

# MONDAY

## DECEMBER 7, 1998

25-98

### REVISED

CM:cm

The meeting was called to order at 9:50 a.m., with all Members being present and with Chairman Hanley presiding.

Others present were Robert J. O'Neill, Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

### BOARD MATTERS

#### 2. 57TH ANNIVERSARY OF PEARL HARBOR (Tape 1)

Chairman Hanley noted that the Board designated today as "*Pearl Harbor Remembrance Day*."

(NOTE: Later in the meeting, there was another mention of *Pearl Harbor Remembrance Day*. See Clerk's Summary Item CL#122.)

#### 3. TRIBUTE TO THE LATE HENDRIK A. "SANDY" GIDEONSE (Tape 1)

Chairman Hanley announced the tragic death of a County employee, Hendrik A. "Sandy" Gideonse, a civilian member of the Police Department. Mr. Gideonse was killed on-the-job in a traffic accident on December 3, 1998. Chairman Hanley asked everyone to remember in their thoughts and prayers the family, friends, and co-workers of Mr. Gideonse as the Police Honor Guard paid tribute to him.

#### 4. MOMENT OF SILENCE FOR THE LATE JUDGE LOUIS HALL GRIFFITH AND THE LATE TOM CUDDY (Tape 1)

Supervisor Kauffman asked everyone to remember in their thoughts and prayers the family of the late Judge Louis Hall Griffith who died recently.

Supervisor Hyland asked everyone to remember in their thoughts and prayers the family of the late Mr. Tom Cuddy, a constituent from the Mount Vernon District who will be missed.

**5. MOMENT OF SILENCE FOR A SPEEDY RECOVERY FOR MR. ROBERT CONCHAR OF THE SITE INSPECTION BRANCH. DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPW&ES) (Tape 1)**

Supervisor Mendelsohn asked everyone to remember in their thoughts and to wish a speedy recovery for Mr. Robert Conchar, a County employee in the Site Inspection Branch, Department of Public Works and Environmental Services (DPW&ES) who was recently injured in a horse accident.

## **AGENDA ITEMS**

**6. CERTIFICATE OF RECOGNITION PRESENTED TO W. T. WOODSON HIGH SCHOOL SELECT WOMEN'S AND VOCAL ENSEMBLES (Tape 1)**

Supervisor Gross moved approval of the Certificate of Recognition presented to the W T. Woodson High School Select Women's and Vocal Ensembles. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**7. CERTIFICATE OF RECOGNITION PRESENTED TO THE FRIED COMPANIES (Tape 1)**

Supervisor McConnell moved approval of the Certificate of Recognition presented to the Fried Companies for its generosity and civic commitment. This motion was seconded by Supervisor Dix and carried by unanimous vote.

**8. CERTIFICATE OF RECOGNITION PRESENTED TO MS. GLORIA KORNASIEWICZ (Tape 1)**

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Gloria Kornasiewicz for her years of service with Fairfax County. This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

**9. CERTIFICATE OF RECOGNITION PRESENTED TO MS. BARBARA ELLIS AND PARTICIPANTS IN THE ADOPT-A-HIGHWAY PROGRAM (Tape 1)**

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Ms. Barbara Ellis and participants in the Adopt-A-Highway Program for their contributions to the community in reducing sign blight. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

**10. CERTIFICATE OF RECOGNITION PRESENTED TO MS. JOAN TULLINGTON (Tape 1)**

Supervisor Bulova moved approval of the Certificate of Recognition presented to Ms. Joan Tullington for her years of service as the Braddock District Representative on the

Tree Commission. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

11. **CERTIFICATES OF RECOGNITION PRESENTED TO MEMBERS OF THE BOND REFERENDUM CITIZEN COMMITTEE** (Tapes 1-2)

(BACs)

Chairman Hanley moved approval of the Certificates of Recognition presented to the members of the Bond Referendum Citizen Committee for assisting in informing the voters about the Fairfax County bond referendum questions on the November ballot. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

12. **CERTIFICATE OF APPRECIATION PRESENTED TO CHARLOTTE CABLE, ADMINISTRATIVE AIDE TO SULLY DISTRICT SUPERVISOR MICHAEL FREY, UPON HER RETIREMENT** (Tape 2)

Supervisor Frey announced that Charlotte Cable, his Administrative Aide, who has worked for the County for 30 years, will be retiring at the end of December and moved approval of the Certificate of Appreciation for her years of service. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

13. **10:00 A.M. -- PRESENTATION OF THE TRANSPORTATION ADVISORY COMMISSION'S (TAC) ANNUAL TRANSPORTATION ACHIEVEMENT AWARD** (Tape 2)

Lester Schoene, Chairman, Transportation Advisory Commission (TAC) presented the TAC's Annual Transportation Achievement Award to Mr. William C. Cuttler, from the Department of Transportation (DOT).

14. **10:00 A.M. -- BOARD ADOPTION OF THE 1999 LEGISLATIVE PROGRAM FOR THE VIRGINIA GENERAL ASSEMBLY** (Tape 2)

Supervisor Connolly moved adoption of the Legislative Program for the 1999 Session of the Virginia General Assembly. This motion was seconded by Supervisor Gross.

Following discussion, Supervisor Bulova asked to amend the motion to include in the legislative agenda an endorsement of the budget amendment for the Homeless Prevention Assistance and Homeless Children Service Coordinator, and this was accepted.

Following further discussion, Supervisor Frey asked to amend the motion to consider Items Number 12 and 13 separately, and this was accepted.

Following further discussion, with input from Susan E. Mittereder, Legislative Liaison, the question was called on the motion to approve the Legislative Program, as amended, which carried by unanimous vote.

Supervisor Connolly moved approval of Item Number 12 regarding graffiti. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell and Supervisor Mendelsohn voting "NAY."

Supervisor Connolly moved approval of Item Number 13 to endorse legislation to provide an increased penalty to persons who injure or assault other persons on the basis of sexual orientation of the victim. The second to this motion was inaudible.

Following further discussion with input from Ms. Mittereder, Supervisor Connolly asked unanimous consent that the Board refer this item to the Legislative Committee. Without objection, it was so ordered.

15. **10:30 A.M. -- APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tapes 2-3)

(BACs)

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS**

(APPTS)

Supervisor Hyland moved the reappointment of Mr. Daniel Cummins as the At-Large (Appraiser) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Chairman Hanley moved the reappointment of Mr. Bernard Fensterwald as the At-Large (Attorney) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Hanley moved the reappointment of Mr. James Lafley as the At-Large (Builder) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Frederick Suffa as the At-Large (Citizen) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**CIVIL SERVICE COMMISSION**

(NOTE: The appointment of the At-Large Representative to the Civil Service Commission was deferred.)

**COMMUNITY ACTION ADVISORY BOARD**

(NOTE: The appointment of the Sully District Representative to the Community Action Advisory Board was deferred.)

**COMMUNITY IMPROVEMENT COMMITTEE**

(NOTE: The appointments of the Mason and Sully District Representatives to the Community Improvement Committee were deferred.)

**ENGINEERING STANDARDS REVIEW COMMITTEE**

**CONFIRMATION:**

Supervisor Mendelsohn moved that the Board confirm the following appointment to the Engineering Standards Review Committee:

- Mr. Bruce Titus as the Fairfax Bar Association Representative.

This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

**ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Chairman Hanley moved the appointment of Ms. Susan Mockenhaupt as the At-Large Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**FAIRFAX AREA DISABILITY SERVICES BOARD**

(NOTE: The appointment of the Sully District Representative to the Fairfax Area Disability Services Board was deferred.)

**FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

(NOTE: The appointment of the Providence District Representative to the Fairfax-Falls Church Community Services Board was deferred.)

**HISTORY COMMISSION**

Chairman Hanley moved the reappointment of Ms. Elise Murray as an At-Large (Citizen) Representative to the History Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Naomi Zeavin as an At-Large (Historian) Representative to the History Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Dix moved the reappointment of Mr. Mayo Stuntz as an At-Large (Historian) Representative to the History Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**INDUSTRIAL DEVELOPMENT AUTHORITY**

(NOTE: The appointment of the At-Large Representative to the Industrial Development Authority was deferred.)

### **MECHANICAL ADVISORY (HVAC) BOARD**

Chairman Hanley asked unanimous consent that the Board direct staff to advertise the vacant positions on the Mechanical Advisory Board. Without objection, it was so ordered.

[NOTE: The appointments of the two At-Large (Master Mechanics) and the At-Large Mechanical/Professional Engineer) Representatives to the Mechanical Advisory Board were deferred.]

### **PARK AUTHORITY**

Supervisor Bulova moved the reappointment of Ms. Winifred Shapiro as the Braddock District Representative to the Park Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Thomas White as the Mason District Representative to the Park Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Gil McCutcheon as the Mount Vernon District Representative to the Park Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Kenneth Feng as the Springfield District Representative to the Park Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

### **PLANNING COMMISSION**

Chairman Hanley moved the appointment of Ms. Laurie Frost Wilson as an At-Large Representative to the Planning Commission. This motion was seconded by Supervisor Connolly.

Supervisor Dix moved the reappointment of Mr. John Hunter as an At-Large Representative to the Planning Commission. This motion was seconded by Supervisor McConnell.

Following a show-of-hands vote, Ms. Laurie Frost Wilson was appointed as an At-Large Representative to the Planning Commission.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Mr. Hunter to appear before the Board to receive recognition for his years of service on the Planning Commission. Without objection, it was so ordered.

Supervisor Gross moved the reappointment of Ms. Janet Hall as the Mason District Representative to the Planning Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Peter F. Murphy, Jr. as the Springfield District Representative to the Planning Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

### **PLUMBING ADVISORY BOARD**

[NOTE: The appointment of the At-Large (Master Plumber) Representative to the Plumbing Advisory Board was deferred.]

### **ROAD VIEWERS BOARD**

Supervisor Hyland moved the reappointment of Mr. Daniel Moon as an At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Bruce Pearson as an At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Arthur Nalls as an At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: The appointments of two At-Large Representatives to the Road Viewers Board were deferred.)

### **ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD**

Supervisor Frey moved the appointment of Mr. William Keech as the At-Large (Resident/Owner) Representative to the Route 28 Highway Transportation District Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

### **SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMITTEE**

Chairman Hanley moved the appointment of Ms. Sounia N. Chaney as the At-Large Representative to the Small and Minority Business Enterprise Program Advisory

Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

### **TENANT LANDLORD COMMISSION**

Supervisor Bulova moved the appointment of Ms. Marilyn Jackson as an At-Large (Landlord) Representative to the Tenant Landlord Commission. This motion was seconded by Supervisor Gross and carried by unanimous vote.

[NOTE: The appointments of the two At-Large (Tenants) and the At-Large (Landlord) Representatives to the Tenant Landlord Commission were deferred.]

### **TREE COMMISSION**

(NOTE: The appointments of the Mason and the Springfield Representatives to the Tree Commission were deferred.)

### **WETLANDS BOARD**

Supervisor Gross moved the reappointment of Mr. Kent Knowles as an At-Large Representative to the Wetlands Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Charles Handley as the Lee District Representative to the Wetlands Board. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved the reappointment of Ms. Glenda Booth as the Mount Vernon District Representative to the Wetlands Board. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

## **SBE:sbe**

### **16. ADMINISTRATIVE ITEMS (Tape 4)**

Supervisor Connolly moved approval of the Administrative Items. This motion was seconded by Supervisor Kauffman.

Supervisor Dix asked to amend the motion to consider separately Administrative Item 4 - Fairfax Connector Bus Purchases for Implementation of the Dulles Corridor Express Bus Service and Scheduled Replacements, and this was accepted.



The question was called on the motion to approve the Administrative Items, with the exception of Administrative Item 4, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**(R) ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (MOUNT VERNON, SPRINGFIELD AND SULLY DISTRICTS)**

Approved the request that certain streets listed in the Memorandum to the Board dated December 7, 1998 be recommended into the State Secondary System:

Subdivision District Street

Raceway Farms Mount Vernon Silver Ann Drive,

Section 3A Route 6551

And 3B Tiddle Way, Route 7643

Telegraph Road,

Route 611

Additional

Right-of-way only

Edgewater, Springfield Windward Drive

Section 2 Lake Meadow Drive.

Route 8635

Waterside Drive

Yachthaven Drive

Burke Lake Road,

Route 685,

Additional

Right-of-way only

Whisperwood, Springfield Mountain Ash Drive,

Section 2 Route 8525,

Cumbertree Court

White Willow Court

Big Rocky Forest. Sully Bare Island Drive,

Section 1 Route 8832

And 2 Fox Creek Court

Selby Bay Court

Brewerton Court,

Route 8836

Highbourne Lane,

Route 8468

**ADMIN 2 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE WAKEFIELD STREET SANITARY SEWER IMPROVEMENTS (MOUNT VERNON DISTRICT)**

(NOTE: This item was withdrawn by staff.)

- (A) **ADMIN 3 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, ON THE EXPANSION OF THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), APPENDIX G, DISTRICT 21 (DRANESVILLE DISTRICT)**

Authorized the advertisement of a public hearing to be held before the Board on **January 25, 1999 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, on the expansion of the McLean Residential Permit Parking District (RPPD), Appendix G, District 21, to include Broyhill Street from Westmoreland Street to Bradmore Court; Broyhill Street from Bradmore Court to Felix Street; and Bradmore Court from Broyhill Street to end.

**ADMIN 4 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 2, SECTION 82-2-7, AUTHORIZING THE USE OF TRAFFIC SIGNAL VIOLATION**

**MONITORING SYSTEMS, ENFORCEMENT, AND PENALTY  
(COUNTYWIDE)**

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#17.)

**ADMIN 5 -- EXTENSION OF REVIEW PERIODS FOR CODE OF  
VIRGINIA SECTION 2232 PUBLIC FACILITY REVIEW APPLICATIONS**

Authorized the extension of the review period for the specific Public Facility Review Applications outlined in the Memorandum to the Board dated December 7, 1999, to ensure compliance with the review requirement mandated by Section 15.2-2232 of the *Code of Virginia*.

**(AT) ADMIN 6 -- ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR  
SPECIAL EXCEPTION APPLICATION SE 97-M-032, FAIRFAX-BREWSTER  
SCHOOL (MASON DISTRICT)**

Authorized the request for six months of additional time to commence construction for Special Exception Application SE 97-M-032 until April 26, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 7 -- AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH  
COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR NEIGHBORHOOD  
INITIATIVE FUNDS FROM THE WASHINGTON/BALTIMORE HIGH  
INTENSITY DRUG TRAFFICKING AREA IN THE AMOUNT OF \$120,567**

Authorized the Fairfax-Falls Church Community Services Board (CSB) to apply for Neighborhood Prevention Initiative funds from the Washington/Baltimore High Intensity Drug Trafficking Area in the amount of \$120,567 for two neighborhood-focused, school and community-based prevention projects, one in the Mount Vernon area and the other to be determined. No local funding is required.

**(SAR) ADMIN 8 -- SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS  
99045 FOR THE DEPARTMENT OF FAMILY SERVICES TO ACCEPT FUNDS  
FROM THE VIRGINIA GOVERNOR'S EMPLOYMENT AND TRAINING  
DEPARTMENT FOR NEW REGIONAL PROGRAMS FOR THE TRAINING  
AND EMPLOYMENT OF DISLOCATED WORKERS IN HIGH TECHNOLOGY  
FIELDS**

Approved Supplemental Appropriation Resolution (SAR) AS 99045 in the amount of \$144,438 from the Virginia Governor's Employment and Training Department for new regional programs to support the retraining of dislocated workers from the region, specifically in technology-oriented skills, as a response to the current high technology industry workforce shortage. There is no local cash match requirement.

**(R) ADMIN 9 -- A RESOLUTION APPROVING CERTAIN DOCUMENTS  
PREPARED IN CONNECTION WITH LEASE FINANCING OF THE BAILEY'S  
COMMUNITY CENTER BY FAIRFAX COUNTY, VIRGINIA, THROUGH THE**

**FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY  
(FCRHA), AND RATIFYING THE EXECUTION AND DELIVERY THEREOF**

Adopted a Resolution approving the Preliminary Official Statement and the Official Statement relating to the lease financing by the Fairfax County Redevelopment and Housing Authority (FCRHA) with respect to the Bailey's Community Center.

**(SAR) ADMIN 10 -- SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99044 FOR CONTINUATION OF THE FEDERAL CHILD AND ADULT CARE FOOD PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN**

Approved Supplemental Appropriation Resolution (SAR) AS 99044 in the amount of \$3,377,275 for continued participation in the Federal Child and Adult Care Food Program within the Department of Family Services/Office for Children. There is no local cash match requirement.

**17. ADMIN 4 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 2, SECTION 82-2-7, AUTHORIZING THE USE OF TRAFFIC SIGNAL VIOLATION MONITORING SYSTEMS, ENFORCEMENT, AND PENALTY (COUNTYWIDE) (Tape 4)**

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#16.)

Supervisor Gross moved that the Board authorize the advertisement of a public hearing to be held before the Board on **January 25, 1999 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 2, Section 82-2-7, authorizing the use of traffic signal violation monitoring devices and specifying the enforcement and penalties associated with violations detected by the monitoring devices. This motion was seconded by Supervisor Kauffman.

Following a brief discussion, the question was called on the motion, which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

**18. A-1 -- AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT (BRADDOCK, LEE, MASON, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (Tape 4)**

On motion of Supervisor Kauffman, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the payment of \$1,184,762 to the Northern Virginia Transportation Commission (NVTC) for Fairfax County's share of the Virginia Railway Express (VRE) payment due January 4, 1999.

19. **A-2 -- VIENNA METRORAIL STATION PARKING EXPANSION (PROVIDENCE DISTRICT)** (Tape 4)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board concur in the recommendation of staff and endorse the recommendations contained in the Memorandum to the Board dated December 7, 1998, regarding the development of additional permanent parking at the Vienna Metrorail Station and the provision of additional interim parking. This motion was seconded by Supervisor Mendelsohn.

Discussion followed, with input from Robert J. O'Neill, Jr., County Executive; Thomas P. Biesiadny, staff, Transit Operations Division (TOD), Department of Transportation (DOT); and Andrew J. Szakos, Chief, TOD, DOT.

Supervisor Dix reiterated his request of November 16, 1998 (Clerk's Summary Item CL#62) for a transportation analysis in the vicinity of the Vienna Metro Station and focusing on the two intersections with the Virginia Center Parkway.

Following further discussion, with input from staff, the question was called on the motion, which carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

20. **A-3 -- ENDORSEMENT OF THE CHIEF ADMINISTRATIVE OFFICERS TASK FORCE'S COMMENTS REGARDING THE PRELIMINARY FISCAL YEAR (FY) 2000 VIRGINIA RAILWAY EXPRESS BUDGET (BRADDOCK, LEE, MASON, MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (Tape 4)

Supervisor Kauffman moved that the Board concur in the recommendation of staff and endorse the Chief Administrative Officers Task Force's four primary recommendations on the Fiscal Year (FY) 2000 Virginia Railway Express (VRE) Budget listed below:

- VRE should not increase the total annual jurisdictional subsidy unless it can achieve the 50 percent cost recovery ratio outlined in the Master Agreement;
- VRE should replace an existing morning train to Fredericksburg with an earlier evening train. VRE should not add midday trains on the Manassas line, based on criteria previously adopted by the Operations Board;
- VRE staff should eliminate unnecessary administrative spending from the final FY 2000 budget proposal to avoid a significant budget surplus at the end of the year. In addition, VRE staff should propose financial performance measures to assist the Operations Board in monitoring budget progress; and
- VRE should consider options for implementing a smaller fare increase than currently planned for Spring 1999.

This motion was seconded by Supervisor Connolly.

Discussion followed with input from Thomas P. Biesiadny, staff, Department of Transportation (DOT), and Robert J. O'Neill, Jr., County Executive.

Supervisor Mendelsohn asked to amend the motion to direct staff to clarify the wording in the third bullet before sending it out, and this was accepted.

Supervisor McConnell asked unanimous consent that the Board direct staff to request the VRE Board to consider a fare reduction if there is a continued VRE budget surplus. Without objection, it was so ordered.

Supervisor Bulova asked to amend the motion to adopt it with the understanding that, in reference to the second sentence of the second bullet, the Operations Board has the flexibility to readdress the midday service should the Board need to revisit that issue as a result of congestion related to the Mixing Bowl Project, and this was accepted.

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

21. **A-4 -- FAIRFAX CONNECTOR BUS PURCHASES FOR IMPLEMENTATION OF THE DULLES CORRIDOR EXPRESS BUS SERVICE AND SCHEDULED REPLACEMENTS (COUNTYWIDE)** (Tape 4)

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

- Authorized staff to begin all necessary steps, including encumbrance of funds, to purchase 20 buses to operate the Dulles Corridor Express Bus Service and include an appropriation of \$5,304,500 at the Fiscal Year (FY) 1999 Third Quarter Review;
- Approved amending contract number RQ9400177321A to allow the Contractor (RYDER/ATE) to procure the 20 vehicles for the Dulles Corridor Service on behalf of the County;
- Authorized staff to begin all necessary steps, including encumbrance of funds, so that staff may prepare and issue a Request for Proposal (RFP) for the purchase of 15 replacement buses for the Huntington (13) and Community Bus Services (2) Divisions, as outlined in the FAIRFAX CONNECTOR's bus replacement program, Attachment I, Memorandum to the Board dated December 7, 1998. The Huntington contract does not have a provision to allow Ryder/ATE to purchase buses for the County; and
- Authorized staff to purchase two additional buses for the Reston Internal Bus System (RIBS) utilizing \$496,250 of Dulles Toll Road Surplus revenues associated with the FY 1997 United States (US) Department of Transportation Appropriations Act. These buses would be added to the RFP in Item Number Three.

This motion was seconded by Supervisor Connolly.

Supervisor Mendelsohn commended Andrew J. Szakos, Chief, Transit Operations Division (TOD), Department of Transportation (DOT), and his staff for their hard work on this issue.

Following a brief discussion, with input from Mr. Szakos, the question was called on the motion, which carried by a vote of nine, Supervisor Frey being out of the room,

22. **A-5 -- AUTHORIZATION TO PAY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FISCAL YEAR (FY) 1999 THIRD QUARTER (R) BILLING (COUNTYWIDE) (Tape 4)**

Supervisor Kauffman moved that the Board concur in the recommendation of staff and adopt a Resolution, shown in Attachment II of the Memorandum to the Board dated December 7, 1998, authorizing payment of Washington Metropolitan Area Transit Authority's (WMATA) Fiscal Year (FY) 1999 third quarter transit operating and capital billing in the amount of \$11,930,322. The Resolution is necessary to make this payment, while retaining flexibility to adjust future quarterly payments to reflect service and budget adjustments. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Thomas P. Biesiadny, staff, Transit Operations Division (TOD), Department of Transportation (DOT), the question was called on the motion, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

23. **A-6 -- AUTHORIZATION FOR CONDEMNATION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE GROVE AVENUE TRAIL PROJECT (DRANESVILLE DISTRICT) (Tape 4)**

On motion of Supervisor Mendelsohn, seconded by Supervisor McConnell, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and adopted a Resolution authorizing condemnation of certain trail easements and a grading and temporary construction easement by the process of eminent domain for Project 064155 -- Grove Avenue Trail.

24. **A-7 -- AUTHORIZATION FOR CONDEMNATION OF A CERTAIN EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE WOODFORD ROAD TRAIL PROJECT (PROVIDENCE DISTRICT) (Tape 4)**

- (R) Supervisor Connolly moved that the Board concur in the recommendation of staff and adopted a Resolution authorizing condemnation of a certain trail easement necessary for construction of the Woodford Road Trail -- Project W00700. This motion was seconded by Supervisor Gross.

Following discussion, with input from James R. Ashton, Director, Land Acquisition Division, Office of Capital Facilities, Department of Public Works and Environmental Services (DPW&ES) the question was called on the motion which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**25. A-8 -- APPROVAL OF WALKWAY IMPROVEMENT PROJECTS (COUNTYWIDE)** (Tape 4)

Supervisor Gross, moved that the Board concur in the recommendation of staff and approve the walkway improvements projects as listed in Attachment I of the Memorandum to the Board dated December 7, 1998. This motion was seconded by Supervisor Bulova.

Supervisor Mendelsohn stated for the record that the following projects are being contemplated for the Dranesville District:

- Sugarland Stream Valley Trail;
- Bike Trail along Crestview Drive in the Herndon Area;
- Various Trails in the Great Falls Village Area;
- Pimmit Hills sidewalks; and
- Pimmit Run Stream Valley Trail.

Following discussion, Supervisor Frey announced that the person who was involved in this process considerably, Ms. Debra Lesser, has submitted her resignation as the Sully District Representative to the Countywide Non-Motorized Transportation (Trails) Committee and elected Chairperson. Accordingly, Supervisor Frey asked unanimous consent that the Board invite Ms. Lesser to appear before the Board to be recognized for her service. Without objection, it was so ordered.

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

**26. A-9 -- APPROVAL OF STORM DRAINAGE IMPROVEMENT PROJECTS FOR IMPLEMENTATION USING FISCAL YEAR (FY) 1998 CARRYOVER FUNDING (COUNTYWIDE)** (Tape 4)

On motion of Supervisor Connolly, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the storm drainage improvement projects, listed in Attachment I of the Memorandum to the Board dated December 7, 1998, using Fiscal Year (FY) 1998 Carryover funds.

**27. A-10 -- AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS -- IDENTIFICATION TECHNICIAN III** (Tape 4)

On motion of Supervisor Gross, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to establish the class of Identification Technician III, Grade S-19 (\$32,010 -- 49,547). On November 16, 1998, the Board Personnel Committee reviewed this item and recommended that it be forwarded to the Board for action.

