



CLERK'S BOARD SUMMARY

REPORT OF ACTIONS OF THE FAIRFAX COUNTY BOARD OF SUPERVISORS

**MONDAY
AUGUST 2, 1999**

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18-99

SBE:sbe

The meeting was called to order at 9:35 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. **MOMENT OF SILENCE** (Tape 1)

Supervisor Frey asked everyone to remember in their thoughts and prayers the family of Donald Engen, President, Smithsonian Air and Space Museum, who died recently.

3. **HAPPY THIRD BIRTHDAY TO ETHAN KAUFFMAN, SON OF LEE DISTRICT SUPERVISOR DANA KAUFFMAN** (Tape 1)

Supervisor Kauffman wished his son Ethan a very happy third birthday.

4. **INTRODUCTION OF ANGEL JENNINGS, AN INTERN IN THE MASON DISTRICT OFFICE** (Tape 1)

Supervisor Gross introduced Angel Jennings, a summer intern in the Mason District Office.

AGENDA ITEMS

5. **CERTIFICATE OF RECOGNITION PRESENTED TO THE DULLES CORRIDOR EXPRESS BUS SERVICE TEAM** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to the members of the Dulles Corridor Express Bus Service Team for their exceptional efforts. Supervisor Kauffman seconded the motion and it carried by unanimous vote.

6. **CERTIFICATE OF RECOGNITION PRESENTED TO LARRY WELLMAN, DIRECTOR, DEPARTMENT OF PURCHASING AND SUPPLY MANAGEMENT** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Larry Wellman, Director, Department of Purchasing and Supply Management, for his years of service. Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Kauffman and Supervisor Mendelsohn being out of the room.

Steve Swendiman, Executive Director of Financial Services Center, National Association of Counties (NACo), presented Mr. Wellman with the NACo distinguished Services Award for dedicated support of the National Cooperative Purchasing Program and his personal energy and commitment to local governments across the United States.

(NOTE: Later in the meeting, the Board appointed Mr. Wellman's successor. See Clerk's Summary Item CL#73.)

7. **CERTIFICATE OF RECOGNITION TO RECOGNIZE VIENNA CHAPTER 1116 OF THE NATIONAL ASSOCIATION OF RETIRED FEDERAL EMPLOYEES ON THE OCCASION OF ITS THIRTIETH ANNIVERSARY** (Tape 1)

Supervisor Dix moved approval of the Certificate of Recognition presented to Vienna Chapter 1116 of the National Association of Retired Federal Employees on the occasion of its thirtieth anniversary. Supervisor Connolly seconded the motion and it carried by unanimous vote.

8. **RESOLUTION TO RECOGNIZE ROBERT E. KOHNKE, SENIOR CONSERVATION ENGINEER FOR THE NORTHERN VIRGINIA SOIL AND WATER CONSERVATION DISTRICT** (Tape 1)

Supervisor Hyland moved adoption of the Resolution to recognize Robert E. Kohnke, Senior Conservation Engineer for the Northern Virginia Soil and Water Conservation District, for his long service with Fairfax County. Supervisor Connolly seconded the motion and it carried by a unanimous vote.

AM:am

9. **ADMINISTRATIVE ITEMS** (Tape 2)

Supervisor Hyland moved approval of the Administrative Items. Supervisor Bulova seconded the motion.

Supervisor Dix asked to amend the motion to consider separately Administrative Item 13 – Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Presidents Park Complex (Hunter Mill District), and this was accepted.

Supervisor Bulova called the Board's attention to Administrative Item 14 – Authorization to Advertise a Public Hearing to Amend the Appropriation Level in the Fiscal Year (FY) 2000 Revised Budget Plan and asked unanimous consent that the Board direct staff to include as a Consideration Item at Carryover \$50,000 for the County Partnership on Youth to match the State grant money for the mentoring program. Without objection, it was so ordered.

Supervisor Frey asked unanimous consent that the Board direct staff to add \$200,000 to the *Preliminary Transportation Systems Improvements List* for intersection improvements at Pleasant Valley Road and Route 50. Without objection, it was so ordered.

Supervisor Bulova reminded staff that the Board has not received the analysis on the Spot Improvement Project.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, and Edward L. Long, Jr., Chief Financial Officer and Director, Department of Management and Budget, Supervisor Connolly asked unanimous consent that the Board direct staff to include as Consideration Items at Carryover:

- The following items for the Fairfax-Falls Church Community Services Board:
 - Prevention Services Coordinator
 - Youth Residential Contract Treatment Services

- Centreville/Chantilly Youth Day Treatment Program
 - \$10,000 to help fund the summer youth camp that the Fairfax County Police help sponsor.

Without objection, it was so ordered.

Supervisor Dix asked unanimous consent that the Board direct staff to provide:

- Background information on the summer youth camp.
- The history of the private fundraising that has been done for the matching grant money by the County Partnership on Youth.

Without objection, it was so ordered.

Following further discussion, with input from Mr. Long, Supervisor Connolly asked unanimous consent that the Board direct staff to determine if the Supervisors' offices can participate in the Close Management Initiatives. Without objection, it was so ordered.

(NOTE: Later in the meeting additional Consideration Items were added. See Clerk's Summary CL#29.)

The question was called on the motion, as amended, 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."

ADMIN 1 – STREETS INTO THE SECONDARY SYSTEM (HUNTER MILL, LEE AND PROVIDENCE DISTRICTS)

Approved the request that certain streets listed in the Memorandum to the Board dated August 2, 1999, be recommended into the State Secondary System:

(R)	<u>Subdivision</u>	<u>District</u>	<u>Street</u>
	Full Cry Farm	Hunter Mill	Layminster Lane Watervale Way Pillory Drive Fonda Drive, Route 5788
	Wilson Woods	Lee	Ashby Manor Place Telegraph Road, Route 611, Additional right-of-way only

Reiter	Providence	Chambray Court Masonville Drive, Route 971, Additional right-of-way only Annandale Road, Route 649, Additional right-of-way only Gallows Road Route 650, Additional right-of-way only
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ADMIN 2 – DESIGNATION OF PLANS EXAMINERS STATUS UNDER THE EXPEDITED LAND DEVELOPMENT REVIEW PROGRAM

Designated the following two individuals, identified with their registration numbers as Plans Examiners:

James Cook (184)

Christopher Hoppe (185)

Reinstated the following four individuals, identified with their registration numbers, as Plans Examiners:

Nasser S. Alikhani (137)

Edward Guy Venditti (25)

Jiri F. Kovats (16)

David Henry Steigler (81)

ADMIN 3 – INSTALLATION OF A MULTI-WAY STOP AT STRATFORD LANE AND HARBOR TERRACE (MOUNT VERNON DISTRICT)

- Endorsed the installation of a multi-way stop at the following intersection:
 - Stratford Lane and Harbor Terrace.
- Directed staff to request the Virginia Department of Transportation to approve the temporary installation of the multi-way stop and install these signs at the earliest possible date.

ADMIN 4 – INSTALLATION OF A MULTI-WAY STOP AT COLUMBINE STREET AND LUNENBURG ROAD (DRANESVILLE DISTRICT)

- Endorsed the installation of a multi-way stop at the following intersection:
 - Columbine Street and Lunenburg Road.

- Directed staff to request the Virginia Department of Transportation to approve the temporary installation of the multi-way stop and install these signs at the earliest possible date.

ADMIN 5 – INSTALLATION OF A MULTI-WAY STOP AT SPRING VALLEY ROAD AND CLINTON ROAD (MASON DISTRICT)

- Endorsed the installation of a multi-way stop at the following intersection:
 - Spring Valley Road and Clinton Road.
- Directed staff to request the Virginia Department of Transportation to approve the temporary installation of the multi-way stop and install these signs at the earliest possible date.

ADMIN 6 – DISCONTINUANCE OF A PORTION OF OAKTON ROAD (PROVIDENCE DISTRICT)

- (R) Adopted the Resolution requesting that a segment of Oakton Road (Route 664) be discontinued from the secondary system of State Highways.

ADMIN 7 – AUTHORIZATION TO APPLY FOR COMMONWEALTH OF VIRGINIA 1999 DERELICT STRUCTURES FUNDS

- (R) Adopted a Resolution authorizing the Department of Housing and Community Development to submit an application for the Commonwealth of Virginia 1999 Derelict Structures Funds.

ADMIN 8 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON PROPOSED CUT-THROUGH TRAFFIC RESTRICTIONS ON WHERNSIDE STREET (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 27, 1999, at 4 p.m.** to consider requesting the Virginia Department of Transportation to implement measures to reduce the amount of cut-through traffic on Wherside Street.

ADMIN 9 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON BAUER DRIVE (SPRINGFIELD DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 27, 1999, at 4 p.m.** to consider requesting the Virginia Department of Transportation to restrict through truck traffic on Bauer Drive between Rolling Road and Old Keene Mill Road.

ADMIN 10 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON A PROPOSAL TO VACATE AND ABANDON A PORTION OF JAPONICA STREET (LEE DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 13, 1999, at 3:30 p.m.** to consider the vacation and abandonment of a portion of Japonica Street.

