



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**TUESDAY
June 27, 2023**

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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, June 27, 2023, at 9:33 a.m., there were present:

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

BOARD MATTER1. **MOMENT OF SILENCE** (9:33 a.m.)

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

- Nathaniel “Nate” Wilson, who died recently. He was the Vice President and Chairman of the Mount Vernon-Lee Chamber of Commerce; Chairman of the Quantico Belvoir Regional Business Alliance; served on the Board of United Community; was the President and founder of the Just in Time Community Development Corporation; a veteran of the United States Air Force; and was active in the community
- Joan Sacarob, who died recently. She was a long time Mason District resident; was one of the founders of the Pozez Jewish Community Center of Northern Virginia; was active in the community; and was named the top wedding planner by *Washingtonian* magazine for more than 10 years
- Bruce Romer, who died recently. He was the Chief Administrative Officer for Montgomery County; was a member of the International City/County Management Association; and was active on the Council of Government Board and other international organizations
- Earl Flanagan, who died recently. He was a member of the Planning Commission; was active in the community; and served in the United States Army
- Marvin Wendell Lautzenheiser, who died recently. He was a resident of Springfield, Virginia; achieved several patents for computer memory architecture; and enjoyed restoring theatre organs

DA:da

AGENDA ITEMS2. **ORDERS OF THE DAY** (9:42 a.m.)

Given the presence in the Board Auditorium, Chairman McKay announced that there would be a change in the order of the presentations and that the Board would proceed with the recognition to law enforcement personnel.

3. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE VIENNA YOUTH INC. VARSITY BOYS RUGBY TEAM**

(NOTE: Later in the meeting this presentation was made. See Clerk’s Summary Item #5.)

4. **RESOLUTION OF RECOGNITION PRESENTED TO LAW ENFORCEMENT PERSONNEL AND OTHERS** (9:42 a.m.)

Supervisor Stork moved approval of the Resolution of Recognition presented to law enforcement personnel and others who contributed to the successful resolution of the Route 1 standoff. Chairman McKay seconded the motion and it carried by unanimous vote.

5. **RESOLUTION OF RECOGNITION PRESENTED TO MEMBERS OF THE VIENNA YOUTH INC. VARSITY BOYS RUGBY TEAM** (10:10 a.m.)

Supervisor Herrity moved approval of the Resolution of Recognition presented to members of the Vienna Youth Inc. Varsity Boys Rugby Team on their championships. Chairman McKay and Supervisor Palchik jointly seconded the motion and it carried by unanimous vote.

6. **RESOLUTION OF RECOGNITION PRESENTED TO THE RESTON COMMUNITY PLAYERS** (10:21 a.m.)

Supervisor Alcorn moved approval of the Resolution of Recognition presented to the Reston Community Players for their recent Awards. Chairman McKay seconded the motion and it carried by unanimous vote.

7. **RESOLUTION OF RECOGNITION PRESENTED TO PRS** (10:28 a.m.)

Supervisor Palchik moved approval of the Resolution of Recognition presented to PRS on its 60th anniversary and for its contributions to the community. Chairman McKay seconded the motion and it carried by unanimous vote.

8. **RESOLUTION OF RECOGNITION PRESENTED TO LARRY BUTLER, OF THE RESTON ASSOCIATION** (10:41 a.m.)

Supervisor Alcorn moved approval of the Resolution of Recognition presented to Larry Butler, of the Reston Association, upon his retirement and for his many contributions to the community. Chairman McKay seconded the motion and it carried by a vote of nine, Supervisor Storck being out of the room.

9. **RESOLUTION OF RECOGNITION PRESENTED TO LAW ENFORCEMENT PERSONNEL AND OTHERS**

(NOTE: Earlier in the meeting this presentation was made. See Clerk's Summary Item #4.)

10. **PRESENTATION OF THE A. HEATH ONTHANK AWARDS** (10:53 a.m.)

(BACs) John Townes, Commissioner, Civil Service Commission, gave a brief presentation regarding the history of the A. Heath Onthank Awards, the highest honor the County bestows on its employees.

Renko Hardison, Chairman, A. Heath Onthank Award Selection Committee, introduced the Committee Members, as follows:

- Michael Coyle, Sully District
- Paul Davis, Hunter Mill District
- Jane Gwinn, Braddock District
- Ernestine Heastie, Providence District
- Suzanne Holland, Mason District
- Philip Rosenthal, Springfield District
- Wesley Speer, Mount Vernon District

Ellicia Seard-McCormick, Deputy County Executive for Administration, and Acting Director, Department of Human Resources, announced the A. Heath Onthank Award recipients, while Mr. Townes, Mr. Hardison, Chairman McKay, and Bryan J. Hill, County Executive, presented the awards to the following:

- Alisa Brooks, Health Department
- Gillian Ethridge, Public Safety Communications
- Nathalie Washington, Health Department

EBE:ebe

11. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (11:01 a.m.)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard June 27, 2023." The motion was jointly seconded by Supervisor Lusk and Supervisor Palchik.

Supervisor Storck asked to amend the motion to appoint Ms. Barbara Broman as the Mount Vernon District Representative to the Human Services Council. This was accepted.

The question was called on the motion, as amended, 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 At-Large Chairman's Representative.

ADVISORY SOCIAL SERVICES BOARD

The Board deferred the appointment of the At-Large Chairman's and Springfield Representatives.

AFFORDABLE DWELLING UNIT ADVISORY BOARD

The Board deferred the appointment of the Builder (Multi-Family), Engineer/Architect/Planner #1 and #2, the Lending Institution, and the Non-Profit Housing Representatives.

AFFORDABLE HOUSING ADVISORY COUNCIL (AHAC)

Appointment of:

- Mr. Jeremy G. Allen as the Mason District Representative

Reappointment of:

- Mr. Richard C. Sullivan as the Co-Chair #2 Representative
- Reverend Keary Kincannon as the Mount Vernon District Representative
- Mr. Joseph Mondoro as the Providence District Representative
- Mr. Paul Zurawski as the Springfield District Representative

Confirmations of:

- Dr. Eleanor M. Vincent as the Advocacy Group #2 Representative
- Dr. Vernon C. Walton as the Business, Economic Development, Health #3 Representative
- Ms. Marlene W. Blum as the Health Care Advisory Board Representative

- Ms. Maura Williams as the Chair of the Continuum of Care Committee Representative

The Board deferred the appointment of the Sully District Representative.

AIRPORTS ADVISORY COMMITTEE

The Board deferred the appointment of Dranesville Business and Mason District Representatives.

ALCOHOL SAFETY ACTION PROGRAM LOCAL POLICY BOARD (ASAP)

The Board deferred the appointment of the At-Large #2, #3, #4, and #5 Representatives.

ATHLETIC COUNCIL

Reappointment of:

- Ms. Marcia Pape Daniels as the Braddock District Principal Representative
- Mr. Mark H. O'Meara as the Braddock District Alternate Representative
- Ms. Barbara R. Lowrey as the Mason District Principal Representative
- Mr. Mark R. Heilbrun as the Springfield District Alternate Representative

Appointment of:

- Mr. Dean Shepard as the Providence District Alternate Representative

The Board deferred the appointment of the Dranesville District Principal and Alternate, Mason District Alternate, and the Sully District Alternate Representatives.

BARBARA VARON VOLUNTEER AWARD SELECTION COMMITTEE

Reappointment of:

- Ms. Marie Colturi as the Hunter Mill District Representative

- Ms. Roberta Kelley Paul as the Mount Vernon District Representative
- Honorable Emilie F. Millie as the Providence District Representative
- Ms. Kim S. Farington as the Springfield District Representative

The Board deferred the appointment of the At-Large Chairman's, Braddock, Dranesville, Franconia, Mason, and Sully District Representatives.

BOARD OF BUILDING AND FIRE PREVENTION CODE APPEALS

The Board deferred the appointment of the Alternate #1, Design Professional #1, #3, and #5 Representatives.

BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS (BOE)

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

CATHY HUDGINS COMMUNITY CENTER ADVISORY COUNCIL

The Board deferred the appointment of the Fairfax County #9 Representative.

CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE

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

CIVIL SERVICE COMMISSION

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

COMMISSION FOR WOMEN

The Board deferred the appointment of the Lesbian-Gay-Bisexual-Queer-Intersex-Asexual ("LGBQIA+") Representative.

COMMUNITY ACTION ADVISORY BOARD (CAAB)

The Board deferred the appointment of the Mason District Representative.

CONSUMER PROTECTION COMMISSION

The Board deferred the appointment of Fairfax County Resident #10 Representative.

CRIMINAL JUSTICE ADVISORY BOARD (CJAB)

The Board deferred the appointment of the Hunter Mill, Mount Vernon and Springfield District Representatives.

DULLES RAIL TRANSPORTATION IMPROVEMENT DISTRICT ADVISORY BOARD, PHASE I

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

ECONOMIC DEVELOPMENT AUTHORITY (EDA)

Reappointment of:

- Mr. James Quigley as the At-Large #2 Citizen Representative
- Mr. Steven Partridge as the At-Large #6 Citizen Representative

The Board deferred the appointment of the At-Large #3 Citizen Representative.

ENGINEERING STANDARDS REVIEW COMMITTEE

Confirmation of:

- Mr. Kevin Pullen as the League of Women Representative

The Board deferred the appointment of the Citizen #2 and #4 Representatives.

ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)

Confirmation of:

- Ms. Oaklen Kalinichenko as the Student Representative

The Board deferred the appointment of the Providence District Representative.

FAIRFAX AREA DISABILITY SERVICES BOARD

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

FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL

Confirmation of:

- Ms. Emily Braley as the Long Term Care Providers #10 Representative

FAIRFAX COUNTY 250TH COMMISSION

The Board deferred the appointment of the Franconia District Representative.

FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD

Reappointment of:

- Mr. Marian Myers as the Hunter Mill District Representative
- Mr. William D. Lecos as the Mason District Representative

Confirmation of:

- Ms. Regina E. Morrone as the Fairfax County Convention and Visitors Corporation #10 Representative

The Board deferred the appointment of the Providence District Representative.

FAIRFAX COUNTY EMPLOYEES' RETIREMENT SYSTEM BOARD OF TRUSTEES

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

FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD

(NOTE: These nominations were announced on May 23, 2023.)

Appointment of:

- Mr. Evan Jones as the At-Large #3 Representative

Re-appointment of:

- Mr. Andrew Scalise as the At-Large #2 Representative
- Mr. Robert Bartolotta as the Providence District Representative
- Ms. Srilekha Reddy Palle as the Springfield District Representative

The Board deferred the appointment of the Dranesville District Representative.

