



# **CLERK'S BOARD SUMMARY**

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

**TUESDAY  
October 24, 2023**

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**20-23**

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At a regular meeting of the Board of Supervisors of Fairfax County, Virginia, held in the Board Auditorium of the Government Center at Fairfax, Virginia, on Tuesday, October 24, 2023, at 9:32 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 Assistant, Department of Clerk Services.

**BOARD MATTER**1. **MOMENT OF SILENCE** (9:32 a.m.)

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

- Martin Faga, who died recently. He was named the Mason District Lord Fairfax in 2015; served on the Seven Corners Task Force; was appointed by former President George H.W. Bush as Assistant Secretary of the Airforce and Director of the National Reconnaissance Office and was former President and CEO of MITRE Corporation
- Fran Wallingford, who died recently. She resided in the Providence District, was well known for her knowledge of the land use process, and was a great advocate and role model in the community
- Jan Bradshaw, who died recently. She was named the Hunter Mill District Lady Fairfax in 2019; worked for the Reston Community Center (RCC) for almost two decades; and served on RCC's Board of Governors, the Cathy Hudgins Community Center Advisory Council, and the Reston Comprehensive Plan Task Force

**AGENDA ITEMS**2. **RESOLUTION OF RECOGNITION PRESENTED TO RECOGNIZE THE 50<sup>TH</sup> ANNIVERSARY OF THE FAIRFAX COUNTY TREE COMMISSION** (9:41 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and moved approval of the Resolution of Recognition presented to recognize the 50<sup>th</sup> anniversary of the Fairfax County Tree Commission. Supervisor Palchik seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

3. **RESOLUTION OF RECOGNITION PRESENTED TO RECOGNIZE THE 25<sup>TH</sup> ANNIVERSARY OF THE PROVIDENCE PLAYERS OF FAIRFAX COUNTY** (9:59 a.m.)

Supervisor Gross moved approval of the Resolution of Recognition presented to recognize the 25<sup>th</sup> anniversary of the Providence Players of Fairfax County.

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

4. **PROCLAMATION DESIGNATING NOVEMBER 11-18, 2023, AS "HUNGER AND HOMELESSNESS MONTH" IN FAIRFAX COUNTY**  
(10:15 a.m.)

Supervisor Foust moved approval of the Proclamation designating November 11- 18, 2023, as "*Hunger and Homelessness Month*" in Fairfax County. The motion was multiply seconded and it carried by unanimous vote.

5. **PROCLAMATION DESIGNATING NOVEMBER 13-19, 2023 AS "TRANSGENDER AWARENESS MONTH" IN FAIRFAX COUNTY**  
(10:37 a.m.)

Supervisor Foust moved approval of the Proclamation designating November 13- 19, 2023 as "*Transgender Awareness Month*" in Fairfax County. The motion was multiply seconded and it carried by a vote of nine, Supervisor Herrity being out of the room.

6. **PROCLAMATION DESIGNATING OCTOBER 2023 AS "DOMESTIC VIOLENCE AWARENESS MONTH" IN FAIRFAX COUNTY** (10:55 a.m.)

Supervisor Walkinshaw moved approval of the Proclamation designating October 2023, as "*Domestic Violence Awareness Month*" in Fairfax County. The motion was multiply seconded and it carried by unanimous vote.

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7. **APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (11:16 a.m.)

Supervisor Gross moved approval of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard October 24, 2023." Chairman McKay seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, the Board made an additional reappointment. See Clerk's Summary Item #57.)

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 Springfield District Representative.

**AFFORDABLE DWELLING UNIT ADVISORY BOARD**

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

**AFFORDABLE HOUSING ADVISORY COUNCIL (AHAC)**

Appointment of:

- Mr. Dominic M. Taddeo as the Sully District Representative

**AIRPORTS ADVISORY COMMITTEE**

The Board deferred the appointment of Dranesville District Business Representative.

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

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

**ARCHITECTURAL REVIEW BOARD**

Appointment of:

- Ms. Rachael Mangum as the Archaeologist Representative
- Ms. Gabriela Hammack as the Related Professional Group #3 Representative

Reappointment of:

- Mr. Christopher Daniel as the Architectural Historian Representative

**ATHLETIC COUNCIL**

Appointment of:

- Mr. Ian Harper as the Dranesville District Principal Representative
- Mr. Charles Davis as the Sully District Alternate Representative

Reappointment of:

- Ms. Kelly Ego-Osuala as the Providence District Principal Representative

The Board deferred the appointment of the Dranesville District Alternate, Mason District Alternate, and the Member-At-Large Alternate Representatives.

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

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

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

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

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

The Board deferred the appointment of the At-Large #3 and Professional #1 Representatives.

#### **CATHY HUDGINS COMMUNITY CENTER ADVISORY COUNCIL**

The Board deferred the appointment of the Fairfax County #5 and the Fairfax County #9 (Youth) Representatives.

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

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

#### **CHESAPEAKE BAY PRESERVATION ORDINANCE EXCEPTION REVIEW COMMITTEE**

Reappointment of:

- Ms. Barbara Ryan as the At-Large #2, Representative
- Ms. Mary T. Smith as the Mason District Representative

The Board deferred the appointment of the At-Large #1, Franconia, and Providence District Representatives.

**CHILD CARE ADVISORY COUNCIL**

Reappointment of:

- Ms. Evelyn Evans as the Franconia District Representative
- Ms. Mercedes O. Dash as the Providence District Representative

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

**COMMISSION FOR WOMEN**

Reappointment of:

- Ms. Jordan Samantha Tautges as the Springfield District Representative

The Board deferred the appointment of the Lesbian-Gay-Bisexual-Queer-Intersex-Asexual ("LGBQIA+"), and the Mount Veron and Providence District Representatives.

**COMMUNITY ACTION ADVISORY BOARD (CAAB)**

The Board deferred the appointment of the Mason District Representative.

**CONSUMER PROTECTION COMMISSION**

The Board deferred the appointment of the Fairfax County #5 and #6 Representatives.

**CRIMINAL JUSTICE ADVISORY BOARD (CJAB)**

The Board deferred the appointment of the Springfield District Representative.

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

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

**ECONOMIC DEVELOPMENT AUTHORITY (EDA)**

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

**ENGINEERING STANDARDS REVIEW COMMITTEE**

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

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL (EQAC)**

The Board deferred the appointment of the Providence District Representative.

**FAIRFAX AREA DISABILITY SERVICES BOARD**

Confirmation of:

- Ms. Diane Monnig as the City of Fairfax Representative

The Board deferred the appointment of the Mount Vernon and Providence District Representatives.

**FAIRFAX COMMUNITY LONG TERM CARE COORDINATING COUNCIL**

Confirmation of:

- Ms. Lauren Elcesser as the Medical Community #2 Representative

**FAIRFAX COUNTY 250TH COMMISSION**

Appointment of:

- Ms. Latriece Prince-Wheeler as the Franconia District Representative

**FAIRFAX COUNTY CONVENTION AND VISITORS CORPORATION BOARD**

The Board deferred the appointment of the Providence District Representative.

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

Appointment of:

- Mr. Anthony Griffin as the At-Large #2 Representative

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

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

Reappointment of:

- Ms. Ann Whipple as the Dranesville District Representative

(NOTE: Nomination was announced on September 26, 2023.)

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

### **HEALTH SYSTEMS AGENCY BOARD**

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

### **HEALTH CARE ADVISORY BOARD**

Appointment of:

- Mr. Shuhd Sirelkhahatim as the Hunter Mill District Representative

### **HUMAN RIGHTS COMMISSION**

Reappointment of:

- Ms. Gloria Crawford as the At-Large #2 Representative
- Mr. Eduardo Condo as the At-Large #8 Representative

The Board deferred the appointment of the At-Large #5, #11, and #12 Representatives.

### **HUMAN SERVICES COUNCIL**

Appointment of:

- Ms. Jane Edmondson as the Dranesville District #1 Representative

Reappointment of:

- Ms. Michele Menapace as the Franconia District #1 Representative

The Board deferred the appointment of the Dranesville District #2, Providence District #2, and Sully District #1 Representatives.

### **INDUSTRIAL DEVELOPMENT AUTHORITY**

Reappointment of:

- Ms. Leigh Anne Arnold as the At-Large #2 Representative

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

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

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

**NORTHERN VIRGINIA REGIONAL PARK AUTHORITY**

Reappointment of:

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

**PLANNING COMMISSION**

Appointment of:

- Mr. Phillip A. Niedzielski-Eichner as the At-Large #3 Representative
- Mr. Jeremy Hancock as the Providence District Representative

**POLICE OFFICERS RETIREMENT SYSTEM BOARD OF TRUSTEES**

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

**SMALL BUSINESS COMMISSION**

The Board deferred the appointment of the Dranesville District Representative.

