APPLICATION SE-2018-PR-023 (PROVIDENCE DISTRICT)** (11:43 a.m.)

Supervisor L. Smyth stated that Fairfax Water has applied to establish a new central maintenance facility in Merrifield. To resolve some outstanding design concerns, the applicant will be deferring their Planning Commission hearing scheduled for July 17. Since the applicant would like the case to be heard before the end of the year, she proposed that the case be given date certain scheduling.

Therefore, Supervisor L. Smyth moved that the Board direct the Clerk to the Board to schedule a public hearing to be held before the Board on Special Exception Application SE 2018-PR-023 for September 24, 2019, located at Tax Map 49-3 ((1)) 50A. This motion should not be construed as a favorable recommendation by the Board or the Planning Commission on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations and adopted standards. Supervisor K. Smith seconded the motion and it carried by unanimous vote.

22. **MOTION TO EXPEDITE INOVA CENTER FOR PERSONALIZED HEALTH PROFERRED CONDITION AMENDMENT/CONCEPTUAL DEVELOPMENT PLAN AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT APPLICATION PCA/CDPA/FDPA 74-7-047-02-02 (PROVIDENCE DISTRICT)** (11:45 a.m.)

Supervisor L. Smyth stated that Inova has applied to expand its Center for Personalized Health in Merrifield to accommodate space for university presence, medical research, and a mix of residential and retail development. She stated that the proposed comprehensive plan changes, to accommodate the expansion, are currently under review by the Merrifield Task Force and Planning staff. The associated PCA is currently being reviewed by County staff and Inova has requested that their PCA application be given date certain scheduling.

Therefore, Supervisor L. Smyth moved that the Board direct the Clerk to the Board to schedule a public hearing to be held before the Board on Proffered Condition Amendment/Conceptual Development Plan Amendment/Final

Development Plan Amendment Application PCA/CDPA/FDPA 74-7-047-02-02 to October 15, 2019. This motion should not be construed as a favorable recommendation by the Board or the Planning Commission on the proposed application and the pending Comprehensive Plan changes and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations and adopted standards. Supervisor K. Smith seconded the motion and it carried by unanimous vote.

23. **REQUEST FOR PROCLAMATION FOR MS. CHARLOTTE WINELAND**
(11:47 a.m.)

Supervisor L. Smyth announced that Ms. Charlotte Wineland, a wonderful and industrious Oakton resident, will be celebrating her one-hundredth birthday next month.

Therefore, Supervisor L. Smyth asked unanimous consent that the Board direct staff to prepare a proclamation to be signed by Chairman Bulova and the Providence District Supervisor for presentation to Ms. Wineland on her birthday on August 10, 2019, and proclaim that date to be "*Charlotte Wineland Day*," in Fairfax County. Without objection, it was so ordered.

24. **THE WASHINGTON POST ARTICLE ON VIRGINIA TECH FUTUREHAUS**
(11:47 a.m.)

Supervisor L. Smyth distributed *The Washington Post* article "Virginia Tech's FutureHAUS brings tomorrow's home into today's world" to the Board. She stated that the County Executive is currently working on providing the Board with additional information regarding this.

25. **NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**
(11:47 a.m.)

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

26. **MOTION TO EXPEDITE BLUE OCEAN DEVELOPMENT, INCORPORATED, SPECIAL EXCEPTION AMENDMENT SEA 2013-HM-012 (HUNTER MILL DISTRICT)** (11:48 a.m.)

Supervisor Hudgins stated that Blue Ocean Development, Incorporated has recently submitted a Special Exception Amendment Application SEA 2013-HM-012 for the property located at 1283 Serenity Woods Lane, Vienna, VA. The applicant proposes to demolish an existing structure located on the property that is in poor condition and construct a new single-family dwelling that will more properly fit within the character of the surrounding community. The applicant is requesting an expedited Board public hearing.

Therefore, Supervisor Hudgins moved that the Board direct the Clerk to the Board schedule Special Exception Amendment Application SEA 2013-HM-012 for a public hearing to be held before the Board on October 15, 2019, at 4:30 p.m. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

27. **MOTION TO EXPEDITE GOLF COURSE OVERLOOK, LLC SPECIAL REZONING/FINAL DEVELOPMENT PLAN APPLICATION RZ/FDP 2016-HM-0016 (HUNTER MILL DISTRICT) (11:49 a.m.)**

Supervisor Hudgins stated that Golf Course Overlook LLC has filed Rezoning/Final Development Plan Application RZ/FDP 2016-HM-0016 for the property identified on the Tax Map as 17-4 ((5)) S6 to rezone the property from the I-5 and R-E zoning districts to the PRM district. The rezoning will allow the replacement of an existing office building with a building containing residential and non-residential uses within walking distance of the Wiehle-Reston East Metro Station.

The applicant has worked diligently on this application since its initial filing in May 2016 to ensure the project exemplifies the goals of the Comprehensive Plan. To that end, Golf Course Overlook contains an appropriate mix of uses, provides 14 percent of all residential units as workforce dwelling units, exceeds the urban parkland standards, and proposes additional off-site park improvements.