HEALTH CARE ADVISORY BOARD

Reappointment of:

- Ms. Ellyn L. Crawford as the Hunter Mill District Representative
- Ms. Marlene W. Blum as the Providence District Representative

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

HEALTH SYSTEMS AGENCY BOARD

Reappointment of:

- Ms. Linda S. Cook as the Consumer #1 Representative
- Ms. Michelle W. Kimmel as the Consumer #2 Representative
- Ms. Anitha Raj as the Consumer #6 Representative

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

HISTORY COMMISSION

Appointment of:

- Ms. Rachel Rifkind as the Citizen #7 Representative

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

HUMAN RIGHTS COMMISSION

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

HUMAN SERVICES COUNCIL

Appointment of:

- Ms. Barbara Broman as the Mount Vernon District #1 Representative

The Board deferred the appointment of the Dranesville District #2 and Providence District #2 Representatives.

JUVENILE AND DOMESTIC RELATIONS COURT CITIZENS ADVISORY COUNCIL

The Board deferred the appointment of the At-Large Chairman's Representative.

NORTHERN VIRGINIA COMMUNITY COLLEGE BOARD

Reappointment of:

- Mr. Christopher Wade as the Fairfax County #1 Representative

POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES

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

REDEVELOPMENT AND HOUSING AUTHORITY

Appointment of:

- Mr. Michael Cushing as the At-Large #1 Representative

SMALL BUSINESS COMMISSION

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

TENANT-LANDLORD COMMISSION

The Board deferred the appointment of the Citizen Member #1 and #3, Condo Owner, Landlord Member #1, #2 and #3, and Tenant Member #2 and #3 Representatives.

TRANSPORTATION ADVISORY COMMISSION

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

TREE COMMISSION

Appointment of:

- Ms. Rose Hendricks as the Providence District Representative

TRESPASS TOWING ADVISORY BOARD

The Board deferred the appointment of the Citizen Representative.

TYSONS TRANSPORTATION SERVICE DISTRICT ADVISORY BOARD

The Board deferred the appointment of the Commercial or Retail Ownership #3 Representative.

UNIFORMED RETIREMENT SYSTEM BOARD OF TRUSTEES

The Board deferred the appointment of the Citizen Appointed by BOS #4 Representative.

VOLUNTEER FIRE COMMISSION

Confirmation of:

- Mr. Jeffrey A. Snow as the At-Large Representative
- Mr. Robert J. Mizer as the Zone III Representative
- Mr. Michael J. Masciola as the Zone IV Representative
- Mr. Shawn P. Stokes as the Volunteer Fire Chief's Association Representative

WATER AUTHORITY

Reappointment of:

- Mr. Harry F. Day as the Mason District Representative
- Mr. Joseph Cammarata as the Mount Vernon District Representative
- Mr. Burton Jay Robin as the Springfield District Representative

YOUNG ADULTS ADVISORY COMMITTEE

Confirmation of:

- Ms. Jessica Seckman as the Fairfax County Government Employee Representative

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ADDITIONAL BOARD MATTERS

12. **PROCLAMATION REQUEST DESIGNATING SEPTEMBER 2023 AS “SICKLE CELL AWARENESS MONTH”** (11:02 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Proclamation designating September 2023 as “*Sickle Cell Awareness Month*” in the County. Without objection, it was so ordered.

13. **PROCLAMATION REQUEST FOR THE MASTER ARTS PLAN TASK FORCE** (11:02 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation in recognition of the members of the Master Arts Plan Task Force for its recent completion of the Master Arts Plan: Facilities. Without objection, it was so ordered.

14. **PROCLAMATION REQUEST FOR THE ORGANIZERS OF “FAIRFAX COUNTY PRIDE MONTH”** (11:02 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation, in recognition of the organizers of “*Fairfax County Pride Month*” recognitions and celebrations, including but not limited to:

- Reston Pride
- Mosaic Pride
- Fairfax Pride (City of Fairfax)
- Pride Night Out (Springfield Town Center)
- Out and About Festival (Wolf Trap)
- Pride Month Poetry Reading (Fairfax Poet Laureate Danielle Badra and ArtsFairfax)
- Teen Pride DIY and Pride Trivia Night (Fairfax County Public Libraries)
- Trek Fairfax Pride Ride

Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman McKay.

15. **RECENT COUNTY ACHIEVEMENTS** (11:03 a.m.)

Chairman McKay announced the following recent County achievements:

- On June 23, 2023, the Fairfax County Government Channel 16 won an Emmy from the National Academy of Television Arts and Sciences (NATAS) – National Capital Chesapeake Bay Chapter, known as “Capital Emmys”. The Emmy is the “gold-standard” in the television profession across all media platforms and speaks volumes about the County’s work and workplace in the television industry. Over its almost 40 years of operation, Fairfax County Government Channel 16 has received just six Emmy nominations and one Emmy win in 2011
- The County was the highest scoring jurisdiction for the Development Approvals Index: A New Tool to Evaluate Local Approvals Processes
- Laurel Hill Golf Club was ranked among the top 20 best golf courses in Virginia according to the annual Golfers' Choice lists generated by the GolfPass community ratings and reviews. The course was rated number 11 in the Commonwealth

16. **PROCLAMATION REQUEST DESIGNATING SEPTEMBER 17 – 23, 2023, AS “CONSTITUTION WEEK”** (11:08 a.m.)

Supervisor Gross stated that “Constitution Week” is observed each September to commemorate the signing of the U. S. Constitution at Constitutional Convention in 1787, and Daughters of the American Revolution (DAR) have asked that the Board, following the actions of the President and many state governors, proclaim the week of September 17- 23, 2023, as “*Constitution Week*” in the County.

Therefore, jointly with Chairman McKay, Supervisor Gross asked unanimous consent that the Board direct staff to prepare a Proclamation designating September 17 – 23, 2023 as “*Constitution Week*” in the County, and invite the appropriate local DAR leaders to receive the proclamation at the September 12, 2023, Board Meeting. Without objection, it was so ordered.

17. **REQUEST TO EXPEDITE THE SCHEDULING OF A PUBLIC HEARING FOR VERSAR CENTER (MASON DISTRICT)** (11:09 a.m.)

Supervisor Gross stated that the applicant, Versar Property Owner, LLC, is the owner of the Versar Center. This office center is located between the Virginia Railway Express (VRE) railroad tracks and the I-495/I-95/I-395 interchange in Springfield and is identified as Tax Map Parcels: 80-2 ((1)) 22A and

22B. The property has been improved with two office buildings, constructed more than 40-years ago, and a bridge that crosses the floodplain. The owner has invested significant capital and resources in the property, such as major interior improvements, the construction of spec suites and launching intensive marketing campaigns. Despite the owner's efforts, there has been minimal leasing activity on this site in years and it is almost entirely vacant.

The property is located within the Beltway South Industrial Area and is zoned I-5, subject to Rezoning Application RZ 81-A-001 and Proffered Condition Amendment Application PCA 78-A-094. The property is also subject to Special Exception Application SE 80-A-072, which was approved by the Board to permit fill in the floodplain, to allow the bridge connecting the two parcels.

The applicant has filed Special Exception Amendment Application SEA 80-A-072 to modify the conditions to allow for use and site modifications outside of the floodplain boundaries. The applicant does not propose any changes within the floodplain.

Given this narrow amendment and that the applicant is not proposing any changes within the floodplain with this Special Exception Amendment, the applicant has asked for consideration to expedite the scheduling of the public hearings.

Therefore, Supervisor Gross moved that the Board direct the Clerk for the Board of Supervisors and Director of the Department of Planning and Development to expedite the scheduling of the public hearing before the Board for Special Exception Amendment Application SEA 80-A-072 to a date certain of September 12, 2023. This motion should not be construed as a favorable recommendation by the Board and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations or adopted standards. Supervisor Lusk seconded the motion and it carried by unanimous vote.

18. **2023 NATIONAL ASSOCIATION OF COUNTIES (NACo) DELEGATION**
(11:12 a.m.)

Supervisor Gross stated that the Board has received a request from NACo, regarding designating a voting delegate and alternate voting delegate to represent the County at the NACo 2023 Annual Conference and Exposition, to be held in Travis County, Texas, July 21 – 24, 2023.

Therefore, Supervisor Gross moved that the Board designate:

- Chairman McKay as the Voting Delegate
- Bryan Hill, County Executive, as the Alternate Voting Delegate

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

19. **RECENT BRADDOCK DISTRICT EVENTS** (11:14 a.m.)

Supervisor Walkinshaw announced the following recent events in the Braddock District:

- Burke Centre Library celebrated its 15th anniversary on June 24, 2023
- The Task Force on the Future of Lake Accotink held its first public meeting on June 26, 2023

20. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (11:16 a.m.)

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

21. **AWARENESS CAMPAIGN AND PROCLAMATION REQUEST DESIGNATING SEPTEMBER 2023 AS “CHILDHOOD CANCER AWARENESS MONTH”** (11:17 a.m.)

Supervisor Lusk stated that a parent’s top priority is to ensure their children are healthy and safe. Too often parents in the community have their worst fears realized when a doctor tells them their child has cancer. As troubling for the parents as this is, parents can only imagine how their child feels as they navigate such a difficult experience.

Supervisor Lusk stated that today, he wants to focus on the importance of childhood cancer awareness. In 2023, an estimated 15,000 children below the age of 19 will be diagnosed with cancer in the U.S. The rate of cancer in children has increased steadily since the 1970’s, and although mortality rates have greatly improved, serious side effects and complications continue to be an issue for a vast majority of patients well into adulthood. Childhood cancer is the leading cause of childhood mortality by disease, killing one in 10 children who are diagnosed, and yet only four – eight percent of federal cancer research funding goes to studying childhood cancers. Evidently, there is an ongoing need for further education about the impact of childhood cancer.

Spreading awareness about childhood cancer can promote additional dedicated funding for research and development of new treatments so that children’s lives can be saved. To advocate for children is to advocate for the future. Children are the leaders of tomorrow, and acknowledging and uplifting their struggles gives them a voice. As a community and as a Board, the duty is to be a source of comfort and support to kids, especially for those experiencing cancer.

Therefore, jointly with Chairman McKay and Supervisor Palchik, Supervisor Lusk moved that the Board direct the County Executive to assign the:

- Office of Public Affairs to prepare a Proclamation designating September 2023 as “*Childhood Cancer Awareness Month*” in the County, to coincide with the already established National Childhood Cancer Awareness Month
- Appropriate staff to create a childhood cancer awareness campaign for the month of September and create a County webpage dedicated to information, services and resources on childhood cancer

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

22. **EXPEDITED AND CONCURRENT PROCESSING REQUEST FOR 11600 AMERICAN DREAM WAY (HUNTER MILL DISTRICT)**
(11:20 a.m.)

