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Fairfax County Board of Supervisors Meeting, Tuesday, September 12, 2023

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[00:05:57] - Good morning everyone, and welcome to our board meeting of September 12th, 2023. And we are going to, in a moment, rise for the Pledge of Allegiance and a moment of silence, but before we do that, I'm gonna recognize any of my colleagues that would like to keep folks in our thoughts and prayers, and I'd ask for folks' patience here.

[00:06:19] It's been a while since our last board meeting, so my sense is there will be quite a few of these, and we're gonna try to do our best to be succinct. and respect everyone's schedule this morning. And let me begin by just mentioning a few folks.

[00:06:34] First, Arthur Nachman, who was a longtime member of the Board of Equalization and served as the former president of the Herndon Rotary Club, where he was named citizen of the year in 2012. Arthur was always fair, respectful, very knowledgeable when handling Board of Equalization cases and addressing appellants.

[00:06:54] Everyone knew Arthur. His family owned a clothing store for decades in downtown Herndon, which I did not know about. The town of Herndon declared January 14th as Nachman Day to honor and recognize the incredible impact the Nachman family has had on the town of Herndon.

[00:07:11] And if we could keep Arthur in our thoughts and prayers, he recently passed away, but his memory will stay alive, certainly in Herndon, town of Herndon, and of course in Fairfax County. Secondly, I'm sad to report the passing of Janet Carver, and I know a lot of folks on this dais knew Janet well.

[00:07:33] She was a tireless community activist in Virginia and well-known in the Fairfax area as a former staff member for former board member Jerry Highland in Mount Vernon District. She held several positions within the local Democratic committee, such as member of the Democratic State Central Committee, first vice chair of the 8th Congressional District, first vice chair of the 11th Congressional District, and three-time chair of the Springfield Democratic Committee.

[00:08:02] Janet was everywhere. We knew her. We knew her well, and we ask that we keep Janet Carver and her entire family in our thoughts and prayers. And then lastly, I want to mention, obviously, there was a tremendous earthquake that just occurred in Morocco, and that was on September 8th that killed at least 2,500 people.

[00:08:24] The death toll sadly continuing to rise, which I think obviously is, you know, brings brings to mind for us not only our resiliency and emergency response capabilities and climate change and so many other things, but also certainly brings to mind our Virginia Task Force One.

[00:08:46] And I want to use this as an opportunity to once again thank the men and women of Virginia Task Force 1, our Fairfax County Urban Search and Rescue Team, which, as we all know, is a federally funded task force, one of the few of its kind in the United States, is trained right here in Fairfax County and deploys across the world responding to humanitarian and climate disasters.

[00:09:12] While we often share the full-time deployments of our Virginia Task Force 1 in our newsletters and the media covers them, there are members of our team that respond to a lot of different emergencies. And full-time, we know the 2021 earthquake in Haiti, Hurricane Ian in 2022 in Florida, in 2023 the earthquake in Turkey, And most recently, a good chunk of our Virginia Task Force 1 responded to Hurricane Adalia in Florida.

[00:09:43] But it's also important to highlight some smaller efforts that they make that don't get necessarily the attention, including in 2021, the Surfside, Florida building collapse, Hurricane Ida in New Jersey in response to tornadoes in Kentucky.

[00:09:59] In 2022, members of Virginia Task Force 1 were sent to Puerto Rico and Florida in response to Hurricane Fiona. and recently in 2023 responses to Peru in light of flooding and to Hawaii in response to the wildfires.

[00:10:15] And so I think it's important for us to take a moment to thank the members of Virginia Task Force One and our federal partners, but also the families of those members who are deployed, as well as the personnel within FRD that backfill all of those positions in our stations here while members of that elite team are deployed across the world.

[00:10:39] Certainly proud to have Fairfax County's name helping people in their most dire needs at a given time and certainly proud of them here in Fairfax County, but also proud of our community for supporting them. And again, they are federally reimbursed, so we are blessed to have this team right here in our backyard with a federal partnership that doesn't cost the county any expenses to be able to have this elite team here.

[00:11:06] But should an emergency occur here, we have the best search and rescue team in the country right here in Fairfax County. And I want to take a moment to thank them for all of those responses, including 2023, which has been a busy year for them, both on a large scale and a small scale in terms of deployment.

[00:11:24] and we continue to keep the members of Virginia Task Force 1 in our thoughts and prayers and salute them. With that, I am going to recognize other board members, and I'm going to start on this side with Supervisor Palchik. Thank you, Mr. Chairman, and welcome back for our September meeting.

[00:11:42] And first of all, I just want to again thank our first responders. I know many of us spent some time in our firehouses this weekend, and definitely want to second that support. There are also two long-time and beloved Providence members who passed over the past month.

[00:11:59] The first one many of us know, the widow of John Francis Byrne, Linda Byrne, who for many years worked in this office as well as very involved with our congressman and the Democratic Committee. They were both servants both here in the community as well as beyond.

[00:12:17] John Byrne, who left us on August 31st at the age of 82, was a man of service, intellect, and those of us who knew him, heartwarming sense of humor. He was a Vietnam veteran. He held multiple degrees and built a notable career in the National Park Service, working on the Clean Air Act and leaving a lasting impact on iconic parks.

[00:12:37] From Yosemite to the George Washington Memorial Parkway and the Appalachian Trail. John and his wife Linda first built their home in Hunters Valley just off Hunter Mill Road in 1985. where they lived for 19 years before moving to the village of Oakden to be closer to Linda's mother and being able to see her every evening. After retirement, John was a global consultant on environmental conservation, a volunteer committee chair for the Sierra Club, and a professor at George Mason University. His work not only preserved natural beauty for future generations, but also educated countless visitors on the importance of conservation.

[00:13:16] His penchant for lighthearted jokes endeared him to all, and alongside his love for the outdoors, John and Linda had a profound affection for knowledge. The Oakden Library was his sanctuary, where he nourished his insatiable intellectual curiosity, and many were able to see him there in his final years.

[00:13:37] John is survived by his loving wife, Linda, and their children, Liz and Jack, as well as his three sisters and brothers. He will be profoundly missed, and I know those of us here are looking forward to the opportunity to be able to celebrate his life at a future date.

[00:13:52] We also, unfortunately, lost a very active member of the Providence and the Providence District Council and the Fairfax Federation, C. Flint Webb. Many of you may have known Flint, unfortunately, was battling cancer in this past year.

[00:14:10] He also was awarded this past year for his work by the Charles W. Gruber Association Leadership Award for Air and Waste Management Association. Those of you who knew Flint knew that he cared very much about environment and making sure it continued to be a safe place for all and for future generations.

[00:14:30] His time on the Metropolitan Washington Air Quality Committee and his 30 years with the Air and Waste Management Association, in addition to his work at SAIC, ensured that his efforts and concerns benefited our region, in addition to his very own neighborhood of Dunloring.

[00:14:50] Flint's career as a professional mechanical engineer spanned more than 40 years. And his many, many volunteer hours spent with the Providence District Council presented him with the Community Service Award, for which Flint believed himself undeserving in a show of some of his trademark humility.

[00:15:10] Now, those of us who had the opportunity to work with Flint appreciated his calm, his sense of understanding, and his ability to work with all on projects. And we express our condolences and our love for his family, for his wife, Ellen, and his children.

[00:15:28] Thank you, Mr. Chairman. Thank you, Supervisor Palchuk. Supervisor Herity. Yes, Mr. Chairman, I'm sad to announce the passing of Ken Fang on September 5th. This one's kind of personal to me because he was a good friend. He was loved by our office and an incredibly kind person.

[00:15:45] And I can tell many of you have had interactions with him. He was dedicated to scouting, having won awards on scouting, participating in the 25th World Scout Jamboree. He retired as the Assistant Director of Investigations for USGAO.

[00:16:05] After serving as a police officer and a financial auditor, he continued his career of leadership until his passing. He had just been appointed by Governor Youngkin to the Board of Juvenile Justice. He's been my appointee to the Park Authority Board.

[00:16:21] He served on our Civil Service Commission, on our Criminal Justice Board, various land use and transportation task force. He's my current appointee to the Redevelopment and Housing Authority, and he served on the Human Services Council for many years.

[00:16:37] He actually recently welcomed a Ukrainian refugee family into his home and provided him shelter and support. That's just the kind of guy he was. He was always doing something for the community. He's been named Lord Fairfax, obviously.

[00:16:55] He was completely committed to the betterment of his community and led an incredible life of service. And I ask that we keep Ken's wife, his children, and the RHA board and all those that he dealt with in our thoughts and prayers today. I'm also sad to announce the passing of Rich LaFleur on August 16th at age 62.

[00:17:19] Rich was known as a genuinely good person dedicating his life to sports service and mentorship. Many will remember him from his time serving as chairman of the Fairfax County Chamber of Commerce, as trustee of the FCPS Foundation, as a member of the advisory board on George Mason University School of Management, and much more.

[00:17:36] He assisted many clients during his 40-year tenure at Grant Thornton, focusing auditing and tax advisory. With his accounting background, he was passionate about service in the industry of government contracting. Twenty-some years ago, I had the great fortune of tapping him to co-chair the first-grader Washington Government Contractor Awards, and that was a role he fulfilled with great passion for the last 20 years, including last year remotely while he was battling cancer.

[00:18:04] This year's event is not going to be the same without him. He was a lifelong learner, passionate role model. I ask we keep Rich's wife and children in our thoughts and prayers. Thank you very much. Supervisor Herity, Supervisor Faust. Thank you, Mr. Chairman.

[00:18:19] I appreciate that you're mentioning Art Nachman, and I just wanted to thank him posthumously for the amazing contributions he made to the Herndon community. Art was a benefactor of the Herndon Elementary, Middle, and High School band programs.

[00:18:38] He was a financial supporter of the Jeanne Smith Free Clinic. And he also was instrumental in pulling together the community players who ultimately financed the construction of synthetic turf fields at Herndon High School and the practice field at Herndon High School, creating a model that was copied in other schools around the county.

[00:19:07] so uh he was a it was a character he's a great guy and uh i think you can honestly say he was mr hernan yeah jimmy might argue that point that's right co-co-mister uh but they're both great guys so anyway thank you thank you supervisor faust supervisor lusk thank you mr chairman i'll say i'm a bit surprised by the announcement for mr fang and i'll just note that he and i served together on the park authority board a great man in terms of temperament always had a smile

[00:19:43] jeff and i actually just saw him recently at the oakwood ribbon cutting he was there i got to have a nice conversation with him and now i'm happy and delighted that i took the time to speak with him and have a few words um sometimes even the board members at this dais get surprised by the announcements this is now the second big surprise for me the first was art walsh but um thank you pat for bringing this forward and i'll be thinking about his family uh during this time thank you supervisor lust supervisor gross thank you mr chairman um just after our last board meeting

[00:20:22] we learned of the passing of egan weck egan lived in the lake barcroft area he and his wife priscilla have been stalwarts in that community for many, many years. Egan was born in Germany, and he came to the U.S. when he was four. He went to Columbia University. He served as a pilot in the U.S. Army Air Corps in World War II. That was before the Air Force. And then he completed his education at Columbia University and then joined the State Department. He was also involved in international

[00:20:58] public affairs for several pharmaceutical companies and for the German embassy in Washington, D.C. But what I recall, what I know of Egan really was in the last 25 years or so, actually 30 years, he was founder of what was called then the Woodrow Wilson Action Group, which was a civic group to look at issues in the Colmore area. And he was also an avid photographer, and he would carry cameras with lenses that got a little bigger, a little bigger, a little bigger, but he did fabulous photography, and he attended every community event to be able to, you know, actually

[00:21:37] share those photographs. He missed his 100th birthday by two months when he died. I had no idea he was that old, but because Egan was sort of timeless and ageless, but he leaves behind his wife Priscilla and a son and a daughter and a couple of granddaughters. He really was a pillar in the community and please keep their WEC family in our thoughts and prayers. Thank you. Thank you Supervisor Gross. On this side Supervisor Walkinshaw. Thank you Mr. Chairman. Just want to

[00:22:16] note the tragic passing of Merle Webster Beach Jr. who lived in the North Springfield neighborhood in the Braddock District. He was killed when he lost control of his motorcycle on Henderson Road on August 31st, unfortunately traveling at a high rate of speed.

[00:22:34] So yet another reminder of the risks of that kind of behavior in driving. But all of our thoughts and prayers are with the Beach family in North Springfield today. I also want to thank you, Mr. Chairman, for acknowledging the passing of Janet Carver.

[00:22:52] And I knew Janet very well. In addition to some of the things that you noted, Janet was a foreign service officer. She joined the U.S. Foreign Service in 1955. And she was also the district manager for most of Northern Virginia for the census of 1980, in addition to later serving on Supervisor Highland's staff.

[00:23:18] But one of the most fascinating things that Janet did, and I had the opportunity a few years ago to sit down and have her tell me this history. She joined the Fairfax County Democratic Committee in 1965, and at least one member of this board won't be surprised by this, but she served on that Democratic Committee with Jack Harity in the 1960s and 70s.

[00:23:46] Not surprised. Do know the history. Yep. But Janet was one of those Democrats who spent years, maybe decades, working to wrest control of the local Democratic Party and committee from the bird machine.

[00:24:06] And that was a long battle and long fight for those like Janet who wanted to be sure that that kind of ethos that the bird machine had at the time with segregation and discrimination wasn't something that we wanted to continue in the Democratic Party.

[00:24:26] And she had some fascinating war stories of those battles, and that was a real turning point in Virginia's history. We wouldn't be the place that we are today if that hadn't happened, if people like Janet hadn't taken on that fight. She was a really lively spirit.

[00:24:43] She rode roller coasters well into her 70s, something that I've kind of opted out of here in my 40s, but she's still doing it. She left behind her beloved husband of 65 years, 65 years, John, and her daughter, Wendy, both of whom still live in the Braddock District, and Ted and their spouses, her grandchildren, and myriad family and friends.

[00:25:10] So she has asked, her family did ask, that donations in her memory can be made to Doctors Without Borders, Save the Children, World Central Kitchen, or St. Andrew's Episcopal Church right here. Thank you, Mr. Chairman.

[00:25:25] Thank you very much, Supervisor Walkinshaw. Supervisor Alcorn. Yeah, thank you, Mr. Chairman. I appreciate those comments about Janet Carver just now. So I do have an announcement, unfortunately. John Horsch, who was a resident of the town of Vienna for 49 years, died of cancer on August 4th.

[00:25:44] He was 83 years old. He was the first in his family to attend college, and he graduated from the University of Minnesota and then later got an MPA from the University of Missouri. A highlight of his early career was when John worked in the city of St. Louis Welfare Office.

[00:26:02] He served as the deputy director of a large social work staff. And when he was there, he administered the federally mandated demonstration project that successfully launched the National Food Stamp Program. So he moved to the town of Vienna in 1974.

[00:26:18] He worked on professional development and technical assistance with the Office of Family Assistance Welfare Management Institute, which is now located in the U.S. Department of Health and

Human Services. For some of you, I think he'll probably best be known as his work on the Arlington Catholic Charities Board, and then as the founder of SALT, Social Action Linking Together. SALT has grown into a large active organization with over 1,000 members today,

[00:26:47] And for almost 40 years, he led SALT advocates in many concrete efforts, including ending nationally the sales tax on food stamps, passage of the Homeless Intervention Program, and the Virginia Earned Income Tax Credit.

[00:27:02] Other SALT accomplishments under his leadership included increasing the temporary assistance for needy family, TAMF benefits for eligible Virginians, and the ending of the shackling of women prisoners during labor. John, through SALT Advocacy, worked for years to ensure government served the needs of those having few to speak in support of them.

[00:27:24] So he will certainly be missed by our community, and our thoughts are with him and his family. Thank you, Mr. Chairman. Thank you very much, Supervisor Alcorn. And seeing no one else that would like to be recognized, we are going to rise for a moment of silence to be followed by the Pledge of Allegiance. Face the flag.

[00:28:05] I pledge allegiance to the flag of the United States of America and to the republic for which it stands, one nation, under God, indivisible, with liberty and justice for all. And this morning we have four presentations, and for each presentation I will announce the proclamation and invite our speaker down to the podium in front of me.

[00:28:35] We will then read the proclamation after our speaker's remarks. We will all pose for a picture from the dais. And our first one this morning is a proclamation to designate September 2023 as Childhood Cancer Awareness. And this was requested by myself, Supervisor Lusk, and Supervisor Palchik.

[00:28:55] And I understand we have with us today Meg Gallagher, founder of the Meg's Give Back Foundation. If you could come on down, and anyone who is here with you that would like to join you is welcome to come on down as well. And at this time, I am going to turn to Supervisor Lust to read the proclamation.

[00:29:14] Thank you very much, Mr. Chairman, and I'll start. Whereas every year, thousands of children in the United States face life-changing cancer diagnosis, and whereas in 2023, an estimated 15,000 children below the age of 19 will be diagnosed with cancer in the U.S., And whereas less than 10% of federal cancer research funding is dedicated to studying childhood cancers despite the fact that the rate of childhood cancer has steadily increased since the 1970s.

[00:29:52] And whereas the impacts of childhood cancer diagnosis are vast and consequential, physical, emotional, social, and financial for children and families. And whereas hundreds of nonprofit organizations here in Fairfax County and nationally are helping children with cancer and their families cope through educational, emotional, and financial support.

[00:30:17] And whereas, while significant progress has been made and more children than ever before are surviving cancer, more must be done, including more funding for research and development of new treatments to help save lives.

[00:30:35] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim September 2023 as Childhood Cancer Awareness Month

in Fairfax County and encourages all residents to support this cause that so deeply impacts families in every community across this country.

[00:31:02] I'm happy to second that motion. Discussion on the motion, Supervisor Lusk. Thank you, Mr. Chairman. I'll make a couple comments here. First, I want to thank, I believe there are a few representatives here from ANOVA and their Life with Cancer program, so thank you for being here.

[00:31:19] Through the process of approving the new Franconia-Springfield Hospital, I've gotten a chance to meet many of those at ANOVA. It is clear to me that everyone there has a great dedication to the health and livelihood of our community.

[00:31:36] I greatly appreciate the spirit of cooperation that has saved lives, including those experiencing childhood cancer. And with that said, I have a very special thanks to Meg Gallagher for being here today. Meg is a resident of my district and a childhood cancer survivor.

[00:31:54] Meg and I got to meet each other while we were out in the community and had a chance to learn about her experience with childhood cancer and her nonprofit that she created called Meg's Give Back. Since that time, we have worked together on promoting Meg's Give Back program and the work of providing toys to children with cancer who are in hospitals during the holiday season.

[00:32:21] We actually got to deliver some at an OVA facility here in Fairfax. And as an experience, I will forever treasure and look forward to doing it again. Meg is also the reason that we have this proclamation here today. Earlier this year, she reached out to me and wanted to see if Fairfax County would consider formally recognizing National Childhood Cancer Awareness Month.

[00:32:47] And I'll say this, lots of decisions that I have to make are hard, but this one was not one of them. I want to personally thank Meg for her bravery, her inspiration, and her compassion for children in our community that have cancer.

[00:33:05] Your work makes our county better. I look forward to working with all of you in the future, and I hope together we can continue our mission to first find a cure and end childhood cancer. Thank you, Mr. Chairman.

[00:33:20] Thank you, Supervisor Luss, Supervisor Palczyk. Thank you, Mr. Chairman, and thank you to you as well, Meg, for all you do. And I see that your family, as well as the Life with Cancer team here, representing the L.J. Murphy's Children's Hospital.

[00:33:36] I still remember the first time I was invited to visit the home of Life with Cancer and just seeing, as you know, the ability to have that wraparound support, that emotional support, that family support, and the ability to help families through such difficult experiences and help ensure not just the survival but the thriving of families as they go through that and hopefully even coming out stronger families and connected to our community.

[00:34:02] So I know it takes a huge effort. I love one of your quotes in here, Meg, if I may, that it's your favorite thing that you do all year, your ability to wake up every day knowing that you get to live at your purpose of helping the kids. And I just really appreciate that you have taken your personal experience and being able to not just thrive personally and with your family, but to bring that to so many families across the county and the region.

[00:34:32] We know that having to go through that is something we hope no one has to go through. But when they do, that this community is here for them, from our health care providers to our nonprofits and the county. So thank you again, and thank you for bringing this to us, Meg, and for all those who are supporting the work.

[00:34:52] And hopefully you'll talk about the logo a little bit because it's pretty exciting. So thank you, and thank you, Supervisor Lusk, for bringing this to us as well. Thank you, Supervisor Palchik, Supervisor Gross. Thank you, Mr. Chairman. This summer I had the opportunity to tour the newly renovated Ronald McDonald House on the Inova campus.

[00:35:14] I think many of you have been there. While I was there, I met a family. I think the little boy was, I think, nine. His name is Liam. They were from Virginia Beach. And the Ronald McDonald House provides lodging and meals for families who are not Fairfax County residents and in treatment.

[00:35:38] But I must say, Liam, I believe, had 160 tumors, cancerous tumors, and he was down to maybe two that were still being treated. I really had difficulty holding it together when I was talking to him and when I was talking to his dad.

[00:35:59] I said to his dad, you know, how do you manage this? What about your job? He said, I've just taken a leave of absence from my job, and I go back to Virginia Beach every couple weeks just to check on things. And I'm thinking, what? Your child is fighting for their lives, and you are having to make adjustments in your own career to be able to attend to the most important thing in your life, and that's your family.

[00:36:28] So it's really, really difficult to hold it together. It's even a little hard to hold it together as I'm thinking about this. But the sheer joy that was in Liam's face just about his future was really encouraging.

[00:36:50] And I think that that's what life with cancer does. It encourages to move forward, always move forward, always be positive. And I'm sure that's the way children who have survived cancer and their families who have survived those kinds of challenges, you know, constantly moving forward, but always remembering that wonderful smile.

[00:37:15] Thank you. Thank you, Supervisor Gross. And I, too, want to thank Supervisor Luss for bringing this forward. I'm glad that the two of you met so that we could do this because I don't think a lot of folks in Fairfax County necessarily focus on this as much as we should and, frankly, put our support behind continued research and funding to help deal with folks who have this diagnosis.

[00:37:42] Supervisor Gross stole my thunder because I met literally the exact same family. We must have just missed each other that day at Ronald McDonald House. And, you know, the other thing that jumped out to me was all the siblings of this young man, too. And so oftentimes we rightly focus on the needs of the patient and go all in to help the patient.

[00:38:04] But we also forget about the toll that it takes on the entire family. And in this particular case, a lot of other young siblings who were out of school and whose lives were also changed as they were battling this. And the father having the opportunity to just be in a financial position to walk away from work is not a situation that many people find themselves in.

[00:38:31] And so for a lot of families, it's the choice between tremendous financial sacrifice and being there for their child. It's very difficult, and I want to salute Meg and your organization and all the

organizations across the county who provide support for patients and families because many of them may think they're doing very small things, but for the family who is impacted, small things mean a lot.

[00:38:57] one less thing to worry about and so you know we need to continue to push on and apply pressure for continued research and and you're bringing visibility to this Meg is something that every resident of Fairfax County is grateful for because this is a discussion we need to have and thank you for doing that with that I think we're ready for a vote all those in favor of the motion please say aye aye aye any opposed any abstentions and that motion carries and Meg welcome the floor is yours first of all thank you for saying what you guys said it's all too common for

[00:39:35] parents to have to step away to their job and not be able to be with their child and siblings are very underlooked a lot too but I wrote a little something so I wanted to share that too and I also say I'm glad you guys have recognized all of this because it's very important to me that because not a lot of people recognize what you guys were talking about today. Good morning.

[00:39:57] My name is Meg Gallagher. I've been a resident of Fairfax County my whole life and almost eight years ago on December 23rd, 2015, I was diagnosed with childhood cancer. I fought cancer for two and a half years, faced countless side effects, finished treatment on May 16th, 2018, and I've been dealing with the aftermath for the last five years. As a way to give back during and after my treatment, I started doing toy drives for a Nova Fairfax Children's Hospital, and it has been my life mission ever since. In the last few years, I've entered the world of

[00:40:33] advocacy. I've spoken at numerous events and taken to Instagram to share my story and help educate others on childhood cancer. I'm so honored to be here to accept this proclamation declaring Fairfax County Childhood Cancer Awareness Month. Today I am standing in front of you not only for every kid who has fought cancer in Fairfax County but for every child in our country because I believe that every act no matter how small will help us get to a point where childhood cancer is no longer as deadly and underfunded as it is. I want to share a few reasons today as to why this proclamation is so important. I have mentioned that childhood cancer research is underfunded

[00:41:11] but I do not think people really grasp just how underfunded it is. Today, only 4% of the federal budget for cancer research goes to childhood cancer research. That means that kids get 4% and adults get 96%. Let that sit with you as you go on with your day today.

[00:41:30] That's as much as Starbucks makes in just 5 days. I don't know about you, but I'm pretty sure kids are worth more than coffee. Childhood cancer is also the number one disease killer in children. About 9,910 kids under the age of 15 will be diagnosed in our country this year.

[00:41:48] Of those 9,910 kids, 1,040 kids are expected to die. Imagine that. Kids are our future, and 1,040 kids will not even get to have or see that future for themselves. Once a child finishes treatment, if they even get to, you might think that they get to move on in their life with no problems.

[00:42:09] Wrong, actually. Two-thirds of childhood cancer survivors face after effects, including secondary cancer, heart or lung damage, infertility, or alterations in growth and development. And unfortunately, the list just goes on. Our kids deserve to not just survive, but thrive.

[00:42:27] And by presenting this proclamation today, Fairfax County is saying that we acknowledge childhood cancer, and that's the first step. But there is still so much to be done. I hope that by hearing what I've had to say today, that you will join me in actually acting on this.

[00:42:42] Next time you see a smiling, bald child on your TV, don't ignore. Don't look away. These kids need us. They need more than just those directly affected using their voice. They need the unaffected, too. They need you. Thank you. Thank you very much, Meg.

[00:43:00] Thank you for your excellent comments, your bravery, and what you've been through. And we appreciate that. Thank you. With that, I think we're ready for a photo, and if Supervisor Palchik and Supervisor Lust could join me, and if you all could come forward, and we're going to face the audience.

[00:44:53] And next, we have a proclamation to designate September 2023 as Suicide Awareness Month, and this was requested by myself, Supervisor Walkinshaw, and Supervisor Smith. Our speaker today is Andrea Brown, chair of the Fairfax Out of Darkness Walk.

[00:45:10] If you could come on down, and obviously anyone who's with you is welcome to join you as well. And at this time, I am going to turn to Supervisor Walkinshaw for a proclamation. Thank you, Mr. Chairman. Whereas suicide is the 12th leading cause of death in the United States, the third leading cause of death among children and teens ages 10 to 19, and the second leading cause of death among individuals between the ages of 20 to 34 as of 2020.

[00:45:38] And whereas in the United States, more than 48,000 people died by suicide in 2021, according to the CDC, and whereas suicide rates have increased 36% over the last two decades, with a recent peak in 2021 and 2022, after previous years of declines, and whereas 1,202 people in Virginia in 2020 died by suicide, the Commonwealth's 11th leading cause of death,

[00:46:09] Whereas more than 90% of those who die by suicide had a diagnosable and treatable mental health condition that might have gone unrecognized or untreated. And whereas organizations such as the American Foundation for Suicide Prevention, the Suicide Prevention Awareness Network, and PRS Crisis Link are dedicated to saving lives and bringing hope to those affected by suicide through research, education, advocacy, and resources for those who have lost someone to suicide or who struggle.

[00:46:41] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim September 2023 as Suicide Awareness Month in Fairfax County and urges all residents to help make a difference by furthering outreach, education, and support for those experiencing mental health challenges.

[00:47:03] I'm happy to second that motion along with Supervisor Smith. Discussion on the motion, Supervisor Walkinshaw. Thank you, Mr. Chairman. And I want to thank folks who have joined us here today, as was mentioned, Andrea Brown and Sidney Will.

[00:47:19] Andrea is the chair and Sidney is the deputy chair of the upcoming Fairfax Out of the Darkness Walk that I'll talk about a little bit as well. I know we also have some of our CSB staff. We have Karen Abraham. I see Karen there, who represents the Braddock district on the CSB board, Joe Goetsch from PRS, and Wendy Hunt and Alan Lomax from the Suicide Prevention Alliance of Northern Virginia.

[00:47:45] Thank you all for coming today. And I noted some statistics, and unfortunately, since I think we even drafted this proclamation, there's new data that's even worse. And that in 2022, there were 49,500 deaths by suicide in the United States, which is, as far as we know, as long as the records were kept, an all-time high, unfortunately.

[00:48:13] We know that in 2021, men actually died by suicide almost four times more than women. Everybody's impacted, but men died by suicide almost four times more than women.

[00:48:30] And 60% of all suicides were by firearms. And, you know, this is a hard thing to talk about because maybe people can get into their political camps on issues when you mention firearms or guns.

[00:48:46] But it's just a reality that one of the primary drivers of the increase in the suicides that we're seeing is a growing availability of guns. And that's according to the American Foundation for Suicide Prevention. Suicide attempts that involve guns end in death far more often than those with other means, obvious reasons.

[00:49:11] And we know that gun sales have boomed. And one of the things that I'm really proud of, I think we can all be proud of, is our work as a county. Our police department's work, the entire county government's work to implement the red flag law in Fairfax County to get guns out of the hands of folks who might be at risk of harming themselves or harming others.

[00:49:34] So we know we have to continue this effort. We've got to talk openly about this issue, about the need to get people the mental health treatment that they need and the importance of making sure that folks who are really struggling don't have access to firearms.

[00:49:51] And part of that effort every year is the out-of-the-darkness walk, And I just want to remind my colleagues, Supervisor Smith and I will be leading the Team Fairfax once again this year. It starts at 11 a.m. at the Veterans Amphitheater in the city of Fairfax.

[00:50:09] And we're going to be emailing all of your offices the link to sign up to contribute. We do have a goal in terms of how much money we want to raise, so we want to make sure we get there. Last year, it was a little bit of rain, but it was still a really amazing event.

[00:50:28] And if you haven't participated, and Chairman McKay has come many times, it's one of the most powerful events, I think, that take place in, I'll say in Fairfax, because it's technically in the city of Fairfax. But it's really an amazing event to raise awareness and raise funds to continue this fight.

[00:50:48] So thank you all for making it happen and for being here with us today. Thank you, Supervisor Walkinshaw, Supervisor Smith. Thank you, Mr. Chairman. I do have to also thank Supervisor Faust for walking with us in the past, too. So my comments are a little bit more personal about suicide, and I really appreciate all the things that Supervisor Walkinshaw said.

[00:51:12] When my daughter was in high school, she attempted suicide, and we didn't talk about it. Only a handful of people knew. And when I was on this board and the first time I did the suicide out of the darkness walk and my daughter and her husband walked with me and she goes, it's okay to let people know this happened.

[00:51:31] And it's that how do you get help? How do you know? How do you talk to people? I do think we're doing better. People are talking about mental health issues. Elected people are talking about getting treatment and therapy and we're putting it out there. But it is something that we have to be vigilant about.

[00:51:50] And we need to be able to talk. work with each other so i'm really supportive of us talking and sharing stories and getting people to get the help they need so thank you thank you supervisor smith and um let me also thank you supervisor walkinshaw for your leadership on this and those who are with us it's this is a powerful thing and it is not easy to talk about as several others have commented on The worst

thing about being an elected official is being on the receiving end of a call or notification of a suicide in our community.

[00:52:29] And it's a double-edged sword because obviously we protect the privacy of individuals and their families, but people in Fairfax County don't know how prevalent this is. We know because we get the notifications.

[00:52:46] It happens way too often. And it happens way too often, particularly with our young people. I know, you know, at my daughter's school, they've had a couple instances of suicides of classmates. And the toll that that takes on the family, on the school, on everyone associated with, can't be described.

[00:53:10] And yet the guilt that's out there can be overbearing for people who say things like if I had known or had spoken up or mentioned something is something people live with in some cases their entire lives.

[00:53:28] And the only answer is to be open and to talk about these things and to encourage people. It's not a sign of weakness, a sign of strength to come forward, ask for help. And it's a sign of strength for classmates, family members, other people to intervene and to try to help save a life.

[00:53:47] And it's incumbent upon us as elected officials to do things that we can do, like red flag laws and provide tools for people. But it's also important for us to be careful the way we talk in general. You know, I had a young person tell me recently he was in the LGBTQ community and he said, you know, rates of suicide among us are much higher than other people.

[00:54:13] And he said, you know, it has nothing to do with the fact that I'm in the LGBTQ community. It has to do with the way people treat me. And I think we all need to think about that in our speech, what we say and what we do and how we protect one another and people in our community.

[00:54:31] And so I thank you for the bravery of coming forward and Supervisor Walkinshaw, so many groups in this county, nonprofits, who help with this very real problem that, in order for us to grapple with, is important for us to understand the magnitude of it and the effect that it has on all of our mental health.

[00:54:52] And so thank you for coming forward today. And I know you're going to share with us some thoughts here in a moment, but I wanted to say thank you. With that, Supervisor Palczyk, and then we're going to vote. Thank you. I just want to add, and I thank you all for being here. I know we've talked about the effects and the data, but I do, and I know that many of you are here, support and want to make sure that we are clear, and you will probably speak to this, is that we are seeing these trends more and more as, you know, things like substance abuse, alcohol abuse have gone down, other areas, especially mental health are concerned.

[00:55:29] But we do have more support than ever, from the 988 number PRS to the 3 to Succeed. And I know there's so much information out there, just knowing that supporting our children, supporting our families, and being thoughtful about what we say, and being there supporting each other as a community.

[00:55:50] Because I think what was shared is really what's critical, is not only are we seeing these numbers in our older youth, But I think as we, you know, on the school where as we talk to principals and teachers seeing younger and younger children thinking about or even having plans.

[00:56:09] And that is what I think keeps many of us in this room awake at night and hoping we can continue to support them. So I know there is, we're very thoughtful and concerned about the numbers. But we also, from being able to talk about the issue, to having more supports than ever, from PRS to the CSB and everyone in the community, I just want to thank you and everyone who is sitting there right now supporting community members.

[00:56:43] We are very grateful for all you do. Thank you, Supervisor Pouchek. With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Andrea, welcome. The floor is yours. On behalf of the American Foundation for Suicide Prevention, I'd like to begin by thanking Chairman McCain, Supervisors Smith, and Walkinshaw, the entire Board of Supervisors, as well as our partner organizations for supporting this proclamation recognizing Suicide Prevention Awareness Week and Month, and for continuing to support the Fairfax

[00:57:20] Out of the Darkness Community Walk with your team, Fairfax BOS. As Supervisor Walkinshaw stated, my name is Andrea Brown, though within the AFSP community, you will often hear me referred to as Hobbit. I chair the Fairfax Out of the Darkness Walk Planning Committee, and with me today is Sydney Will, my deputy chair. While I have served in my role since 2020, I initially joined the fight several years prior. As a means of understanding losses, I suffered early in life.

[00:57:51] Since then, I have found a community of support that has helped me process the myriad of emotions and the questions left by those losses, as well as the resources that I used and shared with my family after another loss three months ago. I'm honored to be here to represent AFSP and the National Capital Area Chapter. For over 35 years, AFSP has worked to become the largest private suicide prevention organization in the United States, providing those affected by suicide

[00:58:26] nationwide, support powered with research, education, and advocacy leading the fight to stop suicide. As previously stated, suicide is the 11th leading cause of death in the United States. It takes more than 48,000 lives each year. In Virginia alone, it is the second leading cause of death among children, teens, and young adults between the ages of 10 and 34. It doesn't have to be. And it shouldn't be, because suicide is preventable. Though suicide prevention awareness

[00:59:05] may only have one focused week and month per year, AFSP, National Capital Area Chapter, provides Fairfax County countless programs and resources all year long. These offerings come at no cost to the public thanks to the support of our life-saving volunteers, field advocates, donors, sponsors, and community allies such as yourselves, who help to raise awareness and funds to support our mission with local chapter events like the Out of the Darkness Community Walk. I urge each of you here today to follow in the footsteps of Fairfax County Board of Supervisors led by

[00:59:42] Supervisors Kathy Smith and James Walkinshaw in forming a team for the Fairfax Out of the Darkness Walk taking place this year on October 1st at Veterans Amphitheater. And I also invite you to join us for Memorial Celebration of Luminarias at Viennatown Green on September 28th, 22nd at 7 p.m. please take action with us to fight suicide and support the walk by donating volunteering or registering to walk with us again i am truly honored to accept this proclamation on behalf of

[01:00:17] afsp and i thank the board for recognizing our efforts helping to give a voice to individuals who have been impacted by suicide collectively we can raise awareness break down stigma and achieve afsp's mission to save lives and bring hope by those affected by suicide because in this House, we do talk about

these things. Thank you. Well done, Andrea. Thank you very much, and thank you for your leadership. With that, I think we're ready for a photo, and if Supervisor Walkinshaw

[01:00:47] and Supervisor Smith would join me, if you all could come forward and face the audience. And next,

[01:02:38] we have a proclamation to designate September 17th through the 23rd, 2023 as Constitution Week in Fairfax County, and this was requested by myself and Supervisor Gross, and with us today is Amanda Fowler, the regent of the National Society of the Daughters of the American Revolution, Henry Clay chapter, and a lot of folks joining her, which is great. If you could come on down.

