



# ***CLERK'S BOARD SUMMARY***

## **REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS**

**TUESDAY  
January 28, 2020**

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**02-20**

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**EA:ea**

At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, January 28, 2020, at 9:31 a.m., there were present:

- Chairman Jeffrey C. McKay, presiding
- Supervisor Walter L. Alcorn, Hunter Mill District
- Supervisor John W. Foust, Dranesville District
- Supervisor Penelope A. Gross, Mason District
- Supervisor Patrick S. Herrity, Springfield District
- Supervisor Rodney L. Lusk, Lee District
- Supervisor Dalia A. Palchik, Providence District
- Supervisor Kathy L. Smith, Sully District
- Supervisor Daniel G. Storck, Mount Vernon District
- Supervisor James R. Walkinshaw, Braddock 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; Emily Armstrong, Ekua Brew-Ewool, and Kecia Kendall, Deputy Clerks, Department of Clerk Services.

**BOARD MATTER**1. **MOMENT OF SILENCE** (9:31 a.m.)

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

- Mr. Bill Thomas, who died recently
- Mr. Larry Aronson, who died recently
- Mr. James Talley, who died recently

**AGENDA ITEMS**2. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LANGLEY HIGH SCHOOL GIRLS FIELD HOCKEY TEAM** (9:37 a.m.)

Supervisor Foust moved approval of the Certificate of Recognition presented to the Langley High School Girls Field Hockey Team for its united, focused, determined, and tenacious spirit, resulting in winning the Virginia High School State Championship at South County High School in Lorton, Virginia, on November 16, 2019. Supervisor Lusk seconded the motion and it carried by unanimous vote.

3. **CERTIFICATE OF RECOGNITION PRESENTED TO THE LAKE BRADDOCK SECONDARY SCHOOL GIRLS CROSS COUNTRY TEAM** (9:43 a.m.)

Jointly with Supervisor Herrity, Supervisor Walkinshaw moved approval of the Certificate of Recognition presented to the Lake Braddock Secondary School Girls Cross Country Team for its commitment, grit, cohesiveness, and toughness, resulting in winning the Virginia High School League Class 6 State Championship at Great Meadow Park in The Plains, Virginia, on November 16, 2019. Supervisor Lusk seconded the motion and it carried by unanimous vote.

4. **CERTIFICATE OF RECOGNITION PRESENTED TO THE WEST SPRINGFIELD HIGH SCHOOL BOYS CROSS COUNTRY TEAM** (9:51 a.m.)

Jointly with Supervisor Walkinshaw, Supervisor Herrity moved approval of the Certificate of Recognition presented to the West Springfield High School Boys Cross Country Team for its dedication, perseverance, and focus, resulting in winning the Virginia High School League Class 6 State Cross Country Championship at Great Meadow Park in The Plains, Virginia, on November 16, 2019. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Smith being out of the room.

5. **RESOLUTION OF RECOGNITION PRESENTED TO THE MOUNT VERNON CENTER FOR DENTISTRY** (9:59 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and jointly with Supervisor Lusk and Supervisor Storck, moved approval of the Resolution of Recognition presented to the Mount Vernon Center for Dentistry for 25 years of distinguished and noteworthy service in Fairfax County. Supervisor Storck and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

6. **PRESENTATION OF THE DON SMITH AWARD** (10:14 a.m.)

Victoria L. Kammerude, Chairman, Employee Advisory Council (EAC), presented the history and purpose of the Don Smith Award. Ms. Kammerude explained this was an annual award given to a nominee who upholds the EAC mission within his or her agency by contributing to the well-being of employees, and helping build harmonious and healthy relationships among all employees through efforts that go beyond normal job duties.

Lisa McCorkle, Vice Chairman, EAC, presented the 2020 Don Smith Award to David Newhall, President, Fairfax County Public Library Employee Association.

7. **10:10 A.M. – REPORT ON GENERAL ASSEMBLY ACTIVITIES** (10:22 a.m.)

Supervisor Walkinshaw noted that the Board held its first Legislative Committee meeting this year on Friday, January 17 and Friday, January 24, 2020.

Supervisor Walkinshaw, Chairman of the Board's Legislative Committee, presented the report on General Assembly activities, noting the following:

- As of Sunday, January 26, 2020, 3,126 bills and resolutions had been introduced in the 2020 General Assembly, many of which were discussed at the Legislative Committee meeting.
- A key area of focus this session will be amendments to the 2020-2022 biennium budget, which continues to advocate for increased K-12 funding as well as increased funding for the Community Services Board and public safety, among others. The Board will continue to get updates from staff as the budget process progresses.
- A wide variety of bills have been introduced this session, including numerous bills that would affect County services and operations or restrict the County's land use authority. The November 2019 elections brought dramatic change to the General Assembly, and long-standing County priorities such as gun safety provisions, environmental sustainability and climate change, and equal taxing authority have received increased attention by the General Assembly. Staff will continue

to update the Board on these key issues throughout the legislative process.

- The restoration of regional transportation funding that was diverted from the Northern Virginia Transportation Authority (NVTA) by the 2018 General Assembly is a top County priority.
- The legislative committee received a status update and preliminary analysis of transportation funding legislation that is currently under consideration. Additionally, the Legislative Committee reviewed several other transportation bills, as well as a number of bills relating to affordable housing, absentee voting and elections, and efforts to reduce vaping. Legislative staff will continue to provide updates to the Board as work continues on these issues in Richmond.

Supervisor Walkinshaw noted:

- The next meeting of the Legislative Committee will be held on Friday, January 31, 2020, at 4 p.m., in Conference Room 11 of the Government Center
- The annual reception in Richmond, for General Assembly Members, is scheduled for Wednesday, February 12, 2020, at 5:30 p.m., at the Credit Union House of Virginia

Supervisor Walkinshaw moved adoption of Legislative Committee Report Number One. Supervisor Alcorn seconded the motion and it carried by a vote of nine, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Herrity voting “NAY.”

Supervisor Gross noted the cover sheet of the report did not indicate actions taken by the Board on January 24, 2020. Chairman McKay and Supervisor Walkinshaw stated the cover sheet should be amended to include the actions taken on both January 17, 2020 and January 24, 2020.

**EBE:ebe**

8. **10:20 A.M. – APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACs)** (10:35 a.m.)

(APPTS)  
(BACs)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of “Appointments to be Heard January 28, 2020.” Chairman McKay seconded the motion.

Supervisor Palchik acknowledged the presence of Mr. Elliot Bell-Krasner, the At-Large #6 Representative to the Human Rights Commission, and warmly welcomed him to the Board room.

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

The full list of appointments is as follows:

**A. HEATH ONTHANK MEMORIAL AWARD SELECTION COMMITTEE**

Appointment of:

- Mr. Douglas M. Salik as the Mount Vernon District Representative

Reappointment of:

- Mr. Clifford L. Fields as At-Large Chairman's Representative
- Ms. Jane Gwinn as the Braddock District Representative
- Ms. Kerrie Wilson as the Dranesville District Representative
- Ms. Catherine Shaw as the Hunter Mill District Representative
- Ms. Ernestine Heastie as the Providence District Representative
- Mr. Philip E. Rosenthal as the Springfield District Representative
- Mr. Michael Coyle as the Sully District Representative

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

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

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

**AIRPORTS ADVISORY COMMITTEE**

Reappointment of:

- Mr. Robert Ackerman as the Dranesville Business Representative
- Mr. Edward H. Robichaud as the Hunter Mill District Representative

The Board deferred the appointment of the Mason District Representative.

**ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)**

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

### **ATHLETIC COUNCIL**

Reappointment of:

- Mr. Eric T. Sohn as the Diversity-At-Large Alternate Representative

Appointment of:

- Mr. William E. Bright as the Lee District Alternate Representative

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

### **AUDIT COMMITTEE**

Reappointment of:

- Mr. Paul Svab as the At-Large #1 Representative
- Mr. Lester A. Myers as the At-Large #2 Representative

### **BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE**

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

### **BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS**

The Board deferred the appointment of the Design Professional #1 Representative.

### **BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)**

Reappointment of:

- Dr. Robert Mansker as the At-Large #3 Representative
- Mr. Ryan Rauner as the Professional #3 Representative

The Board deferred the appointments of the At-Large #2 and Professional #1 Representatives.

### **CELEBRATE FAIRFAX, INC. BOARD OF DIRECTORS**

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

**CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

Appointment of:

- Mr. Somanthan “Som” Govender as the Sully District Representative

The Board deferred the appointments of the Lee and Mason Districts Representatives.