Supervisor Alcorn stated that WS-ADW OWNER LLC has filed Proffered Condition Amendment Application PCA 93-H-004-03, Conceptual Development Plan Amendment Application CDPA 93-H-004-02, and Final Development Plan Amendment Application FDPA 93-H-004-02-02, for the property identified as 17-4 ((01)) 35D and 17-4 ((01)) 36B. This application seeks to replicate a PCA/CDPA/FDPA application approved by the Board on August 2, 2022. However, that approval became null and void when the applicant missed a payment deadline associated with its buyout obligations under the Dulles Rail Tax District. The applicant, therefore, requests that the Board re-approve the project, which remains unchanged since its original approval on August 2, 2022.

This rezoning permits the construction of townhouses in lieu of another high-rise office building on the site. The rezoning was negotiated extensively with the community and staff, and if ultimately built, will provide a number of environmental and public benefits.

Due to the unique circumstances of the application and the fact that site plans to implement the project have been under review for several months, the applicant has requested an expedited public hearing date before the Board, as well as concurrent processing for the site plans.

Therefore, Supervisor Alcorn moved that the Board direct staff:

- To expedite the scheduling of the Board public hearing for Proffered Condition Amendment Application PCA 93-H-004-03, Conceptual Development Plan Amendment Application CDPA 93-H-004-02,

Final Development Plan Amendment Application FDPA 93-H-004-02-02 to the earliest practicable date available

- From the Office of Land Development Services to concurrently process the associated site plan under the County's modified processing regulations. This motion should not be construed as a favorable recommendation by the Board on the proposed applications and does not relieve the applicant from compliance with the provisions of applicable ordinances, regulations, or adopted standards in any way

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

23. **CERTIFICATE OF RECOGNITION REQUEST FOR THE JAMES MADISON HIGH SCHOOL (JMHS) BASEBALL AND LACROSSE TEAMS** (11:23 a.m.)

Supervisor Alcorn stated that a recent article in *The Washington Post* Sports section referred to "championship crazy Vienna," commenting on the number of State championships that have been won by JMHS teams. The Board recently recognized the girls basketball team and this Spring, the high school had two more state championship teams.

Earlier this month, the Warhawks baseball team won its second Virginia Class 6 title in the past three seasons. The team was led by Bryce Eldridge, who is expected to be a top draft pick by Major League Baseball (MLB) next month. This will be the second MLB draft pick from Madison in three years.

Next up was the lacrosse team. JMHS recently won its second straight title and its third in the past four postseasons. Notably, the team lost only two games this season and ended it with a 13-game winning streak.

Therefore, jointly with Supervisor Palchik and Supervisor Smith, Supervisor Alcorn moved that the Board direct the Office of Public Affairs to prepare a Certificate of Recognition for both JMHS teams, to be presented at a time and location that is convenient for the school and student athletes. Supervisor Smith seconded the motion and it carried by unanimous vote.

24. **PROCLAMATION REQUEST FOR THE 75TH ANNIVERSARY OF THE SIGNING OF EXECUTIVE ORDER (EO) 9981** (11:25 a.m.)

Supervisor Storck stated that for years prior to 1948, there had been generations of African Americans serving in the military, including during World War I and World War II, fighting to protect the very freedoms that were frequently denied to them at home.

In November 1947, civil rights leaders, A. Philip Randolph and Grant Reynolds formed the Committee Against Jim Crow in Military Service and Training, which originally targeted Congress for action to desegregate the military. When they found this route fruitless, they turned to President Truman. If he issued an executive order on the issue, it would not be subject to a legislative vote, which was being filibustered by southern state senators.

To give Truman that final push, Mr. Randolph and Mr. Reynolds sent a letter to President Truman, threatening that African American youth would boycott the draft if he did not sign an executive order to end segregation in the military.

On July 26, 1948, President Truman signed Executive Order (EO) 9981, establishing the President's Committee on Equality of Treatment and Opportunity in the Armed Services, committing the United States government to integrate the segregated military.

EO 9981 stated that *"there shall be equality of treatment and opportunity for all persons in the armed forces without regard to race, color, religion, or national origin."* Today, the effect of EO 9981 in the diverse and multi-racial makeup of the men and women serving in the Armed Services can be seen and is a testament to the nation's strength and democratic ideals that all Americans hold dear, that all persons are created equal.

Therefore, jointly with Chairman McKay, Supervisor Gross, Supervisor Herrity, and Supervisor Lusk, and in honor of this momentous occasion in the nation's history, Supervisor Storck asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Proclamation, to be signed by the Chairman, Franconia District Supervisor, Mason District Supervisor, Mount Vernon District Supervisor, and Springfield District Supervisor, to recognize July 26, 2023, as the 75th Anniversary of the signing of EO 9981, committing the United States Government to integrate the military services, to be presented to the Fort Belvoir Garrison Commander at its unveiling ceremony on July 26, 2023, where the Garrison will be renaming Lee Road to EO 9981 Road. Without objection, it was so ordered.

25. **PROCLAMATION REQUEST FOR ANNIE TURNER** (11:30 a.m.)

Supervisor Palchik stated that after seven years as Executive Director for Food for Others, Annie Turner will be stepping down at the end of July. Ms. Turner's work with Food for Others began as a volunteer in 2002, a few years after it was founded in 1995. She was a Neighborhood Site Volunteer, where her growing passion for the need for food in Northern Virginia, as well as the Food for Others' community and staff, led her to serve on the Food for Others' Board of Directors for seven years before becoming the Executive Director in July 2016.

Since 1995, Food for Others has been helping countless families facing food insecurity, ensuring that these families have the resources they need. When the

pandemic hit, the demand for food increased by about 400 percent, increasing the daily people served from 60 - 80 families to about 250. Ms. Turner led the Food for Others' team through this chaotic and unprecedented time to ensure that the community's most vulnerable residents did not go hungry and she continues to manage the ongoing needs of many residents.

During her time leading Food for Others, she also shared her passion around healthy food access, to the start-up, development and growth of the Fairfax Food Council, a community coalition dedicated to healthy, equitable food access for all. She lent her expertise and leadership to the work of the Food Council, including serving as Co-Chair for two years during the pandemic. Her contributions have been greatly appreciated and meaningful.

Ms. Turner is an integral part of both the Food for Others community and the Fairfax Food Council and has made a tremendous impact on so many by providing essential services and unwavering support to families in need. Thank you, Annie, for your years of dedication and commitment to Fairfax County families.

Therefore, Supervisor Palchik moved that the Board direct the Office of Public Affairs to prepare a Proclamation for Ms. Turner, in recognition for her many years of dedicated service and for the positive impact she has made in the community, to be presented out of the Board Auditorium. Chairman McKay seconded the motion and it carried by unanimous vote.

26. **PROCLAMATION REQUEST DESIGNATING JUNE 2023 AS
"IMMIGRANT HERITAGE MONTH"** (11:33 a.m.)

Supervisor Palchik stated that "Immigrant Heritage Month" is a special time to honor and celebrate the courage, culture, and countless contributions of immigrants who have lived and continue to live in the community. Generations of immigrants from different parts of the world have helped shape the County's history and continue to define its future. In line with the One Fairfax Policy, the County welcomes all who wish to live in, work in, and enjoy the community, including those who immigrated from other countries to choose to make Fairfax their home.

The County's diversity makes the community strong and vibrant, and the immigrant population is no exception. Representing the full diversity of Fairfax's race, color, nationality, sex, gender identity, sexual orientation, religion, disability, and income, its immigrant community is truly representative of the richness of the cultures and experiences. In 2020, 29.4 percent of Fairfax's total population were immigrants, and 71.6 percent of immigrants aged 16 and over were in the labor force. The community is rich in many different cultures with 38.7 percent of residents, aged five and over, speak a language other than English at home. The County embraces and celebrates one another's differences and cultural backgrounds. While the County must continue to work every day to ensure that all residents deserve an equitable opportunity to succeed, it continues to value and celebrate the County

being a place where all are welcome and have opportunities to succeed and give back to the community.

Therefore, jointly with Chairman McKay, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Proclamation designating June 2023 as “*Immigrant Heritage Month*” in the County, to be presented in the Board Room at a future meeting. Without objection, it was so ordered.

27. **PROCLAMATION REQUEST DESIGNATING SEPTEMBER 15 – OCTOBER 15, 2023, AS “HISPANIC HERITAGE MONTH”** (11:35 a.m.)

Supervisor Palchik stated that “Hispanic Heritage Month” is an annual celebration of the rich history, culture, and diversity of the Latinx and Hispanic communities. The event, which spans from September 15 to October 15, commemorates the contributions and influence of Hispanic American communities to society.

Hispanic Americans represent a vibrant and thriving part of the diverse Nation. In the County, 16.24 percent of residents are Hispanic/Latino and 13.5 percent of households speak Spanish, in addition to English. The County is very proud of the significant role that Latinx and Hispanic communities play. Supervisor Palchik stated that she is pleased to announce that the County will celebrate “Hispanic Heritage Month” with the event “Fairfax Fiesta.” This inaugural Hispanic Heritage celebration will be on September 23, 2023, from 12 noon – 5 p.m. at the PARC at Tysons (8508 Leesburg Pike).

“Fairfax Fiesta” celebrates not only Hispanic culture but also diversity in the community. This free event promises a unique experience for all ages and backgrounds with cultural performances and entertainment, an artisan market featuring handmade goods from local vendors, children’s activities, and delicious cultural foods to tantalize your taste buds. The festive atmosphere of this family-friendly gathering makes it ideal for creating lasting memories while learning about different cultures. Additional event details will be available soon at <https://celebratefairfax.org/fairfax-fiesta/>.

Therefore, jointly with Chairman McKay, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs to prepare a Proclamation designating September 15 – October 15, 2023, as “*Hispanic Heritage Month*” in the County, to be presented at the “Fairfax Fiesta” event on September 23, 2023. Without objection, it was so ordered.

28. **SPECIAL EXCEPTION APPLICATION FEE WAIVER REQUEST FOR THE VETERANS OF FOREIGN WARS (VFW) POST 8469 (SPRINGFIELD DISTRICT)** (11:38 a.m.)

Supervisor Herrity stated that the VFW Post 8469 has been a pillar of the military community in the County for many decades. It was first chartered in 1946 following

World War II, and was known as “the Blue and Gray Post.” In 1986, it acquired a two-story family home located at 5703 Vogue Road in Fairfax Station, using the ground for activities and meetings. Due to increased membership and lack of accessibility, the VFW Post 8469 applied with the County to permit the expansion of the home to accommodate more members in its meeting hall and be Americans with Disabilities Act (ADA) compliant. However, during the review of the application it was revealed that the VFW Post 8469 does not have an established special exception and is not permitted to operate on the premises. To come into compliance and expand the property, the Post is applying for a special exception for the residentially zoned site. The VFW Post 8469 has had extensive communications with staff and is willing to meet all requirements to move forward with the project. It has requested that the fee associated with the special exception application be waived, so those funds can be redistributed towards the ADA upgrades for the facility.