Therefore, Supervisor Hudgins moved that the Board direct the Clerk to the Board schedule Rezoning/Final Development Plan Application RZ/FDP 2016-HM-0016 for a public hearing to be held before the Board on September 24, 2019, at 3:30 p.m. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

28. **MOTION TO EXPEDITE ONE RESTON CRESCENT CO LLC AND TWO RESTON CRESCENT CO LLC FINAL DEVELOPMENT PLAN AMENDMENTS FDPA 2016-HM-007-02 AND -03 (HUNTER MILL DISTRICT) (11:51 a.m.)**

Supervisor Hudgins stated that One Reston Crescent Co LLC and Two Reston Crescent Co LLC have filed Final Development Plan Amendment Applications FDPA 2016-HM-007-02 and -03 for the property identified on the Tax Map as 17-3 ((8)) 1A1 and 1B to advance the development of a mixed-use project that includes office, residential, hotel and retail uses and a Wegmans grocery store. The project includes eight redevelopment blocks across 36-acres of property on

the south side of the Dulles Toll Road, immediately south of the future Reston Town Center Metrorail Station.

To accommodate the scale of the project, the applicant intends to logically phase the development over several years. To that end, it is now processing the applications for Blocks D and G of the project. As the applicant has begun negotiations with tenants for these Blocks, it is imperative that it can begin to engineer and process the site plan without waiting for approval of the applications.

Therefore, Supervisor Hudgins moved that the Board direct staff to work closely with the applicant to expeditiously process its site plan under the County's concurrent processing regulations. 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 applicable ordinances, regulations, or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

29. **NATIONAL NIGHT OUT ON AUGUST 6, 2019** (11:53 a.m.)

Supervisor Hudgins announced that on August 6, National Night Out will be held in communities all over the U.S. This night, County residents are asked to turn on their porch lights and to join with their neighbors and local police in a variety of activities. Throughout the County, there will be crime prevention block parties, cookouts, ice cream socials, flashlight walks, safety fairs and neighborhood meetings.

Supervisor Hudgins stated that National Night Out is designed to:

- Heighten awareness of crime prevention, drugs and violence
- Generate support for and participation in local crime-fighting programs
- Strengthen neighborhood spirit and police-community partnerships
- Send a message to criminals letting them know that neighborhoods are organized and fighting back

National Night Out activities not only bring residents together to strength their relationships with the local police, but also send a message that neighborhoods are not "easy pickings." County Police have made it simple for groups to participate with a new on-line registration on their website. To register for National Night Out, contact your local County Police Department District station.

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

- Staff to invite representatives from the County Police Department to appear before the Board at the July 30 meeting to receive a proclamation encouraging all County residents to participate in the National Night Out
- The Office of Public Affairs work with the Police Department to publicize this event

Without objection it was so ordered.

30. **SOUTH LAKES HIGH SCHOOL BOYS SOCCER TEAM CLAIMS FIRST STATE CHAMPIONSHIP (HUNTER MILL DISTRICT)** (11:55 a.m.)

Supervisor Hudgins announced that the South Lakes High School boys' soccer team won the school's first ever State championship. The Seahawks faced the neighboring Warhawks of James Madison High School in the final match up for the 6A Virginia crown. What makes this team remarkable, besides their prowess on the field, is their diversity and resiliency.

Over half of the varsity squad is made up of first and second generation immigrants, many who are former English Language Learners. The JV and Varsity program includes players from 31 countries. Soccer is truly the world's game at South Lakes.

In addition, youth soccer travel and academy programs that develop many high-level area players are out of reach for many of the team's members. Coaches have learned to be flexible as many players hold jobs to help with family expenses. Players struggle to juggle jobs and school responsibilities with their love of playing soccer.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the 2019 South Lakes High School boys' soccer team and their coaches to appear before the Board to be recognized for their achievement. Without objection, it was so ordered.

31. **JAMES MADISON HIGH SCHOOL LACROSSE CHAMPIONS (HUNTER MILL DISTRICT)** (11:56 a.m.)

Supervisor Hudgins announced that the James Madison High School boys lacrosse team had a remarkable season this spring. Under first year coach, Aaron Solomon, the Warhawks posted an impressive record of 20-2 in the regular season and a perfect post-season run of 8 wins and 0 losses. This included a final matchup against Robinson High School for the state championship

This team is noted for their remarkable play in all aspects of the game: the defense was stingy, the goalie was solid, and the offense dominated in faceoffs and just outplayed even the toughest defensive teams. Several team members

have received post-season honors, including Coach Solomon who was selected as US Lacrosse 6A North Coach of the Year.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite the 2019 James Madison High School boys' lacrosse team to appear before the Board to be recognized for their achievement. Without objection, it was so ordered.

32. **ZONING ORDINANCE (ZO) OPEN HOUSE** (11:58 a.m.)

Supervisor K. Smith announced that on July 22, 2019, the Zoning Administration Division of the Department of Planning and Development will be hosting an open house from 7 p.m. to 9 p.m. in the Forum of the Government Center to showcase ongoing amendments to the ZO, such as lighting, agritourism, and the Zoning Ordinance Modernization effort known as zMOD. In addition, staff will be available to answer general zoning questions or questions about previously adopted amendments, including short-term lodging, community gardens, and signs. All are welcomed and encouraged to attend. Staff is also planning an open house in the southern portion of the County for the month of September, and those details will be announced next month.

33. **SUPPORT FOR A POLICY OF PAID FAMILY AND MEDICAL LEAVE** (11:59 a.m.)

Supervisor McKay stated that last week, the Commission for Women unanimously approved a position statement about paid family and medical leave and recommended that the Board incorporate it as part of its 2020 legislative program.

Several other states and the District of Columbia have already passed such a policy, designed to ensure women, caregivers, and families are given the support they need. This is also relevant to the aging population. When individuals experience these types of challenges, they can experience lost wages from reduced work hours, time out of the workforce, or unpaid family leave.