**CHILD CARE ADVISORY COUNCIL**

Appointment of:

- Ms. Mercedes O. Dash as the Providence District Representative

**CITIZEN CORPS COUNCIL, FAIRFAX COUNTY**

The Board deferred the appointments of the Hunter Mill, Mason, and Providence Districts Representatives.

**CIVIL SERVICE COMMISSION**

Reappointment of:

- Ms. Nancy Angland Rice as the At-Large #1 Representative
- Mr. Jason Fong as the At-Large #4 Representative
- Mr. Thomas Garnett, Jr. as the At-Large #6 Representative
- Ms. Lee Ellen Helfrich as the At-Large #9 Representative
- Mr. John C. Harris, Jr. as the At-Large #10 Representative
- Mr. Herbert C. Kemp as the At-Large #11 Representative
- Mr. John Townes as the At-Large #12 Representative

The Board deferred the appointments of the At-Large #3, #5, #7, and #8 Representatives.

**COMMISSION FOR WOMEN**

Reappointment of:

- Ms. Lisa A. Sales as the Mount Vernon District Representative

Appointment of:

- Ms. Phylicia Woods as the Providence District Representative

The Board deferred the appointments of the At-Large Chairman's, Braddock, and Sully Districts Representatives.

### **COMMISSION ON AGING**

Confirmation of:

- Ms. Carolyn Sutterfield as the Fairfax City Representative

### **DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE II**

Reappointment of:

- Mr. Michael R. F. Rocks as the BOS At-Large #4 Representative
- Mr. Frederick Rothmeijer as the BOS At-Large #5 Representative

Confirmation of:

- Mr. Randy S. Jaegle as the Town of Herndon #2 Representative

The Board deferred the appointment of the BOS At-Large #6 Representative.

### **ECONOMIC ADVISORY COMMISSION**

Confirmation of:

- Mr. David Baker as the At-Large #7 Representative

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

### **ENGINEERING STANDARDS REVIEW COMMITTEE**

Confirmation of:

- Mr. Michael S. Kitchen as the NAIOP Representative

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

### **ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**



Reappointment of:

- Ms. Johna Gagnon as the Lee District Representative

The Board deferred the appointment of the Braddock District Representative.

**FAIRFAX AREA DISABILITY SERVICES BOARD**

Appointment of:

- Ms. Doris Ray as the At-Large #1 Business Community Representative
- Ms. Deborah C. Cohen as the Braddock District Representative

Reappointment of:

- Ms. Deborah Klein Hammer as the Mount Vernon District Representative
- Ms. Kelley Brooks Simoneaux as the Providence District Representative

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

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**

Confirmation of:

- Ms. Christine Fay Amorosi as the Educational Organizations #1 Representative
- Ms. Carolyn Cukierman as the Community/Religious Leaders #5 Representative
- Ms. Suheir Kafri as the Community/Religious Leaders #9 Representative
- Mr. Philippe Beauchene as the Health Care Advisory Board #2 Representative
- Ms. M. Susan LeFande as the Medical Community #2 Representative

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

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

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

Confirmation of:

- Captain Derek DeGeare as the Sheriff's Office Representative

Nomination of:

- Ms. Anne Whipple as the At-Large #2 Representative
- Ms. Karen Abraham as the Braddock District Representative
- Ms. Larysa M. Kautz as the Lee District Representative
- Ms. Srilekha Reddy Palle as the Springfield District Representative

(NOTE: The Board is scheduled to take action on these appointments on February 25, 2020)

The Board deferred the appointments of the At-Large #3 and Sully District Representatives.

**GEOTECHNICAL REVIEW BOARD**

Confirmation of:

- Mr. I. Al Nouri as the Primary #1 Representative
- Mr. Jules D. Reese as the Primary #3 Representative

**HISTORY COMMISSION**

Reappointment of:

- Ms. Barbara Naef as the Archaeologist Representative
- Ms. Phyllis Walker Ford as the At-Large #3 Representative
- Ms. Elise Ruff Murray as the Citizen #3 Representative
- Ms. Barbara J. Peters as the Citizen #7 Representative
- Ms. Anne G. Stuntz as the Historian #2 Representative

Appointment of:

- Ms. Tammy Mannarino as the At-Large #2 Representative

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

### **HUMAN RIGHTS COMMISSION**

Appointment of:

- Mr. Elliot Bell-Krasner as the At-Large #6 Representative
- Mr. Eduardo Conde as the At-Large #8 Representative

The Board deferred the appointments of the At-Large #7 and #9 Representatives.

### **HUMAN SERVICES COUNCIL**

Appointment of:

- Ms. Tianja Grant as the Providence District #2 Representative

### **INFORMATION TECHNOLOGY POLICY ADVISORY COMMITTEE (ITPAC)**

Appointment of:

- Dr. Rajni Goel as the Dranesville District Representative

Reappointment of:

- Mr. Richard A. Kostro as the Mount Vernon District Representative
- Mr. Dennis Carlton as the Sully District Representative

Confirmation of:

- Mr. Mark P. Lay as the Northern Virginia Technology Council Representative

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

Reappointment of:

- Ms. Jan B. Reitman as the Mason District Representative
- Mr. Sean J. Wright as the Providence District Representative

The Board deferred the appointments of the Lee and Springfield Districts Representatives.

### **LIBRARY BOARD**

Appointment of:

- Ms. Elizabeth Walker as the Sully District Representative

### **MOSAIC DISTRICT COMMUNITY DEVELOPMENT AUTHORITY**

The Board deferred the appointment of the Developer Representative.

### **NORTHERN VIRGINIA REGIONAL PARK AUTHORITY**

Reappointment of:

- Ms. Patricia Harrison as the Fairfax County #1 Representative

### **OVERSIGHT COMMITTEE ON DISTRACTED AND IMPAIRED DRIVING**

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

### **PARK AUTHORITY**

Reappointment of:

- Dr. Cynthia Jacobs Carter as the Lee District Representative
- Ms. Marguerite F. Godbold as the Sully District Representative

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

### **PLANNING COMMISSION**

Appointment of:

- Ms. Candice Bennett as the At-Large #1 Chairman's Representative
- Mr. Andres Jimenez as the At-Large #3 Representative
- Ms. Mary Cortina as the Braddock District Representative

- Mr. Daniel Lagana as the Lee District Representative
- Ms. Evelyn Spain as the Sully District Representative

### **RESTON TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD**

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

### **ROAD VIEWERS BOARD**

Reappointment of:

- Mr. Paul Davis, Jr. as the At-Large #2 Representative
- Mr. Marcus Wadsworth as the At-Large #3 Representative

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

### **TENANT LANDLORD COMMISSION**

Appointment of:

- Mr. Vincent J. Fusaro as the Citizen Member #1 Representative

Reappointment of:

- Ms. Paula Park as the Landlord Member #3 Representative
- Ms. Jade Harberg as the Tenant Member #3 Representative

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

### **TRAILS, SIDEWALKS AND BIKEWAYS COMMITTEE**

Reappointment of:

- Mr. Kenneth Comer as the At-Large Chairman's Representative
- Mr. Robert W. Cosgriff as the Braddock District Representative
- Mr. Wade H.B. Smith as the Dranesville District Representative
- Mr. James Albright as the Mason District Representative

- Mr. James R. Klein as the Mount Vernon District Representative
- Mr. Stiven Foster as the Providence District Representative
- Mr. Karl D. Leibert as the Springfield District Representative
- Ms. Karen O. Ampeh as the Sully District Representative

The Board deferred the appointments of the Hunter Mill and Lee District Representatives.

#### **TRANSPORTATION ADVISORY COMMISSION**

The Board deferred the appointment of the Lee District Representative.

#### **TREE COMMISSION**

The Board deferred the appointment of the Springfield District Representative.

#### **TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD**

Appointment of:

- Ms. Irene Shin as the Providence District #2 Representative
- Ms. Erika Yalowitz as the Residential Owners and HOA/Civic Association #1 Representative

The Board deferred the appointments of the Commercial or Retail Ownership #3 and Hunter Mill District #1 Representatives.

#### **WATER AUTHORITY**

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

#### **WETLANDS BOARD**

Reappointment of:

- Mr. R. Dean Costello as the Lee District Representative
- Ms. Leslie E. Jacobs as the Mount Vernon District #3 Representative

#### 9. **ADMINISTRATIVE ITEMS** (10:37 a.m.)

Supervisor Gross moved approval of the Administrative Items. Supervisor Lusk seconded the motion and it carried by a vote of nine, Supervisor Alcorn,

Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik being out of the room.