The County Attorney has confirmed that the Board may waive fees under the Zoning Ordinance “for good cause shown,” as assessed in the sound discretion. VFW Post 8469 has operated from this location for nearly 40-years. Its membership is around 330, including members of the Fairfax County Circuit Court, Virginia General Assembly, and a Medal of Honor Winner. Its community activities include the Honor Flights, Veterans Day and Memorial Day ceremonies, Independence Day Parades, and financial and medical services for the Veteran community. The membership of this organization fought to protect the country and chose to continue to serve the community and their fellow military members.

This organization’s roots in the County, its zoning and occupancy history, the Post’s desire to bring this facility into compliance, and its ties to service in the County under the umbrella of the largest organization of combat veterans in the country, lend to the uniqueness of this request without concern of precedent-setting.

Therefore, Supervisor Herrity moved that the Board waive the fees associated with VFW Post 8469’s special exception application for good cause shown. Chairman McKay seconded the motion. Following discussion regarding this request not being a precedent and the historical component of the property, the question was called on the motion and it carried by unanimous vote.

29. **SPRINGFIELD NIGHTS** (11:42 a.m.)

Supervisor Herrity announced that the fifth season of Springfield Nights will begin on June 28, 2023, and will run through August 23, 2023, at Burke Lake Park. He invited the community to attend the events.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to publicize and share all the Park Authority summer concerts and movies, being held throughout the County this summer, with the community. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman McKay.

30. **CONCURRENT SITE PLAN PROCESSING REQUEST FOR K HOVNANIAN HOMES AT THE GALLERY PARK AT WESTFIELDS, LLC (SULLY DISTRICT)** (11:43 a.m.)

Supervisor Smith stated that K Hovnanian Homes at the Gallery Park at Westfields, LLC has filed a rezoning application for a site previously approved in June 2022 for a stacked townhouse community on Tax Map Parcel 043-2 02 0029G3. This recently filed Rezoning Application, RZ-2023-SU00008, also known as Gallery Park, was submitted to the County due to the voiding of the previous approval resulting from missing a tax payment deadline required for the buyout of Route 28 Tax District properties. The application currently under review is identical to that approved by the Board a year ago, with the sole exception being the sought after approval will change the Board's approval date to allow a timely tax payment for the Route 28 Tax District buyout. The application was previously thoroughly reviewed by the community and staff. A site plan was submitted by the applicant and its processing was put on hold pending resolution of the new rezoning. The applicant is requesting to continue to process the site plan, at their own risk, during the review of the rezoning to allow the project to move forward as expeditiously as possible before the Board public hearing.

Therefore, Supervisor Smith moved that the Board direct acceptance of concurrent and simultaneous processing of any site plans, architectural drawings or other drawings, as may be necessary in conjunction with the pending application. This motion should not be construed as a favorable recommendation by the Board on the pending application and does not relieve the applicant from compliance with the provisions of all applicable ordinances, regulations, or adopted standards. Chairman McKay seconded the motion and it carried by unanimous vote.

DMS:dms

AGENDA ITEMS

31. **ADMINISTRATIVE ITEMS** (11:45 a.m.)

Supervisor Gross moved approval of the Administrative Items. Chairman McKay and Supervisor Lusk jointly seconded the motion.

Supervisor Storck called the Board's attention to Admin 14 – Authorization to Advertise a Public Hearing to Amend Appendix O of the Fairfax County Code to Create a Local Stormwater Management (SMW) Assistance Fund and Enter into an Agreement with Northern Virginia Soil and Water Conservation District (NVSWCD) for Fund Administration and asked to consider it separately. This was accepted.

The question was called on the motion to approve the Administrative Items, with the exception of Admin 14, 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.”

ADMIN 1 – APPROVAL OF THE FAIRFAX COUNTY EMERGENCY OPERATIONS PLAN

Approved the Fairfax County Emergency Operations Plan.

ADMIN 2 – RESOLUTION TO ADOPT THE UPDATED NORTHERN VIRGINIA REGIONAL HAZARD MITIGATION PLAN

- (R) Adopted a resolution approving the adoption of the Northern Virginia Regional Hazard Mitigation Plan.

ADMIN 3 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON A PROPOSED ZONING ORDINANCE AMENDMENT REGARDING ARTICLE 6 PARKING AND LOADING AND RELATED CHANGES

- (A) (R) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on July 26, 2023, at 7:30 p.m., and before the Board on **September 26, 2023, at 4 p.m.**, to consider proposed amendments to the Zoning Ordinance which would repeal and replace Article 6 in its entirety and amend various other sections as they relate to parking.

ADMIN 4 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO LEASE COUNTY-OWNED PROPERTIES FOR THE PURPOSE OF INSTALLING SOLAR FACILITIES (FRANCONIA, MASON, AND BRADDOCK DISTRICTS)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2023, at 3 p.m.**, to consider leasing County-owned property to Sun Tribe Solar for the installation, operation and maintenance of solar photovoltaic panels for the purpose of on-site electric generation at the:

- Police Operational Support Bureau under construction at 3911 Woodburn Road (Mason District)
- Franconia Governmental Center and Kingstowne Library under construction at 7130 and 7170 Silver Lake Boulevard (Franconia District)
- Mason District Police Station addition which is in design at 6507 Columbia Pike (Mason District)

- Stormwater and Wastewater Consolidation Facility under construction at 6000 Fred Oak Road (Braddock District)

ADMIN 5 – AUTHORIZATION FOR THE FAIRFAX COUNTY DEPARTMENT OF TRANSPORTATION (DOT) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE UNITED STATES DEPARTMENT OF TRANSPORTATION’S (USDOT) FISCAL YEAR (FY) 2023 SAFE STREETS AND ROADS FOR ALL DISCRETIONARY GRANT PROGRAM (FRANCONIA AND MASON DISTRICTS)

- (R)
- Directed the DOT to apply for, and accept if received, grant funding from USDOT of \$20 million, including \$4 million in Local Cash Match through the FY 2023 SS4A Discretionary Grant Program Implementation and Planning and Demonstration Grants for the list of recommended projects
 - Directed staff to enter into the grant agreement(s) and any related agreements, including, but not limited to, Federal Subaward Agreements on behalf of the County for any related funding

ADMIN 6 – APPROVAL OF TRAFFIC CALMING MEASURES AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – GATESHEAD ROAD (MOUNT VERNON DISTRICT)

- (R)
- Adopted the Resolution endorsing a traffic calming plan for Gateshead Road (Mount Vernon District) consisting of four speed humps
 - Directed staff to schedule installation of the approved measures as soon as possible

ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON LORTON MARKET STREET AND GUNSTON COVE ROAD (MOUNT VERNON DISTRICT)

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2023, at 4:30 p.m.**, to consider endorsing Lorton Market Street and Gunston Cove Road, between Lorton Road and Richmond Highway (Route 1), to be included in the Residential Traffic Administration Program for a through truck traffic restriction.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ESTABLISH PARKING RESTRICTIONS ON PENDER DRIVE (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2023, at 4:30 p.m.**, regarding proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, recreational vehicles (watercraft, boat trailers, motor homes, or camping trailers), and any trailer or semitrailer, as defined, respectively, in Fairfax County Code Section 82-5-7, 82-5B-1 and 82-1-2(a), from parking on Pender Drive (Route 5975) from Waples Mill Road to the cul-de-sac, inclusive, 24 hours per day, seven days a week.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ESTABLISH PARKING RESTRICTIONS ON BOONE BOULEVARD (PROVIDENCE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2023, at 4 p.m.**, regarding proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, recreational vehicles (watercraft, boat trailers, motor homes, or camping trailers), and any trailer or semitrailer, as defined, respectively, in Fairfax County Code Section 82-5-7, 82-5B-1 and 82-1-2(a), from parking on the north side of Boone Boulevard (Route 786), from Howard Avenue to the southeastern property line of 8230 Boone Boulevard, 24 hours per day, seven days a week.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ESTABLISH PARKING RESTRICTIONS ON BOSTON BOULEVARD, CORPORATE COURT, AND RESEARCH WAY (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2023, at 4 p.m.**, regarding proposed amendments to the Code of the County of Fairfax, Appendix R, to prohibit commercial vehicles, recreational vehicles (watercraft, boat trailers, motor homes, or camping trailers), and any trailer or semitrailer, as defined, respectively, in Fairfax County Code Section 82-5-7, 82-5B-1 and 82-1-2(a), from parking on the following roadway segments between 9 a.m. and 5 p.m., Monday through Friday:

- Boston Boulevard (Route 6800), from Fullerton Road to the cul-de-sac, inclusive
- Corporate Court (Route 7317), from Boston Boulevard to the cul-de-sac, inclusive
- Research Way (Route 7316), from Boston Boulevard to the cul-de-sac, inclusive

ADMIN 11 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONVEY BOARD OWNED PROPERTY ON COLUMBIA PIKE TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (MASON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **July 25, 2023, at 3 p.m.**, regarding the conveyance of Board-owned property located at 5827 Columbia Pike to the FCRHA.

ADMIN 12 – AUTHORIZATION FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE DEPARTMENT OF CRIMINAL JUSTICE SERVICES (DCJS), FISCAL YEAR (FY) 2023 PROJECT SAFE NEIGHBORHOODS GRANT PROGRAM

- Authorized the FCPD to apply for and accept funding, if received, from the DCJS, FY 2023 Project Safe Neighborhoods Grant Program in the amount of \$241,500. FCPD will use the funding to expand the license plate reader system to combat a rise in violent car jacking and stolen vehicle events. No new positions will be created, and no local cash match is required
- Authorized the Chairman of the Board, the County Executive, and/or 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 13 – SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 23267 FOR THE FAIRFAX COUNTY POLICE DEPARTMENT (FCPD) TO ACCEPT GRANT FUNDING FROM THE VIRGINIA DEPARTMENT OF CRIMINAL JUSTICE SERVICES FOR LAW ENFORCEMENT EQUIPMENT

- (SAR)
- Approved SAR AS 23267 for the FCPD to accept funding from the Virginia Department of Criminal Justice Services made available through the State's American Rescue Plan Act State and Local Fiscal Recovery Fund allocation in the amount of \$1.0 million. This funding will be utilized to replace the two outdated robots used by the Explosive Ordinance Disposal Section. No new positions will be created, and no local cash match is required
 - Authorized the Chairman of the Board, the County Executive, and/or 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 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND APPENDIX O OF THE FAIRFAX COUNTY CODE TO CREATE A LOCAL STORMWATER MANAGEMENT (SMW) ASSISTANCE FUND AND ENTER INTO AN AGREEMENT WITH NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD) FOR FUND ADMINISTRATION

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See page 23.)