[01:03:02] And at this time, I am going to turn to Supervisor Gross for a motion. Thank you, Mr. Chairman. I have a proclamation to present. Whereas the Constitution of the United States of America, the guardian of our liberties, embodies the principles of limited government in the Republic dedicated to by law, and whereas September 17, 2023, marks the 236th anniversary of the signing of the Constitution of the United States of America by the Constitutional Convention, and whereas it is fitting and proper to accord official recognition to this unique and magnificent document and its memorable anniversary, and the patriotic celebrations which will commemorate it,

[01:03:41] and whereas Public Law 915 guarantees the issuance of a proclamation each year by the President of the United States designating September 17th through 23 as Constitution Week, now therefore be it resolved that the Fairfax County Board of Supervisors, on behalf of all Fairfax County residents, does hereby proclaim the week of September 17th through 23rd, 2023 as Constitution Week in Fairfax County, and urges all residents to vigilantly protect the freedoms guaranteed to us through this guardian of our liberties and to study the Constitution,

[01:04:19] reflect on the privilege of living in America with all the rights and responsibilities that privilege involves, and to remember that lost rights may never be regained. I move approval. I'm happy to second that motion. Is there discussion on the motion? Supervisor Gross.

[01:04:39] Mr. Chairman, that last couple of lines, I think, really sums it up. To study the Constitution, there are so many people in this country who think they know what's in the Constitution, but they don't.

[01:04:55] I worked on the Hill for many, many years. I never had to explain to people the meaning of the Constitution as much as I have here at the local level. The First Amendment, you know, the Fourth Amendment, I had somebody come in one time. i think it's the 14th amendment i'm sorry i should have looked it up um and said you mean if somebody is born in this country they automatically become a citizen and i said yes that's been that way for you know decades well he was just stunned absolutely stunned this was a world war ii

[01:05:28] veteran i also had somebody who had fought in the vietnam war who was upset about a um a buddhist I don't remember the face, but it was an Asian religion temple going into the community.

[01:05:45] And he said, I fought in this Vietnam War. Is this what I fought for? And I said, yeah, you did. People think the Constitution is something else or it means something else. And we know what it means if you just read the words.

[01:06:01] And so I was really concerned here about that very last line, which I think for women, especially, has echoes even greater, to remember that lost rights may never be regained. And so if you just

think about women's reproductive health and voting, these are rights that have been accorded to us for many, many years and have been taken away or attempted to be taken away. So the Constitution is the bedrock. It is the foundation of everything

[01:06:35] we do in this country. And Constitution Week is a time to remember that, but we need to encourage people and explain to folks almost every single day what the Constitution is and what it is not.

[01:06:51] It is not the Bible. It is not, you know, a faith document. It is a governance document. It is a rights document. And so I'm very pleased that we were able to bring this forward again this year to proclaim Constitution Week because it is so important to everyone. If you look at what's happening around the world, even what's happening here sometimes, if we lose this document, we're done. So thank you very much to the Daughters of the American Revolution for bringing this forward.

[01:07:26] They presented, I think to all of us probably a couple of years ago, a lovely framed copy of the Constitution, which I've hung right in the front reception office, in my office, because it is there to remind people that this is our governance document. It is to be treasured. Thank you.

[01:07:46] Thank you, Supervisor Gross. Supervisor Stork. Thank you, Mr. Chairman, and I just kind of want to tag onto that. Obviously, one of my heroes, Abraham Lincoln, talked a lot about the founding of this country, and he always kind of presented it this way. The Declaration of Independence was our aspirational document, the thing that we're always looking to try to, obviously, to improve, I mean, to reach and to attain, and that the Constitution was an imperfect document, that we've proven that with all the amendments that we've made to it, which is not to say that there may not be more over the course of time,

[01:08:24] but the important thing is that over time we've learned that parts of this are imperfect. When, obviously, when you start with the document that has three-fifths of a particular population. Obviously African-Americans, black people is less than full citizens is a good example of that.

[01:08:41] Women being able to vote, I mean there's plenty of other identifications that we can make. And for me personally, the Equal Rights Amendment is one of those documents, one of those elements that I also think should be in there because I think that would truly make it clear the equality of all of us before the law would not be abridged on account of sex or gender or whatever you might want to use.

[01:09:03] So we're constantly working on that, and this is a great day to honor the fact that it isn't perfect. We're imperfect as a country. We're hopefully always working to be a little bit better, and I think we are. So thank you. Thank you, Supervisor Stork, and thank you, Supervisor Gross, as well, for bringing this forward.

[01:09:22] My mom was a history teacher, so I never really had a problem in this category. But what Supervisor Gross said is so true. we run into folks who you know have their own interpretation obviously of the constitution but you know there's one other thing I just want to raise and that it is an imperfect document but it's also not written necessarily to make all of us comfortable and freedom of speech is the one that comes up most often that freedom of speech is not afforded to us in our comfort zones it's afforded to all Americans even if it makes us uncomfortable and that's part of what being an

[01:10:02] American is all about. And it's too easy sometimes to forget that, to let our own personal views trump the rights that individuals have. And this has come up all too often in the last couple of years. And I've found myself having to defend publicly a very basic right that people have, whether in this particular

case it was to protest. I mean, I never thought we'd come to a time where we've had to fight for the right of American people to protest and to exercise their freedom of speech as a right afforded to them that makes America great, even if it makes us uncomfortable.

[01:10:40] And so I thank DAR for all their work and advocacy in this area. And of course, Supervisor Gross for making sure that this is on our agenda every year. And it seems like we're a broken record in saying it feels like every year is a more important year than the last year to have this on our agenda. I would like it to be that we weren't having to say that, but for the time being, as long as we do have to say that, we want to make sure we continue to put this on our agenda on an annual basis as just a refresher and a reminder for all of us as Americans. With that, I think we're ready for a vote. All those in favor of the motion, please say

[01:11:17] aye. Aye. Any opposed? Any abstentions? That motion carries, and with us, as I announced, is Amanda Fowler, the Regent of the National Society of the Daughters of the American Revolution. Welcome. The floor is yours. Good morning. Thank you. I would like to thank Chairman McKay and the Fairfax County Board of Supervisors for this proclamation. I want to particularly thank Mason District Supervisor Gross, who didn't hesitate when we approached her again this year along with her staff and worked to make this proclamation a reality. In 1955, the National Society Daughters

[01:11:55] of the American Revolution petitioned Congress with a resolution to set aside September 17th through the 23rd dedicated for the observance of Constitution Week. The annual celebration was established when signed into law by President Dwight D. Eisenhower on August 2nd, 1956. The DAR is committed to encouraging the study of and educating the public about the Constitution and the men who framed it. The United States Constitution stands as a testament to the tenacity of Americans

[01:12:32] throughout history to maintain their liberties, their freedoms, and inalienable rights. Thank you. Thank you very much, and thank you also to our young ladies who have come to join us today. We're so glad you're here. Never too early to learn about our Constitution, right? With that, I think we're ready for a photo. And if you all could come forward, Supervisor Gross, if you would join me.

[01:14:17] We have a proclamation to designate September 2023 as Emergency Preparedness Month. And this was requested by myself and by Supervisor Lusk. And I know I see him. Our speaker today is Seamus Mooney. If you could come on down, coordinator of Fairfax County Department of Emergency Management and Security. And if anyone is here joining you for this, they're welcome to come on down and join you as well. I see a lot of folks and want to make sure they can come down and join us for this as well. This is most certainly a team effort, as we know. And while they are making

[01:14:54] their way down, I am going to turn to Supervisor Lusk to read the proclamation. Thank you, Mr. Chairman. Let me start. Whereas September is the 22nd anniversary of 9-11, as well as National preparedness month, an opportunity for residents of Fairfax County to be ready and resilient for any type of emergency.

[01:15:19] And whereas Fairfax County residents are encouraged during September to take actionable steps to prepare for emergencies and familiarize themselves with the hazards that affect the county, as well as what to do before, during, and after an emergency or disaster.

[01:15:37] And whereas the Community Emergency Resource Guide, the Business Disaster Resiliency Guide, and Plan, Prepare, Protect, a House of Worship Resiliency Guide can help residents make an

emergency plan and kit, register for Fairfax Alerts to stay informed and get involved by sharing the message of preparedness with those around them.

[01:16:03] And whereas Fairfax County has partnered with county volunteers, businesses, and community leaders to promote a community readiness culture to prepare for, respond to, and recover from emergencies.

[01:16:20] Now, therefore, be it resolved that the Fairfax County Board of Supervisors, on behalf of all residents of Fairfax County, does hereby proclaim September 2023 as Emergency Preparedness Month. in Fairfax County and urges all residents and employees to participate in county, state, and national efforts to help ensure that everyone is better prepared for emergencies.

[01:16:47] So moved. Chair seconds that motion along with Supervisor Palchik. Discussion on the motion. Supervisor Lusk. Yes, thank you, Mr. Chairman. I'll go quickly here. I'll just note in Fairfax County, we've seen a number of natural disasters over our history. We've seen many varieties of these disasters like hurricanes, tornadoes, earthquakes, blizzards, but also severe storms, extreme heat and cold, flooding and more.

[01:17:15] We must be prepared for these situations as a county. I would like to express my gratitude to the exceptional team at the Department of Emergency Management and Security under the leadership of CMS Mooney. Their continuous efforts keep us and the county and residents safe.

[01:17:33] The Community Emergency Response Guide and the Business Disaster Resiliency Guide you create each year is impressive and extremely important. These resources assist our residents in staying prepared in the event of an emergency or disaster.

[01:17:51] Additionally, the Department of Emergency Management and Security produces the Emergency Operations Plan, And this plan establishes a framework for management of major emergencies and disasters and ensures every department knows its role. This is just one more vital document that prepares our county agencies for response to any and all hazards.

[01:18:15] Thank you again for all the hard work that you do. And I'll just make a couple more comments. First, if you are a Franconia district resident watching at home and want a copy of the community emergency resource guide, please reach out to my office and we'll make sure you get one.

[01:18:32] And then lastly, I just want to acknowledge I had the opportunity to come out to your emergency, excuse me, to your public safety day and really enjoyed the opportunity to kind of go around and talked to the different set-up tents and saw a lot of young people.

[01:18:50] And I'll say I was intrigued when I went inside. You had the 911 simulator. I'm not sure if any of the folks that were doing that are here. I don't see them here, but they took time to show that to me, and I was really impressed by that.

[01:19:06] And then we also got to peer in over the glass there and look into the 911 emergency center as well. very active on the day of that event. So I just want to commend you for all the work that you're doing, and it's definitely appreciated, and thank you for this opportunity, Mr. Chairman.

[01:19:25] Thank you, Supervisor Luss. Supervisor Pouchik. Thank you, Mr. Chairman. I'll be brief. Thank you for being here, and I'm glad it's today. I have two very important documents in my office. One, the

Constitution I received in middle school civics class, and the other, the emergency preparedness manual that you all hand to us.

[01:19:42] And I know they're there and ready for any situation. Hopefully, we don't turn to them every day. But thank you, Seamus, and your team. And I know that the health department's also here, the police department, the fire department, and so many who are involved in ensuring that we as a community, especially what we've seen through the past three years, are ready and prepared for any emergency.

[01:20:03] And we could not do it without you. So thank you for your invaluable work and for helping us and our community be more prepared for anything ahead. Thank you, Supervisor Palachuk. Supervisor Stork. Thank you, Mr. Chairman. And I want to thank not only the work that you do day in and day out and have done for decades to make our county safer, but also, maybe more personally, the support that you've provided our Senior Safety Summit.

[01:20:31] This is our fifth annual one, which we are going to do tomorrow at the Lorton Community Center and Library. It'll start at 10 o'clock and goes to 1 o'clock. You all have always been there. They're a key part of helping our seniors understand particularly what they can do to be safer and to be prepared.

[01:20:48] And we all know that seniors are the most at risk when there is something, a disaster occurs because of their own sometimes frailties. But you all are there day in and day out making a difference for our residents and particularly wanted to thank you for what you'll be doing for all of us tomorrow.

[01:21:05] Thank you. Thank you. Thank you, Supervisor Stork. And for folks who get around in the community, whether it's the public safety fair or just about any community event, you have a presence there. And we greatly appreciate that. Our team is second to none. I can remember not that many years ago where we had nothing near as robust as we have now.

[01:21:26] And it's great that folks in our community can rest assured that we have the best resources, the best trained people you could imagine to respond to an emergency. But this is also a moment, one of the reasons why we do this, Emergency Preparedness Month, is a moment of personal responsibility as well.

[01:21:45] That the best chance residents have in an emergency is to know what to do and to be prepared for it. And so even though we have the best team anywhere, we have to remind our residents constantly of the vital role that they play in a disaster.

[01:22:03] And the best time to think about that is when we're not in one. And so this is, you know, to raise awareness and members of our community what they can do to protect themselves, their property, their families, and prepare for emergencies should they occur.

[01:22:19] And all too often, we pick up the paper or read the news, there's a new one. Seems like almost every day. Something that is affecting a community somewhere in the world. And being able to have a plan and being able to act upon it is critical.

[01:22:34] But also having a community that can do what they can do to prepare is vital to saving lives. Literally in making our first responders jobs in a hectic time a little bit easier as well. And so this is just one of those reminders, an opportunity we have to share that with our constituents.

[01:22:53] So thank you for bringing awareness to this, Supervisor Lusk. Thank you for bringing the item forward. Mr. Mooney, thank you and your entire team for what you do. With that, I think we're ready for a vote. All those in favor of the motion, please say aye. Aye. Any opposed?

[01:23:09] Any abstentions? That motion carries. Mr. Mooney, welcome. The floor is yours. Thank you. Thank you, Chairman McKay, Supervisor Lusk, and the entire board. for the proclamation today and the support that you provide promoting emergency management and preparedness throughout the county. In emergency management, we do not do anything alone. It is with the help of our partners, community-based organizations, and residents that we build and enhance a culture of resiliency. As the proclamation indicates, building emergency preparedness and resiliency within the four phases of emergency management, mitigation,

[01:23:46] preparedness, response, and recovery is the responsibility of everyone, and September is a great opportunity for us to remind the community of what they can do to be more prepared at home, work, and everywhere in between. This year's theme is Take Control 1-2-3. The goal is to empower everyone to, one, access or assess their needs, two, make a plan, three, engage their support network to stay safe during a disaster. An area of special focus this year is with older

[01:24:19] adults and encourages them to factor in their unique planning, evacuation, and communication considerations as they prepare for disasters. In the county, adults 65 and older make up 13.6% of the population. Many are extremely active in the community and are caregivers to not only friends and family of all ages. By increasing their level of resiliency, we have a much larger impact than the size of that population. In the last nine months, we've seen in the U.S.

[01:24:58] record snowfall totals, devastating wildfires, flooding, tornadoes, poor air quality, extreme heat, and a hurricane that increased from a Category 1 to a Category 5 in 24 hours. Natural and man-made disasters can happen anywhere.

[01:25:17] As my friends in the National Weather Service say, if you live where it rains, you live where it floods. To assist residents with the three steps, the County Community Emergency Response Guide will lay out what they can do before, during, and after a disaster.

[01:25:36] This year, we are also conducting an emergency preparedness survey to help guide and inform our preparedness activities into next year. In closing, I'd like to thank the partners, some of which are with us today, and the DEM staff for their tireless community engagement activities.

[01:25:52] Thank you. Thank you very much, Mr. Mooney. Again, thank all of you for joining us this morning for this important proclamation. And with that, I think Supervisor Lusk and I were ready for a photo. If you will, come forward and face the audience for a photo.

[01:27:32] All right.

[01:27:49] Next up on our agenda is board matters. And let me just say before we begin, there's these that there's a lot of them. So if folks find opportunities to summarize theirs, that will be rewarded. That being said, let me start.

[01:28:08] I do have, unfortunately, one unwritten one, but I'm going to turn the gavel to Vice Chairman Gross. And my first one is just an announcement, and I think my colleagues are aware of this, But last week, Chief Davis welcomed 59 new recruits starting their first day at the Fairfax County Police Department Criminal Justice Academy.

[01:28:32] Session 85 is one of the largest academy classes in over a decade, surpassing the previous record-breaking numbers of just the last session, session 84, where we are about to graduate 43 new men

and women into our public safety agencies in Fairfax County, and most of them in the police department.

[01:28:54] Equally important, Session 85 is the most diverse academy class in the department's history. Of the 59 new recruits in this class, 13, 22% of them are women. Yes! This class also consists of 14 recruits, almost 24% who have served in the military, and 23 recruits, or 39%, who are residents of Fairfax County.

[01:29:20] In October of 2021, FCPD joined over 100 other agencies in signing the 30 by 30 pledge, aiming to increase the representation of women in police recruit classes by 30 percent by the year 2030. And so we are making remarkable progress.

[01:29:38] A high percentage of the new recruits speak multiple languages. And for those of us who have been to recent Academy graduations, you can see the fruits of the efforts of a lot of people not only to recruit top-notch candidates, but also to recruit top-notch candidates that look like Fairfax County.

[01:29:57] And so I do want to take a moment to thank the folks in the recruiting section. We are out in the community. You see them everywhere, the efforts that they're making in recruiting officers. And when we talk about officer shortages, obviously, we're doing far better than our peers.

[01:30:16] But in doing that, we need to recognize and thank the people who are doing the hard work in the recruiting section of our public safety agencies who are doing remarkable things in getting people interested in careers in law enforcement, getting the right people interested in careers in law enforcement, and creating the largest classes, in some cases, in Fairfax County history of people coming in through the pipeline to join, in particular, our Fairfax County Police Department.

[01:30:45] And so this is a moment to celebrate. We still have work to do, but we wouldn't be where we were without those folks in the recruiting section of the police department. So I want to salute Chief Davis, but mostly the men and women who are doing the recruiting, and not just the ones in the recruitment departments, but the men and women in uniform who talk up their profession to other people, too.

[01:31:08] Because every single person that wears our uniform can play a role in recruitment. Secondly, it is a point of pride that we all learned just recently that Fairfax County, again, has been named the safest jurisdiction of our size in the United States of America.

[01:31:23] The safest jurisdiction of our size in the United States of America, among the 70 large jurisdictions ranked by the Major City Chiefs Association, Fairfax County has the lowest rate of violent crimes, homicides, rapes, robberies, and aggravated assaults for the second quarter of 2023.

[01:31:44] And I want to reiterate how important this distinction is. We read in the news every day about how crime is up across the country. We know that crime is up across the country, but it's important to take a moment to look at the overall facts presented in this report, supported by data, not innuendo or suggestions, but supported by data that Fairfax County is still the safest place of our size to live in America.

[01:32:08] And this would not be possible without the hard work and dedication of our officers who work every day keeping our community safe. and we know it takes an entire village to succeed in this area and as such i'd also like to thank all of our partner agencies who play a role in this statistic as well everything from neighborhood and community services the false church community services board park authority housing and community development department of family services health department fcps and of course our community non-profit network and our business community all who play a role and all who can be feeling good

[01:32:45] about this designation again certainly going against the grain of what's happening at the national level and so i wanted to make sure we could share that formally with our community i know a lot of us are sharing this information regularly with the community and this is you know another one of those examples where the data matters the major city chiefs association is a non-partisan organization that reviews crime data and so it is not based on innuendo or feeling or scare tactics or anything else. It's the raw data, and so I do want to thank everyone who plays a role

[01:33:19] in making that happen. For my written board matters, first I move without objection. The proclamation request listed in this document to be presented inside or outside of the boardroom as appropriate, a resolution to recognize Christopher Fay for his 17 years of service to Homestretch, Inc., a proclamation and recognition of Disability Employment Awareness month in October, a proclamation in recognition of Fire Prevention Week, October 8th through 14th, and finally, a resolution to recognize Dorothy Keenan, founder of Grand Involve for her years

[01:33:54] of service. Without objection, so ordered. Thank you very much, Vice Chair Gross. Secondly, I have a board matter to congratulate DPWES Wastewater Management for multiple awards. A lot of things have happened with them recently, and it just dawned on me the totality of these was worth mentioning. Each year, the Virginia Department of Environmental Quality awards a facility located in Virginia for their Environmental Management System, EMS. Fairfax County Public Works and Environmental Services Wastewater Management has the honor of receiving for the third consecutive

[01:34:29] three-year cycle the Extraordinary Environmental Enterprise E4 Award for managing a facility that is fully committed to measures for continuous and sustainable environmental progress and community involvement. Wastewater Management has had quite a year with several distinguished accomplishments and milestones. They were awarded the Certificate of Achievement for Excellence in Financial Reporting by the Government Finance Officers Association. Additionally, the Water Environment Federation has recognized wastewater management as a utility of the future today, a program that honors innovative utilities that are engaged in advancing resource efficiency and recovery.

[01:35:08] Our county wastewater management facility will be among the few facilities that are selected by five organizations, such as the Water Research Foundation, National Association of Clean Water Agencies, the Weight Reuse Association, and the U.S. Water Alliance, and the Water Environment Federation, Water Reuse Association, and the Water Environment Federation.

[01:35:31] Therefore, I'd like to recognize and congratulate the Department of Public Works and Environmental Services Wastewater Management Division staff and move that the Board of Supervisors endorse the previously attached letter in honor of their achievements. I'd be happy to second that motion. Is there discussion on the motion?

[01:35:49] Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed, say nay. Any abstentions? That motion carries, Mr. Chairman. And while we're on that, Fairfax County won again the Digital Counties National Award for counties of our size.

[01:36:08] And I don't believe we've acknowledged that, so we might want to put that on the list for a future meeting. We will do that. Thank you, Supervisor Gross. I think it's the fourth time we've won in the last 10 years. It's been a lot. Thank you. Place first. Yes, go ahead. My next board matter is done jointly with Supervisors Faust and Alcorn, and it involves a letter to Secretary Miller regarding coordination between Virginia and Maryland on project activities that affect Fairfax County.

[01:36:38] As the board is aware, Virginia's I-495 Next and Maryland's managed lane projects are critical to reducing congestion in the northern portion of the Beltway. While there have been verbal agreements between the two jurisdictions, a written agreement has yet to be finalized. Because of the impacts that might occur in Fairfax County due to construction of Maryland's project, it is important that the Board of Supervisors and our citizens understand the parameters of the scope of work, how work will be conducted, and the effect that such work may have on our residents.

[01:37:07] Therefore, I move that the Board send the attached letter to Secretary Miller requesting the opportunity to review and comment on elements of the agreement between the State of Maryland and the Commonwealth of Virginia pertaining to design and construction of the portions of the Maryland Managed Lanes projects that interface with Virginia at least 60 days prior to the agreement's finalization.

[01:37:29] And Madam Chair, I will just point out this board is on record supporting this project and I support this project. We know that there's good news afoot in Maryland at least that some activity is occurring. This letter is really just to make sure that before work happens, in communities in Fairfax County that is done under the Maryland project that Fairfax County and our residents understand that work have notice of it ahead of time have an opportunity to comment if they would like to and 60 days notice prior to any agreements finalization seems like the

[01:38:07] bare minimum that we should be doing and and that should not be a verbal agreement this this should be in writing so that people know what to expect and know what's going to be happening and again fully supportive of the project this is really about the logistics piece of it and doing better let's get a second on that motion um second by supervisor lusk i've heard several seconds here supervisor faust um is there a discussion on the motion supervisor coucher i may and i appreciate the work um that's being brought forward in coronation in addition to the community just

[01:38:42] want to make sure that we are including i had some conversations recently as you know our fire and rescue and our public safety um are very much intertwined at times um and as that work goes forward just want to ensure that there's also conversation and coordination to ensure that continued access um and support for emergency services absolutely and and another good reason why the notice has to happen a real public safety issue and clearly we'll make sure that's uh we'll add a sentence in here for clarity about the importance of that as well any additional discussion on the motion? Seen and hearing none. All those in favor of the motion, please say aye.

[01:39:20] Aye. Any opposed say nay. Any abstentions? That motion carries unanimously. Thank you, Madam Vice-Chair. Next is a resolution for Consumer Protection Commission Chairperson John Fee. Recently, we were notified that John Fee, Fairfax County Consumer Protection Commission Chairperson, also retired Army Lieutenant Colonel, will be stepping down. Since 1995, John was appointed to the Consumer Protection Commission and served as its chairperson from 2004 to 2023, working collaboratively with directors and staff of the Fairfax County Department of Cable and

[01:39:56] Consumer Services. He's known as a fair, dedicated leader, a tireless worker committed to protecting Fairfax County consumers from illegal, fraudulent, or deceptive consumer practices in the marketplace. And I could read this whole thing about John's accomplishments, but the fact that he has served since 1995 and has chaired the commission since 2004 is remarkable and we want to have an opportunity to salute John and thank him for his service therefore without objection I ask the office of public affairs to prepare a resolution to be presented inside the

[01:40:31] boardroom before the end of this calendar year without objection so ordered thank you next is a board matter. As the board is aware, we have been asked to make appointments to the Continuum of Care Board. This was discussed in committee meetings. I'm pleased to say that former city of Fairfax Mayor David Meyer has agreed to my invitation to serve as the first chairman of the Continuum of Care Board. The Continuum of Care Board plays a significant role in planning, coordinating and reviewing the effectiveness of a wide range of services aimed at preventing and

[01:41:10] ending homelessness in our community. David Meyer, as we know, was elected mayor of the City of Fairfax in 2017 after serving five terms on the City Council. He led the City of Fairfax through challenges like the pandemic, growth and economic development, achievements like the City's AAA bond rating, one of only four cities in Virginia with that rating. And of course, we know about the tremendous work he did at the lamb center and his connection and passion for addressing homelessness in our community took on some tough challenges and did it with grace humility and success mayor meyer was always a great partner for fairfax county and will ably chair the continuum

[01:41:50] of care board in its first term and i know this is out of turn because we're going to be doing appointments at our next meeting but i want to give dave an opportunity to meet with staff and start to work on some of the framework elements of this important group therefore at this time I move that we appoint David Meyer to serve as the chairman of the continuum of care board. I'd be happy to second that motion I think it's seconded multiply what a great choice is there a discussion on the motion. I will thank my colleagues enthusiasm that's kind of the enthusiasm I had when the idea came my way and I see you know a lot of traits in Dave Meyer that will definitely

[01:42:30] uh help this group uh tremendously as we move forward uh tom fleetwood is here from department of housing who i know will be working closely uh with mayor meyer on this group and delighted that we could bring forward this uh this nomination when david retired or announced his retirement as mayor we all warned him that he was not going to be let go very far you know we were going to bring him back in to do things this is wonderful that's right um did we well we didn't know oh um supervisor alcorn yeah thank you uh madam vice chair so yeah blessed anybody watching not

[01:43:06] understand uh he's not only from us the city but he actually grew up in fairfax county so he he knows our issues uh so it's a great choice thank you all right saying in here no further discussion all those in favor of the motion please say aye aye any opposed say nay any abstentions that motion carries unanimously thank you vice chairman gross and that is the end of my board matters next up is you supervisor gross thank you mr chairman and i had two prepared in advance and i think two were also circulated this morning because we needed to have resolutions on them

[01:43:42] i have a lot of things about names so my first one is to a request to rename the bailey's community center the springdale community in bailey's crossroads had its beginnings as home to freedmen following the Civil War and has nurtured hundreds, perhaps thousands of families in the last century and a half. As with many traditional black communities, the residents erected a church and built a small elementary school to educate their children, but the neighborhood received few local services. No paved roads, no sidewalks, no public drinking water or wastewater infrastructure, and that went all the way up into the 40s and 50s, 1940s and 1950s.

[01:44:20] A 1937 aerial view of the area shows a Sandlot baseball field, and the same field is visible in a 1953 aerial view, but there was nothing else around it. At the same time as the second aerial, the

community advocated for a community center to serve children and adults who otherwise were denied access to public playgrounds, sports fields, and gymnasiums, and add a modern gathering space for community events.

[01:44:44] According to county tax records, the Lillian Carey Elementary School and the Bailey's Community Center were constructed in 1956 on land owned by Minnie Payton. The school now is the location for the Higher Horizons Head Start program, and the Bailey's Community Center has been serving Springdale residents and the broader community ever since.

[01:45:05] There is a growing desire in the community to rename the Community Center to honor Minnie Payton and reflect its historic roots, but more research needs to be done, and it may be appropriate for the History Commission to assist in verifying available documentation in pursuit of a name change.

[01:45:21] Therefore, I ask without objection that the History Commission be asked to assist in this effort and report back to the Board by the summer of 2024. Without objection, that is so ordered. Supervisor Gross. Thank you, Mr. Chairman. work is underway to create a wonderful new public space in annandale as an urban park with demonstration gardens a topographic playground walking paths and spaces for quiet contemplation on what was once a small playing field of the annandale elementary school which was built in 1928 what currently is called the annandale civic space is the result of some well attended community planning meetings an interactive charrette at the fire station next door and some

[01:46:00] summertime programming activities for youth both pre and post pandemic. The ribbon cutting for the new space is scheduled for the morning of October 21st. The working name for the project as I mentioned is the Annandale Civic Space but as a new facility it needs a permanent name that reflects the unique community nature of the project and would commemorate a friend of Annandale who quite literally gave her life to the revitalization of downtown Annandale. Board members may recall the horrible accident in May 2022 when a car went out of control and struck several people who were standing in a parking lot reviewing potential sidewalk and transportation upgrades

[01:46:40] with VDOT and county staff. Several people were badly injured, and sadly, Mason District resident Eileen Garnett died of her injuries. As a founder of the Annandale Central Business District Revitalization Committee in 1984, Eileen had participated in dozens of similar in-person reviews over the years with county and VDOT staff and brought a passionate force to revitalization whether building design, signage, streetlights, and landscaping or trash removal. I remember discussing the civic space proposal with Eileen at the fire station Charette. Having her approval and concurrence was important to everyone working on the project and that wasn't always easy. Eileen

[01:47:19] had high standards and she didn't hide them. Mr. Chairman, to honor Eileen Garnett's long devotion to the annandale community i move that the annandale civic space be officially designated officially as the eileen garnett civic space and that appropriate notifications be included in the county's announcement of the ribbon cutting in november and that the board adopt the resolution on the back page that um designates the space as such and i'm happy to second that and i think the ribbon cuttings in october right october 21st october okay you said november i just want to

[01:47:56] make sure i'm sorry we we meant we meant october 21st and i'm happy to to second this motion i think this is a great great idea uh to honor her and i thank you uh for bringing this forward other discussion on the motion supervisor harry yeah and i'm going to be supporting the motion but i've been through a couple of the renamings and i had a follow board policy which was to refer it to the history

commission get something back from the history commission before the resolution actually got done so it ended up being two board matters for me the two times i went through it this sounds this isn't actually a renaming so i don't know if it falls under that

[01:48:36] but it's a naming but to repeat what i said last time sending these to the history commission back and forth we need to look at that policy and see if it makes sense again but i i'm going to support this but just wanted to let especially since you got a time crunch on it and if i could add please you know the history commission we've got that policy and then they say oh no we should we we don't this this isn't something on both of mine they punted so yes so it it adds a lot of time and and you know on the on the previous one that i did it needs for for the baileys community center

[01:49:12] that needs additional work done because it's got such a long history these newer ones the history commission yeah thank you okay uh if there's no other discussion all those in favor of the motion please say aye aye any opposed any abstentions that motion carries supervisor gross thank you mr chairman and uh the next one is renaming fire station 28 and by the way um as i mentioned this the history work has already been done because the state has a state marker on the site um fire

[01:49:43] Fire Station 28 in the Seven Corners area is being rebuilt into a modern new fire station with appropriate facilities for male and female firefighters and rescue personnel and an apparatus bay that can house the larger fire and rescue vehicles in service today. Station 28 fire officers and firefighters have requested that since the station is being reconstructed, the time is appropriate to change the name of the station, too, to reflect a bit of history that predates Seven Corners and officially name the station as Fort Buffalo.

[01:50:13] And I have some additional information in this, the references to Fort Buffalo and the state historical marker T-49 on the southern portion of the fire station grounds. Today, the personnel of Fire Station 28 carry on the responsibility for protection of residents and the area that began 160 years ago with the establishment of Fort Buffalo.

[01:50:34] It is appropriate to recognize the sacrifices made by people from another state to protect Fairfax County so long ago. And I move that the Board of Supervisors accept the recommendation of Station 28 personnel and approve the renaming of Fire Station, Fairfax County Fire and Rescue Station 428-Fort Buffalo.

[01:50:53] I'm happy to second that motion. And approve the resolution. Discussion on the motion. Any discussion on the motion? Seeing and hearing none. All those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Gross.

[01:51:08] Thank you, Mr. Chairman. This last one is really just something I wanted to put out here in case you hadn't seen it. There is not a motion or any action to be taken. I'm sure that all board members read the August 29, 2023 Washington Post op-ed column by Eli Tillman, who just began his senior year at TJ.

[01:51:28] Eli is president of both the Young Democrats Club and the Teenage Republicans Club at TJ. And I'm not sure how you do that, but there's a way. And student members of both clubs have come together to create a new approach and new dialogue to give students the skills to tackle controversial programs constructively.

[01:51:49] He points out that students are not being prepared to debate constructively and that young people want to learn how to disagree more calmly, honestly, and effectively. And I would hope that approach would apply to finding agreement as well as disagreement. In his op-ed, a copy of which is attached, Eli notes that, quote, factional squabbling doesn't work, unquote. He goes on to say, quote, we should be able to respect opposing opinions and listen to them with the goal of generating better solutions instead of simply fighting over who gets to mandate their preferred policies. This is not just civility. For civility's sake,

[01:52:29] the best outcomes in policy, business, and life usually emerge from a competition of ideas and a compromise on solutions, unquote. As I read Eli's op-ed, I was reminded of a passage in the book of Isaiah, a little child will lead them. Perhaps not so little now. Students at TJ have recognized that constructive, respectful disagreement is vital to a functioning democracy, And that approach deserves to be recognized and replicated across our community and our society.

[01:53:01] Thank you, Mr. Chairman. A most excellent point, Supervisor Gross. Especially for Constitution. Yes, that's right, especially today. Thank you for sharing that. And next up on board matters is Supervisor Walkinshaw. Thank you, Mr. Chairman. I have one written board matter and a couple of announcements.

[01:53:20] Written board matter is a joint board matter with you and with Supervisor Palchuk, declaring October Domestic Violence Awareness Month. October 2023 will mark Domestic Violence Awareness Month. In FY23, 45% of homicides in Fairfax County were domestic-related, which is a 9% increase from the previous year.

[01:53:42] Also in FY23, Fairfax County Police Department responded to 3,738 domestic violence calls, which is a 15% increase from FY2022. There were 253 arrest charges due to strangulation, which strangulation in domestic violence is one of the key indicators that there's a potential for homicide, which is a 51% increase from FY22.

[01:54:13] And annual calls to our 24-7 domestic violence hotline went up 25% from FY21 to FY23. So these and other measures indicate more now than ever we have to work together, government and community, to end domestic violence.

[01:54:32] Prevention is the key to reducing interpersonal violence and creating safer communities in Fairfax County. A lot of the issues that impacted families through the pandemic continue, including economic strain, the challenge to find affordable housing and adequate mental health services, and especially support for those for whom English is not their first language.

[01:54:57] We know that people of color and communities of color are impacted disproportionately, people with existing health needs or chronic conditions, and people in the LGBTQIA plus community. We also know that we have sometimes wait lists and wait times to access the support that people need.

[01:55:18] Agencies and organizations, nonprofits around the county continue to adapt to meet the evolving needs of those impacted by domestic violence. But while they're rising to meet the challenge, there are still struggles, especially like in a lot of areas, a struggle to find qualified staff to deliver the high quality services we want to deliver.

[01:55:40] they continue to report exhaustion and burnout as they're doing this important work. Recognizing Domestic Violence Awareness Month in Fairfax County will provide the opportunity to honor

those service providers and to increase public awareness of interpersonal violence including domestic violence and its impacts on victims and survivors, their families, and our community.