**ADMIN 1 – ADDITIONAL TIME TO ESTABLISH USE OR COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION SE 2017-SU-008, VIGARIO MANAGEMENT CORP. (SULLY DISTRICT)**

(AT) Approved eighteen (18) months additional time for SE 2017-SU-008 to April 10, 2021.

**ADMIN 2 - EXTENSION OF REVIEW PERIOD FOR 2232 PUBLIC FACILITY REVIEW APPLICATION (MOUNT VERNON DISTRICT)**

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

<u>Application Number</u>	<u>Description</u>	<u>New Date</u>
2232-V19-1	Department of Public Works and Environmental Services South County Police Station and Animal Shelter Tax Map No. 106-4 ((1)) 57 Lorton Road (Address TBD) Lorton, VA Mount Vernon District	August 26, 2020

**ADMIN 3 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE EXPANDING THE GEORGE MASON UNIVERSITY RESIDENTIAL PERMIT PARKING DISTRICT, DISTRICT 40 (BRADDOCK DISTRICT)**

(A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2020, at 4:00 p.m.**, to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to expand the George Mason University Residential Permit Parking District (RPPD), District 40.

**ADMIN 4 - APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (HUNTER MILL DISTRICT)**

- (R)
- Endorsed the following traffic calming plan and resolution for Gatesmeadow Way consisting of the following:
    - One speed hump on Gatesmeadow Way (Hunter

## Mill District)

- Directed the Fairfax County Department of Transportation (FCDOT) staff to schedule the installation of the approved traffic calming measures as soon as possible.

**ADMIN 5 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER ADOPTING AN ORDINANCE EXPANDING THE WEST SPRINGFIELD RESIDENTIAL PERMIT PARKING DISTRICT, DISTRICT 7 (SPRINGFIELD DISTRICT)**

- (A) Authorized the advertisement of a public hearing to be held before the Board on **February 25, 2020, at 4:00 p.m.**, to consider a proposed amendment to Appendix G, of *The Code of the County of Fairfax, Virginia* (Fairfax County Code), to expand the West Springfield Residential Permit Parking District (RPPD), District 7.

**ADMIN 6– APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AND “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM (SPRINGFIELD, DRANESVILLE, PROVIDENCE, BRADDOCK AND SULLY DISTRICTS)**

- (R)
- Authorized the installation of “\$200 Additional Fine for Speeding” signs on the following roads:
    - Fields Brigade Road, between Monument Drive and Tall Timbers Drive (Attachment I) (Springfield District)
    - Meadow Fields Drive, between Fair Ridge Drive and Tall Timbers Drive (Attachment III) (Springfield District)
  - Authorized the installation of “Watch for Children” signs on the following roads:
    - Two “Watch for Children” signs on Idylwood Road (Dranesville District)
    - One “Watch for Children” sign on Bandy Run Road (Dranesville District)
    - One “Watch for Children” sign on Sugar Maple Drive (Dranesville District)
    - One “Watch for Children” sign on King Charles Drive (Sully District)



- One “Watch for Children” sign on Briar Patch Lane (Braddock District)
- One “Watch for Children” sign on Waples Glen Court (Providence District)
- Directed Fairfax County Department of Transportation (FCDOT) to schedule the installation of the approved “Watch for Children” signs as soon as possible and requested the Virginia Department of Transportation (VDOT) to schedule the installation of the approved “\$200 Additional Fine for Speeding” signs as soon as possible

10. **A-1 – APPROVAL OF A RESOLUTION SUPPORTING ADDITIONAL PROJECTS BEING SUBMITTED TO THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY FOR FY 2024 TO FY 2025 REGIONAL FUNDING CONSIDERATION (BRADDOCK AND PROVIDENCE DISTRICTS)** (10:37 a.m.)

(R) On motion by Supervisor Gross, multiply seconded and carried by unanimous vote, the Board concurred in the recommendation of staff and approved Attachment 1, in substantial form, supporting the City of Fairfax projects for NVTVA’s regional funding program.

11. **A-2 – APPROVAL OF A RESOLUTION ENDORSING PROJECTS FOR SUBMISSION TO THE NORTHERN VIRGINIA TRANSPORTATION COMMISSION FOR THE FISCAL YEAR 2021-2022 I-66 INSIDE THE BELTWAY COMMUTER CHOICE PROGRAM (PROVIDENCE AND HUNTER MILL DISTRICTS)** (10:38 a.m.)

On motion by Supervisor Foust, multiply seconded and carried by unanimous vote, the Board concurred in the recommendation of staff and approved a resolution (Attachment 1) endorsing three Fairfax County transportation projects for submission for NVTC’s I-66 Inside the Beltway Commuter Choice Program funding for FY 2021 – 2022 and authorized the Director of the Department of Transportation to sign and submit the applications.

Supervisor Alcorn noted that a large part of the projects is in the Hunter Mill District and not in the Dranesville District as listed in the Board Agenda Item.

**DMS:dms**

**BOARD MATTERS**

12. **REQUESTS FOR PROCLAMATIONS** (10:41 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare and schedule the following proclamations:

- George Mason University's Volgenau School of Engineering be presented out of the Board Room with a proclamation designating February 16-22, 2020, as *Engineer's Week*
- DC Council of Engineering and Architectural Societies be presented out of the Board Room with a proclamation designating February 16-22, 2020, as *Engineer's Week*
- Representatives from the Office of Human Rights and Equity Programs be invited to appear before the Board on February 11, 2020, to be presented with a proclamation designating February 2020 as *African American History Month*
- Representatives from the Office for Domestic and Sexual Violence Services be invited to appear before the Board on February 11, 2020, to be presented with a proclamation designating February 2020 as *Teen Dating Violence Awareness Month*

Without objection, it was so ordered.

13. **RENAMING OF THE MERRIFIELD CENTER (PROVIDENCE DISTRICT)** (10:41 a.m.)

Chairman McKay stated that for more than three decades, former Chairman Sharon Bulova dedicated her life to making the County a better place for everyone.

First as Annandale and Braddock District Supervisor, then as Chairman, she led the community forward on a local, state, and national level by implementing a number of world-class programs such as Diversion First. If it weren't for her passion and persistence, the County may not have the Merrifield Crisis Response Center (MCRC), which houses the highly successful Diversion First program.

Though there is no way to truly express my appreciation for her and all she's done for Fairfax County, it's fitting to rename the Merrifield Center, home to the MCRC, after her.

Therefore, Chairman McKay moved that the Board rename the Merrifield Center in honor of former Chairman Sharon Bulova. He further moved that the Board direct the Office of Public Affairs to work with the Facilities Management Department on logistics and to plan an event this spring to celebrate this honor for her and the community. Supervisor Storck seconded the motion.

Following discussion on the motion and a request from Supervisor Gross to include Inova in the event, the question was called on the motion and it carried by unanimous vote.

14. **REVIEW OF THE COUNTY'S CURRENT DEBT MANAGEMENT PRACTICES** (10:44 a.m.)

Chairman McKay stated that with the beginning of the Board's and School Board's four-year terms, and as the Boards begin discussions on the FY 2021 budget and the FY 2021-FY 2025 Capital Improvement Program, it is an opportune time to make sure that the Boards understand and maximize the options available to fund the priorities. A major part of that is a consideration of our longer-term debt opportunities and challenges. The list of important priorities is long and there is a need to explore creative, yet fiscally responsible ways of addressing them.

The Board received a briefing on the County's Budget and Capital Improvement Program at its January 7, 2020, retreat. One of the elements of that conversation was a discussion of the limited flexibility that exists for the Board relative to its capital program and the issuance of bonds, especially for schools. In addition, the Board discussed the importance of ensuring constant review opportunities for innovative ways to fund capital.

Therefore, Chairman McKay move that the Board direct staff to engage the County's outside Financial Advisor to review the County's current debt management practices. This review should focus on any additional flexibility that could exist in the issuance of debt (especially for but not limited to schools) and how we can maintain affordability of our debt in the operating budget over the long term without compromising our triple AAA ratings. In addition, the Financial Advisor should survey other jurisdictions for innovative ways to address and fund capital projects and review the relative risk elements associated with any potential changes.

A report and discussion of this work should be provided to the Board at an upcoming Budget Committee meeting so that the Board has the necessary information to make decisions about funding its priorities in the coming years. This report should be given to the Board no later than April 2020. Supervisor Alcorn and Supervisor Smith jointly seconded the motion.

Following discussion regarding the need for a chart outlining the bond capacity and difficulties utilizing that capacity, the question was called on the motion and it carried by unanimous vote.