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #32.)

ADMIN 15 – SUPPLEMENTAL APPROPRIATION RESOLUTION AS 23254 FOR THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT (DHCD) TO ACCEPT GRANT FUNDING FROM THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR THE COMMUNITY PROJECT FUNDING REQUESTS INCLUDED IN THE CONSOLIDATED APPROPRIATIONS ACT, 2023

(SAR) Approved SAR AS 23254 for the DHCD to accept grant funding from HUD in the amount of \$1.7 million supporting two projects that were funded through the Consolidated Appropriations Act, 2023. No local cash match is required.

32. **ADMIN 14 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND APPENDIX O OF THE FAIRFAX COUNTY CODE TO CREATE A LOCAL STORMWATER MANAGEMENT (SMW) ASSISTANCE FUND AND ENTER INTO AN AGREEMENT WITH NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD) FOR FUND ADMINISTRATION** (11:46 a.m.)

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item #31.)

(A) Supervisor Storck moved that the Board authorize the:

- Advertisement of a public hearing to be held before the Board on September 12, 2023, at 4 p.m., to consider proposed amendments to the Code of the County of Fairfax, Appendix O, to create a Local SMW Assistance Fund, and amend Section 3, to update the reference to the State Code
- Chairman of the Board, the County Executive, or a designee appointed by the County Executive to enter into an agreement with NVSWCD to implement the Private SWM Facility Assistance Grant Program to disburse grants from the Fund

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

EBE:ebe

33. **A-1 – APPROVAL OF A MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN THE BOARD OF SUPERVISORS AND THE SOUTHEAST FAIRFAX DEVELOPMENT CORPORATION, INC. (SFDC) (FRANCONIA AND MOUNT VERNON DISTRICTS)** (11:47 a.m.)

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

- Approve the MOU between the Board and the SFDC for the period of July 1, 2023, through June 30, 2027
- Authorize the County Executive to sign the MOU, on behalf of the Board

Chairman McKay and Supervisor Lusk jointly seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote,

34. **A-2 – APPROVAL OF A PARKING REDUCTION FOR THE REDEVELOPMENT OF THE WEST FALLS CHURCH METRO STATION SITE (DRANESVILLE DISTRICT)** (11:48 a.m.)

Supervisor Foust moved that the Board defer action on Parking Reduction Request #PKS-2022-00001, until **July 11, 2023**, with the record to remain open to receive written and electronic comments. The motion was multiply seconded and it carried by unanimous vote.

35. **A-3 – APPROVAL OF A PARKING REDUCTION FOR CHESAPEAKE BAY PLAZA LLC - 5501-5515 LEESBURG PIKE (MASON DISTRICT)** (11:49 a.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve a parking reduction of 20 percent for the shopping center located on 2023 Tax Map Number 62-3 ((2)) 45A, 46 and 51A, in conformance with the Zoning Ordinance, based on information contained in the parking adjustment request, #PKS-2023-00007, subject to the conditions outlined in Attachment One of the Board Agenda Item. Supervisor Lusk seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

36. **A-4 – DESIGNATION OF THE TELESTAR COURT SITE AS A REVITALIZATION AREA (PROVIDENCE DISTRICT)** (11:50 a.m.)

Supervisor Palchik moved to defer action on this item until later in the meeting.

Supervisor Gross noted that she represents the County on the Inova Board of Trustees and, out of an abundance of caution, she will be recusing herself from the vote later in the meeting, at the appropriate time.

Supervisor Walkinshaw noted that he represents the County on the Quality and Reliability Committee of the Inova Health System Foundation Board and, out of an abundance of caution, he will also be recusing himself from the vote at the appropriate time.

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

(NOTE: Later in the meeting, action was taken regarding this item. See Clerk's Summary Item #54.)

37. **A-5 – RESOLUTION OF SUPPORT FOR MODIFICATIONS OF THE LIMITED ACCESS LINE OF INTERSTATE 495 TO PROVIDE DIRECT PEDESTRIAN ACCESS (PROVIDENCE DISTRICT) (11:51 a.m.)**

(R) On motion of Supervisor Palchik, jointly seconded by Supervisor Lusk and Chairman McKay, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a resolution supporting the limited access line shift along Interstate 495.

38. **A-6 – APPROVAL OF AN AGREEMENT BETWEEN THE FAIRFAX COUNTY SCHOOL BOARD AND FAIRFAX COUNTY BOARD OF SUPERVISORS (BOS) RELATING TO THE INSTALLATION AND OPERATION OF A VIDEO MONITORING SYSTEM TO ENFORCE THE LAW AGAINST PASSING STOPPED SCHOOL BUSES IN ACCORDANCE WITH THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, ARTICLE 2, SECTION, 82-2-8 (11:52 a.m.)**

Following comments, Supervisor Lusk moved that the Board concur in the recommendation of staff and approve and authorize the County Executive or his designee to sign an agreement between the Fairfax County School Board and the County of Fairfax BOS as set forth in Attachment One of the Board Agenda Item. Supervisor Foust and Chairman McKay jointly seconded the motion.

Discussion ensued, with input from Corinne Lockett, Senior Assistant County Attorney, regarding whether the vehicle owner or the driver is responsible for paying the civil penalty fine.

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that staff provide an update on this issue at a future meeting of the Board's Public Safety Committee, as well as how many of the citations have been paid. Without objection, it was so ordered.

Vice-Chairman Gross returned the gavel to Chairman McKay.

Discussion continued, with input from Thomas Arnold, Deputy County Executive, regarding the request and outreach efforts concerning the program.

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

39. **A-7 – APPROVAL OF AND AUTHORIZATION TO EXECUTE THE TYSONS COMMUNITY CENTER DEVELOPMENT AGREEMENT WITH ARLINGTON PARTNERSHIP FOR AFFORDABLE HOUSING, INC. AND THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) FOR THE DEVELOPMENT OF THE TYSONS COMMUNITY CENTER IN THE DOMINION SQUARE PROJECT (HUNTER MILL DISTRICT)** (12:08 p.m.)

Supervisor Alcorn moved that the Board concur in the recommendation of staff and approve and authorize the County Executive to execute the proposed Tysons Corner Center Development Agreement with the Arlington Partnership for Affordable Housing, Inc. and the FCRHA to construct and deliver the Tysons Community Center integrated into the Dominion Square Project located at 1592 Spring Hill Road, Tysons, VA 22182. Chairman McKay and Supervisor Palchik jointly seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

40. **A-8 – APPROVAL OF A PARKING REDUCTION FOR DOMINION SQUARE WEST – BUILDINGS C-5 AND C-6 MULTI-FAMILY DEVELOPMENT (HUNTER MILL DISTRICT)** (12:10 p.m.)

Supervisor Alcorn clarified that this item was not only requesting approval of a 17.2 percent reduction (89 fewer spaces), but it provides alternatives that are being explored.

Discussion ensued, with input from Michael Davis, Land Development Services, regarding the parking reduction option being approved.

Supervisor Alcorn moved that the Board concur in the recommendation of staff and approve a parking reduction for Dominion Square West multi-family development and community center, 2023 Tax Map Number 29-3 ((1)) 2D, pursuant to the provisions in the Zoning Ordinance based on the site's location proximate to Metrorail, as demonstrated in the parking study #8865-PKS-001, subject to the conditions outlined in Attachment One of the Board Agenda Item. Chairman McKay and Supervisor Foust jointly seconded the motion and it carried by unanimous vote.

41. **A-9 – AUTHORIZATION OF FALL 2023 SCHOOL BOND REFERENDUM**
(12:13 p.m.)

(R) Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved that the Board concur in the recommendation of staff and adopt a resolution directing the County Attorney to petition the Circuit Court to order a school bond referendum on November 7, 2023. Vice-Chairman Gross seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

42. **A-10 – APPROVAL OF THE CONSOLIDATED COMMUNITY FUNDING (CCF) ADVISORY COMMITTEE RECOMMENDATIONS FOR THE FISCAL YEAR (FY) 2025 AND FY 2026 FUNDING CATEGORIES FOR THE CONSOLIDATED COMMUNITY FUNDING POOL** (12:14 p.m.)

Supervisor Gross moved that the Board concur in the recommendation of staff and approve the FY 2025 and FY 2026 funding categories for the CCF Pool, as recommended by the CCF Advisory Committee. The motion was multiply seconded.

Discussion ensued, with input from Christopher Leonard, Deputy County Executive, and Sarah Allen, Department of Neighborhood and Community Services, regarding the community outreach efforts, the funding process, prioritization, and the budget.

Chairman McKay suggested that staff should make a presentation on the funding process at a future Budget Committee or Health and Human Services Committee meeting.

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

DMS:dms

43. **RECESS/CLOSED SESSION** (12:33 p.m.)

Following a query to Elizabeth Tears, County Attorney, regarding the amount of time needed for Closed Session, 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 Section 2.2-3711(A) (1), including personnel matters relating to constitutional officer salaries, annual evaluation of the Executive Director of the Police Civilian Review Panel, and

consideration of candidates for the vacant Auditor of the Board position.

- (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 Section 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 Section 2.2-3711(A) (7) and (8).
 - 1. *JBG Tysons Hotel LLC v. Board of Supervisors of Fairfax County, Virginia*, Case Nos. CL-2021-0017762 and CL-2022-0015892 (Fx. Co. Cir. Ct.) (Hunter Mill District)
 - 2. *Ramon Estrada v. Fairfax County Government*, JCN VA0000873565 (VWCC)
 - 3. *Wesley Shifflett v. Bryan J. Hill and Fairfax County, Virginia*, Case No. CL-2023- 0008048 (Fx. Co. Cir. Ct.)
 - 4. *Yasmine Djama, by next friend Moustapha Djama v. Fairfax County, Board of Supervisors of Fairfax County, Edwin C. Roessler Jr., Fairfax County Police Department, Joshua Shoemaker, Brandon Vinson, and John Doe Police Officers 1-5*, Case No. CL-2023-0007942 (Fx. Co. Cir. Ct.); *Amran Djama, by next friend Moustapha Djama v. Fairfax County, Board of Supervisors of Fairfax County, Edwin C. Roessler Jr., Fairfax County Police Department, Joshua Shoemaker, Brandon Vinson, and John Doe Police Officers 1-5*, Case No. CL-2023-0007941 (Fx. Co. Cir. Ct.); *Ibrahim Djama, by next friend Moustapha Djama v. Fairfax County, Board of Supervisors of Fairfax County, Edwin C. Roessler Jr., Fairfax County Police Department, Joshua Shoemaker, Brandon Vinson, and John Doe Police Officers 1-5*, Case No. CL-2023-0007925 (Fx. Co. Cir. Ct.); and *Samira Djama, by next friend Moustapha Djama v. Fairfax County, Board of Supervisors of Fairfax County, Edwin C. Roessler Jr., Fairfax County Police Department, Joshua Shoemaker, Brandon Vinson, and John Doe Police Officers 1-5*, Case No. CL-2023-0007940 (Fx. Co. Cir. Ct)