[01:56:03] In recognition of Domestic Violence Awareness Month, county residents are encouraged to wear purple on purple out this is always a bit of a challenge for me but i figure it out somehow to find something that's purple i need a jmu tie maybe it's easy for me chairman can help me out on thursday october 6th to show support for dv survivors and their families and thursday october 6th is also when we will hold the dv annual meeting that we do every year right here in the board auditorium to bring the entire community response everyone involved in that community

[01:56:41] response together i'll be joining them that morning on october 6th therefore mr chairman i ask without objection that the board proclaim october as domestic violence awareness month in fairfax county and ask that the office of public affairs help to publicize october as domestic violence awareness month and without objection that is so ordered supervisor walkinshaw

[01:57:01] Thank you, Mr. Chairman. Just a couple of announcements and things that I wanted to comment on. My colleagues probably are aware that we had literally just around the corner from here on August 29th a potentially dangerous barricade situation where there was a man who reportedly was armed and barricaded himself in his home along with an elderly woman.

[01:57:27] And fortunately, thanks to the incredible work of our police department, our CIT team, and our co-responder model, the incident ended peacefully after six hours of negotiation.

[01:57:43] So everybody was safe that night thanks to the great work of our personnel. I want to thank the Fairfax County Police Department, folks from the Fair Oaks Station, the Special Operations Division, the Crisis Negotiation Team, and our Crisis Response Team for helping to bring that potentially dangerous situation to a safe ending.

[01:58:08] I also wanted to just update my colleagues. The Lake Akatink Task Force continued to work hard through the summer. They did not take any time off during the summer. They've established three separate subcommittees to work on the three elements that were included in the board matter.

[01:58:29] We met here last night, and we're here until about 10 o'clock hearing from our new consultant who's going to be working to identify some additional possibilities and solutions for the task force and for us ultimately to consider.

[01:58:46] So I want to thank all the members of the task force and county staff from DPWS and Parks Cable and Consumer Services for helping us live stream the meetings and staff in the Braddock District Office for continuing to make it work.

[01:59:01] Our schedule is we're planned for they are planning to have their findings completed and to us in time for our December 5th board meeting with time with the chairman's support on the agenda for the December 12th environmental committee meeting.

[01:59:23] So I anticipate hearing something from them. Also want to just congratulate the Burke Center Conservancy on a very successful Burke Center Festival over the weekend.

[01:59:40] The weather was mixed, but in spite of that, thousands of people probably was mixed because at the opening ceremony, I declared it was going to be perfect weather all weekend. I hadn't looked at the forecast, but in spite of that, thousands of people came out.

[01:59:55] and enjoyed a really exciting event. Chairman McKay was there, Supervisor Herdy was there. I want to thank especially all of the county agencies that were part of it, FCPD from the West Springfield Station, the Berk Volunteer Fire Department were there. Libraries had a great booth and probably others I apologize for missing.

[02:00:15] I want to especially thank Sheriff Kincaid and her deputies who at the very last minute on Friday afternoon came through with some additional support to make sure that folks could could walk to the to the festival safely they went above and beyond to help out and i really appreciate that i know the folks in berks center do as well and finally just just want to share that we'll be holding braddock district's first annual climate action conference on saturday september 30th 8 30 a.m to 12 30

[02:00:54] p.m. at Lake Braddock Secondary. We're going to be talking about ways that people can reduce their carbon footprint and save a lot of money with the local, state, and federal incentives and resources that are available. So we have a really great program. We have Congressman Connolly and Chairman McKay. We have an expert, Michael Forrester, from the U.S. Department of Energy.

[02:01:17] Happens, coincidentally, to be a Braddock District and County resident. So he's going to be coming to talk about the resources that they have available we're going to have panel discussions and breakout sessions to help folks in the community individuals families faith community businesses learn about how they can reduce their carbon footprint and save a lot of money at the same time so look forward to to seeing folks there that's all I have Mr. Thank you thank you very much uh Supervisor Walkinshaw Supervisor Faust no board matters Mr. Chairman thank you very much

[02:01:52] uh supervisor faust supervisor lusk thank you mr chairman i have two board matters the first the celebration of our nation's independence is an american tradition like no other with fairfax county's proximity to the capital we are lucky to have so many safe and incredible ways to celebrate unfortunately we also see far too many cases of unsafe and illegal firework displays that put our residents in danger my office has over the years received several concerns about these illegally purchase fireworks, as I'm sure yours have too. Although the noise of these fireworks is of

[02:02:28] substantial concern, the biggest concerns with fireworks are serious injuries and the fire hazards they pose. Just on July 4th of this year, Fairfax County firefighters responded to up to 12 fires, almost all of which were certainly related to fireworks. In this year's Independence Day holiday season there have been approximately 1.5 million dollars in damages during 32 incidents started by fireworks. Deputy Chief John Walzer said this July 4th had the most significant

[02:03:01] number of incidents of any time I have been in the fire marshal's office. On the police side between July 1st and July 4th there were 60 calls for service related to fireworks displays for the Franconia District Station alone. This is a serious issue of concern for Fairfax County residents and it puts a strain on our county's public safety resources. I've learned that the Fairfax County Code designates only the Office of the Fire Marshal as the enforcement agency for any codes relating to fireworks. This means that when an officer responds to a call for service

[02:03:38] for illegal fireworks, they have no jurisdiction per the code to cite those responsible with this illegal fireworks violation. They can only seek voluntary compliance. This is a problem as it stifles our ability to prevent and end illegal firework displays. The Office of the Fire Marshal does all they can, but ultimately they do not have the staff necessary to provide the services needed on or around major

holidays. They are unable to respond to the large number of calls for service and also provide on-site safety oversight of permitted fireworks displays.

[02:04:17] After consultation with the county attorney's office, they have determined that Fairfax County already has the necessary legislative authority to change the code to allow our police officers to enforce the regulations on the possession and use of illegal fireworks. I believe this is an important change for the board to consider as we can give our public safety staff the resources and authority they need to protect residents from the dangers of illegal fireworks additionally i believe a renewed fireworks safety campaign should be coordinated and planned to discuss the dangers of fireworks

[02:04:52] the applicable laws and regulations and how to properly store and handle fireworks if the board matter is in approval it would be ideal to have this ordinance change and public safety campaign implemented by independence day of next year now having consulted with the freefix county police department and fire and rescue department i move that the county executive assign the appropriate staff to develop a presentation that includes draft language for an ordinance change that allows fairfax county police officers to enforce the sections of the county code related to fireworks

[02:05:28] for the board to consider at a future safety and security meeting before the end of the first quarter of next year additionally i move that the county executive assign the appropriate staff to coordinate and prepare a renewed interagency public safety campaign on the rules and safety of fireworks so moved i'm happy to second that motion um discussion on the motion uh let me just add i i support this i think we do need to to take a look at this um i will say that the illegal fireworks there's there's a layer of the illegal illegal fireworks that is not mentioned in here

[02:06:05] that I feel compelled to mention because it's come to my attention several occasions. We live in a very defense-connected community in Fairfax County, and I have heard repeatedly from men and women at Fort Belvoir that fireworks happening at the rate that they're happening, the illegal ones in particular, and the sound that they put off at times not expecting to hear those are a triggering moment for people who have been involved in wars and I think it's another layer of

[02:06:42] this conversation that we just need to be conscious of in our location near the nation's capital near the Pentagon for Belvoir our largest employer high population of military war veterans in the county who this can be very traumatizing to and I think it's a layer that we don't often talk about but i hope it's a part of any public safety campaign because even legal fireworks i think people just need to be cognizant of when they're setting them off and and how that may or may not be affecting their neighbors and i think that's a part of the conversation we should be having as well and so i support uh this and the timeline that you have have provided here

[02:07:22] supervisor lust further discussion supervisor pouchek thank you mr chairman and thank you mr supervisor lots for bringing this forward and I I do think we need this conversation I think in addition to some of what was mentioned clearly those of us who lived here many years have seen the changes um and the impacts it has and so thinking thoroughly um that's why I think conversation and for staff to look at um the you know the education piece of it um the the waste piece of it that i know many of our staff are having to deal with post um fourth of july and

[02:08:01] the amount of time spent doing that and just the awareness i think there's been a lot of change and those of us who have dogs uh how it impacts our pets um on the fourth of july and how that has become more and more prevalent and just you know thinking about perhaps you know community

conversations hearing from people you know what how we how we better address this and the alternatives and sort of the public ability to celebrate in a safer and more community positive way I think so I appreciate the conversation and I think it does go beyond

[02:08:35] even just the the public safety piece but the community piece as well and just just to reiterate you know we're talking about enforcement of illegal fireworks this is not yes taking fireworks away from people this is making sure we have the tools in place to address the illegal fireworks which are the ones that are bigger louder more intrusive and more dangerous and that's why they're not legal and so what we're really talking about here to be clear is making sure that we have the right tools to do that enforcement and the right education for our community about the differences supervisor

[02:09:12] walkinshaw yeah thank you mr chairman and um i think this is a good conversation to have i do want to make sure that part of the presentation will be um how successful our voluntary compliance has been because i can just say my my experience obviously we all deal with this once a year my experience talking to folks in the community and talking to police officers is that um by and large if they respond to a call that they're illegal fireworks folks are

[02:09:47] compliant voluntarily right so it may be a question of resources in terms of where we can get I'm not aware of issues of the police responding seeking voluntary compliance and somebody saying too bad you don't have the legal authority to tell me to do this or I'm gonna keep keep doing it so I think that needs to be part of the dialogue and yeah in conversation yeah mr. chairman yes we did talk a little bit about that because there are instances where they'll go out ask for voluntary compliance and get a call from the same community so the problem is they're going back out and it's like

[02:10:24] you're asking the second time will you voluntarily comply so i think that's a point that we have to be careful with and the other thing that i thought was really compelling with the larger fireworks that the chairman was describing is that some of them act like missiles and what i understood is in mason district there was an incident where someone shot a firework across the road and it ended up almost hitting a couple of cars so we really do have to think about this from a public safety standpoint as well as the fire so i just wanted to reiterate that as the reason for the

[02:11:01] for the matter and understand the comments that have been made by supervisor walkenshaw thank you mr chair with that all those in favor of the motion please say aye aye any opposed any abstentions that motion carries supervisor lusk okay thank you mr chairman i'll move to my second board matter i know this one's going to be familiar in response to opportunities and challenges in the local startup ecosystem including the lack of adequate early stage capital in the region ecosystem changes due to covet 19 and increasing inequity for startups my colleagues and i brought

[02:11:38] forth board matters in october of 2022 and may of 2023 regarding the reconstitution of events similar to the former grub state convenings in response to these board matters and at the direction of the county executive staff from the department of economic initiatives dei conducted research and stakeholder interviews to develop a briefing paper that is a study in advance of the february 20 excuse me the february 14 2023 economic advisory commission meeting eac at that meeting staff organized a discussion with regional innovation and investment experts and

[02:12:18] leaders the recommendation from the studies the stakeholder interviews and the eac meeting discussion is to establish regular entrepreneur and investor forums to build relationships and collaboration, connect capital, educate founders, and to showcase existing programs.

[02:12:39] George Mason University, GMU, is very interested in developing and managing the proposed forums. The GMU Innovation and Economic Development team is already engaged in this topic and received Go Virginia funding for Accelerate, an annual investor conference which brings local and national investors to the region each fall to catalyze investment in our region.

[02:13:04] GMU anticipates quarterly forums would integrate key aspects of the former Grubstake events, including curated pitch opportunities for startups, relationship building among the entrepreneur and investor communities, Ultimately and most importantly deal making so with that mr. Chairman. I move that the Board of Supervisors Take three actions first to direct the county executive or his designee or designees To work with GMU to develop a program scope for a regional entrepreneur investor forum program

[02:13:42] with a projected cost not to exceed a total of $4,000 for a three-year pilot program that seeks financial support from neighboring jurisdictions in the region and establishes a pathway to sustainability following the three-year pilot and to direct the county executive or his designees to prepare an initial project evaluation of a potential investment to pilot such a program under the guidelines adopted by the economic opportunity reserve fund for review by the economic initiatives committee on september 19th and three

[02:14:20] direct the county executive or his designee or designees that no investment from the economic opportunity reserve fund will be made until the board has approved the use of the funds for that purpose so move mr chairman second been moved and seconded by uh supervisor faust discussion on the motion yes supervisor loss yeah thank you on the motion thank you mr chairman i'll just make a couple comments here and i want to think and i don't see um rebecca madre here or rachel flynn or etta oh sorry rebecca i'm looking i'm a little visually challenged right now so awesome to see

[02:14:56] you there i just want to acknowledge i know that you have been doing some of the legwork here in terms of reaching out to george mason and then also uh the point about having other jurisdictions come into the mix is really kind of important so having conversations that could allow us to have other partners which would obviously buy down our costs so we're looking at this program now as a three-year setup and that we're happy to have the staff obviously conduct this study and

[02:15:29] report back to the eic committee and with that mr chairman i'll conclude my remarks thank you further discussions supervisor smith um i i appreciate all the work that's done in this and and the looking for partners to provide funding but i guess i also want to have caution about us expanding what we're doing you know we're at a time in our budget guidance where we directed staff to find savings and we know they're out there looking for where we can cut money

[02:16:03] and um you know we do all these individual things that affect the budget and i really think it's important that we as a board step back and look at when the right time is to add new programs and when it's not and I think that has to be part of our discussion I don't know where this is going to get with the funding that affects us but it adds up a little bit here a little bit there and and and you have a lot and I just feel that that responsibility that we need to be careful what we do fiscally as we move forward thanks supervisor Smith on that point on a point that she just made if I could the source of the funding is the

[02:16:42] EOR reserve fund so we're not looking at it coming out of general funds or coming out of other funding sources so just to be clear on that while we're on this subject of the the dollar amount the dollar

amount was was developed in coordination with staff that's their estimate of this or not to exceed okay Correct.

[02:17:05] Supervisor Smith? Not to exceed. Well, we replaced the funds, so it's the Economic Opportunity Reserve, but then we need to make sure we keep that fully funded at 1%. Okay. Supervisor Faust?

[02:17:21] Yeah, of course, I think everybody on the board is sensitive to that. We don't want to keep adding costs, but we don't want to stop making investments either. This is, you know, a relatively small sum of money over the course of three years with participation by other jurisdictions.

[02:17:41] And GMU, you know, we can't stop growing our economy. That's, you know, we are challenged at every corner right now with the commercial real estate market and other challenges out there. This type of activity for a very relatively small investment is the type of thing that we need to keep doing if we're going to maintain the type of level of services that we provide in Fairfax County, in my opinion.

[02:18:11] Okay. Thank you. Any other discussion? Let me just add that I think this board matter is quite a bit different than the original one, and this one I can support in particular pointing out the role that GMU will play. I always felt like this needs to be owned by someone who has a regional presence and not government and certainly not just Fairfax County government.

[02:18:36] And so the two layers of this that are going to be absolutely essential, you know, for me ultimately to support the use of funds for this purpose. And I appreciate the track this is going on because we're not voting to do this today. We're voting to send it on the pathway, just like we do any of the other investments from the Opportunity Reserve.

[02:18:56] And so, you know, I appreciate that we're going to have a conversation with this. And when it comes back, we want to make sure we have hard commitments from George Mason University and from also the other jurisdictions in the region so that we're not taking ownership for this.

[02:19:12] Because I appreciate what Supervisor Smith said. I'm more concerned, frankly, about the amount of work on our staff than anything else here. And I think what makes this work is that it won't be that. It's not going to be our staff's responsibility, but it's going to be our staff's responsibility in a role they play under George Mason University owning this and with a lot of cooperation from the other local governments in our region, which, you know, hopefully will make this much, much more successful.

[02:19:44] And so I look forward to having those commitments when this comes back for further conversation. And again, this is to send it down the track to go to the EOR, come back to us, and as the board matter says, before any funds are expended or appropriated for this purpose, that that will be a decision that the board will have to approve at a later date.

[02:20:06] And so I just want to make sure that's clear to everyone who might be watching. Finally, yes, Supervisor Lusk. Thank you, Mr. Chairman. go very quickly the last point i wanted to make is the original program that was the catalyst for this discussion was originally housed in george mason university it was a regional program so what is actually happening is that george mason is now coming back to the table and saying they want to take back what they were doing so many years ago so correct i think that makes a lot of sense as well so the shirt yeah it sure does and and you know i was hopeful that this would be it is a roundabout way to get here but I think we got to the right end with that being

[02:20:45] said all those in favor of the motion please say aye aye any opposed any abstentions that motion carries supervisor Lusk that concludes my board matters thank you supervisor Lusk supervisor Alcorn thank you mr. chairman I have three board matters I'll go quickly and one request for information on my first one I believe there may be a recusal or two I'm this is the one a request to expedite process around critical county facilities in Reston Town Center North.

[02:21:15] So before I do that, I don't know if... Sure. Yeah, I'll start. I serve on the Innova Quality Committee and the Innova Fairfax Quality and Reliability Committee, and out of an abundance of caution, I'm going to recuse from the vote on this board matter.

[02:21:33] Supervisor Gross. Mr. Chairman, I represent the county on the Innova Foundation Board of Trustees, and I, too, will be recusing myself from this one. Thank you. Supervisor Alcorn. Thank you very much, Mr. Chairman. And being handed around is a document that I'll reference in my introduction here.

[02:21:52] So as background, the amendment to the comprehensive plan for Reston scheduled for public hearing this afternoon, and with, I would say, one listed speaker at this point still holding on that, it does contain revised land use and density recommendations for Reston Town Center North.

[02:22:09] as you are aware, a community task force led by former Chairman Kate Hanley is reviewing the proposed public uses in the Reston Town Center North site and is expected to make recommendations this fall. Therefore, it is time for the county to move forward on the required development plans for the site and on the real estate exchange agreement with ANOVA.

[02:22:26] One of our most critical public facilities in the Reston Town Center North area is the replacement for the outdated Embry-Rucker Shelter, which was built in partnership with the community in 1986. The existing outdated 10,500 square foot emergency shelter, which houses both families and single adults, is planned to be upgraded. It will also be enlarged with a new facility that is planned to include medical beds, day use services for training and workforce development, and permanent supportive housing units in direct support of the county's one Fairfax policy. The other critically needed public facility in Reston Town Center North is the replacement of the Reston Regional Library. As recently noted by the county executive

[02:23:05] and included in the document that I just sent around. This library has numerous critical systems that are nearing the end of their operational lives, and the timing for the replacement of this popular county facility is also becoming critical. So therefore, Mr. Chairman, and by the way, thank you for co-sponsoring this with me, I move that the board direct the county executive to move forward on an expedited basis on the real estate exchange agreement with ANOVA and the associated zoning actions and on the design, entitlements, and construction of the new Embry-Rucker Shelter and Supportive Housing Project

[02:23:39] and the Reston Regional Library, consistent with size and scope of these public facilities presented by staff to the RTCN Task Force. I further move that staff provide to the board by the end of 2023 its strategy and timelines for such actions, including coordination with the county's health and human services system and the public outreach and engagement plan.

[02:24:04] I would so move. And I'm happy to second that motion. Time is of the essence here, of course, and so appreciate you bringing this forward today, Supervisor Alcorn. Any further discussion? Seeing and hearing none, all those in favor of the motion, please say aye.

[02:24:20] Aye. Any opposed? Any abstentions? That motion carries. Supervisor Alcorn. Thank you very much, Mr. Chairman. And by the way, that would have been follow-on motion number six later this afternoon. So we're down to five follow-on motions. Progress. So progress, right. Check one off. This is a request for expedited processing for Armstrong Elementary.

[02:24:42] The Fairfax County School Board seeks approval of a PRC plan to permit several building additions and site improvements as part of the major renovation plan for Armstrong Elementary School. We know where the school is located. It's on about 14 acres. It's zoned PRC, was approved by the Board of Supervisors in 1981.

[02:25:01] So the school will be improved as planned and as noted in the CIP. Due to the need to complete these improvements consistent with the CIP schedule, the school board has also requested authorization to process and expedite the site plan for this project concurrently with the pending PRC application.

[02:25:18] Therefore, to accommodate the schedule for these critical improvements for Armstrong Elementary School, I move that the board consent to and authorize the filing of the site plan by the school board on the property and direct land development services to accept the associated site plan for processing concurrently and expeditiously with the application RZPA 2023-HM-00012.

[02:25:42] This motion does not relieve the school board from complying with all regulations, ordinances, or adopted standards and will not prejudice the board's consideration of the application anyway. So move. You've heard the motion and the second by Supervisor Palczyk. Any discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye.

[02:26:00] Aye. Any opposed? Any abstentions? And that motion carries. Supervisor Alcorn. Okay, thank you. Last board matter, Cybersecurity Month. So as we know, cybersecurity is a major concern of all of us, particularly those of us in institutional settings.

[02:26:19] So I won't read all the details that has been handed out, but we have, as Fairfax County, made significant investments in technology to provide effective services to residents. The significant part of these investments include supporting critical technology infrastructure to conduct vision sufficiently and effectively while minimizing the rest of the county's data and IT assets.

[02:26:43] So without objection, Mr. Chairman, I would ask the board to proclaim October 2023 at Cybersecurity Month in Fairfax County and direct the staff to invite appropriate individuals to appear before the board on October 10, 2023, to be presented with the proclamation and also direct the Office of Public Affairs to promote this proclamation and the Department of Information Technology's annual Security Awareness Day event for Fairfax County employees to be held Friday, October 13.

[02:27:11] And this event will help provide staff opportunities to hear from industry experts on many things that can be done in securing access to personal data as well as the data they have access to at work. Per the motion, I'm happy to second that motion.

[02:27:27] Is there discussion on the motion? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Supervisor Alcorn. Thank you. And then just a request for information, last minute's being handed out.

[02:27:43] Mr. Chairman, beginning with the conceptual board matter, I co-sponsored with Supervisor Lusk on February 11, 2020. The Workforce Innovation Skills Hub, also known as the WISH Center, in the

Franconia District, has gone from initial concept to social startup to now a successful connector of community members seeking critical job skills with employers seeking skilled workers.

[02:28:05] More than 50 individuals are already employed in higher-paying jobs as a direct result of the WISH Center, and several dozen more are in the training pipeline. The WISH Center is one of the more visible outcomes of the One Fairfax policy, and nearly all of the individuals trained are from traditionally marginalized communities.

[02:28:22] It now also has more than two dozen private sector partners, including Amazon Web Services, Dominion Energy, Inova, and several trade labor organizations based in the D.C. metro region. As the WISH Center thrives and provides critical job training services in the Route 1 corridor, it is not lost on me and probably other board members that it is also a very localized service for the community it has targeted to serve.

[02:28:45] As I have heard from private sector and nonprofit leaders in the Hunter Mill District, the WISH Center is a model worthy of replication in other parts of Fairfax County, where there is a critical mass of community members in need of and interested in acquiring additional skills provided by such a center.

[02:29:00] What would be most helpful to those of us interested in establishing similar services in their parts of the county is a staff review and evaluation of the process undertaken to develop the WISH Center and recommendations for how the process for creating this or similar novel public-private partnerships could be optimized going forward.

[02:29:20] So without objection, I would ask that staff evaluate the process used to create the WISH Center and report back to the board by the end of the year on what has worked well and what might work better the next time for developing such a job training facility. You've heard the motion.

[02:29:37] It's without objection a request for information. Any discussion? Seeing and hearing none, that request for information will move forward. and obviously throughout that process if you know board members have other things related to this they would like to have looked at we'll include those as we as we move along absolutely thank you mr chairman that's that's all i have okay uh next up is supervisor stork thank you mr chairman i've

[02:30:11] got several matters the first one is a joint one with yourself and supervisor penny gross each of the fairfax county environmental excellence awards honors individual residents organizations or businesses and county employees who advance or support the county's environmental goals and policies the honorees dedicate personal time and expertise beyond their normal civic fiscal or professional responsibilities and they consistently demonstrate leadership as role models for others in 2023 six awardees were named by the environmental quality advisory council on behalf of the board of supervisors together these honorees have devoted council countless hours to

[02:30:48] the improvement of the natural environment of the county through public advocacy volunteerism and the implementation of programs and sustainability strategies and mentorship therefore today i would like to recognize six winners of the 2023 fairfax county environmental excellence awards and i'm going to summarize some of the points that are here the first one is for county employee category including three winners they're hugh whitehead and urban forester with the urban Forest Management Division. In 2016, Mr. Whitehead initiated a tree planting program in partnership with Fairfax County Public Schools. Since 2016, a total of 494 trees have been planted

[02:31:26] at 21 different K-12 schools, including seven Title I schools. Joe Gorney, a planner of the Department of Planning and Development, Environmental and Development Review Branch. Mr. Gorney has been a staff lead for the Environmental Plan Guidance, updating the Ruston planning study designating Ruston as a biophilic community. Additionally, countless volunteer hours, and he's helped to raise money for Fairfax County nonprofits with a sustainable landscaping plan. And Craig Currency, director of the Department of Public Works and Environmental Services, Stormwater Planning Division. Mr. Currency, during his tenure, has restored over

[02:32:05] 100,000 linear feet of streams. His open-minded leadership and business acumen have been crucial in that process in terms of collaborating with others to achieve those cost savings. In the individual resident category, we have one winner.

[02:32:21] That is Mai Tori, a rising senior at Langley High School and environmental advocate. She's the club-elected president of the Saxons Go Green, a school-affiliated environmental club at Langley High School. She's also organized fundraisers and collaborated with Clean Fairfax to design reasonable bags and distribute them.

[02:32:40] She has a passion for in-depth research, ideas, and focused on making a positive impact in the community. In the organization and business category, we have two winners. They are the Zero Waste Store and the efforts of Mala Prasad.

[02:32:56] The Zero Waste Store provides products to reduce plastic waste. The store owners, Ms. Prasad, goes above and beyond to educate residents through their website and other information and community events that they provide. Additionally, they co-host a Recycling Ask Me Anything event with the Fairfax County Solid Waste Division.

[02:33:17] We also have the Montebello Condominium Unit Owners Association Grounds Committee. There's 14 members who research and recommend actions to preserve, maintain, and enhance the grounds of this community. Members put in many hours each year to develop and advocate for projects and in many other ways.

[02:33:36] We are fortunate to have these leaders working in our community. Their efforts ensure that county residents and visitors can continue to enjoy a healthy, safe, vibrant, and beautiful natural environment for years to come. Therefore, I move that the board direct the Office of Environmental and Energy Coordination to recognize and publicize the winners.

[02:33:55] And without objection, that is so ordered. Supervisor Storr. Thank you, Mr. Chairman. The next item also includes yourself as well as Supervisor Penny Gross. Energy Efficiency Day is a celebration of the many benefits of taking action to save energy, including lower costs, healthier homes, and more climate-ready communities.

[02:34:14] Energy efficiency is the cheapest, quickest way to meet our energy needs, cut utility bills, and reduce pollution. Cutting energy waste saves U.S. households billions of dollars on the utility bills every year, up to $500 per household just from applied efficiency standards alone.

[02:34:30] Smarter energy use reduces the amount of electricity needed to power our homes, which helps curb greenhouse gas emissions that can harm our health, pollute our air, and disrupt our climate. For counties like ours that are trying to get to carbon neutrality, energy efficiency can help us achieve the emissions reduction goals in our community-wide energy and climate action plan.

[02:34:53] Energy efficiency is also an economic engine supporting millions of jobs nationwide. By increasing the efficiency measures through clean energy policies and programs, we can help to sustain those jobs and create new opportunities for employment right here in Fairfax County. Everyone can continue to contribute to sustainability by learning more about energy efficiency and practicing smart energy use in our daily lives. Therefore, Mr. Chairman, we ask that a proclamation be prepared and signed by the chairman, myself, and Supervisor Gross designating October 4th, 2023 as Energy Efficiency Day in Fairfax County. We also ask that the Office of Environmental Energy Coordination

[02:35:31] to register the county as a participant in Energy Efficiency Day 2023 on the official website. And I'm happy to... Oh, I see. You've got one more sentence. Where information can be found to publicize energy efficiency tips in recognition of the day.

[02:35:49] And I'm happy to second that. We'll make that as a motion for the purpose of the proclamation. I'm happy to second that. Discussion on the motion. Seeing and hearing none, all those in favor, please say aye aye any opposed any okay that motion carries supervisor stork thank you mr chairman the last time i have is the eighth annual tour to mount vernon mr chairman it's time it's that time of year the eighth annual tour to mount vernon community bike ride will be held on saturday october 21st this year we will be riding in the northern portion of the mount vernon district

[02:36:24] beginning and ending at george washington's mount vernon again this year there will be 24 mile short ride and a 40 mile long ride so riders of all levels are welcome including families and kids. This year's ride will be super exciting and scenic as riders will ride on the closed George Washington Memorial Parkway with beautiful views of Potomac River. Riders will roll past Fort Hunt Park, Dyke Marsh, River Farm, Historic Holland Hills and Gum Springs, Woodlawn and Pope Lady House, National Museum of the U.S. Army, ride through Fort Belvoir and return on the Mount Vernon Memorial Highway Trail. In fact, the new trail, Mr. Chairman, that we dedicated not too

[02:37:03] long ago, yet continues to grow with the help of our partner, Fab, Fairfax Alliance for Better Bicycling. A key focus of the ride is to encourage community members and visitors to explore the many treasures and hidden gems of Potomac Banks to explore Fairfax South. After the ride, riders and volunteers gather for camaraderie, music, yard games, and La Prima's famous Sweet Potato Chili.

[02:37:26] additional information and registration portal can be found by visiting the west the mount vernon district page therefore mr chairman i ask with unanimous consent the board direct the office of public affairs to publicize the 2023 true to mount vernon and without objection uh that is so ordered and i know uh since supervisor alcorn also puts one of these on he can relate to how much work is necessary to put one of these on especially one of this magnitude so just in advance want to you know thank you and your staff and all the partners that are on here because this is a

[02:38:01] massive undertaking and it takes literally hundreds of hours to make this work and to work well so uh looking forward to that day and participating so thank you supervisor stork thank you mr chairman we we absolutely thank uh superintendent uh charles cavillier who is the park superintendent for working with us and he's been a volunteer in the past so this is kind of a nice connection to the work that they do and the parkway is an essential part of this part of the county and i know many of you have seen it but the malverno trail is can be difficult and sometimes dangerous show given the two actions i've had i can attest to that and being able to ride literally on the

[02:38:39] parkway makes a lot safer and i hope many will be able to many of you will be able to join us thank you thank you supervisor stork and uh next up is supervisor palchek uh thank you mr chairman no written board matters just uh verbally uh want to again thank uh all of the staff and organizations who've been involved for our first inaugural fairfax fiesta to help um kick off hispanic heritage month well it'll be halfway through hispanic heritage month this year um and i want to thank all the organizations and remind my colleagues we'd love to see you there

[02:39:14] it will be on september 23rd i know it's a busy day um but it will be from noon to five at the park at Tyson's there will be dancing from Mount Vernon High School Orchestra Ballet Folklorico Boliviano Grupo Folklorico Raises Hondureñas and Jonathan Acosta the New Voice of America as well as lots of exhibitors from the county food trucks and so many activities and just want to thank all the agencies one Fairfax the chairman's office all the staff in my office, FCPS, NCS, the Health Department, Edu Futuro, and Second Story for being on

[02:39:53] the inaugural committee. It'll be a wonderful event. Hopefully, we'll bring some great weather to it and lots of excitement and looking forward to seeing the community there, all the exhibitors, and having a wonderful kickoff. So, thank you, Mr. Chairman.

[02:40:09] Looking forward to seeing you there as well and to so many who have put now countless hours, almost a year into organizing this event and be be a great event so looking forward to it thank you supervisor Palchuk and next up is Supervisor Herdy and I have quite a few so I'm going to roll through them as quick as I can I've got several written and two unwritten the first one is done jointly with you chairman McKay recognizing the friends of the animal shelter and a couple of achievements and I'll try to summarize we all know what great work the

[02:40:41] animal shelter does um for our uh for our pets and and for those in the shelter and pets of all sizes and shapes and forms um but they have raised 650 last year alone almost 5 million year to date um most amazingly with the with the recent campaign the clear the shelters campaign uh pet adoption about resulted in the adoption of over 100 animals and basically the shelter was empty which has never happened before in fairfax county so um with that mr chairman i ask without

[02:41:18] objection resolution being prepared recognizing the friends of the fairfax animal shelter in the fairfax county animal shelter for this historic number of adoptions as well as the ongoing service to our community resolution be presented to the friends of the animal shelter on october at the october 11th board meeting um and um i'm happy to well without objection that is so ordered and and I appreciate this coming forward.

[02:41:42] I know that Congressman Connolly, myself, and Delegate Bolova were there at the very beginning of the day, on the busiest day, which was the Saturday of this campaign. I was there later that day. It was chaos in the animal shelter.

[02:42:00] I mean, there were so many people. It was good chaos. There were so many people there. I tried to get Jerry to adopt a cat named Jerry. Didn't work. But the staff was amazing, the amount of volunteers that they had in there that day.

[02:42:16] I mean, they literally were set on clearing the shelter. And by Saturday morning, they were amazed at the success that they had had on Friday, but were expecting an even bigger day Saturday, which happened. I mean, it was an amazing undertaking, and a lot of animals found homes that weekend.

[02:42:32] So looking forward to recognizing them, and thank you for bringing this forward. And without objection, it is so ordered. Supervisor Herity. There were lines out the door on Saturday. It was absolutely incredible. Second one, I'll be very, very brief, advertising drug take-back day.

[02:42:48] We know the importance of fighting opioids and fentanyl. But on Saturday, October 28th, from 10 to 2, and therefore, Mr. Chairman, I ask the Office of Public Affairs to continue to work with FCPD to advertise the upcoming National Drug Take-Back Day.

[02:43:05] I also declare October 28th as Drug Take-Back Day in Fairfax County. without objection that is so ordered uh next one i will need to read it's a the fair lake study comprehensive plan amendment work program revision this is similar to the one we had at our last board meeting um and has been run through staff the uh 2023 comprehensive plan amendment work program adopted by the board in april included consideration of plan amendment for subunit e1 of the fairfax center area suburban center which comprises majority fair lakes is a tier one item the intent of the authorization was to review and potentially update the planned land use mix

[02:43:44] for the overall fair lakes area including consideration of specific sspa nominations since the adoption of the work program rezoning applications have been accepted for review for two of the sspa nomination sites both of which present opportunities for review to review potential additional multifamily housing in the area in discussions with planning staff it has become evident that a full study of the fairfax lake fair lakes area including visioning land use and transportation studies will need to take place on a different timeline additionally some of the key questions that the broader study will need to consider such as the future of office

[02:44:19] parks in the county more broadly will be looked at through an ongoing policy plan work given this planning staff has developed a phase strategy of first considering the fair lake redevelopment option guidance and facilitating a review of these two redevelopment program proposals as well as as providing the groundwork for the next phase of a larger study of Fair Lakes. Therefore, Mr. Chairman, I move that the comprehensive plan amendment work program be revised to include the following authorization language for the Fair Lakes study, parens PA 2023-3-1FC, quote, consideration of a

[02:44:59] plan amendment for subunit E1 of the Fairfax Center Suburban Center Phase 1, land use and density intensity changes for tax map parcels 45-4, double circle 11, A2, and 55-2, double circle 1, 009A, and editorial revisions tier 1, and phase 2 visioning and evaluation of a revised comprehensive plan for Fair Lakes tier 2. This motion should not be considered as a favorable recommendation of these applications by the board. It does not relieve the applicant from

[02:45:35] compliance with provisions of any applicable ordinances, regulations, or adopted standards. This action in no way prejudices the substantive review of the applications. So moved. You've heard the motion and a second from Supervisor Pouchik. Discussion on the motion?

[02:45:54] Supervisor Gross. Mr. Chairman, I thought I heard Supervisor Herity in the numbers here say 009A and your written board matter says zero zero zero nine a and I know that staff gets a little agitated about friendly amendment to revise it to zero zero zero zero nine what is written is correct what is written is correct thank you thank you for listening to it we've had too many where we've had to go back because

[02:46:29] something was misstated accidentally yes okay further disc any further discussion on the motion seeing and hearing none all those in favor of the motion please say aye aye any opposed any

abstentions that motion carries supervisor harry uh the next one is one we've done before government recognizing the significance of our government contracting industry in fairfax county and presenting a proclamation at the greater washington government contract awards As I mentioned earlier, Rich LaFore will be very much missed as a co-chair of that event.