ADMIN 11 – AUTHORIZATION TO ADVERTISE PUBLIC HEARINGS ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING DWELLING UNITS IN CONJUNCTION WITH SPECIAL EXCEPTION AND SPECIAL PERMIT USES

- (A) Adopted the Resolution authorizing the advertisement of a public hearing to be held before the Planning Commission on October 14, 1999, and before the Board on **November 15, 1999, at 3:30 p.m.** regarding proposed amendments to the Code of the County of Fairfax, Chapter 112 (Zoning Ordinance), regarding dwelling units in conjunction with special exception and special permit uses.

ADMIN 12 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING REGARDING THE CONTINUED LEASING OF COUNTY-OWNED PROPERTY AT 8333 RICHMOND HIGHWAY, ALEXANDRIA, VIRGINIA TO THE ROYAL EMBASSY OF SAUDI ARABIA D/B/A THE ISLAMIC SAUDI ACADEMY (MOUNT VERNON DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 13, 1999, at 4:30 p.m.** regarding the proposed continued leasing of County-owned property located at 8333 Richmond Highway, Alexandria, Virginia, Tax Map Numbers 101-4((01))-0005-A, 101-4((1))057, 101-4((8))(E)-001, and 101-4((7))-001, to the Royal Embassy of Saudi Arabia d/b/a The Islamic Saudi Academy for the purpose of operating a private school.

ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PRESIDENTS PARK COMPLEX (HUNTER MILL DISTRICT)

(NOTE: Earlier in the meeting this item was discussed. See page 3.)

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Items CL#11 and CL#103.)

ADMIN 14 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING TO AMEND THE APPROPRIATION LEVEL IN THE FISCAL YEAR (FY) 2000 REVISED BUDGET PLAN

- (A) (NOTE: Earlier in the meeting there was discussion on this item. See page 3.)

Authorized the advertisement of a public hearing to be held before the Board on **September 13, 1999, at 10 a.m.** to amend the appropriation level in the FY 2000 Revised Budget Plan.

ADMIN 15 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF STONECROFT BOULEVARD EXTENSION, SHOULD SUCH NEGOTIATIONS PROVE UNSUCCESSFUL (SULLY DISTRICT)

- (A) Authorized the advertisement of a public hearing to be held before the Board on **September 13, 1999, at 5 p.m.** regarding the acquisition of interest in real property necessary for the construction of Stonecroft Boulevard from Lee Jackson Memorial Highway (Route 50) to approximately 3,400 feet south of Route 50, should such negotiations prove unsuccessful.

(NOTE: Later in the meeting, the Board took additional action regarding Stonecroft Boulevard Extension. See Clerk's Summary Item CL#56.)

ADMIN 16 - SUPPLEMENTAL APPROPRIATION RESOLUTION (SAR) AS 00020 FOR THE FIRE AND RESCUE DEPARTMENT TO ACCEPT A SUPPLEMENTAL GRANT AWARD FROM THE U.S. AGENCY FOR INTERNATIONAL DEVELOPMENT, BUREAU FOR HUMANITARIAN RESPONSE, OFFICE OF FOREIGN DISASTER ASSISTANCE TO SUPPORT THE URBAN SEARCH AND RESCUE PROGRAM

- (SAR) Approved SAR AS 00020 in the amount of \$151,000. These grant funds will enhance the Fire and Rescue Department's program management capability for local, national and international search and rescue capabilities.

ADDITIONAL BOARD MATTER

10. **INTRODUCTION OF MS. POLLY BROWN** (Tape 2)

Supervisor Kauffman introduced Polly Brown, a summer intern in his office, and warmly welcomed Ms. Brown to the Board Auditorium.

AGENDA ITEMS

11. **ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PRESIDENTS PARK COMPLEX (HUNTER MILL DISTRICT)** (Tape 2)

(NOTE: Earlier in the meeting this item was mentioned. See page 3.)

Supervisor Dix moved to defer action on this item until later in the meeting. Supervisor Connolly seconded the motion and it carried by unanimous vote.

(NOTE: Later in the meeting, action was taken on this item. See Clerk's Summary Item CL#103.)

12. **A-1 - AUTHORIZATION FOR CONDEMNATION OF CERTAIN PARCELS OF LAND NEEDED FOR THE EXPANSION OF THE WEST SPRINGFIELD POLICE STATION (SPRINGFIELD DISTRICT)** (Tape 2)

- (R) Supervisor McConnell moved that the Board concur in the recommendation of staff and adopt the Resolution authorizing the condemnation of two parcels, comprising approximately 2.50 acres, in fee by the process of eminent domain for Project 009207 - West Springfield Police Station. Supervisor Connolly seconded the motion and it 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."

13. **A-2 - APPROVAL OF TRAFFIC CALMING MEASURES FOR STREETS IN THE TRAFFIC CALMING PILOT PROGRAM (TCPP) (COUNTYWIDE)** (Tape 2)

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

- ⊘ Approve traffic calming plans for the following streets in the joint Fairfax/Virginia Department of Transportation (VDOT) TCPP as shown in Attachments I through IV of the Memorandum to the Board dated August 2, 1999:
 - Westchester Street (Lee District)
 - Powhatan Street (Dranesville District)
 - Fairwood Lane (Providence District)
 - Northbourne Drive (Sully District)
- ⊘ Direct staff to request VDOT to install the approved measures for each community, as soon as possible.

Supervisor Kauffman seconded the motion.

Supervisor Frey asked to amend the motion to defer action on the Northbourne Drive proposal to September 13, 1999, and this was accepted.

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

14. **A-3 - DESIGNATION OF TRANSPORTATION IMPROVEMENT PROJECTS FUNDED BY FISCAL YEAR (FY) 2000 GENERAL FUNDS (COUNTYWIDE)** (Tape 2)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and moved that the Board concur in the recommendation of staff to approve the prioritized list of seven transportation improvement projects (shown in Attachment I of the Memorandum to the Board) to be funded with FY 2000 General Funds totaling \$750,000. Supervisor Dix seconded the motion and it carried by unanimous vote.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

15. **A-4 - VIENNA METRORAIL PARKING EXPANSION: INTERSECTION IMPROVEMENTS AT NUTLEY STREET AND VIRGINIA CENTER BOULEVARD AND AT SUTTON ROAD AND COUNTRY CREEK ROAD (PROVIDENCE DISTRICT)** (Tape 2)

Supervisor Connolly moved that the Board concur in the recommendation of staff and regarding the parking at the Vienna Metrorail Station:

- ⊘ Authorize the use of up to \$425,000 of funds being held at the Washington Metropolitan Area Transit Authority (WMATA) for intersection improvements at Virginia Center Boulevard and Nutley Street and at Sutton Road and Country Creek Road.
- ⊘ Directed staff to request WMATA to construct these intersection improvements.

Supervisor Dix seconded the motion.

Following discussion, with input from Katherine D. Ichter, Chief, Highway Operations Division, Department of Transportation, Supervisor Dix asked to amend the motion that the Board authorize the Chairman to send a letter to the Virginia Department of Transportation requesting it to review the system of reviewing and approving several installations so that in the future signals that are funded can be installed prior to development, and this was accepted.

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

16. **A-5 - APPROVAL OF A POLICY ADOPTED BY THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY GOVERNING FINANCIAL ASSISTANCE TO CONDOMINIUM UNIT OWNERS' ASSOCIATIONS IN FAIRFAX COUNTY AND THE \$25,000 INITIAL CAPITALIZATION OF THE PROGRAM FROM THE HOUSING TRUST FUND)** (Tape 2)

(P) Supervisor McConnell moved that the Board concur in the recommendation of staff and approve the Policy governing financial assistance to condominium unit owners' associations and the \$25,000 initial capitalization of the program from the Housing Trust Fund. Supervisor Connolly seconded the motion.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive, and Robert C. Counts, Acting Director, Department of Housing and Community Development, Supervisor Dix asked unanimous consent that the Board direct staff to provide a copy of the Policy that was adopted in May 1999, to the Hickory Cluster Homeowners Association. Without objection, it was so ordered.

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

17. **A-6 - FISCAL YEAR (FY) 1999 APPROPRIATION ADJUSTMENT** (Tape 2)

(SAR) Supervisor Bulova moved that the Board concur in the recommendation of staff and:

- ⊞ Authorize staff to process payment vouchers for items previously approved and appropriated in FY 1999 for the interim period from July 1 until the Board approves the FY 1999 Carryover Review, which is scheduled for action on September 13, 1999.
- ⊞ Approve Supplemental Appropriation Resolution (SAR) AS 99074 for the Debt Service Funds requiring additional appropriations for FY 1999.

Supervisor Connolly seconded the motion and it 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."

18. **A-7 - DELINQUENT REAL ESTATE, PERSONAL PROPERTY, AND BUSINESS, PROFESSIONAL, AND OCCUPATIONAL (BPOL) LICENSES TAX LISTS FOR 1998** (Tape 2)

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

- ⊞ Make lists of delinquent real estate, personal property, and BPOL available for public review in all Fairfax County Regional Libraries as done in prior years.

- ☐ Direct that the lists of 1998 delinquent taxes be returned to the Department of Tax Administration to continue collection of taxes on subjects other than real estate until the expiration of the applicable statute of limitations as provided by Virginia Code Section 58.1-3933.

Supervisor Frey seconded the motion.

Following discussion, with input from Kevin C. Greenlief, Director, Department of Tax Administration, the question was called on the motion and it **CARRIED** by a recorded vote of nine, Supervisor Connolly voting "NAY."