**28. A-11 -- DESIGNATION OF PREVIOUSLY APPROPRIATED REVITALIZATION FUNDS (BRADDOCK, DRANESVILLE, HUNTER MILL, LEE, MASON, MOUNT VERNON AND PROVIDENCE DISTRICTS)** (Tape 4)



Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the designation of Fiscal Year (FY) 1999 funds for revitalization projects in each of the County's seven revitalization areas listed in Attachment I of the Memorandum to the Board dated December 7, 1998. This motion was seconded by Supervisor Hyland.

Supervisor Kauffman asked to amend the motion to give established revitalization groups within the revitalization areas a level of flexibility regarding modifying specific projects in regard to the application of the funds, and this was accepted.

Supervisor Dix moved to amend the motion to delete the expenditures listed for Lake Anne from the prior expenditures under the Revitalization Program as listed on handwritten page three of Attachment III of the Memorandum to the Board and this was accepted.

Following discussion, with input from Barbara H. Carpenter, Director, Revitalization Division, Department of Housing and Community Development (DHCD), and Robert J. O'Neill, Jr., County Executive, the question was called on the motion, as amended, which carried by unanimous vote.

29. **A-12 -- NOTIFICATION OF AWARD OF NEW ALLOCATION OF 100 ADDITIONAL SECTION 8 CERTIFICATES FOR PERSONS WITH DISABILITIES AND AUTHORIZATION TO ESTABLISH A POSITION IN FUND 966, SECTION 8 ANNUAL CONTRIBUTION, A NON-APPROPRIATED FUND (Tape 4)**

Supervisor Kauffman moved that the Board:

- Acknowledge the award by the United States (US) Department of Housing and Urban Development (HUD) of 100 new Section 8 Housing Certificates to provide rental assistance to enable persons with disabilities to rent affordable housing in Fund 966, Section 8 Annual Contribution, a non-appropriated fund; and
- Authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to establish a position funded under the grant with the Section 8 administrative fees earned by this allocation to improve program compliance, tenant integrity, and fraud recovery efforts in the Section 8 and Public Housing programs.

Discussion followed, with input from John V. Callaghan, Director, Housing Management Division, Department (HMD), Department of Housing and Community Development (DHCD).

Supervisor Frey asked unanimous consent that the Board direct staff to provide the Board with both the balance of the Section 8 Reserve Fund presently and the balance after this position is funded. Without objection, it was so ordered.

The question was called on the motion which, carried by unanimous vote.

30. **A-13 -- AWARD OF \$35,000 FROM THE HOUSING TRUST FUND TO CHRISTIAN RELIEF SERVICES OF VIRGINIA, INCORPORATED, FOR THE**

**HOMELESS HOUSING PROGRAM (MASON AND SPRINGFIELD DISTRICTS)** (Tape 4)

On motion of Supervisor Hyland, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the award of \$35,000 from the Housing Trust Fund in the form of a deferred loan from the Fairfax County Redevelopment and Housing Authority (FCRHA) to Christian Relief Services of Virginia, Incorporated, for the remaining match funds to acquire two units under the Homes for the Homeless Program.

**31. C-1 -- ELECTION YEAR POLICIES** (Tapes 4-5)

(P) The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 regarding the adoption of Election Year Policies from now through December 1999.

Supervisor Connolly moved adoption of the existing Election Year Policies with **no** changes and listed as follows:

- Not publishing photographs of candidates in County newsletters after January 1 of an election year through election day;
- Not including candidates on television programs on cable television Channel 16 (with the exception of cable casts of Board of Supervisors' meetings and other televised County public meetings) after January 1 of an election year through election day;
- Responding to candidates' requests for information by centralized responses from the Office of the County Executive;
- Making available, upon request, to each official, non-incumbent candidate material provided to incumbents, including: Board Package, Not-in-Package (NIP) Items, Clerk's Board Summary, The *Weekly Agenda*, news releases, and land-use affidavits;
- Implementing moratoriums on land-use public hearings and the appointment of citizens to Boards, Authorities, and Committees (BACs) from November 1999 election day until January 2000; and
- Not permitting the use of County printing and mailing services for the purpose of district-wide mailing (i.e. newsletters) after June 30 of an election year through election day.

This motion was seconded by Supervisor Kauffman.

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved to amend the August 7, 1995 Board Election Year Policy to include the following:

- Not permitting the use of County printing and mailing services for the purpose of district-wide newsletters, which may include pictures, after June 30 of an election year through election day.

This was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Frey moved to amend the motion to prohibit County printing and mailing services for the purpose of district-wide newsletters after January 1. This motion was seconded by Chairman Hanley.

Following discussion, the question was called on the amendment to the motion, which **FAILED** by a recorded vote six, Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley voting "**AYE.**"

Supervisor Bulova moved to add to the Policy the following language from the last bullet on page 96 of the Memorandum to the Board:

- Not permitting links from a District web page to an incumbent's personal or campaign web site.

This was accepted.

Following input from Mr. Bobzien, Chairman Hanley clarified that this amendment would be an ongoing Policy, not just Election Year Policy.

Following further discussion, the question was called on the main motion, as amended, which carried by unanimous vote.

There was a brief discussion following the vote.

32. **I-1 -- AWARD OF CONTRACTS DURING BOARD OF SUPERVISORS' RECESS** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 requesting authorization for the County Executive or the appropriate Deputy County Executive to continue to approve street acceptance items and award contracts while the Board is in recess.

The staff was directed administratively to proceed as proposed.

33. **I-2-- PUBLICATION OF ENVIRONMENTAL CONCERNS DIRECTORY (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998, requesting authorization for staff to pursue obtaining additional input and publishing an Environmental Concerns Directory showing whom to call for various environmental concerns and frequently asked environmental questions. The Directory will assist customers who are seeking information and assist County staff in directing calls.

A brief discussion ensued.

The staff was directed administratively to proceed as proposed.

34. **I-3 -- AWARD OF FISCAL YEAR (FY) 1998 PUBLIC HOUSING DRUG ELIMINATION PROGRAM GRANT BY THE UNITED STATES (US) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FUND 967, PUBLIC HOUSING UNDER MANAGEMENT, A NON-APPROPRIATED FUND** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 announcing the award of a Fiscal Year (FY) 1998 Public Housing Drug Elimination Program Grant in the amount of \$315,300 to the Fairfax County Redevelopment and Housing Authority (FCRHA) to Fund 967, Public Housing under Management, a non-appropriated fund, for continuation of anti-drug and crime efforts at FCRHA-owned public housing properties.

A brief discussion ensued with input from John V. Callaghan, Director, Housing Management Division, Department of Housing and Community Development (DHCD).

35. **I-4 -- CONTRACT AWARD -- DEFERRED COMPENSATION** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 requesting authorization for staff to proceed to finalize negotiations and award contracts to the three top-rated offerors -- ICMA; T. Rowe Price; and Variable Annuity Life Insurance Company (VALIC) for a Deferred Compensation Plan for eligible Fairfax County employees.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, action was taken by the Board regarding deferred compensation. See Clerk's Summary Item CL#60.)

36. **I-5 -- FISCAL YEAR (FY) 1998 COMPREHENSIVE ANNUAL FINANCIAL REPORT** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 presenting the Fiscal Year (FY) 1998 Comprehensive Annual Financial Report by KPMG Peat Marwick, LLP.

## **ADDITIONAL BOARD MATTERS**

**CM:cm**

**37. QUARTERLY STATUS REPORT ON OPERATIONS FROM THE AUDIT COMMITTEE** (Tape 6)

Chairman Hanley called the Board's attention to the Quarterly Status Report on Operations from the Audit Committee that was sent to each Board Member.

**38. HOTLINE VIDEO** (Tape 6)

Chairman Hanley directed the Board's attention to the Hotline Video developed by Cable Programming to publicize the hotline for the Office of the Financial and Programs Auditor.

**39. LEADING MINORITY TECHNOLOGY FIRMS HONORED** (Tape 6)

Chairman Hanley informed Board Members of a letter from the Economic Development Authority (EDA) noting that editors of *Black Enterprise* and *Hispanic Business* recently honored the top 100 leading minority-owned technology firms across the country. It was also noted that seven of the top 100 African American owned technology firms and seven of the top 50 Hispanic owned technology firms are located in Fairfax County.

**40. CERTIFICATES OF RECOGNITION TO BE PRESENTED TO WINNERS OF THE THIRD ANNUAL THINKQUEST INTERNET CHALLENGE HELD IN LOS ANGELES** (Tape 6)

Chairman Hanley called the Board's attention to the principals, coaches, and participating county students who won over \$100,000 in the Third Annual *ThinkQuest Internet Challenge* held in Los Angeles, California on November 23, 1998.

Alex Kulesza and David Green, juniors at Thomas Jefferson High School for Science and Technology (TJHSST), along with a partner in Alaska, each won a \$25,000 "Best of Show" scholarship for their web site, "The Sundry," which promotes knowledge and appreciation of sound. The team also won a Java programming award from Microsoft. Their coach was Donald Hyatt, a TJHSST teacher.

First place winner in the Arts and Literature category was Alok Bhushan, a 1998 graduate from TJHSST now attending Harvard University, won a \$15,000 scholarship for "Totally Tesselated." His coach was Donald Hyatt.

Roger Braunstein and Victoria Rose of TJHSST, with Langley High School student Michael Imamura, each won a third place \$9,000 scholarship and a Java programming award for their web site "Driving Under the Influence." Donald Hyatt also coached this team.

TJHSST students Xian Ke and Justin Chen, along with a partner from Peru, each won a \$3,000 scholarship for their website "Energy Matters," designed to educate visitors about the world's impending energy crisis. Their coaches were TJHSST teachers Hyatt and Phyllis Rittman.

The winning entries can be viewed at [www.thinkquest.org](http://www.thinkquest.org).

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to forward Certificates of Congratulations to all the winners. This motion was seconded by Supervisor Dix.

Following discussion, Supervisor Dix asked to amend the motion to direct staff to invite the winners and the coaches to appear before the Board to receive recognition, and this was accepted.

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

41. **THE FAIRFAX COUNTY FAIR HOUSING ANALYSIS OF IMPEDIMENTS (AI)** (Tape 6)

Chairman Hanley stated that the Board received the Fairfax County Fair Housing Analysis of Impediments (AI) in February, 1997. On March 24, 1997, the Board designated the Human Rights Commission as the lead agency for the Fair Housing Analysis (Local Plan) and the implementation of the recommendations. On June 23, 1997, the Board endorsed the Fair Housing Analysis (Local Plan).

One recommendation in the Plan was to consider enhancing the Fairfax County Human Rights Ordinance to become "substantially equivalent to the Federal Fair Housing Law." The AI indicates that the key requirements that must be met to attain substantial equivalency from the federal government are the authority to enforce a local law through a court or administrative proceeding and the provision for the assessment of a civil penalty. Previously, Northern Virginia jurisdictions that had not sought certification before September, 1992, were prohibited from doing so under the Virginia Fair Housing Law. In July, 1996, the Virginia Fair Housing Law was amended allowing jurisdictions to seek substantial equivalency certification.

The AI indicates that agencies with certification are eligible for funding under the Fair Housing Assistance Program (FHAP). The funds available can be used to reduce general fund expenditures for processing housing discrimination cases.

Chairman Hanley stated that it was her understanding that the Human Rights Commission has contacted the Office of the County Attorney to determine the required revisions to the Human Rights Ordinance.

Chairman Hanley moved that the Board direct staff to provide a status on the inquiry into this matter by the Human Rights Commission and make recommendations to the Commission and the Board on what steps need to be taken to make the County Ordinance substantially equivalent to the federal Fair Housing law. This motion was seconded by Supervisor Connolly.

Supervisor Frey asked to amend the motion to also request information regarding what is accomplished by becoming equivalent to the federal Fair Housing law and the cost involved, and this was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

42. **HERNDON CHAMBER OF COMMERCE CELEBRATES ITS 40TH ANNIVERSARY** (Tape 6)

Supervisor Mendelsohn informed Board Members that the Herndon Chamber of Commerce will celebrate its 40th Anniversary on January 20, 1999. Herndon offers a snapshot of history in Fairfax County. From a sleepy summer "get away" from the oppressive summers for residents of Washington, DC to a rail stop for farming, Herndon has grown with Fairfax County. The Herndon Chamber of Commerce has been an invaluable partner in that development and growth. From an initial membership of three, the Chamber now boasts membership of over 600 businesses.

The Chamber has been an important part of perserving and enhancing the quality of life and business in the Town of Herndon and Fairfax County and has been instrumental in the vitality of the area. The Chamber worked to bring the golf course and community center to Herndon. The Chamber established Herndon Harbor House, Incorporated which has culminated this year in the dedication of Harbor House, an affordable senior housing project.

In 1985, the Chamber established a partnership with Herndon High School and is one of the five oldest school business partnerships in Fairfax County. On March 19, 1999, Fairfax County will host the Herndon Chamber/High School Ethics Seminar at the Government Center.

The Chamber has been instrumental in the very popular Herndon Festival and Friday Night Live! On the Town Green. The Chamber also developed and sponsors a recycling program at Herndon High School, operated by Students Against Global Abuse (SAGA), a group that has won countless awards.

Supervisor Mendelsohn moved that the Board direct staff to invite representatives from the Herndon Chamber of Commerce to appear before the Board in January 1999 to recognize and celebrate its 40th anniversary. This motion was seconded by Supervisor Dix and carried by unanimous vote.

43. **EVANS FARM INN PROPERTY IN MCLEAN** (Tape 6)

Supervisor Mendelsohn announced that the issue regarding the Evans Farm Inn property in McLean would be discussed later in the meeting.

Supervisor Mendelsohn stated that the motion he would present contains three alternative tax districts to be discussed and a proposed public hearing to be held in January 1999.

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Item CL#62.)

**PMH:pmh****44. EMPLOYEES ADVISORY COUNCIL (EAC) REQUEST (Tape 7)**

Supervisor Gross said that the Employees Advisory Council (EAC) recently requested that County employees be granted an additional four hours of holiday leave for Thursday, December 24, 1998. This suggestion was made in the spirit of the season, and is intended as an appropriate gesture of thanks to the excellent County employees. School employees already have a full day off at the direction of the School Board.

Therefore, Supervisor Gross moved that the Board grant County employees an additional four hours of holiday leave on Thursday, December 24, 1998. This motion was seconded by Supervisor Hyland.

Following a query from Supervisor Mendelsohn, Supervisor Gross said that the State has granted a similar request for State employees.

The question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

**45. MAINTENANCE OF TREES ON LITTLE RIVER TURNPIKE (Tape 7)**

Supervisor Gross announced that this Board Matter was a joint item between her and Supervisor Bulova. She said that the Annandale Central Business District Planning

Committee has requested that the County provide maintenance for trees planted along a section of Little River Turnpike in Annandale. These trees were planted in 1992 and 1994 as part of the Commercial Revitalization Program.

Supervisor Gross said that in accordance with the adopted *Policy for Maintenance of Improvements Constructed within Commercial Revitalization Areas*, sufficient funds are available in the current budget. However, some of these trees are located outside the boundary of the Commercial Revitalization Area, but are immediately contiguous on either end. Staff recommends acceptance of these contiguous trees into the maintenance inventory. Many other trees, parks and additional sites will continue to be maintained by the Annandale Planning Committee and other businesses and volunteers.

Therefore, Supervisor Gross moved that the Board direct staff to include the trees along Little River Turnpike, from Woodland Road to Evergreen Lane, in the maintenance inventory for Commercial Revitalization Program Maintenance. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**46. GARDENER'S HOLIDAY AT GREEN SPRING GARDENS PARK (Tape 7)**

Supervisor Gross said that Green Spring Gardens Park in Mason District will once again celebrate the holiday season with a theme of *A Gardeners' Holiday*. Kicked off this past Saturday, seasonal decorations will be evident throughout the grounds, highlighting natural



materials, and gardening themes. Sponsored by the Friends of Green Spring, the decorations are the result of efforts by numerous garden clubs throughout the Washington region.

Supervisor Gross announced that the holiday exhibition will continue at Green Spring on Wednesdays through Sundays, through January 3, 1999. She invited Board Members and all residents of Fairfax County to visit this special and memorable display.

**47. HOLIDAY TOWN GATHERING (Tape 7)**

Supervisor Gross said that her next town meeting, which will be the annual *Mason District Holiday Town Gathering*, will be held on Wednesday, December 9, 1998 at 7:00 p.m. at the Mason District Governmental Center, 6507 Columbia Pike in Annandale. The theme is *A Year in Review -- Reflecting on 1998, Looking Ahead to 1999*. Entertainment will again be provided by the Annandale High School Women's Ensemble; refreshments will be served. She invited Board Members and all residents of Mason District to attend.

**48. PROPOSED ADDITION TO THE ZONING ORDINANCE AMENDMENT WORK PLAN (Tape 7)**

Supervisor Bulova said that she recently learned about a situation that should be easy to resolve but is not due to a problem with the Zoning Ordinance. Dav El Chauffeured Transportation Network, a worldwide company, decided to establish a presence in Fairfax County. A building was found on Port Royal Road that seemed ideal with its proximity to the Beltway and its I-5 zoning. The company moved in and then visited the Division of Zoning Administration to be a good neighbor and ensure that everything was being done properly.

Supervisor Bulova said that they were dismayed to learn that a business that has a small office with a warehouse for parking vehicles is not a use by right in a high intensity industrial district. Their choice is to either try to get a Special Exception or divide the operation into two separate uses (office and warehouse) with separate addresses, the construction of a wall and a separate ADA facilities for both uses.

Supervisor Bulova stated that she has discussed the situation with the Zoning Administrator and she believes that this situation needs to be corrected with an amendment to the Zoning Ordinance to allow taxicab services and limousine companies by right in the I-5 and I-6 districts.

Therefore, Supervisor Bulova moved that the Board add this proposed amendment to the Priority One Work Plan as long as it does not bump or delay other amendments on the list. This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor Dix asked to amend the motion to direct staff to review rental car companies as a similar use that might fall into this category once it is being examined, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

49. **ACCESS TO VIRGINIA RAILWAY EXPRESS (VRE) STATION DURING ROBERTS ROAD OVERPASS CONSTRUCTION** (Tape 7)

Supervisor Bulova said that the construction of the Roberts Road Overpass, which will separate vehicular traffic from train traffic on the Norfolk Southern line, is slated to begin in the spring of 1999. Construction will take place at the same time as Phase III of the Mixing Bowl project. She has been working to develop a plan to help people safely depart the Burke Centre Virginia Railway Express (VRE) parking lot onto Roberts Parkway during construction of the overpass.

Supervisor Bulova noted that with the mixing bowl project underway in January, ridership is being promoted as an alternative to using the I-95 corridor. Many people in the Burke Centre area drive to work in the District or Maryland by driving

up Old Keene Mill road. She expressed concern that difficulty getting into and out of the Burke VRE station during construction of the Roberts Parkway Overpass will discourage riders instead of encouraging new riders to use the train instead of contributing to congestion in the Mixing Bowl area.

Supervisor Bulova said that a number of alternatives have been examined such as hiring an off duty police officer at the entrance to the VRE lot during the evening rush hour which would enhance safety and facilitate traffic flow in the area. A funding source might be Federal Congestion Mitigation funds.

Therefore, Supervisor Bulova moved that the Board direct staff to work with the Virginia Department of Transportation (VDOT) to seek appropriate funding for this purpose. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Kauffman asked to amend the motion to instead of seeking appropriate funding to find an appropriate solution to include funding if necessary to resolve this issue, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

50. ***PROPOSED CONSOLIDATED PLAN ACTION PLAN: ONE YEAR USE OF FUNDS FOR FISCAL YEAR (FY) 2000*** (Tape 7)

(A)

Supervisor Bulova said that each year a public hearing is held before the Board to give the public an opportunity to comment on the Proposed Consolidated Plan. This year, the public hearing on the *Proposed Consolidated Plan Action Plan: One Year Use of Funds for Fiscal Year (FY) 2000* is scheduled for January 25, 1999.

Supervisor Bulova moved that the Board authorize the advertisement of the public hearing to be held before the Board on January 25, 1999 regarding the *Proposed Consolidated Plan Action Plan: One Year Use of Funds for Fiscal Year (FY) 2000* and directed the Department of Housing and Community Development (HCD) to provide the required advertisement to

the Clerk to the Board. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

51. **REZONING APPLICATION RZ 98-H-036** (Tape 7)

Supervisor Dix said that Bridenbaker, LC, has submitted Rezoning Application RZ 98-H-036 for single family residential development on 10.81 acres on Lawyers Road. A lengthy process was involved to achieve a desired consolidation of several parcels, and as a result, there are certain contract obligations to be met for this transaction.

Supervisor Dix moved that the Board direct staff to schedule a public hearing to be held before the Board on Rezoning Application RZ 98-H-036 on **January 11, 1999 at 5:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

52. **MISS KATIE RUCKERT WINS WOMEN'S SINGLES DISTRICT, NORTHERN VIRGINIA REGIONAL AND STATE CHAMPIONSHIPS** (Tape 7)

Supervisor Dix announced that Miss Katie Ruckert, a student at James Madison High School, has won the Women's Singles District, Northern Virginia Regional and State Championships compiling a 27-1 record.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Miss Ruckert to appear before the Board to receive the appropriate Certificate. Without objection, it was so ordered.

53. **DEMONSTRATION TRANSPORTATION PROJECT** (Tape 7)

Supervisor Dix said that as the area around the Dulles Toll Road and Reston Parkway continues to develop and projects come online, the transportation challenges in that area are increased. He asked unanimous consent that the Board direct staff to preliminarily review the possibility of applying for a demonstration project through the federal government for an overhead transportation connection system and to determine if this option is feasible and, if so, how to proceed.

Following discussion, Supervisor Kauffman asked to amend the request to direct staff to also review the area between Macy's parking deck and the Joe Alexander Transportation Center, and this was accepted.

Without objection, the request, as amended, was so ordered.

54. **THE DELETION OF A NORTHERN POTOMAC RIVER CROSSING FROM THE 2020 TRANSPORTATION PLAN** (Tape 7)

Supervisor Dix said that there is a proposal before the Transportation Coordinating Council to delete a Northern Potomac River Crossing from the 2020 Transportation Plan.

There was a brief discussion of this item.

**55. REPAIR OF EMERGENCY BLINKING LIGHTS AT THE PENN DAW FIRE STATION (Tape 7)**

Supervisor Kauffman said that the Penn Daw Fire Station, located along Richmond Highway serves both communities in Mount Vernon District and Lee District. The intersection that the fire equipment uses when responding to emergencies does not have a traffic signal, but does have emergency blinking lights designed to warn motorists to stop and allow the equipment out onto the highway. Many times the equipment has to cross in excess of five lanes of traffic. The emergency blinking lights have not worked for years, according to area residents.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct staff to work with the Virginia Department of Transportation (VDOT) to repair the lights as soon as possible. Without objection, it was so ordered.

**56. INTENT TO DEFER PUBLIC HEARINGS (Tape 7)**

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the following public hearings:

- Rezoning Application RZ 1998-PR-058 and Special Exception Application SEA 83-P-045-3;
- Rezoning Application RZ 1998-PR-028 and Special Exception Amendment Application SEA 86-P-101-5; and
- Annual Plans Review (APR) Item 98-II-6V.

(NOTE: Later in the meeting, the public hearings were formally deferred. See Clerk's Summary Items CL#66, CL#79, and CL#109.)

(NOTE: Later in the meeting, there were additional Board Matters. See Clerk's Summary Items CL#110 through CL#126.)

**57. RECESS/EXECUTIVE SESSION (Tape 7)**

At 1:30 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda for this meeting and in addition:

- Appeal by James Falk, Jr. of a September 10, 1998, Decision of the Architectural Review Board (ARB) - Colvin Run Historic District.

This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

**SBE:sbe**

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

## **ACTIONS FROM EXECUTIVE SESSION**

**58. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 8)**

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Gross and carried by unanimous vote: Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**59. AUTHORIZATION OF SETTLEMENT IN *WESTFIELDS CORPORATE CENTER ASSOCIATES, L.P. VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY*, AT LAW NUMBER 162094 (Tape 8)**

Supervisor Frey moved that the Board authorize settlement in *Westfields Corporate Center Associates, L.P., Versus Board of Supervisors of Fairfax County*, At Law Number 162094, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**60. AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTION 3-6-7, TO PROVIDE THAT THE ASSETS OF (A) THE FAIRFAX COUNTY DEFERRED COMPENSATION PLAN BE HELD IN TRUST (Tape 8)**

Supervisor Gross moved that the Board approve, on an emergency basis, an amendment to the Code of the County of Fairfax Chapter 3 (County Employees) section 3-6-7, to provide that the assets of the Fairfax County Deferred Compensation Plan be held in trust. The amended Section 3-6-7 will read in full as follows:

Section 3-6-7, Effective January 1, 1999, the Employer shall establish and maintain a trust with the Trustee to hold the assets and income of the Plan for the exclusive benefit of Participants and Beneficiaries. The Trust shall consist of an initial contribution of money or other property consisting of all assets of the Plan as of December 31, 1998, and such additional sums of Deferred Compensation, for periods beginning on or after January 1, 1999, as shall from time to time be delivered to the Trustee, all earnings and losses, income and appreciation as may accrue thereon without distinction between principal and income, less the payments that are made by the Trustee.

This motion was seconded by Supervisor Connolly.

Following a brief discussion, the question was called on the motion which carried by unanimous vote.

