



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
September 24, 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, September 24, 2019, at 9:34 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; Jill G. Cooper, Clerk for the Board of Supervisors; Dottie Steele, Chief Deputy Clerk for the Board of Supervisors; Ekua Brew-Ewool and Kecia Kendall, Administrative Assistants, Office of the Clerk for the Board of Supervisors.

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

The Board asked everyone to keep in thoughts the family and friends of:

- Mr. Michael W. Thompson, Sr.
- Mr. David L. Lacey
- Ms. Edith A. Mead
- Ms. Irma A. Clifton
- Dr. Richard J. Ernst
- Ms. Janyce Hedetniemi
- The Burgandy Village Community and First Responders in light of the recent tragedy

ADDITIONAL BOARD MATTERS**RETIREMENT ANNOUNCEMENT** (9:48 a.m.)

Chairman Bulova announced the retirement of Joey Taguding, IT Systems Architect, E-Government and Technology Architecture, Information Technology on Friday, September 27, 2019 and wished him well on behalf of the Board.

ORDERS OF THE DAY (9:49 a.m.)

Chairman Bulova announced that the Board will consider Action Item 20 (A-20) prior to the Public Hearing on the County and Schools' FY 2019 Carryover Review to Amend the Appropriation Level in the FY 2020 Revised Budget Plan so the Board may take action on A-20 prior to the adoption of the Carryover.

AGENDA ITEMS2. **PROCLAMATION DESIGNATING SEPTEMBER 2019 AS "SUICIDE AWARENESS MONTH" IN FAIRFAX COUNTY** (9:50 a.m.)

Supervisor Cook moved approval of the Proclamation designating September 2019 as "*Suicide Awareness Month*" in Fairfax County and urged all residents to help build awareness and knowledge about warning signs and available resources to prevent the tragedy of suicide. Supervisor Hudgins seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

3. **PROCLAMATION DESIGNATING OCTOBER 2019 AS “DISABILITY EMPLOYMENT AWARENESS MONTH” IN FAIRFAX COUNTY** (10:04 a.m.)

Supervisor Cook moved approval of the Proclamation designating October 2019 as "*Disability Employment Awareness Month*" in Fairfax County and urged all residents and employers to ensure that people with disabilities have an equal chance to enjoy the boundless employment opportunities in Fairfax County. Supervisor McKay seconded the motion and it carried by a vote of nine, Supervisor Herrity being out of the room.

4. **PROCLAMATION DESIGNATING OCTOBER 6-12, 2019, AS “FIRE PREVENTION WEEK” IN FAIRFAX COUNTY** (10:18 a.m.)

Supervisor Gross moved approval of the Proclamation designating October 6-12, 2019, as "*Fire Prevention Week*" in Fairfax County and urged all residents to make a home fire escape plan and practice it twice a year with their family to make sure everyone can escape safely in the event of a fire. Supervisor McKay seconded the motion and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING SEPTEMBER 2019 AS “KINSHIP CARE AWARENESS MONTH” IN FAIRFAX COUNTY** (10:29 a.m.)

Supervisor Hudgins moved approval of the Proclamation designating September 2019 as "*Kinship Care Awareness Month*" in Fairfax County and urged all residents to acknowledge and celebrate the importance of kinship caregivers and the role they play in raising children in stable, loving and nurturing households. Chairman Bulova and Supervisor Storck jointly seconded the motion and it carried by a vote of nine, Supervisor L. Smyth being out of the room.

6. **PROCLAMATION DESIGNATING SEPTEMBER 15, – OCTOBER 15, 2019, AS “HISPANIC HERITAGE MONTH” IN FAIRFAX COUNTY** (10:40 a.m.)

Supervisor K. Smith moved approval of the Proclamation designating September 15- October 15, 2019 as "*Hispanic Heritage Month*" in Fairfax County and urged all residents to join in recognizing the members of the Hispanic-American community in Fairfax County and throughout the United States for their contributions. Supervisor Gross seconded the motion and it carried by unanimous vote.

7. **PROCLAMATION DESIGNATING SEPTEMBER 2019 AS “SICKLE CELL AWARENESS MONTH” IN FAIRFAX COUNTY** (10:49 a.m.)

Supervisor Hudgins moved approval of the Proclamation designating September 2019 as "*Sickle Cell Awareness Month*" in Fairfax County and urged affected patients, their families and the general public to learn more about the

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

8. **PROCLAMATION DESIGNATING OCTOBER 24, 2019, AS "POLIO AWARENESS DAY" IN FAIRFAX COUNTY** (10:57 a.m.)

Supervisor Cook moved approval of the Proclamation designating October 24, 2019, as "*Polio Awareness Day*" in Fairfax County and urged all residents to support Rotary International and its partners in the work they do to immunize children of the world against polio. Supervisor Herry seconded the motion and it carried by unanimous vote.

ADDITIONAL BOARD MATTERS

RECOGNITION OF JILL COOPER, CLERK FOR THE BOARD OF SUPERVISORS (11:07 a.m.)

Chairman Bulova recognized Jill Cooper, and noted that this is her first Board meeting as Clerk for the Board of Supervisors. On behalf of the Board, Chairman Bulova congratulated Ms. Cooper on her new role.

INTRODUCTION OF NEW STAFF MEMBER (11:08 a.m.)

Chairman Bulova introduced Kim Jaramillo, a new staff member in her office.

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

RECOGNITION OF BILL MCCABE, SPRINGFIELD DISTRICT OFFICE (11:08 a.m.)

Supervisor Herry announced that Bill McCabe will be leaving his office to join the Enlisted Association, a National Veteran's Service Association as well as joining the Army National Guard. Supervisor Herry thanked him for his dedication to the country and wished him well in his endeavors.

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AGENDA ITEMS

9. **10:30 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (11:09 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 September 24, 2019." Supervisor McKay 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 Mason 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

Appointment of:

- Mr. Robert R. Meier as the Mount Vernon District Representative

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

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

Reappointment of:

- Mr. Grant J. Nelson as the At-Large #2 Representative
- Mr. Darren Dickens as the At-Large #3 Representative

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

ARCHITECTURAL REVIEW BOARD

Reappointment of:

- Mr. Stephen W. Kulinski as the Architect #1 Representative
- Mr. John Allen Burns as the Architect #2 Representative
- Mr. Jason F. Zellman as the Attorney Representative
- Mr. Joseph Plumpe as the Landscape Architect Representative

ATHLETIC COUNCIL

Reappointment of:

- Mr. Stephen McLaughlin as the Providence District Principal Representative

The Board deferred the appointment of the Diversity-At-Large Principal, Lee District Alternate, Mason District Alternate, and the Women's Sports Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Appointment of:

- Ms. Marie Colturi as the Hunter Mill District Representative

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

CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS

Reappointment of:

- Mr. Patrick Lennon as the At-Large #3 Representative

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

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

Reappointment of:

- Mr. James C. Chesley as the At-Large #2 Representative
- Ms. Amy Gould as the Braddock District Representative
- Mr. Edward W. Monroe as the Dranesville District Representative
- Mr. Kenneth J. Lanfear as the Hunter Mill District Representative
- Ms. Elizabeth Martin as the Mount Vernon District Representative
- Dr. David W. Schnare as the Springfield District Representative

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

CHILD CARE ADVISORY COUNCIL

Appointment of:

- Ms. Dawn M. Edwards as the Hunter Mill District Representative

Reappointment of:

- Ms. Pam Tinker as the Lee District Representative
- Mr. Scott Stroh as the Mount Vernon District Representative

The Board deferred the appointment of the Providence District Representative.

CITIZEN CORPS COUNCIL, FAIRFAX COUNTY

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

CONSUMER PROTECTION COMMISSION

Reappointment of:

- Ms. Jacqueline G. Rosier as the Fairfax County Resident #1 Representative

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

Appointment of:

- Mr. Neil J. Welch, Jr. as the Sully District Representative

Confirmation of:

- Ms. Paige Valentine as the League of Women Voters Representative
- Ms. Mary Jane Cleary as the League of Women Voters Alternate Representative

ECONOMIC ADVISORY COMMISSION

Appointment of:

- Mr. Michael T. Gwinn as the Hunter Mill District Representative

ENGINEERING STANDARDS REVIEW COMMITTEE

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

FAIRFAX AREA DISABILITY SERVICES BOARD

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

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Janelle Ellis as the Educational Organizations #2 Representative
- Ms. Rikki Epstein as the Advocacy Organizations #1 Representative
- Mr. Michael Toobin as the Community/Religious Leaders #1 Representative
- Mr. Douglas Birnie as the Community/Religious Leaders #3 Representative
- Mr. Thomas B. Bash as the Disability Services Board Representative
- Ms. Pam Wiener as the Long Term Care Providers #2 Representative
- Ms. Denise Hyater as the Long Term Care Providers #7 Representative
- Ms. Rose Mario as the Long Term Care Providers #9 Representative
- Ms. Tara Turner as the Long Term Care Providers #12 Representative
- Ms. Allegra C. Joffe as the Long Term Care Providers #16 Representative
- Ms. Catie Ruth as the Long Term Care Providers #18 Representative
- Mr. Robert Sargeant as the Long Term Care Providers #19 Representative

- Ms. Melanie Bush as the Long Term Care Providers #22 Representative
- Ms. Renuka Chander as the Long Term Care Providers #23 Representative
- Mr. Aaron Rebuck as the Long Term Care Providers #24 Representative
- Ms. Nancy Fiedelman as the Long Term Care Providers #25 Representative
- Ms. Sonia Gow as the Long Term Care Providers #26 Representative
- Ms. Matrona Busch as the Long Term Care Providers #27 Representative

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

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

HEALTH SYSTEMS AGENCY BOARD

Appointment of:

- Dr. Richard B. Hilburn as the Provider #4 Representative

HISTORY COMMISSION

Reappointment of:

- Mr. Robert E. Beach as the Architect Representative

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

HUMAN RIGHTS COMMISSION

Reappointment of:

- Mr. Harry Salinas as the At-Large #4 Representative
- Mr. Emanuel Solon as the At-Large #5 Representative

Appointment of:

- Mr. Andres Jimenez as the At-Large #8 Representative

The Board deferred the appointment of the At-Large #6, #7, and #9 Representatives.

HUMAN SERVICES COUNCIL

Reappointment of:

- Ms. Michele Menapace as the Lee District #1 Representative
- Ms. Leah Ganssle as the Sully District #2 Representative

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

INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)

Confirmation of:

- Captain Matthew C. Ragan as the Northern Virginia Chamber of Commerce Representative
- Ms. Anne Cahill as the League of Women Voters Representative

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

Appointment of:

- Mr. Sean J. Wright as the Providence District Representative

The Board deferred the appointment of the Lee District Representative.

OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING

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

POLICE CIVILIAN REVIEW PANEL

Appointment of:

- Mr. Atchuthan "Sris" Sriskandarajah as the Seat #6 Representative

The Board deferred the appointment of the Seat #7 Representative.

RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Dranesville District, Residential Owners and HOA/Civic Association #1, #2, and #3 Representatives.

ROAD VIEWERS BOARD

The Board deferred the appointment of the At-Large #1, #4, and #5 Representatives.

SMALL BUSINESS COMMISSION, FAIRFAX COUNTY

The Board deferred the appointment of the Mason District Representative.

TENANT LANDLORD COMMISSION

The Board deferred the appointment of the Citizen Member #1 and #2, Condo Owner, Landlord Member #2, and Tenant Member #1 Representatives.

TRAILS, SIDEWALKS AND BIKEWAYS COMMITTEE

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

TRANSPORTATION ADVISORY COMMISSION

Appointment of:

- Mr. Peter Sitnik as the Mount Vernon District Representative
- Mr. Jd Walter as the Providence District Representative

TREE COMMISSION

The Board deferred the appointment of the Springfield District Representative.

TRESPASS TOWING ADVISORY BOARD

Reappointment of:

- Mr. John Theodore Fee as the Citizen Representative
- Mr. Alvin C. Leach as the Towing #2 Representative

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

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

WATER AUTHORITY

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

DISTRICT OF COLUMBIA (DC) WATER AND SEWER AUTHORITY

Confirmation of:

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

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10. **A-20 –APPROVAL FOR THE IMPLEMENTATION OF A BODY-WORN CAMERA (BWC) PROGRAM FOR THE FAIRFAX COUNTY POLICE DEPARTMENT** (11:10 a.m.)

Supervisor Cook moved that the Board concur with the recommendation of staff and approve the implementation of the BWC Program for the Fairfax County Police Department. Supervisor McKay seconded the motion.

Discussion ensued regarding the:

- Significant costs and budgetary implications
- Accountability and transparency
- Police Officer support
- Enhanced community confidence

Chairman Bulova stated that \$4.3M in reserve for the Ad Hoc Police Practices Review Commission recommendations are being used. The County will begin the procurement process and enter into a five-year agreement with renewal options with the vendor and implementation would be phased in over a three-year time period. She noted that it is important to have funding in place in prior to May, when the budget is formally adopted for the next Fiscal Year. This would provide appropriate time for the procurement process, equipping and training of police

officers, time for transition of the Commonwealth Attorney's Office (CWA), recruitment, hiring and training of associated staff, and expedited training as requested for the CWA, the courts, the Public Defender's Office.

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

11. **10:30 A.M. – PUBLIC HEARING ON THE COUNTY AND SCHOOLS' FY 2019 CARRYOVER REVIEW TO AMEND THE APPROPRIATION LEVEL IN THE FY 2020 REVISED BUDGET PLAN** (11:39 a.m.)

(FPR)

(SAR)

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 September 6 and September 13, 2019.

Following remarks by Chairman Bulova, Christina Jackson, Director, Department of Management and Budget outlined the FY 2019 *Carryover Review Package*.

Following the public hearing, which included testimony by five speakers, Supervisor McKay, Chair of the Board's Budget Committee, moved approval of the Carryover package including Supplemental Appropriation Resolution (SAR) AS 20009 and an amendment to the Fiscal Planning Resolution (FPR) AS 20900.

Supervisor McKay stated that this approval includes the *FY 2019 Carryover Review* package in its entirety as presented on July 30, 2019, which resulted in an available non-recurring General Fund balance of \$4.36 million, as well as the following additional adjustments:

1. One-time funding in the amount of \$750,000 to support development of Phases I and II of the Community-Wide Energy and Climate Action Plan (CECAP). This funding will support community outreach and engagement, the development of an interactive online web presence, technical analysis and plan development.
2. One-time funding in the amount of \$100,000 for Visit Fairfax to develop a tourism placemaking and marketing strategy in support of the efforts of the Mount Vernon Tourism Task Force.
3. Pursuant to the action just taken on Action Item 20, the reallocation of one-time funding in the amount of \$4,312,614 from the Reserve for the Ad-Hoc Police Practices Review Commission Recommendations in Agency 87, Unclassified Administrative Expenses, to support the FY 2020 costs associated with the Body-Worn Camera Program. Thirteen positions will be created in FY 2020 to support this program.

With these and the associated reserve adjustments, the remaining balance to be set aside in reserve for one-time FY 2020 and FY 2021 requirements is approximately \$3.41 million. When combined with the \$1.56 million held in

reserve as part of the FY 2020 Adopted Budget Plan, a total of \$4.98 million is to be set aside in reserve for one-time FY 2020 and FY 2021 requirements.