[02:47:06] But, Mr. Chairman, I ask without objection that November 1, 2023, be declared as Government Contracting Day in Fairfax County and a proclamation be prepared to be presented at the awards dinner on November 1st. Without objection, that is so ordered. Supervisor Herdy. Okay, the next one is done jointly with Supervisor Smith and Chairman McKay to recognize Korean Central Presbyterian Church's 50th anniversary.

[02:47:34] On November, you guys have all read this, so I'm going to summarize this the best that I can, but November 4th, 1973, Reverend Yoon formed KCPC along with 20 Korean-American families, And as we know, it has grown to a church that encompasses really all of Fairfax County and serves all of Fairfax County.

[02:47:58] It's been recognized by the Commonwealth, the Republic of Korea. And therefore, Mr. Chairman, without objection, I ask we prepare a proclamation recognizing KCPC's 50 years of existence in service to Fairfax County to be presented outside the boardroom.

[02:48:15] And I will make sure the entire board knows that date so that we can all be there to attend. Yeah, thank you. And without objection, it's so ordered, and we'll make sure we coordinate with you on the date, as you said, the date and time of that, because this is a property of countywide significance, for sure, and we want to make sure that we properly recognize this.

[02:48:39] I know their anniversary isn't coming up until November, so we were going to do one of these later, but it's good to put this in the path now. Supervisor Smith. Yes, and I already sent them a congratulatory letter that they asked for since they have been in Sully District since 2010, and they are a good partner to the community.

[02:49:03] Thank you. Thank you, Supervisor Smith. Supervisor Herdy. The next one is done jointly with Supervisor Growth and Chairman McKay to recognize Chorus Festival's 20th anniversary and the 70th anniversary of the armistice in Korea.

[02:49:21] Again, this is a festival that's done regularly. Its location is moved around the county. It's everywhere from Tyson's Corner, but it's coming back home to Annandale at what used to be the H-Mart, which is now, again, a K-Mart. So things go in circles.

[02:49:38] Anyway, Mr. Chairman, I move without objection that we prepare a proclamation recognizing the Chorus Festival's 20th year, 20 years of celebration in this year's theme of the 70th armistice anniversary that brought an end to the korean war to be presented at the festival and again we'll coordinate with everyone yeah without objection that is so ordered and you know i know all of us have gone to this many times and know many of us are there together so we will present this proclamation as a full board or whoever has a full board whatever board members is there will participate in the presentation of this proclamation

[02:50:15] and so without objection it is so ordered supervisor harry yes mr chairman the next one's just an update um on the regional town regional panhandling town hall that i uh held on october 17th co-sponsored with prince william county supervisor janine lawson during the town hall almost 1900 people

participated watching on channel 16 and facebook um their call line from 7 to 8 30 channel 16's call line actually took more calls than they've ever had on any other town hall due to the significant volume volume of participation and feedback i wanted to share

[02:50:54] an update with the board and for the public um and the full town hall recording is obviously available on channel 16 um supervisor lawson and i were uh grateful to have major greg allman with the loudon county sheriff's office with us on the panel and he talked about their ordinance prohibiting the exchange of objects in the roadway and median the ordinance has been successful in addressing public safety issues around panhandling while not infringing on first amendment right to panhandle or other parts of the or other parts of the county to date this year they have given

[02:51:31] warnings but they've actually had no citations they have warned the panhandlers and they have moved on so they haven't had to cite each of the years prior to that going back to 2015 it was less than 10 so the goal there is with them is not to criminalize panhandling but to but to move people into services and to let people know that giving to panhandlers does not help them he shared during the town hall the ordinances withstood legal challenge similar to the other successful ordinances around the country additionally i was very glad to have fairfax county department of

[02:52:07] public works and environmental services director chris harrington on the panel to share with us the success of uh of a work program i proposed back in 2017 it helps people experiencing homeless that's operation stream shield um during the town hall we heard from residents um one was the most interesting was actually the first caller who volunteered at a food bank um so he works with uh with people in need all the time uh had thousands of dollars of damage done to his car because of an aggressive panhandler and he said something absolutely needs to be done one woman

[02:52:45] shared she readily talks to panhandlers always referring them to county services we've had other residents that can you know most of that most of the response really was people wanted to see something done um and say overwhelmingly before during and after the town hall my also my office also received significant feedback on social media as well as via email and phone given the significance concern surrounding panhandling i'm continuing to look into ordinances other ordinances around the country and that have been successfully implemented and bringing this plan to bring this issue back to the board i'm happy to see a discussion on panhandling has been added to

[02:53:24] our closed session today so i look forward to more on that and that's kind of more an update The next one is a, I should say, consideration item. It doesn't, but it is on critical park maintenance funding.

[02:53:39] Our county parks are among the most utilized amenities and some of our greatest treasures. Our residents notice when they begin to deteriorate or not maintain. My office has received many complaints from residents regarding overflowing and or removed trash cans, overgrown grass, amenities out of service, and deteriorating conditions.

[02:54:01] Based on discussions with park maintenance, there have been a number of reasons for the decline in maintenance. These include an increase in the number of facilities without a corresponding increase in a maintenance budget, difficulty staffing open positions, and positions help open to fund critical tree removal needs.

[02:54:17] Parks have also been dealing with increasing emergency tree removals that have surpassed the allotted 500 proposed carryover budget increase from the board by $2.4 million already this year. This is for emergency tree removal, not preventative tree removal, which would have been an even greater operational challenge.

[02:54:39] Last year, I allocated $150,000 from my district's discretionary fund to make long overdue improvements at Burke Lake Park. Each year during the budget process, or last year, earlier this year, I should say, during the budget process, I proposed a consideration item for the board to increase park maintenance funding by $5 million.

[02:54:58] That motion failed. Parks and park maintenance should be a priority. The Park Authority Board is reviewing the need for increased maintenance as well as the county executives direct to define options to reduce their budget by 7%. These items will be discussed as a part of the budget process.

[02:55:17] However, I think we should address some of those with one-time needs during carryover. And this shouldn't be a motion, but I ask the board to consider reallocating the proposed $1 million of carryover funding to address small-scale capital projects in each supervisory district to the park's operational budget for essential tree removal and park maintenance.

[02:55:42] And that's a consideration item. Yeah, and so we don't vote on these. I know several supervisors have been submitting theirs just electronically, which is fine. That's probably a good way to submit them and make sure that staff gets them and gets working on them. And a lot for us to consider at carryover.

[02:55:59] So we'll add this to the long list of other requests that are already pending. I've got two unwritten ones. The first one is we are, my office is hosting along with Chairman McKay, Supervisor Stork will both be there, Delegate Tran, Senator Barker, and I think we'll have a couple of school board members.

[02:56:22] uh so we had announced the meeting publicly um it's september 13th at seven o'clock a lee chapel road town hall and community update um so that will uh that's just for board members information if anybody's interested in attending or speaking at that be happy to make the arrangements for you uh the last one is is a difficult one for me it's a little disturbing i haven't i have not didn't decide to do this until yesterday, but let me first state that I am and I have been

[02:56:59] very supportive of the concept of the Workforce Development and Innovation Center in Franconia District, better known as WISH. I supported WISH when it came before the board on both its concept and its goals, and I support seeing one established in Hunter Mill. I think it's a great program. The idea of strengthening our workforce through training in our communities and bettering the lives of our residents is a no-brainer and one i support unfortunately i've been made aware of and i'm certain other members at this diocese or have been made aware of that the rfp process was severely flawed while i have not yet completed review completely reviewed the results of a foia

[02:57:39] of a foia request that was shared with me that i made last thursday i am aware of the apparently inappropriate involvement of a board office in the procurement decision of this multi-million dollar Fairfax County contract involving federal state and county funds and several violations of our procurement policies that were in place at the time. As an elected county official who's been made aware of potential procurement violations in addition to being the right thing to do my attorney has advised me

that it's my fiduciary responsibility to bring this before the board and ask that it be fully reviewed. Mr. Chairman I would ask the county attorney in coordination

[02:58:18] with internal audit in the purchasing agent to review the unredacted FOIA regarding contract 440010973 and recommend actions that should be taken by the county and or the board as a result of the review and this matter be placed on the agenda in the executive session at the next board meeting for discussion uh you've heard the motion and you has this been circulated none of us have copy of what you're reading i thought we had it circulated none of us have a copy of what

[02:58:52] because anthony's down to one leg yeah i'm sorry i thought it was out yeah you said that we didn't have a copy when you started the discussion well you didn't have a copy in advance i thought they handed him out okay let's uh take a moment here let's all get a copy of the

[02:59:17] motion so now we have uh we all have a copy in front of us why don't you restate uh your motions restate the motion mr chairman i'd ask the county attorney in coordination with the intern with internal audit and purchasing agent review the unrenacted foyer regarding contract four four

[02:59:54] zero zero zero one zero nine seventh might let me do that one again so i don't screw up my zeros Again, Ms. Supervisor Gross, 440010973 and recommend actions that should be taken by the county and or the board as a result of the review and have the matter placed on the agenda in executive session at the next board meeting for discussion.

[03:00:21] Okay. You've heard the motion. I will second it for the, or Supervisor Smith, and I will second it for the purpose of discussion. I do want to make sure, you know, this is obviously the closed session agenda has worked with my office.

[03:00:44] And so I'll be coordinating with the county attorney the appropriate time to have this come back based on their review with the hope that there would be time in the next closed session, as the motion says, for discussion on this. But I also want to make sure that the county attorney's office is given the appropriate time to do the work that they have to do.

[03:01:05] So I would just say that that discretion of the chairman's office working with the county attorney in terms of timing will be important to make sure that the information that she has and that she can share with us gets to the board in a timely manner, but that is complete and that she has the time to be able to do that research.

[03:01:24] And I would also suggest that it says in here in coordination with the internal audit and purchasing agent, I would just extend that to any relevant county agencies just to make sure that she has the cooperation of whoever she needs to be able to do that review, I think would make sense here.

[03:01:44] Other discussion on the motion, Supervisor Alcorn. Yeah, thank you very much, Mr. Chairman. I'm, you know, without objection earlier today, we asked for staff to review what worked well and what didn't. So I don't know if this motion is necessary.

[03:02:02] I mean, certainly in staff's work, you know, you can provide whatever you want. But to me, this is like a calendar reminder that early voting starts in 10 days. I mean, this feels political to me. And, you know, is it any coincidence that this is being dropped right now?

[03:02:21] So I would suggest that, you know, if Supervisor Herity has information he wants to provide to anybody, including staff, as they review the process, that he'd do so. But I don't think, and certainly if

there's anything that needs to be discussed in executive session, the chairman sets that agenda.

[03:02:39] So, you know, this just feels so political to me. i would i i'm just curious supervisor harity or why are you bringing this up now it's election season i'm i don't expect this to actually be resolved before expect except this has nothing to do with the election this has to do this has to do with something that was brought to my attention that is wrong with our procurement process when a board office is engaged in the procurement process and as a member of the selection advisory committee was recording

[03:03:17] meetings of the selection advisory committee you're familiar with federal procurement you know what it's like that was harassing and bullying members of the source selection committee as this document again i haven't been through all 3 000 this was a foyer that was provided the pieces were provided to me and i asked to get a copy of that foyer so yes it it's not it's not good and it's something we need to fix through process or through something else and i don't

[03:03:53] know whether this gets to the point where the where the actual procurement needs to be redone or any of that i that's i'm turning that over to somebody else and again i'm asking for this to be done in closed session for a reason because i don't want it to be political but it needs to be looked at i struggle with it supervisor alcorn i got this thursday called an attorney and i was told i have a fiduciary responsibility to bring this forward so that's why it's coming forward and if there's nothing there there's nothing there it's about that simple but that's not that's not

[03:04:30] what i was presented with uh further discussion let me go back to supervisor alcorn first and then supervisor gross yeah i why don't you go to supervisor gross because i uh because i was going to make a motion on a different on a different point yeah okay supervisor well i i just wanted to say and we take up a lot of things in closed session that don't come out of the dais when a a board member has a concern about something, whether it's fiduciary responsibility, a land use case, whatever, normally we would, the individual supervisor would get in touch with

[03:05:10] the county attorney and say, you know, I've got a problem here. Can we put this on the agenda for some discussion? Bringing it up through board matters at the dais is highly unusual. I'm trying to think of any time we've done this in the 28 years I've been on this board.

[03:05:32] And it is awkward. It is enormously awkward. And I am remembering the, what is it, the slogan that says something about the lie gets halfway around the world before the truth gets its boots on kind of thing.

[03:05:53] You know, whatever genie came out of this bottle is not going to be put back in that's just because it's it's now a public request board matters have their own reasons for doing things but generally it has been the practice of this board on situations that are of this nature we go to the county attorney we go to the county executive we go to the chairman and say i think we've got a problem here can we talk about this in closed

[03:06:30] session and really get the details rather than innuendo. Thank you. Mr. Chairman? Supervisor Herity. Yeah, you know, again, it was late last night, but I did share this with the chairman.

[03:06:46] I did share this with Supervisor Luss both last evening, and if that had been presented as an option, that's a direction that I would have taken. But this is what I was recommended to do by attorney because it's got to come to light.

[03:07:08] It's got to be looked at. Supervisor Pouchek. Yeah, if I may, and clearly being a newer board member here, I don't think under our time this has happened. And I think where I have concern is that hearing now that this was shared with two of our board members last night, And I know you get upset when we do not have the ability to see information before it is shared.

[03:07:36] And I have concerns about something in your, now that I see it in your board matter, that says, unfortunately, I've been made aware of, and I'm certain, some members at this dais are aware. So that, to me, is something that I find concerning.

[03:07:56] I don't know that that's a true statement, and it has now been put in the board matter, And it's making innuendos and insinuations, not just of one particular office, but of this entire dais and to some extent our entire county and our processes.

[03:08:12] And so that's where my concern is with this. I do wish if you had this information that you, as we do, had come to each of us individually to share that it had gone through the process of coming to closed session. so we could get information from our attorney and from others before we make any statements of this kind without that information before us.

[03:08:38] I'm finding myself in a very difficult situation. Clearly, if there's an issue, absolutely, it has to be reviewed and improved. And if it hasn't already been audited or if it has not already been reviewed, it needs to come to us.

[03:08:54] But, you know, as you know, every procurement, every process that goes through our county does go through extenuous review. And so that is where my concern is with this. I absolutely am. Maybe I'm thinking in my mind there's a way to put these two board matters together so that in the process of complying and having the time to comply with the Hunter Mill request for information that as that information is gathered, the chairman and the county executive and our council are able to come back to all of us

[03:09:30] board members if there is sensitive information that we need to see in closed session before that other request from information is processed and that just seems to me like as a newer board member the more appropriate way to do this rather than than jumping to I don't know why this process the way it was done so I as one board member would appreciate having information for both of these board matters and anything that has been reviewed how that has been studied and I believe internal audit may have reviewed this already be brought to us before we move forward I do again just have

[03:10:07] concerns about insinuations being made and I have not been privy to any of these information that you're referring to before it became public in that that That statement's not insinuation, that statement's in black and white in the FOIA? I haven't seen this FOIA.

[03:10:24] No, I'm just telling you, you asked me whether that's documented or if that's factual, it's factual. Okay, well, it's my first time hearing it or seeing it. Okay. Okay, further discussion, Supervisor Walkinshaw. Thank you, Mr. Chairman. First, obviously, I think all 10 of us agree that if there's any evidence that there was a violation of the procurement process, It should be reviewed, absolutely, by the entities listed in this board matter and any others.

[03:10:55] The challenge I have with the board matter is it's predicated. The motion is predicated on the results of a FOIA, and I think it's the case that, Supervisor Herity, only you have begun to review the FOIA.

So you're asking us to take actions based on a FOIA that only you have reviewed, and I'm not comfortable with that.

[03:11:17] I would be absolutely comfortable with a closed session discussion of whatever you have in the FOIA and any other elements of this issue. And then with that full information, the board can decide how to move forward. I wouldn't be comfortable with the specific motion that you have here, only because I haven't seen what you're referring to to justify it.

[03:11:41] Okay. Supervisor Alcorn. Yeah. Well, actually, we're going to hear Supervisor Faust because I'm going to make a motion. Supervisor Faust. Thank you. I mean, I agree 100% with what you just said, Supervisor Wilkins Schott.

[03:11:58] I can't even imagine if you'd have told me before I came in here today that a supervisor would have so-called 3,000 documents that he's just started to review. And he lays out allegations and, you know, incriminating statements like this, you know, in a board meeting.

[03:12:21] And I would not have believed it. But then I would have thought, well, it is election season. so maybe it is possible that it could happen you know there may be issues here but this is not how we handle it and we don't do board matters in essence accusing someone accusing this is accusatory you know it went so what do we do about what you what you think might have happened you use terms like apparently inappropriate potential procurement violation that's not something you should have

[03:12:53] brought to us as a board matter and you know that this should be this should be discussed in closed session and if after someone other than someone who has an interest in the outcome of the election reviews the documentation that you have uh that you have in your possession but haven't reviewed and haven't shared so you know i'm i'm very i think it's very appropriate to to look at it i I mean, you know, but, you know, the motion you made is totally inappropriate.

[03:13:32] Okay. Any further discussions? Supervisor Alcorn. Yeah, thank you, Mr. Chairman. I appreciate my colleagues' comments and suggestions. I think if this is something that's appropriate for closed session, the chairman can work with the county attorney and staff and bring it.

[03:13:49] I would just remind everybody that we are subject to FOIA requirements on closed session, So this has to be something that is appropriate for closed session and not just a political thing. I know the county attorney understands that. So with these comments in mind, I would move that the motion be tabled.

[03:14:08] Second. You've heard the motion and a second. Discussion on that motion. Discussion on that motion. Yes, Supervisor Stork. So I just want to make sure I understand what tabling this motion would do.

[03:14:27] We've had a discussion. There's been some, I guess, at least a motion that's been identified that we need to have something looked at. And this tabling would not have that looked at? Or are we asking chairman and or someone else to be doing something?

[03:14:48] So I need to understand what the consequences of tabling this item are. Mr. Chairman. Before I turn to Supervisor Faust, let's get from the county attorney the effect of tabling the motion answered first. Mr. Chairman, if this motion is tabled, staff is still under a direction as a result of Supervisor Alcorn's motion, or it wasn't a motion, it was a without objection request that we study the successes and opportunities for improvement at the WISH Center.

[03:15:22] And so that would still be something that would be in progress without the overlay of Supervisor Herdy's motion on the question. And so just to be clear, if the substitute motion is approved, the original motion dies.

[03:15:40] So in effect, you have ruled that we have acted on this board matter, the action being tabling it. I just want to make certain people, I want to make sure I understand the sequencing here through your eyes. I get the point about there was a separate motion made earlier today. I think it's quite a bit different, but there was a separate motion made earlier today, and that motion is unaffected by this.

[03:16:03] This is not the matter that we're discussing right now. The matter that we're discussing right now was the original motion that Supervisor Herity made. Now we have on the table a motion to table that. And I just want to be clear that if that motion were to pass, that is the end of conversation on this item or not.

[03:16:21] It certainly is. For now, you're tabling it. And it's something that the Virginia General Assembly does. And so it would dispose of it certainly for now. Okay. So I just want to make sure of that because I do, and the reason why I bring this up is I do think this is something that needs to be looked at.

[03:16:46] I have not read the FOIA. I do not make judgments on the FOIA. I do not make judgments on what happened here. But I have begun to sift through it, and there are some things in it that we need to clarify. And that clarification has to happen through a review.

[03:17:03] I am a supervisor, I've said, you know, from day one, I don't go anywhere near procurement. I don't even know where the, when I had to present a certificate to Kathy Mews upon her retirement, she's in this building and I had to be told where her office is.

[03:17:18] That's how far I want to be out of procurement. And I think, you know, that should be the position of the county, period. If there are suggestions that are made that there was something done wrong or right, we're not there. I think everyone here has a right and opportunity to review the same information, the same FOIA information, get input from the county attorney, and make their own judgments.

[03:17:44] And so I do support this being reviewed. I do not support a suggestion that there was any wrongdoing that has happened here because I don't think any of us could draw that conclusion based on no information, having very little information in front of us here today and very little information to be able to make that judgment on.

[03:18:03] And so we will vote on tabling it, but I do think that we certainly will have this on a future closed session agenda if that motion were to pass. Because for me, when something like this comes forward, this has to be reviewed for the integrity of our procurement process and the reputation of the county.

[03:18:24] This must be reviewed. How it's being reviewed and what people are saying about it is very concerning to me. And so if this motion is tabled, I will tell you that as chairman of this board who sets the closed session agenda, I will have a discussion of this on closed session, regardless of the outcome of these motions today.

[03:18:43] And that is my responsibility as chairman and something that I will do regardless. I think the review of the wish center that was made earlier is a very different subject. This is a legal procurement

matter. That is a, was this a good thing to do in the county?

[03:18:59] what worked and what didn't work in terms of contributing to the overall quality of life of the people around the WISH Center. And those two must remain divorced from each other, in my mind, because the premise behind the questioning is very different.

[03:19:15] And I think we can review the WISH Center, the successes, what worked and what didn't work, outside of any review of the procurement, just like we can review the procurement outside of any decision about whether or not the program is successful. And those are, in my mind, two different questions, and both of which need to be evaluated and answered in my mind.

[03:19:37] And so if we vote to table this, I will still ensure this comes back to closed session for the appropriate conversation. And I think it's important for all of us to withhold judgments about things before we have facts in front of us.

[03:19:53] And to, just as we're talking about the integrity of the procurement process, protect the integrity as well of this review that is being done and give staff the time to be able to review what happened here and be able to come back to us professionally and give us their assessment of that.

[03:20:09] And so with all that being said, hopefully people understand where we are in the series of motions here and what those motions mean. Before I call a question, let me ask, there's several other supervisors that want to speak.

[03:20:26] I will start with Supervisor Stork to be followed by Supervisor Smith. Thank you, Mr. Chairman. I cannot support tabling this motion. I could support a substitute motion, which really addresses the points that you've just made. I'm very supportive of that, very comfortable with that.

[03:20:43] But I will not be supporting a motion to table this. I know we have to address this first, but if this fails, then I'd be happy to offer a substitute motion, which encapsulates what you've just said. Okay.

[03:20:59] Supervisor Smith. I'm kind of where Supervisor Stork is. I really appreciate what you said. It gives me more comfort, and I think that is the best way to move forward with this issue because it's been brought forward. We need to find out what's happening, not with the assumptions that are here, but I'm probably going to abstain on it on the um supervisor faust yeah and what you said is absolutely correct I mean that's what I think we're all saying it has to come through a process

[03:21:31] an appropriate process not a motion that says direct staff to make recommendations with the premises all being that something you know apparently inappropriate potentially we can't make those kind of factual conclusions at this point. We need to look into this, but we don't need to adopt a motion that, in my opinion, is a condemnation without the investigation that needs to occur. Right. I mean, it sounds like a lot of us are on that same page. We

[03:22:09] can go through the process on these various motions if we need to. I mean, my hope is that uh what i've heard is this needs to be looked at and through the appropriate channels and come back to closed session i set the closed session agenda i will work with the county attorney to make that happen um i don't need a motion to do that so we could you know in essence withdraw everything on the table and just go with that or we can go through the motions the various votes on this if that makes the county attorney and others more comfortable but for me as chairman of this board a concern has been raised it needs to be looked at it needs to go through a process it

[03:22:49] needs to come back in closed session for a lot of reasons not the least of which is it's legal it's personnel it's procurement i mean i it has all the standards of a closed session conversation and and now that you know this has been raised um i will ensure that it comes back to closed session regardless of of what votes we take here as my responsibility as chairman of this board And so if we want to vote on each of these, we can do that.

[03:23:14] If we want to rest with that, we can rest with that. Let me ask Supervisor Alcorn first if he wants to have a vote on the tabling. Unless is Supervisor Herity willing to withdraw his motion? I'm going to be close to where Supervisor Stork is.

[03:23:33] If there's a substitute motion to review this in closed session, however that be phrased, Then I'm I'm absolutely fine with that. Well, I've just committed to doing that motion. Yeah, I've just committed to doing that. I don't then I will withdraw my motion. Okay, then I withdraw my table motion. Okay, so where we are, just so people are clear is that I will work with the county attorney to bring this back to closed session. We have agreed that a review of this particular contract be done. We are drawing no conclusions about the outcome of that. And we will hear the results of that at a future closed session.

[03:24:09] meeting. Okay. Supervisor Herity. Oh, I'm sorry. That's it. That's it for board. I think that was more than enough. Okay. Supervisor Smith. I guess it wouldn't be funny if I said I had about 12 unwritten ones. I have no board matters. Thank you. Thank you, Supervisor Smith. Let me ask the county attorney how long we need for closed session. Mr. Chairman, I estimate two hours.

[03:24:37] You estimate two hours, and our first public hearing is at 3.30, which means we need to be back by 1.30, which means we need to get lunch and go in close. Mr. Chairman, I still need to do admin in action. Oh, you're right. We have to do the rest of our business.

[03:24:52] We haven't even done work. I bet you can make a motion. You're right. You're right about that. We've been on board matters for several hours. Okay. You are right. So I will go backwards to where I hope we were at this point. was being optimistic. Let me, again, I was going to turn to Supervisor Gross. I will turn to Supervisor Gross again if she has a motion for the admin items. Move approval of the administrative items 1 through 18. Second. This is admin items 1 through 18. Are there any items board members would like pulled out for a separate vote or discussion? Seeing and hearing none. All those

[03:25:28] in approval of admin items 1 through 18, please say aye. Aye. Any opposed? Any abstentions? And That will take us to action items, and thankfully we only have five. Action item number one is approval of the reciprocal agreement between the Town of Vienna and the Fairfax County Police Department, Organized Crime and Narcotics, OCN, Division.

[03:25:51] Do we have a motion, Supervisor Lusk? Yes, Mr. Chairman. I move approval of the county executive's recommendation for action item number one. And I will second that motion along with Supervisor Gross. Is there any discussion on action item number one?

[03:26:08] Any discussion or questions of staff? Seeing and hearing none, all those in favor of action one, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. Action two is presentation of the delinquent tax list for tax year 2022 and FY 2023.

[03:26:29] And I am going to turn the gavel to Supervisor Gross and move approval of action item number two. seconded by supervisor lusk is there discussion on the motion seen and hearing none all those in favor of the motion please say aye aye any opposed say nay any abstentions that motion carries that

motion carries and brings us to action item number four endorsement of the virginia three action item number three resolution to support the abandonment of portions of acorn ridge road route 6556 and the abandonment and addition of portions of burning bush drive route 7200

[03:27:07] in the sully district supervisor smith i move approval of the county executive's recommendation i'm happy to second that along with supervisor pal check any discussion on action three seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions that motion carries action item four endorsement of the virginia department of transportation secondary six-year program for fiscal years 2024 through 2029. Supervisor Alcorn. Thank you, Mr. Chairman. I move approval of A-4 as recommended by the county executive. I'm happy to second that

[03:27:42] along with Supervisor Palchuk. Any discussion or questions of staff? Seeing and hearing none. All those in favor of action four, please say aye. Aye. Any opposed? Any abstentions? That motion carries action item five approval of resolution to authorize the extension of time to issue general obligation bonds for public safety facilities uh supervisor lusk thank you mr chairman i move approval of the county executive's recommendation for action item number five heard the motion and i'm happy to second that along with supervisor palchek any discussion on action item five

[03:28:21] any questions or discussion seeing and hearing none all those in favor of the motion please say aye aye any opposed any abstentions that motion carries and brings us to one information item we have today which is endorsement of volume two district design guidelines for the mclean community business center in the drainsville district and the board does not vote on information items unless they're but at this time if anyone has any questions or comments we would welcome those supervisor faust thank you mr chairman i'll remind everyone did not have board matters so let

[03:28:57] me just read this there was a letter sent by the McLean citizens Association that I think it just it's appropriate to read it has to be read they say they support what was done but they also say I am also ready to express MCA's appreciation the outstanding work carried out by the Fairfax County staff at the McLean district design on the McLean district design guidelines the documents precise textual guidance reflects a thorough understanding of of the community's needs and aspirations we appreciate the consideration given to technical

[03:29:34] aspects such as sidewalk construction, lighting specs, stormwater management infrastructure. McLean guidelines reflect both the community's vision and latest advancements in urban planning and development and they conclude by saying we would especially like to acknowledge Elizabeth Hague and Joanne Thebe through their leadership and engagement as well as Daquan Zhou for his contributions to special graphics and the appearance of the final document. We believe the guidelines are an excellent example of the county staff and community collaboration and planning for the future of downtown McLean. So I just want to give a heartfelt thank you to

[03:30:13] staff. Outstanding job. Yes, indeed. Thank you for doing that, Supervisor Faust. And this letter is from Linda Walsh, the president of the McLean Citizens Association, and, you know, we thank all the residents who were involved in this process with the staff and Supervisor Faust's office.

[03:30:32] Definitely always appreciate getting a letter like this, and thank the MCA for sending this in and making this a part of the record today. If there are no other questions or comments on information item, we will go to where I hoped we were 20 minutes ago, which is closed session.

[03:30:50] We know it's going to be two hours. We know that we need to be in closed session at 1.30. We know that it is 12.55. So if we could quickly grab our lunches and report directly into closed session. Should Supervisor Gross' motion pass, Supervisor Gross.

[03:31:06] Mr. Chairman, I move that the Board of Supervisors recess and go into closed session for discussion and consideration of matters enumerated in Virginia Code Section 2.2-3711, listed in the attached agenda for this meeting, and in addition, one is permitted by Virginia Code Section 2.2-3711A7 and 8 legal briefings regarding the following. Lafayette v. County of Fairfax, Fairfax County Circuit Court Case Number CL-2021-1569, Brookfield, Washington, LLC v. County of Fairfax, Fairfax County Circuit Court Case Number CL-2022-8210, and the National

[03:31:44] opioid and insulin pricing multi-district litigation. Two, as permitted by Virginia Code Section 2.2-3711A8, legal analysis regarding panhandling regulations. And three, as permitted by Virginia Code Section 2.2-3711A1N8, briefing regarding retirement board authority and board of zoning appeals appointments. You've heard the motion and the second by Supervisor Lusk. Any discussion on the motion? Any discussion on the motion? Seeing and hearing none, all those in favor of the motion please say aye aye aye any opposed any abstentions that motion carries if

[03:32:20] everyone will report to closed session promptly at 1 30 the county attorney has said we need two hours let's make sure we start that two hours on time so 1 30 we will report into closed session

[03:32:33] okay we are now coming out of closed session and i am going to begin this afternoon's meeting by

[03:42:52] calling on supervisor gross to bring us out of closed session almost forgot it's been so long mr chairman i move that the board of supervisors certify that to the best of each member's knowledge only public business matters lawfully exempted from the open meeting requirements by virtue of virginia code section 2.2-3711 and only such business public business matters as were identified in the motion by which closed session was convened were heard discussed or considered by the board of supervisors during the closed session you've heard the motion and the second by Supervisor Palchuk. Any discussion on the motion? Seeing and hearing none. All those

[03:43:29] in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And motions coming out of closed session. First, I am going to hand the gavel back to Supervisor Gross so that I may make one motion. I move that the Board of Supervisors authorize the county attorney and county executive to enter into a retainer agreement to retain outside counsel to file a lawsuit on behalf of the Board of Supervisors and the county in the Insulin Pricing Multi-District Litigation, Case No. 223-MD-3080, which is pending in the U.S. District Court for the District of

[03:44:06] New Jersey, as outlined by the county attorney in closed session. And it's been seconded by Supervisors Palchuk and Lusk. Is there discussion on the motion? Seen and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed, say nay.

[03:44:22] any abstentions. That motion carries unanimously. Thank you, Supervisor Gross. Supervisor Alcorn. Thank you, Mr. Chairman. I move that the Board of Supervisors reject the settlement offer in Brookfield, Washington, LLC versus County of Fairfax et al. Case number CL-2022-8210 as outlined by the county attorney in closed session. Second. Heard the motion and a second.

[03:44:46] Is there discussion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? That motion carries, and I believe there are no other motions coming out of closed session. I'm not seeing any. So with that, we're going to move on to our afternoon public hearings. And as a reminder for everyone, some of our public hearing options, individuals can testify here in person, or they can provide testimony by phone, live, or YouTube video. At the designated point in the public hearing, I'll call for any speakers from the speakers list and they may either come forward or their video will be shown or they will be

[03:45:24] connected by telephone. There will then be an opportunity for anyone else who would like to speak to the application to come down to the podium or to 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, you are given three minutes to speak as an individual. If you are the spokesperson for our group, you are given five minutes and again if you are not on the speaker's list but would like to testify i will ask for folks to take advantage of that opportunity before we close the public hearing that being said

[03:45:59] our first hearing is a public hearing on the proposed plan amendment 2021-2-6 pan am shopping center located at the southeast quadrant of interstate 29 and nutley street in the providence district and at this time I would recognize county staff for a staff presentation. Thank you Mr. Chairman I'm Aaron Clybanner with the Department of Planning and Development. I'm accompanied by Graham Owen also with the Department of Planning and Development and Tom Burke from the Department of

[03:46:33] Transportation. On December 7th 2021 the Board of Supervisors authorized staff to evaluate a plan amendment for the Pan Am shopping center for a broader mix of uses than what exists today and to consider a number of other site specific factors to create a vibrant mixed-use environment. The subject area is the Pan Am Shopping Center at the intersection of Route 29 and Nutley Street in the Providence Supervisor District and is approximately 25 acres in size. Existing uses include approximately 230,000

[03:47:10] square feet of retail uses, including a Safeway grocery store, CVS, Michaels, Micro Center, a wells fargo bank and several local shops and restaurants to the north are two vehicle repair shops a tailor shop and the thompson family cemetery to the east are multiple townhome communities including the hampton court neighborhood to the south is the providence hall apartment community and to the west our pharmacy and a drive-through bank the site is located in an

[03:47:47] area designated as a suburban neighborhood and site-specific guidance calls for retail use up to to 0.35 floor area ratio. Of note, the site is immediately adjacent to the Vienna Transit Station area, which is an area planned for higher density mixed-use development, and the northwest corner of the subject area is approximately a 3/4 mile walk to the metro station.

[03:48:16] A number of planning considerations have been evaluated during the review of the plan amendment. Of particular note, multifamily uses at a compatible density are envisioned help address the need for additional housing in the county retaining the viability of the shopping center as a neighborhood serving use was another key consideration along with the provision of urban parks open spaces and pedestrian walkways to successfully integrate new residential and retail uses additional considerations included how to achieve compatible transitions to surrounding uses through height limits creating pedestrian and bicycle connections and

[03:48:56] and the protection of the adjacent Thompson Family Cemetery adjacent to the site and the existing wooded buffer to the east. As a result, over the course of the amendment, the authorization was condensed into the evaluation of a land use option for up to 585 multifamily units and between 140,000 and 187,000 square feet of retail use.

[03:49:20] Thank you, Mr. Chairman. Thank you very much. Are there any questions of staff? Any questions of staff? Seeing and hearing none. This is a public hearing, and I do have a number of speakers who have signed up to testify in this matter.

[03:49:36] And I know our first speaker, Mary Lipsy, is here. Mary is the director of the Fairfax County Cemetery Preservation Association, will be speaker number one. If you could make your way on down, speaker number two and three are video, and speaker number four is Greg Regal.

[03:49:53] And that is the end of my listed speakers. So, speaker number one, Ms. Lipsy, as soon as you are ready, welcome. The floor is yours. Good afternoon. Besides being with the Fairfax County Cemetery Preservation, we have a new consortium, the Northern Virginia Cemetery Consortium, representing several localities in Northern Virginia.

[03:50:13] We all have the same mission, and that is to preserve and protect cemeteries in our localities. We often get questions as to why are cemeteries threatened. They're threatened by development, obviously. They're also threatened by nature.

[03:50:29] And people will ask, well, why do they abandon the cemeteries? We are a mobile society. People move away. And I challenge each one of you to think of, do your great-grandchildren or your children know where your ancestors are buried?

[03:50:45] I don't know all of mine. And so there's something that we need to do to preserve this. I had a young scout at a cleanup and we were in the midst of a cul-de-sac and a cemetery was literally the median in the cul-de-sac and he looked at me and he said why did they put this cemetery here with all the houses around it and so we learned about the chicken and the egg okay it is a very important thing to do I tell anyone I work with that the people of these

[03:51:20] Cemeteries that were buried hundreds of years ago are the fabric of Fairfax County, and we need to preserve that fabric We need to retain their history and their lives so others can benefit from it Particularly the Thompson Cemetery at the Nutley Street about a year ago I got an email saying that young people were out on top of the cemetery practicing karate and I contacted the county and who contacted the descendant who put the fence up around the cemetery.

