

Sull-E Newsletter



A message from Kathy Smith

Below you will find information from the Board of Supervisors' meeting that took place on Tuesday, June 25, 2019. The full [meeting agenda and board package](#) are available online. You can also watch a [video](#) of the meeting online on the county's website.

Sincerely,

Kathy

Presentations



The Board of Supervisors designated **June 22-29, 2019 as Army Week** in Fairfax County. Requested by Chairman Bulova.



The Board of Supervisors recognized **Northern Virginia Electric Cooperative** for its accomplishment, innovation, and service to the residents of Fairfax County. Requested by Chairman Bulova, Supervisor Kathy Smith, and Supervisor Herrity.



The Board of Supervisors designated **July 2019 as Parks and Recreation Month** in Fairfax County. Requested by Chairman Bulova.

Appointments

Evelyn Spain

Supervisor Kathy Smith appointed Evelyn Spain to the [Fairfax-Falls Church Community Services Board](#) (CSB). Her term is for three years. The purpose of the CSB is to ensure and oversee the establishment and operation of local mental health, intellectual and developmental disabilities, and substance abuse programs.

Evelyn is a Sully District resident, and is a Project Manager for Perspecta, a global technology services provider in Herndon. She is currently attending the Sorensen Institute of Political Leadership at the University of Virginia. Evelyn received her Master's in Business Administration from American Intercontinental University and her Bachelor's in Education from Bradely University.

Reappointments

Supervisor Kathy Smith reappointed:

- **Debbie Kilpatrick** to the Barbara Varon Volunteer Award Selection Committee. Her term is for one year.
 - **Richard J. Weisman** to the Environmental Quality Advisory Council. His term is for three years.
 - **Karen Campblin** to the Tree Commission. Her term is for three years.
 - **Philip W. Allin** to the Water Authority. His term is for three years.
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Action Items

ACTION - 7

Approval of a Memorandum of Agreement with Dominion Energy Technologies, Inc. for the Fairfax County Connected Autonomous Vehicle

Demonstration Project

Supervisor Foust made a motion to approve and authorize the Director of the Fairfax County Department of Transportation (FCDOT) to execute, a Memorandum of Agreement (MOA) with Dominion Energy Technologies, Inc., for the implementation of the Fairfax County Connected Autonomous Vehicle Demonstration Project. The motion was seconded by Supervisor Linda Smyth. The motion carried by unanimous vote.

Background:

By pursuing a Connected Autonomous Vehicle (CAV) Demonstration Project, the county, along with other interested stakeholders, hopes to demonstrate the viability of CAV technology in the county, including as a first- and last- mile mobility solution. The county and Dominion are entering into an MOA to develop and implement the CAV Demonstration Project, which will further explore and assess the potential benefits, impacts, and opportunities associated with new Smart Community utility and transportation technologies. For more information about the autonomous electric shuttle pilot, [click here](#).

ACTION - 8

Approval of and Authorization to Execute a Project Administration Agreement with the Virginia Department of Transportation, for the Implementation of the I-66 Median Widening at Route 29 (Sully District)

Supervisor Kathy Smith made a motion to approve and authorize the Director of the Department of Transportation to execute a Project Administration Agreement (PAA) with the Virginia Department of Transportation (VDOT) for the implementation of the I-66 Median Widening at Route 29 project. The motion was seconded by Supervisor Foust. The motion carried by unanimous vote.

Background:

The purpose of this project is to provide a wider median along I-66 in the Centreville area from west of Route 28 through the Route 29 interchange to physically accommodate a future WMATA Orange Line extension with minimal

disruption to the Express Lanes and I-66 in the future. To accomplish this, the I-66 overpasses above Route 29 will need to be rebuilt, lengthened, and raised to address clearance issues. Route 29 will be widened to provide three lanes, as well as parallel pedestrian facilities in each direction beneath the bridges.

ACTION - 11

Approval of and Authorization to Execute a Project Agreement with the Virginia Department of Transportation for the Implementation of I-66 Outside the Beltway Trails (Sully District)

Supervisor Kathy Smith made a motion to approve and authorize the Director of the Department of Transportation to execute a Project Administration Agreement (PAA) with the Virginia Department of Transportation (VDOT) for the implementation of the Braddock Road and Walney Road improvements, and Compton Road Shared Use Path (under I-66) projects. The motion was seconded by Supervisor Foust. The motion carried by unanimous vote.

Background:

The [Transform 66 project](#) plans to complete a parallel trail along the I-66 highway corridor as part of the implementation of Express Lanes Outside the Beltway. In areas where the highway right-of-way is limited and the trail cannot be accommodated, portions of the trail will continue along the street network or park property, until it can be reconnected to the trail located in highway right-of-way.

The Compton Road segment is one such connection that will provide a shared use path connection from the Cub Run Stream Valley Trail to the Bull Run Events Center entrance. As part of the Transform 66 project, Express Mobility Partners (EMP) will modify the I-66 Bridge over Compton Road and construct a ten-foot shared use path underneath the bridge, at a total cost of \$1,075,000. VDOT will construct the remaining portions of the ten-foot shared use path north and south of the bridge along the east side of Compton Road.

The Braddock Road and Walney Road improvements includes approximately 3,800 feet of new shared use path from Newton Patent Drive over the new Route

28 bridge connecting the eastern part of E.C. Lawrence Park. As part of the Transform 66 project, EMP will construct the bridge structure over Route 28 to connect Braddock Road and Walney Road. This shared use path will greatly benefit the pedestrians and bicyclists with direct connection between east and west sides of E.C. Lawrence Park. The total cost for this project is \$4,150,000.