**TENANT-LANDLORD COMMISSION**

Reappointment of:

- Ms. Perez Otonde as the Tenant Member #2 Representative

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

**TRANSPORTATION ADVISORY COMMISSION**

Appointment of:

- Ms. Sonya Breehey as the Providence District Representative

**TREE COMMISSION**

Reappointment of:

- Ms. Cindy Speas as the At-Large Chairman's Representative
- Ms. Elaine Kolish as the Mount Vernon District Representative

**TRESPASS TOWING ADVISORY BOARD**

Appointment of:

- Mr. Brad Fleming as the Towing #1 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.

**CONTINUUM OF CARE BOARD (CoC)**

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

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**ADDITIONAL BOARD MATTERS**

8. **RESOLUTION OF RECOGNITION REQUEST FOR JANET REIMER**  
(11:17 a.m.)

Chairman McKay relinquished the Chair to Vice-Chairman Gross and asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for Janet Reimer, in recognition of her over 30 years of service on the Fairfax County Childcare Advisory Council. Without objection, it was so ordered.

9. **RESOLUTION OF RECOGNITION REQUEST FOR THE FAIRFAX COUNTY POLICE DEPARTMENT'S (FCPD) AUXILIARY POLICE OFFICER PROGRAM** (11:17 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Resolution of Recognition for FCPD, in recognition of the 40<sup>th</sup> anniversary of the Auxiliary Police Officer Program. Without objection, it was so ordered.

10. **PROCLAMATION REQUEST DESIGNATING NOVEMBER 2023 AS "FAMILY COURT AWARENESS MONTH"** (11:17 a.m.)

Chairman McKay asked unanimous consent that the Board direct staff to prepare a Proclamation designating November 2023 as "*Family Court Awareness Month*" in the County. Without objection, it was so ordered.

11. **COMMENT LETTER ON CHANGES TO THE SMART SCALE PROCESS** (11:18 a.m.)

Chairman McKay stated that in 2014, the General Assembly passed a bill directing the Commonwealth Transportation Board (CTB) to develop and implement the prioritization process for the transportation funding for roadway, transit, rail, technology operation improvements, and transportation demand management strategies. This process, now named Smart Scale, must consider congestion mitigation, economic development, accessibility, safety, land use, and environmental quality. Smart Scale completed its fifth round of funding the summer of 2023.

The CTB is currently undertaking a review of the Smart Scale process and is expected to vote on changes in December. The Board received a presentation on these changes at the October 17, 2023, Board Transportation Committee meeting. Chairman McKay stated that, at that meeting, he noted that he would be presenting a future Board Matter with comments on the proposed changes and asked the Board to provide any thoughts they would have.

Therefore, Chairman McKay moved that the Board approve the letter, attached to his written Board Matter, which provides comments on the proposed changes to the Smart Scale program. Supervisor Walkinshaw seconded the motion and it carried by unanimous vote.

12. **PROCLAMATION AND CERTIFICATE OF APPRECIATION REQUESTS FOR THE VIRGINIA HIGH SCHOOL LEAGUE (VHSL) CLASS 6 GOLF STATE CHAMPIONS** (11:20 a.m.)

Chairman McKay stated that earlier this month, Robinson Secondary School's golf team, led by Coach Marvin Sim, won the VHSL Class 6 Golf State Championship on the Heritage Oaks Golf Course in Harrisonburg, Virginia, despite the weather.

The Rams' score of 20-over-par 300 allowed them to squeeze pass Cosby (302) and Langley (303). Langley's third-place finish ended a run of seven consecutive Class 6 titles.

Katie Vu, a senior at Robinson Secondary School, led the way and finished at one-over 71, good for the third-lowest individual score of the tournament. She was the only Ram in the top ten.

The future of the Fairfax golf community is bright. In addition to Robinson and Langley, Owen Love, a freshman at Edison High School, won the individual State championship with an impressive 2-under 68.

Owen Love became the first golfer in the school's history to claim the title. His win also was a first for Scott Racek, Edison High School Coach, who brought his team to its first State championship appearance.

Therefore, jointly with Supervisor Foust, Supervisor Lusk, and Supervisor Walkinshaw, Chairman McKay moved that the Board direct the Office of Public Affairs to prepare a Proclamation and Certificates of Appreciation for the Robinson, Langley, and Edison High Schools golf athletes, in recognition and appreciation for them representing the County well in the VHSL Class 6 Golf State Championship. Vice-Chairman Gross seconded the motion and it carried by unanimous vote.

Vice-Chairman Gross returned the gavel to Chairman McKay.

13. **PUBLIC SAFETY ANNOUNCEMENTS** (11:21 a.m.)

Chairman McKay announced that the recent Police Department graduation class was historic since it was the most diverse in the County's history.

Chairman McKay announced that the Major Cities Chiefs Association released its Mid-Year Crime Report, ranking the nation's 70 largest police departments by the four crime categories that typically define jurisdictional public safety: Homicide, Rape, Robbery and Aggravated Assault, and the County remains the safest jurisdiction of its size.

Supervisor Gross stated that police officer careers are not just for a young person and that many retire from one career and come to the County to pursue a career in the Police Department.

14. **GRAND OPENING OF THE EILEEN GARNETT CIVIC SPACE (MASON DISTRICT)** (11:26 a.m.)

Supervisor Gross stated that the Eileen Garnett Civic Space, in honor of Eileen Garnett, a longtime friend of Annandale and passionate voice for community

revitalization who was also supportive of the park's development, held its grand opening on October 21, 2023. She thanked the Board for attending the event.

15. **REQUEST TO SEND LETTER ON BUDGET PRIORITIES TO GOVERNOR GLENN YOUNGKIN** (11:27 a.m.)

Supervisor Walkinshaw stated that, at this time of year, the Board spends a great deal of time working on its draft Legislative Program, highlighting the County's legislative priorities for the upcoming 2024 General Assembly (GA) session, which begins in January. This is also the time of year that the Governor is working on his budget or budget amendments to the GA, depending on where jurisdictions are in the budget cycle. As a result, the Board typically shares some of the County's budget priorities with the Governor as he begins crafting his legislative agenda in advance of the legislative session.

This year, the Governor will be crafting a new budget – the 2024-2026 Biennium Budget. This is the only full two-year budget Governor Youngkin will propose and implement.

A wide range of programs and services in the Commonwealth require a strong partnership between the State and localities. That partnership has often been strained, because the Commonwealth continues to significantly underfund core services, leaving localities to fill funding gaps with local revenues to maintain essential services. Even now, State revenues are being described as in "surplus." However, until the State has fully met its funding commitment to core services, including shared State and local services, there cannot really be a State surplus, because all of the Commonwealth's bills have not yet been paid. At this critical time, it is important that the Board highlight its State budget priorities, including increased State funding support for K-12 public education, transportation, behavioral health, public safety, affordable housing, energy and environment, and car tax relief.

Therefore, jointly with Chairman McKay, Supervisor Walkinshaw moved that the Board send the letter, attached to his written Board Matter and under the Chairman's signature, to Governor Youngkin, requesting his consideration of the County's budget priorities. Chairman McKay seconded the motion and it carried by unanimous vote.

16. **NO BOARD MATTERS FOR SUPERVISOR FOUST (DRANESVILLE DISTRICT)** (11:37 a.m.)

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

17. **PROCLAMATION REQUEST DESIGNATING NOVEMBER 2023 AS “MILITARY FAMILY APPRECIATION MONTH”** (11:38 a.m.)

Supervisor Lusk stated that November marks the 30<sup>th</sup> anniversary of Military Family Appreciation Month, originally established in 1993, by the Armed Services Young Men's Christian Association. Since that time, November has been designated a time to honor and recognize the commitment and contributions made by military families in support of the nation and its military services. No matter what rank or branch, or where life has taken them, the nation's military families share the common threads of service and sacrifice.

According to 2021 data from Military Family Research Institute at Purdue University, there are over 45,000 active-duty military, selected reserve, and their families living in the County. There are over 14,500 military connected children in the Fairfax County Public Schools.

Additionally, the annual Military Family Lifestyle Survey by Blue Star Families, a national military nonprofit, indicates that only 33 percent of active-duty family respondents agree they feel a sense of belonging to their local communities while 52 percent of these same respondents agree that their children's schools understand the unique challenges of military families.