Supervisor Gross moved that the Board authorize the advertisement of a public hearing to be held on January 11, 1999, to readopt the proposed amendment to the Code of the County of Fairfax, Chapter 3 (County Employees) Section 3-6-7 that was adopted today on an emergency basis. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved that the Board authorize establishment of a trust in accordance with Code of the County of Fairfax, Chapter 3 (County Employees) Section 3-6-7, as amended, and the appointment of the Director of the Department of Finance as trustee of the trust. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved that the Board direct the Chairman to execute a Trust Agreement on behalf of the Board of Supervisors substantially in the form of the Trust Agreement contained in the legal package as Legal 1(a) and discussed by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved that the Board in its capacity as the governing body of the Reston Community Center (Small District 5 Hunter Mill and Small District 5 Sully), the McLean Community Center (Small District 1 Dranesville), and the Burgundy Village Community Center (Local District 1A Lee), authorize the continued participation of eligible employees of the centers in Fairfax County's Deferred Compensation Plan, as it may be amended from time to time, subject to the terms of the Plan and the Trust Agreement. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross expressed her appreciation to the County Attorney and his office for their assistance in getting these motions in order.

**61. REFERENCE TO THE FOUR BLIGHTED HOUSES THAT CONSTITUTE WILTON RIDGE, SECTION TWO, IN THE LEE DISTRICT** (Tape 8)

Supervisor Kauffman moved that the Board refer the issue of the four blighted houses that constitute Wilton Ridge, Section Two, in the Lee District to County staff to commence the process of abatement. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**62. REDEVELOPMENT OF THE EVANS FARM INN PROPERTY IN MCLEAN** (Tape 8)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#43.)

Supervisor Mendelsohn stated that on November 23, 1998, he noted that there were on-going efforts to redevelop the Evans Farm Inn Property in McLean and that this property

has served as a focus for community activities for many years. The property now contains a restaurant, but it also offers unique open space and recreational opportunities to the McLean community that are virtually irreplaceable.

For that reason, many in the community have requested the Board to establish a special tax district that could acquire and operate the Evans Farm Inn property as open space, as a park or as a recreational facility. Once established, such a special tax district, with the approval of the district voters, could issue bonds for the acquisition of the property. That district could repay those bonds and operate the facility with a special tax levy on real property within the district.

On November 23, 1998, the Board requested the County Executive to contact the owner and the prospective owners of this property and to provide certain additional information related to the acquisition of that property. Robert J. O'Neill, Jr., County Executive, contacted the contract purchaser, and he was advised that the entire property is not for sale.

Nevertheless, this Board may proceed with the creation of a special tax district that could acquire that property by purchase or, if necessary, by condemnation. Mr. O'Neill has provided this Board with information concerning the procedures for the establishment of a special tax district and information from the Park Authority concerning the possible operation of that property as open space, as a public park or as a recreational facility.

Supervisor Mendelsohn stated that it is clear to him that if such a tax district is to be formed to preserve this property, then such a district must be pursued expeditiously. Establishing such a district will require the Board, the County staff, and the Park Authority staff to take several actions in the near future. For that reason, Supervisor Mendelsohn moved that:

- The Board authorize staff to advertise the creation of three different special tax options for the acquisition of the Evans Farm Inn property. These options are:
- The first tax district option would be coterminous with the McLean Planning District and a map of the district and a metes and bounds description were attached and distributed to the Board;
- The second tax district option also would follow the McLean Planning District, but it would exclude that area within the Magarity and Tysons Election Precincts, and a map of that district and a metes and bounds description were distributed to the Board; and
- The third tax district option also would follow the McLean Planning District, but it would exclude that area within the Colvin, Magarity, Shouse and Tysons Election Precincts, a map of that district and a metes and bounds description was distributed to the Board.
- The Board direct staff to make available to the public, no later than January 5, 1999, information on the boundaries of such tax districts, the estimated costs of acquiring and maintaining that property as open space, as a park or as a recreational facility, and the anticipated tax rate that would be needed to pay for the cost of acquiring and maintaining that property as a public facility under each of the optional special tax districts.

- The Board direct staff to schedule a public hearing on the creation of such a special tax district, with such public hearing to be held at the Board meeting on January 11, 1999;
- The Board direct staff to prepare a Board item to appropriate funds in the amount of \$15,000 to the County Electoral Board to provide funds to conduct a special election on Tuesday, April 6, 1999, that would determine whether the new special tax district, if created, should be authorized to issue bonds to pay for the acquisition of the Evans Farm Inn Property;
- The Board direct staff to reallocate funding in the estimated amount of \$50,000 to the County Attorney's Office at Third Quarter Review to provide funds that will permit the new tax district institute condemnation proceedings to acquire the Evans Farm Inn Property; and
- The Board direct staff to reallocate funding up to \$100,000 for a park plan and up to \$200,000 to the Park Authority at Third Quarter Review to provide funds that will permit the Authority to conduct a feasibility study of operating the Evans Farm Inn property as open space, as a park, or as a recreational facility.

This motion was seconded by Chairman Hanley.

Discussion ensued with input from Mr. O'Neill, and Michael H. Long, Senior Assistant County Attorney.

Supervisor Connolly asked to amend to the motion to delete bullets number four and five for now so the Board can proceed with the public hearing and the necessary expenditure of funds in terms of preparation for that public hearing, and this was accepted.

Following further discussion, the question was called on the motion, as amended, which **FAILED** by a recorded vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley voting "**AYE.**"

## **AR:ar**

### 63. **3:30 P.M. - PH ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by five speakers, Chairman Hanley noted that action will be taken by the Board on January 11, 1999 on the final list of projects submitted for the Transportation Enhancement Program.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide her office with a map of the Fairfax County Park Authority Accotink Gateway Connector



Trail (the proposed three mile section from Little River Turnpike south to Lake Accotink). Without objection, it was so ordered.

64. **3:30 P.M. -- PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 83 (BOATS)** (Tape 9)

(O)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 83 (Boats) to bring the County in line with Title 29.1 of the *Code of Virginia*, as amended, **to become effective on January 1, 1999 at 12:01 a.m.** This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Gross, Supervisor Hyland, and Supervisor McConnell being out of the room.

65. **3:30 P.M. -- BOARD DECISION ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 78-D-098-2 (MCLEAN BIBLE CHURCH) (DRANESVILLE DISTRICT)** (Tape 9)

(NOTE: On November 23, 1998, the Board held the public hearing on Special Exception Amendment Application SEA 78-D-098-2 and deferred decision until December 7, 1998.)

Following discussion, Supervisor Mendelsohn moved to defer decision on Special Exception Amendment Application SEA 78-D-098-2 until **January 11, 1999 at 3:30 p.m.** This motion was seconded by Chairman Hanley and **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

66. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-058 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-P-045-3 (TYCON TOWER I INVESTMENT, L.P.) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1998-PR-058 and Special Exception Amendment Application SEA 83-P-045-3 until **January 25, 1999 at 4:30 p.m.** This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

67. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1997-PR-036 (MADISON HOMES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tapes 9-10)

(O)

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Inda Stagg, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-PR-036 be amended from the R-1 District to the R-4 District subject to the execution of the proffers dated December 4, 1998. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

68. **3:30 P.M. -- PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-001 (TCR MID ATLANTIC/NE PROPERTIES, INCORPORATED) (HUNTER MILL DISTRICT) (Tape 10)**

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Dix moved:

- Approval of Proffered Condition Amendment Application PCA 94-H-001 subject to the executed proffers dated November 18, 1998; and
- Reaffirmation of the modification of the transitional screening requirement and waiver of the barrier requirements along the northern boundary in favor of the landscaping shown on the Conceptual Development Plan Amendment Application/Final Development Plan Amendment Application (CDPA/FDPA) and as further described in the proffers.

This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

69. **4:00 P.M. - PH ON REZONING APPLICATIONS RZ 1998-MV-032 AND RZ 1998-MV-033 (BOARDS= OWN MOTION) AND SPECIAL EXCEPTION**

(O) **AMENDMENT APPLICATION SEA 81-V-017 (FAIRFAX COUNTY WATER AUTHORITY) (MOUNT VERNON DISTRICT) (Tape 10)**

Mr. Martin B. Sultan, Director of Planning and Engineering, Fairfax County Water Authority, reaffirmed the validity of the affidavit for the record.

Supervisor Bulova disclosed the following campaign contribution which she had received:

- In excess of \$200 from the Braddock District Representative on the Fairfax County Water Authority Board.

**Supervisor Kauffman disclosed the following campaign contribution which he may have received:**

- In excess of \$200 from the Lee District Representative on the Fairfax County Water Authority Board.

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

Following the public hearing, Donna McNeally, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-MV-032 and Rezoning Application RZ 1997-MV-033 be amended from the R-C and NR Districts to the R-1 and NR Districts subject to the execution of the proffers dated December 1, 1998;
- Approval of Special Exception Amendment Application SEA 81-V-017 subject to the development conditions dated December 4, 1998;
- Modification of transitional screening and barrier requirements in favor of that shown on the Generalized Development Plan (GDP)/SEA Plat; and
- Waiver of the service drive requirement on Route 123.

This motion was seconded by Supervisor Gross and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Acting Chairman Kauffman voting "AYE," Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Acting-Chairman Kauffman returned the gavel to Vice-Chairman Hyland.

70. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-L-019 (SEARS, ROEBUCK AND COMPANY, D/B/A NTB) (LEE DISTRICT)** (Tape 10)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved approval of Special Exception Application SE 98-L-019 subject to the development conditions dated November 20, 1998, with the following revision:

· Development Condition Number Six -- revise the second sentence to read: "However, any freestanding sign associated with this use shall be limited to a monumental sign and no more than eight feet in height."

This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

71. **4:00 P.M. -- PH ON REZONING APPLICATION RZ 1998-HM-001 (HEARTHSTONE VANGUARD TYSONS LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 10)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Dix moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-HM-001 be amended from the R-1 District to the R-8 District subject to the execution of the proffers dated December 4, 1998. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Vice-Chairman Hyland voting "AYE," Supervisor

Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Dix moved waiver of the minimum district size pursuant to Section 9-610 of the Zoning Ordinance and waiver of the 200 square foot privacy yard requirement pursuant to Section 9-613 of the Zoning Ordinance. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Dix moved that the Board direct staff to:

- Request confirmation from the Line Maintenance Division relative to the item regarding the fact that the Board will not require further clearing or grading in order to maintain the particular site of these lines once they are installed;
- Provide the community with a copy of the survey which is done during the Site Plan review to determine the western boundary of the proposed development; and
- Include the Westbriar Civic Association as a party in the tree preservation plan at its inception and approval.

This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

72. **4:00 P.M. - PH ON PROPOSED PUBLIC FACILITIES APPLICATION 2232-V98-11 BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO ACQUIRE 2.25 ACRES FOR THE DEVELOPMENT OF 60 UNITS OF HOUSING FOR THE ELDERLY AND OFFICE SPACE AT 7837 RICHMOND HIGHWAY, GUM SPRINGS (MOUNT VERNON DISTRICT)** (Tape 10)

Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and moved to defer the public hearing on Public Facilities Application 2232-V98-11 until **January 11, 1999 at 3:30 p.m.** This motion was seconded by Acting-Chairman Kauffman and carried by a vote of six, Supervisor Dix, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

- Acting-Chairman Kauffman returned the gavel to Vice-Chairman Hyland.
73. **4:00 P.M. - PH ON THE PROPOSED VACATION OF PORTIONS OF H STREET (MOUNT VERNON DISTRICT)** (Tapes 10-11)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Hyland moved to defer decision on the adoption of the Ordinance vacating portions of H Street (no route number)

until **January 11, 1999 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

74. **4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO ESTABLISH THE BROYHILL PARK RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 28 (MASON AND PROVIDENCE DISTRICTS)** (Tape 11)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by three speakers, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) Article 5A, establishing the Broyhill Park Residential Permit Parking District (RPPD), District 28. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

75. **4:30 P.M. -- JOINT PH ON THE PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX YEAR SECONDARY ROAD IMPROVEMENT PROGRAM (COUNTYWIDE) AND JOINT PH ON THE PROPOSED VDOT SECONDARY ROAD IMPROVEMENT BUDGET FOR FISCAL YEAR (FY) 2000 (COUNTYWIDE)** (Tape 11)

Verbatim

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Discussion ensued with input from Samuel T. Chamberlain, Department of Transportation (DOT) and Steven W. Hicks, Assistant Resident Engineer, Virginia Department of Transportation (VDOT).

Following input from Katharine D. Ichter, Chief, Highway Operations Division, DOT, Supervisor McConnell asked unanimous consent that the Board direct staff to work closely with VDOT to expedite the Fullerton Road project. Without objection, it was so ordered.

With reference to the interchange at Popes Head Road and the Fairfax County Parkway, Supervisor McConnell asked unanimous consent that the Board direct staff to review the issues involving this interchange and provide a recommendation on whether it should be added to the Six-Year Secondary Road Improvement Plan. Without objection, it was so ordered.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved approval of the draft:

- Six Year Secondary Road Improvement Program as provided in Attachment I and summarized in Attachment II of the Memorandum to the Board dated December 7, 1998; and
- Secondary Road Construction Budget for Fiscal Year (FY) 2000 as provided in Attachment III of the Memorandum to the Board dated December 7, 1998.

This motion was seconded by Supervisor Connolly.

**On behalf of Supervisor Dix, Supervisor Frey asked to amend the motion to:**

- Request VDOT to advance the widening of Centreville Road between Frying Pan Road and West Ox Road to a date prior to the year 2004; and
- Direct staff to review the effect on other projects if some are accelerated.

This was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Dix being out of the room.

76. **4:30 P.M. - PH TO CONSIDER REQUESTS FROM: (1) ALLIANCE FOR PHYSICALLY DISABLED, INCORPORATED; (2) CAPITAL AREA COMMUNITY FOOD BANK, INCORPORATED; (3) LAKEVIEW SWIM CLUB, INCORPORATED; AND (4) SOMERSET-OLDE CREEK RECREATION CLUB, INCORPORATED, FOR EXEMPTION FROM COUNTY PROPERTY TAXES (COUNTYWIDE REVENUE IMPACT)** (Tapes 11-12)
- (Rs)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of November 25, 1998.

Following the public hearing, which included testimony by three speakers, Supervisor Bulova moved adoption of the Resolutions endorsing special State legislation that would confer an exemption from County property taxes for the:

- Alliance for Physically Disabled, Incorporated;
- Capital Area Community Food Bank, Incorporated;
- Lakeview Swim Club, Incorporated; and
- Somerset-Olde Creek Recreation Club, Incorporated.

**This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor**

**Connolly, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.**

Following discussion, with input from Michael H. Long, Senior Assistant County Attorney, Supervisor Bulova moved that the Board direct staff to examine the issue of assisting older community pools and recreation centers in the County in maintaining an up-to-date status. This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Kauffman being out of the room.

77. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-024 AND SPECIAL EXCEPTION APPLICATION SE 98-Y-025 (S & S DEVELOPMENT, L.L.C.) (SULLY DISTRICT) (Tape 12)**  
(O)

Ms. Erika L. Byrd reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Susan Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-SU-024 be amended from the R-1, C-8, HC, SC, and WS Districts to the C-8, HC, SC, and WS Districts subject to the execution of the proffers dated September 30, 1998. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 98-Y-025 subject to the development conditions dated October 7, 1998. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved modification of the transitional screening requirements and waiver of the barrier requirement along the north and east property lines in favor of that shown on the Generalized Development Plan/Special Exception (GDP/SE) Plat with the understanding that, through the Site Plan process, the applicant will aspire to increase the transitional screening on the east side of the property. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.



78. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-M-018 (MCDONALD=S CORPORATION) (MASON DISTRICT)** (Tape 12)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Susan Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 84-M-018 subject to the development conditions dated October 7, 1998, with a modification to Condition Number Seven to read:
- "Roof illumination strips shall be permitted on the site only if the light is emitted from below the sides of the strip and the top of the strips are capped with an opaque material and are not illuminated"; and
- Modification of the transitional screening requirement and waiver of the barrier requirement along the north boundary in favor of that shown on the Special Exception (SE) Plat.

This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Kauffman being out of the room.

## **AM:am**

79. **5:00 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-028 AND SPECIAL EXCEPTION APPLICATION SEA 86-P-101-5 (PAUL AND TERESA KLAASSEN) (PROVIDENCE DISTRICT)** (Tape 13)

Supervisor Connolly moved to defer indefinitely the public hearing on Rezoning Application RZ 1998-PR-028 and Special Exception Amendment Application SEA 86-P-101-5. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

80. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-D-060 (BOARD OF SUPERVISORS= OWN MOTION/PARK AUTHORITY) (DRANESVILLE DISTRICT)** (Tape 13)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Inda Stagg, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Proffered Condition Amendment Application PCA 89-D-060 subject to the executed proffers dated November 17, 1998;
- Modification of the transitional screening requirements on the northern and eastern peripheries, adjacent to the Reflection Lake Subdivision, for the duration of the interim of the athletic field use;
- Waiver the transitional screening requirements on the northern periphery of Land Bay five adjacent to Lane Bay Four for the duration of the interim athletic field use; and
- Waiver of the barrier requirements on the northern periphery of Land Bay five adjacent to Land Bay Four for the duration of the interim athletic field use.

This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

81. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-L-034 (J&P MANAGEMENT SERVICES, INCORPORATED) (LEE DISTRICT)** (Tape 13)

Ms. Toni L. McMahon reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Donna McNeally, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Application SE 98-L-034 subject to the development conditions dated November 6, 1998;
- Waiver of the barrier requirements and modification of the transitional screening requirements along the north and west periphery in favor of that shown on the Special Exception (SE) Plat;

- Waiver of the service drive requirement along the Richmond Highway frontage; and
- Waiver of the requirement to construct road frontage improvements on Richmond Highway and Skyview Drive including the realignment of Forest Place.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

82. **5:00 P.M. - PH ON REZONING APPLICATION RZ 93-Y-017 (B&D TRUCKING CORPORATION) (SULLY DISTRICT)** (Tape 13)

(O)

Mr. Randall Minchew reaffirmed the validity of the affidavit for the record.

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

Supervisor Dix disclosed the following campaign contribution which he had received:

- In excess of \$200 from Gordon and Associates and other partnerships.

Following the public hearing, which included testimony by one speaker, Chris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-Y-017 be amended from the RC and WS Districts to the I-6 and WS Districts subject to the execution of the proffers dated November 18, 1998;
- Modification of the transitional screening and waiver of the barrier requirements in favor of that shown on the Generalized Development Plan (GDP); and
- Waiver of the service drive requirement on Route 29.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

83. **5:00 P.M. - CONSIDERATION OF AN APPEAL BY JAMES FALK, JR. OF A SEPTEMBER 10, 1998, DECISION OF THE ARCHITECTURAL REVIEW BOARD (ARB) - COLVIN RUN MILL HISTORIC DISTRICT (DRANESVILLE DISTRICT)** (Tapes 13-14)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998, regarding consideration of the appeal regarding subdivision plats,

grading plans and building permit applications for the Colvin Mill Run Subdivision, most of which is located within the Colvin Run Mill Historic Overlay District.

Following discussion, with input from David P. Bobzien, County Attorney; Randall T. Greehan, Assistant County Attorney; and Richard O'Brien, Chairman, Architectural Review Board (ARB), Supervisor Mendelsohn moved to defer this item until later in the meeting. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#87.)

84. **5:30 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 14)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and there were no speakers.

85. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-CW-3ED CONCERNING AN UPDATE OF THE PUBLIC FACILITIES TABLES AND RECOMMENDATIONS (COUNTYWIDE)** (Tape 14)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 20 and November 27, 1998.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved approval of Area Plans Review (APR) Item 98-CW-3ED as recommended by the Planning Commission, as shown in Attachment I of the Memorandum to the Board dated December 7, 1998. This test updates the public facilities tables and recommendations in the Planning Districts and Planning Sectors of the Area Plans with the following modification:

- The deletion of numbers 156 and 159 and modification of number 161 to delete Plan guidance on the expansion on the Newington Equipment Management Transportation Agency (EMTA) facility. The proposed EMTA facility expansion will be the subject of a Public Facilities Application (2232 formerly 456) public hearing by the Planning

Commission thereby providing an opportunity for these issues to be addressed. This public hearing before the Planning Commission is currently scheduled for January 23, 1999.

This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

86. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-IV-2TR TO REVISE TRAILS PLAN ON GUNSTON ROAD BETWEEN RICHMOND HIGHWAY AND LANTANA TRAIL (MOUNT VERNON DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by eight speakers, Supervisor Hyland moved approval of an alternative to the Planning Commission Recommendation for Area Plans Review (APR) Item 98-IV-2TR to:

- Designate a bicycle/pedestrian trail north and east of Gunston Road as recommended by the Planning Commission; and
- Delete the equestrian trail along Gunston Road.

This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

87. **5:00 P.M. -- CONSIDERATION OF AN APPEAL BY JAMES FALK, JR. OF A SEPTEMBER 10, 1998, DECISION OF THE ARCHITECTURAL REVIEW BOARD (ARB) - COLVIN RUN MILL HISTORIC DISTRICT (DRANESVILLE DISTRICT)** (Tape 14)

(NOTE: Earlier in the meeting, this appeal was discussed. See Clerk's Summary Item CL#83.)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998, regarding consideration of the appeal regarding subdivision plats, grading plans and building permit applications for the Colvin Mill Run Subdivision, most of which is located within the Colvin Run Mill Historic Overlay District.

Supervisor Mendelsohn moved to modify the September 10, 1998 decision of the Architectural Review Board (ARB) so that the:

- Developer promptly reestablish any trees, plants, or any other vegetative buffers in any conservation easement or tree save area which it has removed and that the easements and tree save areas be restored to the satisfaction of the ARB and the Urban Forester;
- Developer shall have 30 days from today to submit plans to the ARB and the Urban Forester showing that it will reestablish these trees, plants, or other vegetative buffers;

- Developer establish such additional trees, plants, or vegetative buffers as deemed necessary by the ARB and the Urban Forester to adequately buffer and screen the proposed development from view of the surrounding citizens in the Historic Overlay District including Colvin Run Mill;
- ARB and the Urban Forester shall make its recommendations to the developer as to any additional trees, plants, and vegetative buffers as soon as practicable and the developer shall have 30 days from that date to submit plans addressing the recommendations of the ARB and the Urban Forester; and
- ARB establishes a time table for the developer to initiate and complete the work recommended by the ARB and the Urban Forester taking into account sound Urban Forestry principals and the developers to comply with the deadline and the time table.

This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Mendelsohn stated that he had received a letter dated December 3, 1998 from Mr. Falk requesting that the County take action to enforce the Erosion and Sedimentation Control Ordinance and Virginia Conservation Easement Act for alleged violations associated with the development of the Colvin Mill Run Subdivision. Therefore, Supervisor Mendelsohn moved that this letter be referred to the Department of Public Works and Environmental Services (DPW&ES) to respond to the claims set forth to immediately take corrective action if warranted, and if necessary to refer the matter to the County Attorney to determine if any action is required. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Hyland being out of the room.

88. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-II-15F, NORTH OF ROUTE 29 AND WEST OF RIDGE TOP ROAD (SULLY DISTRICT)** (Tapes 14-15)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved approval of Area Plans Review (APR) Item 97-II-15F as recommended by the Planning Commission, and shown in Attachment II and IV of the Memorandum to the Board dated December 7, 1998 with modifications as shown in the handout dated December 7, 1998 and titled *Board of Supervisors Public Hearings/Markup 1998 Area Plans Review-Schedule B*. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

89. **7:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S98-II-F1, LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF BRADDOCK AND ROBERTS ROADS (BRADDOCK DISTRICT)** (Tape 15)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Out-of-Turn Plan Amendment S98-II-F1 as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative text would delete the option for residential use at 2-3 dwelling units per acre (du/ac) and add conditions for development at the high end of the planned 1-2 du/ac. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

90. **7:00 P.M. -- PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-III-13P FOR THE ENTIRE POHICK PLANNING DISTRICT (BRADDOCK AND SPRINGFIELD DISTRICTS)** (Tapes 15-16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved approval of Area Plans Review (APR) Item 97-III-13P as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative would reflect aspects on watersheds within this area and provide Policy guidance concerning infill development. This motion was seconded by Supervisor Kauffman.

Following discussion, Supervisor McConnell moved a substitute motion to defer this item until the Occoquan Water Coalition can appear before the Board to address this item. This motion was seconded by Supervisor Frey.

Following additional discussion, with input from David P. Bobzien, County Attorney, the question was called on the substitute motion which **FAILED** by a recorded vote of four, Supervisor Dix, Supervisor Frey, Supervisor Gross, and Supervisor McConnell voting "AYE," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

The question was called on the main motion which **CARRIED** by a recorded vote of five, Supervisor Dix, Supervisor Frey, and Supervisor McConnell voting "NAY," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

91. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 98-II-5F AND 98-II-6F, LOCATED IN THE SOUTHEAST QUADRANT OF LEE HIGHWAY AND SHIRLEY GATE ROAD (BRADDOCK DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Area Plans Review (APR) Items 98-II-5F and 98-II-6F as recommended by the Planning Commission, with modifications as shown in Attachment IV of the Memorandum to the Board dated December 7, 1998 to allow residential use up to 5 dwelling units per acre (du/ac) at the overlay level with conditions for consolidation and resolution of environmental and other issues. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

92. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-III-1P, LOCATED SOUTH OF THE FAIRFAX COUNTY PARKWAY AND EAST OF LITTLE OX ROAD (BRADDOCK DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Area Plans Review (APR) Item 98-III-1P as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The text would change the land use recommendation from industrial use to residential use at .2-.5 dwelling units per acre (du/ac) with an option for .5-1 du/ac. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

93. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-III-3T REGARDING THE WIDENING OF NEW GUINEA ROAD FROM ROBERTS ROAD TO SIDEBURN ROAD (BRADDOCK DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Area Plans Review (APR) Item 98-III-3T as recommended by the Planning Commission, and shown in Attachment III of the Memorandum to the Board dated December 7, 1998. The alternative added a statement that the corridor study for the extension of New Guinea Road should include the segment of New Guinea Road that is the subject of Area Plans Review Item 98-III-3T. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

94. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 97-I-3A AND 97-I-4A, LOCATED IN THE INDIAN RUN (A3) AND OSSIAN HALL (A10) COMMUNITY PLANNING SECTORS OF ANNANDALE PLANNING DISTRICT (MASON DISTRICT)** (Tape 16 )

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.



Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Items 97-I-3A and 97-I-4A as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative makes modifications to the nominator's text addressing uses requiring a special exception or special permit. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

95. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-1B, LOCATED EAST OF SOUTH GEORGE MASON DRIVE, ADJACENT TO THE ARLINGTON COUNTY BOUNDARY (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 97-I-1B as recommended by the Planning Commission, as found in pages 23 and 24 of the Mason Districts Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The text adds an option for 5-8 dwelling units per acre (du/ac) with conditions. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

96. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-CW-23T CONCERNING THE INTERSECTION OF LITTLE RIVER TURNPIKE AND BEAUREGARD STREET AND THE SURROUNDING AREA (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 97-CW-23T as recommended by the Planning Commission, as found on pages 60 and 61 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative adds language pertaining to congestion at the Little River Turnpike/Beauregard Street. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

97. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1A, LOCATED NORTH OF EDSALL ROAD AND WEST OF CHEROKEE AVENUE (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1A as recommended by the Planning Commission, as found on pages 76 and 77 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The additional text indicates the subject property is planned and developed with retail uses and that the retail area should not be expanded. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

98. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-2A, LOCATED ON THE EASTSIDE OF EVERGREEN LANE BETWEEN LITTLE RIVER TURNPIKE AND COLUMBIA PIKE (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-2A as recommended by the Planning Commission, with modifications as shown in the handout dated December 7, 1998 and titled *Plan Text For APR Item 98-I-2A*. This recommendation adds an option for single family housing at 4-6 dwelling units per acre (du/ac) with conditions to address parcel consolidation, buffering, access, tree preservation, and building height. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

99. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1ED, LOCATED SOUTH OF LEESBURG PIKE BETWEEN GLENMORE DRIVE AND CHARLES STREET (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1ED as recommended by the Planning Commission, as shown on page 117 of the Mason District Staff Reports book and in Attachment I of the Memorandum to the Board dated December 7, 1998 to correct a tax map parcel reference. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

100. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1L, LOCATED SOUTH OF EDSALL ROAD AND WEST OF ALEXANDRIA CITY LINE (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1L as recommended by the Planning Commission, as shown on page 122 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The addition is an option for residential use at 5-8 dwelling units per acres (du/ac) with conditions. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

101. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1PF, ADDRESSING THE THOMAS JEFFERSON COMMUNITY LIBRARY (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1PF as recommended by the Planning Commission, as shown on page 143 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The added text indicates the need to expand the library. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

**102. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-2PF, ADDRESSING THE WOODROW WILSON COMMUNITY LIBRARY (MASON DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-2PF as recommended by the Planning Commission, as shown in Attachment III of the Memorandum to the Board dated December 7, 1998. The alternative adds language stating that the Woodrow Wilson Community Library should have its infrastructure revitalized. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

**103. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-1J, LOCATED EAST OF ANNANDALE ROAD BETWEEN BRICE STREET AND COSTNER DRIVE (PROVIDENCE DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor

Kauffman and **CARRIED** by a recorded vote of five, Chairman Hanley voting "NAY," Supervisor Dix, Supervisor Gross, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Connolly moved approval of Area Plans Review (APR) Item 97-I-1J as recommended by the Planning Commission, and shown on page 40 of the Providence District Staff Reports book and found in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative reduces the Plan density of 8-12 dwelling units per acres (du/ac) to 3-4 du/ac and provides guidance for the adaptive reuse of the existing single family structure for low intensity office uses. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

**104. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 98-II-1ED AND 98-II-2ED, EDITORIAL ITEMS CHANGING THE NAME OF A TRANSIT STATION LOCATED IN THE VIENNA PLANNING DISTRICT (PROVIDENCE DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Connolly moved approval of Area Plans Review (APR) Items 97-II-1ED and 98-II-2ED with the modification that adds GMU to the Metro Station name which has been approved by the Metro Board which reflects the Board's action of September 8, 1997 to reflect a transit station name change from Vienna Metro Station to the Vienna-Fairfax-GMU Metro Station. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

**105. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-3ED, AN EDITORIAL ITEM CHANGING THE NAME OF A TRANSIT STATION LOCATED IN THE MCLEAN PLANNING DISTRICT (PROVIDENCE DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor

Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-3ED as recommended by the Planning Commission, as shown on pages 83 and 84 of the Providence District Staff Reports Book and found in Attachment I of the Memorandum to the Board dated December 7, 1998 to reflect a transit station name change from the West Falls Church Metro Station to the West Falls Church-VT/UVA Metro Station. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

106. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-3PF, PROPOSING A COMMUNITY LIBRARY IN THE PROVIDENCE DISTRICT (PROVIDENCE DISTRICT)** (Tapes 16-17)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by five speakers, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and **CARRIED** by a recorded vote of six, Supervisor Frey voting "NAY," Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Following discussion, with input from Judith P. Anderson, Deputy Director, Library Administration, Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-3PF as shown in the Providence District Task Force Reports book and found in Attachment II of the Memorandum to the Board dated December 7, 1998. This action identifies the future need for a community library within the greater Oakton area within this planning sector. This motion was seconded by Supervisor Gross.

Supervisor Frey moved to amend the motion to change "within the northwestern quadrant of the Fairfax Planning District " to "in the proximity of the northwestern quadrant of the Fairfax Planning District..." This motion was seconded by Supervisor Mendelsohn.

Following further discussion, the question was called on the amendment to the motion which **FAILED** by a recorded vote of five, Supervisor Frey, Supervisor Mendelsohn, and Supervisor McConnell voting "AYE," Supervisor Dix and Supervisor Hyland being out of the room.

Supervisor Frey moved to amend the Planning Commission Recommendation by adding at the end of the sentence "when such library meets the criteria and objectives 13, 14, and 15 of the Library Section of the Policy Plan." This motion was seconded by Supervisor McConnell and **FAILED** by a recorded vote of six, Supervisor Frey and Supervisor McConnell voting "AYE," Supervisor Dix and Supervisor Hyland being out of the room.

Supervisor Connolly moved to amend the motion to read: "A future community library site should be located in the greater Oakton area of the Fairfax Planning District to serve the Oakton and Eastern Fairfax Center areas and to help alleviate overcrowding in existing library facilities." This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Frey moved to amend the amendment to the motion to add language that says a future library shall be located in the Providence District, and this was accepted.

The question was called on the amendment to the motion which **CARRIED** by a recorded vote of seven, Supervisor Frey voting "**NAY**," Supervisor Dix and Supervisor Hyland being out of the room.

The question was called on the main motion which **CARRIED** by a recorded vote of seven, Supervisor Frey voting "**NAY**," Supervisor Dix and Supervisor Hyland being out of the room.

**107. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-3V, LOCATED EAST OF THE HILLTOP ROAD AND CEDAR LANE INTERSECTION (PROVIDENCE DISTRICT) (Tape 17)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-3V as recommended by the Planning Commission, as shown on page 150 of the Providence District Staff Reports book and found in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative retains the current planned density of 4-5 dwelling units per acre (du/ac) and modifies the consolidation and access conditions to reflect the existing site conditions. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**108. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-5V, LOCATED EAST OF CEDAR LANE AND SOUTH OF THOREAU INTERMEDIATE SCHOOL (PROVIDENCE DISTRICT) (Tape 17)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Dix, and Supervisor Hyland being out of the room.

Following discussion, Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-5V as recommended by the Planning Commission, with modifications as shown in the handout titled *Proposed Modifications to the Plan Text for Area Plans Review Item 98-II-5V* dated December 7, 1998. The alternative recommends retaining the base residential density of 3-4 dwelling units per acre (du/ac) and retains the Plan option for residential use at 5-8 du/ac to encourage full consolidation of the parcels along Amanda Place should the church relocate. In addition an option is added for residential use at four to six du/ac for the subject property with development above five du/ac to be considered only with full consolidation of the subject property. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

109. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-6V, LOCATED ON THE NORTH SIDE OF ROUTE 29 BETWEEN CEDAR LANE AND HUNTER ROAD (PROVIDENCE DISTRICT)** (Tape 17)

Supervisor Connolly moved to defer the public hearing on Area Plans Review (APR) Item 98-II-6V until **January 25, 1999 at 4:30 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

## **ADDITIONAL BOARD MATTERS**

### **NV:nv**

110. **WOODROW WILSON BRIDGE COMPROMISE** (Tape 18)

Supervisor Mendelsohn called the Board's attention to an article about the Woodrow Wilson Bridge in the December 8, 1998 edition of *The Washington Post*, which he found posted on its Website. The article stated that the federal government has agreed to configure initially the new bridge for only 10 lanes, rather than 12, in an effort to thwart a court challenge to the project by the City of Alexandria. Supervisor Mendelsohn circulated a printout of the article.

111. **EXPRESSION OF APPRECIATION TO STAFF AND THE PROVIDENCE DISTRICT TASK FORCE** (Tape 18)

Supervisor Connolly expressed appreciation to the staff for their work with the Task Force on the Area Plans Review nominations. He also thanked Joseph Annunziata, Chairman, Providence District Task Force, for his tireless efforts, and extended his appreciation to all members of the Task Force.

112. **FEE WAIVER FOR PLANS ASSOCIATED WITH THE WILLOW SPRINGS BALLFIELDS** (Tape 18)

Supervisor Frey reminded the Board that Special Exception Application SE 94-Y-029, in the name of Fairfax County Housing and Community Development (HCD), was approved



by the Board on January 9, 1995. Part of the application included dedication of 21.14 acres for ballfields. He stated that the Park Authority and the Southwest Youth Association (SYA) have been working together in a cooperative effort to develop ballfields on the property, and the Park Authority is preparing to submit a minor Site Plan for the fields in the near future.

To assist in this effort, Supervisor Frey moved that the Board direct staff to waive all fees for submission and processing of the Minor Site Plan and any other plans associated with the Willow Springs ballfields, whether the Plans are submitted by the SYA or the Park Authority. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**113. RECOGNITION OF HANK HULME, RETIRING DIRECTOR OF THE ENGINEERS AND SURVEYORS INSTITUTE (ESI) (Tape 18)**

Supervisor Frey called the Board's attention to the fact that Hank Hulme, Director, Engineers and Surveyors Institute (ESI), has announced his retirement. Supervisor Frey noted that Mr. Hulme was the only director of ESI since its establishment in 1987. Supervisor Frey distributed copies of an article written by Mr. Hulme in *Insite*, the ESI monthly publication.

In recognition of Mr. Hulme's outstanding service to the County, Supervisor Frey asked unanimous consent that the Board direct staff to invite Mr. Hulme to appear before the Board to be commended for his years of service. Without objection, it was so ordered.

Supervisor Frey noted that earlier in the meeting he had also requested that Deborah Lesser, Sully District Representative to the Countywide Non-Motorized Transportation (Trails) Committee, be invited to appear before the Board for recognition of her service.

**114. BACKGROUND CHECKS FOR GUN PURCHASES (Tape 18)**

Supervisor Frey noted that recently new federal background requirements under the Brady Bill have become effective. He asked unanimous consent that the Board direct staff to examine the new federal requirements and the County's background checks to provide information as to what action is necessary to conform the two checks or possibly eliminate the County's requirement. Without objection, it was so ordered.

Supervisor Connolly noted that the same question had been raised at the last meeting of the Board's Legislative Committee.

**115. EXPRESSION OF APPRECIATION TO JUDITH P. ANDERSON, DEPUTY DIRECTOR, LIBRARY ADMINISTRATION (Tape 18)**

Supervisor Connolly expressed his appreciation to Judith P. Anderson, Deputy Director, Library Administration, for staying to participate in the disposition of an Area Plans Review (APR) Item in the Providence District. He commended her commitment to the Libraries.

116. **MR. BERT DOYLE HONORED BY PROVIDENCE DISTRICT COUNCIL** (Tape 18)

Supervisor Connolly reported that the Providence District Council (PDC) hosted a "thank you" party on Friday, December 4, 1998 honoring its VolunteerFest volunteers. At that party, the PDC also presented its 1998 Community Service Award to Bert Doyle, Providence District's longtime representative to, and former Chairman of, the Library Board. In addition to this service since 1987, Mr. Doyle has been president of the Pine Spring Civic Association and served on several boards and commissions. Supervisor Connolly extended his congratulations to Mr. Doyle.

117. **WEEKLY AGENDA ON THE WEB** (Tape 18)

Supervisor Connolly stated that it was recently called to his attention that the link to the *Weekly Agenda* is difficult to locate on the County Website. The *Weekly Agenda* provides County residents with a quick, accessible means of obtaining information about upcoming land use cases. The agenda can be reached via the Website by first linking to the Government page and then the Board of Supervisors page. He noted that without knowing where to find the *Weekly Agenda* link, a person could spend a great deal of time searching through the entire Website.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct the staff of the Office of Public Affairs and the Department of Information Technology (DIT) to pursue placing a link to the *Weekly Agenda* on the home page of the Website at [www.co.fairfax.va.us](http://www.co.fairfax.va.us) to make it easier to find than it is at present. Following a brief discussion, without objection, it was so ordered.

118. **LEGISLATIVE BREAKFAST AND SCHEDULE OF MEETINGS OF THE BOARD'S LEGISLATIVE COMMITTEE** (Tape 18)

Supervisor Connolly reminded the Board that the Annual Legislative Breakfast with the County's Legislative Delegation is scheduled for 7:30 a.m. on Wednesday, December 9, 1998, at the Fairview Park Marriott. He noted that the General Assembly session opens January 13, 1999.

Supervisor Connolly announced the following schedule of Legislative Committee meetings in 1999:

- January 22;
- January 29;
- February 5;
- February 12;
- February 19; and
- March 5, 1999

All meetings will be held in Rooms 9 and 10 of the Government Center at 4:00 p.m.

**119. EXPEDITED/CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION TO BE SUBMITTED BY AVR REALTY (Tape 18)**

On behalf of Supervisor Hyland, Supervisor Kauffman announced that within the week, AVR Realty will be submitting a Special Exception Application in connection with the renovation of the old Howard Johnson Hotel at Route One and I-95, in close proximity to the Woodrow Wilson Bridge's Route One Interchange. Currently, the old Howard Johnson Hotel is undergoing a \$7 million renovation and conversion to a Hampton Inn. Hampton Inn is requiring the hotel renovation to include a special design necessitating a Special Exception. The applicant asserts that the upgrade will be of substantial benefit to the County in its efforts to redevelop and revitalize the Richmond Highway Corridor.

On behalf of Supervisor Hyland, Supervisor Kauffman moved that the Board direct staff, upon receipt of the Special Exception application to be filed by AVR Realty, to grant expeditious and concurrent processing. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and does not prejudice the consideration of the land use application in any way. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

**120. LORTON RADIO TOWER (Tape 18)**

On behalf of Supervisor Hyland, Supervisor Kauffman stated that the County is implementing a new state-of-the-art communications system that will support the operations of the Police Department and Animal Control, Department of Fire and Rescue, and Office of the Sheriff. The Police Department has filed the necessary Special Exception application, indicating that the location will be in the Laurel Hill Planning Sector.

To keep the project on schedule, Supervisor Kauffman stated that staff must review the application expeditiously. Staff must perform system testing when there is full foliage on the trees between May and September. If testing is not completed in 1999, the County cannot accept the system until 2000.

Noting that a delay until 2000 is unacceptable, on behalf of Supervisor Hyland, Supervisor Kauffman moved that the Board direct staff to expeditiously and concurrently process the review of the application and permitting process should this application be approved by the Board. This motion was seconded by Supervisor McConnell.

Supervisor Kauffman noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and does not prejudice the consideration of the land use application in any way.

The question was called on the motion which carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**121. HESS GASOLINE STATION (Tape 18)**

On behalf of Supervisor Hyland, Supervisor Kauffman stated that in 1996 the Hess Gasoline Corporation began its improvements to the station that has been located at 9142 Richmond Highway at the intersection with Backlick Road for over 30 years. During that process, the County notified gas station representatives that the installation of canopies would require a special exception. They continue to work with staff and have completed all other improvements. Because it has taken two years to come to this point, they are requesting concurrent review and expedited processing of the plans associated with the special exception application because the new pump equipment is beginning to deteriorate.

Accordingly, Supervisor Kauffman, on behalf of Supervisor Hyland, moved that the Board direct staff to grant expedited and concurrent processing of the review of the Hess Gasoline Station application and permitting process, should the special exception application be approved. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and does not prejudice the consideration of the land use application in any way. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

122. **PEARL HARBOR DAY** (Tape 18)

(NOTE: Earlier in the meeting, the Board recognized Pearl Harbor Day. See Clerk's Summary Item CL#2.)

Supervisor McConnell noted that Monday, December 7, 1998, was Pearl Harbor Day.

123. **TOWN OF CLIFTON DECALS** (Tape 18)

Supervisor McConnell reported that Mayor Chesley from the Town of Clifton informed her of the need to remind local parking enforcement officials that the Town of Clifton has its own vehicle registration decal similar to that of the County. She stated that one of the Town's motorists was ticketed at the Vienna Metro Station for not having a County registration decal, despite the vehicle's displaying a Town of Clifton decal.

Accordingly, Supervisor McConnell moved that the Board direct staff to notify the Police Department staff, Metro representatives, and other authorities who manage publicly-owned parking areas to remind them that the Town of Clifton has its own registration decal. Supervisor Connolly seconded this motion and it carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

124. **RECONFIRMATION OF THE BOARD'S SUPPORT AND ENDORSEMENT OF THE APPROVED ALIGNMENT OF THE ROUTE 123 PROJECT** (Tape 18)

Supervisor McConnell stated that on August 22, 1995, a Location Public Hearing was held for the Route 123 Project, which includes the Prince William County line to Burke Lake Road [Virginia Department of Transportation (VDOT) Project 0123-029-F28, PE100], and the Occoquan River crossing. She stated that the Board endorsed a corridor location on December 11, 1995 and the Prince William County Board of Supervisors endorsed the location on December 28, 1995. Based on the approved location, VDOT has moved forward with the design of the project. Further, County representatives and congressional

members have pursued and obtained federal funding, specifically earmarked for this critical project, through TEA-21 and other sources. She noted that recently the Town of Occoquan has asked for changes in the approved alignment. These changes would further impact Occoquan Regional Park and jeopardize the project schedule.

Therefore, Supervisor McConnell moved that the Board:

- Reiterate its support of this project;
- Request VDOT to move forward as expeditiously as possible with the design, right-of-way acquisition, and ultimate construction of Route 123; and
- Clarify that the Board does not support any new alignments of the river crossing that would further impact the Occoquan Regional Park or jeopardize the project schedule in any way.

This motion was seconded by Chairman Hanley who noted that the Board is currently sending a letter to VDOT and that this issue could be added to it.

The question was called on the motion which carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**125. DISCUSSION OF FAIRFAX JOURNAL ARTICLE REGARDING THE BOARD'S SEARCH FOR A CHIEF OF POLICE (Tape 18)**

Supervisor McConnell called the Board's attention to the headline for an article in the December 7, 1998 edition of the *Fairfax Journal* regarding the Board's search for a Chief of Police. She expressed her objections to the characterization of partisanship as portrayed in the headline and provided a chronology of the issue.

**126. HAPPY HOLIDAYS (Tape 18)**

Chairman Hanley expressed appreciation to Supervisor Gross for the miniature shopping bags that she presented to each member of the Board. Supervisor Gross stated that the shopping bags were presented as a reminder to shop and increase the County's sales tax revenue.

Chairman Hanley wished everyone "Happy Holidays."

**127. BOARD ADJOURNMENT (Tape 18)**

At 12:45 a.m., on Tuesday, December 8, 1998, the Board adjourned.

**MONDAY**

**DECEMBER 7, 1998**

**25-98**

## REVISED

### CM:cm

The meeting was called to order at 9:50 a.m., with all Members being present and with Chairman Hanley presiding.

Others present were Robert J. O'Neill, Jr., County Executive; David P. Bobzien, County Attorney; Catherine A. Chianese, Assistant to the County Executive; Christina M. Manning, Assistant to the County Executive; Nancy Vehrs, Clerk to the Board of Supervisors; and Patti M. Hicks, Deputy Clerk to the Board of Supervisors.

## BOARD MATTERS

### 2. **57TH ANNIVERSARY OF PEARL HARBOR** (Tape 1)

Chairman Hanley noted that the Board designated today as "*Pearl Harbor Remembrance Day*."

(NOTE: Later in the meeting, there was another mention of *Pearl Harbor Remembrance Day*. See Clerk's Summary Item CL#122.)

### 3. **TRIBUTE TO THE LATE HENDRIK A. "SANDY" GIDEONSE** (Tape 1)

Chairman Hanley announced the tragic death of a County employee, Hendrik A. "Sandy" Gideonse, a civilian member of the Police Department. Mr. Gideonse was killed on-the-job in a traffic accident on December 3, 1998. Chairman Hanley asked everyone to remember in their thoughts and prayers the family, friends, and co-workers of Mr. Gideonse as the Police Honor Guard paid tribute to him.

### 4. **MOMENT OF SILENCE FOR THE LATE JUDGE LOUIS HALL GRIFFITH AND THE LATE TOM CUDDY** (Tape 1)

Supervisor Kauffman asked everyone to remember in their thoughts and prayers the family of the late Judge Louis Hall Griffith who died recently.

Supervisor Hyland asked everyone to remember in their thoughts and prayers the family of the late Mr. Tom Cuddy, a constituent from the Mount Vernon District who will be missed.

### 5. **MOMENT OF SILENCE FOR A SPEEDY RECOVERY FOR MR. ROBERT CONCHAR OF THE SITE INSPECTION BRANCH. DEPARTMENT OF PUBLIC WORKS AND ENVIRONMENTAL SERVICES (DPW&ES)** (Tape 1)

Supervisor Mendelsohn asked everyone to remember in their thoughts and to wish a speedy recovery for Mr. Robert Conchar, a County employee in the Site Inspection Branch,

Department of Public Works and Environmental Services (DPW&ES) who was recently injured in a horse accident.

## AGENDA ITEMS

**6. CERTIFICATE OF RECOGNITION PRESENTED TO W. T. WOODSON HIGH SCHOOL SELECT WOMEN'S AND VOCAL ENSEMBLES (Tape 1)**

Supervisor Gross moved approval of the Certificate of Recognition presented to the W T. Woodson High School Select Women's and Vocal Ensembles. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**7. CERTIFICATE OF RECOGNITION PRESENTED TO THE FRIED COMPANIES (Tape 1)**

Supervisor McConnell moved approval of the Certificate of Recognition presented to the Fried Companies for its generosity and civic commitment. This motion was seconded by Supervisor Dix and carried by unanimous vote.

**8. CERTIFICATE OF RECOGNITION PRESENTED TO MS. GLORIA KORNASIEWICZ (Tape 1)**

Supervisor Hyland moved approval of the Certificate of Recognition presented to Ms. Gloria Kornasiewicz for her years of service with Fairfax County. This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

**9. CERTIFICATE OF RECOGNITION PRESENTED TO MS. BARBARA ELLIS AND PARTICIPANTS IN THE ADOPT-A-HIGHWAY PROGRAM (Tape 1)**

Supervisor Mendelsohn moved approval of the Certificate of Recognition presented to Ms. Barbara Ellis and participants in the Adopt-A-Highway Program for their contributions to the community in reducing sign blight. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

**10. CERTIFICATE OF RECOGNITION PRESENTED TO MS. JOAN TULLINGTON (Tape 1)**

Supervisor Bulova moved approval of the Certificate of Recognition presented to Ms. Joan Tullington for her years of service as the Braddock District Representative on the Tree Commission. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Dix, Supervisor Frey, and Supervisor McConnell being out of the room.

**11. CERTIFICATES OF RECOGNITION PRESENTED TO MEMBERS OF THE BOND REFERENDUM CITIZEN COMMITTEE (Tapes 1-2)**

(BACs)

Chairman Hanley moved approval of the Certificates of Recognition presented to the members of the Bond Referendum Citizen Committee for assisting in informing the

voters about the Fairfax County bond referendum questions on the November ballot. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

12. **CERTIFICATE OF APPRECIATION PRESENTED TO CHARLOTTE CABLE, ADMINISTRATIVE AIDE TO SULLY DISTRICT SUPERVISOR MICHAEL FREY, UPON HER RETIREMENT** (Tape 2)

Supervisor Frey announced that Charlotte Cable, his Administrative Aide, who has worked for the County for 30 years, will be retiring at the end of December and moved approval of the Certificate of Appreciation for her years of service. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

13. **10:00 A.M. -- PRESENTATION OF THE TRANSPORTATION ADVISORY COMMISSION'S (TAC) ANNUAL TRANSPORTATION ACHIEVEMENT AWARD** (Tape 2)

Lester Schoene, Chairman, Transportation Advisory Commission (TAC) presented the TAC's Annual Transportation Achievement Award to Mr. William C. Cuttler, from the Department of Transportation (DOT).

14. **10:00 A.M. -- BOARD ADOPTION OF THE 1999 LEGISLATIVE PROGRAM FOR THE VIRGINIA GENERAL ASSEMBLY** (Tape 2)

Supervisor Connolly moved adoption of the Legislative Program for the 1999 Session of the Virginia General Assembly. This motion was seconded by Supervisor Gross.