Chairman Bulova and Supervisor Foust jointly seconded the motion.

Discussion ensued with input from Ms. Jackson.

Discussion ensued with Board Members expressing their support/non-support of the motion.

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

12. **ADMINISTRATIVE ITEMS** (12:22 p.m.)

Supervisor Gross moved approval of Administrative Items 1-11. Chairman Bulova seconded the motion and it carried by unanimous vote, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE."

ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL AND SULLY DISTRICTS)

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Avion Development	Sully	Avion Parkway
Avion Development	Sully	Concorde Parkway
Iris Hills	Hunter Mill	Margaret Thomas Lane

ADMIN 2 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTY AT 8350 RICHMOND HIGHWAY TO CLEAR WIRELESS LLC (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 15, 2019, at 5 p.m.**, to lease County-owned property to Clear Wireless Mobile LLC for the installation of new telecommunications equipment for public use on the roof of the South County Center located at 8350 Richmond Highway.

ADMIN 3 - EXTENSION OF REVIEW PERIOD FOR 2232 APPLICATIONS (MOUNT VERNON, SULLY, MASON, AND PROVIDENCE DISTRICTS)

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
456A-M83-21-3	Fairfax County Department of Public Works and Environmental Services Pine Ridge Operations and Support Bureau Tax Map No. 59-3 ((1)) 11B 3911 Woodburn Road Annandale, VA Mason District Accepted August 1, 2019	Extend to July 1, 2020
2232-S19-7	Fairfax County Department of Public Works and Environmental Services Police Heliport Tax Map No. 56-1 ((1)) 2 4604 West Ox Road Fairfax, VA Sully District Accepted August 20, 2019	Extend to July 20, 2020
2232-P18-26	Fairfax County Water Authority Central Distribution System Maintenance Facility Tax Map No. 49-3 ((1)) 50A 8505 Lee Highway Fairfax, VA Providence District Accepted August 22, 2019	Extend to July 22, 2020
2232-V19-2	Fairfax County Department of Public Works and Environmental Services Urban Search and Rescue Training Facility Tax Map No. 113-1 ((1)) 15 8505 Lee Highway Lorton, VA Mount Vernon District Accepted August 22, 2019	Extend to July 22, 2020
2232-M19-5	Fairfax County Department of Public Works and Environmental Services Seven Corners Fire Station #28 Tax Map No. 50-4 ((21)) 1 6637 South Street Falls Church, VA Mason District Accepted August 22, 2019	Extend to July 22, 2020

ADMIN 4 – ADDITIONAL TIME TO ESTABLISH USE OR COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION SE 2017-DR-003, SUNTRUST BANK (DRANESVILLE DISTRICT)

- (AT) Approved twenty-four (24) months additional time for SE 2017-DR-003 to March 12, 2022.

ADMIN 5 - ADDITIONAL TIME TO ESTABLISH USE OR COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION SE 2016-DR-011, H & M OF VIRGINIA, LLC (DRANESVILLE DISTRICT)

- (AT) Approved eighteen (18) months additional time for SE 2016-DR-011 to February 14, 2021.

ADMIN 6 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER AMENDING AND READOPTING FAIRFAX COUNTY CODE SECTIONS 4-14-1 AND 4-14-3 RELATING TO REAL ESTATE TAX RELIEF, TO EXCLUDE THE DISABILITY INCOME OF CERTAIN RELATIVES LIVING IN AN OWNER’S SOLE DWELLING FROM TOTAL COMBINED INCOME CALCULATIONS FOR TAX RELIEF PURPOSES

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 29, 2019** to consider amending and readopting Fairfax County Code Sections 4-14-1 and 4-14-3 relating to real estate tax relief, to exclude the disability income of certain relatives living in an owner’s sole dwelling from total combined income calculations for tax relief purposes.

ADMIN 7 - APPROVAL OF TRAFFIC CALMING MEASURES, “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (MASON, MOUNT VERNON, PROVIDENCE AND SPRINGFIELD DISTRICTS)

- (R)
- Endorsed the following traffic calming measures and “Watch for Children” signs:
 - One Speed Hump on Westmoreland Road (Mason District)
 - Two Speed Humps on Powder Horn Road (Springfield District)
 - “\$200 Additional Fine for Speeding” for Gallows Road, between the Capital Beltway and Surrey Lane (Providence District)

- “\$200 Additional Fine for Speeding” for Electric Avenue, between Gallows Road and Cedar Avenue (Providence District)
 - Two “Watch for Children” signs on Hemlock Drive (Providence District)
 - One “Watch for Children” sign on Holmes Run Drive (Providence District)
 - One “Watch for Children” sign on Sycamore Drive (Providence District)
 - One “Watch for Children” sign on Executive Avenue (Providence District)
 - One “Watch for Children” sign on Hartwell Court (Providence District)
 - One “Watch for Children” sign on Surrey Lane (Providence District)
 - One “Watch for Children” sign on Cunningham Drive (Mount Vernon District)
 - One “Watch for Children” sign on Wessynton Way (Mount Vernon District)
 - Two “Watch for Children” signs on Electric Avenue (Providence District)
- Directed the Department of Transportation (DOT) to schedule the installation of the approved traffic calming measures and the “Watch for Children” and “\$200 Additional Fine for Speeding” signs as soon as possible

ADMIN 8 – SUPPLEMENTAL APPROPRIATION RESOLUTION AS 20083 FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD TO ACCEPT GRANT FUNDING FROM VIRGINIA DEPARTMENT OF BEHAVIORAL HEALTH AND DEVELOPMENTAL SERVICES FOR THE REGIONAL STEP-VA COMMUNITY CRISIS RESPONSE & DETOX SERVICES

(SAR)

Authorized the:

- Adoption of SAR AS 20083 to accept funding from DBHDS in the amount of \$886,861 to provide community crisis stabilization and

detoxification services. These funds will be used to expand detoxification services regionally by adding an additional service of medically monitored residential withdrawal management services at the 16-bed residential crisis stabilization program, Woodburn Place Crisis Care. There are 4/4.0 FTE new grant positions associated with this award. No Local Cash Match is required

- 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 9 - NOTIFICATION OF THE CONTINUUM OF CARE PROGRAM FUNDING APPLICATION AND CERTIFICATION OF CONSISTENCY WITH THE CONSOLIDATED PLAN AND AUTHORIZATION FOR THE OFFICE TO PREVENT AND END HOMELESSNESS TO APPLY FOR AND ACCEPT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Authorized the:

- Office to Prevent and End Homelessness to apply for and accept grant funding, if received, from the U.S. Department of Housing and Urban Development to support 1/1.0 FTE new grant position. No General Fund Local Cash Match is required

ADMIN 10 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO SELL BOARD-OWNED PROPERTY NORTH OF RESTON STATION BOULEVARD TO CRS SUNSET HILLS, LC AND PROPOSED AMENDMENT TO DEED OF LEASE WITH COMSTOCK RESTON STATION HOLDINGS, LC TO REMOVE LAND AREA (HUNTER MILL DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **October 15, 2019, at 5:30 p.m.** to sell Board-owned property north of Reston Station Boulevard to CRS Sunset Hills, LC and proposed amendment to deed of lease with Comstock Reston Station Holdings, LC to remove land area.

ADMIN 11 - APPOINTMENT OF PARENT REPRESENTATIVES TO THE FAIRFAX-FALLS CHURCH COMMUNITY POLICY AND MANAGEMENT TEAM (CPMT)

Appointed the following parent representatives to the CPMT with terms to expire on June 30, 2021:

- Staci Alexander

- Jacqueline Benson
- Cristy Gallagher
- Annie Henderson
- Joe Klemmer

13. **A-1 – PRESENTATION OF THE DELINQUENT TAX LIST FOR TAX YEAR 2018 (FY 2019) (12:25 p.m.)**

On motion of Supervisor McKay, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred with the recommendation of staff and directed staff to:

- Continue to pursue the collection of delinquent taxes found in Attachment A, and continue collection of non-tax delinquencies
- Remove certain small uncollectable overdue accounts listed in Attachments B and C pursuant to Virginia Code § 58.1-3921

14. **A-2 – APPROVAL OF A GRANT AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AND FAIRFAX COUNTY FOR THE TURKEY RUN AT TRURO STREAM RESTORATION PROJECT (BRADDOCK DISTRICT) (12:26 p.m.)**

On motion of Supervisor Cook, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved and authorized the County Executive or his designee to sign the agreement with DEQ to provide Stormwater Local Assistance Funds (SLAF) to the County for the design and construction of the Project

15. **A-3 – APPROVAL OF A GRANT AGREEMENT BETWEEN THE VIRGINIA DEPARTMENT OF ENVIRONMENTAL QUALITY (DEQ) AND FAIRFAX COUNTY FOR THE DIFFICULT RUN TRIBUTARY AT BRITTENFORD STREAM RESTORATION PROJECT (HUNTER MILL DISTRICT) (12:27 p.m.)**

On motion of Supervisor Hudgins, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved and authorized the County Executive or his designee to sign the agreement with the DEQ to provide Stormwater Local

Assistance Funds (SLAF) to the county for the design and construction of the Project

16. **A-4 – APPROVAL OF AN AGREEMENT BETWEEN THE TOWN OF VIENNA AND FAIRFAX COUNTY TO DESIGN AND CONSTRUCT THE BEAR BRANCH TRIBUTARY AT SOUTHSIDE PARK STREAM RESTORATION PROJECT (HUNTER MILL DISTRICT)** (12:27 p.m.)

On motion of Supervisor Hudgins, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved and authorized the County Executive or his designee to sign an agreement with the Town to provide funding for the design and construction of the Project

17. **A-5 – APPROVAL OF DONATION OF PUBLIC ART FOR INSTALLATION AT TYSONS-PIMMIT REGIONAL LIBRARY (DRANESVILLE DISTRICT)** (12:28 p.m.)

On motion of Supervisor Foust, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred with the recommendation of staff and accepted the donation of public art from Promila and Krishan Chhabra for the beautification of the Library, and further accepted the Memorial Maintenance Agreement, substantially in the form of Attachment 2.

18. **A-6 – APPROVAL OF A LETTER AGREEMENT BETWEEN FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION AND FAIRFAX COUNTY PARK AUTHORITY FOR THE CONSTRUCTION OF THE I-66 TRAIL AT RANDOM HILLS (BRADDOCK DISTRICT)** (12:29 p.m.)

On motion of Supervisor Cook, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred with the recommendation of staff and approved a Letter Agreement (Attachment I) between FCDOT and FCPA to manage the design, construction and maintenance of the I-66 Trails project on FCPA property in Random Hills Park.

19. **A-7 – APPROVAL OF A LETTER AGREEMENT BETWEEN FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (FCDOT) AND FAIRFAX COUNTY PARK AUTHORITY (FCPA) FOR THE CONSTRUCTION AND MAINTENANCE OF THE ASHGROVE TRAIL EXTENSION (HUNTER MILL DISTRICT)** (12:29 p.m.)

On motion of Supervisor Hudgins, jointly seconded by Supervisor McKay and Supervisor Foust, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved a Letter Agreement between FCDOT and FCPA (Attachment 4) to administer the proposed construction and maintenance of the Ashgrove Trail Extension

20. **A-8 – APPROVAL OF PROJECT AGREEMENTS BETWEEN THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (DRPT) AND FAIRFAX COUNTY FOR FISCAL YEAR (FY) 2020 TRANSIT ASSISTANCE GRANT FUNDS** (12:30 p.m.)

On motion of Supervisor Foust, seconded by Supervisor K. Smith, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Authorized the Director of Transportation to sign nine Project Agreements between DRPT and Fairfax County, in substantial form as those attached, for FY 2020 transit operating and capital assistance (Attachments 1 through 9)

21. **A-9 – APPROVAL OF A PROJECT ADMINISTRATION AGREEMENT (PAA) WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE IMPLEMENTATION OF THE TELEGRAPH ROAD/HAYFIELD ROAD INTERSECTION IMPROVEMENT PROJECT (LEE DISTRICT)** (12:30 p.m.)

(R) On motion of Supervisor McKay, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Adopted a resolution (Attachment 1), authorizing the Director of the Fairfax County Department of Transportation to execute a PAA with VDOT, substantially in the form of Attachment 2, for the design, right-of-way, utilities and construction of the Project

22. **A-10 – APPROVAL OF AND AUTHORIZATION TO AMEND A PROJECT ADMINISTRATION AGREEMENT (PAA) WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE I-495 PEDESTRIAN OVERPASS FROM ROUTE 123 AND PROVINCIAL DRIVE TO TYSONS ONE PLACE (PROVIDENCE DISTRICT)** (12:31 p.m.)

(R) On motion of Supervisor L. Smyth, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved an additional \$3 million in funding for the project
- Adopted a resolution, substantially in the form of Attachment 1, authorizing the Director of the Fairfax County Department of Transportation to execute an amendment to the PAA with VDOT,

substantially in the form of Attachment 2, for the implementation of the project

23. **A-11 – APPROVAL OF AND AUTHORIZATION TO EXECUTE A PROJECT ADMINISTRATION AGREEMENT (PAA) WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR IMPLEMENTATION OF THE VIENNA METRORAIL STATION TRAIL IMPROVEMENT (PROVIDENCE DISTRICT)** (12:32 p.m.)

(R) Supervisor L. Smyth moved that the Board concurred with the recommendation of staff and adopted a resolution (Attachment 1), authorizing the Director of the Fairfax County Department of Transportation to enter into a PAA with VDOT, substantially in the form of Attachment 2, for the development of the project. Supervisor Foust seconded the motion.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, regarding the need for a public meeting to refamiliarize the public with the proposed changes.

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

24. **A-12 – AUTHORIZATION TO SIGN STANDARD PROJECT AGREEMENTS (SPA) FOR DISTRIBUTION OF I-66 INSIDE THE BELTWAY TOLL REVENUES ALLOCATED BY THE COMMONWEALTH TRANSPORTATION BOARD (CTB) TO THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION (NVTC) FOR BUS SERVICE IN THE I-66 CORRIDOR (BRADDOCK, PROVIDENCE, SPRINGFIELD, AND SULLY DISTRICTS)** (12:33 p.m.)

(R) On motion of Supervisor Foust, seconded by Supervisor K. Smith, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Adopted a resolution (Attachment 1) authorizing the Director of the Fairfax County Department of Transportation (FCDOT) to sign two SPAs, substantially in the form of Attachments 2 and 3, between the County and NVTC for distribution of \$6,265,500 million in I-66 toll revenues. These funds will be allocated by NVTC to Fairfax County for a new commuter bus service on I-66 from the Stringfellow Road Park-and-Ride to the L'Enfant Plaza area of Washington D.C. and the expansion of Fairfax Connector Route 699, which provides commuter bus service on I-66 between the Fairfax County Government Center and the Foggy Bottom area of Washington D.C.