ACTION - 16

Board Approval of a Minor Variation to PCA 95-Y-016-05, Lidl US Operations, LLC, to Allow a Setback of 64 Feet from Chantilly Crossing Lane (Sully District)

Supervisor Kathy Smith made a motion to waive the requirement of a public hearing and approve the request to allow a setback of 64 feet from Chantilly Crossing Lane. The motion was seconded by Supervisor Foust. The motion carried by unanimous vote.

Background:

Under Par. 5 of Sect. 18-204 of the [Zoning Ordinance](#), the Board may approve certain minor variations to proffered conditions and the associated generalized development plan without a public hearing when such requests do not materially affect proffered conditions of use, density, or intensity.

Staff has reviewed PCA 95-Y-016-05 and the request to allow a reduction in the building setback to the peripheral lot line at Chantilly Crossing Lane and has determined the proposed change will not have a materially adverse impact on adjacent properties. Given that conclusion, staff believes that approval of this minor variation request meets the requirements of the Zoning Ordinance and recommends its approval. To view the staff report, [click here](#).

Public Hearings

Public Hearing on PCA 2006-SU-025-04 (Regency Centers Acquisitions, LLC) to Amend the Proffers for RZ 2006-SU-025-03 Previously Approved for Mixed-Use Development to Permit a Drive-in Financial Institution and Associated Modifications to Proffers and Site Design with an Overall Floor Area Ratio of Land Bay D is 0.41) Located on Approximately 1.0 Acre of Land Zoned PDC, WS, and AN (Sully District)

Supervisor Kathy Smith made a motion to:

- Approve PCA 2006-SU-025-04, subject to the execution of proffered conditions consistent with those dated May 1, 2019;
- Modify Par. 5 of Section 11-104 of the Zoning Ordinance to reduce the stacking requirement from eight vehicles to five vehicles; and
- Reaffirm the previously granted modification of Par. 5 of Section 6-206 of the Zoning Ordinance to permit the gross floor area of non-residential secondary uses to exceed 25 percent of the gross floor area of all principle uses in the development.

The motion was seconded by Supervisor Herrity. The motion carried by unanimous vote.

Background:

This application is to amend one acre of RZ 2006-SU-025-03, previously approved for a mixed-use development of 36.78 acres, to add a drive-through automated teller machine (ATM) to a previously approved financial institution. Located in the N.E. corner of the northern intersection of Newbrook Drive and Westfields Boulevard on approximately 1.0 acres of land zoned PDC, WS, and AN. Staff recommends approval of PCA 2006-SU-025-04, subject to the execution of proffers consistent with those contained in Appendix 1. Staff recommends approval of FDPA 2006-SU-025-04, subject to the proposed development conditions contained in Appendix 2. To view the staff report, [click here](#).

Public Hearing on a Proposed Zoning Ordinance Amendment Re: Articles 2, 3, 6, 8, 10, 18 and 20 - Community Gardens, Farmers Markets, Gardening as an Accessory Use and Related Changes

Supervisor Kathy Smith made a motion to:

- Adopt the proposed amendment.
- Direct staff to report back to the Board of Supervisors in 18 months following adoption of the amendment on any complaints that have been made regarding gardens and/or related structures in the front yard.

The motion was seconded by Chairman Bulova. The motion carried by unanimous vote.

Background:

The proposed amendment addresses three sub-topics in the Agricultural Districts and Uses topic set forth in the [2018 Priority 1, First Tier Zoning Ordinance Amendment Work Program](#) (ZOAWP), specifically community gardens/urban agriculture, sales/distribution of garden/farm products, and residential gardening as an accessory use. The changes include:

1. Allow community gardens by an administrative permit approval with additional standards that include demonstration that safe and adequate ingress/egress and parking can be provided; limits on the hours of operation, the location and size of accessory structures and setbacks from adjacent properties to mitigate any potential impacts on neighboring properties is provided; and standards to ensure that the establishment of a community garden does not create an erosive condition.
2. Modify the standards for farmers markets to allow year-round operation; expand the permitted items to be sold to include agricultural products and items made from farm products, including vendor-produced food, beverage, and other value-added items; delete the requirement that road access must be from an arterial roadway; and permit with a longer validity time frame and lower cost.
3. Clarify the current provisions regarding common open space to allow community gardens as a permitted use of open space.
4. Modify the location regulations for accessory structures and uses in the front yard to permit gardening primarily for the growth of herbs, fruits, vegetables,

flowers, and ornamental plantings, but not including composting, with limitations.

The Planning Commission recommended adoption of the proposed amendment. To view the staff report, [click here](#).

Public Hearing on a Proposed Amendment to the Code of the County of Fairfax, Chapter 122 (Tree Conservation Ordinance) Regarding Adding Civil Penalties and Other Changes

Supervisor Kathy Smith made a motion to adopt the proposed amendment as set forth in the staff report dated April 9, 2019. The motion was seconded by Supervisor Gross. The motion carried by unanimous vote.

Background:

Under the [Tree Conservation Ordinance](#), violations of the Ordinance are deemed criminal misdemeanors, punishable by fines only after criminal conviction. However, criminal prosecution discourages enforcement because of the long-term impact of a criminal conviction on a person's record and the need, in some cases, to rely on the Commonwealth's Attorney to prosecute violations. The Ordinance's enabling legislation, [Virginia Code § 15.2-961.1](#), authorizes the county to impose civil penalties for violations in the same way civil penalties are imposed for violations of zoning ordinances. The proposed amendment would provide the Director with an option to seek civil penalties, rather than criminal convictions. The Planning Commission recommended adoption of the proposed amendments. They also recommended that the proposed amendments become effective at 12:01 a.m. on June 26, 2019, and that the requirements be applicable to plans submitted on or after that date. To view the staff report, [click here](#).