The County is grateful for the service and sacrifice of its active duty, reserve, and veteran service members and their spouses and children. In the National Capital Region, the County is a premier destination for military families to relocate because of its amazing resources: schools, libraries, parks, and all the services the County provides.

Military families are among the most engaged community volunteers. They serve on their local civic associations, Homeowner's Associations, Parent-Teacher Associations, and Parent-Teacher Organizations. They coach their children's local sports teams, they serve as Scout leaders and are engaged in their local faith communities. The County is enriched by having such a large percentage of military families living in the communities.

Therefore, jointly with Supervisor Gross, Supervisor Lusk moved that the Board direct staff to:

- Prepare a Proclamation designating November 2023 as “*Military Family Appreciation Month*” in the County, to coincide with the already established National Military Family Appreciation Month, to be presented at a future Board Meeting
- Work with the D.C. Chapter of Blue Star Families, a recognized national military service organization with local presence, to revise and update the County's website with more information and

resources to help its active duty, reserve, and veteran military families transition, live, and thrive in the County

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

18. **INTENT TO DEFER A PUBLIC HEARING (FRANCONIA DISTRICT)**  
(11:44 a.m.)

Supervisor Lusk announced his intent, later in the meeting at the appropriate time, to defer the public hearing on proposed Plan Amendment 2015-IV-RH1, Topgolf Site, until January 23, 2024.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item #52.)

19. **FUTURE RESTON CASINO (HUNTER MILL DISTRICT)** (11:44 a.m.)

Supervisor Alcorn stated that there has been conversations in the community regarding a future casino being located in Reston. He stated that there have been a couple of casino bills in the General Assembly discussed but that possible future legislation is unknown currently.

Chairman McKay clarified that the County currently does not have any proposals.

Therefore, Supervisor Alcorn asked unanimous consent that the Board direct the County Executive to detail for the Board what the process would be for authorizing a casino. Without objection, it was so ordered.

20. **MOUNT VERNON DISTRICT RECENT/UPCOMING EVENTS**  
(11:46 a.m.)

Supervisor Storck announced the following recent/upcoming events in the Mount Vernon District:

- The Lorton Community Center and Library recently celebrated its first anniversary on October 18, 2023
- The Tour de Mount Vernon 2023 was held on October 21, 2023
- The Lorton District Police Station and Fairfax County Animal Shelter will hold its grand opening on October 28, 2023

Supervisor Storck thanked the Board and community for attending the recent events and encouraged them to attend the upcoming grand opening of the Lorton District Police Station and Fairfax County Animal Shelter.

21. **PUBLICITY REQUEST FOR PROVIDENCE DISTRICT'S 4TH ANNUAL FOOD DRIVE** (11:50 a.m.)

Supervisor Palchik stated that the holiday season is an especially busy time for food pantries. Many families face financial burdens during the holidays, and these can affect families' both immediate and long-term health.

Supervisor Palchik announced that her office is hosting the fourth annual food drive. This year, the donations will benefit the Oakton High School Pantry, the Falls Church High School Pantry, and The Lamb Center. She stated that they are collecting unopened and unexpired items through November 16, 2023, at the Jim Scott Community Center. In addition, food donations can also be sent through an Amazon Wishlist. More information can be found on the Providence District website: [www.fairfaxcounty.gov/providence](http://www.fairfaxcounty.gov/providence).

Supervisor Palchik stated that this year's partners include: Miller Heights Homeowner's Association (HOA), Tysons Community Alliance, The Rotonda Condominium Unit Owners Association, Girl Scout Troop 1489, Celebrate Fairfax, and the Mantua Citizens' Association. She stated that if a person or a HOA/organization is interested in helping collect donations, please email [Providence@fairfaxcounty.gov](mailto:Providence@fairfaxcounty.gov) and her office will be happy to coordinate with you.

Therefore, Supervisor Palchik asked unanimous consent that the Board direct the Office of Public Affairs and the Department of Neighborhood and Community Services to share the information on their channels. Without objection, it was so ordered.

22. **PROCLAMATION REQUEST DESIGNATING JANUARY 16, 2024, AS A "NATIONAL DAY OF RACIAL HEALING"** (11:52 a.m.)

Supervisor Palchik stated that, The National Day of Racial Healing, commemorated annually, is part of the W.K. Kellogg Foundation's Truth, Racial Healing and Transformation (TRHT) efforts to restore individuals and communities to wholeness by repairing the damages caused by racism. It facilitates trust, builds authentic relationships, and bridges divides, which is the work that leads to community, organizational, and systems transformation, and racial equity. It is a time to acknowledge shared values and create a blueprint together for how to heal from the effects of racism. TRHT is a comprehensive, community-based process to bring about transformational and sustainable change. Through TRHT, the historic and contemporary effects of racism in communities and institutions are addressed. TRHT works to replace the deeply held belief systems that fuel racism with ones that see the inherent value of all people. This holistic approach addresses mind and heart, the interpersonal and systemic, and places the power of authentic, trust-based solidarity at the center.

The Department of Neighborhood and Community Services (NCS) has partnered with Northern Virginia Community College (NOVA) THRT Campus Center to

commemorate The National Day of Racial Healing and use community development to promote racial healing, transform communities, and build social capital. NOVA is one of 62 colleges and universities selected by the American Association of Colleges and Universities to host THRT Campus Centers. The campus centers help prepare the next generation of leaders to break down systemic racism and dismantle a hierarchy of human values through THRT circles. Racism impacts all, whether a person is aware of it or not. Systemically, racism is one of the biggest obstacles to solving the challenges faced in communities. Through NOVA's TRHT Campus Center racial healing circles, participants build relationships, trust, and collective power at the community and institutional levels. These relationships lay the groundwork for powerful systemic change, as community partners re-envision and reshape their institutions, policies, and practices to address racism and racial healing. This is aligned with NCS' mission to promote equity and create positive outcomes for people of all ages and abilities. It also aligns with the County's One Equity Policy.

The NCS and NOVA partnership will collectively impact the racial healing and trust-building needed in communities to achieve transformational changes in policy and practices as they commemorate The National Day of Racial Healing.

Therefore, jointly with Chairman McKay, Supervisor Lusk, and Supervisor Storck, Supervisor Palchik asked unanimous consent that the Board direct staff to prepare a Proclamation designating January 16, 2024, as a "*National Day of Racial Healing*" in the County, to be presented to NCS and NOVA representatives out of the Board Room. Without objection, it was so ordered.

23. **PROCLAMATION REQUEST FOR THE DAVIS CAREER CENTER (DCC)** (11:57 a.m.)

Supervisor Palchik stated that this year marked the 40th anniversary of the DCC and its success in the community. The DCC is one of two County Public Schools centers designed to serve students with disabilities aged 18-22 years who require instruction through a modified curriculum focused on life and career skills.

DCC's journey over the last four decades has been nothing short of inspiring. They have created a safe, welcoming, and respectful classroom and community environment where students can grow and learn in various life and social skills such as problem-solving, and productive communication skills, while building relationships and habits that will prepare them for life ahead.

DCC helps build strong connections between school, home, and community. They create an inclusive environment that fosters growth and allows students to feel encouraged, involved, and respected, all while working in a challenging and safe environment.

DCC aims to empower all students, including those with disabilities, by offering career and independent living training, preparing them for post-secondary options, fostering self-determination and facilitating their transitions. This is achieved through various instructional strategies and environments, including small group classrooms, school-based and community-based job sites, community resource sites, supervised and unsupervised settings. The DCC has and will continue to transform the lives of many in the community.

Therefore, jointly with Chairman McKay, Supervisor Foust, and Supervisor Lusk, Supervisor Palchik asked unanimous consent that the Board direct staff to prepare a Proclamation for the DCC, in recognition of its 40 years of success and dedication to improving the lives of County students. Without objection, it was so ordered.

24. **PUBLICITY AND PROCLAMATION REQUEST DESIGNATING NOVEMBER 15, 2023, AS “FAIRFAX RECYCLES DAY”** (11:59 a.m.)

Supervisor Herrity stated that America Recycles Day takes place annually on November 15 and is the only nationally recognized day dedicated to promoting and celebrating recycling in the United States. Nationally, thousands of organizations, including neighboring jurisdictions, hold events to educate people about recycling resources in their community. In years past, the locally branded Fairfax Recycles Day has included informational webinars, the opening of new glass recycling bins and food scrap drop-off locations, a recycling poster design competition, and a touch-a-truck at the Government Center.