25. **A-13 – AUTHORIZATION FOR THE DEPARTMENT OF TRANSPORTATION TO APPLY FOR FUNDING AND APPROVAL OF A RESOLUTION ENDORSING PROJECTS BEING SUBMITTED FOR THE**

VIRGINIA DEPARTMENT OF TRANSPORTATION'S FY 2021 AND FY 2022 REVENUE SHARING AND TRANSPORTATION ALTERNATIVES SET-ASIDE FUNDING PROGRAMS (12:34 p.m.)

(R) On motion of Supervisor Foust, multiply seconded, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Authorize the Department of Transportation to apply for funding in the amount of \$23.5 million, including \$10.7 million in Local Cash Match (LCM) and to adopt the project endorsement resolution (substantially in the form of Attachment 1). The total required LCM is available from transportation funding sources and does not require new General Fund resources

26. **A-14 – SUPPLEMENTAL APPROPRIATION RESOLUTION AS 20088 FOR THE DEPARTMENT OF TRANSPORTATION TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF RAIL AND PUBLIC TRANSPORTATION (VDRPT) FOR THE TRANSPORTATION DEMAND MANAGEMENT (TDM) STRATEGIC PLAN** (12:35 p.m.)

(SAR)
(R) On motion of Supervisor Foust, seconded by Supervisor K. Smith, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved Supplemental Appropriation Resolution AS 20088, substantially in the form of Attachment 1, for the Fairfax County Department of Transportation (FCDOT) to accept funding from VDRPT. Funding in the amount of \$65,000, including \$32,500 in Local Cash Match will be used to update Fairfax County's TDM Strategic Plan
- Authorized the Director of FCDOT to execute the Project Funding Agreement, substantially in the form of Attachment 2

27. **A-15 – APPROVAL OF ADDENDUM TO THE MEMORANDUM OF AGREEMENT BETWEEN THE FRIENDS OF THE FAIRFAX COUNTY ANIMAL SHELTER AND THE BOARD OF SUPERVISORS OF FAIRFAX COUNTY, VIRGINIA, REGARDING CERTAIN FUNDRAISING PROJECTS (SPRINGFIELD DISTRICT)** (12:36 p.m.)

On motion of Supervisor Herrity, seconded by Supervisor Foust, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved the Addendum and authorized the County Executive to sign it on behalf of the Board

28. **A-16 –APPROVAL OF REVISIONS TO CHAPTERS 2, 4, 5, 6, 7, 10, AND 17 OF THE PERSONNEL REGULATIONS TO ALIGN DEFINITIONS, ALIGN PRACTICE WITH POLICY, AND PROVIDE ADMINISTRATIVE CLARIFICATION** (12:37 p.m.)

(O) On motion of Supervisor Gross, seconded by 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 with the recommendation of staff and:

- Approved the proposed revisions to Chapters 2, 4, 5, 6, 7, 10 and 17 of the Personnel Regulations

29. **A-17 –APPROVAL OF AMENDMENTS AND REVISIONS TO ACTION ITEM 17, ESTABLISHMENT OF A POLICE CIVILIAN REVIEW PANEL, APPROVED BY THE FAIRFAX COUNTY BOARD OF SUPERVISORS ON DECEMBER 6, 2016** (12:37 p.m.)

On motion of Supervisor Cook, seconded by Chairman Bulova, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved amendments and revisions to the December 6, 2016, Action Item which established the Panel

30. **A-18 – APPROVAL OF A RESOLUTION ENDORSING PROJECTS BEING SUBMITTED TO THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVTA) FOR FISCAL YEAR 2024 TO FISCAL YEAR 2025 REGIONAL FUNDING** (12:39 p.m.)

(R) On motion of Supervisor Foust, jointly seconded by Supervisor K. Smith and Supervisor McKay, and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Adopted a resolution (Attachment 1) endorsing Fairfax County’s, and other localities and agencies, project submissions for NVTA’s regional funding program

31. **A-19 – APPROVAL OF A FY 2020 WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) CAPITAL FUNDING AGREEMENT (CFA)** (12:40 p.m.)

On motion of Supervisor Foust, seconded by Supervisor L. Smyth and carried by unanimous vote, the Board concurred with the recommendation of staff and:

- Approved, in substantially the form of Attachment 1, the FY 2020 CFA which extends the terms of the previous 2010 CFA including amendments (Attachment 2) through FY 2020
- Authorized the County Executive to sign the Amendment to the CFA

32. **A-20 –APPROVAL FOR THE IMPLEMENTATION OF A BODY-WORN CAMERA PROGRAM FOR THE FAIRFAX COUNTY POLICE DEPARTMENT**

(NOTE: Earlier in the meeting, the Board took action on this item. See Clerk’s Summary Item #10)

33. **C-1 –PROFFER INTERPRETATION APPEAL A-RZ 86-C-12, RELATED TO THE PLANNING COMMISSION’S DENIAL OF CONCEPTUAL PLAN CP 86-C-121-15, FILED BY NS RESTON LLC** (12:41 p.m.)

Supervisor Hudgins moved to defer consideration of this item until after the 5:30 p.m. public hearing on CP 86-C-121-15 and PRC 86-C-121-06. Chairman Bulova seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the Board took action on this item. See Clerk’s Item #99.)

34. **I-1 – COUNTY HOLIDAY SCHEDULE – CALENDAR YEAR 2020** (12:43 p.m.)

The Board next considered an item contained in the Board Agenda, pertaining to the draft holiday schedule for calendar year 2020.

Supervisor Cook moved that the Board rename the February 17th holiday as “President’s Day” in conformity with the majority of the country. The motion was multiply seconded and carried by unanimous vote.

DMS:DMS

35. **ORDERS OF THE DAY** (12:47 p.m.)

Chairman Bulova relinquished the Chair to Vice-Chairman Gross and announced that the Board would need an hour and 15 minutes for closed session, therefore, following lunch, the Board would report into closed session at 1:45 p.m.

ADDITIONAL BOARD MATTERS

36. **REQUEST FOR PRESENTATIONS AND PROCLAMATIONS** (12:47 p.m.)

Chairman Bulova asked unanimous consent that the Board direct staff to invite the following to appear at future Board meeting dates:

- Representatives from Fairfax County Fire and Rescue to come before the Board on October 29 to be recognized for the success of the 2019 Fill the Boot campaign.
- NOVA Parks to come before the Board and be presented with a proclamation marking their 60th Anniversary in November.

Chairman Bulova also requested that a proclamation be prepared and sent to the Daughters of the American Revolution in honor of their 129th Anniversary. Without objection, it was so ordered.

37. **REQUEST FOR PROCLAMATION FOR MOHAMMAD SIDDIQUE SHEIKH** (12:48 p.m.)

Chairman Bulova stated that Mr. Mohammad Siddique Sheikh is a renowned businessman and community advocate in Fairfax County. Born and raised in Pakistan, he moved to the United States 50 years ago. In 1986, Mr. Sheikh founded the Pakistan American Business Association (PABA) to promote business between Pakistan and the United States.

Chairman Bulova stated that PABA will hold their annual Tradeshow Conference highlighting Pakistani-American businesses on October 20, 2019. Therefore, Chairman Bulova asked unanimous consent that the Board direct the Office of Public Affairs prepare a proclamation to be presented at the Tradeshow Conference honoring Mr. Mohammad Siddique Sheikh for his 50 years as a “Proud American” and his 35th year as the President of the Pakistan American Business Association. Without objection, it was so ordered.

38. **PRESENTATION OF THE 10 YEAR PEN** (1:26 p.m.)

Chairman Bulova presented Supervisor Cook with his ten-year pen and congratulated him on his achievement.

Vice-Chairman Gross returned the gavel to Chairman Bulova.

39. **CONSIDERATION OF COUNTY CONTRIBUTION TO PUBLIC DEFENDER’S OFFICE BUDGET** (12:49 p.m.)

Supervisor Cook stated that the Board recently approved an Action Item to implement a body-worn camera program for our police. The item includes the creation of 23 FTE positions in the Commonwealth Attorney’s Office (both attorney and staff positions). In recognition of the significant additional work that

prosecutors will face with reviewing and organizing video from body worn cameras, that office must be provided with sufficient additional resources to implement the body worn camera program, or else the defense of all persons represented by the public defender will suffer.

Therefore, Supervisor Cook moved that the Board direct the County Executive to develop, in consultation with the Chief Public Defender, an appropriate increase in the County's contribution to the Public Defender's office budget, and place that amount on a consideration list for inclusion in next year's 2021 County budget. Supervisor Gross seconded the motion and it carried by unanimous vote.

40. **MOTION TO EXPEDITE VIRENDRA BERY AND AMIT BERY REZONING APPLICATION RZ 2019-BR-007 (BRADDOCK DISTRICT)**
(12:50 p.m.)

Supervisor Cook stated that Virendra Bery and Amit Bery have submitted an application, RZ 2019-BR-007, for two parcels of land located on the north side of Maury Road between Maury Court and Chipper Lane, identified as Tax Map Parcels 69-3 ((2)) 14 and 14A. The applicant is seeking to rezone approximately 2.32 acres from the R-1 District to the R-3 District to permit the development of five single-family detached dwelling units at a density of 2.15 du/ac.

This application is scheduled for Planning Commission consideration on October 16, 2019. The applicant hopes to receive a decision on the rezoning application prior to November 2019. In order to meet this objective, the applicant has requested consideration of expedited processing with the scheduling of a public hearing before the Board of Supervisors.

Therefore, Supervisor Cook moved that the Board direct staff to schedule this Rezoning Application RZ 2019-BR-007 for a public hearing before the Board of Supervisors on October 29, 2019. This motion should not be considered as a favorable recommendation by the Board of Supervisors on the proposed application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations and/or adopted standards, nor does it prejudice in any way the Board's consideration of this pending application. Supervisor Herrity seconded the motion and it carried by unanimous vote.

41. **ECONOMIC DEVELOPMENT SUPPORT FUND (EDSF) RECOMMENDATION FOR DETAILED SCREENINGS** (12:51 p.m.)

Supervisor Foust stated that at the Budget Committee meeting held on September 17, 2019, the Board received the results of two initial project evaluations for investments from the Economic Development Support Fund/Economic Opportunity Reserve (EOR). The first was a request for \$50,000 to assist the Town of Vienna with a market study and the development of an economic development strategy. The second was for the County to match up to \$1,000,000

to support the Tysons Partnership with branding efforts and moving to a more sustainable business model.

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

- Encumber \$50,000 from the EDSF/EOR to support the Town of Vienna's economic development initiative;
- Encumber \$1,000,000 from the EDSF for implementation of initiatives associated with the Tysons Partnership; and
- Ensure that no investment from the EDSF/EOR be made unless and until the Board has approved the expenditure of those funds.

Supervisor K. Smith seconded the motion and it carried by unanimous vote.

42. **REQUEST FOR PROCLAMATION DESIGNATING OCTOBER 2019 AS "CYBER SECURITY MONTH"** (12:54 p.m.)

Supervisor Foust stated that security of cyberspace remains a significant concern. Events that could potentially lead to data loss and/or interruption of county services could occur in many ways. For example, a simple misconfiguration of a system containing sensitive citizen records could be exposed to the internet; a system could be exploited due to software or code vulnerabilities after a user clicks on a phishing email or browses to a compromised website; or a smartphone, tablet or unencrypted flash drive could be lost.

Therefore, Supervisor Foust asked unanimous consent that the Board direct staff to invite the appropriate individuals to come before the Board on October 15, 2019 to receive a proclamation declaring October 2019 as "*Cyber Security Month*." Without objection, it was so ordered.

43. **CONSTRUCTION QUALITY CONCERNS RELATED TO PHASE 2 OF THE DULLES CORRIDOR METRORAIL PROJECT** (12:54 p.m.)

Jointly with Chairman Bulova, Supervisor Foust stated that on September 6, 2019, the Washington Metropolitan Area Transit Authority (WMATA) sent a series of letters to the Metropolitan Washington Airports Authority (MWAA) detailing concerns associated with the construction of Phase 2 of the Dulles Corridor Metrorail Project.

Therefore, Supervisor Foust moved that the Board approve the letter to Jack E. Potter, MWAA President and Chief Executive Officer, fully endorsing WMATA's position on the identified construction quality issues associated with Phase 2 of the Dulles Corridor Metrorail Project. Chairman Bulova seconded the motion and it carried by unanimous vote.

44. **THE FAIRFAX 50+ COMMUNITY ACTION PLAN** (12:57 p.m.)

Supervisor Herrity announced that the final summary and proposed timeline for the shaping for the future of aging plan would be distributed to the Board prior to their meeting on October 15, 2019.

45. **REQUEST FOR RESOLUTION RECOGNIZING THE HADLOW DRIVE POTLUCK 50TH ANNIVERSARY (SPRINGFIELD DISTRICT)** (12:57 p.m.)

Supervisor Herrity stated that in 1969, the neighbors of the Hadlow Drive neighborhood began a tradition of hosting a potluck dinner once a month, every month of the year except during summer months. A couple neighbors wanted to get to know each other and from there it grew with households rotating the hosting duties. The Hadlow Drive community has changed from the original group except for two neighbors as some have moved or passed away, but the tradition of coming together has continued.

Therefore, Supervisor Herrity asked unanimous consent that the Board direct staff to prepare a resolution with dual signatures to recognize the sense of community that the Hadlow Drive Potlucks have fostered and congratulate them on their 50th Anniversary of the Hadlow Drive Potluck Dinners to be presented at their next potluck dinner on October 26, 2019. Without objection, it was so ordered.

46. **REQUEST FOR RESOLUTION RECOGNIZING NOVA PARKS 60TH ANNIVERSARY** (12:58 p.m.)

Supervisor Herrity stated that in 1959, the Northern Virginia Regional Park Authority (now NOVA Parks) was one of the first multi-jurisdictional institutions to lead Northern Virginia to be a dynamic area of recreational opportunities. With the partnership of many cities, counties, nonprofits, and civic associations, NOVA Parks has contributed to the 12,000+ acre regional park system that millions of people enjoy each year. NOVA Parks offers many recreational activities with everything from enjoying a wave pool to bowling and golfing, to some of the finest nature trails and facilities in the country. NOVA Parks provides the community with invaluable educational opportunities including the 1753 historic home, a working farm, nature center, botanical garden and Civil War battlefield. For sixty years, NOVA Parks has been a great partner for the County and for our local parks. Their cooperative leadership has resulted in great experiences for County residents and the preservation of invaluable natural spaces in the region. They have also been great partners in the Sports Tourism Commission working to bring more recreational opportunities to the County.

Therefore, Supervisor Herrity moved that the Board direct staff to prepare a resolution recognizing NOVA Parks 60th Anniversary to be presented at the NOVA Parks 60th Anniversary Gala on November 17, 2019. Chairman Bulova seconded the motion and it carried by unanimous vote.

47. **LETTER TO THE COMMISSIONER FOR THE VIRGINIA DEPARTMENT OF MOTOR VEHICLES (DMV)** (12:59 p.m.)

Jointly with Supervisor Cook, Supervisor Herrity stated that over the last several months, his office has seen an increase in complaints regarding excessive wait times at the DMV locations in Fairfax County. With the understanding that long wait times at the DMV is not a new concept, constituents have described wait times of over 4 hours for simple licensing requests and lines wrapping down the mall corridors at DMVs like the one located in Fair Oaks Mall and outside of the buildings at DMV locations. While part of the increased wait times is likely due to citizens attempting to get ahead of the upcoming Real ID federal requirements, the DMV should meet constituents' reasonable expectations of being processed in a timelier manner.