As the statement reads, "support for a policy of paid family and medical leave aligns with the mission of One Fairfax" and is "an important step toward furthering the goal of fostering racial and social equity for both women and men" in our County.

The resolution, along with various other conversations he's had over the past few months with employees and SEIU, truly highlights the need for strong paid leave programs. Although the County does provide such programs now, he expressed the belief that it's important to revisit them in an effort to ensure they're meeting the needs of the workforce.

Therefore, Supervisor McKay moved that the Board:

- Refer the Commission for Women’s resolution to the Legislative Committee for discussion prior to the 2020 General Assembly session
- Direct the Department of Human Resources to compile a list of paid leave opportunities offered by the County for the employees, as well as a list of similar opportunities offered by surrounding jurisdictions and the Commonwealth of Virginia. This compilation should be presented to the Board for discussion at a future Personnel Committee meeting

Chairman Bulova seconded the motion.

Supervisor Cook asked to amend the motion to include information pertaining to the impact on employers with a limited number of employees, and this was accepted.

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

34. **CHILD CARE FOR COMMUNITY MEETINGS** (12:02 p.m.)

Supervisor McKay stated that the County hosts a number of important community meetings during evening hours. These meetings help set County policy, inform residents about important topics, and provide updates on projects and initiatives in the area.

Supervisor McKay noted that it’s vital to have as much public participation as much as possible on any given issue. At times, however, that can be difficult for parents of young children, who may be unable to find adequate childcare to allow for participation in such meetings. Their perspectives are important and making it easier for them to participate will make the Board better informed. Several other jurisdictions have done this, as well, as you can see in the article distributed around the dais.

Therefore, to increase public participation with County government, Supervisor McKay asked unanimous consent that the Board direct staff to research the potential resources needed to provide on-site childcare for parents who wish to attend select large county-hosted community meetings. It would also be prudent for staff to look at options such as potential outside partnerships to facilitate this proposal. Public engagement and participation are critical to the County’s success and anything that can be done to bolster community involvement will benefit everyone.

Discussion ensued regarding examining volunteer and Neighborhood and Community Services opportunities for childcare.

Without objection, it was so ordered.

35. **“RESOURCES FOR IMMIGRANTS” WEBSITE** (12:06 p.m.)

In a joint Board Matter with Supervisor Foust, Supervisor McKay stated that in 2017, this Board voted to adopt a resolution that stated in part, “Fairfax County is a welcoming and accepting community where residents of all backgrounds deserve to feel respected and safe. It is important that we, as local leaders, speak out when our constituents are concerned regarding policies or practices that may affect them.”

Once again, the Board is hearing concerns about the federal government and planned ICE raids in the area. The Board believes in keeping families together and feels strongly that it must protect its most vulnerable.

The Board has spoken to the Police Chief and has been assured again that the County Police Department does not and will not get involved with civil immigration matters such as what is on the news. There is a lot of misinformation and fear. However, it’s important that the community knows exactly where the County stands and what its rights are.

Therefore, Supervisor McKay moved that the Board direct the Office of Public Affairs (OPA) to update its “Resources for Immigrants” page to include information about programs and services that will assist the community and those who need assistance. There are many resources available to help inform the community of its rights, as well as provide legal services, and the Board hopes these and other items would be made available to the community at-large. Several jurisdictions in the area have already established pages with such information.

Supervisor McKay further moved that OPA promote this website prominently on the County’s homepage.

Supervisor Foust seconded the motion.

Following discussion regarding the County’s capability to translate the information in various languages, the question was called on the motion and it carried by a vote of nine, with Supervisor Herrity being out of the room.

36. **WORKHOUSE BREWFEST ON SEPTEMBER 14, 2019, (MOUNT VERNON DISTRICT)** (12:13 p.m.)

In a joint Board Matter with Chairman Bulova, Supervisor Storck stated that the Workhouse Brewfest spotlights craft brews, ciders, artisan spirits, fine wine, artists and bands from Northern Virginia, throughout the Commonwealth and from the mid-Atlantic region on September 14, at the Workhouse Arts Center in

Lorton from 1p.m. until 8 p.m. The day will be filled with live music, great food, drinks and workshops on fun how-to's related to beer.

Brewfest is presented by the Workhouse Arts Center and supported by the County, the Fairfax County Park Authority and Visit Fairfax, as part of the County's plan to boost its local economy. Brewfest also highlights the continued success of the craft beer industry as a big business in the Commonwealth. Craft breweries employ over 10,000 people and produce \$1.4 billion in economic impact in the State, according to the Brewers Association. There are approximately 200 licensed craft breweries in the State – including nine in the County. Arts and Cultural organizations in the County also contribute over 271 million to the economic health and growth of the County and employ over 6,200 people.

The Workhouse is also soliciting volunteers to help make this event possible. Join the Brewfest "Brew Crew" for a fun and exciting day and to receive volunteer benefits after your shift is complete. Signup is available at www.workhousebrewfest.org. Tickets and more information can be found online at www.workhousebrewfest.org, or on Facebook, Twitter, and Instagram @WACBrewfest.

Therefore, Supervisor Storck asked unanimous consent, that the Board direct the Office of Public Affairs to advertise this information to increase awareness to the County community. Without objection, it was so ordered.

37. **UPDATE ON THE HUNTINGTON LEVEE (MOUNT VERNON DISTRICT)** (12:15 p.m.)

Supervisor Storck stated that there have been a few significant rainstorms recently and the County's \$40M investment in the Huntington Levee prevented significant flooding from occurring in the area. He highlighted several communities that have experienced flooding in the past and he thanked the Board for its foresight.