19. **C-1 - AMENDMENTS TO THE FAIRFAX COUNTY ATHLETIC COUNCIL BYLAWS** (Tapes 2-3)

(BACs) The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, regarding the amendment of Article III of the Fairfax County Athletic Council Bylaws to allow revisions to the composition of the Council.

Supervisor Dix moved that this item be deferred until September 27, 1999. Supervisor Mendelsohn seconded the motion.

Following discussion, with input from Wes Kendrick, Director, Department of Community and Recreation Services; Richard Thoesen, Vice-Mayor, Town of Herndon; and Wesley M. Viilo, Chairman, Fairfax County Athletic Council, the question was called on the motion which carried by unanimous vote.

20. **I-1 - CONTRACT AWARDS AND APPROVAL OF STREET ACCEPTANCE ITEMS DURING THE BOARD OF SUPERVISORS' RECESS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to continue to approve street acceptance items and award contracts while the Board is in recess. Whenever a contract exceeds the estimate by 10 percent, it will be discussed with the Board Member in whose district the project is located and the Chairman of the Board before the action is taken.

The staff was directed administratively to proceed as proposed.

21. **I-2 - CONTRACT AWARD - ANNUAL CONTRACT FOR UNDERGROUND UTILITY LOCATING AND DESIGNATING SERVICES (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to award a contract to So-Deep, Incorporated, not to exceed the amount of \$400,000 for design of approved Capital Improvement projects including sidewalks, trails, roads, sanitary sewer facilities, and storm drainage improvements.

The staff was directed administratively to proceed as proposed.

22. **I-3 - ENGINEERING CONTRACT ADDENDUM FOR MICHAEL BAKER, JR., INCORPORATED FOR THE DESIGN OF REGIONAL POND C-20 PROJECT CU0020 (SULLY DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to award a contract addendum to Michael Baker, Jr., Incorporated, in the amount of \$12,051 for Regional Pond C-20, Project CU0020, in Fund 316, Pro Rata Share Drainage Construction consisting of the design of a regional stormwater management pond within the property of International Country Club.

Following discussion, the staff was directed administratively to proceed as proposed.

23. **I-4 - AMENDMENT NUMBER ONE TO THE DEVELOPMENT/DESIGN CONTRACT WITH PERFORMANCE ENGINEERING CORPORATION FOR THE PHASE 4 DEVELOPMENT OF THE COURT'S AUTOMATED RETRIEVAL AND RECORDING SYSTEM (CARS)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to award a contract amendment to Performance Engineering Corporation in the amount of \$928,700 for the Phase 4 recording, workflow, cashiering application and the loading of paper-based indexes/images dating back to 1742 for the retrieval of land documents currently managed and held by the Fairfax County Circuit Court.

Following discussion, with input from Robert J. O'Neill, Jr., County Executive; David J. Molchany, Chief Information Officer, Department of Information Technology; John T. Frey, Clerk, Circuit Court and Records; and Larry N. Wellman, Director, Department of Purchasing and Supply Management, the staff was directed administratively to proceed as proposed.

24. **I-5- CRITERIA FOR THE PRIORITIZATION OF CITIZEN PETITION STREET LIGHT PROJECT REQUESTS (COUNTYWIDE)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to utilize the procedure and methodology as outlined in the Memorandum to the Board to coordinate with communities and formulate the list of citizen petition and intersection street light project locations to be presented to the Board for approval.

Following considerable discussion, with input from Robert J. O'Neill, Jr., County Executive, and Ronald N. Kirkpatrick, Director, Utilities Planning and Design Division, Department of Public Works and Environmental Services, Supervisor Dix referred to a previous Board Matter regarding communications from various organizations in Reston that had contacted his office regarding the need to establish a plan for funding the installation of street lights and asked unanimous consent that

the Board direct staff to advise these organizations of the intent, including a copy of the Memorandum dated July 30, 1999. Without objection, it was so ordered.

The staff was directed administratively to proceed as proposed.

25. **I-6 - STATUS ON IMPROVEMENTS TO GIRLS' FAST PITCH SOFTBALL FIELDS** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to continue working with the Action Plan Review Team to make improvements to the girls' softball fields as recommended by the team working in cooperation with the Department of Community and Recreation Services. These improvements include appropriate actions to enhance maintenance efforts within existing budgeted resources.

Following discussion, the staff was directed administratively to proceed as proposed.

26. **I-7 - CONTRACT AWARDS - INSTALLATION OF NEW GAS LINES AND INDIVIDUALLY METERED GAS SERVICE AND TO CONCEAL GAS PIPES AND DRYWALL REPAIR AT THE STONEGATE APARTMENTS IN FUND 941, FAIRFAX COUNTY RENTAL PROGRAM (HUNTER MILL DISTRICT)** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to award contracts to R.V. Carey's Plumbing and Heating, Incorporated, in the amount of \$147,500 and D.H. Kim Enterprises, Incorporated, in the amount of \$14,220 to install individually metered gas service at the Stonegate Village Apartments.

The staff was directed administratively to proceed as proposed.

27. **I-8 - LONG TERM CARE STUDY COMMITTEE** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting authorization for staff to proceed with forming the Long Term Care Task Force.

The staff was directed administratively to proceed as proposed.

28. **I-9 - COUNTY HOLIDAY SCHEDULE - CALENDAR YEAR 2000** (Tape 3)

The Board next considered an item contained in the Memorandum to the Board dated August 2, 1999, requesting approval of the holiday schedule for calendar year 2000, as contained in the Memorandum to the Board.

The staff was directed administratively to proceed as proposed.

AM:am

29. **CONSIDERATION ITEM FOR LORTON TRANSFER AND ENVIRONMENTAL CLEAN UP** (Tape 4)

(NOTE: Earlier in the meeting, the Board approved the advertisement of the public hearing for the Carryover Review. See Clerk's Summary Item CL#9-14.)

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to include as a Consideration Item for Carryover an appropriate amount for transfer and environmental clean up activities at Lorton. Without objection, it was so ordered.

30. **CERTIFICATE OF APPRECIATION FOR INOVA HEALTH SYSTEM** (Tape 4)

Chairman Hanley stated that the Inova Health System has donated \$40,000 to the Fairfax County Public Library Foundation on a restricted basis to significantly increase the amount of reliable health information available to the public through the library system. Commencing in late August, the partnership program will be known as Health Information Partners.

Therefore, Chairman Hanley moved that the Board direct staff to invite a representative from the INOVA Health System and the Public Library Foundation to appear before the Board at the September 13, 1999, meeting to receive a Certificate of Appreciation. Supervisor Dix seconded the motion and it carried by unanimous vote.

31. **SPONSORSHIP OF THE PUTTING GREEN** (Tape 4)

Chairman Hanley noted that the Fairfax County Department of Fire and Rescue is asking the Board to join with Chief Edward L. Stinnette in sponsoring the putting green at a cost of \$300. Chairman Hanley further noted that the sponsorship would cost each Board Member and the County Executive \$25 per person.

Therefore, Chairman Hanley moved that the Board sponsor the putting green. Supervisor Dix seconded the motion and it carried by unanimous vote.

32. **CLEAN FAIRFAX COUNCIL GRANT PROGRAM** (Tape 4)

Chairman Hanley stated that she had received a letter from Clean Fairfax Council pointing out that the late John Forte, Jr. was a long standing member of the Board of Directors of the Clean Fairfax Council and as a tribute to him the Board of Directors is sponsoring a grant program in the schools that will provide funding for litter prevention and recycling products.

Chairman Hanley further stated that applications for this grant must be submitted by November 13, 1999. Therefore, she asked unanimous consent that the Board direct staff to publicize this program. Without objection, it was so ordered.

33. **TASK FORCE ON REGIONAL WATER SUPPLY ISSUES** (Tape 4)

(APPT) Chairman Hanley said that she had received a letter from the Metropolitan Washington Area Council of Governments asking the Board to nominate a representative to serve on the Task Force on regional water supply issues.

Therefore, Chairman Hanley moved the Board appointment of Supervisor Gross as the Board's Representative to the Task Force on regional water supply issues. Supervisor Connolly seconded the motion and it carried by unanimous vote.

34. **TRANSPORTATION POLICY HEARING** (Tape 4)

Chairman Hanley said that the Governor's Commission on Transportation Policy would hold a hearing on August 30, 1999, at 10 a.m. to receive testimony from individuals and citizens.

Chairman Hanley asked unanimous consent that the Board direct staff to develop testimony to be presented at the hearing and circulate it among the Members to edit and make comments. Without objection, it was so ordered.

35. **2020 MEETINGS, THE IN-FILL STUDY, AND SIGNS POSTED ALONG THE HIGHWAY** (Tape 4)

Chairman Hanley asked unanimous consent that the Board direct the Office of Public Affairs to:

- Assist the Department of Transportation in arranging and publicizing the 2020 meetings.
- Assist the Planning Commission in publicizing the activities surrounding the in-fill study.
- Publicize the rules for posting signs along the highway.

Without objection, it was so ordered.