Following discussion, Supervisor Bulova asked to amend the motion to include in the legislative agenda an endorsement of the budget amendment for the Homeless Prevention Assistance and Homeless Children Service Coordinator, and this was accepted.

Following further discussion, Supervisor Frey asked to amend the motion to consider Items Number 12 and 13 separately, and this was accepted.

Following further discussion, with input from Susan E. Mittereder, Legislative Liaison, the question was called on the motion to approve the Legislative Program, as amended, which carried by unanimous vote.

Supervisor Connolly moved approval of Item Number 12 regarding graffiti. This motion was seconded by Supervisor Hyland and **CARRIED** by a recorded vote of six, Supervisor Dix, Supervisor Frey, Supervisor McConnell and Supervisor Mendelsohn voting "NAY."

Supervisor Connolly moved approval of Item Number 13 to endorse legislation to provide an increased penalty to persons who injure or assault other persons on the basis of sexual orientation of the victim. The second to this motion was inaudible.



Following further discussion with input from Ms. Mittereder, Supervisor Connolly asked unanimous consent that the Board refer this item to the Legislative Committee. Without objection, it was so ordered.

15. **10:30 A.M. -- APPOINTMENTS TO CITIZEN BOARDS, AUTHORITIES, COMMISSIONS AND ADVISORY GROUPS** (Tapes 2-3)

(BACs)

**BOARD OF EQUALIZATION OF REAL ESTATE ASSESSMENTS**

(APPTS)

Supervisor Hyland moved the reappointment of Mr. Daniel Cummins as the At-Large (Appraiser) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Chairman Hanley moved the reappointment of Mr. Bernard Fensterwald as the At-Large (Attorney) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Chairman Hanley moved the reappointment of Mr. James Lafley as the At-Large (Builder) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Frederick Suffa as the At-Large (Citizen) Representative to the Board of Equalization of Real Estate Assessments. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**CIVIL SERVICE COMMISSION**

(NOTE: The appointment of the At-Large Representative to the Civil Service Commission was deferred.)

**COMMUNITY ACTION ADVISORY BOARD**

(NOTE: The appointment of the Sully District Representative to the Community Action Advisory Board was deferred.)

**COMMUNITY IMPROVEMENT COMMITTEE**

(NOTE: The appointments of the Mason and Sully District Representatives to the Community Improvement Committee were deferred.)

**ENGINEERING STANDARDS REVIEW COMMITTEE**

**CONFIRMATION:**

Supervisor Mendelsohn moved that the Board confirm the following appointment to the Engineering Standards Review Committee:

- Mr. Bruce Titus as the Fairfax Bar Association Representative.

This motion was seconded by Supervisor Kauffmam and carried by unanimous vote.

#### **ENVIRONMENTAL QUALITY ADVISORY COUNCIL**

Chairman Hanley moved the appointment of Ms. Susan Mockenhaupt as the At-Large Representative to the Environmental Quality Advisory Council. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

#### **FAIRFAX AREA DISABILITY SERVICES BOARD**

(NOTE: The appointment of the Sully District Representative to the Fairfax Area Disability Services Board was deferred.)

#### **FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD**

(NOTE: The appointment of the Providence District Representative to the Fairfax-Falls Church Community Services Board was deferred.)

#### **HISTORY COMMISSION**

Chairman Hanley moved the reappointment of Ms. Elise Murray as an At-Large (Citizen) Representative to the History Commission. This motion was seconded by Supervisor Dix and carried by unanimous vote.

Supervisor Gross moved the reappointment of Ms. Naomi Zeavin as an At-Large (Historian) Representative to the History Commission. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

Supervisor Dix moved the reappointment of Mr. Mayo Stuntz as an At-Large (Historian) Representative to the History Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

#### **INDUSTRIAL DEVELOPMENT AUTHORITY**

(NOTE: The appointment of the At-Large Representative to the Industrial Development Authority was deferred.)

#### **MECHANICAL ADVISORY (HVAC) BOARD**

Chairman Hanley asked unanimous consent that the Board direct staff to advertise the vacant positions on the Mechanical Advisory Board. Without objection, it was so ordered.

[NOTE: The appointments of the two At-Large (Master Mechanics) and the At-Large Mechanical/Professional Engineer) Representatives to the Mechanical Advisory Board were deferred.]

### **PARK AUTHORITY**

Supervisor Bulova moved the reappointment of Ms. Winifred Shapiro as the Braddock District Representative to the Park Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved the reappointment of Mr. Thomas White as the Mason District Representative to the Park Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Hyland moved the reappointment of Mr. Gil McCutcheon as the Mount Vernon District Representative to the Park Authority. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Kenneth Feng as the Springfield District Representative to the Park Authority. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

### **PLANNING COMMISSION**

Chairman Hanley moved the appointment of Ms. Laurie Frost Wilson as an At-Large Representative to the Planning Commission. This motion was seconded by Supervisor Connolly.

Supervisor Dix moved the reappointment of Mr. John Hunter as an At-Large Representative to the Planning Commission. This motion was seconded by Supervisor McConnell.

Following a show-of-hands vote, Ms. Laurie Frost Wilson was appointed as an At-Large Representative to the Planning Commission.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Mr. Hunter to appear before the Board to receive recognition for his years of service on the Planning Commission. Without objection, it was so ordered.

Supervisor Gross moved the reappointment of Ms. Janet Hall as the Mason District Representative to the Planning Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor McConnell moved the reappointment of Mr. Peter F. Murphy, Jr. as the Springfield District Representative to the Planning Commission. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

### **PLUMBING ADVISORY BOARD**

[NOTE: The appointment of the At-Large (Master Plumber) Representative to the Plumbing Advisory Board was deferred.]

### **ROAD VIEWERS BOARD**

Supervisor Hyland moved the reappointment of Mr. Daniel Moon as an At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Frey moved the reappointment of Mr. Bruce Pearson as an At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Arthur Nalls as an At-Large Representative to the Road Viewers Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: The appointments of two At-Large Representatives to the Road Viewers Board were deferred.)

### **ROUTE 28 HIGHWAY TRANSPORTATION DISTRICT ADVISORY BOARD**

Supervisor Frey moved the appointment of Mr. William Keech as the At-Large (Resident/Owner) Representative to the Route 28 Highway Transportation District Advisory Board. This motion was seconded by Supervisor Dix and carried by unanimous vote.

### **SMALL AND MINORITY BUSINESS ENTERPRISE PROGRAM ADVISORY COMMITTEE**

Chairman Hanley moved the appointment of Ms. Sounia N. Chaney as the At-Large Representative to the Small and Minority Business Enterprise Program Advisory Committee. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**TENANT LANDLORD COMMISSION**

Supervisor Bulova moved the appointment of Ms. Marilyn Jackson as an At-Large (Landlord) Representative to the Tenant Landlord Commission. This motion was seconded by Supervisor Gross and carried by unanimous vote.

[NOTE: The appointments of the two At-Large (Tenants) and the At-Large (Landlord) Representatives to the Tenant Landlord Commission were deferred.]

**TREE COMMISSION**

(NOTE: The appointments of the Mason and the Springfield Representatives to the Tree Commission were deferred.)

**WETLANDS BOARD**

Supervisor Gross moved the reappointment of Mr. Kent Knowles as an At-Large Representative to the Wetlands Board. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Kauffman moved the reappointment of Mr. Charles Handley as the Lee District Representative to the Wetlands Board. This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved the reappointment of Ms. Glenda Booth as the Mount Vernon District Representative to the Wetlands Board. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

**SBE:sbe****16. ADMINISTRATIVE ITEMS (Tape 4)**

Supervisor Connolly moved approval of the Administrative Items. This motion was seconded by Supervisor Kauffman.

Supervisor Dix asked to amend the motion to consider separately Administrative Item 4 - Fairfax Connector Bus Purchases for Implementation of the Dulles Corridor Express Bus Service and Scheduled Replacements, and this was accepted.

The question was called on the motion to approve the Administrative Items, with the exception of Administrative Item 4, which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor

Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**(R) ADMIN 1 - STREETS INTO THE SECONDARY SYSTEM (MOUNT VERNON, SPRINGFIELD AND SULLY DISTRICTS)**

Approved the request that certain streets listed in the Memorandum to the Board dated December 7, 1998 be recommended into the State Secondary System:

Subdivision District Street

Raceway Farms Mount Vernon Silver Ann Drive,

Section 3A Route 6551

And 3B Tiddle Way, Route 7643

Telegraph Road,

Route 611

Additional

Right-of-way only

Edgewater, Springfield Windward Drive

Section 2 Lake Meadow Drive.

Route 8635

Waterside Drive

Yachthaven Drive

Burke Lake Road,

Route 685,

Additional

Right-of-way only

Whisperwood, Springfield Mountain Ash Drive,

Section 2 Route 8525,

Cumbertree Court

White Willow Court

Big Rocky Forest. Sully Bare Island Drive,

Section 1 Route 8832

And 2 Fox Creek Court

Selby Bay Court

Brewerton Court,

Route 8836

Highbourne Lane,

Route 8468

**ADMIN 2 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE WAKEFIELD STREET SANITARY SEWER IMPROVEMENTS (MOUNT VERNON DISTRICT)**

(NOTE: This item was withdrawn by staff.)

- (A) **ADMIN 3 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 5A, ON THE EXPANSION OF THE MCLEAN RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), APPENDIX G, DISTRICT 21 (DRANESVILLE DISTRICT)**

Authorized the advertisement of a public hearing to be held before the Board on **January 25, 1999 at 4:00 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 5A, on the expansion of the McLean Residential Permit Parking District (RPPD), Appendix G, District 21, to include Broyhill Street from Westmoreland Street to Bradmore Court; Broyhill Street from Bradmore Court to Felix Street; and Bradmore Court from Broyhill Street to end.

**ADMIN 4 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 2, SECTION 82-2-7, AUTHORIZING THE USE OF TRAFFIC SIGNAL VIOLATION MONITORING SYSTEMS, ENFORCEMENT, AND PENALTY (COUNTYWIDE)**

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#17.)

**ADMIN 5 -- EXTENSION OF REVIEW PERIODS FOR CODE OF VIRGINIA SECTION 2232 PUBLIC FACILITY REVIEW APPLICATIONS**

Authorized the extension of the review period for the specific Public Facility Review Applications outlined in the Memorandum to the Board dated December 7, 1999, to ensure compliance with the review requirement mandated by Section 15.2-2232 of the *Code of Virginia*.

(AT) **ADMIN 6 -- ADDITIONAL TIME TO COMMENCE CONSTRUCTION FOR SPECIAL EXCEPTION APPLICATION SE 97-M-032, FAIRFAX-BREWSTER SCHOOL (MASON DISTRICT)**

Authorized the request for six months of additional time to commence construction for Special Exception Application SE 97-M-032 until April 26, 1999, pursuant to the provisions of Section 9-015 of the Zoning Ordinance.

**ADMIN 7 -- AUTHORIZATION FOR THE FAIRFAX-FALLS CHURCH COMMUNITY SERVICES BOARD (CSB) TO APPLY FOR NEIGHBORHOOD INITIATIVE FUNDS FROM THE WASHINGTON/BALTIMORE HIGH INTENSITY DRUG TRAFFICKING AREA IN THE AMOUNT OF \$120,567**

Authorized the Fairfax-Falls Church Community Services Board (CSB) to apply for Neighborhood Prevention Initiative funds from the Washington/Baltimore High Intensity Drug Trafficking Area in the amount of \$120,567 for two neighborhood-focused, school and community-based prevention projects, one in the Mount Vernon area and the other to be determined. No local funding is required.

(SAR) **ADMIN 8 -- SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99045 FOR THE DEPARTMENT OF FAMILY SERVICES TO ACCEPT FUNDS FROM THE VIRGINIA GOVERNOR'S EMPLOYMENT AND TRAINING DEPARTMENT FOR NEW REGIONAL PROGRAMS FOR THE TRAINING AND EMPLOYMENT OF DISLOCATED WORKERS IN HIGH TECHNOLOGY FIELDS**

Approved Supplemental Appropriation Resolution (SAR) AS 99045 in the amount of \$144,438 from the Virginia Governor's Employment and Training Department for new regional programs to support the retraining of dislocated workers from the region, specifically in technology-oriented skills, as a response to the current high technology industry workforce shortage. There is no local cash match requirement.

(R) **ADMIN 9 -- A RESOLUTION APPROVING CERTAIN DOCUMENTS PREPARED IN CONNECTION WITH LEASE FINANCING OF THE BAILEY'S COMMUNITY CENTER BY FAIRFAX COUNTY, VIRGINIA, THROUGH THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA), AND RATIFYING THE EXECUTION AND DELIVERY THEREOF**



Adopted a Resolution approving the Preliminary Official Statement and the Official Statement relating to the lease financing by the Fairfax County Redevelopment and Housing Authority (FCRHA) with respect to the Bailey's Community Center.

(SAR) **ADMIN 10 -- SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 99044 FOR CONTINUATION OF THE FEDERAL CHILD AND ADULT CARE FOOD PROGRAM GRANT WITHIN THE DEPARTMENT OF FAMILY SERVICES/OFFICE FOR CHILDREN**

Approved Supplemental Appropriation Resolution (SAR) AS 99044 in the amount of \$3,377,275 for continued participation in the Federal Child and Adult Care Food Program within the Department of Family Services/Office for Children. There is no local cash match requirement.

17. **ADMIN 4 -- AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC), ARTICLE 2, SECTION 82-2-7, AUTHORIZING THE USE OF TRAFFIC SIGNAL VIOLATION MONITORING SYSTEMS, ENFORCEMENT, AND PENALTY (COUNTYWIDE)** (Tape 4)

(NOTE: Earlier in the meeting, action was taken to consider this item separately. See Clerk's Summary Item CL#16.)

Supervisor Gross moved that the Board authorize the advertisement of a public hearing to be held before the Board on **January 25, 1999 at 3:30 p.m.** on a proposed amendment to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), Article 2, Section 82-2-7, authorizing the use of traffic signal violation monitoring devices and specifying the enforcement and penalties associated with violations detected by the monitoring devices. This motion was seconded by Supervisor Kauffman.

Following a brief discussion, the question was called on the motion, which **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

18. **A-1 -- AUTHORIZATION TO MAKE COMMUTER RAIL PAYMENT (BRADDOCK, LEE, MASON, MOUNT VERNON AND SPRINGFIELD DISTRICTS)** (Tape 4)

On motion of Supervisor Kauffman, seconded by Supervisor Bulova, and carried by unanimous vote, the Board concurred in the recommendation of staff and authorized the payment of \$1,184,762 to the Northern Virginia Transportation Commission (NVTC) for Fairfax County's share of the Virginia Railway Express (VRE) payment due January 4, 1999.

19. **A-2 -- VIENNA METRORAIL STATION PARKING EXPANSION (PROVIDENCE DISTRICT)** (Tape 4)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board concur in the recommendation of staff and endorse the recommendations contained in the Memorandum to the Board dated December 7, 1998, regarding the development of additional permanent parking at the Vienna Metrorail Station and the provision of additional interim parking. This motion was seconded by Supervisor Mendelsohn.

Discussion followed, with input from Robert J. O'Neill, Jr., County Executive; Thomas P. Biesiadny, staff, Transit Operations Division (TOD), Department of Transportation (DOT); and Andrew J. Szakos, Chief, TOD, DOT.

Supervisor Dix reiterated his request of November 16, 1998 (Clerk's Summary Item CL#62) for a transportation analysis in the vicinity of the Vienna Metro Station and focusing on the two intersections with the Virginia Center Parkway.

Following further discussion, with input from staff, the question was called on the motion, which carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

**20. A-3 -- ENDORSEMENT OF THE CHIEF ADMINISTRATIVE OFFICERS TASK FORCE'S COMMENTS REGARDING THE PRELIMINARY FISCAL YEAR (FY) 2000 VIRGINIA RAILWAY EXPRESS BUDGET (BRADDOCK, LEE, MASON, MOUNT VERNON AND SPRINGFIELD DISTRICTS) (Tape 4)**

Supervisor Kauffman moved that the Board concur in the recommendation of staff and endorse the Chief Administrative Officers Task Force's four primary recommendations on the Fiscal Year (FY) 2000 Virginia Railway Express (VRE) Budget listed below:

- VRE should not increase the total annual jurisdictional subsidy unless it can achieve the 50 percent cost recovery ratio outlined in the Master Agreement;
- VRE should replace an existing morning train to Fredericksburg with an earlier evening train. VRE should not add midday trains on the Manassas line, based on criteria previously adopted by the Operations Board;
- VRE staff should eliminate unnecessary administrative spending from the final FY 2000 budget proposal to avoid a significant budget surplus at the end of the year. In addition, VRE staff should propose financial performance measures to assist the Operations Board in monitoring budget progress; and
- VRE should consider options for implementing a smaller fare increase than currently planned for Spring 1999.

This motion was seconded by Supervisor Connolly.

Discussion followed with input from Thomas P. Biesiadny, staff, Department of Transportation (DOT), and Robert J. O'Neill, Jr., County Executive.

Supervisor Mendelsohn asked to amend the motion to direct staff to clarify the wording in the third bullet before sending it out, and this was accepted.

Supervisor McConnell asked unanimous consent that the Board direct staff to request the VRE Board to consider a fare reduction if there is a continued VRE budget surplus. Without objection, it was so ordered.

Supervisor Bulova asked to amend the motion to adopt it with the understanding that, in reference to the second sentence of the second bullet, the Operations Board has the flexibility to readdress the midday service should the Board need to revisit that issue as a result of congestion related to the Mixing Bowl Project, and this was accepted.

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

21. **A-4 -- FAIRFAX CONNECTOR BUS PURCHASES FOR IMPLEMENTATION OF THE DULLES CORRIDOR EXPRESS BUS SERVICE AND SCHEDULED REPLACEMENTS (COUNTYWIDE)** (Tape 4)

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

- Authorized staff to begin all necessary steps, including encumbrance of funds, to purchase 20 buses to operate the Dulles Corridor Express Bus Service and include an appropriation of \$5,304,500 at the Fiscal Year (FY) 1999 Third Quarter Review;
- Approved amending contract number RQ9400177321A to allow the Contractor (RYDER/ATE) to procure the 20 vehicles for the Dulles Corridor Service on behalf of the County;
- Authorized staff to begin all necessary steps, including encumbrance of funds, so that staff may prepare and issue a Request for Proposal (RFP) for the purchase of 15 replacement buses for the Huntington (13) and Community Bus Services (2) Divisions, as outlined in the FAIRFAX CONNECTOR's bus replacement program, Attachment I, Memorandum to the Board dated December 7, 1998. The Huntington contract does not have a provision to allow Ryder/ATE to purchase buses for the County; and
- Authorized staff to purchase two additional buses for the Reston Internal Bus System (RIBS) utilizing \$496,250 of Dulles Toll Road Surplus revenues associated with the FY 1997 United States (US) Department of Transportation Appropriations Act. These buses would be added to the RFP in Item Number Three.

This motion was seconded by Supervisor Connolly.

Supervisor Mendelsohn commended Andrew J. Szakos, Chief, Transit Operations Division (TOD), Department of Transportation (DOT), and his staff for their hard work on this issue.

Following a brief discussion, with input from Mr. Szakos, the question was called on the motion, which carried by a vote of nine, Supervisor Frey being out of the room,

**22. A-5 -- AUTHORIZATION TO PAY THE WASHINGTON METROPOLITAN AREA TRANSIT AUTHORITY (WMATA) FISCAL YEAR (FY) 1999 THIRD QUARTER BILLING (COUNTYWIDE) (Tape 4)**

Supervisor Kauffman moved that the Board concur in the recommendation of staff and adopt a Resolution, shown in Attachment II of the Memorandum to the Board dated December 7, 1998, authorizing payment of Washington Metropolitan Area Transit Authority's (WMATA) Fiscal Year (FY) 1999 third quarter transit operating and capital billing in the amount of \$11,930,322. The Resolution is necessary to make this payment, while retaining flexibility to adjust future quarterly payments to reflect service and budget adjustments. This motion was seconded by Supervisor Hyland.

Following discussion, with input from Thomas P. Biesiadny, staff, Transit Operations Division (TOD), Department of Transportation (DOT), the question was called on the motion, which carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Frey being out of the room.

**23. A-6 -- AUTHORIZATION FOR CONDEMNATION OF CERTAIN EASEMENTS NECESSARY FOR THE CONSTRUCTION OF THE GROVE AVENUE TRAIL PROJECT (DRANESVILLE DISTRICT) (Tape 4)**

On motion of Supervisor Mendelsohn, seconded by Supervisor McConnell, and carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," the Board concurred in the recommendation of staff and adopted a Resolution authorizing condemnation of certain trail easements and a grading and temporary construction easement by the process of eminent domain for Project 064155 -- Grove Avenue Trail.

**24. A-7 -- AUTHORIZATION FOR CONDEMNATION OF A CERTAIN EASEMENT NECESSARY FOR THE CONSTRUCTION OF THE WOODFORD ROAD TRAIL PROJECT (PROVIDENCE DISTRICT) (Tape 4)**

(R) Supervisor Connolly moved that the Board concur in the recommendation of staff and adopted a Resolution authorizing condemnation of a certain trail easement necessary for construction of the Woodford Road Trail -- Project W00700. This motion was seconded by Supervisor Gross.

Following discussion, with input from James R. Ashton, Director, Land Acquisition Division, Office of Capital Facilities, Department of Public Works and Environmental Services (DPW&ES) the question was called on the motion which carried by unanimous vote, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**25. A-8 -- APPROVAL OF WALKWAY IMPROVEMENT PROJECTS (COUNTYWIDE)** (Tape 4)

Supervisor Gross, moved that the Board concur in the recommendation of staff and approve the walkway improvements projects as listed in Attachment I of the Memorandum to the Board dated December 7, 1998. This motion was seconded by Supervisor Bulova.

Supervisor Mendelsohn stated for the record that the following projects are being contemplated for the Dranesville District:

- Sugarland Stream Valley Trail;
- Bike Trail along Crestview Drive in the Herndon Area;
- Various Trails in the Great Falls Village Area;
- Pimmit Hills sidewalks; and
- Pimmit Run Stream Valley Trail.

Following discussion, Supervisor Frey announced that the person who was involved in this process considerably, Ms. Debra Lesser, has submitted her resignation as the Sully District Representative to the Countywide Non-Motorized Transportation (Trails) Committee and elected Chairperson. Accordingly, Supervisor Frey asked unanimous consent that the Board invite Ms. Lesser to appear before the Board to be recognized for her service. Without objection, it was so ordered.

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

**26. A-9 -- APPROVAL OF STORM DRAINAGE IMPROVEMENT PROJECTS FOR IMPLEMENTATION USING FISCAL YEAR (FY) 1998 CARRYOVER FUNDING (COUNTYWIDE)** (Tape 4)

On motion of Supervisor Connolly, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the storm drainage improvement projects, listed in Attachment I of the Memorandum to the Board dated December 7, 1998, using Fiscal Year (FY) 1998 Carryover funds.

**27. A-10 -- AMENDMENTS TO THE COUNTY'S CLASSIFICATION AND COMPENSATION PLANS -- IDENTIFICATION TECHNICIAN III** (Tape 4)

On motion of Supervisor Gross, seconded by Supervisor Hyland, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved amendments to the County's Classification and Compensation Plans necessary to establish the class of Identification Technician III, Grade S-19 (\$32,010 -- 49,547). On November 16, 1998, the Board Personnel Committee reviewed this item and recommended that it be forwarded to the Board for action.

**28. A-11 -- DESIGNATION OF PREVIOUSLY APPROPRIATED REVITALIZATION FUNDS (BRADDOCK, DRANESVILLE, HUNTER MILL, LEE, MASON, MOUNT VERNON AND PROVIDENCE DISTRICTS)** (Tape 4)

Supervisor Connolly moved that the Board concur in the recommendation of staff and approve the designation of Fiscal Year (FY) 1999 funds for revitalization projects in each of the County's seven revitalization areas listed in Attachment I of the Memorandum to the Board dated December 7, 1998. This motion was seconded by Supervisor Hyland.

Supervisor Kauffman asked to amend the motion to give established revitalization groups within the revitalization areas a level of flexibility regarding modifying specific projects in regard to the application of the funds, and this was accepted.

Supervisor Dix moved to amend the motion to delete the expenditures listed for Lake Anne from the prior expenditures under the Revitalization Program as listed on handwritten page three of Attachment III of the Memorandum to the Board and this was accepted.

Following discussion, with input from Barbara H. Carpenter, Director, Revitalization Division, Department of Housing and Community Development (DHCD), and Robert J. O'Neill, Jr., County Executive, the question was called on the motion, as amended, which carried by unanimous vote.

29. **A-12 -- NOTIFICATION OF AWARD OF NEW ALLOCATION OF 100 ADDITIONAL SECTION 8 CERTIFICATES FOR PERSONS WITH DISABILITIES AND AUTHORIZATION TO ESTABLISH A POSITION IN FUND 966, SECTION 8 ANNUAL CONTRIBUTION, A NON-APPROPRIATED FUND (Tape 4)**

Supervisor Kauffman moved that the Board:

- Acknowledge the award by the United States (US) Department of Housing and Urban Development (HUD) of 100 new Section 8 Housing Certificates to provide rental assistance to enable persons with disabilities to rent affordable housing in Fund 966, Section 8 Annual Contribution, a non-appropriated fund; and
- Authorize the Fairfax County Redevelopment and Housing Authority (FCRHA) to establish a position funded under the grant with the Section 8 administrative fees earned by this allocation to improve program compliance, tenant integrity, and fraud recovery efforts in the Section 8 and Public Housing programs.