38. **RECOGNITION OF MS. LINDSEY DOANE OF CHAIRMAN BULOVA'S OFFICE** (12:17 p.m.)

Chairman Bulova announced that Lindsey Doane, her Communications Manager, will be leaving her office to work as the Digital Communications Manager for Kettler. Chairman Bulova congratulated her and thanked her for her service.

39. **ORDERS OF THE DAY** (12:20 p.m.)

Chairman Bulova announced that the Board will need an hour and 15 minutes for closed session, therefore, following lunch, the Board will report to closed session at 1:45 p.m.

AGENDA ITEMS

40. **RECESS/CLOSED SESSION** (12:21 p.m.)

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

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

1. *In re: January 10, 2018, Decision of the Board of Zoning Appeals of Fairfax County, Virginia; Blake D. Ratcliff and Sara B. Ratcliff v. Board of Supervisors of Fairfax County, Virginia, Case No. CL-2018-0001836 (Fx. Co. Cir. Ct.) (Mason District)*
2. *Kenneth Henderson v. Fairfax-Falls Church Community Services Board and Fairfax County, Case No. 19-1040 (U.S. Ct. of App. for the Fourth Cir.)*
3. *Joseph A. Glean v. Board of Supervisors, Michael J. McGrath, and Christopher J. Pietsch, Case No. CL-2019-0001067 (Fx. Co. Cir. Ct.); Joseph A. Glean v. Board of Supervisors, Case No. CL-2019-002450 (Fx. Co. Cir. Ct.); Joseph A. Glean v. Board of Supervisors, Michael J. McGrath, and Christopher J. Pietsch, Case No. CL-2019-002360 (Fx. Co. Cir. Ct.)*
4. *Andrew Cooper, Rebecca Cooper, Blake Ratcliff, Sara Ratcliff, Cecilia Gonzalez, Cindy Reese, Donald Walker, Debra Walker, Carmen Giselle Huamani Ober, Amjad Arnous, John A. McEwan,*

Mary Lou McEwan, Kevin Holley, Laura Quirk Niswander, Lori Marsengill, Gary Marsengill, Margaret Wiegenstein, Melinda Norton, Nagla Abdelhalim, Nhung Nina Luong, Quan Nguyen, Robert Ross, Helen Ross, Sanjeev Anand, Anju Anand, Sarah Teagle, Sofia Zapata, Svetla Borisova, Nickolas Ploutis, Melinda Galey, Travis Galey, and Victoria Spellman v. Board of Supervisors of Fairfax County, Virginia, Case No. CL-2018-0012818 (Fx. Co. Cir. Ct.)

5. *K2NC LLC v. Board of Supervisors of Fairfax County, Virginia; Exception Review Committee, Chris Koerner, Amy Gould, Anne S. Kanter, James C. Chesley, Edward W. Monroe, Jr., Ken Lanfear, Elizabeth Martin, Sue Kovach Shuman, Monica Billger, and David W. Schnare, Case No. CL-2019-0006521 (Fx. Co. Cir. Ct.) (Braddock District)*
6. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Dinos, LLC, Case No. CL-2019-0008283 (Fx. Co. Cir. Ct.) (Dranesville District)*
7. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mishal H. Al-Thani, Case No. CL-2018-0001769 (Fx. Co. Cir. Ct.) (Dranesville District)*
8. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County v. Martina Simpkins and Anthony Simpkins, Case No. CL-2018-0002496 (Fx. Co. Cir. Ct.) (Lee District)*
9. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Michael L. Lewis and Sonja B. Lewis, Case No. CL-2017-0013219, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Michael L. Lewis and Sonja B. Lewis, Case No. CL-2018-0015823 (Fx. Co. Cir. Ct.) (Lee District)*

10. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Suwarti Ishak and Rahmad B. Ishak*, Case No. GV19-014866 (Fx. Co. Gen. Dist. Ct.) (Lee District)
11. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Matthew O. Neyland*, Case No. CL-2018-0017117 (Fx. Co. Cir. Ct.) (Mason District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. John A. McEwan and Mary Lou McEwan*, Case No. CL-2019-0008365 (Fx. Co. Cir. Ct.) (Mount Vernon District)
13. *In re: December 5, 2018, Decision of the Board of Zoning Appeals of Fairfax County, Virginia*; Case No. CL-2018-0018063; *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nickolas A. Ploutis*, Case No. CL-2019-0007336 (Fx. Co. Cir. Ct.) (Mount Vernon District)
14. *Eileen M. McLane, Fairfax County Zoning Administrator v. Chau Ly*, Case No. CL-2011-0002187 (Fx. Co. Cir. Ct.) (Providence District)
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Delfin Farfan and Mary I. Farfan*, Case No. CL-2011-0002183 (Fx. Co. Cir. Ct.) (Providence District)
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mauricio Castro and Maritza Castro*, Case No. GV19-013339 (Fx. Co. Gen. Dist. Ct.) (Providence District)
17. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mauricio Castro and Maritza Castro*, Case No. GV19-013338 (Fx. Co. Gen. Dist. Ct.) (Providence District)
18. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Harry Martin*, Case No. CL-2008-0008078 (Fx. Co. Cir. Ct.) (Sully District)
19. *Board of Supervisors of Fairfax County, Virginia, and William Hicks, Director, Fairfax County*

Department of Public Works and Environmental Services v. Calvin Gaskins, Clarence L. Duncan, Mattie Jones, Christopher Robinson, and Richard Gaskins, Trustees of Cub Run Memorial Gardens Cemetery, Case No. CL-2018-0011820 (Ex. Co. Cir. Ct.) (Sully District)

And in addition:

1. As permitted by Virginia Code Sections (§) 2.2-3711(A)(7) and (8), legal analysis regarding:
 - a. Use of social media accounts and the First Amendment
 - b. 2019 General Assembly amendments to Virginia Code Sections (§) 2.2-3132 and 30-356
 - c. Potential settlement to remediate ordinance violations at 10622 Belmont Boulevard
2. As permitted by Virginia Code Section (§) 2.2-3711(A)(1), potential appointments to several County Government positions.