5. *Cisco Systems, Inc. v. Board of Supervisors of Fairfax County, Virginia*, Case No. CL-2022-0007328 (Fx. Co. Cir. Ct.)
6. *Road Runner Wrecker Service, Inc. v. Fairfax County*, CL-2022-0006761 (Fx. Co. Cir. Ct.)
7. *Stephen Bernarde Odoms v. Fairfax County Department of Family Services*, Record No. 0624-22-4 (Va. Ct. App.)
8. *Board of Supervisors of Fairfax County and William Hicks, Director of the Fairfax County Department of Land Development Services v. Loren W. Hershey and Birgit Hershey*, Case No. CL-2019-0016688 (Fx. Co. Cir. Ct.) (Sully District)
9. *Warren H. Shang and Warren H. Shang, Trustee of the Shang Living Trust v. Board of Supervisors of Fairfax County*, Case No. CL-2023-0008569 (Fx. Co. Cir. Ct.)
10. *Leach-Lewis Trust 18MAR13, s/k/a Rita M. Leach-Lewis v. Board of Supervisors*, Record No. 0815-22-4 (Va. Ct. App.)
11. *Kristal Hernandez v. Claudia Castro, Badge #353567*, Case No. GV23-000060 (Fx. Co. Gen. Dist. Ct.)
12. *State Farm Mutual Automobile Insurance Company, as subrogee of Wilfredo Lopez v. Ezhaun Coleman*, Case No. GV23-008420 (Fx. Co. Gen. Dist. Ct.)
13. *Jay Riat, Building Official for Fairfax County, Virginia v. Huu D. Tran and Nahanh T. Le*, Case No. CL-2022-0015917 (Fx. Co. Cir. Ct.) (Braddock District)
14. *Jay Riat, Building Official for Fairfax County, Virginia v. Masoud Hashemi*, Case No. CL-2023-0007881 (Fx. Co. Cir. Ct.) (Braddock District)
15. *Jay Riat, Building Official for Fairfax County, Virginia v. Michael Klein*, Case No. GV22-004793 (Fx. Co. Gen. Dist. Ct.) (Mason District)
16. *Jay Riat, Building Official for Fairfax County, Virginia v. Jennet Mofor*, Case No. GV23-009477 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
17. *Jay Riat, Building Official for Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Masoud Aboughaddareh and Golnaz*

- Aboughaddareh*, Case No. CL-2022-0001785 (Fx. Co. Cir. Ct.) (Dranesville District)
18. *Jay Riat, Building Official for Fairfax County, Virginia, and Leslie B. Johnson, Fairfax County Zoning Administrator v. Masoud Aboughaddareh and Golnaz Aboughaddareh*, Case No. CL-2023-0008311 (Fx. Co. Cir. Ct.) (Dranesville District)
 19. *Jay Riat, Building Official for Fairfax County, Virginia v. Rajwinder Singh*, Case No. GV22-019024 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 20. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia, v. Jacques Gansler and Leah Gansler, aka Ligia Gansler*, Case No. GV23-004904 (Fx. Co. Gen. Dist. Ct.) (Dranesville District)
 21. *Leslie B. Johnson, Fairfax County Zoning Administrator and Jay Riat, Building Official for Fairfax County, Virginia v. Phillip W. Trott and Sandra Montiel*, Case No. CL-2022-0015918 (Fx. Co. Cir. Ct.) (Franconia District)
 22. *Jay Riat, Building Official for Fairfax County, Virginia v. Azmat Kham*, Case No. CL-2022-0008979 (Fx. Co. Cir. Ct.) (Franconia District)
 23. *Jay Riat, Building Official for Fairfax County, Virginia v. Hever Joel Rosales and Margarita Rosales*, Case No. CL-2022-0006511 (Fx. Co. Cir. Ct.) (Franconia District)
 24. *Jay Riat, Building Official for Fairfax County, Virginia v. Analise Latoya Fagan* Case No. GV23-007150 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
 25. *Jay Riat, Building Official for Fairfax County, Virginia v. Chi My Hong and Alex Davalos*, Case No. GV23-005111 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
 26. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia, v. Robert James Toney*, Case No. GV23-009206 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
 27. *Jay Riat, Building Official for Fairfax County, Virginia v. Julio C. Moreno and Lelfia D. Flores Blanco, aka Leflina Yanira Blanco*, Case No. GV23-008299 (Fx. Co. Gen. Dist. Ct.) (Franconia District)

28. *Jay Riat, Building Official for Fairfax County, Virginia v. Mezeh-Reston, L.L.C. and 12200 Sunset Hills L.L.C.*, Case No. CL-2023-0008173 (Fx. Co. Cir. Ct.) (Hunter Mill District)
29. *Jay Riat, Building Official for Fairfax County, Virginia v. Osmin H. Rodriguez*, Case No. CL-2022-0010805 (Fx. Co. Cir. Ct.) (Mason District)
30. *Jay Riat, Building Official for Fairfax County, Virginia v. Rosa E. Coreas*, Case No. CL-2022-0004588 (Fx. Co. Cir. Ct.) (Mason District)
31. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Ragheb Aburish*, Case No. CL-2017-0015519 (Fx. Co. Cir. Ct.) (Mason District)
32. *Jay Riat, Building Official for Fairfax County, Virginia v. David Widawsky and Shulamit Widawsky*, Case No. CL-2023-0007641 (Fx. Co. Cir. Ct.) (Mason District)
33. *Jay Riat, Building Official for Fairfax County, Virginia v. Edwin Morales Ayala*, Case No. CL-2023-0008313 (Fx. Co. Cir. Ct.) (Mason District)
34. *Jay Riat, Building Official for Fairfax County, Virginia v. Mohib Khan and Yasmin Ghaffar*, Case No. GV22-018258 (Fx. Co. Gen. Dist. Ct.) (Mason District)
35. *Jay Riat, Building Official for Fairfax County, Virginia v. Abdullahi A. Sule, Jr., and Danielle F. Sule, aka Danielle Zulaiga*, Case No. GV23-005112 (Fx. Co. Gen. Dist. Ct.) (Mason District)
36. *Jay Riat, Building Official for Fairfax County, Virginia v. Melda Al Khalili*, Case No. GV22-005119 (Fx. Co. Gen. Dist. Ct.) (Mason District)
37. *Jay Riat, Building Official for Fairfax County, Virginia v. Alberto Sandoval and Martha Sandoval*, Case No. GV22-010028 (Fx. Co. Gen. Dist. Ct.) (Mason District)
38. *Jay Riat, Building Official for Fairfax County, Virginia v. Karbyte Contracting, LLC*, Case No. GV23-006273 (Fx. Co. Gen. Dist. Ct.) (Mason District)
39. *Jay Riat, Building Official for Fairfax County, Virginia v. Rafik Abdullahi and Semira Abdulkadir*, Case No. GV23-007151 (Fx. Co. Gen. Dist. Ct.) (Mason District)

40. *Jay Riat, Building Official for Fairfax County, Virginia v. V-NBC, LLC*, Case No. CL-2023-0002195 (Fx. Co. Cir. Ct.) (Mount Vernon District)
41. *Jay Riat, Building Official for Fairfax County, Virginia v. Estate of Raleigh E. Worsham*, Case No. GV22-011200 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
42. *Jay Riat, Building Official for Fairfax County, Virginia v. Estate of Raleigh E. Worsham, and Lorton Granite & Marble, LLC*, Case No. GV22-011201 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
43. *Jay Riat, Building Official for Fairfax County, Virginia v. Estate of Ralph E. Worsham and PrimeKey, LLC*, Case No. GV22-011825 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
44. *Jay Riat, Building Official for Fairfax County, Virginia v. Libero Investments, LLC*, Case No. GV23-002402 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
45. *Jay Riat, Building Official for Fairfax County, Virginia v. Gerson O. Cruz, et al.*, Case No. GV23-005126 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
46. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia, v. Carrie Poulin and Kazim Ali*, Case No. GV22-005122 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
47. *Jay Riat, Building Official for Fairfax County, Virginia v. Chad West Harris*, Case No. GV23-005113 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
48. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Chad West Harris*, Case No. GV23-005114 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
49. *Jack Weyant, Property Maintenance Code Official for Fairfax County, Virginia, v. Vicki M. Cocuzzi*, Case No. GV23-009209 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
50. *Jay Riat, Building Official for Fairfax County, Virginia v. Hector M. Perez Campos and Delmy A. Rodriguez*, Case No. GV23-009211 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

51. *Jay Riat, Building Official for Fairfax County, Virginia v. Marisol Ferrel*, Case No. CL-2022-0006388 (Fx. Co. Cir. Ct.) (Providence District)
52. *Jay Riat, Building Official for Fairfax County, Virginia v. The Board of Directors, Unit Owners Association of Renaissance 2230 and Gates Hudson Community Management, LLC*, Case No. GV22-017388 (Fx. Co. Gen. Dist. Ct.) (Providence District)
53. *Jay Riat, Building Official for Fairfax County, Virginia v. Jessica Hannah Shim*, Case No. GV22-019034 (Fx. Co. Gen. Dist. Ct.) (Providence District)
54. *Jay Riat, Building Official for Fairfax County, Virginia v. Obaidullah Bahich*, Case No. GV22-004946 (Fx. Co. Gen. Dist. Ct.) (Providence District)
55. *Jay Riat, Building Official for Fairfax County, Virginia v. Khatib Family Trust*, Case No. GV23-005531 (Fx. Co. Gen. Dist. Ct.) (Providence District)
56. *Jay Riat, Building Official for Fairfax County, Virginia v. Merrilee Station, LLC*, Case No. GV23-005531 (Fx. Co. Gen. Dist. Ct.) (Providence District)
57. *Jay Riat, Building Official for Fairfax County, Virginia v. Andreas M. Brandt*, Case No. GV23-006553 (Fx. Co. Gen. Dist. Ct.) (Providence District)
58. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Jensine Tutwiler and David L. Perrin*, Case No. GV22-005884 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
59. *Jay Riat, Building Official for Fairfax County, Virginia v. Andrea P. Ortuno and Herlan O. Ortuno*, Case No. GV22-006444 (Fx. Co. Gen. Dist. Ct.) (Springfield District)
60. *Jay Riat, Building Official for Fairfax County, Virginia v. Gezu D. Kalaye*, Case No. GV22-019029 (Fx. Co. Gen. Dist. Ct.) (Braddock District)
61. *Jay Riat, Building Official for Fairfax County, Virginia v. Walney Business Center, LLC*, Case No. GV22-002373 (Fx. Co. Gen. Dist. Ct.) (Sully District)

62. *Board of Supervisors of Fairfax County, Virginia, v. Megan Bailey, Associate Coldwell Bankers Realty*, Case No. GV23-009479 (Dranesville District)

63. *Board of Supervisors of Fairfax County, Virginia, v. ToiletKing, LLC*, Case No. GV23-001587 (Dranesville, Hunter Mill, Providence, Springfield and Sully Districts)

And in addition:

- As permitted by Virginia Code Section 2.2-3711(A)(8), legal briefing regarding Senate Bill 1151 from the 2023 General Assembly regular session
- As permitted by Virginia Code Section 2.2-3711(A)(1) and (8), legal and personnel analysis regarding constitutional officer salaries
- As permitted by Virginia Code Section 2.2-3711(A)(1), personnel discussion regarding an annual employee evaluation and consideration of candidates for a vacant position

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

At 3:42 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

ACTIONS FROM CLOSED SESSION

44. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:42 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."