15. **ACTIVATION OF THE YOUNG ADULTS ADVISORY COUNCIL** (10:54 a.m.)

(BACs) Chairman McKay stated that while there are many Boards, Authorities, and Commissions (BACs), there are few that are reflective of our young adult

population in Fairfax County and even fewer working to identify issues and challenges facing young adults in the County.

Research indicates that localities which engage youth in the work of local government are consistently listed among the top places for young people to live. Many businesses are attracted to localities with this distinction, and there is increasing evidence that young adults want to reside in a community that valued them when they were young.

In 2019, approximately 20 percent of Fairfax County's population consisted of residents in the 20 to 34 age range. He stated that he feels strongly that it is up to the Board to find ways to better engage with this population.

He stated that he introduced a Board Matter at the March 19, 2019, Board meeting, directing staff to create a Fairfax County Young Adults Advisory Council to specifically analyze issues and challenges facing young adults in the County. Since that time, much work has been done by staff to build this Council, though it has not yet been formally launched.

Therefore, Chairman McKay moved that the Board activate the Young Adults Advisory Council to allow the County's young people to come together to provide meaningful opportunities for input to contribute their experiences, knowledge and solutions to County issues. Chairman McKay stated that information about the charge, makeup, and terms of this new BAC is included with his written Board Matter. Supervisor Lusk seconded the motion.

Following discussion regarding additional seats for outside groups and the possibility of duplicating efforts with the Economic Advisory Council, the question was called on the motion and it carried by unanimous vote.

16. **PROCLAMATION REQUEST FOR FORMER PLANNING COMMISSIONER JAMES R. HART** (11:05 a.m.)

Chairman McKay stated that James R. Hart, or Jim, has served on the Planning Commission since 2003, when he was appointed as one of three At-Large Commissioners by then Board Chairman Gerry Connolly.

Over the last 17 years, Jim Hart has proved to be an invaluable voice on the Planning Commission. The Board, fellow Commissioners, and residents alike could count on Jim's expertise, care, and attention to detail with each application that came before the Commission.

As his final term on the Planning Commission comes to an end, Chairman McKay stated that he would like to thank Jim Hart for his incredible tenure as At-Large Commissioner.

Therefore, Chairman McKay moved that James R. Hart be invited to appear before the Board at a future Board Meeting to accept a proclamation commending

him on his years of service on the Planning Commission. Supervisor Smith seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

17. **NO BOARD MATTERS FOR SUPERVISOR LUSK (LEE DISTRICT)**  
(11:07 a.m.)

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

18. **INTER TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2019-PR-001 TOLL MID-ATLANTIC LP COMPANY, INC. (PROVIDENCE DISTRICT)** (11:07 a.m.)

Supervisor Palchik announced her intent, later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 2019-PR-001, until **February 25, 2020, at 3:30 p.m.**

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Item CL #41.)

19. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 2018-PR-021 AND RZ/FDP 2018-PR-022 GEORGELAS, LLC (PROVIDENCE DISTRICT)** (11:20 a.m.)

Supervisor Palchik announced her intent, later in the meeting, at the appropriate time, to defer the public hearing on Rezoning Application RZ 2018-PR-021 and RZ/FDP 2018-PR-022, until **March 24, 2020, at 3:30 p.m.**

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Item CL #42.)

20. **ADULT DAY CARE CENTERS** (11:08 a.m.)

(BACs)

Jointly with Chairman McKay, Supervisor Smith stated that as part of Fairfax County's 50+ Community Action Plan, the Board has enacted significant changes addressing the needs of Fairfax County's older adults and residents with disabilities. One of those changes was the adoption on December 4, 2018, of zoning ordinance amendments that addressed, among other items, adult day care centers. Prior to that amendment, the County's zoning ordinance, through interpretation, treated adult day care centers in the same way as childcare centers. Adult day care centers were subject to the same location permissions and use standards as childcare centers.

The December 2018 amendment established and defined a new adult day care center use and established the use as a special exception use in zoning districts where the use was previously permitted by right, particularly in the industrial zoning districts. The amendment also established additional standards for adult

day care centers including the provision of a safe, appropriately sized and conveniently located outdoor area for use by adults receiving services, access and trip generation standards as well as a requirement for a review by the Health Care Advisory Board.

Adult day care uses are a necessity in our community and provide a vital service for older adults and those with a disability. He stated that the Board has an obligation to ensure adult day care uses are being provided and that our regulations encourage establishment of more adult day care uses, while balancing life safety issues and land use impacts. Members of the Board have heard from adult day care providers, particularly those that provide services to adults with intellectual and developmental disabilities, that there are barriers to entry caused by the amendment, which do not impact life safety issues.

Of particular concern is the requirement for special exception approval in the industrial districts and the requirement for the provision of outdoor recreation space. This use was previously allowed by right, as childcare centers currently are, when located in an office or industrial park and vehicle access is provided via the internal circulation system of the park. The Board has heard that this puts providers of adult day care services at a disadvantage when trying to lease space that can accommodate the use, when other uses with similar land use impacts are allowed by-right, like childcare centers and places of worship.

Therefore, jointly with Chairman McKay, Supervisor Smith moved that the Board direct staff in the Department of Planning and Development to review the current zoning ordinance provisions related to adult day care centers and align those requirements, where appropriate, with the current requirements for child care centers, including but not limited to restoring them as a by-right use in Industrial Districts and to re-evaluate the need for outdoor recreation space.

With regard to the existing standard requiring review by the Health Care Advisory Board, jointly with Chairman McKay, Supervisor Smith further moved that any revised provisions be brought forward for public hearing, and continue to include a mechanism that will allow the Health Care Advisory Board an opportunity to review the proposal prior to the center becoming operational.

Lastly, jointly with Chairman McKay, Supervisor Smith further moved that this item be added to the 2019 Zoning Ordinance Work Program as a first-tier item for authorization in the Spring of 2020. Chairman McKay seconded the motions.

Following discussion regarding the Community Action Plan, the question was called on the motions and they carried by unanimous vote.

21. **PROCLAMATION REQUEST FOR CENTREVILLE VOLUNTEER FIRE DEPARTMENT (CVFD) (SULLY DISTRICT)** (11:15 a.m.)

Supervisor Smith announced that the CVFD is celebrating their 70-year anniversary this year. One of several volunteer fire departments that were formed

in Fairfax County after the World War II housing boom, the CVFD has been an integral part of the community since its formation. From the early years when volunteers responded to fires from their homes to now where volunteers work side-by-side with the County's professional firefighters, the CVFD continues to provide a valuable service to the Centreville community. The CVFD operates out of two fire stations in Centreville; Station 17, in which they own the land, the building, and apparatus, and Station 38, where they own the ambulances. As the Board is aware, volunteer fire departments perform extensive fundraising to support the firefighting efforts and the twice weekly bingo at Station 17 is not only the CVFD's primary source of funding, but also a long-time community gathering place.

Therefore, Supervisor Smith asked unanimous consent that the Board direct staff to prepare a Proclamation recognizing the 70-year anniversary of the CVFD to be presented outside of the Board Room. Without objection, it was so ordered.

22. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2019-SU-019 MILESTONE TOWER LIMITED PARTNERSHIP IV D/B/A MILESTONE: T-MOBILE (SULLY DISTRICT)** (11:16 a.m.)

Supervisor Smith announced her intent, later in the meeting, at the appropriate time, to defer the public hearing on Special Exception Application SE 2019-SU-019 **February 11, 2020, at 3:30 p.m.**

(NOTE: Later in the meeting, the public hearing was formally deferred. See Clerk's Summary Item 37.)

23. **SUPPORT OF THE SOLAR FREEDOM LEGISLATION** (11:17 a.m.)

Supervisor Walkinshaw stated that climate change poses potentially devastating risks to Virginia. These risks, as noted in the 2018 Virginia Energy Plan, include coastal and inland flooding, increased frequency and severity of storms, sea-level rise, water shortages, heat waves, ocean acidification, and negative public health outcomes. Because emissions from the electric power sector contribute significantly to climate change, both the 2018 Plan and Governor Northam's Executive Order 43 (2019) identify the deployment of clean energy and the transition to a low-carbon economy as central to efforts to address the problem.