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

At 3:20 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

41. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:20 p.m.)

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

42. **MOTION AUTHORIZING NOTICE OF APPEAL OF BLAKE D. RATCLIFF AND SARA B. RATCLIFF V. BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA** (3:21 p.m.)

Supervisor Gross moved that the Board authorize the County Attorney to file a Notice of Appeal with the Supreme Court of Virginia in the matter of *In Re: January 10, 2018, Decision of the BZA; Blake D. Ratcliff and Sara B. Ratcliff v. Board of Supervisors of Fairfax County, Virginia*; Fairfax County Circuit Court Case No. CL-2018-0001836, in accordance with the terms and conditions outlined by the County Attorney in Closed Session. Supervisor McKay seconded the motion and it carried by unanimous vote.

43. **APPOINTMENTS TO THE OFFICE OF ENVIRONMENTAL AND ENERGY COORDINATION AND THE DEPARTMENTS OF MANAGEMENT AND BUDGET AND CLERK SERVICES** (3:22 p.m.)

Supervisor Gross moved the appointment of Mr. Kambiz Agazi to the position of Director, Office of Environmental and Energy Coordination, Grade E09, with a starting salary of \$163,000, effective July 20, 2019. Chairman Bulova seconded the motion and it carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Christina Jackson to the position of Director, Department of Management and Budget, Grade E12, with a starting salary of \$180,000, effective July 20, 2019. Supervisor McKay seconded the motion and it carried by unanimous vote.

Supervisor Gross moved the appointment of Ms. Jill Cooper to the position of Clerk to the Board, effective September 3, 2019, and noted that Ms. Cooper will continue to serve as the Director of the Department of Clerk Services. Chairman Bulova seconded the motion and it carried by unanimous vote.

44. **MOTION AUTHORIZING RESOLUTION OF NOTICE OF VIOLATION FOR 10622 BELMONT BOULEVARD** (3:23 p.m.)

Supervisor Storck moved that the Board of Supervisors authorize the Director of Land Development Services to enter into an agreement providing for the remediation of violations identified in a Notice of Violation of the Chesapeake Bay Preservation Ordinance issued to the owner of property located at 10622 Belmont Boulevard, all on the terms and conditions outlined by the County Attorney in closed session. Chairman Bulova seconded the motion and it carried by unanimous vote.

EBE:ebe

AGENDA ITEMS

45. **3 P.M. – PH ON THE SALE OF 0.5 MILLION GALLONS-PER-DAY (MGD) OF FAIRFAX COUNTY'S UNUSED CAPACITY AT THE UPPER OCCOQUAN SEWAGE AUTHORITY'S (UOSA) TREATMENT PLANT TO THE CITY OF MANASSAS** (3:25 p.m.)

- (R) 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 June 28 and July 5, 2019.

Shahram Mohsenin, Director, Department of Public Works and Environmental Services, Wastewater Planning and Monitoring Division, presented the staff report.

Following the public hearing, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved adoption of the Resolution, substantially in the form of Attachment I of the Board Agenda Item, authorizing the sale of 0.5 MGD of the County's unused capacity at the UOSA treatment plant to the City of Manassas. Vice-Chairman 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."

Vice-Chairman Gross returned the gavel to Chairman Bulova.

46. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2018-BR-026 (ERICKSON LIVING AT BRADDOCK ROAD LLC) (BRADDOCK DISTRICT)** (3:30 p.m.)

- (O) The application property is located on the south side of Braddock Road at its intersection with Burke Station Road. Tax Map 69-1 ((1)) 34.

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

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

- Erickson Living Management LLC, which is not a party to this application and does not have any ownership interest in the application property, but it is indirectly related to the Applicant/Title Owner, Erickson Living at Braddock Road LLC

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

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

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

Supervisor Cook moved:

- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2018-BR-026, from the R-1 District to the PCC District, subject to the proffers dated July 2, 2019.
- Approval of the following waivers and modifications dated July 16, 2019:
 - Modification of Paragraph 4 of Section 11-203 of the ZO of the required minimum loading space requirement for the proposed continuing care facility (CCF), in favor of the loading spaces shown on the CDP/FDP
 - Waiver of Section 11-302 of the ZO to permit the maximum length of a private street to exceed 600 feet, as shown on the CDP/FDP
 - Modification of the transitional screening requirement along the southern, western, and a portion of the northern property lines as set forth in Section 13-303 of the ZO, in favor of the landscaping shown on the CDP/FDP
 - Waiver of Paragraph 2 of Section 17-201 of the ZO of the requirement to construct a sidewalk along Braddock Road, in favor of the proposed ten-foot wide shared use path, as shown on the CDP/FDP
 - Waiver Paragraph 3B of Section 17-201 of the ZO of the requirement to construct a vehicular travel lane, service drive or other access connection to and from adjacent properties
 - Modification of Paragraph 4 of Section 17-201 of the ZO of the requirement to provide 59.5 feet of right-of-way dedication along the entire Braddock Road frontage, in favor of the right-of-way shown on the CDP/FDP

Chairman Bulova and Supervisor Hudgins 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.”