Supervisor Dix noted that the Cosmetic Center is going out of business and that there have been many signs posted advertising that fact. Supervisor Dix asked unanimous consent that the Board direct staff to notify the Cosmetic Center that this is a violation of the sign ordinance. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

36. **SIGN BLIGHT** (Tape 4)

Supervisor Mendelsohn said that on November 16, 1998, the Board recognized Mrs. Barbara Ellis and participants in the Adopt-A-Highway Program for their contributions to the community in reducing sign blight. As a part of these efforts to beautify neighborhoods in Fairfax County, the Adopt-A-Highway participants are required to pay fees to deposit the support sticks for the signs at the County transfer station. Although it is a small fee, it is nonetheless a burden on the citizens. This program is one of the only mechanisms that the County has for effectively reducing sign blight. A waiver of the fees would be one solution. There may be alternative uses for the sticks and that recycling for another use may be a better and more environmentally sound solution. Several groups that use similar sticks to support and protect seedlings are the Fairfax County Department of Urban Forestry, the Virginia Department of Forestry, and Fairfax ReLeaf.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to investigate the possibility of recycling this material, and, in the event that recycling is not possible, authorize the staff to waive drop-off fees at the County transfer station for active participants in the Adopt-A-Highway Program. Supervisor Connolly seconded the motion.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked to amend the motion to direct staff to determine the cost of the waiver of fees, and this was accepted.

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

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

37. **MCLEAN 9-10-YEAR-OLD GIRLS' ALL STAR TEAM WON STATE CHAMPIONSHIP** (Tape 4)

Supervisor Mendelsohn said that the McLean Little League hosted Virginia's 1999 Girls' State Softball Tournament, for girls 9-10 years of age, which began on Saturday, July 24. Thirteen teams representing districts in the Commonwealth participated in the tournament. Supervisor Mendelsohn further stated that McLean's own 9-10-year-old Girls' All Star team, representing District 4, won the State Championship on Wednesday evening. These young ladies played an outstanding tournament and won four tough games to earn the honor of State Champions. This is the first time McLean has fielded a 9-10-year-old Girls' State Championship Team.

In honor of their outstanding achievement and dedication, Supervisor Mendelsohn asked unanimous consent the Board direct staff to invite the McLean 9-10-year-old Girls' All Star Softball Team members and their coaches, Erin Vagley, Karen Vagley, and Steven Goehler, to appear before the Board to receive recognition for this achievement. Without objection, it was so ordered.

38. **CONCURRENT PROCESSING FOR DULLES GREEN LIMITED** (Tape 4)

Supervisor Mendelsohn said that Dulles Green Limited, a residential project on Rock Hill Road in Herndon, has been under construction for the past year. This project, the former Kay property, was the subject of a great deal of controversy in the past. Supervisor Mendelsohn said that Toll Brothers, as the present developer, has been very cooperative with his office and the community in designing a development that is very compatible with the surrounding properties. In a continuing effort of cooperation, the developer has determined that a lower density without a high rise building is more compatible with the surrounding neighborhoods. A lower building has always been the desire of the adjacent homeowners.

Therefore, Supervisor Mendelsohn moved that the Board direct staff to:

- Expedite Proffered Condition Amendment Application/Final Development Plan Amendment Application PCA/FDPA 89-D-060-2.
- Concurrently process these applications with the site plans for this project.

This motion does not relieve the applicant from compliance with the provisions of any and all applicable ordinances, regulations, or adopted standards and does not constitute support by this Board for approval in any way. Supervisor Connolly seconded the motion and it carried by unanimous vote.

39. **TREE CARE DURING THE DROUGHT** (Tape 4)

Supervisor Mendelsohn reiterated a notice sent out to the businesses in the area regarding the drought conditions and the number of seedlings and mature trees that are straining under the drought.

Therefore, Supervisor Mendelsohn asked unanimous consent that the Board direct staff to publicize information to businesses and residents advising them to give extra attention to the trees and give the appropriate amount of water to these incredible assets to the community. Without objection, it was so ordered.

PMH:pmh

40. **INDIVIDUAL SEWER OUTFALLS** (Tape 5)

Supervisor Hyland stated that individuals can obtain a permit for an individual septic system for a privately owned house from the Commonwealth and bypass Fairfax County's requirements. This is a procedure that does not require nor does it have any language requiring periodic inspection for function purposes.

Supervisor Hyland noted that there are many houses located on the shores and cliffs of the Potomac River and to have a failing septic system could mean raw, untreated sewage going directly into the waters where people swim, boat, and water ski.

Supervisor Hyland asked unanimous consent that the Board direct staff to:

- ⊖ Review the existing regulations to determine the Board's options.
- ⊖ Determine what needs to be done so that the Board can be routinely notified when a single-family septic system permit has been applied for at the State level.
- ⊖ Identify ways that would give Fairfax County periodic inspection authority of the single-family septic systems.
- ⊖ Report with recommendations by September 13, 1999.

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

41. **NO CUT THROUGH TRUCK TRAFFIC** (Tape 5)

Supervisor Hyland said that it has come to his attention that the public process involving the Virginia Department of Transportation's (VDOT) policy on "No Cut Through Truck Traffic" is handled in the Richmond Headquarters and not in the Northern Virginia District Office, unlike, for instance, the traffic calming initiative, which is handled entirely in Northern Virginia.

Supervisor Hyland asked unanimous consent that the Board direct the County Executive to find a way for the "No Cut Through Truck Traffic" process to be held entirely in Northern Virginia and to report with his recommendations. Without objection, it was so ordered.

42. **SCHEDULING OF A PUBLIC HEARING FOR REZONING/FINAL DEVELOPMENT PLAN APPLICATIONS RZ/FDP 1998-MV-059, PROFFERED CONDITION AMENDMENT APPLICATION PCA 84-V-131, AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 84-V-131** (Tape 5)

Supervisor Hyland asked unanimous consent that the Board direct staff to schedule a public hearing to be held before the Board on Rezoning/Final Development Plan Applications RZ/FDP 1998-MV-059, Proffered Condition Amendment Application PCA 84-V-131, and Special Exception Amendment Application SEA 84-V-131 on September 27, 1999. Without objection, it was so ordered.

43. **Y2K HUNTER MILL DISTRICT TOWN MEETING** (Tape 5)

Supervisor Dix announced that he is jointly hosting a district-wide Y2K Town meeting with the Hunter Mill District Council, in the South Lakes High School cafeteria on Monday, August 9, 1999, at 7:30 p.m.

A panel of representatives from County staff, major utilities, and other service providers will prepare an overview of their Y2K plans and will be available to answer questions.

Supervisor Dix asked unanimous consent that the Board direct staff to assist in publicizing the meeting. Without objection, it was so ordered.

44. **REQUEST FOR CERTIFICATE OF RECOGNITION FOR THE REVEREND PATRICK HOLROYD, PASTOR, SAINT THOMAS A BECKET CHURCH IN RESTON** (Tape 5)

Supervisor Dix stated that the Reverend Patrick Holroyd, Pastor of Saint Thomas a Becket Church in Reston, recently celebrated the twenty-fifth anniversary of his ordination to the priesthood, and the parish will be honoring Father Pat at its annual picnic in the fall.

Supervisor Dix asked unanimous consent that the Board direct staff to invite Reverend Holroyd to appear before the Board so that he can be recognized and thanked for his many years of ministry to the people of Reston, and other parishes in Fairfax County. Without objection, it was ordered.

45. **TERRABROOK/RESTON TOWN CENTER CORE AREA** (Tape 5)

Supervisor Dix said that Terrabrook will be submitting site plans for the next phases of development in the Reston Town Center Core Area. The success of One Freedom Square (the Andersen building) in Section 91A has generated considerable interest from tenants interested in additional office, retail, and hotel space. Another office building is planned in Section 89A, and this plan includes a permanent bus transfer area along Bluemont Way.

Supervisor Dix moved that the Board authorize the Director of the Department of Public Works and Environmental Services to accept the PRC and final site plans for Phases 11 and 111, Sections 91A and 89A, of the Reston Town Center Core Area for concurrent processing. Chairman Hanley seconded the motion and it carried by a vote of nine, Supervisor McConnell being out of the room.

46. **REQUEST TO SCHEDULE A PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 98-H-021** (Tape 5)

Supervisor Dix said that the applicant for Special Exception Application SE 98-H-021, Commercial Net Lease Realty, Incorporated, submitted an application

for a drive-through pharmacy last year. This application was heard by the Planning Commission in July 1998 and the Planning Commission recommended approval.

However, due to contractual difficulties with the owner of the property, the application was indefinitely deferred before the Board could hold a public hearing. The applicant has recently reactivated the application and a new public hearing before the Planning Commission has been scheduled for September 15, 1999. Since no changes are being proposed, Supervisor Dix moved that the Board direct staff to schedule a public hearing to be held before the Board on **September 27, 1999, at 4:30 p.m.** on Special Exception Application SE 98-H-021. Supervisor Bulova seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

47. **HERNDON/MONROE PARK-AND-RIDE FACILITY** (Tape 5)

Supervisor Dix referred to the Herndon/Monroe Park-and-Ride facility and asked unanimous consent that the Board direct staff to examine the possibility of locating a child care facility at that location. Without objection, it was so ordered.

48. **FILE OF LIFE DAY** (Tape 5)

Supervisor Dix reported on the success of the recent File of Life Day held in the Hunter Mill District. He had described the event during his Board Matters presented on July 26, 1999.

49. **REQUEST FOR CERTIFICATE OF APPRECIATION FOR COACH DEAN SIVLER** (Tape 5)

Supervisor Dix asked unanimous consent that the Board direct staff to invite Marshall High School Baseball Coach Dean Sivler to appear before the Board to be recognized for his years of service. Without objection, it was so ordered.