This year there are multiple ways for residents to engage in Fairfax Recycles Day as the County encourages everyone to increase their recycling at home, at school, in the office and in the community. Residents are encouraged to drop off glass at a Purple Can Club location, visit the I-66 Transfer Station’s Compost Drop Off, and learn how and where to recycle common materials by using the County’s What Goes Where? tool. Simply type in an item and this tool will tell you if it can be recycled, as well as where you can take the item to recycle it if it is recyclable.

Residents are also encouraged to participate in the 4Touch Points initiative with the County’s licensed waste collectors. The two-minute survey helps the County learn about your experience getting information from your hauler about what can and cannot be recycled. Anyone who completes the survey will receive a fun gift as well as a mention on the County website, if the participant chooses.

Each year staff do a fantastic job helping residents find ways to recycle. By declaring a “Fairfax Recycles Day,” the County can build on this success and continue to highlight the benefits of recycling as well as help residents recycle more.

Therefore, jointly with Supervisor Gross and Supervisor Storck, Supervisor Herrity asked unanimous consent that the Board direct staff to:

- Prepare a Proclamation designating November 15, 2023, as “Fairfax Recycles Day” in the County, in alignment with the national initiative to better promote local efforts to recycle, to be presented to the Director of the Solid Waste Management Program and members of the recycling team at the November Board Meeting
- Publicize “Fairfax Recycles Day” and promote the local efforts to recycle

Without objection, it was so ordered.

25. **INTENT TO DEFER PUBLIC HEARINGS (SULLY DISTRICT)**  
(12:02 p.m.)

Supervisor Smith announced her intent, later in the meeting at the appropriate time, to defer the following public hearings until January 23, 2024:

- Rezoning Application RZ 2023-SU-00008 (K Hovnanian Homes at the Gallery Park at Westfields, LLC)
- Rezoning Application RZ 2022-SU-00019 (PDCREF 2 Chantilly LLC)

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk’s Summary Items #43 and #55.)

**DA:da**

**AGENDA ITEMS**

26. **ADMINISTRATIVE ITEMS** (12:01 p.m.)

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

Supervisor Foust called the Board’s attention to Admin 9 – Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Innovation Station North Neighborhood Access Shared Use Path (Dranesville District) and noted that there is no longer a need for this public hearing, however staff should still proceed with the advertisement until such time as the documentation is processed.

The question was called on the motion to approve the Administrative Items and it carried by a vote of eight, Supervisor Alcorn, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk, Supervisor Smith, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Palchik and Supervisor Storck being out of the room.

**ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM – ENCLAVE OF BURKE (SPRINGFIELD DISTRICT)**

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

<u>Subdivision</u>	<u>District</u>	<u>Street</u>
Enclave of Burke	Springfield	Sheads Court

**ADMIN 2 – APPROVAL OF A “WATCH FOR CHILDREN” SIGN AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – RICHFIELD ROAD (SPRINGFIELD DISTRICT)**

- Authorized the installation of one “Watch for Children” sign on Richfield Road (Springfield District)
- Directed staff of the Department of Transportation to schedule the installation of the approved “Watch for Children” sign as soon as possible

**ADMIN 3 – APPROVAL OF A “WATCH FOR CHILDREN” SIGN AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – MEADOW HALL DRIVE (HUNTER MILL DISTRICT)**

- Authorized the installation of one “Watch for Children” sign on Meadow Hill Drive (Hunter Mill District)
- Directed staff of the Department of Transportation to schedule the installation of the approved “Watch for Children” sign as soon as possible

**ADMIN 4 – APPROVAL OF “WATCH FOR CHILDREN” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – HOLLY LEAF DRIVE AND CLOVER LEAF DRIVE (DRANESVILLE DISTRICT)**

- Authorized the installation of “Watch for Children” signs on the following roads in the Dranesville District:
  - Two signs on Holly Leaf
  - One sign on Clover Leaf Drive

- Directed staff of the Department of Transportation to schedule the installation of the approved “Watch for Children” signs as soon as possible

**ADMIN 5 – APPROVAL OF “\$200 ADDITIONAL FINE FOR SPEEDING” SIGNS AS PART OF THE RESIDENTIAL TRAFFIC ADMINISTRATION PROGRAM – RICHFIELD ROAD (SPRINGFIELD DISTRICT)**

- (R)
- Adopted the Resolution authorizing the installation of “\$200 Additional Fine for Speeding” signs on Richfield Road from Rolling Road to its terminus (Springfield District)
  - Directed staff to request the Virginia Department of Transportation schedule the installation of the approved measures as soon as possible

**ADMIN 6 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO CONSIDER EXPANDING THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 21 (DRANESVILLE DISTRICT)**

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **November 21, 2023, at 3:30 p.m.**, regarding proposed amendments to the Code of the County of Fairfax, Appendix G, to expand the McLean RPPD (Dranesville District), District 21, to include Rosemont Court from Rosemont Drive to cul-de-sac, inclusive.

**ADMIN 7 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED ZONING ORDINANCE AMENDMENT, REGARDING LANDSCAPING AND SCREENING**

- (A) (R)
- Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on December 6, 2023, at 7:30 p.m., and before the Board on **December 6, 2023, at 4 p.m.**, to consider proposed amendments to the Zoning Ordinance, regarding landscaping and screening.

**ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO ENTER INTO AN AGREEMENT WITH NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT (NVSWCD) FOR LOCAL STORMWATER MANAGEMENT ASSISTANCE FUND ADMINISTRATION**

- (A)
- Authorized the advertisement of a public hearing to be held before the Board on **December 5, 2023, at 3:30 p.m.**, regarding entering into an agreement with NVSWCD for local stormwater management assistance fund administration.

**ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF INNOVATION STATION NORTH NEIGHBORHOOD ACCESS SHARED USE PATH (DRANESVILLE DISTRICT)**

- (A) (NOTE: Earlier in the meeting, there was discussion regarding this item. See page 19.)

Authorized the advertisement of a public hearing to be held before the Board on **November 21, 2023, at 4 p.m.**, regarding the acquisition of certain land rights necessary for the construction of Project ST-000048-001, Innovation Station North Neighborhood Access Shared Use Path (Dranesville District).

**ADMIN 10 – AUTHORIZATION FOR THE DEPARTMENT OF NEIGHBORHOOD AND COMMUNITY SERVICES (DNCS) TO APPLY FOR AND ACCEPT GRANT FUNDING FROM THE METROPOLITAN WASHINGTON COUNCIL OF GOVERNMENTS (MWCOG), ENHANCED MOBILITY OF SENIORS AND INDIVIDUALS WITH DISABILITIES PROGRAM, IN SUPPORT OF THE PURCHASE OF WHEELCHAIR LIFT-EQUIPPED VEHICLES**

- Authorized DNCS to apply for and accept grant funding, if received, from MWCOG. Funding in the amount of \$531,409, including \$106,282 in local cash match, will support the purchase of five wheelchair lift-equipped vehicles to replace high-mileage vehicles currently owned by the County. The required 20 percent local cash match is available in Fund 60010, Department of Vehicle Services, FASTRAN Replacement Reserve. No new County funding will be necessary. There are no new grant positions associated with the award.
- Authorized the Chairma of the Board, the County Executive and/or a designee appointed by the County Executive to enter into the grant agreement and any related agreements, including but not limited to Federal Subaward Agreements, on behalf of the County.

27. **A-1 – APPROVAL OF THE ECONOMIC INCENTIVE PROGRAM APPLICATION OF MARS, INCORPORATED (DRANESVILLE DISTRICT)** (12:04 p.m.)

Following comments, Supervisor Foust moved that the Board concur in the recommendation of staff and approve the application by Mars, Incorporated, submitted in conjunction with Rezoning Application RZ 2022-DR-00008 for eligibility in the Economic Incentive Program. The motion was multiply seconded and carried by unanimous vote.

(NOTE: Later in the meeting, the rezoning public hearing was held regarding Mars, Incorporated. See Clerk's Summary Item #41.)

28. **A-2 - APPROVAL OF THE ECONOMIC INCENTIVE PROGRAM APPLICATION OF EASTGATE ANNANDALE (MASON DISTRICT)**  
(12:06 p.m.)

Following comments, Supervisor Gross moved that the Board concur in the recommendation of staff and approve the application by Eastgate Annandale, submitted in conjunction with Rezoning/Final Development Plan Application RZ/FDP 2023-MA-00001 for eligibility in the Economic Incentive Program. The motion was multiply seconded and carried by unanimous vote.

(NOTE: Later in the meeting, the rezoning public hearing was held regarding Eastgate Annandale. See Clerk's Summary Item #40.)