(NOTE: On June 26, 2019, the PC approved Final Development Plan Application FDP 2018-BR-026, subject to the development conditions dated June 25, 2019.)

47. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2017-PR-015 (PS BUSINESS PARKS, LP) (PROVIDENCE DISTRICT)**

(AND)

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2014-PR-004 (AMHERST PROPERTY, LLC) (PROVIDENCE DISTRICT)

(AND)

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 88-D-005-09 (PS BUSINESS PARKS, LP) (PROVIDENCE DISTRICT) (4 p.m.)

- (O) The application property for Rezoning Application RZ 2017-PR-015 is located on the northwest and northeast quadrants of Westpark Drive and Westbranch Drive. Tax Map 29-4 ((7)) C1, C2, 1A2, 7A1, 8 and 11A and 29-4 ((7)) (1) 7C (pt.).

The application property for Proffered Condition Amendment Application PCA 2014-PR-004 is located north of Jones Branch Drive, approximately 400 feet north of its intersection with Westpark Drive. Tax Map 29-4 ((7)) (1) A, 6A, 6B and 7C (pt.).

The application property for Proffered Condition Amendment Application PCA 88-D-005-09 is located on the northwest and northeast quadrants of Westpark Drive and Westbranch Drive. Tax Map 29-4 ((7)) 1A2, C1, C2, 7A1, 8, 11A and 29-4 ((7)) (1) 7C (pt.).

Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

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

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

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

Following comments, Supervisor L. Smyth moved:

- Approval of Proffered Condition Amendment Application PCA 88-D-005-09.
- Amendment of the Zoning Ordinance (ZO), as it applies to the property which is the subject of Rezoning Application RZ 2017-PR-015, from the C-3 District to the PDC District, subject to the proffers dated July 10, 2019.
- Approval of the following modifications:
 - Modification of Section 2-505 of the ZO to permit structures and/or plantings on a corner lot at an intersection as shown on the CDP/FDP and as proffered
 - Modification of Section 2-506 of the ZO to permit parapet walls, cornices, or similar projections to a maximum height of six feet
 - Modification of Section 10-104.3.E of the ZO to increase the maximum fence height from seven feet to fourteen feet
 - Modification of Sections 11-201 and 11-203 of the ZO to permit the minimum number of required loading spaces as shown on the CDP/FDP
- Approval of Proffered Condition Amendment Application PCA 2014-PR-004, subject to the proffers dated May 7, 2019.

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

(NOTE: On July 10, 2019, the PC approved Final Development Plan Application FDP 2017-PR-015, subject to the development conditions dated July 10, 2019.)

48. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2019-SU-007 (BROOKFIELD SWIMMING CLUB INCORPORATED AND PLEASANT VALLEY PRESCHOOL INCORPORATED) (SULLY DISTRICT)** (4:21 p.m.)

The application property is located at 13615 Pennsboro Drive, Chantilly, 20151. Tax Map 44-2 ((1)) 15 and 16.

Ms. Megan Cummings reaffirmed the validity of the affidavit for the record.

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

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

Following the public hearing, which included testimony by one speaker, discussion ensued with input from Ms. Estes, regarding the hours of operation for the pool and preschool and ensuring that those times do not overlap.

Ms. Estes presented the staff and Planning Commission recommendations.

Following a query by Supervisor K. Smith, Ms. Cummings confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 16, 2019.

Supervisor K. Smith moved approval of:

- Special Exception Application SE 2019-SU-007, subject to the development conditions dated July 16, 2019.
- Modification of the transitional screening requirements in Article 13 of the Zoning Ordinance, in favor of existing vegetation, as supplemented in accordance with the development conditions.

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

49. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2019 MV-001 (7-ELEVEN, INCORPORATED) (MOUNT VERNON DISTRICT) (4:34 p.m.)**

The application property is located at 8625 and 8629 Richmond Highway, Alexandria, 22309. Tax Map 101-3 ((1)) 104, 101 and 102.

Mr. Zachary Williams reaffirmed the validity of the affidavit for the record.

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

Mr. Williams 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.

The applicant reaffirmed agreement with the development conditions dated July 10, 2019.

Following comments, Supervisor Storck moved approval of:

- Special Exception Application SE 2019-MV-001, subject to the development conditions dated July 10, 2019.
- The following modifications:
 - Modification of the 20-foot front yard setback in the Richmond Highway Commercial Revitalization District in accordance with the Zoning Ordinance (ZO) to permit a 15-foot front yard setback
 - Modification of Section 13-303 of the ZO for the transitional screening requirement to that shown on the SE Plat

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

50. **3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 88-D-008 (VIRGINIA ELECTRIC AND POWER COMPANY, D/B/A DOMINION ENERGY VIRGINIA) (PROVIDENCE DISTRICT)** (4:46 p.m.)

(NOTE: On May 7, 2019, the Board deferred the public hearing until May 21, 2019, at which time it was deferred until June 25, 2019, and then once again to July 16, 2019.)

The application property is located at 8440 Tyco Road, Tysons, 22182. Tax Map 29-1 ((1)) 50C.

Ms. Sheri Akin reaffirmed the validity of the affidavit for the record.

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

Ms. Akin 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. Posusney presented the staff and Planning Commission recommendations.

Following a query by Supervisor L. Smyth, Ms. Akin confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 1, 2019.