Therefore, Supervisor Herrity moved that the Board direct staff to draft a letter to be signed by the Chairman on behalf of the Board to the Commissioner of the Virginia DMV, asking them to take action to address these significant wait times as soon as possible. He further moved that the local state elected officials should be copied on the letter. Supervisor K. Smith seconded the motion and it carried by unanimous vote.

48. **MAINTAINING FAIRFAX COUNTY PARKWAY ACCESS FOR BURKE CENTRE AND FAIRFAX STATION RESIDENTS: FAIRFAX COUNTY PARKWAY AND BURKE CENTRE PARKWAY INTERSECTION COMPREHENSIVE PLAN AMENDMENT (SPRINGFIELD DISTRICT)** (1:00 p.m.)

Jointly with Supervisor Cook, Supervisor Herrity stated that VDOT is currently working on the design of the project to widen Fairfax County Parkway from Route 29 to Route 123, including construction of an interchange with Popes Head Road. Over the past year and a half, there have been several public meetings as well as numerous meetings with individual communities and citizen groups along the corridor to solicit feedback on various design proposals. The intersection with Burke Centre Parkway has been the subject of much study and discussion with community members. After several design iterations, including one option that would have made Burke Centre Parkway right in-right out at the Fairfax County Parkway that was met with significant community opposition, Option C has been selected as the preferred interim design for this intersection. Option C has a time of day left turn restriction for vehicles traveling southbound on the Fairfax County Parkway turning eastbound onto Burke Centre Parkway. During a.m. peak period hours, when the northbound volume on Fairfax County Parkway is highest, this left turn would be prohibited; at all other times, it would be allowed.

Therefore, Supervisor Herrity moved that the Board direct staff to evaluate whether a partial grade-separated interchange at this location should be added to the County's Transportation Plan. If it is determined a partial interchange (i.e.

overpass/underpass) is ultimately added to the Transportation Plan at this intersection, guidance should be included in the text relating to the impact on the Fairview Woods Community both north and south of Burke Centre Parkway at Fairfax County Parkway and should be minimized to the greatest extent possible. Given that staff is currently in the process of conducting a long-term study of the entire length of the Fairfax County Parkway, the staff recommendation for the Fairfax County Parkway/Burke Centre Parkway intersection can be sent to the Board in conjunction with other recommendations from that study. According to current staff estimates, the study recommendations will be provided to the Board in 2020. Supervisor Cook seconded the motion and it carried by unanimous vote.

49. **LOUDOUN SOUTH LITTLE LEAGUE BASEBALL TEAM**

Supervisor Herrity congratulated the Loudoun South Little League team for making it to the Little League World Series.

#. **MOTION TO EXPEDITE RESTON STATION PROMENADE CRS SUNSET HILLS, LC CONCEPTUAL DEVELOPMENT PLAN AMENDMENT/FINAL DEVELOPMENT PLAN AMENDMENT/PROFFERED CONDITION AMENDMENT CDPA/FDPA/PCA 2016-HM-035 (HUNTER MILL DISTRICT) (1:03 p.m.)**

Supervisor Hudgins stated that in April 2019, the Board approved RZ/FDP 2016-HM-035 to permit a mixed-use development known as the Promenade, which includes office, residential, hotel and retail uses over four development blocks. The Promenade, located immediately north of the Wiehle-Reston East Metro Station, was designed as an extension of the Reston Station development.

The Applicant, CRS Sunset Hills, LC, has now filed CDPA/FDPA/PCA 2016-HM-035 to amend the approved building footprints and street grid in order to welcome a premier hotelier and cinema tenant into the project. At the same time, the Applicant is taking the opportunity to improve the overall site layout and design for the Promenade, including increased pedestrian connectivity and enhancements to the urban parkland. The Applicant is requesting expediting processing of its zoning applications and the ability to concurrently process its site plan while the zoning applications are under review.

Therefore, Supervisor Hudgins moved that the Board direct staff to schedule this CDPA/FDPA/PCA 2016-HM-035 to be held before the Board on **October 29, 2019 at 3:30 p.m.** Supervisor Hudgins further moved that the Land Development Services be directed to accept and review site plans submitted in furtherance of the Applications prior to the Board's consideration of the same. This motion should not be construed as a favorable recommendation by the Board of Supervisors on the proposed Applications and does not relieve the Applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

50. **VIENNA VOLUNTEER FIRE CHIEF RECOGNIZED AS FIRE CHIEF OF THE YEAR (HUNTER MILL DISTRICT)** (1:05 p.m.)

Supervisor Hudgins stated that the International Association of Fire Chiefs selects one volunteer and one career firefighter each year for their Fire Chief of the Year Award. This year's award for Fire Chief of the Year was bestowed on Chief John Morrison, of the Vienna Volunteer Fire Department.

Chief Morrison served as a Vienna volunteer for over 20 years. He began as a 16-year old volunteer and continued through the ranks as an emergency medical technician, firefighter, and became volunteer chief in 2010.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Vienna Volunteer Fire Chief John Morrison along with Fairfax County Fire Chief John Butler to come before the Board and receive their congratulations and thanks. Without objection, it was so ordered.

51. **REQUEST FOR PROCLAMATION RECOGNIZING COMMUNITY FOR HELPING OTHERS (CHO) 50TH ANNIVERSARY** (1:05 p.m.)

Supervisor Hudgins stated that CHO is an all-volunteer organization that helps the needy in Vienna, Oakton, Dunn Loring and Merrifield. Goods and services provided include emergency financial assistance, food aid, clothing, furniture, meals on wheels and transportation.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a proclamation for dual signatures to be presented to the CHO Board of Directors at its 50th year anniversary celebration being held on October 5, 2019, at the Vienna Presbyterian Church in Vienna, Virginia. Without objection, it was so ordered.

52. **REQUEST FOR PROCLAMATION RECOGNIZING CLUB PHOENIX TEEN CENTER CELEBRATES 20TH ANNIVERSARY (HUNTER MILL DISTRICT)** (1:06 p.m.)

Supervisor Hudgins stated that Club Phoenix Teen Center, a cooperative venture of the Town of Vienna Parks and Recreation Department and Fairfax County, will celebrate 20 years of service to the youth of Vienna.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to prepare a proclamation with dual signatures recognizing Club Phoenix on their 20th Anniversary, for presentation at their celebration on Friday, September 27, 2019. Without objection, it was so ordered.

53. **REQUEST TO RECOGNIZE YOUTH CLIMATE CHANGE LEADERS (HUNTER MILL DISTRICT)** (1:07 p.m.)

Supervisor Hudgins stated that on Friday, September 20, 2019, millions of young people and adults went on strike across the United States and around the world to demand transformative action be taken to address the climate change.

Wendy Gao is an Oakton High School senior and serves on the Executive Board of Environmental Science Student Leadership Initiative as well as a leader on the Solar for Schools Campaign.

Katie Monacella is a junior at Madison High School and is a leader on the Madison Student Environmental Action Club and an organizer on the National Sunrise Movement.

Therefore, Supervisor Hudgins asked unanimous consent that the Board direct staff to invite Wendy Gao and Katie Monacella to appear before the Board on November 19, 2019, to receive the Board's gratitude and congratulations on their accomplishments. Without objection, it was so ordered.

54. **REQUEST FOR PROCLAMATION DECLARING OCTOBER 26, 2109, AS "VOLUNTEERFEST DAY"** (1:08 p.m.)

Supervisor L. Smyth stated that VolunteerFest, which is held annually in conjunction with National Make a Difference Day, will be held on October 26th. The Providence District office has been working with Volunteer Fairfax to organize the many volunteer opportunities that will showcase the spirit of volunteerism throughout Providence District and all of Fairfax County.

Therefore, Supervisor L. Smyth asked unanimous consent that the direct staff to publicize this event and prepare a proclamation designating October 26, 2019, as "*VolunteerFest Day*" for the Chairman's signature to be presented at the October 15, 2019, Board meeting. Without objection, it was so ordered.

55. **MOTION TO EXPEDITE SPECIAL EXCEPTION APPLICATION SE 2018-MV-007 (MOUNT VERNON DISTRICT)** (1:08 p.m.)

Supervisor Storck stated that pending Special Exception Application SE 2018-MV-007 is a request to establish a Cultural Center at the existing Woodlawn Mansion and Pope-Leighey House Historic property. The Applicant proposes to add several significant uses at the site in order to implement a new vision for Woodlawn that will support its long-term sustainability and increase the public benefit derived from this important historic property.

The Applicant has received recommendations of approval from the Architectural Review Board and the Mount Vernon Council of Citizens Associations. On that basis, the Applicant has requested expedited processing of the Special Exception Application. The Planning Commission hearing is scheduled for October 17, 2019.

Given the absence of any significant community concerns, Supervisor Storck moved that the Board direct staff to schedule this Special Exception Application SE 2018-MV-007 to be held before the Board on October 29, 2019. This motion should not be construed as a favorable recommendation by the Board of Supervisors on the proposed Applications and does not relieve the Applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in any way. Supervisor McKay seconded the motion and it carried by unanimous vote.

56. **REQUEST TO PUBLICIZE THE 4TH ANNUAL TOUR DE MOUNT VERNON (MOUNT VERNON DISTRICT)** (1:10 p.m.)

Supervisor Storck announced that the 4th Annual Tour de Mount Vernon is quickly approaching. Storck thanked FCDOT and Fairfax County Department of Economic Initiatives for all their support. The event will take place on October 19, 2019 at 8:30 a.m. and will focus on encouraging community members to explore the many of the treasures of the Mount Vernon District. The starting and finishing point is the Workhouse Arts Center and will include the following sites: Gunston Hall, Pohick Bay Regional Park, Occoquan Regional Park, and Fort Belvoir.

Therefore, Supervisor Storck asked unanimous consent that the Board direct staff to publicize the 2019 Tour de Mount Vernon. Without objection, it was so ordered.

57. **REQUEST FOR PROCLAMATION DECLARING OCTOBER 2, 2019, AS “ENERGY EFFICIENCY DAY”** (1:12 p.m.)

Jointly with Chairman Bulova and Supervisor Gross, Supervisor Storck stated that Energy Efficiency Day is an opportunity to share the transformative benefits of saving energy. Energy efficiency is the heart of a clean energy future. It saves Americans billions of dollars each year on utility bills, supports at least 2.25 million jobs and, by avoiding power plant emissions, it cleans the air, protects our health (avoids 30,000 asthma cases each year), and helps address climate change.

Therefore, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a proclamation to be signed by the Chairman and the Mason and Mount Vernon District Supervisors designating October 2, 2019, as “*Energy Efficiency Day*.” Supervisor Storck further moved that the Board direct staff to publicize energy efficiency tips and information in recognition of this day. Without objection, it was so ordered.

58. **SOUTH COUNTY CENTER REDEDICATED AS GERRY HYLAND GOVERNMENT CENTER (MOUNT VERNON DISTRICT)** (1:26 p.m.)

Supervisor Storck thanked the Board and staff for all their hard work on the event.

59. **LETTER REGARDING THE COUNTY'S BUDGET PRIORITIES**
(1:14 p.m.)

Supervisor McKay stated that as Board members are aware, the Governor is currently in the process of crafting his proposed 2020-2022 biennium budget. During the September 17 Legislative Committee meeting, Board members discussed a draft letter to the Governor highlighting several County funding priorities. The letter is largely a reaffirmation of existing County priorities, including support for funding for K-12, transportation, human services, and the Stormwater Local Assistance Fund (SLAF).

Therefore, Supervisor McKay moved that the Board direct staff to send the letter attached to his Board Matter, under the Chairman's signature, to Governor Northam requesting his consideration of the County's budget priorities. Chairman Bulova seconded the motion and it carried by unanimous vote.

60. **REQUEST FOR PROCLAMATION HONORING MOUNT VERNON CENTER FOR DENTISTRY (MOUNT VERNON DISTRICT)** (1:15 p.m.)

Jointly with Supervisor Storck, Supervisor McKay stated that the Mount Vernon Center for Dentistry is a local business in the Mount Vernon District that is committed to serving families in the Lee and Mount Vernon Districts, who are in need of dental care.

The Mount Vernon Center for Dentistry has served those in the area for 25 years. Along the way, they have partnered with local nonprofits such as United Community (formerly United Community Ministries), New Hope Housing, Good Shepherd Housing, and Quality Trust to help the County's most vulnerable residents and reach all corners of our diverse region. Just last year, the Center donated over \$35,000 in free dental care to formerly homeless and disabled residents of New Hope Housing.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a proclamation to be jointly signed by Chairman Bulova and the Lee and Mount Vernon District Supervisors, to be presented to the Mount Vernon Center for Dentistry at a future Board meeting, honoring their service to the community. Without objection, it was so ordered.

61. **REQUEST FOR PROCLAMATION HONORING THE 20TH ANNIVERSARY OF VOLUNTEERS IN POLICE SERVICE (VIPS)**
(1:16 p.m.)

Supervisor McKay stated that VIPS is a program that gives citizens in the community the opportunity to volunteer and provide support and resources for local police agencies.

The program's goal is to improve the capacity of state and local law enforcement to utilize volunteers. VIPS allows agencies to expand their programs and increase engagement amongst police and civilians within the community.

Therefore, Supervisor McKay asked unanimous consent that the Board direct staff to prepare a proclamation to be jointly signed by the Chairman and Lee District Supervisor, to be presented to representatives of VIPS in recognition and celebration for the program's 20th anniversary at a future Board Meeting. Without objection, it was so ordered.

62. **MOTION TO EXPEDITE MR LIBERTY VIEW ONE, LLC AND MR LIBERTY VIEW WEST, LLC C/O MONUMENT REALTY PROFFERED CONDITION AMENDMENT APPLICATION PCA 2010-LE-009 (LEE DISTRICT)** (1:17 p.m.)

Supervisor McKay stated that MR Liberty View One, LLC and MR Liberty View West, LLC c/o Monument Realty have filed a Proffer Condition Amendment (PCA) application for a site previously approved for commercial development to permit a mixed-use residential building. This application, PCA 2010-LE-009, has been filed and accepted for review with a Planning Commission hearing scheduled for October 17, 2019. In order to ensure that this application can be heard before the end of October, the applicant has requested a concurrent Board hearing date.

Therefore, Supervisor McKay moved that the Board direct staff to schedule this PCA 2010-LE-009 to be held before the Board on October 29, 2019. This motion should not be construed as a favorable recommendation by the Board of Supervisors on the proposed Applications and does not relieve the Applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

63. **MOTION TO EXPEDITE PATRIOT RIDGE COMMONS, LLC, PATRIOT RIDGE I, LLC, PATRIOT RIDGE 7770, LLC, AND PATRIOT RIDGE II, LLC PROFFERED CONDITION AMENDMENT APPLICATION PCA 2008-LE-014 (LEE DISTRICT)** (1:18 p.m.)