29. **A-3 – APPROVAL OF THE ECONOMIC INCENTIVE PROGRAM OF ASTORIA MCLEAN (DRANESVILLE DISTRICT)** (12:08 p.m.)

Following comments, Supervisor Foust moved that the Board concur in the recommendation of staff and approve the application by Astoria McLean, submitted in conjunction with Rezoning/Final Development Plan Application RZ/FDP 2022-DR-0028 for eligibility in the Economic Incentive Program. 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.

(NOTE: Later in the meeting, the rezoning public hearing was held regarding Astoria McLean. See Clerk's Summary Item #42.)

30. **A-4 – APPROVAL OF AMENDMENTS TO THE PROJECT ADMINISTRATION AGREEMENT (PAA) WITH THE VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) FOR THE CONTINUED IMPLEMENTATION OF FAIRFAX COUNTY PARKWAY IMPROVEMENTS (SPRINGFIELD AND BRADDOCK DISTRICTS)**  
(12:10 p.m.)

- (R) On motion of Supervisor Alcorn, jointly seconded by Chairman McKay and Supervisor Herrity, and carried by unanimous vote, the Board concurred in the recommendation of staff adopted a resolution authorizing the Director of the Department of Transportation to amend a PAA with VDOT, for the continued implementation of the project. Once executed, this amended agreement will secure full funding for all three segments of the Fairfax County Parkway Improvements.

31. **A-5 – APPROVAL OF A RESOLUTION SUPPORTING ADDITIONAL PROJECTS BEING SUBMITTED TO THE NORTHERN VIRGINIA TRANSPORTATION AUTHORITY (NVTA) FOR FISCAL YEAR (FY) 2024 TO FY 2029 REGIONAL FUNDING CONSIDERATION**

**(DRANESVILLE, FRANCONIA, MASON, MOUNT VERNON, PROVIDENCE, AND SULLY DISTRICTS)** (12:11 p.m.)

- (R) On motion of Supervisor Alcorn, jointly seconded by Chairman McKay and Supervisor Lusk, and carried by unanimous vote, the Board concurred in the recommendation of staff and adopted a resolution supporting the City of Falls Church, City of Manassas Park/Prince William County, the Virginia Railway Express, and the Virginia Passenger Rail Authority projects for NVTAs regional funding program.

32. **A-6 – APPROVAL OF AND AUTHORIZATION TO EXECUTE THE DEED OF LEASE FOR TYSONS COMMUNITY CENTER WITH THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (HUNTER MILL DISTRICT)** (12:11 p.m.)

On motion of Supervisor Alcorn, jointly seconded by Chairman McKay and Supervisor Foust, and carried by a unanimous vote, the Board concurred in the recommendation of staff and approved and authorized the County Executive to execute the Deed of Lease for the Tysons Community Center with the Fairfax County Redevelopment and Housing Authority, and any customary ancillary development documents, including a Reciprocal Easement Agreement, related to the project.

33. **A-7 – AUTHORIZATION FOR THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING (FCRHA) TO: i) ISSUE MULTIFAMILY HOUSING REVENUE BONDS OR NOTES IN AN AGGREGATE NOT TO EXCEED \$20,000,000 FOR LITTLE RIVER GLEN I; AND ii) ISSUE MULTIFAMILY HOUSING REVENUE BONDS OR NOTES IN AGGREGATE AMOUNT NOT TO EXCEED \$20,000,000 FOR LITTLE RIVER GLEN IV, AS PART OF THE FINANCING PLAN FOR THE PLANNED RENOVATIONS AND NEW DEVELOPMENT AT LITTLE RIVER GLEN, IN FAIRFAX, VIRGINIA (BRADDOCK DISTRICT)** (12:11 p.m.)

- (Rs) Supervisor Walkinshaw moved that the Board concur in the recommendation of staff and:

- Authorize FCRHA to submit an application to the Virginia Department of Housing and Community Development for the necessary private activity bond allocation
- Approve FCRHAs issuance of private activity tax-exempt bonds or notes in an aggregate amount not to exceed \$20 million for Little River Glen I

- Approve FCRHA's issuance of private activity tax-exempt bonds or notes in an aggregate amount not to exceed \$20 million for Little River Glen IV

Chairman McKay and Supervisor Palchik jointly seconded the motion. Discussion ensued, with input from Debashish Chakravarty, Associate Director, Real Estate Finance and Grants Management, Department of Housing and Community Development, regarding the per unit cost for the new units.

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity abstaining.

34. **C-1 – AMENDEMENTS TO THE FAIRFAX COUNTY HISTORY COMMISSION BYLAWS** (12:14 p.m.)

(BACs) The Board next considered an item contained in the Board Agenda regarding amended Bylaws presented by the History Commission.

Supervisor Gross moved that the Board adopt amendments to the Fairfax County History Commission Bylaws. Chairman McKay seconded the motion and it carried by unanimous vote.

**DMS:dms**

35. **RECESS/CLOSED SESSION** (12:17 p.m.)

Following a query to Elizabeth Teare, 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).
- (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).

1. *Notice of Claim Ganesh Mada for automobile accident on April 1, 2023*
2. *Anthony Lamont Gardner, Jr. v. Kenyatta Momon, Thomas Armel, Kevin Davis, Fairfax County Police Department, and County of Fairfax*, Case No. 1:23-cv-610 (E.D. Va.)
3. *Tyson's Corner Hotel Plaza LLC v. Fairfax County*, Rec. No. (pending) (Court of Appeals) (Providence District)
4. *Brookfield Washington, L.L.C. v. The County of Fairfax, Virginia, The Board of Supervisors of Fairfax County, Virginia, and The Department of Land Development Services of Fairfax County, Virginia*, Case No. CL-2022-0008210 (Fx. Co. Cir. Ct.) (Hunter Mill District)
5. *Leslie B. Johnson, Fairfax County Zoning Administrator v. Cuong Tan Nguyen*, Case No. CL-2023-0013318 (Fx. Co. Cir. Ct.) (Dranesville District)
6. *Jay Riat, Building Official for Fairfax County, Virginia v. Karen Isaura Cruz*, Case No. GV23-017749 (Fx. Co. Gen. Dist. Ct.) (Franconia District)
7. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Lloyd Chaisson*, Case No. CL-2023-0000503 (Fx. Co. Cir. Ct.) (Hunter Mill District)
8. *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)
9. *Jay Riat, Building Official for Fairfax County, Virginia v. Tigist Mitiku and Mekuria Mulugeta Negia*, Case No. GV22-013652 (Fx. Co. Gen. Dist. Ct.) (Mason District)
10. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Bao Thien Nguyen and Ninh Tran Nguyen*, Case No. GV23- 018670 (Fx. Co. Gen. Dist. Ct.) (Mason District)
11. *Jay Riat, Building Official for Fairfax County, Virginia v. Matthew Dunne and Lynda Dunne*, Case No. GV23-016376 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)

12. *Jay Riat, Building Official for Fairfax County, Virginia v. Donnica Marie Ayon and Arsenio Ayon*, Case No. GV23-017747 (Fx. Co. Gen. Dist. Ct.) (Mount Vernon District)
13. *Gabriel M. Zakkak, Property Maintenance Code Official for Fairfax County, Virginia v. Elaine N. Oliver, Trustee under the Elaine N. Oliver Trust*, Case No. GV23-018671 (Fx. Co. Gen. Dist. Ct.) (Providence District)
14. *Jay Riat, Building Official for Fairfax County, Virginia v. Margaret G. Clark*, Case No. GV23-004180 (Fx. Co. Gen. Dist. Ct.) (Sully District)

And in addition:

- As permitted by Virginia Code Section 2.2-3711 (A)(7) and (8), legal briefing regarding the following: potential reconveyance by the Board of several parcels of real property and *Washington Gas Light Company v. Christine Chen Zinner, et al.*, Fairfax County Circuit Court Case Nos. CL-2022-2942 and -3061
- As permitted by Virginia Code Section 2.2-3711(A)(1) (8), personnel and legal briefing regarding County Contract Number 4400010973
- As permitted by Virginia Code Section 2.2-3711(A)(1), interviews, discussion, and consideration of candidates for the vacant Auditor of the Board position

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

At 3:56 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman McKay presiding.

### **ACTIONS FROM CLOSED SESSION**

36. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (3:56 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, by virtue of Virginia Code Section 2.2-3711, 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 and Supervisor Lusk jointly seconded the motion and it carried

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

37. **DENIAL OF CLAIM OF GANESH MADA** (3:56 p.m.)