[03:51:55] Now that was, you know, not destructive, but it wasn't being honoring of the people who were buried there. There are only two markers there, but there's probably 25 people buried at this cemetery. So I would like to make some recommendations to preserve this cemetery.

[03:52:14] The historical significance should be preserved. Research into the family, that the Thompson family go back many, many years. Use the GPR to find out where the graves are. Hire a professional to research the property and deed information.

[03:52:34] Inform the businesses and the condos. When I hear that there's 545 possible units there, well, there's 1,000 people who need to know about this cemetery and how it should be preserved. The physical integrity needs to be surveyed with deed research, and all of this should be traced back.

[03:52:56] And according to the Virginia Department of Historical Resources, they recommend a 25-foot buffer around any cemetery so that there is no likelihood that there's a grave that is missed. Preservation of the landscape.

[03:53:12] I don't know how many times in cemeteries people, kind-hearted people, go out and dig up old tree stump. You don't do any digging in a cemetery because you don't know where those roots are leading and whether they could be into a grave. And so, landscapers, no matter who they are, need to be educated about a cemetery.

[03:53:32] Access to the cemetery. As this is planned development, where is a person going to park who wants to visit the cemetery? That is important. So, a walkway and a maybe reserved parking space is recommended.

[03:53:48] Determine when and how visitors should be able to visit the cemetery and create a plan on how visitors at night are discouraged. You wouldn't believe how many calls I get about people saying that kids at Halloween are in the cemeteries.

[03:54:04] And we discuss the laws about that with them. And also a dog park. Here you have a grassy area that has a fence around it and two markers. Well, I can take my dog to areas that don't have the two markers.

[03:54:20] You know, until people are educated, they would not think anything of doing that. Maintenance of the cemetery has to be established. You know, there are some descendants, but they are not young enough and all to maintain the cemetery.

[03:54:39] Somebody has to establish a plan. I would recommend that there be trustees established, if there's an HOA or whatever, and that they have all of the information that they need to be trustees, and that is done through the county circuit court.

[03:54:55] So all of these things I do recommend that they consider in the planning for this cemetery. It is so important that we protect it. Thank you, Ms. Lipsy, very much. Appreciate your testimony.

[03:55:11] Our next speaker is Aaron Wilkowitz, who has submitted video testimony. Hello there. My name is Aaron Wilkowitz. I am a Fairfax County resident. I live in West Falls Church or around the West Falls Church Metro in the Trainsville District. I'm also the Fairfax lead for communities in Northern Virginia. We say yes to more neighbors, yes to more housing, especially great projects like this one. So today I'm speaking in full

[03:55:42] support of 2022 PR0009, or the Pan Am Shopping Center Redevelopment. Fundamentally, zoning laws in Fairfax County and the rest of the DMV were too restrictive for too long, which meant that we now have a shortage of homes across the county and a housing affordability crisis. People that want to live here cannot afford to live here unless they make an inordinate amount of money, and that's simply not fair. Additionally, our lack of high-density zoning around transit, transit-oriented development, has led to, in addition to not having enough homes, period, more sprawl, which means

[03:56:21] people are commuting from further and further out, which creates an environmental crisis as well. And the only way for us to get out of that simultaneous affordability crisis and environmental crisis is to build more homes, especially around the metros. And that's why I'm so excited for the Pan Am Shopping Center is that you've got, you know, a development that would have as many as 585 new homes,

that it's going to be, you know, well within a mile of the metro, about a 15-minute walk from the Vienna metro station. So really exciting whenever we can add hundreds of new homes to people who could otherwise not afford to live here and alleviate some of that housing

[03:57:00] affordability burden that so many people face, while also making sure we can get more density right around the metro in particular i'm also excited that we have a lot of mixed use around this area we're keeping core retail like the safeway there like the cbs so people are going to get the best of both worlds right they're going to get to live there you know use the metro for for transit and work needs and also be able to shop around the area as well so it's going to be a big benefit to everyone the final thing i want to say is that i am somewhat concerned about the lack of bike and pedestrian infrastructure especially going from the vienna metro to this

[03:57:36] pan am shopping center uh in particular around the intersection of nutley and 29 um i don't think that should stop the development i think the development should still go through you know no matter what because these homes are so needed but i think at the same time the planning commission should look carefully at how they can ensure good bike and pedestrian access uh you know across that way, right? Just having a Shero on a road as busy as Nutley Street around there is not going to work. And so again, I urge you to approve this zoning change. I urge you to support not only this zoning change, but any other that adds housing density and other forms of mixed-use

[03:58:13] density around the metros. Thank you very much for your time. Thank you. Our next speaker is Naveed Easton, who also has submitted video testimony. Hi, my name is Naveed Easton, and I'm speaking today to fully support the redevelopment of Pan Am Plaza at the intersection of Nutley Street and Highway 29 into a mixed-use area. I live with my wife in Circle Woods, about a half mile from the Pan Am Plaza, and I'm excited about the improvements the development will bring to our area, our community, and Fairfax County. The first benefit will be housing affordability. We have a

[03:58:49] number of friends who would like to live around us but can no longer afford to buy or rent in our area many of whom work in fairfax county supply of homes of all types in fairfax county simply hasn't kept up with demand the 500 plus new multi-family units in the pan am redevelopment would have a real effect on that shortfall in our area improving access to our community our transit and our wonderful schools for future residents from all walks of life more housing of all types is needed second the mixed-use plan for pan am plaza is simply good city design the plan maintains and improves facilities for essential retail, like grocery and pharmacy, while incorporating

[03:59:29] green spaces and links with nearby pedestrian corridors. This really is the best of all worlds. Housing, food, necessities, green space, transit, all within walking distance. Third, this walkability and mixed-use design has a serious environmental benefit as well. We have to reduce our reliance on cars as a country, as a region, and even as a county. The Pan Am Plaza and Redevelopment's proximity to retail, pedestrian links, and transit means that many essential services and destinations will be just a quick walk, bus, or metro ride away, naturally reducing all residents' environmental

[04:00:04] footprints. It's forward-thinking design. There is one area where I'd like to see a bit more work. The areas between Fairfax Circle and Nutley Street have seen tremendous improvements to walking and biking paths over the past few years, and some more transformational improvements, like linking the asphalt path south of Highway 29 all the way east to Nutley Street are still ongoing.

[04:00:25] We have a stellar network of safe, high-quality walking and biking trails covering most of the area except the intersection of Highway 29 and Nutley Street itself. The intersection is hostile to pedestrians and downright dangerous for biking. The shortest route from Pan Am Plaza to the Vienna Fairfax metro station involves narrow sidewalks and no protected bike lanes while crossing at least six lanes of traffic. Anyone, bikers especially, who want a safer route have to take a detour all the way over to either Vaden Drive or East Blake Lane Park, which more than doubles trip time. The redevelopment of Pan Am Plaza presents a great opportunity to rethink the

[04:01:02] intersection and methods of access to the metro and to improve walkability and bikeability so the 500 plus new units have safe, convenient access to metro. All of that being said, I don't think these bike and pedestrian improvements are an impediment to moving forward, and I fully support this development. Thank you for your time, and thank you for your work increasing affordability in Fairfax County. Thank you very much. Speaker number four is Greg Regal. Mr. Regal is here and is a representative of Federal Realty and has five minutes. Welcome. Correctly noted, I am here on behalf of the owner of Federal Realty, and I'll start by saying we support the staff and Planning

[04:01:41] Commission recommendation, and ultimately this is an opportunity. It's an opportunity to proactively prevent unintended retail decline, improve the retail experience, and frankly ensure the center evolves so as to continue to meet community retail needs, and frankly serve the community in ways not possible in the current configuration and under the current zoning. It's been well settled that the test for favorable consideration of comprehensive plan amendments is based on a need to respond to changed circumstances and realize opportunities to better align with established county policies.

[04:02:16] Perhaps goes without saying, in the decades that have passed since this property was originally developed, there's no question that retail needs and consumer expectations have significantly changed, and that change has only accelerated in recent years. You take that together, we're at a reasonable point in time to take a look at the planning guidance to ensure what the future of this center will be, and frankly ensure it's always a well-designed, neighborhood-serving retail center.

[04:02:44] As I stated, it's an opportunity to align the property with a host of goals and expectations, that did not exist when this property was developed. Those opportunities exist with respect to advancing things like placemaking, community building, housing diversity, multimodal transportation, environmental protection, and a host of economic development considerations.

[04:03:06] And frankly, rather than simply interpreting the recommended text, it's perhaps more compelling to highlight some of the requirements as they are literally framed verbatim in the text. Those requirements include things like maintaining the viability of the shopping center as a community asset, maintaining a high-quality retail presence, providing high-quality and distinctive architecture, achieving compatibility with surrounding uses, defining the pedestrian realm and creating multimodal connectivity, preserving a natural buffer, providing a consolidated common green that can accommodate a broad spectrum of active recreation, and

[04:03:46] reducing impervious surfaces. Implementing those recommendations and others will lead to a very successful and productive land use application, which is precisely the purpose of plan guidance in this process. I also wanted to comment on the first speaker's comments about the cemetery.

[04:04:02] We're well aware of the Thompson Cemetery, and that same language does have appropriate requirements to preserve, protect, and respect that cemetery. The owner supports those

recommendations, and we've actually had a good productive history with the Thompson family over the years, and that will continue.

[04:04:18] I also wanted to talk about process. Where we are today is not an endpoint, and while there is a pending rezoning that's been filed, the plan amendment and rezoning were purposefully spaced to ensure that the outcome of the planning process could inform the detailed and subsequent rezoning.

[04:04:35] Perhaps it goes without saying that where we are today is not where we started, and frankly that's usually the sign of an effective process. Where we are is quite a bit different and quite a bit better than where we started this exercise. That result is a product of a number of formal and informal meetings, community input, staff analysis and a lot of effort and leadership from the province district supervisor's office and from the chairman of the planning commission specifically perhaps also goes without saying the process does not stop at this point and the evolution will continue as we go through the rezoning process have we solved every single issue that might come up in the rezoning no and I'd

[04:05:12] suggest that's okay but we do start and as you've heard in some of the testimony today with an aligned interest among stakeholders that this is worth working on there's an opportunity to be realized here in terms of helping the center evolve to serve the community in the same way that the community has grown become more diverse and similarly evolved over time relative to we are in the process this is strong guidance for the rezoning it is an opportunity and we're delighted to be part of it and continue to work with county staff stakeholders and of course all decision makers thank you very much thank you very much mr regal and mr regal was our last speaker who

[04:05:50] has signed up in advance to testify. This is, however, a public hearing. Is there anyone here present who has not signed up who would like to testify? If you could please come on down and sign in here with the clerk. Is there anyone else present who would like to testify in this matter that has not signed up in advance, that is present and would like to testify today? This is

[04:06:09] a public hearing. I'm not seeing or hearing anyone. You could please state your name and address and

[04:06:53] then the floor is yours. Hi, my name is Rose Kobolinski. I live at 3028 Covington Street and I represent Hampton Commons. I've spoken to you before and there are still some concerns that we as residents behind Pan Am have. The fact that Covington Street has become the parking place for the apartments, for the Providence apartments and if you ever try to park on Covington on a weekend or a weeknight, there's no place to park, so this is a concern.

[04:07:31] The 585-unit apartments are supposed to have 1.3, 1.6 parking spots. 1.6 is not enough. There's going to be, like everybody knows, everybody doesn't have one car.

[04:07:47] One has two cars. One has three cars. Yes, it's accessible. You're planning to have some space that people can walk to the metro, but a lot of people don't use that. When I live behind, like I mentioned, Pan Am Shopping Center, for me to go shopping there, I drive around on Blake, go 29, and around Nutley, because Nutley is a nightmare for traffic.

[04:08:16] I don't care what time of day it is. It's a nightmare. And also, there is a path behind Pan Am and our developments, and I want to know what's going to be done with that, because that uses people come behind there.

[04:08:36] We're concerned about safety. We're concerned about people coming back there that don't belong there. We already have homeless. We already have people smoking dope. We already have vagrants and so on. And so we are trying to prevent all of that happening.

[04:08:52] So we need to know what's going to happen with that path. Let me see. Also, there was discussion about a bike lane, and somebody said that it would be on the east side of Nutley.

[04:09:12] Does that mean the east side of Nutley where the shopping center is or on the other side of 29? If it's on the east side by the shopping center, there is a sidewalk there.

[04:09:28] There are hills there. The Providence people from the apartments, they walk to the shopping center. So how are you going to put a bicycle lane there? If you're going to do it on the other side of 29 for accessibility, that's great.

[04:09:45] But there's no place to put it. Traffic on Nutley Street is horrible. You're going to put a bike lane. Now you're going to restrict even more lanes to get into the shopping center and go further. Thank you for your time.

[04:10:01] Thank you very much, Rose. And is there anyone else here who would like to speak on this matter? Last call. Seeing and hearing none, I will now ask for staff to give us any closing comments or recommendation.

[04:10:14] On July 27th, 2023, the Planning Commission recommended adoption of a new residential mixed-use option at a maximum intensity of 0.72 floor area ratio with up to 585 multifamily units and up to 187,000 square feet of retail use or more retail with a commensurate reduction in residential use.

[04:10:42] Specific plan guidance also relates to the integration of new uses within the shopping center, the review of specific intersections as future development occurs, pedestrian and bicycle facilities and connections, building height limits, provision of usable consolidated urban park space, stormwater management, and uniquely a recommendation for a ground-penetrating radar survey to be conducted prior to disturbance of any dry vials or parking areas adjacent to the Thompson Cemetery.

[04:11:14] Staff concurs with the Planning Commission and recommendation. Thank you, Mr. Chair. Thank you very much, and before I turn this to board members for questions, let me also confirm with the clerk that we still have no callers who have called in. Okay, at this time, questions from board members. Supervisor Pouchik.

[04:11:30] Thank you, Mr. Chairman, and thank you to Aaron and Graham for your work on this and all staff. A question before I make my comments, based on some of what we've heard today, and I know, as was mentioned, we have decoupled. This is just the plan amendments.

[04:11:46] The rezoning will come later. But on the plan amendment side, if you could speak a little bit. I think we heard a little bit about questions and concerns on parking, on the path that's currently there between the shopping center and the townhouse development in the back, and questions around the bike lane along Nutley and what we're looking at generally for those intersections.

[04:12:14] I'll ask Tom Burke from the Department of Transportation to address the transportation-related questions. Good afternoon. The bicycle or the shared-use path would be along the western frontage of the site on Nutley, and it would go down towards, not all the way to 50, but it would go down in the southerly direction.

[04:12:35] So it would be on the western front edge of the project, and I presume that the applicant would help make that happen with engineering. Anything can be engineered, right? And then in terms of parking, if there's a parking issue on Covington that has not been brought to the attention of our, we have county staff that looks into parking issues, and if there is a need for a residential parking permit type setup then that can be explored if there is truly an issue where the people that live on Covington aren't getting to you know they're

[04:13:10] having the issues parking on Covington then that can be looked into and potentially stickers could be utilized to make sure that the proper people are parking there and since I have you here Tom I've been the question that came up before that is the safer connections to the metro along the bike lanes. I've been watching this for at least two years now. I believe VDOT is almost done completing at least the path on the southern side of 29 connecting Vaden and the circle to Nutley.

[04:13:45] I don't know if you have if you can confirm that. I actually drove down 29 the other day and I did notice that that gap where the trail kind of came to an abrupt end because of the bridge over the creek that is now completed so there is a complete contiguous trail along the south side of 29 heading towards the city and we have language in the plan proposed language in the plan that would um you know you know envision improved uh connections especially across the intersection of 29 and nutley we want to make sure that that becomes a more safe intersection to navigate for

[04:14:20] bicycles and pedestrians uh when the rezoning comes in i think that will be looked at in more They'll actually be looking at the traffic operations at the intersection as well. And then we probably do need to work on our connections up towards the station as well.

[04:14:38] But that is the goal, to enhance the connection so that people can feel more free or more attracted to living at this location and using the metro. Thank you. I think you answered my next question. And then finally, I know we'll be coming back to this. In our written testimony, we've also heard about and I've seen the gaps between this intersection, the current trails, and then the new I-66 connector trail.

[04:15:05] So I assume that's something we can also look at if transportation has not already reviewed any existing gaps connecting now our larger network of trails in this area. Yeah, once VDOT is done with the interchange at 66 and Nutley, there will be contiguous trails north and south, so you'll be able to navigate the interchange.

[04:15:25] And then I believe there are existing facilities connecting down to 29 that may or may not require some upgrades, but the system is developing, and hopefully we'll get to a good space where people will feel comfortable making that walk.

[04:15:41] Thank you. I appreciate your work and clearly our continued work on this. As VDOT finishes its work there, we will continue to study and look for upgrades as well. Thank you, Mr. Chairman. Thank you. Supervisor Gross. Thank you, Mr. Chairman.

[04:15:57] To staff, I'm looking at the staff report and figure one, which is an aerial, I love aerial photos, of the Pan Am Shopping Center site. And it would appear to me that the Thompson Family Cemetery is not a part of this proposal.

[04:16:18] Well, it's part of the proposal, but it's not part of the actual property. So tell me, please, how does it looks like it's going to be orphaned when this is done at some point.

[04:16:35] So tell me how this will be protected, if you will, from future damage. I'm not being very articulate here, but it's very clear from this aerial photo that, and I've been by here.

[04:16:53] I know several years ago I learned that this was a cemetery, so when I go by, oh yeah, that's where the cemetery is. And we have a lot of these, I think we have more than we thought around the county. Mary Lipsy has been very helpful in bringing these to our attention, but this one especially because it's right on a main road, and how do we protect that?

[04:17:22] Supervisor Gross, the Thompson Cemetery is actually on a different parcel than the subject property, and it is not part of the plan amendment or the rezoning application. The recommendation we have in the plan language about the ground penetrating radar survey really, well, first of all, there is no, neither in the plan amendment nor the rezoning application, there isn't contemplated to be any proposed development right around the cemetery.

[04:17:53] It's really on the southern portion of the site and the northwest corner of the site. So nothing's happening around the cemetery. In the future, if, let's say, there was some contemplation of extending the sidewalks from the bus stop that's on Route 29 and, you know, having some kind of interior sidewalk that would skirt the cemetery, at that point, that's when that radar survey would need to be done.

[04:18:19] But nothing is being contemplated at this time. In a way, that's a little disappointing. I've had some very old cemeteries in my district. I remember one that actually incorporated the cemetery as open space, and I said, no, that doesn't work.

[04:18:36] People don't want to walk out of their townhouse and run into a cemetery. And it actually became the county cemetery, the county when the one cemetery was full. Now we have, I guess we'd call it the county cemetery, but it's a potter's field in a way, in my district, and it incorporates that existing cemetery.

[04:18:58] So I'm just very concerned that, and I appreciate Mary Lipsy raising the issues because I think we need to be very careful, and I guess I would say this to the attorney who is representing the federal realty, that this is going to be something that really needs to be addressed in whatever the rezoning is.

[04:19:23] It may not be part of it, of the actual, it may not be an actual parcel that is going to be incorporated, but it is going to be a frontage item, and it needs to be carefully researched and preserved as much as possible.

[04:19:42] No, I won't say it. It needs to be preserved. Not as much as possible. It just needs to be preserved. Thank you. Thank you, Supervisor Gross. Supervisor Palchuk. Yeah, FMI 2, I was going to speak to this a little bit later, but as I mentioned, this will come to rezoning.

[04:19:58] and i do want to point out i believe it's the final bullet in the proposed i believe you still have them the plan language that are serving you survey using ground penetration radar should be conducted on the surrounding driveways and parking areas adjacent to the thompson cemetery where existing conditions are being disturbed so i know that they have had and the owners and the previous owners a very strong working relationship with the family the family was very clear people have asked for sidewalks we said no this is being preserved so the pedestrian

[04:20:33] access is not on that property rather it's internal to the to the development but we will continue to do that appreciate thanks to Mary and the continued work of after 30 years of living there seeing seeking

it protected for the first time with the fence of course that could bring some new challenges but we know that this is very important to the family to the community and it is also very clear in there that any development or improvements should respect the adjacent cemetery as well as the floodplain so that language for the plan amendment is included and then I know there continues

[04:21:12] to be conversations as we get to the rezoning of any additional support needs to happen so thank you and thank you definitely to Mary for working with us and ensuring that that's included in there thank you supervisor Palchek any Any other questions from board members?

[04:21:29] Seeing and hearing none, this time I will close the public hearing and recognize Supervisor Palchuk for a motion. Thank you, Mr. Chairman. And first of all, a very, very strong thank you to Aaron and Graham and all the DPD staff. I was looking back at when we first began work on this plan amendment, and it was definitely back in 2021.

[04:21:52] So this has been a very, I think, thoughtful and very intense project. I want to thank the cooperation and the support given by the Planning Commission, by the applicants, by my staff, and by the many residents.

[04:22:08] I think you've heard from a very limited number of residents today, and that's thanks to the extensive outreach engagement that has happened from the individual communities that we're reached out to. And this is surrounded by apartments, townhomes, by single-family homes, a whole variety homes, those who use this area as their Safeway or their micro center, we heard a lot about, and not too far from my office.

[04:22:37] So we pass this very frequently. I know many of us have seen this development over many years and have been curious as to what this planned amendment would lead to. I think from that first in-person meeting where we had approximately, I believe, 200, if I'm correct, residents come out to that conversation, to the leading conversations, whether individually or with HOAs or organizations, I appreciate that the staff, that the applicants at the Planning Commission, that my staff have spent many, many hours improving this application.

[04:23:13] and I think making it an even better fit for the future. This community, keep in mind the past from the history of the Thompson family and these final tracks that have been, I know, developed over the years in this area to what is needed both for the residents, the retail, and the transportation as I-66 project is now being finalized.

[04:23:40] As was heard, the project will include retail and residential in, I believe, an appropriately scaled mixed-use development. It is not mosaic. It is not a large development, but it is thinking about how do we take quite a bit, really right now, of pavements.

[04:23:55] A lot of parking was built both in front of these properties as well as many who haven't ventured back there. On the way over to those townhouses, there's quite a bit of pavement and parking behind the properties. Some residents in the area currently have access to walk to the properties, others do not, and thinking very thoughtfully about how we make this that place that benefits the residents who are there, those who will be moving there, and those who work or will continue to work in this area.

[04:24:27] I do appreciate that we've worked on ensuring that there is appropriate preservation as well as addition of green space of public space and of permeable surfaces in an area that was built with very different standards in time several decades ago and not to mention stormwater there's currently no

stormwater management in this area and so that will be a stark improvement to this community and there's redevelopment also crystallizes the opportunity as we've heard from

[04:25:04] several for the multimodal connections all the way over to the the newer and the older communities along 29 along Nutley this whole area as we see it and not too far within the miles or from the metro being able to access more of their services by book by foot by stroller we've seen many by wheelchair, by bike, and multimodal access. And finally, just the improvements. And I know quite a bit will happen. I appreciate the work of FCDOT, Tom and your team, of knowing what we are currently

[04:25:42] looking at for improvements and what we need to continue to look at along this corridor for improvements in the future, especially connecting to the bus, to the metro, and to the 66 and the new connector trails. There are also many parallel trails that are currently being built or have been built along this area and connecting all the way to the cross county trail so quite a bit has been said i do think it's important to note that many of the goals that were mentioned from the viability of the shopping center as retail continues to change as well as the need for housing of all

[04:26:18] types and all types of affordability the commitment to workforce housing and to improving both the natural environment and the retail environment and the residential environment of this area this has been i think as i mentioned a very thorough process from 2021 when the plan amendment motion was initially passed by this board all the way to our to today and that there will still be additional opportunities for improvement and refinement of the plan as we look at the following rezoning applications that will come through

[04:26:56] um so to that i think a lot was shared um and i i do believe that we've been able to to reach a balance um for appropriate um in a way redevelopment partial redevelopment of this area to fit the nature of this area and so to that um if there are no more questions mr chairman i do move that the board of supervisors adopts the planning commission recommendation for plan amendment 2021-2-2-6 as found in attachment 1 of the board item. You heard the motion. It's been

[04:27:34] seconded by Supervisor Lust. Discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor of the motion please say aye. Aye. Any opposed? Any abstentions? That motion carries. Thank you very much and thank you to staff. Our next public hearing is a public hearing on proposed plan amendment 2020-3-UP1, Reston Area Comprehensive Plan Amendment in the Hunter Mill District, and as soon as staff is ready, we would welcome a staff presentation.

[04:28:22] Good afternoon, Mr. Chairman. I'm St. Clair Williams with the Department of Planning and Development.

[04:28:38] With me is Chris Caperton, Deputy Director of the Department of Planning and Development, and also with us is Tracy Strunk, Director of the Department of Planning and Development. And this is the staff presentation for Plan Amendment 2023-UP1, the Reston Area Comprehensive Plan Amendment.

[04:28:56] The Reston Comprehensive Plan includes all of the areas within the planned community of Reston. It includes the village centers, transit station areas, and the transit-oriented development areas within the transit station areas. The plan amendment proposes to update the comprehensive plan guidance for the entirety of the Reston community.

[04:29:17] The Rest of the Comprehensive Plan Amendment was originally authorized on January 14, 2020. A 31-member task force assembled in March of 2020 and met from May 2020 through September of

2022 when the task force proposed Rest of the Comprehensive Plan was released.

[04:29:36] Staff participated in three Planning Commission workshops on September 29, 2022, January 26, 2023, and March 30, 2023. And staff also provided the Board Land Use Policy Committee updates on the plan on October 4, 2022 and April 25, 2023.

[04:29:56] The plan amendment was then reauthorized on January 24, 2023 to expand the scope of the plan amendment. Due to the COVID-19 pandemic, all of the task force meetings were held on a virtual platform and were always open to the public.

[04:30:12] This included at least 58 full task force meetings and additional subcommittee or workgroup meetings. The Hunter-Mill Supervisor District Office sponsored meetings following the publication of the task force proposed plan text in the fall of 2022, and these meetings were held both in person and virtually.

[04:30:32] The proposed plan amendment recognizes, protects, and guides harmonious development for the Reston area. It also extends the legacy of outstanding new town planning in Reston, includes guidance to maintain the existing residential density in the village centers, specifically Hunters Woods, South Lakes, and North Point.

[04:30:54] The plan continues to focus higher intensity mixed use development in the Reston transit station areas and protect, maintain, and provide transitions to the surrounding residential neighborhoods. And the plan includes equity, community health, and economic development in the context of Reston's original new town planning.

[04:31:16] The transportation guidance continues to encourage a multimodal system intended to provide safe, efficient, attractive, and dependable travel options in an equitable way for all current and future Reston residents, employees, and visitors. The transportation chapter highlights specific recommended Reston roadway improvements, includes maps showing the updated local street grid maps for the Reston transit station areas, and provides guidance on the recommended pedestrian, bicycle, and trail facilities for Reston.

[04:31:47] The affordable housing guidance focuses on new affordable housing units, especially in the mixed-use areas in the transit station areas. It encourages the preservation of existing market and committed affordable housing units across Reston, and it encourages the expansion of housing options for vulnerable populations and senior housing in areas within walking distance of transit.

[04:32:10] Specifically, the plan includes an update to the average median income targets for rental workforce dwelling units in the transit station areas, and the recommendations for the Reston non-transit station areas is consistent with the current countywide policy. The proposed parks and open space guidance recognizes Reston's outstanding parks and recreation and open space system.

[04:32:34] The plan provides a list of public parks within Reston and nearby public parks that serve Reston and retains flexibility for the equivalent of 12 athletic fields of varying sizes and to provide for unprogrammed open space for sports and activities. The proposed environmental stewardship guidance includes new recommendations regarding water quality and water quantity control for Reston, specifically adding a one-inch water retention target for development with a floor area ratio of 1.0 or greater.

[04:33:06] The Heritage Resources text adds language reflecting the reconnaissance-level architectural survey conducted by the Virginia Department of Historic Resources in 2019, and a new map identifying

these resources is included in the plan. The proposed guidance includes language to ensure that the current planned public facilities, current and planned public facilities, accommodate population needs and adhere to the principles identified in the plan.

[04:33:35] And the public art recommendations were updated to ensure developers coordinate public art projects with public art rest in early in the design process and ensures that there is transparency in the public art rest in review of public art proposals. That concludes my presentation.

[04:33:51] I'm happy to take any questions. Thank you very much. Are there any questions of staff? Any questions of staff? Supervisor Alcorn. Yeah, thank you, Mr. Chairman. It's really not a question of staff, but I just wanted to add on a little bit to St. Clair's presentation and explain for my colleagues a couple documents that actually were handed out at your seats this afternoon.

[04:34:18] And first of all, I want to thank everybody on the board. there was not a meeting but i did have one-on-one uh discussions with uh with different uh supervisors uh with all of you and really appreciate the time you took to read through and and provide uh feedback and and suggestions um the first three pages that you're looking at um basically they're they're differences from the september 1st 2023 markup of the comp plan text that's the markup that was distributed to board member offices on September 1st it's also

[04:34:55] posted on the hunter mill district web page so that did provide a lot of good information I think a little bit unusual to to post a markup of a motion but you know we're in a situation where if we don't sort of work all these issues out as much as we can prior to the public hearing you know we don't want to be in a situation where we have to uh defer and and postpone and have another public hearing with you know the new rules that we have in virginia so hopefully uh this process will will help us get through this today of course we are going to have our public hearing in a few minutes and

[04:35:32] we'll see uh what what folks tell us then um but i would just note in yellow and you see some yellow on pages 2 and 3, these are additional markups that basically have been worked on with staff since yesterday. And yesterday I did provide board members an updated version, basically the same information in a table format. So just very quickly on the first page, Several suggestions from colleagues. Thank you very much. I do want to note at the bottom of the page

[04:36:13] And this is on page 16 of the markup document. This is one of several bullets in order for developers to get TOD bonus density and this is a bullet I've worked extensively with industry representatives also with Members of the community and the county attorney's office. I just want to put on the record that for this last bullet the bullet number four it does address various workforce related things and the Department of Planning and Development County Attorney's Office and also my office will make sure that any proffer

[04:36:53] That's proposed relating to that Particular bullet if there ever is one and it's not clear there ever would be but if there ever is one that the county attorney would review that as part of the development review process so and then on the second page some basically making sure I want I want to thank again the number of folks in Reston that have been going back and reading this document there's a good amount of yellow language there that's basically just there was a there were a few sentences that were put under the wrong paragraph that's fixing that and then later on

[04:37:33] there's some yellow highlighted language relating to rest in town center north and the height of property basically it's block six and how tall the buildings could be there some clarification there worked with basically the county or the county staff and also representatives of the Paramount and Inova which ultimately owns that property and then finally on the third page you could see some kind of typo things some clarifications and the last thing I'll

[04:38:08] just note is the last yellow item which again is new there was some confusion about how the language there that frankly was my markup from September 1st would fit with the countywide policy plan as it relates to office reuse.

[04:38:28] So instead of trying to clarify that, I just took it out. The policy plan applies, so there's hopefully no confusion over that. So beyond that, I would just flag there are also follow-on motions. We're down to five follow-on motions.

[04:38:44] I did a board matter this morning that was follow motion number six. And then lastly, some development projections. I'll be addressing this in my statement after the public hearing, but thank you for your indulgence, Mr. Chairman, and my colleagues.

[04:39:02] Just want to make sure everybody knew what was in front of them, so thank you. Thank you, Supervisor Alcorn. Let me ask again if there are any additional questions of staff on the staff presentation. Supervisor Smith. Thank you, Mr. Chairman.

[04:39:18] I did have a conversation with Supervisor Alcorn about this. On page 3 of the document, it is the planning principles number 4, and the word operational was added.

[04:39:34] And when I look at the staff's addendum report on page 3, it talks about the sentence that had been proposed, which should be phased, so as to come online as phases of development are completed. I am much more comfortable with that language.

[04:39:51] I do have a concern about adding the word operational. We know a lot of those facilities, schools, parks, police stations, whatever they would be, could be in a, they might not be operational when any new development would come on board.

[04:40:09] And so the word's not being taken out right now. That would be my preference. my question to staff is how would you interpret this language as you're analyzing a um a land use case thank you supervisor chris caperton department of planning and development i would say that as applications for development and infrastructure come into the office we are always looking at the phasing of those and how they fit and better address the community needs

[04:40:43] particularly public facilities that are part of development so we understand you know oftentimes large projects have many phases and staff is consistently advocating for the implementation of facilities early infrastructure early in the development process so that those amenities can be enjoyed by the community that's coming to an area so we don't see that language as a hindrance we understand the concern but we feel like within the context of project phasing that it won't be a

[04:41:16] hindrance okay can i can i follow up on that because i i had the same concern initially and then i saw the word should uh before be operational um and so i just want to make certain because i think supervisor smith raises a good point that you could have applications coming in where Infrastructure is not operational at no fault of the applicant.

[04:41:43] I mean, candidly, it could be tied up in the county process. It could require funds from other sources. And so I just want to make sure that the should be interpretation that staff has means they're going to take a hard look at phasing and trying to front load the infrastructure to mitigate impacts.

[04:42:02] but they also understand there's extenuating circumstances that could be presented that fall into the category of should be, and that's why that language is there. And so what the requirement is, but the exception to the rule, so to speak, is protected in those cases.

[04:42:20] Is that fair to say? Chairman McKay, Tracy Strunk, Director of Department of Planning and Development, that's exactly correct. i mean the intention is to look at making sure that the facilities come along generally with the development but it is not the intention and it would not be our our interpretation that that meant that if the facility was not in place that the the doors you know the building permits could not be issued and the doors could not be opened of the thing that would be counterproductive to both future development and and how we process development and also you know take some things away from the board who are responsible for the CIP and and the

[04:42:57] public facilities that are put in the and that the timing of those public facilities that are put in the county thank you okay thank you that that gives me a good feeling because obviously the intent of the language is clear but just like a lot of times the intent is clear but there are circumstances we can't foresee now and we've run into this situation before one to make sure that staff could confirm they have that flexibility with that language so thank you for that supervisor gross thank you mr chairman i was going to raise this issue when after a motion would be made from supervisor alcorn but since we're talking about facility

[04:43:35] public facilities um and i did have a conversation with supervisor alcorn last week about this um on page 115 it talks about libraries and i'm a big fan of libraries um it says there should be no disruption of library services during this transition it was talking about building a new library. I've been through three library renovations in my district, about to go into the fourth. There is disruption. The fact that this says there should be no disruption of library

[04:44:10] services, you can't avoid disruption of library services because when you build, even if you're building a new building and you're still maintaining the old building, you've got to have some time to move that collection over with staff and so forth and so there is going to be disruption and my concern about this particular line here is that the community will anticipate that it's going to be smooth sailing and you know I'm not going to suggest that you take this line out

[04:44:47] because obviously there's been some work doing done here but I do want to sort of warn folks that This is probably going to be something that would strangle somebody at some point because I can hear, you know, years away when a new library is built and you're going to have to shut down the library system for, or the library for three or four weeks to be able to move everything from one building to another.

[04:45:18] whoever is the supervisor at the time may regret this particular line I just I think it's a it's a little dicey because the expectation is that nothing will change we'll just move into a new library and everything will be just fine and I don't think that is going to be the case so it's just a caution thank you thank you supervisor gross other questions or comments from board members Supervisor Lusk thank you mr. chairman I'm gonna go to page 95 and I

[04:45:54] appreciate I just read through again the language on the lead silver certification or the equivalent and it goes on in light of the level of redevelopment proposed at the TSA is achievement of higher levels of lead certification is encouraged quick question here Supervisor Elkhorn one of the things that I have been kind of struggling with even with some of the projects that we're doing in my own district is this point about recommissioning like making sure that those buildings continue to be that level of certification over time so you can have that

[04:46:30] lead certification today but then what happens 10 15 20 years from now so just just a thought okay and then I looked at the language on 137 that talks about enhanced locational appeal but let me get there. And I just want to acknowledge, I know this was where we were talking about some of those previously economic development related points, but I think what I liked, 137, what I

[04:47:05] liked here was the reference to nurturing small businesses and startups, including innovative worker spaces and business incubators. Because what you're basically doing is acknowledging that for those who are in those types of areas.