Supervisor L. Smyth moved approval of:

- Special Exception Amendment Application SEA 88-D-008, subject to the development conditions dated July 1, 2019.
- Modification of wall height, as required by Paragraph 3H of Section 10-104 of the Zoning Ordinance, in favor of the 12-foot tall wall shown on the SEA plat

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

51. **4 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 82-P-044-02 (GBA ASSOCIATES LIMITED PARTNERSHIP) (PROVIDENCE DISTRICT)** (4:52 p.m.)

(O) The application property is located on the north side of Arlington Boulevard and the east side of Fairview Park Place. Tax Map 49-4 ((1)) 59A, 59B and 59C.

Mr. Shane Murphy 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:

- Mr. Vincent J. Forte

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

- GBA Associates Limited Partnership

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

- GBA Associates Limited Partnership

- Mr. Vincent J. Forte

Supervisor McKay also disclosed that he had been previously represented by Grayson P. Hanes, Counsel of Reed Smith LLP in an unrelated matter.

Supervisor K. Smith disclosed that she had received campaign contributions in excess of \$100 from the following:

- GBA Associates Limited Partnership
- Mr. Vincent J. Forte

Kelly Atkinson, Planner, Zoning Evaluation Division, Department of Planning and Development, 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.

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

Supervisor L. Smyth moved approval of:

- Proffered Condition Amendment Application PCA 82-P-044-02, subject to the proffers dated July 15, 2019.
- The following waivers and modifications:
 - Modification of Section 13-303 of the Zoning Ordinance (ZO) for the transitional screening buffer width and plantings along the northern boundary, delineated as Buffer “B-C” as shown on the GDP
 - Modification of Section 13-303 of the ZO for the transitional screening buffer width and plantings along the northern boundary, delineated as Buffer “C-C1” as shown on the GDP
 - Modification of Section 13-303 of the ZO for the transitional screening buffer plantings along the northern boundary, delineated as Buffer C1-D” as shown on the GDP
 - Modification and waiver of Sections 13-303 and 13-304 of the ZO for the transitional screening

plantings and barrier along the eastern boundary, delineated as Buffer “D-E” as shown on the GDP

- Modification of Section 13-202 of the ZO to allow interior parking lot landscaping as shown on the GDP

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.”

52. **4 P.M. – PH ON PROPOSED PLAN AMENDMENT PA 2013-I-L1(C), LOCATED WEST OF THE FAIRFAX COUNTY AND CITY OF ALEXANDRIA BOUNDARY, GENERALLY CENTERED AROUND THE INTERSECTION OF LITTLE RIVER TURNPIKE AND NORTH BEAUREGARD STREET (MASON DISTRICT) (5:21 p.m.)**

Michael Burton, Planner, Department of Planning and Development, presented the staff report.

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

Following comments, Supervisor Gross moved approval of the staff recommendation for Plan Amendment PA 2013-I-L1(C), as found in the staff report dated June 4, 2019, with Plan text and figure modifications recommended by the Planning Commission on July 10, 2019, as shown in Attachment II of the Board Agenda Item. Chairman Bulova seconded the motion and it carried by unanimous vote.

53. **4 P.M. – PH ON PROPOSED AMENDMENTS TO THE PUBLIC FACILITIES MANUAL (PFM) REGARDING PHASE 2 OF THE “PFM FLEX PROJECT,” A FAIRFAX FIRST INITIATIVE TO IMPROVE THE SPEED, CONSISTENCY, AND PREDICTABILITY OF THE COUNTY’S LAND DEVELOPMENT REVIEW PROCESS (5:57 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 June 28 and July 5, 2019.

Don Lacquement, Director, Plan Development Services, Land Development Services, presented the staff report.

Following the public hearing, Supervisor K. Smith moved adoption of the proposed amendments to the PFM as recommended by the Planning Commission on June 19, 2019, and as shown in Attachment 3 of the Board Agenda Item. The

proposed amendments become effective at 12:01 a.m. on July 17, 2019. Supervisor L. Smyth seconded the motion and it carried by a vote of eight, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting “AYE,” Supervisor Cook and Supervisor Gross being out of the room.

54. **4 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-V-076-02 (FAIRFAX COUNTY BOARD OF SUPERVISORS) (MOUNT VERNON DISTRICT)** (6:01 p.m.)

The application property is located at 9518 Richmond Highway, Lorton, 22079. Tax Map 107-4 ((1)) 34 and 107-4 ((5)) 4.

Ms. Martha Sansaver, Building Design Branch Building Design and Construction Division, Capital Facilities, Department of Public Works and Environmental Services, reaffirmed the validity of the affidavit for the record.

William Mayland, Planner, Zoning Evaluation Division, Department of Planning and Development (DPD), gave a PowerPoint slide presentation depicting the application and site location.

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

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

Following comments, Supervisor Storck moved approval of Special Exception Amendment Application SEA 83-V-076-02, subject to the development conditions dated June 5, 2019. Chairman Bulova seconded the motion.

Discussion ensued, with input from David Bowden, Director, Planning and Development, Park Authority, regarding community concerns about the park and the 87 percent of the park space that is being preserved with the proposed changes.

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

55. **4:30 P.M. – DECISION ONLY TO CONVEY BOARD-OWNED PROPERTY ON AUTUMN WILLOW DRIVE TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (SPRINGFIELD DISTRICT)** (6:35 p.m.)

(R) (NOTE: On June 25, 2019, the Board held a public hearing regarding this item and deferred decision until July 16, 2019.)

Following remarks, Supervisor Herrity moved adoption of the Resolution authorizing the County to prepare and execute all documentation necessary to convey Board-owned property located along Autumn Willow Drive, and identified by Tax Map 0553 01 Parcel 0026B, to the FCRHA, subject to the condition that the property must be used to create a Board-approved affordable senior housing project. In the event the FCRHA is no longer able to pursue the project, the FCRHA will transfer ownership of the property back to the Board. Supervisor K. Smith seconded the motion.