Discussion followed, with input from John V. Callaghan, Director, Housing Management Division, Department (HMD), Department of Housing and Community Development (DHCD).

Supervisor Frey asked unanimous consent that the Board direct staff to provide the Board with both the balance of the Section 8 Reserve Fund presently and the balance after this position is funded. Without objection, it was so ordered.

The question was called on the motion which, carried by unanimous vote.

30. **A-13 -- AWARD OF \$35,000 FROM THE HOUSING TRUST FUND TO CHRISTIAN RELIEF SERVICES OF VIRGINIA, INCORPORATED, FOR THE**

**HOMELESS HOUSING PROGRAM (MASON AND SPRINGFIELD DISTRICTS)** (Tape 4)

On motion of Supervisor Hyland, seconded by Supervisor Gross, and carried by unanimous vote, the Board concurred in the recommendation of staff and approved the award of \$35,000 from the Housing Trust Fund in the form of a deferred loan from the Fairfax County Redevelopment and Housing Authority (FCRHA) to Christian Relief Services of Virginia, Incorporated, for the remaining match funds to acquire two units under the Homes for the Homeless Program.

**31. C-1 -- ELECTION YEAR POLICIES** (Tapes 4-5)

(P) The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 regarding the adoption of Election Year Policies from now through December 1999.

Supervisor Connolly moved adoption of the existing Election Year Policies with **no** changes and listed as follows:

- Not publishing photographs of candidates in County newsletters after January 1 of an election year through election day;
- Not including candidates on television programs on cable television Channel 16 (with the exception of cable casts of Board of Supervisors' meetings and other televised County public meetings) after January 1 of an election year through election day;
- Responding to candidates' requests for information by centralized responses from the Office of the County Executive;
- Making available, upon request, to each official, non-incumbent candidate material provided to incumbents, including: Board Package, Not-in-Package (NIP) Items, Clerk's Board Summary, The *Weekly Agenda*, news releases, and land-use affidavits;
- Implementing moratoriums on land-use public hearings and the appointment of citizens to Boards, Authorities, and Committees (BACs) from November 1999 election day until January 2000; and
- Not permitting the use of County printing and mailing services for the purpose of district-wide mailing (i.e. newsletters) after June 30 of an election year through election day.

This motion was seconded by Supervisor Kauffman.

Following discussion, with input from David P. Bobzien, County Attorney, Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved to amend the August 7, 1995 Board Election Year Policy to include the following:

- Not permitting the use of County printing and mailing services for the purpose of district-wide newsletters, which may include pictures, after June 30 of an election year through election day.

This was accepted.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Supervisor Frey moved to amend the motion to prohibit County printing and mailing services for the purpose of district-wide newsletters after January 1. This motion was seconded by Chairman Hanley.

Following discussion, the question was called on the amendment to the motion, which **FAILED** by a recorded vote six, Supervisor Dix, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley voting "**AYE.**"

Supervisor Bulova moved to add to the Policy the following language from the last bullet on page 96 of the Memorandum to the Board:

- Not permitting links from a District web page to an incumbent's personal or campaign web site.

This was accepted.

Following input from Mr. Bobzien, Chairman Hanley clarified that this amendment would be an ongoing Policy, not just Election Year Policy.

Following further discussion, the question was called on the main motion, as amended, which carried by unanimous vote.

There was a brief discussion following the vote.

32. **I-1 -- AWARD OF CONTRACTS DURING BOARD OF SUPERVISORS' RECESS** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 requesting authorization for the County Executive or the appropriate Deputy County Executive to continue to approve street acceptance items and award contracts while the Board is in recess.

The staff was directed administratively to proceed as proposed.

33. **I-2-- PUBLICATION OF ENVIRONMENTAL CONCERNS DIRECTORY (COUNTYWIDE)** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998, requesting authorization for staff to pursue obtaining additional input and publishing an Environmental Concerns Directory showing whom to call for various environmental concerns and frequently asked environmental questions. The Directory will assist customers who are seeking information and assist County staff in directing calls.



A brief discussion ensued.

The staff was directed administratively to proceed as proposed.

34. **I-3 -- AWARD OF FISCAL YEAR (FY) 1998 PUBLIC HOUSING DRUG ELIMINATION PROGRAM GRANT BY THE UNITED STATES (US) DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO FUND 967, PUBLIC HOUSING UNDER MANAGEMENT, A NON-APPROPRIATED FUND** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 announcing the award of a Fiscal Year (FY) 1998 Public Housing Drug Elimination Program Grant in the amount of \$315,300 to the Fairfax County Redevelopment and Housing Authority (FCRHA) to Fund 967, Public Housing under Management, a non-appropriated fund, for continuation of anti-drug and crime efforts at FCRHA-owned public housing properties.

A brief discussion ensued with input from John V. Callaghan, Director, Housing Management Division, Department of Housing and Community Development (DHCD).

35. **I-4 -- CONTRACT AWARD -- DEFERRED COMPENSATION** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 requesting authorization for staff to proceed to finalize negotiations and award contracts to the three top-rated offerors -- ICMA; T. Rowe Price; and Variable Annuity Life Insurance Company (VALIC) for a Deferred Compensation Plan for eligible Fairfax County employees.

The staff was directed administratively to proceed as proposed.

(NOTE: Later in the meeting, action was taken by the Board regarding deferred compensation. See Clerk's Summary Item CL#60.)

36. **I-5 -- FISCAL YEAR (FY) 1998 COMPREHENSIVE ANNUAL FINANCIAL REPORT** (Tape 5)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998 presenting the Fiscal Year (FY) 1998 Comprehensive Annual Financial Report by KPMG Peat Marwick, LLP.

## **ADDITIONAL BOARD MATTERS**

**CM:cm**

**37. QUARTERLY STATUS REPORT ON OPERATIONS FROM THE AUDIT COMMITTEE** (Tape 6)

Chairman Hanley called the Board's attention to the Quarterly Status Report on Operations from the Audit Committee that was sent to each Board Member.

**38. HOTLINE VIDEO** (Tape 6)

Chairman Hanley directed the Board's attention to the Hotline Video developed by Cable Programming to publicize the hotline for the Office of the Financial and Programs Auditor.

**39. LEADING MINORITY TECHNOLOGY FIRMS HONORED** (Tape 6)

Chairman Hanley informed Board Members of a letter from the Economic Development Authority (EDA) noting that editors of *Black Enterprise* and *Hispanic Business* recently honored the top 100 leading minority-owned technology firms across the country. It was also noted that seven of the top 100 African American owned technology firms and seven of the top 50 Hispanic owned technology firms are located in Fairfax County.

**40. CERTIFICATES OF RECOGNITION TO BE PRESENTED TO WINNERS OF THE THIRD ANNUAL THINKQUEST INTERNET CHALLENGE HELD IN LOS ANGELES** (Tape 6)

Chairman Hanley called the Board's attention to the principals, coaches, and participating county students who won over \$100,000 in the Third Annual *ThinkQuest Internet Challenge* held in Los Angeles, California on November 23, 1998.

Alex Kulesza and David Green, juniors at Thomas Jefferson High School for Science and Technology (TJHSST), along with a partner in Alaska, each won a \$25,000 "Best of Show" scholarship for their web site, "The Sundry," which promotes knowledge and appreciation of sound. The team also won a Java programming award from Microsoft. Their coach was Donald Hyatt, a TJHSST teacher.

First place winner in the Arts and Literature category was Alok Bhushan, a 1998 graduate from TJHSST now attending Harvard University, won a \$15,000 scholarship for "Totally Tesselated." His coach was Donald Hyatt.

Roger Braunstein and Victoria Rose of TJHSST, with Langley High School student Michael Imamura, each won a third place \$9,000 scholarship and a Java programming award for their web site "Driving Under the Influence." Donald Hyatt also coached this team.

TJHSST students Xian Ke and Justin Chen, along with a partner from Peru, each won a \$3,000 scholarship for their website "Energy Matters," designed to educate visitors about the world's impending energy crisis. Their coaches were TJHSST teachers Hyatt and Phyllis Rittman.

The winning entries can be viewed at [www.thinkquest.org](http://www.thinkquest.org).

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board direct staff to forward Certificates of Congratulations to all the winners. This motion was seconded by Supervisor Dix.

Following discussion, Supervisor Dix asked to amend the motion to direct staff to invite the winners and the coaches to appear before the Board to receive recognition, and this was accepted.

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

41. **THE FAIRFAX COUNTY FAIR HOUSING ANALYSIS OF IMPEDIMENTS (AI)** (Tape 6)

Chairman Hanley stated that the Board received the Fairfax County Fair Housing Analysis of Impediments (AI) in February, 1997. On March 24, 1997, the Board designated the Human Rights Commission as the lead agency for the Fair Housing Analysis (Local Plan) and the implementation of the recommendations. On June 23, 1997, the Board endorsed the Fair Housing Analysis (Local Plan).

One recommendation in the Plan was to consider enhancing the Fairfax County Human Rights Ordinance to become "substantially equivalent to the Federal Fair Housing Law." The AI indicates that the key requirements that must be met to attain substantial equivalency from the federal government are the authority to enforce a local law through a court or administrative proceeding and the provision for the assessment of a civil penalty. Previously, Northern Virginia jurisdictions that had not sought certification before September, 1992, were prohibited from doing so under the Virginia Fair Housing Law. In July, 1996, the Virginia Fair Housing Law was amended allowing jurisdictions to seek substantial equivalency certification.

The AI indicates that agencies with certification are eligible for funding under the Fair Housing Assistance Program (FHAP). The funds available can be used to reduce general fund expenditures for processing housing discrimination cases.

Chairman Hanley stated that it was her understanding that the Human Rights Commission has contacted the Office of the County Attorney to determine the required revisions to the Human Rights Ordinance.

Chairman Hanley moved that the Board direct staff to provide a status on the inquiry into this matter by the Human Rights Commission and make recommendations to the Commission and the Board on what steps need to be taken to make the County Ordinance substantially equivalent to the federal Fair Housing law. This motion was seconded by Supervisor Connolly.

Supervisor Frey asked to amend the motion to also request information regarding what is accomplished by becoming equivalent to the federal Fair Housing law and the cost involved, and this was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

42. **HERNDON CHAMBER OF COMMERCE CELEBRATES ITS 40TH ANNIVERSARY** (Tape 6)

Supervisor Mendelsohn informed Board Members that the Herndon Chamber of Commerce will celebrate its 40th Anniversary on January 20, 1999. Herndon offers a snapshot of history in Fairfax County. From a sleepy summer "get away" from the oppressive summers for residents of Washington, DC to a rail stop for farming, Herndon has grown with Fairfax County. The Herndon Chamber of Commerce has been an invaluable partner in that development and growth. From an initial membership of three, the Chamber now boasts membership of over 600 businesses.

The Chamber has been an important part of perserving and enhancing the quality of life and business in the Town of Herndon and Fairfax County and has been instrumental in the vitality of the area. The Chamber worked to bring the golf course and community center to Herndon. The Chamber established Herndon Harbor House, Incorporated which has culminated this year in the dedication of Harbor House, an affordable senior housing project.

In 1985, the Chamber established a partnership with Herndon High School and is one of the five oldest school business partnerships in Fairfax County. On March 19, 1999, Fairfax County will host the Herndon Chamber/High School Ethics Seminar at the Government Center.

The Chamber has been instrumental in the very popular Herndon Festival and Friday Night Live! On the Town Green. The Chamber also developed and sponsors a recycling program at Herndon High School, operated by Students Against Global Abuse (SAGA), a group that has won countless awards.

Supervisor Mendelsohn moved that the Board direct staff to invite representatives from the Herndon Chamber of Commerce to appear before the Board in January 1999 to recognize and celebrate its 40th anniversary. This motion was seconded by Supervisor Dix and carried by unanimous vote.

43. **EVANS FARM INN PROPERTY IN MCLEAN** (Tape 6)

Supervisor Mendelsohn announced that the issue regarding the Evans Farm Inn property in McLean would be discussed later in the meeting.

Supervisor Mendelsohn stated that the motion he would present contains three alternative tax districts to be discussed and a proposed public hearing to be held in January 1999.

(NOTE: Later in the meeting, this item was discussed. See Clerk's Summary Item CL#62.)

**PMH:pmh****44. EMPLOYEES ADVISORY COUNCIL (EAC) REQUEST (Tape 7)**

Supervisor Gross said that the Employees Advisory Council (EAC) recently requested that County employees be granted an additional four hours of holiday leave for Thursday, December 24, 1998. This suggestion was made in the spirit of the season, and is intended as an appropriate gesture of thanks to the excellent County employees. School employees already have a full day off at the direction of the School Board.

Therefore, Supervisor Gross moved that the Board grant County employees an additional four hours of holiday leave on Thursday, December 24, 1998. This motion was seconded by Supervisor Hyland.

Following a query from Supervisor Mendelsohn, Supervisor Gross said that the State has granted a similar request for State employees.

The question was called on the motion which **CARRIED** by a recorded vote of nine, Supervisor Frey voting "NAY."

**45. MAINTENANCE OF TREES ON LITTLE RIVER TURNPIKE (Tape 7)**

Supervisor Gross announced that this Board Matter was a joint item between her and Supervisor Bulova. She said that the Annandale Central Business District Planning

Committee has requested that the County provide maintenance for trees planted along a section of Little River Turnpike in Annandale. These trees were planted in 1992 and 1994 as part of the Commercial Revitalization Program.

Supervisor Gross said that in accordance with the adopted *Policy for Maintenance of Improvements Constructed within Commercial Revitalization Areas*, sufficient funds are available in the current budget. However, some of these trees are located outside the boundary of the Commercial Revitalization Area, but are immediately contiguous on either end. Staff recommends acceptance of these contiguous trees into the maintenance inventory. Many other trees, parks and additional sites will continue to be maintained by the Annandale Planning Committee and other businesses and volunteers.

Therefore, Supervisor Gross moved that the Board direct staff to include the trees along Little River Turnpike, from Woodland Road to Evergreen Lane, in the maintenance inventory for Commercial Revitalization Program Maintenance. This motion was seconded by Supervisor Bulova and carried by unanimous vote.

**46. GARDENER'S HOLIDAY AT GREEN SPRING GARDENS PARK (Tape 7)**

Supervisor Gross said that Green Spring Gardens Park in Mason District will once again celebrate the holiday season with a theme of *A Gardeners' Holiday*. Kicked off this past Saturday, seasonal decorations will be evident throughout the grounds, highlighting natural

materials, and gardening themes. Sponsored by the Friends of Green Spring, the decorations are the result of efforts by numerous garden clubs throughout the Washington region.

Supervisor Gross announced that the holiday exhibition will continue at Green Spring on Wednesdays through Sundays, through January 3, 1999. She invited Board Members and all residents of Fairfax County to visit this special and memorable display.

**47. HOLIDAY TOWN GATHERING (Tape 7)**

Supervisor Gross said that her next town meeting, which will be the annual *Mason District Holiday Town Gathering*, will be held on Wednesday, December 9, 1998 at 7:00 p.m. at the Mason District Governmental Center, 6507 Columbia Pike in Annandale. The theme is *A Year in Review -- Reflecting on 1998, Looking Ahead to 1999*. Entertainment will again be provided by the Annandale High School Women's Ensemble; refreshments will be served. She invited Board Members and all residents of Mason District to attend.

**48. PROPOSED ADDITION TO THE ZONING ORDINANCE AMENDMENT WORK PLAN (Tape 7)**

Supervisor Bulova said that she recently learned about a situation that should be easy to resolve but is not due to a problem with the Zoning Ordinance. Dav El Chauffeured Transportation Network, a worldwide company, decided to establish a presence in Fairfax County. A building was found on Port Royal Road that seemed ideal with its proximity to the Beltway and its I-5 zoning. The company moved in and then visited the Division of Zoning Administration to be a good neighbor and ensure that everything was being done properly.

Supervisor Bulova said that they were dismayed to learn that a business that has a small office with a warehouse for parking vehicles is not a use by right in a high intensity industrial district. Their choice is to either try to get a Special Exception or divide the operation into two separate uses (office and warehouse) with separate addresses, the construction of a wall and a separate ADA facilities for both uses.

Supervisor Bulova stated that she has discussed the situation with the Zoning Administrator and she believes that this situation needs to be corrected with an amendment to the Zoning Ordinance to allow taxicab services and limousine companies by right in the I-5 and I-6 districts.

Therefore, Supervisor Bulova moved that the Board add this proposed amendment to the Priority One Work Plan as long as it does not bump or delay other amendments on the list. This motion was seconded by Supervisor Connolly.

Following discussion, Supervisor Dix asked to amend the motion to direct staff to review rental car companies as a similar use that might fall into this category once it is being examined, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

49. **ACCESS TO VIRGINIA RAILWAY EXPRESS (VRE) STATION DURING ROBERTS ROAD OVERPASS CONSTRUCTION** (Tape 7)

Supervisor Bulova said that the construction of the Roberts Road Overpass, which will separate vehicular traffic from train traffic on the Norfolk Southern line, is slated to begin in the spring of 1999. Construction will take place at the same time as Phase III of the Mixing Bowl project. She has been working to develop a plan to help people safely depart the Burke Centre Virginia Railway Express (VRE) parking lot onto Roberts Parkway during construction of the overpass.

Supervisor Bulova noted that with the mixing bowl project underway in January, ridership is being promoted as an alternative to using the I-95 corridor. Many people in the Burke Centre area drive to work in the District or Maryland by driving

up Old Keene Mill road. She expressed concern that difficulty getting into and out of the Burke VRE station during construction of the Roberts Parkway Overpass will discourage riders instead of encouraging new riders to use the train instead of contributing to congestion in the Mixing Bowl area.

Supervisor Bulova said that a number of alternatives have been examined such as hiring an off duty police officer at the entrance to the VRE lot during the evening rush hour which would enhance safety and facilitate traffic flow in the area. A funding source might be Federal Congestion Mitigation funds.

Therefore, Supervisor Bulova moved that the Board direct staff to work with the Virginia Department of Transportation (VDOT) to seek appropriate funding for this purpose. This motion was seconded by Supervisor McConnell.

Following discussion, Supervisor Kauffman asked to amend the motion to instead of seeking appropriate funding to find an appropriate solution to include funding if necessary to resolve this issue, and this was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Mendelsohn being out of the room.

50. **PROPOSED CONSOLIDATED PLAN ACTION PLAN: ONE YEAR USE OF FUNDS FOR FISCAL YEAR (FY) 2000** (Tape 7)

(A)

Supervisor Bulova said that each year a public hearing is held before the Board to give the public an opportunity to comment on the Proposed Consolidated Plan. This year, the public hearing on the *Proposed Consolidated Plan Action Plan: One Year Use of Funds for Fiscal Year (FY) 2000* is scheduled for January 25, 1999.

Supervisor Bulova moved that the Board authorize the advertisement of the public hearing to be held before the Board on January 25, 1999 regarding the *Proposed Consolidated Plan Action Plan: One Year Use of Funds for Fiscal Year (FY) 2000* and directed the Department of Housing and Community Development (HCD) to provide the required advertisement to

the Clerk to the Board. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

51. **REZONING APPLICATION RZ 98-H-036** (Tape 7)

Supervisor Dix said that Bridenbaker, LC, has submitted Rezoning Application RZ 98-H-036 for single family residential development on 10.81 acres on Lawyers Road. A lengthy process was involved to achieve a desired consolidation of several parcels, and as a result, there are certain contract obligations to be met for this transaction.

Supervisor Dix moved that the Board direct staff to schedule a public hearing to be held before the Board on Rezoning Application RZ 98-H-036 on **January 11, 1999 at 5:30 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Mendelsohn being out of the room.

52. **MISS KATIE RUCKERT WINS WOMEN'S SINGLES DISTRICT, NORTHERN VIRGINIA REGIONAL AND STATE CHAMPIONSHIPS** (Tape 7)

Supervisor Dix announced that Miss Katie Ruckert, a student at James Madison High School, has won the Women's Singles District, Northern Virginia Regional and State Championships compiling a 27-1 record.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Miss Ruckert to appear before the Board to receive the appropriate Certificate. Without objection, it was so ordered.

53. **DEMONSTRATION TRANSPORTATION PROJECT** (Tape 7)

Supervisor Dix said that as the area around the Dulles Toll Road and Reston Parkway continues to develop and projects come online, the transportation challenges in that area are increased. He asked unanimous consent that the Board direct staff to preliminarily review the possibility of applying for a demonstration project through the federal government for an overhead transportation connection system and to determine if this option is feasible and, if so, how to proceed.

Following discussion, Supervisor Kauffman asked to amend the request to direct staff to also review the area between Macy's parking deck and the Joe Alexander Transportation Center, and this was accepted.

Without objection, the request, as amended, was so ordered.

54. **THE DELETION OF A NORTHERN POTOMAC RIVER CROSSING FROM THE 2020 TRANSPORTATION PLAN** (Tape 7)

Supervisor Dix said that there is a proposal before the Transportation Coordinating Council to delete a Northern Potomac River Crossing from the 2020 Transportation Plan.

There was a brief discussion of this item.



**55. REPAIR OF EMERGENCY BLINKING LIGHTS AT THE PENN DAW FIRE STATION (Tape 7)**

Supervisor Kauffman said that the Penn Daw Fire Station, located along Richmond Highway serves both communities in Mount Vernon District and Lee District. The intersection that the fire equipment uses when responding to emergencies does not have a traffic signal, but does have emergency blinking lights designed to warn motorists to stop and allow the equipment out onto the highway. Many times the equipment has to cross in excess of five lanes of traffic. The emergency blinking lights have not worked for years, according to area residents.

Therefore, Supervisor Kauffman asked unanimous consent that the Board direct staff to work with the Virginia Department of Transportation (VDOT) to repair the lights as soon as possible. Without objection, it was so ordered.

**56. INTENT TO DEFER PUBLIC HEARINGS (Tape 7)**

Supervisor Connolly announced his intent, later in the meeting at the appropriate time, to defer the following public hearings:

- Rezoning Application RZ 1998-PR-058 and Special Exception Application SEA 83-P-045-3;
- Rezoning Application RZ 1998-PR-028 and Special Exception Amendment Application SEA 86-P-101-5; and
- Annual Plans Review (APR) Item 98-II-6V.

(NOTE: Later in the meeting, the public hearings were formally deferred. See Clerk's Summary Items CL#66, CL#79, and CL#109.)

(NOTE: Later in the meeting, there were additional Board Matters. See Clerk's Summary Items CL#110 through CL#126.)

**57. RECESS/EXECUTIVE SESSION (Tape 7)**

At 1:30 p.m., Supervisor Connolly moved that the Board recess and go into Executive Session for discussion and consideration of matters enumerated in *Virginia Code* Section 2.1-344 and listed in the Agenda for this meeting and in addition:

- Appeal by James Falk, Jr. of a September 10, 1998, Decision of the Architectural Review Board (ARB) - Colvin Run Historic District.

This motion was seconded by Supervisor Bulova and carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

**SBE:sbe**

At 3:50 p.m., the Board reconvened in the Board Auditorium with all Members being present, and with Chairman Hanley presiding.

## **ACTIONS FROM EXECUTIVE SESSION**

**58. CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN EXECUTIVE SESSION (Tape 8)**

Supervisor Bulova moved that the Board certify that, to the best of its knowledge, only public business matters lawfully exempted from the open meeting requirements prescribed by the Virginia Freedom of Information Act and only matters identified in the motion to convene Executive Session were heard, discussed, or considered by the Board during the Executive Session. This motion was seconded by Supervisor Gross and carried by unanimous vote: Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE."

**59. AUTHORIZATION OF SETTLEMENT IN *WESTFIELDS CORPORATE CENTER ASSOCIATES, L.P. VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY*, AT LAW NUMBER 162094 (Tape 8)**

Supervisor Frey moved that the Board authorize settlement in *Westfields Corporate Center Associates, L.P., Versus Board of Supervisors of Fairfax County*, At Law Number 162094, according to the terms and conditions outlined by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

**60. AMENDMENT TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 3 (COUNTY EMPLOYEES), SECTION 3-6-7, TO PROVIDE THAT THE ASSETS OF (A) THE FAIRFAX COUNTY DEFERRED COMPENSATION PLAN BE HELD IN TRUST (Tape 8)**

Supervisor Gross moved that the Board approve, on an emergency basis, an amendment to the Code of the County of Fairfax Chapter 3 (County Employees) section 3-6-7, to provide that the assets of the Fairfax County Deferred Compensation Plan be held in trust. The amended Section 3-6-7 will read in full as follows:

Section 3-6-7, Effective January 1, 1999, the Employer shall establish and maintain a trust with the Trustee to hold the assets and income of the Plan for the exclusive benefit of Participants and Beneficiaries. The Trust shall consist of an initial contribution of money or other property consisting of all assets of the Plan as of December 31, 1998, and such additional sums of Deferred Compensation, for periods beginning on or after January 1, 1999, as shall from time to time be delivered to the Trustee, all earnings and losses, income and appreciation as may accrue thereon without distinction between principal and income, less the payments that are made by the Trustee.

This motion was seconded by Supervisor Connolly.

Following a brief discussion, the question was called on the motion which carried by unanimous vote.

Supervisor Gross moved that the Board authorize the advertisement of a public hearing to be held on January 11, 1999, to readopt the proposed amendment to the Code of the County of Fairfax, Chapter 3 (County Employees) Section 3-6-7 that was adopted today on an emergency basis. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved that the Board authorize establishment of a trust in accordance with Code of the County of Fairfax, Chapter 3 (County Employees) Section 3-6-7, as amended, and the appointment of the Director of the Department of Finance as trustee of the trust. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved that the Board direct the Chairman to execute a Trust Agreement on behalf of the Board of Supervisors substantially in the form of the Trust Agreement contained in the legal package as Legal 1(a) and discussed by the County Attorney in Executive Session. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross moved that the Board in its capacity as the governing body of the Reston Community Center (Small District 5 Hunter Mill and Small District 5 Sully), the McLean Community Center (Small District 1 Dranesville), and the Burgundy Village Community Center (Local District 1A Lee), authorize the continued participation of eligible employees of the centers in Fairfax County's Deferred Compensation Plan, as it may be amended from time to time, subject to the terms of the Plan and the Trust Agreement. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

Supervisor Gross expressed her appreciation to the County Attorney and his office for their assistance in getting these motions in order.