Supervisor McKay stated that Patriot Ridge Commons, LLC, Patriot Ridge I, LLC, Patriot Ridge 7770, LLC, and Patriot Ridge II, LLC have filed a Proffer Condition Amendment (PCA) application for the single purpose of updating the Transportation Demand Management (TDM) Plan of a site previously approved for commercial development. This application, PCA 2008-LE-014, has been filed and accepted for review with a Planning Commission hearing scheduled for October 24, 2019. In order to ensure that this application can be heard before the end of October, the applicant has requested a concurrent Board hearing date.

Therefore, Supervisor McKay moved that the Board direct staff to schedule this PCA 2008-LE-014 application to be held before the Board on October 29, 2019. This motion should not be construed as a favorable recommendation by the Board of Supervisors on the proposed Applications and does not relieve the Applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards in any way. Chairman Bulova seconded the motion and it carried by unanimous vote.

64. **INTRODUCTION OF NEW STAFF (LEE DISTRICT)** (1:20 p.m.)

Supervisor McKay introduced Natalie Nguyen Woodruff, a new staff member in the Lee District Supervisor's office.

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

65. **REQUEST TO PUBLICIZE THE COMMUNITY BLOOD DRIVE (SULLY DISTRICT)** (1:20 p.m.)

Supervisor K. Smith announced an upcoming INOVA Community Blood Drive event hosted by her office along with Delegate Karrie Delaney at the Sully District Government Center located at 4900 Stonecroft Boulevard, on Saturday, October 12, 2019 from 10 a.m. until 2:00 p.m.

Therefore, Supervisor K. Smith asked unanimous consent that the Board direct staff to publicize the event. Without objection, it was so ordered.

66. **CENTREVILLE DAY – DISPOSAL FEE WAIVED (SULLY DISTRICT)** (1:21 p.m.)

Supervisor K. Smith stated that the 27th annual Centreville Day takes place in Centreville's Historic District on Saturday, October 19, 2019, and is sponsored by The Friends of Historic Centreville. The festivities include a parade, live entertainment, crafters, local businesses, community groups and food vendors, children's activities, and tours of the Historic District.

Therefore, in the interests of maximizing the benefits from this event, Supervisor K. Smith moved that the Board direct staff to waive the fees for the trash disposal and work with American Disposal Services, who provides trash removal for the event. Supervisor Herrity seconded the motion and it carried by unanimous vote.

67. **REQUEST TO PUBLICIZE THE PUTTING FOR PETS GOLF TOURNAMENT (SULLY DISTRICT)** (1:21 p.m.)

Supervisor K. Smith stated that as the Board is aware, one of the success stories of the County is the Michael Frey Animal Shelter. Not only is the facility the location where a child might pick out their first pet, but also where many of these

pets find a new adult companion. In 2018, the Shelter received just under 5,000 dogs, cats, small animals, and poultry. Of that number, over 3,000 were adopted and more than 1,000 were returned to their owners. The 2018 live release date was an astounding 93%.

Therefore, Supervisor K. Smith invited the Board to attend the event and asked unanimous consent that the Board direct staff to publicize the event, to be held on October 23, 2019, at 10:30 a.m., at Westfields Golf Club. Without objection, it was so ordered.

68. **SOLSMART DESIGNATION & SOLARIZE RESULTS** (1:22 p.m.)

Supervisor Gross stated that during her February Board Matter, she announced Fairfax County's intention to apply for national SolSmart recognition from the Department of Energy for fostering the development of local solar markets. Supervisor Gross stated that she was proud to announce that in August, Fairfax County became the first local jurisdiction in Virginia to be awarded a Gold SolSmart designation. Staff from the County's Office of Environmental and Energy Coordination, Department of Land Development Services, and Department of Planning and Development worked together to document existing practices and make improvements where possible.

Supervisor Gross commended staff and the community on this achievement and stated that she knew that the County's commitment to solar energy would continue to grow.

69. **2019 VIRGINIA ASSOCIATION OF COUNTIES (VACo) DELEGATION** (1:23 p.m.)

Supervisor Gross stated that the Board has received a request from VACo, regarding designating a voting delegate and alternate voting delegate to represent the County at the VACo annual meeting to be held in Bath County, on November 12, 2019.

Therefore, Supervisor Gross moved that the Board designate Supervisor Gross as the Voting Delegate and Supervisor McKay as the Alternate. Supervisor McKay seconded the motion and it carried by unanimous vote.

70. **MOTION TO CONCUR IN FILING FOR MCWHORTER PLACE REZONING APPLICATION (CURRENTLY REFERENCED WITH A TEMPORARY ID OF RZ 2019-0210) (MASON DISTRICT)** (1:24 p.m.)

Supervisor Gross stated that the applicant Christopher Land, LLC, has filed a Rezoning Application to rezone Tax Maps 71-1((01)) 29, 31, 32, 33, 36, 37, 38A and 41 located near the intersection of McWhorter Place and Markham Street from the R-4 and C-3 Districts to the PDH-12 District to permit a new townhouse development. The property is located in Annandale and surrounded by the

Lafayette Park West townhouse community to the south and Annandale Terrace single family neighborhood to the west. As part of the application, the applicant proposes to realign and improve Markham Street and McWhorter Place to complete a loop road system south of Little River Turnpike as recommended in the Comprehensive Plan. This realignment requires a portion of the existing right-of-way for McWhorter Place, as well as a portion of Tax Map 711((01)) 28, to be included in the application. Because of the right-of-way, and since the Board owns Lot 28, the Board must concur with the filing of the application. The applicant understands that this motion will not prejudice the consideration of the application in any way.

Therefore, Supervisor Gross moved that the Board concur with the filing of a Rezoning Application (currently referenced with a temporary id of RZ 2019-0210) by Christopher Land, LLC, to rezone portions of Tax Map 71-1((01)) 28, and right-of-way associated with McWhorter Place, to a Planned Development District. Supervisor Gross further moved that the Board authorize the County Executive and/or his designee to act as agent of the Board in connection with this application. Chairman Bulova seconded the motion and it carried by unanimous vote.

AGENDA ITEMS

71. **RECESS/CLOSED SESSION** (1:30 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. Petition for Review of Federal Communications Commission's Third Report and Order adopted August 1, 2019, in MB Docket No. 05-311, In the Matter of Implementation of Section 621(a)(1) of

the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992.

2. Contractual Dispute with Coxcom, LLC, d/b/a Cox Communication Regarding Underpayment of Public, Educational, and Governmental Access Grants
3. *Violeta Peith v. Commonwealth of Virginia, Department of Game and Inland Fisheries, Fairfax County Park Authority, Fairfax County, and Andrew Shaker*, Case No, CL-2019-0011752 (Fx. Co. Cir. Ct.)
4. *Mateusz Fijalkowski v. M. Wheeler, S. Adcock, S. Blakely, R. Bronte-Tinkew, C. Clark, J. Grande, R. Jakowicz, L. Labarca, L. McNaught, W. Mulhern, M. Zesk, Sean Brooks, and American Pool, Inc.*, Case No. 19-1262 (U.S. Ct. of App. for the Fourth Cir.)
5. *Fairfax County Police Department and Colonel Edwin C. Roessler Jr. v. Harrison Neal*, Record No. 191129; *Harrison Neal v. Fairfax County Police Department and Colonel Edwin C. Roessler Jr.*, Record No. 191127(Va. Sup. Ct.)
6. *Louella F. Benson v. Penelope A. Gross, et al.*, Record No. 190641 (Va. Sup. Ct.)
7. *Farid Saleh and Miraj Bibi v. Officer Imran Farooq and Fairfax County*, Case No. CL-2019-001638 (City of Alexandria Cir. Ct.)
8. *Matthew Mwendwa Soroko v. Fairfax County Court, Commonwealth of Virginia, United States of America, and the Fairfax County Police Department*, Case No. CL-2018-0008391 (Fx. Co. Cir. Ct.)
9. *Robin Yolanda McMillan v. Blake Vaught, T.L. Hulse, George Davenport, and Fairfax County Police Department*, Case No. 1:19-cv-591 (E.D. Va.)

10. *Jonathan L. Kaminski v. Fairfax County, Virginia, and William E. Hauda, II, M.D.*, Case No. CL-2018-0013581(Fx. Co. Cir. Ct.)
11. *Jennie Klenner v. Fairfax County Government*, Case No. CL-2019-0005281 (Fx. Co. Cir. Ct.)
12. *Edgar Ayala v. Fairfax County*, Case No. 1:18-cv-1350 (E.D. Va.)
13. *Mitchell Harris v. Gartlan Mental Health*, Case No. CL-2018–0016818 (Fx. Co. Cir. Ct.)
14. *Glenn Myer v. Ralph Northam, Sharon Bulova, Michael I. Elliott, Sheila K.W. Elliott, Rafael Saenz, Cynthia Warriner, Jody H. Allen, Melvin L. Boone, Sr., James L. Jenkins, Jr., Rebecca Thornbury, Allen R. Jones, Jr., Sarah Schmidt, Susan Szasz Palmer, Elizabeth Locke, Arena L. Dailey, Tracey Alder, Mira Mariano, Jay Douglas, Huong Vu, Brenda Krohn, Jodi Power, Robin Hills, Paula Saxby, Stephanie Willinger, Linda Kleiner, Charlotte Ridout, Fairfax County, Prosperity Pharmacy, Pharmacist of Prosperity Pharmacy, John Does Pharmacist and Technicians at Prosperity Pharmacy, Inova Pharmacy, Jane Doe (Pharmacy Director), Several Pharmacist [sic] at Inova, Walgreen Pharmacies, Bodies in Motion, Michael Mastrostefano, Aetna Insurance, Fairfax Adult Detention Center Employees, Jane and Joe Does Nurses, Haas Doe Medical Records at ADC, Stacie Kincaid, Omar “The Butch Mercedes” [sic]*, Case No. 1:18-cv-723 (E.D. Va.)
15. *Linda Owens v. Jennifer Svites and the County of Fairfax, Virginia*, Case No. CL-2018-0011036 (Fx. Co. Cir. Ct.)
16. *Modesta Flores v. Isaiah Brooks and Fairfax County*, Case No. GV19-001152 (Fx. Co. Gen. Dist. Ct.)
17. *Panajot M. Ilias, Laureta Ilias, Julia Ilias, Alex Ilias v. Stephen H. Souder and County of Fairfax, Virginia*, Case No. C 02-CV-18-002006 (Anne Arundel County, Maryland, Circuit Court)

18. *Ethan Nguyen, a minor by his mother and next friend, Jea Shin v. Eddie L. Price*, Case No. GV19-020675 (Fx. Co. Gen. Dist. Ct.)
19. *Jea Shin v. Eddie L. Price*, Case No. GV19-020674 (Fx. Co. Gen. Dist. Ct.)
20. *Jerry Mobley v. John Schmalenberg*, Case No. CL-2018-0012130 (Fx. Co. Cir. Ct.)
21. *Valerie Ney v. Anthony Enendu and Kelly A. Loss*, Case No. GV19-018571 (Fx. Co. Gen. Dist. Ct.)
22. *Dilia Martinez Alvarado v. Anthony Enendu and Kelly A. Loss*, Case No. GV19-018572 (Fx. Co. Gen. Dist. Ct.)
23. *Zhihua He v. George Robbins*, Case No. CL-2018-0011920 (Fx. Co. Cir. Ct.)
24. *Shahzad S. Nahid v. Tess Layer*; Case No. CL-2019-0008686 (Fx. Co. Cir. Ct.)
25. *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.)
26. *Eileen M. McLane, Fairfax County Zoning Administrator v. Harry F. Kendall, III, and Laura P. Kendall*, Case No. CL-2008-0003244 (Fx. Co. Cir. Ct.) (Braddock District)
27. *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)
28. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ester F. Lopes*, Case No. GV19-019797 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
29. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Natalie S. Wozniak*, Case No. CL-2019-0009693 (Fx. Co. Cir. Ct.) (Hunter Mill District)
30. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. 10614 Hunter Station Road, LLC*, Case No. GV19-018694 (Fx. Co. Gen. Dist. Ct.) (Hunter Mill District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Brian K. Mason*, Case No. CL-2019-0002542 (Fx. Co. Cir. Ct.) (Lee District)
32. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Borislav Bulatovic*, Case No. GV19-018336 (Fx. Co. Gen. Dist. Ct.) (Lee District)
33. *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)
34. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Satish Amin*, Case No. GV19-021295 (Fx. Co. Gen. Dist. Ct.) (Lee District)
35. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Barbara J. Vereen and David Vereen*, Case Nos. GV19-023082 and GV19-023096 (Fx. Co. Gen. Dist. Ct.) (Lee District)
36. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Iftikhar Khan*, Case No. CL-2019-0003971 (Fx. Co. Cir. Ct.) (Mason District)

37. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Yasmin Khoshnevis and Arlington Motors, Inc.*, Case No. CL-2019-0000701 (Fx. Co. Cir. Ct.) (Mason District)
38. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Juan Carlos Cadima*, Case No. CL-2018-0012765 (Fx. Co. Cir. Ct.) (Mason District)
39. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Build America, LLC, and Bella Café and Lounge*, Case No. CL-2017-0007126 (Fx. Co. Cir. Ct.) (Mason District)
40. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Saul Garcia-Ramirez*, Case No. CL-2019-0010619 (Fx. Co. Cir. Ct.) (Mason District)
41. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Oscar Maravilla*; Case No. CL-2019-0003395 (Fx. Co. Cir. Ct.) (Mason District)
42. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Khanh Nguyen*, Case No. GV19-020710 (Fx. Co. Gen. Dist. Ct.) (Mason District)
43. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Richard R. Stone*, Case No. CL-2019-0009487 (Fx. Co. Cir. Ct.) (Mount Vernon District)
44. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Denise Hayden*, Case No. CL-2018-0011819 (Fx. Co. Cir. Ct.) (Mount Vernon District)
45. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Conrad Grundlehner, Marietta F. Grundlehner, and Marietta K. Grundlehner*, Case No. CL-2019-0011294 (Fx. Co. Cir. Ct.) (Mount Vernon District)

46. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mount Vernon Internal Medicine, P.C.*, Case No. CL-2019-0011331 (Fx. Co. Cir. Ct.) (Mount Vernon District)
47. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Tina Tafoya*, Case No. CL-2019-0001753 (Fx. Co. Cir. Ct.) (Mount Vernon District)
48. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nickolas A. Ploutis*, Case No. CL-2019-0007336 (Fx. Co. Cir. Ct.) (Mount Vernon District)
49. *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)
50. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Patricia Joyce Saltess*, Case No. CL-2019-0001906 (Fx. Co. Cir. Ct.) (Mount Vernon District)
51. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Richard A. Cauthers, Jr.*, Case Nos. GV19-000920 and GV19-000921 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
52. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Jeffrey D. Holt*, Case Nos. GV19-016988 and GV19-016989 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
53. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Haiyun Ratliff*, Case No. GV19-003966 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
54. *Elizabeth Perry, Property Maintenance Code Official v. Michael Hausenfleck and Susan Brassfield-Hausenfleck*, Case No. GV18-029106 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

55. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ingrid Teasdale*, Case No. CL-2019-0011634 (Fx. Co. Cir. Ct.) (Providence District)
56. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Nagla A. Abdelhalim*, Case No. CL-2019-0009486 (Fx. Co. Cir. Ct.) (Providence District)
57. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Conrad D. Kiser and Nancy C. Kiser*, Case No. GV19-002143 (Fx. Co. Gen. Dist. Ct.) (Providence District)
58. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Mazen Baroudi and Monique Baroudi*, Case No. GV18-020849 (Fx. Co. Gen. Dist. Ct.) (Providence District)
59. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jaime Rolando Quintanilla and Rafael Hernandez Quintanilla*, Case No. CL-2019-0006932 (Fx. Co. Cir. Ct.) (Springfield District)
60. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Gary S. Pisner*, Case No. CL-2013-0018994 (Fx. Co. Cir. Ct.) (Springfield District)
61. *Leslie B. Johnson, Fairfax County Zoning Administrator, and Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Yung Chi Yung*, Case No. CL-2017-0004961 (Fx. Co. Cir. Ct.) (Springfield District)
62. *Board of Supervisors of Fairfax County v. Debbie Dogrul Associates, LLC*, Case No. CL-2016-0017436 (Fx. Co. Cir. Ct.) (Braddock, Lee, Mason, Providence, and Springfield Districts)
63. *Board of Supervisors of Fairfax County v. Keri Shull Team, LLC*, Case No. CL 2019-0006213 (Fx. Co. Cir. Ct.) (Braddock, Dranesville, Hunter Mill, Lee, Mason, Mount Vernon, Providence, Springfield, and Sully Districts)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(7) and (8), *Fairfax County v. Purdue Pharma, L.P., and others*, Fairfax County Circuit Court Case No. CL-2019-6025
- As permitted by Virginia Code Section 2.2-3711(A)(1), potential appointments to several County Government positions and annual evaluation of the County Attorney

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

At 3:22 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Bulova presiding.