(NOTE: Later in the meeting, there was additional discussion and action regarding this item. See Clerk's Summary Item CL#58.)

50. **CONGRATULATIONS TO SUPER 44 HIGH SCHOOL FOOTBALL ALL-STAR GAME PARTICIPANTS** (Tape 5)

Supervisor Bulova announced the following Braddock District students who participated in the Super 44 High School Football All-Star game, in which Virginia won over Maryland:

- ☐ Donnie Lindsey, Lake Braddock Secondary School
- ☐ Torrence Hanis, Robinson Secondary School
- ☐ Charles Hattan, Robinson Secondary School

☐ Joey Hildbold, Robinson Secondary School

Supervisor Bulova asked unanimous consent that the Board direct staff to prepare Certificates of Recognition to be mailed to the students. Without objection, it was so ordered.

51. **GRAVEL LOT NEAR PROPOSED ELEMENTARY SCHOOL SITE IN THE LEE DISTRICT** (Tape 5)

Supervisor Kauffman said that there is an 18.5 acre parcel of land [099-2-((10)) H] in the Lee District deeded by previous proffer to the Board of Supervisors as a future elementary school site. The property is located along Beulah Street, in the Island Creek community. The lot is used for commercial vehicle parking, and the unimproved lot is an eyesore to the community. He added that the property has been used for the dumping of trash and other debris.

Supervisor Kauffman moved that the Board direct staff to remove the dumped debris from the property, report unauthorized parked vehicles to the police, rope off the gravel parking lot entrance to prevent vehicle storage, and post "no trespassing" signs on the property. Supervisor Dix seconded the motion and it carried by a vote of eight, Supervisor Hyland and Supervisor McConnell being out of the room.

52. **REQUEST FOR CONCURRENT PROCESSING OF THE SITE PLAN ASSOCIATED WITH REZONING APPLICATION 1999-LE-032** (Tape 5)

Supervisor Kauffman said that Rezoning Application, RZ-1999-LE-032, was recently filed in Lee District. This application is adjacent to the Route One revitalization area along South Kings Highway. While it is not directly in the revitalization area, this parcel does directly impact it. The rezoning would remove an existing eyesore and create a well-planned community near the revitalization area.

Supervisor Kauffman asked unanimous consent that the Board direct staff to concurrently process the site plan with this rezoning, which is scheduled for Planning Commission consideration on September 16, 1999. This motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or adopted standards in any way. Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Hyland, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

53. **REQUEST FOR CONCURRENT PROCESSING OF THE PRELIMINARY AND FINAL SITE AND SUBDIVISION PLANS AND RELATED ENGINEERING DOCUMENTS ASSOCIATED WITH GOVERNOR'S HILL** (Tape 5)

Supervisor Kauffman said that Governor's Hill is a new residential community that will be located near the intersection of Telegraph and Franconia Roads in the Lee District. This project is another opportunity to develop high quality residential

detached and attached units in close proximity to two of the metro stations, Huntington and Van Dorn, and the growing employment centers of the Lee District. In the course of this project and the adjoining Governor's Grove community, also on Franconia Road, the developer has worked in good faith with the Lee District Supervisor's staff and the community to address issues and concerns.

Supervisor Kauffman moved that the Board direct staff to concurrently process the preliminary and final site and subdivision plans and related engineering documents associated with the Governor's Hill development, which is located at Fairfax County Tax Map Reference 55A and 57. This motion should not be construed as a favorable recommendation of this application by the Board and does not relieve the applicant of compliance with the provisions of any applicable ordinances, regulations or adopted standards in any way. Supervisor Bulova seconded the motion and it carried by a vote of nine, Supervisor Hyland being out of the room.

54. **BUCKMAN ROAD DAY** (Tape 5)

Supervisor Kauffman announced that on Thursday, August 5, 1999, a Buckman Road Community Day would be held. All of the activities are focused at the Mount Vernon Woods Elementary School. He added that there will many activities associated with this event, including musical entertainment, and food and drink will be available.

NV:nv

55. **APPOINTMENT TO THE ENVIRONMENTAL QUALITY ADVISORY COUNCIL** (Tape 6)

(APPT)
(P)

Supervisor Frey moved the appointment of Mr. Christopher Supren, Jr. to fill the unexpired term of Ms. Lisa L. Culver as the Sully District Representative to the Environmental Quality Advisory Council. Supervisor Dix seconded the motion, which carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

There was a brief discussion regarding advance notice requirements for nominations to Boards, Authorities, and Commissions (BACs), with input from David P. Bobzien, County Attorney.

Chairman Hanley stated that it is the Board's Policy to circulate the résumés of nominees prior to their appointments to BACs, as was done for the aforementioned appointment.

56. **STONECROFT BOULEVARD EXTENSION** (Tape 6)

(NOTE: Earlier in the meeting, the Board took action regarding Stonecroft Boulevard Extension. See Clerk's Summary Item CL#9.)

Supervisor Frey called the Board's attention to a handout entitled *Agreement for Construction of Stonecroft Boulevard Extension* and briefly outlined the issue.

Completion of this road is important prior to the opening of the new high school next fall.

To complete the process, in coordination with Board action at its meeting on July 26, 1999, Supervisor Frey moved that the Board:

- Approve the referenced agreement with Chantilly Parc, LLC for the construction of the Stonecroft Boulevard Extension.
- Authorize the County Executive to execute the agreement on behalf of the Board.

Supervisor McConnell seconded the motion, which carried by a vote of eight, Supervisor Hyland and Supervisor Mendelsohn being out of the room.

Supervisor Frey expressed his appreciation to the staff who had worked on this issue.

57. **LEGISLATION REGARDING THE COMPOSITION OF THE FAIRFAX COUNTY REDEVELOPMENT AND HOUSING AUTHORITY (FCRHA)**
(Tape 6)

(BACs) Supervisor Frey stated his understanding that Congress passed legislation requiring local housing authorities to appoint a resident of public housing to the authority and that the next vacancy on each local authorities must be filled by a public housing tenant. He expressed his understanding that the FCRHA had met regarding this issue and had sent a recommendation forward regarding both litigation and comments on federal rules. Accordingly, he asked unanimous consent that the Board direct the County Attorney to research this issue and provide further information.

A brief discussion ensued, with input from David P. Bobzien, County Attorney.

(NOTE: Later in the meeting, this issue was added to the agenda for closed session. See Clerk's Summary Item CL#67.)

58. **RECOGNITION OF THE BASEBALL COACH FROM MARSHALL HIGH SCHOOL** (Tape 6)

(NOTE: Earlier in the meeting, the Board took action regarding recognition of the Marshall High School baseball coach upon his retirement. Clerk's Summary Item CL#49.)

Supervisor Connolly asked unanimous consent that he be added as a co-sponsor of the event honoring the baseball coach from Marshall High School. Without objection, it was so ordered.

59. **INTENT TO DEFER THE PUBLIC HEARING ON SPECIAL EXCEPTION APPLICATION SE 99-P-021** (Tape 6)

Supervisor Connolly announced his intent to defer at the appropriate time the public hearing on Special Exception Application SE 99-P-021, SLC, LC and Paul L. Sweeny Testamentary Trust, which is scheduled for 3:30 p.m. later in the day, until September 13, 1999, at 3:30 p.m. He moved that the Board direct staff to request that the Planning Commission schedule a public hearing for this case on September 9, 1999. Supervisor Bulova seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#81.)

60. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1999-PR-002** (Tape 6)

Supervisor Connolly announced his intent to defer at the appropriate time the public hearing on Rezoning Application RZ 1999-PR-002, John Simpson, Trustee, which is scheduled for 4:30 p.m. later in the day, until September 27, 1999, at 4:30 p.m. because of deferral by the Planning Commission.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#91.)

61. **INTENT TO DEFER THE PUBLIC HEARING ON REZONING APPLICATION RZ 1998-PR-027** (Tape 6)

(P) Supervisor Connolly announced his intent to defer at the appropriate time the public hearing on Rezoning Application RZ 1998-PR-027, Hearthstone Vanguard Joint Venture, which is scheduled for 5 p.m. later in the day, until September 13, 1999, at 5:30 p.m. because of an affidavit problem.

Supervisor Connolly stated that he had requested that staff re-circulate to Members of the Board the Board Policy regarding late affidavits and affidavit changes. He noted that applicants are required to submit changes no later than seven days prior to the public hearing.

Supervisor Dix asked unanimous consent that the Board direct County staff, Supervisor Connolly's staff, and his staff to meet prior to the September public hearing on the aforementioned application to resolve some issues affecting other supervisor districts. Without objection, it was so ordered.

(NOTE: Later in the meeting, this public hearing was formally deferred. See Clerk's Summary Item CL#100.)

62. **LEGISLATIVE COMMITTEE MEETINGS** (Tape 6)

Supervisor Connolly circulated another copy of a memorandum dated July 27, 1999, regarding the proposed Legislative Committee meeting agenda for the remainder of the year. He noted that unless he hears otherwise, he will assume that the schedule is satisfactory. He stressed the importance of attendance at these meetings.