Supervisor Gross moved that the Board deny the claim of Ganesh Mada, arising from an automobile accident on April 1, 2023, according to the terms and conditions outlined by the County Attorney in Closed Session. Chairman McKay seconded the motion and it carried by unanimous vote.

38. **DENIAL OF SETTLEMENT DEMAND OF ANTHONY GARDNER** (3:57 p.m.)

Supervisor Gross moved that the Board deny the settlement demand of Anthony Gardner according to the terms and conditions outlined by the County Attorney in Closed Session. Chairman McKay seconded the motion and it carried by unanimous vote.

**KK:kk**

**ADDITIONAL BOARD MATTER**

39. **OPTIONS FOR INDIVIDUALS TO PROVIDE TESTIMONY FOR PUBLIC HEARINGS** (3:57 p.m.)

Chairman McKay stated that individuals have the following options to provide testimony during public hearings:

- Testify before the Board in person
- Provide testimony by telephone (Live)
- Provide testimony by YouTube video

At the designated point in the public hearing, speakers will be called from the Speakers List and they may come forward, or their video will be shown, or they will be connected by telephone. There will then be an opportunity for anyone else who would like to speak regarding the application. If they are present in the Board Auditorium, they may come forward to the podium or call in on a number that will be provided on the screen. Speakers testifying via video must have signed up and submitted their video no later than 9 a.m. on the day prior to the public hearing. For all testimony speakers are given three minutes to speak as an individual. If they are the spokesperson for a group, they are given five minutes.

**AGENDA ITEMS**

40. **3:30 P.M. – PUBLIC HEARING ON RZ 2023-MA-00001 (EASTGATE JV, LLC) TO REZONE FROM C-6, HC, CRD AND SC TO PRM, HC, CRD AND SC TO PERMIT MIXED USE MULTI-FAMILY APARTMENT BUILDING WITH AN OVERALL INTENSITY OF 2.34 FLOOR AREA RATIO INCLUDING BONUS DENSITY ASSOCIATED WITH AFFORDABLE HOUSING AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 3.22 ACRES OF LAND (MASON DISTRICT) (3:58 p.m.)**

- (O) (NOTE: Earlier in the meeting the Board took action on Item A-2, which relates to this application. See Clerk's Summary Item #28.)

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 October 10 and October 17, 2023.

The application property is located on the east side of John Marr Drive approximately 425 feet south of the intersection of John Marr Drive and Columbia Pike. Tax Map 71-1 ((1)) 103A2 and 103A3.

Scott E. Adams, McGuireWoods LLP, reaffirmed the validity of the affidavit dated August 31, 2023, for the record.

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

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

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

Following comments, Supervisor Gross moved that the Board approve:

- Rezoning Application RZ 2023-MA-00001, and its associated Conceptual Development Plan CDP 2023-MA-00001, subject to the proffers dated October 10, 2023
- A Parking Reduction pursuant to Section 6100.4.C to allow for a reduction in the number of parking spaces based on proximity to Metro to reduce the parking ratio from 1.6 to 1.34 spaces per dwelling unit as shown on the Conceptual Development Plan/Final

Development Plan and as a condition in Attachment 1 of Appendix 9 as contained in the staff report

- Waivers and modifications contained in the handout distributed, dated September 26, 2023, which will be made part of the record, and are as follows:
  - Modification of subsection 5100.2.C (5) of the Zoning Ordinance to allow for a parapet wall, cornice, or similar projection to exceed the height limit established by more than three (3) feet but not more than 12 feet in order to screen mechanical equipment without counting towards building height as shown on the Conceptual Development Plan Amendment/Final Development Plan Amendment
  - Modification of minimum loading space requirement set forth in subsection 6101.3 of the Zoning Ordinance to permit one loading space in lieu of the required three loading spaces
  - Waiver of subsection 5107.3.A.3 of the Zoning Ordinance to allow private streets in excess of 600 feet in length
  - Modification of subsection 5108.7.A.3 for transitional screening and barriers to the east in favor of that shown on the Conceptual Development Plan/ Final Development Plan

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

(NOTE: On October 11, 2023, the Planning Commission approved Final Development Plan Application FDP 2023-MA-00001.)

41. **3:30 P.M. – PUBLIC HEARING ON RZ 2022-DR-00008 (MARS INCORPORATED) TO REZONE FROM C-2, C-3, C6, HC, SC AND CRD TO C-3, HC, SC AND CRD TO PERMIT OFFICE USE WITH AN OVERALL FLOOR AREA RATIO OF 0.76, LOCATED ON APPROXIMATELY 3.79 ACRES OF LAND (DRANESVILLE DISTRICT)**  
(4:10 p.m.)

- (O) (NOTE: Earlier in the meeting the Board took action on Item A-1, which relates to this application. See Clerk’s Summary Item #27.)

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 October 10 and October 17, 2023.

The application property is located immediately south of the intersection of Moyer Place and Elm Street, south of Dolley Madison Boulevard and north of Old Dominion Drive. Tax Map 30-2 ((6)) 1, 30-2 ((10)) (7) 2, and 30-2 ((10)) (8) 1.

G. Evan Pritchard, Cozen O'Connor PC, reaffirmed the validity of the affidavit dated September 19, 2023, for the record.

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

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

Discussion ensued, with input from Mr. Pritchard, regarding provisions for public art.

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

Following comments, Supervisor Foust moved that the Board approve:

- Rezoning Application RZ 2022-DR-00008, subject to the proffers dated October 23, 2023
- A modification of the loading space requirement to that shown on the General Development Plan
- A 20 percent parking reduction of the parking requirements, either current or as amended by Parking Reimagined, so long as there are no less than 205 parking spaces

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

42. **3:30 P.M. – PUBLIC HEARING ON RZ 2022-DR-00028 (JAG PARTNERS LLC) TO REZONE FROM C-3, C-6, SC, HC AND CRD TO PRM, SC, HC AND CRD TO PERMIT A MIXED USE DEVELOPMENT WITH AN OVERALL FLOOR AREA RATIO OF 3.12 AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 2.06 ACRES OF LAND (DRANESVILLE DISTRICT)**  
(4:26 p.m.)

- (O) (NOTE: Earlier in the meeting the Board took action on Item A-3, which relates to this application. See Clerk’s Summary Item #29.)

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 October 10 and October 17, 2023.

The application property is located on the northeast side of Old Dominion Drive between Ingleside Avenue and Beverly Road, southwest side of Elm Street between Moyer Place and Beverly Road, McLean, 22101. Tax Map 30-2 ((10)) (8) 3, 4 and 5 and 30-2 ((10)) (7) 3.

Michelle A. Rosati, Holland and Knight LLP, reaffirmed the validity of the affidavit dated October 4, 2023, for the record.

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

Ms. Rosati 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. Rosati, regarding the development.

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

Following comments, Supervisor Foust moved that the Board approve:

- Rezoning Application RZ 2022-DR-00028, subject to the proffers dated October 23, 2023
- A modification of the loading space requirements to that shown on the Conceptual Development Plan/Final Development Plan

The motion was multiply seconded. Following a brief discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Foust, Supervisor Gross, Supervisor Herrity, Supervisor Lusk,

Supervisor Palchik, Supervisor Smith, Supervisor Storck, Supervisor Walkinshaw, and Chairman McKay voting “AYE,” Supervisor Alcorn being out of the room.

(NOTE: On October 18, 2023, the Planning Commission approved Final Development Plan Application FDP 2022-DR-00028.)

43. **3:30 P.M. - PUBLIC HEARING ON RZ 2023-SU-00008 (K HOVNANIAN HOMES AT THE GALLERY PARK AT WESTFIELDS, LLC) TO REZONE FROM I-4, AN AND WS TO PDH-16, AN AND WS TO PERMIT RESIDENTIAL DEVELOPMENT WITH AN OVERALL DENSITY OF 13.83 DWELLING UNITS PER ACRE INCLUDING BONUS DENSITY ASSOCIATED WITH AFFORDABLE HOUSING AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 10.76 ACRES OF LAND (SULLY DISTRICT)** (4:40 p.m.)

Following comments, Supervisor Smith moved that the Board approve a limited waiver of the Election Year Policy and defer the public hearing on Rezoning/Final Development Plan Application RZ/FDP 2023-SU-00008 (K Hovnanian Homes at the Gallery Park at Westfields, LLC) until **November 21, 2023, at 3:30 p.m.** The motion was multiply seconded.

Discussion ensued, with input from Suzanne Wright, Director, Zoning Evaluation Division, Department of Planning and Development, regarding the deferral.