A number of bills introduced in the 2020 General Assembly session promote clean energy and encourage the transition to a low-carbon economy — HB 572 (Kearney), HB 912 (Simon), HB 1184 (Lopez), and SB 710 (McClellan), known as the solar freedom legislation. These bills remove statutory barriers to distributed solar electricity generation, thereby allowing local governments, as well as Virginia residents and businesses, to invest in and benefit from on-site solar generation. The County has recently encountered one of these barriers in our effort to expand the County's use of solar energy. The County and other non-residential customers are essentially unable to use Power Purchase Agreements

(PPAs) due to statutory barriers, including a PPA pilot program limit of 50 megawatts (MW) in the service area of Dominion Energy Virginia. As of January 2020, this pilot program was deemed fully subscribed, effectively ending further PPA projects in Dominion's service area. Consequently, the County is unable to proceed with on-site solar installations that collectively are capable of generating over 40 MW of electricity.

Given the remarkable gains in solar and renewable technologies over the last decade, these and other statutory impediments to distributed solar generation and customer-generated renewable energy simply do not serve any public purpose. The 2020 General Assembly (GA) has the opportunity to make historic changes for Virginia, moving the Commonwealth towards cleaner, more sustainable environmental and energy policies through the enactment of the solar freedom legislation. At the January 17, 2020, Legislative Committee meeting, the Board agreed to send a letter to the County's General Assembly delegation in support of this critical legislation.

Therefore, Supervisor Walkinshaw moved that the Board send the letter attached to his written Board Matter, under the Chairman's signature, to the County's General Assembly delegation requesting their support of the solar freedom legislation. Chairman McKay seconded the motion.

Supervisor Gross moved to amend the motion to direct staff to also send the letter to the Governor. Chairman McKay seconded the motion, as amended, and it carried by a vote of nine, Supervisor Herrity being out of the room.

24. **CONSIDERATION OF A COMPREHENSIVE PLAN AMENDMENT FOR LEE HIGHWAY AND WAPLES MILL ROAD (BRADDOCK DISTRICT)**  
(11:24 a.m.)

Supervisor Walkinshaw stated that the northwest corner of the intersection of Lee Highway and Waples Mill Road contains an older home that formerly was used as a contractor's office and workshop. Adjacent is an existing Public Storage facility. The intersection is shown in the Comprehensive Plan as a potential interchange. The home is for sale, and Public Storage has expressed interest in expanding the storage use onto the residential property. These properties—both the home and the storage facility—are planned for office use with an option for office/mixed-use to support the employment base of the Fairfax Center Suburban Center, in which the sites are located. Supervisor Walkinshaw noted that properties located in the Fairfax Center Suburban Center are not eligible for the South County Site-Specific Plan Amendment process due to the areawide study adopted in 2015, but that he believes consideration of this corner should be afforded to make sure that the plan remains in line with future needs.

Therefore, Supervisor Walkinshaw moved that the Board direct staff to consider a Comprehensive Plan Amendment for Tax Map Parcels 56-2 ((01)) 39, 37A, and ((34))C at the northwest corner of Lee Highway and Waples Mill Road for self-storage or alternative uses that would be compatible with the vision for Fairfax



Center Suburban Center and the recent developments that surround the sites. This should factor in land use, design, park space, and transportation improvements, among other considerations. This motion should not be construed as a favorable recommendation by the Board for a potential Plan Amendment or any subsequent rezoning or other application. Chairman McKay seconded the motion.

Following discussion regarding whether the private service drive would be addressed as part of the Amendment, the question was called on the motion and it carried by unanimous vote.

25. **COUNTYWIDE PEDESTRIAN AND BICYCLE SAFETY INITIATIVE**  
(11:28 a.m.)

Jointly with Supervisor Lusk, Supervisor Alcorn stated that the commitment of the County to address pedestrian and bicycle safety is clear, including more than \$300 million in funding approved for stand-alone bike and pedestrian infrastructure projects over the past decade. Most of these projects have been implemented, while some are still in progress. It should be noted that the \$300M in funding doesn't include bike and pedestrian projects that are being implemented as part of larger roadway projects, or in VDOT's repaving schedule.

Historically, the County's focus has been on protecting the most vulnerable residents – especially children. Through the Safe Routes to School Program the County now has at least 26 school-walking-route sidewalk projects that have been improved to facilitate safe walks by students and parents. The County has also prioritized pedestrian connections to its transit stations.

But the challenge of how far the County still needs to go is sobering, underscored by the tragic deaths of two pedestrians on Richmond Highway just during the past three weeks. There were 16 pedestrian fatalities in the county in 2019, including last summer when a South Lakes High School student was killed while crossing the street in Reston.

Due to the General Assembly reallocating funding for Metro's State of Good Repair Initiative, the Board deferred a number of bike and pedestrian projects last year. There are plenty of examples of more bike and pedestrian projects to be done, if more funding were available. Fortunately, the General Assembly is looking at options for increasing transportation funding, but currently it doesn't go far enough.

Recognizing the need to expand current efforts, the Department of Transportation has initiated development of the ActiveFairfax Plan to improve opportunities for residents to get around safely without getting into a car, bus or train.

As development of the ActiveFairfax Plan is about to begin and given the clear connection between transportation and public safety regarding these issues, the time is right to evaluate current efforts. The ActiveFairfax planning process can

be optimized to address what is literally a life and death issue over the short and long-term.

Jointly with Supervisor Lusk, Supervisor Alcorn moved that the Board direct staff and the Board's Transportation Committee to evaluate the potential for making Fairfax County safe for pedestrians and bicyclists through the ActiveFairfax Planning process. As part of this review, jointly with Supervisor Lusk, Supervisor Alcorn requested evaluations of:

- The working timeline for the ActiveFairfax Plan given the importance of this issue
- The external communications strategy contemplated in the ActiveFairfax planning process
- In conjunction with the ActiveFairfax Plan development, an evaluation of the current approach for funding pedestrian improvements (including how we braid funds from multiple and sometimes disparate sources)
- How the application of new technologies can help improve pedestrian and bicycle safety without waiting for finalization of the ActiveFairfax Plan
- The ability of the County to establish and achieve measurable safety goals such as Vision Zero

Chairman McKay and Supervisor Lusk jointly seconded the motion.

Following discussion regarding the need for education and a community strategy and the implications regarding reducing the speed limit, Chairman McKay asked unanimous consent that the Board direct staff to provide the Board with a draft memo regarding the County's local commitments for VDOT. Without objection, it was so ordered.

Supervisor Storck asked unanimous consent that the Board direct staff to create and distribute a chart for the Board that highlights the pedestrian projects, the dates funded, and project completion dates. Without objection, it was so ordered.

Supervisor Herrity asked unanimous consent that the Board direct staff to provide the Board with a list of the type of pedestrian accidents, specific locations of the accidents, and the injuries sustained as a result of the accidents. Without objection, it was so ordered.

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

Supervisor Foust stated that on March 11, 2020, the George Mason University School of Business and the County will be co-hosting a hackathon titled the "2020 Housing Challenge."

This is the third year that staff, under the direction of the Economic Success Plan, is delivering events to harness the creative skills of our community to help address critical issues facing the County. Working with the Department of Housing and Community Development, this year's challenge focuses on policy opportunities, or hacks, around affordable housing and ways to create unique solutions to help everyone have a safe and healthy home.

The goal is to bring together a community of industry professionals, residents, housing advocates, students and policy experts to provide solutions for enhanced home affordability in the County. At this all-day event, teams of participants will hear from area experts as they put their best efforts together in addressing three challenges:

- Communications: Enhancing Public Awareness and Support for Affordable Housing
- Partnerships: Engaging Employers and Non-Traditional Partners in Providing Affordable Housing
- Faith Communities: Facilitating Their Participation in the Affordable Housing Solution

Staff is seeking a highly representative group of participants illustrative of the diverse interests, needs and expertise that is present in the County. Completed proposals will be judged by a select committee and cash prizes will be awarded to the top presentations. It is anticipated that, based on this effort, policy recommendations will be considered by our housing staff for adoption.

The hackathon will be held Wednesday, March 11, 2020, at George Mason University's Merten Hall, Room 1201 (4400 University Drive, Fairfax) from 9:00 a.m.-5:30 p.m. Attendees are welcome to attend part or the entire event.

Therefore, Supervisor Foust asked unanimous consent that the Board direct the Office of Public Affairs to work with the Office of Economic Initiatives and broadly distribute information attached to his written Board Matter, publicizing the Hackathon and inviting attendance at the event. Without objection, it was so ordered.

27.

**NO BOARD MATTERS FOR SUPERVISOR GROSS (MASON DISTRICT)**  
(12:12 p.m.)

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

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

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

29. **PROCLAMATION REQUEST FOR ALTERNATIVE DISPUTE RESOLUTION (ADR) MONTH** (12:03 p.m.)