63. **PINE RIDGE PARK SITE** (Tape 6)

Supervisor Gross reminded the Board that on February 8, 1999, she presented a Board Matter regarding the Pine Ridge Park site. The Board had directed staff to report by August 1 with possible options for making the property into a permanent park. She stated her understanding that discussions are still ongoing between County staff and the staff of the School Board and Park Authority. She said that demand for a resolution continues to build within the community, as evidenced by a recent letter from Ms. Rose Purple of the Green Team, copies of which she distributed to the Board. She stated her expectation that staff will present a proposal for consideration in September.

64. **WAIVER OF SHOWMOBILE FEE FOR NEIGHBORHOOD WATCH PICNIC** (Tape 6)

Supervisor Gross reported that the Neighborhood Watch picnic, sponsored by the Police Department, was held on Saturday, July 31 at Burke Lake Park. Due to an oversight, the fee for the use of the County showmobile was not waived. Accordingly, she moved that the Board direct staff to waive the showmobile fee for the Neighborhood Watch picnic retroactively to July 31, 1999. Supervisor Connolly seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

65. **APPOINTMENT TO THE FAIRFAX COUNTY AIRPORTS ADVISORY COMMITTEE** (Tape 6)

(APPT) Supervisor McConnell moved the appointment of Mr. Norman P. Byers as the Springfield District Representative to the Fairfax County Airports Advisory Committee. Supervisor Dix seconded the motion, which carried by a vote of nine, Supervisor Hyland being out of the room.

66. **ADDITIONAL PUBLIC HEARINGS TO BE DEFERRED** (Tape 6)

Supervisor Frey announced his intent to defer at the appropriate time the public hearings on the following:

- Proffered Condition Amendment Application PCA 81-S-077, C.W. Cobb and Associates
- Special Exception Application SE 99-Y-016, Southwestern Youth Association

(NOTE: Later in the meeting, these public hearings were formally deferred. See Clerk's Summary Items CL#83 and CL#86.)

67. **RECESS/CLOSED SESSION** (Tape 6)

Following a brief discussion, with input from David P. Bobzien, County Attorney, at 12:25 p.m., Supervisor Connolly moved that the Board recess and go into closed 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:

- *Marriott Senior Living Services, Incorporated versus the Board of Supervisors of Fairfax County, At Law Number 173390*
- The proposed sale and transfer of Media General Cable of Fairfax County Incorporated to Cox Communications, Incorporated
- The Potomac River Riparian Rights Act
- The Federal requirement to have a tenant of the Redevelopment and Housing Authority serve as a member of the Authority

Supervisor Bulova seconded the motion.

Supervisor Dix asked to amend the motion to add to the agenda Reston Hospital versus the Board, and this was accepted.

Following a brief discussion, Chairman Hanley announced that should the motion carry, the Board would reconvene in closed session at 1:30 p.m.

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

SBE:sbe

At 3:20 p.m., the Board reconvened in the Board Auditorium with all Members being present, with the exception of Supervisor McConnell, and with Chairman Hanley presiding.

ADDITIONAL BOARD MATTER68. **LETTER FROM HILLARY RODHAM CLINTON CONGRATULATING THE COUNTY FOR BEING NAMED A MILLENNIUM COMMUNITY**
(Tape 7)

Chairman Hanley shared with the Board a letter she had received from First Lady Hillary Rodham Clinton congratulating the County for being named a millennium community.

ACTIONS FROM CLOSED SESSION69. **CERTIFICATION BY BOARD MEMBERS REGARDING ITEMS DISCUSSED IN CLOSED SESSION** (Tape 7)

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 closed session were heard, discussed, or considered by the Board during the closed session. Supervisor Connolly seconded the motion and it 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."

70. **AUTHORIZATION OF THE SETTLEMENT OF MARRIOTT SENIOR LIVING SERVICES, INCORPORATED VERSUS BOARD OF SUPERVISORS OF FAIRFAX COUNTY, AT LAW NUMBER 173390** (Tape 7)

Supervisor Hyland moved that the Board authorize the settlement of *Marriott Senior Living Services, Incorporated versus Board of Supervisors of Fairfax County, At Law Number 173390*, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Connolly seconded the motion and it carried by unanimous vote.

71. **AUTHORIZATION OF THE SETTLEMENT OF GOVERNMENT TECHNOLOGY SERVICES, INCORPORATED VERSUS BOARD OF SUPERVISORS OF FAIRFAX, VIRGINIA, AT LAW NUMBER 175980** (Tape 7)

Supervisor Frey moved that the Board authorize the settlement of *Government Technology Services, Incorporated versus Board of Supervisors of Fairfax County, Virginia, At Law Number 175980*, according to the terms and conditions outlined by the County Attorney in closed session. Supervisor Bulova seconded the motion and it carried by unanimous vote.

72. **APPOINTMENT OF THE DIRECTOR OF THE DEPARTMENT OF FINANCE** (Tape 7)

Supervisor Gross moved the appointment of Mr. Robert Mears as the Director of the Department of Finance at Grade S36, Step 7, at an annual salary of \$99,449, effective September 7, 1999. Supervisor Connolly seconded the motion, which carried by unanimous vote.

73. **APPOINTMENT OF THE DIRECTOR OF THE DEPARTMENT OF PURCHASING AND SUPPLY MANAGEMENT** (Tape 7)

Supervisor Gross moved the appointment of Mr. Armand S. Malo as the Director of the Department of Purchasing and Supply Management at Grade S34, Step 8, at an

annual salary of \$94,861, effective August 20, 1999. Supervisor Connolly seconded the motion, which carried by unanimous vote.

AGENDA ITEMS

74. **3 P.M. - BOARD DECISION ON ADOPTION OF CERTAIN ORDINANCES AND AMENDMENTS TO EFFECT A TRANSFER OF THE NORTH AND SOUTH COUNTY CABLE TELEVISION SYSTEM FRANCHISES FROM MEDIA GENERAL CABLE OF FAIRFAX COUNTY, INCORPORATED TO COXCOM, INCORPORATED** (Tape 8)

(O) (NOTE: On July 12, 1999, the Board held the public hearing on these ordinance amendments, and deferred decision until July 26, 1999. On July 26 the Board deferred decision to August 2, 1999.)

Supervisor Connolly moved to defer decision on adoption of certain ordinances and amendments to effect a transfer of the North and South County Cable Television System Franchises from Media General Cable of Fairfax County, Incorporated to Coxcom, Incorporated until **September 13, 1999, at 3 p.m.** Supervisor Hyland seconded the motion and it **CARRIED** by a recorded vote of seven, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Frey, and Supervisor McConnell voting "NAY."

75. **ANNOUNCEMENT REGARDING ADMINISTRATIVE ITEM 13 - AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF THE PRESIDENTS PARK COMPLEX** (Tape 8)

(NOTE: Earlier in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#11.)

Supervisor Dix announced that Administrative Item 13 was not ready for action, but would be discussed before the end of the meeting.

(NOTE: Later in the meeting, the Board deferred action on this item. See Clerk's Summary Item CL#103.)

ADDITIONAL BOARD MATTERS

76. **HUMAN SERVICES COMMITTEE MEETING SCHEDULED** (Tape 8)

Supervisor Bulova announced that a Human Services Committee meeting is scheduled for September 7, 1999, at 7:30 p.m.

77. **WATER CONSERVATION TIPS TO BE POSTED ON WEBSITE** (Tape 8)

Chairman Hanley reminded the Board that last week it passed a motion directing staff to post water conservation tips on the website. She noted that this had not yet been accomplished and she reiterated the Board's request.

AGENDA ITEMS78. **3:30 P.M. - BOARD DECISION ON SPECIAL EXCEPTION APPLICATION SE 99-V-009 (ALAN CARTER) (MOUNT VERNON DISTRICT)** (Tape 8)

(NOTE: On July 26, 1999, the Board held a public hearing on Special Exception Application SE 99-V-009 and deferred decision until August 2, 1999.)

Supervisor Hyland moved to defer Board decision on Special Exception Application SE 99-V-009 until **September 27, 1999, at 3:30 p.m.** Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

79. **3:30 P.M. - PH TO ADD A NEW SECTION TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 41 (ANIMALS AND FOWL), RELATING TO THE TRAINING OF ATTACK DOGS ON RESIDENTIAL PROPERTY (COUNTYWIDE)** (Tape 8)

(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 July 15 and July 22, 1999.

Following the public hearing, which included testimony by two speakers, Supervisor Gross moved adoption of the proposed amendment to the Code of the County of Fairfax, Chapter 41 (Animals and Fowl), relating to the training of attack dogs on residential property. Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Hyland, Supervisor Kauffman, and Chairman Hanley voting "AYE," Supervisor Connolly, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

80. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-V-018 (ALEXANDRIA HOTEL ASSOCIATES, LLC) (MOUNT VERNON DISTRICT)** (Tape 8)

Ms. Catharine Puskar reaffirmed the validity of the affidavit for the record.

Ms. Puskar 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, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

Supervisor Hyland moved:

- Approval of Special Exception Application SE 99-V-018, subject to the development conditions dated July 29, 1999.
- Waiver of the service drive requirement and the trail requirements along Richmond Highway.

Supervisor Kauffman seconded the motion.

Supervisor Hyland asked Ms. Puskar to discourage the new owner from continuing the practice of holding Saturday CD tape sales with advertisements posted on Route One.

The question was called on the motion and it carried by a vote of seven, Supervisor Frey, Supervisor McConnell, and Supervisor Mendelsohn being out of the room.