The question was called on the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

44. **4 P.M. – PUBLIC HEARING FOR THE CREATION OF HOLMES RUN AREA SANITARY DISTRICT FOR REFUSE/RECYCLING COLLECTION SERVICES (MASON DISTRICT)** (4:48 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 October 13 and October 20, 2023.

Lainie Cooke, Management Analyst II, Department of Public Works and Environmental Services (DPWES), presented the staff report.

Discussion ensued, with input from Eric Forbes, Deputy Director, Solid Waste Management Program, DPWES, regarding the impact of adding additional districts.

Following the public hearing, which included testimony by three speakers, Chairman McKay noted that the testimony of Speaker #2 (Henry Edelman) was intended for a different hearing and a brief discussion ensued, with input from Elizabeth Teare, County Attorney, who clarified that the speaker would need to repeat his testimony for the correct public hearing.

Chairman McKay also noted that, if the speaker had written testimony and did not wish to wait for the other public hearing, he could submit it for the record.

Following comments, Supervisor Gross moved to modify County Executive's recommendation to deny completely, still creating the Holmes Run Area Sanitary District for Refuse and Recycling Collection Services in the Mason District DTA Local District 1B, but removing one house from the map located at 7829 Rebel Drive. The recommendation is based on the fact that the submitted petition includes a home whose service is not on the streets of all other homes in the petition requiring the County to travel on multiple streets not serviced by the County to service that one home. This situation is counter to the guidelines that enlargements and creations of sanitary service districts should not have a negative environmental impact of multiple haulers servicing the same street as well as resulting in increased costs to the abnormal travel time from one customer to another.

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
DTA Local District 1B Within Mason District (Holmes Run Area)	Create	Refuse and Recycling

Supervisor Lusk and Chairman McKay jointly seconded the motion. Following discussion regarding the motion, the question was called on the motion and it carried by a vote of nine, Supervisor Alcorn being out of the room.

45. **4 P.M. – PUBLIC HEARING FOR THE ENLARGEMENT OF STONE HAVEN AREA SANITARY DISTRICT FOR REFUSE/RECYCLING COLLECTION SERVICES (BRADDOCK DISTRICT)**  
(5:04 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 October 13 and October 20, 2023.

Lainie Cooke, Management Analyst II, Department of Public Works and Environmental Services (DPWES), presented the staff report.

Following the public hearing, which included testimony by one speaker, Ms. Cooke presented the staff recommendation.

Following comments, Supervisor Walkinshaw Lusk moved adoption of the resolution approving changes to small and local sanitary districts for refuse/recycling collection service in accordance with the Board's adopted criteria for the Creation of Small or Local Sanitary Districts, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
DTA Small District 3 Within Braddock District (Stone Haven Area)	Enlarge	Refuse and Recycling

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

46. **4 P.M. – PUBLIC HEARING FOR THE ENLARGEMENT OF SPRINGFIELD PARK AREA 1 SANITARY DISTRICT FOR REFUSE/RECYCLING AND VACUUM LEAF COLLECTION SERVICES (FRANCONIA DISTRICT) (5:09 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 October 13 and October 20, 2023.

Lainie Cooke, Management Analyst II, Department of Public Works and Environmental Services (DPWES), presented the staff report.

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

Supervisor Lusk moved adoption of the resolution approving changes to small and local sanitary districts for refuse/recycling and/or leaf collection service in accordance with the Board's adopted criteria for the Creation of Small or Local Sanitary Districts, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
DTA Local District 1B Within Franconia District (Springfield Park Area 1)	Enlarge	Refuse, Recycling and Vacuum Leaf

Supervisor Foust and Chairman McKay jointly seconded the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Alcorn being out of the room.

47. **4 P.M. – PUBLIC HEARING FOR THE ENLARGEMENT OF DUNN LORING AREA 1 SANITARY DISTRICT FOR REFUSE/RECYCLING COLLECTION SERVICES (PROVIDENCE DISTRICT) (5:11 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 October 13 and October 20, 2023.

Lainie Cooke, Management Analyst II, Department of Public Works and Environmental Services (DPWES), presented the staff report.

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

Supervisor Palchik moved adoption of the resolution approving changes to small and local sanitary districts for refuse/recycling collection service in accordance with the Board's adopted criteria for the Creation of Small or Local Sanitary Districts, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
DTA Small District 11 Within Providence District (Dunn Loring Area 1)	Enlarge	Refuse and Recycling

Supervisor Lusk seconded the motion. Following a brief discussion, the question was called on the motion and it carried by a vote of eight, Supervisor Herrity and Supervisor Alcorn being out of the room.

48. **4 P.M. – PUBLIC HEARING FOR THE CREATIONS OF ELMWOOD ESTATES AREA 1, REDDFIELD AREA 1, SWINKS MILL AREA 1 AND ENLARGEMENTS OF CHESTERBROOK ESTATES AREA 2, LEWINSVILLE HEIGHTS AREA 1, MCLEAN MANOR AREA 3, RIVER OAKS AREA 1 AND RIVER OAKS AREA 2 SANITARY DISTRICTS FOR REFUSE/RECYCLING COLLECTION SERVICES (DRANESVILLE DISTRICT) (5:13 p.m.)**

- (Rs) 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 October 13 and October 20, 2023.

Lainie Cooke, Management Analyst II, Department of Public Works and Environmental Services (DPWES), presented the staff report.

Following the public hearing, which included testimony by nine speakers, a brief discussion ensued, with input from Eric Forbes, Deputy Director, Solid Waste Management Program, DPWES, regarding assistance services provided by the County to customers with disabilities along the sanitary routes.

Ms. Cooke presented the staff recommendation.

Following comments, Supervisor Foust moved adoption of the resolution approving changes to small and local sanitary districts for refuse/recycling collection service in accordance with the Board's adopted criteria for the Creation of Small or Local Sanitary Districts, as follows:

<u>Sanitary District</u>	<u>Action</u>	<u>Service</u>
DTA Local District 1A2 Within Dranesville District (Elmwood Estates Area 1)	Create	Refuse and Recycling
DTA Local District 1B Within Dranesville District (Reddfield Area 1)	Create	Refuse and Recycling
DTA Local District 1A1 Within Dranesville District (Swinks Mill Area 1)	Create	Refuse and Recycling
DTA Local District 1A1 Within Dranesville District (Chesterbrook Estates Area 2)	Enlarge	Refuse and Recycling
DTA Small District 4 Within Dranesville District (Lewinsville Heights Area 1)	Enlarge	Refuse and Recycling
DTA Local District 1A1 Within Dranesville District (McLean Manor Area 3)	Enlarge	Refuse and Recycling
DTA Small District 6 Within Dranesville District (River Oaks Area 1)	Enlarge	Refuse and Recycling
DTA Small District 6 Within Dranesville District (River Oaks Area 2)	Enlarge	Refuse and Recycling

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

49. **4 P.M. – PUBLIC HEARING ON RZ 2022-HM-00025 (SEM FAIRFAX LAND ASSOCIATES, LLC) TO REZONE FROM THE R-E TO PDH-1 DISTRICT TO PERMIT A RESIDENTIAL DEVELOPMENT WITH AN OVERALL DENSITY OF 0.90 DWELLING UNITS PER ACRE AND APPROVAL OF THE CONCEPTUAL DEVELOPMENT PLAN, LOCATED ON APPROXIMATELY 8.87 ACRES OF LAND (HUNTER MILL DISTRICT) (5:43 p.m.)**

- (O) A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public hearing was duly advertised in that newspaper in the issues of October 10 and October 17, 2023.

The application property is located on the west side of Lake Fairfax Drive and generally southeast of Hunt Club Road, immediately north of Lake Fairfax Park and south of Green Run Lane. Tax Map 18-1 ((1)) 2.

John C. McGranahan, Jr., Hunton Andrews Kurth LLP, reaffirmed the validity of the affidavit dated October 4, 2023, for the record.

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

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

Discussion ensued, with input from Mr. McGranahan, regarding the historic Johnson Family Cemetery which is no longer subject to burials.

Following the public hearing, Mr. McGranahan thanked Supervisor Gross and Supervisor Foust for their service to the County.

Ms. Yang presented the staff and Planning Commission recommendations.

Following comments, Supervisor Alcorn moved that the Board approve Rezoning Application RZ 2022-HM-00025, and the associated Conceptual Development Plan, subject to the proffers dated September 7, 2023. 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."

(NOTE: On September 27, 2023, the Planning Commission approved Final Development Plan Application FDP 2022-HM-00025.)

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50. **4:30 P.M. – PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF CHAIN BRIDGE ROAD WALKWAY – COURTHOUSE ROAD TO SUTTON ROAD (PROVIDENCE DISTRICT) (5:53 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 October 13 and October 20, 2023.