Supervisor Storck stated that ADR refers to a number of processes and techniques used to manage or resolve conflict. ADR is an alternative to traditional adversarial processes and helps disputing parties reach mutually agreeable outcomes that consider the needs of all involved and minimize cost, while improving communication and moral.

The County has historically celebrated March as ADR month and also recognizes a leader in this field. This year's recipient is Dr. Charles L. Chavis, Jr., an Assistant Professor of Conflict Analysis and Resolution and History and the Director of the John Mitchell, Jr. Program for History, Justice, and Race, at the School for Conflict Analysis and Resolution at George Mason University.

Therefore, Supervisor Storck asked unanimous consent that the Board direct staff to prepare a Proclamation proclaiming March as *Alternative Dispute Resolution Month* in the County and invite Professor Chavis to appear before the Board on March 10, 2020, to receive this Proclamation. Without objection, it was so ordered.

30. **REQUEST FOR A LETTER TO THE DEPUTY ASSISTANT SECRETARY OF THE ARMY REGARDING JEFF TODD WAY** (12:05 p.m.)

Jointly with Chairman McKay, Supervisor Storck stated that after September 11, 2001, Woodlawn Road and Beulah Street, which connected Richmond Highway and Telegraph Road was closed for public access through Fort Belvoir for security reasons. Thirteen years later in August 2014, Jeff Todd Way was opened through a partnership with Federal Highways, the County, Fort Belvoir, the Army Corps of Engineers, VDOT, and many others. This much welcomed east-west link reconnects the community and eliminates at least a ten-minute detour for South County residents.

Jeff Todd Way is located on property owned by Fort Belvoir and the Humphrey Engineering Center and has required many approvals to transfer the road to VDOT and provide for joint jurisdiction, allowing Military Police and the County Police Department to patrol and provide traffic enforcement. In November 2016, the Commonwealth of Virginia executed a MOA and transmitted it to be signed by the Army Corps of Engineers, however it has not been executed to date. It is critical that this agreement is finalized so the County Police Department can provide traffic enforcement and promote safe driving and reduced speeds.

Therefore, jointly with Chairman McKay, Supervisor Storck, moved that the Board direct staff to send a letter, under the Chairman's signature, to the Deputy Assistant Secretary of the Army requesting immediate support and execution of the necessary agreements. Chairman McKay seconded the motion.

Chairman McKay asked unanimous consent that the Board direct staff to include the previous letters sent by the Board with the one currently being requested. Without objection, it was so ordered.

Supervisor Gross asked unanimous consent that a copy of the letter also be sent to the County's elected officials and to Ivan Bolden, Division Chief, U.S. Army, and Colonel Michael Greenberg, Fort Belvoir Garrison Commander. Without objection, it was so ordered.

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

31. **LUCY BURNS MUSEUM - WORKHOUSE ARTS CENTER (MOUNT VERNON DISTRICT)** (12:11 p.m.)

Supervisor Storck announced that the Lucy Burns Museum will open to the public on May 9, 2020, and he encouraged the community to visit.

32. **MOUNT VERNON DISTRICT TOWN MEETING** (12:13 p.m.)

Supervisor Storck announced that the 33rd annual Mount Vernon Town Meeting will be held on February 1, 2020, at 7:45 a.m., and he encouraged the community to attend the event.

**AGENDA ITEMS**

33. **RECESS/CLOSED SESSION** (12:15 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. Application of Washington Gas Light Company to Increase Rates, PUE-2018-00080 (Va. State Corp. Comm'n) (All Districts)
2. *Jonathan L. Kaminski v. Fairfax County, Virginia, and William E. Hauda, II, M.D.*, Case No. CL-2019-0016952 (Fx. Co. Cir. Ct.)
3. *Ashley Ross v. Fairfax County Department of Family Services*, Record No. 190312 (Va. Sup. Ct.)
4. *Janet Ramallo v. Fairfax County, Fairfax County Board of Supervisors, and Corvel Corporation*, Record No. 1610-19-4 (Va. Ct. App.)
5. *Matthew Gage McCloud v. Mark Butler*, Case No. CL-2018-0007408 (Fx. Co. Cir. Ct.)
6. *Jacob Nguyen, a minor by his mother and next friend, Jea Shin v. Eddie L. Price*, Case No. GV19-020676; and *Ethan Nguyen, a minor by his mother and next friend, Jea Shin v. Eddie L. Price*, Case No. GV19-020675; and *Jea Shin v. Eddie L. Price*, Case No. GV19-020674 (Fx. Co. Gen. Dist. Ct.)
7. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Dennis L. Molina and Pamela G. Molina*, Case No. GV20-000829 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
8. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Ester F. Lopes*, Case No. GV19-042588 (Dranesville District)
9. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Laurence P. Wheeler and Susie A. Wheeler*; Case No. GV19-025586 (Dranesville District)
10. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. The Barbara B. Fierce Trust*, Case No. GV20-000881 (Fx. Co. Gen. Dist. Ct.) (Dranesville)
11. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. David M. Frutchey*, Case No. CL-2019-0016757 (Fx. Co. Cir. Ct.) (Hunter Mill District)
12. *Leslie B. Johnson, Fairfax County Zoning Administrator v. The Malkeet K. Sidhu Revocable Trust, by and through its Trustees*

*Malkeet K. Sidhu, Baltej Singh Sidhu, and Sundeep Singh Sidhu, Case No. CL-2019-0017572 (Fx. Co. Cir. Ct.) (Lee District)*

13. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Robert Dunn and Phyllis Dunn, Case No. CL-2018-0013755 (Fx. Co. Cir. Ct.) (Lee District)*
14. *Jane W. Gwinn, Fairfax County Zoning Administrator v. Chan Ly Thich, Case No. CL-2020-0000500 (Fx. Co. Cir. Ct.) (Mason District)*
15. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ahora Company, L.C., and Peenong, LLC, d/b/a Thai Herb a/k/a El Patio, Case No. CL-2019-0017133 (Fx. Co. Cir. Ct.) (Mount Vernon District)*
16. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Farah F. Devlin, Case No. CL-2015-0009304 (Fx. Co. Cir. Ct.) (Providence District)*
17. *Elizabeth Perry, Property Maintenance Code Official for Fairfax County, Virginia v. Mehrnoosh Shirazi Linke, Case No. GV20-000878 (Fx. Co. Gen. Dist. Ct.) (Sully District)*
18. *Board of Supervisors of Fairfax County, Virginia v. Long and Foster Real Estate, Inc., Case No. CL 2019-0017567 (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 2.23711(A)(7) and (8), legal briefing regarding the opioid litigation
- As permitted by Virginia Code Section 2.23711(A)(3), because open discussion would adversely impact bargaining position or negotiating strategy, discussion and consideration of potential acquisition of property in the Mason District for a public purpose
- As permitted by Virginia Code Section 2.23711(A)(19), briefing regarding tactical plans for maintaining public safety and security in the Government Center

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

At 3:46 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

**ACTIONS FROM CLOSED SESSION**34. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:46 p.m.)

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

35. **MOTION AUTHORIZING FILING OF ADDITIONAL COMPLAINT IN THE OPIOID LITIGATION** (3:47 p.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board authorize and direct the County Attorney to work with the County's outside counsel to file an additional Complaint in federal court against Johnson & Johnson and its subsidiaries related to opioid epidemic, all on the terms discussed with the County Attorney in Closed Session. Supervisor Herrity and Supervisor Lusk jointly seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

36. **3 P.M. – ANNUAL MEETING OF THE FAIRFAX COUNTY SOLID WASTE AUTHORITY** (3:47 p.m.)

At 3:47 p.m., the annual meeting of the Fairfax County Solid Waste Authority was called to order by Chairman McKay in accordance with Article III, Section I of the bylaws.

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

**OFFICERS**

Jeffrey C. McKay Chairman, Fairfax County Board of Supervisors	Chairman
Penelope A. Gross Vice Chairman, Fairfax County Board of Supervisors	Vice Chairman
Jill G. Cooper Clerk for the Fairfax County Board of Supervisors	Secretary
Christopher Pietsch	Treasurer



Director, Department of Finance

Elizabeth Teare  
County Attorney

Attorney

Bryan Hill  
County Executive

Executive Director

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

Authority Representative

The motion was multiply seconded, and it carried by unanimous vote.

Supervisor Gross moved approval of the minutes from the January 22, 2019, meeting of the Fairfax County Solid Waste Authority. Chairman McKay seconded the motion and it carried by a vote of six, Supervisor Alcorn, Supervisor Palchik, Supervisor Lusk and Supervisor Walkinshaw abstaining.

Supervisor Gross moved approval of the financial statements for the County Solid Waste Authority. Chairman McKay seconded the motion and it carried by unanimous vote.