81. **3:30 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-P-021 (SLC, LC AND PAUL L. SWEENEY TESTAMENTARY TRUST) (PROVIDENCE DISTRICT)** (Tape 8)

Supervisor Connolly moved to defer the public hearing on Special Exception Application SE 99-P-021 and Public Facilities Application 2232-P99-3 until **September 13, 1999, at 3:30 p.m.** Chairman Hanley seconded the motion and it carried by a vote of eight, Supervisor McConnell and Supervisor Mendelsohn being out of the room.

82. **3:30 P.M. - PH ON REZONING APPLICATION RZ 1998-LE-048 (METRO PARK, LLC) (LEE DISTRICT)** (Tape 8)

(O) Ms. Barbara J. Fried reaffirmed the validity of the affidavit for the record.

Ms. Fried 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.

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

- In excess of \$200 from Mr. B. Mark and Ms. Barbara J. Fried

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

- In excess of \$200 from Mr. B. Mark and Ms. Barbara J. Fried

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

- In excess of \$200 from Ms. Barbara J. Fried

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

- In excess of \$200 from Ms. Barbara J. Fried

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere
- In excess of \$200 from Mr. B. Mark and Ms. Barbara J. Fried

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

- In excess of \$200 from Ms. Barbara J. Fried

Following the public hearing, which included testimony by one speaker, discussion ensued with input from Peter Braham, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning.

Supervisor Kauffman moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Gross seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

Supervisor Kauffman moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998 –LE –048 from the R-1, I-4 and I-5 Districts to the PDC District, subject to the execution of the proffers dated July 30, 1999; the Planning Commission having previously approved the Final Development Plan Application FDP 1998-LE-048 on July 29, 1999.
- Approval of the associated conceptual development plan.

- Modification of the transitional screening and barrier requirements along the southern boundary and adjacent to Laurel Grove Church.
- Waiver of the following requirements with regard to the proffered trail to the Joe Alexander Transportation Center:
 - Tree cover.
 - Best management practices.
 - Stormwater management.
 - Soils report.
 - Cross section requirements in Section 8-0202.5 of the Public Facilities Manual (PFM).
 - Turning radius in Section 8-0202.6 of the PFM.
 - Clearing zone requirement in Section 8-0202-3 of the PFM with regards to the proffered fence.

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

83. **3:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 81-S-077 (C.W. COBB AND ASSOCIATES, INCORPORATED, A VIRGINIA CORPORATION) (SULLY DISTRICT)**
(Tape 8)

Supervisor Frey moved to defer the public hearing on Proffered Condition Amendment Application PCA 81-S-077 until **September 27, 1999, at 4:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

84. **4 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 112 (ZONING ORDINANCE) REGARDING PLACES OF WORSHIP AND CERTAIN ACCESSORY USES TO LOCATE IN THE R-C, R-E, R-1, R-2, R-3, R-4, R-5 AND R-8 DISTRICTS AS USES PERMITTED BY RIGHT SUBJECT TO USE LIMITATIONS, AND OTHER CHANGES RELEVANT TO PLACES OF WORSHIP (COUNTYWIDE)** (Tape 8)

Supervisor Frey moved to defer the public hearing on this item until **September 27, 1999, at 5:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

85. **4 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-M-007 (BAILEYS CROSSROADS, LLP) (MASON DISTRICT)** (Tape 8)

Mr. David S. Houston reaffirmed the validity of the affidavit for the record.

Mr. Houston 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 Gross disclosed for the record that *Penny Gross for Supervisor* rents space from the Applicant.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$200 from Mr. Michael J. Giguere

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

Supervisor Gross moved:

- Approval of Special Exception Application SE 99-M-007, subject to the amended development conditions dated July 14, 1999, with the following modification:
 - Change the last sentence of condition 5 to read "Any new or replacement parking lot light polls shall not exceed a maximum height of 30 feet inclusive of light fixtures."
- Waiver of the service drive requirements along Route Seven and Columbia Pike.
- Modification of the peripheral parking lot landscaping and trails requirement as shown on the Special Exception Plat.

Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

86. **4 P.M. - PH ON SPECIAL EXCEPTION APPLICATION SE 99-Y-016 (SOUTHWESTERN YOUTH ASSOCIATION) (SULLY DISTRICT)** (Tape 8)

Supervisor Frey moved to defer the public hearing on Special Exception Application SE 99-Y-016 until **September 27, 1999, at 5 p.m.** Supervisor Bulova seconded the

motion and it carried by a vote of seven, Supervisor Dix, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

87. **4 P.M. - PH ON DEVELOPMENT PLAN AMENDMENT APPLICATION DPA 74-2-113-7 (BOARD OF SUPERVISORS' OWN MOTION) (HUNTER MILL DISTRICT)** (Tapes 8-9)

Mr. Luis O. Lopez reaffirmed the validity of the affidavit for the record.

Mr. Lopez 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, Jackie Blue, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved approval of Development Plan Amendment Application DPA 74-2-113-7, subject to the development conditions dated June 29, 1999. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

88. **4 P.M. - PH ON REZONING APPLICATION RZ 1999-HM-020 (ARTHUR J. AND CAROL R. COHEN) (HUNTER MILL DISTRICT)** (Tape 9)

(O) Mr. Arthur J. Cohen reaffirmed the validity of the affidavit for the record.

Mr. Cohen 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, Catherine Sieber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, 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 1999-HM-020 be amended from the R-1 District to the R-3 District, subject to the execution of the proffers dated July 30, 1999. Supervisor McConnell seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, and Chairman Hanley voting "AYE," Supervisor Frey, Supervisor Hyland, and Supervisor Mendelsohn being out of the room.

89. **4 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA 87-P-038-2 (PRETISS PROPERTIES ACQUISITION PARTNERS, LP)
(PROVIDENCE DISTRICT)** (Tape 9)

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, MaryAnn Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Connolly moved:

- Approval of Proffered Condition Amendment Application PCA 87-P-038-2, subject to the executed proffers dated July 29, 1999.
- Reaffirmation of the previously approved waiver of the service drive requirement along Arlington Boulevard.

Supervisor Hyland seconded the motion and it carried by a vote of seven, Supervisor Frey, Supervisor Kauffman, and Supervisor McConnell being out of the room.

CM:cm

90. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-DR-035
(EDGEMOORE HOMES LLC) (DRANESVILLE DISTRICT)** (Tape 10)

(O) Mr. H. Kendrick Sanders reaffirmed the validity of the affidavit for the record.

Mr. Sanders 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 Mendelsohn disclosed the following campaign contribution which he had received:

- In excess of \$200 from Edgemoore Homes

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

Supervisor Mendelsohn moved that the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-DR-035 be amended from the R-2 District to the PDH-2 District, subject to the execution of the proffers dated July 29, 1999, and the development conditions dated August 2, 1999; the Planning Commission having previously approved Final Development Plan Application FDP 1998-DR-035 on July 29, 1999. Supervisor Connolly seconded the motion and it carried by a vote of seven, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Vice-Chairman Hyland voting "AYE," Supervisor Frey, Supervisor McConnell, and Chairman Hanley being out of the room.

91. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1999-PR-002 (JOHN SIMPSON, TRUSTEE) (PROVIDENCE DISTRICT)** (Tape 10)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1999-PR-002 until **September 27, 1999, at 4:30 p.m.** Supervisor Dix seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

92. **4:30 P.M. - PH ON REZONING APPLICATION RZ 1998-LE-069 (HEATHER GLEN ASSOCIATES, INCORPORATED) (LEE DISTRICT)** (Tape 10)

Supervisor Kauffman moved to defer the public hearing on Rezoning Application RZ 1998-LE-069 until **September 13, 1999, at 4 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of six, Supervisor Frey, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

93. **4:30 P.M. - PH ON A PROPOSAL TO PROHIBIT THROUGH TRUCK TRAFFIC ON WHERNSIDE STREET (MOUNT VERNON DISTRICT)** (Tape 10)

(R) 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 July 15 and July 22, 1999.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved adoption of the Resolution requesting the Virginia Department of Transportation to implement the prohibition of through truck traffic on Wherside Street, between Pohick Road and Telegraph Road. Supervisor Hyland seconded the motion and it carried by a vote of six, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Gross, Supervisor Kauffman, and Vice-Chairman Hyland voting "AYE," Supervisor Frey, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

94. **4:30 P.M. - PH ON PROPOSED AMENDMENTS TO THE CODE OF THE COUNTY OF FAIRFAX, CHAPTER 82 (MOTOR VEHICLES AND TRAFFIC) EXPANDING THE OAKTON RESIDENTIAL PERMIT PARKING DISTRICT (RPPD), DISTRICT 19 (PROVIDENCE DISTRICT)**
(Tape 10)

- (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 July 15 and July 22, 1999.

Following the public hearing, which included testimony by one speaker, Supervisor Connolly moved adoption of the proposed amendments to the Code of the County of Fairfax, Chapter 82 (Motor Vehicles and Traffic), to expand the Oakton RPPD, District 19. Supervisor Dix seconded the motion and it carried by a vote of nine, Supervisor Bulova, Supervisor Connolly, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Hyland being out of the room.

95. **4:30 P.M. - PH ON THE VACATION OF A PORTION OF SANITARY SEWER EASEMENT IN THE WEST HILLS SUBDIVISION (SPRINGFIELD DISTRICT)** (Tape 10)

- (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 July 15 and July 22, 1999.