45. **AUTHORIZATION OF MEDIATION RELATED TO THE WORKERS' COMPENSATION CLAIMS OF RAMON ESTRADA** (3:43 p.m.)

Supervisor Gross moved that the Board authorize the Risk Manager and the County Attorney to participate in mediation regarding the claims of former Fire and Rescue Department employee Ramon Estrada as filed against the County with the Virginia Workers' Compensation Commission and to settle those claims under the

terms and conditions outlined in Closed Session. Supervisor Lusk seconded the motion and it carried by unanimous vote.

46. **SALARY ADJUSTMENT FOR THE FAIRFAX COUNTY COMMONWEALTH'S ATTORNEY** (3:43 p.m.)

As required by Virginia Code Section 15.2-1627.1 (B), Supervisor Gross moved that the Board adjust the Fairfax County Commonwealth's Attorney's annual salary to \$200,269.10, effective July 1, 2023. Supervisor Lusk seconded the motion. Following discussion regarding salary adjustments for constitutional officers being required and mandated by State law, the question was called on the motion and it carried by unanimous vote.

47. **SALARY ADJUSTMENT FOR THE FAIRFAX COUNTY SHERIFF** (3:44 p.m.)

As required by Virginia Code Section 15.2-1609.2(F), Supervisor Gross moved that the Board adjust the Fairfax County Sheriff's annual salary to \$241,978.74, effective July 1, 2023. Supervisor Alcorn seconded the motion and it carried by unanimous vote.

48. **SALARY ADJUSTMENT FOR THE FAIRFAX COUNTY CLERK OF THE CIRCUIT COURT** (3:45 p.m.)

As required by Virginia Code Section 17.1-287, Supervisor Gross moved that the Board adjust the Fairfax County Clerk of the Circuit Court's annual salary to \$173,960, effective July 1, 2023. Supervisor Lusk seconded the motion and it carried by unanimous vote.

49. **VIRGINIA SUPREME COURT PETITION FOR APPEAL AUTHORIZATION FOR RITA M. LEACH LEWIS** (3:46 p.m.)

Supervisor Smith moved that the Board authorize the County Attorney to file a Petition for Appeal in the Virginia Supreme Court challenging the Virginia Court of Appeals' June 13, 2023, decision in *Rita M. Leach Lewis, Trustee of the Rita M. Leach Lewis Trust 18MAR13 v. Board of Supervisors of Fairfax County, Virginia*, Record Number 0815-22-4, as discussed with the County Attorney in Closed Session. Supervisor Lusk and Supervisor Gross jointly seconded the motion and it carried by unanimous vote.

50. **SETTLEMENT AUTHORIZATION FOR JBG TYSONS HOTEL LLC** (3:46 p.m.)

Supervisor Alcorn moved that the Board authorize a settlement of the court cases styled *JBG Tysons Hotel LLC v. Board of Supervisors of Fairfax County, Virginia*, Case Numbers CL-2021-17762 and CL-2022-15892, which are pending in the Fairfax County Circuit Court, on the terms and conditions outlined by the

County Attorney in Closed Session. Supervisor Lusk seconded the motion and it carried by unanimous vote.

KK:kk

AGENDA ITEMS

51. **3:30 P.M. PUBLIC HEARING ON SE 2021-MV-00018 (OLDE TOWNE PET RESORT SPRINGFIELD, LLC) TO PERMIT THE EXISTING OUTDOOR COMPONENTS ASSOCIATED WITH AN EXISTING INDOOR KENNEL, LOCATED ON APPROXIMATELY 1.67 ACRES OF LAND (MOUNT VERNON DISTRICT) (3:48 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 June 9 and June 16, 2023.

The application property is located at 8101 Alban Road, Springfield, 22150. Tax Map 99-1 ((17)) 6.

Lynne J. Strobel, Walsh, Colucci, Lubeley and Walsh, P.C., reaffirmed the validity of the affidavit dated March 1, 2023, for the record.

Out of an abundance of caution, Chairman McKay disclosed that he received a campaign contribution in excess of \$100 more than one year before today's date from:

- Barbara J. Fried, of Newer LLC and LRF Holdings LLC

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

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

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

Following a query by Supervisor Storck, Ms. Strobel confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated March 16, 2023.

Supervisor Storck moved that the Board approve:

- Special Exception Application SE 2021-MV-00018, subject to the development conditions dated March 16, 2023
- Modification of the 75-foot setback from the interstate highway to that as shown on the SE Plat

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

52. **3:30 P.M. – PUBLIC HEARING ON SE 2022-LE-00047 (ENTERPRISE RAC COMPANY OF MARYLAND, LLC) TO PERMIT INSTALLATION OF A PRIVATE CAR WASH TO SUPPORT AN EXISTING VEHICLE RENTAL ESTABLISHMENT, LOCATED ON APPROXIMATELY 1.83 ACRES OF LAND (FRANCONIA DISTRICT)**
(3:56 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 June 9 and June 16, 2023.

The application property is located at 6701 Loisdale Road, Springfield, 22150. Tax Map 90-2 ((1)) 50.

Lynne J. Strobel, Walsh, Colucci, Lubeley and Walsh, reaffirmed the validity of the affidavit dated March 14, 2023, for the record.

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

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

Discussion ensued, with input from Ms. Strobel, regarding the specific maintenance that will be provided on the oil/water separators and how often the maintenance will occur.

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

Following a query by Supervisor Lusk, Ms. Strobel confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated June 7, 2023.

Following comments, Supervisor Lusk moved that the Board approve:

- Special Exception Application SE 2022-LE-00047, subject to the development conditions dated June 7, 2023
- Waiver of the transitional screening and barrier requirements along the eastern property line
- Waiver of the lot width requirements to that shown on the SE plat
- Modification of the major paved trail requirement along Loisdale Road to permit the existing five-foot wide sidewalk

Supervisor Palchik and Vice-Chairman Gross jointly seconded the motion and it carried by a vote of nine, Chairman McKay being out of the room.

53. **3:30 P.M. – PUBLIC HEARING ON RZ 2022-PR-00017 (MADISON INVESTMENT PORTFOLIO LLC) TO REZONE FROM I-5 TO PDC TO REPURPOSE EXISTING BUILDINGS FOR MIXED USE WITH AN OVERALL INTENSITY OF 0.90 FLOOR AREA RATIO AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 8.53 ACRES OF LAND (PROVIDENCE DISTRICT) (4:06 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 May 19 and May 26, 2023.

The application property is located north of Gatehouse Road, approximately 600 feet east of intersection of Gatehouse Road and Gallows Road. Tax Map 49-4 ((1)) 28B; 49-4 ((4)) 1B and 2.

Gregory A. Riegle, McGuire Woods LLP, reaffirmed the validity of the affidavit dated May 26, 2023, for the record.

Supervisor Walkinshaw disclosed that he:

- Received a campaign contribution in excess of \$100 from Penny Gross for Supervisor
- Serves as a member of the Quality and Reliability Committee of the Inova Health System Foundation Board

Therefore, out of an abundance of caution, he voluntarily recused himself from all proceedings on this case and exited the Board Auditorium.

Supervisor Smith disclosed that she received a campaign contribution in excess of \$100 from:

- Penny Gross for Supervisor

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

- Penny Gross for Supervisor

Supervisor Gross disclosed that she represents the County on the Board of Trustees for the Inova Health Systems Foundation, appointed by the Board, in an unpaid position.

Therefore, out of an abundance of caution, she voluntarily recused herself from all proceedings on this case and the next Item, A-4, which was deferred earlier in the meeting and will be considered following this public hearing. Supervisor Gross exited the Board Auditorium.

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

Mr. Riegler 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. Riegler regarding:

- The width of the sidewalks
- How the final design was chosen
- Community outreach

Following the public hearing, which included testimony by three speakers, Mr. Riegler presented rebuttal.

Discussion ensued, with input from Mr. Riegler, regarding the proposed number of parking spaces per unit.

Mr. Fountain presented the staff and Planning Commission recommendations.

Discussion ensued, with input from Samuel Chanesman, Transportation Planner II, Transportation Planning Division, Department of Transportation, regarding:

- Inclusion of the Gallows Road and Gatehouse Road intersection and the area feeding into Gallows Road in the Gallows Corridor Transportation Study
- The timing of the study

Following comments, Supervisor Palchik moved that the Board approve:

- Rezoning Application RZ 2022-PR-00017, and the associated Conceptual Development Plan, subject to the proffers dated May 18, 2023
- Waivers and modifications contained in the handout dated June 7, 2023, which will be made part of the record, and are as follows:
 - Modification of Paragraph 5 of Article 6-206 of the Zoning Ordinance to allow the gross floor area of dwellings as a secondary use in the PDC District to exceed 50 percent of all principle uses in accordance with the uses shown on the CDP/FDP and the proffers
 - Modification of Article 11-203 (zMOD subsection 6101.3) of the Zoning Ordinance to reduce the loading space requirement from five to four spaces, as shown on the CDP/FDP
 - Modification of Paragraph 1 of Article 13-202 and Paragraphs 1 and 2 of Article 13-203 (zMOD subsections 5108.5 and 5108.5.B) of the Zoning Ordinance for the interior parking lot and peripheral parking lot landscaping requirements in favor of the CDP/FDP

Supervisor Alcorn seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by a vote of eight, Supervisor Alcorn, Supervisor Foust, Supervisor Herrity, Supervisor Lusk, Supervisor Palchik, Supervisor Smith, Supervisor Storck, and Chairman McKay voting “AYE,” Supervisor Gross and Supervisor Walkinshaw being recused.

(NOTE: On June 7, 2023, the Planning Commission approved Final Development Plan Application FDP 2022-PR-00017.)