ACTIONS FROM CLOSED SESSION

72. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:22 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."

73. **MOTION AUTHORIZING FILING A PETITION TO REVIEW THE THIRD REPORT AND ORDER ADOPTED BY THE FEDERAL COMMUNICATIONS COMMISSION** (3:22 p.m.)

Supervisor Gross moved that the Board of Supervisors authorize the filing of a petition in federal court to review the Third Report and Order adopted by the Federal Communications Commission on August 1, 2019, in MB Docket No. 05-311, which is titled *In the Matter of Implementation of Section 621(a)(1) of the Cable Communications Policy Act of 1984 as Amended by the Cable Television Consumer Protection and Competition Act of 1992*. Chairman Bulova seconded the motion and it carried by unanimous vote.

74. **MOTION AUTHORIZING SETTLEMENT WITH COXCOM, LLC, D/B/A COX COMMUNICATIONS NORTHERN VIRGINIA** (3:23 p.m.)

Supervisor Gross moved that the Board of Supervisors authorize settlement of its claims against Coxcom, LLC, d/b/a Cox Communications Northern Virginia for

underpayment of amounts due under the parties' Franchise Agreement, according to the terms and conditions outlined by the County Attorney in Closed Session. Chairman Bulova seconded the motion and it carried by unanimous vote.

75. **APPOINTMENTS TO THE DEPARTMENT OF ECONOMIC INCENTIVES AND THE DEPARTMENT OF INFORMATION TECHNOLOGY** (3:24 p.m.)

Supervisor Gross moved the appointment of Rebecca Moudry to the position of Director , Department of Economic Initiatives, Grade E09, with a starting salary of \$165,000, effective October 21, 2019. Supervisor Foust seconded the motion and it carried by unanimous vote.

Supervisor Gross moved the appointment of Gregory Scott, Director, Department of Information Technology, Grade E13, with a starting salary of \$206,000, effective September 28, 2019. Supervisor McKay seconded the motion and it carried by unanimous vote.

76. **ANNUAL EVALUATION FOR THE COUNTY ATTORNEY** (3:25 p.m.)

Supervisor Gross stated that the Board completed its annual evaluation of the County Attorney, Elizabeth Teare. Therefore, Supervisor Gross moved approval of an adjustment in her salary, as discussed in Closed Session, retroactive to July 1, 2019. Supervisor Foust seconded the motion and it carried by unanimous vote.

EBE:ebe

AGENDA ITEMS

77. **3 P.M. – A-21 – BOARD APPROVAL OF A MINOR VARIATION REQUEST FOR PCA 2003-MV-033, FAIRFAX COUNTY BOARD OF SUPERVISORS, TO ADD CRAFT BEVERAGE PRODUCTION ESTABLISHMENT AND SMALL-SCALE PRODUCTION ESTABLISHMENT AS PERMITTED SECONDARY USES UNDER PROFFER 6(A) AT THE WORKHOUSE ARTS CENTER (MOUNT VERNON DISTRICT)** (3:27 p.m.)

Regina Coyle, Special Projects Coordinator, Department of Planning and Development, reaffirmed the validity of the affidavit for the record.

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

- Mr. Daniel Twomey, Jr., Member of the Board of Directors of the Workhouse Arts Foundation

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

- Mr. Kevin Greenlief, Chairman of the Board of Directors of the Workhouse Arts Foundation
- Mr. Timothy Rizer, Member of the Board of Directors of the Workhouse Arts Foundation

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

- Mr. John Regan, Member of the Board of Directors of the Workhouse Arts Foundation
- Mr. Richard Housler, Member of the Board of Directors of the Workhouse Arts Foundation
- Mr. Kem Clawson, Member of the Board of Directors of the Workhouse Arts Foundation
- Mr. Kevin Greenlief, Chairman of the Board of Directors of the Workhouse Arts Foundation
- Mr. Timothy Rizer, Member of the Board of Directors of the Workhouse Arts Foundation
- Ms. Caroline Blanco, Vice Chairman of the Board of Directors of the Workhouse Arts Foundation

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

- Mr. Kem Clawson, Jr., Member of the Board of Directors of the Workhouse Arts Foundation
- Mr. Timothy Rizer, Member of the Board of Directors of the Workhouse Arts Foundation

Supervisor Storck disclosed that the Workhouse Arts Foundation donated exhibitor booths valued in excess of \$100 for the fireworks events in 2018 and 2019 and for Brewfest in 2018 and 2019 to him for his official use in publicizing Mount Vernon District and County Agency-related information.

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

- Mr. Timothy Rizer, Member of the Board of Directors of the Workhouse Arts Foundation

Chairman Bulova disclosed that the Workhouse Arts Foundation also donated tickets valued in excess of \$100 for the Brewfest 2019 event.

Laura O’Leary, Staff Coordinator, Zoning Evaluation Division (ZED), Department of Planning and Development, gave a PowerPoint slide presentation depicting the site location and staff recommendations.

In accordance with Zoning Ordinance Section 18-204(5) and Virginia Code Section 15.2-2302, Supervisor Storck moved that the Board:

- Waive the requirement of a public hearing
- Approve a minor variation of Proffered Condition Amendment Application PCA 2003-MV-033 to add Craft Beverage Production Establishment and Small-Scale Production Establishment as permitted secondary uses under Proffer 6(a) at the Workhouse Arts Center as detailed in Action Item 21 of the Board Agenda Item

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

(NOTE: This item was deferred from the July 30, 2019 Board meeting.)

78. **3:00 P.M. – PH ON REZONING APPLICATION RZ 2016-PR-023 (ROBERT H. PEARSON, JR., R.H. PEARSON, INC. AND HOWARD WALLACH, TRUSTEE FOR THE WALLACH LIVING TRUST) TO REZONE FROM R-1 TO PDH-4 TO PERMIT RESIDENTIAL USE WITH AN OVERALL DENSITY OF 3.21 DWELLING UNITS PER ACRE AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 3.42 ACRES OF LAND (PROVIDENCE DISTRICT)** (3:38 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 September 4 and 9, 2019.

The application property is located on the north side of Haney Lane, north of its intersection with Wolftrap Road. Tax Map 39-2 ((1)) 28, 28A, 28B, 29, and 32.

Supervisor L. Smyth said that as required by the Board’s adopted procedures, the applicant in this case submitted its affidavits in a timely manner and filed a reaffirmation form in time for the Planning Commission’s hearing. However, the applicant failed to timely file the form reaffirming its affidavit for the hearing scheduled before the Board today. To his credit, the applicant immediately

submitted the form once the oversight was brought to his attention. Importantly, as it reaffirmed the affidavit, the applicant did not make any changes to the disclosures.

Supervisor L. Smyth stated that she has never moved to waive the Board's affidavit procedures in the past, yet this is a particularly compelling circumstance. In this situation, all of the disclosures were made in a timely manner, and no new information was added to the affidavit as the applicant submitted its tardy reaffirmation form. In addition, there are very limited opportunities left to have this matter heard before the Board's election year policies take effect.

Therefore, Supervisor L. Smyth moved that the Board waive its affidavit procedures to allow for the tardy submission of the one-page reaffirmation form in this case. Supervisor K. Smith seconded the motion.

Discussion ensued with input from Elizabeth Teare, County Attorney, regarding the Board's process for affidavit requirements for reaffirmation filing.

The question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Gross voting "NAY."

Mr. David Gill reaffirmed the validity of the affidavit for the record.

Catherine Lewis, Branch Chief, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

Discussion ensued, with input from Ms. Lewis regarding the stormwater issues.

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

Discussion ensued regarding the tree preservation proffers.

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

Following remarks, Supervisor L. Smyth moved:

- Approval of Rezoning Application RZ 2016-PR-023 and its associated Conceptual Development Plan subject to the executed proffers dated September 23, 2019
- Waiver of Section 11-302 of the Zoning Ordinance to permit a private street that exceeds 600 feet in length

Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor Cook being out of the room.

79. **3:00 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2018-PR-023 (FAIRFAX COUNTY WATER AUTHORITY) TO PERMIT A HEAVY PUBLIC UTILITY OFFICE AND MAINTENANCE FACILITIES IN THE I-5 ZONED DISTRICT AND PARKING IN A RESIDENTIAL ZONED DISTRICT, LOCATED ON APPROXIMATELY 4.27 ACRES OF LAND ZONED R-1, I-5, CRA AND HC (PROVIDENCE DISTRICT) (4:26 p.m.)**

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 4 and 9, 2019.

The application property is located at 8505 Lee Highway, Fairfax, 22031. Tax Map 49-3 ((1)) 50A.

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

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

- Mr. Francis A. McDermott, Hunton and Williams LLP

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

- Mr. Francis A. McDermott, Hunton and Williams LLP

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

- Mr. Francis A. McDermott, Hunton and Williams LLP

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

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

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

Following a query by Supervisor L. Smyth, Mr. McGranahan confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated September 16, 2019.

Supervisor L. Smyth moved:

- Approval of Special Exception Application SE 2018-PR-023, subject to the development conditions dated September 16, 2019
- Modification of Paragraph 2(A) of Section 5-507 of the Zoning Ordinance (ZO) to reduce the 40-foot front yard setback required in the I-5 District in favor of that shown on the SE Plat
- Modification of Paragraph 3(D) of Section 10-104 of the ZO to increase the 8-foot height maximum of solid wood/masonry fence heights in favor of that shown on the SE Plat
- Modification of the peripheral parking lot landscaping along the eastern property boundary in accordance with Paragraph 3(B) of Section 13-203 to allow shrubs in lieu of trees as shown on the SE Plat
- Modification of transitional screening and barrier requirements, in accordance with Paragraph 3 of Section 13-305 of the ZO
- Waiver of the service drive requirement along Route 29 (Lee Highway) per Paragraph 3(A) of Section 17-201 of the ZO

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

80. **3:00 P.M. – PH ON REZONING APPLICATION RZ 2018-BR-025 (ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC) TO REZONE FROM PDH-5, R-1 AND WS TO PRM AND WS TO PERMIT RESIDENTIAL DEVELOPMENT WITH AN OVERALL FLOOR AREA RATIO UP TO 1.56 AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 10.84 ACRES OF LAND (BRADDOCK DISTRICT)**

AND

PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA C-058 (ONE UNIVERSITY DEVELOPMENT PARTNERS, LLC) TO AMEND THE PROFFERS FOR REZONING APPLICATION RZ-C-058 PREVIOUSLY APPROVED FOR RESIDENTIAL AND OFFICE USES TO PERMIT DELETION OF LAND AREA, LOCATED ON

APPROXIMATELY 8.44 ACRES OF LAND ZONED PDH-5 AND WS (BRADDOCK DISTRICT) (4:37 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 September 4 and 9, 2019.

The application property is located on the north side of University Drive and west side of Ox Road. Tax Map 57-3 ((1)) 11A, 11B and 57-4 ((1)) 2B.

The application property is located on the north side of University Drive and west side of Ox Road. Tax Map 57-3 ((1)) 11A and 11B.

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

Sharon Williams, Planner, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

Following the public hearing, which included testimony by 14 speakers, Ms. Williams presented the staff and Planning Commission (PC) recommendations.

Supervisor Cook submitted items for the record.

Following remarks, Supervisor Cook moved:

- Approval of Proffered Condition Amendment Application PCA-C-058
- Approval of Rezoning Application RZ 2018-BR-025 and its associated Conceptual Development Plan subject to the proffers dated September 23, 2019
- Modification of Section 11-203 of the Zoning Ordinance (ZO) requiring loading spaces to permit four loading spaces in lieu of the 10 required spaces
- Waiver of Section 11-302 of the ZO to allow private streets to be in excess of 600 feet

Supervisor Hudgins seconded the motion.

Following discussion by Board Members expressing their support/non-support of the motion, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor Storck, and Chairman Bulova voting “**AYE**,” Supervisor L. Smyth voting “**NAY**.”

Supervisor Cook moved that the Board direct staff to create a task force to review and study the intersection of University Drive and Route 123, as well as feeder streets and intersections and potential traffic cutting through neighborhood streets, to determine if additional multimodal improvements could be made in the future and, if so, make appropriate recommendations and identify funding mechanisms and implementation strategies. To be inclusive and effective, the task force should include at a minimum one representative each from the City of Fairfax, George Mason University, the Virginia Department of Transportation, and Fairfax County Department of Transportation, as well as a Braddock District resident and a Fairfax City resident from communities adjacent to this intersection. Supervisor McKay seconded the motion and it carried by unanimous vote.

(NOTE: On September 12, 2019, the PC approved Final Development Plan Application FDP 2018-BR-025, subject to the development conditions dated July 10, 2019.)

81. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 1998-HM-036 (SRINIVAS AKELLA & KRISHNA N. KIDAMBI; MAYUR H. MANIAR & SONAL B. MANIAR; NA AYUTTAYA ANUCHIT SUTHUS & PIYAWANNARAT BENJAWAN; PAUL D. FAUSER & KRISTINE K. FAUSER; AZAAD SALENA & KHAN-RAMPRASHAD ZALENA) TO AMEND THE PROFFERS FOR RZ 1998-HM-036 PREVIOUSLY APPROVED FOR RESIDENTIAL DEVELOPMENT AT A DENSITY OF 3.0 DWELLING UNITS PER ACRE WITH ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN, LOCATED ON APPROXIMATELY 1.5 ACRES OF LAND ZONED R-3 (HUNTER MILL DISTRICT) (6:37 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 September 4 and 9, 2019.

The application property is located at 2721, 2723, 2719, 2725 and 2727 Robaleed Way, Oak Hill, 20171. Tax Map 25-4 ((21)) 1, 2, 3, 25 and 26.