Following the public hearing, Supervisor McConnell moved adoption of the Ordinance vacating a portion of a sanitary sewer easement in the West View Hills Subdivision, Tax Map Number 89-2((5))371-B. Supervisor Frey seconded the motion and it carried by a vote of six, Supervisor Dix, Supervisor Frey, Supervisor Gross, Supervisor Kauffman, Supervisor Mendelsohn, and Chairman Hanley voting "AYE," Supervisor Bulova, Supervisor Connolly, Supervisor Gross, and Supervisor Hyland being out of the room.

96. **5 P.M. - PH ON REZONING APPLICATION RZ 1998-DR-070 (ALD GROUP, INCORPORATED) (DRANESVILLE DISTRICT)** (Tape 10)

- (O) Mr. Mark Jenkins reaffirmed the validity of the affidavit for the record.

Mr. Jenkins 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, MaryAnn Godfrey, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission

recommendations.

Supervisor Mendelsohn moved:

- Amendment of the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1998-DR-070 from the R-1 District to the R-3 District, subject to the execution of the proffers dated July 22, 1999.
- Waiver of the Public Facilities Manual requirement to permit the minimum Virginia Department of Transportation standards for cul-de-sac radius and right-of-way width.

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

97. **5 P.M. - PH ON SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 83-D-095-2 (GREAT FALLS VILLAGE GREEN DAY SCHOOL) DRANESVILLE DISTRICT** (Tape 10)

Ms. Elizabeth 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, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Mendelsohn moved:

- Approval of Special Exception Amendment Application SEA 83-D-095-2, subject to the development conditions dated July 14, 1999.
- Waiver of the barrier requirements and a modification of the transitional screening requirements along the eastern, western, and southern boundaries of the subject site to that depicted on the Special Exception Plat and as conditioned.

Supervisor Hyland seconded the motion and it carried by a vote of eight, Supervisor Frey and Supervisor Kauffman being out of the room.

98. **5 P.M. – PH ON REZONING APPLICATION RZ 1997-MV-049 (ROBERT L. TRAVERS) (MOUNT VERNON DISTRICT)** (Tapes 10-11)

(O) Mr. William Thomas reaffirmed the validity of the affidavit for the record.

Mr. Thomas 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.

Chairman Hanley called the Board's attention to the affidavits listed in the Board Package dated August 2, 1999, and noted that the most recent affidavit of June 1, 1999, is listed in the back of the package, in Appendix One, and the one listed in the front is from May 16, 1997.

Chairman Hanley disclosed the following campaign contribution which she had received:

- In excess of \$100 from Mr. Bernard Fagelson

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

- In excess of \$200 from Mr. Bernard Fagelson

Following discussion, Chairman Hanley queried the County Attorney regarding the legal requirement for the number of affidavits needed in the Board Package. There was a brief discussion, with input from Barbara A. Byron, Director, Zoning Evaluation Division, Department of Planning and Zoning.

Supervisor Hyland asked unanimous consent that the Board direct staff to review the possibility of segregating the affidavits from the other items in the Board Package. Without objection, it was so ordered.

Following the public hearing, which included testimony by three speakers, Catherine Sieber, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

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

- In excess of \$200 from Mr. Bernard Fagelson

Supervisor Hyland moved to defer Board decision on Rezoning Application RZ 1997-MV-049 until **September 27, 1999, at 3:30 p.m.** Supervisor Connolly seconded the motion and it carried by a vote of eight, Supervisor McConnell and Chairman Hanley being out of the room.

99. **5 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION
PCA 95-V-046 (JCE, INCORPORATED) (MOUNT VERNON DISTRICT)**
(Tape 11)

Ms. Lynne 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, Supervisor Hyland moved to waive the reading of the staff and Planning Commission recommendations. Supervisor Connolly seconded the motion which carried by a vote of seven, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

Supervisor Hyland moved that the Board:

- Approve Proffered Condition Amendment Application PCA 95-V-046, subject to the executed proffers dated July 23, 1999.
- Reaffirm the waiver on the limitation on private streets.
- Reaffirm the previously approved waivers on transitional screening and barrier requirements.

Supervisor Kauffman seconded the motion and it carried by a vote of seven, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

100. **5 P.M. - PH ON REZONING APPLICATION RZ 1998-PR-027
(HEARTHSTONE VANGUARD JOINT VENTURE) (PROVIDENCE
DISTRICT)** (Tape 11)

(NOTE: Earlier in the meeting, the Board took action regarding this application. See Clerk's Summary Item CL#61.)

Supervisor Connolly moved to defer the public hearing on Rezoning Application RZ 1998-PR-027 until **September 13, 1999, at 5:30 p.m.** Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

101. **5:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 79-C-079-03 AND SPECIAL EXCEPTION AMENDMENT APPLICATION SEA 94-Y-007 (HERMIS, INCORPORATED) SULLY DISTRICT)** (Tape 11)

Ms. Sarah Hall reaffirmed the validity of the affidavit for the record.

Ms. Hall 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, Jackie Blue, Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Frey moved approval of:

- Proffered Condition Amendment Application PCA 79-C-079-03, subject to the executed proffers dated July 12, 1999.
- Special Exception Amendment Application SEA 94-Y-007, subject to the development conditions dated July 8, 1999.

Supervisor Bulova seconded the motion and it carried by a vote of seven, Supervisor McConnell, Supervisor Mendelsohn, and Chairman Hanley being out of the room.

102. **5:30 P.M. - PH ON PROFFERED CONDITION AMENDMENT APPLICATION PCA 94-H-065 AND REZONING APPLICATION RZ 1999-HM-011 (VAN METRE AT WOODLAND, LP (HUNTER MILL DISTRICT)** (Tape 11)

(O) Ms. Elizabeth 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, which included testimony by one speaker, Greg Russ, Senior Staff Coordinator, Zoning Evaluation Division, Department of Planning and Zoning, presented the staff and Planning Commission recommendations.

Supervisor Dix moved that the Board:

- Approve Proffered Condition Amendment Application PCA 94-H-065.

- Amend the Zoning Ordinance as it applies to the property which is the subject of Rezoning Application RZ 1999-HM-011 from the PDH-12 District to the DPH-30 District.
- Approve the Conceptual Development Plan (CDP), subject to the executed proffers dated July 27, 1999.

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

Supervisor Dix further moved:

- Modification of the transitional screening and barrier requirement along the southern perimeter of the site in favor of that shown on the Conceptual Development Plan/Final Development Plan (CDP/FDP) and as further stipulated in the draft proffers.
- Modification of the transitional screening requirements along the southern boundary adjacent to Fox Mill Road as shown on the CDP/FDP and as further described in the proposed development conditions.
- Waiver of the 600 foot maximum length of private streets within a residential development.

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

103. **ADDITIONAL DISCUSSION OF ADMIN 13 – AUTHORIZATION TO ADVERTISE A PUBLIC HEARING ON THE ACQUISITION OF CERTAIN LAND RIGHTS NECESSARY FOR THE CONSTRUCTION OF PRESIDENTS PARK COMPLEX (HUNTER MILL DISTRICT)** (Tape 11)

(NOTE: Earlier in the meeting this item was deferred. See Clerk's Summary Items CL#9, CL#11 and CL#75.)

Supervisor Dix moved to defer action on Administrative Item 13 – Authorization to Advertise a Public Hearing on the Acquisition of Certain Land Rights Necessary for the Construction of Presidents Park Complex (Hunter Mill District) until September 13, 1999. Supervisor Frey seconded the motion and it carried by a vote of seven, Supervisor Connolly, Supervisor Hyland, and Supervisor McConnell being out of the room.

104. **6 P.M. - PUBLIC COMMENT FROM FAIRFAX COUNTY CITIZENS AND BUSINESSES ON ISSUES OF CONCERN** (Tapes 11-12)

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 July 15 and July 22, 1999.

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 included testimony from the following three speakers:

- ⊘ Ms. Tonya Moseke regarding Metro access service problems.
- ⊘ Ms. Patricia Fairchild regarding Metro access service problems.
- ⊘ Ms. Doris Ray regarding Metro access service problems.

Following discussion, with input from staff, Supervisor Gross asked unanimous consent that the Board direct staff to review and prepare a written report to the Board regarding the possibility of removing handicapped vehicles from the general pool of taxicab licenses so that these vehicles will not be tied into the overall number of taxicabs. Without objection, it was so ordered.

Chairman Hanley relinquished the Chair to Vice-Chairman Hyland and asked unanimous consent that the Board direct staff to review the issue of riders being stranded and provide information to Board Members on the long and short terms improvements being considered. Without objection, it was so ordered.

Vice-Chairman Hyland returned the gavel to Chairman Hanley.

Public comment continued with testimony from the following four speakers:

- ⊘ Ms. Virginia Williams regarding Chantilly Mews Subsidized Housing Program.
- ⊘ Ms. Natalie Hines regarding Metro access service problems.
- ⊘ Ms. Catherine Parr regarding Metro access service problems.
- ⊘ Ms. Sheila Coates regarding Chantilly Mews.

Following the comments of Ms. Coates, Supervisor Frey asked unanimous consent that the Board direct staff to report to the Board regarding the discussions regarding Chantilly Mews. Without objection, it was so ordered.

105. **BOARD ADJOURNMENT** (Tape 12)

At 7:20 p.m., the Board adjourned.