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

56. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1999-MV-025-06 (PANERA, LLC) (MOUNT VERNON DISTRICT)**

(AND)

PH ON SPECIAL EXCEPTION APPLICATION SE 2018-MV-025 (PANERA, LLC) (MOUNT VERNON DISTRICT) (6:43 p.m.)

- (O) The application property for Proffered Condition Amendment Application PCA 1999-MV-025-06 and Special Exception Application SE 2018-MV-025 is located on the southwest quadrant of the intersection of Lorton Road with Lorton Market Street. Tax Map 107-4 ((23)) B.

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

Jay Rodenbeck, Planner, Zoning Evaluation Division, Department of Planning and Development, 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, Mr. Rodenbeck presented the staff and Planning Commission recommendations.

Following a query by Supervisor Storck, Ms. Mariska confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated July 16, 2019.

Supervisor Storck moved approval of:

- Proffered Condition Amendment Application PCA 1999-MV-025-06, subject to the proffers dated May 28, 2019.
- Special Exception Application SE 2018-MV-025, subject to the development conditions dated July 16, 2019.
- The following waivers and modifications:
 - Waiver of Section 11-203 of the Zoning Ordinance (ZO) for the minimum number of required loading spaces
 - Modification of Section 13-303 of the ZO for the transitional screening requirement along the eastern, southern, and northern property boundaries to that shown on the GDP/SE Plat
 - Waiver of Section 13-304 of the ZO for the barrier requirements along the eastern, southern, and northern property boundaries

Supervisor McKay 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.”

57. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT/CONCEPTUAL DEVELOPMENT PLAN AMENDMENT APPLICATIONS PCA 2000-HM-044-03/CDPA 2000-HM-044-02 (NVR, INCORPORATED) (HUNTER MILL DISTRICT) (6:53 p.m.)**

(O) The application property is located in the southwest quadrant of Woodland View Drive and Woodland Grove Place. Tax Map 16-4 ((27)) 1B.

Ms. Elizabeth Baker reaffirmed the validity of the affidavit for the record.

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

Ms. Baker 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. Mayland presented the staff and Planning Commission recommendations.

Supervisor Hudgins moved approval of:

- Proffered Condition Amendment/Conceptual Development Plan Amendment Applications PCA 2000-HM-044-03/CDPA 2000-HM-044-02, subject to the proffers dated April 29, 2019.
- The following waivers:
 - Waiver of Paragraph 5, Section 6-206 of the Zoning Ordinance (ZO) to permit gross floor area for the residential uses to exceed 50 percent of the principal uses
 - Waiver of Section 11-203 of the ZO for the loading space requirements

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.”

(NOTE: On June 12, 2019, the PC approved Final Development Plan Amendment Application FDPA 2000-HM-044-03, subject to the development conditions dated May 29, 2019.)

58. **4:30 P.M. – PH FOR THE DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR VACUUM LEAF COLLECTION SERVICE (MOUNT VERNON DISTRICT) (6:57 p.m.)**

- (R) 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 June 28 and July 5, 2019.

Lainie Shifflett, Solid Waste Management Program, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, discussion ensued, with input from Ms. Shifflett, who confirmed that residents will receive credits for any fees they paid for the leaf collection.

Supervisor Storck moved adoption of the Resolution approving changes to small and local sanitary districts for vacuum leaf collection service in accordance with the Board’s adopted criteria for the Creation of Small or Local Sanitary Districts, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
Small District within Mount Vernon District (Marthas Rd)	De-create/Re-create	Discontinue Vacuum leaf collection

Supervisor Cook 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."

59. **4:30 P.M. – PH FOR THE DE-CREATION/RE-CREATION OF SMALL AND LOCAL SANITARY DISTRICTS FOR REFUSE/RECYCLING AND VACUUM LEAF COLLECTION SERVICE (PROVIDENCE DISTRICT)**
(7:05 p.m.)

- (R) 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 June 28 and July 5, 2019.

Lainie Shifflett, Solid Waste Management Program, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Supervisor L. Smyth moved adoption of the Resolution approving changes to small and local sanitary districts for refuse/recycling and vacuum leaf collection service in accordance with the Board's adopted criteria for the Creation of Small or Local Sanitary Districts, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
Small District within Providence District (2428 Lockett Ave, 8630 Janet Ln)	De-create/Re-create	Discontinue Refuse, Recycling and Vacuum leaf collection

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."

60. **A-8 – ADOPTION OF A RESOLUTION CONSENTING TO THE DECLARATION OF A LOCAL EMERGENCY** (7:08 p.m.)

- (R) (NOTE: Earlier in the meeting, this item was discussed. See Clerk's Summary Item #18.)

Following remarks, Chairman Bulova relinquished the Chair to Vice-Chairman Gross and moved that the Board adopt the Resolution, substantially in the form of Attachment 1 of the Board Agenda Item, to declare a local emergency retroactive to July 8, 2019, and provides for the waiver of certain fees associated with residential and commercial building permits necessary for the repair of storm damage. Supervisor Foust seconded the motion.

Discussion ensued, with input from Bryan J. Hill, County Executive, regarding the 90-day period for waiver of fees and the process to verify addresses and flooding damage.

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

Vice-Chairman Gross returned the gavel to Chairman Bulova.

61. **BOARD ADJOURNMENT** (7:19 p.m.)

The Board adjourned.