**61. REFERENCE TO THE FOUR BLIGHTED HOUSES THAT CONSTITUTE WILTON RIDGE, SECTION TWO, IN THE LEE DISTRICT** (Tape 8)

Supervisor Kauffman moved that the Board refer the issue of the four blighted houses that constitute Wilton Ridge, Section Two, in the Lee District to County staff to commence the process of abatement. This motion was seconded by Supervisor Hyland and carried by unanimous vote.

**62. REDEVELOPMENT OF THE EVANS FARM INN PROPERTY IN MCLEAN** (Tape 8)

(NOTE: Earlier in the meeting, action on this item was deferred. See Clerk's Summary Item CL#43.)

Supervisor Mendelsohn stated that on November 23, 1998, he noted that there were on-going efforts to redevelop the Evans Farm Inn Property in McLean and that this property

has served as a focus for community activities for many years. The property now contains a restaurant, but it also offers unique open space and recreational opportunities to the McLean community that are virtually irreplaceable.

For that reason, many in the community have requested the Board to establish a special tax district that could acquire and operate the Evans Farm Inn property as open space, as a park or as a recreational facility. Once established, such a special tax district, with the approval of the district voters, could issue bonds for the acquisition of the property. That district could repay those bonds and operate the facility with a special tax levy on real property within the district.

On November 23, 1998, the Board requested the County Executive to contact the owner and the prospective owners of this property and to provide certain additional information related to the acquisition of that property. Robert J. O'Neill, Jr., County Executive, contacted the contract purchaser, and he was advised that the entire property is not for sale.

Nevertheless, this Board may proceed with the creation of a special tax district that could acquire that property by purchase or, if necessary, by condemnation. Mr. O'Neill has provided this Board with information concerning the procedures for the establishment of a special tax district and information from the Park Authority concerning the possible operation of that property as open space, as a public park or as a recreational facility.

Supervisor Mendelsohn stated that it is clear to him that if such a tax district is to be formed to preserve this property, then such a district must be pursued expeditiously. Establishing such a district will require the Board, the County staff, and the Park Authority staff to take several actions in the near future. For that reason, Supervisor Mendelsohn moved that:

- The Board authorize staff to advertise the creation of three different special tax options for the acquisition of the Evans Farm Inn property. These options are:
- The first tax district option would be coterminous with the McLean Planning District and a map of the district and a metes and bounds description were attached and distributed to the Board;
- The second tax district option also would follow the McLean Planning District, but it would exclude that area within the Magarity and Tysons Election Precincts, and a map of that district and a metes and bounds description were distributed to the Board; and
- The third tax district option also would follow the McLean Planning District, but it would exclude that area within the Colvin, Magarity, Shouse and Tysons Election Precincts, a map of that district and a metes and bounds description was distributed to the Board.
- The Board direct staff to make available to the public, no later than January 5, 1999, information on the boundaries of such tax districts, the estimated costs of acquiring and maintaining that property as open space, as a park or as a recreational facility, and the anticipated tax rate that would be needed to pay for the cost of acquiring and maintaining that property as a public facility under each of the optional special tax districts.

- The Board direct staff to schedule a public hearing on the creation of such a special tax district, with such public hearing to be held at the Board meeting on January 11, 1999;
- The Board direct staff to prepare a Board item to appropriate funds in the amount of \$15,000 to the County Electoral Board to provide funds to conduct a special election on Tuesday, April 6, 1999, that would determine whether the new special tax district, if created, should be authorized to issue bonds to pay for the acquisition of the Evans Farm Inn Property;
- The Board direct staff to reallocate funding in the estimated amount of \$50,000 to the County Attorney's Office at Third Quarter Review to provide funds that will permit the new tax district institute condemnation proceedings to acquire the Evans Farm Inn Property; and
- The Board direct staff to reallocate funding up to \$100,000 for a park plan and up to \$200,000 to the Park Authority at Third Quarter Review to provide funds that will permit the Authority to conduct a feasibility study of operating the Evans Farm Inn property as open space, as a park, or as a recreational facility.

This motion was seconded by Chairman Hanley.

Discussion ensued with input from Mr. O'Neill, and Michael H. Long, Senior Assistant County Attorney.

Supervisor Connolly asked to amend to the motion to delete bullets number four and five for now so the Board can proceed with the public hearing and the necessary expenditure of funds in terms of preparation for that public hearing, and this was accepted.

Following further discussion, the question was called on the motion, as amended, which **FAILED** by a recorded vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley voting "**AYE.**"

## **AR:ar**

### 63. **3:30 P.M. - PH ON PROPOSED TRANSPORTATION ENHANCEMENT PROGRAM PROJECTS** (Tape 9)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by five speakers, Chairman Hanley noted that action will be taken by the Board on January 11, 1999 on the final list of projects submitted for the Transportation Enhancement Program.

Supervisor Bulova asked unanimous consent that the Board direct staff to provide her office with a map of the Fairfax County Park Authority Accotink Gateway Connector

Trail (the proposed three mile section from Little River Turnpike south to Lake Accotink). Without objection, it was so ordered.

64. **3:30 P.M. -- PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 83 (BOATS)** (Tape 9)

(O)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Kauffman moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 83 (Boats) to bring the County in line with Title 29.1 of the *Code of Virginia*, as amended, **to become effective on January 1, 1999 at 12:01 a.m.** This motion was seconded by Supervisor Bulova and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Gross, Supervisor Hyland, and Supervisor McConnell being out of the room.

65. **3:30 P.M. -- BOARD DECISION ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 78-D-098-2 (MCLEAN BIBLE CHURCH) (DRANESVILLE DISTRICT)** (Tape 9)

(NOTE: On November 23, 1998, the Board held the public hearing on Special Exception Amendment Application SEA 78-D-098-2 and deferred decision until December 7, 1998.)

Following discussion, Supervisor Mendelsohn moved to defer decision on Special Exception Amendment Application SEA 78-D-098-2 until **January 11, 1999 at 3:30 p.m.** This motion was seconded by Chairman Hanley and **CARRIED** by a recorded vote of nine, Supervisor Dix voting "NAY."

66. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-058 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-P-045-3 (TYCON TOWER I INVESTMENT, L.P.) (PROVIDENCE DISTRICT)** (Tape 9)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1998-PR-058 and Special Exception Amendment Application SEA 83-P-045-3 until **January 25, 1999 at 4:30 p.m.** This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Frey and Supervisor McConnell being out of the room.

67. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1997-PR-036 (MADISON HOMES, INCORPORATED) (PROVIDENCE DISTRICT)** (Tapes 9-10)

(O)

Mr. Stephen K. Fox reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Inda Stagg, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Connolly moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-PR-036 be amended from the R-1 District to the R-4 District subject to the execution of the proffers dated December 4, 1998. This motion was seconded by Supervisor Dix and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Vice-Chairman Hyland voting "AYE," Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

68. **3:30 P.M. -- PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-001 (TCR MID ATLANTIC/NE PROPERTIES, INCORPORATED) (HUNTER MILL DISTRICT) (Tape 10)**

Ms. Lynne J. Strobel reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Following discussion, with input from David P. Bobzien, County Attorney, Supervisor Dix moved:

- Approval of Proffered Condition Amendment Application PCA 94-H-001 subject to the executed proffers dated November 18, 1998; and
- Reaffirmation of the modification of the transitional screening requirement and waiver of the barrier requirements along the northern boundary in favor of the landscaping shown on the Conceptual Development Plan Amendment Application/Final Development Plan Amendment Application (CDPA/FDPA) and as further described in the proffers.

This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Connolly, Supervisor Frey, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

69. **4:00 P.M. - PH ON REZONING APPLICATIONS RZ 1998-MV-032 AND RZ 1998-MV-033 (BOARDS= OWN MOTION) AND SPECIAL EXCEPTION**

(O) **AMENDMENT APPLICATION SEA 81-V-017 (FAIRFAX COUNTY WATER AUTHORITY) (MOUNT VERNON DISTRICT)** (Tape 10)

Mr. Martin B. Sultan, Director of Planning and Engineering, Fairfax County Water Authority, reaffirmed the validity of the affidavit for the record.

Supervisor Bulova disclosed the following campaign contribution which she had received:

- In excess of \$200 from the Braddock District Representative on the Fairfax County Water Authority Board.

**Supervisor Kauffman disclosed the following campaign contribution which he may have received:**

- In excess of \$200 from the Lee District Representative on the Fairfax County Water Authority Board.

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

Following the public hearing, Donna McNeally, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1997-MV-032 and Rezoning Application RZ 1997-MV-033 be amended from the R-C and NR Districts to the R-1 and NR Districts subject to the execution of the proffers dated December 1, 1998;
- Approval of Special Exception Amendment Application SEA 81-V-017 subject to the development conditions dated December 4, 1998;
- Modification of transitional screening and barrier requirements in favor of that shown on the Generalized Development Plan (GDP)/SEA Plat; and
- Waiver of the service drive requirement on Route 123.

This motion was seconded by Supervisor Gross and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, and Acting Chairman Kauffman voting "AYE," Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Acting-Chairman Kauffman returned the gavel to Vice-Chairman Hyland.



70. **4:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-L-019 (SEARS, ROEBUCK AND COMPANY, D/B/A NTB) (LEE DISTRICT)** (Tape 10)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved approval of Special Exception Application SE 98-L-019 subject to the development conditions dated November 20, 1998, with the following revision:

· Development Condition Number Six -- revise the second sentence to read: "However, any freestanding sign associated with this use shall be limited to a monumental sign and no more than eight feet in height."

This motion was seconded by Supervisor Dix and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

71. **4:00 P.M. -- PH ON REZONING APPLICATION RZ 1998-HM-001 (HEARTHSTONE VANGUARD TYSONS LIMITED PARTNERSHIP) (HUNTER MILL DISTRICT)** (Tape 10)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, which included testimony by one speaker, Mary Ann Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Dix moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-HM-001 be amended from the R-1 District to the R-8 District subject to the execution of the proffers dated December 4, 1998. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Vice-Chairman Hyland voting "AYE," Supervisor

Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Dix moved waiver of the minimum district size pursuant to Section 9-610 of the Zoning Ordinance and waiver of the 200 square foot privacy yard requirement pursuant to Section 9-613 of the Zoning Ordinance. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Dix moved that the Board direct staff to:

- Request confirmation from the Line Maintenance Division relative to the item regarding the fact that the Board will not require further clearing or grading in order to maintain the particular site of these lines once they are installed;
- Provide the community with a copy of the survey which is done during the Site Plan review to determine the western boundary of the proposed development; and
- Include the Westbriar Civic Association as a party in the tree preservation plan at its inception and approval.

This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Connolly, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

72. **4:00 P.M. - PH ON PROPOSED PUBLIC FACILITIES APPLICATION 2232-V98-11 BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA) TO ACQUIRE 2.25 ACRES FOR THE DEVELOPMENT OF 60 UNITS OF HOUSING FOR THE ELDERLY AND OFFICE SPACE AT 7837 RICHMOND HIGHWAY, GUM SPRINGS (MOUNT VERNON DISTRICT)** (Tape 10)

Vice-Chairman Hyland relinquished the Chair to Acting-Chairman Kauffman and moved to defer the public hearing on Public Facilities Application 2232-V98-11 until **January 11, 1999 at 3:30 p.m.** This motion was seconded by Acting-Chairman Kauffman and carried by a vote of six, Supervisor Dix, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

- Acting-Chairman Kauffman returned the gavel to Vice-Chairman Hyland.
73. **4:00 P.M. - PH ON THE PROPOSED VACATION OF PORTIONS OF H STREET (MOUNT VERNON DISTRICT)** (Tapes 10-11)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Hyland moved to defer decision on the adoption of the Ordinance vacating portions of H Street (no route number)

until **January 11, 1999 at 4:00 p.m.** This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

74. **4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) TO ESTABLISH THE BROYHILL PARK RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 28 (MASON AND PROVIDENCE DISTRICTS)** (Tape 11)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by three speakers, Supervisor Gross moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic) Article 5A, establishing the Broyhill Park Residential Permit Parking District (RPPD), District 28. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

75. **4:30 P.M. -- JOINT PH ON THE PROPOSED VIRGINIA DEPARTMENT OF TRANSPORTATION (VDOT) SIX YEAR SECONDARY ROAD IMPROVEMENT PROGRAM (COUNTYWIDE) AND JOINT PH ON THE PROPOSED VDOT SECONDARY ROAD IMPROVEMENT BUDGET FOR FISCAL YEAR (FY) 2000 (COUNTYWIDE)** (Tape 11)

Verbatim

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Discussion ensued with input from Samuel T. Chamberlain, Department of Transportation (DOT) and Steven W. Hicks, Assistant Resident Engineer, Virginia Department of Transportation (VDOT).

Following input from Katharine D. Ichter, Chief, Highway Operations Division, DOT, Supervisor McConnell asked unanimous consent that the Board direct staff to work closely with VDOT to expedite the Fullerton Road project. Without objection, it was so ordered.

With reference to the interchange at Popes Head Road and the Fairfax County Parkway, Supervisor McConnell asked unanimous consent that the Board direct staff to review the issues involving this interchange and provide a recommendation on whether it should be added to the Six-Year Secondary Road Improvement Plan. Without objection, it was so ordered.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved approval of the draft:

- Six Year Secondary Road Improvement Program as provided in Attachment I and summarized in Attachment II of the Memorandum to the Board dated December 7, 1998; and
- Secondary Road Construction Budget for Fiscal Year (FY) 2000 as provided in Attachment III of the Memorandum to the Board dated December 7, 1998.

This motion was seconded by Supervisor Connolly.

**On behalf of Supervisor Dix, Supervisor Frey asked to amend the motion to:**

- Request VDOT to advance the widening of Centreville Road between Frying Pan Road and West Ox Road to a date prior to the year 2004; and
- Direct staff to review the effect on other projects if some are accelerated.

This was accepted.

The question was called on the motion, as amended, which carried by a vote of nine, Supervisor Dix being out of the room.

76. **4:30 P.M. - PH TO CONSIDER REQUESTS FROM: (1) ALLIANCE FOR PHYSICALLY DISABLED, INCORPORATED; (2) CAPITAL AREA COMMUNITY FOOD BANK, INCORPORATED; (3) LAKEVIEW SWIM CLUB, INCORPORATED; AND (4) SOMERSET-OLDE CREEK RECREATION CLUB, INCORPORATED, FOR EXEMPTION FROM COUNTY PROPERTY TAXES (COUNTYWIDE REVENUE IMPACT)** (Tapes 11-12)
- (Rs)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issue of November 25, 1998.

Following the public hearing, which included testimony by three speakers, Supervisor Bulova moved adoption of the Resolutions endorsing special State legislation that would confer an exemption from County property taxes for the:

- Alliance for Physically Disabled, Incorporated;
- Capital Area Community Food Bank, Incorporated;
- Lakeview Swim Club, Incorporated; and
- Somerset-Olde Creek Recreation Club, Incorporated.

**This motion was seconded by Supervisor McConnell and carried by a vote of six, Supervisor Bulova, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor**

**Connolly, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.**

Following discussion, with input from Michael H. Long, Senior Assistant County Attorney, Supervisor Bulova moved that the Board direct staff to examine the issue of assisting older community pools and recreation centers in the County in maintaining an up-to-date status. This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Connolly, Supervisor Dix, and Supervisor Kauffman being out of the room.

77. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-SU-024 AND SPECIAL EXCEPTION APPLICATION SE 98-Y-025 (S & S DEVELOPMENT, L.L.C.) (SULLY DISTRICT) (Tape 12)**  
(O)

Ms. Erika L. Byrd reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Susan Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Frey moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-SU-024 be amended from the R-1, C-8, HC, SC, and WS Districts to the C-8, HC, SC, and WS Districts subject to the execution of the proffers dated September 30, 1998. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved approval of Special Exception Application SE 98-Y-025 subject to the development conditions dated October 7, 1998. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

Supervisor Frey moved modification of the transitional screening requirements and waiver of the barrier requirement along the north and east property lines in favor of that shown on the Generalized Development Plan/Special Exception (GDP/SE) Plat with the understanding that, through the Site Plan process, the applicant will aspire to increase the transitional screening on the east side of the property. This motion was seconded by Supervisor Bulova and carried by a vote of six, Supervisor Dix, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley being out of the room.

78. **4:30 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 82-M-018 (MCDONALD=S CORPORATION) (MASON DISTRICT)** (Tape 12)

Ms. Elizabeth D. Baker reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Susan Johnson, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ), presented the staff and Planning Commission recommendations.

Supervisor Gross moved:

- Approval of Special Exception Amendment Application SEA 84-M-018 subject to the development conditions dated October 7, 1998, with a modification to Condition Number Seven to read:
- "Roof illumination strips shall be permitted on the site only if the light is emitted from below the sides of the strip and the top of the strips are capped with an opaque material and are not illuminated"; and
- Modification of the transitional screening requirement and waiver of the barrier requirement along the north boundary in favor of that shown on the Special Exception (SE) Plat.

This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor Kauffman being out of the room.

## **AM:am**

79. **5:00 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-028 AND SPECIAL EXCEPTION APPLICATION SEA 86-P-101-5 (PAUL AND TERESA KLAASSEN) (PROVIDENCE DISTRICT)** (Tape 13)

Supervisor Connolly moved to defer indefinitely the public hearing on Rezoning Application RZ 1998-PR-028 and Special Exception Amendment Application SEA 86-P-101-5. This motion was seconded by Supervisor Hyland and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

80. **5:00 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 89-D-060 (BOARD OF SUPERVISORS= OWN MOTION/PARK AUTHORITY) (DRANESVILLE DISTRICT)** (Tape 13)

Mr. Robert A. Lawrence reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Inda Stagg, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Proffered Condition Amendment Application PCA 89-D-060 subject to the executed proffers dated November 17, 1998;
- Modification of the transitional screening requirements on the northern and eastern peripheries, adjacent to the Reflection Lake Subdivision, for the duration of the interim of the athletic field use;
- Waiver the transitional screening requirements on the northern periphery of Land Bay five adjacent to Lane Bay Four for the duration of the interim athletic field use; and
- Waiver of the barrier requirements on the northern periphery of Land Bay five adjacent to Land Bay Four for the duration of the interim athletic field use.

This motion was seconded by Supervisor Gross and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

81. **5:00 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 98-L-034 (J&P MANAGEMENT SERVICES, INCORPORATED) (LEE DISTRICT)** (Tape 13)

Ms. Toni L. McMahon reaffirmed the validity of the affidavit for the record.

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

Following the public hearing, Donna McNeally, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Kauffman moved:

- Approval of Special Exception Application SE 98-L-034 subject to the development conditions dated November 6, 1998;
- Waiver of the barrier requirements and modification of the transitional screening requirements along the north and west periphery in favor of that shown on the Special Exception (SE) Plat;

- Waiver of the service drive requirement along the Richmond Highway frontage; and
- Waiver of the requirement to construct road frontage improvements on Richmond Highway and Skyview Drive including the realignment of Forest Place.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

82. **5:00 P.M. - PH ON REZONING APPLICATION RZ 93-Y-017 (B&D TRUCKING CORPORATION) (SULLY DISTRICT)** (Tape 13)

(O)

Mr. Randall Minchew reaffirmed the validity of the affidavit for the record.

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

Supervisor Dix disclosed the following campaign contribution which he had received:

- In excess of \$200 from Gordon and Associates and other partnerships.

Following the public hearing, which included testimony by one speaker, Chris Abrahamson, Branch Chief, Zoning Evaluation Division, Department of Planning and Zoning (DPZ) presented the staff and Planning Commission recommendations.

Supervisor Frey moved:

- That the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 93-Y-017 be amended from the RC and WS Districts to the I-6 and WS Districts subject to the execution of the proffers dated November 18, 1998;
- Modification of the transitional screening and waiver of the barrier requirements in favor of that shown on the Generalized Development Plan (GDP); and
- Waiver of the service drive requirement on Route 29.

This motion was seconded by Supervisor Hyland and carried by a vote of seven, Supervisor Connolly, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Dix, and Supervisor McConnell being out of the room.

83. **5:00 P.M. - CONSIDERATION OF AN APPEAL BY JAMES FALK, JR. OF A SEPTEMBER 10, 1998, DECISION OF THE ARCHITECTURAL REVIEW BOARD (ARB) - COLVIN RUN MILL HISTORIC DISTRICT (DRANESVILLE DISTRICT)** (Tapes 13-14)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998, regarding consideration of the appeal regarding subdivision plats,



grading plans and building permit applications for the Colvin Mill Run Subdivision, most of which is located within the Colvin Run Mill Historic Overlay District.

Following discussion, with input from David P. Bobzien, County Attorney; Randall T. Greehan, Assistant County Attorney; and Richard O'Brien, Chairman, Architectural Review Board (ARB), Supervisor Mendelsohn moved to defer this item until later in the meeting. This motion was seconded by Supervisor Connolly and carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#87.)

84. **5:30 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tape 14)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Citizens and Businesses of Fairfax County are encouraged to present their views on issues of concern. The Board will hear public comment on any issue except: issues under litigation, issues which have been scheduled for public hearing before the Board (this date and future dates), personnel matters and/or comments regarding individuals. Each speaker may have up to three minutes and a maximum of 10 speakers will be heard. Speakers may address the Board only once during a six month period.

The public hearing was held and there were no speakers.

85. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-CW-3ED CONCERNING AN UPDATE OF THE PUBLIC FACILITIES TABLES AND RECOMMENDATIONS (COUNTYWIDE)** (Tape 14)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 20 and November 27, 1998.

Following the public hearing, which included testimony by one speaker, Supervisor Hyland moved approval of Area Plans Review (APR) Item 98-CW-3ED as recommended by the Planning Commission, as shown in Attachment I of the Memorandum to the Board dated December 7, 1998. This test updates the public facilities tables and recommendations in the Planning Districts and Planning Sectors of the Area Plans with the following modification:

- The deletion of numbers 156 and 159 and modification of number 161 to delete Plan guidance on the expansion on the Newington Equipment Management Transportation Agency (EMTA) facility. The proposed EMTA facility expansion will be the subject of a Public Facilities Application (2232 formerly 456) public hearing by the Planning

Commission thereby providing an opportunity for these issues to be addressed. This public hearing before the Planning Commission is currently scheduled for January 23, 1999.

This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Kauffman, and Supervisor Mendelsohn being out of the room.

86. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-IV-2TR TO REVISE TRAILS PLAN ON GUNSTON ROAD BETWEEN RICHMOND HIGHWAY AND LANTANA TRAIL (MOUNT VERNON DISTRICT)** (Tape 14)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by eight speakers, Supervisor Hyland moved approval of an alternative to the Planning Commission Recommendation for Area Plans Review (APR) Item 98-IV-2TR to:

- Designate a bicycle/pedestrian trail north and east of Gunston Road as recommended by the Planning Commission; and
- Delete the equestrian trail along Gunston Road.

This motion was seconded by Supervisor Kauffman and carried by unanimous vote.

87. **5:00 P.M. -- CONSIDERATION OF AN APPEAL BY JAMES FALK, JR. OF A SEPTEMBER 10, 1998, DECISION OF THE ARCHITECTURAL REVIEW BOARD (ARB) - COLVIN RUN MILL HISTORIC DISTRICT (DRANESVILLE DISTRICT)** (Tape 14)

(NOTE: Earlier in the meeting, this appeal was discussed. See Clerk's Summary Item CL#83.)

The Board next considered an item contained in the Memorandum to the Board dated December 7, 1998, regarding consideration of the appeal regarding subdivision plats, grading plans and building permit applications for the Colvin Mill Run Subdivision, most of which is located within the Colvin Run Mill Historic Overlay District.

Supervisor Mendelsohn moved to modify the September 10, 1998 decision of the Architectural Review Board (ARB) so that the:

- Developer promptly reestablish any trees, plants, or any other vegetative buffers in any conservation easement or tree save area which it has removed and that the easements and tree save areas be restored to the satisfaction of the ARB and the Urban Forester;
- Developer shall have 30 days from today to submit plans to the ARB and the Urban Forester showing that it will reestablish these trees, plants, or other vegetative buffers;

- Developer establish such additional trees, plants, or vegetative buffers as deemed necessary by the ARB and the Urban Forester to adequately buffer and screen the proposed development from view of the surrounding citizens in the Historic Overlay District including Colvin Run Mill;
- ARB and the Urban Forester shall make its recommendations to the developer as to any additional trees, plants, and vegetative buffers as soon as practicable and the developer shall have 30 days from that date to submit plans addressing the recommendations of the ARB and the Urban Forester; and
- ARB establishes a time table for the developer to initiate and complete the work recommended by the ARB and the Urban Forester taking into account sound Urban Forestry principals and the developers to comply with the deadline and the time table.

This motion was seconded by Supervisor Connolly and carried by a vote of nine, Supervisor Hyland being out of the room.