[04:47:25] And we can think about software development and all the other kind of high-tech industries that you see in Reston particularly, that that's going to appeal to them. It gives that point of differentiation. And the last thing I'll say, I also liked the, just acknowledging, these are comments, I apologize, not questions, but just acknowledging I appreciate the points about the high quality of life too thinking again about employers and their concern about the types of amenities that might be in the community and being very specific and intentional about defining

[04:48:03] what those are I think that's really important and it certainly helps differentiate rest and it gives it that special signature that we were talking about before so I just want to acknowledge that I appreciate what you've done here and I see it so thank you okay let me ask again if there any questions of board members any questions okay uh this is a public hearing and we are going to hear from uh our first speaker our first and only speaker who has signed up in advance and that is john farrell president of the rest and association who i know is here and we'll have five minutes to

[04:48:40] testify is there anyone else present in the auditorium that wishes to speak on this matter okay if you could come on down and sign in with the clerk i see one person anyone else who wants to testify on this matter okay at this time we welcome speaker number one mr farrell the floor is yours good evening or yeah close feels like it's evening evening mr chairman members of the board my name is john farrell i'm president of the reston association i'm speaking on behalf of Association this afternoon. As many of you know, Reston Association is a 501c4 tax-exempt

[04:49:19] organization whose principal activity is the provision of parks, recreation, and open space for the general public. Its board is elected by the 63,000 members of Reston Association. Reston Association owns 1,350 acres of open space, making it the largest single landowner in the Reston master plan area.

[04:49:41] Reston maintains 55 miles of trails, four lakes, two ponds, 15 pools, 54 tennis courts, 17 ball fields, eight pavilions, and four community buildings. All of these facilities are open to the general public.

[04:49:56] Though the $20 million a year cost to maintain these amenities is borne solely by the 25,000 member households of Reston Association. Many of these amenities are 60 years old, and our members realize that they are in need of renewal and enhancement.

[04:50:14] Reston Association has a couple of budget of $18 million over the next five years to accomplish this work. Reston Association has requested several specific language changes to the Reston Master Plan. Supervisor Alcorn's draft motion includes most of those changes, and we thank him for those.

[04:50:35] We also want to thank Planning Commissioner Carter for previous improvements to the Reston Master Plan as advocated by the association. There remains two changes that we seek to the proposal that's in front of you. On page 99, the pending motion refers to Fairfax County public facilities that are outside the boundaries of the Reston Master Plan area.

[04:50:59] The association fears that with this listing will enable the park authority to take Reston TSA proffer money and hadn't spent it on these facilities that have an attenuated connection to the TSA dwelling units generated the need for the recreational facilities. For example, recently, a resident TSA multifamily developer was allowed to satisfy the recreational facilities obligations to their tenants by transferring land in Vienna to the park authority. That land is four

[04:51:33] miles away from the apartments that they're building. Therefore, shifting on to Reston Association, the obligation to provide the recreational facilities for these tenants when that apartment owner did not choose to join Reston Association. And so, therefore, the cost is being shifted to the 63,000 people I represent tonight. The county and the comprehensive plan must not enable a repeat of that questionable action. So we ask that the listing of those park authority facilities be removed. Finally, on page 105, the proposed language suggests that the

[04:52:11] park authority has control over the decisions regarding RA's facilities. I don't think that's the intention, but the language can be read that way. Reston Association provide recreational facilities in excess of the national standards and intends to continue to do so. The words as determined by FCPA should be removed. As a principal organization for speaks for the people of Reston, we ask the board to incorporate Reston Association's last two changes into the new Reston Master Plan. I appreciate your attention and thank you for the opportunity to bring those

[04:52:48] matters to your attention. Thank you, Mr. Farrell. And speaker number two is Gray Wells. Speaking as an individual, welcome. The floor is yours. Thank you. I was born and raised here in Fairfax County.

[04:53:03] I've lived in Reston since 1970, and I have been working occasionally with Supervisor Alcorn and Planning Commissioner Carter, and I just wanted to thank both of you for listening to all of our complaints and questions and concerns and for incorporating them.

[04:53:23] Thank you. Thank you very much. That's powerful testimony. Thank you for that. Let me ask again, this is a public hearing. Is there anyone here who wishes to speak on this matter? I'm not seeing anyone else at this time.

[04:53:39] Let me ask the clerk if anyone has signed, anyone has called in. Carrie Wilson is online. Carrie, can you hear me okay? Yes, sir. Welcome. The floor is yours. Great. Hi, my name is Carrie Wilson.

[04:53:56] I am the CEO of Cornerstones, which is an organization that was founded in 1970 as Reston Interfaith. To be part of the new town and see the development in Reston, everything you've heard speak out, a new community that would consider everything from housing that is affordable to recreational and economic opportunities for people in this new community.

[04:54:28] And I am calling today to express support and really thanks to certainly Supervisor Alcorn and this board for its commitment to this process and for looking at our latest comp plan amendment, the hours that the members of the public of Reston have put into this.

[04:54:48] I think the support that we've had a broad range and diverse level of issues has been informative and represents a product that I see is still a working product, but one that reflects what's important to all of us who work, live, serve, and play in Reston.

[04:55:12] I'm particularly interested in cornerstones, of course, in the area of affordable housing and have been proud to serve as the co-chair of the Affordable Housing Advisory Council. The need for housing and the related public services that have been spoken about as part of this new community that allows the development of Reston to continue are critical.

[04:55:35] They're essential as we move forward. This board has been committed to seeing that move forward and we are particularly pleased to see the mention the need for affordable housing and particularly noting the need for housing for our most vulnerable citizens as well as seniors and others who want to age in place in the resting community. So we just wanted to offer support for the comp plan amendment and approval at this time knowing that we'll continue to work out the issues around public facilities.

[04:56:12] We strongly support the need to locate public facilities, including those things that relate to employment opportunities or economic advancement training for people to be able to live and work in the Reston Town Center area near Metro, as moving as quickly as possible and in sync with the affordable housing development.

[04:56:37] So thank you, Mr. Chairman. Thank you very much, Ms. Wilson, for your testimony. And are there any other callers on the line? Okay, and that is, ah, okay. Hi, my name is Michelle Kemmel.

[04:57:01] Okay, Michelle, welcome. The floor is yours. Can you repeat your name and address again for us, please? Sure. My name is Michelle Kemmel. My address is 1937 Upper Lake Drive. I am a Reston resident and a member of the Reston Study Group.

[04:57:17] I was also one of the leads on the community health section. I would like to ask you today to support adding language that would ensure Reston recommits to the original goal of providing access to affordable health care for all. As we all know well, the original plan for Reston was ahead of its time for its approach to inclusivity, planning, and design.

[04:57:37] This visionary approach to community building has reflected highly on and benefited directly Reston and Fairfax County for decades. It was not limited to just these noteworthy items. It also included trailblazing language that paved the way for access to affordable health care by including the goal of a voluntary hospital and setting aside specific space for a voluntary hospital.

[04:58:02] A voluntary hospital is a private, nonprofit hospital. In addition to community benefit requirements, the provision of free or subsidized care to the endocrine is a significant indicator to the courts and the IRS that a hospital promotes health for the benefit of the community and therefore meets its requirements for non-profit tax exemption.

[04:58:23] Base at Reston Town Center North was originally planned for a voluntary hospital. The county then purchased this land for the purpose and sold it to ANOVA, which is a voluntary hospital system.

ANOVA currently operates a standalone ER at this location. RESTING currently benefits greatly from having access to the ANOVA system through its standalone ER.

[04:58:45] Additionally, ANOVA has the land and ability to expand. But if ANOVA were to leave and the plan did not have clear language highlighting the need for a voluntary system, we would lose that access and may not regain access to a voluntary system due to the Certificate of Public Need process.

[04:59:01] This plan should remain true to the original vision of planning for health care for all. Fairfax County was ahead of its time when this was included in the original plan, and now is not the time to go backwards when access to affordable health care is a vital issue for so many in this county.

[04:59:18] We would like to request that the plan specifically and directly encourage NOVA to stay and expand. This is done in another section of the draft plan that encourages a private ice skating rink to stay and rest in. That same or similar language and approach can be used for the Sandaloni R.

[04:59:35] Additionally, we would like to request specific language on the original goal of a voluntary hospital be added to the plan and access to a voluntary system be added as a current goal for Reston. We will submit exact details and written comments.

[04:59:51] Thank you so much for the opportunity to speak to you today. Thank you very much for your testimony. And was that our final caller? That was our final caller. Okay, at this time, closing comments and a recommendation from staff. Thank you, Mr. Chairman.

[05:00:11] On July 19th, the Planning Commission voted to recommend to the Board of Supervisors adoption of the rest of the comprehensive plan amendment, as shown in the staff report, as modified in the staff report addendum dated June 13, 2023, and the additional staff proposed modifications dated July 12, 2023.

[05:00:32] three and then additional planning commission recommended amendments which are currently shown on the screen these changes were reflected in the markup that was shared by supervisor alcorn dated september 1st they are shown on the screen i'm going to go through them but they are shown on the screen in addition the planning commission voted to recommend approval of a follow-on motion regarding improving pedestrian and bike access to the rest of metro stations which is shown on the

[05:01:03] screen now and finally the planning commission voted to recommend a approval of a second follow-on motion uh for continuing um the monitoring of the relationship between residential and non-residential development in resting which is currently shown on the screen staff concurs with the planning commission recommend recommendations thank you mr chairman thank you very much uh for that uh questions any questions from board members any questions from board members seeing and hearing

[05:01:40] none at this time i will close the public hearing and recognize supervisor alcorn for a motion thank you very much mr chairman just a couple things i appreciate uh the comments from my colleagues on the board also uh for the speakers the one signed up speaker and then the others that spoke um if you would have told me a year ago that we'd have this public hearing and have one Speaker signed up, I'd say no way, but anyway, but thank you, thank you, John, for being here for that.

[05:02:11] On just a couple of quick issues on the phasing language, which was discussed before, very good discussion about that. I think it is key that the word, and I appreciate staff's elaboration on that, but the word should, I think, is key for that.

[05:02:28] And it's very key for two reasons. One, we don't have an adequate public facilities ordinance in Virginia. This is really one of the only mechanisms that we have to address phasing needs. And also the comp plan is guidance for our capital improvement plan.

[05:02:46] So I realize it's maybe a little risky for me, but I'm comfortable with that. And also I want to address the rest of the association comments. And I very much agree with the Reston Association that we do have challenges with the long-term funding of our community-level facilities, many of them in Reston anyway.

[05:03:09] And that is actually the point of my follow-on motion number two, I believe, maybe number three. But I think we need to have a community discussion that goes beyond any comprehensive plan, any specific land use case, frankly, to have the stewards of community-level facilities in Reston have a discussion and talk about how there can be a long-term strategy for making sure those community-level facilities are maintained and upgraded as necessary.

[05:03:43] So I do want to address two things that the Reston Association brought up. And by the way, both of the items that were mentioned, first of all, I do appreciate the acknowledgement that we've addressed most of the issues Reston Association has raised the two issues that are not addressed in in my markup in the text one relates to the the language that identifies public facilities specifically three parks that are not in Reston proper and my motion does not delete the references to these three parks and all the references in the

[05:04:22] comprehensive plan are actually noted as either adjacent to or nearby Reston so the comprehensive plan is actually accurate and I'd also note that that these three parks are widely used by Restonians and rest and based organizations for example rest in Herndon little leagues headquarter you know home field is one of these three parks Fred Crabtree Park which I'm more than familiar with but I do appreciate the comment and note the programming issue identified by resident association the other one was a question of if

[05:05:00] there's language in there on page 105 about telling restaurant association how to manage their facilities that's not the language at all I understand you know maybe some people are reading it that way but it's very clear to me that language is designed for the park authority specific to the master planning process that the park authority uses and it's not designed that is not intended in any way to guide rest and associations recreation program and

[05:05:33] capital plans and by the way both of these items are noted on page 26 of my comment response document that is on the hunter mill webpage but again I do appreciate those points being made also I want to thank Carrie Wilson's for her comments on affordable housing. Michelle Kimmel, thank you very much for, and Gray Wells, thank you very much for being here and your comments. Michelle, a very active member of the task force, and I appreciate your comments and suggestions that language be added, encouraging a voluntary

[05:06:09] hospital, particularly in Reston Town Center North. The Planning Commission recommendation does allow for the continuation of medical care uses, including potentially an emergency room in Reston Town Center North. The language specifically says, and this is in my motion, the non-residential component of Blocks 2, 4, and 6 includes 150,000 square feet of office, medical facilities, and ancillary retail.

[05:06:34] I would welcome, you know, Inova's interest in continuing such uses there, But I think that language is sufficient for now. So with that, again, thanks to everyone who testified today.

[05:06:53] But before making my motion, I have a few other thanks I'd like to thank. And, you know, maybe I should be doing this after the vote. Let's see if it passes. So I think I will wait on that.

[05:07:09] That's hilarious. Don't jinx it. So let me just say some things about putting this vote into context. As was mentioned by staff, this was authorized back in January of 2020, initially by this board, and that motion included nine specific areas of focus.

[05:07:29] Then we had the task force, 58 virtual meetings, and then in January of this year, there was another motion adopted by this board which allowed consideration of nine additional areas, which rose during task force and community discussions. These actions, along with discussions at two of the board's land use and policy, land use policy committee, planning commission workshops, there are three of those, two planning commission public hearings.

[05:07:54] There was a staff report, a staff report addendum, additional staff modifications document, countless drafts, and at least a dozen community meetings during the past 18 months. They've gotten us to where we are today with this proposal. It's important to note that of the 18 specific items included in the two board authorization motions, not all elements were ultimately addressed or at least addressed comprehensively in this update of the comprehensive plan for Reston.

[05:08:22] Two items will be considered under the SSPA process. Two other items are the subject of study for amending the countywide policy plan section of the comprehensive plan, specifically equity and community health. Several items were explored and ultimately not included as new comprehensive plan language in my motion, and three are the subject of follow-on motion.

[05:08:43] So seven areas in the authorizing motions are included in the Planning Commission staff recommendations and in my proposed final markup. So a few other quick observations. First, Reston, as I think most of us know, is the preeminent planned post-World War II community in the United States.

[05:09:03] As noted in the introductory paragraph in the proposed plan, the challenge is maintaining fidelity to Reston's original vision while meeting the new challenges and opportunities of today. Second, as shown in the handout to the board on the hypothetical buildout associated with the existing Reston Comprehensive Plan, and that's those numbers that I mentioned earlier.

[05:09:25] So if you look at what's being proposed in the comprehensive plan today, in both the existing comprehensive plan and the one that's being proposed today, we have more than twice as many housing units in the plan as exist and are on the ground.

[05:09:41] So this is really, I think, this plan and the process proves that even in times of the highest level of community concern and anxiety about growth and development, this is a consensus community plan. Focusing growth around Metrorail is not only possible, it's the reality in Reston.

[05:10:01] So third, Reston is not only a demonstration of a well-planned and executed, well-executed planned community. With the emerging transit-oriented communities, it is also a demonstration of a successful missing middle development strategy undertaken decades before that term was ever even conceived.

[05:10:19] This is borne out by some interesting data about Reston. The older parts of Reston, that's outside of town center in the transit-oriented development areas. It's affiliated with the Reston Association. It breaks down as follows. Nearly 9,000 townhouses, 5,000 multifamily condominium units, 4,000 multifamily apartment units, and almost 4,000 single-family detached.

[05:10:41] That means that only 18% of the housing stock in Reston is single-family detached, just over 18%. Fourth, with the full opening of the Silver Line, Reston now has the most sought-after office locations in the DMV.

[05:10:59] Office tenants are seeking close access to Metrorail, to Dulles Airport, good restaurants, great schools, cultural amenities, a range of housing choices, an authentic and vibrant community, and all within minutes of Washington, D.C., and Reston offers all of that. Finally, Reston was conceived in the early 1960s not only as a physical community, but one that also followed seven planning principles conceived by Reston's founder, Robert E. Simon, Jr.

[05:11:25] These seven founding principles brought a daring social twist into a large-scale development project, and some of these principles are still challenging today, including the one rather unusual principle that calls for, quote, the focal point of all planning would be on the importance and dignity of the individual.

[05:11:43] As the first racially open community in the Commonwealth of Virginia, the integration of social values into planning and development is in Reston's DNA. This fact alone makes updating the comprehensive plan for Reston both a significant challenge, but also an opportunity.

[05:12:00] Note that approval of this comprehensive plan does not mark the end of planning in Reston. And in fact, several issues raised by residents will be considered in the SSPA process, which has waited patiently for this Reston comprehensive plan update to conclude. The challenges associated with growth in Reston are still very much with us, making sure infrastructure keeps up with development, protecting our green spaces, ensuring that new communities within Reston are great and inclusive places to live, work, and play.

[05:12:28] These challenges are still with us, but adoption of this updated comprehensive plan will help us not only meet these challenges, but will help Reston thrive. And this plan will also help achieve the ultimate goal of Reston founder Robert E. Simon, Jr. And that is the goal of creating true community.

[05:12:45] With that, I'll just go straight to my motion. Mr. Chairman, I can read my own writing. Mr. Chairman, I move that the Board of Supervisors adopt PA 2020-3-UP1 with the modified language as shown in the proposed Reston Comprehensive Plan markup dated September 1st, 2023, with the modifications in this handout dated September 12th, 2023.

[05:13:20] I will happily second that with Supervisor Lusk. Discussion on the motion? Any further discussion on the motion? Supervisor Herdy. Yeah, and I'll try to be quick. Thanks, staff, for their hard work, and Supervisor Alcorn, and thank you for putting a change or two in that I had recommended.

[05:13:38] I think there are a lot of good things in here. We're not at the follow-on motion yet, but the job housing balance of winning the prioritization of residential over non-residential, protecting single-family neighborhoods, preserving industrial properties, which we don't have enough of already, the athletic fields.

[05:14:02] What I'm having issues with is the layering of the additional responsibilities, requirements, I'm sorry, requirements on top of what we do elsewhere in the county. And I know Reston is a special place, which makes it hard to be opposed to that. But I looked at them with the eye of the impact on the affordability of housing in Reston, and they layer significant costs on top of the cost of housing.

[05:14:30] And, you know, I look, and it's interesting how these shoulds become requirements, and we all know they do. It says should in here, you know, but the proffers become expected. And, you know, the LEED Platinum commitment is an expensive one.

[05:14:49] And there's several other, but the one that troubles me the most and the one that will probably keep me from supporting this, because of a dinner I had last night, actually, with a group of minority businessmen. And this was a contractor, county contractor, small HVAC company who's a sub to a sub, said, you know, he had to hire, he keeps his books on QuickBooks, but he had to hire three people so he could do the labor certification requirements under prevailing wage.

[05:15:21] several other contractors didn't even participate but but putting that i don't even know if we have the statutory authority to require our contractors in virginia to do payroll certification or prevailing wages and i guess this is because it's a proffer we don't have to do it but it becomes a requirement when it is in a document like this so i i've been back and forth about what I'm going to do on this today, but I recognize uniqueness of Reston.

[05:15:54] I have very big concerns about the impact on the affordability of housing. I have very big concerns about the prevailing wage requirement, the payroll certifications. So I think I'm going to actually abstain rather than oppose this.

[05:16:10] But I'd like to support it because it's got some good stuff in it. But there's some big concerns with the cost of housing in that particular requirement for payroll certification on our private companies. Any further discussion?

[05:16:27] Let me just add that I seconded the motion and will support it. I want to thank the residents who participated in this process. I will say humorously that I went back and looked, and this was, I think, the first action Supervisor Alcorn made as a supervisor in January of 2020, and at that time he said this should take 12 to 18 months.

[05:16:49] That's correct. Did I say that humorously? Because I think where we are today, obviously we've been through a pandemic, but clearly the amount of community meetings and the amount of community input was remarkable. And when I think back to the planning exercises that, you know, have happened while I've been on this board, I would compare this and put it right up there in terms of time and effort with the Tyson's plan and with the Embark Richmond Highway plan. If you combine those three together you're talking about hundreds and hundreds of meetings and community input sessions

[05:17:26] valuable information from our residents and I mentioned those three because I look at Reston through a very similar lens that Tyson's and Bark Richmond Highway and Reston all three it's very important that we measure the local community's concerns and visions for the future but also to recognize the enormous countywide significance of those three areas. And I think this plan does a good job of balancing both what is of most concern to the people who are most immediately

[05:18:00] impacted by the language and also recognizes that this is a key part of the county and a key part of our future economic development opportunities and a key part of the county where the public has

made enormous investments in Silver Line Extension and other things in and around Reston.

[05:18:20] And so I just really want to salute all the folks who participated in this, the remarkable number of meetings during a very difficult time. And as you said, Supervisor Alcorn, I think the testimony that we've received today, I don't think any of us would have predicted, not just you, but I don't think any of us would have predicted the type of uniform satisfaction that we've heard and really the lack of of speakers um and and lastly um i do want to salute the the planning commission as well and and i know your planning commissioner mr carter is here um i know how much work the planning

[05:18:56] commission put into this to get it to this point uh before us today um and i want to salute them as well and i said that finally but i do have one other final and that is um to thank barbara byron of my office who has been very involved and been working very closely with supervisor Alcorn our planning staff to make sure that you know we ended up with every t crossed and i dotted and i want to particularly call her out and thank her as well and so i'm happy to support this plan i think as i said strikes the right balance and really can help arresting get to the next level while still

[05:19:36] supporting, acknowledging, and reinforcing the very revolutionary things that made Reston special in the first place, and will continue to make it special in the long term. And so, job well done. With that, I think we're ready for a vote. All those in favor of the motion, please say aye.

[05:19:55] Aye. Any opposed? Any abstentions? And that vote is approved 9-0 with one abstention. Supervisor herity abstaining and i know we have follow-on motions and uh now you i think you can offer your thanks uh so supervisor alcorn yeah let me do my follow-on motions real quick and then uh should i do those one at a time or should i do them let's do them all together okay for simplicity if the board member wants one of them voted on separately we will acknowledge and respect that but let's try them all together okay so i i first of all i move that the board concur

[05:20:30] with the Planning Commission follow-on motions to A, develop and implement design standards for improved pedestrian and bicycle access to metro oil stations, new or improved lighting for pedestrian and bicycle facilities, design for on-street parking, prioritizing streets and areas designated for transit-oriented development, and B, monitor residential, non-residential applications during the SSPA process, focusing on keeping the jobs housing balance and avoid prioritization of residential over non-residential. Second, I move that representatives of the Fairfax County Park Authority and Reston Community Center meet with representatives of the Reston Association

[05:21:08] and Reston Town Center Association to develop a high-level strategy for the long-term maintenance and upkeep of community-level facilities across Reston, a strategy that is fair and equitable and that ensures that future residents and commercial property owners support the community infrastructure that is used by all who live work and play in reston third i move that the design that during the design of any sunrise valley drive fairfax county parkway interchange that staff work to reduce the long-term impacts on the polo fields neighborhood and implement a context sensitive design that minimizes the need to acquire residential property in the near term i move

[05:21:47] that staff host a public meeting on the design of sun the sunrise valley drive cycle track to explore how that project can improve the safety of pedestrians, bicyclists, drivers, and homeowners along that stretch of road, and coordinate with VDOT and FCPD on improvements for pedestrian safety and reducing vehicle speeds along Sunrise Valley.

[05:22:06] Fourth, I move that FCDOT review options for improving pedestrian bicycle safety across and along Reston Parkway from the Dulles Toll Road to Sunrise Valley Drive. There should be a specific safety focus on the informal pedestrian crossing of Reston Parkway in the vicinity of Hopper Street, where retail and the Reston Town Center Metro Rail Station create desirable destinations for walkers and bikers.

[05:22:31] And finally, to support the monitoring requested by the Planning Commission, I move that county staff continue the Reston Data Visualization webpages to facilitate monitoring the balance of new development and critical infrastructure like transportation. I'm happy to second that, along with Supervisor Lusk.

[05:22:48] Discussion on the motions? Any discussion on the motions? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions? And those motions carry. Supervisor Alcorn. And finally, I just want to have a little bit of thank yous, because there are a lot to go around.

[05:23:10] First, I want to thank Commissioner Carter. John really hung in there and really, really just helped us get through a lot of tough, tough situations. And the whole planning commission for the commission's very deliberative input in consideration of this.

[05:23:27] The Rest and Comprehensive Plan Task Force. I know Gary's here. We heard from Michelle earlier. All those meetings. County staff, DPD, St. Clair, Chris, Bill, great, fantastic support. Thank you very much.

[05:23:43] for all that, FCDOT as well. The Hunter Mill office staff, Lisa, Shruti, Jose is here. He came back just for this, even though he doesn't work for the county anymore. Thank you, Jose. And your staff, you mentioned Barbara.

[05:23:59] Thank you so much for all the time and incredible technical support she provided. My colleagues on the board and all the Restonians that provided input and the cadre of citizens that spent countless hours reviewing and improving land use proposals and keeping Reston the great place it is to live, work, and play.

[05:24:16] Thank you, Mr. Chair. Thank you very much, Supervisor Alcorn. Well done, and a round of applause for all of those folks. In order. Thank you very much. And we will now move on to our next public hearing, which is a public hearing on RZ 2022-LE-00024, 6235 Brandon Avenue, LLC, in the Franconia District, associated with PA 2021-4-FS1 and I understand we have a motion to defer Supervisor Lusk. Thank

[05:24:53] you Mr. Chairman. At the request of the applicant I move the Board of Supervisors defer the public hearing for RZ 2022-LE-00024 to a date certain of September 26th 2023 at 3 30 p.m. And Chair and And Supervisor Gross will second that motion.

[05:25:14] Any discussion on the motion? Seeing and hearing none, all those in favor, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. And that moves us to our next public hearing, which is a public hearing on RZ 2022-HM-00023, Caliber Developments LC in the Hunter Mill District.

[05:25:38] And could the applicant please reaffirm the affidavit? Good afternoon, good evening, I think. I'm Mike Thanatta, I'm a land use planner with the law firm McGuire Woods. And on behalf of the applicant, I reaffirm the affidavit dated August 22, 2023.

[05:25:55] Thank you very much. Are there any disclosures from board members? Any disclosures from board members? We're missing a lot of board members. Any disclosures from board members? Seeing and hearing none, I will now recognize staff for a staff presentation.

[05:26:12] Good afternoon, Mr. Chairman, members of the board. Marianti with the Department of Planning and Development presenting this application for Kevin McMahon who is the staff coordinator for this application. The 1.1 acre subject property is located at the southwest corner of the intersection of Ridge Lane and Creek Crossing Road and is west of the town of Vienna. The site is developed with a single-family detached dwelling that has since been removed. The surrounding area is developed with single-family detached dwelling zoned to the R1, R2, and R3 districts. The applicant is proposing to

[05:26:46] rezone the 1.1-acre site from the R1 to the R3 district in order to develop three single-family detached dwellings at a density of 2.63 dwelling units per acre with an outlaw for stormwater management. The proposed lot sizes and setbacks are consistent with the surrounding area and the R3 district regulations. A five-foot-wide sidewalks and a future bike lane will be provided.

[05:27:15] These are proposed front elevations of the dwellings. And this concludes the staff presentation. Thank you. Thank you very much. At this time, we'd recognize the applicant for an applicant's presentation.

[05:27:31] Good evening again. Take our attention to the other side of Hunter Mill. I'll keep my remarks brief as staff's presentation adequately summarized the proposed application. This proposed rezoning will facilitate a modest but high-quality residential development in conformance with the comp plan and also align with the density and development of the surrounding neighborhoods.

[05:27:52] Proposed density is 2.63 dwelling units per acre, which is squarely in line with the comprehensive plan's recommended density range of two to three dwellings per acre. And of equal importance, the proposed lots will match the fabric of the surrounding community, and lots will actually be slightly larger than the majority of the lots in the surrounding subdivisions. With this development, there will also be streetscape and multimodal transportation improvements, including new sidewalk connections, pedestrian crossings, and facilitating a future bike lane. It's also a good environmental story. There'll be a reduction in impervious surface, green building certification, EV charging, and the application exceeds requirements stormwater management tree canopy and tree preservation finally the application addresses

[05:28:31] all development impacts with standard contributions to schools parks and the housing trust fund for affordable housing i will note that the 100 mil land use committee has voted unanimously to recommend support of the application and i'm delighted to report that we also have a unanimous recommendation of approval from the planning commission with that i'd like to thank staff for their collaborative efforts on this application and i'm available available to take any questions So thank you.

[05:28:54] Thank you very much. Any questions of staff or the applicant? Any questions of staff or the applicant? Seeing and hearing none, this is a public hearing, and I have no speakers who have signed up in advance to testify on this matter. Is there anyone here present in the auditorium that would like to speak on this subject?

[05:29:10] Anyone present who would like to testify? This is a public hearing. Seeing and hearing no one, let me ask the clerk if anyone has called in. No one has called in. At this time, I'm assuming the applicant

waives rebuttal. closing comments and a recommendation from county staff thank you mr chairman on june 28th 2023 the planning commission recommended approval of the application subject to the proffered conditions there are no waivers and modifications staff concurs with the recommendations thank you thank you very much any questions from board members seeing and hearing none i will now close the public hearing and recognize supervisor alcorn for a motion thank you very much mr chairman

[05:29:51] this is a very straightforward case um you wouldn't have known this about a year and a half ago there was a different use proposed for this property and i want to thank the applicant for coming forward with the proposal that's very much consistent with the comprehensive plan uh and thank you for that and working with the community so mr chairman i move that the board of supervisors approve rz 2022-hm-00023 subject to the executed proffer state of june 23rd 2023.

[05:30:20] You've heard the motion. I'm happy to second that along with Supervisor Palchuk. Any discussion on the motion? Seeing and hearing none. All those in favor, please say aye. Aye. Any opposed? Any abstentions? That motion carries. Thank you very much. Next up, we have a public hearing on PCA CDPA

[05:30:43] 2016-HM-035-02, RZPA 2022-HM-00085, concurrent with PCA 2009-HM-019-03, RZPA 2022-HM-00084, Comstock Reston Station Holdings LC in the Hunter Mill District, and as soon as the applicant is ready, if you could please reaffirm the affidavit. Hi, I'm Jill Parks with Hunting Andrews Kurth. On behalf of the applicant, I reaffirmed the affidavit dated August

[05:31:22] 25th, 2023. Thank you very much. Disclosures of board members. Supervisor Herity. Yeah, Mr. Chairman, I've got four disclosures. I disclose that Christopher Clemente, Comstock Partners LC, Dwight Scharr, and John E.

[05:31:40] Harrison each donated in excess of $100 to the Friends of pat harry thank you for that disclosure supervisor palchick thank you mr chairman um uh 11465 shilc made a contribution uh with an excess of a hundred dollars to palchick for fabrics county board of supervisors thank you very much supervisor smith thank you christopher clemente and john harrison each donated in excess of 100 to kathy smith for supervisor thank you very much uh supervisor smith

[05:32:17] And the Chair will disclose that 11465SH1LC made a contribution in excess of $100 to the Friends of Jeff McKay, as well as Constock Development Services, CP Real Estate Services, also made a contribution in excess of $100 to the Friends of Jeff McKay.

[05:32:37] Any other disclosures? Seeing and hearing none, I will now recognize staff for a staff presentation. Thank you, Mr. Chairman. And Mary Antai with the Department of Planning and Development, presenting this application for Katie Quinn, who is the staff coordinator. This presentation covers two concurrent amendments to previously approved zoning applications for the Reston Station and Reston Road developments.

[05:33:01] Reston Station, shown in blue, is an approved mixed-use development at the Wheelie-Reston East Metro Rail Station. It consists of 10 acres and is made up of two development blocks. Reston Row, shown in black, is also a mixed-use development that consists of eight acres and is currently under construction.

[05:33:19] The sites are zoned to the PDC district. The applicant is primarily proposing to reallocate 280,000 square feet of approved but unbuilt gross floor area from Buildings 5 and 7 at Reston Station to

Reston Row for an increase in GFA, height, and residential units in Building D.

[05:33:38] In addition, the applicant is proposing to increase the overall amount of retail being provided at Reston Row and architectural changes to Building A. The reallocation of gross floor area would decrease Reston Station's FAR and would increase the FAR at Reston Row.

[05:33:55] But the overall FAR between the two developments remains at 3.62 FAR, which is the same as previously approved since no new GFA is being proposed. This slide shows the architectural changes to building A, which include the removal of above-grade parking levels and the addition of an elevated private sport court.

[05:34:22] Building D, shown here in blue, is approved as a 180-foot-tall residential building containing 320 square feet with 250 units. Building D is now proposed to be shown with up to 500,000 square feet with 425 residential units at a height of 350 feet.

[05:34:43] Modifications are proposed to the on-site parks and open space, which include a redesign of the previously approved Northeast Corner Park, refinement to the grand rooms, redesign of the outdoor dining area at the corner of Building C, and the addition of an elevated private outdoor dining area and the Southwest Corner Park at the corners of Building D.

[05:35:06] This concludes the staff presentation. Thank you, Mr. Chairman. Thank you very much. Let me now recognize the applicant for an applicant's presentation. Thank you, Mr. Chairman.

[05:35:20] In 2010, Comstock entitled the Reston Station Project, ultimately 1.7 million square feet of density in seven buildings on two development blocks, one and two, Except for 360,000 square feet of untitled but unbuilt density, a portion of which is at the heart of these applications, rest and station is substantially complete.

[05:36:00] Block 1 was largely built out pursuant to the original 2010 entitlements, as later amended in 2018, and is thriving. It includes a residential building known as Boulevard, a retail pad which is now founding farmers, and three office buildings, all on top of metro facilities that Comstock constructed for the public, including a structured parking garage, kiss-and-ride facility, bus facilities, secure bike storage facilities, and associated amenities.

[05:36:25] Block 2, west of Metro Center Drive, was redeveloped in 2000 with a 75,000-square-foot office building and parking structure. In 2016, Comstock assembled and acquired 33 office parcels immediately north of Reston Station Boulevard in order to extend the now-established Reston Station development north.

[05:36:42] In 2018, the Board of Supervisors approved and later amended Reston Row, that was then known as Reston Station Promenade, on 8.4 acres of land at 3.68 FAR, or 1.351 million square feet of development, and in four buildings, A through D. The applicant obtained site plan approval and building permits for Reston Row in conformance with the previously approved entitlements, and a portion of the project is now fully and actively under construction.

[05:37:12] To explain further, Comstock partially implemented its prior approvals by initiating construction of the below-grade parking garage and the east side of the project, including Office Building B and the JW Marriott Hotel Condo Building C. Because the garage is one monolithic structure, though, it had to be constructed in its entirety, and that's why you see construction activity on the site from east to

west. On the east side, Comstock celebrated the topping off of Office Building B with the county in March and is now pouring the 20th floor of the JW Marriott with substantial completion expected in July of 2025. On the west side, we're now at an inflection point.

[05:37:50] We're asking the county to approve these amendments, which primarily relate to the design of Office Building A and Residential Building D, together with enhancements and refinements to the public park and amenity spaces. If approved, Buildings A and D will deliver in December of 2024 and November of 2026, respectively. As construction has been progressing, Comstock's leasing team has been hard at work and is excited to announce the arrival of Putt Shack, an upscale tech-infused mini-golf experience, Vita Fitness, a high-quality contemporary fitness club, the JW Marriott,

[05:38:28] and Ebbett House, the first ever expansion of the old Ebbett Grill, an institution in this region. With this marquee lineup of tenants committing early to Reston Row, Comstock was able to capitalize on a unique opportunity to fold their specific designs into the proposed development plan amendment.

[05:38:46] Moreover, Comstock determined that a reallocation of unused but available square footage from Reston Station Block 2 to Reston Row would allow it to redesign Building D as a state-of-the-art, LEED-certified, high-rise building near the Metro Station.

[05:39:02] Comstock is not asking for a single additional square foot of density. And because residential density is being transferred from one side of the street to the other, No additional park requirements are generated, and the substantive proffered commitments are being reaffirmed for both projects, together with significant additional commitments that document the new improvements that are shown on the plans.

[05:39:24] So here's how it works. We're literally moving 280,000 square feet of approved but unbuilt density and 175 units from here to there. And with this simple move, these twin applications will unite the two most significant mixed-use developments in Reston, resulting in the creation of a dynamic, one-of-a-kind, transit-oriented neighborhood.

[05:39:48] The ways in which the project has improved since prior iterations are many, so I'm going to highlight only a few of the most notable changes to the site design, including a significant redesign of the urban parks and the development and implementation of a comprehensive streetscape and placemaking strategy that elevated this project from good to truly remarkable.