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

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

Supervisor Palchik moved adoption of the Resolution authorizing the acquisition of certain land rights necessary for the construction of Chain Bridge Road Walkway - Courthouse Road to Sutton Road, Project 5G25-060-023, in Fund 30050, Transportation Improvements, and included in the Board Agenda Item as Attachment B. Chairman McKay seconded the motion.

Following a brief discussion, with input from Mr. Herider, regarding the acquisition of additional land rights necessary for the construction, the question was called on the motion and it carried by unanimous vote.

51. **4:30 P.M. – PUBLIC HEARING TO CONVEY BOARD-OWNED PROPERTY AT 13500 DULLES GREENE DRIVE TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) (DRANESVILLE DISTRICT)** (5:59 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 October 13 and October 20, 2023.

Mike Lambert, Property Manager, Real Estate Services, Facilities Management Department, presented the staff report.

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

Following comments, Supervisor Foust moved that the Board authorize County staff to prepare and execute all documentation necessary to convey approximately 9 ½ acres of Board-owned property located at 13500 Dulles Greene Drive, and identified as Tax Map Number 0161 01 0011B to the FCRHA, subject to the condition that the property must be used to create an affordable housing development. If the FCRHA no longer pursues the project, the FCRHA will transfer ownership of the property back to the Board. Supervisor Lusk seconded the motion.

Supervisor Foust noted that this is the beginning of the process and there will be an opportunity for public input.

The question was called on the motion and it carried by a vote of nine, Supervisor Herrity voting “NAY.”

52. **4:30 P.M. – PUBLIC HEARING ON PROPOSED PLAN AMENDMENT 2015-IV-RH1, TOPGOLF SITE, LOCATED NORTHWEST OF THE INTERSECTION OF SOUTH VAN DORN STREET AND KINGSTOWNE VILLAGE PARKWAY (FRANCONIA DISTRICT)** (6:05 p.m.)

Supervisor Lusk moved to defer the public hearing on Proposed Plan Amendment 2015-IV-RH1 until **January 23, 2024, at 4:30 p.m.** Supervisor Foust seconded the motion and it carried by unanimous vote.

53. **4:30 P.M. – PUBLIC HEARING ON PCA/CDPA 81-D-024 (RZPA 2022-PR-00119) (MCLEAN CORPORATE RIDGE PROPERTY, LLC) TO AMEND THE PROFFERS AND CONCEPTUAL DEVELOPMENT PLANS FOR RZ 81-D-024 PREVIOUSLY APPROVED FOR AN OFFICE DEVELOPMENT WITH AN OVERALL FLOOR AREA RATIO OF 0.73 TO REPURPOSE THE EXISTING BUILDING WITH LIVE/WORK UNITS, LOCATED ON APPROXIMATELY 8.07 ACRES OF LAND (PROVIDENCE DISTRICT) (6:06 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 October 10 and October 17, 2023.

The application property is located in the terminus of Corporate Ridge, east of I-495 and north of Leesburg Pike. Tax Map 39-2 ((1)) 62B.

Greg Reigle, McGuireWoods LLP, reaffirmed the validity of the affidavit dated August 2, 2023, for the record.

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

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

Discussion ensued, with input from Tracy Strunk, regarding building repositioning.

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

Supervisor Palchik moved that the Board approve:

- Proffered Condition Amendment/Conceptual Development Plan Application PCA/CDPA 81-D-024, subject to the proffers dated September 14, 2023
- Waivers and modifications contained in the handout distributed, dated September 14, 2023, which will be made part of the record, and are as follows:

- Reaffirmation of the modification of subsection 2105.4.C.1.A.1 of the Zoning Ordinance to permit the gross floor area (GFA) of dwellings as a secondary use in the PDC District to exceed 50 percent of the GFA of all principal uses as shown on the Conceptual Development Plan Amendment/Final Development Plan Amendment (CDPA/FDPA)
- Reaffirmation of the modification of subsection 5100.2.D.8 of the Zoning Ordinance to permit residential uses 65 feet from the right-of-way of an interstate highway as shown on the CDPA/FDPA
- Reaffirmation of the modification of subsection 5107.3.A.2 of the Zoning Ordinance to allow existing garage aisles less than 23 feet in width as shown on the CDPA/FDPA
- Reaffirmation of the modification of subsection 5108.5 of the Zoning Ordinance for interior parking lot landscaping in favor of maintaining the existing landscaping as shown on the CDPA/FDPA
- Reaffirmation of the modification of subsection 6100.2.C(5) of the Zoning Ordinance to permit a reduction in overall parking onsite while maintaining existing compact parking spaces in the existing parking garage as shown on the CDPA/FDPA
- Reaffirmation of the modification of subsection 6101.3 of the Zoning Ordinance to allow for a reduced number of loading spaces as shown on the CDPA/FDPA
- Reaffirmation of the waiver of subsection 8100.7.E.3 of the Zoning Ordinance requiring any additional interparcel access to adjoining parcels

Chairman McKay and Supervisor Gross jointly seconded the motion. Following a brief discussion regarding the motion, 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 September 14, 2023, the Planning Commission approved Final Development Plan Amendment Application FDPA 81-D-024-02.)

54. **4:30 P.M. – PUBLIC HEARING ON SE 2023-DR-00001 (FR CHESTERBROOK JV, LLC) TO PERMIT A WAIVER FOR INCREASE IN SIGN AREA, LOCATED ON APPROXIMATELY 18,473 SQUARE FEET OF LAND (DRANESVILLE DISTRICT) (6:20 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 October 10 and October 17, 2023.

The application property is located at 6246 Old Dominion Drive, McLean, 22101. Tax Map 31-3 ((1)) 112B.

Michael D. Van Atta, McGuireWoods LLP, reaffirmed the validity of the affidavit dated August 1, 2023, for the record.

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

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

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

A brief discussion ensued regarding the staff report.

Following a query by Supervisor Foust, Mr. Van Atta confirmed, for the record, that the applicant was in agreement with the proposed development conditions dated August 30, 2023.

Supervisor Foust moved that the Board approve Special Exception Application SE 2023-DR-00001, subject to the development conditions dated August 30, 2023. 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.

55. **4:30 P.M. – PUBLIC HEARING ON RZ 2022-SU-00019 (PDCREF 2 CHANTILLY LLC) TO REZONE FROM C-8, I-3, I-5, HC, WS AND AN TO I-5, HC, WS AND AN TO PERMIT DATA CENTER WITH A FLOOR AREA RATIO OF 0.8 OR WAREHOUSE WITH AN FAR OF 0.3, LOCATED ON APPROXIMATELY 12.10 ACRES OF LAND (SULLY DISTRICT)**

**AND**

**PUBLIC HEARING ON SE 2022-SU-00038 (PDCREF 2 CHANTILLY LLC) TO PERMIT AN INCREASE IN BUILDING HEIGHT FROM 75 FEET UP TO A MAXIMUM OF 110 FEET, LOCATED ON APPROXIMATELY 12.10 ACRES OF LAND (SULLY DISTRICT)** (6:27 p.m.)

Supervisor Smith moved to defer the public hearing on Rezoning Application RZ 2022-SU-00019 and Special Exception Application SE 2022-SU-00038 until **January 23, 2024, at 4 p.m.** Chairman McKay and Supervisor Alcorn jointly seconded the motion and it carried by unanimous.

56. **4:30 P.M. – PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (6:28 p.m.)

A Certificate of Publication was filed from the editor of the *Washington Times* showing that notice of said public comment was duly advertised in that newspaper in the issues of October 13 and October 20, 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:

- Thomas Clarkson – Regarding Federal Job Guarantee Pilot Program Proposal
- Joni Gaines – Regarding Newington Road Sidewalk
- Vernon Walton – Regarding Performed Matrix Working Group Recommendations

**ADDITIONAL BOARD MATTER**

57. **ADDITIONAL REAPPOINTMENT TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS, AND ADVISORY GROUPS (BACS)** (6:43 p.m.)

(NOTE: Earlier in the meeting, the Board made appointments to BACs. See Clerk's Summary Item #7.)

Supervisor Storck asked to amend the earlier motion of the appointments and reappointments of those individuals identified in the final copy of "Appointments to be Heard October 24, 2023," and reappoint Ms. Elaine D. Kolish

as the Mount Vernon District Representative to the Tree Commission. This was accepted. The question was called on the motion, as amended, and it carried by unanimous vote.

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

At 6:44 p.m. the Board adjourned.