Supervisor Mendelsohn stated that he had received a letter dated December 3, 1998 from Mr. Falk requesting that the County take action to enforce the Erosion and Sedimentation Control Ordinance and Virginia Conservation Easement Act for alleged violations associated with the development of the Colvin Mill Run Subdivision. Therefore, Supervisor Mendelsohn moved that this letter be referred to the Department of Public Works and Environmental Services (DPW&ES) to respond to the claims set forth to immediately take corrective action if warranted, and if necessary to refer the matter to the County Attorney to determine if any action is required. This motion was seconded by Chairman Hanley and carried by a vote of nine, Supervisor Hyland being out of the room.

88. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-II-15F, NORTH OF ROUTE 29 AND WEST OF RIDGE TOP ROAD (SULLY DISTRICT)** (Tapes 14-15)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by one speaker, Supervisor Frey moved approval of Area Plans Review (APR) Item 97-II-15F as recommended by the Planning Commission, and shown in Attachment II and IV of the Memorandum to the Board dated December 7, 1998 with modifications as shown in the handout dated December 7, 1998 and titled *Board of Supervisors Public Hearings/Markup 1998 Area Plans Review-Schedule B*. This motion was seconded by Supervisor Dix and carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

89. **7:00 P.M. - PH ON PROPOSED OUT-OF-TURN PLAN AMENDMENT S98-II-F1, LOCATED IN THE NORTHEAST QUADRANT OF THE INTERSECTION OF BRADDOCK AND ROBERTS ROADS (BRADDOCK DISTRICT)** (Tape 15)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Out-of-Turn Plan Amendment S98-II-F1 as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative text would delete the option for residential use at 2-3 dwelling units per acre (du/ac) and add conditions for development at the high end of the planned 1-2 du/ac. This motion was seconded by Supervisor McConnell and carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

90. **7:00 P.M. -- PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-III-13P FOR THE ENTIRE POHICK PLANNING DISTRICT (BRADDOCK AND SPRINGFIELD DISTRICTS)** (Tapes 15-16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by one speaker, Supervisor Bulova moved approval of Area Plans Review (APR) Item 97-III-13P as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative would reflect aspects on watersheds within this area and provide Policy guidance concerning infill development. This motion was seconded by Supervisor Kauffman.

Following discussion, Supervisor McConnell moved a substitute motion to defer this item until the Occoquan Water Coalition can appear before the Board to address this item. This motion was seconded by Supervisor Frey.

Following additional discussion, with input from David P. Bobzien, County Attorney, the question was called on the substitute motion which **FAILED** by a recorded vote of four, Supervisor Dix, Supervisor Frey, Supervisor Gross, and Supervisor McConnell voting "AYE," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

The question was called on the main motion which **CARRIED** by a recorded vote of five, Supervisor Dix, Supervisor Frey, and Supervisor McConnell voting "NAY," Supervisor Hyland and Supervisor Mendelsohn being out of the room.

91. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 98-II-5F AND 98-II-6F, LOCATED IN THE SOUTHEAST QUADRANT OF LEE HIGHWAY AND SHIRLEY GATE ROAD (BRADDOCK DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Area Plans Review (APR) Items 98-II-5F and 98-II-6F as recommended by the Planning Commission, with modifications as shown in Attachment IV of the Memorandum to the Board dated December 7, 1998 to allow residential use up to 5 dwelling units per acre (du/ac) at the overlay level with conditions for consolidation and resolution of environmental and other issues. This motion was seconded by Supervisor Frey and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

92. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-III-1P, LOCATED SOUTH OF THE FAIRFAX COUNTY PARKWAY AND EAST OF LITTLE OX ROAD (BRADDOCK DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Area Plans Review (APR) Item 98-III-1P as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The text would change the land use recommendation from industrial use to residential use at .2-.5 dwelling units per acre (du/ac) with an option for .5-1 du/ac. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

93. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-III-3T REGARDING THE WIDENING OF NEW GUINEA ROAD FROM ROBERTS ROAD TO SIDEBURN ROAD (BRADDOCK DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Bulova moved approval of Area Plans Review (APR) Item 98-III-3T as recommended by the Planning Commission, and shown in Attachment III of the Memorandum to the Board dated December 7, 1998. The alternative added a statement that the corridor study for the extension of New Guinea Road should include the segment of New Guinea Road that is the subject of Area Plans Review Item 98-III-3T. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

94. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 97-I-3A AND 97-I-4A, LOCATED IN THE INDIAN RUN (A3) AND OSSIAN HALL (A10) COMMUNITY PLANNING SECTORS OF ANNANDALE PLANNING DISTRICT (MASON DISTRICT)** (Tape 16 )

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Items 97-I-3A and 97-I-4A as recommended by the Planning Commission, and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative makes modifications to the nominator's text addressing uses requiring a special exception or special permit. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

95. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-1B, LOCATED EAST OF SOUTH GEORGE MASON DRIVE, ADJACENT TO THE ARLINGTON COUNTY BOUNDARY (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 97-I-1B as recommended by the Planning Commission, as found in pages 23 and 24 of the Mason Districts Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The text adds an option for 5-8 dwelling units per acre (du/ac) with conditions. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

96. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-CW-23T CONCERNING THE INTERSECTION OF LITTLE RIVER TURNPIKE AND BEAUREGARD STREET AND THE SURROUNDING AREA (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 97-CW-23T as recommended by the Planning Commission, as found on pages 60 and 61 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative adds language pertaining to congestion at the Little River Turnpike/Beauregard Street. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

97. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1A, LOCATED NORTH OF EDSALL ROAD AND WEST OF CHEROKEE AVENUE (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1A as recommended by the Planning Commission, as found on pages 76 and 77 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The additional text indicates the subject property is planned and developed with retail uses and that the retail area should not be expanded. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Bulova, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

98. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-2A, LOCATED ON THE EASTSIDE OF EVERGREEN LANE BETWEEN LITTLE RIVER TURNPIKE AND COLUMBIA PIKE (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-2A as recommended by the Planning Commission, with modifications as shown in the handout dated December 7, 1998 and titled *Plan Text For APR Item 98-I-2A*. This recommendation adds an option for single family housing at 4-6 dwelling units per acre (du/ac) with conditions to address parcel consolidation, buffering, access, tree preservation, and building height. This motion was seconded by Supervisor Connolly and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

99. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1ED, LOCATED SOUTH OF LEESBURG PIKE BETWEEN GLENMORE DRIVE AND CHARLES STREET (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1ED as recommended by the Planning Commission, as shown on page 117 of the Mason District Staff Reports book and in Attachment I of the Memorandum to the Board dated December 7, 1998 to correct a tax map parcel reference. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

100. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1L, LOCATED SOUTH OF EDSALL ROAD AND WEST OF ALEXANDRIA CITY LINE (MASON DISTRICT)** (Tape 16)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1L as recommended by the Planning Commission, as shown on page 122 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The addition is an option for residential use at 5-8 dwelling units per acres (du/ac) with conditions. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

101. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-1PF, ADDRESSING THE THOMAS JEFFERSON COMMUNITY LIBRARY (MASON DISTRICT)** (Tape 16)



A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-1PF as recommended by the Planning Commission, as shown on page 143 of the Mason District Staff Reports book and shown in Attachment I of the Memorandum to the Board dated December 7, 1998. The added text indicates the need to expand the library. This motion was seconded by Supervisor Kauffman and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

**102. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-I-2PF, ADDRESSING THE WOODROW WILSON COMMUNITY LIBRARY (MASON DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Gross moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Gross moved approval of Area Plans Review (APR) Item 98-I-2PF as recommended by the Planning Commission, as shown in Attachment III of the Memorandum to the Board dated December 7, 1998. The alternative adds language stating that the Woodrow Wilson Community Library should have its infrastructure revitalized. This motion was seconded by Supervisor Connolly and carried by a vote of six, Supervisor Dix, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

**103. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 97-I-1J, LOCATED EAST OF ANNANDALE ROAD BETWEEN BRICE STREET AND COSTNER DRIVE (PROVIDENCE DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor

Kauffman and **CARRIED** by a recorded vote of five, Chairman Hanley voting "NAY," Supervisor Dix, Supervisor Gross, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Connolly moved approval of Area Plans Review (APR) Item 97-I-1J as recommended by the Planning Commission, and shown on page 40 of the Providence District Staff Reports book and found in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative reduces the Plan density of 8-12 dwelling units per acres (du/ac) to 3-4 du/ac and provides guidance for the adaptive reuse of the existing single family structure for low intensity office uses. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

**104. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEMS 98-II-1ED AND 98-II-2ED, EDITORIAL ITEMS CHANGING THE NAME OF A TRANSIT STATION LOCATED IN THE VIENNA PLANNING DISTRICT (PROVIDENCE DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Mendelsohn and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Connolly moved approval of Area Plans Review (APR) Items 97-II-1ED and 98-II-2ED with the modification that adds GMU to the Metro Station name which has been approved by the Metro Board which reflects the Board's action of September 8, 1997 to reflect a transit station name change from Vienna Metro Station to the Vienna-Fairfax-GMU Metro Station. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

**105. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-3ED, AN EDITORIAL ITEM CHANGING THE NAME OF A TRANSIT STATION LOCATED IN THE MCLEAN PLANNING DISTRICT (PROVIDENCE DISTRICT) (Tape 16)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor

Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-3ED as recommended by the Planning Commission, as shown on pages 83 and 84 of the Providence District Staff Reports Book and found in Attachment I of the Memorandum to the Board dated December 7, 1998 to reflect a transit station name change from the West Falls Church Metro Station to the West Falls Church-VT/UVA Metro Station. This motion was seconded by Supervisor Kauffman and carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

106. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-3PF, PROPOSING A COMMUNITY LIBRARY IN THE PROVIDENCE DISTRICT (PROVIDENCE DISTRICT)** (Tapes 16-17)

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by five speakers, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and **CARRIED** by a recorded vote of six, Supervisor Frey voting "NAY," Supervisor Dix, Supervisor Hyland, and Supervisor McConnell being out of the room.

Following discussion, with input from Judith P. Anderson, Deputy Director, Library Administration, Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-3PF as shown in the Providence District Task Force Reports book and found in Attachment II of the Memorandum to the Board dated December 7, 1998. This action identifies the future need for a community library within the greater Oakton area within this planning sector. This motion was seconded by Supervisor Gross.

Supervisor Frey moved to amend the motion to change "within the northwestern quadrant of the Fairfax Planning District " to "in the proximity of the northwestern quadrant of the Fairfax Planning District..." This motion was seconded by Supervisor Mendelsohn.

Following further discussion, the question was called on the amendment to the motion which **FAILED** by a recorded vote of five, Supervisor Frey, Supervisor Mendelsohn, and Supervisor McConnell voting "AYE," Supervisor Dix and Supervisor Hyland being out of the room.

Supervisor Frey moved to amend the Planning Commission Recommendation by adding at the end of the sentence "when such library meets the criteria and objectives 13, 14, and 15 of the Library Section of the Policy Plan." This motion was seconded by Supervisor McConnell and **FAILED** by a recorded vote of six, Supervisor Frey and Supervisor McConnell voting "AYE," Supervisor Dix and Supervisor Hyland being out of the room.

Supervisor Connolly moved to amend the motion to read: "A future community library site should be located in the greater Oakton area of the Fairfax Planning District to serve the Oakton and Eastern Fairfax Center areas and to help alleviate overcrowding in existing library facilities." This motion was seconded by Supervisor Bulova.

Following discussion, Supervisor Frey moved to amend the amendment to the motion to add language that says a future library shall be located in the Providence District, and this was accepted.

The question was called on the amendment to the motion which **CARRIED** by a recorded vote of seven, Supervisor Frey voting "**NAY**," Supervisor Dix and Supervisor Hyland being out of the room.

The question was called on the main motion which **CARRIED** by a recorded vote of seven, Supervisor Frey voting "**NAY**," Supervisor Dix and Supervisor Hyland being out of the room.

**107. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-3V, LOCATED EAST OF THE HILLTOP ROAD AND CEDAR LANE INTERSECTION (PROVIDENCE DISTRICT) (Tape 17)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-3V as recommended by the Planning Commission, as shown on page 150 of the Providence District Staff Reports book and found in Attachment I of the Memorandum to the Board dated December 7, 1998. The alternative retains the current planned density of 4-5 dwelling units per acre (du/ac) and modifies the consolidation and access conditions to reflect the existing site conditions. This motion was seconded by Supervisor Gross and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**108. 7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-5V, LOCATED EAST OF CEDAR LANE AND SOUTH OF THOREAU INTERMEDIATE SCHOOL (PROVIDENCE DISTRICT) (Tape 17)**

A Certificate of Publication was filed from the Editor of the *Fairfax Journal* showing that notice of said public hearing had been duly advertised in that Newspaper in the issues of November 18 and November 25, 1998.

Following the public hearing, which included testimony by two speakers, Supervisor Connolly moved to waive the reading of the staff and Planning Commission recommendations. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Dix, and Supervisor Hyland being out of the room.

Following discussion, Supervisor Connolly moved approval of Area Plans Review (APR) Item 98-II-5V as recommended by the Planning Commission, with modifications as shown in the handout titled *Proposed Modifications to the Plan Text for Area Plans Review Item 98-II-5V* dated December 7, 1998. The alternative recommends retaining the base residential density of 3-4 dwelling units per acre (du/ac) and retains the Plan option for residential use at 5-8 du/ac to encourage full consolidation of the parcels along Amanda Place should the church relocate. In addition an option is added for residential use at four to six du/ac for the subject property with development above five du/ac to be considered only with full consolidation of the subject property. This motion was seconded by Supervisor Kauffman and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

109. **7:00 P.M. - PH ON PROPOSED AREA PLANS REVIEW (APR) ITEM 98-II-6V, LOCATED ON THE NORTH SIDE OF ROUTE 29 BETWEEN CEDAR LANE AND HUNTER ROAD (PROVIDENCE DISTRICT)** (Tape 17)

Supervisor Connolly moved to defer the public hearing on Area Plans Review (APR) Item 98-II-6V until **January 25, 1999 at 4:30 p.m.** This motion was seconded by Supervisor Mendelsohn and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

## **ADDITIONAL BOARD MATTERS**

### **NV:nv**

110. **WOODROW WILSON BRIDGE COMPROMISE** (Tape 18)

Supervisor Mendelsohn called the Board's attention to an article about the Woodrow Wilson Bridge in the December 8, 1998 edition of *The Washington Post*, which he found posted on its Website. The article stated that the federal government has agreed to configure initially the new bridge for only 10 lanes, rather than 12, in an effort to thwart a court challenge to the project by the City of Alexandria. Supervisor Mendelsohn circulated a printout of the article.

111. **EXPRESSION OF APPRECIATION TO STAFF AND THE PROVIDENCE DISTRICT TASK FORCE** (Tape 18)

Supervisor Connolly expressed appreciation to the staff for their work with the Task Force on the Area Plans Review nominations. He also thanked Joseph Annunziata, Chairman, Providence District Task Force, for his tireless efforts, and extended his appreciation to all members of the Task Force.

112. **FEE WAIVER FOR PLANS ASSOCIATED WITH THE WILLOW SPRINGS BALLFIELDS** (Tape 18)

Supervisor Frey reminded the Board that Special Exception Application SE 94-Y-029, in the name of Fairfax County Housing and Community Development (HCD), was approved

by the Board on January 9, 1995. Part of the application included dedication of 21.14 acres for ballfields. He stated that the Park Authority and the Southwest Youth Association (SYA) have been working together in a cooperative effort to develop ballfields on the property, and the Park Authority is preparing to submit a minor Site Plan for the fields in the near future.

To assist in this effort, Supervisor Frey moved that the Board direct staff to waive all fees for submission and processing of the Minor Site Plan and any other plans associated with the Willow Springs ballfields, whether the Plans are submitted by the SYA or the Park Authority. Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**113. RECOGNITION OF HANK HULME, RETIRING DIRECTOR OF THE ENGINEERS AND SURVEYORS INSTITUTE (ESI) (Tape 18)**

Supervisor Frey called the Board's attention to the fact that Hank Hulme, Director, Engineers and Surveyors Institute (ESI), has announced his retirement. Supervisor Frey noted that Mr. Hulme was the only director of ESI since its establishment in 1987. Supervisor Frey distributed copies of an article written by Mr. Hulme in *Insite*, the ESI monthly publication.

In recognition of Mr. Hulme's outstanding service to the County, Supervisor Frey asked unanimous consent that the Board direct staff to invite Mr. Hulme to appear before the Board to be commended for his years of service. Without objection, it was so ordered.

Supervisor Frey noted that earlier in the meeting he had also requested that Deborah Lesser, Sully District Representative to the Countywide Non-Motorized Transportation (Trails) Committee, be invited to appear before the Board for recognition of her service.

**114. BACKGROUND CHECKS FOR GUN PURCHASES (Tape 18)**

Supervisor Frey noted that recently new federal background requirements under the Brady Bill have become effective. He asked unanimous consent that the Board direct staff to examine the new federal requirements and the County's background checks to provide information as to what action is necessary to conform the two checks or possibly eliminate the County's requirement. Without objection, it was so ordered.

Supervisor Connolly noted that the same question had been raised at the last meeting of the Board's Legislative Committee.

**115. EXPRESSION OF APPRECIATION TO JUDITH P. ANDERSON, DEPUTY DIRECTOR, LIBRARY ADMINISTRATION (Tape 18)**

Supervisor Connolly expressed his appreciation to Judith P. Anderson, Deputy Director, Library Administration, for staying to participate in the disposition of an Area Plans Review (APR) Item in the Providence District. He commended her commitment to the Libraries.

116. **MR. BERT DOYLE HONORED BY PROVIDENCE DISTRICT COUNCIL** (Tape 18)

Supervisor Connolly reported that the Providence District Council (PDC) hosted a "thank you" party on Friday, December 4, 1998 honoring its VolunteerFest volunteers. At that party, the PDC also presented its 1998 Community Service Award to Bert Doyle, Providence District's longtime representative to, and former Chairman of, the Library Board. In addition to this service since 1987, Mr. Doyle has been president of the Pine Spring Civic Association and served on several boards and commissions. Supervisor Connolly extended his congratulations to Mr. Doyle.

117. **WEEKLY AGENDA ON THE WEB** (Tape 18)

Supervisor Connolly stated that it was recently called to his attention that the link to the *Weekly Agenda* is difficult to locate on the County Website. The *Weekly Agenda* provides County residents with a quick, accessible means of obtaining information about upcoming land use cases. The agenda can be reached via the Website by first linking to the Government page and then the Board of Supervisors page. He noted that without knowing where to find the *Weekly Agenda* link, a person could spend a great deal of time searching through the entire Website.

Therefore, Supervisor Connolly asked unanimous consent that the Board direct the staff of the Office of Public Affairs and the Department of Information Technology (DIT) to pursue placing a link to the *Weekly Agenda* on the home page of the Website at [www.co.fairfax.va.us](http://www.co.fairfax.va.us) to make it easier to find than it is at present. Following a brief discussion, without objection, it was so ordered.

118. **LEGISLATIVE BREAKFAST AND SCHEDULE OF MEETINGS OF THE BOARD'S LEGISLATIVE COMMITTEE** (Tape 18)

Supervisor Connolly reminded the Board that the Annual Legislative Breakfast with the County's Legislative Delegation is scheduled for 7:30 a.m. on Wednesday, December 9, 1998, at the Fairview Park Marriott. He noted that the General Assembly session opens January 13, 1999.

Supervisor Connolly announced the following schedule of Legislative Committee meetings in 1999:

- January 22;
- January 29;
- February 5;
- February 12;
- February 19; and
- March 5, 1999

All meetings will be held in Rooms 9 and 10 of the Government Center at 4:00 p.m.

**119. EXPEDITED/CONCURRENT PROCESSING FOR SPECIAL EXCEPTION APPLICATION TO BE SUBMITTED BY AVR REALTY (Tape 18)**

On behalf of Supervisor Hyland, Supervisor Kauffman announced that within the week, AVR Realty will be submitting a Special Exception Application in connection with the renovation of the old Howard Johnson Hotel at Route One and I-95, in close proximity to the Woodrow Wilson Bridge's Route One Interchange. Currently, the old Howard Johnson Hotel is undergoing a \$7 million renovation and conversion to a Hampton Inn. Hampton Inn is requiring the hotel renovation to include a special design necessitating a Special Exception. The applicant asserts that the upgrade will be of substantial benefit to the County in its efforts to redevelop and revitalize the Richmond Highway Corridor.

On behalf of Supervisor Hyland, Supervisor Kauffman moved that the Board direct staff, upon receipt of the Special Exception application to be filed by AVR Realty, to grant expeditious and concurrent processing. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and does not prejudice the consideration of the land use application in any way. Supervisor Gross seconded the motion and it carried by a vote of six, Supervisor Connolly, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

**120. LORTON RADIO TOWER (Tape 18)**

On behalf of Supervisor Hyland, Supervisor Kauffman stated that the County is implementing a new state-of-the-art communications system that will support the operations of the Police Department and Animal Control, Department of Fire and Rescue, and Office of the Sheriff. The Police Department has filed the necessary Special Exception application, indicating that the location will be in the Laurel Hill Planning Sector.

To keep the project on schedule, Supervisor Kauffman stated that staff must review the application expeditiously. Staff must perform system testing when there is full foliage on the trees between May and September. If testing is not completed in 1999, the County cannot accept the system until 2000.

Noting that a delay until 2000 is unacceptable, on behalf of Supervisor Hyland, Supervisor Kauffman moved that the Board direct staff to expeditiously and concurrently process the review of the application and permitting process should this application be approved by the Board. This motion was seconded by Supervisor McConnell.

Supervisor Kauffman noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and does not prejudice the consideration of the land use application in any way.

The question was called on the motion which carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**121. HESS GASOLINE STATION (Tape 18)**



On behalf of Supervisor Hyland, Supervisor Kauffman stated that in 1996 the Hess Gasoline Corporation began its improvements to the station that has been located at 9142 Richmond Highway at the intersection with Backlick Road for over 30 years. During that process, the County notified gas station representatives that the installation of canopies would require a special exception. They continue to work with staff and have completed all other improvements. Because it has taken two years to come to this point, they are requesting concurrent review and expedited processing of the plans associated with the special exception application because the new pump equipment is beginning to deteriorate.

Accordingly, Supervisor Kauffman, on behalf of Supervisor Hyland, moved that the Board direct staff to grant expedited and concurrent processing of the review of the Hess Gasoline Station application and permitting process, should the special exception application be approved. He noted that this motion does not relieve the applicant from complying with the provisions of any applicable ordinances, regulations or adopted standards, and does not prejudice the consideration of the land use application in any way. This motion was seconded by Supervisor Connolly and carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

122. **PEARL HARBOR DAY** (Tape 18)

(NOTE: Earlier in the meeting, the Board recognized Pearl Harbor Day. See Clerk's Summary Item CL#2.)

Supervisor McConnell noted that Monday, December 7, 1998, was Pearl Harbor Day.

123. **TOWN OF CLIFTON DECALS** (Tape 18)

Supervisor McConnell reported that Mayor Chesley from the Town of Clifton informed her of the need to remind local parking enforcement officials that the Town of Clifton has its own vehicle registration decal similar to that of the County. She stated that one of the Town's motorists was ticketed at the Vienna Metro Station for not having a County registration decal, despite the vehicle's displaying a Town of Clifton decal.

Accordingly, Supervisor McConnell moved that the Board direct staff to notify the Police Department staff, Metro representatives, and other authorities who manage publicly-owned parking areas to remind them that the Town of Clifton has its own registration decal. Supervisor Connolly seconded this motion and it carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

124. **RECONFIRMATION OF THE BOARD'S SUPPORT AND ENDORSEMENT OF THE APPROVED ALIGNMENT OF THE ROUTE 123 PROJECT** (Tape 18)

Supervisor McConnell stated that on August 22, 1995, a Location Public Hearing was held for the Route 123 Project, which includes the Prince William County line to Burke Lake Road [Virginia Department of Transportation (VDOT) Project 0123-029-F28, PE100], and the Occoquan River crossing. She stated that the Board endorsed a corridor location on December 11, 1995 and the Prince William County Board of Supervisors endorsed the location on December 28, 1995. Based on the approved location, VDOT has moved forward with the design of the project. Further, County representatives and congressional

members have pursued and obtained federal funding, specifically earmarked for this critical project, through TEA-21 and other sources. She noted that recently the Town of Occoquan has asked for changes in the approved alignment. These changes would further impact Occoquan Regional Park and jeopardize the project schedule.

Therefore, Supervisor McConnell moved that the Board:

- Reiterate its support of this project;
- Request VDOT to move forward as expeditiously as possible with the design, right-of-way acquisition, and ultimate construction of Route 123; and
- Clarify that the Board does not support any new alignments of the river crossing that would further impact the Occoquan Regional Park or jeopardize the project schedule in any way.

This motion was seconded by Chairman Hanley who noted that the Board is currently sending a letter to VDOT and that this issue could be added to it.

The question was called on the motion which carried by a vote of eight, Supervisor Dix and Supervisor Hyland being out of the room.

**125. DISCUSSION OF FAIRFAX JOURNAL ARTICLE REGARDING THE BOARD'S SEARCH FOR A CHIEF OF POLICE (Tape 18)**

Supervisor McConnell called the Board's attention to the headline for an article in the December 7, 1998 edition of the *Fairfax Journal* regarding the Board's search for a Chief of Police. She expressed her objections to the characterization of partisanship as portrayed in the headline and provided a chronology of the issue.

**126. HAPPY HOLIDAYS (Tape 18)**

Chairman Hanley expressed appreciation to Supervisor Gross for the miniature shopping bags that she presented to each member of the Board. Supervisor Gross stated that the shopping bags were presented as a reminder to shop and increase the County's sales tax revenue.

Chairman Hanley wished everyone "Happy Holidays."

**127. BOARD ADJOURNMENT (Tape 18)**

At 12:45 a.m., on Tuesday, December 8, 1998, the Board adjourned.