Supervisor Storck made the following comments:

- As you know, the Covanta waste to energy facility provides countywide services and incinerates over 680,000 tons of waste each year. This facility has been located in Lorton since June 1990 and sits among many other county and private industrial facilities. The relationship between the community and all the surrounding industrial facilities provides many opportunities for open and transparent dialogue
- In 2011, when the County was involved in negotiations regarding whether the facility would be purchased or leased, my predecessor ensured that community dialogue was front and center where the long-term impacts of this decision were discussed with the community
- In 2017, a fire was ignited from the tipping floor of the Covanta plant causing it to be closed for many months; and many of you will remember that once again the community's concerns were discussed and addressed throughout the process. The closure of the facility allowed Covanta time to install several major upgrades to the facility and provide next day environmental emissions updates online
- Covanta continues to be an active and engaged partner with the county and community and he appreciates these opportunities as well as their

commitment to engagement with the community, as they have attended almost every meeting over the last several years

- And although this is an extension of our existing disposal agreement and not a newly negotiated contract, his expectations are that this would also be communicated with his office and the community before it was finalized, not after. He realizes this is as new phase of the County's relationship and that it would not have necessarily provided opportunities for any changes, but he is disappointed that the County was not given the chance to discuss this beforehand

Supervisor Gross requested that a copy of the statement be shared with the other members of the Board.

Supervisor Gross moved to adjourn the annual meeting of the County Solid Waste Authority. Supervisor Alcorn and Chairman McKay jointly seconded the motion and it carried by unanimous vote.

At 3:52 p.m., the annual meeting of the Fairfax County Solid Waste Authority was adjourned.

37. **3:30 P.M. - PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2019-SU-019 (MILESTONE TOWER LIMITED PARTNERSHIP IV D/B/A MILESTONE: T-MOBILE) TO PERMIT A TELECOMMUNICATION FACILITY, LOCATED ON APPROXIMATELY 12.26 ACRES OF LAND ZONED R-1 AND WS (SULLY DISTRICT) (3:53 p.m.)**

(NOTE: Earlier in the meeting, Supervisor Smith announced her intent to defer the public hearing. See Clerk's Summary Item CL #22.)

Supervisor Smith moved to defer the public hearing on Special Exception Application SE 2019-SU-019 until **February 11, 2020 at 3:30 p.m.** Supervisor Foust seconded the motion and it carried by unanimous vote.

38. **3:30 P.M. - PUBLIC HEARING ON AGRICULTURAL AND FORESTAL APPLICATION AF 2019-SU-003 (ZAFARALLAH KHAN) TO PERMIT THE CREATION OF AN AGRICULTURAL AND FORESTAL DISTRICT, LOCATED ON APPROXIMATELY 22.91 ACRES OF LAND ZONED R-C AND WS (SULLY DISTRICT) (3:54 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and 17, 2020.

The application property is located at 6745 Bull Run Post Office Road, Centreville, 20120. Tax Map 53-3 ((1)) 5.

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 recommendations.

Supervisor Smith moved approval of Agricultural and Forestal Application AF 2019-SU-003 to amend Appendix F of the Fairfax County Code to establish the Khan Local Agricultural and Forestal District, subject to ordinance provisions dated November 26, 2019. Supervisor Gross seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

39. **3:30 P.M. - PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 2016-HM-035/CDPA 2016-HM-035 (CRS SUNSET HILLS, LC) TO AMEND THE PROFFERS AND CONCEPTUAL DEVELOPMENT PLAN FOR REZONING APPLICATION RZ 2016-HM-035, PREVIOUSLY APPROVED FOR A MIXED USE DEVELOPMENT TO PERMIT MODIFICATIONS TO PROFFERS AND SITE DESIGN AT A 3.68 FLOOR AREA RATIO, LOCATED ON APPROXIMATELY 8.44 ACRES OF LAND ZONED PDC (HUNTER MILL DISTRICT) (4:00 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and 17, 2020.

The application property is located on the south side of Sunset Hills Road, west side of Wiehle Avenue, north side of Reston Station Boulevard. Tax Map 17-4 ((1)) 14A, 17A (pt.), 17B and 20.

Mr. Mark C. Looney, Cooley LLP, 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:

- Dwight C. Schar

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

- Dwight C. Schar

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

- Christopher Clemente

Mary Ann Tsai, 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, Ms. Tsai presented the staff and Planning Commission (PC) recommendations.

Supervisor Alcorn moved:

- Approval of Proffered Condition Amendment Application PCA 2016-HM-035 and the associated Conceptual Development Plan Amendment, subject to the executed proffers dated January 24, 2020
- Modification of Sect. 2-505 of the Zoning Ordinance on the Use Limitations on Corner Lots to permit the proposed building, landscaping, and sign locations within sight triangles formed by the streets along the corner lot as shown on the CDPA/FDPA and as proffered
- Modification of Sect. 11-203 of the Zoning Ordinance for the loading space requirement in favor of the loading spaces depicted on the CDPA/FDPA
- Modification of Sect. 13-303 of the Zoning Ordinance for the transitional screening and waiver of Sect. 13-304 of the Zoning Ordinance for barrier requirement in favor of the landscaping shown on the CDPA/FDPA
- Modification of Par. 4 of Sect. 17-201 of the Zoning Ordinance for the widening of Sunset Hills Road in favor of that shown on the CDPA/FDPA and in the proffers
- Modification of Public Facility Manual Standards 12-0510 4E(5) to permit a reduction of the minimum planting width requirement from eight feet to four feet as shown on the CDPA/FDPA and as proffered.

Supervisor Lusk seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

(NOTE: On October 2, 2019, the PC approved Final Development Plan Application FDPA 2016-HM-035, subject to the development conditions dated October 2, 2019.)

40. **3:30 P.M. - PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2019-MV-017 (SEMIA YUSUF D/B/A PANDA CHILD CARE) TO PERMIT A HOME CHILD CARE FACILITY, LOCATED ON APPROXIMATELY 3,442 SQUARE FEET OF LAND ZONED PDH-5 (MOUNT VERNON DISTRICT) (4:10 p.m.)**

(NOTE: On January 14, 2020, the Board deferred the public hearing until January 28, 2020.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and 17, 2020.

The application property is located at 9935 East Hill Drive, Lorton, 22079. Tax Map 113-2 ((8)) 28.

Ms. Semia R. Yusuf, Applicant, reaffirmed the validity of the affidavit for the record.

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

Ms. Yusuf 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. Onyebuchi, presented the staff and Planning Commission recommendations.

Following a query by Supervisor Storck, Ms. Yusuf confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated October 9, 2019.

Supervisor Storck moved:

- Approval of Special Exception Application SE 2019-MV-017, subject to the development conditions dated October 9, 2019

The motion was multiply seconded, and it carried by unanimous vote.

**EBE:ebe**

41. **3:30 P.M. - PUBLIC HEARING ON REZONING APPLICATION RZ 2019-PR-001 (TOLL MID-ATLANTIC LP COMPANY, INC.) TO**

**REZONE FROM R-1 AND HC TO PDH-3 AND HC TO PERMIT RESIDENTIAL DEVELOPMENT WITH AN OVERALL DENSITY OF 2.93 DWELLING UNITS PER ACRE AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 9.55 ACRES OF LAND (PROVIDENCE DISTRICT)**  
(4:14 p.m.)

(NOTE: Earlier in the meeting, Supervisor Palchik announced her intent to defer the public hearing. See Clerk's Summary Item CL#18.)

Supervisor Palchik stated that the public hearing on Rezoning Application RZ 2019-PR-001 had been previously deferred until **February 25, 2020, at 3:30 p.m.**

A brief discussion ensued, with input from Elizabeth Teare, County Attorney, who confirmed that a motion was not needed for the deferral at this meeting.

42. **3:30 P.M. - PUBLIC HEARING ON REZONING APPLICATION RZ 2018-PR-021 (GEORGELAS, LLC) TO REZONE FROM C-8, I-4 AND HC TO PTC AND HC TO PERMIT MIXED USE DEVELOPMENT WITH AN OVERALL FLOOR AREA RATIO OF 4.05, LOCATED ON APPROXIMATELY 7.08 ACRES OF LAND (PROVIDENCE DISTRICT)**

**(AND)**

**PUBLIC HEARING ON REZONING APPLICATION RZ 2018-PR-022 (GEORGELAS, LLC) TO REZONE FROM I-5, C-7, SC AND HC TO PTC, SC AND HC TO PERMIT MIXED USE DEVELOPMENT WITH AN OVERALL FLOOR AREA RATIO OF 4.73, LOCATED ON APPROXIMATELY 7.32 ACRES OF LAND (PROVIDENCE DISTRICT)**  
(4:15 p.m.)