54. **A-4 - DESIGNATION OF THE TELESTAR COURT SITE AS A REVITALIZATION AREA (PROVIDENCE DISTRICT)** (4:43 p.m.)

(R) (NOTE: Earlier in the meeting, this item was deferred. See Clerk's Summary Item #36.)

Anna Shapiro, Deputy Director, Real Estate Finance and Development, Department of Housing and Community Development, gave a brief presentation.

Supervisor Palchik moved that the Board concur in the County Executive's recommendation and designate the Telestar Court site as a Revitalization Area, for the purpose of facilitating an award of Virginia Housing Opportunity Credits to the project. Supervisor Lusk seconded the motion. Following a brief discussion regarding the motion, the question was called on the motion and it carried by a vote of eight, Supervisor Gross and Supervisor Walkinshaw being recused.

55. **3:30 P.M. – PUBLIC HEARING ON RZ 2022-DR-00006 (FCGP-METRO DEVELOPMENT, LLC) TO REZONE FROM R-30, R-1 AND HC TO PRM AND HC TO PERMIT MULTIFAMILY RESIDENTIAL, SINGLE-FAMILY ATTACHED RESIDENTIAL, OFFICE, AND RETAIL USES AT A 0.96 FLOOR AREA RATIO AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 23.99 ACRES OF LAND (DRANESVILLE DISTRICT)** (4:45 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 9 and June 16, 2023.

The application property is located south of Interstate 66, west of Haycock Road, north of and including Falls Church Drive. Tax Map 40 3 ((1)) 83 and 84; and 40 4 ((1)) 13; 40-4 ((2)) 1 and 2.

Andrew A. Painter, Walsh, Colucci, Lubeley and Walsh, P.C. reaffirmed the validity of the affidavit dated May 22, 2023, for the record.

Supervisor Alcorn disclosed that he represents the County as an Alternate Director on Washington Metropolitan Area Transit Authority Board and queried Elizabeth Teare, County Attorney, regarding whether he needed to recuse himself. A brief discussion ensued, with input from Ms. Teare.

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

- Supervisor Rodney Lusk

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

- Supervisor Walter Alcorn

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

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

Discussion ensued, with input from Ms. Lewis and Mr. Painter, regarding:

- Coordination with the City of Falls Church
- The Haycock Connector Trail

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

Ms. Lewis presented the staff and Planning Commission recommendations.

Supervisor Foust moved that the Board approve:

- Rezoning Application RZ 2022-DR-0006 [*sic*], subject to the proffers dated April 13, 2023
- Waivers and modifications listed in the handout dated June 7, 2023, which will be made part of the record, and are as follows:
 - Waiver of the 200 square-foot privacy yard requirement for single-family attached dwelling units
 - Modification of the 75-foot and 200-foot setback from Interstate 66 to that shown on the CDP
 - Waiver of the 600-foot maximum length requirement of a private street
 - Modification of the loading space requirement to that shown on the CDP

Supervisor Palchik and Supervisor Lusk jointly seconded the motion. Discussion ensued regarding the motion, with Supervisor Foust noting that there is a pending

parking reduction request related to the item which the Board will consider at its July 11, 2023, meeting.

The question was called on 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 June 7, 2023, the Planning Commission approved Final Development Plan Application FDP 2022-DR-00006.)

56. **4 P.M. – PUBLIC HEARING ON RZ 2022-LE-00012 (BEAZER HOMES LLC) TO REZONE FROM R-1 TO PDH-8 TO PERMIT DEVELOPMENT OF 26 SINGLE-FAMILY ATTACHED DWELLING UNITS WITH AN OVERALL DENSITY OF 7.8 DWELLING UNITS PER ACRE AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 3.34 ACRES OF LAND (FRANCONIA DISTRICT) (5:29 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 9 and June 16, 2023.

The application property is located on the west side of Beulah Street and south of the Franconia-Springfield Parkway, southwest of the Beulah Street and Alforth Avenue intersection. Tax Map 91-1 ((1)) 13, 14, 15, 16 and 17.

Lynne J. Strobel, Walsh, Colucci, Lubeley and Walsh, P.C., reaffirmed the validity of the affidavit dated April 6, 2023, for the record.

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

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

Discussion ensued, with input from Ms. Strobel, regarding:

- The parking tabulation
- A proffer which precludes the conversion of the garages into living space

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

Following comments, Supervisor Lusk moved that the Board approve:

- Rezoning Application RZ 2022-LE-00012, subject to the proffers dated May 1, 2023
- Modification of the transitional screening and waiver of the barrier requirement along the southern property line to that shown on the CDP/FDP

Supervisor Foust and Supervisor Palchik jointly seconded the motion.

Discussion ensued, with input from Ms. Strobel and Ariel Jarvis, PE, Gorove/Slade Associates, Inc., regarding access requirements and why this development did not align with Silverlake Boulevard.

The question was called on 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 May 17, 2023, the Planning Commission approved Final Development Plan Application FDP 2022-LE-00012, subject to the FDP conditions dated May 16, 2023.)

57. **4 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2021-IV-FS1, 6235 AND 6245 BRANDON AVENUE (FRANCONIA DISTRICT) (5:50 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 June 9 and June 16, 2023.

David Stinson, Planner III, Public Facilities and Plan Development Branch, Department of Planning and Development, presented the staff report.

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

Following comments, Supervisor Lusk moved that the Board adopt the Planning Commission’s recommendation for Plan Amendment 2021-IV-FS1, per the recommendation in the Staff Report dated May 11, 2023. Chairman McKay seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by unanimous vote.

58. **4 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF LITTLE RIVER TURNPIKE WALKWAY - HILLBROOK DRIVE - LITTLE RIVER RUN DRIVE (MASON DISTRICT)** (6:06 p.m.)

(R) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 9 and June 16, 2023.

Tajera DeSena, Senior Right-of-Way Agent, Land Acquisition Division, Department of Public Works and Environmental Services, presented the staff report.

Discussion ensued, with input from Ms. DeSena, regarding the unclaimed property and the sidewalk on Indian Run Court.

Following the public hearing, Ms. DeSena presented the staff recommendation.

Supervisor Gross moved approval of the County Executive’s recommendation to adopt a resolution authorizing the acquisition of certain land rights necessary for the construction of Project 5G25-060-000, Pedestrian Improvements – 2014, Little River Turnpike Walkway - Hillbrook Drive - Little River Run Drive, in Fund 30050, Transportation Improvements. Supervisor Palchik seconded the motion and it carried by unanimous vote.

59. **4 P.M. – PUBLIC HEARING ON AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82, MOTOR VEHICLES AND TRAFFIC** (6:13 p.m.)

(O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of June 9 and June 16, 2023.

David Duffett, Second Lieutenant, Intragovernmental Affairs and Policy Division, Fairfax County Police Department, presented the staff report.

Following the public hearing, Mr. Duffet presented the staff recommendation.

Supervisor Alcorn moved approval of the County Executive’s recommendation to adopt the proposed amendments to the Code of the County of Fairfax, Chapter 82, Motor Vehicles and Traffic, Sections 82-1-3, 82-1-6, 82-2-8, 82-5-29, 82-6-39, 82-6-40, 82-6- 43, 82-6-44, and 82-9-2. The motion was multiply seconded 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.”

60. **4 P.M. - PUBLIC HEARING ON AN AGREEMENT BETWEEN THE COMMISSIONER OF HIGHWAYS AND THE BOARD OF SUPERVISORS REGARDING REMOVING SIGNS LOCATED WITHIN THE LIMITS OF ANY HIGHWAY IN FAIRFAX COUNTY** (6:16 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 June 9 and June 16, 2023.

David Stoner, Deputy County Attorney, presented the staff report.

Discussion ensued, with input from Gabriel Zakkak, Director, Department of Code Compliance, and Mr. Stoner, regarding:

- Administrative fees
- Sign removal expenses
- Timeline to begin enforcement
- The amount of time signs are allowed to be put on the roadway
- Providing the appropriate County staff with the correct timeframe for signs
- The location of signs included in the agreement

Following the public hearing, Mr. Stoner presented the staff recommendation.

Discussion ensued, with input from Mr. Stoner and Mr. Zakkak, regarding:

- Whether the agreement includes medians and right-of ways
- The roads identified for enforcement
- Increasing the number of roads eligible for enforcement

Bryan Hill, County Executive, asked staff to send the Board the current list of the 99 roads identified for enforcement.

Supervisor Alcorn moved that the Board:

- Enter into the agreement with the Commissioner of Highways regarding removing signs located within the limits of any highway in Fairfax County in substantially the same form as set forth in Attachment 1 of the Board Agenda Item

- Authorize the County Executive to sign the agreement

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

61. **4 P.M. – PROPOSED PLAN AMENDMENT 2021-IV-S2, VILLA PARK ROAD, LOCATED SOUTH OF VILLA PARK ROAD AND WEST OF THE RAMP BETWEEN BACKLICK ROAD AND WESTBOUND FRANCONIA-SPRINGFIELD PARKWAY (FRANCONIA DISTRICT)** (6:35 p.m.)

Sophia Fisher, Planner II, Zoning Evaluation Division (ZED), Department of Planning and Development (DPD), presented the staff report.

Discussion ensued, with input from Ms. Fisher, and Thomas Burke, Planner, Transportation Planning Division, Department of Transportation, regarding:

- Tree preservation requirements
- Parking along Wesley Road and whether “No Parking” signs could be a mitigation if the need arises
- Language in the proposed Plan Amendment
- Access to the property, whether there are any alternatives, and what the limitations would be
- Sidewalks

Discussion continued, with input from Graham Owen, Branch Chief, Policy and Plan Development Branch, DPD, and Leanna O’Donnell, Director, Planning Division, DPD, regarding changing and/or adding language to address vehicular and pedestrian safety issues.

Discussion continued, regarding the plan amendment language, with input from Elizabeth Teare, County Attorney, regarding deferring the public hearing.

Supervisor Lusk moved to defer the public hearing on Plan Amendment 2021-IV-S2, Villa Park Road, until **July 25, 2023, at 3 p.m.** The motion was multiply seconded and it carried by unanimous vote.

62. **4 P.M. – PUBLIC COMMENT ON ISSUES OF CONCERN** (7:07 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of June 9 and June 16, 2023.

Chairman McKay announced the rules associated with public comment: The Board will hear public comment on any issue, except issues under litigation; issues that have been scheduled for public hearing before the Board; personnel matters and/or comments regarding specific individuals. Speakers must register in advance, and each speaker is given three minutes for his or her remarks. A maximum of ten speakers may address the Board during any public comment period and speakers may address the Board once during a six-month period.

Public comment was held and included the following individuals:

- Ken Reid, regarding relations between municipalities and the General Assembly in Richmond

63. **BOARD ADJOURNMENT** (7:10 p.m.)

At 7:10 p.m. the Board adjourned.