[05:40:08] First, the applicant developed an extensive facade and transformer screening concept in which it juxtaposed specialized architectural enhancements on the building facades with artistic and innovative treatments of the parking garage entrances and loading docks along Road B and the west side of Sunset Hills Road, with a more natural, luxe, garden-like environment on the east side of Sunset Hills Road and Wheelie, getting the best of both worlds and resulting in a brand new, exciting, and changing pedestrian experience that is entirely unique to this neighborhood. Also, and in response to early comments from staff about the project being too

[05:40:44] inward-facing, the applicant retained an additional team of specialists who were specifically tasked with redesigning the public parks, plazas, and nodes around the perimeter of the site and incorporating a significant streetscape and placemaking enhancements along Road B, Sunset Hills Road, Reston Station Boulevard, and Wheelie Avenue that turned the Reston Road project outward and better relate it to its companion development at Reston Station and to its neighbors to the west.

[05:41:13] In addition, COMPSEC is exceeding the open space required for the project by a significant margin. The zoning ordinance requirement is 15%, the comprehensive plan is 20%, 33% open space, not counting any roads or right-of-way, is provided. Separately, in pursuant to the recommendations in the comprehensive plan, 1.2 acres of urban parks are envisioned here, and 1.2 acres are provided.

[05:41:38] There was some confusion with staff about the calculations of the park, and I just want to be clear that despite some suggestions in the staff report that we replaced a public park with outdoor dining, we didn't do that.

[05:41:53] To be clear, we did not replace a public park. We simply relocated it from the west side of Road A to the southwest corner of the project. And the new southwest corner park takes full advantage of the space created when Comstock, at staff's request and at a cost in excess of $3 million, buried three transformers previously located there.

[05:42:17] and incorporates distinctive features such as trees, bold planter pots, playful seating, artful elements, mural wall art, and curated lighting features, among other things. We then added private dining to accommodate Ebbett House, a necessity for all restaurateurs in this region, particularly in this post-COVID world.

[05:42:39] This new outdoor dining space not only supports Ebbett House, it also serves as a distinct gateway to Reston Station, and it will be far more welcoming, activated, and energized than the prior iteration, which largely consisted of outdoor dining that was always part of the project and a row of trees.

[05:42:59] Whether park, plaza, or terrace, together the project features work together to fully activate and visually interconnect the neighborhood. Moreover, the project now includes recreational facilities such as a sport court and a dog park. Comstock also completely redesigned the northeast corner park to include a programmable lawn with passive and active uses, an artful curved staircase, a major piece of public art, a splash pad, customized swings, accessible pedestrian-oriented walkways, enhanced pavings, and multiple flexible gathering performance spaces with amphitheater

[05:43:39] seat walls. It now also includes a centrally located elevator for equitable access, a grand staircase, serpentine ramp, and series of stairs that together provide full accessibility, and act as a gateway to the corner park from multiple points along Wheelie and Sunset Hills Road.

[05:43:55] Comstock will also provide access to restroom facilities immediately adjacent to the corner park and will include both lighting and safety features. In its efforts to better rest in row, Comstock leveled the central plaza known as the Grand Room, which gives park goers accurate access to the retail spaces and makes the park space significantly more functional.

[05:44:14] Doing so allowed Comstock to add to the large programmable lawn a decorative fountain and infrastructure for movies, concerts, and performances, among other things. Finally, Comstock developed and implemented a comprehensive placemaking strategy in its plans for the neighborhood, and in so doing, incorporated specialty paving, artful elements, streetlight banners, wayfinding signage, sidewalk medallions, consistent street furnishings, and specialty intersection improvements, all of which will also be applied to future applications, extending the now-distinct Reston Station neighborhood west of Wheelie Avenue

[05:44:48] and southwest of Reston Row. To summarize, Comstock is proposing modest amendments to the governing entitlements for Reston Station and Reston Row in order to shift the already approved but

unbuilt residential density from Reston Station to the more metro-approximate and resident-friendly location at Reston Row, resulting in an integrated, well-planned, and superior Reston Station neighborhood. With a recommendation of approval from staff and a unanimous approval from the Planning Commission, we respectfully request your approval of these cases.

[05:45:19] I'm happy to answer any questions, but first I'd like to leave you just with this. Thank you very much. If you don't mind, Mr. Chairman, one second while we show a quick fly-through.

[05:45:33] Thank you very much.

[05:47:03] At this time, let me ask if there are any questions of staff or the applicant. Any questions of staff? Supervisor Lusk. I have to apologize. I wasn't here when the case started, so if I can make my disclosure, is that okay? Yes. Thank you, Mr. Chairman. I disclose that the Friends of Rodney Lusk received a contribution in excess of $100 from John Harrison. Thank you. Any questions of staff or the applicant? Seeing and hearing none, this is a public hearing, and I do have one speaker who has signed up in advance, Mr. John Farrell, President of the Reston Association, who I know is with us. Is there

[05:47:41] anyone else present who would like to testify on this matter? After Mr. Farrell, anyone present would like to testify okay if you could please come down and uh oh you have already signed in with the clerk excellent excellent jeff owens perfect and mr farrell welcome the floor is yours thank you mr chairman members of the commission i cannot compete with that audio visual presentation despite our 20 million dollar budget i don't think my fellow board members would allow me to spend anything like that kind of money on that presentation wrestling association has been

[05:48:20] described to the board earlier this afternoon um and in the risk master plan that you all just adopted we read the following language development within the tsa can be better integrated into the fabric of the larger reston community by providing future tsa residents and employees access and robust robust connectivity to the existing community amenities including the lakes and the network of trails throughout reston this can best be achieved through the incorporation into the

[05:48:54] existing reston association or the reston town center association each of these entities has indicated a willingness to include these new developments in their association and on behalf of reston association i reaffirm that willingness we have actually had several projects around the TSA join Reston Association. This application, because they do not propose to join Reston Association, does not comply with the comprehensive plan. That specific language of the comprehensive plan. As the first exhibit demonstrates, the applicant entices tenants to rent his apartments

[05:49:33] by marketing Reston Association amenities. The circle is the Lake Thoreau, owned by Reston Association, and also shown is Lake Ann, owned and maintained by Reston Association. Although the applicant markets his rental apartments using RA facilities, he contributes nothing to their maintenance.

[05:49:57] In the parlance of political scientists, he is a free rider. He expects the other 30 apartment complex owners with 4,000 units to subsidize this project to the tune of about $15 to $20 per unit in subsidy.

[05:50:15] And because the county owns apartments and condominium units in Reston that pay the association assessment. It is fair to say that the applicant expects the county taxpayers to subsidize this project also on an annual basis. This applicant seeks to obtain a competitive advantage over the 30 other resident apartment complexes and the county by avoiding the resident association assessment. The

applicant asks the county to pick winners and losers in the competitive apartment market by allowing him to be the free rider. Contrary to the comprehensive

[05:50:51] plan, the project is not robustly integrated into the fabric of Reston, but stands apart and is inwardly focused. The board is invited to try and access the matchbox of founding farmers' restaurants and watch the security guards chase you away from the plaza, or ask how the residents of Upper Lake Drive on the south side of the toll road are to walk to that plaza.

[05:51:13] The insularity of this project is demonstrated no better than when the Reston Community Center concerts were held on the Comstock Plaza. When these concerts were held in Lake Anne and similar concerts at the town center, scores of Restonians attended.

[05:51:33] The second exhibit we'll show you, last year they had seven people on the plaza for the Reston Community Center concerts that previously drew scores, if not hundreds of people.

[05:51:48] with the resident master plan and the association's land use resolution number seven, the association opposes any and all residential development and residents TSAs that refuse to join either RA or RTCA. To be clear, the association is not asking for a contribution, but for membership in resident association. The applicant is here today because he made a mistake. He guessed wrong on the direction of the real estate market in 2018 and now asked the county permission to correct that mistake. Similarly, the association believes the county also made a mistake in 2018

[05:52:24] when it ignored the plain language of its master plan and approved the prior rezoning without requiring the applicant to join either RA or RGCA. A wise man said the proof of insanity is to make the same mistake over and over again. Let us not continue the insanity of allowing the people of rest and the taxpayers of the county to subsidize some TSA residential developers. At the planning commission, the applicant asked the county to apply the rational nexus tax to the question of rest and association membership.

[05:52:53] That's the wrong standard. It doesn't work and it doesn't apply in Virginia. Even if the rational nexus tax were the standard, it is more than met by the applicant enticing tenants by reference to rest and association amenities. The proper standard for review of the rest and association membership question is the fairly debatable standard.

[05:53:12] The Lerner case says that if the board acts consistently with its comprehensive plan, in this case requiring membership in RA or RTCA, the reasonableness of the board's acts is established. The comprehensive plan calls for membership. Acting consistently with the plan is perforce reasonable and satisfies the fairly debatable test. The association asks the board to deny these applications unless and until the applicant agrees to join Reston Association or RTCA.

[05:53:42] Thank you, Mr. Chairman. Thank you, Mr. Farrell. And speaker number two is Jeff Owens of the Clyde's Restaurant Group. Welcome. The floor is yours. Good afternoon. My name is Jeff Owens. I'm the CFO and head of corporate development for Clyde's Restaurant Group. I appreciate the chance to speak to you this afternoon. And I'm just here to speak to our plans for the new restaurant, the Ebbett House at Reston Station. We really set some deep roots in Reston and Fairfax County

[05:54:20] with Clydes of Reston, which closed about a year ago. It was in the summer of 2022. We're really anxious to kind of get back to Fairfax County again. And, you know, we wanted to do it in a big way. And, you know, the use of the Old Ebbett Grill brand is kind of a big move for our company.

[05:54:41] I mean, it's never really gone beyond the one location. The Old Ebbett really enjoys, you know, kind of some national prominence as a, you know, as a DC landmark, you know, it's, it's something, and we're very, you know, very guarded about that, but, but we, we, we came up with a suburban model of the old Ebbett Grill, you know, it, we couldn't just call it the old Ebbett Grill, it wouldn't, you know, that really, the architecture and kind of the decor, you know, didn't, wouldn't really fit everywhere, so we came up with a suburban model, we went back to the original name that dates back to the 1800s, Ebbett House is how

[05:55:18] it originally started and so um it uh you know we're we're really our company is really excited about this and and uh you know we're happy to be in the project um you know i have to say you know the outdoor dining portion is uh is kind of critical to our to our to this suburban model of the old ebbett grill um and we've you know kind of learned that lesson over the last three years especially and it's not you know it's not subsiding at all so but i'm happy to answer any questions you have. Thanks for having me. Thank you, Mr. Owens. Appreciate your testimony.

[05:55:55] Is there anyone else present who would like to testify on this matter? Let me ask the clerk if anyone has called in. No one has called in. I assume, well, actually, let me give the applicant an opportunity for any rebuttal. Thank you, Mr. Chairman. The only thing I'll say is John and I have had a number of conversations about Reston Association and Comstock, and I think it's just important to bring up that with its application for Reston Station Comstock contributed $650,000 to Reston Association so it certainly has done its

[05:56:30] part and in terms of the nexus test that John spoke of because we have no additional density here there's no additional residents there are no additional units there's no nexus to the ask for us to join Reston Association so we politely decline thank you thank you very much closing comments and a recommendation from county staff. Thank you, Mr. Chairman. On June 28, 2023, the Planning Commission recommended approval of the applications and requested waivers and modifications.

[05:57:01] They also approved the FDPA application. Thank you. Thank you very much. Any final questions from board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Alcorn for a motion. Thank you very much, Mr. Chairman. I do appreciate the folks who came to testify both of them and I would just point out that the legal authority for us to mandate that an applicant join any particular association is untested so

[05:57:36] I'll just leave it at that and I would also point to follow on motion number two from the rest and comprehensive plan earlier I do hope that we can find a A sustainable way of helping community facilities, community level facilities in Reston be supported over the long term across our different various stovepipe stewards of these community facilities.

[05:58:03] But at this point, I think all the issues have been addressed. I will point out there continue to be active discussions about how to calculate parks and park space.

[05:58:19] I know staff is continuing to look at that and certainly I think that's one of those things that is going to continue to evolve as we get smarter about transit-oriented development in Reston and beyond. So with that, Mr. Chairman, I would move that the Board of Supervisors approve PCA 2009-HM-019-03 subject to the executed proffers dated June 21, 2023, also approve PCA 2016-HM-019-03.

[05:58:49] 035-02, subject to the executed proffers, dated July 11, 2023. Approve CDPA 2016 HM 035-02, and approve and reaffirm the modifications and waivers listed in the handouts, dated June 28, 2023.

[05:59:08] Heard the motion. It's been seconded by Supervisor Palchuk. Any discussion on the motion? Supervisor Palchuk. My only comment is happy to see Mr. Owens here, and we hope to continue to see this D.C. Staple reopen in Fairfax County. Yes, thank you very much. With that, Supervisor Luss. If I could just add, I really appreciate it looking at all the public art. It was very impressive, and I was just talking to my colleague here, and what I'd like to do is figure out that hand that shapes into the heart. We'd love to get that, so let's talk later. Thank you very much.

[05:59:48] Okay. Any other discussion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion is approved. Thank you. Next, we have a public hearing on SE 2023-MV-00006.

[06:00:08] Ashley E. Heinemann and Gavin A. Dawson in the Mount Vernon District and associated with VC 2022-MV-00006. And as soon as the applicant is ready and gets settled, we would appreciate them reaffirming the affidavit.

[06:00:31] Hi, Chairman McKay, Supervisor Stork, and all the other members. My name's Steve Larson, Larson Design Build. I'm the agent for Ashley and Gavin, and I reaffirm what I need to reaffirm.

[06:00:48] The affidavit, and could you remind us the date of that affidavit? August 28th, Phillip? I can't remember. June 7th, 2023. Oh, this was the one from late June. Yes, that is correct. Yeah, the June, June 7th.

[06:01:04] June 7th, 2020. 7th, correct, yes. June 2nd? June 7, 2023. You were reaffirming that. Thank you very much. With that, let me ask if there are any disclosures of board members. Any disclosures of board members? Seeing and hearing none, I would now recognize county staff for a staff presentation. Thank you, Mr. Chairman, members of the board. For the record, this is Phillip Isaiah, Department of Planning and Development, and I present for the board's consideration this evening a special exception application for use in a floodplain at the address known as 6417 14th Street in the Mount Vernon District. The applicants propose to construct a second story

[06:01:41] addition above the existing garage that will be 575 square feet in size with a 96 square foot open deck. The 7,000 square foot R3 lot is located in the New Alexandria subdivision and is entirely located within a floodplain. With the second story, the garage would measure 25.5 feet in height to the roof peak. The garage's new second floor would be used primarily as a home office and would include an office, one full bathroom storage area, and an open deck extending eastward. The current proposal is building over an existing garage with pillars and completely

[06:02:20] above the 100-year floodplain elevation, and staff finds that it is not adding any significant new impervious cover or land disturbance. An associated variance for this proposal was approved by the of zoning appeals at its meeting on july 19 2023 and staff has found that the application is in harmony with the comprehensive plan and meets all applicable zoning ordinance provisions this concludes staff's presentation thank you mr chair thank you very much at this time we'd welcome any presentation from the applicant not required but if you'd like to give us one you may very a very quick one philip uh summarized that well along with the photos up up there full disclosure

[06:02:58] I've lived and worked. I'm a contractor and designer in this neighborhood for 33 years now. Floodplain, New Alexandria, we all have our challenges getting things to be able to build in the floodplain based either on a buy-write basis or in this case the need for a public hearing.

[06:03:14] And I think we made our case fairly well with the Planning Commission. They passed this and then the Board of Zoning Appeals for the passage of the variance to allow for the slightly increased height of accessory structure and the slightly closer to a road location of the garage we're going on top of it it's existing so we're really not creating any further further problems that's all i have to say at this point thank you folks thank you very much any questions of staff or the applicant supervisor gross thank you mr chairman i am always a little dubious about these flood

[06:03:50] uses in a floodplain could you go back to that maybe it was the first or second graphic that you showed where there was a looked like one story building yes okay so let me make sure i understand this entire area is floodplain but it was built a long long time ago that is correct okay so there currently is a garage structure built on the ground it's not got a what do you call that um 18 inches above the i can't remember something about the board um so so the the idea is

[06:04:29] to build over that structure the structure that the one-story structure will remain and it will essentially become a two-story structure with some decking that is correct um the uh to it in addition supervisor gross the uh second story will be built completely on pillars and so the existing one-story garage which was built uh in approximately approximately the uh 1950s um the without building permits but uh of course it was a while ago it will not um bear any of the weight

[06:05:01] of the second story um in addition okay so you're sort of putting putting something on top of it but it's a little bit like a a tiered cake that is correct actually putting another layer on top of but we're doing it with tiers.

[06:05:18] That is the intent of the applicant, yes. Okay, so. In addition, when you were referring to 18 inches above the 100-year elevated floodplain, the floor of the second story does meet that standard as outlined in the staff report, and thus leading to staff's recommendation.

[06:05:36] Okay, so this is a little bit like my beach house, except we don't have a first story, we just have a second story. Okay. What is it? So I guess the likelihood of damage from a flood for this new new structure is remote, really remote.

[06:05:56] Staff finds it unlikely not only because of the standard of the 18 inches above the existing floodplain, but also the the adherence to the comments from the Department of Land Development Services for the for the inclusion of water vents such that water would be if this addition were to flood.

[06:06:16] Um, water would be, would come in through the vents and come out through the vents such that, um, water would not, uh, physically force the structure, um, you know, to the best of its ability. So if this new structure should flood, we will all be in trouble.

[06:06:34] All right. Um, this is new Alexandria. That's correct. All right. Thank you very much. Appreciate the explanation. Thank you very much. Uh, this is a public hearing. I have no speakers who have signed up in advance to testify on this matter.

[06:06:49] Is there anyone present who would like to speak on this subject? Anyone present who would like to testify? Let me ask the clerk if anyone has called in. Okay. Assume the applicant waives rebuttal.

Closing comments and a recommendation from county staff.

[06:07:07] Thank you, Mr. Chairman. At its meeting on July 12, 2023, the Planning Commission recommended approval of SE 2023-MV-00006, subject to the development conditions that are now dated August 22, 2023. Staff concurs with this recommendation.

[06:07:24] Thank you very much. Questions from board members? Any questions from board members? Supervisor Stork. You've referenced development conditions. I know there's an extensive conversation about that. Could you just give a high-level view of what those are, particularly the environmental sensitivity elements of that?

[06:07:40] Certainly. The most primary aspect of the development conditions is to be able to, one, prevent any sort of undue water damage from flooding as causes, such as the inclusion of water vents.

[06:08:00] Another aspect of this application was that the applicant was found to be over the limitations on the rear yard coverage, such that more than 30% of impervious surface was already existing on the rear yard of this property.

[06:08:18] As part of the development conditions, the applicant has agreed to reduce the amount of impervious surface, which was mostly caused by wooden flooring, some stone aesthetic decoration, including also other things, more miscellany,

[06:08:45] And such that the, according to the plot that is submitted with the staff report, the re-yard coverage for this property would be reduced to 30%, thus being in conformance with the zoning ordinance. Thank you. Thank you. Okay.

[06:09:01] Any other questions? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Stork for a motion. Thank you, Mr. Chairman. And I think we all recognize in the community, particularly New Alexandria community, the sensitivity of that. And there's been constant debate and discussion about that.

[06:09:19] I know Mr. Larson particularly has been in the middle of how do we protect this area. We've looked at a variety of issues. So far, we've not come to something that the community is supportive of. So that's an ongoing conversation journey. In the meantime, we recognize that we don't want to build a floodplain, at least in a way that will create further impacts, whether they be environmental or economic.

[06:09:42] And this is, I think, a way to do that. The community is very supportive of this. Not only the New Alexandria Civic Association, they view this as a win-win for the community as well as for the individuals. The Mount Vernon Council Civic Association concurs with that, and I concur with that as well.

[06:10:03] And with that, Mr. Chairman, I request that the applicant please confirm their agreement to the development conditions now dated August 22, 2023, for the record. Thank you. Yes, Supervisor Stork, we do agree to the development conditions of August 22 of this year.

[06:10:22] Thank you. Thank you. I move that the Board of Supervisors approve SC 2023-MV-00006, subject to the development conditions now dated August 22, 2023. I'm happy to second that motion, along with Supervisor Palchuk, I think I heard.

[06:10:41] Discussion on the motion? Any discussion on the motion? Seeing and hearing none. All those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions that motion carries. Thank you very much. And that brings us to our next public hearing, which is a public hearing on SC 2021-MV-00032.

[06:11:04] Karen M. Davis doing business as Carolyn's, I'm sorry, Carolyn M. Davis doing business as Carolyn's Little Blessings to permit a home daycare facility located on approximately 22,120 square feet of land in the Mount Vernon District.

[06:11:20] and could the applicant please just reaffirm the affidavit? My name is Carlin Davis, and I do reaffirm the affidavit. And the date of the affidavit?

[06:11:36] Is March 7th. March 7th. Thank you very much. Any disclosures from board members? Seeing and hearing none, I would now recognize county staff for a presentation. Thank you, Mr. Chairman, members of the board. For the record, my name is Curtis Willett with the Department of Planning and Development.

[06:11:55] The subject property for this application is located at 8850 Creekside Way. The 22,150-square-foot subject site is located just northeast of the intersection of Creekside Way and Hoos Road. The site currently features an existing detached single-family dwelling.

[06:12:15] The applicant seeks to permit a home daycare for up to 12 children and two additional employees. The operational hours will be from 7.30 a.m. to 5.15 p.m. The applicant has proposed a staggered pickup and drop-off time schedule for the children and has enough space to hold up to six cars on their driveway.

[06:12:34] The applicant currently operates a home daycare with seven children and one additional employee. The applicant proposes to have the sleeping area on the main floor of the home daycare with an additional playroom in the basement.

[06:12:52] To the rear of the site, a 682-square-foot fenced-in outdoor play area with multiple play sets is featured. The fenced-in play area is more than 50 feet away from adjacent dwellings. The APKIN has operated a similar approved home daycare at our previous residence across the street for up to 12 children.

[06:13:14] This use is not currently in operation by the APKIN or any other user. This concludes my presentation. Thank you so much. thank you very much. We would now invite the applicant to give us a presentation. You don't have to, but you're welcome to if you would like to. I'll just keep it short. So like you said before, I did own and operate a daycare literally right across the street. I ended up having, I went from two kids to five kids of my own, and we just needed a bigger house to accommodate them in the daycare. So that is why I am here today. Thank you very much. Any questions of

[06:13:52] staff or the applicant. Yes, Supervisor Gross. This is the first time I think I've seen on a daycare application something that has a swimming pool. There was a circle that showed it was a swimming pool. I'm going to presume that that's sort of a play pool and not a real in-ground swimming pool. But regardless, if you're having daycare with small children, any kind of water feature is going to be a challenge. So could you elaborate on that a little bit, either staff or

[06:14:27] the applicant? Yes, Supervisor Gross. This swimming pool is an above ground swimming pool that is not accessible to the children of the daycare. There, with the above ground swimming pool, there would be a ladder that would be attached to the above ground swimming pool that is not not there and um the applicant can't can't attest to that um again the the play area is fenced in and it looked like on the on the schematic that it was there was it was outside the fence yes but anytime you've got a water feature it is a yes ma'am an attractive nuisance for children i

[06:15:06] wanted to be sure that that was recognized yes ma'am make a statement as well about the pool we also keep a cover on the pool as well and there's always adults out there children are never left unattended we have made sure that every precaution has been taken into consideration you know like i said i'm a mama of five and so and i have little ones myself that are in the daycare and so the safety is top priority for us pool is for your family for my family or client yes all right thank you okay any other questions seeing and hearing none uh this is a public hearing i have no speakers who have signed up in advance to testify on this matter is there anyone present

[06:15:46] in the auditorium that would like to testify. Anyone present who would like to testify. Seeing and hearing no one, let me ask the clerk if anyone has called in. No one has called in. I don't think there's any need for rebuttal. Closing comments and a recommendation from county staff.

[06:16:03] Thank you, Chairman. Again, my name is Curtis Willett for the record. On July 12th, 2023, the Planning Commission recommended approval for SE 2021-MV-00032, Subject to the proposed development conditions now dated August 22, 2023.

[06:16:23] Staff concurs with the Planning Commission's recommendations. Thank you so much. Thank you very much. Last check, any questions of board members? Seeing and hearing none, I will now close the public hearing and recognize Supervisor Stork for a motion. Thank you, Mr. Chairman. Just a clarification.

[06:16:40] I have on the motion that I was going to introduce was a development conditions dated June 29. Is that not accurate then? development conditions are now dated august 22nd 2023 um these conditions allowed for uh these uh the edited conditions allowed for the the user to um user to allow children for up to 12 up to 12 children upon approval by the board yes sir thank you well i want to acknowledge first and foremost that that uh miss davis you've operated for a number of years child care center

[06:17:19] on Child Care Center. Frankly, very effectively, no complaints. Obviously, generally satisfied community members. For all of us who are in this, we recognize that that's in some ways an achievement in and of itself. And it's, I think, indicative of how you've managed not only the children, but also, I mean, most importantly for the neighbors, the coming and going of those cars and children and families. So most appreciated. And I think it's, I know that we have a significant need for more child care and my colleague to the right probably especially appreciates that and one of my colleagues on the left are very acknowledged i'm very aware of those challenges

[06:17:57] that they have on a day-to-day basis so with that i want to request that the applicant please confirm that the agreement to the development conditions dated august 22nd 2023 for the record if you can stand up and and just i confirm you agree to the development conditions dated 2020 august 22nd 2023 yes i do all right thank you um with that um i move that the board of supervisors approve sc 2021 mv 00032 subject to the development conditions dated august 22nd 2023 i'm happy to second that

[06:18:37] motion along with supervisor harry and supervisor palchek uh discussion on the motion seeing and hearing none all those in favor please say aye aye any opposed any abstentions and that motion carries thank you very much mr chairman i want to i want to thank the applicant i know she's waited a long time and and it's for a small business person it's always uh more of a challenging never sure what's going to happen but we this is something we work with and deal with all the time and we're very appreciative you're taking the time to provide more services in our community so thank

[06:19:09] you very much miss davis thank you all right uh next up we have a public hearing on sc 2022-sp-00036 northern virginia electric cooperative in the springfield district and when they are ready if the applicant could please reaffirm the affidavit good evening jim mazanus from blanking shipping keith uh on behalf of the applicant novek i reaffirmed the affidavit that's dated july 5th

[06:19:46] 2023 thank you very much are there any disclosures from board members any disclosures seeing and hearing none i would now recognize county staff for a staff presentation good evening and thank Thank you, Mr. Chairman. I'm Damaris Martinez from the Department of Planning and Development.

[06:20:04] The applicant, Northern Virginia Electric Cooperative, is requesting a special exception to permit the addition of a 95-foot-tall transmission pole within an existing electric substation. The pole would be located within the Moore substation compound in Clifton, south of the intersection of the Clifton Road and Henderson Road.

[06:20:26] On April 19, 1968, the former Prince William Electric Cooperative, Inc. obtained the subject property for substation use. According to historical images, the Moore electrical substation was constructed in 1972 by Wright prior to the zoning ordinance requirement for special exception approval.

[06:20:49] So the 34,848-square-foot site is developed with a substation in the center of the site, which is enclosed within a compound area delineated by a 10-foot-high chain-link fence.

[06:21:05] Access to the site is provided on the southeast side of the site from Henderson Road, and existing parking is provided at the entrance on a gravel access road. NOVIC proposes a transmission tower to enhance private network communication and provide increased distribution control, outage notification, and meter communication.

[06:21:27] The tower is designed as an 85-foot-tall steel pole with an additional 10-foot-tall lightning rod on top for a total height of 95 feet from the ground floor. Occasional in-person maintenance and repair is expected, and staff finds the proposal to add an accessory 95-foot-tall transmission pole to an existing electric substation is in harmony with the comprehensive plan and the applicable zoning ordinance provisions.

[06:21:54] Thank you. Thank you very much. Now I recognize the applicant for presentation, if you wish. Good evening again. And we have a presentation prepared. Unless the board would like to hear it, we're willing to waive and intend to waive our presentation, rely on the application and the information that's been submitted by staff.

[06:22:16] With me here this evening is my colleague from Blankenship and Keith, Giff, Hampshire. I have some representatives from NOVEC, a representative from the engineer, Dewberry, and we're happy to answer any questions that you may have. Thank you. It seems that this is fairly straightforward. It's very straightforward.

[06:22:32] I think we can forego the presentation. Are there any questions of the staff or the applicant? Seeing and hearing none. This is a public hearing. We don't have anyone signed up to speak. Is there anyone here in the auditorium who would like to speak to this matter?

[06:22:53] Anyone in the auditorium who wishes to speak to this matter? I'll recognize the clerk. Do we have any speakers who have called in? There are no speakers who have called in. So I don't think the

applicant needs an opportunity for rebuttal. Are there closing comments and recommendations from staff?

[06:23:14] Thank you. Thank you. On July 19, 2023, the Planning Commission recommended approval of this application, and staff concurs with that recommendation subject to the proposed development conditions dated July 13, 2023.

[06:23:32] Thank you. I presume there are no questions from board members, so I will close the public hearing and recognize Supervisor Herity for a motion. Yes, Madam Chairman, I request that the applicants please confirm their agreement to the development condition dated July 13, 2023, for the record.

[06:23:49] Yes, for the record, Jim Zanis, again, on behalf of NOVAC, we concur and agree to the development conditions that are dated July 13, 2023. Thank you. Thank you. I move the Board of Supervisors approve SE-202022-SP-00036, subject to development conditions dated July 13, 2023.

[06:24:13] I further move the Board of Supervisors approve a modification of the transitional screening and waiver of barrier requirements to that shown on the SE-PLAT. So moved. You've heard the motion and is seconded by Supervisor Palczyk. Any discussion on the motion?

[06:24:29] Seeing and hearing none. all those in favor please say aye aye any opposed any abstentions and that motion carries just just want to thank novek for uh for their work on this and look forward to the next one all right uh next we have a public hearing on a proposed amendment to appendix o of the fairfax county code to create a local stormwater management assistance fund and enter into an agreement with northern virginia soil and water conservation district for fund administration obviously there is no affidavit with this case, and so when they are ready, we would welcome a staff presentation.

[06:25:12] Good evening, Chairman McKay and members of the board. I am Ellie Cotting, Deputy Director with the Department of Public Works and Environmental Services. Also with me are Craig Currency, Chad Crawford, and Paul Reynolds, also with Department of Public Works, and Mark Gore with the County Attorney's Office.

[06:25:31] And although he didn't come down, present is also Willie Wood with the Northern Virginia Soil and Water Conservation District. For your consideration this evening are proposed amendments to Appendix O of the County Code, which established the Stormwater Service District. These amendments update a reference to Virginia Code and create a Stormwater Management Assistance Fund.

[06:25:49] As detailed in the staff memorandum dated September 28th, 2022, the fund would allow the county to grant financial assistance to an owner of private property or a common interest community for stormwater management and erosion prevention on previously developed lands under the authority of section 15.2-2114.01 of the Code of Virginia. Grants from the fund may only be used for the construction, improvement, or repair of a stormwater management facility, erosion and sediment control, or flood mitigation and protection measures that are part of a comprehensive flood mitigation and protection plan adopted by the county. This concludes

[06:26:24] my presentation thank you very much are there any questions of staff seeing and hearing none this is a public hearing and i have one person who has signed up to speak and that is leo milanowski who is calling in by phone and he is director of the holland hall village citizens association leo can you hear me okay i can sir welcome the floor is yours good evening i am leo milanowski and i live at 8017 Washington

Road in Holland Hall Village off Fort Hunt Road in the Mount Vernon District. I have lived in my home for a little over 42 years. I currently serve on the board

[06:27:03] of directors of the Holland Hall Village Citizens Association. Holland Hall is a neighborhood of over 700 homes celebrating its 80th birthday this year. We are not a common interest community as defined in chapter 23.3 of the Virginia Code. Instead, we are a voluntary association made up of neighbors pursuing common goals and interests. I also serve as the chair of the Mount Vernon Council of Citizens Association Special Committee on Stormwater, a committee established in early 2021 to address numerous complaints from Mount Vernon residents encountering issues with rain-driven flooding. But today I'm here as a representative of Holland Hall Village. In many areas of Mount

[06:27:43] Vernon, I would guess in other county districts as well, the character of neighborhoods are largely changing through infill development in parts of Holland Hall infill has replaced 34 homes with 68 houses and many existing housing upgrades all built to the existing setback requirements in both situations impervious surfaces have increased some more dramatic than others all this is occurring in our neighborhood that has a stormwater conveyance system designed and installed in the 1950s and early 60s and by any standard aged and inadequate I don't pretend to

[06:28:19] know the considerable science and engineering expertise that underlies the treatment of stormwater flows, but I do know that my Holland Hall neighbors and neighbors across our Mount Vernon district are impacted by stormwater runoff problems, some naturally occurring and others man-made and allowable under current county policies that I personally believe are right for change, but that's a topic for another day. I'm here to tell you today that we support any efforts that help to prevent or solve the problems resulting from rain-driven flooding. I want to emphasize that point. Holland Hall is very supportive of any county policy, program, and project with that

[06:28:55] intent. Our neighborhood supported the Mount Vernon Council's resolution of February 23, 2022, requesting the board to utilize stormwater tax revenues to correct rain-driven flooding problems suffered by homeowners and neighborhoods. The program now under consideration today gives us some hope that serious efforts to address the individual homeowners' issues is about to begin.

[06:29:18] However, a number of unknowns about how the grant program will be executed, especially absent an overarching policy guiding solutions, is concerning. County staff is in the process of revisiting the county's current flood mitigation policy. The updated policy is now projected for an early 2024 release.

[06:29:38] We are hopeful that this policy will address the problems faced by the individual homeowner with flooding from rain. At first look, however, it seemed peculiar that the program addressing flooding issues would precede the overall policy under which a program, and in this case the grant program, would operate.

[06:29:55] County staff addressed this issue at a briefing to NBCCA in late August 2023, and I left the meeting understanding that the ordinance change under consideration will allow staff to move forward and nail down the parameters, operational aspects, and details of the grant program. The current projection is that that will be completed next month.

[06:30:13] Staff also assured us that private property owners will be given equal consideration within the grant program. Again, we are hopeful that the program's details being developed will contain meaningful and considerable support to individual homeowners. Meetings with county staff on the rain-driven

flooding problems have been informative and productive, and kudos are due to staff for the updated policies regarding stormwater detention that address runoff issues.

[06:30:37] Further efforts are needed in this area, especially reconsideration of the square footage exclusion that exempts a significant number of infill projects. As an example, in our neighboring community of Wellington, recently completed infills that met the exemption criteria were built, but have experienced post-occupancy flooding issues.

[06:30:58] We've also conversed with the Office of Soil and Water Conservation, and they've educated us on the current grant programs available to help folks solve problems. We have encouraged homeowners to take advantage of these programs as we go for any new programs the board authorizes.

[06:31:15] But even as cost-sharing grants, these programs are not inexpensive. Anecdotally, I've heard of costs from $13,000 to nearly $50,000 to solve homeowners' flooding problems. Staff has always pursued solutions where county-maintained infrastructure has caused problems, but they've also made it clear to us that they don't have a legal basis to address problems not of their making.

[06:31:38] An interesting point taken from the meeting with the staff in late August was that the county's ability to enact the grant program under discussion tonight was allowable because the Alexandria City pursued a Virginia code change allowing this type of program. I'm going to step out of my lane here and say if I could be bold, I would suggest that the county's legislative agenda for next session seek authorizing language allowing the county to pursue programs to assist homeowners directly to overcome their flooding issues.

[06:32:06] Please understand that I'm not asking for the county to commit stormwater tax revenues to problems that are of a homeowner's own making, but I do think it's a matter of fairness and equity to provide direct assistance to homeowners who have been impacted by county-reviewed and permitted development, out-of-date county policies, or any other actions that are not self-inflicted.

[06:32:26] Again, I'm hopeful that the revised policy and the new grant program will permit projects that directly assist programs. As I wrap up, I want to thank the county staff, both at the headquarters level and in Supervisor Stork's office, who have suffered through our rookie-level questions as we try to improve the rain-driven flooding issues in Mount Vernon.

[06:32:43] I look forward to engaging with staff to ensure that the details of the revised county flood mitigation policy and this grant program's execution provide county homeowners with solutions to their stormwater flooding issues.

[06:32:59] Thanks for allowing me to speak with you today, and I'd be happy to take any questions if you have them. Thank you very much, Mr. Milonowski. And I have no other speakers who have signed up in advance to testify. However, this is a public hearing. Is there anyone present who would like to speak?

[06:33:15] Anyone present who would like to speak? Let me ask the clerk if we have anyone who has called in. No one has called in. Closing comments and a recommendation from staff. Staff concurs with the recommendation to adopt the program. Thank you very much.