(NOTE: Earlier in the meeting, Supervisor Palchik announced her intent to defer the public hearing. See Clerk's Summary Item CL#19.)

Supervisor Palchik stated that the public hearing on Rezoning Applications RZ 2018-PR-021 and RZ 2018-PR-022 was deferred at the January 14, 2020, meeting until **March 24, 2020, at 3:30 p.m.**

43. **4 P.M. - PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2019-SU-016 (SADAF AZHAR RASHID KHAN) TO PERMIT A HOME CHILD CARE FACILITY, LOCATED ON APPROXIMATELY 1,267 SQUARE FEET OF LAND ZONED PRM AND WS (SULLY DISTRICT)**  
(4:16 p.m.)

(NOTE: On January 14, 2020, the Board deferred the public hearing until January 28, 2020.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and 17, 2020.

The application property is located at 13967 Endeavour Drive, Herndon, 20171. Tax Map 24-4 ((7)) (8) 10.

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

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

Following a query by Supervisor Smith, Ms. Khan confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated November 26, 2019.

Supervisor Smith moved:

- Approval of Special Exception Application SE 2019-SU-016, subject to the proposed development conditions dated November 26, 2019

The motion was multiply seconded, and it carried by unanimous vote.

44. **4 P.M. - PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-S-038-02 (DOMINION ELECTRIC SUPPLY COMPANY, INC.) TO AMEND REZONING APPLICATION RZ 84-S-038 PREVIOUSLY APPROVED FOR WAREHOUSE WITH ASSOCIATED OFFICE AND RETAIL USES TO PERMIT MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL FLOOR AREA RATIO OF 0.22, LOCATED ON APPROXIMATELY 3.59 ACRES OF LAND ZONED I-5, WS, AN AND HC (SULLY DISTRICT) (4:20 p.m.)**

(NOTE: On January 14, 2020, the Board deferred the public hearing until January 28, 2020.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and 17, 2020.

The application property is located on the south side of Lee Jackson Memorial Highway, approximately 300 ft. east of its intersection with Westfax Drive. Tax Map 34-3 ((1)) 2A.

Mr. G. Evan Pritchard, Venable LLP, reaffirmed the validity of the affidavit for the record.

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

- J. Scott Hommer III, Partner, Venable LLP

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

Mr. Pritchard 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. Fountain presented the staff and Planning Commission recommendations.

Supervisor Smith moved:

- Approval of Proffered Condition Amendment Application PCA 84-S-038-02, subject to the executed proffers dated October 18, 2019

Supervisor Storck seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE.”

45. **4 P.M. - PUBLIC HEARING ON REZONING APPLICATION RZ 2019-BR-007 (VIRENDRA BERY AND AMIT BERY) TO REZONE FROM R-1 TO R-3 TO PERMIT RESIDENTIAL DEVELOPMENT WITH A TOTAL DENSITY OF 2.15 DWELLING UNITS PER ACRE, LOCATED ON APPROXIMATELY 2.32 ACRES OF LAND (BRADDOCK DISTRICT)**  
(4:25 p.m.)

(NOTE: On October 29, 2019, the Board deferred the public hearing until January 28, 2020.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and 17, 2020.



The application property is located on the north side of Maury Road approximately 400 ft. west of its intersection with Powell Road. Tax Map 69-3 ((2)) 14 and 14A.

Mr. Amit Bery, Bery Homes, LLC, reaffirmed the validity of the affidavit for the record.

Mr. Bery 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.

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

Following the public hearing, which included testimony by one speaker, discussion ensued, with input from Mr. Bery, regarding the sewage system capacity around the development.

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

Supervisor Walkinshaw stated that the proposal is consistent with the surrounding neighborhoods and has the support of the Braddock Land Use and Environment Committee and a unanimous recommendation from the Planning Commission (PC). He stated that the applicant has made significant improvements to stormwater and has agreed to contribute \$20,000 to the homeowners association for long-term maintenance of the stormwater facilities on site. They have also committed to the PC to complete a refined tree inventory and work to preserve, especially the large trees on the border of the property, and also agreed to notify the Braddock District office and neighbors in advance of the tree preservation walkthrough.

Supervisor Walkinshaw moved:

- Approval of Rezoning Application RZ 2019-BR-007, subject to the executed proffers dated November 18, 2019

Supervisor Foust seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

46. **4 P.M. - PUBLIC HEARING ON A PROPOSED ZONING ORDINANCE AMENDMENT RE: LOT LINE AND LOT WIDTH** (4:35 p.m.)

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of January 10 and 17, 2020.

Ryan Johnson, Planner, Department of Planning and Development, presented the staff report.

Discussion ensued, with input from Mr. Johnson, regarding outreach efforts and the grandfathering provisions regarding non-conforming lots.

Following the public hearing, Supervisor Smith moved adoption of the proposed Zoning Ordinance Amendment regarding Lot Line and Lot Width, as advertised and set forth in the Staff Report dated October 29, 2019, with an effective date of 12:01 a.m. on January 29, 2020. Supervisor Storck seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

47. **4 P.M. - PUBLIC HEARING ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 85-L-006 (APAH OAKWOOD, LLC) TO AMEND THE PROFFERS FOR REZONING APPLICATION RZ 85-L-006, PREVIOUSLY APPROVED FOR RESIDENTIAL DEVELOPMENT TO PERMIT AN INDEPENDENT LIVING FACILITY AND ASSOCIATED MODIFICATIONS TO PROFFERS AND SITE DESIGN WITH AN OVERALL DENSITY OF 24.2 DWELLING UNITS PER ACRE, LOCATED ON APPROXIMATELY 6.21 ACRES OF LAND ZONED R-8 (LEE DISTRICT)**

**(AND)**

**PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 2019-LE-013 (APAH OAKWOOD, LLC) TO PERMIT AN INDEPENDENT LIVING FACILITY, LOCATED ON APPROXIMATELY 6.21 ACRES OF LAND ZONED R-8 (LEE DISTRICT)** (4:43 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 January 10 and 17, 2020.

The application property is located on the southwest corner of the intersection of Oakwood Road and South Van Dorn Street. Tax Map 91-2 ((1)) 17C and 81-4 ((1)) 32, 33 and 34.

The application property is located at 5815, 5839, 5901 and 5907 South Van Dorn Street, Alexandria, 22310. Tax Map 81-2 ((1)) 17C and 81-4 ((1)) 32, 33 and 34.

Mr. Mark Viani, Attorney, Bean, Kinney & Korman, PC, reaffirmed the validity of the affidavit for the record.

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

Mr. Viani 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, with input from Mr. Viani regarding the proposed number of one and two bedroom units, affordable housing options, number of units with proposed parking spaces, how to address adequate parking, and whether any of the parking will be pervious paved for stormwater management.

Following a brief discussion with input from Tom Fleetwood, Director, Department of Housing and Community Development, Supervisor Herrity asked unanimous consent that the Board direct staff to provide information on the construction cost per unit. Without objection, it was so ordered.

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

Following a query by Supervisor Lusk, Mr. Viani confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated December 31, 2019.

Supervisor Lusk moved:

- Approval of Proffered Condition Amendment Application PCA 85-L-006, subject to the executed proffers conditions dated January 23, 2020
- Approval of Special Exception Application SE 2019-LE-013, subject to the development conditions dated December 31, 2019
- Modification of Par. 11 of Sect. 9-306 of the Zoning Ordinance to the minimum required building setback from the eastern property line from 50 feet to 39 feet

Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting "AYE."

48. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (5:24 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 January 10 and 17, 2020.

Public comment was held and included the following individual:

- Mr. Michael McCabe, Transportation

Following the testimony of Mr. McCabe, Chairman McKay stated that his testimony will be referred to Department of Transportation staff. Supervisor Foust noted that the Virginia Department of Transportation (VDOT) now has a requirement that roundabouts be looked at any time changes are being made to major intersections.

Public comment continued with testimony from the following individuals:

- Ms. Helene Shore, Environmental Resolution
- Mr. Erich Pratt, Second Amendment Sanctuary Ordinance
- Mr. David Kuebrich, Environmental Issues
- Mr. Justin Morrow, Personal Rights
- Mr. Barton Bennett, 2<sup>nd</sup> Amendment Sanctuary and Gun Control Legislation

49. **BOARD ADJOURNMENT** (5:48 p.m.)

The Board adjourned.