Mr. Srinivas Akella reaffirmed the validity of the affidavit for the record.

Brandon McCadden, Planner, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

Supervisor Hudgins moved approval of:

- Approval of Proffered Condition Amendment Application PCA 1998-HM-036, subject to the proffers dated August 29, 2019

Chairman Bulova seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor McKay being out of the room.

82. **3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 78-C-098-04 (AP RESTON CAMPUS LLC) TO AMEND THE PROFFERS FOR REZONING APPLICATION RZ 78-C-098 PREVIOUSLY APPROVED FOR OFFICE USES WITH AN OPTION FOR RESIDENTIAL USES TO PERMIT OFFICE USES AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO OF 0.64, LOCATED ON APPROXIMATELY 5.19 ACRES OF LAND ZONED PDC (HUNTER MILL DISTRICT) (6:44 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 September 4 and 9, 2019.

The application property is located on the west side of Old Reston Avenue, north side of Washington and Old Dominion Trail and south of Temporary Road. Tax Map 17-4 ((1)) 1.

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

Mary Ann Tsai, Planner, Zoning Evaluation Division, Department of Planning and Development, gave a 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, Ms. Tsai presented the staff and Planning Commission (PC) recommendations.

Supervisor Hudgins submitted items for the record.

Supervisor Hudgins moved:

- Approval of Proffered Condition Amendment Application PCA-78-C-098-04, subject to the proffers dated August 5, 2019
- Modification of Section 11-202 of the Zoning Ordinance (ZO) to permit a reduction in the number of required loading spaces from five to two
- Modification of Sections 13-303 and 13-304 of the ZO for the transitional screening and barrier requirements to that shown on the CDPA/FDPA.

Supervisor Foust seconded the motion and it carried by a vote of eight, Supervisor Cook, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins, Supervisor K. Smith, Supervisor L. Smyth, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor Gross and Supervisor McKay being out of the room.

(NOTE: On July 31, 2019, the PC approved Final Development Plan Application FDPA 78-C-098-05, subject to the development conditions dated July 17, 2019 and subject to the Board of Supervisors' approval of Proffered Condition Amendment Application PCA 78-C-098-04.)

83.

3:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA-C-597-05 (PS BUSINESS PARKS, L.P.) TO AMEND THE PROFFERS FOR REZONING APPLICATION RZ C-597 PREVIOUSLY APPROVED FOR A HOTEL TO PERMIT AN ATHLETIC FIELD AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO OF 0.72, LOCATED ON APPROXIMATELY 2.50 ACRES OF LAND ZONED C-3, SC AND HC (PROVIDENCE DISTRICT)

AND

3:30 P.M. – PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 2007-PR-014 (PS BUSINESS PARKS, L.P.) TO AMEND SPECIAL EXCEPTION APPLICATION SE 2007-PR-014 PREVIOUSLY APPROVED FOR A HOTEL TO PERMIT A QUASI-PUBLIC ATHLETIC FIELD IN C-3 DISTRICT AND ASSOCIATED MODIFICATIONS TO SITE DESIGN AND DEVELOPMENT CONDITIONS, LOCATED ON APPROXIMATELY 4.95 ACRES OF LAND ZONED C-3, SC AND HC (PROVIDENCE DISTRICT) (6:52 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 September 4 and 9, 2019.

The application property is located on the south side of Boone Boulevard., west of its intersection with Gallows Road. Tax Map 39-1 ((6)) 69A (pt.).

The application property is located at 8229 Boone Boulevard, Tysons, 22182. Tax Map 39-1 ((6)) 69A.

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

Supervisor L. Smyth moved to waive the reading of the staff report. Supervisor K. Smith seconded the motion and it carried by a vote of six, Supervisor Cook, Supervisor Gross, Supervisor Herrity, and Supervisor McKay being out of the room.

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, Catherine Lewis, Branch Chief, Zoning Evaluation Division, Department of Planning and Development, presented the staff and Planning Commission (PC) recommendations.

Following a query by Supervisor L. Smyth, Ms. Baker confirmed, for the record, that the applicant was in agreement with the development conditions dated September 5, 2019.

Supervisor L. Smyth moved:

- Approval of Proffered Condition Amendment Application PCA-C-597-05, subject to the proffers dated September 19, 2019 with updated language regarding synthetic fields
- Approval of Special Exception Amendment Application SEA 2007-PR-014, subject to the development conditions dated September 5, 2019
- Waiver of Paragraph 5 of Section 9-624 of the Zoning Ordinance (ZO) to permit signs on the proposed containment structure
- Modification of the transitional screening and barrier requirements to that shown on the GDP/SEA Plat

- Waiver of Paragraph 3B of Section 17-201 of the ZO, requiring additional interparcel access to adjoining parcels (other than those shown on the GDP/SEA Plat) and as proffered
- Waiver of Paragraph 4 of Section 17-201 of the ZO, requiring further dedication and construction of widening for existing roads beyond that which is indicated on the GDP/SEA Plat.

Chairman Bulova seconded the motion.

Following discussion with input from Ms. Lewis, regarding the ownership of the playing field, the question was called on 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.

84. **3:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2019-PR-011 (RESTON HOSPITAL CENTER, LLC) TO PERMIT A MEDICAL CARE FACILITY, LOCATED ON APPROXIMATELY 24,299 SQUARE FEET OF LAND ZONED PDC, HC AND SC (PROVIDENCE DISTRICT)**
(6:57 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 4 and 9, 2019.

The application property is located at 8240 Leesburg Pike, Vienna, 22182. Tax Map 29-3 ((1)) 80.

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

Supervisor L. Smyth moved to waive the reading of the staff report. Supervisor K. Smith seconded the motion and it carried by a vote of eight, Supervisor Gross and Supervisor McKay being out of the room.

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

Following the public hearing, Catherine Lewis, Zoning Evaluation Division, Department of Planning and Development, presented the staff and PC recommendations.

Following a query by Supervisor L. Smyth, Mr. Looney confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated August 29, 2019.

Supervisor L. Smyth moved approval of:

- Approval of Special Exception Application SE 2019-PR-011, subject to the development conditions dated August 29, 2019
- Modification of Paragraph 5 of Section 9-308 of the Zoning Ordinance (ZO) requiring a minimum distance of 45 feet to any street line to permit the existing building to remain 23 feet away from an adjacent street
- Modification of Paragraph 4 of Section 11-202 of the ZO to permit a loading space to be located within 40 feet of the nearest point of intersection to the edges of the travel way, as shown on the SE plat
- Waiver of Paragraph 5 of Section 11-202 of the ZO to allow a loading space in the front yard
- Modification of the interior parking lot landscaping requirements of Section 13-202 of the ZO to permit the use of existing mature trees to fulfill the landscaping requirements for the existing surface and garage parking
- Waiver of the peripheral parking lot landscaping requirements of Section 13-203 of the ZO along the northeastern and southeastern property lines
- Modification of the transitional screening and waiver of the barrier requirement of Section 13-300 of the ZO along the northern property line in favor of the existing vegetation as shown on the SE Plat.

Supervisor Herrity seconded the motion and it carried by a vote of seven, Supervisor Cook, Supervisor Gross, and Supervisor Hudgins being out of the room.

85. **3:30 P.M. – PH ON ON AGRICULTURAL RENEWAL APPLICATION AR 85-V-002-04 (MARTIN B. JARVIS, JR. TR) TO PERMIT THE RENEWAL OF A PREVIOUSLY APPROVED AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 41.5 ACRES OF LAND ZONED R-E, A&F DISTRICT (MOUNT VERNON DISTRICT)**
(7 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 September 4 and 9, 2019.

The application property is located at 10808 and 10816 Harley Road, Lorton, 22079. Tax Map 118-2 ((1)) 11Z and 118-2 ((2)) 1Z

Ellen Alster, Planner, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

Supervisor Storck moved approval of Agricultural Renewal Application AR-85-V-002-04, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Jarvis Local Agricultural and Forestal District, subject to the Ordinance provisions dated July 10, 2019. Supervisor Herrity seconded the motion and it carried by a vote of six, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor Storck, and Chairman Bulova voting "AYE," Supervisor Cook, Supervisor Gross, Supervisor K. Smith, and Supervisor L. Smyth being out of the room.

86. **3:30 P.M. – PH ON AGRICULTURAL RENEWAL APPLICATION AR 89-D-001-03 (THE EAGLE FAMILY LLC; CHARLOTTE FREDETTE SMITH EAGLE; FREDERICK SMITH TRUST UNDER WILL FOR THE BENEFIT OF CHARLOTTE FREDETTE SMITH EAGLE; CUMBERLAND TRUST, TRUSTEE) TO PERMIT THE RENEWAL OF A PREVIOUSLY APPROVED AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 85.98 ACRES OF LAND ZONED R-E, A&F DISTRICT (DRANESVILLE DISTRICT) (7:04 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 September 4 and 9, 2019.

The application property is located at 8008 Georgetown Pike, McLean, 22102. Tax Map 20-2 ((1)) 8Z, 13Z, 14Z, 16Z, 48Z and 20-2 ((13)) 4Z and 5Z.

Erin Haley, Planner, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

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

Supervisor Foust moved approval of Agricultural Renewal Application AR-89-D-001-03, and adoption of the proposed amendments to the Code of the County of Fairfax, Appendix F, renewing the Eagle Local Agricultural and Forestal District, subject to the Ordinance provisions dated August 29, 2019. Supervisor Herrity seconded the motion and it carried by a vote of six, Supervisor Foust, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor Storck, and Chairman Bulova voting "AYE,"

Supervisor Cook, Supervisor Gross, and Supervisor L. Smyth being out of the room.

87. **3:30 P.M. – PH ON REZONING APPLICATION RZ 2016-HM-016 (GOLF COURSE OVERLOOK, LLC) TO REZONE FROM R-E AND I-5 TO PRM TO PERMIT RESIDENTIAL AND SECONDARY USES WITH AN OVERALL FLOOR AREA RATIO OF 2.28 AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 3.0 ACRES OF LAND (HUNTER MILL DISTRICT)**
(7:08 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 September 4 and 9, 2019.

The application property is located on the north side of Sunset Hills Road between American Dream Way and Isaac Newton Square. Tax Map 17-4 ((5)) S6.

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

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

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

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

Supervisor Hudgins moved:

- Approval of Rezoning Application RZ 2016-HM-016 and the associated Conceptual Development Plan, subject to the proffers dated September 13, 2019
- Modification of Paragraph 4 of Section 11-203 of the Zoning Ordinance to reduce the number of required loading spaces from four to two

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

(NOTE: On September 12, 2019, the PC approved Final Development Plan FDP 2016-HM0016, subject to the development conditions dated September 3, 2019, and subject to the Board of Supervisors' approval of Rezoning Application RZ 2016-HM-016.)

88. **4:00 P.M. – PH ON PROPOSED PLAN AMENDMENT 2019-IV-RH1, OAKWOOD ROAD SENIOR HOUSING, LOCATED AT THE SOUTHEAST QUADRANT OF THE INTERSECTION OF OAKWOOD ROAD AND SOUTH VAN DORN STREET (LEE DISTRICT)** (7:14 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 4 and 9, 2019.

Sophia Fisher, Planner III, Department of Planning and Development, presented the staff report.

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

Supervisor McKay moved approval of the staff recommendation for Plan Amendment 2019-IV-RH1, Oakwood Road Senior Housing, located at the southeast quadrant of the intersection of Oakwood Road and South Van Dorn Street, as set forth in the staff report dated August 22, 2019. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Hudgins being out of the room.

89. **4:00 P.M. – PH ON PROPOSED AMENDMENTS TO CHAPTER 101 (SUBDIVISION ORDINANCE) AND CHAPTER 112 (ZONING ORDINANCE) OF THE CODE OF THE COUNTY OF FAIRFAX, VIRGINIA (COUNTY CODE) AND THE PUBLIC FACILITIES MANUAL (PFM) RE: DEVELOPMENT IN DAM BREAK INUNDATION ZONES, CONSTRUCTION OF STATE-REGULATED IMPOUNDING STRUCTURES, PLAN SUBMISSIONS, AND MINOR EDITORIAL CHANGES** (7:23 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 September 4 and 9, 2019.

John Friedman, Engineer IV, Site Code Research and Development Branch, Land Development Services, presented the staff report.

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

Supervisor K. Smith moved adoption of the proposed amendments to the Subdivision Ordinance, Zoning Ordinance, and PFM as set forth in the Staff Report dated June 25, 2019, as recommended by the Planning Commission. The amendments become effective at 12:01 a.m. on September 25, 2019. 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.”

90. **4:00 P.M. – PH ON SUBMISSION DSC-D1-2 (JACKSON PROPERTY) OF THE DULLES SUBURBAN CENTER STUDY (PA 2013-III-DS1), LOCATED SOUTH AND EAST OF THE SUNRISE VALLEY DRIVE AND FRYING PAN ROAD INTERSECTION (DRANESVILLE DISTRICT)**
(7:26 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 September 4 and 9, 2019.

Jennifer Garcia, Planner IV, Department of Planning and Development, presented the staff report.

Following the public hearing, which included testimony by one speaker, Ms. Garcia presented the staff and Planning Commission (PC) recommendations.

Supervisor Foust moved approval of the PC recommendation for submission DSC-D1-2 of the Dulles Suburban Center Study (Plan Amendment 2013-III-DS1), which reflects the staff recommendation as shown on pages 13-14 of the staff report dated June 26, 2019. Supervisor K. Smith 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.”

91. **4:00 P.M. – PH TO SELL BOARD-OWNED PROPERTY SOUTH OF SPRING HILL ROAD TO DOMINION ENERGY FOR AN ELECTRIC SUBSTATION (HUNTER MILL DISTRICT)** (7:33 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 September 4 and 9, 2019.

Chris Caperton, Director, Urban Centers Section, Department of Planning and Development, presented the staff report.

Following the public hearing, which included testimony by one speaker, Mr. Caperton presented the staff recommendations.

Supervisor Hudgins moved to that the Board authorize the sale of the Board's own property south of Springhill Road to Dominion Energy for an Electric Substation. Supervisor L. Smyth seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

92. **4:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PEYTON RUN AT LONGWOOD KNOLLS STREAM RESTORATION (SPRINGFIELD DISTRICT)** (7:38 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 September 4 and 9, 2019.

Beth Shubert, Senior Right-of-Way Agent, Land Acquisition Division, Capital Facilities, Department of Public Works and Environmental Services, presented the staff report.

Discussion ensued, with input from Ms. Shubert, regarding who gets paid when the organization is defunct and what happens to the funds after the rights are acquired.

Following the public hearing, Ms. Shubert presented the staff recommendations.

Supervisor Herrity moved adoption of the resolution authorizing the acquisition of the necessary land rights, necessary for the construction of Project SD-000031, Stream and Water Quality Improvements, Peyton Run at Longwood Knolls Stream Restoration, Fund 40100, Stormwater Services. Supervisor L. Smyth seconded the motion and it carried by a vote of eight, Supervisor Foust and Supervisor Storck being out of the room.

93. **4:30 P.M. – PH ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF GLADE DR. WALKWAY – COLTS NECK RD. TO FREETOWN DRIVE (HUNTER MILL DISTRICT)** (7:41 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 September 4 and 9, 2019.