[06:33:31] Final call. Any questions from board members? Seeing and hearing none, I will now close the public hearing and recognize let me recognize Supervisor Stork for a motion. Thank you Mr. Chairman and I want to start by thanking Mr. Milonowski for his work. Many of you don't know that he spent years

on this issue broadly in the Mount Vernon District and I know it impacts every district probably at some different levels but there's clearly an impact that we see regularly when it comes to rain driven

[06:34:07] And then we heard a little bit earlier with the previous one about the amount of floodplain issues that we have. So this truly is about, at least for the community, it's truly about a comprehensive process for addressing these. And a lot of the resilient Fairfax work we've done is a way of, I think, achieving that.

[06:34:25] This is one element of it. And that's, I think, probably the biggest challenge these members of my community have had with kind of being comfortable with this is they see this big picture that we still don't really have maybe all the processes in place to address them, and we have these elements in there that can make a difference but maybe still don't capture the core issues that we experience with, frankly, how these communities were developed in the 1940s and 30s, 40s, and 50s.

[06:34:55] So I want to kind of give a nod to Mr. Milnowski and the committee that was put together that my office works with and Nick Reinhardt and my staff works with regularly, as well as the community and their advocacy to do more. There's been a number of individuals who have been part of that, but the core of it is blood risk reduction, rain-driven water reduction, and the two of those do work all only together in having a conference of programs to address that.

[06:35:23] I think this is a step that we need to take, and that's only, I think, a key reason why it's here. I know that one of the issues that we heard, and maybe just at least a brief answer on this, the common interest communities question. I know Mr. Milnowski brought it up, at least referenced it, and it's been part of several conversations.

[06:35:44] I want to make sure other board members are at least understanding what that terminology, how it would be implemented or how it would be addressed as part of this. The term for common interest communities comes straight from the state enabling legislation, and so we've adopted it verbatim. criteria for determining who would be eligible for this grant will be laid out at the October 3rd Environmental Committee and common interest communities are not proposed to be given any additional weight over individual applications the applications would be based on risk thank you and of course we'll be learning more and this is by no means this there's many more steps in

[06:36:20] this process and I'll go on I know for a long time but projects regulation and programs are kind of the foundational elements of all of this that we're looking to address so thank you all with that i will move that the board of supervisors approve the amendments to the fairfax county code appendix o related to the local stormwater management assistance fund as set forth in the staff memo dated september 28th 2022 and i further move that the proposed amendments become effective at 1201 a.m on september 13th 2023 second i'm happy to second that along with supervisor lusk and supervisor gross

[06:36:59] uh discussion on the motion any discussion on the motion supervisor palchig i just want to second my thanks for all the staff to pws mr wood who's here and in the community i know as our community continues to develop and see uh increasing risk and issues um from prior other development that any tool as mentioned any tool we can use to help support that and I'm looking forward to seeing in October what is presented I also want to as we doing with each of these projects now appreciate the equity impact that was included here and the proposals that were made by you and by staff on how to

[06:37:38] help address everything from additional resources technical resources language barriers and I believe looking at the the map of approximately 20 percent of private facilities are in areas identified as high and very high vulnerability areas in the county and so as we look at your proposal I appreciate that the risk and equity impacts and others are incorporated so thank you thank you very much seeing and hearing no other comment no other discussion all those in favor of the motion please say aye aye any opposed

[06:38:13] any abstentions and that motion carries. Thank you very much. Mr. Chairman if I could also I want to specifically thank Allie Cotting, Jack Merritt, Katie Torgensen as well as Paul Reynolds and DPWS. They've spent a lot of time on this and I know we have more to go but I just want to make sure they're recognized for their efforts. Thank you. Thank you very much. Okay our next public hearing is a public hearing on the acquisition of certain land rights necessary for the construction of Merrifield Capacity Sanitary Sewer Upgrade in the Providence District. And as soon as staff is ready, we would

[06:38:49] welcome a county staff presentation. Thank you, Mr. Chairman and members

[06:40:32] of the board. I am Jocelyn Campbell, right-of-way agent with the Land Acquisition Department of Public Works and Environmental Services, presenting today in person. This project consists of construction of a new 20-inch PVC DR-14 gravity sanitary sewer pipe inside of a 30-inch steel casing pipe installed via microtunneling, which will provide approximately 563 linear feet of upgraded sewer, as well as new manholes 58, 59, and 60.

[06:41:06] The parcels involved are highlighted in the slide across seven parcels, which are generally located between the Merrifield U.S. Postal Service Facility on Route 29 and Eskridge Road in Merrifield. The existing 12-inch sewer line from manhole 58 to 59 to 60, approximately 563 linear feet, shall be abandoned in place, and the existing laterals shall be connected to the new gravity

[06:41:35] sewer. To the left, this photo shows the direction of the sanitary flow. Since the original public hearing was advertised, land rights on an additional two parcels have been acquired, leaving land rights on one parcel remaining to be acquired. Staff is in contact with the owners of the remaining property and every effort is being made to reach an agreement.

[06:42:03] However, in order to keep this project on schedule, it is necessary for the board to utilize quick-take eminent domain powers. This slide shows the requested sanitary sewer easement in red, located parallel to the existing sanitary sewer in green.

[06:42:20] The land acquisition has recently received a counteroffer and is in the process of reviewing and responding to the owner. The public hearing and subsequently filing of a certificate of take does not preclude further negotiations to reach a mutually acceptable agreement as expeditiously as possible this slide shows the existing permanent easement that fairfax already has in blue it also shows the additional needed proposed permanent easement in purple the county executive recommends that the board of

[06:42:57] supervisors adopt the resolution authorizing the acquisition of the necessary land rights for this important wastewater project thank you and staff is here to answer any questions that you may have Thank you very much. Are there any questions of staff? Any questions of staff? Supervisor Palczyk.

[06:43:13] Thank you for the presentation. I will have more. If you could just clarify for us, six of the seven parcels, correct, have at this point been fully acquired? Yes, that's correct. Six of the seven parcels have been fully acquired. And it does include the USPS property as well?

[06:43:29] Yes, it does. Okay, thank you. Thank you very much. Any other questions at this point? Seeing and hearing none, we will move on to the public hearing. I do have one speaker who has signed up in advance to testify, and that is Jim Coakley, partner with CJC Associates LP.

[06:43:50] Is Mr. Coakley here? If you could please come on down. Welcome. As soon as you're ready, the floor is yours. I provided the clerk with written testimony, so they were supposed to pass that out.

[06:44:05] Just want to make sure. I also have some visual aids that I need to be able to use.

[06:44:25] just to remind you since i'm representing a group of people i should have five minutes to be able to speak yes please um thank you mr chairman i want to recognize supervisor palachuk who we've been in big communication with and all the members of the board my name is jim coakley i've been a member of the fairfax county community for a long period of time my family owns a lot of property in fairfax county and we've done a lot of business deals and development in fairfax county We were involved in development over by the Dunlaurie Metro Station.

[06:45:02] We currently, our office is in the building where U.S. Immigration is. That was, you know, one of the very beginning, you know, projects in the Merrifield area to bring Metro to the area and to change, you know, the entire landscape there. I also was on the Merrifield Task Force and was very much, you know, a part of the whole development concept and bringing into fruition the Merrifield suburban town center, which this parcel is part of.

[06:45:33] Part of my reason in being here today is really to be able to make sure that it's clear that as a member of the community, we're just being here as good stewards and have been cooperative and trying to make things work.

[06:45:49] Obviously, we need to make sure that we understand how the additional easements are going to impact our redevelopment of the site with other parcels, you know, and we also have to look to see what is the impact it's going to have on our businesses.

[06:46:05] We currently have over 68,000 square feet on that building. That building was built in 1981 as one of the first buildings that were in the Merrifield area. And so this will have a major impact on the current leasing, on the re-releasing that we'll be doing on the property.

[06:46:26] We've met with other appraisers. As they've told you, we've already presented our counteroffer to the county. If we're able to work out some type of negotiation, we should be able to avoid court in October.

[06:46:46] But there's lots of different elements, and we've spent over 12 months working with the county meeting with many different people to try to understand the whole project looking how it's impacting us for example the the leasing that this is going to happen because of this construction outside parties have said that we'll probably lose income of about 325 000 just during that construction period because people will not want to come to the building with all the construction that's happening and those other elements that are there i did want to pick up the mic to be

[06:47:21] able to show you some visuals here so you should have this in your packet but this is showing you all the easement agreements that have been made or are to be made for this whole entire project so you'll see you know these are kind of the route this is this is my property right here which is 80 through 15

Lee highway this is a caboose brewery these are the multiple parcels that the post office these are leases or owns and uses for parking and for a facility there's another business

[06:48:00] called psi that's right here so you'll see you know all the paths that the trucks will be going in all through here and then in these little digging areas that's showing you where the actual construction is going to happen um our the work that's actually happening on our lot is in the far you know southeast corner you can see it outlined here in red okay this is not just where they're They're going to dig into the ground where it's excavated to the air.

[06:48:27] This is also where the county is requesting that they be able to put equipment and have other trucks. So this is Estridge Road right here. The easiest way to be able to get to this location is through Estridge Road, coming through the Caboose Brewery.

[06:48:44] But the county is not doing that because they don't want to disrupt the business that's there, which is, you know, we always try to be able to see how we can not impact businesses and make sure that we're not taking away income from people who are part of the community. Now, we're going through our front door here on Lee Highway all the way across here to be able to come to this area and this site.

[06:49:08] This is going to create daily traffic of trucks coming through. When people start to be able to see all this stuff and see the dust and the noise and everything else, they're not going to want to have any involvement with our property or to be working there. So what we have proposed to the land acquisition team, which currently has been denied, is they're already coming in through the Owens property right here.

[06:49:33] They already have all these easements already. They could very easily come up just a little bit further and then be able to take a right, and then they could come into our parking lot from the far back and then be able to do whatever they need to with this particular area.

[06:49:49] So there's plenty of turning radius there. We've also offered in exchange of having them relocate this maybe to some of the other, you know Parcel for a parking lot where they have parking we could put parking over here and you know Accommodate them, you know with parking and stuff having to to have these you know trucks and equipment there And not to have this path of this stream of traffic going through our property every day But at this point at least through the negotiations that we've met so far that request has been denied if there's anything you can do to be able to look at that you could but you

[06:50:27] know some of the compensation you suspended an escrow until you work at these details part of the driver has been that we're working around the construction the construction show is going up around the needs of the post office because they need the the construction to start in January because they want to make sure that they're not interrupting the busy season for the post office during like from October at the end of October through New Year's you know when you have the big busy Christmas time where they're trying to be able to to you know take care of

[06:51:04] all the mail so again we understand the reason of why we're driving the bus you know to try to get to a finish line and we have you know provided a kind of offer you know I would like to recommend that potentially you ask for a 30-day extension of this time so that we can finish this negotiation and we don't actually go to condemnation.

[06:51:26] But again, I understand that there's a process here and that I'm not trying to take it personally and I want to make sure for the record that you know that this condemnation, we're not against the taking

and we're trying to be as cooperative as we can. This does impact us also on the development side so we'll probably come back to you in terms of requesting some additional FAR are for redevelopment we're very excited to see that you are you know looking at potentially approving of 3.0 FAR across the street from us right next to the to the mosaic district so I think that that's really been helpful that also

[06:52:03] speaks to you know the valuation of our land which we think is very valuable you know the comps that we've been we were originally given in the appraisal from the county is comparing us to I5 zoning property that's in Lorton and in alexandria nowhere near a metro station nowhere near a certain development spot so that's reflected in our appraisal that we've given and the counteroff that we've given so and that concludes what i have to say today if there's any questions you might have again you know we want to be partners

[06:52:36] with you in this particular project and in future projects as well thank you very much for your testimony and for your visuals, very helpful. Let me ask if there's anyone else present who would like to speak on this matter. This is a public hearing. Is there anyone else present who would like to speak? Seeing and hearing no one, let me ask the clerk if anyone has called in. No one has called in. We heard the recommendation from county staff, but if you could repeat that for us as a closing comment. The county executive recommends that the Board of Supervisors adopt the resolution

[06:53:12] authorizing the acquisition of the necessary land rights for this very important wastewater project. Thank you. Thank you very much. Any final questions from board members? Supervisor, let me start with Supervisor Harrity, then we'll go to Supervisor Pouchik, since it's in your district. Just a quick question. What would the impact of a two-week delay in the decision to do this be?

[06:53:32] Frank Roberts with Public Works. I think a two-week delay in retrospect would be, we can absorb that if it's only two weeks. Okay. Supervisor Palczyk. Thank you, Mr. Chairman. Just to get a better sense, I know we've been working on this for quite a bit now. Could you explain to me when the

[06:54:05] original proposal letter was first sent to the owners and when we received the initial response? Do you have the timeline currently of the letters as response and then when this final i think the first offer letter for this project to this specific owner was in the spring

[06:54:34] of 2022 spring of 22 thank you and um well let's what was the the final um response received from this landowner when this last proposal that they gave us late wednesday of last week wednesday of last week okay um and so i mean i am hearing that two weeks are appropriate uh i think as was mentioned the concern here and that we have is that unfortunately sometimes it has taken a very long time to get responses and so if you are comfortable

[06:55:13] with the two weeks I don't have that motion I'm happy to consider it but I do know that this project has been delayed for quite a bit of time now and that we do need to ensure that you are all able to have those appropriate negotiations that is not something we do here and to be clear those negotiations so I I understand are around the temporary easement of the property is that correct and then the eventual easement so the some of what was shown was the temporary access easement if you could tell me how long that would the estimated

[06:55:48] time for the temporary access easement I'm sorry can you repeat the question yes I know it's been a long time that's all right just I have a few questions I'm sorry that it's been a long evening but and I

appreciate that mr. Coakley is here with us tonight could you I have a few questions so number one if you could clarify for me looking at mr. Coakley's letter at this point that there are

[06:56:27] discussions I believe both about the amounts that is being negotiated as well as I think there are some allusions to the possible future redevelopment but First of all, I guess I want to clarify that as you are in those negotiations, that the current negotiations that your team is involved in are not related to land use, future land use, but rather just the proposal for the temporary as well as the permanent easement for this sewer system.

[06:57:00] Is that correct? Supervisor Palacic, I'm Dennis Cade. I'm the director of the Land Acquisition Division. Thank you for all this. Appreciate this. this has been a very long process. To be honest, our preference would be to go forward with the condemnation without the delay, and we continue our negotiation. We always do, right through certificate filing, which because of Virginia code, we have to wait. We have to send a notice, and we have to wait 30 days before we file. That gives us a window for further negotiation, but we negotiate even after the certificate. Frankly, we are just very far apart on what

[06:57:39] the redevelopment potential is for this property and for other losses. We're looking into it, but there hasn't been sufficient time to really digest it to see where there might be a common ground. At this point, a two-week delay may not be sufficient to come to common ground. So our preference would be if we can move forward with the condemnation, knowing that we will be continuing our conversation, but we would like to get the certificate filed so that we don't compound delay upon delay and lose our window for getting to construction i really appreciate that um yes and

[06:58:17] then i have one follow-up question go ahead randy green with the county attorney's office i think we also run into a problem of if we delay it for two weeks we may have to advertise again so um i just so that's on the table i appreciate that and um i was having a sidebar with um our council because unfortunately we do know that changes have occurred that add to those delays in addition to knowing that you know we do need this this process to go forward and those conversations to continue if I could have one question while we're here something else that was mentioned by mr. Coakley was not looking at the easement

[06:58:54] through Eskridge Road but rather through 29 if someone could just speak to that a little bit of briefly why that decision was made I know I've been privy to these presentations but my colleagues in the public have not um alina matthew i'm with jacobs engineering group uh i've worked with frank and others uh in the uh working on a design aspect of the project the main reason for the access or temporary construction easement was the ease of access

[06:59:33] for contractor to get to the job site um and and keep in mind that the other entrance that gentleman pointed to for the brewery is the only entrance for that business So any construction impact will have a significant impact on their day-to-day operation as well.

[06:59:51] And the parking area is very limited for Caboose Brewery, relatively speaking, compared to the adjacent property. So those were the considerations. You know, reduce the impact to adjacent businesses, make sure that they can operate their business.

[07:00:07] Those were the considerations that went into account. Was there also consideration to the Eskridge versus Route 29 being that main point? That is correct, yes. We also looked into the main entrance point and ease of access for heavy vehicles to access the job site.

[07:00:22] Okay, I appreciate that. I think I don't have further questions. You know, I would have been open, I think, to that delay if it really were just two weeks. I think my concern is, number one, as was shared, the readvertisement, and number two, knowing that this has been quite a lengthy process.

[07:00:39] And my hope is that there have been times when our negotiations have not had that response time. And so I think without that history, I would feel a little bit more comfortable. But I guess if you could just confirm for us once again the impact of moving forward today and what that truly means for your approximate timeline and continued negotiations with the remaining landowner.

[07:01:04] Thank you. Going forward today allows us to file a certificate in October. That allows, I believe, the bid process to go forward for construction so that construction could begin shortly after the post office fallow period when they're busy and we shouldn't be. So that this gives us the time to get that moving forward. Delays just have a caterpillar effect and just push us further and further out. And then we run back into the post

[07:01:39] office delay again the following year. And so what is, under the current timeline, what is the expected beginning of construction of this project? The current schedule anticipates starting construction beginning of the new year once we're outside of that post office period and then there's of course the october 31st to new year's break and then in the next year in 2024 that we're trying to get most of the construction done before october 31st so that allows us to do that and have the land rights in hand at least the condemnation then we can move forward confidently

[07:02:15] with bed advertisement and meeting that timeline while they continue so moving forward today we do expect to be able to continue or i believe early 2024 and be completed by october of 24. did i hear you correctly my apologies off the post office property by october 31st with most of our work okay there will be work afterwards on the rest of the areas thank you i know there are many of you involved many agencies so i have no further questions mr chairman and just just to be clear also that you know our action today we're not condemning property today we're giving staff the

[07:02:51] authority to do that and as you mentioned negotiations will continue um for weeks here regardless of you know acting today or we acted two weeks from now we're we're in a negotiation period that still will go on for weeks so the potential to reach an agreement uh is still there up until really until the certificate is filed the it actually we we still continue negotiating after the certificate is filed. The filing of the certificate gives us defeasible title to the land rights, and we continue to try to reach a voluntary agreement

[07:03:28] thereafter to clear the certificate prior to having to eventually go to court to clear the certificate. But our preference is always, even after condemnation and filing certificate, to reach a mutually acceptable agreement. Okay, thank you. And I don't know what will happen with this one, but haven't been involved in a lot of these in the past.

[07:03:47] You know, a lot of times this is the impetus to get to the finish line, and a lot of times that happens in all of our interests outside of court. So we would hope that that would happen here again. We don't know if that would happen, but I do think this has been a long process, and to make sure we're continuing to make progress on this and that hopefully we reach an agreement before it ends up having to go to court.

[07:04:13] Supervisor Herdy. Yeah, just to go back to one of Supervisor Palachuk's questions, she asked about why we weren't using the alternative plan, and you answered the caboose entrance, which I think the gentleman had said that that's not what he was proposing.

[07:04:33] he understood why not the caboose entrance but i don't think you answered why not the parking lot i guess that's the postal service parking lot so i think you answered her question not with what he was proposing but what he was agreeing with which was not the caboose but why not the alternative proposal that he put down why are we not looking at that instead of the current proposal or have you not had a chance to evaluate that yet do you follow what i'm saying yes sir i don't believe we received that specific proposal but in our analysis then that's actually the primary drive path for the

[07:05:15] post office transfer area and so that significantly impact their area as well as there's no connectivity between the two parking lots so we'd have to do additional construction to create that connectivity and the great elevation difference but predominantly the impact of the post office that that makes a a little bit since this is real this is also residential and and retail street versus a highway you know this is real difficult to do without hearing your side of the story that we can't really get anywhere but other in closed session and i know you've been you've been briefed and

[07:05:50] you understand it better than i do but i i'm i'm just going to stay out of this one so okay any further questions supervisor stork well i'll say i'm i'm uncomfortable because the difference is the threshold here of condemnation otherwise you know you agree and I've done how many condemnations too but usually there's some general agreement ahead of time even if the price isn't agreed upon there's some general understanding about what needs to be taken and that's the only way to do it and given the alternative proposal and I'm not here to judge us because I don't know the

[07:06:26] particular property but but I'm I the difference for me is that once we approve this we will not have another opportunity to do anything else because this is what staff will be authorized to do and i'm i'm just not there i mean again because this is a condemnation if this were some other situation but i i can't support condemnation based on the information that i have in front of me even if it is only the right thing to do so i won't be supporting this and i would love to see further conversation to see if either the alternative that that the the applicant or the

[07:07:03] the property owner is seeking is addressed and either mutually or or not at least i would understand better what the what the board is essentially what our standard will be to allow you to do as it is now what we have is what's in front of us and i don't think the applicants are the property owners concerns have been addressed i know they've not been addressed satisfactory me but again I don't have the knowledge that I realized supervisors and other might have but if you want my support I would have to have more information right now I don't have enough information to support this sorry

[07:07:40] thank you any other questions or comments mr. chairman yes supervisor if I may and I appreciate that these are negotiations right and so the what was presented to us today by the seventh landowner I believe is was this presented prior to this past Wednesday was this presented as the the initial negotiation is what was presented before yes and the engineering team said it was

[07:08:13] not possible and we received it about a couple weeks before the this this session sorry so this is this was part of you the initial negotiation that was discussed with the landowner yes he proposed this adjustment and the engineering team came back and said no it's it's not possible okay and can you repeat

for us one more time why the engineering team said it was not possible yes the uh due to the proximity and the

[07:08:51] path that would flow through the active area the post office it would disrupt their activities um their activities too much as well there's no connectivity between those two two areas between the parking lot and the drive aisle on the post office it would disrupt the post office activity and there's not an existing connection, is that what you're saying?

[07:09:12] Correct. Okay. All right. At this time, if there's no additional questions, I'm going to close the public hearing and recognize Supervisor Palchuk for a motion. Thank you, Mr. Chairman.

[07:09:29] Before I make that motion, I believe this is my first sewer easement motion, and so I appreciate the work on this. I do want to clarify, as the chairman mentioned, as staff have mentioned, that the goal of this is to continue the negotiations. We are not at all, and staff is not interested in looking for condemnation.

[07:09:48] And this is currently being proposed as a step in over a year, I believe now, it goes to a year of negotiations. And we, I believe through this process, we have now received six of the seven.

[07:10:06] I believe they were still outstanding, but we now at this point have six of the seven landowners have provided the information we appreciate that the counter offer was presented late Wednesday staff are reviewing it unfortunately my understanding is it has not been adequate time to complete that review and to make the counter offer before today's hearing but as was mentioned by our council and appreciate their help on this as well delaying the hearing would delay it even further due to the the new need to recertify that hearing it does

[07:10:44] not preclude us from coming to an agreement and the hope and our my hope as a supervisor is that this will continue and that the county will be able to come to an agreement with CJC associates and continue those negotiations to reach an equitable agreement as soon as possible that is my hope after today's discussion and the negotiations that have been ongoing and knowing that we do now have six of the seven gives me a little bit more hope that we are moving in the right direction.

[07:11:14] And we appreciate, and I really appreciate Mr. Coakley and I know your work in bringing together the various I know to nurse as well in previous conversations that we've had in order to try to reach that agreement. It's unfortunate we are not fully there yet, but I am hopeful that we will continue in that direction.

[07:11:33] So to that, I will make the motion now, and I move that the Board of Supervisors approve the acquisition of those certain land rights necessary for the construction of the Merrifield Capacity Sewer Upgrade Project in accordance with the resolution included in the board package as attachment D.

[07:11:52] B. I apologize. B. You've heard the motion. It's been multiply seconded by Supervisor Faust, Supervisor Lusk. Any further discussion on the motion? Supervisor Gross. the risk of prolonging the discussion. Supervisor Palchuk, I will support your motion. However, I think that we should not be hoping. It's not our hope. It really needs to be a direction

[07:12:23] from the board that we expect this to be resolved because the staff has heard the discussion. So I just don't want to base my vote on somebody's hope.

[07:12:40] It's really a direction. Thank you. Any further discussion on the motion? Seeing and hearing none, all those in favor of the motion, please say aye. Aye. Any opposed, please say nay. Aye.

[07:12:56] And any abstentions? And that vote is passed 8-2 with Supervisor Herity and Supervisor Stork voting nay. All right. That will take us to our next public hearing, which is a public hearing on SE 2022-MV-00033, Nagat Iqbe, doing business as Lorton Family Child Care in the Mount Vernon District.

[07:13:27] and once the applicant comes down, we would ask the applicant to just reaffirm the affidavit and the date. Welcome.

[07:13:58] If you could just reaffirm the affidavit and the date of that. If you could just reaffirm the affidavit and the date.

[07:14:14] January 6, 2023. And you're affirming that? Yes. Thank you very much. You're welcome. All right. At this time, are there any disclosures from board members? Seeing and hearing none, I will now recognize county staff for a staff presentation.

[07:14:30] Thank you, Mr. Chairman. My name is Kathy Lewis. I'm with the Department of Planning and Development. The subject site is a single-family detached dwelling located in the East Hill neighborhood of Lawrenton Station in the Mount Vernon District. The applicant has operated a home daycare facility for seven children at the subject site since July 2018.

[07:14:50] Her current license with the state expires in October 2023. The applicant seeks to increase the daycare enrollment to 12 children. No change is proposed to the hours of operation. Pick up and drop off is staggered.

[07:15:06] The applicant has agreed to a development condition which would require that the driveway be left clear for parents picking up and dropping off their children. This concludes my presentation. Thank you. Thank you very much. We would welcome an applicant's presentation, but you don't have to give one if you don't want to.

[07:15:26] Any presentation? no okay um at this time are there any questions from staff or the applicant any questions of staff or the applicant seeing and hearing none uh this is a public hearing and i have uh no speakers who have signed up in advance to testify on this matter is there anyone here present who would like to speak on this subject anyone in the auditorium that would like to speak this is a public hearing seeing and hearing no one let me ask the clerk if anyone has called in no one has

[07:15:58] called in no reason for rebuttal closing comments and a recommendation from county staff on july 26 2023 the planning commission voted to recommend approval of se 2022 mv-00033 subject to the development conditions dated july 11 2023 staff concurs with this recommendation thank you very much last call any questions from board members seeing and hearing none i will now close the public hearing and recognize supervisor stork for a motion thank you mr chairman and thank you mr

[07:16:33] iqbal for your application and your continued willingness to to support and care for our children in the community the lorton station homeowners association is supportive of your application as a result i'm happy to support it as well with that i request that the applicant please confirm for the record if you could stand up at the microphone please thank you this will be quick i request that the applicant please confirm for the record that agreement to the agreement to

[07:17:06] the development conditions dated july 11th 2023 yes thank you i move that the board of supervisors approve sc 2022 mv 00033 subject to development conditions dated july 11 2023 heard the motion and the second is there discussion on the motion seeing and hearing none all those in favor of the the motion please say aye aye any opposed any abstentions and that motion carries congratulations

[07:17:38] thank you and that brings us to our last public hearing of the day which is a public hearing on sc 2022-br-00042 tiffany t santana in the braddock district and if we could please get the affidavit reaffirmed. Thank you, Mr. Chairman, members of the board. My name is Lynn Strebel. I represent the applicant. I reaffirmed the affidavit that is dated August 2nd, 2023.

[07:18:14] Thank you. Very good. Thank you very much. Are there any disclosures from board members? Any disclosures from board members? Seeing and hearing none, I would now recognize county staff for a staff presentation. Thank you. Good evening, Mr. Chairman. I'm Brent Krasner with the Department of Planning and Development. The applicant is requesting special exception approval to permit a congregate living facility in an existing single-family dwelling.

[07:18:38] The facility would be operated at a single-family house in the Kings Park West neighborhood by Bethany House of Northern Virginia, a local nonprofit that provides short-term housing for women escaping domestic violence. Under the ordinance, the use is considered a congregate living facility, which, as mentioned, requires SE approval.

[07:18:58] According to the applicant, the facility will operate 24 hours a day, seven days a week, with one live-in house manager and a maximum of six single female adult residents and no children. The applicant, who operates several similar facilities throughout the county, notes that these houses generally have the same appearance and function as private residences.

[07:19:21] Through engagement with the community, the applicant has agreed to a set of development conditions, some of which are listed here, which provide reasonable safeguards to ensure that the use will not negatively affect the surrounding neighborhood. That concludes my presentation. Thank you, Mr. Chairman. Thank you very much at this time We'd recognize the applicant for an applicants presentation. Thank you, Mr. Chairman and members of the board I will not make a lengthy presentation. I know I'm last at the end of a very long day But I will just provide a few remarks if I may This application was submitted by Tiffany Santana on behalf of Bethany House And if you're not familiar with Bethany House

[07:20:01] It is a nonprofit that provides safe housing for women who are escaping domestic violence Miss Santana is here She is the executive director and she would be happy to answer any specific questions. Should you have them? I thought that it might be helpful just at the beginning of my remarks to kind of clarify What this is and what it is not because there was some discussion about whether this would be a homeless shelter

[07:20:26] And that's not what this is. If I could just briefly provide the definition of a shelter is that it provides the provision of temporary refuge and supportive services in compliance with applicable state law governing the provision on a regular basis of shelter, safe homes, meals, and supportive services to victims of family violence, domestic violence, or dating violence.

[07:20:51] whereas homelessness is really about individuals who lack fixed regular and adequate nighttime residents such as those living in emergency shelter transitional housing or places not meant for habitation so the individuals that find themselves at this house are not homeless they have a home but that

home is no longer safe so this is a safe place for individuals to go as I noted this is on behalf of Bethany House. Bethany House was founded in 1979. It is the oldest domestic violence intervention program in Fairfax County. And I share this with you because I want to give

[07:21:31] you assurances that they do have experience. They do have experience and good experience in being able to operate this type of house. This house will be well managed. Its appearance will be maintained professionally. So it will look like any other house in the neighborhood and that in fact is one of their objectives. They don't want to stand out. They want to look like another house in the neighborhood. In addition, Bethany House has a number of rules for their residents, and the residents must follow these rules in order to continue living there. The rules are

[07:22:04] taken very seriously, and again, it really provides an opportunity for individuals to live in a residential environment, in a safe place that offers a sense of normalcy, and an opportunity to get back on their feet um so with that i would conclude my remarks i will say that this was presented to the braddock district land use and environmental committee who did issue a letter of support the staff recommends approval as well as the planning commission and i would ask for your favorable consideration today i would note that i believe there is one small change to

[07:22:41] the development conditions in development condition number 12 it refers to the kings park west civic association and i understand it is the kings park west community association so i think that's something that maybe just recently came to you but it was just an error and i think hopefully that would not allow but this would not preclude this application from moving forward so again i'll be happy to answer any questions that you have thank you thank you very much any questions of staff or the applicant seeing and hearing none this is a public hearing and i do have one speaker

[07:23:18] who has signed up in advance to testify uh racha tijani he is on the phone okay mr tijani can you hear me yes hello ah mr johnny can you hear me you can hear me okay yes i can i can hear you very well i was there earlier but i think it took longer than i expected so i had to leave i apologize for that no no problem uh we can hear you fine uh and you are our first speaker and have three minutes

[07:23:51] welcome thank you i just want you to vote in favor of this safe house because it actually saved my life not only saved my life because my husband was very abusive but it also provided so many resources so I could start a new life, had a chance for a new start, fresh start.

[07:24:21] I could find a job. I could find a safe place to stay. Even the streets were not safe for me. Wherever I went, my husband would find me and hurt me. So this house provides much more than safety for domestic violence victims.

[07:24:41] And I was shocked because it helped not only immigrants or poor people or people from a certain class. There was like very rich people, very decent people whose husband just like started drinking or had a drug problem and they had nowhere to go.

[07:25:02] And it really shocked me to see that it was helping many social classes and especially the kids. I remember there were so many kids crying at night sometimes, having nightmares.

[07:25:18] And after a few days, I could see that they were happier, they felt safe. I think you should really approve this project because it really saved my life. my life and help me start a new life.

[07:25:37] So please, please accept it. And I can go on and go on, but it's very emotional for me to talk about it. But I feel that I owe the community, the community. I owe it to the social workers who helped me, and I owe it to the county who helped me.

[07:25:57] So thank you. Thank you for hearing me out. Thank you very much. Thank you for your testimony. and that was the only speaker that I had that signed up in advance to testify. Is there anyone here present who would like to speak on this matter? Anyone else who would like to testify to speak on this matter?

[07:26:16] Ma'am, are you wanting to testify? Okay, if you can please come down and sign in with the clerk. Is there anyone else who would like to testify? Actually, why don't you, if you can come forward to the podium, just state your name and address, and when you're done with your testimony, just make sure you leave that with the clerk.

[07:26:38] Yes, my name is Carolyn LaRosa, and I live at 10212 Pumphrey Court, also in Kings Park West. And I'm also the vice president of the Homeowners Association, and my property backs up to this residence.

[07:26:54] I've been very much involved in this situation, and I am thankful that you did have another meeting with the neighbors, Supervisor Walkinshaw, because this should have been approved a long time ago.

[07:27:11] But I think it's very important. The majority of the neighbors are supporting it, and also the people on our board, even though we have no jurisdiction over this situation. If the zoning is approved and the Planning Commission approved it, we're very happy that this is going through.

[07:27:28] So thank you very much. Thank you very much for your testimony and for staying well beyond the advertised time of this case. And I don't see anyone else who would like to testify present in the auditorium. Let me verify that no one else has called in. No one else has called in.

[07:27:45] Assume the applicant waives rebuttal. Closing comments and a recommendation from county staff. Thank you, Mr. Chairman. On July 27th, the Planning Commission recommended approval subject to conditions that at that time were dated July 27th, 2023. The commission also recommended approval of a modification of the screening and barrier requirements in favor of what's shown on the SC Plat.

[07:28:08] Staff concurs. As was mentioned, there was a small correction to Development Condition 12 to have the correct name of the Homeowners Association. And so staff, again, recommends approval subject to conditions that are now dated September 12th, today's date, 2023. Thank you very much for that.

[07:28:26] Let me ask if there are any questions from board members. Seeing and hearing none, I am going to close the public hearing and recognize Supervisor Walkinshaw for a motion. Thank you, Mr. Chairman. Just a couple comments, and then I'll go ahead and make a motion.

[07:28:43] My colleagues know how enthusiastic I am, like all of us, about the mission of Bethany House and the incredible work that they do across the county and the region. You know, when this proposal came forward, as you can imagine, there were some questions and concerns from the neighbors.

[07:29:06] I'm very confident that through the outreach, the additional meetings that we held, the development conditions that are included and board members received the most recent version, I think we have addressed the questions and concerns that came up.

[07:29:27] I'm also really proud that so many people in the neighborhood, like Ms. LaRosa and others, have embraced this and are enthusiastic about it and see the incredible opportunity that it is for Kings Park West to be a place of refuge for six women who need it at any one time.

[07:29:45] I think that is a really wonderful and beautiful thing. I want to thank especially Bethany House and Ms. Santana, and we had at our meeting on July 20th, like the woman that we just heard from, another woman who had spent some time at a Bethany House home in Fairfax County and shared her really powerful story about how transformational it was for her, and I think that had an impact on all of us.

[07:30:17] So thank you for your work. I know this has taken a little bit longer than we maybe originally hoped, but I think we're in a really good place. And with that, Mr. Chairman, first let me just ask that the applicant confirm her agreement to the development conditions dated September 12, 2023, for the record.

[07:30:39] Yes, the applicant's in agreement. Thank you. Thank you. Mr. Chairman, I move that the Board of Supervisors approve SE 2022-BR-00042 subject to the development conditions dated September 12, 2023. I further move that the Board of Supervisors approve a modification of the transitional screening and barrier requirements along all boundaries of the property in favor of that shown on the PE plat, on the SE plat. I'm You've heard the motion. It's been multiply seconded. Discussion on the motion.

[07:31:12] Let me just thank you, Supervisor Walkinshaw, for your work on this and thank the folks who testified. Supervisor Gross and I were looking at the development conditions, and I will say these are the most robust and highest number development conditions on one of these I have ever seen.

[07:31:29] And so I, too, want to thank the folks in the community that embraced this need, but also recognize that there were some concerns and those are captured very concretely in these development conditions that have been worked on with you and with the community.

[07:31:45] So well done. With that, all those in favor of the motion, please say aye. Aye. Any opposed? Any abstentions? And that motion carries. And that brings us to the end of our meeting of September 12, 2023.

[07:32:02] And with that, our board is adjourned.