Mohammed Najeeb, Right-of-Way Agent, Land Acquisition Division, Capital Facilities, Department of Public Works and Environmental Services, presented the staff report.

Following the public hearing, Mr. Najeeb presented the staff recommendations.

Supervisor Hudgins moved adoption of the Resolution authorizing the acquisition of the necessary land rights, necessary for the construction of Project 2G40-088-007, Glade Drive Walkway – Colts Neck Road to Freetown Drive, Fund 40010, County Regional Transportation Projects. Supervisor McKay seconded the motion and it carried by a vote of eight, Supervisor Foust and Supervisor Storck being out of the room.

94. **4:30 P.M. – PH ON REZONING APPLICATION RZ 2007-SP-013 (E. JAMES AND ANNE R. SOUVAGIS) TO REZONE FROM R-1 AND WS TO PDH-2 AND WS TO PERMIT RESIDENTIAL DEVELOPMENT WITH AN OVERALL DENSITY OF 1.94 DWELLING UNITS PER ACRE AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 5.17 ACRES OF LAND (SPRINGFIELD DISTRICT) (7:43 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 September 4 and 9, 2019.

The application property is located on the north side of Westbrook Drive, east of its intersection with Lincoln Drive. Tax Map 55-2 ((3)) E2 and E3.

Ms. Kathryn Taylor reaffirmed the validity of the affidavit for the record.

Zachary Fountain, Planner, Zoning Evaluation Division, Department of Planning and Development, gave a presentation depicting the application and site location.

Ms. Taylor 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 (PC) recommendations.

Supervisor Herrity moved approval of Rezoning Application RZ 2007-SP-013, subject to the proffers dated August 20, 2019. Supervisor K. Smith seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, and Chairman Bulova voting “AYE,” Supervisor Storck being out of the room.

(NOTE: On July 31, 2019, the PC approved Final Development Plan Application FDP 2007-SP-013, subject to the development conditions dated July 17, 2019 and subject to the Board of Supervisors’ approval of the associated Rezoning and Conceptual Development Plan.)

95. **4:30 P.M. – PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2002-LE-005 (ALWADI, LLC) TO AMEND THE PROFFERS FOR REZONING APPLICATION RZ 2002-LE-005 PREVIOUSLY APPROVED FOR COMMERCIAL DEVELOPMENT TO PERMIT A SHOPPING CENTER AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO OF 0.18, LOCATED ON APPROXIMATELY 1.23 ACRES OF LAND ZONED C-8, CRD AND HC (LEE DISTRICT) (7:51 p.m.)**

Supervisor McKay moved to defer the public hearing on Proffered Condition Amendment Application PCA 2002-LE-005 (Alwadi, LLC) until **October 29, 2019, at 4:30 p.m.** Supervisor Foust seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

96. **5:00 P.M. – PH TO CONSIDER ADOPTING AN ORDINANCE TO ESTABLISH THE WESTFORD LANDING COMMUNITY PARKING DISTRICT (CPD) (PROVIDENCE DISTRICT) (7:52 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 September 4 and 9, 2019.

Charisse Padilla, Transportation Planner, presented the staff report.

Following the public hearing, which included testimony by one speaker, Ms. Padilla presented the staff recommendations.

Supervisor L. Smyth moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Westford Landing CPD. Supervisor Gross seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, and Chairman Bulova voting “AYE,” Supervisor Storck being out of the room.

97. **5:00 P.M. – PH TO CONSIDER ADOPTING AN ORDINANCE TO ESTABLISH THE FAIR OAKS FARMS COMMUNITY PARKING DISTRICT (CPD) (SULLY DISTRICT) (7:55 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 September 4 and 9, 2019.

Charisse Padilla, Transportation Planner, presented the staff report.

Following the public hearing, Ms. Padilla presented the staff recommendations.

Supervisor K. Smith moved adoption of the proposed amendments to the Code of the County of Fairfax, Appendix M, establishing the Fair Oaks Farms CPD. Supervisor Foust and Chairman Bulova jointly seconded the motion and it carried by a vote of nine, Supervisor Cook, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Hudgins, Supervisor McKay, Supervisor K. Smith, Supervisor L. Smyth, and Chairman Bulova voting “AYE,” Supervisor Storck being out of the room.

98. **ORDERS OF THE DAY** (7:56 p.m.)

Chairman Bulova announced that the public hearing schedule would be shifted and the public hearing on the Planned Residential Community Application PRC 86-C-121-06 and Conceptual Plan CP 86-C-121-15 would be considered next.

99. **5:30 P.M. PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC 86-C-121-06 (NS RESTON LLC) TO APPROVE THE PRC PLAN ASSOCIATED WITH REZONING APPLICATION RZ 86-C-121 TO PERMIT RESIDENTIAL DEVELOPMENT, LOCATED ON APPROXIMATELY 36,553 SQUARE FEET OF LAND ZONED PRC (HUNTER MILL DISTRICT)**

AND

PH ON CONCEPTUAL PLAN APPLICATION CP 86-C-121-15 (NS RESTON LLC) TO APPROVE THE CONCEPTUAL PLAN FOR REZONING APPLICATION RZ 86-C-121 TO PERMIT RESIDENTIAL DEVELOPMENT, LOCATED ON APPROXIMATELY 36,553 SQUARE FEET OF LAND ZONED PRC (HUNTER MILL DISTRICT)

AND

C-1 –PROFFER INTERPRETATION APPEAL A-RZ 86-C-12, RELATED TO THE PLANNING COMMISSION’S DENIAL OF CONCEPTUAL PLAN CP 86-C-121-15, FILED BY NS RESTON LLC (7:58 p.m.)

(O) (NOTE: Earlier in the meeting, the Board deferred consideration on the Proffer Interpretation Appeal A-RZ 86-C-12. See Clerk’s Summary Item #33.)

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 September 4 and 9, 2019.

The application property is located on the north side of New Dominion Parkway, west of Fountain Drive. Tax Map 17-1 ((17)) 4.

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

Mr. John McGranahan, agent for the applicant, made a presentation and submitted an item for the record. Mr. McGranahan stated that the applicant is only in agreement with the development conditions dated June 5, 2019.

Supervisor Hudgins moved to defer the decision on the public hearing. Supervisor Cook seconded the motion.

Discussion ensued regarding the motion.

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

Following discussion regarding the staff's recommendation, Supervisor Hudgins amended her motion and moved that the Board uphold the decision of the Planning Commission to deny the appeal of A-RZ-86-C-1121(sic). The second to this motion was inaudible.

Following discussion on the motion, Supervisor Hudgins further moved to amend her motion to defer decision on the Planned Residential Community/Conceptual Plan Applications PRC 86-C-121-06/CP 86-C-121-15 and the Proffer Interpretation Appeal A-RZ 86-C-12 until **October 15, 2019, at 5:30 p.m.** Supervisor Cook seconded the motion, as amended, and it carried by unanimous vote.

100. **5:00 P.M. – PH ON PROPOSED SITE SPECIFIC PLAN AMENDMENT (SSPA) 2018-I-1MS, MERRIFIELD SUBURBAN CENTER STUDY, LOCATED SOUTH OF LEE HIGHWAY, NORTH AND SOUTH OF ARLINGTON BOULEVARD, AND EAST OF GALLOWS ROAD (PROVIDENCE DISTRICT) (8:31 p.m.)**

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 4 and 9, 2019.

Graham Owen, Planner III, Policy and Plan Development Branch, Department of Planning and Development, presented the staff report.

Following the public hearing, which included testimony by 15 speakers, Mr. Owen presented the staff and Planning Commission (PC) recommendations.

Following the testimony of Ms. Whitney Redding (Speaker 11), Supervisor Gross suggested that INOVA should develop a relationship with the surrounding neighbors to collaborate on a regular basis regarding the environment.

Discussion ensued, with input from Tom Biesiadny, Director, Department of Transportation, regarding the need to provide maintenance of the pedestrian bicycle bridge over the beltway.

Supervisor L. Smyth moved that the Board adopt the PC's recommendation for SSPA 2018-I-1MS, as presented in Attachment I of the Board Agenda item, which would amend the Merrifield Suburban Center plan to add redevelopment options for the Fairview Park and Inova Center for Personalized Health (ICPH) sites, as well as other related changes, with the following modifications to the Mixed-Use Option in the Fairview Park (Sub-Unit I1) recommendation:

1. Modify language in the Land Use section of the plan regarding the proportion of non-residential uses in the sub-unit, by modifying the sentence on line 119 to read “Non-residential uses should comprise more than 50 percent of the total square feet of development within the sub-unit.”
2. Add language indicating that the commitment of Tax Map Parcel 49-4((1))74B, also known as the “peninsula” parcel, as permanent, passive open space in the plan text, occur in the initial phase of development, by including a new sentence on line 149 that reads “Commitments to the preservation of this area are a priority and are expected to be provided at the initial phase of the development.”
3. Add a recommendation to the Phasing and Public Facilities section of the plan indicating that proposals that develop portions of the land unit in phases should demonstrate how future development can occur in conformance with the land unit recommendation, by including a new sentence on line 333 that reads “Proposals that develop portions of the land unit in phases should demonstrate how future development can occur in conformance with the land unit recommendations, and should assure commitments expressed in prior sections at the initial phase, including those regarding Tax Map Parcel 49-4((1)) 74B as permanent, passive open space, the construction of the central plaza, and strategies to improve operations at the intersection of Yancey and New Providence Drives to a level of service “D” or better.”

Supervisor L. Smyth proposed the following modification to the Mixed-Use option for the ICPH (Land Unit K) recommendation:

4. Add language indicating that the plan for the Eastern Open Space should be provided at the initial phase of development, by including a new sentence on Line 670 that reads “A plan for the preservation, recreational programming, and public access for the eastern open

space is expected to be provided at the initial phase of development.”

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

Supervisor L. Smyth stated that the PC recommended that the Board adopt five follow-on motions, which would direct staff to complete additional efforts as discussed in the Board Agenda Item and PC verbatim. She stated that she supports those motions with one modification that was related to funding.

Therefore, Supervisor L. Smyth moved that the Board adopt the six follow-on motions to SSPA 2019-I-1MS as follows:

1. Direct staff to conduct a comprehensive study of multimodal transportation opportunities in and around the Merrifield Suburban Center, with a focus on the Gallows Road corridor from Tysons to greater Annandale and parallel roadways, such as Eskridge Road to the west and Fairview Park Drive to the east, including evaluating how the County may be able to use innovative and evolving technologies to enhance mobility and accessibility; that the Board provide funding for this analysis; and that staff be directed to engage stakeholders throughout the conduct of this study.
2. Direct staff to study the barriers to connectivity in the Merrifield Suburban Center created by Interstate-495, opportunities to mitigate the barriers, and options for improved multimodal mobility between the planned uses on the east and west-sides of the interstate; that the Board provide funding for this analysis; and that staff be directed to engage stakeholders throughout the conduct of this study.
3. Direct the County Executive to include \$700,000 as a consideration item in the next quarterly budget review to fund the activities described in Follow-on motions #1 and #2.
4. Direct staff to develop a funding plan for the transportation infrastructure improvements recommended in the Merrifield Suburban Center Comprehensive Plan, in an effort to expeditiously advance the projects. These improvements can provide benefits in advance of the implementation of additional development. The funding plan should include strategies for financing the public share of infrastructure improvements and facilitating cooperative funding arrangements with the private sector. This effort should specifically address, as a priority, the pedestrian and bicycle bridge and include the I-495 braided ramps in regional transportation planning and programing documents, such as the Northern Virginia Transportation

Authority's TransAction Plan and the Transportation Planning Board's Constrained Long Range Plan. In preparing the funding plan, staff should include funding for the recommendations of the multimodal studies requested in Follow-On Motions #1 and #2.

5. Direct staff to work with the nominators, other property owners, and the surrounding commercial, retail, and residential communities to form a transportation management association to facilitate strategies to reduce single-occupancy auto trip demand within the Merrifield Suburban Center, including the implementation of a circulator system.
6. Direct staff from the Department of Planning and Development to coordinate with staff from Fairfax County Public School Office of Facilities Planning Services on an evaluation of future build-out of the Merrifield Suburban Center Plan that would determine anticipated student membership and school capacity needs, and whether the recommendations in the Plan would adequately address the capacity need in the future or whether alternative guidance is needed.

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

101. **5:30 P.M. – PH TO CONSIDER AN ORDINANCE TO AMEND THE FAIRFAX COUNTY CODE BY ADDING A NEW CHAPTER 9.2 AND REPEALING CHAPTER 9.1, RELATING TO CABLE REGULATION AND FRANCHISING** (10:24 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of September 4 and 9, 2019.

Frederick E. Ellrod III, Director, Communications Policy and Regulation Division, Department of Cable and Consumer Services, presented the staff report.

Following the public hearing, which included testimony by one speaker, Mr. Ellrod presented the staff recommendations.

Supervisor K. Smith moved adoption of the proposed amendments to the Code of the County of Fairfax, adding a new Chapter 9.2 and repealing Chapter 9.1, relating to cable regulation and franchising to be effective January 1, 2010. The motion was multiply seconded, 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."

102. **5:30 P.M. – PH ON SPECIAL EXCEPTION APPLICATION SE 2018-SU-027 (STONEBRIDGE INVESTMENTS, LLC) TO PERMIT DEVELOPMENT OF A NEW LIMITED BREWERY IN THE R-C DISTRICT AND A MODIFICATION OF LIMITATIONS ON THE NUMBER OF EVENTS DEFINED IN ARTICLE 20 OF THE ZONING ORDINANCE FOR LIMITED BREWERY, LOCATED ON APPROXIMATELY 40.62 ACRES OF LAND ZONED R-C AND WS (SULLY DISTRICT) (10:27 p.m.)**

Supervisor K. Smith moved to defer the public hearing on Special Exception Application SE 2018-SU-027 (Stonebridge Investments, LLC) until **October 29, 2019, at 4:00 p.m.** Chairman Bulova seconded the motion and it carried by unanimous vote.

103. **5:30 P.M. PH ON PLANNED RESIDENTIAL COMMUNITY APPLICATION PRC 86-C-121-06 (NS RESTON LLC) TO APPROVE THE PRC PLAN ASSOCIATED WITH REZONING APPLICATION RZ 86-C-121 TO PERMIT RESIDENTIAL DEVELOPMENT, LOCATED ON APPROXIMATELY 36,553 SQUARE FEET OF LAND ZONED PRC (HUNTER MILL DISTRICT)**

AND

PH ON CONCEPTUAL PLAN APPLICATION CP 86-C-121-15 (NS RESTON LLC) TO APPROVE THE CONCEPTUAL PLAN FOR REZONING APPLICATION RZ 86-C-121 TO PERMIT RESIDENTIAL DEVELOPMENT, LOCATED ON APPROXIMATELY 36,553 SQUARE FEET OF LAND ZONED PRC (HUNTER MILL DISTRICT) (No time)

(NOTE: Earlier in the meeting, action was taken regarding this item. See Clerk's Summary Item #99.)

104. **BOARD ADJOURNMENT (10:28 p.m.)**

The Board adjourned.